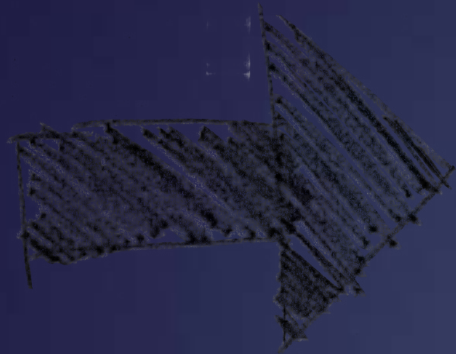


# Civil Legal Regulatory Reform Task Force of the District of Columbia Courts



ESTABLISHED JULY 19, 2023



# Today's Discussion

- Tell you about the D.C. Courts Civil Regulatory Reform Task Force
- Describe the ideas we are considering
- Ask for your feedback!

# The problem our Task Force is trying to address

- ▶ Too many people who face certain types of civil legal problems don't get legal help and navigate our legal system alone.
- ▶ This includes problems like eviction, family issues like child custody, protection from abuse, money problems like debt or getting public benefits, or distributing property after someone dies.



# Why is this, and why is it a problem?

- ▶ People don't get legal advice and representation because they cannot afford attorney fees, because there are not enough free legal services available, or because they don't want to have to go through the process of finding a lawyer.
- ▶ This is thousands of people each year – 75% to 97% of those in our DC courts.
- ▶ People often have better results if they have legal help. The consequences are real if legal outcomes are not good: families are separated; houses are lost; financial support and benefits are not received; victims of domestic abuse remain at risk.

# The Task Force's purpose

- ▶ Current rules only allow licensed lawyers to provide legal advice and representation.
- ▶ Investigate whether DC might allow people who are not lawyers to provide certain kinds of legal help in these types of cases.



# The Reality...

- ▶ Most people get NO legal help.
- ▶ This *isn't* about having a lawyer vs. help from a non-lawyer
- ▶ This *is* about having a non-lawyer's help vs. likely *no* legal help
- ▶ We know that lots of professionals like social workers, community health workers, and others are already trying to help clients deal with these issues. This could be a tool for them.





■ Implemented ■ Approved and Under Development ■ Under Consideration ■ Being Studied ■ Currently Not Moving Forward



Other states are doing or considering this ...



Let's tell you  
about the ideas  
we are  
considering and  
then ask you  
what you think  
about them ...



## Idea One



License legal professionals who are not lawyers (like paralegals) to offer legal help

# Idea One



- ▶ Would be licensed to offer help in a specific area: We are currently considering housing, family law, probate (but open to your ideas).
- ▶ Could work independently, without lawyer supervision
- ▶ May charge fees (probably lower than lawyer fees) but could also be hired by a non-profit to offer free legal services
- ▶ Courts would have to decide what types of tasks they'd be allowed to do
- ▶ Would have to meet requirements, like:
  - ▶ Sufficient educational background
  - ▶ Character and fitness review
  - ▶ Pass exams on legal ethics and relevant law
  - ▶ Prior work under lawyer supervision or legal training
  - ▶ Would have to follow the same ethical rules that lawyers must follow

## *Idea Two*



Community Justice Workers

# Idea Two



- ▶ Usually, these people are already employed by or volunteering with a service organization, such as social workers in domestic violence shelters, tenant advocates, public health workers, and financial counselors. They would not likely provide legal assistance on a full-time basis.
- ▶ That would be trained on specific topics and work under lawyer supervision. We are currently considering Housing; Family law; Domestic Violence; Public benefits; Debt collection; Probate (but open to your ideas).
- ▶ They are not typically paid by clients and don't charge a fee.
- ▶ Community Justice Workers have been very helpful in expanding access to justice in jurisdictions like Alaska and are being explored in at least 5 other jurisdictions.
- ▶ Courts would have to decide what types of tasks they'd be allowed to do.

# Potential tasks they could do (wouldn't have to be all of these; we'd decide what is allowed):

- ▶ Review, explain, prepare documents
- ▶ Serve and file documents
- ▶ Interview clients
- ▶ Represent clients at settlement or mediation
- ▶ Communicate with other parties about relevant forms and matters
- ▶ Explain possible legal rights, remedies, defenses, options and strategies
- ▶ Prepare and answer discovery
- ▶ Prepare for or attend depositions
- ▶ Stand or sit with clients at tribunal for emotional support
- ▶ Talk to clients when judge questions clients
- ▶ Represent clients at hearings





# We want your input!

- ▶ The Task Force is convening focus groups to get feedback and reactions to the ideas being considered.
- ▶ We also have an online survey available for service professionals and community members.
- ▶ Your feedback is important!
- ▶ We have some questions to get the discussion started ...



# Discussion

- ▶ What types of legal issues do people with need help with?
- ▶ What do you think about the idea that trained people who are not lawyers could be allowed to provide limited legal services directly to individuals in need of legal assistance?
- ▶ What type of tasks do you think these people would be good at helping with?
- ▶ Are there tasks that you think they should not be permitted to do? What do you think about them representing someone in court?
- ▶ Could you see your organization working with these people to expand service? How?
- ▶ What type of education and/or training should they have?
- ▶ What else should we know about? Is there anything that we didn't ask that you wish we had?
- ▶ Any final thoughts or comments you wish to share with us?



# Before we go... some tips on connecting people with legal help

## ▶ Legal Information

- ▶ LawHelp DC - <https://www.lawhelp.org/dc/>
- ▶ Legal Aid DC Legal Help Library - <https://www.legalaiddc.org/legal-info>
- ▶ DC Courts - [www.dccourts.gov/LegalHelp](http://www.dccourts.gov/LegalHelp)

## ▶ Legal Assistance

- ▶ DC Courts “Other Places to Get Help” list - [www.dccourts.gov/LegalHelp](http://www.dccourts.gov/LegalHelp)
- ▶ DC Courts “Legal Services Providers” list - [www.dccourts.gov/LegalHelpList](http://www.dccourts.gov/LegalHelpList)
- ▶ Low-Cost Legal Services - <https://dcrefers.org/>



# THANK YOU!

- ▶ Fill out our survey (link in Chat)
- ▶ You are welcome to send comments to [CLRRTaskForce@dcsc.gov](mailto:CLRRTaskForce@dcsc.gov)
- ▶ Final recommendations will be issued in January 2025