

Report: White House LAIR: Civil Legal Aid Research Workshop Report (DOJ 2016)

From the Executive Summary:

On May 20 – 21, 2015, the U.S. Department of Justice’s Office for Access to Justice (ATJ) and National Institute of Justice (NIJ), in collaboration with the National Science Foundation (NSF), hosted a Civil Legal Aid Research Workshop.

The workshop was designed to help create a civil legal aid research agenda and identify federal priorities on civil legal aid for the conveners and the White House Legal Aid Interagency Roundtable (WHLAIR).² The workshop brought together an Expert Working Group (EWG) of approximately 40 domestic and international researchers and practitioners to discuss the existing literature and research gaps concerning civil legal aid and its intersection with public safety and criminal justice. The workshop accomplished three goals.

First, it assisted NIJ to identify a civil legal aid research agenda in anticipation of possible dedicated funding of this work. By its current authority, NIJ is called to “engage in and encourage research and development to improve and strengthen the criminal justice system and related aspects of the civil justice system.” The 2017 President’s Budget requests \$2.7 million for a proposed Civil Legal Aid Research Institute housed at NIJ.⁵ If the funding request is approved by Congress, this Civil Legal Aid Research Institute would be tasked with coordinating the U.S. Department of Justice’s efforts to develop a better understanding of the policy issues related to civil legal aid, to improve research and data collection, and to provide policy makers with more timely and detailed data to support their efforts to improve the nation’s civil legal aid programs.

Second, the workshop enabled WH-LAIR agencies to hear from civil legal aid experts on the effectiveness of civil legal aid at the intersection with public safety and criminal justice and the critical need for research and evaluation in this arena. This is important because WH-LAIR has been encouraging research and evaluation with respect to existing federal programs involving civil legal aid. In addition, President Obama explicitly mandated the WH-LAIR to “advance relevant evidence-based research, data collection, and analysis of civil legal aid and indigent defense, and promulgate best practices.” Furthermore, the September 2015 Executive Order on Using Behavioral Insights to Better Serve the American People encourages executive departments and agencies to “strengthen agency relationships with the research community to better use empirical findings from the behavioral sciences.” The workshop and this report assist WH-LAIR in fulfilling these obligations.

Finally, the workshop helped spur domestic activities to implement the United Nations’ (UN) call for indicators on access to justice as a development and anti-poverty goal. On September 25, 2015, the UN unanimously adopted the 2030 Agenda on Sustainable Development (Agenda), which included 17 Global Goals to end extreme poverty. Among these goals, Global Goal 16 calls on countries to: “Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.” To track progress on these goals, the Agenda calls for the creation of global, regional, and national indicators that will be in place for the next 15 years. In anticipation of the UN’s inclusion of Global Goal 16 in the Agenda, the Expert Working Group (EWG) considered how to track access to justice and which indicators could be used for that purpose. Over the two days, participants engaged in facilitated discussions on the following topics:

- Measuring Access to Justice in the Civil Context
- Civil Legal Aid as a Necessary Service for the Reentry Population
- Human Trafficking and Civil Legal Aid
- Consumer Protection and Civil Legal Aid
- Elder Abuse and Civil Legal Aid
- Domestic Violence and Civil Legal Aid

Each topic opened with presentations by four or five experts, a brief overview of related federal activity presented by a WH-LAIR representative, and a facilitated

discussion within the EWG. At the conclusion of the discussions, participants were divided into six breakout groups to identify specific, actionable recommendations for the conveners and WH-LAIR. These breakout groups aligned with the panel topics, and participants were asked to draft recommendations that could advance federal efforts to identify research gaps in the field and set civil legal aid priorities.

This report summarizes the presentations, discussions, and recommendations organized by topic. The conveners were pleased to foster cooperation between domestic and international researchers and practitioners in the civil legal aid field. The lively exchange of ideas at the workshop was a measure of this new cooperation, but so too are the many contacts that have continued after the meeting. This report provides the federal government, researchers, and civil legal aid community with recommendations that can help steer the direction of civil legal aid research and potential reform strategies for years to come.

See also [Richard Zorza's Blog Post on the Report](#).

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