



LEGAL SERVICES CORPORATION

Office of Inspector General

**Increasing
Legal Services
Delivery Capacity
Through
Information Technology**



Message from the Inspector General

The Inspector General Act charges me with two missions: to prevent and detect fraud, waste and abuse; and to promote efficiency and effectiveness in the operations funded by the Legal Services Corporation.

Although the first mission is well known, the second often escapes public attention. Program integrity is unquestionably a prerequisite for improving program effectiveness, and audits and investigations are the essential tools to maintaining integrity. I believe that once integrity is attained, the greatest potential for improvement to government performance comes through independent evaluation of program effectiveness -- how well a program works and how it can be improved.

This report conveys the results of such an assessment. It contains no findings and no recommendations. Instead it provides information that could be used by the Corporation's leadership to achieve unprecedented gains to the quality and quantity of legal services provided to America's poor. I am hopeful it will do so.

EDOUARD QUATREVAUX
Washington, D.C.
July 1996



"The real power of technology is not that it can make old processes work better, but that it enables organizations to break old rules and create new ways of working—that is, to reengineer. It is this disruptive power of technology, its ability to break the rules that limit how we conduct our work, that makes it critical."

Michael Hammer and James Champy,
Reengineering The Corporation: A Manifesto for Business Revolution,
HarperBusiness, 1993.



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RESULTS IN BRIEF

The shortfall in legal services delivery capacity is the most critical challenge to program effectiveness facing the Legal Services Corporation (LSC). Although the extent of unmet "legal needs" of poor persons has been disputed, no one has suggested that the current legal services delivery system services all of those needs. Moreover, demographic and legal practice trends indicate that the shortfall would grow even if future funding matched the rate of inflation.

The private sector has provided numerous recent examples of dramatic increases to productivity and quality by exploiting advances in information technology. These gains were possible because the technology enables organizations to conduct their business in new ways that are much more efficient. The Comptroller General has reported that information technology offers the government unprecedented opportunities for higher quality services at lower cost.

Our objective was to identify applications of information technology with the potential to increase delivery capacity without increasing general resource levels. **We concluded that order-of-magnitude increases in delivery system capacity could be achieved by:**

- increasing client self-help through the new delivery medium of public access kiosks;
- providing information and legal assistance via the Internet;
- using computer-assisted client intake and legal assistance telephone helplines; and
- integrating these and other technology applications to help reshape the delivery of legal services.

Legal services kiosks could assist millions of additional clients at very low cost by channeling routine, repetitive cases to self-help kiosks The private sector, and federal, state and local governments have used self-help kiosks successfully to deliver information and services. Users engage these interactive kiosks through a touchscreen, which employs powerful, intuitive icons, a carefully-structured script, and an on-screen video "host" who explains each step. Kiosks are used, for example, for AFDC and social security applications, to process vehicle registrations, to pay parking tickets, and to provide information on job vacancies and government services.

QuickCourt, a kiosk system operated by the Arizona courts, demonstrated that legal assistance can be provided effectively by kiosk in many routine cases. QuickCourt provides information on small claims, child support payments, alternative dispute resolution, tenant rights, and referral services. It guides users through the completion of forms necessary to file for divorce and other legal actions. In the federal legal services program, similar public access kiosks could be used to dispense information to clients, to help them complete forms such as



those necessary to obtain an Order of Protection, for outreach in rural areas and for program intake.

The Internet could be used to disseminate information and efficiently provide legal assistance to millions of additional clients who could access the Internet at home, work, public libraries, community centers, or through public access kiosks in supermarkets, courthouses, or legal services offices. For example, to assist those victimized by domestic abuse, Internet-delivered software could provide legal and referral information, and guide clients through completion of forms needed to obtain an Order of Protection or seek its enforcement. The Internet would permit a user-friendly domestic abuse assistance program to be available any time on any day in police stations, emergency rooms, shelters, and public access kiosks. The review identified many other beneficial uses for the Internet in the federal legal services program.

Some legal services grantees doubled the number of clients served by redesigning their intake process. The legal assistance helpline/intake systems feature attorneys or paralegals with telephone headsets, and on-screen case management and intake software. Its efficiencies derive from attorney specialization in quick-to-handle cases, the fact that telephone interviews take less time than face-to-face consultations, and from avoiding time-consuming tasks associated with traditional intake. LSC has aggressively supported the establishment of legal helpline/intake systems, and the proliferation of these systems through the legal services system is underway despite LSC's inability to fund associated computer hardware and software.

Investments in these information technologies have enormous potential value in relation to their costs. The return would be realized primarily in the form of additional clients served, and primarily in routine matters that do not require an attorney's presence. The technology applications which we identified as most useful have only recently attained a level of capability adequate for their use in the delivery of legal services. These applications are of most use in cases which do not require the physical presence of an attorney. Even so, these "referral, advice only, and brief service" cases make up 68 percent of the legal services caseload. Information technology applications would enable the delivery system to reach out to those previously without access to legal assistance, and cut into the backlog of unmet legal needs.

To realize the potential, proof of concept evaluations are needed to obtain detailed cost and operational data. The concept evaluations would be performed by the Office of Inspector General in a subsequent phase of this review. The resulting information would permit corporate management to analyze policy options and develop plans for integration of these technologies into the legal services delivery system. Once management completed analyses and plans, it then would be able to justify funding for technology investments in future budget submissions.

The most critical step in achieving the potential offered by information technology is the commitment of leadership to change, to value information as a resource, and to make information an integral component of service delivery. The potential cannot be realized without technical support to grantees, and that capability would need to be created. LSC also would need to develop the capacity to evaluate, develop, and field new applications of



information technology. Finally, LSC should consider recruiting a Chief Information Officer to design and direct the legal services information technology initiative.

BACKGROUND

The Legal Services Corporation (LSC) is authorized by Congress to make grants for the provision of civil legal assistance to the poor. LSC makes grants to approximately 300 entities, which in turn provide legal assistance to indigent persons throughout the United States and its territories.

Objective and Methodology

The objective of this review was to identify applications of information technology with potential to increase delivery system capacity without significant resource increases. Information was collected through interviews, literature reviews, and by direct observation. We consulted information technology experts in the private sector, in the legal services community, and at the National Center for State Courts. We used secondary sources and did not attempt to confirm data. The Counsel for Technology at the Vera Institute of Justice, developer of several advanced applications in the judicial environment, served as a consultant to the Office of Inspector General.

Shortfall in Legal Services Delivery Capacity

Although the demand for legal services is difficult to estimate, the number of persons whose income fell below the poverty line increased from 33.7 million in 1984 to 39.3 million in 1993. Local legal services programs provided 1.7 million individual services to eligible clients in 1995 with an appropriation of \$400 million. Legal services advocates maintain that they provided only about 20 percent of the total demand for legal services, while others say that unmet needs are not nearly as great. Nevertheless, no one has suggested that current funding is adequate to accommodate all of those who are eligible, and thus the disagreement has centered on the size of the shortfall, not its existence.⁽¹⁾

With a FY96 appropriation reduced to \$278 million, there can be little doubt that more eligible persons will go without legal services unless ways can be found to increase services without corresponding increases in appropriated funds.

There are also several poverty law developments which serve to expand the shortfall, either by increasing the number of eligible clients or by requiring more legal work per client. For



example, the demand for legal assistance to veterans has increased because a Veterans Appeals Court was created, and because a statutory bar reviewing certain VA claims was removed. ⁽²⁾ More significant, however, is a shift to what is termed "fact-based advocacy." As more matters became the discretion of the states, poverty law practice was forced to shift away from simply arguing for the enforcement of existing statutes—rule-based advocacy. Many cases now require an even more intensive focus by poverty lawyers on presenting "...a compelling factual basis for the claims of their clients." ⁽³⁾ To do so effectively often requires significant investigation and information marshaling and analysis. Many cases now require more research and a greater investment of the lawyer's time than ever before.

Reducing the Shortfall in Delivery Capacity

Reducing the shortfall is therefore a strategic imperative for the federal legal services program, which was stated as follows by the LSC Board Chairman:

"The main issue remains how to provide meaningful access to justice when we are faced with needs that far exceed available resources." ⁽⁴⁾

Current trends indicate that the shortfall will continue to grow: the population of eligible persons is expected to increase, law and its practice are growing more complex, and federal discretionary spending is shrinking rapidly. Under these circumstances, the prospects are very poor for future increases in funding of a magnitude sufficient to close the gap between legal services needed and those provided.

Fortunately, there is a way to reduce the shortfall. According to the Comptroller General of the United States, "Today's information systems offer the government unprecedented opportunities to provide higher quality services tailored to the public's changing needs, delivered more effectively, faster, and at lower cost." ⁽⁵⁾

The Power of Information Technology

The Comptroller General's statement alludes to **order-of-magnitude increases in productive capacity, not incremental gains.** "The real power of technology is not that it can make old processes work better, but that it enables organizations to break old rules and create new ways of working—that is, to reengineer." ⁽⁶⁾ "The rules, explicit or not, were neither frivolous nor absurd when they were first articulated. They were expressions of the wisdom that people had derived from experience." ⁽⁷⁾ But with the introduction of modern information technologies, many work rules and the assumptions on which they were based no longer hold.

"It is this disruptive power of technology, its ability to break the rules that limit how we conduct our work, that makes it critical." ⁽⁸⁾ The accompanying chart gives examples of



long-standing business work rules which have been redefined by today's information technologies.



<i>THE POWER OF INFORMATION TECHNOLOGY</i> ⁽⁹⁾		
Old Rule	Disruptive Technology	New Rule
Only experts can perform complex work	Expert systems	A generalist can do the work of an expert
Information can appear in only one place at a time	Shared databases	Information can appear simultaneously in as many places as it is needed
Businesses must choose between centralization and decentralization	Telecommunications networks	Businesses can simultaneously reap the benefits of centralization and decentralization
Managers make all decisions	Decision support systems	Decision-making is part of everyone's job
Field personnel need offices where they can receive, store, retrieve, and transmit information	Wireless data communication and portable computers	Field personnel can send and receive information from anywhere
The best contact with a potential buyer is personal contact	Interactive videodisc	The best contact with a client is effective contact
You have to find out where things are	Automatic identification and tracking technology	Things tell you where they are

Michael Hammer and James Champy, authors of *Reengineering the Corporation*, related an early reengineering experience of IBM Credit Corporation, a subsidiary that financed purchases of IBM's products. A sales representative's request for financing went through a 5-step process that took 6 days on average, sometimes as long as 2 weeks to complete. In the interim, buyers changed their minds and sales were lost to competitors. Reexamination of the process showed that the employees actually worked for only 90 minutes on the request—the remainder of the time was lost to the movement of the document from one stop to another, and the wait time in the next in-box. Even if employee productivity somehow was doubled, only 45 minutes would be saved from the 6-day average completion time. The process was identified as the problem and was redesigned into a single step. Turnaround time was reduced from 6 days to 4 hours, staffing



fell slightly, and the volume of financing quotations eventually increased 100 times (not 100 percent).⁽¹⁰⁾

Many other businesses have used information technology and reengineering of their core business processes to: save millions of dollars a year (American Express lowered its annual operating costs by one billion dollars); achieve unprecedented levels of customer satisfaction (Texas Instruments Semi-Conductor group shrank its order fulfillment time in half and moved from last to first in customer satisfaction surveys); and increase speed and flexibility in all aspects of operations.⁽¹¹⁾ Other companies have used information technology to transform not only their internal processes, but their business relationships and organization as well. Computer-aided design and computer-aided manufacturing have permitted more outsourcing as they reduce the costs and risks associated with outside suppliers. By pressing a key on a personal computer, a clothing designer in Los Angeles can cause an automated manufacturing machine in Taiwan to change the cutting pattern on the skirts coming down the line instantly.

Reengineering can also improve the effectiveness and quality of legal representation. The Neighborhood Defender Service (NDS) of Harlem is a neighborhood-based public defender service that designed and organized its work processes around an information system which provided detailed information concerning all prior experiences with the client, witnesses, arresting officers, and judges. The system also uses electronic mail to notify each defense team member automatically of every update to a case file and provides software tools such as an application that graphically displays the arrest site, crime site, and client's residence on a city map, and computes the distance between them. Based on a matched sample with other providers, 61 percent of NDS cases resulted in criminal court dispositions other than guilty as compared to 44 percent of cases by other defenders.⁽¹²⁾

Similar results were achieved at the Midtown Community Court in New York City, which received the 1994 Court Innovation Award from the National Association of Court Managers,⁽¹³⁾ and the 1995 Windows World Open Software Award in government sector computing. The Court focuses on misdemeanor arrests, and emphasizes the use of neighborhood based community services and social services when appropriate. A four-part computer screen shows the judge the information needed to decide the case. Arrest data comes electronically from the police department booking system, charge information and the complaint text come electronically from the District Attorney's system, and the criminal record moves electronically from the Division of Criminal Justice Services. The screen also has information from interviews conducted by the Criminal Justice Agency which provide facts about the defendant's housing, health and work situation. This comprehensive display contains all the information judges said they needed and uses graphical display technologies that eliminate any need for the judges to master technical detail.

In the Court's first six months, the frequency of incarcerations decreased to 15 percent of disposed cases. The availability of critical information has since permitted judges to use community service sanctions in 75 percent of its cases, which is much greater than comparable courts. More important, misdemeanor crimes decreased in the court's jurisdiction.⁽¹⁴⁾ For



example, prostitution arrests declined 56 percent in the first two years.⁽¹⁵⁾ According to a survey by the Times Square Business Improvement District, felonies declined as well and was attributed to the improvement in the neighborhood's quality of life brought about by the court, such as a reduction from 250 to 10 in the average number of prostitutes working the district's streets.⁽¹⁶⁾

Return on Information Technology Investments

Reinforcing the importance of reengineering is research illustrating that **the return on investment (ROI) from information technology investments varies directly with the degree to which the technology transforms core operations**

Phases and Returns of Technology Investment⁽⁴⁷⁾	
Phase I	Technical Proficiency: <i>Installation and training.</i> Negative return on investment is expected as up-front costs are incurred.
Phase II	Task Automation: <i>Technology-driven vision focusing on personal productivity at the task level.</i> Modest 10-20 percent return is expected as tasks such as word processing, project management, forms generation, basic statistics are automated. Although successful completion is formidable challenge, benefits rarely justify major technology investments.
Phase III	Business Process: <i>Tactical business vision drives use of technology.</i> Returns of up to 300 percent are expected as technology is used for integrating project management and financial systems, providing constant and current executive information, and <u>providing direct customer access from remote locations.</u>
Phase IV	Business Transformation: <i>Strategic business vision drives restructuring of business processes using technology.</i> This, the true "Reengineering" phase, offers almost unlimited returns on information technology investment, as businesses move to eliminate unnecessary tasks and use: just-in-time scheduling, joint marketing partnerships, intra-industry partnerships and seamless integration with suppliers and customers.

Task automation of functions such as word processing and case management achieves a modest ROI (10 to 20 percent) from the increased speed of the task. An example is automating a court's case docket so that the clerk can look up information faster. The next phase occurs when information technology is applied to a **business process** rather than a single task, and can return up to three times the investment cost (300 percent). Using the same example, information technology is used to provide direct public access to court records, eliminating the need for the



clerk to be involved in retrieving the information. Michigan's 36th District Court gives users direct access to court records by integrating its on-line records system with a touch tone telephone system, and Oregon courts now provide public access terminals that allow anyone to "see" court records.⁽¹⁸⁾

Business transformation occurs when technology is used to restructure the core business itself, to innovate rather than automate. The potential ROI is almost unlimited. Utah state courts have embarked on an experiment which will require all court case documents to be filed electronically. All necessary data will be extracted and entered into court records automatically, and rule-based software will perform scheduling and work routing. Electronic filing yields important benefits: data entry is transferred to the document creator; the courts and its customers no longer have to pay for mail or courier service; and "hypertexting" legal citations to an on-line database simplifies legal research.⁽¹⁹⁾ Equally important, the court's customers will acquire a research capability not previously available, meaning that the courts will have improved the quality of its service as well as having reduced its cost. It also means that the court system will have greatly expanded its caseload capacity with little or no increase in staffing.



REVIEW RESULTS

The review identified applications of information technology that could significantly reduce the shortfall in legal services by **multiplying delivery system capacity severalfold**

- public access kiosks;
- the Internet¹;
- computer-assisted helpline and intake systems; and
- the integration of these technologies to reshape the delivery of legal services.

Public Access Kiosks

An electronic kiosk is a small enclosed structure containing computing and communications equipment, input devices such as card readers, keyboards, and touch screen monitors, output devices such as printers, and audio and video players. The automated teller machine (ATM) is a primitive electronic kiosk. Public access terminal is another name for, and the best way to view an electronic kiosk.

Kiosks serve three functions: to advertise; to collect or dispense information only; and to exchange information, money, and/or services. Advertising kiosks are the least complex and promote the product or service by giving information about it. Information-only kiosks normally use buttons or a keyboard and collect or provide very limited information. Parking garage ticket dispensers are an example of this limited function kiosk. Transactional kiosks are the most complex and the most useful. They collect cash or credit card data and can dispense goods and services as well as information. Unlike ATMs, users engage advanced transactional kiosks through a touchscreen that presents colorful, intuitive icons, a carefully-structured script, and an on-screen video host who explains each step, often in several languages.

The number of interactive kiosks is estimated to have grown from 25,000 in 1990 to 90,000 in 1993, and is projected to reach 500,000 by 1997. ⁽²⁰⁾ Both governments and private-sector firms are realizing that they can provide better information and services to their customers through this medium—without the significant increases in staff normally associated with such improvements—to a public increasingly accepting of self-service and increasingly expecting one-stop service and access to information 24 hours a day, 365 days a year.

¹ Usage in this report includes the network and applications such as the World Wide Web.



Private Sector Kiosk Applications

The private sector is rapidly expanding the use of kiosks. For example, 9000 interactive kiosks allow customers to design their own greeting cards. The Minnesota Twins sell tickets via kiosks which allow the potential buyer to "see" what seats are available on a given date, and what the view is like from those seats, reportedly prompting many ticket upgrades. At a New England chain of deli counters, customers use kiosks to enter their lunch orders. Music stores sell sheet music via kiosk, allowing customers to print the scores in any key. Allstate sells insurance with kiosks, and BellSouth Services uses kiosks to allow customers to connect/disconnect their service or order premium services. In Brisbane Australia, real estate listings appear on kiosks with video of the properties marketed. In a progressive version of the ATM, the University Federal Credit Union of Austin has opened a banking kiosk that expands traditional services to include fund transfers, loan applications, stop payments, and account openings. What makes this ATM special is that the user can see and converse with a "teller" who is located miles away.

Federal Kiosk Innovations

The IRS, FEMA, OPM², the Immigration and Naturalization Service, and the Department of Labor have all fielded kiosks, some as long ago as 1986. At the request of Vice-President Gore, the Postal Service, Veterans Administration, and Social Security Administration demonstrated a multi-agency kiosk application in 1993.

Foreshadowing the nature of future kiosk uses is a project of the Social Security Administration and the City of Albuquerque. A network of 12 kiosks placed primarily in supermarkets provides information on social security benefits in English, Spanish, Vietnamese, and Navajo languages. The kiosks accept applications for cards and requests for personal benefit statements, and transmit them electronically to the Social Security Administration.

The federal government formed an Interagency Kiosk Committee which recommended a federal network of 10,000 kiosks to reach 70 percent of the American public.⁽²¹⁾ Current plans call for a five-year deployment which is projected to cost just under one billion dollars. These kiosks will be shared by federal entities, provide access to job banks and information on operating hours and locations of federal offices, dispense government forms, take orders for government publications, sell stamps, and perform many other high-volume tasks such as processing the 40 million change-of-address notices the Postal Service receives annually.

²Internal Revenue Service, Federal Emergency Management Agency, Office of Personnel Management.



State and Local Government Kiosk Uses

The federal kiosk initiative can trace its roots to the many successful applications pioneered by state and local governments which have deployed interactive kiosks for a variety of purposes. Colorado, California, and Washington have piloted or fielded interagency kiosks, and 38 states have either implemented a pilot project or are planning to do so.

New York City, Sacramento, Phoenix, Santa Monica, Texas, Nebraska, California, and Hawaii, among others, use kiosks to provide general information regarding city or state operations. Many also provide detailed information regarding benefits, taxes, job listings, and pre-natal care. Some kiosks process enrollment applications, motor vehicle registrations, requests for birth certificates, and drivers license renewals. Most operate in at least two languages, and Hawaii's offers English, Ilocano, and Samoan. Kiosks are usually sited in government buildings, supermarkets, and shopping malls. Info/Texas operates 24 kiosks in 16 cities and served 175,000 citizens in the first 6 months of operation.

Florida State University uses kiosks in tandem with a "smart card" which serves as an ID, allowing students to update address information, pay tuition, obtain class schedules, and apply for graduation.⁽²²⁾ Tempe Arizona used touchscreen kiosks to give Super Bowl visitors a guide to the area, city services and event schedules. These kiosks were among the first to be connected to the Internet, which permitted information updates and software changes from a remote, central location.⁽²³⁾

Kiosks have also proven valuable in disaster relief. After the Los Angeles riots, six kiosks provided information on 206 services in 7 assistance areas, and gave information to potential donors and volunteers on where their goods and services were needed. After the Northridge earthquake, the state's Smart Traveler kiosks, which previously provided maps and public transit information, were used to provide real-time freeway conditions to more than 60,000 people each month during reconstruction. Following the summer 1993 floods, Info/Kansas was deployed to provide flood relief information and assistance.

Tulare, California is a rural farming community with many refugees from Southeast Asia, and 25 percent of its population receives public assistance. Applications for Food stamps, Medicare and Aid to Families with Dependent Children (AFDC) are sometimes as long as 32 pages, and users are guided through the process by a network of 30 kiosks that receive 85 percent of the county's applications for assistance.⁽²⁴⁾ The applicant then proceeds to a scheduled interview with a social worker who calls up the information which was transmitted by the kiosk to the county's mainframe computer. The reduction in interview time has freed social workers for more important activities. The system operates in English, Spanish, and four Indochinese languages, and uses local community leaders as on-screen narrators. Although the system was thought to require a fourth grade education, reportedly no one has been unable to use it. Users prefer the kiosks to the manual process by a wide margin, and would prefer to reveal their most closely held secrets to a machine rather than to a social worker. The use of kiosks reportedly has reduced the administrative error rate from 19 percent to zero, and saved the county \$108 million



over a six-year period on a \$3.2 million investment.⁽²⁵⁾ This experience has direct application to legal services intake and deserves detailed examination.

Emerging Legal System Kiosk Applications

Following budget-driven cuts in the number of probation officers, New York City recently decided to monitor low-risk offenders electronically through 50 kiosks that will verify identity through fingerprint or hand-geometry recognition when deployed. East Los Angeles Municipal Court's traffic offender diversion program features home study with testing by kiosks which permit faster and more diverse testing with automated scoring.

Long Beach Municipal Court installed AutoClerk, a kiosk system that allows access to Parking, Traffic, and Small Claims Courts information, and transactions such as payment of fees and fines by card or check, scheduling classes or court appearances, and entering not guilty pleas. A year later, neighboring Ventura County Municipal Court placed AutoClerk kiosks in area malls. In October 1995, California's Governor signed into law legislation giving courts the authority to establish and operate interactive computer systems to assist unrepresented litigants in preparing standard documents. The legislation implements a recommendation from 1993's Report on the Future of the California Courts: "...to promote efficiency, access, convenience, and cost reduction, interactive video technology should be incorporated into all justice proceedings."⁽²⁶⁾

The inspiration for the bill came from QuickCourt, a kiosk system initiated with a \$119,000 grant by the Arizona Supreme Court in pursuit of "...improving services to the public." Its primary goals "...were to improve public access to the courts, reduce the expense of litigation and delay in court proceedings by providing quick, consistent and fair information to the parties, and reduce the amount of time court staff were allocating to assist pro per litigants in routine matters." It aimed to accommodate a marked trend to *pro se* representation. In 60 percent of divorces filed in Arizona's largest urban area during 1992 both parties were without attorneys, and in 91 percent of the cases at least one party was without representation.⁽²⁷⁾

QuickCourt is free to the public, and provides general information on small claims, judgments, landlord/tenant rights, alternative dispute resolution, and an overview of the state court system. QuickCourt provides referral information on bar association services and legal services offices throughout the state. It also guides users through the completion of forms necessary to file for divorce, and calculates child support payments. The system will print the completed court-approved forms ready for signature and filing with the court.

QuickCourt tested three kiosks, two of which were located in court buildings, and the third in a law library. The latter, because it was available after court hours and on weekends, was so popular that it became necessary to schedule appointments to use the kiosk. In the first year of operation, nearly 24,000 citizens used QuickCourt to obtain legal information and assistance.⁽²⁸⁾ The Ford Foundation recognized QuickCourt with its 1994 Innovations in Government Award,



stating that "...QuickCourt's most impressive achievement has been increased accessibility to court for litigants least able to afford attorneys."⁽²⁹⁾ *The New York Times* hailed QuickCourt as an example of government that works and a "Success Story."⁽³⁰⁾ *The Washington Post* called it an "empowering idea," and said the help it provides is particularly welcome at a time when legal aid funding has declined.⁽³¹⁾ QuickCourt kiosk information, logic paths and screens were designed by teams composed of private attorneys, legal aid lawyers, judges, court commissioners and clerks of court.

Limitations of Kiosks

The kiosk is just a box, a doorway through which users can gain access to information and services, which are actually provided by powerful, enabling software. The enabling software is itself nothing more than the applied knowledge and expertise of those who would normally deliver the information or services. Kiosks enable experts to avoid facing and responding to the same routine questions and situations hundreds of times, and would enable legal services attorneys and other staff to devote their time to more cases that require their personal presence.

The potential uses of kiosks in legal services are limited to the information and services which can be delivered to clients, or collected from them—without the personal presence of a service provider. Although the multitude of kiosk uses described above demonstrates that advanced software greatly increases what clients can do with limited assistance, kiosks still could not be used in many cases for various reasons. **Thus kiosks should be viewed as a medium to service only a segment of the total legal services caseload.** That segment is large, but not so large that the need for legal services providers would be reduced at all. Kiosks can match LSC grantees with vast numbers of new clients, serve many who previously had no access to legal assistance, and thereby cut into the backlog of unmet legal needs.

Potential Uses of Kiosks in Legal Services

LSC grantees could use kiosks located in public areas such as courts, community centers, libraries, and supermarkets to provide general information and referrals, as well as specific applications such as obtaining a protective order or filing for an uncontested divorce. Kiosks also could be used for outreach in areas with low population density, and for client intake in legal services offices. In some cases, the kiosk interaction would provide the client with everything they needed; in others, the kiosk would just be the first step in client service.

Issues Relating to Kiosk Use in Legal Services

Can poorly educated persons use these high technology machines? Research indicated that even illiterate people can use the kiosks when audio cues complement visual presentations. In fact, the technology itself is the simplifying tool. No indication was found that anyone was



unable to use QuickCourt, the AFDC application kiosks in Tulare County, or the Social Security kiosks in Albuquerque. More compelling, "...kiosks played a key role in South Africa's 1994 elections. The challenge was to communicate with millions of people while overcoming barriers of language and illiteracy. Thirty interactive touchscreen kiosks were rotated around the country to more than 70 different locations in the eight weeks prior to the elections. The kiosks gave more than 1 million people a chance to view color photos of the candidates, hear party mission statements, and see video messages from 19 political parties in 11 languages." ⁽³²⁾ User surveys have so consistently shown customer satisfaction over 90 percent that many kiosk operators no longer bother to conduct the surveys.

How can access be limited to those eligible for legal services? There are several answers. The technological solution is the smart card which could be issued by legal services grantees after an eligibility check. This technology has been integrated with kiosk use at Florida State University and in Spain where smart-card technology and fingerprint recognition is being used to establish identity and access to confidential government records. Another answer is to recognize the inherent limitations in current eligibility determinations, that is, it is difficult to establish eligibility for those who maintain that they are not employed and thus lack tax returns and other traditional documentary information. This is especially true of applicants in telephone intake. Another answer is that to some degree, access will be limited by the placement of the kiosks primarily in poor communities. Last is the thought that what is being provided is information, which once produced can be replicated many times without incurring additional costs, and is, therefore, the free byproduct of legal assistance to the poor.

How many kiosks are needed, where should they be placed, and what will it cost to deploy, operate and support them? The number of kiosks needed depends on the functions they would perform and, to a lesser extent, their placement. There is also the question of who will provide the support needed to update deployed kiosks as legal procedures and other information change, that is, should administration of kiosk networks be accomplished at the local, state, or national level? These issues cannot be resolved without information concerning the effectiveness of kiosks in various roles and the associated costs. Such information could be obtained by applied research in the legal services environment through "proof of concept" evaluations, which prototype actual working applications as an analytical technique. The resulting information would enable LSC's analysis of the issues surrounding what roles kiosks should play, where they should be located, how many are desirable, and what investments would be required over time.

The Internet

If the kiosk is a box, the Internet is a wire. Like the kiosk, it has no value other than as a conduit to information and services that actually are provided by advanced software. The availability of this very special wire presented a capability that had never existed before and unleashed a series of rapid technological innovations such that a "new generation" in Internet development occurs about every six months. However, the Internet only now has achieved a



level of capability that could be exploited by LSC and its grantees in the delivery of legal services to the poor.

The significance of the Internet is better appreciated by comparing life before and after there was a national telephone system with connections to almost all homes and businesses. There was the telegraph, but it had a limited number of nodes, transmission was slow and required experts, and message content and frequency were severely limited. The telephone network allowed many new personal and business uses from telemarketing, "calling" for a taxi and ordering a pizza, to calling 911—instead of watching one's house burn down while help was summoned by messenger. The telephone also improved the quality of communication by adding the richness of voice inflection and the capacity for extended, interactive discussion.

The Internet is much more capable than the telephone. It can transmit not just voice, but full-motion video and huge amounts of data as well. Its value is reflected in its meteoric growth which by 1995 had reached an estimated 24 to 30 million users. This development, concurrent with dramatic increases in microchip capacity and thus the capability of microcomputers, offers businesses and non-profit organizations an opportunity to do their work differently—more efficiently and more effectively.

Public Technology Inc., the non-profit technology organization of the National League of Cities and the National Association of Counties, states that there are "...at least four compelling reasons: [for a governmental entity to connect to the Internet] ...employee e-mail..., ready access to information and its creators, access to [its] citizens, and perhaps a more efficient way to transact business."⁽³³⁾

Internet Electronic Mail: The First Use

Electronic mail, or "e-mail" as it is known, is the digital equivalent of a note. Although lacking the intimacy of face-to-face or even telephone conversation, it offers the ability to efficiently and effectively communicate on many matters—across town or around the globe. Internet e-mail is efficient for several reasons: its transmission is free; it can be sent to one person or a thousand individuals or organizations on an established mail list with a single command; and as with any note, it does not require the simultaneous presence of the participants. The note itself may contain attachments such as this report, including graphics, or any other document in digital form, permitting among other uses, joint editing of draft documents by multiple parties thousands of miles apart.

Ready Access to Information via the Internet

Most are aware that the Internet provides access to a treasure of business, scientific, demographic and governmental information, including laws and regulations, rulings and notices.



These are precisely the types of information a legal services provider needs to engage in fact-based advocacy effectively, and the network's "holdings" increase each day.

Legal information on the Internet does not yet permit the type of research offered by Lexis or Westlaw. However, substantial information of a legal nature is available on the Internet. More than 50 law schools maintain significant holdings on the Internet, most prominent the Legal Information Institute managed by Cornell University Law School.³ It provides the Uniform Commercial Code, U.S. Supreme Court decisions, texts of international treaties, state appeals court decisions, and a large selection of intellectual property information. Others such as the Indiana University School of Law provide the state code and constitution and texts of bills in the state legislature.⁽³⁴⁾ Since 1994, California law has required the state's laws and Constitution to be maintained on the Internet.⁽³⁵⁾ As of mid-1995, the complete codes of 10 states were on-line. All new federal circuit court opinions are also now available on the Internet, as well as pending bills and amendments thereto in the U.S. Congress. One commercial Internet site now offers Continuing Legal Education on-line in addition to vast legal holdings.⁴

Internet Access to Citizens

Just as the Internet offers users access to information, it allows the same users to communicate to any person or group, or to everyone on the global network of 24 to 30 million people. It allows citizens to communicate with their government and *vice versa*.

The potential reach of the Internet was demonstrated convincingly when a 14-year-old in a small town in the interior of Guatemala visited the FBI's home page and recognized his neighbor as one of the "10 Most Wanted." Leslie Rogge, who had escaped from jail 11 years before and had robbed as many as 25 banks, had been featured five times on the TV program "America's Most Wanted," which is carried by cable in Guatemala. Rogge's subsequent surrender came four months after the local phone company provided access to the Internet, which many believe a potent new law enforcement tool.⁽³⁶⁾

Several states, recognizing the value of the Internet's capability for mass distribution of information and the value to citizens of information and services on the network, have begun placing access terminals with Internet connections in public libraries, schools, and community centers.

More Efficient Business Via the Internet

³<http://www.law.cornell.edu/>

⁴<http://www.findlaw.com/>



The Smithsonian Institute provides an example of how the Internet can be used to offer improved services to more citizens. The Smithsonian Secretary determined that the Institute would exploit electronic developments and create a "Smithsonian Without Walls." In May 1995, the museums published a world wide web "home page," a general guide to the museums and exhibitions, and received 4 million visitors in its first 13 weeks. ⁽³⁷⁾

The National Museum of American Art held an exhibition of "The White House Collection of American Crafts," and since created a "virtual exhibition" on the Internet. Unlike the original tour which closed in 1994, virtual visitors can access the site at any time, they can view the objects in their original White House settings, and they do not have to travel to Washington. Moreover, visitors can obtain additional information on 77 of the artists, hear them discuss their work, and can even send electronic messages to some artists. The Smithsonian has now moved beyond making electronic versions of existing exhibitions, **it is placing exhibitions on the Internet that have never existed before.**⁽³⁸⁾ Related objects in distant geographical locations can be brought together in a single electronic exhibition, improving delivery and quality of the exhibition's thematic message, and extending its reach to millions of additional citizens.

Another example of doing business a more efficient way highlights the value of Internet's e-mail and access to information. An Iowa lawyer's client had been denied social security benefits, and the lawyer was certain that the local office's determination was contrary to the Social Security Administration's (SSA) policy. Over the Internet, he went to the SSA home page's Question and Answer feature and described the client's situation. He received the answer the next day by e-mail, confirming his understanding of the policy. He printed it, showed it to the SSA agent, and won his case, avoiding a costly and unpredictable hearing for both his client and the government. ⁽³⁹⁾

Limitations of Internet Use

One problem in acquiring information on the Internet is that there is so much information and it is not organized in a comprehensive way. However, services called "value-adders," which gather related information on the Internet and organize it for specific users, are becoming numerous. One such example is the Internet Bankruptcy Library. When the need for information in specific areas is identified and there is an incentive to collect and organize it, that "library" will be created on the Internet.

The current bandwidth is a technical limitation that causes poor transmission of full-motion video, which has massive data requirements, making the images appear jerky. (We observed two-way videoconferencing on the Internet being tested in early 1995.) However, it is likely that this limitation, which is less severe than most which preceded it, will be eliminated in the near future as have all prior technical barriers to greater use of the Internet. Research is focused on data compression technology and fielding of a solution has been projected for 1997.



Potential Uses of the Internet in Legal Services

The Internet could be used by grantees to communicate with one another and with LSC, the courts, social services agencies, and other organizations which they encounter in providing legal services. The Internet could be used by grantees to acquire information, including that contained in "libraries" for various sections of poverty law practice. The Internet could be used to disseminate information and provide services to any citizen with access at home, work, a community center, public library, shelter, emergency room, police station, or kiosk in a courthouse, legal services office or supermarket—and, in the near future, could include video conferencing with a legal services attorney.

The Internet could be used to provide grantees with specific software applications, for example, an SSI appeal routine that would assemble the required documents based on the data input by a program attorney. Such software services would be available to any grantee at any time. The Internet could be used for pro bono attorney recruitment and case assignment. The Internet could be used to administer a network of geographically-dispersed kiosks from a central site, and a centralized intake system for a large area as well. The Internet could be used to provide some types of training to program attorneys and other staff. Like most nascent technologies, the Internet can and will be used for many other purposes which cannot be anticipated in advance of actual use.

Issues Relating to Use of the Internet in Legal Services

Is confidential information secure? Information is protected if a user employs encryption software programs, which are widely available and today offer levels of protection better than in most other forms of communication.⁽⁴⁰⁾ The Internet evolved from a national security research system. For many years the military and its corporate contractors have sent encrypted classified information over the Internet without great concern.

When and how could grantees be connected to the Internet? What libraries could be established and maintained, and by what organizations? What types of legal services could be delivered to clients over the Internet, and what organizations could develop and maintain the applications? What software applications would be beneficial to advocates, and what organizations could develop and update them? As with kiosks, applied research in the legal services environment is necessary to provide the information needed for policy analysis by LSC management. Specifically, information is needed relating to the operational effectiveness and associated costs of using the Internet to provide services to the public, to deliver software tools to staff attorneys, and to provide access to poverty law practice area libraries and other information.

Telephone Helplines and Intake Systems



A Legal Helpline can be operated in a stand-alone configuration or as part of a legal services provider intake system. The Legal Counsel for the Elderly/AARP has operated legal helplines for ten years, and currently maintains ten state-wide helplines and a helpline/intake system in the District of Columbia (DC). The helplines handle cases classified as referral, advice only, and brief service. The latter may require the attorney to write a letter or call a third party. For some brief service cases and other services that cannot be handled by phone, the helpline attorney (or paralegal) schedules the caller for an appointment with a staff attorney at the program office.

Helpline Efficiencies Noted

Legal Counsel for the Elderly (LCE), a unit of AARP, reported that the conversion of the DC helpline to a helpline/intake system eventually **resulted in a tripling of clients served with little increase in cost.**⁽⁴¹⁾ These efficiencies derive from several factors, first among them that helpline attorneys specialize in the types of cases that take the least amount of attorney time. LCE's experience is that helpline attorneys can close up to 1700 cases per year, and schedule appointments for another 600.⁽⁴²⁾ By comparison, LCE staff attorneys closed 236 cases per year before the helpline was opened, 42 percent of which were referral, advice only, or brief service cases. After the helpline was opened, staff attorneys closed 173 cases per year, as the proportion of these cases dropped to 26 percent.⁽⁴³⁾ The DC Helpline closes 75 percent of LCE's total caseload, essentially by "skimming" the quick-to-handle cases from the intake stream and by taking advantage of the efficiencies offered by telephone service.⁽⁴⁴⁾ Its gross cost per helpline case accepted was \$30 in 1994, as compared to approximately \$229 per case accepted by LSC grantees nationwide.⁽⁴⁵⁾

Some efficiency is gained simply because telephone interviews take less time than face-to-face consultations. However, much of the efficiency results from avoiding time-consuming tasks associated with traditional intake. For example, eliminated are the chores of appointment setting, arranging transportation, and calling to remind clients of appointments. Helplines also eliminate no-shows and the need for rescheduling.

Quality of Service Improved by Helplines

Helplines improve service quality as well as reduce cost. The increased number of clients served is an important quality factor in and of itself,⁽⁴⁶⁾ but clients derive many benefits from helpline intake. For almost the same cost as a declination, clients can receive some detailed advice. Clients receive services right away or within a few days instead of waiting weeks for an appointment and having to travel to the program office. Clients avoid agonizing for an extended period over what might not be a legal problem at all, or finding that their legal situation has worsened because of the passage of time between the call and the appointment. Clients learn immediately if the program cannot represent them, allowing them to seek other counsel. Client satisfaction surveys consistently have shown helpline services to be very popular.



These quality of service improvements can be better appreciated when compared to the intake operation that preceded establishment of a helpline/intake system at Neighborhood Legal Services (NLS) of Buffalo, which was described by the Executive Director as "Insanity."⁽⁴⁷⁾ One of its substantive law units was open to screen clients for appointments by telephone only on Fridays from 9 a.m. until noon. Thirty-five to forty potential clients got through and were told to wait by the phone for a return call that might come in the next hour or the next week. Those who did not get through in time were told to call back the following Friday morning. The return calls qualified client eligibility and set up appointments for the next week. All documentation passed from receptionist to paralegal to secretaries for ultimate entry into the automated case management system, and consisted of handwritten notes of conversations with clients and eligibility data on intake sheets.

NLS experienced many problems with this intake system. Paralegals called into a void, not knowing basic information such as whether the caller was a client or opposing party in a current or past NLS case. NLS used an index card system for conflict-of-interest checks, and when the inventory of names reached tens of thousands, the system broke down because the checks consumed so much time that they could not be performed. The paper documents were frequently lost or misplaced, and the handwriting sometimes was indecipherable. Clients whose problem could have been solved with a telephone call to a social services agency were instead given an appointment to come to the office and discuss the problem again, shutting out clients who really needed appointments. NLS staff hated intake day because of the intense pressure and inevitable mistakes, and clients reportedly were dissatisfied with the service.⁽⁴⁸⁾

Successful Helpline Outcomes

NLS now has a modern helpline/intake system supported by a case management system that automatically checks a database of 30,000 names for conflicts and previous case information, which can be reviewed on screen during the call. Intake is now performed daily at NLS, and intake paralegals resolve 50 to 60 percent of incoming calls. The system maintains standard letters on 60 public assistance matters, and generates the appropriate one confirming the information provided during the call. All data entry is performed contemporaneously by the helpline paralegal, and reports to LSC and other funders are produced automatically on request. NLS annual caseload has increased from 4,800 to nearly 9,000 in the four years since the helpline was initiated—with no increase in staff.⁽⁴⁹⁾

Legal Services of Northern California developed its helpline over three years and witnessed the annual number of client services climb from 10,500 to 22,500. Prior to the helpline the cost was approximately \$300 per case. In the helpline's first year, 1700 clients were served by a half-time attorney and a paralegal for approximately \$50,000—just under \$30 per client. Surveys showed that 84 percent of clients found service exceptional and 10 percent rated service good.⁽⁵⁰⁾

In Chicago, centralized intake combined with a helpline solved a severe problem in coordinating referrals among 23 legal services agencies operating 44 different programs with



different eligibility requirements, case priorities, and operating hours. Before the Coordinated Advice and Referral Program for Legal Services (CARPLS), clients would be misdirected to agency after agency in the large metropolitan area. CARPLS is now at the hub of a legal aid referral telephone network. When an affiliated program cannot accept a client, it transfers the caller to CARPLS, where a helpline attorney collects basic information to determine eligibility, conducts a conflict check, and enters data into the automated case file. If possible, the attorney resolves the problem with advice or brief service; if not, the attorney matches the caller's information with intake criteria and transfers the caller to the appropriate legal aid office. CARPLS reported that it handled 18,000 cases in 1994 for only \$400,000, or \$22 per case. ⁽⁵¹⁾



Limitations of Helplines

As with kiosks, **telephone helpline systems can only deal with certain types of cases** those which can be resolved through referral, advice only, or brief service. Accordingly, **their benefit is limited to that segment of the total caseload**. Their efficiencies allow programs to serve additional clients who would otherwise be declined service, and to do so at low cost.

Issues Relating to Using Helplines in Legal Services

How many helpline/intake systems are needed? Helpline/intake systems are expected to proliferate through the LSC provider network because of three factors: (1) those pioneers who created these systems to improve legal assistance in their service areas, and their tireless and courageous efforts to convince their peers of its value; (2) the incentive to improve service quality and quantity provided by competition for grant awards; and (3) the substantial promotion and support provided by LSC management. LSC sponsored Helpline Conferences across the nation, which were attended by hundreds of grantee staff, and which provided all of the information necessary to establish a hot line/intake system. LSC management also has dedicated significant staff resources to assisting grantees in establishing hotlines. LSC, however, has been unable to fund investments in computer hardware or development of a model helpline/intake/case management software application.

LSC grants fund all or much of recipients' procurement of information technology hardware, software, operations and support. If it were possible to operate a wide area helpline/intake system effectively, rather than have each grantee operating a separate hotline/intake system, significant resources might be saved for other uses. AARP operates 10 state-wide hotlines, but most of them do not include intake. Although AARP's experience strongly suggests that state-wide helpline/intake systems could be effective, only applied research in the legal services environment can determine the operational effectiveness and associated costs of this concept. That research would also develop a model software application for helpline/intake/case management functions.

A handful of LSC grantees currently operate helpline/intake systems, but until recently none have covered a large area or an entire state. Kansas Legal Services has just opened a state-wide helpline/intake system and similar projects are underway in other states. One or more of these projects could serve as a test bed for a proof of concept evaluation.



IMPLICATIONS FOR LEGAL SERVICES DELIVERY: COMPREHENSIVE REDESIGN

The foregoing potential uses of information technology in legal services, and lesser potential applications not described in this report, collectively have broad implications for legal services delivery:

- client self-help could be greatly expanded;
- intake could be centralized without adverse effect;
- constraints on program size and geographic dispersion could be eliminated;
- case handling could be more efficient;
- resources could be shared electronically;
- training could be delivered electronically;
- support and access to information could be available to all attorneys; and
- private bar involvement could be increased.

These implications involve the redesign of a substantial segment of the legal services delivery system. The helpline/intake systems in place today are an example of redesigning a business process, and if extended throughout the delivery system, could result in more than a million additional clients served each year. Redesigning the entire system to take maximum advantage of the opportunities offered by information technology also could result in millions of additional clients.



REALIZING THE POTENTIAL

A legal services Technology Working Group put it best:

"...the process of integrating technology to its full potential on behalf of poor clients must be aggressive as well as organized. Adequate resources and support for advocates representing clients in poverty are essential if they are to be efficient and effective in their work as well as competitive with their adversaries. Technology is and will continue to affect our clients, as more institutions like welfare departments, courts, schools, City Halls, automate their services and systems. As LSC and others plan for the legal services community's future and set priorities, the issue of technology and its importance...must also be addressed. The Legal Services Corporation is encouraged...to embark upon a process that will include technology as a vital aspect of all future planning and decisions on the allocation of scarce resources. Finally, LSC is asked to support pilot projects based on model office concepts in which advanced technology is used." ⁽⁵²⁾

A Process

Research findings are consistent with these views. One process to realize the potential of information technology to increase delivery capacity would begin with proof of concept evaluations to provide detailed information concerning the operational effectiveness and associated costs of:

- kiosks in various potential roles;
- statewide or wide-area hotline/intake systems;
- providing information and services to the public via the Internet;
- providing software tools to aid staff attorneys via the Internet; and
- model legal services offices which would integrate all beneficial information technologies.

This data collection and analysis effort would provide corporate management with the kind of information it needs to conduct policy analyses of technology-related issues and would be designed to satisfy information needs identified by corporate management. The Office of Inspector General would conduct and fund proof of concept evaluations as appropriations permit in a subsequent phase of this review. The appendix describes potential evaluations and the criteria used to select them.



The results of these technical evaluations would feed into the analyses LSC management would perform to resolve the issues identified earlier. Further analysis would be needed to develop policies regarding the significant organizational issues inherent in the implications of information technology and its potential uses. These analyses would result in policy positions and form the basis of an implementation plan, which when approved by the LSC Board of Directors, would be reflected in LSC's annual budget submission to Congress. An accompanying cost-effectiveness analysis would provide a credible and persuasive basis for the requested funding.

The First Critical Steps

The first critical factor in achieving the potential offered by information technology is the commitment of leadership to change, according to a GAO study of leading private and public organizations.⁽⁵³⁾ Leading organizations value information as a resource, and make information technology an essential element of product or service delivery.

Second, few grantees are of a size to afford the on-going technical support essential for effective operations. Ideally, LSC would create this capacity, by grant or internally which would include a support helpline and information technology consulting services.

Third, if a national legal services program is to contribute meaningfully to continuous improvement of service to its clients, including those now rejected as beyond its capability to serve, it would need to develop, by grant or internally, the on-going capacity to anticipate and evaluate the need for and potential benefits of new technology applications for use within the national legal services program, and the capacity to develop and field them.

To realize this potential requires a sustained investment of resources. GAO's study of leading organizations concluded that "Positioning a Chief Information Officer (CIO) as a senior management partner is critical to building an...information management capability."⁽⁵⁴⁾ Current LSC information technology capability was designed to support internal LSC operations, and is inadequate in terms of size and expertise to support a national service delivery system. A wise first investment would be the recruitment of a Chief Information Officer to direct these activities and to serve as the architect of LSC's technology initiative.

LSC's mission to provide legal aid to poor people remains unchanged, but new means and methods offer opportunities to improve and increase services. Information technology could be used to provide millions more of America's poor with access to justice at relatively small cost. Otherwise, the effectiveness of the federal legal services program will erode as stable or declining resources result in progressively fewer clients served, and as legal services grantees increasingly become unable to participate effectively in a legal system that places modern information technology at the core of its operations.



APPENDIX - PROOF OF CONCEPT EVALUATIONS

Proof of concept evaluations would provide LSC management with detailed operational and cost data needed for analysis of policy alternatives in applying information technologies to the delivery of legal services, including technical support to service providers. This information also would enable LSC to justify funding for technology initiatives in future budget requests to Congress.

Five criteria were employed in selecting the Internet-Based Domestic Violence Assistance Concept as the first proof of concept evaluation to be performed:

- potential increase in delivery capacity;
- effectiveness in testing the concept;
- LSC priorities;
- benefit to the public; and
- available expertise and other resources.

Concept evaluations would develop and test applications of information technology in conjunction with the LSC grantee(s) in the affected service area, and at the end of the evaluation would leave those working applications behind for use by the grantee(s). Selection of specific test sites would consider factors such as the willingness and ability of the grantee to participate fully in the concept evaluation, proximity of location to the application developer, and associated costs.

Internet-Based Domestic Violence Assistance

This evaluation would test and collect data relating to the effectiveness and associated costs of Internet delivery of information and assistance, structuring of this type of information, usage by those whose education might make use of technology more difficult, and graphical design in the legal services Internet environment. The evaluation could also test the effectiveness of public access kiosks for use by legal services clients.

According to conservative estimates, two to four million American women are victims of domestic violence each year. The national legal services priorities recently adopted by LSC's leadership included this unequivocal statement:

"Domestic violence threatens the security and stability of families at all economic levels. The physical abuse of women, frequently mothers of children in the household, as well as neglect and harm to children themselves, calls for heightened awareness in, and quick responsiveness by, the justice system. **The intervention of legal services lawyers in obtaining judicial remedies, such as orders of protection, can be life-saving.**" [Emphasis added.]



Moreover, achieving "full faith and credit" for protective orders issued by other jurisdictions was a major goal of Congress in passing the Violence Against Women Act. Instead, Justice Department officials charged with implementing the Act report that failure to credit protective orders issued by other jurisdictions continues to be a major obstacle. A national domestic violence system might become a force for standardization of enforcement orders, and ultimately, elimination of this significant barrier to victim protection. Where states have established electronic domestic violence registries, the evaluation could examine the development of an electronic interface to permit transfer of information from officials in one jurisdiction to another, or to other state registry systems (with appropriate safeguards to maintain confidentiality). As more and more states place domestic violence information on the Internet, this system could be used to verify the authenticity and currency of protective orders issued by other states.

The concept to be tested is Internet delivery of information and assistance to clients, legal services lawyers, and other professionals assisting victims of domestic violence. Any computer with Internet access, as well as electronic kiosks dedicated to this purpose, could provide this software to advise victims of the types of assistance available to them, to provide general legal information, and to provide assistance such as preparing court documents or advising how to ensure that an Order of Protection is enforced.

An advocate support module would contain information needed by legal services lawyers around the nation. It would include electronic versions of sample pleadings and focus on emerging law under the Violence Against Women Act. Electronically indexed, the software would provide electronic mail links and mailing lists to permit advocates to obtain help from other professionals across the country.

A professional support module would permit shelters, clinics, hospitals, police departments, and schools, many of which already have advocates in place, to provide on-line help for victims in addition to their professional services. The module would include information for medical and other professionals dealing with domestic violence, such as the protocols for domestic violence cases under development by the American Medical Association and the most recent law enforcement protocols.

The client assistance module would assist those seeking Orders of Protection. It would be programmed with the support of the courts, legal services lawyers, and local shelter organizations. Individuals could obtain assistance from a computer located at an LSC grantee office or other public organization, or from any Internet access point.

The user, either the victim or the professional giving assistance, would answer diagnostic questions. The system would then supply information about a victim's legal rights and where and how to file. It would also identify the appropriate court and the court's hours, and print directions and a map. In states with uniform application forms, the software would be programmed to assemble the documents needed for court. Following entry of the circumstances of the case, the necessary papers would be printed ready for signature and filing with the court.



Other Concept Evaluations

The following concept evaluations also would provide valuable information for improving service delivery and should be conducted in the near future as funding allows. They are presented here to illustrate that Internet-Based Domestic Violence Assistance is only the first of a series of concept evaluations that need to be performed.

Helpline/Intake/Case Management

Some grant recipients have developed fairly sophisticated applications. Building upon this foundation, the concepts to be tested are: (1) development of model software for subsequent use throughout the delivery system; and (2) the cost-effectiveness of wide-area helpline/intake operations, including development of adequate support mechanisms. The software would be designed to support advocates in their case handling by providing up-to-date information about status of work for clients, a legal research database, and integrated electronic mail, thereby improving information needed by local program directors.

Public Access Kiosks

The concept to be tested is to what degree and in what manner public access kiosks could be used profitably in the delivery of legal services. Possible use as an intake mechanism would involve evaluation from a legal services perspective of the Tulare, California kiosk experience, feedback from the domestic violence concept evaluation, and prototype testing in a legal services environment. Other potential uses, such as rural outreach and outreach from legal services offices into urban neighborhoods, also would be tested by prototyping of kiosks in the legal services environment.

Pro Bono Recruitment and Assignment

The concept to be tested is an Internet web site that would advertise and solicit pro bono services from attorneys. It would explain how LSC grantees operate pro bono programs, identify the grantee in any service area and its locations, operating hours, contact points for information, and perhaps summaries of available cases. Once an attorney was "registered," case assignments could be made electronically without the intervention of grantee staff. Case monitoring and mentoring would be facilitated in the same way.

Internet Software Distribution



The concept to be tested is an Internet web site containing software that could be accessed at any time by a staff attorney. The software would free the advocate from much of the time-consuming routine assessment and document preparation and assembly in various applications such as Social Security appeals. The evaluation would identify useful applications for future development.

Integration with Other Institutions

The concept to be tested is the development and use of electronic linkages between legal services grantees and the various organizations which they encounter in the course of providing legal assistance: courts, social services agencies, governmental entities, and the legal community. The linkages would include electronic mail, videoconferencing, and database integration, and permit electronic referrals, appointment setting, and other information exchanges.

Model Legal Services Office

Collectively, these proof of concept evaluations would provide sufficient information to permit their integration into a model for a legal services office that places information technology at the core of its service delivery and internal operations, a model which could be proliferated throughout the delivery system. The model would be designed to facilitate local installation and custom modification and integration with local pro bono programs.



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ENDNOTES

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