Panel: *Providing Access to Justice for All through Open Judiciary: Comparative Experiences from the U.S., Latin America, and China*

Carlos E. Jiménez-Gómez [@estratic]
Phil Malone [@Phillip_Malone]
Rodrigo Sandoval-Almazán [@horus72]
Mei Gechlik [@MeiGechlik]
Providing Access to Justice for All Through Open Judiciary
The United States Experience

“Justicia Abierta” en los Estados Unidos
Open Judiciary in the United States

- Transparency
- Participation
- Collaboration
Open Judiciary in the United States
Open Judiciary in the United States

- Strong Rule of Law
- Clear, Public Rules & Procedures
- Right to Open, Public Trials/Hearings
- Right of Access by Public and Press
- Well-functioning Jury System
Open Judiciary in the United States

- Strong Rule of Law
- Clear, Public Rules & Procedures
- Right to Open, Public Trials/Hearings
- Right of Access by Public and Press
- Well-functioning Jury System
Open Judiciary in the United States

- Strong Rule of Law
- Clear, Public Rules & Procedures
- Right to Open, Public Trials/Hearings
- Right of Access by Public and Press
- Well-functioning Jury System
Open Judiciary in the United States

- Strong Rule of Law
- Clear, Public Rules & Procedures
- Right to Open, Public Trials/Hearings
- Right of Access by Public and Press
- Well-functioning Jury System
Open Judiciary in the United States

- Strong Rule of Law
- Clear, Public Rules & Procedures
- Right to Open, Public Trials/Hearings
- Right of Access by Public and Press
- Well-functioning Jury System
Open Judiciary in the United States

- Strong Rule of Law
- Clear, Public Rules & Procedures
- Right to Open, Public Trials/Hearings
- Right of Access by Public and Press
- Well-functioning Jury System
And yet . . . .
And yet . . . .
For millions in the US,
Reality ≠ Promise
Millions of people face a complex, confusing and intimidating legal system with no lawyer to represent them.
Millions of people face a complex, confusing and intimidating legal system with no lawyer to represent them and with few or no other resources to help guide them.
A Few Examples
A Few Examples

- Family Court/cases – 
  90% or more unrepresented
A Few Examples

- Family Court/cases – 
  90% or more unrepresented

- Housing Court/cases – 
  70% or more unrepresented
A Few Examples

• Family Court/cases –
  90% or more unrepresented

• Housing Court/cases –
  70% or more unrepresented

• Loss of employment, benefits, etc. –
  similar high % are unrepresented
At the same time . . .

- Many courts facing severe budget cuts and staff reductions
- Courts have many fewer staff available to assist self-represented persons
The good news. . .

Many efforts and initiatives underway in US to increase access to justice and the courts
Types of Access to Justice Initiatives in US

- Increase the availability of lawyers to help the underserved – volunteer pro bono efforts
- Rule changes to allow non-lawyer professionals to provide help
Types of Access to Justice Initiatives from US Courts

- Access to Justice Commissions
- Better training for judges/staff
- Simplify court procedures processes
- Self-help centers in courthouses
- Train and involve librarians
Using Information Technology to Facilitate Access to Justice
Technologies to Facilitate Access to Justice

- Clear, Simple and Up-to-Date Web Content
- Mobile Text Notifications, Reminders, Guides
- Easy Completion of Forms Online
- Online E-Filing System
- Live Chat Help and Information Systems
- Automated Advisors, Apps, Calculator
- Automated Dispute Resolution

All Equally Accessible on Mobile!
Technologies to Facilitate Access to Justice

- Clear, Simple and Up-to-Date Web Content
- Mobile Text Notifications, Reminders, Guides
- Easy Completion of Forms Online
- Online E-Filing System
- Live Chat Help and Information Systems
- Automated Advisors, Apps, Calculator
- Automated Dispute Resolution

*All Equally Accessible on Mobile!*
Clear, Simple and Up-to-Date Web Content

- Targeted at proper audiences
- Clear, logical and easily navigable
- Plain language
- Multilingual
- Multimedia, graphic for users with limited literacy
- Disabled accessible
- Full Mobile access
Welcome to CourtHelp!

DIY (Do-It-Yourself) Forms. Free and easy computer programs you can use yourself to make court forms or learn information about your legal problem.

<table>
<thead>
<tr>
<th>Court Facts</th>
<th>The Law</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addresses, phone numbers, &amp; more</td>
<td>About the law &amp; court procedures</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Forms</th>
<th>Lawyers</th>
</tr>
</thead>
<tbody>
<tr>
<td>FREE court forms</td>
<td>Find a Lawyer</td>
</tr>
</tbody>
</table>
Self-Help/How To Videos Example: Indiana

Indiana Supreme Court
Self-Service Legal Center

Video Self-Help Guides

- Family Matters: Choosing to Represent Yourself in Court
  - WATCH VIDEO
  - A guide for self-represented litigants providing information about responsibilities and the

- Real Dialog, Real Answers: Alternative Dispute Resolution
  - WATCH VIDEO
  - This video series explains the process of Alternative Dispute Resolution, sometimes known as

- Get Help Get Hope 2010: Mortgage Foreclosure Help
  - WATCH VIDEO
  - Encouraging troubled Hoosier borrowers facing foreclosure to take advantage of the relief in a
Technologies to Facilitate Access to Justice

- Clear, Simple and Up-to-Date Web Content
- Mobile Text Notifications, Reminders, Guides
- Easy Completion of Forms Online
- Online E-Filing System
- Live Chat Help and Information Systems
- Automated Advisors, Apps, Calculator
- Automated Dispute Resolution

*All Equally Accessible on Mobile!*
Technologies to Facilitate Access to Justice

- Clear, Simple and Up-to-Date Web Content
- Mobile Text Notifications, Reminders, Guides
- Easy Completion of Forms Online
- Online E-Filing System
- Live Chat Help and Information Systems
- Automated Advisors, Apps, Calculator
- Automated Dispute Resolution

All Equally Accessible on Mobile!
Easy Completion of Forms Online

- Simply putting copies of forms online so litigants can print them out and complete them manually, to

- Putting forms online as “fillable pdf” – digital versions that let users type information into each box and then print the completed form, to

- Guided interviews and automated form creation.
Easy Completion of Forms Online
Easy Completion of Forms Online
Technologies to Facilitate Access to Justice

- Clear, Simple and Up-to-Date Web Content
- Mobile Text Notifications, Reminders, Guides
- Easy Completion of Forms Online
- Online E-Filing System
- Live Chat Help and Information Systems
- Automated Advisors, Apps, Calculator
- Automated Dispute Resolution

*All Equally Accessible on Mobile!*
Technologies to Facilitate Access to Justice

- Clear, Simple and Up-to-Date Web Content
- Mobile Text Notifications, Reminders, Guides
- Easy Completion of Forms Online
- Online E-Filing System
- Live Chat Help and Information Systems
- Automated Advisors, Apps, Calculator
- Automated Dispute Resolution

All Equally Accessible on Mobile!
Technologies to Facilitate Access to Justice

- Clear, Simple and Up-to-Date Web Content
- Mobile Text Notifications, Reminders, Guides
- Easy Completion of Forms Online
- Online E-Filing System
- Live Chat Help and Information Systems
- Automated Advisors, Apps, Calculator
- Automated Dispute Resolution

*All Equally Accessible on Mobile!*
Technologies to Facilitate Access to Justice

- Clear, Simple and Up-to-Date Web Content
- Mobile Text Notifications, Reminders, Guides
- Easy Completion of Forms Online
- Online E-Filing System
- Live Chat Help and Information Systems
- Automated Advisors, Apps, Calculator
- Automated Dispute Resolution

*All Equally Accessible on Mobile!*
Data Analytics and Expert Systems

- Triage
- Case Assignment
- Better Allocation of Scarce Resources
October 27, 2015 US NAP
THE OPEN GOVERNMENT PARTNERSHIP

THIRD OPEN GOVERNMENT NATIONAL ACTION PLAN FOR THE UNITED STATES OF AMERICA

October 27, 2015
Expand Access to Justice to Promote Federal Programs

“Equal access to justice helps lift individuals and families out of poverty, or helps to keep them securely in the middle class, and bolsters the public’s faith in the justice system. The White House Legal Aid Interagency Roundtable . . . works to raise awareness about the profound impact that legal aid programs can have in advancing efforts to promote access to health and housing, education and employment, family stability, and public safety.”
For questions or links to more resources:

pmalone@law.stanford.edu