

LiveHelp Interim Replicability Report:

Preliminary Analysis of the Replication Potential of the LiveHelp Pilot Project in Providing Live Support to Access-to-Justice Website Users

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I. Introduction

This document is the preliminary analysis of the replication potential of the Legal Services Corporation Technology Innovation Grant funded LiveHelp Pilot Project. This project tests the use of web-integrated chat technology to enhance the usage and value of access-to-justice websites.

In the initial pilot, the technology has been used to support website visitors who are searching for legal information. Soon one of the project partners will begin to assist in an electronic intake process.

One of the long term purposes of the pilot, launched in Iowa and Montana in early 2006, has been to assess the broader potential of this technology to serve low-income populations in legal need. A second phase TIG grant will specifically test certain of these usages, as indicated below.

In the long term the question is not only whether LiveHelp might be helpful in existing service components, but also whether it might make previously impracticable service ideas more realistic for use by a broad range of users and, therefore, appropriate for investment.

This Interim Replicability Report, which supplements the Interim Evaluation Report, therefore deals with current views of the potential broader use of the technology.

Some interim words of reassurance: this analysis proposes a very wide range of possible expansions of the usage of the technologies. However, many of the suggested expansions build on each other, and therefore the expansion task is far less daunting than it might at first seem.

II. Brief Summary of Project

The LiveHelp Project is a pilot that allows visitors to Montana's and Iowa's public legal information websites, MontanaLawHelp.org and IowaLegalAid.org, to ask a remotely located LiveHelp Website Specialist for help finding online resources and, on IowaLegalAid.org, for help with applying for legal aid online.

Once a visitor asks for assistance, the website specialist responds, sending back the web location where the visitor can find the answer to the question online. This communication is done through instant messaging, also known as chatting, using the LivePerson Contact Center software (LivePerson)¹ that has been integrated into MontanaLawHelp.org and IowaLegalAid.org.

III. Status and Methodology of Analysis

The project was fully launched in both Iowa and Montana on June 1, 2006, following a ramp-up period.

¹ More information about LivePerson can be found at <http://www.liveperson.com>

The methodology for this Interim Replicability Report has been to use information gathered in interviews with LiveHelp volunteers and managers and to integrate it with overall perspectives gathered by participation in management and planning meetings and in discussions with operators.

As such, all conclusions remain tentative, and this Interim Report should be viewed primarily as a guide to the development of the Final Report.

IV. Summary of Significant Conclusions from the Interim Project Evaluation

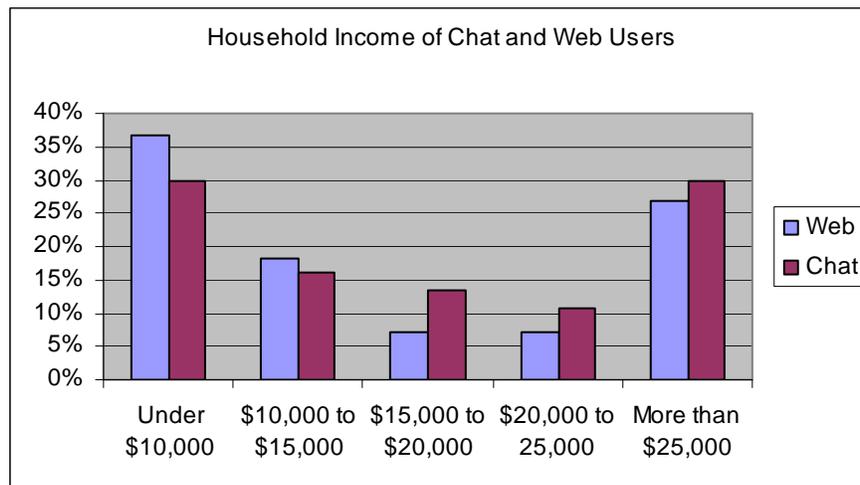
This Interim Replicability Report is being submitted in parallel with the Interim Evaluation Report on the LiveHelp Project. While that report should be read in its entirety, certain conclusions outlined in that report are of particular value in this analysis.²

A. Supporting Website Visitors with LiveHelp Works and Is Valuable.

LiveHelp users are getting useful assistance and help. Their access to justice is being enhanced, and the pilot project partners have found that the service fits into their overall service delivery model.

B. LiveHelp Users and Website Users Have Approximately the Same Demographics with the Possible Exception of Educational Level.

As detailed in the Report, the income demographics are approximately the same for access-to-justice website users as for LiveHelp users. The chart is so important that it is reproduced here.



This finding is supported by similar data on prior legal aid client status.

However LiveHelp users appear somewhat more highly educated than website-only users.

² All these conclusions are subject to the caution, as detailed in the *Interim Evaluation Report*, that the website user survey on which these comparisons are based has a very low participation rate.

It therefore appears that the LiveHelp service can be used without major concern that the service is helping only the higher income among the website users and that this conclusion can be projected to other web-based use of LiveHelp. To the extent that there may be some weighting of usage towards the more highly educated of the low-income population, this should be seen as freeing up other resources for focus on the less educated.

C. LiveHelp Users Feel That the Service Makes the Website Easier to Use and Are More Satisfied.

The LiveHelp service seems both to make the website easier to use and to increase user satisfaction (with this last conclusion subject to methodological issues discussed in the Interim Evaluation Report).

While data will have to be collected on user reactions to the provision of LiveHelp support for the users of other online services, it seems reasonable to predict that there will be a similar reaction to the use of LiveHelp services in other contexts. Nothing in the data suggests that this reaction would be limited to the current use for informational services.

D. LiveHelp Specialists Enjoy the Task; There Is No Data Yet on the Volunteer Component.

Informally, collected information supports the conclusion that LiveHelp operators enjoy the work; however, particularly at the beginning, LiveHelp operators experience some anxiety.

However, this result has been obtained using only staff – including VISTA volunteers – and, as suggested below, there may be different dynamics at work with non-full-time volunteers.

V. Interim Analysis of Potential Broader Usage within Legal Aid

This section looks at several potential applications of the LiveHelp technology within the legal aid arena, including

- Advocate Support for Pro Bono Attorneys
- Pro Bono Advice or Information to Website Users
- Advocate Support for Clients
- Cross State Assistance
- Multi-Lingual Support
- Document Assembly Support
- Low-Literacy User Support
- Service Finding and Online Application Assistance
- Diagnostic Software Support
- As Assistive Technology Considerations

A. Advocate Support for Pro Bono Attorneys

Potential

Many current or potential pro bono attorneys are fearful that their lack of knowledge or experience in low-income law will cause them to make mistakes. They may need quick advice in an interview or online encounter – assuming that was being provided.

This use of LiveHelp is scheduled for testing during Phase Two.

Considerations

- Attorneys would need to be comfortable using the technology.
- Supporting advocates would need to be available and willing to give quick responses.
- The content would need to exist online and be available to the supporting advocate.
- Younger pro bono attorneys would be particularly appreciative of this support.
- This would be particularly helpful in short term and special project situations.
- The technology offers the opportunity to enrich the relationship of the pro bono attorney, including by having them develop content and share that content.

Tentative Conclusions

The technology might well provide substantial benefits in this area.

Questions Needing Exploration

- Is assisting a pro bono attorney with LiveHelp any better than assisting a pro bono attorney over the phone?
- What level of legal expertise is needed for the supporting advocate?

B. Pro Bono Advice or Information to Website Users

Potential

The initial research is already showing that some LiveHelp users, and indeed many website users, are looking an attorney, even if only for a brief consultation. Others need information that only an attorney may feel comfortable giving as information to someone within the attorney-client relationship context.

Many pro bono attorneys want brief, time-delimited engagements. Others want to limit their assistance to “off hours” or to avoid becoming committed to meeting court deadlines. Pro bono roles of providing advice to website users might match well with these attorney needs. However, many attorneys do pro bono because they want the personal connection that they do not find in their paid work. This might be lost if they used LiveHelp.

Considerations

- Attorneys would need to feel comfortable in this role.

- If the system were to be used in an attorney-client role, the system would have to be secure and be recognized by attorneys and clients to be secure.
- If the system were to be used in an attorney-client role, the conflict checking issue will have to be resolved.³
- The level of online content would not need to be so high for the system to function.
- The system could be set up to send queries to different attorneys, based on the substantive area involved.
- Methods of assuring the identity of clients would need to be developed.
- Issues regarding location and jurisdiction and the practice of law would need to be resolved.
- There would need to be immediate intake.

Tentative Conclusions

This use of the technology may have a very great pay-off. The attorneys would be providing more substantive information, or even providing unbundled advice, and would be using their legal skills.

Questions Needing Exploration

- Do clients understand the advice that is given?
- Do clients feel like their attorney is on their side?
- Can the system be made secure enough?
- Do attorneys get the pro bono reward they want using this technology?

C. Advocate Support for Clients

Potential

LiveHelp could be used in conjunction with phone advice by legal aid staff attorneys as well as pro bono attorneys. Users in remote areas could arrange a phone appointment or a set chat time without a phone component at a time and location where the user would have access to the Internet.

Considerations

- The attorney could offer advice, direct the user to forms online, offer step-by-step instructions, push pages of information, or co-browse to help the client understand the legal rights and remedies available.
- Where the user's settings do not allow for co-browsing, the attorney can use LiveHelp to monitor the pages viewed by the user to make sure that the correct information is viewed.
- This would be especially useful where a user lives in one jurisdiction but has a case in another. Issues of lost time and incorrect information in trying to find help in other states would be diminished if the staff attorney or pro bono attorney could send links to the online

³ This will be easy in states that have adopted Rule 6.5.

information for the state where the user has a problem and using chats could direct the user to the next steps such as legal aid contact information for the location, court numbers and locations, state code sources and pro se assistance online or in court-based centers.

Tentative Conclusions

This would be easy to establish and could have great value. It might be hard to sell to attorneys who perceive that they are already overloaded.

Questions Needing Exploration

- What would the impact on attorneys be?
- Would there be issues of cross jurisdiction practice of law and knowledge?

D. Cross State Assistance Generally

Potential

It has been noted in the initial pilot of LiveHelp that the usage rate is currently sufficiently low in both states that volunteers would not be sufficiently engaged. The pilots have used staff (including VISTA volunteers) who are able to interrupt their work to answer LiveHelp requests.

Therefore, at a minimum, providing multi-state LiveHelp services would make it possible for volunteers to have a more complete and fulfilling service.

It would also provide flexibility to shift resources from state to state. It is this flexibility in the disaster response context that will be tested in Phase Two.

Considerations

- Information will have to be easy to find for people to know their way around several state sites – although since content is all coded using the same system, it may be possible to develop a state-to-state menu transition tool.
- One might be able to move to a system in which individuals with substantive area expertise across a group of states deliver services to those states. An “expert,” even if a volunteer or a non-lawyer, will be much more confident about drawing the line between information and advice, and therefore be able to give far more information.
- Trainings on substantive areas for operators could facilitate such usage.

Tentative Conclusions

This seems like a great idea. It will also make it possible to develop far more accurate cost of service numbers.

Questions Needing Exploration

- What is a reasonable level of knowledge of the site needed?
- What is a reasonable level of state referral information and resources needed to develop and make use of canned chats for referral?

- What operator supervision is needed?

E. Multi-Lingual Support

Potential

It is almost unbearably expensive to translate the fifty states worth of content on the system as a whole into the one hundred or so languages in which it might be helpful.

However, it is easy to imagine a person with multi-lingual skills being asked for legal information using LiveHelp and then finding the information and quickly translating it over a chat or a phone call.

Considerations

- Given that it is much harder to translate into written form, this may well be a place in which the phone portion of the technology should be explored.
- We do not know the level of linguistic skill needed to play this role nor the level of confidence about legal information.
- Such a model might well work nationally. One Vietnamese speaker might provide services to the entire website network.
- There are technical issues associated with integrating languages that do not use the Latin alphabet. Users would have to check their language to be directed to the right specialist.
- It is worthy of note that the reporting system in LiveHelp shows that many people are finding the legal aid websites Spanish pages by using search engines and entering Spanish queries.
- Generally, high levels of linguistic skill are needed to interpret and translate materials accurately.
- This type of activity may require special targeted outreach to beneficiary populations.

Tentative Conclusions

This deployment would take a lot of work but might yield very great results in an area of very high need.

Questions Needing Exploration

- Will the various sites and tools operate in different alphabets?
- What level of skill is needed for multi-lingual operators?
- How will supervision be done when the supervisors cannot review non-English chats or phone calls?

F. Document Assembly Support

Potential

Online document assembly is now regarded as a critical component of the technology-based access-to-justice package. However, substantial questions remain about the extent to which low-literacy and low-legal-knowledge users will be able to make full use of the complex technology, particularly when not located with helpers and support.

The LiveHelp (and phone) support systems offer a great potential for people who are “stuck” in any of a number of ways to get help.

This potential is particularly great when considered in rural and language barrier contexts.

Considerations

- While initial testing suggests that integrating LiveHelp with the existing national document assembly infrastructure will be successful, several important usability and technical issues need to be resolved.
- When specialists are helping people complete forms, there will be a whole new series of questions to answer about the scope of “information” versus advice. Since the users will be seeking to apply their facts to the law, there may be even greater pressure to “help” by telling people what to say.
- It may be for specialists that it will only be possible to stay on the information side of the line when there is very extensive help available, which the specialist can then repeat.
- There may also be user pressure to assist in selecting forms. This again will need to be addressed with better help.
- These and other issues may mean that the specialist experience will be very different from that supporting information finding.

Tentative Conclusions

The technology would appear to have very great potential. It will need to be carefully tested.

Questions Needing Exploration

- What level of knowledge about particular forms will be needed?
- What level of help materials will be needed?
- Will there need to be specialized training in supporting document assembly?
- Does the technology work properly?

G. Low-Literacy User Support

Potential

There is agreement that one of the barriers to usage of the websites is low literacy. One would therefore hope that a way could be found to use this technology to harness the access potential of the web even for those who face these barriers.

Considerations

- Initial user statistics suggest that LiveHelp users are somewhat more highly educated than survey-responding website users. Thus simply using LiveHelp may be unlikely to be enough. The phone will be much more important.
- When the user was in phone contact with a specialist, the specialist could find out what the user wanted, then push the page to the user, and re-state the content in more appropriate terms.
- This might require a very different skill set than those possessed by current LiveHelp navigators.
- It would also provide very valuable feedback on the usability of each piece of content.

Tentative Conclusions

The LiveHelp technology is not likely to provide much help in reaching the lowest level literacy users. However, the telephone integration should make a major contribution.

Questions Needing Exploration

- How would the phone integration actually work?
- What kinds of skills are needed to provide this form of support?
- How would the underlying website need to be changed?
- Does the use of phone decrease LiveHelp user satisfaction because they feel like they've reached legal aid and should be provided with advice?
- Can user be on the phone and online simultaneously?
- What additional expenses would be incurred because of changes that need to be made to phone systems to accommodate volunteers and legal aid staff?

H. Service Finding and Online Application Assistance

Potential

As more and more government services and benefits are provided on the web, and as more and more of them require on-line application processes, the barriers to low-income people who are not comfortable with technology become much greater.

The technology has the potential to provide major help to befuddled low-income people. Specialists could “sit” next to users as they looked for and entered application processes for

services and benefits, could explain the materials on the sites, and could encourage the users to complete the application forms.

Considerations

- There are serious technology limitations as to the extent to which the current technology allows co-browsing of sites outside the software control of LawHelp. However, if the site to be accessed is cooperative, the required code can be placed on the site. There are also alternative, but more expensive, technologies that do not suffer from this drawback.
- As with document assembly, the “information/advice” issues may be different, and the skills needed may also be different.
- To the extent that a particular agency becomes a “LawHelp partner,” that would provide an important new access-to-justice opportunity as well as better direct service to users.

Tentative Conclusions

Legal aid programs providing such innovative assistance would help minimize new barriers to access to services that online technologies can raise.

Questions Needing Exploration

- How would the technology work in this broader website context?
- What concrete role would the specialist be playing, and how would they avoid becoming advisors to the user?
- Would other agencies partner in such an initiative?

I. Diagnostic Software Support

Potential

There is agreement in the access-to-justice innovation community that diagnostic process and software are critical in getting to 100 percent access to justice, ensuring efficient usage of access resources, and in making sure that every person gets the appropriate resources and assistance that they need.

However, if this software is only accessible to the tech savvy – who by definition will tend to be the ones able to make use of, and therefore sent in the direction of, the tech tools within the spectrum or matrix of service – then the software will not be meeting its purpose.

It is therefore necessary that some technique such as LiveHelp, preferably phone-based as well as chat-based support, be available to those using diagnostic software.

Considerations

- Diagnostic discussions are likely to involve discussions of confidential or at least sensitive facts, and therefore raise more issues of privilege and the attorney-client relationship.
- Diagnostic processes must work for a very broad spectrum of literacy and technology capacity.

- The underlying algorithms must be of very high quality.

Tentative Conclusions

This is an area of importance, but the underlying software, and even the underlying methodologies, are not yet developed.

Questions Needing Exploration

- How can LiveHelp concepts and potential guide the way for the design of these tools?

J. As Assistive Technology Considerations

Potential

TTY services are an “old” technology being replaced. Moreover, the PC computer as a base is allowing a plethora of assistive technologies to be cheaply deployed on a standard platform with huge benefits to people with physical challenges.

While the websites already provide access to many who would not otherwise have it, the addition of LiveHelp chat services would mean that people for whom hotlines are not accessible would obtain access. Moreover, voice readers, magnifying technologies, and Braille keyboards together would amplify this access.

Considerations

- There might be access partners who would work on this technology.
- Given the difficulties with assistive technology, very extensive testing would be needed.
- It would be worth considering partnering in content development with advocates for people with physical challenges.

Tentative Conclusions

This technology is worthy of exploration – particularly with partners.

Questions Needing Exploration

- What technologies need to be integrated?
- Are current sites sufficiently access-compliant to be used?
- Are there special problems with LiveHelp integration that need to be addressed?

VI. Interim Analysis of Potential Broader Access to Justice Usage

This section looks at several potential applications of the LiveHelp technology within the broader access-to-justice community, including

- Court-Based Information Services
- Self-Help Centers

- Bar Association Attorney Referrals
- E-filing Support
- Court-Based Document Assembly
- Litigant Online Calendar and Docket Checking
- Hearing Preparation Assistance
- Public Legal Information Consortium
- Binding Together the Full Range of Access –to-Justice Websites with Single Integrated Support Service

A. Court-Based Information Services

Potential

Courts are transforming themselves into access-to-justice institutions. They are coming to judge themselves not by the speed by which they decide cases but by the extent to which they are meeting the access to justice needs of their populations.

As such, they are coming to realize that they need to provide information and assistance and to deploy technologies in support. Many now provide comprehensive informational websites and operate self-help centers.

For these informational services, the potential of the LiveHelp technology is very great, since the task it would fulfill is very similar to that it performs with legal aid sites.

Considerations

- Court sites, as with legal aid information finding support services, do not have an attorney-client relationship with the user and remind users that they could also provide information to the other side. The pilots are showing that this is viable.
- The potential volume is huge. California has millions of visitors a year to its informational site. Far more than legal aid, a system could easily be swamped.
- Multi-lingual issues are huge for courts. While the California courts have a nine hundred page informational site that has been completely translated into Spanish, there is no way that the site can practically be translated into all the languages of need.
- Courts are also experiencing technology usage barriers and limits and the fear that directing users to technology is directing them to dead ends.
- Legal aid and court informational processes are already working closely together.

Tentative Conclusions

This service could be of great help to the courts and provide an opportunity for courts and legal aid programs to partner.

Questions Needing Exploration

- Would a court ramp up of service be more swamped than a legal aid one?
- Could support for informational services be operated jointly for legal aid and court sites without violating neutrality concerns?

B. Self-Help Centers

Potential

Self-help centers are a key component in the access-to-justice strategies of most states and courts. As such, they are deploying technology in a variety of ways, including websites, document assembly, and video linking. Some, such as Alaska, are moving to completely virtual operations in which all contacts with litigants are by phone, e-mail or other technologies

The fear, however, is that these technology systems may be excluding some users from access (although the phone service availability option minimizes this risk).

The LiveHelp technology can potentially help address this fear.

Considerations

- The LiveHelp technology is good at binding together a wide variety of technology tools.
- This is significant since the centers offer many different self-represented litigant services, many supported by technology.
- The centers have to be particularly careful to maintain judicial neutrality.
- More and more, center assistance includes review of individual files, and techniques would need to be developed to deal with privacy and security issues.

Tentative Conclusions

This is an important area for potential use.

Collaboration with courts offers many opportunities for integration of services and for cost effectiveness.

Questions Needing Exploration

- Can services be operated in cooperation with legal aid programs without raising neutrality issues?
- Can services be operated with discussion of matters in files without raising privacy and security problems?

C. Bar Association Attorney Referrals

Potential

Bar association referral systems currently work largely by phone, rather than over the web.

However, the technology might offer the potential to move them to the web with support from LiveHelp technology removing the technology as a barrier to usability. Bar associations could also provide LiveHelp support for their own websites.

Considerations

- Bar association referrals need broad and easy reach to all.

Tentative Conclusions

Bar association adoption is likely to be slow.

Questions Needing Exploration

- What are the exact needs of bar association referral systems?
- What is the technology capacity of bar association referral systems?

D. E-filing Support

Potential

Electronic filing has been shown to promote major advances in access to justice if it is user friendly and easy to use.

A LiveHelp component could be a major addition to ensuring accessibility, both for form preparation and the electronic filing and control portions. It could also help remove any perception that electronic filing was putting up additional barriers to access.

Considerations

- Electronic filing systems are built in many different software environments, although a relatively small number of private sector vendors are making efforts to dominate the market.
- Many of the systems, at least those targeted at lawyers, require the use of particular plug-ins or software, such as PDF.
- Extensive help systems are needed.
- The assistance that would be needed would include both the legal substance and the use of what is often a somewhat complex technology. LiveHelp operators would have to be comfortable with this.
- Courts are really interested in pushing users to electronic filing, and this might make it much easier to do so.
- Support for electronic filing would appear logically to be best provided by the courts but might be provided by other agencies, possibly under contract.

Tentative Conclusions

Support for electronic filing will be complicated to set up but will pay significant dividends in access to justice.

Questions Needing Exploration

- Will there be problems with integrating the technologies?
- Who would best provide the support?

E. Court-Based Document Assembly

Potential

Courts are moving forward, often in cooperation with legal aid programs, to deploy document assembly systems that provide substantial help to litigants in preparing their pleadings.

Courts will need to maximize the assistance they give to litigants in the use of this technology, and LiveHelp is likely to do so.

Considerations

- This is an area in which litigants are likely to ask more “advice” questions and in which the litigants may indeed need to know the answers before they can move to the next software screen.
- Training in permissible and impermissible responses and in how to be as helpful as possible within these constraints will be crucial.
- There may be advantages in subcontracting out assistance to outside organizations.
- Rule 6.5 will be of assistance in permitting attorney level assistance without conflict problems.
- This may be an ideal area for pro bono or minimal level unbundled assistance.

Tentative Conclusions

Support for court document assembly would appear to be an ideal use of the technology, subject to training and ethics requirements.

Questions Needing Exploration

- How do the ethical and neutrality constraints play out in the court document assembly context?
- What support systems and structures are most appropriate?

F. Litigant Online Calendar and Docket Checking

Potential

Many courts now offer calendar and docket checking online. Often this is deployed in association with electronic filing.

To the extent that all court users can access these systems, courts will more fully reap the efficiencies that these investments can bring.

Thus a LiveHelp implementation aimed at helping litigants navigate a court’s online calendar and docket could have value for both the courts and litigants.

Considerations

- Since certain of these systems are open only to those with accounts and since sometimes data is only available to those with rights to that data, there are significant security and privacy issues that have to be addressed.
- This assistance is just in the technology area, so “legal advice” issues are not likely to come up. However, litigants may be at dead ends in the processing of cases, and the connection to a live operator might make it easier to get the cases moving again.

Tentative Conclusions

The technology may well have significant benefit in this area.

Questions Needing Exploration

- What is the relationship to case-moving help and the case management challenge?
- What is the technology relationship issue for LiveHelp and calendaring and case management software?

G. Hearing Preparation Assistance

Potential

One of the major gaps in the overall package of services that self-represented litigants need is in preparation for the court hearing itself.

Such assistance might include a diagnostic component, an informational component on the law and procedure, a document assembly component that assisted in the development of draft outlines of evidence, and exposure to scripts and video of similar situations.

While courts and legal aid programs are still very early in the process of developing the technology-based versions of this assistance and indeed are too early in developing any such assistance, it is clear that providing an individualized assistance component can only strengthen any such program.

Considerations

- The assistance that users might seek would probably include a broad range from using the technology to how to answer questions the technology asks to advice on how to deal with particular issues in court.
- Training would be very important, both to prepare operators for this substance and for drawing the lines as to what help is given most appropriately.
- The nature of the assistance the service can provide will depend on the methodology of the underlying assistance.

Tentative Conclusions

While deployment awaits design of underlying programs, consideration should be given to promoting the integration of LiveHelp into such projects and indeed into whether LiveHelp might make sure projects more viable.

Questions Needing Exploration

- What would such programs actually look like, and how would the service support them?

H. Public Legal Information Consortium

Potential

The idea has been suggested that legal information providers such as legal aid, law libraries and public libraries could take a collaborative approach to providing public legal information chat services.

In such a consortium, chat services might be shared or focused with capacity to browse throughout a mix of sites and online materials.

Considerations

- The usual division of labor and management issues would have to be worked out.
- There might be issues with different institutional roles.

Tentative Conclusions

This seems like an area worthy of exploration in areas in which there is already good public legal information cooperation.

Questions Needing Exploration

- How would labor be divided?
- How would projects be managed?

I. Binding Together the Full Range of Access to Justice Websites with Single Integrated Support Service

Potential

More ambitiously, perhaps one of the greatest potentials of LiveHelp, would be to act as an integrator of the different online services available to assist with access to justice.

If the software supported navigation through all of a state's such sites and if the operators were trained to send users to the material most appropriate to their situation without regard to its location, much of the long-term integration goal might be achieved.

Considerations

- Different sites might need and want different kinds of support.

- Different sites might have different neutrality requirements.
- The project would run into all the usual collaboration problems.

Tentative Conclusions

This could be a transformative use of the technology.

Questions Needing Exploration

- Who would support the overall assistance program?
- How would the overall assistance program be managed and structured?

VII. Interim Analysis of Potential Usage Going Beyond Access to Justice

This section looks at several potential applications of the LiveHelp technology within the broader access-to-justice community, including

- Benefits Application with Agency
- Actual Service Delivery
- Social Service and Community Service Agencies

A. Benefits Application with Agency

Potential

Agencies that provide online applications for benefits could use this technology to deal with the access barriers of the low-income population.

Considerations

- Agencies may find that they are being requested to give more information than they are willing to give.
- If agencies use LiveHelp, the information they give on a case-by-case basis will be archived and discoverable. Implications might be drawn from the conscious failure not to save the transcripts.
- Such help might be given in cooperation with access-to-justice organizations.
- A time may come when the failure to use the technology will be deemed a barrier to service.

Tentative Conclusions

Agencies should be encouraged to explore the software.

Questions Needing Exploration

- What are the bureaucratic implications of usage of the LiveHelp program?

B. Actual Service Delivery

Potential

Some services are actually delivered over the web. These are particularly data intense services and those dealing with financial transfers.

LiveHelp will be particularly helpful, since there may be no human alternatives.

Considerations

- Considerations will depend on the service and the scope of help.

Tentative Conclusions

In the long term, it is hard to imagine actual service delivery not having support mechanisms such as these.

Questions Needing Exploration

- For each underlying service, what is the help needed and what combination will best provide it?

C. Social Service and Community Service Agencies

Potential

Social service and community service agencies provide a broad range of informational and direct services to clients, and more and more of these services are being provided over the web and would likely benefit from this kind of support.

Considerations

- Considerations will depend on the service.

Tentative Conclusions

Agencies should be actively evaluating and testing these technologies.

Legal aid should play a leadership role in showing the value of these technologies for access to services.

Questions Needing Exploration

- What kinds of system will best bring agencies to provide this form of support?

VIII. Analysis of National Legal Aid Replication

A. Value and Feasibility

Assuming that the initial overall evaluation remains positive, there is value to national replication.

Moreover, all that has been learned in the last six years underlines the value of a national approach and strategy.

Because LiveHelp uses an external ASP, it is easy to ramp up at whatever speed is convenient to the community as a whole.

B. Cost

Costs are relatively low. The major cost is staff time, which is reduced as projects are set up.

Operator seats cost \$200 a seat per month. This investment is not yet being used cost effectively because the number of requests for assistance is low.

C. Benefits of National Strategy

Among the benefits of a national strategy would be:

- Leveraged sharing of custom development
- Integrated fundraising for support systems
- Potential integration with website and document assembly innovation
- National publicity
- Outreach to potential national partners, including particularly court partners
- Market power in negotiating ASP pricing
- Potential for gathering rich user and evaluation data about users of online access-to-justice technologies, guiding future investments in content and tools
- Integration of systems that typically are independent in each state⁴

D. Tools and Support Systems

Among the activities and tools of a national strategy might be:

- Sharing of canned content
- Sharing of training materials
- Mechanisms for setting up cross state and regional services
- Circuit riding support for implementation
- Sharing of surveys and feedback mechanisms

IX. Planned Future Analysis

A. Volunteers

The project will be surveying and collecting data on volunteers. This will test the current impression that a high level of knowledge is required for effective service delivery, and therefore the use of volunteers may be less beneficial and appropriate than at first hoped. It may also be that additional training will solve the problem. Future data will also provide the basis for an

⁴ For example, a website visitor from Georgia with a legal problem in Georgia may end up at the MontanaLawHelp.org website due to the chosen search terms. LiveHelp would allow a navigator to refer the person to the right materials within Georgia's website.

analysis of whether some of the possible service assistance described in this paper might nonetheless be more appropriate for volunteers.

B. Transcript analysis

Review of the LiveHelp transcripts will provide additional data on the dynamics of the interaction between users and operators and thus for the most appropriate usage for the service and for different kinds of operators.

C. Cost Data

Broader cost data will provide additional information on the actual costs of service assistance and thus its value relative to other support mechanisms in different contexts.

D. Phase Two Data and Interviews

The Phase Two plans include testing of pro bono, cross state, and document assembly usage of the technology.

The data and interviews will give us far more of an ability to make distinctions about the utility of the technology in different contexts.

Conclusion

While these conclusions are only interim conclusions, it appears that there are likely to be a broad variety of appropriate replication possibilities.

The access-to-justice community should start the planning process to take the greatest possible advantage of these possibilities.