

BUILDING SUCCESSFUL JUSTICE WORKER PROGRAMS: EMERGING INSIGHTS FROM RESEARCH AND PRACTICE

REBECCA L. SANDEFUR AND MATTHEW BURNETT*

ABSTRACT

America's deep access to justice crisis has long seemed intractable. But new and potentially transformative models for giving people access to legal services and to their own law are emerging around the country. Among the most promising of these are community justice workers. These are people already trusted in their communities, such as social workers, librarians, health aides, community leaders, teachers, mediators, and everyday citizens who are trained to help people understand and act on the legal challenges involved in critical life issues. These issues implicate basic needs like nutrition, health, income security, shelter, education, and care of dependents, and affect millions of Americans each year. As jurisdictions around the country explore justice workers as a potential solution, we offer ten essential insights for successful programs, reflecting discoveries from a growing body of social scientific research. This work gives useful guidance about how people understand and use law, informing the design of more accessible and effective services. It also teaches about what works in making justice workers effective at helping people with legal issues and with connecting to their own law, sustainable for both the people who work in these roles and the communities they serve, and capable of scaling up to meet the country's currently vast unmet legal needs.

I. AMERICA'S ACCESS TO JUSTICE CRISIS AND COMMUNITY JUSTICE WORK

Jurisdictions around the country are exploring justice workers as a potential solution to America's persistent crisis of access to justice, a crisis

Copyright © 2024 by Rebecca L. Sandefur & Matthew Burnett.

* Rebecca L. Sandefur is Professor and Director, School of Social and Family Dynamics, Arizona State University and Faculty Fellow, American Bar Foundation. Matthew Burnett is Director of Research and Programs, Access to Justice Research Initiative, American Bar Foundation; Visiting Scholar, Justice Futures Project, Arizona State University; Adjunct Professor of Law, Georgetown University Law Center. Together, they are the co-founders of Frontline Justice.

that leaves an astounding 92% of civil legal problems among low-income Americans without any or enough legal help.¹ To support these efforts, we offer ten essential insights for successful justice worker programs, reflecting knowledge from experience and a growing body of social scientific research into how people understand and use law, and what works in making justice work effective, scalable, and sustainable.² The Article begins with a brief summary of America’s access to justice crisis that motivates these efforts and an overview of established and emerging justice worker models in the United States. It then turns to each of the ingredients of success, offering illustrations from both research and practice.

A. America’s Seemingly Intractable Access to Justice Crisis

America’s access to justice crisis is enormous. Whatever measure one chooses to define the “justice gap” – the difference between the help people need with their civil justice issues and the help that is available to them – it is vast, persistent, and growing.³ Justice problems are not only common, affecting millions of people each year, they also often implicate fundamental human needs, like having a safe and healthy place to live, being able to make a dignified living, and caring for people who depend on others to care for them.⁴ People around the country lack access to legal help when they face these issues, but the challenges they face are not everywhere the same. The financial cost of seeking and using legal services is often beyond the means of ordinary people, including people not eligible for means-tested civil legal aid. Where people live also matters. While no part of America has successfully met this crisis, residents of rural parts of the country like Alaska are even more acutely impacted by barriers that include geographic distance, transportation challenges, and lean physical and technological infrastructure.⁵ Many people are also separated from help by language and culture, with no assistance accessible to them that understands their circumstances and

1. LEGAL SERVS. CORP., *The Justice Gap: The Unmet Civil Legal Needs of Low-Income Americans*, <https://justicegap.lsc.gov> (last visited Oct. 1, 2024).

2. These insights are expanded from the authors’ previous work on the same subject. Nikole Nelson, Rebecca L. Sandefur & Matthew Burnett, *Empowering Justice Through Community Justice Workers*, 38 MGMT. INFO. EXCH. J. 29 (2024).

3. Matthew Burnett & Rebecca L. Sandefur, *A People-Centered Approach to Designing and Evaluating Community Justice Worker Programs in the United States*, 51 FORDHAM URB. L.J. 1509, 1511 (2024).

4. Rebecca L. Sandefur, *Access to What?*, 148 DAEDALUS 49 (2019).

5. For reviews of some of the challenges specific to rural access to justice, see Lisa R. Pruitt & Bradley E. Showman, *Law Stretched Thin: Access to Justice in Rural America*, 59 S.D. L. REV. 466 (2014); Pruitt et al., *Legal Deserts: A Multi-State Perspective on Rural Access to Justice*, 13 HARV. L. & POL’Y REV. 15 (2018).

can meet their needs.

For decades, America has attempted to solve this diverse and multiplex problem by offering a single solution: lawyers.⁶ This solution has durably failed. It has failed because of problems of both scale and substance. Despite substantial growth in the number of lawyers, America still has unparalleled unmet legal need.⁷ And currently delivery systems are not designed to respond to that need. This is because:

Legal issues and needs are not uniform across [our] socially diverse and geographically large and varied polity; thus, it is unsurprising that a single model of training, production, and delivery does a poor job of meeting those needs. The legal services offered by lawyers are often disproportionate to the problems people face, which may require the application of only a little law, or of some law combined with other skills, such as those of social workers, health care workers, teachers, librarians, accountants, or neighbors. Lawyers can lack the cultural competency and community trust necessary to connect with different groups and are often spatially and [socially] distant from those who [could] benefit from legal services.⁸

The orthodox approach to bridging the justice gap has made the problem seem intractable. But here, fortunately, appearances are deceiving. The orthodox approach is not the only or even the most effective one. A shift in thinking opens up new possibilities for action. Moving beyond a single model of giving people access to law opens up space for a multitude of ways of accessing justice by enabling and empowering new models for community justice work.

B. Community Justice Work in the United States

While recent years have seen the emergence of new justice worker models made possible by various regulatory reforms, justice workers are not new. In the 19th century, states including Indiana, Maine, New Hampshire, and Wisconsin explicitly permitted, variously, all “citizens,”

6. Matthew Burnett & Rebecca L. Sandefur, *Designing Just Solutions at Scale: Lawyerless Legal Services and Evidence-Based Regulation*, 19 *DIREITO PÚBLICO* 104 (2022).

7. The U.S. ranks last among wealthy countries on access to and affordability of civil justice according to the World Justice Project Rule of Law Index. See WORLD JUSTICE PROJECT, *WORLD JUSTICE PROJECT RULE OF LAW INDEX 2023*, at 34 (2023), <https://worldjusticeproject.org/rule-of-law-index/downloads/WJPIIndex2023.pdf>.

8. Burnett & Sandefur, *supra* note 3, at 1512.

“voters,” or “residents” to practice law.⁹ Into the early 20th century, the justice work ecosystem included robust and effective practice by people who were not licensed attorneys but held other roles as volunteers or employees of charitable organizations.¹⁰

For example, in New York City, women justice workers without law licenses or formal legal training not only advised working women on wage theft, but also drafted and sent demand letters for unpaid wages on behalf of their clients.¹¹ In Chicago, as part of the Immigrants’ Protective League, women social workers “provided advice to migrants and their families and represented migrants when dealing with the Bureau of Immigration.”¹² The late 19th and early 20th centuries also saw the birth of the settlement house movement, which included not only social workers providing justice services to community members around housing and other matters, but also nurses offering legal advice to support their patients’ health,¹³ an approach that underlies some community justice work today.¹⁴ Legal practice by people who were not attorneys also served people through auto clubs, labor unions, trade associations, and homeowners’ associations, among others, which provided direct legal services to their members.¹⁵ For example, the civil claims department of Washington D.C.’s Motor Club was staffed by people who were not licensed attorneys.¹⁶

For many decades justice workers have also represented clients in federal administrative proceedings, including accredited immigration and Veterans Service Organization (VSO) representatives, among others.¹⁷ Tribal lay advocates work across hundreds of Tribal courts in the

9. *Id.*

10. See, e.g., Felice Batlan, *The Birth of Legal Aid: Gender Ideologies, Women, and the Bar in New York City, 1863–1910*, 28 LAW & HIST. REV. 931, 938 (2010) [hereinafter Batlan, *The Birth of Legal Aid*]; Felice Batlan, *Déjà Vu and the Gendered Origins of the Practice of Immigration Law: The Immigrants’ Protective League, 1907–40*, 36 LAW & HIST. REV. 713, 728–30, 750–69 (2018) [hereinafter Batlan, *Déjà Vu*].

11. Batlan, *The Birth of Legal Aid*, *supra* note 10, at 933, 946–47.

12. Batlan, *Déjà Vu*, *supra* note 10, at 716.

13. Felice Batlan, *Law and the Fabric of the Everyday: The Settlement Houses, Sociological Jurisprudence, and the Gendering of Urban Legal Culture*, 15 S. CAL. INTERDISC. L.J. 253 (2005).

14. Burnett & Sandefur, *supra* note 3, 1512–13.

15. See Nora Freeman Engstrom & James Stone, *Auto Clubs and the Lost Origins of the Access-to-Justice Crisis*, 134 YALE L.J. (forthcoming 2024) (manuscript at 35) (on file with authors).

16. *Id.* (manuscript at 26) (on file with author).

17. See, e.g., WHITE HOUSE LEGAL AID INTERAGENCY ROUNDTABLE, ACCESS TO JUSTICE IN FEDERAL ADMINISTRATIVE PROCEEDINGS: NONLAWYER ASSISTANCE AND OTHER STRATEGIES (2023), <https://www.justice.gov/d9/2023-12/2023%20Legal%20Aid%20Interagency%20Roundtable%20Report-508.pdf>.

United States,¹⁸ and jailhouse lawyers play a critical role in promoting access to justice and highlighting systemic injustices within prisons and jails.¹⁹

In addition to these established examples, recently several state supreme courts have made rule changes that enable justice workers to provide legal advice and representation in community contexts. In 2022, the Alaska Supreme Court approved a waiver that permits community justice workers trained and supervised by Alaska Legal Services Corporation (ALSC), the state's primary provider of civil legal aid, to provide legal advice and represent their clients in court.²⁰ These justice workers are trained to provide targeted legal services in the areas of SNAP benefits, end-of-life planning, debt, domestic violence, and Indian Child Welfare Act matters.²¹ In 2019, the Supreme Court of Arizona authorized a program that:²² "empower[s] nonlawyer community-based advocates to provide trauma-informed, limited scope legal advice and assistance to [domestic violence] survivors in areas including child support, spousal maintenance, and fair and equitable property and debt divisions."²³ In 2023, the Arizona State Supreme Court also granted a waiver to permit trained Housing Stability Legal Advocates to assist low-income people facing eviction.²⁴ In 2022, the Delaware Supreme Court authorized Qualified Tenant Advocates to represent tenants' eviction cases.²⁵ Since 2019, the Utah Supreme Court has been operating the world's first legal services regulatory sandbox, a regulatory space where traditional rules restricting legal advice and advocacy to lawyers can be

18. Judith M. Stinson, Tara Mospan & Marnie Hodahkwen, *Trusting Tribal Courts: More Lawyers Is Not Always the Answer*, 14 L.J. FOR SOC. JUST. 130, 131 (2021).

19. See generally Jhody Polk & Tyler Walton, *Legal Empowerment Is Abolition: A Response to the Symposium on Critical Legal Empowerment*, 98 N.Y.U. L. REV. ONLINE 282 (2023).

20. Waiver to Engage in the Limited Practice of Law for Non-Lawyers Trained and Supervised by Alaska Legal Services Corporation, ALASKA RULES OF BAR 43.5, <https://courts.alaska.gov/rules/docs/bar.pdf#page=47>.

21. *Community Justice Worker Program*, ALASKA LEGAL SERVS. CORP., <https://www.alsc-law.org/community-justice-worker-program/> (last visited Nov. 18, 2024).

22. *Domestic Violence Legal Advocate Initiative*, INNOVATION FOR JUST., <https://www.innovation4justice.org/research/service/dvla> (last visited Nov. 18, 2024).

23. *Housing Stability Legal Advocate Initiative 2023 Update*, INNOVATION FOR JUST. 1, 9 (2023), https://docs.google.com/document/d/1G3QqXB8Y5nz4la_kRChxtBLJz3A_J3AodjiZ457PMvs/edit.

24. *Id.* at 52.

25. Press Release, Delaware Supreme Court, Delaware Supreme Court Announces Adoption of New Supreme Court Rule 57.1 to Allow Non-Lawyer Representation of Residential Tenants in Eviction Actions (Jan. 28, 2022), <https://courts.delaware.gov/Forms/Download.aspx?id=133348>.

relaxed in an environment where consumer protection is actively monitored.²⁶ The Utah Sandbox includes programs assisting people with legal issues surrounding medical debt, criminal records expungement, domestic violence, and end of life planning.²⁷

Even more states have proposed or are considering similar rule changes. For example, the Supreme Court of Texas has recently proposed reforms authorizing Licensed Court-Access Assistants (LCAAs).²⁸ To practice under this model (as currently proposed), applicants must be sponsored by an approved nonprofit organization, successfully complete an approved training program, and pass a criminal background check.²⁹ If licensed by the Texas Bar, they are eligible to practice under the supervision of an attorney at the sponsoring nonprofit organization.³⁰ They may “provide in a civil justice court suit legal services on which they have been trained”³¹ Their communications with clients are protected by privilege.³² LCAAs cannot charge their clients fees, but they may be paid by their sponsoring organizations.³³ Sponsoring organizations must require LCAAs to participate in continuing education and report to the Bar any misconduct or incompetence.³⁴ They must also report the number of clients served by LCAAs and any other requested information.³⁵ Given the current pace of new and emerging justice worker models, it becomes even more important to distill emerging insights from research and practice, the focus of the next section.

II. FOUNDATIONS OF SUCCESSFUL JUSTICE WORK

Based on a growing body of research around the world and on early lessons from emerging community justice worker programs in the United States, we identify ten essential insights for justice worker initiatives to be

26. Rebecca L. Sandefur & Lucy Ricca, *Outside the Box: How States are Increasing Access to Justice through Evidence-Based Regulation of the Practice of Law*, 108 JUDICATURE 59 (2024), <https://judicature.duke.edu/articles/outside-the-box-how-states-are-increasing-access-to-justice-through-evidence-based-regulation-of-the-practice-of-law/>.

27. *Authorized Entities*, UTAH OFF. OF LEGAL SERVS. INNOVATION, <https://utahinnovationoffice.org/authorized-entities> (last visited Nov. 18, 2024).

28. *See* Preliminary Approval of Rules Governing Licensed Legal Paraprofessionals and Licensed Court-Access Assistants, Misc. Docket No. 24-9050, 2024 Tex. LEXIS 633 (Aug. 6, 2024).

29. *Id.* at *18.

30. *Id.* at *19.

31. *Id.*

32. *Id.* at *21.

33. *Id.*

34. *Id.* at *28–29.

35. *Id.* at *21.

effective, scalable, and sustainable.

A. Prioritize People

In democracies, the law fundamentally belongs to the people: People elect representatives who establish laws that are meant to order critical aspects of daily life. But while justice is meant to be everyone's, many existing models for giving people access to it are not designed with people's wants, needs, and experiences in mind. As Jim Sandman, President Emeritus of the Legal Services Corporation has put it, we have "a complicated legal system designed by lawyers, for lawyers."³⁶

In contrast to this traditional approach, a new way of providing justice has emerged in recent years: *people-centered justice*. This approach:

centers the justice experiences of ordinary people, rather than the structure or staffing of justice institutions, the elements of legal families, or the content of laws themselves. . . . [It] shift[s] policy and practice toward justice that is . . . designed to be accessible, proportionate, and focused on the outcomes people experience when they face civil justice problems . . .³⁷

People-centered justice starts with people's actual needs and their actual capabilities for engaging with law to meet those needs. People-centered justice comes to people where they already are – at work, in their neighborhoods, at school – in languages and cultural forms that are appropriate to their needs. It is proportionate to the problems they have. People-centered justice services are timely (showing up when people need it), targeted (specific to their situation), trustworthy (from a source they believe in), and transparent (clear about next steps, choices, and costs).³⁸

Alaska's justice worker model implements insights from this approach. Alaska is a vast and rural state, where many small communities

36. Brittany Kauffman, *Q&A with Jim Sandman, Chair of IAALS' Executive Committee*, INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS. (Jan. 26, 2023), <https://iaals.du.edu/blog/qa-jim-sandman-chair-iaals-executive-committee>.

37. REBECCA L. SANDEFUR, MATTHEW BURNETT & JULIA DOS SANTOS DRUMMOND, JUST. DATA OBSERVATORY, *PEOPLE-CENTERED ACCESS TO JUSTICE RESEARCH: A GLOBAL PERSPECTIVE 3* (2023), <https://www.americanbarfoundation.org/wp-content/uploads/2023/11/People-Centered-Access-to-Justice-Research-A-Global-Perspective.pdf> [hereinafter JUST. DATA OBSERVATORY].

38. See Rebecca L. Sandefur & Matthew Burnett, *Justice Futures: Access to Justice and the Future of Justice Work*, in *RETHINKING THE LAWYERS' MONOPOLY: ACCESS TO JUSTICE AND THE FUTURE OF LEGAL SERVICES* (David Freeman Engstrom & Nora Freeman Engstrom eds.) (forthcoming 2024) (manuscript at 11-12) (on file with authors) (tying "people-centered assistance" to providing services that are timely, targeted, trustworthy, and transparent).

have no lawyers and are not only disconnected from the information superhighway but also the literal road system.³⁹ Justice workers are recruited from where they already live, speaking the languages and participating in the cultures of the neighbors they support.⁴⁰

Justice worker training and support must also center people. Alaska's training model is low-barrier: There are few upfront restrictions to starting the training, which is free and offered asynchronously and online.⁴¹ Aspiring justice workers complete it at their own pace, concluding with a capstone requirement of working an actual case with an ALSC attorney.⁴² Once justice workers begin practicing in their communities, ALSC empowers them through the Community Justice Worker Resource Center, which supports training and credentialing, workforce development, sustainability and wellbeing, and research and evaluation.⁴³ This helps to make justice work sustainable not only for ALSC but also for justice workers themselves.

B. Think Beyond Program Effectiveness

Meeting the enormous scope of the access to justice crisis requires achieving scale and sustainability, growing to meet the vast challenge and surviving to persist in working on it. Because scale and sustainability have not traditionally been the focus of legal services design, evidence about these factors is limited. Perhaps the central finding so far is that current approaches often are not conducive to either sustainability or scale.⁴⁴ Effectiveness can sometimes be assessed as services are delivered and received,⁴⁵ but scale and sustainability are outcomes that emerge over longer time frames. Scalable programs are those that successfully grow to

39. Joy Anderson & Sarah Carver, *Community Justice Workers – Alaska's Response to the Access to Justice Crisis*, 38 MGMT. INFO. EXCH. J. 33 (2024).

40. See Nelson et al., *supra* note 2, at 30 (describing how community justice workers bring their language and cultural expertise).

41. See *id.* at 31 (outlining the Alaska model showing a low-barrier approach to training community justice workers).

42. See *id.* at 34 (noting the hands-on experience justice workers receive while handling a case under an attorney).

43. See ALASKA LEGAL SERVS. CORP., *supra* note 21 (illustrating the reach of the Community Justice Worker Resource Center).

44. See Sandefur & Burnett, *supra* note 38, at 1 (discussing how current lawyer-centric models have failed to scale and are difficult to sustain).

45. Assessing effectiveness can require longer time frames as well—for example, if the aimed-for outcomes occur some time after the conclusion of the service relationship. To take two examples: with eviction, the goal is often not only preventing an immediate eviction but also maintaining security of housing over the longer term; with expungement, the goal is not only removing the public record of conviction but also the access to housing, employment, and other opportunities that the absence of the criminal record would permit.

serve substantially larger numbers of people than they did when they began.⁴⁶ Sustainable programs persist over time with continued or increased effectiveness.⁴⁷

Unlike lawyer-only models, justice worker models have the transformative potential to scale to meet the justice needs of low-income Americans. As we describe below, evidence suggests that how legal services programs are designed and regulated is highly consequential for whether they can actually scale. Important design tasks include surmounting barriers to scale: barriers to entry (what is required for organizations and workers to engage in justice work), barriers to replication (what is required to replicate a model with fidelity to its original aims), barriers to learning (constraints on program experimentation and producing new knowledge), and barriers to funding.⁴⁸ Understanding the ways that regulatory and program design inhibit or encourage entry, replication, learning, and funding matters if we hope to meet the enormity of the access to justice crisis.

While scalability is focused on the scope of impact, sustainability relates to its durability and resilience.⁴⁹ In order for programs to be sustainable, they require four critical kinds of support: diverse resource streams (diverse ways in which the activity can be funded), ease of justice worker recruitment and likelihood of retention (a meaningful recruitment pool of justice workers that are likely to continue to engage); community engagement (communities served are involved in program design and engaged as justice workers), and political support (support from the bar, legislatures, courts, and the public).⁵⁰ The long-term sustainability of justice worker programs depends on securing each of the four types of resources.

C. Use Empirical Evidence

Some expert work has been evidence-based for many years; law has not. Consider medicine, where academic and commercial research industries produce discoveries that help us understand how to support health—for example, showing why handwashing is critical for preventing the spread of infection or that mammograms should be annual beginning at a specific age in order to catch breast cancer when it is earlier and more treatable.⁵¹ This type of approach is rarely used in the design of legal

46. Burnett & Sandefur, *supra* note 3, at 1529.

47. *Id.*

48. *Id.* at 1531.

49. *Id.* at 1536.

50. *Id.* at 1536–37.

51. See, e.g., Steven Tenny & Matthew Varacallo, *Evidence-Based Medicine*,

services delivery by traditional attorneys.

By contrast, emerging community justice worker programs reflect insights from medicine's learnings as well as the research literature on justice work.⁵² Training is focused and competence-based; for example, in Alaska, aspiring justice workers do not try to learn everything about the law, but rather how to assist people with specific issues, like appealing a denial of SNAP benefits or filing for protection orders.⁵³ Similar to the training of phlebotomists, nurse practitioners, and physical therapists, justice worker training includes learning when an issue is outside their competency and should be handed off to someone with more or different expertise, such as an attorney or other specialist.⁵⁴

Empirical evidence shows that justice workers can be safe, effective, and impactful.⁵⁵ Emerging programs are also generating new evidence. For example, the Alaska program is part of a National Science Foundation-funded multi-year study.⁵⁶ That research is helping us better understand what impacts justice work has and how it creates those impacts, such as through physical, cultural, and language accessibility. It is also helping us to better understand sources of sustainability and wellbeing for justice workers.

D. Dismantle Barriers

Nothing is inevitable about the current features of law practice; they reflect choices about regulation and design. Limitations on who can provide meaningful legal assistance, for what kinds of justice issues, and in which specific fora *by design* limit our tools for meeting the complex and varied justice needs of everyday people. We can make different choices. Important barriers to tackle include those that restrict: (i) entry

NAT'L LIBRARY OF MED. (Sep. 10, 2024), <https://www.ncbi.nlm.nih.gov/books/NBK470182/>.

52. Joy Anderson, Sarah Carver, & Robert Onders, *Community Justice Workers: Part of the Solution to Alaska's Legal Deserts*, 41 ALASKA L. REV. 9, 14–16 (2024).

53. *Id.* at 19; see also Nikole Nelson, CEO, Frontline Justice, Keynote Address: Addressing the Access to Justice Crisis: Think Systemically, Act Locally (Oct. 16, 2024), in 41 ALASKA L. REV. 1, 6 (2024) (discussing the development of “targeted training programs that [are] specific to widespread community problems”).

54. Anderson & Carver, *supra* note 39.

55. Rebecca L. Sandefur, *Legal Advice from Nonlawyers: Consumer Demand, Provider Quality, and Public Harms*, 16 STAN. J. C.R. & C.L. 283, 298–306 (2020) (reviewing empirical evidence of the effectiveness of nonlawyers).

56. See Award Abstract # 2321920 CIVIC-FA Track B: *Bridging the Rural Justice Gap: Innovating & Scaling Up Civil Access to Justice*, U.S. NAT'L SCI. FOUND., https://www.nsf.gov/awardsearch/showAward?AWD_ID=2321920&HistoricalAwards=false (last visited Sept. 29, 2024) (describing ALSC's CJW program and its research objectives).

into justice work, (ii) the replication of justice worker models, (iii) learning and experimentation, and (iv) funding.

Barriers to entry restrict the growth of the justice workforce by making it more difficult for organizations and workers to enter the justice work ecosystem. The most critical barrier to dismantle is Unauthorized Practice of Law (UPL) restrictions, which severely and unnecessarily restrict access to becoming a provider.⁵⁷ Nearly every state has chosen to promulgate UPL restrictions; indeed, most states have chosen to criminalize UPL.⁵⁸ Other barriers to entry include the design of training and of processes through which justice workers become authorized.⁵⁹ Authorization can require extensive and expensive training and assessment, with many required courses, experiences, examinations, and insurances, or it can be low-barrier and centered thoughtfully on those requirements evidence suggests are necessary to perform the work. These are design choices. For example, the Alaska Community Justice Worker Program does not have character and fitness requirements, nor does it require college degrees.⁶⁰ Instead, the program has prioritized broad recruitment and low-barrier training, with asynchronous online trainings designed to last no more than ten hours.⁶¹ For an illustration of the impact of these kinds of barriers on the capacity to scale, compare the rapid growth of justice workers in Alaska to the slow growth of independent licensed paralegal models and workers around the country.⁶²

Barriers to replication prevent the spread of viable models from one context to another. Regulation plays a role in enabling or discouraging this, too. For example, replication of an established program or approach in a new place is easier when there is one set of authorizing rules that is uniform across jurisdictions, as is the case with federal programs. By contrast, UPL regulation varies from state to state, adding another task—dealing with a new structure of restrictions—to the translation of a given model from one state to another. For example, Alaska already had a comparatively liberal UPL statute, allowing the State Supreme Court and

57. Sandefur & Burnett, *supra* note 38, at 3–4.

58. INNOVATION FOR JUST., *supra* note 23, at 13; Sandefur & Ricca, *supra* note 26, at 60.

59. Burnett & Sandefur, *supra* note 3, at 1531–33.

60. Anderson & Carver, *supra* note 39, at 34.

61. Nikole Nelson, *Alaska Legal Services Corporation: Moving Beyond Lawyer-Based Solutions with Community Justice Workers*, LEGAL SERVS. CORP., <https://lsc-live.app.box.com/s/4m9rcenmeu46uxvqe4d4gko0s528pu3t> (last visited Nov. 18, 2024).

62. See Sandefur & Burnett, *supra* note 38, at 7–11 (describing slow growth of paraprofessional programs and current alternatives to such programs, including Alaska’s Community Justice Worker program).

State Bar to approve the Community Justice Worker Program relatively quickly.⁶³ In other states, changes to court rules and, in some cases, legislative rulemaking take longer. Delaware's Qualified Tenant Advocates required both legislative rulemaking and revisions to court rules, while Arizona's DVLA Initiative has required multiple administrative orders from the Arizona Supreme Court as the program has evolved.⁶⁴ These complexities limit replication.

Restrictions on experimentation limit our ability to try new things and understand what can work. Because past practice and research have been so focused on effectiveness, we know less about how to enable scaling and sustainability. Learning is easier when the capacity to learn from practice is a priority for program design. The Utah Sandbox, for example, requires entrants to report regularly on their activities to ensure that they are not harming consumers, and provides a wealth of data that can be used to better understand impact.⁶⁵ Alaska's UPL waiver likewise encourages learning and experimentation, allowing the ALSC to try new approaches without excessive constraints on who community justice workers are, what they can do, and how they are trained and supervised to provide various services.⁶⁶ When programs are designed to be evidence-based, experimentation and learning will flourish, and produce knowledge to inform future design choices.

Growing and persisting requires financial resources beyond those that enable simply starting up new programs. Whether in legal or other contexts, both public and private not for profit providers face perennial funding challenges. Community justice worker programs will live with many of the same constraints faced by lawyer-centric legal aid, where government funding is inadequate to support programs of sufficient size to meet actual needs. But there are ways to surmount this barrier. For example, organizations can be permitted to charge fees for services, as in the immigration context, where nominal fees are routinely charged to

63. Compare ALASKA LEGAL SERVS. CORP., *supra* note 21, with Model Rules of Prof'l. Conduct R. 5.5 cmt. (2019) (“[L]imiting the practice of law to members of the bar protects the public against rendition of legal services by unqualified persons.”). The Model Rules of Professional Conduct reflect the UPL language adopted by most states.

64. See Administrative Order No. 2024-35 Authorizing a Domestic Violence Legal Advocate Pilot Program (Replacing Administrative Order No. 2023-21) (Ariz. 2024) <https://www.azcourts.gov/Portals/22/admorder/Orders24/2024-35.pdf?ver=cROqDdWhxSqtW-QGcRfOg%3d%3d> (the fourth in a series of orders including, in reverse chronology: AO 2023-21, AO 2020-88, and AO 2020-84).

65. Sandefur & Ricca, *supra* note 26, at 61.

66. See *id.* at 62–63 (noting similarities between Alaska's and Utah's models, including their ability to “[e]xpand innovation by allowing nontraditional providers.”).

clients of legal services. Another possibility is cross-subsidization, whereby justice workers are already embedded in community-based organizations through the upskilling of existing staff or volunteers rather than the hiring of new staff paid by the supervising organization. This approach is permitted under Alaska's UPL waiver for ALSC, where – unlike traditional legal aid models – almost all justice workers are paid by the community organizations where they work or are volunteers.⁶⁷ Legal upskilling allows these staff to do their existing jobs more effectively. Finally, models like the Utah Sandbox provide opportunities for for-profits serving low and middle-income Americans to charge fees that are significantly less than the cost of a lawyer.⁶⁸

E. Diversify Providers and Partnerships

Persisting at scale over the long term requires justice worker models to engage diverse providers and community partnerships. Given that less than 10% of the civil legal issues experienced by low-income Americans receive adequate help, civil legal aid organizations alone will not be able to meet the access to justice crisis.⁶⁹ New models should avoid narrow restrictions on which types of nonprofits can train and support community justice workers. For example, in Alaska, currently only one organization (Alaska Legal Services Corporation) can train and endorse community justice workers; this limits the spread of justice work in Alaska to workers that ALSC is able to supervise and makes sustainability dependent on a single organization. Delaware's Qualified Tennant Advocate program, similarly, is tied to only three civil legal aid organizations. Texas, on the other hand, has proposed a much more expansive model, allowing Licensed Court-Access Assistants to be sponsored by any approved nonprofit organization so long as half of the clients they serve fall under 200% of the Federal Poverty Guidelines.⁷⁰ In other contexts that permit justice work, a range of different kinds of organizations are authorized to host justice workers, including organizations that are not primarily engaged in legal services. For

67. Burnett & Sandefur, *supra* note 3, 1534–35.

68. See DAVID FREEMAN ENGSTROM, LUCY RICCA, GRAHAM AMBROSE & MADDIE WALSH, DEBORAH L. RHODE CTR. ON THE LEGAL PROF., LEGAL INNOVATION AFTER REFORM: EVIDENCE FROM REGULATORY CHANGE 40 (2022), <https://law.stanford.edu/wp-content/uploads/2022/09/SLS-CLP-Regulatory-Reform-REPORTExecSum-9.26.pdf> (noting B corporations in Utah that are developing service models to provide free legal services to low-income people).

69. LEGAL SERVS. CORP., *supra* note 1.

70. Preliminary Approval of Rules Governing Licensed Legal Paraprofessionals and Licensed Court-Access Assistants, Misc. Docket No. 24-9050, 2024 Tex. LEXIS 633, at *25 (Aug. 6, 2024).

example, in the immigration context, large, multiservice organizations such as Catholic Charities offer robust immigration legal services by justice workers under the Executive Office for Immigration Review (EOIR) recognition and accreditation program.⁷¹

Community partnerships between nonprofit organizations that have legal capacity and those that do not will be absolutely critical to meeting this crisis. Not every nonprofit should want or need to provide the training and technical assistance required to meaningfully support justice workers. For example, a small ethnic organization in the suburbs of Chicago or a public library in remote Bethel, Alaska will never have the resources (nor likely desire) to do so. Despite the restriction on justice worker authorization to ALSC in Alaska, it has nonetheless trained a significant number of justice workers who are embedded in community-based organizations that would not otherwise be able or want to provide training and support.⁷² Similarly, Innovation 4 Justice (I4J) in Arizona, supports justice workers embedded in domestic violence and other community-based organizations across the state under Administrative Order 2024-35.⁷³ Diverse providers and community partnerships are critical to scaling up and reaching people and communities most in need.

F.Learn

While community justice work is not new, either in U.S. jurisdictions or other parts of the world, it has been highly restricted in U.S. contexts, and not extensively studied.⁷⁴ Part of the lack of research reflects the challenge of learning about activity that is not happening (because much justice work is prohibited and/or criminalized by unauthorized practice of law restrictions in the U.S.), and part reflects the general state of the practice of law, which, as we noted above, lags substantially behind professions like medicine in its use of empirical evidence to inform practice.

ALSC's program and others starting around the country constitute extraordinary opportunities to learn. We can expect these new efforts to produce encouraging discoveries, such as that justice workforces can be designed to scale fairly rapidly. Since starting in 2022, Alaska has placed in the field or in training over 400 justice workers in over 40

71. Burnett & Sandefur, *supra* note 3, 1516-17

72. Anderson et al., *supra* note 52, at 16-18.

73. See Administrative Order No. 2024-35 Authorizing a Domestic Violence Legal Advocate Pilot Program (Replacing Administrative Order No. 2023-21) (Ariz. 2024) <https://www.azcourts.gov/Portals/22/admorder/Orders24/2024-35.pdf?ver=cROqDdWhxSqtW-QGcRfOg%3d%3d>.

74. See Sandefur & Burnett, *supra* note 38, at 3-4 (stating restrictions on the unauthorized practice of law in the U.S.); JUST. DATA OBSERVATORY, *supra* note 37, at 3 (explaining reasons for limited studies on civil justice).

communities.⁷⁵ This rapid growth is evidence of the promise of designing training and regulation to be focused on specific goals, like appropriate competency and scale. Alaska's program has also demonstrated how justice workers can be crucial partners in systemic change; it was justice workers who, in assisting people with common problems, discovered Alaska's widespread failure to give residents the food subsidies they were due, revealing both a humanitarian crisis and the legal evidence to tackle it via litigation.⁷⁶ Thus, we are learning that frontline justice workers can be both community sentinels and partners in systemic change.

At the same time, we can also expect that not everything we try will work, and that course corrections will be necessary. For example, feedback from justice workers could permit a program to learn of their need and desire for sustained mentoring that could be provided by their peers. This mentoring could help not only in building justice workers' skills, but also in supporting their persistence in the work. Continued study of Community Justice Worker programs will be able to reveal the impacts of these kinds of changes.

G. Expect Opposition

As these efforts expand around the country, they met with opposition. In particular, people with interests vested in the status quo may choose to resist or hobble activities that they perceive may threaten those interests, even when those activities are in the interests of justice. Opposition to justice workers often comes from licensed attorneys, who sometimes have sincere concerns about consumer protection but sometimes are actually more concerned about new sources of market competition.⁷⁷ Opposition has also come from the legal aid bar.⁷⁸ Designers of justice worker programs should expect opposition and prepare themselves to meet it, including by seeking political and community allies who can support them in responding to that opposition.

Utah's experience illustrates some of these dynamics. As is true of such innovations nationally, some Utah lawyers were excited about the possibilities of these new business models while others expressed

75. Anderson & Carver, *supra* note 39, at 33–36.

76. *Id.*

77. See Sandefur & Burnett, *supra* note 38, at 6 (“Available evidence suggests that most complaints about the unauthorized practice of law come not from aggrieved members of the public, but rather from lawyers themselves.”).

78. See, e.g., Brief of *Amici Curiae* Consumer Law Experts, Civil Legal Services Organizations, and Civil Rights Organizations in Opposition to Plaintiffs' Motion for a Preliminary Injunction, *Upsolve, Inc. v. James*, 604 F. Supp. 3d 97 (S.D.N.Y. 2022) (No. 1:22-cv-00627-PAC).

concerns.⁷⁹ To prepare the state's legal profession for this experiment, the State Bar president and a supreme court justice joined forces, meeting with lawyers around the state.⁸⁰ This barnstorming laid important groundwork that made the innovation possible, and Utah's Sandbox continues its work today,⁸¹ despite those two early leaders' departures from the project.⁸² Compare that to California, where the State Bar formed a task force to consider what a California sandbox might look like and evaluate whether it might be a good idea for California. The group's mandate was not to create a new regulatory regime or to take any action, but merely to explore ideas. The task force was shut down before completing its work by a coalition of lawyers working with the state legislature.⁸³ Although new activity in support of community justice workers is underway in California, further action by the State Bar is legislatively prohibited until early 2025.⁸⁴

Truly transformative change often threatens established norms and institutions. Expecting opposition—and learning from successes and struggles in other jurisdictions—positions justice worker programs to be ready to meet it.

79. Matt Reynolds, *When It Comes to Deregulation of the Legal Industry, Divisions Run Deep*, ABA J. (Nov. 16, 2023, 2:37 PM), <https://www.abajournal.com/web/article/when-it-comes-to-deregulation-of-the-legal-industry-divisions-run-deep>.

80. Lyle Moran, *How Utah's Judicial and State Bar Officials Worked Together for Regulatory Reform*, ABA J. (Nov. 5, 2020, 9:05 AM), <https://www.abajournal.com/web/article/how-utahs-judicial-and-state-bar-officials-worked-together-for-regulatory-reform>.

81. See Sandefur & Ricca, *supra* note 26, at 61 (noting that the Sandbox launched in 2020 and has continued expanding its impact into 2024).

82. Justice Himonas retired and left the project in 2022. See also Jordan Miller, *Utah Supreme Court Justice Deno Himonas Retires, Plans Return to Private Sector*, THE SALT LAKE TRIB. (Oct. 31, 2021, 4:35 PM), <https://www.sltrib.com/news/2021/10/29/utah-supreme-court/> (reporting that Himonas planned to transition to the private sector after March 1, 2022). Past Utah Bar President John Lund left the project in 2024. The authors have personally communicated with him regarding his departure. *Who We Are*, UTAH OFFICE OF LEGAL SERVS. INNOVATION, <https://utahinnovationoffice.org/who-we-are/> (last visited Nov. 5, 2024).

83. Karen Sloan, *California Lawmakers Pull Plug on Legal Industry Reforms*, REUTERS (Aug. 30, 2022), <https://www.reuters.com/legal/legalindustry/california-lawmakers-pull-plug-legal-industry-reforms-2022-08-26/>.

84. Lyle Moran, *After Criticism, California Bar's Working Group Will Focus on Sandbox and Trim Membership Ranks*, ABA J. (Feb. 28, 2022, 4:15 PM), https://www.abajournal.com/news/article/california-bars-working-group-to-focus-on-sandbox-and-trim-membership-ranks#google_vignette; Karen Sloan, *Legal Innovation Initiatives are on the Chopping Block in California*, REUTERS (June 17, 2022, 4:39 PM), <https://www.reuters.com/legal/legalindustry/legal-innovation-initiatives-are-chopping-block-california-2022-06-17/>; Sloan, *supra* note 83; Cal. Bus. & Prof. Code § 6034.1 (West, Westlaw through Ch. 1002 of 2024 Reg. Sess.) (operative until Jan. 1, 2025).

H. Prioritize Sustainability

America's justice gap is long-standing, and it will take time to repair. Sustainability is critical to rising to this challenge over the long haul. Both effective models and the people who staff them need to be able to persist in this work. Diversifying resource streams, as we discussed above, is essential to supporting work consistently and over the long term. These streams will likely need to include support not only from foundations, individuals, and corporate donors, but also opportunities for earned income, like modest fees for service, an option seldom adopted by legal services providers outside of the immigration context. Other models for earned income include collecting fees for training and providing technical assistance⁸⁵ and membership fees for community-based organizations or professional or occupational organizations.⁸⁶

In addition to durable funding, the wellbeing of justice workers themselves is also critical to sustainability. Justice workers are on the frontlines. Working there, they can be exposed to trauma. Particularly in smaller communities, they are also exposed to the stresses and challenges of navigating community or interpersonal disputes to which they may have some personal connection through their relationship as a neighbor or other community member.⁸⁷ These exposures take a toll and can lead to burnout, with undesirable consequences for both the justice workforce and relationships among community members. Recognizing this, Alaska Legal Services has hired a Director of Justice Worker Support, who focuses their activities on justice worker wellbeing, peer networking, and support across both in-house, volunteer, and embedded justice workers.⁸⁸

I. Grow Smart

Scaling up is not simply adding more of the same. Taking an effective model to scale requires changes beyond greater funding and more staff and tools to replicate the same activities organized in the same way. For example, there are limits to the number of justice workers for

85. See, e.g., *About Alaska Tribes*, ALASKA TRIBES (2024), <https://alaskatribes.org/> ("Tribes may contract for services with ALSC.").

86. See ACUMEN & OPEN SOC. FOUNDS., CASE STUDY: MAKE THE ROAD: DEVELOPING A MEMBERSHIP MODEL THAT BUILDS THE POWER OF WORKING CLASS COMMUNITIES 2 (2019) (noting that Make the Road New York uses membership fees to cover a "small portion of their overall budget").

87. See Lisa R. Pruitt & Bradley E. Showman, *Law Stretched Thin: Access to Justice in Rural America*, 59 S.D. L. REV. 466, 491 (2014) (describing challenges experienced by rural lawyers in small communities).

88. *Leadership*, ALASKA LEGAL SERVS. CORP., <https://www.alsc-law.org/leadership/> (last visited Dec. 2, 2024).

whom one attorney can effectively provide backup and technical assistance. If growth happens through simple replication, a program must keep adding attorneys for every so-many justice workers who are added. Implementing a different backup and support model—for example, one that employs peer mentoring—could facilitate more growth without sacrificing needed support or requiring the continued addition of attorneys who may already be in limited supply, particularly in rural areas.

Smart growth relies on recognizing barriers to scaling and working intentionally to overcome them. Foundations for effective scaling can be laid in program design. For example, the way justice worker authorization is organized can make scaling easier or harder. A model that requires each justice worker to be admitted to practice individually may require more regulatory resources and therefore grow more slowly than a model that authorizes entities (e.g., nonprofit organizations) to train and supervise justice workers. The former is the model followed to authorize independent paralegals (of whom there were fewer than 200 nationally in 2022),⁸⁹ while the latter is the model followed to authorize accredited immigration representatives (of whom there are more than 2000 active around the country)⁹⁰ and legal services in Utah’s Sandbox (which has delivered over 75,000 services since its inception in 2020).⁹¹

Diverse resource streams also enhance the capacity to scale. One element of Alaska’s model that has facilitated scaling is partnering with other kinds of service providers to upskill their existing workforces to engage in justice work.⁹² In this model, the justice workforce can grow through both dedicated justice workers employed by ALSC and those who add justice skills to their existing skill sets in their existing jobs. Thus, multiple organizations provide staff for Alaska’s justice worker program. Diversifying funding sources is also critical to sustainability, as a given funder will not keep infinitely increasing their support of an activity.⁹³

89. Michael Houlberg & Janet Drobinske, *The Landscape of Allied Legal Professional Programs in the United States*, INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS. (2022).

90. Sandefur & Burnett, *supra* note 38, at 9.

91. Sandefur & Ricca, *supra* note 26, at 61.

92. See generally U.S. NAT’L SCI. FOUND., *supra* note 56 (explaining that upskilling service providers is a key feature of justice worker scalability); see also Anderson et al., *supra* note 52, at 16 (describing how Community Justice Workers are embedded in Tribal government, social services, healthcare, and more).

93. See LISA M. SONTAG-PADILLA ET AL., FINANCIAL SUSTAINABILITY FOR NONPROFIT ORGANIZATIONS: A REVIEW OF THE LITERATURE, at vi (RAND Corp. ed. 2012) (explaining how changes in government and foundation funding impact nonprofits’ financial sustainability).

J. Transcend Orthodoxy

America's access to justice crisis is deep and urgent. The justice worker programs that we argue for here—people-centered, evidence-based, effective, scalable, and sustainable—require fundamental change, simple in form but radical in effect. They require moving from tradition to evidence, from settled beliefs to experimentation, from having lawyers control and direct the practice of law to engaging a broad and diverse public to use and shape the law. In a democracy, law belongs to people (not lawyers or government).

Real change requires much that is challenging and uncomfortable. It requires examining entrenched assumptions, such as the idea that access to justice means access to lawyers and courts, despite clear evidence that few justice problems make it to formal law.⁹⁴ It requires experimentation and openness to mistakes.⁹⁵ It requires new partnerships that carry us over old obstacles and into a new future.⁹⁶

And it is happening. In addition to justice worker models already operating in federal contexts,⁹⁷ tribal justice, and jailhouse lawyering, state supreme courts in Alaska, Arizona, Utah, and Texas have already granted or proposed to grant rule changes⁹⁸ that upend unauthorized practice of law restrictions to permit trained community justice workers to provide legal services.⁹⁹ Many other states are also exploring ways to permit and scale these models.¹⁰⁰

The growing track record of justice work shows that it can be effective, sustainable, and scalable—when we are bold enough to try. Looking abroad, we can find encouragement from jurisdictions like England and Wales, where a broad range of independent legal advice providers staffed by justice workers have existed for decades, helping

94. See generally Sandefur, *supra* note 4 (observing that only some justice problems receive lawful resolution as a result of the focus on lawyers and courts).

95. See generally Sandefur & Ricca, *supra* note 26 (detailing the experimental models of Utah and Alaska).

96. See ENGSTROM ET AL., *supra* note 68, at 14 (suggesting non-lawyers and lawyers could operate legal entities together to increase access to justice).

97. See WHITE HOUSE LEGAL AID INTERAGENCY ROUNDTABLE, *supra* note 17, at 27 (highlighting the role of VSOs as advocates as alternatives to lawyers).

98. See generally Burnett & Sandefur, *supra* note 3 (surveying the legal changes in Alaska, Arizona, Utah and Texas).

99. See Cayley Balser & Stacy Rupperecht Jane, *The Diverse Landscape of Community-Based Justice Workers*, INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS. (Feb. 22, 2024), <https://iaals.du.edu/blog/diverse-landscape-community-based-justice-workers> (highlighting the efforts made in Utah, Arizona, and Texas on community justice worker proposals).

100. See *id.* (listing several other states that are working on developing a model based on the Alaska model).

people with civil justice problems in housing, family, debt, benefits, employment, immigration, and more.¹⁰¹ These include Citizens Advice (CA), staffed by trained volunteers and with offices around the country and available by telephone and internet.¹⁰² In 2024, this single advice service assisted over 2.66 million people.¹⁰³ In South Africa, community justice workers (called community paralegals) have operated for 70 years, including as a vital community resource during Apartheid and the transition to democracy.¹⁰⁴

Here in the United States, implementation of Alaska's Community Justice Worker program allowed ALSC to almost double the number of people served in the year after implementation and extend its reach to more communities across that vast and rural state, including to villages that have no attorneys and are off the road system. Utah's legal services regulatory sandbox, the first of its kind in the world, has delivered over 75,000 services since its opening in 2020.¹⁰⁵ Justice workers bring tremendous potential to shrink our country's vast justice gap, if we are willing to step outside our comfort zones and into new ways of thinking and working.

III. CONCLUSION: WHERE TO START?

Drawing on empirical evidence from the growing track record of justice worker models, we have outlined ten key insights for successful programs that make possible justice work that is effective, sustainable, and scalable to begin to meet vast unmet legal needs. These factors reflect experience and evidence not only from Alaska, but from other justice worker models in the United States and around the world. These insights reflect core needs whether programs will be operating in large cities, leafy suburbs, or small communities. In addition to incorporating these insights, designers of justice worker programs will have to make another important decision: where to start. In particular, they must decide what kinds of justice issues new programs will serve. In closing, we offer some brief suggestions for thinking about where to begin.¹⁰⁶

101. Rebecca L. Sandefur, *Fulcrum Point of Equal Access to Justice: Legal and Nonlegal Institutions of Remedy*, 42 LOY. L.A. L. REV. 949, 955 (2008).

102. *Who We Are*, CITIZENS ADVICE, <https://www.citizensadvice.org.uk/about-us/information/what-we-do/> (last visited Nov. 6, 2024).

103. *Id.*

104. See *Community Paralegals*, JUST. POWER, <https://justicepower.org/community-paralegals/> (last visited Nov. 6, 2024) (noting that community paralegals first arose in South Africa in the 1950s).

105. Sandefur & Ricca, *supra* note 26, at 61.

106. We thank Nikole Nelson for her contributions in developing these suggestions.

Start where the work is already possible. While some community justice work requires regulatory reform to become authorized,¹⁰⁷ this is not always the case.¹⁰⁸ Good places to start are those where people who are not attorneys can already do legal work, as is true, for example, in immigration, in many public benefits, and in many tribal justice systems.

Start where the work is already staffed. It will be easier to start with issues that are already recognized as the kinds of problems people need help with and are already being served by some group or groups of workers whose work could be made more effective with the addition of some legal skills. For example, social workers routinely assist people in navigating a range of basic needs; this work could often be more effective if social workers had the competence and capacity to give legal advice and assist people with legal paperwork.¹⁰⁹

Start with interventions that are both simple and impactful. For example, appealing a denial of SNAP benefits is not complex. Nonetheless, a successful appeal has a powerful effect on the people who can consequently access food, as well as on government agencies and offices that have not been fulfilling their duties to the public they are meant to serve.¹¹⁰

Start with common problems. Interventions are of no use if they are not used, so start with legal issues that are prevalent and which involve problems people already recognize as problems. Recent years have seen a burgeoning of legal needs studies that provide critical insights into the kinds of justice issues that people face and the places where they are currently turning for help.¹¹¹ Starting with these issues and the places people are already going for help will help ensure that offered assistance connects with actual community needs.

Community justice work models offer potentially transformative routes to giving people access to legal services and to their own law, connecting people with their rights, making those rights real, and making law responsive and accountable to the people it is meant to serve. This

107. See Balser & Jane, *supra* note 99 (noting that many community justice worker programs “are authorized across the country through state supreme court administrative orders”).

108. See Lyle Moran, *New York May License Social Workers to Handle Some Legal Tasks*, ABA J. (Feb. 8, 2021), https://www.abajournal.com/web/article/new-york-may-license-social-workers-to-handle-some-legal-tasks#google_vignette (describing how a New York justice workers model could be implemented by the Office of Court Administration with no legislative or regulatory amendments).

109. See *id.*

110. Anderson et al., *supra* note 52, at 19.

111. See generally INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS. & HAGUE INST. FOR THE STUDY OF L., JUST. NEEDS AND SATISFACTION IN THE UNITED STATES OF AMERICA (2021) (studying the justice needs of the United States).

promise becomes real only when we act.