



Voices from Beyond the Legal Profession

Note taker: Kathleen Klock

Speakers:

Panelists:

- Rohan Pavuluri, CEO and Co-Founder, [Upsolve](#)
- Katie Stewart, National Coordinator, Veterans Justice Outreach, [U.S. Department of Veterans Affairs](#)
- Michael Buono, Head of Reference and Patron Services, [Brentwood Public Library](#) (Brentwood, NY)
- Sarah Bové, Partner and Family Law Legal Technician, [Legal Technician Division](#)

Moderator:

- Chris Albin-Lackey, Legal and Policy Director, [National Center for Access to Justice](#)

Number of participants:

Notes: This panel brings together people from outside the legal profession who are regularly confronted with the unmet legal needs of vulnerable people. They will describe the nature and scale of the unmet legal needs they encounter and describe the ways they try to help people find their way forward. They will also talk about the potential they see in reforms that could empower them to do more to help people with their legal problems than current rules allow.

Chris Albin-Lackey - Intro

- Closing the access to justice gap efforts are criminalized in some states, though this work is desperately needed.

- This panel will offer a powerful illustration when we have access to justice policy debates only among lawyers.
- The law does not belong to lawyers.
- Policy debates around re-regulating the law tends to be a debate among lawyers.
- A more inclusive debate is needed because the people who deal with the day to day effects of access to justice issues in communities across the country are often not lawyers.
- Our panelists are representative voices of non-lawyers who are addressing the access to justice gap.

Rohan Pavuluri

- Upsolve meets an unmet need among low-income and working class Americans.
- Access to Justice Lab produces packets for people who can't afford lawyers, including bankruptcy packets.
- Those who can't afford to pay a fee to access their rights, can't access their rights - similar to poll taxes as a barrier to voting rights.
- Many low-income people could not access bankruptcy proceedings because of a \$1,500 fee. These folks could not afford the fee and they could not afford lawyers.
- Software tool like TurboTax was created to help people file for bankruptcy themselves. This tool was the beginning of Upsolve.
- This tool focused on user needs with deep knowledge of the community.
- This is a story of creatively thinking about solutions to access to justice problems.
- Bankruptcy is non-adversarial and federal, which made this work possible to scale across the country.
- Unauthorized Practice of Law (UPL) rules are a barrier to Upsolve being able to help even more people, with more complex cases.

Sarah Bové

- Family law practice based on civil legal needs in Washington indicating that many families can't afford an attorney.
- Sarah is not a lawyer, but is licensed to provide similar services.
- Their focus is not "filling out paperwork" but rather getting the important facts of a case in front of the judiciary.
- When this is possible, the system actually works, but only when the court has knowledge of the facts of both sides.
- Sarah's license is a pathway for marginalized people - low-income people, people with disabilities, etc - to access justice. Paralegals do much of the work in the traditional justice system, and Sarah's work makes justice more accessible and affordable to the community she serves.

Katie Stewart

- Katie's organization identifies vets in need of legal services to maximize success in their communities.
- They do outreach in jails and prisons and through local law enforcement.
- VA does an annual "challenge survey" to determine needs of homeless veterans that show legal needs at the top: eviction, family law, outstanding warrants and fines, restoring drivers licenses, healthcare and financial benefits.
- VA can't fund legal services, so this is clearly an unmet need among vets. Legal Aid orgs do come into VAs to provide some services.
- Most VAs do not have adequate funding to meet needs of vets with legal needs.
- Identification of legal needs affects health outcomes, especially mental health and substance abuse.
- Increasing need for civil legal aid among vets.
- Pro bono legal clinics in VAs helps fill this need.
- List of legal resources is provided to vets.
- "Enhanced collaboration" between healthcare and legal teams.
- Legislation pending to provide grants to VAs for legal services.
- Case managers help vets apply for social security benefits - a service usually provided by a lawyer, but more cost effective through this program.

Michael Buono

- Public library access to justice services - multi-national scope serving people and families with complicated legal issues: mixed immigration status, international divorce, food scarcity, access to mental health, access to government benefits.
- Library partners with many other direct service providers.
- Remote and phone-based services since Covid-19.
- Assessment interviews and referrals to direct service providers.
- Challenge - many patrons don't understand that there is a legal barrier to the outcome they seek.
- Patron requests are often complicated and emotionally laden, especially challenging for a librarian, not a lawyer.
- Digital divide is another challenge - lack of access to the internet, lack of computer skills, disabilities - and sometimes literacy challenges.
- Librarians need solutions and legal protections and trainings to gain skills that will allow them to get the legal process started and then hand patrons to legal aid for affordable services.
- Database of nonprofit legal providers is also a need to fill the access to justice gap for library patrons and librarians to use.

Question:

- Rohan, you mentioned that rules could be reformed in a way that would allow you to be more. Can you elaborate/give an example?

Answer:

- Unbundling of bankruptcy services so that lawyers can do review of papers already filled out and then pro se litigant files the papers themselves.
- States should all allow for non-lawyer services like Sarah's.
- Allow for people to practice across state lines, especially in federal areas of the law, especially now that many services have gone virtual.

Question:

- Have you thought about the challenge of reaching people who own home and have some sort of equity. These families might not be "poor enough" to qualify for free legal assistance, but still in desperate states.

Answer:

- Self service software paired with human reassurance. Use software for data-collection to lower the cost of human interaction. This is currently not allowed.
- Sarah's license is best suited to serving this population. Unbundling is key to serving this population. Helping clients write out their legal needs and then provide a list of affordable legal representation.
- This model would not take away from existing legal service providers, but rather fill an unmet need.
- Simplify screening of clients for limited free legal services. Give clients info on what sorts of legal aid they qualify for.

Question:

- For Sarah - Elaborate on what other areas LLLTs can practice in. Are you discouraged by the step back that WA State took.

Answer:

- Originally LLLT license only allowed for "minor" parenting modification plans. It was expanded to allow legal techs to manage "major" parenting plans up to a limit and also third party plans. This issue is highly political in WA, though trend is towards expansion of services allowed. There is recognition of a tremendous unmet need.

Question:

- High level abstract discussion of the services panelists provide - does this inform strategies for how non-lawyer work moves forward?

Answer:

- Rohan - non-lawyer services reduces work for court staff, and this is appreciated. Court staff provide less support to pro se individuals, which saves time, work, money.

Question:

- Have panelists partnered with local/public libraries?

Answer:

- Yes, for information that is not in front of them in the moment to meet client need.
- Libraries as hosts for family law classes.
- Law libraries list Upserve on their websites.

Question:

- Immigration paralegal asks if a non-profit legal aid org approaches a library for partnership, what are the priorities?

Answer:

- Immediate access to legal assistance - in person or by phone. Providing a schedule of availability for clients to contact legal aid.
- Bi-lingual services, services for people with disabilities.

Question:

- Katie, discuss the reality of client needs.

Answer:

- Access to legal services in rural areas is quite limited, especially for civil legal needs such as child support issues. Vets end up in jail for not paying child support, lose their jobs, may become homeless. Homeless vets are unlikely to be able to file a child support modification. Partnership between HUD to provide housing voucher and VA to provide support services. Child support obligation can be a barrier to finding affordable housing. Mental health treatment can also be a barrier. Driving without a license and then further involvement with law enforcement. All of these things affect health outcomes.

Question:

- Is there one or a handful of things that stands out as work that can't be done or is difficult to do under existing rules?

Answer:

- Michael - Filling out forms for clients - not to replace review by a lawyer, but to assist the client in the way they need and are asking to be assisted.
- Rohan - Lawyers provide advice in federal, non-adversarial areas of the law across the country.

Question:

- Getting the courts more open to progressive reform and non-lawyer solutions - how do we make courts better allies?

Answer:

- Sarah - Proof of concept. Showing fair and reasonable outcomes.
- Rohan - Upsolve's goal is to empower people to solve their own legal problems through simple forms and online access. Show that self-service tools can empower people.
- This is a fundamental issue of democracy, not a niche issue in legal circles. This is a matter of civil rights - equal rights under the law.
- Michael - Courts in Suffolk County are very cooperative. They are motivated to make things easier for pro se litigants.

Resources Shared:

- Slack Channel:
https://decolonizingjustice.slack.com/join/shared_invite/zt-j41huvtg-dQjFnejoXKKAnEM3Nhd4FQ#
- Decolonizing Justice Resource Guide:
<https://www.probono.net/decolonizingjustice/>