

SRLN Brief: Integrating Unbundling into Self-Help Services (SRLN 2015)



The states vary tremendously on how they may have integrated unbundling into their service delivery systems. Unbundling is a critical link to developing a local ecosystem that supports 100% access to justice, and therefore should be a priority area for development in all states. Emerging practices include the following:

Bar or Court Sponsored Unbundled Referral Lists

Court self-help centers (SHC), which can only provide legal information, often identify a self-represented litigant's (SRLs) need for discrete legal advice, however as part of the court, the SHC can only make neutral and impartial referrals. When a bar maintains a list of lawyers who provide limited scope services, the court SHC can ethically refer to the bar list. This creates a win-win situation, whereby the SRLs get the legal advice they need, and lawyers get clients who have, with the help of the SHC, broken down their legal problem into parts that include procedural aspects that

can be supported by the SHC, and advice aspects that need an attorney. While these clients could never afford a full retainer, they can afford the discrete advice, and can then be referred back to the SHC. The bar or court sponsored referral list is also an opportunity to create a training and quality control measure to ensure that unbundling is carried out in an ethical way. [Massachusetts Courts's legal assistance program page](#) and [Alaska Bar's unbundled legal services page](#) are two examples of state justice operations that have cultivated sophisticated unbundled lists and referral protocols with their court SHCs.

Unbundled Court Based Pro Bono Services

Many states use the combination of the unbundling [rule 1.2\(c\)](#) and the amended conflicts rule for legal services projects [rule 6.3](#) to provide unbundled pro bono services in the courthouse in specialized calendars or in conjunction with the SHC.

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