

JUSTICE FOR ALL COLORADO STRATEGIC ACTION PLAN

INTRODUCTION AND BACKGROUND

Colorado has had a long-standing commitment to meeting the access to justice needs of all its residents. It has pursued a goal that everyone who has a legal problem should have the information and resources to resolve their problem and a meaningful opportunity to pursue their interests and to have their story heard. That is the goal, whether individuals with a legal problem are provided with full or limited representation from a lawyer, engage in mediation or proceed on their own supported by legal information offered online or in-person.

This Strategic Action Plan is the product of a nearly year-long Justice for All Planning Process. The Planning Process was conducted under the guidance of a leadership team comprised of Justice William Hood of the Colorado Supreme Court; Richard Gast, President of the Colorado Bar Association; and Fred Baumann, Chair of the Colorado Access to Justice Commission.¹

This Plan is grounded in a detailed inventory of the support and services offered throughout the state – from urban and suburban to isolated rural communities – and an assessment of the strengths and weaknesses of Colorado's access to justice system across that spectrum. The first step in the inventory began the first month of the grant. The leadership team requested that Self-Represented Litigant Coordinators (Sherlocks), the Chairs of the 21 local Access to Justice Committees and regional pro bono coordinators report on every access to justice program or service in their judicial district. They were asked to provide a brief description of the services or activity and contact information for those who were responsible for it. The result was a list of 390 such programs and activities across the state.

A follow-up, online survey was conducted of a broad spectrum of court-based, legal aid, pro bono and social service organizations identified in the initial survey. A total of 73 entities responded to detailed questions regarding their mission, services offered, their mode of operation and their funding. They were also asked confidentially about their views regarding communication, cooperation and coordination among the access to justice components in their judicial district.

The project consultant followed up the surveys with 63 face-to-face interviews of a broad cross-section of persons in 13 of Colorado's 22 judicial districts.² The interviews provided an on-the-ground understanding of the dynamics of Colorado's access to justice system and its strengths and weaknesses in both rural and urban areas.

¹ They were assisted by Diana Poole, Executive Director of the Legal Aid Foundation of Colorado and Vice-Chair of the ATJ Commission; Kathleen Schoen, Director of Local Bar Relations & Access to Justice for the Colorado and Denver Bar Associations; and John Tull, a long-time access to justice consultant.

² Persons interviewed included members of the judiciary, key persons at the State Court Administrator's Office, Family Court Facilitators, Self-Represented Litigant Coordinators (Sherlocks), the executive leadership of Colorado Legal Services, as well as managing attorneys and other staff of CLS' rural offices, directors of independent legal aid organizations, members of local Access to Justice Committees, social service agencies, pro bono coordinators and private attorneys.

A report on the inventory and assessment was presented to the Leadership and Planning Teams in May 2017. The inventory and assessment found that Colorado has been remarkably creative and effective in developing a range of services that address needs along a continuum of assistance. It particularly excels in providing legal information and advice and other forms of self-help support. On the other hand, it falls short in its capacity to provide full representation, principally because of a lack of adequate funding for civil legal aid.

Colorado's strength in providing informational services to persons representing themselves is reflected in a robust array of online self-help materials, as well as a ground-breaking capacity to provide legal information one-on-one. Central to this are court-based self-help centers, staffed by Self-Represented Litigant Coordinators (Sherlocks) and Family Court Facilitators in each of the State's 22 judicial districts. In addition, more than 2,400 legal clinics offering both legal information and legal advice are held each year, including remote clinics that are held online to provide assistance in isolated rural areas. Colorado has also begun to experiment with in-court assistance offered by non-attorneys to assist unrepresented litigants in settling or presenting their cases. It continues to be a leader in the development and support of limited scope (unbundled) representation.

Colorado has one Legal Services Corporation-funded legal aid program, Colorado Legal Services (CLS), which enjoys a national reputation for excellence and provides legal services statewide through a network of 13 offices. Colorado also has seven other small advocacy organizations that represent the interests of clients in specific areas, including employee rights, disability, civil rights, immigration, housing and family law.

A key to Colorado's success in addressing its residents' access to justice needs is broad institutional capacity. Its Access to Justice Commission (ATJC) was created in 2003 – one of the first in the country. In addition, there are active local Access to Justice Committees in all but one of the state's 22 judicial districts. The Supreme Court has supported many access to justice initiatives, and its library is actively engaged in developing and supporting the Colorado Legal Help Center, a central online capacity for self-help and referrals. The State Court Administrator's Office (SCAO) has multiple departments devoted to supporting access to justice activities, such as language access, alternative dispute resolution and self-help. The Colorado Bar Association (CBA) provides staffing for access to justice initiatives and its leadership has been deeply engaged in this planning process.

In spite of these many strengths, the inventory and assessment that preceded this planning process found areas that need to be improved and this strategic action plan seeks to accomplish that. The first is the need to increase resources for full representation for those whose legal problems cannot be addressed meaningfully without it. In addition, in spite of success supporting unbundled representation in both urban and rural communities, the need for such services still significantly outstrips what is available. There is a particularly acute lack of lawyers in rural areas that affects not only access to justice needs, but the overall economic and social health of those communities.

Colorado also has a significant need to improve both its internal and external communications. The challenge internally is to increase coordination and cooperation in order to take full advantage of the most successful practices and initiatives in the state and to avoid duplication. Although the state

abounds in creative and successful strategies to respond to people's needs to identify and resolve their legal issues, there is not enough cross-fertilization across judicial districts regarding those successes. Moreover, there is not a centralized capacity to identify gaps where they do exist. Improved internal communication, therefore, is directly connected to bolstering the proactive oversight of Colorado's access to justice system and fostering the sustainability of its efforts.

There is also a need to improve the means by which persons in need of assistance find the level of help necessary to respond meaningfully to their legal problems. Improved external communication is also needed to educate the public, funders, elected officials, and other decision-makers about the importance for all Coloradans of a robust and accessible civil justice system.

In response to these findings, the Planning Team agreed to form five Working Groups that were asked over the course of the summer to produce recommendations regarding how to capitalize on the system's strengths and to address its weaknesses. The Working Groups were comprised of more than 60 people from across the state who represented a wide range of interests and experience. They analyze issues and develop recommendations regarding self-help, legal representation, the crisis in rural Colorado, external communication and triage, and internal communication and accountability.

This Strategic Action Plan is drawn from recommendations developed by the five Working Groups, and a day-and-one-half Justice for All Summit where they were presented and discussed. The JFA Summit was attended by 115 people from across the state who represented multiple components of the civil justice system and related social services.³ The Honorable Nancy Rice, Chief Justice of the Colorado Supreme Court, was a keynote speaker.

The first day of the Summit provided an overview of the year-long efforts of the planning process and of the findings of the inventory and assessment. The second day of the Summit was largely devoted to small group discussions of the recommendations and of questions presented by each of the Working Groups. Assigned scribes kept notes on the small group deliberations, so that the analysis of each of the 14 groups was able to be considered in formulating the final strategic plan. As part of the process, each of the participants was asked to choose 10 of the more than 60 recommendations that they felt were the most important to address.⁴

³ They included members of the Supreme Court, the current and incoming Presidents of the Colorado Bar Association, the Chair and members of the Access to Justice Commission, the Executive Director and other senior managers of Colorado Legal Services, a Dean and other faculty members of Colorado's law schools, managers from various departments in the State Court Administrator's Office and the Executive Director of the Legal Aid Foundation of Colorado. Other participants included, Family Court Facilitators, Self-help Litigant Coordinators (Sherlocks), judges, social service providers, community activists, law students, and private attorneys.

⁴ Participants indicated their preference by placing one of 10 dots on flip charts which contained all of the recommendations presented by the Working Groups. The process was not a strict prioritization. Participants were instructed to "vote" for the strategies that they thought were important *and* would require significant effort to accomplish. They might, therefore, choose not to vote for a strategy that they deemed to be important, but which could be easily executed.

Participants in the Summit expressed an interest in holding a similar event periodically to sustain the capacity over time to monitor the strengths and weaknesses of Colorado's access to justice system and to continue to make changes to improve it.

The timetable for this Plan is tentative, subject to the availability of resources, including a possible implementation grant, and the speed with which the matters of the availability and source of funding for the proposed Access to Justice Coordinator are resolved. Preliminary activities for each initiative will begin in 2018. Some will result in ongoing operations, and some will be concluded in the next year or two, depending on the nature of the strategy.

This Plan presents a broad range of initiatives. Some call for significant changes that generated significant excitement in the course of the planning process. Among these are the plan to fund an Access to Justice Coordinator, a staffing capacity which has been sorely missed in past efforts. Another involves a range of strategies to respond to the lack of lawyers in rural areas, which is part of a larger crisis affecting the economic, social and political health of those areas. Others involve the challenging tasks of developing uniformity and simplification in procedures and forms and presenting them in plain language. Yet another, entails development of a triage capacity that takes advantage the emergent Colorado Legal Help Center and other existing networks to assure that people in need get to appropriate services quickly and directly.

There are also a number of initiatives that do not call for dramatic change, but that will improve existing capacities and enhance current strengths. These too were deemed to be important outcomes of the JFA planning process and are reflected in the attached Plan.

Some initiatives will be implemented by staff of existing entities. Many, for instance, will call for engagement of staff of the Judicial Branch, including the State Court Administrator's Office, the judicial districts and the Supreme Court Library. Others will fall naturally to Colorado Legal Services, the federally funded statewide legal aid provider, as well as the Colorado Bar Association, local bar associations and the Legal Aid Foundation of Colorado. Planning and initial activity is already underway among these various entities for some of the initiatives that are set forth in this action plan.

The Plan also identifies certain activities to be carried out by consultants in the event that Colorado is awarded an implementation grant in the next round of funding. A consultant, for instance, would help coordinate the activities of employees of the various access to justice entities, carry out research and support efforts of the Access to Justice Coordinator. Some special skills – for instance, in information technology – may be called for to help design and implement some of the initiatives in the plan. In the event that implementation funding is not made available, the activities assigned to a consultant would be carried out by volunteers, who in the past have supported the access to justice community; though they will be accomplished at an understandably slower rate than would be possible with a dedicated contractor supporting the work.

The Plan is organized with reference to each of the 16 components set forth in the Justice for All Planning Guidance Materials, beginning with a description of Colorado's strengths and weaknesses in

relation to each component. The captions for each subsection are drawn from those Guidance Materials for ease of cross-referencing with those materials.

*NOTE REGARDING THE PLAN: The initiatives have been color-coded to indicate their relative priority. **Green** indicates an initiative that will be undertaken in 2018, 1) because it was identified as a high priority in the Planning Process, 2) because it can be undertaken by an institution with responsibility for it, such as a law school, or 3) because it is "low hanging fruit" that can be readily implemented with a minimum of resources,. **Yellow** indicates an initiative that may be undertaken in 2018, but will not be a first priority 1) because it would have relatively low impact in relation to the effort required to accomplish it, or 2) the judgment at the Summit was that it was not as high a priority. **Blue** indicates initiatives that require additional information and research regarding their viability or advisability. And **gray** indicates lower priority initiatives. The Strategic Action Plan also offers a rough estimate of the implementation and ongoing costs and resources required for each of the initiatives, with one dollar sign (\$) indicating a relatively low cost and four (\$\$\$\$) indicating a more costly effort.*

JUSTICE FOR ALL COLORADO – STRATEGIC ACTION PLAN

Foundational Capacities – Design, Governance and Management

Colorado has been remarkably successful in developing and implementing systems, programs and initiatives that support a robust access to justice capacity. To accomplish this, it has relied on staff of various institutional components of the system, including the Judicial Branch, judicial districts, Colorado Legal Services, the Colorado Bar Association, local bar associations and various private entities. It has looked to leadership and oversight from the Colorado Access to Justice Commission (ATJC), supported by local Access to Justice Committees that operate in all but one judicial district. The system, however, has never had a staff person dedicated to implementing or supporting agreed-upon initiatives, which has slowed progress on some and contributed to the lack of coordination that was identified as a significant challenge to be overcome by this Strategic Plan. During the course of the planning process, the State Court Administrator presented the possibility of seeking funding as part of the SCAO's budget and is actively pursuing that with the support of the JFA Leadership Team. Other states have the equivalent of an access to justice coordinator who is an employee of the judicial branch and those states will provide useful insight into the best means to avoid any perceived conflicts.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To carry out ATJC policies and JFA recommendations, to implement this Strategic Plan and to identify current and future needs of the access to justice system in Colorado and to assist in the development of initiatives to respond effectively To increase awareness of activities, initiatives and practices of various components of the access to justice system and to promote the sharing of best practices 	<p>Strategy One: Access to Justice Coordinator</p> <p>Have in place a full-time Access to Justice Coordinator to carry out the stated objectives. If the ATJ Coordinator is an SCAO employee, seek funding for an additional position to undertake JFA activities that would not be appropriate or feasible for an SCAO employee</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Submit and support a budget request through the Judicial Branch for the position Determine the qualifications for the Coordinator, including whether the individual should be a licensed attorney and the required degree of IT proficiency Develop a position description to define expectations of all stakeholders 	<p>The Leadership Team of the Justice for All Planning Process, the State Court Administrator and appropriate components of the Judicial Branch (if the funding derives from an item identified in the Judicial Branch's budget)</p>	<p>First and second quarters</p> <p>Obtain funding Agree on job description, Memoranda of understanding, if necessary Recruit and hire</p> <p>Third quarter and ongoing</p> <p>Implementation and operation</p>	<p>360 Evaluation of ATJ Coordinator at the end of one year, including surveys and interviews of access to justice components with which the coordinator has interacted</p>
		<p>Implementation Steps (continued)</p> <ul style="list-style-type: none"> Develop a memorandum of understanding or other means of defining the position, based on the sources and amount of funding, and consistent with the responsibilities of the individual as an SCAO employee, who will also work with the Access to Justice Commission and seek its guidance <p style="border: 1px solid black; padding: 2px;">Estimates of cost and resources: Implementation \$. Ongoing – \$\$\$\$.</p>		

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To provide a centralized capacity to oversee implementation of the strategic plan and coordinating related activities To facilitate interactive communication among all components of the system the system To increase coordination of ATJ activities To avoid duplication of effort To identify new and emerging issues, underserved or underserved communities, opportunities arising from new technologies, and to facilitate initiatives to respond, as appropriate 	<p>Strategy Two: Access to Justice Coordinating or Steering Committee</p> <p>Create an ATJC Coordinating Committee or reconstitute the ATJC to serve as the "hub of the wheel" of other various components of the access to justice system to accomplish the stated objectives</p> <p>Examine the committee structure of the Commission and of similar committees in the state that may duplicate the function of the Commissioners committees and recommend changes</p> <p>Evaluate whether the Access to Justice Commission is appropriately configured as to its size, composition, including community stakeholders and users, and review the means of nominating of new members and recommend changes as appropriate, particularly to increase rural representation</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Chair of the Access to Justice Commission tasks the Governance Committee with considering composition, restructuring and reframing of core objective of the Commission, including whether the "hub" function would be better served by a separate steering committee or by the Commission itself 	<p>Governance Committee of the ATJ Commission</p> <p>Support for activities of the "hub" by the ATJ Coordinator and JFA consultant, if available</p> <p>Implementation Steps (continued)</p> <ul style="list-style-type: none"> Agreement regarding desired composition and operation of the steering committee or the Commission Research and agree on database or other means to capture and record information regarding activities of the various ATJ components in the state and make it readily available to others in the access to justice community 	<p>First quarter Committee tasked by Chair to make recommendations to the commission</p> <p>Second quarter Agree on recommendations and means to proceed.</p> <p>Third quarter and ongoing Implementation and operation</p>	<p>Survey of various components of the access to justice community after one year regarding the degree to which they have found that the hub committee has successfully improved coordination and communication</p>
<p>Estimates of cost and resources: Implementation \$. Ongoing – \$\$.</p>				

Foundational Capacities – Resource development

Colorado has not been as successful as other states in obtaining public monies to support the access to justice system – outside of strong support in the Judicial Branch for self-help activities. It has been more successful in recent years, but much more can be done to raise funds from public and private sources, including for legal aid. At the core of Colorado's challenge in raising public funds is the TABOR Amendment, which prevents any tax increase that is not directly approved by voters, which generally constrains the availability of public funds. To increase funding from both public and private sources, there is a strong need for a solid communication strategy to make the public and decision-makers aware that all Coloradans have an interest in having a robust access to justice system in the state.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the understanding of the importance of robust access to justice capacity and increase public support for appropriate levels of funding 	<p>Strategy One: External communication strategy regarding access to justice</p> <p>Develop and disseminate an effective framework for communicating the role of the civil justice system in supporting commerce, enhancing economic security, fostering the rule of law and assuring justice, in order 1) to ensure interest in the civil justice system is not seen as the exclusive province and concern of the legal profession or of low-income persons and 2) to garner broad support for providing adequate funding</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Seek funding for a full-time communications director, perhaps beginning as a consultant until the need is determined Work with Voices for Civil Justice and other communication experts to help frame and promulgate a message to educate the public and decision-makers about access to justice and civil legal aid and garner their support. 	<p>ATJC Communications Committee</p> <p>JFA Consultant or ATJ Coordinator, supported by staff of Voices for Civil Justice</p>	<p>First and second quarters</p> <p>Meetings of the ATJ Communications Committee with communication experts</p> <p>Third quarter and ongoing</p> <p>Ongoing efforts according to the plan developed</p>	<p>In two years and in conjunction with research by Voices for Civil Justice, if possible, conduct Colorado focus groups on public perceptions regarding access to justice and civil legal aid</p>
		<p>Implementation Steps (continued)</p> <ul style="list-style-type: none"> Rely on ongoing research provided by Voices for Civil Justice regarding reaction of the public to various messages regarding access to justice and legal aid Obtain the support of well-known local public figures, such as sports personalities, to convey the message Record persuasive 30 second YouTube videos and develop TED-type talks <p align="center">Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$\$.</p>		

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase public and private resources to support access to justice needs throughout the system, particularly attorneys to represent low-income persons in need of a lawyer 	<p>Strategy Two: Rigorous advocacy for public funding for legal aid</p> <p>Continue advocacy for additional public funding for civil legal aid, including funding to respond to the needs of specific populations</p> <p>Implementation steps</p> <ul style="list-style-type: none"> Research ways in which other states have raised funds and the degree of their success, as well as strategies for gaining approval Examine the viability of alternative ways of raising funds, including dedicated legislative funding to assist particularly vulnerable groups (such as seniors and veterans), surcharges on civil filing fees or attorney registration fees, the transferring to civil legal aid funds recovered from fines or proceeds from the marijuana tax Over long-term, study the viability of undertaking a ballot initiative seeking funds for a specific population or compelling legal need Consider holding further public hearings as was done in 2007 and 2013. Devote advocacy to convincing the public as well as public officials of the importance of a robust capacity to respond to the legal needs of persons with a legal problem 	<p>ATJC Resource Committee</p> <p>ATJ Coordinator, if deemed appropriate.</p> <p>Support from JFA Consultant to examine strategies from other jurisdictions that might be pursued in Colorado</p>	<p>First quarter Meeting of ATJC Resource Committee</p> <p>Second quarter Research regarding options</p> <p>Third quarter and Ongoing Pursue strategies, as appropriate</p>	<p>Increase in and diversification of public and private funding</p>
<p><i>Estimates of cost and resources: Implementation \$\$\$\$. Ongoing – \$\$.</i></p>				

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<p>To increase private resources to support access to justice needs throughout the system, particularly attorneys to represent low-income persons in need of a lawyer</p>	<p>Strategy Three: Seek increased funding from private philanthropy Cultivate and engage private philanthropy to show the potential role of legal assistance in supporting their efforts to address bedrock economic, social and health challenges. Colorado has several large family, philanthropically oriented fortunes that have not been tapped for access to justice related issues. The Rural Legal Development Project (See Strategy at page 28) may be an example of a potential to attract such support.</p>	<p>Consortium of ATJC, CLS, CBA and Colorado law schools</p>	<p>First and second quarters Research Second and third quarters Initial contact Third and fourth quarters and 2019 Ongoing advocacy for funds</p>	<p>Successful and promising contacts made with philanthropic organizations. Diversification of funds available to support access to justice initiatives</p>
<p><i>Estimates of cost and resources: Implementation \$. Ongoing – \$.</i></p>				
<ul style="list-style-type: none"> To increase funding available for law schools to support access to justice activities by their law students and recent graduates 	<p>Strategy Four: Targeted law school funding Target law school fundraising to initiatives dedicated to tuition remission, loan repayment and other means to support law students and recent graduates engaged in public interest activities, such as the Rural Legal Development Project. (see page 28)</p>	<p>Law school deans and fundraisers</p>	<p>Second quarter and ongoing</p>	<p>Increase in the availability of law school funds earmarked for the intended purpose</p>
<p><i>Estimates of cost and resources: Implementation \$. Ongoing – \$.</i></p>				

Foundational Capacities – Technology Capacity

The inventory of the strengths and weaknesses of Colorado's access to justice system confirmed that it has robust online capabilities, particularly for unrepresented individuals. That capability has recently increased with the addition of the Colorado Legal Help Center (CLHC) to the panoply of online services. There was general agreement throughout the planning process of the important role that the CLHC will have as a central component of online services and communication. There was also agreement about the need for greater coordination and integration among the online services that are available. Strategies that pertain to uses of technology for specific purposes are addressed here. Others that relate to connecting people to needed services are listed at p. 15 (triage) and at p. 17 (training community partners).

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To have one primary site that houses as much relevant self-help information as possible, with a list of links to other sites To reduce duplication of effort and inconsistent information among various sites 	<p>Strategy One: The Colorado Legal Help Center as a central component of online services</p> <p>Support the Colorado Legal Help Center becoming a hub for online and other services, including:</p> <ul style="list-style-type: none"> Coordinating with other legal sites that are relevant and helpful (CLS, Checkerboard); Serving as the primary site to host links to federal, state and community services Developing and linking to a centralized calendar of events, regarding community services <p>Form a <i>statewide technology coordinating committee</i> made up of key actors involved with an online presence in Colorado to assure coordination, avoid duplication and plan for other needed changes (Note the intersection with strategies regarding governance – p. 6)</p> <ul style="list-style-type: none"> Work with the staff of the Colorado Legal Help Center to prioritize evolving uses for it 	<p>Staff of the CLHC, CLS and other websites</p> <p>A Statewide Technology Coordinating Committee</p>	<p>First quarter and ongoing</p>	<p>Data on use of websites to which links are made</p> <p>Engagement of potential users in development</p> <p>Focus groups or interviews of identified users regarding satisfaction with the system, ease of navigation, responsiveness to the users' needs and usefulness of the information provided</p> <p>Follow-up interviews and focus groups regarding users' understanding of the information provided, actions taken by them and outcomes achieved, and whether other, additional content would have been helpful</p>
<p>Estimates of cost and resources: Implementation \$\$\$, Ongoing – \$\$\$.</p>				

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To expand and coordinate the use of technology to enhance access to the courts and to services that respond to individuals' legal problems and to increase the efficiency and effectiveness of delivering those services To enhance the capacity of the access to justice system to respond to the needs of isolated individuals, particularly in rural communities <p>(Objectives continued below)</p>	<p><i>Comment: Increased use of video-conferencing in rural courts for both judicial proceedings and other contacts with court services was seen as an important step in increasing access to legal services in rural areas for all litigants, regardless of income. In addition to reducing travel time and costs for isolated persons interacting with the courts, it was seen as a way to allow attorneys to expand the geographic range of their practice, potentially increasing availability of lawyers where it is currently limited. There is increasing recognition of the value of allowing remote interactions for other services, such as assistance from Sherlocks and translators and interpreters.</i></p>			
	<p>Strategy Two: Virtual proceedings and other interactions in rural courts</p> <p>Encourage and support implementation of virtual proceedings and other interactions in rural courts</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Assessment of current video conferencing in each of the judicial districts, including for criminal and civil proceedings Assessment of the capacity of courtrooms in judicial districts not currently using videoconferencing to acquire the necessary equipment Explore with chief judges and district administrators in each judicial district their views regarding the use of virtual proceedings Explore remote locations from which parties may participate: attorneys' offices, community centers, public libraries, nonprofits and individual users' devices 	<p>SCAO, judicial districts, both supported by the ATJ Coordinator</p>	<p>First quarter Inventory of current uses and equipment</p> <p>Second quarter Interaction with chief judges and district administrators</p> <p>Third and fourth quarters Pilot project</p> <p>2019 Proceed with implementation if warranted</p>	<p>Availability of video-conferencing in each rural judicial district</p> <p>Data regarding the number and location of parties engaged in proceedings conducted using video-conferencing equipment. After a year, survey and interviews of judges, attorneys and parties to proceedings regarding their experience with the system</p>
		<p>Implementation Steps (continued)</p> <ul style="list-style-type: none"> Begin a pilot project in a judicial district to determine if it is appropriate to expand throughout the state Seek a Chief Justice Directive (CJD), if appropriate, regarding the use of virtual proceedings 		
		<p>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$.</p>		

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?	
<ul style="list-style-type: none"> To expand and coordinate the use of technology to enhance access to the courts and to services that respond to individuals' legal problems and to increase the efficiency and effectiveness of delivering those services To enhance the capacity of the access to justice system to respond to the needs of isolated individuals, particularly in rural communities 	<p><i>Comment: Computer terminals are currently available in some self-help centers, though not in all judicial districts. The existence of terminals allows Sherlocks to direct users to explanatory videos, the number and content of which, under this strategic plan, will be increased significantly.</i></p>				
	<p>Strategy Three: Computer terminals in courts and self-help centers</p> <p>Make computer terminals available in all courts and other public locations for accessing online self-help support</p> <p>Implementation steps</p> <ul style="list-style-type: none"> Inventory current availability Evaluate effectiveness of current usage where it is available Implement expansion as appropriate based on evaluation 	<p>Judicial Branch, SCAO, judicial district personnel.</p>	<p>First and second quarters Inventory determination of areas of effective use.</p> <p>Third quarter Evaluate current use</p> <p>Fourth quarter and 2019 Implement as appropriate</p>	<p>Data on the use of computer terminals by patrons of self-help centers. Interviews of users regarding the usefulness of multi-media content and other online services used Review of demographics of users to determine usage based on age, geographic location, educational level, and English proficiency to identify potential areas for outreach</p>	
	<p><i>Estimates of cost and resources: Implementation \$\$\$, Ongoing – \$.</i></p>				
	<p>Strategy Four: E-filing</p> <p>Coordinate e-filing for self-represented litigants with the Colorado Legal Help Center and other community stakeholders, such as the CBA and CLS</p> <p>Link with document assembly capacities that are developed (See p. 20)</p>	<p>SCAO Information Technology Department, CLHC, CLS and the CBA. ATJC Courts Committee</p>	<p>Fourth quarter Begin planning</p>	<p>Review of numbers of appropriate e-filing by unrepresented litigants</p>	
<p><i>Estimates of cost and resources: Implementation \$\$, Ongoing – \$\$.</i></p>					

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To enhance rural participation in access to justice activities 	<p><i>Comment. One of the strategies of this Strategic Plan is to increase membership from rural areas on the Access to Justice Commission. In addition, several statewide committees are suggested. In the past, rural participation has been hamstrung by the inability to travel to meetings held in front range communities and the inadequacy of telephonic participation. Inexpensive video conferencing technology has advanced to the point where such limitations can easily be overcome, but it will take a commitment to using them. Text messaging is also a direct way to keep people informed of meetings and events, regardless of location. These tools will also be of use to increase participation in urban areas.</i></p>			
	<p>Strategy Five: Video conferencing and texting Increase the use of videoconferencing and text messaging to increase communication among access to justice institutions, particularly in rural areas Research needs Current and evolving videoconferencing capabilities, such as Zoom, GoToMeeting, and Skype</p>	ATJ Commission/Rural Legal Development Project – ATJ Coordinator	Starting second quarter	Increased participation by rural representatives in Commission and other meetings Follow-up surveys and interviews of rural participants regarding the degree to which the technology is adequate to provide meaningful participation
<p style="text-align: center;">Estimates of cost and resources: Implementation \$. Ongoing – \$.</p>				

Foundational Capacities – Community Integration and Prevention

The inventory and assessment found strong connections of key elements of the system with various community partners. CLS works closely with organizations that serve victims of domestic violence and trafficking, farm workers, families in crisis over housing and employment and others. Public libraries in rural Colorado are active partners in remote, virtual clinics. Based on local needs, Sherlocks throughout the judicial districts have established solid working relationships with different types of social service organizations that are important to local constituents. One judicial district with a large army base, for instance, works closely with social service agencies that serve active military families. Another with a large Latino population works closely with a community-based organization to overcome immigration concerns of the population because of the visible presence of Immigration Customs Enforcement officers in the courthouse. Similar examples can be found throughout the system.

Coordination among all the efforts needs to be strengthened so that successful use of partnerships can be replicated throughout the state. Moreover, the relationships can serve as a network that are integrated into the triage capacity that that needs to be developed in the state. The strategies under the triage, referral and channel integration component are, therefore, presented in relation to this component as well, since they are so closely connected.

Foundational Capacities – Triage, Referral and Channel Integration

The External Communication and Triage Working Group was assigned, as part of its charge, to examine and make recommendations regarding ways to facilitate persons seeking legal help getting to the right kind and level of meaningful assistance with a minimum of "bounce" (i.e., getting referred to multiple places that cannot or do not provide the help needed). "Triage and channeling" are the terms frequently used to describe this capacity. Triage has been incorporated into access to justice systems in New Mexico, Michigan, Massachusetts and Florida and is increasingly being looked to elsewhere as a key component of every access to justice system. Some of these systems have gravitated toward a widely publicized, single point of entry as the portal through which persons-in-need seek services.

The Working Group considered single point of entry systems and concluded that it would not be the most appropriate approach in Colorado, because of the richness of already existing points of contact throughout the state – Sherlocks, CLS offices, social service agencies, various online services, legal clinics and others. The Group's recommendation, therefore, was to bolster the system through which people now seek services and to maximize the availability of information regarding the appropriate place to refer a person seeking help. Some states, notably Florida, have similarly rejected the single point of entry approach, opting for a multi-door, multi-directional triage system, supported by technology that facilitates referrals and tracks applications and outcomes. The Working Group recognized, as well, that there is a dynamic interaction between the legal system and social service agencies and other institutions to which people in need of assistance turn. That interaction will be enhanced by effective training of those organizations. The following reflects the value of exploring such developments in addressing triage and channeling needs in Colorado.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To maximize the capacity of people in need of services to obtain the appropriate kind and level of services with a minimum of "bounce" To communicate to the general public about the availability of assistance to respond to legal needs and how to access it To increase effective use of available resources in rural communities 	<p>Strategy One: Multi-door, multi-directional points of contact</p> <p>Study available means to provide technologically supported multi-door, multi-directional referrals to the appropriate source of meaningful help with a minimum of bounce and with a means for tracking persons seeking assistance and the disposition of their request</p> <p>Inventory legal services providers and available help and other resources available for commonly encountered legal issues, for inclusion in the system.</p>	<p>ATJ Coordinator, JFA Consultant, CLHC, CLS and CBA Staff</p>	<p>First quarter Research</p> <p>Second through fourth quarters Work to design, test and revise the system</p> <p>2019 Move toward full implementation of the system</p>	<p>Survey and interviews of recipient agencies and of users regarding whether referrals were appropriate for the agency and what happened in the case</p>
	<p>Implementation steps</p> <ul style="list-style-type: none"> Examine the means used in Florida and other states to create and support a multi-door, multidirectional triage system Conduct outreach to all potential providers of services to obtain a commitment to provide information about their services and participate in the system 	<p>Implementation steps (continued)</p> <ul style="list-style-type: none"> Consider the value of a "triage coordinator" to serve as a live resource for individuals or partners unable to navigate the system Design, test and revise the system in a pilot, beginning in one or two judicial districts and one or two substantive areas Market the system by developing a legal help brand known in places common to each community 		

Estimates of cost and resources: Implementation \$\$\$\$. Ongoing – \$\$\$.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the effectiveness of interactions with community partners as a source of knowledgeable referrals to the appropriate organization in the access to justice system 	<p>Strategy Two: Training of community partners</p> <p>Develop a sustainable training and information programs to increase awareness of legal resources and when and how to access them for key community partners (e.g., domestic violence and homeless shelters, county human service offices, social services, libraries, police departments, medical providers, nonprofit service providers, or other such organizations).</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Obtain support of local access to justice committees to inventory appropriate individuals and organizations for training Design training module for delivery in person or online to teach at least one or two key agencies to identify a legal problem, regarding the services available to respond and how to access them 	<p>Rural Legal Development Project, ATJ Coordinator with support of with support of local ATJ committees, Sherlocks and CLS offices</p>	<p>Third and fourth quarters Inventory appropriate community partners Fourth quarters and 2019 Provide training</p>	<p>Review of sources of referrals to Sherlocks, CLS, and other service providers to determine if there has been an increase from participants in the training. Follow-up surveys of trainees regarding its impact on the referrals and their experience with the referrals</p>
<ul style="list-style-type: none"> To increase communication among all components of the access to justice system as well as community partners 	<p><i>Comment. This strategy could involve the CLHC serving as an <u>internal portal</u> for communication among the various components of the access to justice community, not only to facilitate communication and connectivity, but to facilitate access to the "products" of those components. Thus, for example, the CLHC would provide links to multi-media content and training materials produced by one organization that another might wish to access.</i></p> <p>Strategy Three Colorado Legal Help Center as an internal portal for access to justice community to communicate and connect</p> <p>Work with the Colorado Legal Help Center to have it serve as a portal for communication among components of the access to justice community and related services</p>	<p>CLHC, ATJ Coordinator, ATJ Coordinating Committee (See p. 7)</p>	<p>Beginning third quarter</p>	<p>Survey of components of the access to justice community regarding the effectiveness of the portal in connecting ATJ components</p>

Estimates of cost and resources: Implementation \$\$\$\$. Ongoing – \$\$\$.

Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$.

Foundational Capacities – Judicial and Court Staff Education

There was widespread agreement throughout the JFA planning process that, in spite of the best efforts of family court facilitators and Sherlocks, how unrepresented litigants are treated in the court room and whether they feel that they have been heard, has a significant impact on the degree to which they are able to proceed. Moreover, the efficiency with which court proceedings are able to advance when large numbers of the parties are unrepresented is directly affected by the skills of the judicial officer managing the proceedings. It was observed that how judges and other court personnel deal with unrepresented litigants varies across the state, and in some cases, it is perceived as being inhospitable. A strong belief was expressed at the summit that trainings regarding unrepresented litigants should present consistent ideas for all court personnel, including judges, clerks, Sherlocks, family court facilitators and others who interact directly or indirectly with the public.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the degree to which unrepresented litigants feel that they have been able to pursue their case and have been heard To increase the efficiency with which unrepresented litigants have their cases processed 	<p>Strategy One: Training of court personnel and judicial officers</p> <p>Train court personnel and judicial officers in how most effectively to interact with unrepresented litigants.</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Build on current judicial training efforts, including videos and other multi-media content on principles of neutral engagement Research available training designs, materials and multi-media content Develop training videos and other tools 	<p>Judicial Education Committee; Jennifer Medoza, SCAO Judicial Educator with support of ATJ Coordinator</p>	<p>First quarter Research available training, materials and multi-media content</p> <p>Second quarter Adapt for use in Colorado</p> <p>Third and fourth quarter Offer trainings</p>	<p>Evaluation of training regarding the accomplishment of its intended training objectives</p> <p>Follow-up survey of court personnel regarding the impact of the training</p> <p>Follow-up with a selected number of unrepresented litigants regarding their experience, their satisfaction, and if they felt they were heard</p>
<p><i>Estimates of cost and resources: Implementation \$\$, Ongoing – \$\$.</i></p>				

Foundational Services – Broad Self-Help Informational Services

Colorado excels in the self-help informational services that it offers to unrepresented persons with their legal problem, particularly those whose problem arises in the courts. That help is provided both through online services, through the support of family court facilitators and Sherlocks and by means of numerous legal information clinics provided in person and online throughout the state. In spite of the strengths, however, the Self-Help Working Group identified several areas where such services can be enhanced. *(This strategy also fits in the Courtroom Assistance Services component of the JFA Guidance Materials)*

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the capacity to teach unrepresented individuals self-help approaches and increase their understanding of options 	<p>Strategy One: Tutorials and multi-media teaching content, such as videos</p> <p>Develop online interactive and educational tutorial and multimedia programs such as videos and linked on the judicial website for use in all judicial districts</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Establish a committee of Sherlocks under the direction of the SCAO to determine, in consultation with appropriate court personnel in each judicial district, areas appropriate for tutorials and videos Develop partnerships with organizations that have researched and tested ways to deliver online content, such as the Harvard Access to Justice Lab and the Stanford Legal Design Lab 	<p>Sherlocks/FCFs, SCAO with support of ATJ Coordinator and JFA Consultant</p>	<p>Beginning second quarter</p>	<p>User testing during development to measure the degree to which the tutorials and multi-media content effectively teach what is intended</p> <p>Survey of court personnel regarding perceived changes in the ability of unrepresented litigants to present their case after using the tools</p> <p>Possible comparative testing in judicial districts with the tools and those with a have not yet been made available to measure their effectiveness</p>
	<p><i>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$.</i></p>			
	<p>Strategy Two: Computer terminals in self-help centers</p> <p>Make computer terminals available in all court self-help centers and other public locations for accessing online self-help support.</p>	<p>Judicial Branch, SCAO, judicial district personnel</p>	<p>Second quarter Determination of potential uses Third and fourth quarters Implement</p>	<p>Review data regarding the use of computer terminals by patrons of Self-Help Centers</p>
<p><i>Estimates of cost and resources: Implementation \$\$\$\$. Ongoing – \$\$.</i></p>				

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the availability and utility of legal information clinics To increase capacity for unrepresented litigants to pursue their cases effectively 	<p>Strategy Three: Expand legal information clinics</p> <p>Expand legal information clinics to include additional topics such as preparation for court (presentation and etiquette), working with the opposing party and forms and filing basics.</p> <p>Record, catalog and make clinics available online, when appropriate.</p>	<p>Local Access to Justice Committees, SCAO, Sherlocks, CLS</p>	<p>Beginning in the second quarter</p>	<p>Survey of judges, Sherlocks and family court facilitators regarding the degree to which unrepresented litigants appear to be better able to proceed in presenting their cases</p>
<p>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$.</p>				
<ul style="list-style-type: none"> To increase the capacity of unrepresented persons with a legal problem to take appropriate steps to pursue their cases To increase the availability of legal information and advice about their specific circumstance to enable them to proceed effectively 	<p><i>Comment: Although Colorado excels in some aspects of its online support for unrepresented persons to address their legal problems, it lags behind other states in the availability of tools for those individuals to produce pleadings, letters or other documents appropriate to their situation, and in the availability of online chats to answer questions or provide detailed guidance. Document assembly capability should be closely linked with e-filing (see p. 13).</i></p> <p>Strategy Four: Document assembly</p> <p>Develop and implement document assembly capability online or in kiosks that is uniform across all judicial districts.</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Formation of a statewide technology coordinating committee (STCC) (See also p. 11) Analysis of efforts undertaken in Colorado and other states to determine factors that impacted their effectiveness Identification by STCC of areas in which document assembly would be appropriate Research into the best current available software for document assembly Agreement by the STCC regarding hosting of the document assembly capacity 	<p>Staff of the CLHC and CLS, with the support of the ATJ Coordinator, JFA consultant, Statewide Technology Coordinating Committee</p>	<p>First Quarter Analysis and research Second and third quarter Development Fourth quarter and 2019 Launch and maintain project</p>	<p>Data regarding the use of the document assembly capability once it is developed.</p> <p>Follow-up with a sample of users to determine if they successfully produced the document they needed, were able to use it appropriately and if it helped resolve their legal issue</p>
<p>Implementation steps (continued):</p> <ul style="list-style-type: none"> Agreement by the STCC regarding who will develop the document assembly modules. Effort to obtain funding for necessary programming or identification of staff from current organizations, CLS, Judicial Branch. <p>Estimates of cost and resources: Implementation \$\$\$\$. Ongoing – \$\$.</p>				

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
	<p>Strategy Five: Live chat capability Develop and implement capability for online self-help users to obtain one-on-one assistance through a live chat</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> • Examination of capability in other states to provide legal information or legal advice online through a chat capability • Determine the kind of service that will be offered through live chats, which will in turn determine the kind of staffing needed • Agreement regarding hosting of live chat capacity 	<p>Staff of the CLHC and CLS, with the support of the ATJ Coordinator and JFA consultant</p> <p>Statewide technology coordinating committee</p>	<p>First Quarter Analyze options for online chats and defined intended audience and goals</p> <p>Second quarter Agree on project plan and design</p> <p>Third and fourth quarter and 2019 Launch, if project deemed appropriate</p>	<p>Data regarding users, including area of inquiry, geographic location, and other demographics</p> <p>Follow-up with a sample of users to determine if the information or advice provided assisted them, if they understood it, if they were able to follow through using it successfully</p>
<p><i>Estimates of cost and resources: Implementation \$\$\$\$. Ongoing – \$\$\$.</i></p>				

Foundational Services – Plain Language Forms

The traditional model of adversarial parties to litigation being represented by attorneys has radically changed in many high-volume areas of the law, such as family and landlord-tenant. In domestic relations cases, for instance, nearly three-quarters of litigants over a three-year period were unrepresented, with two-thirds of the cases having no lawyer on either side. In high-frequency matters in county court, such as collections, evictions and restraining orders, 98% of the defendants were unrepresented. [Cited in "The Colorado Legal Access Center: Connecting Unrepresented Litigants to Legal Resources through Technology," Justice William Hood and Dan Cordova, Supreme Court Librarian (45 the Colorado lawyer 55, October 2016).] This stark reality led participants in the working groups and in the Justice for All Summit to prioritize the translation of forms and written procedures from legalese into plain language that can be understood by unrepresented litigants. The challenge of writing legal forms and procedures in plain language is significant – the legalese often stems from statutory requirements that must be accurately described, even in plain language. Such efforts require special skill. Moreover, different judicial districts use different forms and procedures compounding the challenge of an effort to make all documents in the state linguistically accessible to unrepresented litigants. Participants at the Summit also identified strategies to develop uniform and simplified forms and procedures as being high priority. (See p. 42)

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To make it easier for unrepresented litigants to understand what is required of them substantively and procedurally and, therefore, to pursue their case more effectively 	<p>Strategy One: Translate key forms and documents into plain language</p> <p>Prepare all court forms, descriptions of processes, written procedures and the like in plain language (a fifth- to seventh-grade reading level).</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Examine past plain language efforts in Colorado, in other jurisdictions and nationally to draw lessons regarding implementation Review existing uniform forms for plain language and identify procedural and substantive gaps <p>(Continued on next page)</p>	<p>SCAO Plain Language Specialist with support of ATJ Coordinator Plain Language Committee</p>	<p>First Quarter Create project plan and obtain approval from advisory committee and other stakeholders</p> <p>Second Quarter Begin translation of selected forms and procedures</p> <p>Third Quarter Begin testing of forms</p>	<p>User testing during development</p> <p>Survey/interviews of unrepresented litigants regarding their understanding of the processes and procedures in which they were involved</p> <p>Comparative data showing whether unrepresented litigants are better able to complete required legal processes</p>

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
	<p>Implementation (continued)</p> <ul style="list-style-type: none"> • Create a Simplification and Plain Language Review Committee with representatives from judicial districts, attorneys and potential users • Engage a plain language specialist in the SCAO, possibly as a consultant • Institute a step in the SCAO form review process to include recommendations from the plain language specialist and review committee • Consider ways to provide for plain language review of proposed legislation • Research availability of support mechanisms such as the Center for Plain Language and features available in word processing and other software 		<p>Fourth Quarter and throughout 2019</p> <p>Continue translation of forms and testing and develop sustainability plan</p>	
		<p>Implementation (continued)</p> <ul style="list-style-type: none"> • Identify forms and procedures with highest volume of unrepresented litigants that are most susceptible to translation into plain language, and begin with one document or set of documents as a pilot • Review by Sherlocks, CLS and others of forms as they are translated for feedback • User testing by unrepresented litigants <p><i>Estimates of cost and resources: Implementation \$\$\$\$.</i> <i>Ongoing – \$\$\$.</i></p>		

Foundational Services – Language Services Integration

Colorado stands out in its support of litigants with limited proficiency in English, particularly Spanish-speaking persons, the largest population of non-English speakers in the state. In 2016, the nationally recognized Justice Index, which measures each state's capacity to meet specified access to justice needs, ranked Colorado 10th among the states in support for people with limited English proficiency. Since then, Colorado has further expanded its capacity. The courts operate under Chief Justice Directive 06-03 which governs the use and payment of language interpreters and which was amended in May 2016 to provide for certified interpreters in all civil and criminal proceedings. Interpreter and translator services are administered through the Office of Language Access (OLA) to assure continuity and uniformity of language services among all judicial districts. It supports Managing Interpreters who oversee the system in each judicial district in the state. OLA has translated over 1300 commonly used documents into Spanish. They are available for use by self-represented litigants online or with the assistance of Sherlocks in each District. In addition to Spanish, the state has provided language support services in 120 languages, the most frequently occurring of which are Vietnamese, Russian, Arabic, Mandarin, Korean, Amharic, Burmese and Somali.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the capacity of unrepresented litigants with limited proficiency in English to understand better what is required of them substantively and procedurally. To support the capacity of websites to offer important documents in multiple languages 	<p>Strategy One: Preparation of court forms in languages other than English.</p> <p>Prepare court forms, descriptions of processes, written procedures, etc. in prevalent languages other than English.</p> <ul style="list-style-type: none"> Determination of forms most likely to be important to non-English/non-Spanish speakers, particularly if they are available online Pilot project to test the impact of one or two documents 	<p>Office of Language Access, SCAO</p>	<p>This strategy was deemed a low priority in the planning process, a view shared by OLA, which would prioritize interpretation over document translation</p>	<p>Data regarding the use of forms by each language group. Survey of certified interpreters regarding impact of translated documents on their role</p>
<p><i>Estimates of cost and resources: Implementation \$\$\$\$. Ongoing – \$\$\$.</i></p>				

Enhancement Services – Expansion and Efficiency Improvements of Full-Service Representation – General

The JFA inventory and assessment of Colorado's access to justice system identified the lack of lawyers to provide full representation as the state's greatest area of need. Colorado has over 800,000 low-income persons, but in 2016, its principal statewide legal aid provider, Colorado Legal Services, was only able to serve 8433 clients, of whom only 1812 were provided full representation. Although the state ranks sixth in the widely recognized Justice Index for its overall commitment to access to justice services, Colorado ranks in the *bottom five* nationally for the number of civil legal aid attorneys available for low income persons. A rich variety of self-help services are available in the state, but the reality is that some issues cannot be addressed without full representation because of their procedural or substantive complexity or because of the gravity of the risk to the individual with the problem. Some individuals need full representation because of their personal circumstance, such as mental illness, lack of proficiency in English, illiteracy or inability to proceed because of personal trauma, sometimes associated with their legal problem.

A number of strategies and initiatives emerged from the planning process aimed at increasing the number of lawyers available in rural areas (see p. 28), enhancing and expanding the involvement of pro bono lawyers (see p. 32) and engaging law schools (see p. 35). In addition, four broad strategies were identified potentially to increase the availability of full representation in the state, which are set forth in this section.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the capacity to respond to systemic issues with appropriate advocacy 	<p><i>Comment. There was a general recognition of the importance of systemic advocacy to address policies and practices that detrimentally affect large groups of people and may be susceptible of constitutional or other challenge. Such work is currently undertaken by a variety of organizations, including the Colorado Lawyers Committee, CLS and other specialty advocacy groups. This recommendation would seek to enhance the capacity to identify areas appropriate for such advocacy and agree jointly on steps to be taken to respond.</i></p>			
	<p>Strategy One: Systemic advocacy Collaborations of law firms, public interest and legal aid organizations and law schools to identify and respond to areas appropriate for systemic advocacy.</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Under the auspices of the Access to Justice Commission or Steering Committee, call together a meeting of potentially key partners discuss the viability of moving forward and how to accomplish it. 	JFA Consultant – organizing meeting	First quarter	An increase in the amount and success of systemic work undertaken in Colorado
Estimates of cost and resources: Implementation \$. Ongoing – \$\$.				

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase resources available for full legal representation To expand the availability of publicly funded attorneys for legal representation in substantive areas that involve survival rights of potential clients 	<p><i>Comment: This is a long-term strategy is aimed at laying the groundwork for possible future advocacy to support a right to counsel, if the research warrants it. With proper grounding in research, it might be the basis of funding for a pilot project to examine its viability and impact. It was discussed as possibly being linked to a ballot initiative with an aggressive marketing campaign, a benefit of which might be to bring significant public attention to the importance of civil legal representation. At the same time, some cautioned about the long-term viability of such a strategy because of funding, or because of a judgment that for some issues, a better strategy might be to simplify the law and process and, thereby, decrease the need for a lawyer. This strategy is designed to examine such questions as a precursor to determining an appropriate future course for Colorado.</i></p>			
	<p>Strategy Two: Civil Right to Counsel</p> <p>Explore the possibility of a civil right to counsel in high-volume substantive areas that involve a high risk to safety, shelter, income or family stability (Civil Gideon).</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Identify areas in which risks to basic needs are high and where self-representation is apt not to be adequate for affected persons to pursue the rights effectively and where the long-term social and economic costs of not addressing individual needs would arguably exceed the cost of providing counsel. Review research on benefits and drawbacks of right to counsel Examination of the restrictions on funding such an effort imposed by TABOR and other budget constraints. 	<p>Courts Committee of the Access to Justice Commission, ATJ Coordinator</p>	<p>Beginning third quarter Research regarding right to counsel initiatives in other jurisdictions</p> <p>2019 Report and recommendation regarding viability of proceeding</p>	<p>TBD</p>
		<p>Implementation Steps (continued)</p> <ul style="list-style-type: none"> Conduct research on efforts to create and fund a right to counsel in other jurisdictions, such as in California and New York City. Research regarding the potential long-term cost savings of providing counsel versus paying for the social and economic costs (such as families being evicted). 		<p>Estimates of cost and resources: Implementation \$\$, Ongoing – \$\$\$\$.</p>

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase resources available for full legal representation 	<p>Strategy Three: Collaborations</p> <p>Explore the possibility of partnerships with government agencies, businesses and non-profit organizations (like Medical-legal partnerships).</p> <p>Examine the viability of partnerships with businesses such as prepaid legal insurance organizations and Legal Zoom.</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Research initiatives that have been undertaken in other jurisdictions, including their design, funding sources, intended outcomes, and success accomplishing those outcomes. Many such efforts, such as medical legal partnerships, would be undertaken by organizations such as CLS or other advocacy groups. The potential role of prepaid legal insurance organizations or LegalZoom would involve more basic research into their potential viability. 	ATJ Coordinator, CLS	Ongoing	<p>Increase in the number of such partnerships</p> <p>Evaluation of the partnership to determine their effectiveness in accomplishing their objectives</p>
To increase available capital to fund law firms in areas with a shortage of lawyers	<p>Strategy Four: Investment in law firms in underserved areas</p> <p>Examine the impact of a change in the rule prohibiting non-lawyer investment in law firm.</p> <p>Review of the underpinnings of the current rule and whether there are ways, consistent with underlying ethical concerns to adjust the rule to make resources available for law offices in underserved areas.</p>	Courts Committee ATJC, ATJ Coordinator with assistance of JFA consultant	<p>Fourth quarter</p> <p>Research regarding models in other jurisdictions</p> <p>2019</p> <p>Report and recommendations</p>	TBD
<p><i>Estimates of cost and resources: Implementation \$\$\$.</i> <i>Ongoing – \$\$\$.</i></p>				

Enhancement Services – Expansion and Efficiency Improvements of Full-Service Representation – Rural

The inventory and fact-finding phase of the Justice for All Planning Process encountered evidence early on of the rural crisis that affects many of the judicial districts in the state. The significant population loss in rural counties chronicled by the Denver Post (<http://www.denverpost.com/2017/07/21/colorado-divide-rural-urban-chasm/>) is dramatically reflected in the lack of lawyers moving into rural communities and the retirement of experienced lawyers. This affects not only the availability of lawyers for low- and moderate-income persons, but stands in the way of solid economic development, affecting the entire rural community. A separate Working Group analyzed the crisis and made recommendations about how to respond.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To respond to the crisis in the lack of lawyers in rural areas consistent with the objectives stated in relation to each separate strategy listed below 	<p>Strategy One: Rural Legal Development Project (RLDP)</p> <p>Create a Rural Legal Development Project that would be responsible for implementing a variety of initiatives that fall into several categories: 1) placement of lawyers and law students in rural areas, 2) support for rural lawyers, 3) marketing, 4) responsiveness to local communities, and 5) engagement with rural economic development.</p> <p>Implementation steps:</p> <ul style="list-style-type: none"> Draw together a coalition of supportive institutions, including CLS, DU and CU Law Schools, the Colorado Bar Association and the ATJ Commission Seek funds for a full-time administrator for the project from new funding or a reallocation within a budget (See for example, Philanthropy at p. 10.) 	<p>Statewide RLDP Administrator (if hired), CLS, law schools with the support of the ATJ Coordinator and JFA consultant, ATJ Commission</p>	<p>First and second quarters Obtain funding for administrator</p> <p>Third quarter Begin implementation of the Project</p> <p>Fourth quarter and 2019 Ongoing operation</p>	<p>Evaluate the RLDP and Its Operation</p>
<p>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$\$\$.</p>				

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the number of law students and new lawyers willing to settle in rural areas and help develop relationships to support those interested To engage law students in rural practice To increase access to courts for persons in isolated rural communities 	<p>RLDP: Initiatives to place lawyers and law students in rural areas</p> <ul style="list-style-type: none"> Rural Fellowship Program with living stipend, loan forgiveness or loan repayment for new attorneys starting in rural areas. <ul style="list-style-type: none"> Develop a funding stream through state government, the Governor's office, local governments and economic development groups Encourage CU and DU Law Schools to increase their Loan Repayment Assistance Program (LRAP) funding and use the program strategically for lawyers serving rural communities Support the creation of Rural Summer Internships, beginning with a pilot project and involving CLS, local colleges and universities (for housing), law schools for Public Services Summer Fellowships and Colorado Opportunity Scholarship Program 	<p>Statewide RLDP Administrator (if hired), CLS, Law Schools with the support of the ATJ Coordinator & JFA consultant, ATJ Commission</p>	<p>Second and third quarters Plan and organize Fellowship and internship programs Fourth quarter and throughout 2019 Implement</p>	<p>Evaluation of the effectiveness of the Fellowship Programs and Internships and their future viability</p> <p>Over time, an increase in the number of attorneys who begin to practice in rural areas</p>
	<p>RLDP: Support for lawyers and law students</p> <ul style="list-style-type: none"> Create a Rural Bar Section in the CBA and/or rural interest group in existing sections Partner with DU and CU law schools to encourage and advertise rural practice and rural experience Encourage local Bars to develop programs to welcome new attorneys to the community 	<p>CBA, Statewide RLDP Administrator (if hired), Law Schools, Local ATJ Committees</p>	<p>Beginning third quarter</p>	<p>Interviews and surveys of lawyers newly moving to rural areas regarding their experience, including effective and ineffective factors in providing support</p>
	<p>RLDP: Initiatives to place lawyers and law students in rural areas (Continued)</p> <ul style="list-style-type: none"> Hold Rural Job Fairs – Connect rural private attorneys, CLS offices, non-profits, mental health facilities, county attorney offices etc. to students interested in rural summer internships <p><i>Estimates of cost and resources: Implementation \$\$\$\$. Ongoing – \$\$\$.</i></p>			

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
	<p>RLDP: Marketing</p> <ul style="list-style-type: none"> Develop a marketing plan to encourage law students, recent graduates and experienced urban attorneys to practice in rural Colorado <ul style="list-style-type: none"> Sell rural practice, not just as serving the underserved, but as offering the opportunity to enjoy the benefits of a rural lifestyle, particularly in contrast to urban, high-pressure practice 	Statewide RLDP Administrator (If hired), Colorado Attorney Mentoring Program (CAMP), CBA, ATJ Commission	Beginning Fourth quarter	During implementation, focus groups regarding effective marketing factors Follow-up focus groups
<i>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$.</i>				
<ul style="list-style-type: none"> To ensure consideration of the impact on rural communities of statewide initiatives To increase the capacity of the system to respond to diverse rural populations 	<p>RLDP: Responsiveness to local communities</p> <ul style="list-style-type: none"> Emphasize a value of considering the specific needs of underserved populations in rural communities, including Native Americans, migrants and agricultural workers, elderly, disabled, homeless, veterans and those with limited proficiency in English Assure consideration of technological capacity in rural settings 	CLS, Statewide, RLDP Administrator, CBA, ATJ Commission	Ongoing	Examine the degree to which rural initiatives have responded to the needs of the identified populations
<i>Estimates of cost and resources: Implementation \$. Ongoing – \$.</i>				
<ul style="list-style-type: none"> To support the overall economic well-being of rural Colorado and supportive involvement of the legal community 	<p>RLDP: Economic development</p> <ul style="list-style-type: none"> Work with local government and businesses to incorporate lawyers and legal aid as important parts of larger rural community development plans. 	Statewide RLDP Administrator, CBA, CLS, ATJ Commission	Beginning third and fourth quarter	Assessment of the effectiveness of the efforts and their impact on rural economic development plans and their outcomes.
<i>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$.</i>				

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To make legal resources from urban communities accessible in remote rural areas 	<i>Comment: A Colorado private attorney, Ric Morgan, through his Virtual Pro Se Clinics and CLS through an LSC Pro Bono Initiative Grant have expanded the use of video-conferencing to permit clients in remote rural areas to be served by lawyers from the Metropolitan Denver and Front Range area. The expansion of these efforts was recognized as an important ingredient of reaching underserved rural areas.</i>			
	Strategy Two: Virtual Services in rural areas Expand the use of videoconferencing for remote or virtual law clinics and mediations	CLS, ODR, Virtual Pro Se Clinics (Ric Morgan)	Ongoing	Data regarding the numbers of persons served and numbers of lawyers participating
	<i>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$.</i>			

Enhancement Services – Expansion and Efficiency Improvements of Full-Service Representation – Pro bono

Pro bono lawyers are an important component of Colorado's efforts to respond to the access to justice needs of its inhabitants. There are approximately 15 pro bono coordinators across the state working either for CLS or local bar associations. The Supreme Court has adopted a pro bono recognition program for law firms, solo practitioners and in-house counsel groups that have committed to and achieved an annual goal of 50 hours of pro bono legal services by each of their Colorado-licensed attorneys. There is significant room for sharing among the judicial districts of successful models for engaging pro bono lawyers. As in every state, support, recruitment, and retention of pro bono lawyers is an ongoing challenge. One impediment uncovered in the course of the fact-finding in the planning process was a lack of knowledge among many lawyers of the ethical protections provided when they are offering legal advice in a program sponsored by a court or by CLS. Another concern raised by many in the process was the lack of knowledge about the level and kind of pro bono activity in the state. This plan commits to addressing those issues and continuing the state's ongoing efforts to engage volunteer attorneys in meeting access to justice needs.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase pro bono resources for legal representation To increase opportunities for pro bono lawyers and support for their participation 	<p>Strategy One: Campaign to increase pro bono</p> <p>Campaign to increase the number of lawyers engaged in pro bono representation Develop ways, including limited scope representation, to provide pro bono assistance that is time-limited, but meaningful and effective</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Convene pro bono coordinators from various judicial districts in the state Develop models for replication throughout the state, particularly those that make it possible for attorneys who, heretofore, have not volunteered to do so 	<p>Pro Bono Coordinators, ATJ Coordinator, ATJ Commission, local ATJ Committees</p>	<p>Beginning first quarter and ongoing</p>	<p>Increase in the number of volunteer attorneys and number of clients served by them</p> <p>Follow-up survey of participating attorneys regarding their impressions of the new models that have been developed</p>
<p align="center"><i>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$.</i></p>				

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the availability of lawyers to participate in legal advice clinics, to increase the number of such clinics 	<p>Strategy Two: Education on ethical protections for lawyers participating in legal clinics</p> <p>Outreach and training aimed at having private attorneys better understand the protections offered by ethical rules that permit their participation in legal advice clinics and unbundled representation [RPC 6.5, RPC 1.2(c)]</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Develop a small training module that can be presented online, at bar meetings and elsewhere 	<p>ATJ Coordinator, local ATJ Committees, CBA, pro bono coordinators</p>	<p>Second and third quarters</p>	<p>Increase in the number of lawyers willing to participate in legal advice clinics, including particularly those who were previously reluctant to do so</p>
<p>Estimates of cost and resources: Implementation \$\$. Ongoing – \$\$.</p>				
<ul style="list-style-type: none"> To obtain up-to-date and accurate information regarding the kind and level of pro bono activity conducted in the state and by whom 	<p><i>Comment.</i> Strong differences of opinion were expressed at the Summit regarding the advisability of pursuing Mandatory or voluntary Pro Bono Reporting, given the pushback on recent efforts. Its proponents see it as critical to understanding the extent of actual pro bono activity and to have better insight into what motivates volunteer attorneys for purposes of designing new programs. Implementation of this strategy is built around a notion of gathering information regarding the benefits of pro bono reporting in those jurisdictions where it has been tried to form a basis for determining whether and how to proceed.</p> <p>Strategy Three: Pro Bono Reporting.</p> <p>Assess the value of advocating for the adoption voluntary or mandatory pro bono reporting</p> <p>Implementation steps</p> <ul style="list-style-type: none"> Research the experience of the 9 states with mandatory and the 11 with voluntary reporting in terms of the value of the data collected and their impact on pro bono initiatives Explore the viability of mandatory versus voluntary reporting 	<p>ATJ Commission, CBA, with support of ATJ Coordinator</p>	<p>First and second quarters Conduct research</p> <p>Third quarter Develop recommendation regarding if and how to proceed</p>	<p>TBD</p>
<p>Implementation steps (continued)</p> <ul style="list-style-type: none"> Depending on the results of the research, possible advocacy for adoption of a rule <p>Estimates of cost and resources: Implementation \$\$. Ongoing – \$\$.</p>				

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase pro bono resources for legal representation To increase opportunities for pro bono lawyers and support for their participation 	<p>Strategy Four: Web-based support for pro bono lawyers.</p> <p>Explore greater use of technology to support pro bono lawyers</p> <ul style="list-style-type: none"> Pro Bono web page or pro bono app that is a statewide resource for volunteers to view local pro bono opportunities indexed by topic and geography with a capacity for cases to be accepted online 	<p>ATJ Coordinator, Pro Bono Coordinators, Statewide Technology Coordinating Committee</p>	<p>Fourth quarter Review strategy to determine its viability</p>	<p>Increase in the number of cases taken by pro bono lawyers and the number of lawyers volunteering</p>
<p><i>Estimates of cost and resources: Implementation \$\$\$\$\$. Ongoing – \$\$\$.</i></p>				

Enhancement Services – Expansion and Efficiency Improvements of Full-Service Representation – Law Schools

Colorado has two law schools that offer clinics responsive to access to justice concerns in the state. Participation by professors from both law schools and the Dean of one serving as a Working Group Chair led to consideration of a number of ways in which law schools could become more rigorous participants in access to justice efforts. These proposed strategies seek to do that.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase law student resources available to provide legal assistance to low-income and legally underserved populations To increase awareness of access to justice issues in law graduates 	<p>Strategy One: Expanded clinics and initiatives.</p> <p>Expand beyond traditional law clinics to provide the opportunity for law students and recent graduates to provide legal assistance to low-income and legally underserved persons</p> <ul style="list-style-type: none"> Legal practicum where law students are on call to provide legal advice in high-volume areas such as landlord-tenant law Post-graduate Legal Fellowship programs hosted by DU and CU Law schools Collaborative clinics involving students from both law schools 	<p>Deans of both Colorado Law schools and their clinical staff</p>	<p>Beginning second quarter</p>	<p>Increase in the numbers of law students participating in activities that respond to access to justice needs and increase in the number of clients served through those efforts</p>
	<p>Strategy Two: Law school courses on access to justice.</p> <p>Offer courses that include subject matter on access to justice related issues</p>	<p>Law School Deans</p>	<p>TBD</p>	<p></p>

Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$\$.

Estimates of cost and resources: Implementation \$. Ongoing – \$\$\$.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
	<p>Strategy Three: Relax restrictions on student practice</p> <p>Relax Rules of Civil Procedure, Rule 226.5(2)(B)(1)(b)] to permit law student practice with fewer than two years of law school</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Review and preparation of proposed rule, if deemed viable 	<p>Law School Deans, ATJ Commission, ATJ Coordinator</p>	<p>Third quarter</p>	<p>Increase in the number of law students participating in activities in support of access to justice efforts</p> <p>Review of any perceivable impact on quality of assistance provided</p>
<p><i>Estimates of cost and resources: Implementation \$\$\$, Ongoing – \$.</i></p>				

Enhancement Services – Unbundled (Limited Scope) Representation

Colorado has been at the forefront of developing and encouraging limited scope (unbundled) representation throughout the state. It was one of the first states to adopt rules governing such representation. The Colorado Bar Association has undertaken the "Modern Law Practice Initiative" (MLPI), which actively supports lawyers and law firms undertaking limited scope representation as well as other law firm business practices that support the provision of legal services that is affordable to clients, and profitable for lawyers. Over the last three years, the CBA with the support of the judiciary has made 35 presentations ("the unbundled roadshow") to teach judges, lawyers, Sherlocks and family court facilitators about the viability of limited scope representation. The fact-finding during the course of the JFA Planning Process found a high degree of acceptance and even enthusiasm for limited scope representation among rural judges. The strategic plan calls for a continuance of the effort to expand the availability of unbundled representation and other modern law practices.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the availability of legal representation for low- and moderate-income individuals by increasing the number of lawyers and law firms that engage in limited scope representation 	<p>Strategy One: Continued commitment to the supporting law firms engaged in limited scope representation and practices to make representation more affordable</p> <p>Continued development and support of law practice business models to provide legal representation that is affordable to a broad spectrum of clients and is profitable to lawyers, including limited scope representation, flat fee, sliding fee scales and other innovations promoted by the CBA's Modern Law Practice Initiative (MLPI)</p>	<p>CBA, Modern Law Practice Initiative with the support of the ATJ Coordinator and JFA consultant</p>	<p>Ongoing</p>	<p>Increase in the number of lawyers and law firms engaging in whole or in part in limited scope representation</p> <p>Examination of overall outcomes in cases involving limited scope representation</p>
<ul style="list-style-type: none"> Increase awareness among potential clients of the availability of affordable legal services 	<p>Strategy Two: Online, centralized database of lawyers</p> <p>Create an online, centralized database of lawyers offering low fee and unbundled services</p>	<p>CLHC and CBA staff with support of the ATJ Coordinator</p>	<p>First-quarter Develop database Second quarter Implement Third quarter and ongoing Maintain database</p>	<p>Follow-up interviews of users of the online directory regarding ease-of-use and whether the resulting referral was appropriate and successful</p>

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
	<p>Strategy Three: Support for "incubators" to help public interest and low-cost law firms get started</p> <p>Support incubators to help law firms start up built on the modern law practice and with a commitment to operating in the public interest and to supporting access to justice efforts.</p>	Law schools, ATJ Commission	Beginning third quarter	Increase in number of lawyers and law firms engaged in modern law practice models and serving access to justice issues
<p><i>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$.</i></p>				
<ul style="list-style-type: none"> Increase awareness on the part of law students and new lawyers of options for modern law practice 	<p>Strategy Four: Law school courses on modern law practice.</p> <p>Modify courses in law practice management and professional responsibility to include subject matter on modern law practice models, such as limited scope representation. (See also strategy on p. 35)</p>	Law School Deans	TBD	
<p><i>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$.</i></p>				

Enhancement Services – Alternate Dispute Resolution Integration

Colorado operates under one of the strongest dispute resolution statutes in the nation (Colorado Dispute Resolution Act, §13-22-301, et seq.), which was passed in 1983 and established the Office of Dispute Resolution (ODR). Under it, any court of record has authority to refer a case for mediation if such services are available. Although it does not certify, license or otherwise regulate mediators, ODR maintains a list of mediators with whom it contracts and who must meet its qualifications. In addition, Colorado has seen an increase in the number of private sector mediators who are not associated with ODR, but who handle court-referred cases. Participants in the JFA Planning Process, including the Summit recognized a number of areas in which this component of Colorado's access to justice system could be strengthened, including increasing the availability of mediators in rural areas, facilitating their use earlier in court processes, providing training and encouraging their use.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the availability, utilization and effectiveness of mediation and better prepare parties for participation in mediation To increase the availability of mediation in remote areas 	<p>Strategy One: Increase support for mediation</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Encourage a more active role by court staff and by other community stakeholders, such as the Colorado Bar Association, CLS, pro bono programs, etc. in supporting and using identified alternate dispute resolution services provided by the Office of Dispute Resolution (ODR), Advise unrepresented litigants of the availability of mediation earlier in the process Research availability of or develop online tutorials for mediation preparation assistance in areas such as financial disclosures, child support and maintenance Expand training of mediators Develop and expand "virtual" mediations through online conferencing software. 	<p>Staff of the Office of Dispute Resolution, supported by the ATJ Coordinator. Discussion and support from the ATJ Commission</p> <p>Implementation Steps (Continued)</p> <ul style="list-style-type: none"> Expand the availability of mediation for reduced or sliding fee Expand use of mediation in small claims, debt collection and landlord-tenant cases <p><i>Estimates of cost and resources: Implementation \$\$\$. Ongoing – \$\$\$.</i></p>	<p>First quarter Prioritize among listed initiatives and determine implementation approach and schedule for each.</p> <p>Second quarter Development of tutorials and trainings. Begin planning for pilot testing of "virtual" mediations</p> <p>Third and fourth quarters Ongoing implementation</p>	<p>Data regarding the number of mediations in each judicial district, including in rural areas. Survey of participants in mediation regarding their satisfaction with the experience and its outcomes</p>

Enhancement Services – Compliance assistance

Family court facilitators and Sherlocks, who operate in every judicial district in Colorado, were created in part to assure that unrepresented litigants are informed of the requirements of the legal processes with which they are engaged and how to comply with the courts' expectations. Although a number of strategies in this Plan are designed to enhance support for unrepresented litigants, they do not specifically address compliance assistance because it is already robustly served. Strategies related to training of judges and court personnel (p. 18), plain language (p. 22) and simplification (p. 42) are all associated with this component.

Enhancement Services – Courtroom assistance services

The inventory and assessment conducted as part of the planning process affirmed the high level of resources that are devoted to supporting unrepresented litigants in Colorado courts. The family court facilitators and Sherlocks in each judicial district have developed their own approaches to carrying out their responsibilities consistent with the needs of the district in which they serve. Some, for example, rely on the use of videos to explain the judicial process and assist unrepresented individuals in pursuing their case. This strategic plan recommends significant expansion of online tutorials, and other multimedia content videos. (See Strategies One and Two in Broad Self-Help Informational Services at p. 19.) The Judicial Branch is also supporting two pilot projects for the use of navigators to assist self-represented litigants while in the courtroom. This plan recommends expansion of those efforts. (See p. 44.) The strategies associated with Design, Governance and Management are designed in significant part to increase the uniform availability of various court assistance services across all judicial districts. (See p. 6.)

System Completion Innovations – Simplification

There was widespread agreement throughout the JFA Planning Process about the importance of simplification and uniformity of forms used in proceedings that have large numbers of litigants who represent themselves, such as in family law, landlord-tenant and collections. Confusion about what is required and duplication of requests for certain kinds of information were identified as being impediments to unrepresented litigants proceeding successfully in their cases, causing frustration for the litigants and delays and inefficiency for the courts. The value of simplification to address this need is self-evident. Uniformity across judicial districts was recognized as being key to the simplification process for obvious reasons.

Simplified forms and proceedings need to meet the legal requirements governing the issue being litigated and it is important that simplification not inadvertently shortcut legal requirements. Simplifying forms and procedures, therefore, needs to be carefully implemented to find the appropriate balance between ease of reading and legal accuracy. Simplification needs to be undertaken in concert with the effort to translate forms and procedures into plain language. (See p. 22.)

Establishing uniformity among judicial districts of forms and procedures will also serve a number of other needs addressed in this Strategic Plan. First, it will facilitate attorneys' ability to provide full and limited scope representation across judicial districts, helping address the crisis of the lack of lawyers available in many rural counties across the state. (See p. 28.) Second, it will facilitate strategies to develop tutorials and videos to support unrepresented litigants in pursuing their cases. Third, uniformity will facilitate the translation of key forms and procedures into plain language, a task which is time-consuming and skill-driven and could not realistically be accomplished for multiple documents and writings across 22 judicial districts. Finally, uniformity will support appropriate and uniform application of the law across the state.

Having noted the value and importance of uniformity of forms and procedures, it is recognized that there are differences in what is called for in different parts of the state, based on factors such as numbers of cases, differences in population and legitimate expectations of judicial officers regarding their courtrooms. The strategies suggested in this portion of the Strategic Plan, therefore, need to be implemented thoughtfully to find the appropriate balance and acceptance by the courts.

A second challenge and opportunity are to simplify the law and procedure regarding family law to reduce its adversarial nature where that is appropriate and consistent with the protection of the parties. There is a national effort to make family law less adversarial and simpler for parties who have reached mutual agreement about their marital status and custody of their children. Any such changes need to be made carefully to assure that children's interests are protected and unbalanced power relationships in a marriage do not unfairly disadvantage one of the parties. At the same time, there is growing recognition that many aspects of family law would be better treated by minimizing unnecessarily adversarial approaches. Colorado is home to one of the most highly regarded organizations examining such issues, the Institute for the Advancement of the American Legal System (IAALS) which can serve as an invaluable resource for exploration of the issue.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To facilitate ease of use by unrepresented litigants and increase the efficient handling of such cases. To facilitate shared resources for clinics/training/multi-media content and other self-help guidance To increase the capacity of low-income, self-represented litigants to obtain a fee waiver To increase the capacity of private attorneys to provide limited scope and full representation in multiple rural judicial districts, in order to increase the availability of representation in rural areas 	<p>Strategy One: Simplification and standardization of processes and procedures</p> <p>Simplify court procedures and processes by, for instance, eliminating duplicate requests for information.</p> <p>Standardize processes (forms and procedures) across all judicial districts, including procedures for waiving fees.</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Create a Simplification and Plain Language Committee with representatives from judicial districts, attorneys and potential users. (See p. 22) Examine high-volume substantive areas with large numbers of unrepresented litigants, where simplification and standardization might be appropriate. Review forms and procedures across all judicial districts. Identify appropriate simplified and standardized forms and procedures, possibly starting with one or two as a pilot, such as fee waivers for indigent litigants 	<p>ATJ Coordinator and JFA Consultant working with the ATJC Courts Committee and representatives of judicial districts, including chief judges</p> <p>Implementation steps (continued):</p> <ul style="list-style-type: none"> Demonstrate benefits in both judicial efficiency and the increased ability of unrepresented litigants to pursue their cases. Seek approval of the Supreme Court as appropriate and necessary. 	<p>First quarter Identify forms and procedures appropriate for uniformity and simplification</p> <p>Second and third quarters Pilot effort with forms identified in the process</p> <p>Fourth quarter and 2019 Continue implementation</p>	<p>User testing of forms during development</p> <p>After 12 months from initiation, survey of judges, family court facilitators and Sherlocks regarding perceptions of the impacts of the simplified forms and procedures.</p> <p>Data regarding changes in the amount of time required to complete cases</p>
<p>Estimates of cost and resources: Implementation \$\$\$\$. Ongoing – \$\$.</p>				

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To explore and pursue options to simplify substantive and procedural requirements to increase the opportunity for cooperative problem-solving, where appropriate 	<p>Strategy Two: Simplify the law and procedures for family law.</p> <p>Develop simplified and expedited procedures for high-volume substantive areas with a high percentage of unrepresented litigants, particularly family law.</p> <p>Implementation Steps</p> <ul style="list-style-type: none"> Review approaches used in other jurisdictions simplify family law procedures and reduce adversarial components 	<p>Access to Justice Commission, CBA, ATJ Coordinator, IAALS</p> <p>Implementation Steps (continued)</p> <ul style="list-style-type: none"> Consult with IAALS regarding potential for serving as a model state Develop advocacy for necessary legislative changes and to obtain support from the CBA and other interested institutions <p>Estimates of cost and resources: Implementation \$\$\$, Ongoing – \$\$.</p>	<p>First quarter</p> <p>Begin consultations and analysis</p>	<p>To be determined based on recommendations pursued</p>

System Completion Innovations – Role Flexibility for Other Professionals

In spite of the solid support for unrepresented litigants available through the family court facilitators and Sherlocks, there are still circumstances which call for more hands-on assistance, particularly to help people when they are presenting their case before a judge and may be intimidated by the circumstances. Several initiatives are underway to address the challenge. Two judicial districts were selected for pilot projects to test out the role of navigators to help fill the gap. One project in County Court in Adams County (17th Judicial District) is well underway and has focused on mediation of landlord-tenant cases with unrepresented parties. Planning for the second pilot in the 5th Judicial District has been completed, but difficulty finding volunteers in the mountain counties has prevented it from moving forward. Colorado has also had a tradition of navigators assisting victims of domestic violence (called "advocates") and navigators assisting victims of crime – services that have expanded significantly in recent years. In addition, a committee established by the Supreme Court (the Providers of Alternative Legal Services or "PALS" Committee) has been considering the feasibility of establishing a limited licensed legal technician program (as in Washington State) or some other, similar alternative to assist litigants in landlord tenant and collection cases.

OBJECTIVES	STRATEGY	BY WHOM?	WHEN?	HOW MEASURED?
<ul style="list-style-type: none"> To increase the capacity of unrepresented litigants to present their issues, to be heard and to obtain an appropriate resolution of their case 	<p>Strategy One: Navigator program</p> <p>Expand navigator programs throughout the state, drawing on the experience of the Adams County pilot project, victims of crime and domestic violence navigators, as well as other Navigator models throughout the country, including New York City</p> <p>Establish uniform process and standards for implementation (allowing for flexibility)</p>	<p>SCAO, Adams County staff. And ATJ Commission</p>	<p>Second and third quarter Research into Colorado and national systems.</p> <p>Fourth quarter Recommendations regarding expansion and standards</p> <p>2019 – Obtain funding</p>	<p>Increased efficiency in handling of cases with unrepresented litigants.</p> <p>Surveys and interviews of persons assisted by navigators regarding their satisfaction with the process and whether they felt they were treated fairly and had been heard</p>
<p><i>Estimates of cost and resources: Implementation \$\$. Ongoing – \$\$\$\$.</i></p>				