

# APPENDIX

---

## Metrics and Evaluation

- There is a full-time Data and Research Analyst on staff at the Legal Aid Society of Cleveland (LASC), responsible for, in part, ensuring ongoing assessment of the Legal Aid Society's programs, including its Volunteer Lawyers Program (VLP). This assessment includes client and volunteer surveys, case outcomes, and other case data. LASC is developing relationships with local universities in order to conduct even more robust assessment.
- Volunteer Lawyers Network (VLN) (Minneapolis) conducts annual evaluations of its walk-in clinics to measure client understanding and action, which have led to a number of changes including providing trained onsite clinic assistants, as well as outcomes-based assessment of its civil forms completion service, which showed that VLN attorneys who drafted answers for their clients saved ninety-seven clients more than \$500,000 in default judgments, but also necessitated stricter criteria in accepting cases given a lower success rate of motions to vacate default judgments. VLN also partners with a public affairs graduate school to evaluate its full representation services and enlists VISTA volunteers to evaluate brief services at its Legal Access Point Clinic and in its full representation bankruptcy clinic.
- In several studies using a law school legal clinic, academic researchers have begun to apply traditional social science/medical research techniques that require random designation of participants to different types of services. The results are not straightforward. One study evaluated how individuals facing eviction in Massachusetts district court fared after being provided with brief advice compared with those offered full-scale representation. This study found significant benefits. A similar study undertaken by the same researchers but in a different court found virtually no differences in outcomes for those offered full representation and those offered limited representation in a lawyer-for-the-day program.
- California's Sargent Shriver Civil Counsel Act provides funding for seven pilot projects that aim to address the substantial inequities in civil proceedings that often arise because of disparities between the parties. One project will provide representation in custody cases when a pro se party faces a represented party who is seeking sole custody of the children. An independent third-party consultant will measure the success of these programs annually, considering the litigants' expectations and comparing outcomes to similar cases in the same geographic region where parties proceeded pro se.
- PBI and Corporate Pro Bono are working with Deloitte to develop metrics and evaluation tools for pro bono programs specifically. We look forward to reviewing the results of their work.
- Some of the literature reviewed on current initiatives to establish metrics included:
  - Jessica Steinberg, *In Pursuit of Justice? Case Outcomes and the Delivery of Unbundled Legal Services*, 18 GEO. J. POVERTY LAW & POLICY 453 (2011);
  - Rebecca L. Sandefur & Aaron Smyth, ACCESS ACROSS AMERICA: FIRST REPORT OF THE CIVIL JUSTICE INFRASTRUCTURE MAPPING PROJECT (Oct. 7, 2011), available at <http://ssrn.com/abstract=1962790> or <http://dx.doi.org/10.2139/ssrn.1962790>;
  - James Greiner, *Randomized Evaluation in Legal Assistance: What Difference Does Representation (Offer and Actual Use) Make?* 121 YALE L.J. 2118 (June 2012); see also D. James Greiner, Cassandra Wolos Pattanayak & Jonathan Phillip Hennessey, *The Limits of Unbundled Legal Assistance: A Randomized Study in a Massachusetts District Court and Prospects for the Future* (Oct. 23, 2011), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1948286](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1948286);
  - D. James Greiner, Cassandra Wolos Pattanayak & Jonathan Phillip Hennessey, *How Effective Are Limited Legal Assistance Programs? A Randomized Experiment in a Massachusetts Housing Court* (Oct. 23, 2011), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1880078](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1880078) (while Professor Greiner anticipates further revisions to the articles, the substantive findings will not change);
  - Jeffrey Selbin, Josh Rosenthal & Jeanne Charn, *Access to Evidence: How an Evidence-Based Delivery System Can Improve Legal Aid for Low- and Moderate-Income*

*Americans*, CENTER FOR AMERICAN PROGRESS, June 2011; NYLS Clinical Research Institute Paper No. 11/12 #14, available at <http://ssrn.com/abstract=1868626>;

- Laura Abel, *Evidence-Based Access to Justice*, 13 U. PA. J. OF LAW & SOCIAL CHANGE 295 (2009-10) electronic copy available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1631942](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1631942); and

- BOSTON BAR ASSOCIATION, *The Importance of Representation in Eviction Cases and Homelessness Prevention*, March 2012, <http://www.bostonbar.org/docs/default-document-library/bba-crtc-final-3-1-12.pdf>.