ABSTRACT

Title of Dissertation:	"IT'S NOT JUST ALL ABOUT THE TECHNOLOGY": UNDERSTANDING THE ROLE OF STATEWIDE LEGAL INFORMATION WEBSITES IN EXPANDING ACCESS TO JUSTICE IN THE UNITED STATES
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In the past fifteen years, there has been a dramatic increase in the availability of online legal resources and information specifically targeted toward low-income individuals. A network of statewide legal information websites now plays a central role in the access to justice movement in the United States. While these websites now exist in some form throughout this country, it has been more than a decade since they were last studied in depth. This study uses the perceptions and experiences of individuals involved in developing, implementing and maintaining statewide legal information websites (the "Information Providers") as the primary lens through which to explore how these websites facilitate self-help users' access to vital legal information. Three general research questions guided this study:

RQ1: What are the principal activities that Information Providers engage in with respect to statewide legal information websites?

RQ2: What are the different ways in which states have approached these activities?

RQ3:   What program development and operational issues have Information Providers faced?

Data collection involved three interrelated efforts: a pilot case study, an online survey, and interviews. Themes related to infrastructure, design and implementation strategies, and operational practices emerged and evolved throughout these data

collection efforts. Key themes include 1) the role of collaboration in several key areas; 2) barriers to information access faced by target users (and Information Providers' strategies to overcome these barriers); and 3) Information Providers' existing knowledge about users and site usage.

In terms of policy and practice, the prevailing lack of connection between Information Providers and their users is perhaps the most significant current challenge. This lack of connection impedes efforts to conduct meaningful program evaluations, thus calling into question the ability of Information Providers to demonstrate the effectiveness of their websites. Thus, this study concludes with a proposed framework for user-centered program evaluation that leverages existing collaborative relationships to provide Information Providers with the information they need in order to provide effective assistance to self-help users.

"IT'S NOT JUST ALL ABOUT THE TECHNOLOGY": UNDERSTANDING THE

ROLE OF STATEWIDE LEGAL INFORMATION WEBSITES IN EXPANDING

ACCESS TO JUSTICE IN THE UNITED STATES

by

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To Lawrence M. Garten (1952-2006), who gave me this advice when I first started practicing law: "We learn the most when we do things that make us uncomfortable." Little did he know that I would carry his words with me each and every day of my life.

deal with the moodiness that inevitably accompanies sleep deprivation). My sons, Joseph and Dillon, were actually the reason that I chose to go back to school at a time when our lives were already so very full. Neither of them will probably ever fully understand how much they have taught me about courage and resilience over the past eleven years.

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LIST OF ABBREVIATIONS

American Association of Law Libraries	(AALL)
American Bar Association	(ABA)
Center for Computer-Assisted Legal Instruction	(CALI)
Content Advisory Committee	(CAC)
Domestic Violence	(DV)
Information and communication technologies	(ICTs)
Interest on Lawyer Trust Accounts	(IOLTA)
LawHelp Interactive	(LHI)
Legal Aid Bureau	(LAB)
Legal Services Corporation	(LSC)
Legal Services National Technology Assistance Project	(LSNTAP)
Limited English proficiency	(LEP)
Maryland Legal Assistance Network	(MLAN)
Maryland Legal Services Corporation	(MLSC)
Michigan Legal Help	(MLH)
National Center for State Courts	(NCSC)
National Telecommunications and Information Administration	(NTIA)
Open Source Template	(OST)
People's Law Library	(PLL)
Self-Represented Litigation Network	(SRLN)
Technology Initiative Grants	(TIG)

CHAPTER 1: INTRODUCTION

A. BACKGROUND

Over the past 25 years, the fast-moving expansion of the Internet has produced unprecedented opportunities for knowledge acquisition in all quarters of American society. Beyond the invention of new tools and techniques for accessing sources of information, the quality and quantity of data now available is impacting even casual Internet users in ways that could not be imagined just one generation ago. While lawyers and other professionals have developed powerful new resources to guide their work as experts in their chosen fields, the Internet has produced a counter-force to their efforts – the rapid development and deployment of self-help applications. Within the legal field, this development is a direct result of the unavailability of legal services for a large part of the population. This study addresses the application of information and communication technologies (ICTs) to help lay persons navigating the legal system on their own, particularly in circumstances where the lack of financial resources precludes the expert services of a private sector lawyer. It is an investigation into the new means available for the acquisition of technical knowledge and skills needed by persons who decide to advocate for themselves in an unfamiliar and complex legal environment.

The use of ICTs offers a cost-effective way to transform an overburdened system by turning legal knowledge into online information and tools that are readily accessible by individuals who face barriers to legal services (Zorza, 2012b). These potentially transformative technologies, however, could fall short of these aspirations if they do nothing more than compile vast amounts of information that are indecipherable by – and

therefore of little value to – the average self-help user. After all, the value of information

in this context lies in its ability to help people solve a problem. As observed by Scott

(2000),

> Information is a step along the way, not a product, People want their problem
> solved, they do not want a piece of information. It is not enough to simply provide
> web sites with legal information on them, no matter how well the information is
> packaged. Information is only of value if it is found, used and understood (p. 28)

In the United States, the impetus for this particular marriage of information,

technology and the law can be traced to an overburdened legal system. The concept of

equal access to justice is generally touted as one of the foundations of the American legal

system, with many people believing it is achievable under most circumstances. In its

most basic form, access to justice refers to "the ability to avail oneself of the various

institutions, governmental and non-governmental, judicial and non-judicial, in which a

claimant might pursue justice" (Galanter, 2009, p. 115). A significant gap, however,

exists between our expressed commitment to this principle and the harsh reality facing

many individuals who struggle to find their way into and through this nation's legal

system. The civil legal services delivery system in the U.S. is failing for many, as

evidenced by reports that 80% of the civil legal needs of the poor go unmet (Engler,

2011; Houseman, 2001; Landsman, 2009; Legal Services Corporation, 2009; Spieler,

2013).[1] This figure stands in sharp contrast to prevailing perceptions about access to

counsel in civil cases, with nearly four out of five Americans erroneously believing that a

right to counsel exists in civil cases and only one-third of Americans believing that low-

income individuals would have difficulty obtaining legal assistance (Rhode, 2004).

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[1] For a comprehensive overview of the current legal services delivery system in the United States
(as well as in each of the fifty states and the District of Columbia), see Sandefur and Smyth
(2011).

At the root of this crisis is what has been termed a supply and demand problem (Legal Services Corporation, 2012; Morris, 2013). The Legal Services Corporation (LSC), an independent nonprofit corporation, was established by the United States Congress in 1974. As the successor to an Office of Economic Opportunity program financed through War on Poverty legislation in the 1960s, it is the largest funder of civil legal services in America, distributing grants through a competitive process to various organizations that provide legal services to low-income populations and monitoring the organizations' use of these funds (Johnstone, 2011). LSC grantees generally provide legal services in the areas of family law (e.g., divorce, custody, and domestic violence), housing, and consumer issues (Staudt, 2009).

Although Congress has appropriated $300-$400 million to LSC on an annual basis, LSC has never been able to fully achieve its goals due to inadequate resources. It was initially the beneficiary of steady increases in federal funding, with its budget growing to $321 million within the first five years of its existence (Johnson, 2009). Since then, however, LSC has experienced repeated and significant budget cuts (Smith & Stratford, 2012), never returning to its earliest funding levels in real, inflation-adjusted dollars (Johnson, 2009). In fact, when inflation is taken into account, LSC funding has dropped by one-third over the past fifteen years (Rhode & Bam, 2012). During the 1990s, these budgetary cuts were also coupled with reform efforts that led to restrictions in terms of the clients that LSC-funded organizations could serve and the types of cases they could take (Rhode, 2009).

Notwithstanding LSC's restricted operations in an increasingly constrained resource environment, nearly one in five Americans now qualifies for LSC-funded legal

assistance (LSC, 2012). In general, the maximum income level for legal aid eligibility is 125% of the Federal Poverty Guidelines promulgated by the Department of Health and Human Services (Legal Services Corporation 2014 Income Guidelines). As a result, a household with four members in the continental United States must have its total income below $29,813 in order to qualify for legal aid assistance.

At the same time, a growing number of eligible individuals need legal assistance due to rising rates of foreclosures, bankruptcies and unemployment in the wake of the recent global recession, as well as to regulatory changes in government benefit programs, such as Social Security, Medicaid, and public housing (Cohen, 2013; Jefferson, 2013; Johnstone, 2011; Rhode & Bam, 2012; Staudt, 2013). This growth in demand for services – coupled with the pressure of diminishing resources – has placed the legal services community in an untenable position. Both the percentage of attorneys providing civil legal services (less than 1% of U.S. attorneys) and the budgets for which these attorneys work (less than one-half of 1% of total expenditures on attorneys in the U.S.) are small fractions of what is required to meet current demand (Johnson, 2009; Rhode, 2004). As a result, at least 50% of eligible individuals who seek assistance from LSC-funded organizations are currently being turned away (LSC, 2012).

The end result is a persistent "justice gap", defined by LSC as the "difference between the current level of legal assistance and the level which is necessary to meet the needs of low-income Americans" (LSC, 2007, p.1)[2]. LSC-funded organizations continue

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[2] While this definition of the "justice gap" is the one most frequently used throughout the literature, it should be noted that other legal scholars and practitioners have raised questions about certain terms contained therein. Rhodes (2009) and Haddon (2014), by way of example, emphasize that the justice gap increasingly includes individuals of moderate income, and Kritzer (2009) calls into question conventional notions about what constitutes "unmet legal needs" (i.e., not every problem with a legal dimension merits a legal professional's help. These variations in how we define the "justice gap" suggest differences in how we define the underlying problem – Are we only concerned with low-

to face bleak budgetary situations and, to date, efforts by the private bar have not been successful in narrowing this gap (Rhode, 2009; Zorza, 2012b). The funding situation is further aggravated by the absence of political clout on the part of individuals with civil legal needs who cannot afford counsel, due largely to the lack of any cohesive group identity (Snukals & Sturtevant, 2007).

To compensate for reduced funding from LSC, many states have identified alternative sources of funding, including Interest on Lawyers Trust Accounts (IOLTA) programs and private organizations (Johnson, 2009; Rhode, 2009). Despite this influx of funding from other sources, the justice gap lingers, leading two leading legal scholars to declare that

> "Equal Justice Under Law" is one of America's most widely embraced and frequently violated legal principles. It appears over countless courthouse doors but by no means describes what goes on behind them. It is a shameful irony that the nation with the world's highest concentration of lawyers does so little to make them accessible to those who need them most (Rhode & Bam, 2012, p. 3).

A dichotomy in legal practice is now emerging wherein there is too little litigation by those with valid legal claims but without the financial means to obtain counsel, and too much litigation by those with the financial means to pursue frivolous claims (Glater, 2006). In 2001, Berenson noted that the majority of Americans – those who fall between the poorest 20% of the population (who qualify for legal aid) and the richest 10% (who can afford to pay for legal representation) – have unmet legal needs. Furthermore, recent statistics indicating that from 40%-60% of the legal needs of middle-income individuals go unmet shed light on another rarely acknowledged facet of the justice gap (Landsman, 2009; National Center for State Courts [NCSC], 2006; Spieler, 2013).

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income individuals? Should we prioritize certain legal needs over others? These questions, while relevant to discussions about the purpose of statewide legal information websites, are beyond the scope of the current study.

Neither the existence of the justice gap, as reflected in the foregoing statistics, nor efforts to overcome this societal problem are a new phenomenon. The concept of access to justice began to gain traction in the late 1970s (Galanter, 2009) but misperceptions about the availability of counsel in civil cases (as noted above) and growing discontent with the litigious nature of American society precluded the plight of Americans with unmet legal needs from garnering widespread attention (Rhode & Bam, 2012). The landscape began to shift with the formation of statewide bodies to address access to justice issues, a development that paved the way for the justice gap to be defined as a problem in need of workable solutions (Rhode, 2009).

Although these task forces and commissions were initially concerned primarily with legal aid funding issues, their missions are increasingly encompassing broader access to justice issues (Zorza, 2009a). Statewide access to justice bodies are a means to bring together different stakeholders (e.g., courts, bar associations, legal aid organizations) to address issues that impact each of them (Self-Represented Litigation Network [SRLN], 2008). The ability of the various stakeholders to work together, however, can be hampered by their differing concerns, which often translates into different research and policy priorities: "To take only the most obvious example, the organized bar has a much stronger economic interest in promoting lawyers' services than in promoting research and policies that support greater reliance on qualified non-lawyers and procedural simplification" (Rhode, 2013, p. 533).

These differences are but one factor contributing to the current lack of consensus within the legal community regarding both the definition of the problem and the viability of the various solutions that have been proposed. In order to define the problem, it is first

necessary to transform the rhetoric of "equal access to justice" into something upon

which we can act. However, as described by Rhode (2013) and Wolf (2012), the

vagueness of the term itself can pose problems. For example, does it encompass fair legal

processes *and* just outcomes? Despite such reservations, a range of initiatives that

embrace four main targets for action have emerged:

- ***Access to justice equals access to counsel***. Support for the establishment of a civil right to counsel (referred to as "civil Gideon"[3]) grew in tandem with the legal community's increased scrutiny of the justice gap (Engler, 2006, 2010; Gardner, 2006; Lidman, 2005). In recent years, bar associations and statewide access to justice bodies have voiced their support for an American Bar Association (ABA) resolution that calls for the provision of counsel, at public expense, to low-income individuals in certain civil cases where basic human needs (e.g., safety, shelter) are at stake (Engler, 2010). As civil Gideon remains an unrealized aspiration, more limited initiatives – such as increased funding of legal services providers and enhanced pro bono requirements – are championed as an acceptable alternative for the time being. Critics of this approach, however, suggest that such initiatives fail to alleviate the burdens of the vast majority of low-income individuals with unmet legal needs, therefore doing little to advance the cause of equal justice (Pearce, 2004).

- ***The availability of different types of limited assistance is sufficient to ensure access to justice***. This category encompasses services for self-help users with traditional means (e.g., in-person assistance), through emerging ICTs (e.g., hotlines, legal information websites), and by the use of limited representation (often referred to as unbundled legal services) (Hilbert, 2009; Jennings & Greiner, 2012; Struffolino, 2012; Zorza, 2010). The latter is typically described "as a system in which a client can choose from an 'a la carte' menu of attorney services and can hire an attorney to assist with particular elements of a case when full representation is either undesired or unaffordable" (Steinberg, 2011, p. 461).

- ***Appropriate judicial engagement is a key component of access to justice***. The existence of a relationship between the public's trust and confidence in the court system and the manner in which courts treat litigants proceeding without counsel

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[3] In *Gideon v. Wainwright*, 372 U.S. 335 (1963), the U.S. Supreme Court ruled that, under the Fourteenth Amendment to the U.S. Constitution, state courts are required to provide defense attorneys to indigent criminal defendants.

(often referred to as "self-represented litigants") necessitates a closer examination of the court's interactions with this group of litigants (George & Wang, 2008; Greacen, 2005; Staudt & Hannaford, 2002; Steinberg, 2011; Udell & Diller, 2007; Zorza, 2007). The creation of a court culture that encourages respect for self-represented litigants, encompassing everyone from judges to clerk's office personnel to self-help center staff, is central to this approach (Goldschmidt, 2008; Judicial Council of California, 2007; Zorza, 2004). Judicial buy-in, in particular, is important – judges have the credibility, reputation, and leverage needed to bring about cultural change within a court system (Engler, 2011). In the spirit of enhanced judicial engagement, many courts have adopted a bifurcated approach that allows them to focus on the substance (rather than the form) of filings by self-represented litigants. This approach, commonly referred to as the "liberal construction rule," applies "hard" procedural bars (e.g., statutes of limitations, time for filing appeals) but a less rigorous standard of review to the form and content of the documents submitted by self-represented litigants (Albrecht, Greacen, Hough & Zorza, 2003; Buhai, 2009; Goldschmidt, 2008; Gray, 2007; Landsman, 2009; Schneider, 2011).

- ***System-level reform is needed to ensure access to justice***. Calls to reform the judicial system are quite varied, ranging from the increased use of alternative dispute resolution mechanisms (Brodoff, McClellan & Anderson, 2003; Galanter, 2009) to the expansion of small claims courts to provide a venue where low and moderate income individuals could bring claims that otherwise would be economically unfeasible to pursue (Finney & Yanovich, 2006).

Within the access to justice community, many of these initiatives are viewed as complementary to one another (Engler, 2011). As noted by Zorza (2013), self-help services and unbundling services can function in a coordinated manner, as the former enables an individual to take on tasks that are outside the scope of the agreed upon limited representation. Together, these strategies decrease the burden on legal services providers, who are then able to focus their efforts on those who have the greatest need for counsel.

In the past fifteen years, there has been a dramatic increase in the availability of online legal resources and information specifically targeted toward low-income

individuals (Cabral et al., 2012). Legal services and court websites now function as primary mechanisms for delivering information to self-help users about their legal rights, as well as about legal processes, courtroom procedures, and appropriate forms (Greacen & Jones, 2013). As articulated by the Washington State Access to Justice Board in its Access to Justice Technology Principles (2004):

> Access to justice requires that the public have available understandable information about the justice system, its resources, and means of access. The justice system should promote ongoing public knowledge and understanding of the tools afforded by technology to access justice by developing and disseminating information and materials as broadly as possible in forms and by means that can reach the largest possible number and variety of people.

The stark reality and consequences of the justice gap are now making self-help services and resources a desired component of many access to justice initiatives, while advancements in technology are making them available to greater numbers of individuals with legal needs. Legal scholars and practitioners alike have become increasingly focused on the practical implications of providing services to self-help users.[4] Pertinent observations include:

- "[T]he deployment and encouragement of self-help legal services necessarily raises an important if not central question about consumers' *capacity* to participate in their own legal service delivery. 'Capacity' here relates to factors such as

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[4] The users of self-help services and resources are often referred to as *pro se* or self-represented litigants, as evidenced by the use of that term throughout the literature discussed in Chapter 2. The State Justice Institute defines a self-represented litigant as "[a] person (party) who advocates on his or her own behalf before a court, rather than being represented by an attorney" (2014). However, many individuals with legal needs never officially enter the legal system (Morris, 2013). In 2013, Sandefur conducted a study of the civil justice experiences of the American public, finding that two-thirds of the sample experienced at least one civil justice situation (related to, e.g., housing, employment, money, or insurance) in the preceding eighteen months (Sandefur, 2014). But, because these individuals rarely turn to lawyers or courts for help in handling these situations, they never become self-represented litigants. For that reason, this study generally adopts Morris's use of the term "self-help user" (p. 170). Many of the survey respondents and interviewees, however, use the term "self-represented litigant;" thus, that term appears frequently in direct quotes provided in Chapters 4, 5, and 6.

willingness to participate, ability to participate, and availability of resources (such as time)" (Giddings & Robertson, 2003, p. 109).

- Self-help services raise the related question of the extent to which self-help users' capacity impacts their ability to achieve the desired legal outcome (Cantrell, 2002; Smith & Stratford, 2012).

- Self-help services focus on "reach" rather than "richness," providing a limited amount of assistance to a greater number of individuals than could be served by one-on-one assistance (Berenson, 2001; Clarke & Borys, 2011; Johnson, 2009).

- Self-help services, in many cases, represent an extension of traditional programs (e.g., legal clinics) designed to close the justice gap (Aaron, 2012; Flaherty, 2002; Gordon, 2001; Henderson, 2003; Houseman, 2001; Ledray, 2013; NCSC, 2006, 2012; Owens, 2013; Rhode & Bam, 2012; Wolf, 2012; Zorza, 2012b).

- The reach of technology-based programs is already considerable, with LSC estimating that almost 21 million people have received assistance through them, as compared to the 7 million that received in-person assistance from LSC-funded legal aid organizations (Zorza, 2012b).

Statewide legal information websites, as one of many technology-based self-help services that have emerged in recent years, seek to address self-help users' need for legal information that facilitates problem-solving.

B. STATEMENT OF THE RESEARCH PROBLEM

Although the development of technology-based self-help initiatives only dates back to the turn of this century, statewide legal information websites now exist in some form throughout the United States. These websites serve persons who represent themselves in court and at regulatory hearings, as well as the larger universe of self-help

users. To date, however, there has been minimal investment in efforts to understand what is actually taking place within website operations across the country. To fully comprehend the role that statewide legal information websites play within the broader access to justice movement, it is necessary to open up the "black box" underlying their Internet presence. Thus, drawing upon the experiences of individuals who have been involved in the development, implementation, and operation of these websites (the "Information Providers"), this study sought to identify not only the different issues and challenges Information Providers face but also how they work to address those issues and challenges.

The network of statewide legal information websites that spans the 50 states, the District of Columbia, and several U.S. territories is a direct result of LSC's Technology Initiative Grant (TIG) program (Aaron, 2012; Cabral et al., 2012; Hornsby, 2010; Morris, 2013; Owens, 2013; Snukals & Sturtevant, 2007; Staudt, 2005, 2009; Zorza, 2012b). Among the requirements set forth by LSC has been the development of a website intended for use by the public, as well as sites for advocates and pro bono attorneys. [5] Through the provision of funding and support needed to make these services operational, the TIG program has also been credited with helping courts to work around institutional barriers (e.g., limited funding; infrastructural elements not conducive to change) and make progress toward fulfilling their access to justice mandates (Staudt, 2005). As one observer commented:

> While this technology project sounds a bit prosaic, even boring, the creation of a single authentic LSC backed legal aid Web site for each and every state had profound implications. By funding statewide Web sites, [the] TIG program ensured that in each state, there was one location on the Internet where the public

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[5] The present study focused exclusively on websites intended for the general public.

could find authentic legal information and ultimately legal services …. The program officers of LSC kept the costs of these statewide sites down, and established a floor of quality and service by insisting that most states use one of two templates for the statewide Web site … These statewide sites are now a fixture of the national legal aid infrastructure." (Staudt, 2009, p. 109-110)

The two templates referenced by Staudt were created by Pro Bono Net and Kaivo Software.

- *Pro Bono Net* is a national nonprofit organization that partners with nonprofit legal organizations throughout the U.S. and Canada to increase access to justice for poor and moderate-income individuals. Statewide legal information websites that use the LawHelp template are hosted by Pro Bono Net, enabling states to focus on content development and management, rather than on software and hardware issues. The template complies with Section 508 of the Rehabilitation Act Amendments of 1998 and has undergone extensive usability testing. The LawHelp template is flexible and customizable, providing for the incorporation of document assembly functions, multi-media materials, and XML. As noted in a 2007 report, however, there are limits to its customizability as "all changes to the platform must flow through Pro Bono Net and will affect all users collectively" (Weber, 2007, p. 8)

- *Kaivo Software* developed the Open Source Component Framework template for use by TIG program grantees. The template permitted states to build a website that addressed their specific needs in terms of content and navigation while incorporating features (such as an event calendar) that were developed to be modular and reusable. For states using the Open Source Component Framework, it was suggested that they have an internal web service infrastructure sufficient to host the site (or a hosting agreement with an external internet service provider) and sufficient expertise (or the capability to acquire such expertise) to maintain and enhance the site at low cost.

Since its inception in 2000, 570 grants totaling more than $46 million have been awarded through the TIG program. TIG funding has fluctuated over the years, ranging from a high of $7 million in 2001 to a low of $1.2 million in 2006 (Staudt, 2009). Since 2011, however, TIG program funding has remained relatively steady in the range of $3.2-$3.4 million (LSC, n.d., "LSC Funding"). Increasingly, the TIG program is funding

projects that have no relationship with statewide legal information websites. In 2012, for example, Colorado Legal Services received approximately $44,000 to develop a mobile application to help attorneys sign up for volunteer assignments and the Legal Assistance of Western New York, Inc. received approximately $74,000 for an initiative that will provide the means for Social Security Administration hearings to be held via videoconference (LSC, n.d., "2012 TIG project descriptions"). Other TIG projects focus on integrating the statewide legal information website into other online services offered by the grantee organization. In any event, by 2003, it was evident that the long-term sustainability of the websites was dependent on the acquisition of additional sources of funding, due to a range of maintenance costs. These costs include software fees as well as staff to develop website content, build support for stakeholder relationships, and engage in marketing activities (Melton, Snider & Zorza, 2005).

In the years since LSC first provided funding through the TIG program, the network of statewide legal information websites has evolved dramatically, as states have adopted unique approaches to both development and implementation, leading to significant variation in terms of operation, design, and content. Despite fluctuations in funding, many statewide legal information websites have become an integral part of their states' access to justice strategies, evolving from primarily static collections of resources (often electronic versions of print materials) and basic links, into dynamic websites that often incorporate automated legal form and document preparation systems, such as A2J Guided Interviews[6] and the Interactive Community Assistance Network ("I-CAN!")[7]. A

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[6] Developed in 2005 by the Center for Access to Justice and Technology at Chicago-Kent College of Law and the Center for Computer-Assisted Legal Instruction (CALI), A2J Guided Interviews employs HotDocs document assembly software to build a form based on the user's answers,

growing number of sites now offer remote assistance capabilities, such as instant

messaging programs that put self-help users in contact with trained specialists (Aaron,

2012; Cabral et al., 2012; Johnson, 2009; Morris, 2013; NCSC, 2006; Rhode & Bam,

2012; Staudt, 2009; Widdison, 2013; Wolf, 2012; Zorza, 2009b). Given the intensive

development now taking place on the technological side of statewide legal information

websites, it is important to ask whether these advances are contributing to the creation of

websites that meet the needs of users.

C. RATIONALE FOR PROBLEM CHOICE

In December 2013, LSC issued a report detailing findings from the Summit on the

Use of Technology to Expand Access to Justice. The Summit brought together 75 leaders

from all parts of the access to justice community (e.g., legal services, courts, libraries,

and academia). Participants of the Summit commenced work on a strategy for the

creation of an integrated legal services delivery system,[8] a key component of which is a

statewide access portal that will use an automated triage process to guide individuals in

need of legal assistance to appropriate information and services. The report envisions that

existing statewide legal information websites will serve as the building blocks for these

portals. In developing this strategy, the Summit participants were guided by the

following mission:

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utilizing one of the approximate 2,300 templates stored on the national LawHelp Interactive
(LHI) server (Cabral et al., 2012).

[7] Since the program was developed by the Legal Aid Society of Orange County, seven states have
adopted it and almost 200,000 pleadings have been uploaded. This system is explicitly designed
for individuals with limited computer experience and literacy skills (e.g., employing audio
prompts for each question).

[8] The other enumerated components of the strategy are document assembly, mobile technologies,
business process analysis, and expert systems.

To explore the potential of technology to move the United States toward providing some form of effective assistance to 100% of persons otherwise unable to afford an attorney for dealing with essential civil legal needs (p. 1).

Given the momentum that is beginning to build around realizing the vision for an integrated legal service delivery system, the stage is set to examine how statewide legal information websites are contributing to the realization of this vision.

In general, however, research in the area of legal services in the United States has long been the subject of sharp criticism. Rhode (2013) offers the following description of the current state of affairs:

American legal aid lacks independent, well-developed research capacities. The Legal Services Corporation's Research Institute lost funding in the 1980s and has never been reestablished. Decision making often proceeds without reliable information about the amount, type, and funding of services provided, the dimensions and drivers of unmet needs and the relative effectiveness of different delivery models along multiple dimensions. Although we do not lack for studies on certain topics, much of the data we have is too limited in scope and methodology to supply a rational basis for policy making. And much of what we know is not presented or disseminated in ways that adequately inform delivery structures or political debates about subsidized legal services" (p. 533).

Charn and Selbin (2013) offer a similar assessment, noting that there has been insufficient empirical study of both demand side issues (e.g., consumer needs, user preferences, and problem-solving behaviors) and supply side issues (e.g., funding, services, quality, outcomes, accessibility, and cost-effectiveness). In recent years, critics have increasingly focused on the lack of studies that examine the outcomes of access to justice initiatives (Birnbaum & Bala, 2012; Buhai, 2009; Rhode & Bam, 2012; Smith & Stratford, 2012; Steinberg, 2011). The lack of outcome data, it is argued, leads to an insufficient understanding of the efficacy of existing programs (Cantrell, 2002; Selbin, Charn, Alfieri & Wizner, 2012; Smith, 2013). The absence of evaluative efforts has become increasingly problematic as, in the current policy environment, service providers

are increasingly called upon to demonstrate the effectiveness of what they are doing to funding entities, decision-makers, and the public (Aaron, 2012; Selbin et al., 2012). Rather than utilizing empirical methodologies typically employed in the social sciences for purposes of evaluation, however, policy decisions in the legal services realm typically rely heavily on anecdotal evidence focused on the success of individual programs (Cantrell, 2002; Engler, 2010). Sound resource allocation decisions, however, based upon accurate information about the utility of different access to justice initiatives are essential (Abel, 2009; Blasi, 2004; Engler, 2010).

The recently released President's Budget for Fiscal Year 2016 offers evidence of growing awareness of the need for civil legal research. In addition to requesting $2.7 million for research on civil justice issues, the President is also requesting $5 million for a Civil Legal Aid Competitive Grant Program that "will provide funding, training, and technical assistance to incentivize civil legal aid planning processes and system improvements, as well as research that supports innovative efforts to improve civil legal assistance services at the state, local, and tribal levels" (United States Department of Justice, 2015, p. 16). Each project funded through this project would have to meet certain evaluation requirements, furthering "the Administration's efforts to use evidence-based decision-making to improve results" (p. 246). In a recent blog entry, access to justice scholar Richard Zorza opined that, notwithstanding the fact that these proposals are not likely to succeed at this time, they are laying the groundwork for change in coming years (Zorza, 2015).

As might be expected, much of the legal services research conducted has focused on the impact of practitioner representation, with comparatively less attention paid to

legal self-help services (Rhode, 2013). The appeal of self-help services and other forms

of limited assistance is clear – they allow more individuals to benefit from some level of

legal assistance. But, as the initial focus has been largely on making these services

available, the legal community has only begun to examine whether these services are

actually meeting the needs of self-help users or are merely deemed acceptable due to the

unavailability of representation to all who need it (Selbin et al., 2012). As articulated by

Abel (2012),

> The spectrum of self-help services is a necessary innovation in light of the
> extreme shortage of counsel for low-income communities. At the same time, we
> lack an evidence base to determine the scope and efficacy of self-help services.
> Some worry that self-help services will provide the appearance of a solution to the
> *pro se* crisis when in fact *pro se* litigants still cannot effectively assert their claims
> (p. 812).

Increases in the number of self-help users, and the attendant increase in programs to serve

this population, has led to calls for more intensive study of both the user population and

the programs now in place (Albiston & Sandefur, 2013). To date, however, these calls

have remained largely unanswered.

The need for research focused on statewide legal information websites is greater

than ever given the central role that these initiatives are expected to play in the delivery

of legal services in the future. These websites, as characterized by Staudt (2010), can be

the "foundational building blocks for transformational delivery changes" (p. 110). This

assessment appears to have merit in light of the strategy developed at the LSC Summit

calling upon integrated statewide portals to be built upon existing statewide legal

information websites. If, however, these websites are to serve as the proverbial giant

upon whose shoulders a future legal services delivery system will be built, research that

enhances understanding about the existing network of statewide legal information websites is essential.

This study is itself a building block for a comprehensive research agenda. The recent focus on measuring effectiveness is valid, given the growing emphasis on outcomes in the policy arena. But, before one can measure outcomes and impacts of a service effort, it is essential to understand the different components of these initiatives.

> [T]o consider only questions of program outcomes may limit the usefulness of an evaluation. Suppose evaluation data suggest emphatically that the program was a success. You can say, "It worked"! But unless you have taken care to describe the details of the program's operations, you may be unable to answer a question that logically follows such a judgment of success: "*What* worked?" If you cannot answer that, you will have wasted effort measuring the outcomes of events that cannot be described and therefore remain a mystery. Unless the programmatic black box is opened and its activities made explicit, the evaluation may be unable to identify strengths or suggest appropriate changes (King, Morris, Fitz-Gibbon, 1987).

Thus, efforts to determine if statewide legal information websites provide effective assistance will remain dependent upon anecdotal stories if there exists just a limited understanding about the different pieces that come together in the creation and implementation of these websites. Without a more complete understanding of what has taken place, those working on the next generation of technology-based self-help legal services will not be able to benefit fully from the experiences of their predecessors, thereby severely limiting the practical impact of research going forward.

This study aimed to open up the "black box" of statewide legal information websites, while highlighting both the commonalities and differences among the approaches adopted by states. By honing in on a particular group of initiatives that has been recognized as essential but has not served as the subject of an in-depth study in over

10 years, it makes a valuable contribution to a body of research that seeks to improve the plight of low-income individuals with unmet legal needs. The perspectives of experts in this area – the Information Providers – served as the primary lens through which to understand how statewide legal information websites facilitate the access of self-help users, including self-represented litigants, to vital legal information. The study therefore was guided by the following general research questions:

> **RQ1**: What are the principal activities that Information Providers engage in with respect to statewide legal information websites?
>
> **RQ2**: What are the different ways in which states have approached these activities?
>
> **RQ3**:   What program development and operational issues have Information Providers faced?

In order to extract a sufficient amount of data for analysis, the research involved a series of interrelated data collection efforts, consisting of a pilot case study, a survey of Information Providers, and follow-up interviews with survey respondents and other Information Providers. Themes identified in the pilot case study, together with a theoretical framework developed by Detlor, Hupfer, and Ruhi (2010) within the e-government literature, guided the development of survey and interview questions. Specifically, the data collection efforts were designed to learn more about:

- The legal information and services currently being provided by Information Providers to benefit self-help users;

- Information Providers' understanding of target users' information needs and the barriers they face in accessing information via statewide legal information websites;

- Information Providers' knowledge regarding actual users; and

- The practices and strategies employed by Information Providers to compile and present information that they believe is needed by their users.

Inasmuch as experiences of Information Providers lie at the center of this study, questions in the survey as well as in interviews asked them to serve as "surrogates" for website users so as to promote discussion of user needs. While this information may be limited in accuracy, it is a useful introduction to the identification of potential gaps between information sources in place and the information actually needed by users. A limited evaluation of a select number of websites provided additional insight into these potential gaps.

D. IMPLICATIONS OF STUDY

This study has immediate implications for both practice and policy. Currently, knowledge tends to be very fragmented among legal services providers, as the demands of their day-to-day professional responsibilities take precedence over growing a community knowledge base. By bringing together the perspectives and experiences of a wide range of Information Providers, this study encourages the entire community of Information Providers to think critically about their current practices and operations. While it does not identify best practices, it does offer insight into how different Information Providers have chosen to address common challenges and issues, potentially suggesting courses of action not yet considered. This study also lays the groundwork for future policy research in this area. Once we understand what lies within a program's "black box," we can move on to the questions of effectiveness with which the legal services community is primary concerned.

The insights gathered from Information Providers, however, will have implications beyond the narrow realm of statewide legal information websites in two important ways. These websites are but one tool with which legal services providers are currently working to reach a greater number of self-help users. The modes of service delivery may differ but central to all of these initiatives is a commitment to understanding what self-help users need and then using available resources to best meet these needs. By exploring the paths that different statewide legal information websites have taken to reach this understanding, this study focused not on the technology *per se* but rather on the role that technology has played in enabling legal services providers to connect with self-help users. Given the commonalities that exist, study findings will be of value to those working on more "traditional" programs (e.g., in-person self-help centers) as well as other technology-enabled self-help services (e.g., initiatives to assist self-help users in navigating courts' electronic filing systems).

In addition to being a subset of access to justice initiatives, statewide legal information websites can also be viewed as part of a larger universe of services that government and community organizations now make available through various information technologies. This universe is vast, including large-scale initiatives seeking to reach a wide range of users (e.g., Healthcare.gov) as well as the efforts of community organizations to meet the needs of a specific audience (e.g., domestic violence survivors, returning veterans). As with statewide legal information websites, the primary users of many of these services may face one or more barriers in their attempts to access information or complete a transaction. From the service providers' perspectives, there are similarities as well – often, they must provide both legal information and practical "how-

to" information in a manner that guides their target users through a problem-solving process.

Citizen and immigration services offer one example of how connecting disadvantaged populations to a blend of legal information, social services, and government services can present challenges to both providers and users. Individuals seeking to become U.S. citizens need to understand the procedural elements of the naturalization process (e.g., what documents to file and when to file them) while also undertaking preparations for the naturalization test. Limited English language proficiency, as well as limited experience with computers and/or the Internet, may hamper their ability to address these different issues. In addition to the United States Citizenship and Immigration Service, community organizations and libraries play a vital role in meeting the needs of this population, through initiatives such as the offering of English as a Second Language classes and the provision of affordable legal advice from reputable and experienced attorneys (Gorham, Bertot, Jaeger & Taylor, 2013; Jaeger, Gorham, Bertot & Sarin, 2014).

Each of these entities – the government agencies as well as the providers of legal and social services – is part of this larger universe in which statewide legal information websites operate. And, as an increasing number of these entities are relying upon ICTs to extend their reach, they too are facing questions regarding the effectiveness of their chosen means to deliver information and services. Within the area of e-government services, for example, there are increased calls for "citizen-centered e-government." Central to this concept is a "commitment, a desire to measure service quality, and a willingness to implement the lessons learned" on the part of government agencies (Bertot

& Jaeger, p. 153). Among the most important lessons to be learned are those that pertain to how organizations can connect with those users facing the most pernicious barriers as they strive to access much-needed information resources and services. Ultimately, this study yielded lessons of that very nature.

The goal of Chapter 2 therefore is to demonstrate how statewide legal information websites fit within both the realm of access to justice initiatives, as well as within the larger realm of government and social services. The review of the literature spans socio-legal studies and information studies, emphasizing the extent to which each field contributes to an understanding of the problem and identification of relevant issues. Chapter 3 outlines the study design, linking this research to key studies identified in the literature. A description of the three stages of the study is provided, highlighting the complementary nature of the data collection efforts. Chapter 3 concludes with a brief discussion of the limitations, goals, and outcomes of the study. Chapters 4, 5, and 6 summarize findings from the pilot case study, the online survey, and the interviews, respectively. The evolution of key themes links the analysis in each of these chapters together. Chapter 7 then brings these key themes together, offering a discussion of how the current situations in which statewide legal information websites reside (both infrastructure elements and the external environment) impact current and future practices. Chapter 8 further explores these impacts, offering policy recommendations that address current challenges facing Information Providers. These recommendations, which coalesce around a call for user-centered program evaluations, highlight the need for further research and several possible avenues for future exploration are presented.

CHAPTER 2: REVIEW OF THE LITERATURE

This chapter provides a review of four areas of research pertinent to this study:

- The connection between increasing rates of self-representation and the growth of legal self-help services;

- The general development, implementation, and empirical examination of legal self-help programs;

- The development, implementation, and empirical examination of technology-based legal self-help services; and

- The provision of information to underserved populations.

Given the lack of in-depth research into statewide legal information websites, it is necessary to draw upon work done in the areas of information studies and e-government to better frame the discussion on the information needs of users and the barriers users face in meeting these needs. These four strands of research, taken together, place this study within the broader context of the access to justice research agenda, while also demonstrating how e-government and information studies research can offer different approaches to studying online legal self-help services.

A. INCREASE IN SELF-REPRESENTATION, INCREASE IN LEGAL SELF-HELP SERVICES

A.1. The Phenomenon of Self-Representation

The right to be heard, guaranteed by the Sixth Amendment, lays the foundation for the right of self-representation. Initially codified by the Judiciary Act of 1789, and later in 28 U.S.C. § 1654 (1994), the right to represent one's self in court proceedings is a defining characteristic of the American legal system (Schwarz, 2004; Swank, 2004).

Underlying this right is the belief that "all individuals, no matter their status or wealth, are entitled to air grievances for which they may be entitled to relief. Access, then, must not be contingent upon retaining counsel, lest the entitlement become a mere privilege denied to certain segments of society" (Schneider, 2011, p. 586). In other words, the right to have one's day in court is not dependent upon one's ability to obtain legal counsel (Zimerman & Tyler, 2010).

The steady growth of self-represented litigants since the turn of the century has been described by Landsman (2009) as an "inexorably rising tide" (p. 440) and Hilbert (2009) as an "explosion" (p. 547). As early as 2002, commentators were reporting an increase in the number of self-represented litigants in certain areas, such as domestic relations, landlord/tenant and small claims cases (Johnstone, 2011; Snukals & Sturtevant, 2007; Staudt & Hannaford, 2002; Steinberg, 2011). Numerous sources cite family law cases as the primary generator of the recent growth in self-represented litigants, with well over half of all cases in this area involving one or more such litigants (Berenson, 2001; George & Wang, 2008; Shepard, 2010). Although this increase has been documented through studies conducted by individual court systems (Judicial Council of California, 2004; Maryland Judiciary, 2007; State of New Hampshire Judicial Branch, 2004) and nationwide surveys of judges (Morris, 2013; Zorza, 2009a), there is limited empirical data on self-represented litigants due to the absence of any nationwide tracking system and the deficient records kept by many states (Glater, 2006; Van Wormer, 2007).[9]

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[9] It should be noted, however, that the NCSC and the Conference of State Court Administrators currently are working together to establish a consistent approach to reporting cases with self-represented litigants, with the goal of producing comparable data within and among jurisdictions (State Justice Institute, 2014). To date, they have compiled definitions, counting rules, and reporting guidelines for cases involving self-represented litigants. Information about this

Along with an increase in the overall number of self-represented litigants, there is a growing perception that the population of self-represented litigants is more diverse than once thought. It has long been recognized that, in many cases, self-represented litigants enter the legal system at a disadvantage due to their socio-economic status and then face compounding barriers due to language, literacy, disability, and/or age (Engler, 2011). This group of litigants, however, now includes a growing number of individuals with varying levels of education, training and financial resources (Flaherty, 2002; Greacen, 2005; Sims, 2004).

The overall growth of self-represented litigants and the increasing diversity seen within this population can be attributed to economic and social trends in the U.S. (Judicial Council of California, 2007):

Cost: The practical cause of the previously identified "justice gap" is that many self-represented litigants both lack the financial resources to hire an attorney and fail to qualify for free legal services (Hannaford-Agor and Mott, 2003; Sims, 2004; Swank, 2004; Zorza, 2009a). Moreover, many legal services organizations lack the resources to provide assistance to every eligible individual. Thus, for many people, self-representation is not a matter of choice but rather due to financial necessity (Engler, 2011; Smith & Stratford, 2012; Snukals & Sturtevant, 2007; Zorza, 2004).

A "Do-It-Yourself" mentality: It has been observed that the growing perception that lawyers are not always necessary to pursue a legal action can be traced to two related notions, namely that "the 'Home Depot' do-it-yourself [DIY] method applies to a lot more than house repairs and that in the internet era, the 'noble amateur' can do just about

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component of the Court Statistics Project is available at http://www.courtstatistics.org/Other-Pages/SRL_Main.aspx.

anything as well as the expert" (Landsman, 2009, p. 445). The phenomenon of

disintermediation – which obviates the need for "middlemen" – is not unique to the legal

field (Greacen, 2011; Judicial Council of California, 2007). Disintermediation in the legal

field is closely related to de-professionalization, which refers to social, political,

economic, and demographic trends that undermine claims to autonomy, monopoly, and

social privilege once enjoyed by well-established professions (Holland, 2013; Rothman,

1984). Traditionally, the monopoly held by duly licensed attorneys was protected by legal

sanctions as well as by the reluctance of members of the public to undertake legal tasks

for themselves (even when able to do so) or to rely upon non-lawyers for these services.

     In recent years though, the public's perception about what services require the

assistance of any attorney has been shifting (Hannaford-Agor & Mott, 2003). Snukals and

Sturtevant (2007) and Rothman (1984) both cite a decrease in the "competence gap," due

to rising education and literacy levels in the U.S., as another factor contributing to the

growth of the DIY mentality towards legal proceedings. This belief that some cases are,

in fact, simple enough for a layperson to handle is shared by members of the legal

profession (Schneider, 2011). At the same time, however, lawyers view the emergence of

the DIY mentality in the legal field with a degree of trepidation. Their comprehensive

expert knowledge "legitimiz[es] [their] professional prerogatives" (Rothman, 1984, p.

187). If laypersons are capable of doing their work, the extent to which lawyers retain

expert authority is called into question.

     Driving the processes of disintermediation and de-professionalization in law has

been a growth in the amount of legal information to which laypersons now have access,

due to the Internet and related ICTs (Berenson, 2001). Members of the public thus are

increasingly embracing the notion that access to these resources will enable them to make adequate preparations for their day in court (Berenson, 2001; Hale-Janeke & Blackburn, 2008; Kritzer, 1999; Snukals & Sturtevant, 2007).

While cost and a DIY mentality are the most frequently cited reasons for self-representation, other perspectives abound. Widdison (2013), for one, draws distinctions between "lumpers" who are proceeding without counsel because they have no other choice and "self-helpers" who have (or have the means to acquire) the knowledge to successfully navigate the legal system. Other less frequently cited reasons for self-representation include an increase in litigiousness, coupled with a negative perception of lawyers (Snukals & Sturtevant, 2007). The latter, in particular, correlates to the idea of self-representation as an empowerment tool: "[I]n theory at least, self- representation can serve to solve many of the difficulties and sources of dissatisfaction that characterize the legal experiences of represented litigants (the feeling of passivity and lack of control, the inability to tell one's story, or the difficulty of communicating with lawyers)" (Zimerman & Tyler, 2010, p. 499; *see also* Barclay, 1996).

A.2. Impact of Self-Representation Phenomenon on the Legal System

The unprecedented growth of self-represented litigants presents a number of challenges for courts. In some courts, a lingering perception of self-represented litigants as "nuts," "pests," or an "increasing problem," whose very presence creates havoc for the judicial system, persists (Schneider, 2011; Swank, 2004). This remains true despite growing acceptance that a lack of representation generally is not indicative of the merits of a litigant's claims, as well as evidence that self-represented litigants do not actually derail legal processes and courtroom procedures (Greacen, 2014; Schneider, 2011). Even

within courts that take a more favorable view of self-represented litigants, however, institutional and administrative requirements create barriers that may be difficult to overcome (Hannaford-Agor & Mott, 2003). The use of unfamiliar legal terminology, for example, imposes a barrier for many self-represented litigants (Judicial Council of California, 2007).

Underlying these barriers is the fact that, despite the longstanding nature of the right of self-representation, legal and court processes were not designed with self-represented litigants in mind (Zimerman & Tyler, 2010). Many self-represented litigants struggle with reconciling these rules and procedures with the common sense and social instincts that guide their behaviors and interactions in everyday life (Zimerman & Tyler, 2010). This struggle gives rise to feelings of confusion as self-represented litigants attempt to navigate the complex court system and later frustration when they feel as though the court is not treating them with the respect to which they are entitled (Henderson, 2003; Rasch, 2011). With no legal writing experience, self-represented litigants' pleadings often contain "emotional language, legal jargon, tangents, and less direct or incomprehensible assertions of fact," while neglecting to include a proper statement of their claims (Schneider, 2011, p. 602). Previous studies have shown that self-represented litigants' preference for stating their claims using language with which they are comfortable (i.e., a narrative approach to tell their story) can result in omissions that adversely impact the disposition of their cases (Goldschmidt, 2008; Schneider, 2011; Spira, 2009; Zimerman & Tyler, 2010).

Giddings and Robertson (2003) assert that effective self-represented litigants demonstrate determination, persistence, a high level of emotional stability, and

confidence. However, as observed by Brodoff (2008) and Acosta and Cherry (2008), many self-represented litigants must overcome significant emotional hurdles in order to clearly articulate their claims and prove the necessary facts. Heightened emotions stem from the circumstances that gave rise to the legal situation, as well as from the anxiety caused by having to find one's way through an often intimidating court environment (Tait, 2011; Widdison, 2013). The trepidation with which laypersons navigate the legal system is starkly different from the dispassionate, informed perspective that guides lawyers' representation of their clients, as well as their interactions with the court and other parties to the case (Pettinato, 2008). As described by Zimerman and Tyler (2010):

> [T]he encounter between lay people and the legal system is challenging for both sides, and pro se litigants are usually perceived as a problem - both to the courts and to themselves. From the litigants' side, there are the obvious difficulties of having to manage within a highly professionalized system whose rules, language and practices they do not know. There is the fear then that pro se litigants' rights and interests are left unprotected. From the courts' side, pro se litigants are considered a burden; the need to deal directly with litigants (rather than professionals) requires modifications in routine processes and court personnel to deviate from their traditional roles and provide additional assistance. (p. 479).

Frequently lodged complaints against self-represented litigants include the following: intake delays in the clerk's office due to incomplete or indecipherable court documents; unfamiliarity with courtroom protocol; overreliance on clerk's office staff for assistance; unrealistic expectations regarding available legal remedies, filing and service of process errors; protracted and/or rescheduled hearings due to self-represented litigants' lack of preparation; and, discovery difficulties (Berenson, 2001; George & Wang, 2008; Greacen, 2005; Hannaford-Agor and Mott, 2003; Henderson, 2003; Rasch, 2011; Spira, 2009).

It has been reported that individuals with limited English proficiency ("LEP")

face particularly acute challenges in navigating the legal system (Cohen & Weiss, 2009;

Rhode, 2004).[10] These challenges exist beyond the individual's intellectual ability to

understand the legal issues present in his or her case (Greacen, 2005). Self-represented

litigants with LEP often are unable to communicate with court personnel, conduct legal

research, read their opponents' legal papers, or understand and participate in court

proceedings (Udell & Diller, 2007). In many cases, however, the persistence of these

barriers is due not to a lack of awareness but rather to limited resources available for

translation services and interpreters (Rhode, 2009; Udell & Diller, 2007). The latter is

complicated further by the growing universe of foreign languages found in many

American communities.

For judges, interacting with self-represented litigants brings to the forefront the

challenge of balancing the competing duties of maintaining judicial neutrality and

ensuring equal access to justice for all litigants (Berenson, 2001; Engler, 2011;

Goldschmidt, 2002; Snukals & Sturtevant, 2007). Rule 2.2 of the *Model Code of Judicial

Conduct* (2011), promulgated by the ABA, requires judges to act fairly and impartially.

Comment 4 to that Rule expressly states that "[i]t is not a violation of this Rule for a

judge to make reasonable accommodations to ensure *pro se* litigants the opportunity to

have their matters fairly heard."

While there has been a movement among state judiciaries toward adopting

language in line with that contained in the *Model Code* (Engler, 2011), there remains a

dearth of clear guidance regarding the parameters of acceptable judicial behavior

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[10] The federal government defines LEP individuals as those "who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English" (LEP.gov, n.d.).

(Goldschmidt, 2008). In recent years, a number of scholars, including Zorza (2004), Buhai (2009), and Engler (2011) have warned against focusing on the *appearance* of judicial neutrality inasmuch as doing so may discourage judges from providing acceptable assistance to self-represented litigants. Judicial engagement is not the antithesis of judicial neutrality but rather a means to ensure that neutrality is, in fact, maintained. Zorza and Engler, in particular, advocate for a shift away from the pure adversary model toward the paradigm of judge as "active umpire." Upon adopting that role, judges can then act in a way that minimizes the likelihood of procedural errors depriving the court of relevant evidence and legal arguments (Pearce, 2004).

In addition, others within the court – most notably clerk's office staff – are often forced to make determinations regarding how much assistance to self-represented litigants is appropriate (Johnstone, 2011; Schwarz, 2004). As court personnel, it is permissible for them to give out legal information, but not legal advice – the line between the two, however, is blurry and subject to interpretation (Flaherty, 2002). In an effort to avoid stepping over the line, court personnel may err on the side of giving out the bare minimum of information and, in so doing, place self-represented litigants at an even greater disadvantage (Berenson, 2001; Schwarz, 2004). Furthermore, the extent to which non-judge court personnel are well-equipped to assist self-represented litigants is a subject of discussion. While Johnstone (2011) suggests that they are less vulnerable to accusations of breaching impartiality and could lessen the burden on judges by providing more assistance to self-represented litigants, he also raises the question of whether court personnel possess the necessary knowledge, competence and qualifications to provide a greater level of assistance. Spira (2009) draws attention to other skills that are necessary

when working with self-represented litigants, noting that "[c]ourt personnel … are not typically trained to deal with 'the anger, fear, frustration, and communication barriers' common to *pro se* litigants" (p. 188).

B. DEVELOPMENT, IMPLEMENTATION, AND EMPIRICAL EXAMINATION OF LEGAL SELF-HELP PROGRAMS

B.1. Overview of Programs

The increase in self-representation and the attendant stresses that this phenomenon places on the courts led the access to justice community to turn to self-help services as one possible means to bridge the justice gap. Unlike other initiatives aiming for systemic change, self-help services seek to improve the ability of self-help users to navigate the existing system.

Self-represented litigants struggle primarily because they are laypersons in a system designed for professionals who can operate in that system with ease (Landsman, 2009; Rhode, 2009). Self-help services address this problem head-on by attempting to minimize the unknown. The core of these services is thus the provision of information that aims to level the playing field for all litigants (Brodoff, 2008; Goldschmidt, 2008; Schwarz, 2004). There is general agreement that effective self-representation requires that self-represented litigants have access to information about the relevant substantive law as well as about applicable legal processes and procedures (Hale-Janeke & Blackburn, 2008; Pettinato, 2008; Staudt and Hannaford, 2002; Van Wormer, 2007; Wolf, 2012). As described by Lawler, Giddings and Robertson (2012), it is important to distinguish

between process oriented information which we refer to as "procedural information" the focus of which is on "knowing how" to do something (including knowing what to do and when to do it) and "propositional information" which seeks to explain the relevant substantive law, legal concepts and legal structures and therefore speaks to the "knowing why" to do something within the self-help process. By way of illustration, information which seeks to explain how to fill out a form would, in our characterisation, be a form of "procedural information" while information which explains that a particular tribunal has jurisdiction to hear a type of legal matter would be a form of propositional knowledge in that it increases a person's understanding of why their claim can be dealt with by that tribunal (p. 207).

Brodoff's description of the experiences of benefit recipients at administrative hearings (2008) highlights the central role that "propositional information" plays in legal proceedings. Focusing on administrative hearings related to Medicaid eligibility, he observed that the relevant body of law is so complex that, even if a self-represented litigant has access to the text of the applicable statutes and relevant case law, he would not be able to decipher it enough to present a cognizable claim. The inherent complexity of the law itself puts a self-represented litigant at a disadvantage vis-a-vis a trained agency representative.

Among the types of procedural information most often sought by self-represented litigants are forms and formal rules of procedure governing court proceedings, such as service of process, preparation of orders, and enforcement of judgments (Berenson, 2001; Henderson, 2003; Hilbert, 2009; Judicial Council of California, 2007; Shepard, 2010; Staudt, 2005; Staudt and Hannaford, 2002). Both forms and rules of procedure, however, run the risk of being rendered incomprehensible by the use of legal jargon. An individual may struggle with finding the form that applies to his situation or with completing the form, particularly in the absence of clear instructions (Berenson, 2001; Owens, 2013). As described by Greacen (2011),

The form identifies the information needed to request a particular form of legal relief, but does not provide the litigant with the ability to assess whether s/he has adequate grounds to obtain that relief, how to pursue the matter within the court once it has been filed, or how to obtain satisfaction or enforcement of a judgment if one is obtained. In effect, the provision of a form enables a litigant to open the front door to the courthouse, but does not help her or him to decide whether to open that door or, if the door is opened, how to proceed through the courthouse and to exit the court with an enforceable remedy (p. 9).

(2011) characterized the information needs of self-represented litigants slightly differently, describing Tait three broad categories of information-related activities in which self-represented litigants typically engage. These three categories encompass both substantive and procedural information:

- *Informing litigants*: provide orientation and general background information about courts; offer general guidance in navigating the court system

- *Assessing legal options*: help self-represented litigants understand their specific situation; inform individuals about alternatives to litigation; inform individuals about the implications of proceeding without representation

- *Pursuing the case*: assist with the process of filing court documents; provide information on follow-up events; assist with resolution and enforcement

Against the backdrop of this emerging understanding of the information needs of self-represented litigants, courts have taken the lead in developing self-help programs to provide assistance to this group of litigants (Goldschmidt, 2002; Schwarz, 2004; Shepard, 2010; Spieler, 2013; Van Wormer, 2007; Zorza, 2009b, 2012a). Courts' assumption of this leadership role is reflected in recommendations made by the American Judicature Society in 2003 for courts to "study the composition and greatest needs of the self-represented litigants they serve, and design services to effectively meet those needs," "[d]evelop[] programs to assist self-represented litigants [as] a collaborative effort of the bench, court staff, the bar, and the public," and "train court staff on how to assist self-represented litigants" (Henderson, 2003, p. 590).

As early as the mid-1990s, a select number of state courts (e.g., California, Maryland, Michigan) were in the early stages of developing self-represented litigant programs (Downs, 2004). Courts' progress in this area has been rapid with Spieler (2013) recently noting that 1) almost every state court system now provides some court forms and basic information through its website, and 2) over two-thirds of state court systems provide services to the public, including self-represented litigants, through at least one staffed center located in a courthouse. And, even as courts' budgets have come under fire in recent years, self-represented litigant programs (despite being relatively new) have fared better than other programs, providing some evidence of their perceived value (Zorza, 2009b).

Self-help centers, in which information about court procedures and the law is provided on a one-on-one basis or in workshops, are the backbone of many programs for self-represented litigants. While self-help centers often provide written materials through pamphlets and handouts, and may even house legal reference materials, the focus is generally on the provision of personal assistance (Schwarz, 2004). Although these centers often use volunteer or paid staff attorneys, this assistance does not constitute legal advice or create attorney-client relationships; rather it generally involves answering basic questions and guiding self-represented litigants through the process of completing forms (SRLN, 2008; Fritschel, 2007)[11]. Several key best practices have been identified in connection with the operation of self-help centers, including:

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[11] In August 2014, the ABA's Standing Committee on the Delivery of Legal Services released a report in connection with a nationwide survey of self-help centers, detailing variations among states in terms of staffing (including volunteers), funding sources, languages offered, the use of e-filing, service methods, substantive areas of law in which services are provided, and volume of clients served.

- Availability of computer terminals (Snukals & Sturtevant, 2007);

- Use of subject matter-specific self-help materials written in plain English, including explanations of court processes, instructions for filling out forms, and pamphlets that explain how to bring common causes of action & related evidentiary requirements (Clarke & Borys, 2011; Greacen, 2011; Rhode & Bam, 2012; Schwarz, 2004; Snukals & Sturtevant, 2007);

- Assistance with completing forms, incorporating the use of online document assembly tools when available (Engler, 2010; Morris, 2013);

- Careful consideration of community needs, with particular attention paid to vulnerable populations, including LEP and rural populations (Malcomson & Reid, 2006; Rhode & Bam, 2012; Zorza, 2007);

- Development of rules that clarify the responsibilities of program staff and the scope of services (SRLN, 2008); and

- Coordination among self-help center staff and judges regarding the type of information that should be provided to self-represented litigants: "If self-help centers and the judges communicate about procedures and the types of facts that judges will take into consideration, handouts can be created and litigants will have been told or informed of many of these things at different times, in different settings, and by different methods. This will reinforce the information and help create consistency so that litigants will know what to expect" (Judicial Council of California, 2007, p. 6-22). As part of this coordinated effort, judges see to it that self-represented litigants know about available self-help resources (Gray, 2007; Zorza, 2004).

Due to the limited nature of the assistance provided through self-help centers and other self-help programs, however, critics have raised the following objections to them:

- They are nothing more than a thinly veiled attempt by the legal community to foist off its responsibility for low-income litigants (Berenson, 2001)

- Depending on the nature of the legal issue and the abilities of the self-represented litigant, the provision of the information, by itself, does not constitute meaningful assistance (Giddings & Robertson, 2003; Lawler et al., 2012).

- Turning laymen into lawyers is impossible because there is a "'ceiling on lay efficacy'" (Hilbert, 2009, p. 6). "Quickie" legal education can "rarely can turn even a college-educated litigant – to say nothing of the typical lower income individual – into someone capable of constructing and presenting a persuasive case consistent with the rules of evidence and focused on the issues critical to making the correct decision. Those critical factual issues, in turn, are defined by the law - the legal principles governing this particular dispute, which lawyers, not *pro se* litigants, are trained to know or identify through research. Yet this is what the adversarial system counts on from the opposing litigants" (Johnson, 2009, p. 415).

Nevertheless, court-supported self-represented litigant programs are generally viewed as striking an acceptable balance between a court's duty to provide all litigants with meaningful access to justice and its duty of impartiality. As a visible sign of a court's commitment to the ideal of access to justice, these programs work to increase the public's trust in the court system, primarily by demonstrating collaboration among the bench, the bar, and court staff (Berenson, 2001; Engler, 2006; George & Wang, 2008; Goldschmidt, 2002; Greacen, 2005; Henderson, 2003; NCSC, 2012, Zorza, 2010). Moreover, self-help programs take the onus off of clerk's staff having to navigate the grey area between legal advice and legal information (NCSC, 2012), while also minimizing the extent to which judges must "lean over the bench" to level the playing field for SRLs (Engler, 2011; Judicial Council of California, 2007). And, as a practical matter, self-represented litigants who are better informed should be better prepared to litigate their cases, leading to fewer filing and other procedural errors that wreak havoc in the clerk's office and in the courtroom (Albrecht et al., 2003; Flaherty, 2002; NCSC, 2012; SRLN, 2008; Zorza 2009a).

Working together with courts in developing programs for self-represented litigants are a range of government bodies, as well as professional and community-based

organizations (e.g., state bars, legal aid organizations, and libraries) (Acosta & Cherry,

2008; Cordova, 2010; Lawler et al., 2012; Malcomson & Reid, 2006; NCSC, 2006;

SRLN, 2008; Zorza, 2009a, 2010). As community access points, legal aid organizations

and libraries, in particular, play an important role in connecting self-represented litigants

with the legal information they need by removing barriers created by geography,

language, and technology and by providing emotional support (Mancini, 2014; SRLN,

2008). In recognition of the value of collaborating with librarians to provide self-help

services, more state court systems are inviting librarians to serve on their self-help task

forces and access to justice bodies (Fritschel, 2007).

Both public libraries and public law libraries are natural partners in the provision

of self-help services (NCSC, 2012; Warren, 2004; Zorza, 2010). Public libraries are more

likely to be the initial point of contact but staff may lack the necessary skills and

experience to facilitate self-represented litigants' access to legal information (Fritschel,

2007) and may be unsure of the parameters of acceptable assistance to self-represented

litigants (Zorza, 2010). Public law library staff's familiarity with operating in a legal

environment is highly advantageous. They are well-versed in the law as well as tools and

resources that can help self-represented litigants understand the law; they understand the

process of legal research; they can help users navigate the world of online legal

information; they routinely make community service referrals; and they can navigate

legal information websites (Houseman, 2001; SRLN, 2008; Warren, 2004). Moreover,

law librarians generally have a clear understanding of the distinction between legal

advice and legal information (Pettinato, 2008). The expert services available at public law

libraries, however, are not always utilized because members of the public are often unaware of their existence.

The expanding role of law libraries in the access to justice movement was explored in two recent publications: a July 2014 white paper published by the American Association of Law Libraries (AALL) and an April 2014 report detailing findings from a study conducted by the Law Librarians' Working Group of the SRLN in the summer of 2013. The latter highlighted different ways that law librarians can partner with courts (e.g., by acting as a distribution point for court forms) while also making the important point that the general services they provide, such as public computers with Internet access and multi-lingual resources, also support the work of the court. Similarly, AALL's report described several key benefits of housing self-help centers in law libraries:

> The self-help center in the law library… benefits from the additional resources and services of expertly trained information staff, computers, print, and online resources, often in multiple languages, which can be folded into services provided to the self-help center users, depending upon the user's needs. If someone visits a brief advice clinic held in the law library and the attorney volunteer recommends a certain form to be completed, the user can consult with the librarian about accessing and completing the form in the law library. The packaging of document assembly technologies with a self-help center depicts one of the unique strengths that law libraries contribute to centers located within them. Libraries that are more equipped both on the staffing and resource end can assist even more. Some law libraries provide scanners for patrons who must now e-file documents to the court (p. 26).

In recognizing that many libraries lack the resources to serve as a full-fledged self-help center, the report describes varying levels of service along a continuum. Other options for libraries to consider include 1) the creation of an educational environment that maximizes available space and offers problem-solving materials, and 2) a collaboration with partners from the legal services community through which the library hosts legal clinics and

seminars and develops information packets comprised of forms, instructions, and other resources. Through such collaborative efforts, access to justice partners can circumvent resource constraints while capitalizing on their different organizational strengths to provide an array of information resources and services to self-help users.

B.2. Empirical Studies of Programs

The development of legal self-help programs over the past decade has given rise to questions about how they are faring. Much of the research in this area has focused on the evaluation of individual programs. Examples include Blasi (2004) (evaluation of a California self-help center, using a control group of unassisted litigants); George and Wang (2008) (evaluation of family law courthouse facilitator programs in operation in 35 Washington state courts); Spira (2009) (study of settlement assistance program in the United States District Court for the Northern District of Illinois); and, Smith and Stratford (2012) (case study of brief advice family law clinic in Salt Lake City, Utah sponsored by two legal aid programs). The growth of evaluation research has been uneven across the states, due to the varying levels of resources that jurisdictions have made available to study self-represented litigant programs.

Early program evaluations typically employed a "survey-based methodology that focused on gathering information on the volume of clients seen by the project, some client demographic information, and a general assessment from the client on whether the program's services were easy to use and were helpful" (Cantrell, 2002, p. 1582-1583). Based on the growing number of individual program evaluations, there is a general sentiment that self-help programs are heavily used and have a positive impact on the legal system as a whole (George & Wang, 2008). Capturing the perspectives of self-

represented users, however, is notoriously difficult, as discussed by Cantrell (2002);

Engler (2010); George and Wang (2008); Lawler et al. (2012); and Smith and Stratford

(2012). They are a hard to reach group for several reasons, including their reluctance to

talk about personal legal issues and the reality that many never actually make their way

into the legal system; they may, for example, be deterred from filing suit because they

cannot figure out how to fill out the required forms.

Thus, most data collected from self-represented litigants to date has focused on

their satisfaction with the services they received (Cantrell, 2002; Engler, 2010; Rhode,

2013; Rhode & Bam, 2012; Selbin et al., 2012; Smith & Stratford, 2012), with studies

typically finding high levels of client satisfaction (Engler, 2010; Rhode, 2009). Client

satisfaction data provides some information about the experiences of self-represented

litigants inasmuch as "satisfaction matters because a wealth of psychological research

makes clear that people's subjective perceptions of how their concerns were represented

affects the legitimacy of the legal process." (Rhode, 2013, p. 536). Moreover, low levels

of satisfaction can help providers identify when and for whom self-help resources are not

adequate (Smith & Stratford, 2012).

There are numerous limitations to client satisfaction data, however, as noted by

Cantrell (2002), Selbin et al. (2012), and Rhode (2013). The high levels of satisfaction

may have more to do with self-help users' sense of relief from having received some

assistance rather than with the actual impact of this assistance (often referred to as a "halo

effect") (Cantrell, 2002). Smith and Stratford's study of a brief advice clinic (2012)

demonstrates the aftermath of the halo effect. While 84.8% of users who received a form

reported a high level of satisfaction, a substantial decline in this initial satisfaction was

noted during the follow-up period after users had actually attempted to complete the forms.

Due to the focus on client satisfaction data, little is currently known about under what circumstances and for whom self-help resources and services are most useful (Lawler et al., 2009 & 2012). There is some evidence that people with a legal information need are likely to turn to other people for assistance before consulting written materials (Hunter, Banks & Giddings, 2009; Scott, 2000). But, as to self-represented litigants who look beyond their friends and family for legal information assistance, we know little about whether they are able to make effective use of self-help materials (Bruce, 2000; Malcomson & Reid, 2006; Scott, 2000; Spieler, 2013).

Comprehensive studies undertaken recently in Canada (MacFarlane, 2013) and Australia (Lawler et al., 2012), however, demonstrate the feasibility of gathering more nuanced data about the experience of being a self-represented litigant. The latter – a three year exploratory study of self-help legal resources and practices within Australia – focused on the extent to which there is a match between the information being provided through self-help resources and the articulated needs of self-helpers. The central research question explored in this study involved

> whether, at a point of legal exigency, the needs of individual users for basic *process oriented* and *solutions focused* self-help resources (a common recurring need expressed by self-helpers throughout each of the four case studies we explored) conflict with and potentially undermine the importance providers attach to imparting sufficient legal knowledge, information and skills to allow the user to work through the required legal processes as an "informed citizen" (p. 186).

Key findings from this study include:

1) Resources targeted at helping individuals at a "point of legal exigency" (e.g., individuals experiencing a current legal problem) differ markedly from

community legal education resources that seek to increase awareness about legal rights and processes in a more general manner;

2) Self-helpers want information geared specifically toward helping them with their current problem and are not interested in engaging with the legal system in a way that will have a broader impact on their lives (i.e., users are not seeking empowerment or transformation through self-help);

3) Self-helpers assess the utility of a resource based on how closely it matches their motivations for undertaking self-help (i.e., does it provide easy access to the legal system?); and

4) Self-helpers are more interested in learning about how to navigate legal processes and less concerned with information that explains the relevant substantive law.

Based upon these findings, the authors recommended that providers involve users in the development of self-help resources so that they are not solely reflecting the "provider's perspective of what a layperson would need to navigate the legal system" (p. 219).

With the notable exceptions of comprehensive overviews of self-represented litigant programs by Greacen (2011) and the SRLN (2008), as well as the SRLN's more recent study focused on the services that law libraries in the United States provide to self-represented litigants (2014), the emphasis on individual programs has contributed to the lack of cohesiveness that permeates this body of research in the United States (Greacen, 2002). As Zorza (2007) noted, "the extensive innovation and experimentation that is going on in this field is largely uncoordinated and undirected. Innovators in one state often find it hard to discover what others have done, and what information that is available is usually focused on one program or innovation" (p. 81). The end result is that states are not taking full advantage of the opportunity to learn from one another through the sharing of best practices and lessons learned.

C. TECHNOLOGY-BASED SELF-HELP SERVICES

C.1. Overview of Services

There are many similarities between technology-based services, such as statewide legal information websites, and more "traditional" court-based, in-person services. Both types of programs generally share the same goals (i.e., the provision of information, not advice) and thus must remain attuned to the information needs of self-help users. The literature also reveals that, similar to traditional services, collaboration among courts, legal services providers and other community organizations underlies technology-based initiatives (Acosta & Cherry, 2008; SRLN, 2008). The New York statewide legal information website (LawHelp NY), for example, works closely with the court system in posting information and provides training to public and law libraries so as to leverage their experience in conducting outreach to populations that may not be aware of available legal resources (e.g., individuals with LEP) (Zorza, 2010). Collaboration can also be seen in the way in which document assembly software is being deployed. In a number of states (including Idaho, New York, and Vermont), court forms that are accessible through state court websites have been loaded into LawHelp Interactive (LHI), which is maintained by legal services organizations. Massachusetts state courts, in collaboration with the Berkman Center for Internet & Society at Harvard University (the Berkman Center), are utilizing LHI to develop modules for child support, domestic violence, protective orders, and small claims (Greacen, 2011). Similar to the provision of forms at self-help centers, however, document assembly functions have been criticized for failing to provide self-help users with adequate context. At least one commentator has suggested that we remain cognizant of their inherent limitations, citing the ABA's concerns that such functions do

not adequately inform self-represented litigants of available options and thus provide little guidance in the decision-making process (Owens, 2013).

Traditional self-help programs and technology-based self-help services contend with similar struggles as well. Both must find a way to meet institutional goals and client needs at the same time (Hunter et al., 2009; Lawler et al., 2009; VanWormer, 2007). Collaborators in both contexts must often work through the general problems of staff resistance and skepticism, funding, and training (Herman, 2007). In terms of training at least, demonstrable progress is occurring as greater efforts are being made to better prepare non-legal providers to assist with legal questions by increasing familiarity with legal resources and addressing concerns about the unauthorized practice of law (Ledray, 2013).

Legal information websites (as well as other technology-based legal services), however, also present some challenges that are not present with in-person services. The potential of these websites to provide assistance to a greater number of self-help users is clear; however, barriers exist that prevent at least some individuals with the greatest need from actually accessing the information that could help them (Cabral et al., 2012; Hilbert, 2009; Lawler, Giddings & Robertson, 2012; Ledray, 2013; Owens, 2013; Rhode, 2009; Staudt & Hannaford, 2002). The existence of these barriers initially led to some resistance about shifting money away from traditional legal services, reflecting a common sentiment that low-income individuals require face-to-face assistance and paper-based approaches (Ledray, 2013). The delivery of legal information through ICTs requires

> a capacity to access the system that some do not have - whether the capacity is financial, educational, technological, physical or mental, or geographical. When

these access limitations outweigh the benefits of the technology, it defeats the goal of creating greater access to courts through the use of technology (Zorza & Horowitz, 2006, p. 249).

While Smith (2013) encourages providers of legal services not to be overly pessimistic about these barriers, the fact remains that many self-help users contend with multiple disadvantages that may limit their ability to access legal information available online (Giddings & Robertson, 2003; Van Wormer, 2007). LSC explicitly acknowledges these barriers through its requirement that content for statewide legal information websites be developed with special consideration for those with limited literacy, LEP, disabilities, and limited knowledge of computers and ICTs (Legal Services National Technology Assistance Project [LSNTAP], n.d., "Statewide Websites"). In addition to digital literacy skills (which will be discussed in Section D.2. of this chapter), self-help users must possess several other kinds of literacy skills in order to effectively use online legal information[12]:

Basic Literacy: Although websites are increasingly incorporating multi-media components, much of the information presented via this medium is written. The ability to use online information then is often dependent upon a user's basic literacy (Gordon, 2001). As noted by Lawler et al. (2012), the service providers in their study acknowledged that the use of a written form, in and of itself, can act as a barrier for those with limited literacy skills.

English Language Literacy: The extent to which online legal self-help services meet the language needs of the communities they serve varies. There are a number of foreign

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[12] It should be noted that challenges related to limited literacy skills can also manifest themselves in connection with print materials provided through traditional self-help programs. They are arguably more acute in the online environment, however, unless one is receiving assistance from an information intermediary, such as a librarian.

language translation tools available but legal service providers are generally in the early

stages of evaluating the relative strengths and weaknesses of these tools (Hogue &

Hineline, 2013).

Legal Information Literacy: In the context of providing legal information, an

important consideration is how understandable it is by individuals with little familiarity

and understanding of the law (Abel, 2012; Hunter et al., 2009; Ledray, 2013; Pettinato,

2008; Tait, 2011). It may be difficult, however, for professionals working on legal

information websites to put themselves in the position of self-help users:

> The inherent bias of legally trained professionals is towards the use of familiar and
> precise legal terminology because specific legal terms are used in statutes and case
> law and have acquired an accretion of accepted meaning and nuance that seems
> difficult or impossible to convey in a few words of plain English. The legally trained
> mind seems invariably to favor precision in legal meaning over general
> understandability when choosing the words to use in a form (Greacen, 2011, p. 23).

The problem is amplified by the fact that self-help users who are novices with respect to

legal information may process any information they read differently and are more likely

to experience information overload. This is due, at least in part, to their inability to sort

through the information and determine what is relevant and important to their pursuits

(Tait, 2011). The importance of writing in a manner that is accessible to one's target

audience cannot be overstated because, if an individual cannot understand what he is

reading, he is likely to abandon the pursuit (Mindlin, 2005). Written documents do not

present an opportunity to obtain clarification if the reader is confused (Maryland Access

to Justice Commission, 2012). Without adequate clarification, a self-help user may not

know what action is expected or required of him. The resulting failure to act can

potentially lead to an adverse outcome (Cohen & Weiss, 2009).

The existence of these barriers presents challenges for the developers of legal information websites in terms of both content and design. A primary consideration is how to package the information in a way that the target audience will understand and be able to effectively use (Bruce, 2000; Clarke & Borys, 2011; Scott, 2000). The extent to which this consideration has been at the forefront of developers' minds, however, is questionable: "[I]t appears that the most comprehensive *pro se*-oriented websites are designed for the edification of lawyers and the judicial community, not for [self-represented litigants] themselves" (Van Wormer, 2007, p. 1008).

Because of the above-discussed barriers that many self-help users face, it is difficult – if not impossible – for them to use online self-help resources without some level of assistance. Their first instinct may not be to search for the information online but rather to seek face-to-face assistance from librarians, court staff, social services providers, and others. The providers of in-person assistance and education therefore function as information intermediaries and become instrumental in connecting self-help users with online legal information (Gordon, 2001; Scott, 2000). "Users' ability to assimilate information … depends upon their level of existing knowledge; thus, the prior provision of face-to-face advice can build a platform for greater understanding and more effective use of written information." (Hunter et al., 2009, p. 16).

Librarians play an important role in helping individuals with no other means of accessing the Internet or who have limited digital literacy skills (Jaeger, Gorham, Bertot & Sarin, 2014; Zorza, 2012b). This will become increasingly relevant as more courts transition to electronic filing and self-help users need assistance with navigating systems that may not have been designed with non-legal professionals in mind. Moreover,

because of their expertise in this area, librarians are often able to provide feedback on the usefulness of the site, in terms of both content and design (Ledray, 2013).

C.2. Best Practices

Early on in the development of online legal information, Bruce (2000) identified the importance of designing websites with the needs of users in mind. User needs should be reflected in both the content made available through a legal information website and the design of the site.

Website Content: To be useful to self-help users, information must be accurate and relevant (Smith, 2013; Van Wormer, 2007). The use of Internet-based materials clearly has advantages over print materials to the extent that they are less expensive to produce, as well as more efficient to disseminate and update (Giddings & Robertson, 2003; Ledray, 2013; Scott, 2000). Several other key advantages to providing information to self-help users via websites have been noted: 1) concerns regarding the grey area between legal advice and legal information are minimized (Van Wormer, 2007); 2) information is made available to a wider audience (Scott, 2000); and 3) content from courts, legal services providers, and other sources is more easily integrated together (Ledray, 2013). But, as noted by Smith (2013), "[d]elivery systems are only a means to an end. There is no escaping the fact that the best websites … have the best advice both in terms of … substantive content and practicality. This is absolutely crucial and is an expression of the 'gold in; gold out: rubbish in; rubbish out' principle" (p. 2). Decisions regarding the type of content to include must reflect an understanding that, in many cases, self-help users need basic information about the legal system and court proceedings above all else (Hopwood, 2011). Van Wormer (2007) compiled a list of information resources that

should be available on court websites. Many of the items on the list apply equally to statewide legal information websites, including

- Access to court rules and forms,

- A directory of free and low-cost legal service providers,

- Links to relevant substantive laws of the jurisdiction, and

- General information on areas of substantive law most relevant to self-help users.

To ensure the integrity of the website, content should be reviewed and updated on a regular basis (Widdison, 2013; Berkman Center, 2010).

In addition to the content itself, consideration needs to be given to presenting the content in a way that meshes with how self-help users view legal issues (Barclay, 1996; Berkman Center, 2010). In general, their goal is not to gather information but rather to solve a specific problem (Scott, 2000). As such, in order to be digestible by self-help users, the information should be structured in a way that walks them through the process of solving the problem that brought them to the website in the first place:

> It is becoming widely accepted that legal guidance needs to be orientated towards 'life episodes' rather than traditional legal categories …. These are important first steps, but much more is needed. While guidance has to be as simple as possible, it should be no simpler. So, guidance should integrate as much knowledge and know-how as is necessary in a practical, step-by-step approach to enable self-helpers to solve their legal problems (Widdison, 2013, p. 3).

The step-by-step approach can be accomplished online through the use of hypertext links that also work to prevent users from being overwhelmed by too much information at any one time (Greacen, 2011). This approach can also incorporate a continuum of resources to better serve the needs of users with varying levels of understanding, from plain language materials to more sophisticated resources (Greacen, 2011; Scott, 2000).

The use of "plain language," whenever possible, is strongly recommended when developing written materials for self-help users in both print and online formats. In 2005, Mindlin conducted the first quantitative study to build upon anecdotal evidence that plain language court forms are more readable and more likely to be read.[13] Finding a statistically significant difference in readability and reading interest as measured by readers' perceptions of the level of difficulty of the forms, Mindlin concluded that the treated, plain language forms were easier to understand and more completely understood by readers. In addition, Mindlin suggested that the use of plain language forms will benefit the court as well – self-represented litigants' greater understanding of the forms will lead to greater compliance (thereby easing burdens on judges and the clerk's office to rectify litigants' errors). Moreover, as observed by Dyer et al. (2013), the use of plain language forms enhances the legal system's ability to serve LEP individuals: "It has also been shown [by Mindlin] that interpreter services can be conducted with [40%] less expense when translating plain language forms, as compared to other forms" (p. 1086-87).

While there are no specific standards governing the readability of forms and other legal materials, online guidance is available at http://plainlanguage.gov and http://www.writeclearly.org (Greacen, 2011; Maryland Access to Justice [A2J] Commission, 2012). Different opinions have been expressed with respect to the appropriate reading level to target when writing for self-help users, with Greacen (2011) advocating for forms to be written at a third grade level and the Maryland A2J Commission (2012) suggesting that an eighth grade level is acceptable given the inherent

[13] Although Mindlin's study did not focus on online materials, her findings are relevant here in light of the increasing number of states that are incorporating document assembly functions into their statewide legal information websites.

complexity of legal language. To ensure that an appropriate reading level is being used, Cantrell (2002) recommended conducting readability evaluations so as to provide "some assurance at the outset that a potential client will be comfortable with the materials. Then, clients can be interviewed after they receive or use materials as a double check evaluation on the accessibility of the materials" (pp. 1586-1587). According to Dyer et al. (2013), 24 states currently have extensive plain language court forms for use in family law and other cases, with 14 of these states mandating the use of such forms.

Each of the following suggested practices identified in the literature can increase the readability of written legal information, regardless of format:

- Use of familiar words and phrases, rather than foreign, archaic, and noun-heavy phrases (Dyer et al., 2013; Mindlin, 2005) (e.g., "divorce", rather than "dissolution"; "obey" rather than "comply with"; "rules" rather than "provisions");

- Use of active voice and direct address (Dyer et al., 2013);

- Explanation of specialized terms (Maryland A2J Commission, 2012; Mindlin, 2005);

- Use of readability tools to check reading level (Maryland A2J Commission, 2012); and

- Incorporation of visual aids to improve readability of layout (Gordon, 2001; Maryland A2J Commission, 2012).

Furthermore, technology-based self-help services have the potential to address concerns regarding the readability of legal information. As explained by Smith (2013), these services should involve more than putting print pamphlets online but rather should harness the power of ICTs to combine text, graphics, and multi-media elements to make

information more digestible. Similarly, Widdison (2013) offers the following discussion of the incorporation of non-textual elements:

> For the substantial proportion of the population with limited literacy skills, sole reliance on text is a major additional barrier. In a multimedia digital environment such as the Internet, purely textual representation is entirely unnecessary …. Appropriate use of graphics in the form of diagrams and flowcharts can greatly improve the understanding of accompanying text. Images in the form of photographs and illustrations not only support text, they can sometimes substitute for it e.g. with a 'comic-book' format. Sound bites may sometimes have a useful role to play. Best of all, surely, are video clips that e.g. provide short lectures in lay terms on relevant issues, or show other self-helpers going through the various stages of a problem solving strategy (p. 4).

Even with plain language content, users may still struggle with understanding the available information, due to the inherent complexity of law or to language barriers. Legal information websites, however, do not need to be stand-alone resources. They can link users to additional sources of support and information through phone and/or chat services so that frustrated users do not abandon their pursuits (Ledray, 2013; Smith, 2013). In addition, multi-lingual content should be included to whatever extent possible (Berkman Center, 2010; Birnbaum & Bala, 2012).

Website Design: The process of website design should be a collaborative effort, at the very least involving the input of both users and providers of legal services (Scott, 2000; Smith, 2013). Herman (2007) suggests that data can be collected about user needs and preferences in a variety of ways:

> An accurate assessment of what the user really needs from your Web site, knowing what the user cares about the most, using the right words, and a less-is-more approach to Web site design will increase the chances that your Web site will meet the exact needs of your user. Utilizing caseload statistics and information from court staff to pinpoint the greatest need provides a starting point for developing on-point Web content. Data on user needs can also be gathered through surveys, focus groups, or an online user-feedback tool. Involving court staff, community stakeholders, and the self-represented themselves in the

development of content will help to ensure useful Web sites that will meet the ongoing information needs of this audience (p. 30).

The design process should also involve consideration of accessibility issues (e.g., compatibility with assistive technologies) so that individuals with disabilities have effective access to the information on the website (Berkman Center, 2010; Birnbaum & Bala, 2012).

Increasingly, the rise of mobile technology has implications for website design. According to data released by the Pew Foundation in January 2014, 90% of American adults own a cell phone and 58% percent own smartphones. Among certain demographic groups that have traditionally found themselves on the wrong side of the digital divide – young adults, minorities, those with no college experience, and those with lower household income levels – smartphones are more likely to be a main source of Internet access (Duggan & Smith, 2013). The prevalence of cell phones thus mandates consideration of how to expand current technology-enabled self-help services to incorporate both texting and mobile applications (Ledray, 2013).

Mobile-compatible statewide legal information websites are becoming more common, with Pine Tree Legal Assistance being awarded funds through a TIG grant in 2008 to create the Maine Legal Aid Mobile Web, followed by Legal Services of Delaware, Idaho Legal Aid, Native Legal Net, and Rhode Island Legal Services all building mobile-optimized statewide legal information websites (Cabral et al., 2012). Currently, neither A2J Author nor I-CAN! are mobile-optimized, hindering a growing number of individuals who primarily access the Internet through their mobile devices

from completing and e-filing forms.[14] The of use bulleted lists, fewer words, and short paragraphs is of even greater importance now, as both reading and comprehension are more difficult on a mobile device (Cabral et al., 2012).

C.3. Empirical Study of Technology-Based Self-Help Services

In 2000, Bruce observed that "electronic legal information spaces are arenas for interactions about which we know little – interactions between the public and black-letter law" (p. 31). To a large extent, this remains true today. Studies in Canada (Birnbaum & Bala, 2012; MacFarlane, 2013) have explored the use of online legal resources by self-represented litigants, and Smith (2013) examined the innovative approaches adopted by legal services communities in several countries (e.g., the Netherlands, Wales) in the delivery of legal information to the public. In the United States, best practices regarding the provision of information to self-help users via the Internet have been identified (Berkman Center, 2010; Greacen, 2011; SRLN, 2008; Van Wormer, 2007) and the barriers that such users commonly face in accessing this information are well-documented (Smith & Stratford, 2012).

With one notable exception, however, the different paths to development, implementation, and maintenance taken in connection with statewide legal information websites have not been extensively studied. In 2004, the National Association of IOLTA Programs and the New Center for Legal Advocacy undertook a project to assess the sustainability of statewide legal information websites (the *2004 Statewide Legal Information Website Study*), using surveys and interviews to collect data. The project's

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[14] At the time of this writing, however, CALI is currently developing a mobile viewer in connection with the newest version of A2J Author (5.0).

final report (Melton et al., 2005) described the statewide legal information websites as the "spine of the 21st century delivery system" (p. 5). This report also noted growing acceptance of the importance of these websites, as evidenced by 57.6% of survey respondents viewing statewide legal information websites as a main vehicle for furthering access to justice goals.

The most frequent categories of users identified by survey respondents included community/social services organizations (88.2%); the general public (88.2%); low-income people (79.4%); lawyers in LSC programs (67.6%); and court staff (55.9%). The most frequently cited uses of statewide legal information websites included directories of free and low cost legal assistance (97.1%), general legal information (100%), and self-help materials (85.3%).

Support networks, such as those offered through Kaivo-Open Source and Pro Bono Net, were seen as vehicles for the sharing of strategies, best practices, and lessons learned, as well as for the building of content and market collaborations. In terms of resources, the report stressed the importance of integrating the sites into the overall budgets of the organizations that maintain them (so that they are seen as core functions, rather than technology-oriented "pet projects") and hiring dedicated staff to work specifically on content development.

The report also highlighted various issues pertaining to the maintenance of these sites, with the formation of partnerships seen as crucial to building the necessary political support to obtain funding from third parties. The survey explored the different roles played by a number of stakeholder groups, finding that:

- The most common sources of funding were LSC-funded legal services providers (56%); IOLTA programs (44%); and bar foundations (41%).

- The most common in-kind supporters were LSC-funded and other legal services providers (62%); law schools (50%); pro bono programs (47%); and state bar associations (47%).

- Inasmuch as libraries (59%), courts (68%), community organizations (71%) were all seen as beneficiaries of statewide legal information websites, the report recommended that these entities be viewed as potential collaborators.

The report also set forth a number of key recommendations for website program staff and managers, stressing the importance of:

- Developing a partnership building strategy that reaches out to potential and actual stakeholders for buy-in, content, marketing, access partnerships, evaluation and funding.

- Using grant assurances/conditions to encourage contributions by other LSC programs.

- Engaging statewide funders in the practical and decision-making processes of the websites so that they have greater incentive to take responsibility for the sites.

- Developing access points in courts and community organizations.

- Developing an evaluation strategy that goes beyond the self-assessments required by the LSC inasmuch as "current evaluation strategies may focus too little on short-term interim milestones, and not enough on the overall comprehensibility and utility of the site" (p. 28).

This survey is now ten years old, and statewide legal information websites have undergone dramatic changes during the elapsed time. Its themes, however, remain relevant and were explored here. The survey and interviews, for example, examined whether the recommendations regarding partnership building and evaluation practices have been implemented.

D. Provision of Information to Underserved Populations

The previous sections of the literature review touched upon the intertwined concepts of literacy and barriers to information access. This section looks beyond the socio-legal literature to more fully explore these key concepts, as they relate broadly to the information needs of disadvantaged individuals. It demonstrates how research from other disciplines can benefit the legal services community as it strives to build its capacity to conduct empirical examinations of access to justice programs and initiatives.

D.1. The Information Environment of Disadvantaged Groups

Self-help users, as noted by Engler (2011) and others, often face disadvantages due to some combination of socioeconomic status, literacy, education, age, and/or disability. Within the field of information studies, these disadvantages are said to be part of an individual's information environment (Agada, 1999; Davenport, Richey & Westbrook, 2008; Jones, 2006; Taylor, 1991).

As described by Childers (1975), a person's "'disadvantage' is a function of a particular context, consisting of his immediate physical environment, the social norms that impinge upon his daily activities, the economic and political atmosphere, and his internal makeup – both what they are and what he thinks they are" (p. 8). Among the disadvantaged groups are the poor, the elderly, the imprisoned, the disabled, the undereducated, the unemployed, and the racially/ethically oppressed. These groups share common characteristics that adversely impact their information environments: they often have low reading literacy and/or low English language literacy; they are cut off from the popular flows of information in society, creating a closed information universe that is

vulnerable to misinformation; their information contacts with society at large tend to be one-way via mass media; and, they are less predisposed to view information as a means to alter the undesirable conditions of their lives. Because of these characteristics, they tend not to be active information seekers. This can have a significant impact upon their daily lives because, for example, they often do not know about various services that may be available to them.

While Childers asserts that the information needs of the disadvantaged are not fundamentally different from that of the general adult population, disadvantaged groups require "large remedial doses of information" (p. 35) in order to be on par with everyone else. Some of the areas in which their information needs are the most acute are housing (e.g., eviction, rent regulation, liability of renters/homeowners, redevelopment issues) and welfare programs (e.g., eligibility requirements, applying for benefits, interrelation among programs, appeals of adverse decisions). These issues have legal implications that should not be ignored. Three primary barriers, however, often operate to prevent disadvantaged groups from seeking legal help:

- a tendency not to see a problem as having legal ramifications,
- widespread apathy or downright hostility toward available formal legal services, and

- lack of information.

A recent study by Sandefur (2014) highlights the first point in particular. Finding that people rarely seek assistance from courts or lawyers to address their civil justice situations, she observed that this lack of action is often due to their failure to perceive of these situations as legal issues (Sandefur, 2014).

D.2. Assessing Barriers to Information

The common characteristics of disadvantaged individuals listed above also reveal differences in how social services are delivered to these populations. Alfred J. Kahn, a noted social policy scholar, observed that defects in the doorway to information and referral processes related to social services prevent users most in need of those services from accessing them (Childers, 1975). Information and referral (I&R) services, often provided by libraries and other communities institutions, can be viewed as a predecessor to statewide legal information websites. I&R services were established to coordinate the delivery of human services information at a community or local level, aiming to help people navigate the maze of social services programs (Harris & Dewdney, 1994; Poe, 2006; Saxton, Naumer & Fisher, 2007).

As I&R services evolved into community information (CI) networks, through which individuals seeking information for everyday life situations use the Internet as a tool,[15] the extent to which these networks reached the people who need such information became a subject of study. For example, Pettigrew, Durrance and Vakkari (1999) examined both service providers' and other individuals' construction of networked community information efforts. Among the questions addressed by that study was

> *How do service providers perceive that the posting of CI on the Internet using particular techniques will help (a) clients, (b) their organizations, and (c) the community?* (p. 344)

Pettigrew, Durrance and Unruh (2002) later raised questions about the extent to which CI networks create digital divide concerns. Using sense-making theory as a lens through

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[15] The Everyday Life Information Seeking Model, developed by Savolainen (1995), conceptualizes active information-seeking as a problem-solving, life-mastery skill that has both cognitive and affective dimensions.

which to study these issues, the authors focused on the identification of barriers that prevent individuals from using CI networks to fulfill their information needs. They observed the presence of technological, economic, and geographic, cognitive and psychological barriers that impeded Internet use. A number of information-related barriers were identified as well:

- Poor retrieval (low precision leads to information overload and questions about relevance);

- Poor interface design;

- Poor information organization;

- Out-of-date or inaccurate information;

- Lack of authority;

- Language used (English only, technical jargon); and

- Security

According to Pettigrew, Durrance and Unruh, the barriers facing any given user could be cumulative: "For any one situation or information need, a user might be confronted by several barriers, which, collectively, can overwhelm the user and prevent him or her from locating needed information" (p. 898).

Bishop, Tidline, Shoemaker, and Salela (1999), in their study of the role of public libraries in CI networks, also focused on the barriers that disadvantaged groups face in accessing networked information services. Citing a 1998 Benton Foundation report, they raised the question of whether the "information poor" would become more disenfranchised as government agencies, community organizations, and corporations

began to shift resources away from their ordinary channels of communications to the Internet. Recognizing that training, outreach, and support services were as important as computers and network infrastructure, Bishop et al. noted that no single organization is likely to be effective in recruiting low-income residents into efforts to develop networked community information. This is due, at least in part, to the need for "scaffolding," including convenient and hospitable public access computing facilities, that enables the residents to participate fully in these networks, (p. 384). One solution identified therefore was for libraries to collaborate with other community institutions, as well as members of target groups, in the creation of digital information content and services.

Today, digital divide issues remain central to discussions of information barriers and disadvantages. Factors such as socio-economic status, education level language, disability, age, and geography are said to contribute to the persistence of this divide (Freedman & Henderson, 2008; Gordon, 2001; Helbig, Gil-Garcia & Ferro, 2009; Horrigan, 2010; Jaeger, Bertot, Thompson, Katz & DeCoster, 2012; Robinson, DiMaggio and Hargittai, 2003; Van Wormer, 2007; Wolf, 2012; Yu, 2011). A failure to recognize the existence of the digital divide, and its implications for providing services to self-help users through ICTs, inevitably prevents at least some segment of the underserved population from effectively using these services.

Lack of Internet access is not generally viewed as a significant barrier to most people living in the U.S. (Wolf, 2012) but such access is not universal (Van Wormer, 2007). According to a Pew Foundation report published in September 2013, 15% of American adults do not use the Internet (Zickuhr, 2013). Respondents cited the following reasons for their non-use:

- lack of relevance (34%),

- difficulty of use (32%),

- expense of computer and/or Internet (9%), and

- lack of availability or access to the Internet (7%).

With respect to non-users, "[m]ost … have never used the internet before, and don't have anyone in their household who does." (Zickuhr & Smith, 2012, p. 7). Senior citizens, as well as individuals with limited English language proficiency, persons with less than a high school education, and/or individuals living in a household earning less than $30,000/year, are least likely to use the Internet (Zickuhr & Smith, p. 6). Given the fact that self-representation is often tied to a lack of financial resources, the persistent income disparity with respect to Internet usage is particularly relevant – 62% of those making less than $30,000/year use the Internet, as compared to 97% of those making more than $75,000/year.

It is also important to note that not all access is created equal. The rate of broadband adoption is somewhat lower than that for the Internet in general and has remained slow since 2009 (Horrigan, 2012). According to data released by the National Telecommunications and Information Administration (NTIA) in May 2013, broadband is available at 98% of U.S. households (NTIA, 2013b) but only 72% of these households have adopted broadband (NTIA, 2013a). In the context of connecting self-help users with the information they need, broadband is essential to support many of the advanced technologies that help disadvantaged individuals overcome information barriers. These include video streaming (for those with limited literacy) and video-conferencing (for

those unable to obtain in-person services due to disability, lack of transportation, or lack of childcare) (Gordon, 2001).

Finally, not all individuals who have access to the Internet possess the skills needed to use the technology, locate and retrieve useful information, evaluate the relevance of the information, and apply the information to the problem at hand (Bertot, 2003; Thompson, Jaeger, Taylor, Subramaniam & Bertot, 2014). The concept of digital literacy, which dates back to the 1990s, was originally viewed as synonymous with the Internet, networking, and computers in general. More recently, the concept has been subsumed within the notion of 21st century literacy, an overarching terms that weaves together the threads of technology literacy, information literacy, media creativity, and social competence and responsibility (Adeyemon, 2009). As explained in the National Broadband Plan (Federal Communications Commission, 2010):

> Though there is no standard definition, digital literacy generally refers to a variety of skills associated with using ICT to find, evaluate, create and communicate information. It is the sum of the technical skills and cognitive skills people employ to use computers to retrieve information, interpret what they find and judge the quality of that information (p. 90).

D.3. E-Government & User-Centered Design

The digital divide and digital literacy are common threads among many electronic government ("e-government") studies. E-government refers to the use of information technologies by government to improve and build relationships with citizens, businesses and other arms of government (World Bank, n.d.). The primary goals of e-government activity include better delivery of government services to citizens, the enhancement of citizen access to government information and services and the development of more efficient, effective, and innovative government operations (Hernon, Cullen & Relyea,

2006). In the same vein, statewide legal information websites seek to enhance access to legal information and, increasingly, to provide services (such as form and document preparation systems) so as to improve the effectiveness, efficiency and innovativeness of legal services providers. E-government research therefore illuminates many of the issues related to user needs that statewide legal information websites are currently facing.

Per Verdegem and Verleye (2009), early e-government research did not focus sufficiently on users for two major reasons: 1) "[e]lectronic public services have been often primarily guided by supply side factors. In this approach, governments often start to expand their portfolio of services by creating an electronic version of the existing (offline) services"; and 2) "[t]echnological possibilities rather than user needs have determined all too often the design of online public services. Too much attention is paid to the technology itself, rather than to the real needs and expectations of users" (p. 488) (citations omitted). Over the past ten years, however, a growing number of e-government studies have focused on the users of e-government websites (de Roiste, 2013; Gauld, Goldfinch & Horsburgh, 2010; Pietersen, Ebbers & van Dijk, 2007; Reddick, 2005). These studies reflect awareness that increased efficiency should not be the only goal when providing online services (Bertot & Jaeger, 2006, 2008; Davenport et al., 2008). They also reflect a growing understanding that e-government use depends on more than physical access to ICTs – factors such as users' motivations and digital literacy skills must also be considered (Pietersen et al., 2007; Slack & Rowley, 2004; Verdegem & Verleye, 2009). As a first step, Verdegem and Verleye (2009) believe it is important to consider the different phases through which an e-government user must pass when acquiring new information:

- becoming aware of the service;

- making a determination regarding its perceived utility (factoring in both usefulness and ease of use);

- attempting to gain access to the service;

- attempting to use the service to fulfill his/her need;

- evaluating the extent to which he or she is satisfied with the service.

A careful assessment of how users fare at each phase is central to a user-centered approach to e-government.

One often-repeated criticism is that service providers typically fail to assess the information needs of their target users prior to launching an e-government website or service, creating a situation in which the service provided does not match users' perceptions of what is actually needed (Slack & Rowley, 2004; Verdegem & Verleye, 2009). To address this situation, it has been suggested that government agencies include user assessments in their evaluation efforts to develop a clearer profile of their users and then use this enhanced understanding to guide website development (de Roiste, 2013). Relevant input from users includes how they seek and acquire information, as well as how they solicit expertise (Bertot & Jaeger, 2008).

Bertot and Jaeger (2006) have asserted that the evaluation of e-government websites should look at three main elements:

- *Functionality:* does the site do what it is intended to do?

- *Usability:* how do users react to and interact with the site? and

- *Accessibility:* does the site provide users with disabilities with equal or equivalent access to information and services?

Several large scale studies focused on e-government initiatives in the U.S. have sought to address at least some of these questions. West (2005) conducted an analysis of over 17,000 U.S. government websites, focusing on features judged important by citizens: contact information, links to publications and databases, access to services, privacy and security, usability by populations with special needs (such as individuals with disabilities or LEP), and readability (using the Flesch-Kincaid test). At the time this study was conducted, the issue of physical access to the Internet loomed large, leading West to conclude that, in order to increase citizen usage of e-government, it was necessary to place computers in schools, libraries, and other publicly accessible places. Fagan and Fagan's (2004) study of state legislature websites revealed that none of the subject websites was 100% accessible. Reasoning that this was due largely to the lack of system-wide policies regarding accessibility, they made a number of policy recommendations, including the provision of text equivalents for audio-visual materials (e.g., text transcripts to accompany audio and video coverage of legislative activity).

At this time, there appears to be a general consensus that more research is necessary in the area of barriers to e-government usage. While current users can provide information about which parts of the population are currently using e-government, greater efforts need to be made to reach *potential* users who can provide insight into what, if any, barriers are preventing them from accessing the websites (de Roiste, 2013). Bertot and Jaeger (2006) assert that research in this area needs to

> more strongly embrace the idea that studies should focus not only on whether agencies have a web site and the volume of information and services available on

e-government sites, but also on the way the sites deliver those information resources and services to the individual user and on how the web sites serve the needs of entire communities of users within society (p. 163-164).

Similarly, Pietersen et al. (2007) argue that it is not sufficient to focus solely on the perspectives of the "information elite." While the views of these individuals can serve as a starting point, subsequent user panels comprised of individuals with more limited ICT skills are needed to "temper" the content and design suggestions offered by more sophisticated users.

D.4. Domestic Violence Survivor Research: A Synthesis of Thought and Effort

There is one particular area of research – the provision of information to domestic violence survivors – in which the strands of community information networks and e-government converge, highlighting the role of information technologies in meeting the information needs of individuals facing numerous disadvantages. The book *Barriers to Information: How Formal Help Systems Fail Battered Women* (Harris & Dewdney, 1994) is an exploration of "the information aspects of the barriers encountered by battered women who make contact with the human-services network" (p. 2). In setting the stage for this examination, the authors review the literature on the information-seeking behavior of "ordinary people" and cite a number of seminal works in the field of information studies:

- Durrance (1984): Common information roadblocks include information scatter, information glut, lack of access, and unreliable information.

- Childers (1975): The "information poor" face special barriers to accessing information.

- Dervin (1976): The sense-making model unites help-seeking models with information-seeking models by conceptualizing information as anything that assists an individual in progressing through a situation toward her desired goal.

The challenge for service providers is that, to the extent that information needs are dependent upon the user's circumstances at that moment in time, it can be difficult to take into account all possible situations, gaps, and uses.

Any one of a number of barriers, however, can impede the information-seeking efforts of "ordinary people." Information can be rendered inaccessible due to geography, lack of awareness of appropriate information services, professional jargon, social isolation caused by cultural differences, illiteracy, or disabilities. In addition to these accessibility issues, certain groups (e.g., the poor, the uneducated, the elderly) may have greater difficulty in articulating their needs and explaining the nature of their problems. To understand user needs, service providers should be aware of the barriers that keep these needs from being adequately addressed.

After reviewing the struggles of both human services agencies and I&R Services to provide timely, accessible, and relevant information to all, Harris and Dewdney raise the following questions: *On what principles have these systems been designed? That is, what are the theoretical frameworks and the assumptions about human behavior that underlie the architecture of these systems?* (p. 43). Citing Kochen (1976), they observe that information systems must be both used and useful. This is more likely to transpire with user-centered design, which starts with the premise that information is not an end in itself but must be understood within the context in which it arises. When systems are designed to be responsive to the needs of their users, rather than those who design them, service providers are better able to guide the flow of information so as to ensure that it reaches those who most need it.

More recently, a series of studies conducted by Lynn Westbrook and colleagues builds upon Harris and Dewdney's work. Together, these studies examine many different

facets of the role that the Internet plays in providing information to domestic violence survivors. One study conducted by Davenport et al. (2008) examined the characteristics and patterns of domestic violence content, information organization and navigation on state government websites. Conducting a content analysis of official state websites and using the Everyday Life Information Seeking (ELIS) model as a conceptual framework, the researchers looked at five aspects of access to domestic violence information: search engines, site maps, PDF formatted information, English-only sites, and cross-agency links. Search engines and site maps were a point of focus because both can be very useful to inexperienced searchers. The extent to which sites provide information in languages other than English was deemed important inasmuch as non-English speaking domestic violence survivors are particularly vulnerable. Key findings from this study included the following:

- "The current site maps are clearly engineered from the perspective of the agency, not from the perspective of a possible user. A problem perspective (e.g., *"How can I feed my children if I leave my abuser?"*) and a common service perspective (e.g., "*Where do I go to get a legal order to make my abuser stay away from me and my kids?*") would both fit the ELIS perspective more effectively" (p. 912).

- Affective tone is particularly important when presenting information to domestic violence survivors, due to the mixture of emotions they experience (e.g., fear, low self-confidence, anger and frustration) during interactions with law enforcement and social services agencies.

- The use of intermediaries, such as the United Way and public libraries, can help bridge the gap between the general information presented on the state websites and survivors' need for specific, local information.

Westbrook then addressed the role of e-government in providing support to domestic violence survivors in another 2008 study. This study analyzed 172 police

department websites in terms of 16 content items, 5 access elements, and link-path depth. Noting that a primary purpose of e-government was to increase efficiency and effectiveness of governmental operations, Westbrook sought to explore the extent to which these goals made it difficult to design a website that met the needs of both domestic violence survivors (taking into account their varying levels of physical, logistical, and intellectual access to the Internet) and the professional and social services providers who support them. Westbrook concluded that

> E-government's next iteration must build from the user's world view in the provision of social service support. Responsive, flexible, and substantive information support can link citizens to the resources and services that best meet their needs. Such an approach demands that e-government website designers recognize the dynamic situations in which their sites are used. To become effective information gatekeepers, e-government site designers must provide cognitive and affective support for individuals in crisis. Understanding the information needs of each progressive crisis situation is the essential first step towards the goal of effective e-government service (p. 35).

In a third study, Westbrook (2009) focused on the information needs of domestic violence survivors. Through interviews with survivors, police officers and shelter staff, Westbrook sought to triangulate the various perspectives and identify commonalities that guided the implementation of information delivery to domestic violence survivors. In this study, Westbrook applied Allen's person-in-situation model[16] so as to better understand this population's information needs in terms of common triggers (e.g., being stalked creates a need for information about personal safety) and affective elements (e.g., fear of the abuser silences the survivor). She surmised that

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[16] This model, building upon Dervin's work, centers around the premise that information needs occur in a social and situational context that influences information-seeking behaviors, preferences, and experiences (Allen, 1996).

[u]sability research is needed on the more effective means of helping survivors move through these processes. What level of detail is most useful? When do videos of the inside of a courtroom provide reassurance and when does a checklist of required actions encourage behavioral change? What should come from the shelter staff, the police, and/or a web site? (p. 111)

In this study, Westbrook raised the question of what role public libraries play in providing integrated support to survivors, revisiting themes from a previous study. In a 2006 study, Westbrook had examined one facet of the public library's role in this arena, focusing on how they support domestic violence survivors through referral to community information resources via email reference services. While recognizing that survivors tend to prefer informal information and support services, Westbrook suggested that email references services could serve as a bridge to the social services that could assist them.

Conclusion

Research from three bodies of literature – socio-legal studies, information studies, and e-government – informed this study's research design. Many of the studies discussed herein highlighted the role of collaboration in meeting community needs and the importance of assessing barriers to information access. As will be discussed in later chapters, both of these themes emerge from the data collected throughout this study, ultimately laying the foundation for the recommendations set forth in the concluding chapter.

CHAPTER 3: STUDY METHODOLOGY

A. INTRODUCTION

The literature review revealed that few studies have focused specifically on statewide legal information websites, with the most comprehensive one to date – the *2004 Statewide Legal Information Website Study* – now over ten years old. The lack of empirical research in this area is problematic because, as noted by Cabral et al. (2012),

> [t]o be most effective, courts and organizations deploying access to justice technologies need to be able to build on and leverage [others'] experiences and best practices to design and implement their projects as state-of-the-art and integrated solutions, rather than reinventing the wheel and making avoidable mistakes. Beginning new projects from the strongest possible knowledge base prevents organizations from going down technology paths that end up conflicting with or excluding other valuable options and avoids wasteful mid-course corrections (p. 313).

Thus, the overarching purpose of this study was to build upon the existing, highly fragmented knowledge base in a way that could impact both practice and policy. As an exploratory study drawing upon the perspectives and experiences of Information Providers, three research questions were chosen to guide this study:

RQ1: What are the principal activities that Information Providers engage in with respect to statewide legal information websites?

RQ2: What are the different ways in which states have approached these activities?

RQ3: What program development and operation issues have Information Providers faced?

The broad nature of these questions was purposeful, as the contents of the "black boxes" underlying statewide legal information websites was largely unknown at the outset of this study.

To address these questions, data were collected primarily through a series of interrelated efforts, namely, a pilot case study of one statewide legal information website, an online survey of Information Providers, interviews with survey respondents and other Information Providers, and limited evaluations of a select number of websites. As illustrated in **Table 3.1**, RQ1 and RQ3 were explored at each stage of data collection, whereas findings related to RQ2 emerged through an analysis of data collected through the latter two stages (as well as the limited website evaluations).

Table 3.1: Research Questions

Research Questions	Data Collection Effort
What are the principal activities that Information Providers engage in with respect to statewide legal information websites?	Pilot case study Online survey Interviews
What are the different ways in which states have approached these activities?	Online survey Interviews Website evaluations
What program development and operation issues have Information Providers faced?	Pilot case study Online survey Interviews

The design of this study was inspired by methods employed by Gil-Garcia (2006) in his mixed-method study of state e-government initiatives. In that study, Gil-Garcia conducted a partial least squares analysis to evaluate the impact of contextual factors (regarding the state's political environment, economy, and demographics), organizational structures and processes, and institutional arrangements on the websites' functionality. Based upon this analysis, two states were selected for case studies (with data collection occurring through semi-structured interviews and document analysis).

As with Gil-Garcia's study, this study used different methods to capture the complexity and challenges of providing services via ICTs. However, the research design was reconfigured to incorporate primarily qualitative methods. As the population of Information Providers is small, there was an opportunity to work with these experts to develop a detailed picture of the current organization and practices of a range of websites that have different approaches. Contextual factors related to infrastructure and the external environment that could impact website practices and operations were identified. But, as the limited nature of Information Providers' knowledge about their users emerged throughout the data analysis, it was determined that it would be premature to attempt any assessment of whether the presence or absence of any of these factors has an actual impact or effect on the delivery of legal information and services to self-help users. Moreover, the role of the case study was altered. Here, rather than being used for the purpose of triangulation, a case study was used to help identify themes and issues to explore with the broader group of Information Providers.

B. Data Collection

B.1. Pilot Case Study

Case study research calls for the exploration of a bounded system or systems (Creswell, 2007). The case may be an event, a process, or a program (Stake, 1995). Each statewide legal information website is an access to justice program currently serving a specific state and therefore fits within the definition of a bounded system. In his study of state e-government initiatives, Gil-Garcia noted that "it seems clear that there is no one path to e-government success. The two case studies … had very different histories, managerial approaches, and division of labor among actors. They were embedded in

different institutional frameworks, and were influenced by different economic, social, and political factors" (p. 8). In a similar vein, statewide legal information websites have followed different paths. Given the inductive nature of the case study approach (Hamel, Dufour & Fortin, 1993), it was a logical starting point for this study's investigation into these different paths. A pilot case study was thus conducted to develop an in-depth understanding of one state's path so as to create a baseline understanding of the different elements that come together in the development and implementation of a statewide legal information website.

Case study research requires multiple sources of information in order to provide depth to the analysis (Creswell, 2007). According to Yin (2009), there are six sources of evidence that are commonly used in case study research: documentation; archival records; interviews; direct observations; participant-observation, and physical artifacts. Given the nature of the case here (i.e., a website), the pilot case study relied primarily on two sources of evidence: interviews and documentation. Along with Information Providers, other key informants (e.g., stakeholders from throughout the legal services communities and information intermediaries who use the website) were also interviewed. Details of the interview are provided on pp. 96-97. Each interview was audio-recorded and transcribed for analysis as soon as practicable after its conclusion. The case study also involved a review of relevant documentation, including website content, written procedures and protocols, promotional materials, and minutes from stakeholder meetings.

B.2 Online Survey

Building upon the pilot case study and *the 2004 Statewide Legal Information Website Study* (discussed on pp. 56-58), the survey sought to identify themes related to

the design, implementation, and operation of statewide legal information websites. In addition, a conceptual framework developed by Detlor et al. (2010) in a study of municipal community portals in Ontario, Canada was instrumental in the development of the online survey used in the current study. That framework, it should be noted, drew upon previous research conducted by one of the authors (Detlor & Finn, 2002), as well as the aforementioned study by Gil-Garcia (2006) and a study by Devadoss, Pan and Huang (2003). Detlor et al.'s framework provides nine internal factors that influence the adoption and use of government websites: partner cooperation; ability to change internal work processes; IT workforce; funding; citizen participation in design; portal strategies and policies; leadership; marketing; and governance. This framework proved useful to the extent that the municipal community portals, like the network of statewide legal information websites, had similar goals ("improved information access and sharing within their communities") while also exhibiting differences in terms of "technology platforms, governance structures, partner compositions and … IT workforce arrangements." (p. 124).

Using Detlor et al's framework as a guide, a preliminary conceptual framework for statewide legal information websites was developed, consisting of three major elements. Several potential constructs were identified as to each element, based upon Detlor et al's framework and themes that emerged through the pilot case study, as well as findings from and key recommendations made in the *2004 Statewide Legal Information Website Study*:

Governance:
- Presence of leadership;
- Structure that allows participation by all stakeholders

Strategies:

- Partnership building;
- Outreach;
- Identification of user needs;
- Identification of barriers to information access;
- Evaluation activity

Practices:

- Involvement of multiple stakeholders in developing and updating content;
- Adherence to processes for developing and updating content;
- Responsiveness to users;
- Use of access intermediaries (e.g., public libraries).

The purpose of this exercise was to provide a structure for the survey and, later, the interviews. The survey – a mixture of open- and close-ended questions – followed a chronological order, starting with questions about the development of the statewide legal information website (e.g., how were user needs initially identified?) before focusing on current policies and practices, such as processes for creating and updating content and the collection and analysis of user feedback. The full survey is attached as **Appendix A**.

In lieu of a formal pre-test, the survey was reviewed by three individuals who have extensive experience working on statewide legal information websites. Similar to that utilized by Westbrook (2013) in her study of Internet access and use concerns of domestic violence agency administrators in Texas, this approach was chosen due to the small population size and the highly specific subject matter of the online survey.

The survey, which was administered via Qualtrics software licensed by the University of Maryland, was sent to a non-probability, purposive sample of Information

Providers (Miles, Huberman & Saldana, 2013).[17] Using purposive sampling, the goal was to describe the range of variability that exists within the population of Information Providers (Guest, MacQueen & Namey, 2012; Seidman, 2006). More specifically, expert sampling was the purposive sampling technique chosen because only those who have been directly involved with statewide legal information websites can provide the insights necessary to address the articulated research questions (Daniel, 2011). Seeking to reach at least one individual affiliated with each statewide legal information website, the sample was comprised of two groups:

Group 1: Information Providers identified through contact information available on statewide legal information websites and by requests made through online submission forms (approximately 50 individuals).

Group 2: Subscribers to the *LawHelp* listserv maintained by Pro Bono Net and the listserv maintained by states using a Drupal open source template (DLAW) (approximately 150 individuals). The latter group is often referred to as the "OST [Open Source Template] community."

The two groups are not mutually exclusive, as many Information Providers subscribe to at least one of the listservs. The extent of the overlap, however, is not known.

Following guidelines developed by Dillman, Smyth and Christian (2009) for online surveys, each individual in Group 1 received a personalized invitation via email that described the goals of the survey and why they are being asked to participate, along with a link to the survey. Individuals in Group 2 received a recruitment message,

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[17] The online survey was launched during the first week of March 2014 and remained in the field for 7 weeks.

delivered by the listserv moderators, containing identical information, minus the personalization. Both the personalized invitations to members of Group 1 and the recruitment message to members of Group 2 included a request to forward the message to any former or current Information Providers with whom the recipient has contact. One reminder was sent out via email several weeks after the initial recruitment message. At the conclusion of the survey, respondents were asked if they would be willing to participate in a follow-up interview.

B.3. Interviews

Interviews were held with survey respondents who indicated a willingness to participate as well as individuals recruited for the survey who expressed a preference for participating in an interview (rather than the survey). Several additional potential participants were identified during the course of interviews. Snowball sampling (Babbie, 2013) was deemed appropriate at this stage of the data collection, as the collaboration underlying statewide legal information websites is not always readily apparent and thus it was difficult to ascertain who (beyond the contact person designated on the website) could be a potential interview subject.

The semi-structured interviews explored key themes from the survey in greater detail, including the roles of various stakeholders and the kinds of evaluation activities undertaken. In addition, every website was reviewed in advance to determine if any particular services or features raised questions to explore during the interviews (e.g., one site's inclusion of resources specifically for librarians). Given the exploratory nature of this research, the draft interview guide evolved in "real time" during the course of each interview (Guest et al., 2012). For those individuals who had not participated in the

survey, the interview guide was to modified to include questions about background information that had been solicited through the survey (e.g., how long ago was the website developed?).

All but two of the interviews were conducted via telephone; more details about the interviews are provided on pp. 165-166. Each interview was audio-recorded and transcribed for analysis by the researcher as soon as practicable after its conclusion. In certain cases, interviewees were contacted after review of the transcripts to clarify comments made during the interviews.

B.4. Website Evaluations

A select number of website evaluations were conducted following the survey and interviews. Survey respondents and interviewees revealed a number of different dimensions across which statewide legal information websites can differ (e.g., platform, organizations involved, infrastructure surrounding site); yet, notwithstanding these differences, Information Providers tended to express similar ideas about the most important elements underlying statewide legal information websites. Five statewide legal information websites were chosen for this activity, seeking to capture not only different approaches to developing and maintaining their websites but also diversity in terms of geography and demographics. The scope of the evaluations was very limited, focusing on key best practices that had been identified in the literature (Berkman Center, 2010; Greacen, 2011; Van Wormer, 2007) and throughout the earlier data collection efforts: a problem-solving orientation; the use of plain language, the incorporation of multi-media elements, and the availability of court forms. Thus, the primary goal of the website evaluations was to make limited findings about the extent to which these best practices

are currently incorporated into statewide legal information websites, rather than to assess the effectiveness of the different approaches.

In Fall 2014, evaluators were recruited from the Government Information Management and Services specialization within the College of Information Studies at the University of Maryland. Individuals within this specialization have experience with evaluating government websites and therefore were deemed well-equipped to undertake a similar review of statewide legal information websites. The program director sent the recruitment message via an email reflector to individuals affiliated with the specialization. One follow-up email was sent two weeks later. Four students and one instructor agreed to participate in the study. Each participant was asked to perform certain tasks on two or three websites and then fill out an evaluation worksheet in connection therewith. A sample evaluation worksheet is attached as **Appendix B**.

B.5. Human Subjects Protection

An application for approval of the online survey and interviews described above was approved by the University of Maryland Institutional Review Board (the IRB) in February 2014. Subsequently, in October 2014, a request to modify the application to include the website evaluations was approved. Copies of Part II of the Application and the Amendment Application, in which the issues of consent and confidentiality are addressed, are attached as **Appendix C** and **Appendix D**, respectively. Each interviewee, survey participant, and evaluator filled out an informed consent prior to the collection of data. All confidential documentation generated in connection with this study (e.g., signed informed consents, completed surveys, interview transcripts and recordings) is currently

stored in a password protected computer; hard copies of interview consents are stored in a private residential office.

C. DATA ANALYSIS

The pilot case study was a means to explore key conceptual topics that had been previously identified in a broad subject area (i.e., technology-based access to justice initiatives) (Yin, 2011, p. 31). As observed by Yin, the use of a pilot study ensures that exploratory research follows some "exploratory theory" (which he defines as the "design of research steps according to some relationship to the literature, policy issues, or other substantive source") (p.28). When constructing theory through the use of case studies, it is important to refrain from approaching the research problem with a firmly established theoretical perspective: "[I]nvestigators should formulate a research problem and possibly specify some potentially important variables …. However, they should avoid thinking about specific relationships between variables and theories as much as possible, especially at the outset of the process" (Eisenhardt, 1989, p. 536). Similar to Eisenhardt and Bourgeois' study of strategic decision-making in top management teams (1988), this study began with the identification of several potentially important constructs from the relevant literature, which were used to formulate survey and interview questions. However, no assumption was made that any or all of these constructs would, in fact, be important. By refraining from making such assumptions, themes and patterns emerged from the data, all of which were explored through subsequent data collection efforts. Thus, open coding was used to allow a theory – as defined by Yin – to emerge as to the key conceptual elements of statewide legal information websites.

The analysis of the survey and interview data proceeded in a similar manner. Descriptive statistics were generated in connection with the analysis of the responses to the closed-ended survey questions. These statistics provided basic information about previous and current practices undertaken by Information Providers. The majority of the analysis, however, focused on the open-ended survey questions and the interview data. Applied thematic analysis was employed so as to "present[] the stories and experiences voiced by study participants as accurately and comprehensively as possible" (Guest et al., 2012). Applied thematic analysis shares important similarities with grounded theory analysis, namely, an emphasis on supporting claims and interpretations with the data. To the extent that the data collected in connection with this study highlighted gaps in existing knowledge that precluded the development of a theoretical model at this time, however, applied thematic analysis is a more appropriate characterization for the methodology employed in this study. Ultimately, a "real world" problem in need of a workable solution was identified (Guest et al., 2012).

As this was an exploratory analysis, the interactions with survey respondents and interviewees were the driving force behind the development of codes and the identification of key themes. A priori themes – those that emerged from an existing theoretical understanding of the phenomenon under study – also played a role in data analysis (Ryan & Bernard, 2003). Specifically, the *2004 Statewide Legal Information Website Study*, as well as themes identified in the bodies of literature discussed in Chapter 3, provided the "skeletal conceptual framework" for data collection. This framework operated as a "scaffold to explore the internal structure and dynamics" of key

concepts, which served to "focus[] inquiry but … not sharply define its limits." (Guest et al., 2012).

The process of open coding undertaken with both the open-ended survey questions and the interviews is described in greater detail in Chapters 5 and 6, respectively. Generally speaking, the data was first organized to forge an understanding of the development, implementation, and maintenance of each statewide legal information website (Miles et al., 2013). The next stage of analysis involved looking across the websites so as to identify the different dimensions across which the websites vary. In addition, the data were analyzed to determine code frequencies so as to highlight patterns among responses and identify key themes: "[C]ode frequency may be read as a proxy of salience of relevance of a given theme to a particular analysis." (Guest et al., 2012, p. 134). The themes and patterns that emerged from the analysis frame the discussion in Chapter 7, which weaves together critical ideas related to what Information Providers are doing, how they are doing it, and the struggles they face in their ongoing efforts to address user needs.

D. VALIDITY AND RELIABILITY

Among qualitative researchers, there is debate about the use of the term "validity" (see, e.g., Patton, 2002; Stenbacka, 2001). The need to demonstrate the "truth value" of a qualitative study, however, is not contested: "Do the findings of the study make sense? Are they credible to the people we study and to our readers? Do we have an authentic portrait of what we were looking at?" (Miles et al., 2014). Triangulation through different forms of data collection was the primary means through which an effort to enhance validity was made (Creswell & Miller, 2000; Miles et al., 2014). As observed by Yin

(2009), the use of multiple sources of evidence allows converging lines of inquiry to develop. Here, because of the interrelated nature of the data collection efforts, a number of key themes identified early on in the pilot case study were reaffirmed through the later data collection efforts. In addition, the data are linked to theoretical constructs identified in previous studies, tying together concepts from information science and legal studies to present a set of findings that coalesce around these key themes (Ryan & Bernard, 2003; Yin, 2011).

Within the context of an exploratory qualitative study, reliability is less important than validity, as it is expected that lines of inquiry will open as the study proceeds. Notwithstanding the exploratory nature of this study, the ability to demonstrate consistency and stability in terms of methods employed remains important (Miles et al., 2014). Here, the semi-structured interviews involved a significant amount of inductive probing (Guest et al., 2012; Ryan & Bernard, 2003). An interview guide, however, was used to ensure that a core set of topics was addressed in each interview. An effort to enhance reliability was made through reliance on verbatim transcripts and the use of direct quotes to support themes and interpretations. Moreover, with respect to quotes from survey respondents and interviewees used throughout this report, participant identification numbers were included to establish variability within the data set and to show how themes cut across a broad range of Information Providers.

E. LIMITATIONS

This study provides insight into the different paths that states have taken in developing, implementing and maintaining statewide legal information websites. This insight was derived primarily from data gathered from Information Providers (as well as other key informants) through the survey and interviews. In choosing this particular lens through which to study statewide legal information websites, the perspectives of users admittedly is not captured. For *this* study, however, the user perspective is not essential. Its central aim was to examine what states are doing (i.e., open up the programmatic "black box") and how they approach the different activities underlying the website. Information Providers, not users, are in the best position to answer these questions. Their perspectives on users, as well as the website evaluations, interject user issues into this study, highlighting the need for future studies that shift the focus from Information Providers to users. This study, as will be explored in later chapters, suggests one important reason why such studies have yet to be conducted. A key challenge currently facing Information Providers is their lack of connection with users; and, until such time as this particular challenge is overcome, user-centered studies focused on outcomes and effectiveness will have to wait.

Another limitation related to the reliance on Information Providers is the small size of this community. Out of this small community, only 26 surveys provided sufficient data to be included within the analysis of results. Although a concerted effort was made to design a concise survey that would pose a minimal burden on respondents, anecdotal feedback from survey respondents indicates that the length of the survey may have been a deterrent to some Information Providers. Moreover, the lower than expected response

rate may have been due, at least in part, to a reluctance among legal services providers to participate in studies because of their belief that researchers do not understand the nature of their work (Charn & Selbin, 2013; Selbin et al., 2012).

When survey data is combined with interview data, however, the experiences of Information Providers from 28 states – to varying degrees – were collected.[18] The combined sample reflects diversity in terms of geography, population size, and demographics (as set forth on **Appendix E**), as well as in terms of key dimensions across which websites vary (e.g., platform, stakeholders involved). This diversity serves as a counterbalance to the relatively small sample size, allowing an understanding of the breadth of different approaches adopted by Information Providers to emerge.

Moreover, there are several key weaknesses often associated with the use of interviews as a data collection method. These weaknesses include the interviewer effect ("the sex, the age, and the ethnic origins of the interviewer have a bearing on the amount of information people are willing to divulge and their honesty about what they reveal" [Denscombe, 2007, p. 184]) and the presence of demand characteristics (when responses are influenced by the interviewee's perceptions about what is required of him or her [Gomm, 2004; Newton, 2010]). At least in the case of interviewees who also participated in the survey, however, internal consistency was evaluated by examining survey and interview data together (Newton, 2010).

It is important to remember that research efforts in the area of technology-enabled access to justice initiatives remain at a nascent stage. Because the amount of research that has been conducted on statewide legal information websites in particular is extremely

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[18] Of the 41 individuals who participated in the latter two stages of data collection, 14 participated by survey, 15 by interview, and 12 by both survey and interview.

limited, there are more questions than answers at this time. No one study can provide answers to all of those questions, but that fact should not deter opening a line of inquiry with potentially far-reaching consequences for legal services providers and self-help users.

F.   GOAL AND OUTCOME OF STUDY

The ultimate goal of the study was to paint a detailed picture of the complexities surrounding the development, implementation and operation of statewide legal information websites. Looking across the themes that emerged from the data collected during the three stages of this study, the key conceptual elements imbedded within those themes are capable of supporting the development of a theoretical framework that explains how different internal and external factors impact the effectiveness of statewide legal information websites. At this time, however, its value lies in its implications for practice and policy.

The immediate outcome thus is a set of recommendations to guide future policy-making and practice with respect to statewide legal information websites. These recommendations can serve as a much-needed bridge between research and practice. Statewide legal information websites, like all access to justice initiatives, exist to close the justice gap that currently prevents far too many people living in this country from receiving the legal assistance that they need. Now, more than ever, recommendations supported by empirical research are crucial as statewide legal information websites are increasingly viewed as the foundation for the next wave of technology-based access to justice initiatives.

Without an understanding of what does and does not matter in the development and implementation of statewide legal information websites, there is likely to be unnecessary trial and error. As noted by Cabral et al. (2012) "[d]eveloping concrete mechanisms for better collection, curation, and dissemination of knowledge, experience, guidance, case studies, and best practices would be a valuable step toward lowering the knowledge barrier and promoting technology implementation that is holistic and strategic" (p. 315). This study, by developing recommendations built upon the knowledge acquired by those who have played a crucial role in building the existing network of statewide legal information websites, serves as an important step in lowering this barrier. While Information Providers are the immediate beneficiaries of this enhanced knowledge sharing, those who are currently denied equal access to justice ultimately stand to reap the greatest benefits from technology-enabled self-help services that are optimally designed, implemented and operated to meet their needs.

CHAPTER 4: PILOT CASE STUDY

A. PURPOSE AND RATIONALE

To develop a baseline understanding of how statewide legal information websites serve self-help users, a pilot study was conducted of one of these websites – the People's Law Library of Maryland (PLL). In selecting a pilot study, "convenience, access, and geographic proximity can be the main criteria" (Yin, 2009, 93). Initial discussions with employees at the Maryland State Law Library (MSLL) revealed their willingness to participate in the study. The ability to interview at least some of the interviewees in person (as opposed to via telephone) was another important consideration. The reasons for selecting PLL, however, were not based solely on access and geographic proximity. The site's longevity was another key reason: PLL "was an early example of a statewide website for legal information and delivery of web-based legal services aimed directly at self-represented low-income customers of the justice system …. Its success offered validation for the LSC initiative to try to stimulate the creation of these platforms for justice innovation in every state." (Staudt, 2005, 74). Also contributing to the selection of PLL as the pilot case study is the fact that Maryland is the first state to organize and maintain its legal information website through the state law library (Maryland Judiciary, Court Information Office, 2008).

As the literature review revealed that different types of libraries are become increasingly active in the access to justice arena, a program in which a library was at the epicenter of a program for self-represented litigants and other self-help users was of particular interest. Notwithstanding the fact that Maryland adopted a novel approach in

maintaining its statewide legal information website, an assumption was made that the issues that PLL's Information Providers have faced at different stages of development and maintenance are similar to those faced by Information Providers across the country. This assumption was based largely on the fact that the literature places PLL firmly within the existing network of statewide legal information websites: "As a result of leadership from the [LSC], every state has a statewide legal information gateway. In most states, these are administered and maintained by a coalition of organizations, and aim to comprehensiveness of content with respect to civil access to justice. Indeed, in Maryland, the statewide website….is operated by the State Law Library" (Zorza, 2012, 33).

Moreover, a preliminary review of the content on PLL and other statewide legal information website revealed similarities in terms of basic content and scope. Like many other statewide legal information websites, PLL is organized around topic areas, namely, consumer issues (*e.g.*, contracts; debts); domestic violence; education; employment; family law; government benefits and services; health; housing; motor vehicles; senior citizens; wills/estates/probate; youth law; and, other legal issues (*e.g.*, immigration, personal injury). Within each topic area, issues of substantive law and procedure are both addressed. In addition to links to official judiciary forms, key information resources include:

- Links to applicable laws and relevant information available through other state, as well as federal, agencies;

- Research guides in a number of areas that explain how to access relevant electronic and print resources (*e.g.*, statutes, case law, court rules, regulations, treatises, and policy documents);

- Guidance regarding court processes and procedures;

- Interactive quizzes to aid individuals in the decision-making process;

- A legal services directory that provides a listing of free and low cost legal services providers; and

- A list of other resources of possible interest to self-represented litigants, including information on how to find representation, as well as links to self-help services, mediation services, and non-legal assistance/community services.

B. DATA COLLECTION

To facilitate an in-depth understanding of PLL – the stakeholders involved, the technological considerations, the day-to-day operations, and long-term plans – data collection occurred through two primary mechanisms: interviews and documentation review (Yin, 83). Based upon a preliminary discussion with MSLL staff, a decision was made to recruit interview subjects from two groups with in-depth knowledge of PLL: the site's Content Advisory Committee (CAC), comprised of "legal professionals from throughout the state," and law librarians working in circuit court libraries in Maryland. MSLL provided lists for both groups – 7 law librarians and 32 CAC members.

Potential interview subjects were emailed in December 2012, and interviews were held in January/February 2013. Twelve semi-structured interviews (five in person and seven via the telephone) were conducted. Interview subjects included two MSLL employees (one individual who provides broad oversight over PLL and the current website coordinator [the PLL Coordinator]); three circuit court law librarians; and seven CAC members. Of the CAC members interviewed, four are legal services providers and three are employees of the Maryland Judiciary. The interviews ranged in length from 11 minutes to 84 minutes, with a mean time of 29 minutes and a median time of 24 minutes. The main questions asked of interview subjects in each group (MSLL employees, CAC

members, and circuit court librarians) are listed in **Appendices F, G,** and **H**, although it is important to note that the interviews were "guided conversations rather than structured queries" (Yin, 2009, p. 106). During the analysis stage, interview data were supplemented by a review of key documents, including the written agreement pursuant to which MSLL assumed responsibility for PLL; minutes from CAC meetings; PLL documentation and guidance; and written materials produced by the Maryland Judiciary about PLL and other access to justice initiatives.

C. DATA ANALYSIS

The primary goal of the pilot case study was to identify key issues and themes to explore through subsequent data collection efforts that would expand the scope of the study from Maryland to the nationwide network of statewide legal information websites. Collection of case study data occurred while the literature review was being conducted, allowing the later data collection efforts to be "informed by both prevailing theories and by a fresh set of empirical observations. The dual sources of information help[ed] to ensure that the…study reflected significant…policy issues as well as questions relevant to contemporary cases." (Yin, 2009, p. 93-94).

Using NVivo, interview transcripts were coded. **Table 4.1** summarizes the results of this open coding analysis, which yielded five major categories: PLL history, Stakeholders, PLL nuts and bolts, PLL current activities, PLL as part of a network, and PLL future.

Table 4.1: PLL Case Study Coding Scheme

Major Categories	Subcategories	Associated Concepts
PLL History		Early challenges; transition to MSLL; defining scope and mission
Stakeholders	Circuit Court Libraries	Involvement with PLL; opinions of PLL; relationship with MSLL; use of site
	Content Advisory Committee	Challenges; opinions of CAC; opinions of PLL; responsibilities; use of site
	MSLL	Involvement with PLL; mission of library; library users
	Users	Barriers to use; user groups; user needs
	Other	Access to justice commission; bar; courts; law schools; legal services providers; public libraries
PLL Nuts and Bolts	Infrastructure	Staffing; funding
	Types of Content	Interactive features; federal information; forms; legal services directory; non-English content; process/procedural information; substantive information

Major Categories	Subcategories	Associated Concepts
PLL Current Activities	Content Development	Challenges; current processes
	Website Development	Organization of information; challenges; recent developments
	Outreach	To legal community; to library community
	Evaluation	Site usage; user feedback
PLL as part of a network		Comparison to other states; comparison to other Maryland sites
PLL future	Strategic planning	Content; technology; workload
	Recommendations	Content; website design; CAC; outreach

Based upon this coding scheme developed from interview data, and supplemented by the

aforementioned document review, the most prevalent themes were identified: 1) the

different ways that stakeholder organizations contribute to PLL; 2) the perceived needs of

target users and the barriers they presumably fact; and 3) the ongoing need to develop

better processes for content development and maintenance of an up-to-date website. The

discussion of each theme is amplified by quotes from interviewees as a means of

highlighting a range of perspectives.

C.1. Stakeholders

Three main stakeholder groups emerged from the data analysis: the Maryland

Judiciary (including MSLL and circuit court libraries), the legal services community, and

users. Collaboration among various organizations within the first two groups is at the center of many of PLL's current activities. **Figure 4.1** depicts the various roles that these groups play vis a vis PLL.

Figure 4.1: Stakeholder Roles

Maryland Judiciary

MSLL
• PLL Coordinator maintains PLL
• Other staff members assist with PLL (e.g., respond to online submission forms) and conduct outreach to the public library community

Circuit Court Libraries
• Outreach to patrons
• Content development and review, at request of PLL Coordinator

Other Judiciary Agencies
• Participation in Content Advisory Committee
• Outreach to self-represented litigants
• Promote PLL to broader legal community

Legal Services Community

Participation in Content Advisory Committee

Outreach to clients and potential clients

Promote PLL to broader legal community

The collaborative nature of PLL can be traced to its origins. In 1996, with funding from the Maryland Legal Services Corporation (MLSC) and the Open Society Institute (together with other grant sources), the Maryland Legal Assistance Network (MLAN), legal aid programs, community advocacy groups, and public interest attorneys developed the site (Memorandum of Understanding Between Legal Aid Bureau and MSLL [Memorandum of Understanding], 2007; Maryland Judiciary, Court Information Office, 2008). Responsibility for MLAN (including PLL) was transferred from MLSC to the

Legal Aid Bureau (LAB) on August 1, 2004. After funding for MLAN ceased in June 2007, LAB continued to operate MLAN's projects, including PLL, on a voluntary basis. This situation proved untenable: "[LAB] does not have the resources or expertise to maintain and develop the PLL website. PLL's mission to provide legal information and self-help advocacy tools to low and moderate-income Maryland residents, is more expansive than that of [LAB], which focuses on the needs of Maryland's low-income population" (Memorandum of Understanding, 2).

Accordingly, pursuant to the Memorandum of Understanding, MSLL assumed responsibility for PLL's continued operation, with LAB agreeing to update content in certain areas in which it has expertise (e.g., housing and medical assistance). MSLL's decision to take over the site was based largely on a belief that its mission was compatible with that of PLL. Stemming from the efforts of a previous director, Michael Miller, the library has maintained a commitment to serving the public, including self-represented litigants [MSLL1]. Both the library's collection and the reference staff are available to any individual who calls or walks through the door. As another resource for this group of individuals, PLL was envisioned as an extension of the library's existing efforts to serve self-represented litigants (Maryland Judiciary, Court Information Office, 2008). This is reflected in its current statement of purpose: "*The purpose of the People's Law Library is to provide self-represented litigants in Maryland state courts information about the law, including summaries of the law, links to primary and secondary legal sources and referrals for legal services*." The skills and expertise of MSLL staff also appeared to factor into the decision to transfer PLL to MSLL. One CAC member described MSLL and PLL as a

good match because law librarians and librarians in general are experts in dissemination of information and in managing large bodies of information and thinking about how people will use it and thinking about how it needs to be organized …. [L]ibrarians have had to become experts in technology. I think it marries the functions of the law library with the need that the state had [CAC6].

To realize this vision of PLL, MSLL has always relied upon the input and expertise of members from both the legal and library communities. Within the legal community, the foundation for collaborative access to justice initiatives was laid with the creation of the statewide access to justice commission (the Maryland A2J Commission) in 2008.[19] The stated mission of the Commission was to "develop, consolidate, coordinate and implement policy initiatives to expand access to and enhance the quality of justice in civil legal matters for persons who encounter barriers in gaining access to Maryland's civil justice system." As part of this mission, the Commission was committed to enhancing access to the courts generally by self-represented litigants and contributing to the development of resources for this population [CAC6]. The Commission's mission thus was closely aligned with PLL's statement of purpose [MSLL1].

Along the same line, as an integral part of the Maryland judiciary, MSLL is concerned with communicating to the public that the courts and legal services community are available and willing to help individuals facing legal issues [MSLL1]. The overlapping missions of the Maryland A2J Commission, MSLL and PLL clearly

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[19] The A2J Commission sunset on December 31, 2014. At that time, the Maryland Judiciary created the Access to Justice Department within the Programs Division of the Administrative Office of the Courts. This newly created department "provides language access services for court users," "develops written brochures, videos and other media to aid the self-represented," and "aids the Judiciary in developing resources to help those without counsel by developing self-help centers, providing training to aid court staff in better serving the public, and aiding the courts in effectively responding to the self-represented" (Maryland Judiciary, n.d., About: Access to Justice Department). Inasmuch as this is a recent development, the impact of this change (if any) on the dynamics among PLL stakeholders was not examined in this study.

highlight the existence of a community dedicated to serving those without counsel. As

observed by one CAC member who works for the Judiciary,

> And, I stay abreast at what happens at the PLL and promote its use, and we cross-pollinate a lot. Anything we're doing in the courts, anything PLL is doing…we try to make sure that we are making new resources available through PLL and that, if PLL has something new that it can offer, that we're letting the public know through other vehicles and that providers are connected. It's a network – it's really a community of people that manage it and make it possible. And, so you just have to keep all of the lines of communication open. You know, we wouldn't work on something for [self-represented litigants] and not let PLL know or not let PLL tap into that and make the most of it, you know [CAC6]

The sample comments provided in **Table 4.2** highlight how MSLL's ties with legal

services providers, members of the bar, and judiciary agencies provide access to a

broader segment of the general public than MSLL might be able to attain on its own.

Table 4.2: Outreach Efforts

"[MSLL] regularly has exhibited at the [Maryland State Bar Association] Solo and Small Firm conference and I can't remember whether we got into a conversation with people or whether we actually had [PLL] brochures out on the table but we had several people come up to us and say "oh, it's so fantastic that you've taken on PLL. You know, I refer inquiries to the site, for people who are calling and they're not going to take that client or that client can't be helped or doesn't want to pay or whatever. They do refer them to the site. They're very pleased that it's there because it is a good community service" [MSLL1].
"We've had a lot… legal services attorneys … refer, you know prospective clients that they can't take and inquiries to refer people to [PLL]." [MSLL1]
"And, I'm constantly calling and saying 'hey, can you send me more brochures?' I put them in the library, in our clerk's office. They're at the self-help clinic. You know, I have them in our courthouse annex, where our family law master is. I have them everywhere. So…that gets word out as well." (CAC7)

"Cross-pollination" also occurs more formally through the CAC. As part of the

MOU, MSLL agreed to "convene a 'stakeholder group' at regular intervals to provide

guidance regarding the future development of PLL, including the scope and nature of its

content." This group, which evolved into the CAC, was a means to build upon existing partnerships with the various legal services providers throughout Maryland that had been contributing to PLL since its inception (Maryland Judiciary, Court Information Office, 2008). Through the years, the CAC has included representatives from both the bench and bar, *e.g.*, MLSC grantee organizations, the Maryland State Bar Association, clinical law school faculty, and several departments within the Judiciary. As noted by one CAC member, because of its composition, the committee is able to function as a conduit between MSLL and self-represented litigants. Committee members offer their on-the-ground assessment of the services and information resources most needed by their clients and the self-help users with whom they come into contact [CAC5].

In a somewhat similar manner, circuit court libraries also serve as a conduit between MSLL and self-represented litigants. Like MSLL, circuit court libraries are open to the public. The mission of the Anne Arundel County Public Law Library, for example, is to "serve[] the information needs of the judiciary, court and government agencies, the legal community and *citizens* of Anne Arundel County" (emphasis added). Circuit court librarians do not sit on the CAC, but their perspectives are highly valued inasmuch as they often work with self-represented litigants on a daily basis, functioning as intermediaries who help them find, evaluate and use legal information (Hale-Janeke and Blackburn, 2008; NCSC, 2006). One librarian offered her perspective on providing services to this group of litigants:

> So, we try to be really helpful and really respectful. A lot of time when you're dealing with [self-represented litigants] … they go off on these tangents and it's a long, long, long, story. And it's like irrelevant to us, because we're not giving legal advice. What do you really need? But then a lot of times – sometimes the nicest thing you can do is hear them out. That's really what they want. They want to tell you what happened, and be indignant – "Can you imagine that this

happened to me?".... Also, being in a court, people are really busy and we really try to be the place – you know, a refuge where the person can come in and they will be respectfully listened to and we will take time with them. People will work with them and they'll, you know, go away happy. Well, if not happy, at least as if they've been heard [LIB3].

In addition to calling upon members of both the legal and library communities to assist with content development, review and revision (as discussed in greater detail in Section C.1.3), much of the collaboration centers around increasing awareness about the site within both of these communities. MSLL, for example, has relied on various partners (e.g., circuit court libraries, court agencies) to distribute promotional materials, including posters and brochures. As noted by one MSLL employee, PLL brochures are routinely sent to county public law libraries, MLSC grantee organizations, organizations with which CAC members are affiliated, and clerks of the court [MSLL1]. Furthermore, by virtue of its position within the library community, MSLL is able to work with both public librarians and circuit court librarians on PLL outreach efforts. As one MSLL employee explained, due to the strong connections with the public library community cultivated by the MSLL outreach services librarian, they have been able to promote PLL to various groups within that community, including librarians involved in chat services (e.g., Maryland Ask Us Now!) and professional associations, such as the Maryland Association of Public Library Administrators [MSLL1]. Additionally, each of the circuit court librarians interviewed indicated that they routinely pointed self-represented litigants to PLL, either by directly guiding them through the site or by giving them the PLL brochure. As explained by the librarians, the brochure is a particularly important outreach tool:

- "[W]hen the [self-represented litigant] comes in here and I've helped them with whatever the matter is timely but they need to understand their

issue a little bit better in the long term, then I recommend that they, you know, access that site. And I hand them the little brochure, flier thing from the PLL so that they can access it in the future" [LIB2].

- "I found that, if you give something in their hand to them, like – the PLL brochure, [you can] say 'This is a place to start'" [LIB3].

MSLL therefore has leveraged its position within both the legal and library communities to bring together individuals working within the access to justice space who have different experiences with self-help users and thus offer different perspectives on the needs of these users. In so doing, MSLL has been able to create multiple avenues for promoting awareness of PLL among members of the public.

C.2. *Users*

Overall, MSLL has a clear idea of PLL's target users, which has been a guiding force in the development of content and the design of the website. Their knowledge of actual users, however, remains rather limited.

Target Users

By virtue of being part of the state's network of access to justice programs, MSLL has been able to carve out a particular niche for PLL. As noted by an MSLL staff member, a Court of Appeals report published around the time that MSLL assumed responsibility for PLL suggested that PLL take on a role in providing services to self-represented litigants [MSLL1]. MSLL clearly took this suggestion to heart, as evidenced by its aforementioned statement of purpose.

The needs of self-represented litigants thus have been at the center of the development of PLL content. While much of the information focuses on the needs of low-income individuals, one MSLL employee suggested that, going forward, more

attention would be paid to the needs of moderate-income self-represented litigants as well

[MSLL2]. At this time, the content areas with the most extensive coverage on the site are

family law, as well as landlord-tenant and other housing issues, small claims, and

employment [MSLL2]. The decision to focus on these particular areas appears well-

founded, as both circuit court librarians and CAC members identified similar areas of

need based upon their own dealings with self-represented litigants:

- "I think the number one is family-oriented, you know, divorce, custody, visitation, child support. But then we get a lot of [requests for] help with…administrative appeals…like a MVA ruling, unemployment now" [LIB1].

- "Of course, it's family law. Questions of family law – custody, divorce…all kinds of things that have to do with family law …. [and] probably the second is what I would call business things – they're usually not criminal, but civil suits. They're things that have to do with, that have come up from the district court, like landlord tenant, zoning" [LIB3].

- "Oh, absolutely, that would be family law. Any type of family matters - custody, divorce, visitation, child support…that's definitely what they're looking for" [CAC7].

Drawing upon their personal experiences, circuit court librarians and CAC members, as

well as MSLL staff, offered their perspectives on the information needs of self-

represented litigants. **Table 4.3** provides a breakdown of these needs: legal advice;

assistance with understanding legal terminology; assistance with navigating the legal

system; explanation of their legal rights and responsibilities; and, forms. For each

identified need, sample quotes from interviewees are provided to offer insight into the

varied stakeholder perspectives; examples of PLL content aiming to address that need are

also listed.

Table 4.3: User Needs

Identified Need	Sample Quotes	PLL Content
Legal Advice[20]	"They come in here and they want legal advice. And they expect it be very, very clear and it's not clear." [LIB3] "They're also inquiring a lot if there is any type of free services available to them, just for them to get some type of advice." [CAC7]	Hotlines Legal clinic calendar Legal services directory LiveHelp (online chat services provided by the District Court Self-Help Center, available Monday-Friday, 8:30 a.m. – 4:30 p.m.)
Assistance with understanding legal terminology	"[T]he individual that comes to the court, they don't understand the legalese and it is very complex and very old language and…sometimes court matters – whether it be criminal or civil – are somewhat simple but that wording that's used by the court is…just so large and so vague. And so part of it just that clarity or…interpretation. Almost like you need an interpreter. And, that's what attorneys have kind of been …. And so I think if it's anything it would be to simplify the legal speak that we use." [CAC1]	Glossary of Legal Terms Definitions within articles

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[20] PLL explicitly states that information provided on the site is **not** legal advice: "This site offers legal information, not legal advice. We make every effort to ensure the accuracy of the information and to clearly explain your options. However we do not provide legal advice - the application of the law to your individual circumstances. For legal advice, you should consult an attorney."

Identified Need	Sample Quotes	PLL Content
Assistance with navigating the legal system	"There's probably very little other information out there in the general public as to procedure – where do you go, how do you do it, how do you file the stuff, who do you see in the courthouse." [CAC3]	"How Do I Prepare for My Day in Court?" (article) "Tips for Your Day in Court" (video produced by the Maryland A2J Commission) "Frequently Asked Questions about Service"
Assistance with navigating the legal system (cont'd)	"[A] lot of what we do is explain to people how to present their facts and evidence during the course of a protective order hearing…which can be as basic as you call the judge "Your Honor" and you don't interrupt the other side when they're talking." [CAC4] "I think it's probably more procedure because it's the way they want to – they come in, the basic question is "I'm in this situation. How do I proceed?" Or," I've been served….And what do I do? How does it work?"" [LIB3] "[W]here the stakes are highest is when you get into that courtroom or when you're presenting evidence and testimony, or when you're advocating on behalf of yourself and tell your story. Most people feel confident in being able to tell their own story but they don't recognize that you have to do it in a way that's very, very constrained because of the rules of evidence, because of the need to eliminate bias and to eliminate unreliable information in the courtroom." [CAC6]	"Should You Represent Yourself?" quizzes

Identified Need	Sample Quotes	PLL Content
Explanation of their Legal Rights and Responsibilities	"[S]ubstantive law really is a large portion of what we do because people really don't understand what their rights and obligations are." [CAC5] "[W]hat are grounds for divorce …[and] you know, just your standard stuff, like what happens when a landlord's house is foreclosed upon and I'm renting?" [MSLL2]	"Tutorial: Reading the Maryland Rules" (video) "Researching Child Custody, Visitation, and Support Law" (article) "Homeowner's Guide to Property Taxes and Assessments" "Frequently Asked Questions about Bankruptcy"
Forms	"[T]he forms are kind of the entry into the courts so that's their first step." [CAC2] "With people, a lot of time you'll say "here's the rule" and they will say "I don't want to read that" or "I can't understand that – I just want the form." And you go "there is no form." There are examples – they are not forms, they're examples." [LIB3]	Family law forms (link to Department of Family Administration website) Interactive custody forms (link to LHI) Advanced Directive forms and instructions (link to Office of the Attorney General website)

In discussing the needs of self-represented litigants, interviewees also touched upon a number of barriers to information access that users may face when searching for and using information available on PLL. In order from least to most frequently mentioned, the barriers noted were accessibility, the digital divide, the complexity of legal information and/or the legal system, and language access. The one CAC member who expressed concern about the accessibility of certain PLL content (e.g., the incompatibility of PDF documents with screen readers) acknowledged that she had limited information about the measures that had been undertaken to remove this

particular barrier [CAC6]. She also recommended the posting of a disability access policy if one is not already featured on the site.[21]

As for the two interviewees who explicitly talked about "digital divide" issues, they offered rather different perspectives. One MSLL employee downplayed its existence, stating that, "when we got the site, I immediately thought, 'Look, the digital divide thing can't be something we're interested in. That issue has already been solved. We're just not going to worry about it, we're going to assume that people have access to the site, whether it's in the library or, you know, their own smartphone, whatever it is. People are going to have access to the site'" [MSLL1]. A CAC member who works with domestic violence survivors, however, suggested that courts should have public access computers because not everyone has access to computers and the Internet. She noted that, because her clients are often homeless, one cannot presume that they have the means to access PLL or other online resources that may be of assistance to them [CAC4].

Intellectual access, as well as physical access, must also be considered when thinking about whether target users can use PLL. Understanding legal information and navigating the legal system both require a basic level of literacy, and several interviewees recognized the danger in making assumptions about self-represented litigants' abilities. In speaking about the challenges facing low-income individuals in need of legal services, one CAC member noted that some of his clients are uncomfortable reading at any level [CAC5]. And, for those uncomfortable with reading in general, legal information is particularly daunting. Being able to read the text of a statute or the words on a form does not necessarily mean that one understands how the statute applies to his situation or what information needs to be provided in the blank spaces on the form. As outlined in **Table**

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[21] No disability access policy was located during a review of the site in December 2014.

4.3, this lack of knowledge extends to both substantive law and information related to legal processes. Self-represented litigants' lack of familiarity with court rules and procedures, combined with their "layperson" status, often leave them at a distinct disadvantage, as they struggle to orient themselves within a complicated system governed by a language in which they are not fluent:

- "Folks really just want their questions answered in a language that they'll understand" [CAC5].

- "[Y]ou have these *pro se* people and their knowledge base can be, usually starts off at nothing …. Their main complaint is really, 'Well, that's not clear to me. What does that mean? I'm reading the rule – it makes no sense'" [LIB3].

This struggle may be best reflected in self-represented litigants' efforts to file motions or other documents with the court. Court forms, which generally serve as litigants' entry into the court system, require a grasp of both the underlying legal information and the steps needed to navigate the legal system. As one CAC member observed, notwithstanding the judiciary's ongoing efforts to make forms more available, "[t]hey're still difficult to understand – you still have to be pretty darn literate to use them. And they don't tell you when to use them or how to use them, even though we have instructions" [CAC6].

In formalized written content guidelines that were developed soon after it assumed responsibility for PLL (the PLL Content Guidelines), MSLL stressed the importance of making content readable for users with varying levels of literacy. Based on the assumption that users typically have minimal experience with the law, the guidelines call for every PLL article to explain one topic at a sixth grade reading level. Content creators are advised to use helpful headings and subheadings, short sentences, common

words, active voice, bulleted lists, graphics, and neutral language [Maryland State Law Library 2]. When asked about their opinion as to whether PLL content was readable, however, there was some consensus among CAC members and librarians that PLL had not quite attained its goal of creating an "easy to read resource." The following comments are but a few examples of opinions expressed by interviewees:

- "There are a lot of acronyms, a lot of terms of art, a lot of … names of statutes …. It can be off-putting for people. Instead of having the, you know, Healthcare Affordability Act, 42 U.S.C. [etc.], they might say 'The new Healthcare Act.' It's not as legally correct, but for the public, who's supposed to be using it, it would be a lot less scary. It doesn't look like – I think it looks a lot like a lawyer's website" [CAC6].

- "If you're not familiar with [the] topic at all, it's too much …to soak in, you know all at once. A reader may feel inundated on certain pages" [LIB2].

- "I think it's pretty accessible…but, I guess…the easier it is for a person with a high school or less education to get in and find their information the better….[M]aybe…it should be more in outline form or [use] some graphics [to] catch the eye for someone who is looking for their particular problem. Maybe more interactive" [CAC2].

- "I was thinking that sometimes it seems a little … above some people, especially the pages that…were like big, big narratives. Like a lot of text. Stuff that could be overwhelming" [LIB1].

- "I was asked to review some of the pages for [the PLL Coordinator] and it's like he gave me a page and it was in the middle of bankruptcy and so it was like, I read it and it didn't make any sense because it had all of these abbreviations…. [but] they don't define them …. So, if you were just looking at that page – what is the difference between Chapter 11 and Chapter 7 bankruptcy? They were using terminology and I was going 'What is it?'" [LIB3].

Of particular interest are the comments that suggest that some of PLL's content is difficult for librarians (who have attained a higher level of education than typical self-help users) to comprehend.

For some CAC members, their recognition of users' varying levels of literacy guides their content review and revision work. One CAC member, who has some direct contact with self-represented litigants through his current position with a Maryland judiciary agency, explained how he always tried to keep in mind what he knows about the education level of participants in the programs he manages for court-involved individuals and their families [CAC1]. Another CAC member echoed this sentiment, explaining how his primary goal was to ensure that the information is understandable by someone with an elementary school education [CAC3]. This interviewee, who works directly with legal services clients, offered some insight into his thought process while reviewing content: "I'm taking the viewpoint that I'm going to look at the webpage from the client's standpoint. I'm not a lawyer myself, I'm a paralegal. And so I don't practice law every day. So, I know what questions clients are asking and I have a lot of the same questions" [CAC3].

Language access was the most frequently cited barrier throughout the interviews. Interviewees within each group – MSLL staff members, CAC members, and circuit court law librarians – spoke of the growing need to give careful consideration as to how best to meet the needs of self-represented litigants with LEP. As observed by one CAC member, this is increasingly important due to changing demographics within the state.[22] Issues related to language access were coded at three different nodes: barriers to use; user groups; and types of content. **Table 4.4** provides representative comments within each node, highlighting a commitment among stakeholders to expanding efforts to address the

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[22] According to a report released by the Commission to Study the Impact of Immigrants in Maryland (2012), international immigration growth accounted for approximately 59% of total population growth in the state between 2000 and 2010. The growth is uneven across the state, with LEP individuals concentrated largely within two areas (Prince George's County and Montgomery County).

needs of LEP individuals through PLL while identifying the key challenges of this

significant undertaking.

Table 4.4: Language Access Issues

Barriers to Use	"[I]t's not a question anymore of we'll do it in the top 3, the top 5 languages. But it's still going to be an issue for…somebody from an African nation or…China is another one that's big, especially in the DC region…[B]ut there again, you're always…going to miss a language." [CAC1] "So, it's very interesting to us that different parts of the state have different needs. So, I'm not really sure about the other languages but it's definitely easier and much more comfortable for someone to read something in their [own] language." [CAC3] "Well, they should definitely tackle language access…[T]here is not a state I know of that has solved this. There isn't a state. Now, if we wait long enough, machine translation might get there but it's not good so you can't – you can't do it now …. [M]y take on this, you should have access to everything. But, it is hugely difficult to maintain[.]" [CAC6]
User Groups	"[O]ne of the issues that we've been dealing with is access to the information for people who don't speak or read or write English…and so you know, trying to figure out the best way to make the same information available to as many other people as possible who don't speak English." [CAC4] "Everybody across the country is dealing with that more and more and more….I mean, we're talking about legal immigrants who need assistance and they need assistance in the language that they can understand and so as much as you want to provide assistance, you're going to have to do it in other languages." [CAC5] "[W]e are very diverse. And not just Spanish but all kinds of other languages, including sign language." [LIB3]

Types of Content	"[W]ebpages can be translated as easily as anything else. And, frankly, I don't know if this is PLL's place and I'm sort of getting to a point where dealing internally with languages at Legal Aid is probably not the most efficient way to deal with trying to get service to clients and so I'm looking for a web-based way for getting those services to clients and that could be PLL….And PLL is directly between people needing services and a resource that just provides basic text. But that text can be translated – there's no reason why that text can't be translated. [CAC5]
	"I believe that we do need to…be multi-lingual on the site. I mean, I just believe that it has to be….[O]n the other hand, it's tough to pick and choose." [CAC7]
	"When we start translating pages, we need to think about pages that are going to be relatively static and then translate it so that we're not spending money on translations every year. Or, we're spending different translation resources for either different pages, new pages, or different languages."[MSLL1]

In speaking about language access, one CAC member offered several suggestions for how PLL could address multi-lingual content development, namely, by developing a core set of materials in different languages and hiring a bi-lingual staff member to coordinate translation projects [CAC6]. In making these recommendations, however, she acknowledged that both were dependent upon PLL acquiring additional funding.

Throughout these discussions about barriers to information access, CAC members and librarians shared a great deal of insight into the needs of populations that are too often ignored in policy-making circles, highlighting the extent to which MSLL benefits from the collaboration underlying PLL.

Actual Users

Per usage statistics provided on the site, "[e]ach month, PLL receives over 250,000 page views, 80,000 visits, and 1.3 million hits."[23] MSLL monitors PLL site usage on a regular basis and, from this data, they are able to discern basic trends (e.g., a five percent growth year over year). They are also able to develop a sense of the popularity of different content areas: "A lot of the process pages show up, like you know, "evaluate my situation" – stuff like that. But then also top pages tend to be… quite a few housing pages and quite a few family law pages and, strangely enough, disturbingly enough, emancipation of a minor" (MSLL2). The limitations of this data were recognized, however. As described by one staff member, the data on page requests provides information about what pages are visited the most but, from this data, it is impossible to discern if the pages are top hits because they provide good content or because people need that information but eventually leave before locating useful information [MSLL2].

Further, usage statistics do not reveal, for example, the reason for an increase in traffic. As an MSLL staff member noted, "it might be just Google reindexing us or something like that. In the last few months, our numbers have actually gone up quite a bit and so but I really don't have an explanation for it" [MSLL2]. Usage statistics also reveal little about the user experience – are users getting frustrated because they cannot find what they are looking for? If so, are they not finding the information because it is not available on the site or because, even though it is there, the information is not findable?

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[23] The most recent statistics available show a marked decrease in page views but a similar number of unique visits. According to a recent report, there were 77,821 unique visits to the site in November and 139,652 page views (MSLL, 2014).

[MSLL2] From the point of view of the individuals working on the site, the latter is of particular concern as it raises questions about the extent to which the site is usable by target users.

In seeking to learn more about PLL users, and in the absence of hard data, MSLL staff members find themselves relying on anecdotal evidence to dissect usage trends:

> We are fairly certain that this recent spike in usage in the past year is attributable to [the] District Court self-help clinic chat service, where…someone who is chatting with them or whatever, they're just going to throw up a screen of [PLL] and say "check here." We think that that has driven a lot of usage. We at least know that anecdotally. (MSLL1)

In a similar way, they have also learned that librarians and legal services providers, due to their generally favorable opinions about the site, refer self-represented litigants and clients to it [MSLL2]. In response to questions about whether they received any feedback from people who used the site, however, interviewees generally indicated that they have little knowledge about users' actual experiences with the site.

- "I'm usually giving the website to people I know can access it. And they – I can't swear that they follow up because I'm not there to see- but folks have seemed to be able to use it" [CAC5].

- "What I can't speak to is necessarily … feedback from my clients that 'Oh, I went to the [PLL] website and this was helpful or this wasn't helpful.' So, I don't know [if I feel] as if I'm personally in the position to comment on how it might be serving my clients" [CAC4].

- "I have not. The only feedback I get is more of a personal level, like 'thank you so much, you really helped me.' Things like that" [LIB2].

- "I've referred people there and…I haven't gotten any feedback that they haven't been able to access it or that they haven't been successful, so I assume that they've been able to navigate it" [CAC2].

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It should be noted, however, that one CAC member who routinely points patrons to PLL when assisting them in the circuit court library has found that people are often "somewhat amazed that there is a free service out there…it's like 'you mean they have a live chat where I can call and talk to someone?' or 'I can print this article?' …. And I believe that they think, 'oh, this is a great tool'" [CAC7]. Based upon the majority of interviewees' remarks, however, it does not appear that PLL stakeholders have a clear idea of whether target users (namely, self-represented litigants) act upon the recommendations/referrals of librarians and legal services providers (i.e., are they actually using PLL?) and, if target users are visiting the site, whether they are able to make effective use of its information and resources.

C.3. *Ongoing PLL Activities*

The two main activities related to maintaining PLL are 1) content development and review, and 2) website design. While the former was more frequently brought up throughout the interviews, the discussion surrounding both activities highlight the extent to which PLL is regularly evolving to meet the perceived needs of their users.

Content Development and Review

a. *Current Practices*

Since MSLL assumed responsibility for the site, the development of a sound process for creating, reviewing, and revising content has been a priority. At that time, MSLL undertook an extensive reorganization of the site that included the restructuring and updating of existing content, as well as the addition of new content. In the words of one CAC member, MSLL "took … a barely usable, overly complex tool and made it into something that is sustainable and replicable and usable and maintainable" [CAC6].

During the early stages of the site reorganization, MSLL identified several critical issues on which to focus, including the establishment of criteria for inclusion, with consideration given to both the breadth and depth of content; the need to maintain a neutral tone throughout PLL; and the development of a strategy for maintaining and updating the site (due to PLL's limited staff) (CAC, "June 2008 Minutes").

Previously, under the direction of the LAB, the primary content contributors were volunteer attorneys and staff at legal services organizations [MSLL1]. While the current model is similar (*i.e.*, reliance on individuals within the legal community, mainly CAC members and volunteer attorneys), MSLL staff and circuit court librarians are now also involved in content creation [MSLL2]. MSLL staff members, for example, inform the PLL Coordinator of issues and topics about which they are hearing from patrons so that relevant information can be added to the website [MSLL1].

Over time, the nature of the work has shifted, from the development of new content to ensuring that content on the site is up-to-date, accurate, and relevant. Updating content, however, is not simply a matter of routine maintenance (e.g., verifying that links are functioning) but rather requires careful monitoring of a wide range of legal subject areas for both legislative and case law developments. It is a labor-intensive task made more difficult by the fact that there are a limited number of individuals available to work on the site. Per the PLL Content Guidelines, content is to be updated at least annually and information pertaining to new legislation enacted by the Maryland General Assembly is to be posted on the site by the time that new laws take effect, generally October 1st. One MSLL staff member observed that the deadlines are not always met. At the time that the interview was conducted (January 2013), the site did not reflect all of the changes from

the prior year's legislative session [MSLL1]. The guidelines also call for PLL staff to monitor news events and legal developments by regularly reading *The Maryland Daily Record* and *Amicus Curiarum* (a publication that tracks major appellate decisions rendered by the Maryland courts). The extent to which PLL content timely reflect changes resulting from case law, however, was called into question by one CAC member [CAC6].

CAC members currently contribute to the upkeep of the site in several key ways:

- **Monitoring content on a regular basis** – One CAC member described how he asks staff members to let him know when they discover outdated or inaccurate content on PLL so that he can bring it up with the CAC [CAC3].

- **Reviewing certain site content, as directed by the PLL Coordinator** – the review is mainly focused on "making sure that the information that is on the website is accurate" [CAC4]. Several CAC members described content review in similar terms, highlighting both the technical and substantive aspects of this work: "checking to see if the laws changed" [CAC5]; "making sure that sentences make sense, typos are taken care of and that if there's been a change in law or in a link, you change it" [CAC5]; "reviewing an article that they want to post on the website to see if it's accurate, if I would add anything, delete anything, or just have any general comments" [CAC7].

When discussing content review work, one CAC member who works as a direct provider of legal services described how he often asks interns and other non-lawyers in his office to review the content as well and solicits their opinions as to whether the information is presented clearly [CAC3]. Another CAC member makes an even more concerted effort to get others involved in PLL work – in addition to recruiting interns in her office to do some "fairly random updating that no one else would volunteer for," she noted that she "beat my staff over the heads…that this is something that they need to incorporate into their daily work activities, monthly work activities" [CAC5].

To a more limited extent, circuit court librarians also offer assistance by monitoring site content, as well as by reviewing and revising content at the request of the PLL Coordinator. One librarian, who noted that she does not have time right now to work directly on the site, still makes an effort to remain in regular contact with MSLL regarding PLL (e.g., informing them of broken links, making suggestions for new content based on her interactions with self-help users) [LIB1]. The other two librarians interviewed engage in content review work in a manner similar to CAC members, verifying that information is current and suggesting additional information that is likely to help users.

b. Current challenges

During the course of the interviews, both MSLL staff and CAC members identified challenges related to the current processes for content development, review and revision. Law is inherently fluid and developments in case law and the passage of new laws all require PLL to be reviewed for accuracy and consistency on a regular basis. As described by one CAC member, this as a "daunting task" because "the laws change every year if not more frequently" [CAC4]. New areas of law can also develop and consideration must be given to how – if at all – PLL will address these new topics. In talking about the legalization of same sex marriage, one MSLL staff member noted that, in order to fully address this topic, family law and tax issues would need to be addressed, as well as other issues that are likely to emerge as legal precedents are set in this area [MSLL1].

The evolving nature of the law creates an ongoing flow of work in connection with the site and it can be challenging to find people to assist with this work. Both MSLL

employees noted that, while MSLL staff is willing to provide assistance as needed, work on PLL is in addition to their regular responsibilities at the library. Volunteers, the CAC and circuit court librarians all assist with this work as well but they too struggle with finding time to work on PLL: "[P]eople are very busy. They are incredibly busy and even people who work with me will say 'Sure, I'll work on it' but then they get too tied up to really help out very much. Everything I'm asking people to do is on top of other things they have to do" [MSLL2]. Several CAC members echoed this sentiment:

- "[T]he content review … really should be an ongoing process and I think others on the Committee … are better about doing it on an ongoing basis than I can claim to be" [CAC4].

- "[T]hey relied on the advisory committee somewhat to develop the content or to review the content and, unfortunately for me, that's kind of onerous. My staff would help me, and I have a very teeny-tiny staff. I'd love to do more, I'm just not a legal content expert anymore….I'm probably not as responsive as I'd like to be when they ask to do that. It's OK that they ask me to do it, but I'm not as responsive as I'd like to be" [CAC6].

Part of PLL's current outreach efforts involves recruiting additional volunteer attorneys from the broader legal community. Described in its current state as a loose coalition of volunteers, MSLL has been working on the creation of a more formal process with the help of the pro bono community throughout Maryland [MSLL2]. Working with the Pro Bono Resource Center of Maryland (the statewide coordinator of volunteer legal services), the PLL Coordinator has been soliciting volunteers to work on the website. Together, they have made arrangements for this work to go toward the 50 hours of annual pro bono work for full-time practicing attorneys recommended pursuant to Rule 6.1 of the Maryland Rules of Professional Conduct. This effort is seen as a necessary step in growing the site: "[I]n order to get larger, we do need more volunteers and we need a

more formal volunteer process" [MSLL1]. Several CAC members expressed their support for this initiative:

- "I know that we talked about trying to recruit people who are interested in … fulfilling their pro bono hours, or something like that, to take on responsibility for updating content and things like that. I think that would be great, I think it's one of those situations where 'the more the merrier'" [CAC4].

- "[T]here are plenty of pro bono attorneys who could donate as well and I try to urge that as well when I have the opportunity….I mean, I dealt with at least 10 pages this year that were completely outside my realm of expertise…. And it's really not that difficult and you can do it from anywhere - you know, when they're sitting in court for an hour. Why not? So, I do try to encourage that when I run into folks" [CAC5].

One CAC member advocated for going a step further and recruiting attorneys who do not currently engage in pro bono work. She suggested that, in order to increase awareness about PLL throughout the broader legal community, it could be publicized via the online Pro Bono/IOLTA reporting system[24] [CAC5]. A link about volunteering for PLL at the bottom of the online reporting form, for example, would ensure that all licensed attorneys in the state of Maryland are reminded about volunteer opportunity at least once a year.

The work, however, does not end with recruiting volunteers. As observed by one CAC member, keeping volunteers engaged may be the more difficult hurdle to overcome. Although people are sincere when they make a volunteer commitment, any number of things can happen that prevent them from honoring this commitment [CAC4]. Various incentives have been discussed, but those working on PLL have yet to come up with a lasting solution to the problem of volunteer retention.

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[24] While there is no mandatory pro bono service requirement in the state, Maryland Rule 16-903 requires active attorneys licensed in Maryland to report on any pro bono activities in which they engaged during the prior calendar year.

Ultimately, the current tension between the work that needs to be done and the limited resources available to do this work inhibits the growth of the site (i.e., its expansion into new areas). MSLL staff members thus are aware of the need to think realistically about the scope of the site: "[T]he site – like a library that has its own footprint within the walls – has to be contained so we do need to be really strategic… [and] we can't increase content exponentially because there's this upkeep, sustainability factor" [MSLL1].

Website Design

Like content development, website design is also an ongoing process. By virtue of the fact that only the two MSLL employees work directly with the design of the website, this topic did not receive nearly as much coverage as content development, review and revision. An issue that was raised by two interviewees, however, was the ongoing need to keep up with technological advancements. At the time of the interviews, the site was hosted on the Drupal 6 platform. One MSLL employee, however, noted that plans to move the site onto the Drupal 7 platform were in the works [MSLL2]. A major challenge associated with being on an older platform is the lack of mobile compatibility or mobile responsiveness. When the site was originally designed, there was no need to think about how it would look for people who were accessing it via cellphones or tablets. This has changed dramatically in recent years and, as noted by one CAC member, "[p]eople aren't even using computers anymore. If you can't see it on the cellphone, you're not going to be able to use it" [CAC5].

These interviewees, as well as several others, also touched upon the current organization of information on the site. One CAC member, who works on IT-related

projects within her organization, discussed current trends in website development, noting that "it seems like the direction that many websites are going is really, really simple and search-based, as opposed to trying to provide everything up front for people to search through" [CAC5]. This sentiment was echoed by another CAC member, who talked about the importance of a clean interface: "I think that's probably the most difficult thing when we talk about a library, a resource center, you know, you want to have everything on there but you want to make it visually – especially that first page – very visually– get me to where I need to go and go" [CAC1].

Most interviewees, however, only focused on the design of PLL in reference to their own experience with using the site. The following comments highlight some of the issues identified by CAC members with respect to the current organization of information on the site:

- "I also know that – the website seems to be pretty dense sometimes. And it's kind of hard to find some things – specifically, some content we created for [self-represented litigants] using A2J author and HotDocs. It's buried pretty deep – I'm not sure people could find it" [CAC5].

- "There's just so much text that they're trying to cram on the front page that I think it's like the judiciary's website, which is horrible….So, for example, the legal services directory, I have to scroll over…that little section on the left about getting help to find that there's a directory. And I think that's hard to find. And that's one of the most important things people need….Yeah, and they probably need images somewhere just – they need to open it up" [CAC6].

In making these remarks, the interviewees once again brought the focus back to target users. These issues related to design and the organization of information raise important questions as to whether the average self-help users would be successful in navigating PLL.

D. CONCLUSION

In looking across the themes identified through the PLL pilot case study, it is evident that a nuanced understanding of the existing network of statewide legal information websites will best emerge through a study of the people involved in different aspects of the development, implementation and maintenance of these sites. While statewide legal information websites have at times been viewed as technology projects, they are much more than that. As demonstrated through this pilot case study, people – through their collaborative efforts in content development and outreach, as well as their perspectives on user needs based on their personal experiences working with self-represented litigants – are the driving force behind these websites. Moreover, the challenges they have faced, and continue to face, cannot be solved by technology alone but rather through ongoing collaborative efforts to facilitate access to legal information and services through technology-enabled means. As discussed in Chapter 5, the survey of Information Providers working on statewide legal information websites across the country explored key issues related to collaboration, user needs, and barriers to information access identified through the PLL pilot case study.

A. DEVELOPMENT OF THE SURVEY

Based upon findings from the PLL pilot case study, a survey was designed to explore

Information Providers' roles in developing statewide legal information websites, their

current activities, and their plans for the future, focusing on the key themes of

collaboration, information needs, and barriers to information access. To the extent that

they were complementary to these key themes, Detlor et al's conceptual framework,

together with findings and recommendations from the *2004 Statewide Legal Information*

Website Study (as discussed on pp. 56-58), also guided the development of the survey

instrument.

Table 5.1 provides a breakdown of the main topics of survey questions, mapping

each topic to categories and/or concepts from the coding scheme developed in connection

with the PLL pilot case study and internal factors provided in Detlor et al's study. A

sample question for each category is also provided.

Table 5.1: Main Survey Topics

Main Topic	PLL Category/Associated Concept	Internal Factors from Detlor et al's study	Sample Survey Question
History of Site	Early challenges; defining scope/mission		For whom was the website developed?
Infrastructure	Staffing; funding	Funding; strong leadership; IT workforce; sound governance structure	What organizations are currently involved in maintaining the site?

Main Topic	PLL Category/Associated Concept	Internal Factors from Detlor et al's study	Sample Survey Question
Roles for Community Stakeholders	Outreach; content development; strategic planning	Partner cooperation; marketing	How is information about the website disseminated?
Users	User groups; barriers to use; user needs	Citizen participation in design	Do you think the lack of mobile compatibility poses a barrier to users? Why or why not?
Content Development	Challenges; current processes	Portal strategies & policies	How often is content reviewed?
Website Development	Challenges; recent developments	Portal strategies & policies	How many significant revisions has the site undergone since its initial development?
Evaluation	Site usage; user feedback	Ability to change internal work processes	What are some of the most common requests you receive from users?

B. General Information About Survey Responses

Of the surveys initiated, 26 of them provided sufficient information to include within the sample. Of those 26 surveys, 24 were filled out by current Information Providers, and two were filled out by former Information Providers[25] This sample was geographically diverse, with survey responses coming from each of the following states: Alabama, Alaska, Arkansas, California (2), DC, Florida, Georgia, Idaho, Illinois (3), Indiana, Iowa, Maine, Massachusetts, Michigan, Minnesota, Montana, Ohio, Texas, Vermont

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[25] Throughout the discussion of survey results, the number of responses varies because not all respondents answered every question. Nevertheless, data from incomplete surveys was included in the data analysis because, in each case, they were the only data received from that particular state.

Washington, West Virginia (2). One respondent opted not to indicate the state with which he/she is affiliated. Ten of the states from which responses were received are on the LawHelp platform maintained by Pro Bono Net.

Respondents were asked to describe their current or previous role in connection with the statewide legal information website. They generally described this role in terms of a job title – for example, four respondents identified as website administrators, four as website coordinators, three as content managers, and two as project managers. Three respondents hold supervisory positions within the organization that maintains the website. Survey respondents therefore have varying levels of responsibility with respect to the site, with one stating that he is responsible for everything related to the site [P9] and others indicating a more focused role (e.g., content development). In every case, the respondent was affiliated with a legal services organization, thus demonstrating the central role of legal aid services in maintaining these websites. Survey responses, however, point to different ideas about how the website fits within the broader context of their organization, with some viewing it as an extension of their organizations' traditional legal services and others viewing it as distinct from these services.

The majority of the websites (n=23) were launched at least seven years ago, with over half of respondents indicating that the site has been in existence for more than ten years (see **Figure 5.1**). Although several survey respondents indicated that they knew little about the history of the site, others were able to provide pertinent historical details (as discussed throughout this chapter) that shed light on some of the issues and challenges that arose during the early years of these websites.

Figure 5.1: How long ago was the website launched?
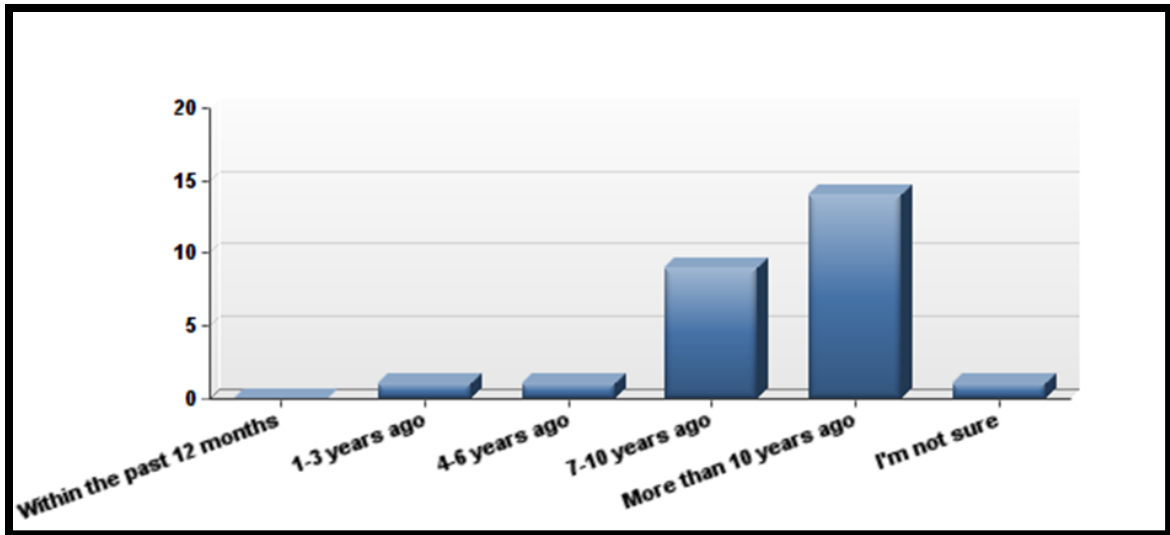
C. THEMES FROM THE SURVEY

Although the small number of responses received does limit the generalizability of survey findings, a number of key themes were identified through an open coding analysis of the open-ended questions. This process yielded seven main categories and eight subcategories. Once the categories and subcategories were finalized, the responses were reviewed again and codes were created for associated concepts. The major results of this analysis are presented in **Table 5.2**; the number in parentheses following each associated concept represents the number of survey responses in which that concept appeared. Themes that emerged within each main category are presented as well. In discussing the results of the applied thematic analysis, descriptive statistics compiled from responses to closed-ended questions are presented to provide basic information about Information Providers' previous and current practices.

Table 5.2: Open-Ended Survey Question Coding Scheme

Main Categories	Sub-Categories	Associated Concepts	Emerging Themes
History of website		Development challenges (12); identification of initial needs (13); initial collaborators (11); initial content (10); purpose/goal statement (13)	Early challenges related to getting "buy in" from others within the organization (and the broader legal community) remain today
Current collaborators	Types of organization	Access to justice commissions (1); courts (1); domestic violence shelters (2); libraries (8); government agencies (1); pro bono programs (1); self-help centers (2)	Nature and extent of collaboration varies widely from state to state (e.g., some rely on collaborators to promote the site and others involve collaborators in content creation)
	Roles	Advisory committee (3); outreach (12); training (1)	
Current website	Design	Content management system (3); platforms (11); accessibility (3); functions/features (12); mobile technology (18); revision (13); user interface (7)	The redesign of sites often reflects Information Providers' evolving understanding of the perceived information needs of their target users
	Content	Legal information topics; forms (11); directory of legal services (5); live chat service (5); non-English content (4)	
Infrastructure		Funding (3); staffing (5)	Staffing and funding levels impede current activities

Current activities	Content development, review and revision	Process (15); contributors (16); subject matter experts (8); volunteers (8)	Content creation and revision pose numerous challenges for Information Providers (e.g., managing workflow processes; working with legal professionals)
	Evaluation efforts	Role of user (3); role/purpose of evaluation (1); usage data (15); user feedback (17)	Evaluation includes review of site usage data and collection of user feedback
Website as part of a bigger universe	Interactions among states	Assistance to one another (2); Open Source Template network (1); Pro Bono Net (6)	Pro Bono Net facilitates collaboration and cooperation among states
	Related A2J projects	Helplines (3); TIG projects (1)	
Recommendations		Presentation (4); topics (5); design (1); strategies (4)	Information Providers are looking to incorporate new technologies, expand into new content areas, present content in different formats, and increase the usefulness of their sites for LEP individuals
Users		Common barriers (15); user groups (16); user needs (3)	Information Providers have identified their target users and the barriers they face (e.g. limited literacy, LEP, lack of knowledge about the law and/or the legal system)

Many of the emerging themes identified through this analysis are similar to those discussed in the previous chapter with respect to the PLL pilot case study, lending support to the idea that statewide legal information websites across the country are dealing with many of the same issues: finding and working with collaborators;

ascertaining the needs of target users and addressing barriers to information access that these users face; learning more about actual users; and maintaining an up-to-date and robust website (in terms of both content and design) in the face of resource constraints. As the different approaches that states have adopted in addressing these issues are equally important, they are highlighted as well. The following discussion provides a detailed description of these issues, using the emerging themes identified in **Table 5.2** to shape the narrative.

While collaboration underlies almost every statewide legal information website, the nature and extent of this collaboration varies widely.

Twenty-two respondents provided information about the various organizations involved in the development of the site. Their responses indicated that, from the beginning, statewide legal information websites have generally been the product of collaboration among various entities. Although other legal aid organizations were most frequently named as initial collaborators, other groups identified include family law self-help centers, pro bono programs, law schools, state courts, state bars, law libraries, private attorneys and access to justice bodies. One respondent, for example, noted that "[a] group of stakeholders from legal aid, law school, and funding communities engaged in a planning session to determine the scope of information to be initially included on the site" [P15].

Respondents were also asked several questions aimed at understanding the extent to which they currently work with other organizations. Specifically, the survey inquired whether they maintain regular working relationships with other organizations within the state's legal community; whether they sought input from various stakeholders; whether

anyone else was involved in content creation; and whether various organizations disseminated information about the website. The majority of respondents indicated that they maintain working relationships with state and local bar associations (n=22), law schools within the state (n=20), and other legal services projects/programs within the state (n=19). Through responses to various open-ended questions, different forms of collaboration came to light, including coordinated efforts with libraries, self-help centers and other community organizations. **Table 5.3** provides a sample of these responses.

TABLE 5.3: Collaborative Efforts

"We have partnered with libraries to be sure our website is used by library patrons" [P10]
"We partner with public libraries in a "train the trainer" model. Libraries are often the first-line of help for people seeking information" [P14]
"We go to various events and do outreach, we run workshops at domestic violence shelters and libraries" [P21]
"We also work to open brick-and-mortar self-help centers to give people places to go to access the internet and printers, and for those who need additional help (including those with [LEP] or low literacy)" [P24]
"We also coordinate with librarians who are interested in helping people find accessible legal information and self-help tools." [P22]

The ways in which other organizations play an active role with respect to the sites varied, revealing contributions by others organizations that impact the websites at different levels – their day-to-day operations as well as their strategic directions.

- Nineteen respondents indicated that courts, libraries, and legal services providers all disseminate information about the site. One respondent, for example, stated that various partners distribute promotional materials for the website (e.g., flyers, brochures, business cards) [P24].

- Courts (n=20), local non-profit organizations (n=19), and social services agencies (n=18) all provide input with respect to the websites. A few respondents specifically mentioned advisory committees. For example, one state has "a website stakeholder committee that consists of members from the eight largest legal-aid organizations in the state and meets three times/year" as well as an advisory committee for its

Spanish-language site "which consists of members from pro-Latino organizations, most of them legal" [P14].

Content creation and revision – often a collaborative process involving various stakeholders – pose a variety of challenges for Information Providers.

A series of survey questions explored the processes of content creation and revision. Inasmuch as the responses to these questions highlight the diversity of the stakeholders involved in this process, as well as the different approaches that states have taken in this area, each question will be discussed in turn.

What other individuals are involved in content creation? As discussed earlier in this chapter, content development is not generally the work of one individual. Although a few respondents stated that only their organization was involved in content creation, others identified various organizations and individuals that contribute in this manner (**Table 5.10**), highlighting the collaboration that underlies a number of these sites.

Table 5.10: Content Contributors

"[L]egal aid staff at other programs, law professors at local universities and the odd semi-retired legal aid attorney whom we pay when we can." (P21)
"[O]ther legal aid attorneys, private bar, state agency attorneys, and interns." [P22]
"[P]aid content development staff…[and] volunteer attorneys" [P24]
"[L]egal aid staff, interns, externs, and … Access to Justice Commission staff." [P3]
"[We have] a full time Legal Content Editor who reviews all of our content at least annually … She also works with legal aid staff to ensure publications are up to date." [P39]
"We have identified staff SMEs [subject matter experts] who I coordinate with on a regular basis to determine [when] updates/changes are required." [P17]

How often is content reviewed? Content review occurs at varied intervals, ranging from irregularly (n=9) to at least once a month (n=5) (**Figure 5.2**).

Figure 5.2: How often is content reviewed?
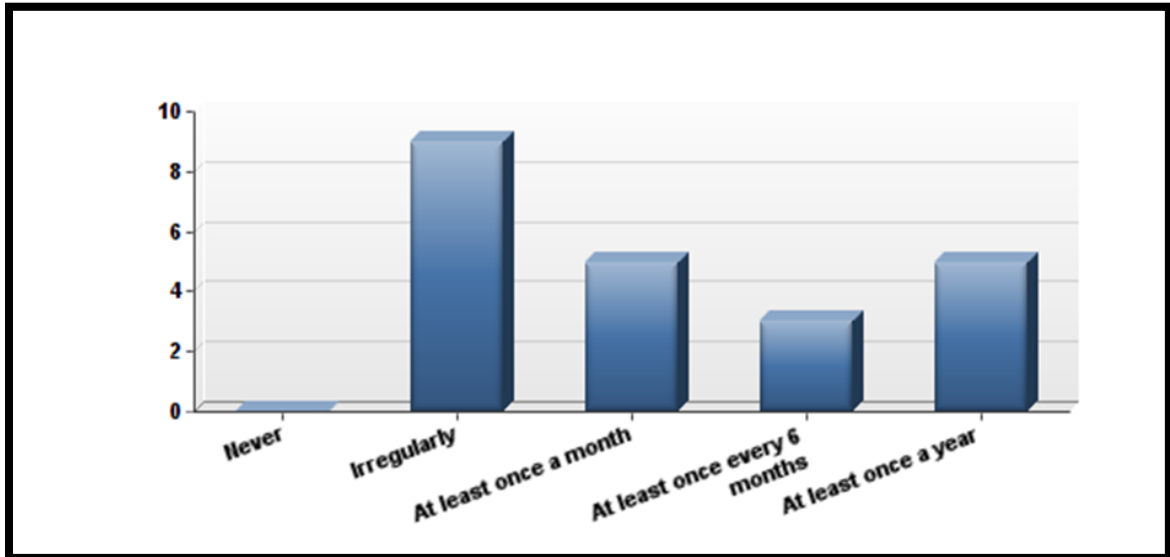
Is there a process in place for reviewing content? More than half of respondents (n=16) indicated that there is a process in place for identifying needed changes and updates to the website. The open-ended responses revealed that there was a fair amount of variation in these processes, ranging from ad hoc review in three states to highly formalized processes in two states. In the middle were a number of states in which the review involves a mixture of ad hoc review and formal review processes. Respondents from the states with formal processes described in detail quality assurance procedures implemented to ensure that content review occurs at regularly scheduled intervals:

- "We have a Quality Assurance process that flags each piece of content for review on an annual basis. Each item of content is assigned to one or more content editors, who receive emails that review is due. They conduct a form of review

(either plain language, or substantive, or links review) and publish the changes to the website" [P24].

- "We have a quality assurance system in place that looks at last updated dates of a content piece and how frequently it is reviewed. We also have an annual review system in place where certain content is tagged to be reviewed each year (e.g., income tax content, food stamps content, SSI/SSDI content, federal poverty guidelines, etc.)" [P14].

In one of these states, the quality assurance process is supplemented by as-needed updates (e.g., changes in laws or procedures), as well as ad hoc review of content in response to inquiries about possible errors or inaccuracies [P24]. In addition, a respondent from a third state referenced a "content auditing system to identify material by age that can be used to identify content that needs to be updated" [P21]. But, based upon the response provided, the extent to which this system is automated could not be determined.

Among the other respondents who indicated the existence of a review process, several trends were noted. The process can vary depending on the type of content being reviewed, with several respondents noting that certain aspects of the review were "constant" [P4] or "continuous[]/daily" [P22] (e.g., updating information after being notified of a change in the law or a broken link). In other states, part of the content review process is precipitated by others within the organization (e.g., attorneys who staff the hotline) and external stakeholders, such as the judiciary, the access to justice commission, and attorneys from outside of the legal services community [P3; P36].

In a number of states, the review of at least certain types of content occurs at scheduled intervals. Several respondents detailed how the annual review of content is tied to the state legislative calendar and/or to other key events throughout the year (e.g.,

review of tax information every December). As noted by one respondent, after new laws take effect (generally in either July or August), he works to ensure that the content on the website reflects these changes as soon as is practicable. He declined, however, to state the length of time it generally takes to do so [P10]. Other descriptions focused on the workflow, explaining different individuals' roles in the process and highlighting the importance of having at least one person overseeing everything to ensure that the necessary work is getting done [P21; P28]. As one respondent described: "Prior to the relaunch of LH3[26] in December 2013, with a couple of topic specific exceptions, content was rarely reviewed. Going forward, each of our substantive teams will review content for updates and changes on a quarterly basis. Team leaders are given a reminder to complete this, which is followed up with contact to confirm it was done" [P1].

What are the main challenges you face related to the development of website content?/What measures have you taken to address these challenges? Across the board, responses to these two questions highlight two components of the infrastructure of the organization/program managing the site – staffing and funding levels – that are impeding Information Providers' efforts to create new content and update existing content.

Staffing

Every survey respondent indicated that legal professionals (both within and outside of the legal aid organization that manages the website) play a primary role in the development and updating of website content. This involvement, however, appears to have been fraught with challenges since the development of the websites. One survey respondent, who worked on one of the earliest sites designed for advocates, noted the

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[26] LH3 is the latest iteration of Pro Bono Net's LawHelp platform.

reluctance of lawyers to embrace technology in the early part of this century: "We had to learn how to use and maximize the capabilities of the site – so it was on us to take the tools and try them and use them in new ways to support our work. So the challenge was internal (adapting to new tools and change) rather than a challenge with the tools. It was a cultural shift that we had go through" [P5]. Other survey respondents offered similar narratives, with one stating that early challenges included "buy in - getting legal aid programs to see the value in developing the site (it was 2001)" [P15] and another stating that "some staff at legal services programs thought the money was better spent on more legal aid attorneys" [P14]. One aspect of lawyers' early hesitation in using the Internet as a medium for communication involved their concerns about the extent to which providing information on the Internet was tantamount to providing legal advice [P17].

Years later, the challenges they face remain more about people than technology, as evidenced by survey respondents' descriptions of the problems they encounter when working with legal professionals on the websites. These problems can be loosely grouped into two categories:

1) Legal professionals often struggle with writing content for statewide legal information websites; and

2) Legal professionals do not always have the time to focus on work related to the website.

Table 5.5 provides a summary of sample survey responses that highlight each of these problems.

Table 5.5: Staffing Challenges

Legal professionals can struggle with writing content for statewide legal information websites	"We still tend to think like lawyers – analyzing every possibility and trying to prepare people for every possibility – which may end up confusing people in the end" [P24]. "So many of them just throw something together with no or little commitment or understanding that 80% of English speaking American adults cannot read proficiently above the 7th grade level. There is very little commitment on the part of many editors to ensuring that the material they dash off in a hurry is actually useful to many of our readers" [P21].
Legal professionals do not always have the time to focus on work related to the website	"While an update would be welcome, without continuing oversight, we would again find ourselves with inaccurate information in another year. We face the same problem internally - website maintenance and content development is in addition to regular duties, rather than being assigned as part of regular duties" [P1]. "One challenge is carving time away from other responsibilities. That includes myself, for whom web site content is only a portion of my duties; and recruiting other program staff to contribute content; and recruiting volunteer attorneys to contribute content" [P41]. "We struggle to get timely responses from subject matter experts (who are usually busy legal aid attorneys) to help us substantively update our content" [P14].

Respondents, however, were sympathetic to the time constraints with which legal services and other volunteer attorneys were dealing: "[Legal services] staff are the best providers of content but have little time to develop content" [P28]. This quote highlights

one of the key reasons identified by respondents for current problems in the content review process – they want "subject matter experts" to be involved in the process but these individuals often struggle to balance the many demands on their time. According to several respondents, these time constraints have made it exceedingly difficult to maintain an up-to-date and accurate website:

- "With a small staff (1), it is difficult to maintain all of our content. Although some staff attorneys, attorneys from other projects, private attorneys, AAGs [Assistant Attorney Generals], and law students all pitch in, we are always scrambling to keep everything current" [P22].

- "We engage law student interns to serve as content assistants" but "with thousands of pieces of content, this is a difficult task" [P15].

- "We tend to rely on legal aid attorneys who are committed to make sure when the law changes, the material on the website is updated or written to reflect changes and who take stuff down if it is inaccurate. Even so, it can take us 2 years to update content after the law changes" [P21].

In addition, the ongoing struggle of finding people to do content review and revision work in a timely manner has led several respondents to deviate from (and in some cases, abandon) those processes that they have in place. As noted by one respondent, "[m]ost structured plans for promoting more content contribution from others have not worked well. As a result, I've pretty much resorted to only ad hoc 'grab someone when I see them doing something related,' and can convince them to convert it to web appropriate information" [P41]. The frustration felt by several respondents was evident, with one listing a variety of strategies her organization had implemented ("paying people to develop/edit content, pairing them with law students for support, formally recognizing volunteers, and more ") before concluding that "none have been totally successful, and it remains hard" [P15].

Survey respondents, however, continue to work on making the processes of content development and review more workable and several described their current efforts to improve these processes:

- "Substantive teams are being asked to include website content as part of their team duties and are harassed to include it; the reach of the site is being emphasized to all staff to help increase awareness of what an important service tool this can be" [P1].

- As they "have not come up with a good solution for streamlining the review process or having to rely on external substantive experts to help us," Information Providers are looking to hire "a business process analyst to help us look at the content development/maintenance workflow and will be revising our content strategy and processes accordingly" [P14].

Resources

As described in greater detail later in this chapter, many survey respondents recognized the existing gaps between user needs and current website content, expressing a commitment to plain language writing and developing more resources that reflect a problem-solving approach by offering situation-specific information [P7; P17; P24; P31]. One respondent, for example, described future plans to "offer[] more interactive, intuitive environments through the use of flowcharts, guided interviews" [P3]. Content creation of this magnitude, however, requires funds that are not always readily available [P7]. As observed by one respondent, "Obtaining funding is always an obstacle - the level of funding needed to maintain a website project like this does not diminish over time, and people tend to believe that one you launch a website, the work is done" [P24]. Several respondents elaborated on the extent to which the development of new content is dependent upon external sources of funding, describing current efforts to obtain funding

to develop screen reading tools [P21] and multi-media content targeted toward LEP individuals [P22].

Due to the ongoing work of content development and review, website design continues to evolve as well.

The majority of respondents (n=21) indicated that their statewide legal information websites have undergone at least one significant revision, defined as "changes to the overall design of the site as well as site content." Only two respondents affirmatively stated that no significant revisions had been undertaken. In some cases, these revisions have been very extensive (e.g., "[W]e completely redesigned the site between 2004-2006 with a new look, new content management system, new navigation, and mirror sites in multiple languages" [P21]; "The original site template was replaced with a new template and content management system. The new template brought the site up to current web design standards and added new search functionality. The content management system was upgraded significantly as well" [P9]). Several respondents noted that one of the primary goals of the site redesign was to streamline content so as to provide only that information that is perceived to be the most helpful:

- "With the launch of the new LH3 platform, we have removed sections covering topics for which we do not represent clients and therefore cannot adequately maintain….We also removed non-legal community resource materials, again, as we cannot keep this current, and there now exists other resources, such as 211, to fill this need" [P1].

- "We are working on implementing 'a quality over quantity' strategy which would cut down on the amount of resources, but make sure that no useful information is lost. So instead of 5 one page pamphlets, there would be one comprehensive guide covering the same area of law. More comprehensive information and less flyers" [P36].

Survey responses identified three main challenges in connection with the design of the websites: 1) Information Providers' lack of IT experience, 2) keeping up with technological advancements, and 3) maintaining a user-friendly site.

Lack of IT Expertise

Not surprisingly, several respondents working on older sites observed that lack of technological know-how was a significant challenge early on. As described by one respondent, ""It was 1996. We had no idea what we were doing. We were using a clunky Microsoft web platform - about the only thing that was available then. We just learned as we went along" [P22]. Lack of technical expertise, however, continues to pose a challenge for at least some Information Providers. One respondent working on a Drupal-based site that was developed in the past five years explained how it has been a learning experience for everyone involved, as none of them had expertise in user interface design or website development [P24].

The majority of other comments related to website design issues were made by survey respondents working on Pro Bono Net sites. By and large, this group of Information Providers appears to be very satisfied with their decision to use the LawHelp platform. This satisfaction appears to stem, at least in part, from their limited involvement with site design issues (see **Table 5.6**).

Table 5.6: Website Design Challenges

"We haven't had many; we are fortunate to use a platform designed and maintained by Pro Bono Net, who offers constant help with design" [P28]
"I am not a web programmer, and we do not have one on staff. This substantially limits the type of design we can implement, but we are supported by Pro Bono Net, which has the staff and foundation we are able to build upon" [P36]
"[We] must rely on Pro Bono Net to meet our design needs [but are] very vocal about our preferences and in general Pro Bono Net is responsive and able to meet or needs" [P39]

Technological Advancements

Several respondents commented on how the fast moving nature of technology requires them to constantly think about the next redesign of the site in an effort to keep up with the latest trends. One respondent indicated that she was happy with the current design of the site, but acknowledged that "it is a fast-moving world and, to keep up, we'll have to redesign in a few years, if not sooner" [P22]. Across the board, the foremost technological advancement upon which survey respondents are currently focused is mobile technology and the related issue of responsive design. Half of the survey respondents indicated that their site is currently compatible with mobile devices (n=13), with eight (8) indicating that the site was not compatible and five (5) opting not to answer this question.

These topics related to mobile technology came up in response to several questions, as summarized in **Table 5.7**.

Table 5.7: Mobile Technology Issues

Survey Question	Survey Response
What are the main challenges you face related to the design of the website?	"Technology changes so quickly - it is difficult and costly to keep pace with delivering well-designed pages for people on a variety of screen sizes, internet connections, etc." [P14]. "Staying on or ahead of the curve regarding the increase of mobile device and tablet usage." [P13].
What other barriers do you think your users face in accessing information on the site?	"Site not optimized for mobile and 1/3 of visitors come from mobile devices." [P15]
Please briefly describe actions undertaken to overcome [barriers to accessing information on the site]	"We have a fully optimized mobile version of the site so people can access it on their smart phones if internet is hard to access any other way." [P24] "We have recently launched a mobile site. We only include resources that have been optimized for mobile viewing on this site. We spent time creating mobile versions of our popular resources." [P39] "We are trying to develop more app type information." [P17]
Do think the lack of compatibility with mobile devices poses a barrier to users? Why or why not?	"The site does not work very well on mobile devices and is hard to use. This is definitely a barrier. We are working on releasing a mobile version of the website that is very simplified and easier to navigate on a phone." [P4] "Making the site mobile-friendly is on our agenda for the next year." [P25] "As even our low income clients move to smart phones as their primary link to the internet, we recognize this will become increasingly important to enable them to access our content. However, at this point we have not developed a structured approach to designing new content that is mobile-friendly, or converting existing content." [P41]

Maintaining a User Friendly Site

Survey respondents provided a number of reasons as to why they do not consider their current websites to be particularly user-friendly, including the organization of information [P1], navigation issues [P25], poor search functionality [P25], or some combination of the three. As noted by one Information Provider, "[o]ne of the major changes with the re-launch is to make the site more user-friendly, and better organized so that resources do not appear in categories for which they are peripherally, at best, relevant" [P1]. According to two respondents, the underlying problem is the overall quantity of information:

- Navigation can be challenging due to "the sheer amount of information on the site, in that we have a good deal of resources available [and] at times it may be hard for the user to find the information right for them" [P36].

- "It takes a little time and effort to find answers to specific questions because of the high volume of resources [we] have available and the amount of detail we go into in our publications" [P39].

Another respondent expressed concern not with the quantity of information but rather with the format of this content – the fact that it is heavily text-based makes it burdensome to navigate through the website [P15]. Not surprisingly, the idea of making the site more user-friendly was linked to mobile technology as well. One respondent expressed that she needed to restructure the "content strategy to better serve mobile users, who make up a bigger and bigger piece of our website users" [P14].

Information Providers' focus on their target users and the barriers their users face in accessing statewide legal information websites guides content development and website design.

The foregoing responses related to website design are but one example of the user-centered approach adopted by many Information Providers. Almost every aspect of Information Providers' work focuses, on one extent or another, user needs. Statewide legal information websites were developed with a broad audience in mind. Survey respondents indicated that this original audience included low-income individuals (n=24); the general public (n=23); self-represented litigants (n=23); and legal services providers and information intermediaries (n=21). References to target users (past and present), however, tended to focus on one or more subsets of this broad audience: low-income individuals, individuals with "low literacy", and "self-represented [or pro se] litigants." **Table 5.8** provides a selection of open-ended survey responses that show the commonalities in descriptions offered of original and current target users.

Table 5.8: Target Users

Original Target Users	The initial purpose of the site "was to be able to widely distribute in digital format legal information on the various topics important to **low-income individuals and families.**" [P2]
	Site was intended to provide "general legal information on topics relevant to **low-income people**, as the same was not otherwise provided beyond a few brochures." [P28]
	"Legal information needs identified through a survey of court staff and judges "to determine what types of cases **pro se litigants** most often faced in their courts. Existing legal self-help centers were surveyed about the most popular topics of **self-represented** litigants; legal aid attorneys were also surveyed about the unmet needs of **low income individuals**." [P24]

Original Target Users (cont'd)	The site was developed "to provide self-help information to **self-represented litigants** and to connect **low-income individuals** with local legal aid programs." [P10]
Current Target Users	The home page was redesigned "to cater more to **low-income individuals**." [P3] "Our web site has an extensive library of original content written specifically for **low-literacy individuals** for use in [our] state." [P39] "We provide interactive court forms and calculators. This includes our very complex stateside Child Support Worksheet. Although we developed it for **low-income pro se's**, we know that law firms and court personnel also use the calculator on a regular basis." [P22] The site is meant to provide "instructions for going to court on your own and solving legal problems that are not yet in court, substantive legal information in areas relevant to **lower-income populations** (family law, public benefits, housing, consumer law)." [P15]

Some Information Providers take an even narrower view of their target audience, focusing on clients (presumably, clients of the legal aid organization that maintains the website) [P1; P17]. Regardless of how they define their target audience, Information Providers are aware of the myriad barriers that their users may face in their efforts to access information. Limited literacy, limited English language proficiency, and lack of understanding of legal terminology were the most frequently cited barriers (see **Figure 5.3**).

Figure 5.3: What, if any, barriers do you think your users face in accessing information on the site?
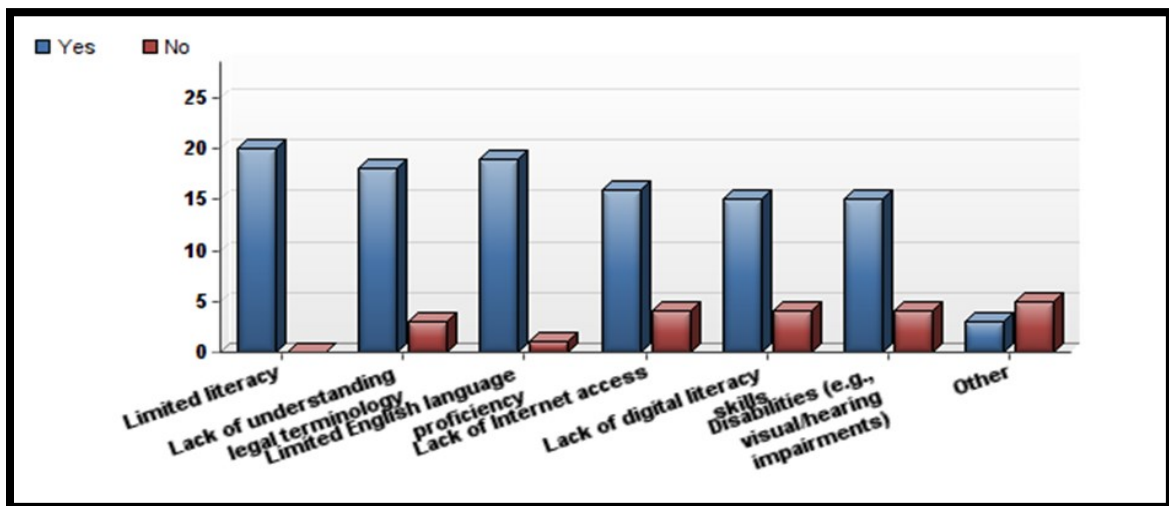
Several respondents noted the persistence of technological barriers, with one acknowledging that access to computers and smartphones remains a problem for some individuals [P13] and another pointing out that "some of the larger self-help packets have a large file size that may take time to download if you have a slow connection" [P39].

In addition to answering the above question, respondents were given the opportunity to specify other perceived barriers. Several identified different facets of the struggles that non-lawyers face when trying to locate relevant legal information – they may not understand basic legal concepts [P28]; they may be dealing with a set of related legal issues but "that type of combined information is rarely found on the web" [P17]; or, they may not even understand that their problem is, in fact, legal in nature [P14].

Of the barriers identified above in **Figure 5.3**, many ongoing efforts to improve access to information on the website focus on overcoming literacy-related challenges: limited literacy, lack of understanding of legal terminology, and limited English language proficiency. Ten survey respondents specifically referenced "plain language," stressing

the need to provide content that is written at a level appropriate for target users and to explain legal terminology and concepts in a way that is understandable to laypersons.

Table 5.9 provides a sample of responses to open-ended survey questions that highlight Information Providers' commitment to plain language writing.

Table 5.6: Plain Language Issues

Survey Question	Sample Responses
Please describe any unexpected obstacles that were encountered during the initial development of the site.	"Recognizing the challenge of putting legal information in comprehensible (i.e., reading level of 6th-8th grade) format." [P41]
What measures have you taken to address these challenges [to the development of website content]?	"I will not publish most information that does not meet a certain level of plain language. There are exceptions but, for the most part … [w]e edit and edit and edit until we get it to the reading level we need." [P21] "Our content development staff have been trained in how to write in plain language and we strive to keep all content at a 6th grade reading level to keep all content accessible to self-represented people. We brainstorm together to try to simplify concepts; we outline our content to keep a tight scope of focus." [P24] "The Legal Content Editor is trained in plain language writing and has reviewed and rewritten most existing content applying these techniques." [P39]
Please briefly describe actions undertaken to overcome [barriers].	"[We] make every effort to deliver information in Plain English. We strive for an 8th grade reading level on the Flesch-Kincaid scale." [P22] "Keeping the reading level at 6th grade to be accessible for low literacy individuals….[and] defining all legal terminology used"; "built a lexicon into the site to give descriptions of commonly used words." [P24] "[O]ur goal is 70 to 80 on the Flesch Reading Ease score, which is approximately 7th grade level." [P2]

Another aspect of access involves the extent to which a user can locate information throughout the various sections of a website. One respondent noted that the primary role of live chat operators, for example, is to navigate users through the site to the most helpful information [P36].

Survey respondents also discussed measures being taken to provide more assistance to LEP individuals. Three states have recently added Spanish language mirror sites [P15; P24; P39]. A fourth state has developed mirror sites in six of the most frequently spoken non-English languages and, in connection therewith, the Information Provider is currently devoting staff resources to the management and oversight of translation-related activities (e.g., having an Americorps member maintain a spreadsheet to track activities and expenditures related to translations) [P21].

As for efforts to address the other observed barriers, respondents said very little. Notwithstanding the fact that 15 respondents acknowledged disabilities as a barrier to access (see **Figure 5.3**), only two specifically mentioned measures they had taken to address accessibility issues. One respondent noted that "their website is screen readable and accessible meeting W3C standards" [P21], while another acknowledged that "we have not fully made our website bobby-compliant for users with disabilities, but we have optimized many features and hope to work on this more in the future" [P24].

Information Providers use a variety of mechanisms to gather information about site usage and their actual users that provide some insight into user needs.

In an effort to ascertain what Information Providers currently know about their actual (as opposed to target) users, the survey asked several questions about the collection

of website usage data, demographic information from users, and feedback from users. The majority of sites collect usage data, with only two respondents affirmatively saying that they do not do so. Only four survey respondents indicated that demographic information is collected – two inquire about location of residence, family size, income, and race/ethnicity; one inquires only about location of residence; and one inquires about income and race/ethnicity.

Website usage data is generally reviewed on a regular basis, with seven and nine respondents, respectively indicating that review occurs at least once a month or once every six months (see **Figure 5.4**).

Figure 5.4: How often do you analyze website usage data?
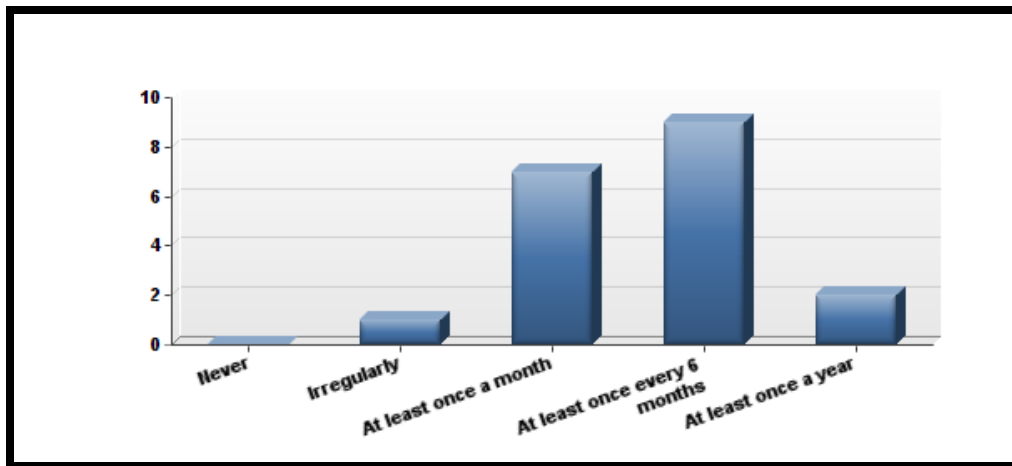
In addition to being asked to provide information about total number of visitors, total page views, and most frequently visited pages, respondents were asked to provide a brief summary of what they learned the last time they analyzed this data. From this series of questions, data from 14 states were compiled, and three major trends were noted: 1) an increase in total number of visitors from 2012 to 2013 occurred in every state where this information was available, 2) family law and housing are the two most popular content

areas, and 3) mobile usage is increasing. **Table 5.10** provides a summary of the

information collected in response to these questions.

Table 5.10: (State-by-State) Website Usage Data

State	Total Number of Visitors	Total Page Views	Most Frequently Visited Pages	Summary from Last Data Analysis
S2	2013: 201,314	2013: 544,981	Common Law Marriage	Since the launch of the site, content related to common law marriage has been the most accessed piece of content.
S3	2012: 145,174 2013: 181,313	2012: 647,773 2013: 732,779	2012: Self-help forms; self-help divorce packet; divorce resources

2013: self-help divorce packet; self-help forms; family law topic overview | "Mobile usage has almost doubled" |
S4	2013: 336,366	2013: 1,301,065		"Housing (Landlord-Tenant Issues) and Family Law (Divorce, Child Support) are the most common issues"
S8	2012: 72,504 2013: 160,373	2012: 434,408 2013: 718,942		"Mobile usage is increasingly markedly"
S11	2012: 101,874 2013: 102,984	2012: 359,768 2013: 313,666	Self-help and self-help family	"We know and have known for quite a while that our self help forms are the most popular pages. Our newest template has a much better search engine, so the slight decrease in page views even though the total visitors has risen is not too big of a surprise."

State	Total Number of Visitors	Total Page Views	Most Frequently Visited Pages	Summary from Last Data Analysis
S12	2012: 1,254,490 2013: 1,328,774	2012: 2,879,231 2013: 2,825,139	"Getting a Divorce"	
S16	2012: 1,319,689 2013: 1,369,837	2012: 2,578,026 2013: 2,764,502	2012: family law (divorce, child support, custody, domestic violence); food stamps for college students, housing, unemployment, 2013: family law (divorce, domestic violence, custody), housing (e.g., tenants without leases), unemployment	
S17	2012: 644,967 2013: 946,049	2012: 1,544,165 2013: 1,921,281	Court forms, security deposits, evictions	"More of our users are coming onto the site via mobile devices and tablets; This has been on the increase steadily for the past few years. Recently, Chrome became the preferred browser of our website users."

State	Total Number of Visitors	Total Page Views	Most Frequently Visited Pages	Summary from Last Data Analysis
S18	2012: 47, 298 2013: 350,581	2012: 212,782 2013: 1,392,216	Family self-help tools	"Our weekly and monthly visits continue to rise; the most accessed materials continue to be in the area of family law … our percentage of users on mobile devices continues to grow. I learned that I want to optimize our Google analytics so that we can learn more than we do currently."
S19	2012: 218,517 2013: 568,898	2012: 607,359 2013: 1,470,703		
S21	2012: 73,822 2013: 90,461	2012: 254,422 2013: 299,139	Family law	"Usage is increasing. Family law, consumer, and housing resources are top reviewed data."
S25	2013: 816,657	2013: 5,989, 975	DIY forms page	
S27	2012: 567,437 2013: 1,071,056	2012: 2,617,266 2013: 2,639,851	Filing for Dissolution of Marriage, Ending Your Marriage; Your Rights as a Tenant; How to Answer a Lawsuit for Debt Collection; Contempt of Court in Family Law; Your Rights as an Employee	"We get a lot of visitors and many are looking at family law, housing and consumer publications and self-help packets. Our interactive guides for dissolution of marriage are well used."
S28	2012: 174,610 2013: 270,945	2012: 486,472 2013: 588,404		"Site usage measured by Page Views has increased every year."

In responding to these questions, several respondents noted that they were seeing increased traffic from search engines (e.g., "Visits via search have grown steadily as well, from about 50% in 2010 to almost 75% currently"[P41]; "More people are being referred to our site from Google and Bing than in the past" [P24]).

A majority of respondents (n=17) indicated that they solicit feedback from users through an online feedback form, whereas fewer respondents solicit feedback through either email or personal discussion (n=6). Several respondents mentioned other means utilized to solicit user feedback, including conducting "outreach workshops" [P21] and placing a survey at the end of a LHI online interview [P24].

To better understand the nature of this feedback, survey respondents were asked to provide examples of compliments, requests, and complaints they have received. As indicated by the sample of responses provided below in **Table 5.11**, users who take the time to provide feedback appear to be satisfied with the content that is available on the site (in particular, the forms) but would like to see more content that better meets their specific needs.

Table 5.11: User Feedback

Complaints	Requests	Compliments
• Site needs more forms [P2] • Forms are not working [P13] • Unavailability of online intake for legal aid services [P3; P10] • Available information does not apply to their individual situation [P15] • Browser incompatibility [P22]	• Information that is not currently covered on the website [P39] • Legal assistance/ representation [P13; P15] • Better search capabilities [P16]	• Forms are useful [P2] • Instructions for forms make them easy to use [P3] • Information on site is easy to understand [P16]

Users' requests for situation-specific information and for assistance directly from a person highlight their need for information that can assist them with a legal problem that they are currently facing. One respondent, however, noted the difficulty in meeting this particular user need: "Each individual is looking for legal information specific to their issue and current situation. We have content in most areas that is general, but there is no way to create specific content for each unique situation" [P13]. Despite the fact that the provision of legal advice is outside the purview of statewide legal information websites, several survey respondents indicated that advice is precisely what some users are looking to receive through the website:

- "They wish they could talk to someone or ask a question" [P39].

- "Even though it clearly says we can't answer questions they think they can just email in a question or can talk to someone on the website" [P4].

- "We get a lot of people telling us their whole life story, seeking help. They are looking for representation, but none is available" [P15].

In recognition of this need, several respondents also highlighted the prominent location of legal service provider directories on their sites, the purpose of which is to connect users with organizations that can help them with their specific legal issues [P4; P9; P39].

Although the survey did not directly inquire about whether usability testing was conducted, respondents from two states did indicate that important feedback from users was obtained in this way. One respondent stated that usability testing was done during a recent redesign of the site, leading to a change "from a drill-down menu to a simple search engine based on usability testing" [P14]. Another respondent made a reference to

usability testing conducted during the early stages of the project, noting that this testing

resulted in an improved user interface "to help those who are digital literacy challenged"

[P24]. The difficulty in finding target users who are willing to participate in usability

testing or otherwise participate in website evaluation/design may be one reason why more

states have not done it. This difficulty, as noted by the respondents from both of the states

in which usability testing was conducted, also explains why intermediaries (e.g., legal aid

attorneys, hotline staff) played such an important role in the identification of user needs

during the development phase – they acted as a proxy for the actual target users who

could not be reached.

And, finally, while the survey also did not specifically inquire as to how, if at all,

the Information Providers use the feedback they collect, one respondent elaborated on

how it provided her with valuable insight into user needs: "Much of our content is

determined by questions our users ask in their feedback forms; we clarify content if it

appears that people have misunderstood it or have questions about it; we create new

content if people ask questions for which we do not already have answers, if the

questions fit within the [scope of the website]" [P21]. Two respondents noted that

feedback received via various means (e.g., LiveHelp, online forms, and phone calls) was

a driving force behind ad hoc content review [P3; P13].

Based on their perception of target users' information needs and the information they have collected from actual users, Information Providers have defined ideas for improving their sites in terms of both content development and website design.

The survey asked respondents to assess the extent to which the website currently

meets the information needs of users. Of the respondents who answered this question, all

but one believes that the site currently meets their users' information needs "mostly" (n=13) or "somewhat" (n=5) (**Figure 5.5**).

Figure 5.5: To what extent do you think the website currently meets your users' information needs?
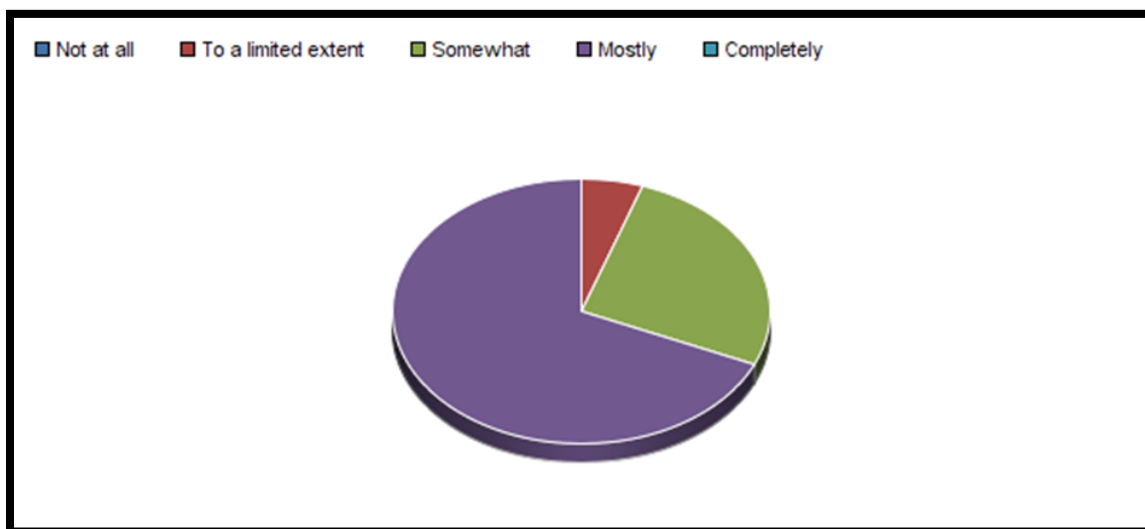
Notwithstanding their overall favorable views of the current generation of websites, survey respondents generally expressed a desire to add to and improve their sites. These improvements/additions can be grouped into three broad categories: the incorporation of new technologies (e.g., document assembly, online intake, guided interviews, triage) to present content in different formats; expansion into new legal content areas; and, making the sites more useful for LEP individuals**.** The sample of survey responses presented in **Table 5.12** provide more information about respondents' "wish lists" (or, in some cases, current efforts) in each of these areas.

Table 5.12: The Future of Statewide Legal Information Websites

| Incorporation of new technologies to present content in different format | "I think we need some triage tools to help guide people to specific resources. We have started to address this by creating 'mini-portals' for dissolution, eviction, foreclosure, and healthcare that group related resources together and provide some guidance on where to start." [P39]

"[T]hey would like to move from information-based content to learning-based content - if we can make our content more interactive and engaging, then people will be more likely to retain what they learn and be more successful in resolving their legal issue." [P14]

"Our current approach is almost entirely based on a model of "text on the web." We have very little information in audio, video, animation, interview query, or other more creative approaches. That's my personal goal for growing our site to another level of usefulness." [P41] |
|---|---|
| **Expansion into new legal content areas** | "Our shortcoming are the gaps, what we don't have. There's never enough time or resources to cover everything, and the challenge is to continuously build out new areas of information, with more depth." [P41]

"[M]ore and more people are unable to consult an attorney and are turning to self-help materials, we need to add more content on more areas," including family law, bankruptcy, and foreclosure. [P16]

"One of my current challenges is keeping up with useful information for people facing foreclosure. We have some good content and volunteer attorneys have been helpful with it. But now there are new CFPB [Consumer Financial Protection Bureau] rules around loss mitigation and other continual changes with servicing rules. We are also trying to keep up with current consumer information around prepaid cards, mobile banking and related topics with moving targets. We are still looking for experts to help with this content." [P22] |

Increasing the usefulness of sites for LEP individuals	"We are just beginning to try and develop translation memory systems and tools to help keep our translations accurate and consistent." [P21]

Several survey respondents noted, however, that their ability to make these additions and improvements is currently compromised by limited resources, namely, staff and money:

- "We are limited by our resources - only one dedicated staff person to manage several sites" [P22].

- "For the areas we have covered, there is extremely comprehensive information, including background information and step-by-step instructions for how to do different legal processes. However, there are many subject areas that we still need to cover....We are still new, and we are a staff of 5, and we cannot quickly provide content of the high quality that we demand - it takes more time and staff" [P24].

This challenge is aptly illustrated by one respondent's description of how, several years ago, his organization received TIG funding to produce templates for frequently used family law documents. Through this experience, they learned "that document assembly requires a significant commitment of resources, to have a staff person with substantial (if not full-time) assignment to developing and maintaining document assembly templates and interviews" [P41].

D. THEMES TO EXPLORE IN INTERVIEWS

The survey responses described throughout this chapter shaped the development of the next stage of data collection – interviews with survey respondents and additional Information Providers. One issue that emerged from the survey responses – resource constraints – brought to light the important role of the broader legal services context in which statewide legal information websites exists, raising two important questions: 1) How do the websites "fit" within the organization that maintains them?, and 2) How do

external organizations (e.g., LSC, Pro Bono Net) currently support the websites? These resource constraints also raise interesting questions about the ability of Information Providers to do more – many survey respondents identified innovations that they are interested in adding to the site but do insufficient staff and funds prevent them from doing so?

Viewing statewide legal information websites as part of the broader legal services context also encourages a shift away from thinking of about them solely as technology projects. Indeed, the survey responses suggest that Information Providers' work on statewide legal information websites has been less about the technical "nuts and bolts" of website development and more on how to use the websites as a vehicle for delivering information and services to their target users. Building upon this notion, interview questions were developed to explore not only what activities they are engaging in but also how they are doing so.

The overarching purpose of the interviews was to explore states' different paths in greater depth, honing in on key themes related to collaboration, content development and website design focused on lowering barriers to information access faced by target users, and the current state of knowledge about actual users. The interviews thus were carefully designed to examine issues related to infrastructure elements and current practices, seeking to develop a clearer idea as to how these different pieces can fit together to form a program designed to provide legal information and services to self-help users.

CHAPTER 6: INTERVIEW FINDINGS

The interviews, as the final stage of data collection in this study, sought to explore the different ways in which states have engaged in content development, website design, outreach and evaluation – the four principal program activities identified through the pilot case study and the survey. Having developed an understanding of *what* Information Providers are doing, the interviews were essential in answering the question of *how* they are approaching these activities. By using the experiences of Information Providers to develop this understanding of "how," we can then begin to build a knowledge base that aids policy and practice now, while also enabling future studies focused on effectiveness to have practical value. It does little good to know that what one state is doing is effective (i.e., providing meaningful assistance to self-help users) if we have only a limited understanding of how they have approached principal program activities.

A. GENERAL INFORMATION ABOUT INTERVIEWS

Interviews were conducted with 27 individuals – 22 interviewees are current Information Professionals, 1 is a former Information Provider, 3 are staff members at Pro Bono Net, and 1 is a former Information Professional and former Pro Bono Net staff member. Interviewees came from the following states: Colorado, Connecticut (2), Florida, Idaho, Illinois (2), Indiana, Kansas (2), Massachusetts, Maine (2), Maryland (2),[27] Michigan, Montana, New Mexico, Tennessee (2), Texas, Vermont, and West Virginia. Current Information Providers hold various professional positions, as set forth in **Table 6.1**:

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[27] Individuals currently working on the People's Law Library of Maryland were interviewed at this time so as to explore the themes identified through the survey.

Table 6.1: Roles of Information Providers

Roles	Numbers of Interviewees Holding this Role
Technology Manager	3
Website Manager/Coordinator	5
Program/Project Director	4
IT Staff	2
Director of organization that maintains site	4
Attorney at legal aid organization that maintains site	2
Attorney at legal organization that is affiliated with site	2

Throughout June and July 2014, 25 interviews were conducted via telephone, and 2 were conducted in-person. In two instances, two Information Providers were interviewed at the same time. The interviews ranged in length from 10 minutes to 65 minutes, with a mean time of 31 minutes and a median time of 28 minutes.

Twelve of the interviewees had completed the survey prior to the interview. Although the interviews with "new" interviewees included more background discussion (e.g., about the initial development of the site), the same general topics were covered in all of the interviews: the role of the LSC; funding; staffing; processes for content development and review; interactions with other organizations; outreach efforts; program evaluation; and recommendations for the future. In addition, Information Providers who work on LawHelp sites were asked to discuss the benefits and drawbacks of using that particular platform.

During interviews with individuals who had completed the survey, certain topics brought up in response to open-ended questions were explored in greater depth. For example, several survey respondents indicated that they had worked in some capacity with libraries and/or domestic violence advocacy organizations. Accordingly, during the interviews, interviewees were asked to provide more details about these particular collaborations. **Table 6.2** provides sample questions that were asked in each of these topic areas. For more detailed information about the interview questions, sample interview guides for survey respondents and "new" interviewees are attached as **Appendix I** and **Appendix J**, respectively.

Table 6.2: Interview Topics and Questions

Interview Topic	Sample Question(s)
Role of LSC	What role, if any, has the LSC played in terms of website design and/or content development?
Funding	How is the website currently funded?
Staffing	Do you use volunteers? Do all staff members and volunteers have legal training – as lawyers, paralegals, or law students?
Content development and review processes	Do you think the workflow process for content development could be improved? Are there written guidelines/procedures for updating content?
Interactions with other organizations	Do you have a formal advisory committee? Are there other organizations/stakeholder groups from which you would like to receive input?

Interview Topic	Sample Question(s)
Outreach efforts	What outreach efforts have proven to be the most successful?
Program Evaluation	Does the program measure outcomes? If so, how? What more would you like to know about your users?
Recommendations for the future	What services should be added to more effectively facilitate access to legal information through the website?

The purpose of the interviews with Pro Bono Net staff members was two-fold: 1) to learn more about online forms (one of the features brought up frequently in the surveys),[28] and 2) to explore the role that Pro Bono Net has played – and continues to play – in fostering collaboration among statewide legal information websites.

Information about 17 states was collected through interviews. Using Nvivo, interview transcripts were coded.[29] The codes used in connection with the analyses of the PLL pilot case study and the open-ended survey responses served as a starting point for the analysis of interview data; however, open coding was also employed to allow new themes and ideas to come to light. This process yielded six main categories and sixteen sub-categories. These categories reflect many of earlier themes, although they have undergone a substantial reconfiguration. Once the categories and sub-categories were

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[28] Pro Bono Net, in collaboration with LSC and the Ohio State Legal Services Association, maintains LHI, a website developed to facilitate document assembly initiatives across the country.

[29] In those instances in which two Information Providers were interviewed together, only one transcript was produced. Thus, 25 transcripts were analyzed, but each interviewee has a separate designation.

finalized, the interview transcripts were reviewed again and codes were created for associated concepts. **Table 6.3** presents the major categories, sub-categories, and key associated concepts that guided the thematic analysis of interview data. The number in parentheses following each concept represents the number of interview transcripts in which that concept appeared.

Table 6.3: Interview Coding Scheme

Main Categories	Sub-Categories	Key Concepts/Codes
People	Information Providers	Responsibilities (13); Opinions of site (7)
	Others working on the site	IT Support (6); Americorps (4)
	Users	User needs (17); Target users (15)
Current Website	Scope and goals	Content coverage (6)
	Website design	Platforms (16); Mobile technology (13); Site upgrades (8); integrating websites into other legal services (7)
	Website content	Interactive features (21); Multi-lingual resources (12); Multi-media content (12)
Current Activities	Content development & review	Contributors (22); Procedures (19); Challenges (18); Plain language (11); Changing approaches (10)
	Evaluation	Site usage (18); Feedback (17); Information wanted (14)
	Outreach	Means (17); Outreach target (17); Success/lack of success (8)
Infrastructure	Budget/funding	LSC/TIG (24); Challenges (24)
	Staffing	Challenges (23)
External environment		Legal services community (16); Internal state dynamics (4)

Main Categories	Sub-Categories	Key Concepts/Codes
Collaboration	A2J stakeholder organizations[30]	Legal services organizations (21); Courts (19); Libraries (16); Non-profit/community organizations (12); Law schools (11)
	Benefits	Community building (7); innovation (5)
	Outside of the state	Comparison among states (16); Pro Bono Net (13);
	Different roles	Advisory committee (15); Ad hoc collaboration (5); Provider of feedback (5)
Future		Projects in development (22); wish list projects (13); legal services delivery models (10)

After identifying the categories and associated concepts, data from each transcript were

analyzed to determine which nodes were most frequently used during the process of

coding. This created a "rough outline" of the way Information Providers responded to

interview questions, facilitating a better sense of the main areas of focus during each

interview (Guest et al., 2012). For each transcript, the five most frequently used codes

(based on percentage coverage) were recorded. Using the coding scheme laid out above,

Table 6.4 presents the principal findings from this analysis, namely, key concepts within

each main category that were a focal point during more than one interview. The number

in parentheses is the number of interview transcripts in which that particular node was

one of the top five.

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[30] "A2J stakeholder organizations" are organizations with which Information Providers work that are located within the same state as the statewide legal information website.

Table 6.4: Most Frequently Used Codes

Main Category	Sub-Category	Codes/Key Concepts
People	Users	Target Users (2)
Current Website	Content	Multi-lingual content (2); Interactive features (2)
	Design	Platforms (2)
Current Activities	Content development & review	Contributors (7); Procedures (6); Challenges (4)
	Outreach	Means (4)
	Evaluation	Feedback (5); Site usage (4)
Infrastructure	Budget/funding	Challenges (5); LSC/TIG (10)
	Staffing	Challenges (9)
External environment		Legal services community (4)
Collaboration	A2J stakeholder organizations	Legal services organizations (7); libraries (3); courts (2); law schools (2)
	Outside of state	Pro Bono Net (3)
	Role	Advisory committee (2)
Future		Wish list projects (3); Projects in development (9)

The breadth and depth in which certain topics were discussed, as captured in **Tables 6.3** and **6.4**, offer important insight into Information Providers' perspectives on the current and future state of affairs of their websites. The following discussion uses the coding scheme as a framework for organizing the main themes that emerged from the interview data. Its primary focus is an exploration of the three interrelated topics that were covered in most of the interviews with some depth: Infrastructure, Current Activities, and Collaboration. The other topics – People, External Environment, Current Website, and Future – were often discussed within the context of these three topics and thus will be woven in throughout the discussion.

It should be noted that a number of the Information Providers interviewed do not directly deal with website design. It is often handled by either an IT support person within the organization that maintains the site or an outside contractor. Website design is indeed a key program activity but currently does not appear to be creating significant challenges or issues for the Information Providers interviewed. As such, the topic of website design was typically discussed in rather general terms, such as when interviewees were providing background information on the development of the site [P6; P10; P13; P17; P22; P23; P26; P28] or describing the increasing importance of having a mobile responsive site [P14; P34; P37; P41]. To the extent that these issues were largely addressed in the previous chapter, only a select number of findings related to website design will be discussed here.

Where relevant, data from the interviews with Pro Bono Net staff members and materials provided by interviewees are introduced as well to enhance the discussion of specific findings. Pro Bono Net staff members, in some cases, were able to provide a broader context for the discussions of infrastructure and external environment elements that emerged during many of the interviews. Because they are not focused on any one particular state but are privy to what is going on within the operations of many websites, Pro Bono Net staff members were able to offer valuable insight into the issues and challenges that span across the network of statewide legal information websites.

B. MAIN THEMES

B.1. Infrastructure

Funding

Funding – past, present, and future – is at the forefront of Information Providers' minds. In the context of statewide legal information websites, LSC is often at the center of any discussion of funding. Accordingly, interviewees were asked to talk about the role of the LSC in developing and maintaining their websites. Information Providers from 12 states confirmed that the LSC, through the TIG program, was initially a primary source of funding. For those states without an existing website, the sizeable grants offered by LSC in the early years (approximately $500,000, according to one Information Provider) created the impetus to develop an online presence [P17]. In other states, TIG money provided them with the means to bolster their existing online presence through outreach, partnership building, and related activities [P28] or to build up an infrastructure around the website (e.g., create an IT support position) [P41].

The extent to which states have continued to rely on TIG money since that initial grant cycle varies, with one Information Provider estimating that they received funding for at least another three to six years [P28] and another discussing the different uses to which they have put TIG money over the years (e.g., website development initially and then community outreach focused on libraries) [P6]. Several interviewees also indicated that current technology projects related to the websites are being funded with TIG money [P13; P14; P21; P22; P23; P36; P21]. One state, in particular, has several ongoing TIG

projects including the development of 1) videos to incorporate into the statewide legal

information website, and 2) a mobile website and apps [P22; P23].

What is clear, however, is that TIG money did not remain the sole – or even a

primary – source of funding for long, forcing Information Providers to find alternative

means to support the continued operation of their websites. Several different approaches

to dealing with this transition were identified throughout the interviews. The approach

adopted by legal services organizations in several states has been to treat the website

essentially as an operating cost and move it "in house" [P13; P17; P18; P28; P29]. As one

Information Provider explained, with no funds being earmarked for the site, the

responsibility for maintaining it has been folded into staff members' other job duties

[P18]. In some cases, Information Providers now use grant funds received for broader

initiatives to make related website enhancements:

> Right now, [money] comes from wherever we can get it from … you can see a
> DV [domestic violence] helpline on our site, we use the funding from that grant to
> upgrade the information on that service that we provide. If there's foreclosure
> information, we use that funding and so on and so forth. But, there's no funding
> dedicated to this website right now [P29].

Among those who continue to seek external support for the operation of the website, state

bar foundations were most frequently cited as an important source of funding [P6; P7;

P10; P24; P36]. Other sources of funding mentioned by interviewees include the State

Justice Institute, a non-profit corporation established by Federal law[31] [P6]; general LSC

funds [P37]; state government agencies [P37]; lawyers' trust funds (i.e., IOLTA) [P14];

and donations from law firms and individuals [P14]. State government money, in some

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[31] The State Justice Institute "award[s] grants to improve the quality of justice in State courts,
facilitate better coordination between State and Federal courts, and foster innovative, efficient
solutions to common issues faced by all courts" (State Justice Institute, n.d., "About SJI)

instances, has been tied to certain initiatives, such as healthcare [P37] and mortgage

foreclosure settlement [P14]. One of the most recent statewide legal information websites

to launch was originally funded with TIG money but is now funded by a local chapter of

a national non-profit trade association. That organization currently has approximately

$17,000 in funding to maintain a statewide website for social services referral

information. Through this partnership, the legal services organization has developed a

website that includes both social services and legal information and is now using the

available funds to maintain and market the site [P34].

In a number of cases, discussions of the fluidity of funding sources segued into

broader discussions about the instability of the legal services environment. It was, in fact,

this instability that spurred the development of statewide legal information websites in

some states [P23; P31]. The political environment of the 1980s drove some legal services

providers to consider more cost-effective means of service delivery[32]:

> Well, one of the things that precipitated our moving to the Internet, were funding
> cuts…for the program as a whole. I'm not real good at time but…sometime during
> the Reagan years, there was a threat that we would be reduced to zero funding and we
> just didn't know what our future was going to be, what service we would be able to
> continue to provide and we viewed this as a way that, if we were severely cut back,
> we could still provide a level of service to our clients with the fewest personnel, if
> you will, that we would need to maintain that level of service [P23].

More recently, this country's economic climate of the past few years has ushered in

another wave of budgetary contractions within the legal services community. The end

result for some Information Providers is a prohibitively small budget [P6; P7; P10; P29].

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[32] According to the National Legal Aid and Defender Association (NLADA), "[t]he Reagan
Administration was openly hostile to legal services and initially sought its complete
elimination….In response to pressure from the White House, Congress reduced funding for
[LSC] for 1982 by 25%....[T]his reduction[] coincided with a national economic recession and a
marked reduction…in programs affecting poor people, substantially increasing the eligible
population and the demand for legal services" (NLADA, n.d.).

Statewide legal information websites in those states where funds are no longer earmarked

for the site have been particularly hard hit [P10; P14; P21; P28]. For example:

- "The funding was stable and growing for the first maybe three or four years
  that I've been in this role. But, again because we're funded to do this work by
  the bar foundation, and the interest rates have gone down, and the bar
  foundation has used up its reserves, and it's had to cut [the] statewide website
  grant from a high water mark of about $144,000 down to $100,000. So … the
  funding has [risen] and it's fallen. On neither end has it been stable" [P10].

- "The problem with being funded substantially through the lawyer's trust fund
  is that interest rates … have been extremely low so that's been a flat source of
  funding, [and] you know, when that's your primary source of funding, that's
  difficult …. [A]nd then of course, the [statewide] Equal Justice Fund is
  dependent entirely on sort of the legislative process and…that's tentative
  every year – we're never sure if the funding is going to remain. If they're
  going to cut it, how much they'll cut it. [I]t's…been stable for the past few
  years, [but] it was cut substantially about three or four years ago…and that
  had an impact" [P14].

Staffing

Current funding constraints tie directly into the staffing challenges that many

interviewees discussed. As a preliminary matter, interviewees were asked about the

number of staff members working on the site. Information Providers working on two

statewide legal information websites described having dedicated staffs of twelve and five

individuals, respectively [P14; P24]. With the former, both the English and Spanish

versions of the website have a dedicated legal content manager. Other Information

Providers lack this type of dedicated staff but rely upon administrative support personnel

or "tech folks" within the organization to provide assistance with posting content to the

site and related tasks [P6; P13; P21; P28; P41]. Several interviewees initially indicated

that they were the only one currently working on the site [P17; P22] but later clarified

their answers to express that others contributed content and/or worked on technical issues related to the site. Other interviewees described a situation in which everything related to the website flows through them [P10; P13; P18; P21], with one describing herself as the "conductor" of the site [P6]. These individuals effectively function as gatekeepers: "What you really need to do is, as the one putting stuff up, is sort of wade through all of it and say 'well, this would be really good', 'that can just stay on their website'…and then what you do is try to fill the gaps in" [P36]. Thus, the general sentiment among most Information Providers is that they currently are the only ones in the organization whose *primary* responsibility is the website.

Regardless of the number of people who currently work on the site, interviewees generally expressed some level of dissatisfaction with the current level of staffing. Several Information Providers indicated that, without more staff, they are limited in their ability to expand the site through additional content development [P10; P17; P21; P22; P29; P41] or outreach efforts [P7]. As one interviewee mused: "Do we have enough people so that we have a functioning website, which we are more or less able to keep current? Yes…Could we have a much more robust site, could we have a lot more content on the public access [site], in particular, if we have more people dealing with it? Oh yes" [P41]. Examples of what Information Providers would do with more staff include:

- "I guess if I were going to continue to be in a fantasy land, it would be really nice to have a halftime [employee] to either operate LiveHelp or to be a coordinator of volunteers to provide LiveHelp because we are one of the few Pro Bono Net states that don't have LiveHelp" [P10]

- "The most I'd like to see is more content providers. And, then on top of that, I mean, almost equally, I would like a huge budget to edit that staff….The other thing – almost – I'd almost put it right up there – I'd really love to have a translation coordinator" [P21]

- "So that's what I would like to have…the resources to do, is to get more attorneys…to really, you know, do specific, more complex, legal content than what we have right now" [P28].

- "[I]f I could get more people more willing to play an active role – both in writing or in editing and review….you know, we would have more content and we would spread this around and I think it would grow as something, ideally, grow as something that everybody has some investment in. I've been talking about that for 7, 8, 9 years now" [P41].

A related challenge is the fact that, in almost every case, the staff members (from within the organization that maintains the site) and volunteers from other organizations that assist the Information Provider with the site are overburdened. Interviewees described situations in which legal services attorneys are too busy serving their clients to develop content for the site [P6; P7; P34] or initially express interest in developing content but then fail to follow through [P17]. Other Information Providers described volunteer fatigue – people are continually being asked to help out more to make up for the funding and staffing reductions that so many legal services organizations are facing and it is becoming increasingly difficult to find people who are willing to take on yet another commitment. As one interviewee explained, "Maybe I can come up with a couple of people that have a grant with an outreach component and then they'll really getting fired up? But, at this point, we're asking people in grantee programs who are already volunteering for clinics, and they're already volunteering for community ed….And, at some point, even I don't want to do any more volunteering" [P35].

Information Providers engage in three main program activities – Content Development and Review, Evaluation, and Outreach – against this backdrop of staffing and budgetary constraints.

Content Development and Review

a. Goals

In speaking about the various activities involved in currently maintaining a statewide legal information website, Information Providers focused the most on what they are doing to create new content and update existing content. An interviewee working on a relatively new site, for example, indicated that her primary goal for the time being is to build "a really solid foundation of content" [P24]. Information Providers described different processes for building this foundation of content but an identification of user needs, involving an examination of what was going on in legal services organizations and courts, was a common starting point [P7; P18; P23; P24]. In the words of a former Information Provider who worked on the initial development of a site, "The area in which we, as a program, were – saw the most unmet need was in family law. So, we tended to focus a lot on family law. What we did was look at the unmet need in all of the areas of law that our clients came in contact with and tried to focus on the ones… [where] there was the most unmet need – that was principally family law but housing as well [and] public benefits" [P23]. A few Information Providers emphasized how the target audience was actually composed of a number of diverse user groups, noting that different language

and socio-economic circumstances can give rise to different information needs [P16; P21].

For other Information Providers, current goals are focused more on re-organizing content in a way that is intuitive to target users[33] [P19; P27; P35; P36]. One Information Provider discussed several ways that he planned to improve the organization of information on the site, such as highlighting the most in-demand content by creating an "essential information" section and weeding out single page fliers/brochures that provide too little information to be of any real assistance. He explained,

> One of the problems you face with…statewide legal websites – is that first you start off with not enough information but then you get too much. You don't want to take any down because it's valuable so what you have to start doing is start highlighting information that will help most people….So we try to make sure that the stuff we're going to highlight is the best stuff and the stuff that's easy to understand. And we're going to show them that there is real information here, then we can link them in. Once they know there is something real here, then they are more inclined to stay and really find information that they need [P36].

Information Providers also discussed a desire to help users overcome their lack of understanding as to how the legal system works ("What you see a lot of the time is that people just file any form and they don't understand how bad it is once you file a form – you don't understand that the court now needs you to file something to correct that, much less move on" [P36]), as well as their lack of knowledge about the very existence of the self-help resources that are available to help them [P7].

And, finally, content development is also driven by users' technology-based needs. Three Information Providers currently working on sites that are not optimized for

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[33] In discussing target users, self-represented litigants [P18; P24; P26; P28; P34; P35], low-income individuals [P13; P14; P17; P18; P34; P35; P37], legal aid clients [P21; P22; P28; P29; P31; P37], low literacy individuals [P21; P23; P26; P29] and LEP individuals [P13; P14; P21] were all mentioned.

mobile devices recognized that this was a barrier that needed to be addressed [P6; P18; P41]. Several Information Providers expressly cited the increasing use of mobile devices by low-income and rural users as the impetus for their current efforts to design a mobile responsive site [P6; P34].

    b. Contributors

In a number of interviews, the topic of content development and review came up first in response to questions about the number of staff members currently contributing to the site. As discussed in the previous section, while there may be only one person whose primary responsibility is the website, he or she is generally not sole person working on the site. In terms of content-related work, interviewees typically rely upon one or more of the following groups for assistance:

Individuals who work within the organization that maintains the site [P6; P13; P17; P21; P22; P28; P36] – In addition to writing new content, as well as updating and reviewing existing content, this group's in-depth knowledge of certain areas of law (the "substantive experts" identified by some survey respondents) can be helpful to Information Providers who consider themselves to be generalists. This collaboration can be facilitated by tying it to the development of the attorney's other work projects. As explained by one interviewee:

> Let's say that we have… a grant for an example for an identity theft project so one of our staff attorneys will be in charge of that project and we might write into that some additional updates to the websites in that particular area of the site so that we can create content related to some specific substantive area and so…we will use our attorneys to create any new substantive specific content but then they'll pass that on to me in an electronic format and then I'll take that and then create the pages or upload the documents to the website [P13].

A2J stakeholder organizations [P7; P10; P13; P18; P29; P34; P36] – During the early

stages of developing their sites, some Information Providers reached out to other

organizations in order to ensure that there was enough content on the site when it

launched. As described by one interviewee, after inventorying the materials available on

other statewide legal information websites, she concluded that she lacked sufficient

resources to develop enough valuable content on her own [P34]. She was fortunate,

however, because one legal services organization in the state had a strong community

education department, which had developed and already made available online a large

library of newsletters, handouts, articles, and other materials written specifically for

clients. With the assistance of this organization, as well as others, they were able to post

materials on important topics (e.g., the Affordable Care Act) in a timely manner.

In other states, A2J stakeholder organizations have been working closely with

Information Providers to develop content and resources specifically for the website,

including interactive forms and materials for specific populations, such as domestic

violence survivors [P13; P18; P34; P36]. Such collaborative efforts with "likeminded

organizations" can be grant-driven [P13]. Several Information Providers suggested that

LSC grantee organizations have an obligation to contribute to the website [P27; P36],

with one asserting that specific grant assurances create this obligation.[34]

Volunteers from the private bar, law schools, and other organizations [P7; P14; P18; P21; P36; P41] – In addition to having volunteers help out with creating and

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[34] This position appears to have merit. Pursuant to the 2014 LSC Grant Assurances, LSC grantee organizations "will work with other LSC and non-LSC funded legal services providers in the State to ensure that there is a statewide website that publishes a full range of relevant and up-to-date community education/pro se related materials and referral information, at least covering the common topics facing the client communities on the subject matter that are the [organization's] priorities."

updating written content, Information Providers rely on them for various forms of assistance, including staffing the LiveHelp chat service that is built into the website [P14; P24; P36]; the translation of materials for mirror sites [P14]; the development of videos and e-publications [P21]; and the transcription of videos and archived webinars [P14]). **Table 6.5** offers a sample of quotes from interviewees about the various ways in which individuals from each of these groups provide assistance with content development and review.

Table 6.5: Website contributors

Group	Role	Sample Quotes
Individuals who work within the organization	Updating and reviewing existing content	"We also work with our…advocates, our attorneys, and our paralegal type folks to build content….[A]nd so, in a way, other people are involved because we'll say "Hey, this piece of content is outdated or wasn't there a new law passed?" [P28]
	Creating new content	"Sometimes, something new comes up or an attorney feels passionately about it in the field, and they will write something and they'll get in touch with me and we'll work together and get something up." [P21]
	Offering substantive expertise	"So, then I will find an expert and work with the expert to develop usually…new content – it's videos and multi-media, so I work with the expert and sort of get them to put all the substantive information down and then I'll take that and put it into a format that is more web friendly and also try to put it into language that makes sense to me…[F]rom there, I will develop the content – the video, the audio aspects of it." [P7]

Group	Role	Sample Quotes
A2J stakeholder organizations	Sharing existing resources/content	"[The site launch] was right in the middle of ramping up for the Affordable Care Act and so some of our ready partners that often provide materials or develop materials for us were already committed to providing and developing materials around enrollment so we wanted to be able to…connect with whatever was developed." [P34]
	Creating New Content	"[T]he other thing we did with direct help from LSC was partner with the court system to develop interactive smart forms for the courts and also allowed us to, sort of, nudge the courts forward in terms of their own involvement with pro se assistance." [P36]
Volunteers	Creating New Content	"[Law students] go through and brief an issue and then I'll go over it and make some changes, have them make more changes – because I want them to learn, especially if they're law students. Because otherwise it's not worth their time. And then we'll go through a few rounds of that and then I'll – we'll post it with me finally, going, ok, this is all good – let's post it up." [P36]
	Translation	"I have gone to a couple of universities that have translation programs and tried to partner with a translation class." [P27]
	Multi-media production	"We've just been working on these e-publications, which are for Kindle and e-readers, which are distinct from PDFs and HTML web pages. And we've used volunteers for that." [P21]
	Transcription	"[W]e also have transcription volunteers – these are people who help us transcribe the video and the archived webcasts that we offer on our website." [P14]

In some cases, each of these groups plays a role in the development of a single piece of content. As described by one Information Provider, he has used materials developed by other organizations as a foundation for creating content specifically for his website users:

> [S]ometimes…publications are written as a way to give people a general orientation – what we do is we'll take that publication and we'll post it, but then we'll write a new publication that says straight up, "here are the answers to these common questions." For instance, the Department of Labor has a lot of publications on the rights of undocumented workers, but…my co-attorney and I…noticed that there's some specific questions that come up all the time [during conversations with clients] that are not specifically answered in those publications. So…what we did, I had a law school volunteer write a publication on the employment rights of undocumented workers and then what we did is we had it translated in Spanish and Vietnamese [P36].

c. Challenges

Working with these different groups of individuals poses challenges for many Information Providers. Not everyone within the organizations that maintain the websites, for example, is equally invested in maintaining them. The website may, in fact, be seen as the Information Provider's project, as opposed to an organization-wide initiative:

> [S]ometimes, you're a victim of your own success. I worked hard at it early and everybody else got used to the fact that I was working on it. They were not and they were getting something out of it. And so, you know, then you have sort of dampened the channels through which volunteers might otherwise flow [P41].

Other Information Providers described their early struggles to convince their co-workers to embrace the use of technology in the delivery of legal services [P17; P23]. Years later, Information Providers report that this problem persists as they meet with resistance from people within their organizations who remain skeptical of technology or who have a limited understanding of it:

- "I know another big thing in the community is apps. I'm not a big proponent of that – I have no clue what a poor person would do with [one], OK? I don't know what a poverty law app is. I mean – my boss came to me like, "we should get money for an app" and I was like "what app do you want to make?" You just can't say the name 'app' and go 'OK'" [P17].

- "[W]ell, I hate to say this too but generally as a body, [and] there are plenty of exceptions to this, but as a body, the legal services grantee organizations have not grasped the concept that the legal profession is moving to an electronic-based online based delivery. So, there's resistance in the leadership, probably because they don't really get it. I'm not saying that they're not forward-thinking, I'm thinking that they just don't get it. And when I got on this advisory committee, I didn't get it. But I knew I didn't get it. So, I went on… the TIG site and LSNTAP site and did all of this research and then….realiz[ed], 'Oh, that's what they're doing' [P35].

- "I think that a big missing piece for us promotionally is social media….[W]e have to have a presence as pedestrian as it sounds – a Facebook presence of some kind, a more robust YouTube presence, and there's like this kind of silliness about…YouTube things can't be seen because they're filtered through the judiciary and all this kind of stuff. But somehow we have to get over some of these hurdles about fear of social media and say that there is an appropriate way to do this and we have to start doing it" [P26].

Volunteers, as well as staff members, can pose challenges. Information Providers described varying levels of success in finding suitable volunteers. Four Information Providers stated that they do not currently work with volunteers [P10; P13; P18; P28], with two Information Providers from one state (one former, one current) indicating that previous attempts to recruit and use volunteers were less than successful [P28; P31]. As explained by the former Information Provider, the problem was two-fold – they lacked a clear idea of how to use volunteers and struggled to find individuals who had a genuine interest in working on the site [P31]. For those who currently work with volunteers, the issue may be one of fit – while they are grateful for any assistance that people are willing to give, several interviewees also indicated that volunteers with expertise in certain areas,

who can apply this expertise to the task of updating content, were highly sought after yet often elusive [P14; P27]. One Information Provider described the predicament in the following manner:

> I don't think that that's something that makes sense to have, you know, new attorneys and things like – people who we just appeal to on a sheer goodwill, pro bono basis to do because I think that it's terribly inefficient – they don't know any more than I do about that. I mean, I'm trained as an attorney and so I can struggle my way through any given page but we have hundreds of them….The magic bullet as far as I can tell in my head would be a very experienced attorney who does something all the time, who [is] attuned to changes in the law in their own practice….They can read down and say either yay or nay and if nay … they can do a little draft up of it then. I think that, with the right person, that's a more like a half hour process than a major research assignment [P27].

Another Information Provider echoed this sentiment, explaining how student interns generally lack an understanding of both the legal and technical issues (and are not there long enough to receive the necessary training), thus limiting the projects to which she can assign them. While acknowledging that interns can help by generating new ideas and testing different features, a long-term volunteer who could provide assistance with all aspects of the site would be more valuable [P7].

d. Processes

The variety of individuals who contribute to the website – both from within the organization that maintains it and from other organizations – raises the question of how Information Providers manage the workflow. A number of interviewees described the processes and procedures they follow in connection with updating existing content [P6; P17; P19; P22; P24; P27], indicating that review of at least certain types of content occurs at regular intervals. These processes include:

- Checking links to make sure they are still live ("I check all the links every couple of months" [P19]);

- Verifying that any changes to the law are reflected in site content ("[W]e do…a thorough review at the end of every [state legislative] session of all the statutes and that's mostly where our updates come from" [P22]);

- Tagging content with a date so as to keep track of when it was last updated ("Every piece of content that's added to the website is tagged with [the] person's name who created it and a review date. And so that on that date, that person gets an emails that says 'your content needs to be reviewed.' And it's basically once a year" [P24]); and,

- Ensuring that calendar events are up-to-date ("We do have a section on legal clinics in the community that is updated every month" [P6]).

Interviewees' descriptions of varied processes reflect the continuum observed in the analysis of survey data. Information Providers from only three states indicated that they have currently have written documentation of processes related to either content development or review [P14; P24; P26].

An Information Provider currently working on Michigan Legal Help (MLH) provided access to the extensive documentation they have developed in connection with content development and review. This documentation includes current website content guidelines (as of April 2014) that address each of the following: priorities for content development; the role of content review committees;[35] the use of materials created by other organizations; collaboration on content development; and, the posting of

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[35] MLH is advised by a number of content committees that, per the guidelines, "should contain a mix of legal aid attorney staff, court and/or [State Court Administrator's Office] staff, self-help center staff (where appropriate), and private practitioners, including when possible, members of appropriate State Bar entities." [Content Guidelines]. There are currently committees convened in seven (7) areas: Family Law & Protection Order; Expungement; Housing Law; Consumer Law; Public Benefits Law; Income Tax; and Unemployment Law.

information about lawyer referrals, legal aid organizations, self-help centers, and community organizations.

The processes adopted by MLH will be described in some detail here, as they shed light on the many intricacies involved in content development and review, as well as demonstrate how collaborative these processes can be. Content development at MLH involves a series of steps in which site staff members, in-house substantive experts, and external content reviewers all play various roles – researching, writing, editing, reviewing for legal correctness, and reviewing for plain language. MLH currently has three staff members who work specifically on content development. Written procedures thus call for content to be drafted by one member of the content development staff and then turned over to another for plain language assessment.

A tracker form (in hard copy) follows the content item/resources through every step of the development process, from the creation of a rough draft to the posting of content onto the site. This form ensures that everyone is aware of the process and also provides documentation that each step is completed. Prior to content being posted on the site, there is a one week comment period during which the content manager, as well as interested substantive law attorneys and committee members, are given a final opportunity to review it. For the creation of procedural instructions, additional steps are added, including research by the drafter about jurisdictional differences (to determine how many different versions of the instructions are necessary) and reaching out to contacts at state courts to solicit their input about inaccuracies and suggested modifications. The process to be followed when changes are made to existing content depends on the nature of the

revision, but even "minor" revisions (e.g., revising dollar amounts specified by statute) are reviewed by more than one person before being posted on the website.

Information Providers from several other states were able to clearly detail their current processes/procedures, notwithstanding the fact that they were no longer being documented in writing. One interviewee, for example, described how these processes and procedures – which varied based on the type of content being created – had been "institutionalized" [P13] (e.g., with interactive court forms, the Information Provider creates the "landing pages," which are then reviewed for content by one of the staff attorneys). Further down along the continuum, one interviewee described how he "[has] some ideas about when things are going to happen but then otherwise it's a lot of running around sort of like a decapitated chicken looking for stuff" [P10]. This sentiment was echoed by another Information Provider, who described her "process" in the following manner: "I see stuff we ought to borrow, I develop stuff" [P18].

e. New Content Development

While the development of written content that meets the information needs of target users remains a priority, the two topics related to current website content that generated the most discussion were interactive features and multi-lingual content. In terms of interactive features, online forms, by far, were discussed most frequently [P6; P10; P13; P14; P18; P23; P24; P28; P31; P36; P37; P41]. One Pro Bono Net staff member emphasized the central role of interactive forms in the access to justice movement, characterizing them as an "essential underpinning" to courts' efforts to become more open to the public [P31]. The growth in this area has been significant – for example, Pro

Bono Net now supports 45 states with approximately 4,000 LHI online forms and interviews [P5]. While several Information Providers indicated a desire to expand their offerings in this area [P10; P21; P41], others remarked upon the significant progress they have made to date [P23. P37]. One interviewee offered the following description of recent work in this area:

> "I've been working mostly with the document assembly – various kinds of document assembly. [We do] two kinds of documents – one based on…interactive PDF documents and the other based on HotDocs programming. "[The PDFs are]… Java script programmed behind the scenes to do complex calculations… [the state] child support guidelines are really complex and very difficult particularly for somebody who's poorly educated who is trying to handle their own case in court… The PDF documents…became really the standard for, at least for the family law ones, the standard for the entire bar- not only our client population used them but lots of the…family law bar in the state began using them" [P23].

Other interactive features mentioned include online intake [P6; P7; P13; P14; P18; P28] and chat services [P14; P18; P24; P28; P36]. Online intake is viewed as increasingly necessary, as evidenced by the number of states who have already implemented it or are planning to do so in the foreseeable future. As observed by one Information Provider, "I think that more and more people are accessing services online and so I think it's important for the legal aid organizations to offer that as an option that also has the advantage of being open all the time, right? I think there's an impression that legal aid offices are closed all the time or that they're not available or that the hotlines … you know, you call and you're on hold for 30 minutes or whatever … online technology is so scalable and that meets a need" [P14]. This idea of wanting to provide "around the clock" legal assistance has also arisen within the context of online chat services (e.g., LiveHelp). These services, however, raise the question of sufficient staffing. One Information Provider's proposed solution is to build a volunteer program that would not

only expand weekday hours for LiveHelp but that would also make the service available on the weekend [P36].

As with almost everything else related to statewide legal information websites, the strides that Information Providers are able to make in terms of multi-lingual content are largely dependent upon available resources. Little uniformity can be seen in the approaches taken by states. To date, only a few Information Providers have had the resources to create full mirror sites in other languages. One has a staff member who is responsible for the Spanish language site and a small cadre of volunteers to do translation work [P14], and another indicated that she had plans to hire a staff member whose time would be split between content development and managing the Spanish language site [P24]. One other site has multiple mirror language sites but the Information Provider does not have a staff member dedicated to managing those sites [P21].

The more limited approaches taken by other states fall into two categories: using machine translation and providing a selection of content in the most popular languages [P10; P26; P36]. One Information Provider who has adopted the former approach explained how they made the decision to highlight certain languages into which the site can be translated:

> So we basically polled our offices – what are the main languages you see people coming in or people calling from that they speak….Google allows for fifty or so different languages and we didn't want to have just a huge long list that people would have to scroll through to find their language. We may have inadvertently left a few people out – a small minority but we decided, based on those polls of our local offices, these were the primary languages besides English that are spoken in our state and those would primarily be the people looking at our website. We know it's not the best translation – it's a machine translation, but it's better than nothing [P13].

Manual translation requires expertise that may not reside within the organization that maintains the website. One interviewee described a collaborative approach to translating select content wherein he has been working with an undergraduate Spanish translation class. After the professor went through several rounds of translation work with the students, the Information Provider received the translations electronically, and they are now being reviewed by court translators and others with similar expertise. The feedback received to date has been very positive, and the Information Provider is now considering this pilot project as a model for future translation (and other content development) work.

Evaluation

When asked to describe their current program evaluation efforts, a number of interviewees sought clarification as to the kinds of activities that fall within the realm of evaluation. Examples were provided (e.g., online user surveys) but the question was left open-ended so as not limit their responses to commonly used evaluation techniques. Two mechanisms in particular – review of site usage statistics and solicitation of user feedback – were cited by the largest number of interviewees.

Among those Information Providers who discussed what they learned through examining usage statistics, almost all of them specifically referenced Google analytics. In addition to Google analytics, data can be obtained specifically in connection with the use of online forms (e.g., how many people started filling out a form, how many people completed the process) [P13] as well as through an online intake system [P18]. As to the latter, one Information Provider has been working with her IT support to staff to collect this data because she was "interested in the breakdown of cases, both cases we accept but

more importantly cases we don't take or just provide advice to…in terms of topics, age and location so that we can better respond to those issues on our website" [P17].

In general, site usage data yields insights into several key trends, including:

1) Site growth, as demonstrated by increasing site views and new users [P17; P18; P24; P36; P41]: A number of Information Providers were able to provide estimates of recent site statistics during the interview, expressing varying degrees of satisfaction with the numbers they are seeing. The general tone, however, was one of optimism: "[W]e know that we're at just under…168,000 unique views in the last year. So…the fact that we know that 65% of those are first time meaning that we're…getting growth, we're getting lots of new folks" [P18].

2) An understanding of what users are looking for on the site (e.g., most popular topics) and how long they spend looking for it [P7; P13; P16; P24; P27]: In the words of one Information Provider, "we do keep track and look at first off, what's the primary search when people come to the site and what are the top landing pages? It's typically… an organic search- like Google or Bing or Yahoo – people looking for divorce forms or something like that. So, that's why they're highlighted. We also look at, you know, the number of people who land on those pages and how long they spend there" [P13]. In the process of examining site usage data, Information Providers can make unexpected findings – one interviewee described how Google analytics helped her identify that certain groups of LEP individuals appear to have distinct information needs. For these individuals, she observed, the most frequently visited pages were not in the area of domestic relations/family law (the most popular content overall) but rather employment [P21].

3) An understanding of how users are finding the site. An increase in the number of users coming to the site via search engines was observed by several Information Providers [P17; P27; P41]. One Information Provider explained that "it's now at about 76% of all visits come via search engines, whereas even as recently as early 2012, it was more like 55%. So…that's shaped my view about…how useful it is to obsess over the real estate of the front page. Nobody starts at the front page anymore. Three out of four people get there by doing a search for 'divorce' [in this state]" [P41].

4) The type of device they are using to access the site (e.g., desktop, laptop, tablet, smartphone) [P7; P26]: The growth in mobile access is of particular interest to Information Providers. As one interviewee noted, "one of the things that Google

analytics shows [is] that we have 20-some percent accessing the site using smart phones" [P27].

Several interviewees indicated that analytics aid them in making content-related decisions [P16; P24]. One Information Provider, however, noted the limited nature of the information provided by usage statistics: "I think there's probably a lot more out there that we don't know. So, I use Google Analytics but…that's just measuring the people that are coming to the site so I don't know what people who don't even know about the site are [doing]" [P21].

The second evaluation effort discussed most frequently – the solicitation of user feedback – encompasses a variety of mechanisms that Information Providers use to obtain information directly from users, including online surveys, online feedback forms, focus groups, and usability testing. This data is seen as useful to the extent that it offers some insight into what people are looking for and the amount of difficulty they are having in finding it [P7; P36; P41]. **Table 6.6** provides a selection of quotes from Information Providers regarding their experiences using these different mechanisms for obtaining user feedback.

Table 6.6: Feedback Mechanisms

Feedback Mechanism	Sample Comment
Online Surveys	"[W]e use Survey Monkey….I think it's at the end of our online application and the response rate is just phenomenal because it pops up right after people finish submitting the application. So we have, like a… 80 to 90% response rate. One of the questions is about income and household size and so we get all of that data about our users." [P6]

Online Feedback Forms	"We also have a feedback form on our site and that's used quite heavily – most of the time it's people searching for legal information or advice but, even from those … emails, we're gleaning a lot of information about resources that, you know – maybe somebody is asking for a resource that we don't have and we need to build. Or they might be asking for a resource that we do have and then that can maybe clue us into the fact that we need to rename the resource because they didn't find it. Or they have a question that shows us that a certain piece of content is confusing and we need to revise it." [P28]
Focus Groups	"We have just started doing focus groups, which is not something that we ever tried to do as an organization. We just had our first one last month and we'll do another one this month…we started with a group of Spanish resources on the website [and] it was really an invaluable experience and that was, you know, seven people in a room facilitated by two of our staff people to talk about specific questions around resources…in Spanish." [P14].
Usability Testing	"And then they did the actual usability testing where they recruited … between 10 and 20 people who actually went to [a] lab and sat down for an hour and went through – we drafted scenarios and they did the tests and they gave their feedback." [P24]

The two Information Providers who mentioned usability testing in their survey responses were asked to discuss their experiences in more detail.[36] Both spoke with enthusiasm about what they learned throughout this process, with one describing how the testing they conducted in collaboration with a human-computer interaction class at a nearby iSchool led them to fundamentally redesign the home page [P24]. That result, as explained by the other Information Provider, is why usability testing is such a valuable endeavor:

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[36] This is not to say that the other websites have not undergone usability testing. Per a Pro Bono Net staff member, user testing was done during the development of LH3, the latest iteration of the LawHelp platform.

[U]sability testing always breaks down the functions that you go into. And that's why it's important to do, right, because you think one way is better and then you test it and realize that nobody understood that that's where the button was or what that word or phrase meant, what they were supposed to do next. So, yeah, I would say there's always… something that is learned from usability testing. You know, that's why it's so invaluable at this point. We need to do a better job of it… [make it] a part of our regular business process" [P14].

In addition to the feedback mechanisms listed in **Table 6.6**, several Information Providers noted the value of anecdotal evidence, which is often obtained through informal conversations with staff at A2J stakeholder organizations or clients of legal services providers [P16; P22; P24; P27; P35]. One Information Provider relayed the following story of how anecdotal evidence led to new content development:

The other thing is just a single anecdote of going into the…circuit court, stopping in at – they have a little room there when you go in, it's like the self-help center or something like that – there's a paralegal behind the desk who said ….."You know what would we could really use? We could really use a page that talks about motions – like what a motion is. People have to file motions and they don't know what that means." And so… quickly we just put to together a page on how to file a motion in circuit court and tried to really use – we had some of those best practices for clear writing in there in terms of interrogative question headings and the little picture of a caption to sort of show what a caption looks like. And then sort of a process view and things like that [P27].

Although a number of interviewees indicated that they received feedback from some combination of the mechanisms described here (as well as others, including direct email, LHI interviews, and an online intake system), it is not clear what they do with this data. Several admitted that they did not have a formal process for analyzing the data from these various sources [P18; P24; P27]. Two Information Providers discussed the extent to which they responded to, or otherwise used, the feedback they collected [P7; P14], and a third mentioned responding to comments about broken links and other minor technical issues [P22].

Outreach

Interviewees were asked to talk about what they have done to make the website's presence known to the target audience and also to offer an opinion as to whether their efforts to date have been successful. As an initial matter, a number of Information Providers suggested that they are not doing as much outreach as they would like to do. As one interviewee observed,

> I would say that we have not done as much work with client groups and interest groups that, you know, see our clients and that would be natural sort of allies…at least with regard to the website. Now, I have to be careful because…we do work with interest groups and client groups with other stuff that we do, but not necessarily for website content. So I think that, you know, that's kind of the thing that I would like to spend more time doing – going to client groups, just spending time with executive directors and groups of other…non-profits that work with our client population [P10].

Because outreach activities are dependent on available resources and resource levels vary from state to state, many differences among states were observed. On one end of the spectrum are two states in which outreach has been institutionalized through a network of self-help centers in courts and libraries [P14; P24], one of which has gone a step further through the creation of a dedicated outreach coordinator to oversee this network [P14]. Part of the outreach coordinator's job is to maintain regular communication with the self-help centers through site visits and via a listserv, keeping everyone up to date on new content and features, important changes to the law, and any technology issues (e.g., scheduled website outages) [P14].

Other Information Providers use an array of outreach efforts to increase awareness about their statewide legal information websites. While some states have created print materials (e.g., brochures, posters) and other tangible items (e.g., magnets,

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pens) specifically for the website [P7; P13; P14; P26; P37], others have folded outreach

for the site into the organization's broader outreach activities:

- "[B]asically we include [statewide legal information website] information in every outreach activity that we do so we have business cards that have [the website URL] on one side and then on the other side is our helpline number….So, yeah, for instance … we're going to…take a box of those cards and pass them to not only to the people who are there to access to the services [at the veterans' organization] but also to other partners, community social services agency type folks….Every…kind of outreach, kind of mailing that we do – like we're doing a low income taxpayer clinic mailing across the state, we'll include information about [the website]. So, it's basically integrated into all of our outreach efforts" [P28].

- "Also, our staff do a lot of community outreach so they take…business cards that have our website address on them and other fliers to promote use of the website" [P6].

- "[O]ur organization has three programs that really are designed for the same purpose as our legal information website… that allows us when we train people and…get the word out to talk about all of these resources, rather than just this one. It kind of makes it more compelling for them to want to have us tell them about this resource so that's been a big thing" [P34].

In addition to the distribution of promotional materials, Information Providers also use

email and social media – generally targeted to A2J stakeholder organizations – to

increase awareness about the site [P13; P14; P17; P36]. One Information Provider

regularly promotes changes to the website via Facebook and Twitter [P36].

In some cases, Information Providers work with A2J stakeholder organizations

(particularly libraries, courts, legal services providers) to spread the word about the

statewide legal information website to target users. This can be as simple as these

organizations posting links to the website on their own site [P7; P10; P18; P21; P22; P34]

or Information Providers sending out regular communications to libraries, advocacy

groups, community action groups, social services agencies, and other outreach partners about new content or other site updates, with the hope that they pass this information along to the public [P13; P18; P37].

A number of Information Providers, however, have engaged in more concerted outreach activities. These efforts include presenting on the site at conferences attended by A2J stakeholder organizations [P13; P17; P21; P22] and holding in-person and online training sessions [P6; P7; P13; P14; P21; P22; P34; P27]. As the following quotes demonstrate, training sessions for libraries are common, but several Information Providers also offered examples of outreach to other organizations that can benefit from learning more about the websites:

- "I went and did a training to legislative staff. I'm actually a registered lobbyist for our organization - I know a lot of people down at the hill. So, I did a training for the legislative staff and that went over really well" [P34].

- "And we had one staff member go to their local libraries and talk to the librarians about our website, and specifically the interactive court forms for those who can't afford a lawyer. And, so, they were given that information and the same is true about a lot of the shelters and the other advocacy groups, they were given some training on those" [P13].

- "And so in that process of…planning and opening the legal self-help centers, we do trainings for the librarians, the circuit clerks, anyone on the court staff who is interested and anyone else in the community who wants to come, basically" [P14].

- "I got together with the state library…which is sort of the umbrella group for all of the public libraries in the state to present. We did two things – we did a webinar series for librarians [across the state] and we also went on a road show and did in-person trainings about the legal resources available online, including of course…our website" [P10].

Looking to the Future

At the close of the interview, Information Providers were asked to talk about 1) the projects they were currently working on, and 2) what they would most like to do in the future, if funding or staffing did not pose an issue. Several interviewees spoke about their plans to add content in certain areas in which they are seeing more demand (e.g., consumer debt collection, unemployment) [P22; P24]. In a number of interviews, however, it became clear that the changes that Information Providers most want to see (and, in many cases, were already working on) did not involve minor modifications to site content but rather a re-envisioning of the role that statewide legal information websites are to play in the delivery of legal services in the future. As one Pro Bono Net staff member explained, in an increasing number of states, "it's no longer just about 'Hey! We're delivering, you know, [information about] your rights.' It's 'come here to get access to … more of like a virtual services model'" [P33].

In terms of projects currently in development, Information Providers mentioned working on online intake and triage systems most frequently, followed by interactive features, portals, and online classrooms. **Table 6.7** provides descriptions of projects in each of these categories.

Table 6.7: Projects Currently in Development

Type of Project	Description
Online intake system	"[W]e have …. a current TIG [to build] a portal through our public website, where people can apply online for…services through the LSC funded programs in [the state]." [P14]

Type of Project	Description
Online triage system	"We're working with [Pro Bono Net and others]… to build a server that will direct clients…to simple interviews we can come up with for at least the four major areas that most clients come to us for and that's family law, housing law, consumer law, and… public benefits cases and then try…to match up their responses in ways that also looks at the geographic data and the demographic data to try to make the best guess at which agency is going to actually provide the service to them so we get it right the first time and not bounce them around from one place to another." [P29]
Interactive tools	"I'm working with [a] game design department… to build a game – a serious game – it's in quotes, a "serious game" – for…self-represented parties going to court – what to expect to do, what to do, how to address the judge, how to submit evidence." [P8]
Portals	"[W]e're going to have four indexed mini-portals – one in English, one in Chinese, one in Vietnamese, and one in Spanish….[S]o what we're going to do is put [translated content that] cover[s] most of what you would need if you're coming to [the website] and…you click one button and you'll see a variety of information available on a variety of issues in your language." [P36]
Online classrooms	"[W]hat we would be doing is partnering with [CALI] to take our online classrooms, which are sort of a next generation of online learning [and] … build a national site which CALI will over time maintain - where legal aid programs and…law schools can partner up – it would serve as sort of a repository for classrooms." [P7]

The idea of creating a more interactive experience embodied in many of the

projects discussed in **Table 6.7** reflects a problem-solving approach: "[I]nstead of just

[providing] a long list of keywords or a search box, trying to ask questions – what did

you come here for? What's your specific need? Let's narrow that down – is it one of

these three choices? So, it's a simple, you know, logic system or a triage system and you

try to specifically generate content for them based on the unique individual" [P13].

Further development of online forms is seen by some Information Providers as a

necessary step toward transforming the websites into problem-solving tools [P10; P13;

P18]. One interviewee observed that "It's all fine and good to have a tutorial about what

is a divorce all about but I want the person to be able to go from that legal information

phase in to a legal action phase, to be able to create their own forms – print them, file

them and then have a good outcome in their case" [P10].

Information Providers described this idea of integrating the statewide legal

information website into the broader legal services system in different ways [P5; P7; P22;

P34; P35; P37]. But, a common thread among Information Providers' visions of

integrated legal services was the capacity to usher people through the necessary legal

processes and procedures by providing more streamlined content. One Information

Provider, who is currently building an online triage system, described a scenario in which

a website visitor could access relevant information before being transferred to the intake

unit. At that point, the user's data would be entered into the case management system as

well. The integration of these systems, he surmised, should ease the transition from

website user to applicant to client [P37]. Similarly, a Pro Bono Net staff member

described a current project that involves connecting API content feeds from the websites

with case management systems at legal services organizations. The end result of building these bridges between currently separate systems could be something like this:

> [S]omebody who's on the phone with a hotline worker or an advocate who's on the phone with somebody who's being evicted, can be entering their record in the case management system for them and setting up….a legal services appointment, [while] at the same time, pulling in through that record, like a set of … the top 3 eviction resources on the [website] and being able to quickly say "Hey, I'm going to send you links to three booklets for your appointment [P33].

> For others, the idea of integrated services means developing a better

understanding of how people's legal needs intersect with other needs: "[W]hen someone has a civil legal problem, it's a real driver for them to find help of all kinds and so…it sort of made sense for us to … combine the social services issues with the legal problems so we sort of tried to broaden what we include on the site to include those links to social service resources" [P34].

It is important to recognize that, in states with particularly challenging environments, many of the projects described in **Table 6.7** are aspirational. Triage systems [P34] and a streamlined process for filing online forms [P13] are still "wishlist" items for some Information Providers. Other interviewees talked about how they would like to add more interactive features to the site [P10; P17; P21; P27] ("I'd like to come up with something … like an Angie's list for poor people in terms of resources" [P17]); incorporate more multi-media resources ("I'd like to add more video resources on there because I think a lot of times no matter how clear we think we've been on the text, a lot of clients with low literacy levels or other barrier have a hard time absorbing anything beyond more than, you know, a few paragraphs" [P29]); conduct additional outreach efforts [P7; P10; P21; P24] ("I'd also like to connect with the adult education department …in the government at the state level and see if there is a way that we can work our website into their

curriculum" [P21]); or, use the website as a means to promote in-person legal clinics hosted by other organizations [P16; P36].

B.3. Collaboration

As detailed in Chapter V, the survey responses revealed that, in many cases, statewide legal information websites are made possible through different types of collaboration. At the broadest level, collaborative efforts can be divided into two categories: 1) the work that Information Providers do with other organizations within their state, both within the legal services community and beyond (referred to as "A2J stakeholder organizations" in **Tables 6.3** and **6.4**), and 2) the work that Information Providers do with organizations outside of the state that are involved with statewide legal information websites in some capacity or another. The interviews thoroughly explored both types of collaborative efforts.

Collaboration among A2J Stakeholders within a State

As laid out in **Table 6.3**, the A2J stakeholder organizations that generated the most discussion among interviewees were legal services organizations (both direct service providers and statewide support organizations), courts, libraries (generally public libraries and public law libraries), and law schools. Although other collaborating organizations were mentioned less frequently, their work in connection with statewide legal information websites raises important questions about the contributions that less "traditional" A2J stakeholders can make: domestic violence survivor shelters/advocacy organizations; colleges and universities; and technology centers.

Several interviewees noted that having a longstanding cooperative relationship with other legal services entities in the state paved the way for collaboration with respect to the website [P8; P36]. In some states, there is more than one website that provides information for self-help users [P6; P22]. Cooperation among A2J stakeholders that maintain websites for the public (notably, courts, libraries and legal services organizations) is one way to minimize duplicative efforts. One Information Provider described how the high level of collaboration among legal services providers in their state increases efficiency: "[W]e've made a big push…with all of the different organizations creating web resources to try to not duplicate effort so that we can maximize the use of the staff and the money that we have. So, we've actually created an inventory of resources that people can access to look at before they decide to develop a resource" [P6].

a. Nature of Collaboration

The different contributions that A2J stakeholder organizations make to statewide legal information websites was discussed in the previous section on "Current Activities." The *way* in which they engage in these activities is worth describing as well, given that much of the current collaboration appears to occur outside of formal channels (i.e., advisory committees/councils). Information Providers in several states indicated that earlier efforts to maintain an advisory committee had fallen to the wayside [P21; P28; P41]. Information Providers from only five (5) states indicated that they currently have an advisory committee specifically for the website [P7; P14; P24; P26; P34]. Information Providers from three of those states emphasized the diversity of committee membership:

- "[W]e have people from…each legal aid organization, our major bar foundation funder, people at different law schools, and social services organizations that

work directly with our client populations, and also technical people from our legal aid organizations" [P7].

- "[W[e have…a representative from the state bar. We have several judges. We have a couple of people from legal services organizations. We have a couple of people from self-help centers. We have a couple of people from the state court administrative office and someone from the [state] Judicial Institute and … someone from the state bar foundation. " [P24].

- "Well, we originally had a librarian – we had sort of the director of the regional library, one library director, one of our IT people. We've got a few of those information people that tend to do community education for legal aid programs. We have someone from the administrative office of the courts" [P34].

The role of advisory committees varies, with one interviewee describing its duties as broad oversight (noting that many members are executive directors of legal services and other non-profit organizations and therefore lack the time to "micromanage" [P7]) and others indicating a more active role for the committee: "[T]he role of the stakeholder committee is really to guide our programmatic priorities and to…engage them in the work of the websites. And so…we often use them as, as sort of our first point of contact for when we're looking to update a piece of content, right? So we send [it] out and say, 'We need to update this content on how to get custody of a child,' for example. And, folks will respond to us with their suggestions from their respective organizations" [P14]. As with content development and other work associated with the websites, however, it can be challenging to maintain a high level of involvement across the entire committee and some members will inevitably remain more engaged than others [P34].

In other states, Information Providers' collaborative efforts with other organizations were more or less ad hoc from the beginning [P13; P18; P37]. In discussing their relationships with A2J stakeholder organizations, several Information Providers

described how they maintain open channels of communications through which informal conversations about the needs of self-help users and other potential site users occur [P10; P18], thus reducing the need for formal structures to facilitate cooperation. As noted by one interviewee, the decision not to have an advisory committee specifically for the website was due to solid existing relationships with the organizations with which they were most likely to collaborate:

> [M]any of our interested stakeholders are involved with us in other committees and commissions. For instance, [the] access to justice commission, self-represented litigants committees, etc. So, generally, all of the input about [the website] generally comes out during those meetings. As well as…we just have great weekly, if not daily, you know dealings with our state bar, our law library, other access to justice folks, so just those conversations happen really naturally….[S]o, basically we felt that trying to have a stakeholders meeting once every quarter or whatnot was overkill – it wasn't necessary. It was happening already in other forums [P28].

b. Challenges

Information Providers discussed various challenges they face in connection with developing and maintaining collaborative relationships. As with content development, lack of time and resources can impede collaborative efforts, as government agencies and non-profit organizations have been impacted by broader economic forces as well. An additional challenge noted is staff turnover. One Information Provider, who had cultivated a relationship with staff members at the state department of health and human services and was working with them to avoid posting duplicative information, described how management changes in that department slowed progress as the new leaders did not understand the process in place [P28]. Yet another challenge noted was the existence of divergent interests among stakeholder groups, which can lead to differing opinions as to

the proper scope, purpose, and future directions of the site [P5]. By way of example, one

Information Provider noted that, as members of the private bar struggle to make a living,

they are less inclined to champion self-help resources aimed at their potential clients:

> And, so right now, the trial lawyers are hurting real bad because the Republicans have taken over the statehouse and the state senate and the governor. So one of the first things that happened was that the pro-business strategy by the new government, the new administration was to totally revamp worker's comp and trial lawyers – that's always been there bread and butter – it's gone, you know. There's still a system but the stream of income is gone, so they're all looking around for a new practice area…[B]ut the reality is that the idea that people will be doing their own divorces, custody, they're not happy with this. So I don't know what the court is hearing from that but they're not cooperative on the ground in my area [P35].

In some cases, interests among A2J stakeholder organizations have diverged to the point

that collaboration is not feasible. The friction among legal services providers described

by several interviewees stands in stark contrast to the majority of interviewees who

described generally amicable relationships within this community. One interviewee

explained that

> If you have a good working relationship, you know, know California from the get-go was working closely with their court system…[but] there's a lot of animus between pretty much everyone and our program, so there wasn't a real likelihood – the state ended up funding pro bono in the most unique way, largely in part so that the funds did not get to come to our program….[This] is an extremely, extremely conservative state that frowns upon federal funding for anything – one of our peer legal service programs … within the first three sentences of its promotional stuff says "we're not federally funded" [P17].

Collaboration Among States

Statewide legal information websites are often referred to as a network that was

created through the TIG program. Across this network, several clear leaders – Maine and

Illinois, for example – have emerged [P7; P24; P37]. Other "pioneers" mentioned during the course of interviews were Washington, Minnesota, California; and New York [P10; P17; P33; P37]. Illinois Legal Aid Online, it should be noted, is atypical in several key ways – it is run by a non-profit organization supported by legal services organizations throughout the state and there are a comparatively larger number of individuals currently working on the site. Several interviewees expressed the opinion that, among statewide legal information websites, Illinois Legal Aid Online is fortunate to have a sizeable and relatively stable budget [P6; P10]. In the words of one Information Provider, "of course, everyone looks to Illinois – no one has the budget that Illinois has so I sort of look at Illinois with my nose pressed up against the window" [P10].

The relationships among Information Providers, however, extend beyond the pioneers and leaders providing inspiration for the rest of the community. Among various groups of Information Providers, there are a number of ongoing collaborative efforts. Speaking in general terms, several interviewees emphasized their commitment to sharing content with other statewide legal information websites [P8; P18]. Focusing on the specific website platforms, Information Providers discussed how LSC, through the TIG program, encouraged states to follow one of two paths by adopting either the LawHelp platform developed by Pro Bono Net or the open source platform developed by Kaivo [P17]. Those who opted for the latter [P13; P17; P41] formed a community of practice that several interviewees referred to as the "OST community."[37] There is also a third group of states – those that do not currently affiliate themselves with either the LawHelp or the OST community. As with the OST community, the emergence of this group appears to be

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[37] According to information provided on the LSC website about 2013 TIG grantees, the DLAW template (i.e., the OST) currently powers over 20 statewide legal information websites (LSC, n.d., "2013 TIG Project Descriptions").

tied to a strong level of technical expertise within the organization that maintains the

website [P13]. Several Information Providers provided their rationales for choosing this

particular path:

- "[W]e have sort of gone off on our own. We have a separate hosting person – we use our own programmer now …. to some extent, we are part the group [but] we're not using their templates really anymore" [P37].

- "You know – our site has become highly specialized in tweaks to our program's needs that we're no longer an active participant in the [OST community]. Our IT people are so skilled and they have built so many add-ons themselves to our site and tweaked it for so many different functions that we do that other people don't that frankly there's not a lot to be gained from – we're not very reliant on the combined efforts of the [OST community] creating an updated platform from time to time. So, we're not really very active in that anymore" [P41].

- "We never did [participate in the OST community]…. part of that was because when [the first website content coordinator] got here and was doing it, he was so far ahead of anyone else who was doing it in Drupal – it was just kind of not worth our while….And…now that we're going kind of independently of [that platform], which gives us a lot more flexibility, I think, we're going to stay that way and we're not going to do LawHelp because I think we have more features than LawHelp does" [P26].

One Pro Bono Net staff member offered her opinion as to the different considerations that

may have come into play as states were deciding which platform to adopt:

> And I think…what influenced the decisions for states at that time was…probably two major things. One was…just sort of their philosophy about the project and whether they wanted to created something more homegrown and they had the capacity to basically take an open source system and kind of stand that up and manage that in house versus something that was more of a centralized web-based platform that they could kind of adapt for their needs…. Or they wanted to be part of...there is an open source network but the LawHelp network, I think, is much more networked, both in terms of the technology piece of it as well as the….just support and community part of it [P33].

Information Providers' answers as to why they chose the path they did fell in line with this assessment – the presence or absence of in-house technical expertise was often noted as a main reason. Information Providers from several LawHelp states, indicated that the fact that are able to devote more time to content development, rather than technical issues, was appealing to them [P6; P28; P36]. Alternatively, Information Providers working on Drupal-based sites characterized LawHelp as a "cookie cutter approach" [P17] that was not flexible or adaptable enough for their needs [P26].

Among all interviewees, there was considerable discussion about the role of Pro Bono Net in inter-state collaboration. At this time, the LawHelp network is relatively stable, currently comprised of 22 states and 2 territories (Guam and Micronesia) [P32; P33]. In the past ten years, only three states have left the network, opting to develop their own platform [P33]. During the early years of statewide legal information websites, the creation of the Circuit Rider program[38] was instrumental in helping a sense of community among LawHelp states to emerge. This program was developed in connection with a TIG received by the Northwest Justice Project (in Washington state) to provide project assistance to statewide legal information websites using the LawHelp platform. As described in a 2007 report (the Circuit Rider Report),

> Circuit Riders help state justice communities understand how to take full advantage of their template software, to generate and maintain legal content, to involve and work with a wide array of community stakeholders, to market their sites, and to evaluate their sites' effectiveness. Circuit Riders also develop resource materials, facilitate regular meetings among state partners, make site visits to problem-solve project issues, and conduct outreach to diverse audiences. They also serve as a link between statewide website efforts in different states,

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[38] "Circuit-Riding is a term of art in the technology industry. It comes from 'riding the circuit,' or traveling on-site among various programs and providing in-depth assistance." (LSNTAP, n.d., "Definition of Circuit Riding")

allowing website developers to tap into and learn from similar efforts elsewhere (Weber, 2007, p.9].

Circuit riders facilitated interstate communication through a variety of means, including in-person visits, remote assistance (via email and the telephone), monthly teleconferences, and a listserv.

An evaluation of the Circuit Rider program conducted by Pro Bono Net in 2006 consisted of online surveys of website coordinators and website stakeholders, as well as interviews with and a focus group session with coordinators (Weber, 2007). Findings from this evaluation revealed that coordinators and stakeholders value both the project assistance and template support services provided through this program, although the latter services were relied upon less frequently. The extent to which the program's goals with respect to outreach, stakeholder engagement, and evaluation were met, however, was called into question. The report expressed concern that many coordinators did not understand how to conduct or engage in any of these activities.

Although the Circuit Rider program was disbanded, the sense of community among LawHelp states remains. Several Information Providers from LawHelp states described the benefits they receive through being part of this network:

- "We have a sense of community with the other LawHelp states – whenever we're looking at things we want to do to improve our websites, we don't have to look far because, you know, there are people all along the spectrum, in terms of where they are in their development and …they're willing to help and you know help each other out. And then of course I can't forget to mention the Pro Bono Net staff, the LawHelp staff – it's just really tremendous to have experts on call….It's just great to know that if I have a question or I have a feature request or I have an idea or I need support, it's just an email or phone call away. It's just truly incredible" [P10].

- "[B]asically, any time we have a question or…we're looking for a way to do something particular, we can reach out to anyone we know basically who [is]

maintaining [a] LawHelp website and get that help. Everybody is very forthcoming in sharing tricks and tips and information and content, which is amazing…. I've never felt that I couldn't reach out to a coordinator even if I didn't know him or her and have a good response. And I think that we do benefit from the acquired knowledge from the group, you know, certain LawHelps will try one thing and either succeed or fail and be very open about that and so we can kind of learn, you know, without doing" [P28].

LawHelp Information Providers also noted how different options made available through the LawHelp platform (e.g., LHI, mini-portals) were valuable additions [P6; P36]. When asked about drawbacks to the LawHelp platform, one interviewee cited cost [P10]. More commonly, Information Providers focused on the limitations of being on a platform that is used by a large, diverse group of states, noting that changes did not generally occur in the absence of consensus [P28; P36]. They were quick to point out, however, that Pro Bono Net works with them to accommodate their requests whenever possible. As one Information Provider described,

[T]he stuff I would want [the customizability] for is just stuff that's cosmetic… and even that, I can sort of work around it….[L]ike I wanted a purple icon for domestic violence – that's the DV color in the nation – and that purple icon sticks out because it's the only thing that's purple on the page when you get there so the DV victims, everyone who comes to the site, your eyes are drawn to the purple. And they made that change for me. So, the only thing is….well, we can't design it. But you know what? It's about helping people … and I like the way it looks anyway. I don't really consider it a drawback but I would call it a trade-off [P36].

In addition to developing the LawHelp platform, Pro Bono Net has also been involved in a variety of community events and grant-funded projects related to statewide legal information websites, partnering with LawHelp states as well as those on other platforms to develop new features and tools (e.g., online triage; text-based information referral services) [P3; P29]. In choosing projects in which to participate, Pro Bono Net is most interested in those which foster replication and improvement [P32].

Several Information Providers who consider themselves to be part of the OST

community discussed their experiences in being part of this network [P13; P18].

Although this network is less formal than that created by Pro Bono Net, Information

Providers have developed various means to connect with one another, including meetings

at TIG annual conferences, a listserv, and conference calls. In the early 2000s, LSNTAP

developed a circuit rider program for the OST community (similar to that described

above for LawHelp states). More recently, as described by one Information Provider,

through collaboration, they have been able to secure grant funds to create an updated

open source template:

> [I]n [an earlier grant], we wrote into the milestones, that we would have monthly
> meetings, tele-meetings or webinars or go-to-meeting type things – get people in
> [the OST] community involved and brainstorming and decision-making and just
> up to date and so I guess the infrastructure of the group, the community was
> already in place. We just leveraged what was already happening and started
> having more frequent meetings via telephone and computer and since we ended
> up writing the first grant, it just fell on us to continue the follow-up grants to build
> more, to update the template, and so on and so forth. And now we're on our…
> fourth Drupal grant. [W]e…don't have the meetings on a monthly basis anymore
> but we do have them about once a quarter to update people. But, there [are]…
> emails and phone calls going out back and forth and, at this point, we're just
> trying to find people out there that, either didn't move their website from one
> platform to the newest or went out on their own and now just kind of have an old
> Titanic iceberg floating out there that they need to update [P13].

This example underscores how collaboration among statewide legal information websites

can offset, at least to some extent, a tense environment within one's own legal services

community.

Conclusion

As the foregoing discussion demonstrates, Information Providers approach each of the four principle program activities – content development, website design, evaluation, and outreach – with the goal of delivering website content that connects self-help users with the legal information and services they seek. To date, they have struggled with achieving this goal. Information Providers are routinely confronted by challenges created by limited budgets and staffing, while also facing resistance from stakeholders who fail to understand or appreciate how the website provides assistance to self-help users. Thus, while they recognize that they have yet to successfully overcome all of the barriers to information access created by language and literacy, many Information Providers currently lack the capacity to turn their ideas about overcoming these barriers into action items. The silver lining described by many interviewees, however, is the collaborative efforts they have undertaken with A2J stakeholders, as well as with other Information Providers. As discussed in greater detail in Chapter 7, collaboration is a possible solution to one of the most significant problems facing Information Providers revealed during this study – their lack of connection with the users of statewide legal information websites.

A. INTRODUCTION

Through the three stages of data collection, key concepts and themes evolved to varying degrees. **Table 7.1** presents a summary of key findings made throughout the course of this study, tying each finding to a specific research question and the stage of data collection during which it first emerged.

Table 7.1: Summary of Key Findings (by Data Collection Stage)

	What are the principle activities that Information Providers engage in with respect to statewide legal information websites?	What are the different ways in which states have approached these activities?	What program and operational issues have Information Providers faced?
Pilot case study	Developing, updating and reviewing content Updating website design Increasing awareness about the site within the legal and library communities Reviewing site usage statistics and user feedback	N/A	Working with access to justice community stakeholders Volunteer recruitment Developing content that is accessible by users
Online Survey	Working with legal professionals to update existing content and create new content Working with other organizations to disseminate information about the sites Making site mobile-responsive and other more user friendly Using website usage statistics and various feedback mechanisms for evaluation purposes	Collaboration with various government agencies and community organizations Seeking assistance from Pro Bono Net Different ideas about target users (and the barriers they face) lead to different decisions about content development, website design, and outreach	Managing workflow processes related to content development and review Finding sufficient money and staff to keep website up-to-date Getting "buy-in" from others within the organizations as well as the broader legal community

	What are the principle activities that Information Providers engage in with respect to statewide legal information websites?	What are the different ways in which states have approached these activities?	What program and operational issues have Information Providers faced?
Online Survey (cont'd)	Developing new tools and features for the site		
Interviews	Developing better ways to present information Providing website training to access to justice stakeholders	Obtaining external funding to add multi-media content, non-English content, and interactive features Using different community organizations and government agencies as information intermediaries Seeking assistance with content development and revision from different organizations and individuals	Working with legal professionals on creating "plain language" site content Dealing with shifting sources of funding Devising ways to measure outcomes Learning more about actual website users

In sum, the pilot case study opened up the programmatic "black box" of one statewide legal information website. From the interviews and document review emerged an understanding of the range of stakeholders involved; the stakeholders' perceptions of website users and of the barriers that users face in accessing information on the site; and, the activities and resources underlying the site that are integral to its continued existence. This nascent understanding led to a shift from thinking about statewide legal information websites as technology projects that exist within the access to justice realm to conceiving of them as access to justice initiatives that employ technology to deliver information and services to a defined group of users. This understanding was refined through the survey and then the interviews as various questions related to "how?" came to the surface:

- How do Information Providers work with various A2J stakeholders?

- How do Information Providers seek to overcome the barriers to information access they have identified?

- How do Information Providers address issues related to content development, website design, outreach, and evaluation?

- How do statewide legal information websites fit within the broader access to justice realm of which they are a part?

The exploration of these questions led to another shift in the focus of this study. A key outcome of this study, as originally envisioned, was the development of a conceptual framework based on the work of Detlor et al. (2010). Their conceptual framework, as discussed in Chapter 3, focused exclusively on internal contextual factors that impact the adoption and use of community municipal portals (e.g., presence of leadership, adherence to processes). While these factors were explored in questions asked in the survey and during the interviews, the emergence of several key findings led this study in a somewhat different direction:

1) Each statewide legal information websites is a product of its environment, which is comprised of internal elements (i.e., the infrastructure built up around it) and external elements (i.e., the legal services community that surrounds it, as well as the broader economic and political forces that impact this community).

2) Collaboration shapes this environment, by providing an opportunity for Information Providers to overcome infrastructure challenges related to budget and staffing.

3) This environment, together with Information Providers' focus on target users, in turn, shapes how Information Providers engage in key program activities, namely content development, website design, evaluation, and outreach.

These findings are related to the research questions posed at the outset of this study. The principal activities of Information Providers have been identified, and differences were observed in terms of how Information Providers engage in each of these activities. These differences stem from the fact that no two Information Providers have the same level of resources, nor the same amount of support from the legal services community, nor the same relationships with A2J stakeholder organizations. Notwithstanding these differences, one common thread among Information Providers emerged: their lack of connection with website users. This lack of connection impedes evaluation efforts, raising questions about the ability of the access to justice community to assess the impact of statewide legal information websites.

The following discussion will explore the links between Information Providers' current activities, the environments in which statewide legal information websites exist, and the role of collaboration in overcoming the challenges Information Providers face. The findings enumerated above demonstrate the shortcomings of focusing only on how internal contextual findings impact use. The significance of the environment in which a statewide legal information website exists (both the infrastructure and external environment elements) cannot be overstated. If each website is indeed a product of its specific environment, any analysis of outcomes or impact must take this fact into account.

With that in mind, the following discussion incorporates a preliminary assessment of how different environments yield different websites. This assessment is comprised of a small number of evaluations conducted on websites with different internal and external environments, focusing on the presence or absence of a select number of "best practices"

identified in the literature. It provides some insight into the strengths and weaknesses of the sample websites, suggesting potential areas of focus for future evaluative studies. The need for such studies becomes clear when one considers the lack of knowledge that Information Providers currently have about who is actually using their websites. Collaboration, however, provides an avenue through which Information Providers can rectify this situation.

B. UNDERSTANDING THE ENVIRONMENT

B.1. Infrastructure

The challenges that Information Providers currently face with both staffing and funding were discussed in Chapter 6. Interviewees were asked if they felt they had adequate staffing and funding – the term "adequate" was generally interpreted to mean enough to keep the site up and running. While many Information Providers initially indicated that they felt that the site, in its current form, was sustainable, they then went on to say that limited staffing and funding were impeding efforts to enhance their sites in any number of ways. Most interviewees ultimately expressed a degree of discontent with the website in its current state. One Information Provider offered the following assessment of these challenges:

> [H]ere's the thing about the website…that I think sometimes people lose sight of…people look at technology and they think it's this magic bullet, [but] it's only as good as the people you've got working on it. So, we have enough staff to keep it going but we're getting more staff to really do more….[I]t requires man hours as far as tedious work – let's update this resource…making sure the links still work and making sure that everything is there. I mean, at a certain point, a website is just a delivery system [P36].

The law is not static and so these sites cannot be static. Having outdated forms on the website, by way of example, can have adverse impacts for self-help users if the clerk's office refuses to accept a filing because an improper form is used. As one Pro Bono Net staff member observed, sustainability in this context involves maintaining an updated website, the costs of which (in terms of both time and money) are not always adequately considered at the outset: "But, the other thing too is to realize is that these things cost money…don't start a project that you're not going to sustain. Don't put a form out there that you're not going to have the wherewithal to change when the law changes" [P5].

The long term outlook for statewide legal information websites is dependent upon the organizations maintaining them continuing to view them as a priority. It was comparatively easy to think strategically about the website when the TIG program provided the funding for a dedicated staff person. A few states continue to have one or more individuals whose sole responsibility is working on the site, but this study suggests that this is not the norm. Moreover, as discussed in Chapter 6, some organizations now treat the site as part of their general operating costs, whereas others depend upon external grant money to create new content, add new features, and otherwise keep the site up-to-date and relevant. Both of these scenarios raise issues related to sustainability. For Information Providers in the former group, it can be difficult to maintain the visibility of the site and make a convincing case that additional resources should be devoted to it. It depends, in large part, on the extent to which decision-makers (both within and outside of the organizations) see the value of the website as compared to the value of traditional services:

> [I]t is the priority for [the legal services organization]…we're going to fight tooth and nail to keep the website. I know that we've made…personnel decisions and

human resources decisions based on, you know, do we lose the website or do we lose, you know, a staff position? Our board is very protective of the website because it does serve so many people [P28].

Not all organizations place the statewide legal information website in such high esteem, however, and the situation has deteriorated in some states to the point where no one individual has responsibility for the site. One Information Provider explained how he can see the quality of the website deteriorating due to neglect but currently lacks the resources to have a dedicated staff member managing it [P29]. The more typical scenario is that there is still a "point person" for the site but that this person is finding himself or herself spread very thin these days, as the legal services community find themselves in a state of continual contraction. That person is often responsible for other projects that may or may not be related to the website:

> [I]t might be "OK, now you're coordinating the LiveHelp project" or "Now, you're also going to be managing the development of multi-media videos or of online forums".… [B]ecause …dedicated funding is no longer available from LSC and the funding contractions in the field in general, I think that those coordinator positions are now wearing many more hats than they were in their early days [P33].

In one sense, giving the Information Provider responsibility for a suite of related initiatives fits well with the idea of integrating the website into the core activities of the organization. For some, the idea of integration is not new – several Information Providers indicated that, from the beginning, the website was conceived as a way to share information with those potential clients to whom they could not provide direct services and, ideally, enable them to deal with their legal problems on their own. This mindset encourages Information Providers, as well as others within the organization, to view the website as another means of service delivery to the client population, potentially paving the way for it to be an important component of an online triage system.

The addition of other responsibilities to the Information Provider's workload, however, forces them to make decisions about where to devote their time and energy. Conceivably, the website can fall to the wayside as other, more immediate needs demand staff members' attention. One Information Provider described how his efforts to go forward with automated documents – something he believes will significantly improve the website - languished because there was no one person devoted to this particular project. He appears to be making some headway, however, as the organization's current strategic plan calls for the creation of a new staff position that would be focused at least one-third of the time on automated documents [P41].

These changes to the level of, as well as the types of, resources dedicated to statewide legal information websites impact their current operations in several ways:

Information Providers are struggling with how to create the "next generation" of their websites. Information Providers would like to do more but, without additional funding, improvements and additions are not feasible. They can articulate what they would like to incorporate into the site (e.g., interactive features) and previous outreach efforts they would like to revive (e.g., to domestic violence shelters and senior centers) but they recognize that all of these efforts require more money and/or staff than is currently available. For example, one Information Provider, when asked about what was preventing the incorporation of LiveHelp functionality into the site, cited the current lack of available funding to hire additional staff [P10]. This sentiment was echoed by other interviewees who struggle to find sufficient resources to develop multi-media content: "[M]y budget is tiny and so, you know, if I'm working on a video, it can be challenging

to find a place to shoot. If I want to find art, it's expensive to get stock art so trying to create something out of nothing can be a bit challenging" [P7].

Notwithstanding these constraints, Information Providers are generally anxious to move beyond the status quo, as evidenced by the current and future projects related to enhancing interactivity, adopting a problem-solving approach, and similar advancements discussed during the course of the interviews. It is impossible to speak of one status quo existing across the current network, however, as there currently exists a continuum from sites that only provide information to those in which some aspects of an online intake and triage system are already in place. Early on, there was a tendency to treat statewide legal information websites as "clearinghouses," storing any and all legal information for self-help users. Some states have moved further away from this model than others. While there is now a growing emphasis on quality over quantity, there is still a fair amount of clean-up work to be done on many sites. As described by one former Information Provider,

> [M]ost people went for breadth over sort of some really good content and so we had, I think that there were ten different areas that we were looking at in terms of content and that certainly – family law was a priority…[B]ut there were still other [areas] like…social security related things, disability law, [and] education. Those sorts of things that were included on there but generally were fairly poorly covered. And I wonder sort of, in thinking back, if…instead of spending the resources on trying to review those extra pieces of content that were very sort of light, not focused … and didn't necessarily always answer the questions that people were coming to our site for, we had focused more… on divorce and parenting plans, on… adoption things … on landlord tenant issues, and those consumer law issues – that they might not have improved more quickly [P31].

A Pro Bono Net staff member agreed with this assessment, observing that the early impulse to aggregate all possible legal information has created "dead weight" for many websites now [P33]. She noted, however, that the clearinghouse approach made more

sense early on because other organizations in the non-profit sector were not maintaining that information and so the legal services organizations were meeting an important community need. That is no longer the case though, and so it is incumbent upon current Information Providers to think not only about the types of content they would like to develop but also to review existing content to determine whether it still furthers the site's mission.

A key component of this transition away from the clearinghouse model involves focusing on helping users solve their specific problems, rather than providing information of a more general nature. This shift, however, makes the site a more labor intensive venture, as it is easier to provide links to other websites than to craft detailed guidance that walks users through the steps they must take in order to address a specific legal situation.

Changes in sources of funding impact content development. In perhaps the clearest example of this phenomenon, one Information Provider described how the site's current primary source of funding is a national association affiliated with the social work profession. Because of this arrangement, they expanded the scope of the website to include non-legal information, thus providing legal information within the broader umbrella of social services information. More typically, even those sites that have been folded in to the organization's general operating budget are increasingly relying on external funding to make improvements that move them further down along the spectrum, away from being a clearinghouse of legal information. These improvements include the current projects in development summarized in **Table 6.7** (e.g., online intake and triage systems). Many of these projects involve Information Providers working with

A2J stakeholders within their state, as well as other Information Providers and organizations across the country, to do things that would likely be impossible to accomplish on their own. One interviewee, for example, enthusiastically talked about two TIG applications that were currently pending – one for developing an online game with a local university, and one for working with law students to create online tutorials for self-represented litigants that could be used by legal aid organizations in other states [P8].

A reliance on external grant money, however, raises questions about the long-term sustainability of the site. As noted by one former Information Provider,

> I think that that is the challenge for most programs, particularly the part afterwards of being able to maintain the content. And…I don't have a really good solution for that – it's just an area that particularly after the grant runs out, I have a feeling that there's a lot of content out there that doesn't get updated….either because they've contracted out and haven't planned for future updates or just because priorities change and … staff turn over and some of the content is forgotten" [P31].

In addition to the constantly shifting priorities engendered by a reliance on external grant money, grant-driven content development can take its toll on Information Providers in other ways. By way of example, when asked whether she had any "wish list" projects, one interviewee described how difficult it was to think about anything other than the grant on which they are currently working:

> [W]e're just running so hard, so fast with stuff, and trying to get the grants coming in so that we can keep going. And…always trying to be on the cutting edge of developing new stuff and now we're eyeball deep in online intake and triage. I used to kind of resist that and when I was sort of second in command, I'd say…"Let's just not put in a grant this year. Let's just catch up, figure out where we are,"… [but], since [the former boss] left, I've just kind of been swept along and have become him. It's like [wer're] running, running, running [P22].

In the current environment, external grants are the way for sites to innovate and are

central to efforts in many states to realize a vision of integrated legal services delivery

that includes the statewide legal information website. At the same time, however, the

pressure to find this grant money – in addition to a multitude of other responsibilities – is

always present. This creates stress for at least some Information Providers as they find

themselves needing to shape content development around grant-funded projects, which

may or may not align with the needs of their target users. One interviewee, for example,

opined that LSC's emphasis on mobile app development a few years ago was somewhat

of a misfire:

> [W]e jumped in early on the apps…to just again experiment and so we did this
> national legal aid news app and a national legal aid finder app. The first one got
> into both doors, but the second one – Apple kind of turned up their noses at. It
> wasn't entertaining enough. And it wasn't "appy" enough. Interesting….I think
> that apps have their place and can fit for very specific targeted sort of purposes.
> but I think generally having experimented with apps, that we have more recently
> put more effort into responsive design …. and we've more recently again put
> more emphasis on that [rather] than more app development [P22].

Decreases in funding and staffing have led to less formal processes and procedures

in a number of states. A number of Information Providers described a situation in

which, from the beginning, it was difficult to get buy-in from individuals within the

organization, as well as from throughout the broader legal services community. Their

early efforts to encourage people to get involved in content development and to

institutionalize stakeholder support through advisory committees met with varying

degrees of success. Regardless of their success (or lack thereof), however, many of these

early efforts have been replaced by increasingly informal ways of conducting business

related to the website. As described in Chapter 6, only a few states currently have

carefully documented procedures that require action on the part of various staff members as well as of outside substantive experts. For the majority of states in which one person is responsible for the day-to-day operations of the site, however, formal processes are not seen as necessary. As explained by one interviewee,

> [E]arly on, we did create some written protocols about content review, content contribution, all that sort of thing. But, the reality was that we never – we, I should say I - was never able to get enough different people involved in contributing on a repeating basis that those protocols contributed to efficiency. They didn't. I was the one who was doing it and so I was the one who was able to look through pieces – review both for substantive accuracy and for readability, usefulness in terms of who the intended audience was going to be [P41].

New Information Providers thus have a fair amount of latitude to try different things, rather than being tied to existing practices and procedures. The absence of formal processes can be problematic, however, to the extent that it allows work associated with the site to become less defined (e.g., content is developed on a "catch as catch can" basis), which can lead to a neglected site. A neglected site, in turn, may lead others within the organization, as well as external funders, to question its value.

B.2. Legal Services Environment

Information Providers have typically relied upon other organizations within the legal community to support the website in one way or another, whether it be developing content, promoting the site to their clients, or assisting with the LiveHelp service. **Table 7.2** shows the different roles that A2J stakeholder organizations play in connection with statewide legal information websites. The numbers represent the number of states in which a type of organization fulfills that particular role. Certain boxes were shaded to highlight the roles most frequently played by different types of stakeholder organizations.

In brief, 1) Legal services providers, law schools, and the pro bono community are the most frequent contributors to content development, in line with Information Providers' interest in having substantive experts involved in this process, and 2) Courts, libraries, and non-profit organizations (to a lesser extent) engage in outreach activities targeted at increasing awareness about the site, particularly among the self-help users with which they come into contact.

Table 7.2: A2J Stakeholder Organization Roles

	Content Development	Funder	Host of Legal Clinic/Self-Help Center	Outreach[39]	Participation in Advisory Committee	Provider of Self-Help Resources	Provider of Feedback	Livehelp Navigators
Access to Justice Commission	1			1	1	1	2	
Advocacy Groups	1			2				
Bar Associations	3			2	1		2	
Bar Foundations		5		1	2			
Colleges/Universities	3							
Courts	3		2	10	3	1	4	
DV Shelters/Orgs	1			4	1		2	
Gov't Agencies	2	2		2	1	1	2	
Law Schools	8				2	1	1	2
Legal Services Organizations	19			5	5		2	
Libraries	1		3	14	2		3	
Non-profit organizations	2	1		6	3		2	
Places of Worship				2				
Private Bar	1	1		3				
Pro Bono Community	6						1	
Self-Help Centers				2	1		1	

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[39] Outreach includes trainings and other activities by Information Providers to increase awareness about the site among A2J stakeholder organizations, as well as the stakeholders' organizations efforts to disseminate information about the site.

	Content Development	Funder	Host of Legal Clinic/Self-Help Center	Outreach[39]	Participation in Advisory Committee	Provider of Self-Help Resources	Provider of Feedback	Livehelp Navigators
Self-Help Task Forces							1	
Senior Centers				1				
Social Services Agencies				4	2		1	
State Bar	1			2	2		1	
State Legislature				1				
Technology Centers			1	1				

Courts and libraries, in particular, provide the scaffolding that is needed for self-help users to be able to physically and intellectually access content and services on statewide legal information websites. This concept was explored by Bishop et al. (1999) over fifteen years ago and is no less relevant today.

The idea of navigators was discussed in several interviews in connection with self-help centers. The basic concept, however, is broader than that type of formal structure – at its core, it's about having "people on the ground" who can guide self-represented litigants through the court system. Information Providers increasingly see librarians as ideal navigators. As described by one interviewee, "[L]ibraries are seen as kind of natural places where people come to get information and help from a librarian, you can get free internet there – so they [are] just natural community hubs" [P34]. Several Information Providers mentioned that a conference in Austin, Texas a few years ago was instrumental in building bridges between the legal services and library communities. Following the conference, Information Providers made presentations to libraries on this topic, bringing promotional materials for their websites along with them.

More recently, libraries were front and center during the development of one statewide legal information website, which was expressly designed to aid librarians in their intermediary role. Prior to developing the site, a legal services organization within the state conducted a survey to assess librarians' needs related to the provision of legal information. Through this survey, they learned that many librarians did not feel qualified to answer the legal questions they were being asked, despite having received some training on how to distinguish between legal advice and legal information. In addition to incorporating resources specifically for librarians into the site, the Information Providers working on the site have conducted numerous training with librarians throughout the state. This continues today on a smaller scale (by phone and one-on-one sessions), as they train new librarians and offer refresher courses. One interviewee noted that librarians' responses to the site have been generally positive. In one library where they hold monthly pro bono clinics in conjunction with a local legal services organization, the librarians "have been ape" over the website because it is a resource to which they can point patrons who come in with legal questions throughout the month [P35].

Conceiving of libraries as intermediaries has brought them into the fold of the A2J community. Information Providers in some states, however, are now envisioning an expanded role for public libraries – one that includes integrating access to justice work into their services. The self-help centers operating out of public libraries in certain states are one example of this integration. In another state, the training director at the legal services organization that maintains the site routinely conducts training for libraries on online legal resources. These trainings focus on more than the statewide legal information

website, highlighting the potential for sustained collaboration between libraries and legal aid organizations.

Table 7.2 also illustrates the different approaches to collaboration – this involves non-traditional A2J stakeholder organizations (e.g., technology centers, places of worship) as well as new ways to expand upon existing partnerships. One interviewee, for example, has partnered with a law school brief advice clinic – he provides clear writing training to the students, they draft content for the website, and he continues to work with them on incorporating clear writing principles through several rounds of drafts before a substantive expert weighs in. This Information Provider has also started offering clear writing training to summer interns at legal services organizations. These efforts, he explained, serve various purposes, namely, community service, marketing, and "preparation for getting people involved" in the website as they start their legal careers. Others are also increasingly thinking about the role that law students can play. One interviewee, for example, is currently developing a project that would work the website into the curriculum of adult education (including English as second language) classes. The Information Provider envisions law students conducting these presentations and thus playing a central role in this outreach effort [P21].

The existence of these partnerships obscures, to some extent, the uphill battle that many Information Providers face. This is true even in those states in which the various A2J stakeholders "play well in the sandbox together." Among those who expressed the greatest discontent with their current situations, the underlying problems varied. One interviewee noted that her organization was the only legal services provider in the entire state, whereas others had a distant (and, in one case, contentious) relationship with other

legal services organizations in the state. In the latter cases, the Information Providers

expressed skepticism about the value of building stakeholder relationships. A Pro Bono

Net staff member offered the following frank assessment of the situation in some states:

> "[It] is all based on local resources….So, if you don't have a good relationship
> with the bar, if you don't have a good relationship with the courts, if your courts
> don't care or believe that self-help resources make sense, how are you going to
> create the network to allow these people to proceed to court on their own? So, it
> takes a village, you know, to get the person through. In some states, that's been
> done well. And, in other states, it is, you know, an evolving process. Rome was
> not built in one day and we're building Rome [P5].

She described, for example, how the success of forms projects varies from state to state,

often depending on the extent to which history and politics prevents groups from being

flexible with their demands and willing to trust one another.

Even organizations that work together well can have conflicting interests. Some

courts' reluctance to embrace the use of automated forms is one example of this type of

conflict. Several Information Providers indicated that the courts' stance was a significant

impediment to progress in this area, citing it is a primary reason for their decision not to

include a full suite of online forms on their websites. Cooperation is particularly

important in this context though, as the court is the ultimate arbiter of whether a given

form will be accepted.

Moreover, many A2J stakeholders are supportive of statewide legal information

websites in theory but appear to be shying away from playing a more active role. One

Information Provider's description of the library community's waning involvement in the

site aptly illustrates this point. "[W]e really urged them [librarians] to participate in the

trainings and have a presence on our site and very few of them really took initiative to do

that. They use the resource but they really didn't see why they should care about having a presence on our site" [P34].

In some states, for example, working on the website is promoted as a way for attorneys to fulfill their pro bono hours. Several Information Providers, however, report that attorneys tend to gravitate toward direct client services for their pro bono hours, feeling that it is a more valuable form of volunteer service. Repeated unsuccessful efforts to gain traction within the legal services community have left several Information Providers feeling discouraged. They have good ideas, such as one interviewee's earlier outreach efforts focused on low-income teenagers, based on her belief that teenagers are likely to be the ones going online to search for information needed by other family members. But, Information Providers' inability to gain support for their ideas – from those within their organizations as well as within other A2J stakeholder organizations – creates an impasse that they do not know how to overcome.

This impasse is even more problematic in light of ongoing efforts to build online intake and triage systems that are integrated with statewide legal information websites. A number of interviewees suggested that some members of the legal services community are not ready to make this leap to a system that encompasses both in-person and virtual services. As one Pro Bono Net staff member noted, "Even phone intake is in some places is disparaged, right? So this notion of changing the way we practice law and how we provide services, not everybody is there yet" [P5].

These difficulties appear to stem, at least in part, from the fractionalized nature of the legal services community in some states. As one Pro Bono Net staff member described, other organizations may be creating online resources for self-help users but

there is no integration with the statewide legal information website. The reasons for this lack of cohesiveness, ranging from the lack of a statewide technology support group to a history of lack of cooperation among legal services organizations, were touched upon during interviews but a thorough exploration of these reasons is beyond the scope of the current study. Regardless of the reason, a fractionalized system is problematic within the context of statewide legal information context to the extent that it leads to duplication of efforts. Moreover, it does a disservice to self-help users as they have to go from site to site to obtain the various information resources and services for which they are looking. The solution, according to one interviewee, is the development of online portals that bring together multi-media resources, forms, content written pursuant to the principles of plain language, and chat services all in one place. While there is progress being made in this area, there are still far too many stand-alone websites, the existence of which detracts from efforts to convince members of the legal services community to focus their efforts specifically on the statewide legal information website. As a result, many Information Providers finding themselves unable to pull together a committed corps of individuals who are invested enough in the site to contribute to it on a regular basis.

Information Providers working in states with fractionalized systems talked about the lack of a shared vision and the role of the access to justice commission (or similar statewide entity) in remedying this situation. In some states, it appears as though the A2J commission has been instrumental in bringing awareness to self-represented litigants and has embraced the statewide legal information website as instrumental to efforts to better serve this population. One Information Provider, however, painted a bleaker portrait, explaining how the vision of the A2J commission in her state conceives of the needs of

self-help users in a way that does not quite mesh with the mission of the statewide legal information website. She offered the following example to illustrate this point: "[A] lot of the content that we might develop might be how to represent yourself in a [Medicaid] hearing. Well that doesn't help the [A2J] Commission at all because they don't care what happens in administrative hearings. They only care about what happens in the public court system" [P35]. The extent to which A2J commission is able to create a shared vision among diverse organizations within a legal services community obviously varies, but the very existence of such a body helps to shape the external environment surrounding statewide legal information websites.

It should be noted that lack of cohesiveness was discussed in another way that extends beyond the legal services community. In some states, the legal systems are fractionalized to the point where different jurisdictions have different rules, forms, and case management systems. This poses distinct challenges for Information Providers working on statewide websites in those states, as it is crucial to make sure that users know about the variations and are pointed towards those resources that can be applied to their situation particular. This, of course, makes content development more arduous. Creating plain language forms, for example, becomes much more labor-intensive when a different set must be created for every jurisdiction within the state.

The collaboration that shapes the external environment surrounding statewide legal information websites extends beyond state boundaries. Because legal services organizations exist in an environment in which there are never enough resources for them to accomplish everything they want to, individuals working in these organizations are known for coming up with creative ways to accomplish their goals. One Pro Bono Net

staff member described the community of Information Providers as a mixture of people who "love technology for technology's sake" and people who view technology as a means to provide better services to clients. These two groups balance each other out, with the former group encouraging innovation and the latter group ensuring that the focus remains on the users [P32].

As Information Providers struggle with budget and staffing issues, they keep an eye on what their counterparts in other states are doing, and the importance of replication was observed by a number of interviewees. The LawHelp and OST communities facilitate learning and knowledge sharing among Information Providers, and more than one interviewee spoke of the importance of sharing their experiences and innovations so that others do not have to reinvent the proverbial wheel. Pro Bono Net, in particular, was acknowledged as a driving force behind much of the collaboration among current and former Information Providers.

LSC also continues to supports the growth of statewide legal information websites, notwithstanding its diminished funding role in recent years. As described by one interviewee, LSC has "been useful in terms of [being] a sounding board and keeping us in touch with other programs who are also developing websites or changing websites and…they've created a forum for discussion of the whole and they certainly have been encouraging innovation around the websites" [P37]. LSC, in addition, holds an annual TIG conference that facilitates an ongoing dialogue about many of the issues identified in this study. This year's conference, for example, included a training session on HotDocs and A2J Author that was designed by the Ohio State Legal Services Association and Pro Bono Net.

B.3. WEBSITE EVALUATIONS

The variation in terms of the environments in which statewide legal information websites exist raises an interesting question as to whether these differences translate into observable differences in the websites themselves. As a preliminary effort to address this question, evaluations were conducted on a small number of websites. The sample was purposive, with the goal of including states with markedly different environments, in terms of infrastructure and external environment. Descriptions posted on each site reveal differences in terms of how the sites are maintained and the stakeholders who are involved in maintaining them:

LawHelp California is a "collaborative project with policy oversight from the CalJustice Advisory committee and assistance from advocates at legal aid programs throughout the state," including the Legal Aid Association of California (the statewide membership organization of legal services nonprofit organizations).

Idaho Legal Aid Services is a nonprofit statewide law firm and community education organization. It differs from the others within the sample to the extent that the statewide legal information website in Idaho is Idaho Legal Aid Services' website.

The People's Law Library of Maryland is housed within the law library, an arm of the state government, as described in Chapter 4. It is "supported by Maryland's non-profit legal services providers, Maryland pro bono attorneys, and the legal academic community."

Michigan LegalHelp is managed by the Michigan Poverty Law Program (a joint effort of Legal Services of South Central Michigan and the University of Michigan Law

School) that provides state support services to legal aid programs and other poverty law advocates throughout the state.

Montana LawHelp is a project of the Montana Legal Services Association, and the website lists a number of partners: the Montana Credit Unions for Community Development, State of Montana Law Library, the State Bar of Montana, and the Montana Supreme Court.

In selecting websites to include in the sample, several observations made by Information Providers were also given careful consideration: 1) There are two main nodes of the network of statewide legal information websites – the LawHelp community and the OST community – but the former is more cohesive by virtue of having a national non-profit organization (Pro Bono Net) oversee everything; 2) Some states charted their own course from the beginning, and 3) There are leaders in the field – from the LawHelp community, the OST community, and those which have gone their own way – to which others look. Within this sample, two of the websites (California and Montana) are on Pro Bono Net's platform. They demonstrate the diversity that exists within that specific network, representing legal services communities of radically different sizes. Idaho is part of the OST community, and the other two states (Maryland and Michigan) have charted their own courses, although Michigan has adopted several of the key program elements developed by Illinois Legal Aid Online. Thus, notwithstanding the small size of this sample, they are diverse in terms of how they are managed, the collaborations that support them, and the platforms they use.

As described more fully in Chapter 3, these evaluations were limited in scope, focused only on a small number of best practices identified in the literature, as well as by

survey respondents and interviewees. Each website was reviewed by at least three

individuals, using one of two scenarios. The scenarios revolved around hypothetical

legal issues in two areas in which self-help users tend to seek assistance – landlord-tenant

disputes and domestic relations matters. Evaluators were asked to complete a separate

worksheet for each evaluation, and the results were compiled in a matrix to compare

findings across the sites. Key findings from this analysis include the following:

- Evaluators were typically able to find at least some information relevant to the hypothetical situation on all of the websites with minimal difficulty.

- The websites varied in terms of the extent to which they provided information about procedural steps. All evaluations of Michigan and California content indicated that this information was available, whereas four out of the five evaluators of Idaho content could not location this information.

- Evaluators had different opinions as to whether key legal terms were defined. For example, two evaluators of Idaho's domestic relations content stated that terms were not defined, whereas a third noted that key terms were "linked to a pop-up bubble that explains the tem in plain language."

- On each site, at least one evaluator had difficulty locating forms (or links to forms). In some cases, the evaluator concluded that this information was not available on the site. Other evaluators noted that they eventually located the information after "drilling down" into the site. One evaluator described the numerous steps he had to take to find any relevant forms on Maryland's site, concluding that "I think most people would give up looking after a few minutes."

- At least one evaluator was able to locate multi-media resources on every website except Montana LawHelp.

- Contact information for legal services organizations was findable on every website.

At the end of the evaluation worksheet, evaluators were asked to share any additional thoughts or comments on their experiences in completing this exercise. **Table 7.3** provides a selection of comments made about each of the websites.

Table 7.3: Evaluator Comments

State	Comments
California	"A bit cludgey on the second level with the multiple pages of options under housing that are not clearly organized - it was one click less to get here than the Michigan page, but less clear when I got here." "I really like the way LawHelp California presents the various topics its users might be seeking information on — the use of icons is really helpful. LawHelp California actually links to the California Courts (courts.ca.gov) website for the step-by-step guide to eviction actions, but since the California Courts' website presents the information so well, there's really no reason for LawHelp California to recreate it on their own website."
Idaho	"Kind of a jumbled site – interestingly they use a wordpress template, so providing a best practices example based on this common template could be a good outcome of your work" "The information on child support wasn't very useful for my purposes. The Child Support Services Application and Booklet are useful for a first-time applicant, but …[t]he only mention of modifying a child support order in the booklet is the cost of filing such a petition with the court, but doesn't describe how to do it. It also seems a bit cumbersome that the booklet launches as a pdf. Creating an HTML web page to match the rest on the site would be more useful and accessible….The link to the "How Child Support Services Can Help Your Family" page on the Idaho Department of Health and Welfare contains some useful general information….From that page, I did find a link to a page on "Changing a Child Support Order," which is the information I needed, but it took so many clicks to get there, that the average user would have probably given up on finding the information before they ever saw a link to this page."
Maryland	"An interesting comparison to a library site rather than a nonprofit center site - info was pretty text heavy and not very well cross linked, but

	thorough."
	"The experience of using these web pages, as opposed to the others in this evaluation, is very much a problem of access and responsibility. It shares many of the same deficiencies that I associate with library guides. It is organized in a way that makes sense if you come at the information finding problem with a structural approach: How is the information organized in relation to either other sources of knowledge or the governmental structure. The problem is most people, in my experience, come at their information problems from the perspective of what they don't know, and then figure out the easiest/efficient way to get the least amount of information in order to "resolve" the problem. Web pages structured in the way the Maryland pages might be assume people want to be taught how to find information."
Michigan	"Interesting site! The language was a tad legal-y (subsidized vs. non-subsidized housing for example) - some of these terms may be clearer within the user base though, due to their use by other agencies and orgs."
	"I found these web pages represent an excellent mid-point between the best aspects of a minimalist approach to deliver complicated information in a clearly efficient fashion and a bit more structured approach for people who need more guidance, suggestions, and help in sorting through a complicated set of data, explanations and discussions of legal circumstances and situations. The problem I have with any kind of web site of this type, however, is the huge expectation of literacy any user must bring to the table to search and understand what is found…This web site is better at addressing this literacy gap than most. But it still requires a great deal of prior understanding of legal concepts."
Montana	"The website was pretty straightforward and easy to use. It made me want to search and see if they had a site like this for my home state."
	"There were a higher number of broken links on the Montana pages [and] reliance on other info sources from other organizations with no clear explanation that you were no longer on the MontanaLawHelp.org web space"

These evaluations were too limited in scope to support even preliminary conclusions about the effectiveness of the different approaches. Evaluators looking for the same

content, at times, appeared to have markedly different experiences, with none of the websites emerging as the clear favorite among evaluators. The evaluations did, however, cite some of the same concerns expressed by Information Providers regarding the ease with which information can be found their sites and the readability of this content. There are, for example, forms (or links to forms) and multi-media resources available on each of these sites, but not all evaluators were able to locate them. As the evaluators have attained a higher education level than typical self-help users, this raises questions about whether the sites are meeting the needs of individuals facing barriers to information access created by language or literacy. The evaluations thus point to the need for user-centered program evaluations, as discussed in greater detail in Chapter 8.

C. UNDERSTANDING THE ROLE OF USERS

In addition to these infrastructure and external environment elements, Information Providers' current activities are shaped by their perceptions of the information needs of target users. As discussed in the findings, the way in which Information Providers define target users vary to some degree from state to state, but the core is fundamentally the same: low-income self-help users. At a very basic level, Information Providers' perceptions of users guide content development in terms of substantive content areas. In line with both the literature and survey responses, interviewees most frequently mentioned domestic relations/family law, consumer issues, and housing specifically as areas of priority.

In terms of types of content, nearly every Information Provider mentioned forms as being one of the features that their users look for the most. Forms, however, are not stand-alone items and content must be built up around forms in order to make them truly

usable. In thinking about developing forms, as well as other content, Information Providers are generally aware that many target users face one or more barriers to information access, due primarily to literacy and language issues. Stemming from this recognition, a number of survey respondents and interviewees stressed the importance of making content readable, often through the use of plain language techniques (or the closely related techniques of clear communication and clear writing).

Closely related to the use of plain language is the importance of identifying target reading levels and then making every effort to target that level, as well as the value of offering content in different formats: "I think a lot of times no matter how clear we think we've been on the text, a lot of clients with low literacy levels or other barrier have a hard time absorbing anything beyond more than, you know, a few paragraphs" [P29]. The use of multi-media content is not only a way to overcome literacy-related challenges but also to guard against information overload. Not everyone, however, wholeheartedly embraces the use of these newer formats. As one interviewee explained, there is the danger of focusing on technology for technology's sake:

> We had one person on our [advisory committee] talking about, like, the comic book thing and all that stuff and that's fine but I don't know if we need to go there. There's some degree of just … this is the law. Some of the processes benefit from flowcharts but, you know, the photo novella thing – it's like a big thing. Yeah, maybe? They do role playing videos so, it's like, well, if you can tie it in with a good Youtube presence, maybe you're going to help some people but I don't know [P27].

Information Providers, through their survey and interview responses, expressed a commitment to providing resources that will be of assistance to their target users. The

evaluations, however, suggested that there is room for improvement in terms of how

content is being presented. There are several factors that may be at play here:

- Not everyone who develops content for statewide legal information websites appears to write with target users in mind. Attorneys are substantive experts but may lack the skills to communicate their knowledge to "laypersons." For Information Providers who have a greater understanding of the information barriers that their target users may face, this can be frustrating:

    > Sometimes…I'll email [legal services providers in the state] and say, "I'm looking for people to do such and such." Or "what do you think is important but not being addressed?"…. And so, if they want something out there broadly, statewide, they'll get in touch with me and say "We want this on [the website]" and then they'll get cross because I'll say, "If you want something on [the website], it has to be readable." Some people are up for that, and some people aren't, you know? …. And they work on it, but they just don't have the patience to get it where it needs to – patience or skill to get it where it needs to be [P21].

- Because of the inherent complexity of the law, even Information Providers who are not attorneys may still struggle with creating content that is easily understandable by laypersons.

- Technology may be outpacing the implementation of strategies for content development. Information Providers, for example, know that a growing number of individuals are accessing their sites via mobile devices. They also know that this shift has implications for website design ("it's on a much smaller screen, people have a much lower tolerance for what they can read and what they can see and so we have to be very strategic about how the information is architected" [P14]). Accomplishing the necessary changes, however, may be difficult due to resource constraints.

Information Providers' perceptions about target users also guide their outreach

efforts. These efforts appear to be principally focused on getting information out to A2J

stakeholder organizations that are connected, in some way or another, to their target

users. As discussed earlier in this chapter, A2J stakeholder organizations (notably, courts,

libraries and non-profit organizations) thus act as intermediaries through which

Information Providers can increase awareness about their websites. What is less clear

from the interviews, however, is the extent to which Information Providers use

intermediaries to actually connect with users. Only one Information Provider described

how the relationships they have built with community organizations enable them to work

directly with the individuals to whom those organizations provide services. In that

situation, an organization serving Spanish-speaking populations was instrumental in the

Information Provider setting up a focus group for a Spanish language mirror site.

Inasmuch as this type of dialogue between Information Providers and target users does

not appear to be the norm, we must consider the implications of Information Providers

engaging in content development, website design, and outreach without input from either

individuals within groups that make up the target audience *or* actual users. Information

Providers know that people are finding them via search engines; however, as evidenced

by the following quotes, questions remain about the level of awareness about the sites

among their target users:

- "I really have a sense, a hunch that it's not well known – that the site is still not well-known…[a]mong any group. I don't think any group you could name knows it as well as we would think….And even though we've been around for ages and there are people who are very supportive in the access to justice commission community… [a]nd still you go into clerk's offices and they're like, 'oh, wow, this is new.' And it's not" [P27].

- "I don't know if people even think to go on the website for a legal problem" [P7].

Information Providers therefore know that site usage is increasing but they can only

speculate as to the reasons for this growth. Based upon the survey and interview data, it is

not clear if they are "circling back" to the intermediaries to find out what these

organizations are, in fact, doing (e.g., are librarians who have received training on the site

showing it to patrons?). Nor is it clear whether the outreach efforts are actually working (e.g., are the patrons then using the site?). Because of this lack of knowledge, there is a tendency among Information Providers to make assumptions that what they are doing is working based on the site usage numbers they are seeing.

This lack of knowledge, in turn, negatively impacts Information Providers' ability to conduct any sort of program evaluation. In most states, there is not an established history of ongoing, regular evaluation efforts in connection with statewide legal informant websites. The LSC, which previously played a more significant role because of the TIG program, did require grant recipients to engage is some type of evaluation activity. Now, however, states do not have as many resources available for evaluation, nor do most have a clear idea of how to proceed in this area (as first identified in the Circuit Rider Report). As a substitute for formal evaluation efforts, Information Providers solicit feedback from various A2J stakeholder organizations – namely, courts, legal services organizations, social services agencies, and libraries – and rely very heavily on Google analytics as either the main or only source of information about how they're doing. One Information Provider, for example, described how site usage data is presented to the program's primary funder as evidence of the "good work they're doing" [P36]. Whether or not site usage data does provide such evidence is debatable though – such numbers show that people are visiting the site but do not establish whether these visitors are the people they are trying to reach. And, if they are not the intended users, the site is not doing what it is supposed to do, raising the question of whether funders would, in fact, view this as "good work."

The reliance on these numbers, however, stems from the fact that they do not have other data with which to make their case. This is due to the difficulties that Information Providers face in connecting with website users who, for the most part, are anonymous. Even one of the few interviewees who has conducted focus groups in connection with the website noted the difficulty in recruiting participants. Part of this difficulty, she suggested, is due to the life circumstances of many self-represented litigants, leading the Information Provider and her staff to try different approaches:

> I'm always surprised by [the difficulty with recruiting participants] because…we recruit people through our legal aid partners and through self-help desks through the courthouse – these are people clearly who are lower income, who, you know, 20 dollars for an hour of their time should be meaningful, right? And, we still have a very difficult time getting people and I think that it's largely [that] the nature of that demographic group is that, you know, when you are sort of living in an uncertain environment…it's not easy to plan anything because you never know what's going to happen tomorrow and so I think that's the reality of the people that we're trying to serve and we just need to find a little better way to get them engaged and maybe we could try to do…the usability less formally. We can just sort of do it ad hoc – like, today we're going to go over to the court and pull people who are ready and put them in a room and talk to them. Just listen to them really [P14].

Another Information Provider echoed this sentiment about the difficulty of getting users more directly involved – she expressed an interest in including clients of legal services organizations on the site's advisory committee but acknowledged that, for many of them, participation would be difficult (i.e., are they willing and able to miss work to attend an advisory committee meeting?).

Given these difficulties, the reliance on site usage data is understandable. Information Providers, however, specifically mentioned that a key limitation of Google Analytics is that this data cannot tell them if the people using the site are members of their target

audience. Other information that cannot be gleaned from site usage but that Information Providers would like to know includes:

Is the information on the site helpful? "[H]ere's what I would love to know – I would love to know if it's helpful information. You know, the only time I hear from my users is when they're frustrated or when they're not finding what they need or what they think should be there....so I would love to know what's going on with the other people who have come to the site and downloaded the brochure or gotten a form or found a referral to their local legal services program, I would love to know down the stream if [it] was at all useful to them. I assume so, I'd like to think so, but I don't know" [P10].

Can they use the information? "I would like to know if they have the ability to use what we're making or creating for them and if it's really helping them. I would love to know what the outcome is of the situation – you know, if somebody is getting evicted and they find the eviction pamphlet, can they actually, you know, advocate for themselves? And what happens at the end? And...I'd like to know if...when they read the pamphlet, are we really explaining things to them – you know when you're kind of reading something and all of a sudden you realize that you're understanding it and getting it? You kind of realize, 'Oh, ok, this is making sense.' I kind of wish there was some way I could gauge that" [P7].

What else would help them? "I wish they'd give us more feedback about what would make the website better....I'd love to get more information about what else they need, what else they would want" [P24].

How did they use it? "[I]t would be really helpful to know if there was – if the content that people found is content they used and how did they use it. Did they just use it to inform themselves or understand the law better, what their rights and responsibilities are? Or did they use it to create a document that they sent to another person or to a company to help them accomplish x, y, z? Or did they use it to create a document that they brought to court and then did it work? You know, was it any good? So, that's the kind of information that would be really useful to me because I would want to then try to develop more materials along those lines" [P16].

Each of these questions center around whether or not the site is meeting the needs of its target users. They are, in effect, asking about the impacts of the resources and services Information Providers are providing through statewide legal information websites. The overarching question then becomes: How do you measure impact in this environment? One interviewee, in talking about evaluation activities, suggested that measuring outcomes was impossible with statewide legal information websites because the population served is comprised of anonymous website users.

LSC and Pro Bono Net, however, have become increasingly focused on assessment activities. And, as one interviewee noted, this is trickling down to the rest of the legal services community [P32]. LSC, for example, provides detailed guidance about the evaluation plans that must be submitted by TIG grantees (LSC, n.d., "Evaluation Plans"). LSC recommends the use of multiple evaluation methods and data sets, including administrative data (e.g., website usage data, descriptive data about the types of outreach conducted and training provided), survey data (collected from users, staff attorneys, and court staff), and qualitative data collected through interviews, focus

groups, and observations. Pro Bono Net, in connection with the LHI project, makes evaluation reports available to individuals working on document assembly initiatives.

The LSC guidance, in particular, is promising as it tacitly recognizes the limitations of relying too much on website usage data. To answer questions about whether target users are able to effectively use resources and services available through a statewide legal information website, Information Providers must bridge the gap that currently exists between themselves and their users. This study revealed how collaboration underlies most Information Providers' efforts in the areas of content development and outreach. In contrast, it appears that only a few states have implemented evaluation efforts that leverage the resources and connections of the organizations with which they typically collaborate. The efforts undertaken to date, however, aptly demonstrate how other A2J stakeholder organizations can expand their intermediary role – they can move beyond increasing awareness about the website to connecting Information Providers with actual users and/or individuals with unmet legal needs who could benefit from using the site.

To date, most of the collaborative evaluation efforts have involved tracking online forms. The following description of one such pilot evaluation study was provided by an Information Provider:

> [W]e tried to get some feedback from people after they completed a form. We asked them to fill out a survey and then we circled back and followed up with them after they would have at least filed it or hopefully gone through the court system and we tried to get a feel for … how did it work for them? Was it the first time? Did it seem better or worse than when you handwrite it?....We also surveyed judges, court assistance officers, and clerks, and attorneys to try to get a feel for what was the value of the interactive forms – did it seem like the people that were using the interactive forms had a better experience than ones who just kind of found a form and handwrote the information or typed the information? So,

we do have that type of data as far as value and use but we don't have just the metrics, I guess, the numbers of exactly how many are filed and that kind of stuff [P13].

MLH is currently conducting a similar evaluation study, funded through the TIG program. Of particular interest to other Information Providers is a statement within the project description posted on LSC's website that it "will be promoted to the national community so that lessons learned will inform self-help initiatives across the country (LSC, n.d., "2013 TIG project descriptions").

This study involves the review of divorce court filings in three categories: complaints drafted on MLH; complaints drafted by an attorney; and complaints drafted by a self-represented litigant on non-MLH forms. For selected files, researchers will collect the following data about the parties (e.g., did the plaintiff's representation change at any time during the case?), service of process, the ultimate disposition (e.g., was the case dismissed? If so, why?), and the pleadings used (e.g., did both parties use MLH pleadings?). Researchers have also been looking to obtain files from the time period before divorce forms and other web tools were available via MLH so as to identify changes that may be attributable to the website.

In addition to the review of files, researchers will conduct interviews with court clerk staff, judges and their staff, and self-help center staff, seeking to learn more about their interactions with self-represented litigants and to gather their impressions of how these interactions have changed since the launch of MLH. They will also be soliciting their input about what points in the process self-represented litigants have difficulty and how MLH could better address those issues. Through several different avenues (e.g., online surveys, interviews), researchers are also obtaining data directly from users. The

online survey asks questions about the type of legal matter, whether or not the user had a

lawyer for any part of the case, whether the user feels as though the court understands

what he/she is trying to do, whether the user feels as if he/she were able to make his case

before the court, and whether MLH helped in handling the legal matter. In this evaluation

project, both the courts and self-help centers are instrumental in connecting MLH with

individuals who would otherwise be anonymous.

The success of this type of project, however, clearly depends on cooperation from

the courts. A previous attempt to track online forms ran into problems when the courts

stopped doing their part:

> We used to get some information from our Supreme Court about filings – they
> had a specific code system…and we have those codes on the forms – and the user
> prints them out so they take them to the court and file them and the court clerks
> are supposed to type into their system the code and that was supposed to give us a
> rough idea of how many of those…interactive forms are filed…[then] the
> Supreme Court kind of quit keeping track of that stuff – the court clerks just
> didn't do a very good job. You know, they get a divorce petition – they just put in
> the number off their head and they wouldn't really look at the form so the
> numbers were always a little bit skewed or suspect [P13].

These efforts represent one way that Information Providers can work with A2J

stakeholder organizations to measure the impact of statewide legal information websites.

There are a number of unexplored avenues here, however. Chapter 8 provides a

framework from a user-centered program evaluation that leverages existing collaborative

relationships to provide Information Providers with the information they need in order to

provide effective assistance to self-help users.

A. RECOMMENDATIONS

As explained in Chapter 1, a key rationale for this study lies within the LSC's strategy calling for statewide legal information websites to serve as a platform for integrated legal services delivery systems. Having been identified as an integral part of future legal services, the need to develop a better understanding of what these websites currently do to facilitate access to legal information by low-income individuals is clear. Building upon these websites without an understanding of their current practices (or the issues and challenges Information Providers face) could potentially undermine the LSC's carefully constructed vision.

There is a mismatch, however, between this vision and the current situation in many of the states from which data were collected. The survey and interviews revealed that these websites are not often seen as a priority by everyone within the organization that maintains them, leaving them vulnerable in the face of ongoing budgetary and staffing reductions. At the same time, the economic constraints permeating the legal services community have led to increasing calls for programs to justify their existence by demonstrating their effectiveness. Statewide legal information websites have not been immune from these calls, as Information Providers in many states still struggle to gain traction within their own organizations as well as the broader legal services community. Many Information Providers find themselves in a difficult position, due to a lack of connection with their actual users that precludes them from demonstrating their

effectiveness beyond website usage data. Given the struggles they described in gaining support within their organization, as well as within the broader legal services community, it is all the more important for Information Providers to be able to make stronger, more convincing cases for the value of statewide legal information websites.

Since the early years of the websites' development, Information Providers have been encouraged to incorporate evaluation into their regular activities. Several recommendations set forth in the report summarizing findings from the *2004 Statewide Legal Information Website Study* specifically reference evaluation. For example:

Recommendation Seven: A Partnership Strategy

Website staff and managers should have a clear partnership building strategy that reaches out to the key actual and potential stakeholders for buy-in, content, marketing, access partnerships, evaluation and funding.

Recommendation Fourteen: Evaluation

Website staff and managers should have an evaluation strategy that provides the feedback necessary to strengthen the sit [sic], and maximizes its service capacity and effectiveness.

The report encouraged website managers and staff to design a strategy that focuses on the "overall comprehensibility and utility of the site" (p. 28). Ten years later, there has been some progress toward the development of this kind of strategy in some states, as evidenced by the evaluation projects discussed as the end of Chapter 7. Across the network of statewide legal information websites, however, the progress is markedly uneven. As noted in the 2007 Circuit Rider program, website coordinators tend to focus

on content development, rather than activities that are viewed as more peripheral, such as outreach and evaluation. Moreover, this failure to develop a culture of ongoing evaluative efforts very much reflects a pervasive problem facing the legal services community, namely, "deep-seated obstacles to effective program assessment—'the lack of clear and objective standards" and "the insufficiency of data concerning the satisfaction of clients, the quality of assistance, and its impact on the individuals and communities served'" (Alfieri, 2013).

To date, evaluation activities in many states have principally involved an ongoing review of website usage statistics. The importance of this data is not being contested; however, as observed by several Information Providers, those numbers fail to tell the whole story. In the interest of filling the existing gaps in information that preclude Information Providers from knowing how they are doing, we must introduce a paradigm shift, whereby the websites are viewed as programs and evaluation activities are designed and implemented accordingly. Underlying this recommendation is the perspective that these websites are an extension of traditional legal services, rather than technology projects that exist somewhat separately from these traditional services. This recommendation is also premised on an understanding that the so-called "human" issues related to development and maintaining these websites (e.g., partnership building, identifying user needs) are central or, in the words of one Pro Bono Net staff member, that "[i]t's not just all about the technology" [P5].

A.1. Making the Case for Program Evaluation

In making this paradigm shift, the first hurdle to overcome is defining statewide legal information websites as programs – they exist in a somewhat gray space, as many

individuals within the legal services community still struggle to understand why they exist and how they fit into the broader access to justice framework. Royse, Thyer, and Padgett (2010), however, define a program as "an organized collection of activities designed to reach certain objectives" (p. 5). Statewide legal information websites – the majority of which have a statement of purpose or mission listed on the site that is related to the provision of legal information and services to their target users – fit within this definition. The extent to which they have an identity distinct from the organization that maintains them varies from state to state, due to differences in funding and staffing. Almost every website has a distinct presence (even if it is part of the organization's general website) and presumably has an impact that can be measured apart from the organization's other activities.

Their current situation will influence the type of evaluation that Information Providers feel prepared to undertake at this time. Common evaluation strategies include needs assessment, formative evaluation, process evaluation and outcome evaluation (Patton, 1987; Rossi & Freeman, 1989; Royse, Thyer & Padgett, 2010). A formative evaluation, for example, may be beneficial to Information Providers working on recently launched or redesigned websites who are interested in gathering information to improve their current operations. Given the legal services community's focus on demonstrating effectiveness, however, outcome measurement may be the most important type of evaluation activity for many Information Providers.

In recent years, practitioners and scholars within the non-profit sector have become increasingly focused on the measurement of outcomes (Herman & Renz, 2008; Morino, 2011; Penna, 2011) and Information Providers can benefit from the rich literature in this

area. The results of the program (i.e., what has changed) are the outcomes (Ridge, 2010).

Morino (2011), using key concepts from leading works in the area of outcomes

assessment, defines outcomes as "[s]ocially meaningful changes for those served by a

program, generally defined in terms of expected changes in knowledge, skills, attitudes,

behavior, condition, or status" (p.11). Outcomes are closely related to effectiveness,

defined by Berk and Rossi (1990) as "the extent to which a policy or program is

achieving its goals and purposes" (p. 15).

The first – and arguably most important – task is selecting an appropriate outcome to

measure. The current evaluation activities of Information Providers focus on outputs,

rather than outcomes. Website usage data is an output, comparable to client counts and

attendance in evaluations of traditional social services programs (Saxton et al., 2007). As

observed by Patton (1987),

> [i]t makes sense to count … the number [of people] who receive or report some
> concrete benefit from the program. There are many attributes of programs, however,
> that do not lend themselves to counting. Even the scaling of quality attributes is an
> inadequate way of capturing either program quality or the effect of a program on the
> quality of life experienced by participants following the program (p. 29).

What then are the effects upon which Information Providers should focus? There is

growing recognition within the legal services community that effectiveness cannot be

narrowly defined in terms of legal outcomes (i.e., whether someone prevails in court)

(Albiston & Sandefur, 2013). This is certainly true within the context of statewide legal

information websites. A statewide legal information website user, for example, may not

prevail in court because the respondent raises a valid affirmative defense. In this scenario,

the legal outcome has nothing to do with whether the site effectively provided the user

with information applicable to his situation and/or within guidance on how to bring this matter into the legal system.

Information Providers are likely to think of outcomes in different terms, given the various approaches they have adopted in developing and maintaining their statewide legal information websites. Currently, the website exist along a continuum, with some focusing primarily on providing information resources and others using the website as a vehicle to provide legal services to eligible individuals. The latter approach is reflected in the growing number of initiatives that seek to integrate the website with online intake and triage services. Underlying these different approaches are different ideas about the purpose of the site – Is it to provide basic information? Is it to facilitate transactions with the court (e.g., through online forms)? Or, is it to transform the relationship between individuals with legal needs and legal services providers?[40]

Notwithstanding these differences, all Information Providers need to think about the specific user needs that the site aims to address. Saxton et al. (2007) developed a logic model in connection with assessing the effectiveness of 2-1-1 services. This model set forth a range of outcomes (short-term, mid-term, and long-term) for individuals, organizations, and society. By way of example, short-term and mid-term outcomes for individuals include immediate answers and comprehensive solving of problems, respectively. In a similar vein, one possible outcome associated with statewide legal information websites is that a user is able to locate information on the website that answers the question that brought him to the website and that he is able to understand

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[40] This concept of transformation is borrowed from the e-government literature: "[T]ransformation means that e-government will cause or permit the relationship between citizens and governments to fundamentally change in positive ways, generally producing much more citizen-centric and responsive government" (Coursey & Norris, 2008, p. 524). *See also* Baum & Di Maio (2000).

how that information applies to his particular situation. The evaluations conducted as part of this study (as discussed in Chapter 7) raise questions about the extent to which statewide legal information websites are currently achieving this outcome.

Other Information Providers may be more concerned with outcomes related to online document assembly. Regardless of the specific outcome identified, however, effectiveness should be measured from the point of view of users, as well as of Information Providers and other stakeholders (e.g., external funders). Different stakeholders are likely to have somewhat divergent interests. Information Providers, for instance, are operating within resource constraints about which users may be unaware. As such, it is prudent to identify outcome measures for different stakeholders (as done by Saxton *et al.*).

For many Information Providers, identifying the outcome to measure may be less problematic than figuring out how to actually measure it. That Information Providers are trying to gather information from typically anonymous website users, rather than clients who are walking through the door, is a significant challenge. In many cases, however, the users may have direct interactions with any number of the A2J stakeholder organizations with which Information Providers collaborate. Building upon this premise, below is a brief outline of user-centered program evaluation activities that require Information Providers to leverage existing collaborative relationships to connect with users. It has elements of both "community-based participatory research" (CBPR) and "participatory action research" (PAR). As described by Charn & Selbin (2014), "CBPR has emerged as a new paradigm to make research more inclusive and relevant by bringing together academics and communities to address community priorities. PAR strives to produce

knowledge and change at the same time. Challenges abound, but so do opportunities. The potential…to help answer pressing questions about community needs, delivery models, and service efficacy has never been greater." (p. 169).

A number of the Information Providers interviewed indicated that their current limited evaluation activities were due not to a lack of interest, but rather to a belief that they lacked the resources to do more at this time. Like content development and outreach though, evaluation can be a collaborative effort, as described below. Moreover, Information Providers do not have to reinvent the wheel when planning evaluation activities – both LSC and Pro Bono Net have made tools and resources available to Information Providers and states can look to what others have done in terms of evaluation activities. Both organizations, for example, make project evaluation reports available that can serve as guidance for Information Providers trying to identify appropriate evaluation methods and data collection strategies. LSNTAP also provides general guidance on evaluating technology projects, as well as reports of specific initiatives (e.g., the online survey tool used in Georgia deployed to obtain feedback from a dispersed population).

A.2. A Proposed Framework for User-Centered Program Evaluation

The proposed framework for user-centered program evaluation draws from current practices identified by Information Providers, as well as from research done in the area of user-centered e-government (Bertot & Jaeger, 2006; de Roiste, 2013; Pietersen, Ebbers & van Dyk, 2007) and information services (Fisher, Durrance & Hinton, 2004; Saxton et al., 2007; Sim & Rocha, 1998; Windle et al., 2010). These evaluation activities can provide more substantial evidence of value than the Google Analytics upon which many Information Providers rely; it can lay the groundwork for the next iteration of statewide

legal information websites that are designed with the "user's world view" at the center of the process (Westbrook, 2008, p.35). This framework is not intended to be a detailed prescription for Information Providers to follow but rather to offer general guidance on how they can engage in evaluation efforts that will provide them with information about the effectiveness of their current efforts. As illustrated in **Figure 8.1**, it calls for Information Providers to assess the current legal information needs of their users; the readability and understandability of current site content; the usability of the site overall; and, the quality of documents created with the assistance of services available through the site.

Figure 8.1: Proposed Framework for User-Centered Program Evaluation

Identification of User Needs	•Potential collaborators: Courts, libraries, legal aid organizations, community groups, social services providers, law school clinics, adult education programs, self-help centers, domestic violence shelters
Assessment of Readability of Site Content	•Potential collaborators: Law schools, legal aid organizations, community groups, social services providers, self-help centers
Assessment of Website Usability	•Potential collaborators: Undergraduate/graduate departments in computer science and information science, self-help centers
Review of documents filed by website users	•Potential collaborators: Courts, law schools

Identification of <u>current</u> user needs

Several Information Providers indicated that findings from legal needs studies were used to identify areas of focus during the initial phase of content development. As

noted by Sandefur and Smyth (2011), however, **"**in most states, the public's civil legal

needs are not routinely assessed and no entity can ensure that services in specific areas

match the needs of the eligible populations in those areas" (p. v). Moreover, these general

legal needs studies, even if current, may not tell Information Providers everything they

need to know. For example, a legal needs study conducted in Kansas in 2011 addressed

issues such as whether individuals have Internet access, as well as their interest in

accessing legal information online, but did not address potential barriers to intellectual

access (i.e., whether individuals could understand and apply the legal information they

read online).

The needs assessment recommended here has a somewhat narrower focus than the

legal needs studies conducted to date. While needs assessments are typically seen as a

preliminary evaluation activity (Royse, Thyer & Padgett, 2010), needs evolve over time

and Information Providers may want to verify that the initial needs identified are still

prevalent today. The data collected through a needs "reassessment" would guide the other

evaluation efforts – what are the legal issues that lead users to the website? What types of

resources are they looking for? What are the difficulties they face in accessing

information on the site (in terms of both physical and intellectual barriers)? The

collection of this information would involve reaching out directly to the various

stakeholders with whom Information Providers collaborate – e.g., courts, libraries, legal

aid and other non-profit organization, social services agencies. Information Providers can

turn to tools developed by the LSC (as part of its Client Website Evaluation System) to

assist with conducting this type of community needs assessment.[41] The Community

Provider Survey, for example, can be used to gather "information from other legal

services providers, social services providers and community groups about the visibility

and usefulness of the website. Questions include: 1) For what type of legal issues do you

refer those who you assist to the Web site, and 2) What do users typically have trouble

with or ask for help with when using the Web site?

These community stakeholders, in addition to providing their perspectives on user

needs, can serve as a direct link to users. LSNTAP, in training materials posted on its

website, suggests that students in community education courses, law school clinic clients,

and HUD Neighborhood Network users can play an important role in evaluation

(LSNTAP, n.d., "Website Functions, Stakeholders, Partners, and Resources). Whether or

not an Information Provider has access to any of these groups depends largely upon their

existing relationships, however. The previously referenced focus group convened by one

Information Provider in connection with her state's recently developed Spanish-language

site is an example of this approach. Although the proposed evaluation framework

emphasizes the importance of connecting with actual users, gaining input from

individuals who belong to target user groups is valuable at this early stage.

There are ways, however, that actual users may be reachable at this stage.

Information Providers in several states have conducted outreach at domestic violence

shelters and public libraries; others work closely with self-help centers throughout their

state. The Community Provider Survey would provide information about whether partner

organizations are, in fact, telling their clients and patrons about the site. If that is the case,

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[41] Although LSC only requires recipients of new and renewal website grants to complete these evaluations, they provide a useful framework for all Information Providers as they think about implementing more rigorous evaluations.

Information Providers could then work with staff members at these partner organizations to talk with a group of clients (or patrons) about their information needs and their experiences with using the statewide legal information website.

This type of needs assessment is a significant step above the anecdotal evidence upon which many Information Providers currently rely, even if does not involve collecting data from random samples of either community stakeholders or website users. As noted in the instructions for the Community Provider Survey, "even if the data produced from such samples cannot meet the requisite criteria for scientific reliability, they nonetheless can provide program managers with valuable practical knowledge with which to assess system design and operations and make appropriate adjustments."

Assessment of readability of existing content

Once the Information Providers have a clearer picture of their users' information needs and the barriers they face in accessing information, based upon the community needs assessment outlined above, they can turn their focus to evaluating the extent to which the website meets those needs. This involves examining content available on the site to determine if it is readable and understandable by users.

This part of the evaluation can be comprised of two strategies. The first is a systematic review of a selection of content in the legal content areas identified as most important during the community needs assessment, using one of the available tools for analyzing reading grade level, such as 1) the Flesch-Kincaid Grade Level Score (in Word or WordPerfect) or 2) OpenAdvocate WriteClearly (a free web-based tool). In addition, using plain language resources available online (e.g., the Maryland A2J Commission's "Writing for Self-Represented Litigants" [2012] or Legal Assistance of Western New

York, Inc.'s "The Essential Plain Language Collection" [n.d]), Information Providers can create a checklist of plain language best practices and review the selected content items against this checklist. The Plain Language Checklist used by Michigan Legal Help (attached as **Appendix K**) has two sections – "Checking Word Choice" and "Checking Writing Structure" – that are likely to be helpful to Information Providers.

In conducting this part of the evaluation, Information Providers may want to leverage existing relationships with laws schools. As discussed in Chapter 6, one Information Provider is currently providing clear writing training to law students enrolled in a brief advice clinic, as well as working with them on writing content for the statewide legal information website. This approach has been praised by Staudt (2013), who has been advocating for law schools to develop clinic-based opportunities through which students can "learn core competencies needed in an increasingly technological profession, while they build tools and write content to help low-income, self-represented litigants overcome serious barriers in their pursuit of justice" (Staudt, 2013). Similarly, Charn and Selbin (2013) and Alfieri (2013) call for an expanded role for law school clinics in empirical research. Several of the reasons they cite – their ties to client communities and their access to expertise and data – highlight why clinics could play a role in program evaluation. Involving law students in plain language review is just one way that they could contribute to evaluation efforts, while also providing them with marketable skills that will make them more effective practitioners when they enter the workforce.

These readability assessments could be supplemented with focus groups that ideally, once again, would be comprised of website users with whom Information

Providers can connect through their partners. During focus group sessions, users can be asked to review a small number of articles, brochures, or other written materials and then, as a group, asked questions aimed at assessing whether they comprehended what they just read. For example, after having participants read an article about obtaining a garnishment, questions can be asked about whether they understand what a garnishment is and what information is needed in order to complete a Request and Writ for Garnishment.

Assessment of Website Usability

Bertot and Jaeger (2008) cite usability testing as a key methodology to be employed in user-centered e-government evaluations.[42] Usability testing is not a novel concept with statewide legal information websites – Pro Bono Net conducted it before rolling out the latest iteration of the LawHelp platform and two Information Providers discussed their experiences with this form of evaluation. It, however, has not been part of the evaluation efforts of the majority of Information Providers who participated in this study.

Usability testing is related to the readability assessments described above and, in fact, can be viewed as the other piece of the puzzle of figuring out whether users have intellectual access to site content. As observed by Bertot and Jaeger (2006), usability testing can explore whether "navigation and orientation are intuitive; elements of the site perform as users anticipate; elements of the site are clearly labeled; [and] instructions are

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[42] Accessibility testing, another important methodology noted by Bertot & Jaeger, can involve both user testing and expert testing. To the extent that Information Providers may find it difficult to connect with users who have disabilities (even with the assistance of collaborators), accessibility testing is not part of the user-centered evaluation set forth here. It is worth noting, however, that Information Providers' very limited discussion of accessibility in response to survey and interview questions raises interesting questions about their awareness of the particular needs of individuals with disabilities that are worth exploring in a future study.

meaningful and easy to follow" (p. 165). Thus, while the readability assessments focus on specific items of content, usability can look across the site to evaluate if users can address the information need that brought them to the site. This is particularly important as statewide legal information websites become increasingly interactive, with the addition of online forms and intake systems. For example, usability testing can provide valuable information about whether a step-by-step process for completing a form is intuitive or likely to leave a user frustrated due to a failure to define key legal terms or provide detailed instructions. Usability testing, as noted by Westbrook (2009), can help identify what helps people move through a problem-solving process.

One option for Information Providers to consider is approaching undergraduate or graduate classes in computer science or information science departments about making usability testing a project for one of their classes. This approach was employed in both states where usability testing has been conducted and is similar to the translation projects developed by one Information Provider (described on p. 191). Those Information Providers with usability testing experience, however, acknowledged the difficulties they have had in recruiting participants. To overcome these challenges, one suggested a more informal approach. If the problem is getting participants to commit in advance to coming to a usability testing at a designated time, one possible solution is to move the usability testing into a self-help center operated out of a library or courthouse. Participants would not have to make an advance commitment but rather only have to spend extra time at the self-help center that day (i.e., after they have addressed the purpose of their visit). Moreover, conducting the usability test at a self-help center may make it a less

intimidating experience for users as they will already have some familiarity with the environment, thus removing another potential barrier to participation.

Review of documents filed by website users

The fourth component of the proposed evaluation framework requires collaboration with a different A2J stakeholder – the courts. The previous chapter described several pilot projects in which Information Providers are working with courts to track documents filed by users as they make their way through the court system. Here, the purpose of tracking documents is not to determine the legal outcome but rather to see if the user is able to navigate their way through the system to the point at which a judgment is rendered. The user's success, for example, in completing a divorce petition through an automated document preparation system built into the statewide legal information website is evidence that he was provided with sufficient information to navigate that particular process. If the website leads users through the process of electronically filing documents, a successful filing is further evidence of the helpfulness of the instructions and guidance offered through the website.

There are several limitations to this particular evaluation effort – it can only be employed with those statewide legal information websites that provide some type of access to online forms. Moreover, the ability to track the forms is dependent upon users only being able to create them through the automated document preparation system or the court making some type of designation when it accepts a document for filing. As a practical matter, even if Information Providers could recruit law students to assist with this venture, it is a labor intensive endeavor that could only be undertaken in connection with a limited set of case filings. When combined with the other evaluations efforts

described above, however, a pilot evaluation study of this nature could provide valuable information about what users are actually able to accomplish through the website.

B. DIRECTIONS FOR FUTURE RESEARCH

At the outset of this study, it was anticipated that the different approaches that Information Providers have taken in developing and maintaining statewide legal information websites would yield a select number of categories, thus laying the groundwork for future studies that would examine the effectiveness of these different approaches. Findings from the study did reveal a number of dimensions across which the websites vary (e.g., infrastructure, platform, managing organization, collaboration with community stakeholders), any of which could theoretically serve as the basis for a comparative analysis. This study also opened the "programmatic black box" and identified what Information Providers are doing.

It also, however, identified what Information Providers are not doing, namely, program evaluation. The proposed framework for user-centered program evaluation described above can be used to assess the effectiveness of the approach adopted by any given state. For Information Providers, the proposed evaluation activities, together with findings from the current study about the role of collaboration in overcoming challenges related to funding and staffing, can enhance their understanding of the current state of affairs. Each user-centered program evaluation can also provide a roadmap for other states that may be interested in adopting a similar approach.

In addition, the study revealed that the specific environment in which a statewide legal information website exists shapes what Information Providers are able to do. As such, once we have a better understanding of the current state of affairs of individual

websites, we can engage in a comparative analysis that squarely address the question of the extent to which different environments yield different websites. One potential line of inquiry is whether a relationship exists between different environmental factors (e.g., sources of funding; partnering organizations; political landscape) and the effectiveness of a given website.

Looking beyond statewide legal information websites, future research should also include in-depth explorations of how various community stakeholders (e.g., courts, libraries) are working together to connect self-help users with the legal information they need. Libraries are increasingly seen as a natural partner in access to justice initiatives, but little is known about what these partnerships look like in practice. Such research would not only build upon this study but also upon previous research in the area of community-based partnerships that seek to provide enhanced services through innovative uses of technology (Jaeger, Taylor & Gorham, in press; Taylor, Gorham, Jaeger & Bertot, 2014). Empirical studies that shed light on how libraries work with legal services organizations and courts (which may have quite different goals and priorities) would be an important step toward building a model of legal services-library collaboration that could be replicated in a variety of contexts. A multi-site case study, for example, could be conducted of self-help centers housed in public law libraries.

These are but a couple of the paths that future research in this area may take. In the Introduction, it was observed that the legal services community has been criticized for its lack of empirical research upon which to make decisions about resource allocation. Progress is being made though, and opportunities abound for research that bridges theory

and practice to examine the delivery of legal services in this country. Almost a century

ago, Reginald Heber Smith, in *Justice and the Poor* (1919), observed that

> a well-funded, well-administered civil legal aid system is of direct concern not
> only to the fair administration of justice, but to the well-being of the nation. It is
> of high importance that such developments be encouraged and supported, not for
> the sake of the legal aid organizations themselves, . . . but because in them, with
> all their faults and weaknesses, is contained our best immediate hope for a
> realization of our ideal of such an equal administration of the laws that denial of
> justice on account of poverty shall forever be made impossible in America (p.
> 249)

This remains true today, and community-based research that brings together the full

range of access to justice stakeholders – from the administrators of the highest courts to

self-represented litigants – may be our "best immediate hope" for making definitive

progress toward closing the justice gap.

APPENDICES

APPENDIX A: SURVEY QUESTIONS

Default Question Block

Purpose of the Study

You are invited to participate in a research study on statewide legal information websites in the United States. This study is being conducted by Ursula Gorham, a doctoral candidate in the College of Information Studies, University of Maryland, College Park. This study seeks to 1) learn more about the experiences of those involved in the development, implementation, and maintenance of these websites and 2) examine their perceptions about the role that the websites play in expanding access to justice for self-represented litigants and other traditionally underserved populations.

Procedures
You will be asked to complete an online survey about the target audience of the website, how website content is reviewed, and potential barriers to access faced by users, among other topics. A sample question is:

Is there a process in place for identifying needed changes and updates to the web site?

This survey should take you approximately twenty (20) minutes to complete. This survey does not contain questions of a personally sensitive nature. You will be asked to indicate your willingness to be contacted for a follow-up phone interview about this topic. Participation in a follow-up interview is completely optional.

Potential risks and discomforts
The only possible risk is a breach of confidentiality with respect to information provided in the survey. Statements of respondents will not be attributed directly to individuals, although there is the possibility that some statements might be identifiable due to the nature of the respondent's role within the network of statewide legal information websites.

Potential benefits
The research is not designed to help you personally, but findings from this study will contribute to an ongoing dialogue about the role of statewide legal information websites within the broader framework of access to justice initiatives. We hope that, in the future, other organizations and individuals within the legal services community might benefit from the compilation of best practices/lessons learned presented in this study. If you are interested, the investigator will be pleased to share the results of this research effort with you.

Confidentiality
The survey data will be stored in the investigator's password-protected Qualtrics account. Any printed documents containing survey data will be kept in a private residential office and will only be accessible by the researcher. The data will be destroyed upon completion of all research papers to be written in connection with this study.

At the end of the survey you will be asked if you are interested in participating in follow-up phone interview. If you do not wish to participate in an interview, no personally identifiable information will be collected through the survey. If you choose to participate in an interview and provide contact information such as your phone number or email address, your survey responses may no longer be anonymous to the investigator. However, no names or identifying information will be included in any reports, articles or presentations based on these data, and your responses to this survey will remain confidential.

Your information may be shared with representatives of the University of Maryland, College Park or governmental authorities if you or someone else is in danger or if we are required to do so by law.

Right to Withdraw
Your participation in this study is completely voluntary. You may choose not to take part at all. If you decide to participate in this survey, you may stop participating at any time by closing the webpage.

Contact
If you have questions, concerns or complaints, please contact the investigator or faculty advisor:

Ursula Gorham
3404 Briars Road
Brookeville, MD 20833
ugorhos@yahoo.com
410-707-6315

Paul T. Jaeger
Associate Professor and Faculty Advisor
4121D Hornbake Building, South
College of Information Studies
University of Maryland, College Park

pjaeger@umd.edu

Participant Rights

If you have questions about your rights as a research participant or wish to report a research-related injury, please contact:
University of Maryland College Park
Institutional Review Board Office
1204 Marie Mount Hall
College Park, Maryland, 20742
 E-mail: irb@umd.edu
Telephone: 301-405-0678

This research has been reviewed according to the University of Maryland, College Park IRB procedures for research involving human subjects.

Statement of Consent

Please select your choice below. You may print a copy of this consent form for your records. Clicking on the "Agree" button indicates that you are at least 18 years of age; you have read this consent form or have had it read to you; your questions have been answered to your satisfaction and you voluntarily agree to participate in this research study.

○ Agree

○ Disagree

Are you currently involved with maintaining a statewide legal information website?

○ Yes

○ No

Please indicate which statewide legal information website you work on:

Please briefly describe your current role in connection with the statewide legal information website:

Were you previously involved with maintaining a statewide legal information website?

○ Yes

○ No

Please indicate which statewide legal information website you worked on:

Please briefly describe your previous role in connection with the statewide legal information website:

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[text box]

How long ago was the website launched?

- ○ Within the past 12 months
- ○ 1-3 years ago
- ○ 4-6 years ago
- ○ 7-10 years ago
- ○ More than 10 years ago
- ○ I'm not sure

Please provide the names of the organizations initially involved in the development of the website:

[text box]

For whom was the website developed?

	Yes	No	I don't know
General Public	○	○	○
Low Income Individuals	○	○	○
Self-Represented (Pro Se) Litigants	○	○	○
Legal Services Providers	○	○	○
Information Intermediaries (e.g., librarians, social service providers)	○	○	○
Other	○	○	○

Please specify which other individuals/populations the website was developed for:

[text box]

What perceived legal consumer information needs were sought to be addressed through this website?

[text box]

How were the major legal information needs of target users initially identified?

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[text box]

Please describe any unexpected obstacles that were encountered during the initial development of the website:

[text box]

What organizations are currently involved in maintaining the site?

[text box]

Do you create content for the site? *"Content" refers to legal information provided to the site's target users.*

○ Yes

○ No

Is anyone else involved in content creation?

○ Yes

○ No

What other individuals are involved in content creation (e.g., volunteer attorneys, Legal Aid staff)?

[text box]

Who creates content for the site?

[text box]

How many significant revisions has the site undergone since its initial development? *"Significant revisions" include changes to the overall design to the site as well as to content on the site.*

○ None

○ 1

○ 2

○

More than 3

Can you briefly describe the nature of this revision?

Can you briefly describe the nature of these revisions?

Can you briefly describe the nature of these revisions?

How often is content reviewed?

○ Never

○ Irregularly

○ At least once a month

○ At least once every 6 months

○ At least once a year

Is there a process in place for identifying needed changes and updates to the website?

○ Yes

○ No

Please describe the process you have for identifying needed changes and updates to the site:

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How is information about the website disseminated?

	Yes	No
Print Media	○	○
Social Media	○	○
Listservs	○	○
Legal Services Providers	○	○
Social Service Agencies	○	○
Courts	○	○
Libraries	○	○
Other	○	○

What other means do you use to disseminate information about the website?

Does the organization that maintains the website seek input from any of the following types of stakeholders?

	Yes	No
Elected Officials	○	○
Social Service Agencies	○	○
Courts	○	○
Local non-profit organizations	○	○
Minority group leadership	○	○
Local non-profit/community organizations	○	○
Other	○	○

What other stakeholders do you seek input from?

Does the organization that maintains the website have regular working relationships with any of the following entities?

	Yes	No
Other legal services projects/programs within the state	○	○
Law schools within the state	○	○
State and/or local bar associations	○	○

What are the main challenges you face related to the development of website content?

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[   ]

What measures have you taken to address these challenges?

[   ]

What are the main challenges you face related to the design of the website?

[   ]

What measures have you taken to address these challenges?

[   ]

What, if any, barriers do you think your users face in accessing information on the site?

	Yes	No
Limited literacy	○	○
Lack of understanding legal terminology	○	○
Limited English language proficiency	○	○
Lack of Internet access	○	○
Lack of digital literacy skills	○	○
Disabilities (e.g., visual/hearing impairments)	○	○
Other	○	○

What other barriers do you think your users face in accessing information on the site?

[   ]

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Please briefly describe actions undertaken to overcome the barriers identified above.

Is the site compatible with mobile devices?

○ Yes

○ No

Do think the lack of compatibility with mobile devices poses a barrier to users? Why or why not?

Who do you think uses your website on a regular basis?

	Click to write Column 1	
	Yes	No
General Public	○	○
Low Income Individuals	○	○
Self-Represented (Pro Se) Litigants	○	○
Legal Services Providers	○	○
Information Intermediaries (e.g., librarians, social service providers)	○	○
Other	○	○

Who else do you think uses your website on a regular basis?

Do you collect website usage data?

○ Yes

○ No

How often do you analyze this data?

○ Never

○ Irregularly

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- ○ At least once a month
- ○ At least once every 6 months
- ○ At least once a year

Can you provide the following information?

	2012	2013
Total Number of Visitors		
Total Page Views		
Most frequently visited pages		

Please provide a brief summary of what you learned from this data the last time you analyzed it.

Do you collect demographic information from users (e.g., income, family size, location of residence)?

- ○ Yes
- ○ No

Can you specify the types of demographic information you collect?

	Yes	No
Location of residence	○	○
Family Size	○	○
Income	○	○
Race/Ethnicity	○	○
Other	○	○

What other types of demographic information do you collect?

Do you solicit feedback from users?

- ○ Yes
- ○ No

How is user feedback obtained?

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	Yes	No
Through an online feedback form	○	○
Through email	○	○
Through personal discussion	○	○
Other	○	○

How else do you obtain user feedback?

What are some of the most common requests you receive from users?

What are some of the most common compliments you receive from users?

What are some of the most common complaints you receive from users?

To what extent do you think the website currently meets your users' information needs?

Not at all	To a limited extent	Somewhat	Mostly	Completely
○	○	○	○	○

Please explain how the website does (or does not) currently meet your users' information needs:

In your opinion, what types of information should be added to your website to better meet your users' information needs?

Would you be willing to be contacted for a brief (approximately 20-30 minutes) follow-up phone interview?

○ Yes

○ No

Thank you! Please provide your contact information so that we may schedule an interview.

Name

Phone Number

Email

Preferred Contact Method (Phone or Email)?

Appendix B: Sample Evaluation Worksheet

You have been paying your ex-spouse child support for several years. After being laid off for a month you have found a new job but your salary is now half of your previous salary. Because of this change in circumstances, you would like to request the court to lower your child support payments. On the recommendation of a friend, you go to the website for Idaho Legal Aid Services to find out what needs to be filed with the court.

1)   On a scale of 1 to 5 (with 1 being "very easy" and 5 being "impossible"), how difficult was it to find information about your situation?

2)   If you were able to locate the information on the website, please answer the following questions:

   a.   Does the site provide information about the steps involved in filing the motion/petition to modify the child support order?

   b.   Are key legal terms defined?

   c.   Does the site provide (or link to) forms that an individual can use in filing a motion/petition to modify child support?

   d.   If the site does provide (or link to) forms, are there instructions or guidelines to assist individuals with completing and filing the forms?

   e.   Does the site offer any multi-media resources that may be useful for individuals looking to modify child support payments?

3)   After reading through this information, you decide that it may be in your best interest to talk to a lawyer. From your current location on the site:

   a.   Can you find contact information for lawyers, legal aid organizations and/or legal clinics?

   b.   On a scale of 1 to 5 (with 1 being "very easy" and 5 being "impossible"), how difficult was it locate this referral information?

4)   Any additional thoughts/comments on your experience in completing this exercise?

1. **Abstract:**

This research is being undertaken in connection with an exploratory study of the network of statewide legal information websites in the United States that developed through funding from the Legal Services Corporation's Technology Initiatives Grant program. Through an online survey of individuals involvement in the development, implementation, and maintenance of these initiatives, together with follow-up interviews with a select number of survey respondents, this study seeks to determine key factors influencing the development of statewide legal information websites and identify current "best practices" in connection with providing legal information through these websites. This study uses the practices, perceptions and knowledge of this group of key individuals as a lens through which to better understand the experience of website users as well as to examine the role that statewide legal information websites play in expanding access to justice for self-represented litigants and other traditionally underserved populations.

2. **Subject Selection:**

a. The survey will be sent to individuals who have been in the past or are currently involved in the planning, implementation, and management of websites (hereinafter, the "Legal Information Providers") identified by the Legal Services Corporation (LSC) as "statewide legal information website[s]" (hereinafter, the "Legal Information Websites"). The researcher has identified relevant Legal Information Providers through contact information provided on the Legal Information Websites and by requesting information through online submission forms. Survey respondents will be asked if they would be willing to participate in a follow-up interview that will explore key themes from the survey in greater detail. Individuals who participate in follow-up interviews will be asked to recommend other potential interview subjects.

b. We will not recruit individuals under age 18.

c. The survey will be sent to approximately 50-60 individuals directly, as well as to individuals that subscribe to a listserv maintained by Pro Bono Net. Follow-up interviews will be conducted with approximately 25 individuals.

3. **Procedures:**

Survey of Legal Information Providers: The survey (see Appendix 1) will be administered online with Qualtrics. Individuals identified as being currently involved with a Legal Information Website will be recruited via email (Appendix 2) and will be provided with a link to the survey in the initial email message. In addition, a recruitment message (Appendix 3) will be sent out via a listserv maintained by Pro Bono Net, a national non-profit organization that works closely with non-profit legal organizations throughout the U.S. A reminder will be sent out via email two weeks after the initial recruitment message.

It is anticipated that the survey will take approximately 20 minutes to complete.

Follow-Up Interviews with Legal Information Providers: Survey respondents will be asked to participate in follow-up interviews. Other interviewees recommended by voluntary participants also will be recruited via email, with the participants making the initial contact.

These interviews will be semi-structured and follow the interview protocol attached as **Appendix 4**.

4. **Survey**: The only possible risk is a breach of confidentiality with respect to information provided in the completed survey. Statements of respondents will not be attributed directly to individuals, although there is the possibility that some statements might be identifiable due to the nature of the respondent's role within the network of Legal Information Websites.

Follow-Up Interviews: The only possible risk is breach of confidentiality with respect to information provided by interviewee during the interview. Statements of interviewees will not be attributed directly to individuals, although there is the possibility that some statements might be identifiable due to the nature of the interviewee's role within the network of Legal Information websites.

5. **Benefits:**

> There are no direct benefits to participants. Findings from this study, however, are likely to be of interest to survey respondents and interviewees to the extent that they will add to the existing body of knowledge about this network of Legal Information Websites to which all of participants have contributed. When completing the survey, participants will be given the researcher's email address and encouraged to contact the researcher for information about the results of the survey.

6. **Confidentiality:**

> **Survey**: Unless if the respondent agrees to a follow-up interview, no personally identifiable information will be collected through the survey. Survey data will be stored in the researcher's password-protected Qualtrics account. Any printed documents containing survey data will be kept in a private residential office and will only be accessible by the researcher. The data will be destroyed upon completion of all research papers to be written in connection with this study.
>
> **Follow-Up Interviews**: Interviews transcripts and audio recordings will be kept in a private residential office and on a password protected computer. Any written documentation will also be kept in the private office. Because it is important to know the role that each respondent/interviewee played with respect to the Legal Information Website, transcripts will not be de-identified but will only be accessible by the researcher. The data will be destroyed upon completion of all research papers to be written in connection with this study.

7. **Consent Process:**

> **Survey**: Participants will be shown consent language (**Appendix 5**) prior to beginning the survey and will be required to answer in the affirmative that they have read and agree to the terms of the consent. If they do not agree, they will be taken out of the survey. Participants may print a copy of the consent form for their records.
>
> **Follow-Up Interviews**: Written informed consent (**Appendix 6**) will be obtained from each interviewee. A consent form will be emailed in advance of our scheduled interview and the interviewee will be requested to 1) return it via mail or 2) scan the document and return it via email. All participants may keep a copy of the consent form for their records.

8. **Conflict of Interest:**

> No conflict of interest

9. **HIPAA Compliance:**

Not applicable

10. **Research Outside of the United States:**

Not applicable

11. **Research Involving Prisoners:**

Not applicable

12. **<u>SUPPORTING DOCUMENTS</u>**

Your Initial Application must include a **completed Initial Application Part 1 (On-Line Document),** the information required in items 1-11 above, and all relevant supporting documents including: consent forms, letters sent to recruit participants,

questionnaires completed by participants, and any other material that will be presented, viewed or read to human subject participants.

For funded research, a copy of the Awarded Grant Application (minus the budgetary information) must be uploaded. If the Grant has not been awarded at the time of submission of this Initial Application, a statement must be added to the Abstract Section stating that an Addendum will be submitted to include the Grant Application once it has been awarded.

List of Supporting Documents

Appendix 1: Survey
Appendix 2: Recruitment Message (via direct email)
Appendix 3: Recruitment Message (via listserv)
Appendix 4: Interview Protocol
Appendix 5: Consent Form (Online Survey)
Appendix 6: Consent Form (Interview)

UNIVERSITY OF MARYLAND COLLEGE PARK
Institutional Review Board
Amendment Application

To ensure an accurate and streamlined review of your Amendment Application, please provide the following information:

1) State what is being proposed and where in the protocol and/or consent what was changed.

As originally designed, the study focused on the practices, perceptions, and knowledge of individuals involved in the development and implementation of statewide legal information websites (the "Information Providers"). To build upon what I have learned through the surveys and interviews, I am now proposing to evaluate a limited number of websites (4) along several dimensions, including the use of plain language, the incorporation of multi-media elements, and the availability of court forms. Relevant information about the website evaluations is provided below:

Recruitment of Evaluators – The evaluations will be conducted by Masters of Library Science students in the College of Information Studies who are currently enrolled in the e-Government specialization. There are 18 students in this specialization. Over the past six months, these students have reviewed various government websites and therefore are well-equipped to undertake the proposed evaluation of statewide legal information websites. A recruitment message will be sent to them via email (see Appendix 7).

Procedures: Evaluation participants will be asked to perform certain tasks on four (4) websites and to fill out an evaluation worksheet in connection therewith. A draft of the evaluation worksheet is appended as Appendix 8. It is anticipated that each evaluation should take approximately 15 minutes to complete.

Risks: There are no known risks associated with participation in this study. Evaluation participants will not be be identified by name in any article, report or presentation of data.

Benefits: There are no direct benefits to evaluation participants.

Confidentiality: The evaluation worksheets will be stored in the researcher's password protected computer. Any hard copies of the evaluation worksheets will be kept in a private residential office and will only be accessible by the researcher. The data will be destroyed upon completion of all research papers to be written in connection with this study.

Consent: Written informed consent (Appendix 9) will be obtained from each student who agrees to conduct website evaluations. Before conducting the evaluations, evaluation

participants will be requested to 1) return the consent form via mail or 2) scan the document and return it via email. All participants may keep a copy of the consent form for their records.

2) Provide the rationale/justification for the change.

Based upon data collected from the Information Providers, I have been able to group the statewide legal information websites into a select number of groups. By evaluating websites from each of these groups along a select number of dimensions (e.g., three or four "best practices" that have been identified in the literature and through my data collection), I will be able to make some limited findings about the extent to which these best practices have been incorporated into statewide legal information websites.

3) State what impact the change has on risks to participants. Please state the number of currently enrolled participants and if the changes will require re-consent. If the changes will not require re-consent, please state why.

This amendment will have no impact on individuals who have participated in the surveys and/or interviews. The data to be collected through the proposed evaluations will serve as a supplement to the survey and interview data.

4) State whether the change has an impact on the scientific integrity of the study, (i.e. decreases, increases, no impact).

No impact

5) List the documents included with the application that have been modified (consent forms, flyers, data collection forms, surveys). State what has been changed in each modified document.

Existing documents have not been modified. New documents include 1) the recruitment message (Appendix 7), 2) the evaluation worksheet (Appendix 8), and 3) the informed consent to be completed by evaluation participants (Appendix 9).

6) If adding a student and their project (in the domain of the currently approved project), please request addition of their name to the Approval Letter.

State Designation	Geographic Region	Total Population [43]	% Below Poverty[44] National average: 15.8%	Access to Justice Commission?	# of Attorneys/10,000 People in Poverty[45]	Total Funding for LSC-funded Programs[46]	% of population lacking basic prose literacy skills[47]	% of population who have earned a high school diploma (or more)[48] National average: 85.3%
S1	West	730,307	9.30%	Yes	2.44	$3,617,695	9%	91.40%
S2	South	4,817,528	18.70%	Yes	0.62	$7,625,744	15%	82.10%
S3	South	2,949,828	19.70%	Yes	0.8	$7,777,724	14%	82.40%
S4	West	37,999,878	16.80%	Yes	0.96	$104,590,206	23%	80.60%
S5	West	5,189,458	13.00%	Yes	0.56	$9,027,498	10%	89.30%
S6	Northeast	3,591,765	10.70%	No	1.85	$2,590,536	9%	88.60%
S7	South	633,427	18.90%	Yes	8.82	$1,555,740	19%	87.10%
S8	South	19,320,749	17.00%	Yes	0.87	$42,046,431	20%	85.30%
S9	South	9,915,646	19.00%	Equal Justice	0.56	$20,794,498	17%	83.90%

[43] Source: U.S. Census Bureau. 2013 Population Estimates. Retrieved from http://www.census.gov/popest/data/index.html.

[44] Source: U.S. Census Bureau (2014). Poverty: 2012 and 2013. American Community Survey Briefs. Retrieved from http://www.census.gov/content/dam/Census/library/publications/2014/acs/acsbr13-01.pdf.

[45] Source: National Center for Access to Justice (n.d.). The Justice Index. Retrieved from http://www.justiceindex.org/findings/attorney-access/

[46] Source: Legal Services Corporation (2014). LSC by the numbers 2013: The data underlying legal aid programs. Retrieved from http://www.lsc.gov/about/lsc-numbers-2013

[47] Source: National Center for Education Statistics (2003). Indirect estimate of percent lacking Basic prose literacy skills and corresponding credible intervals: All States. Retrieved from http://nces.ed.gov/naal/estimates/overview.aspx#4

[48] Source: U.S. Census Bureau (2012, February). Educational attainment in the United States: 2009. *Current Population Reports*. Retrieved from https://www.census.gov/prod/2012pubs/p20-566.pdf

State Designation	Geographic Region	Total Population [43]	% Below Poverty[44] National average: 15.8%	Access to Justice Commission?	# of Attorneys/10,000 People in Poverty[45]	Total Funding for LSC-funded Programs[46]	% of population lacking basic prose literacy skills[47]	% of population who have earned a high school diploma (or more)[48] National average: 85.3%
				Commission				
S10	Midwest	3,075,039	12.70%	No	1.19	$7,872,974	7%	90.50%
S11	Midwest	1,595,590	15.60%	No	0.71	$2,387,025	11%	88.40%
S12	Midwest	12,868,192	14.70%	Equal Justice Foundation	1.02	$34,440,088	13%	86.40%
S13	Midwest	6,537,782	15.90%	Pro Bono Commission	0.92	$8,449,493	8%	86.60%
S14	Midwest	2,885,398	14.00%	No	0.69	$5,470,072	8%	89.70%
S15	South	4,602,134	19.80%	No	1.37	$12,988,067	16%	82.20%
S16	Northeast	6,645,303	11.90%	Yes	2.38	$9,167,694	10%	89.00%
S17	Northeast	1,328,501	14.00%	Yes	1.72	$6,374,451	7%	90.20%
S18	Midwest	9,882,519	17.00%	No	0.69	$23,532,054	8%	87.90%
S19	Midwest	5,379,646	11.20%	Yes	1.8	$15,920,405	6%	91.50%
S20	South	5,884,868	10.10%	Yes	3.06	$27,608,013	11%	88.20%
S21	West	1,005,494	16.50%	Yes	0.72	$3,067,152	9%	90.80%
S22	West	2,083,540	21.90%	Yes	0.89	$6,364,700	16%	82.80%
S23	Midwest	11,553,031	16.00%	No	0.91	$39,612,617	9%	87.60%
S24	South	6,454,914	17.80%	Yes	0.56	$17,378,997	13%	83.10%
S25	South	26,060,796	17.50%	Yes	0.43	$59,746,943	19%	79.90%

State Designation	Geographic Region	Total Population [43]	% Below Poverty[44] National average: 15.8%	Access to Justice Commission?	# of Attorneys/10,000 People in Poverty[45]	Total Funding for LSC-funded Programs[46]	% of population lacking basic prose literacy skills[47]	% of population who have earned a high school diploma (or more)[48] National average: 85.3%
S26	**Northeast**	**625,953**	**12.80%**	**No**	**2.07**	**$620,544**	**7%**	**91.00%**
S27	**West**	**6,895,318**	**14.10%**	**Access to Justice Board**	**1.36**	**$25,724,888**	**10%**	**89.70%**
S28	**South**	**1,856,680**	**18.50%**	**Yes**	**1.19**	**$8,045,657**	**13%**	**82.80%**

How does the library serve self-represented litigants?

What types of legal information are most commonly sought by self-represented litigants?

Describe your involvement with the People's Law Library (PLL) – how long have you been working on it? How would you describe the role you play?

What are the goals of the PLL? Have these goals evolved over time?

Who is the intended audience for the PLL? Has this changed over time?

Please provide an overview of the organization of the PLL.

How often is information updated? Who is involved in updating content?

What are the greatest challenges you face in maintaining the PLL?

What can you tell me about usage of the PLL (e.g., Who is visiting the site? What information are they looking at)?

What more would you like to know about usage of the site?

Do you receive feedback from users? If so, what kinds of comments have you received?

Do you work with other government agencies or community organizations to promote self-represented litigants' use of the PLL? If so, please describe these efforts/initiatives.

In what ways do you think the PLL provides assistance to self-represented litigants?

In what ways do you think the PLL could be improved?

How has the legal community responded to the PLL?

Are there other individuals/organizations that you would like to see become involved with the PLL?

What challenges have arisen in connection with the PLL? How have you addressed these challenges?

What changes are on the horizon for the PLL?

Background

- Do you interact with self-represented litigants? If so, please describe your work with them.

- In your experience, what types of legal information are most commonly sought by self-represented litigants?

CAC Membership

- Describe your role as a member of the CAC
  - How long have you served?
  - What are your responsibilities?
  - What is your time commitment?

- How would you describe your experience serving on the CAC?

- What do you think is the primary role of the CAC?

- To what extent do you think the CAC is successful in fulfilling this role?

Experience with PLL

- Have you visited the PLL lately?
  - If so, for what reason?
  - If so, please describe the experience(s)?

- In what ways do you think that the PLL is of value to self-represented litigants?

- In what ways do you think the PLL could be improved?

- How do you think the CAC can contribute to improving the PLL?

Background

- Describe the various ways in which you interact with self-represented litigants.

- What types of legal information are most commonly sought by self-represented litigants?

Use of the People's Law Library

- How long have you been using the PLL? Has the site changed significantly since you first started using it?

- In what ways do you use the PLL when helping self-represented litigants? What other resources do you typically use when helping self-represented litigants?

- Do you think the PLL helps to meet the legal information needs of self-represented litigants? Why or why not?

- Are there specific information needs of self-represented litigants that you've identified that the PLL does **not** address?

- What features/sections of the PLL do you use the most? Why?

- What feedback about the PLL have you heard from self-represented litigants?

- Are you in communication with the state law library about the PLL?

- What improvements/additions/modifications would you like to see with respect to the PLL?

- Looking toward the future, what issues do you think will arise with respect to serving self-represented litigants and what role do you envision the PLL playing in addressing these issues?

How long have you worked on the site?

Were you involved in the development of the site?

- If not, what – if anything – can you tell me about how the site came into being?

Over the years, what role – if any – did the LSC provide in terms of website design & content?

How is the website currently funded?

- Do you think the current level of funding is sufficient to maintain the current level of services?

How many staff members work on the website? How many volunteers?

Do all staff members and volunteers have legal training – as lawyers, paralegals, or law students?

- Of the staff members who do not have legal training, what are their backgrounds?

Do you think that the site is adequately staffed?

Could you talk a little about the workflow process for content development?

- Do you think that this process could be improved?
- Do you have written documentation of this process?
- Are there written content development guidelines/procedures?

Could you talk a little about the workflow process for updating content?

- Do you think that this process could be improved?
- Do you have written documentation of this process?
- Are there written guidelines/procedures for updating content?

Do the staff members and volunteers engage in regular discussions about content development?

Does the site have an advisory committee?

- If yes -- Who is on the advisory committee?
- If not, do you receive input from community stakeholders on an informal basis?
- Are there other organizations that you would like to receive input from?

Could you talk a little about what you've done in terms of mobile app development?

In general, do you think your program has been successful in making its presence known to its target audience?

- If so, what outreach efforts have proven to be the most successful?
- If not, what actions would you like to see taken to increase potential users' knowledge of the website?
- Do you work with libraries at all?

Does the program measure outcomes or engage in any other type of program evaluation?

What more would you like to know about usage of the site?

What more would you like to know about your users?

What services do you think are likely to be added in the near future?

What services should be added to more effectively facilitate access to legal information through the website?

Are there other individuals who work on the site that you would recommend that I speak to?

How long have you worked on the site?

Were you involved in the development of the site?

- If not, what – if anything – can you tell me about how the site came into being?
- How were the major legal needs of target users initially identified?
- What stakeholders were involved in the planning process?
- What were the goals of the site?

Over the years, what role – if any – did the LSC provide in terms of website design & content?

How is the website currently funded?

- Do you think the current level of funding is sufficient to maintain the current level of services?

How many staff members work on the website? How many volunteers?

Do all staff members and volunteers have legal training – as lawyers, paralegals, or law students?

- Of the staff members who do not have legal training, what are their backgrounds?

Do you think that the site is adequately staffed?

Has the site undergone any significant revisions (in terms of design or content) during the time that you were working on it?

Could you talk a little about the workflow process for content development?

- Do you think that this process could be improved?
- Do you have written documentation of this process?
- Are there written content development guidelines/procedures?

Could you talk a little about the process for updating content?

- Do you think that this process could be improved?
- Do you have written documentation of this process?
- Are there written guidelines/procedures for updating content?

Do the staff members and volunteers engage in regular discussions about content development?

Does the site have an advisory committee?

Who is on the advisory committee?

If not, do you receive input from community stakeholders on an ad hoc basis?

Are there other organizations that you would like to receive input from?

In general, do you think your program has been successful in making its presence known to its target audience?

- If so, what outreach efforts have proven to be the most successful?
- If not, what actions would you like to see taken to increase potential users' knowledge of the website?
- Do you work with libraries at all?

Does the program measure outcomes or engage in any other type of program evaluation?

What more would you like to know about usage of the site?

What more would you like to know about your users?

What services do you think are likely to be added in the near future?

What services should be added to more effectively facilitate access to legal information through the website?

Are there other individuals who work on the site that you would recommend that I speak to?

General Tasks:
- ☐ I read the assignment or description of the content.
- ☐ I read the content item from start to finish.
- ☐ I consulted the Michigan Legal Help Content Manual when completing this checklist.
- ☐ Before publication, I am editing the content item in Word using the "Track Changes" function, or on paper; after publication, I am editing the content item on the back end of the Michigan Legal Help website, and completing this checklist online.
- ☐ I checked the content and it is at or near a 6th grade reading level. To make this determination, I used one or more of the following (indicate which was/were used):
  - ○ Blue Centauri
  - ○ Readability function in Word
  - ○ Online Plain Language Gadget from LawNY

Checking Word Choice:
- ☐ I replaced legal jargon or lingo that may not be familiar to a pro se audience with more user-friendly terms.
- ☐ All words that should be defined, including legal terms, are *italicized* to be included in the glossary.
- ☐ I checked that the meanings for abbreviations or acronyms are given where needed.
- ☐ I checked that gender-neutral words are used whenever possible and that "he/she", "s/he" or "him/her" do not appear in the content.
- ☐ I checked that definitions for legal terms are included.
- ☐ I checked that explanations are written using words familiar to a pro se audience - words frequently seen and heard by users.
- ☐ I checked that explanations use personal pronouns like "you" or "they" when possible.
- ☐ I checked that explanations use descriptive nouns (e.g., your landlord, your employer, your spouse, the government, the court) rather than "he" or "she" when possible.
- ☐ I checked that the words and examples chosen are culturally appropriate.

Checking writing structure:
- ☐ I checked that the content's main subjects are highlighted using headings and sub-headings.
- ☐ I checked that each paragraph starts with a descriptive, first sentence that tells the user the topics covered in the paragraph.
- ☐ I checked that each paragraph discusses one main idea.
- ☐ I checked that most sentences are less than 20 words.
- ☐ I checked that paragraphs have 6 sentences or less.
- ☐ I checked that sentences use active voice rather than passive voice.

- ☐ I checked that instructions are given in affirmative statements, telling users what to do. (Negative statements are ok for warning a user of consequences.)
- ☐ I checked that the sequence and organization of paragraphs is intuitive.
- ☐ I checked that the material gives the reader the context or background they need to understand the information that follows.
- ☐ I checked that the text is chunked into logical sections of reasonable size.

Work Description: (if post-publication review)
- ☐ I wrote a note sufficiently describing my work in the "Revision Log Message" box on the MLH site.
- ☐ I wrote an email to the Content Managers about any problematic MLH content discovered.

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