



## New Hampshire Access to Justice Commission

### 2024 Annual Report

#### *2024 in Review*

This year was one of both continuity and change for the New Hampshire Access to Justice Commission. The Commission welcomed several new members and said farewell to several experienced members who had provided many years of exemplary volunteer leadership on access to justice issues. The Supreme Court and the co-Chairs are grateful for their service to the Commission's causes.

Throughout the year, the Commission supported the design and implementation of six projects funded by the American Rescue Plan Act Access to Justice Project (ARPA A2J). These projects are at various stages of implementation, with set deadlines for different phases, and all are progressing successfully and will continue until December 2026. Appendix A provides further details on ARPA A2J.

The Commission's Task Forces continued their work on improving Justice Index scores by brainstorming initiatives that could drive positive change, some of which were incorporated into the budget discussions and planning for the New Hampshire Judicial Branch's next biennium, beginning July 1, 2025.

The Commission is collaborating with the Judicial Branch's Office of Access and Community Engagement (OACE) in an ongoing and transformative partnership. OACE works closely with the co-chairs and manages six A2J projects, advancing the reach and impact of the Commission's efforts.

Notably, in January 2024, Jackie Waters, Deputy Director of Access and Community Engagement for the New Hampshire Judicial Branch Administrative Office of the Courts, retired. Her approach and leadership will be greatly missed. Additionally, several other members have left, while new individuals joined the Commission, bringing fresh energy and enthusiasm.

Fortunately, the Commission was able to welcome Irena Goddard as the new manager of Access and Community Engagement. Irena has capably picked up where Jackie Waters left off, and is bringing new energy and direction to the Commission.

In addition, the Commission welcomed as new members Supreme Court Justice Melissa Countway and Circuit Court Judge Beth Kissinger to the Commission, as well as new appointees NH Bar Executive Director Sarah Blodgett, 603 LegalAid Executive Director Ariel Clemmer and private practitioner Bruno D'Britta.

In August 2024, the Access to Justice Commission presented to the New Hampshire Supreme Court several key initiatives for inclusion in the upcoming biennium budget, or for judicial branch planning and coordination with the Commission, all aimed at enhancing access to justice in the state:

1. **Legal Needs Assessment:** The Commission is seeking funding for an updated legal needs assessment, as the last one was completed in 2020. The new assessment is scheduled to be finished before the enactment of the biennium budget. Funding will come from various sources, including the judiciary. The Commission expects to have the same contributors as before, each providing the same proportion as last time. Currently, the Commission is reaching out to these contributors.
2. **Court Navigators:** Funding was requested for additional court navigators, building on a successful pilot program. This initiative included a volunteer coordinator position, which was budgeted separately.
3. **Increased Phone Access:** The Commission recommended funding to improve phone access at several courts, allowing for translation services for court forms. This project was linked to an ongoing ARPA evaluation, with no additional funds requested at that time.
4. **Lawyer for the Day Program:** A pilot program was proposed to provide legal support for consumer debt cases, which represented a significant portion of Circuit Court dockets. The program would include a part-time attorney and paralegal.
5. **Fellows Program:** The Commission planned to establish a Fellows program to engage retired lawyers in providing pro bono services, requiring the involvement of a volunteer coordinator.
6. **Fines and Fees:** Continued efforts were recommended regarding ability-to-pay hearings related to driver's license suspensions, with potential future funding needs depending on the outcomes of ongoing work.
7. **Right to Counsel in Eviction Cases:** The Commission considered a pilot project to provide counsel in eviction cases, which would be discussed further in future meetings.

These initiatives reflected the Commission's commitment to enhancing legal access for underserved populations in New Hampshire. The Commission will continue its work on ARPA A2J, membership diversification, and planning for 2025. Efforts to promote diversity within the Commission aim to ensure that its membership better reflects the communities it serves, fostering a more inclusive approach to addressing access to justice issues.

### *Highlights of 2024 Commission Activities*

- **Voluntary Pro Bono Reporting:** The Commission collaborated with the New Hampshire Bar Association, 603 Legal Aid, and the Supreme Court to revise Supreme Court Rules and develop systems to report Pro Bono hours worked by members of the Bar. At the Annual Bar meeting in June, the Court recognized the extraordinary pro bono efforts of five individuals and two law firms.
- **Re-established Collaboration:** The Commission renewed its collaboration with Massachusetts' Access to Justice Commission. The co-chairs from Massachusetts presented their ongoing projects to the full New Hampshire Commission, sharing successes, lessons learned, and insights. This discussion aimed to strengthen relationships for potential future collaborations.
- **Research Report on Court Navigator Program:** The Nelson A. Rockefeller Center for Public Policy at Dartmouth College completed a research and evaluation report on the Circuit Court Navigator program, including recommendations for improvements and expansion. The report is available online: [ACCESS TO JUSTICE FOR SELF-REPRESENTED LITIGANTS THROUGH THE NEW HAMPSHIRE CIRCUIT COURT NAVIGATOR PROGRAM: A PATH FORWARD | Nelson A. Rockefeller Center for Public Policy \(dartmouth.edu\)](#) The presentation by the students was well received, and many of their recommendations were incorporated into the Commission's future plans. Co-Chair Justice Bassett is leading the effort to explore other collaboration opportunities with the Public Policy Shop.
- **Exploring AI Solutions:** The Commission engaged in discussions about how AI can help bridge the gap and increase outreach to underrepresented communities. A presentation by Joshua Weaver of Texas Opportunity & Justice Incubator (TOJI), focused on legal innovations, including AI, cybersecurity, privacy, and enhancing access to justice.

### *Plans for 2025*

The Commission plans to continue to support the OACE ARPA A2J projects. In addition to attending monthly ARPA A2J Project Meetings to provide valuable external stakeholder input, Commissioners may also engage in requirements reviews, field testing, work product assessments, and similar tasks that provide a feedback loop to OACE as each project unfolds. The Commission holds a critical collaboration role necessary to ensure the voices of the Commission's constituents are heard.

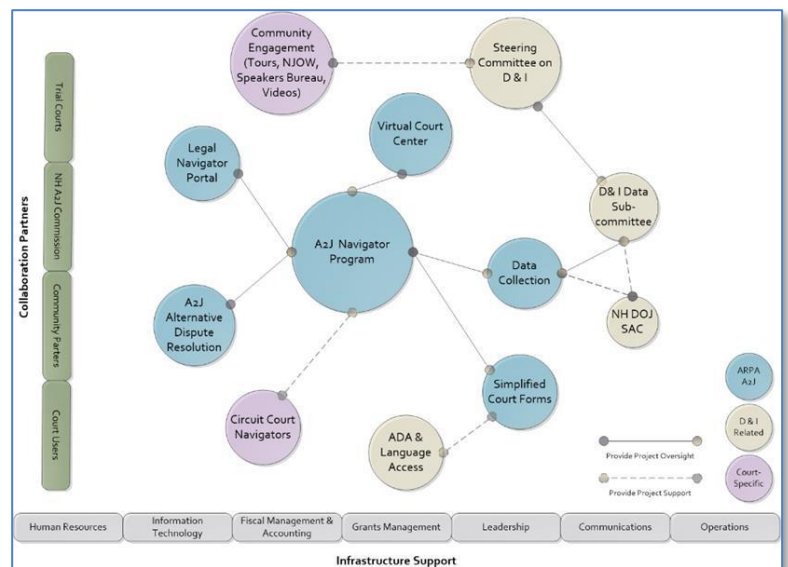
With the revitalization brought by new members, the Commission is establishing processes that strengthen its impact and foster collaboration with OACE. Court and Commission leaders are advocating for mutual understanding, which is crucial for effective cooperation. The

Commission's efforts in supporting current ARPA-funded A2J projects aim to positively impact historically marginalized populations in the state. Through careful planning and strategic initiatives, ARPA A2J is poised to be transformative as the first projects are completed in 2025.

## Appendix A – Overview of ARPA A2J

In April 2023, the NH Supreme Court issued Supreme Court Administrative Order 2023-04<sup>1</sup> that, among other items, established the Office of Access and Community Engagement (OACE) to assist the NH Access to Justice Commission (“Commission”) to carry out its duties. The order specifically advised OACE to oversee the six ARPA-funded projects related to access to justice. Immediately, the OACE provided a memorandum<sup>2</sup> to the Commission to explain the high-level project design concepts that called out the primary objective of using the six projects (collectively known as “ARPA A2J”) to build a NH access to justice “ecosystem”:

- **Forms Simplification**
- **Language Access Program Improvements<sup>3</sup>**
- **Legal Spotters** (previously called Community Navigators)
- **Mobile Outreach Service** (previously called Virtual Service Center)
- **Website Improvements** (previously called Legal Navigator Nexus)
- **Data Collection**



### *ARPA A2J Provides Access to Justice Solutions*

Each ARPA A2J project is designed to address common access to justice issues. Common issues, and the related ARPA A2J projects are listed below;

<sup>1</sup> See Appendix A

<sup>2</sup> See Appendix B Memorandum

<sup>3</sup> This project replaced the original Alternative Dispute Resolution project when the NH Circuit Court advised the Commission that ADR received adequate funding and would not require additional ARPA money.

- To simplify processes for non-attorneys
  - Forms Simplification project
- Remove language barriers (ESL & ASL<sup>4</sup>)
  - Language Access Program Improvements project
- To reach those who do not know they have a legal issue
  - Legal Spotters project
- To provide face-to-face interactions (virtually or in-person)
  - Mobile Outreach Service
- To offer easier to use technology tools
  - Website Improvement

### *Guiding Principles*

The list that follows explains the important themes and key concepts to use when planning and executing each project:

- Invoke the “No wrong door” concept;
- Focus on civil legal matters;
- Work in collaboration with the wider justice community;
- Provide face-to-face interactions whenever possible;
- Offer technology tools that make it easier to find legal information;
- Leverage volunteers and community resources to provide services;
- Help people who struggle with language, cognitive reasoning, and physical impairments that may prevent them from telling their story in a court of law;
- Use a “Proof of Concept” implementation approach;
- Use ARPA funds through FY25;
- Seek additional grant funding in FY26-27;
- Evaluate Pilots: Included ARPA A2J in the NHJB budget (FY28-29).

### *Project Descriptions*

#### **Forms Simplification**

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<sup>4</sup> ESL: English as a Second Language; ASL: American Sign Language

This project will produce several form sets converted for ADA compliance and plain language. It will also include training (and leave-behind training resources) on best practices and techniques to enable NHJB to produce ADA-compliant/plain language forms. Vendor has been selected and project is in progress.

### **Legal Spotters** (previously called Community Legal Navigators)

The ARPA A2J, Legal Spotters program introduces legal navigator training for community advocates who support NH residents with urgent matters related to housing, food insecurity, benefits assistance, and similar programs that serve historically marginalized people. This project aims to identify and assist populations who may not know they have legal rights and remedies available to them. This program seeks to identify and help the eighty percent of the population that is unaware they have a legal issue<sup>5</sup>.

The highlights of this new program include:

- Court Oversight through the Office of Access and Community Engagement
- Services are not limited to any specific court or case type
- Community service providers and volunteers, including students, retirees, and others qualified to provide legal information, are trained in Legal Spotting and Referral.

The ARPA A2J Legal Spotters project will leverage existing grassroots organization by building a program with robust policies and procedures which will guide recruitment, retention and training of legal spotters. Vendor has been selected and project is in progress.

### **Mobile Outreach Service** (previously called Virtual Service Center)

The Mobile Outreach Service is a court-supported extension of the A2J Legal Spotters Project. They are essentially Spotters available via Teams for "on-demand" virtual video meetings with those seeking legal information<sup>6</sup>, in addition, the Legal Spotters may set hours at a local public location, like the library, and hold evening hours for the community. This project is modeled after the MA Appleseed Center for Law & Justice's Report on building a virtual court service center.<sup>7</sup> The AOC will use ARPA funds to hire a part-time volunteer coordinator to manage volunteers for the Mobile Outreach Service and the Legal Spotters project.

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<sup>5</sup> Everyone Needs Legal Help. That Doesn't Mean Everyone Needs a Lawyer.

<https://www.nytimes.com/2019/02/13/opinion/legal-issues.html>

<sup>6</sup> See Middlesex County Superior Court Virtual Help Desk for an example of a Virtual Service Center:

<https://www.mass.gov/info-details/middlesex-county-superior-court-virtual-help-desk>

<sup>7</sup> Report: Turning on the Lights: How the Massachusetts Trial Court Could Deploy a Virtual Court Service Center to Assist Self-Represented Litigants (MA Appleseed 2019) <https://www.srln.org/node/1415>

## **Language Access Program Improvements**

NHJB's Language Access program is managed by the Office of Access & Community Engagement. This improvement project intends to improve support for ESL and ASL litigants. The subprojects include improved training, technology for real-time translation at the clerk's counter, and video remote interpreting.

## **Website Improvements**

Website Improvements initiative is made up of two sub-projects. Both are aimed at improving access to legal information for self-representing litigants.

1. The first project involves analyzing and identifying current NHJB website and propose navigation improvements and content gaps. The goal is to enhance the online presence for self-representing litigants, enabling non-attorneys to easily access legal information related to their litigation.
2. The second project aims at designing and implementing a SaaS rule-based chatbot assistant ("chatbot") that caters to anyone looking for case related legal information on the NHJB website for immediate online support.

## **Data Collection**

This project requires a vendor to design and implement a data collection and reporting capability methodology for the OACE that will be used to evaluate appropriateness, efficacy, and sustainability of the American Rescue Plan Access to Justice (ARPA A2J) five projects. The project scope also includes second-year consulting support to assessment of the implemented data collection and reporting initiatives and provide written recommendations on the efficacy of the data collection project and improvements based on actual results. Request for Proposal has been made available for bids on October 14, 2024.

## ***The Access to Justice Commission's Role***

NH's Access to Justice Commission members are critical stakeholders in the ARPA A2J Project. Their expertise is essential to properly defining requirements, brainstorming solutions, involving external constituents, and promoting new products and services to the larger justice community and NH residents.

The AOC will lead and participate in every project task, and the A2J Commission participants are the subject matter experts who will bring various experiences and perspectives to the discussions. Hour-long virtual meetings will be scheduled at the appropriate time for each

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project. Members are encouraged to get involved as little or as much as they care to, given individual circumstances.

The primary objective is to ensure the A2J Commission's view is reflected in the final work products.



## Appendix C – NH Access to Justice Commission

### Commission Co-Chairs

New Hampshire Supreme Court Senior Associate Justice James P. Bassett

([jbassett@courts.state.nh.us](mailto:jbassett@courts.state.nh.us))

Mark Rouvalis, Partner in the Trial Department of McLane Middleton, Professional Association

([mark.rouvalis@mclane.com](mailto:mark.rouvalis@mclane.com))

### Commission Staff

Irena Goddard, New Hampshire Judicial Branch Administrative Office of the Courts

Manager, Office of Access and Community Engagement OACE (20%)

([igoddard@courts.state.nh.us](mailto:igoddard@courts.state.nh.us))

### Commission Membership

The New Hampshire Access to Justice Commission currently has 26 members. The membership consists of representatives of the judiciary of the New Hampshire Supreme Court; the Superior Court (the general jurisdiction trial court); the Circuit Courts (specialized jurisdiction trial courts); and the US District Court for the District of New Hampshire. Other members represent a variety of constituencies, as noted in the membership list:

### Commission Members & Task Forces

#### Membership by Task Force

##### Executive Committee (in red)

#### User Friendly Courts

<b>Bassett, Hon. James (co-chair)</b>	<a href="mailto:jbassett@courts.state.nh.us">jbassett@courts.state.nh.us</a>
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### **LEP Litigants**

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### **Fees and Fines**

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### **Task Force TBD – new members**

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## **Mission and Goals**

According to the Commission's 2007 establishment order, the scope of its work includes to:

1. Foster the development of a state-wide integrated civil legal services delivery system;
2. Identify and assess current and future needs for access to justice in civil matters;
3. Consider the legal needs and access to the civil justice system of persons whose income and means are such that they do not qualify under existing assistance programs and whose access to civil justice is limited either by the actual or perceived cost of legal services; develop and implement initiatives designed to meet these needs, such as limited representation and limited appearances by attorneys and identification of types of services that could be provided by nonlawyers;
4. Work to increase resources and funding for access to justice in civil matters and to ensure that the resources and funding are applied to the areas of greatest need;
5. Develop and implement initiatives designed to expand civil access to justice;
6. Work to reduce barriers to the justice system by addressing existing and proposed court rules, procedures, and policies that negatively affect access to justice in New Hampshire;
7. Monitor the effectiveness of the state-wide system and services provided and periodically evaluate the progress made by the Commission in fulfilling the civil legal needs of low-income New Hampshire residents.

8. Provide long-range, integrated planning among the numerous legal assistance providers and other interested agencies and entities in New Hampshire;
9. Coordinate civil access to justice, foster the development of a state-wide, integrated civil legal services delivery system, and design and implement new programs to expand access to justice opportunities;
10. Work toward securing funding for civil access to justice;
11. Have the authority to apply for, obtain and administer grant funds and to hire, set the compensation of, and direct such persons as may be necessary to assist the Commission in its work; and
12. Develop and implement other initiatives designed to expand civil access to justice, such as increasing community education, enhancing technology, developing assisted pro bono.