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Making a difference with data driven decision making

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Using technology is a great way to bridge the justice gap, but data-driven decision making helps shine a light on *where* the needs are so efforts are appropriately channeled from the start.

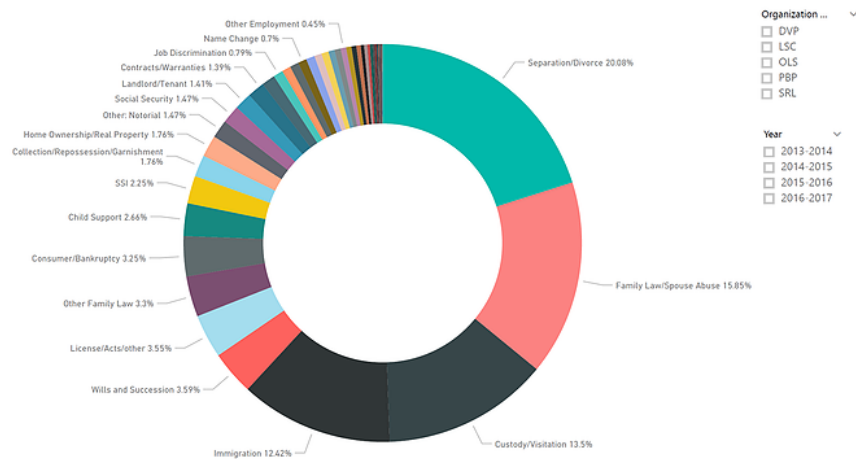
There's no denying that when it comes to legal services, Louisiana is a high-needs state. Every single day, hundreds of people seek assistance from legal service providers across our state, and it's often impossible to meet every need. Similarly, building out a comprehensive platform that aggregates, classifies, and delivers information on every single legal issue our community experiences is no small task. In short, it's best to lay the foundation and work your way up. So, the best place to start is by asking the simple question: What will make the most impact? To that we say - *follow the data*.

Thanks to rigorous LSC reporting requirements, legal service programs are already sitting on a wealth of data. Of course, using that data is a critical starting point. But beware - it's important to remember that this particular source of data has its own built-in bias. Namely that it largely focuses on the people that were actually served by the program (at least in some capacity). And remember, this project and others like it are primarily driven by the desire to reduce the number of individuals in need that are *un-or-under served*. Nonetheless, we can still draw meaningful insights from the volume of cases our community partners serve. It effectively serves as a proxy for the needs of the larger, un-served community.

In Louisiana, we looked at case type data from each of our LSC and specialty grantees from 2013-2017:

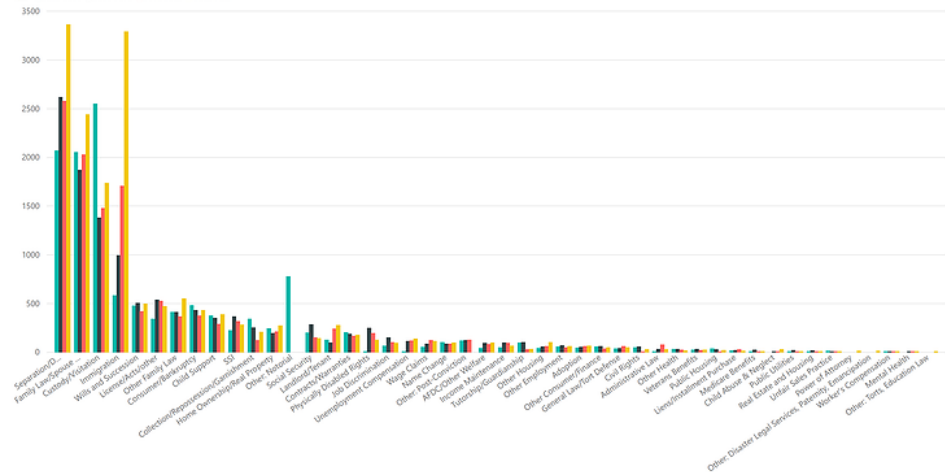
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Total Cases by Case Type



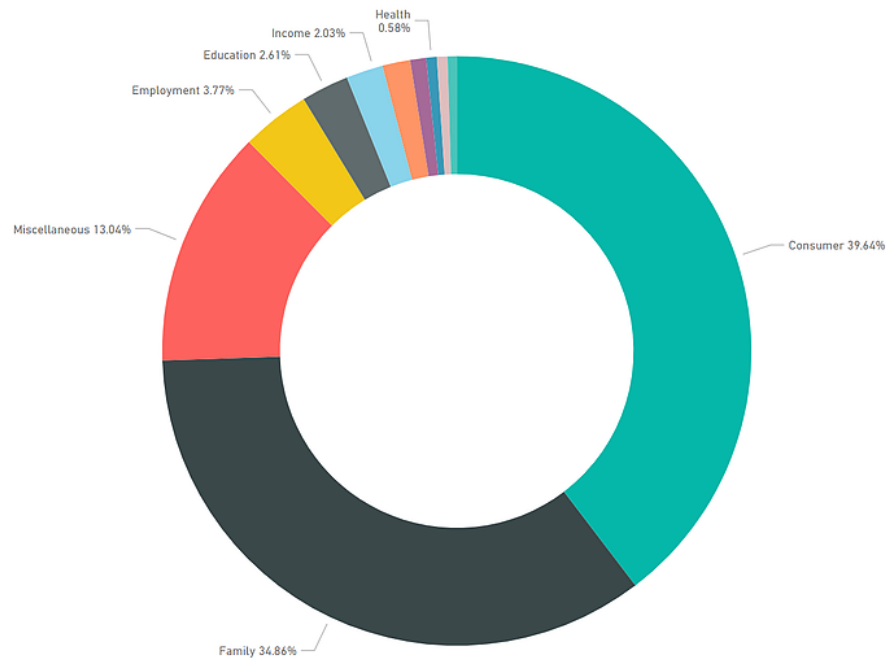
Total Cases by Case Type and Year

Year: 2013-2014, 2014-2015, 2015-2016, 2016-2017



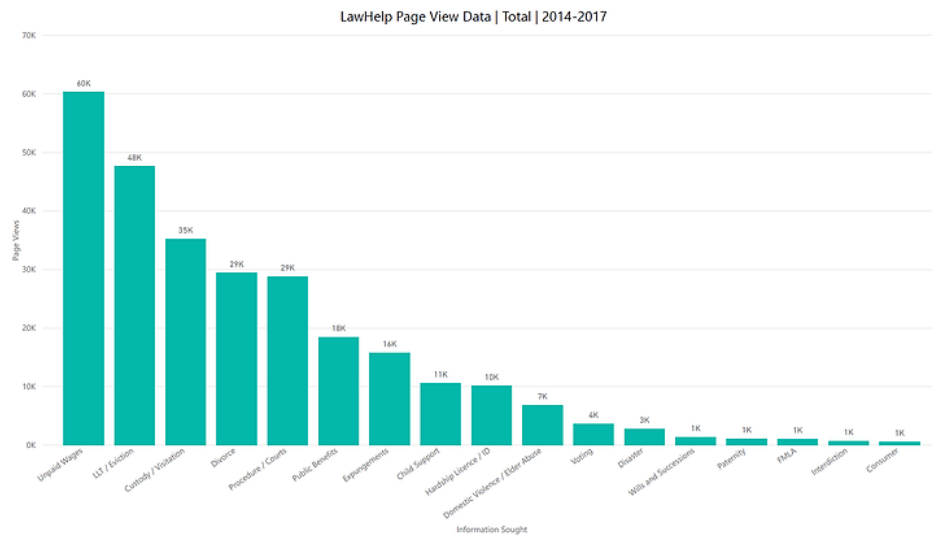
Overall, the data reflected (and confirmed our suspicions!) that people most often seek legal help for their family law issues. Divorce, spousal abuse, custody/visitation, "other" family law, and child support made up 5 of the top-10 case types handled in our evaluation period. It was interesting to view the data even more granularly by year. In 2016-2017, divorce cases spiked among our grantees. The stakeholder group attributed that rise to widespread flooding that occurred in South Louisiana in 2016 - and all of the stress that came with it. Though divorce cases are always high, it was insightful to break down the data further and give ourselves a chance to normalize the occurrence of certain case types and better understand their temporal context.

In our next quest for data, we remembered that in 2016, the Legal Services Corporation requested a widespread data collection effort on unmet needs - exactly what we need!

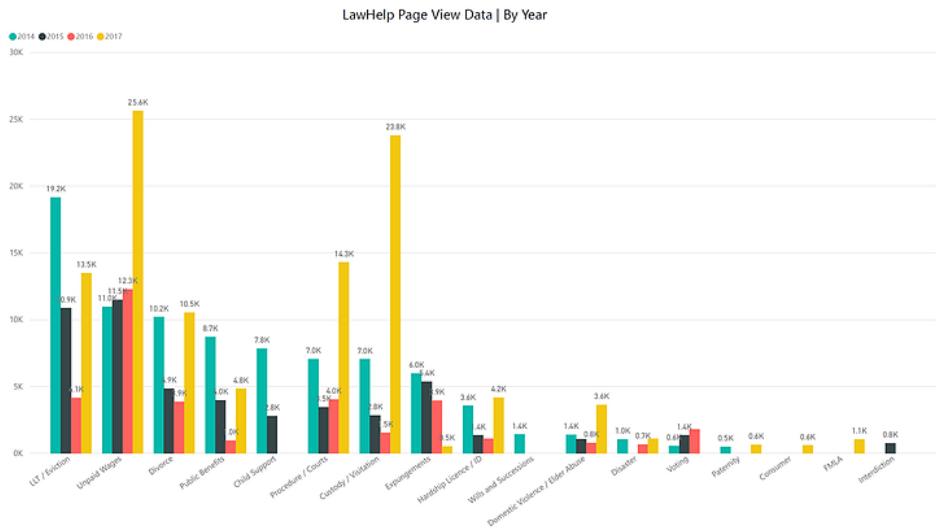


This data source, though small and collected over a limited time-frame, also validated our intuition that family law issues are one of the most under-served in our community. While consumer law issues topped the charts, family law was not far behind.

Finally, we looked at statewide Louisiana LawHelp web traffic to better understand what information people are looking for when they seek legal guidance online. What better way to understand how and for what people would use our platform?



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The data showed a drastic need for information on unpaid wages, followed closely by landlord-tenant issues, and finally (you guessed it!) family law issues. Breaking down the data by year highlighted a spike in page views for unpaid wages, but overall supported our conclusion that people looking for help online are largely affected by landlord-tenant / eviction issues and unpaid wages.

So, with all of this data, it's time to make some decisions! Doing that is not as easy as you'd hope. It's tempting to take the top areas and run with them. However it is equally important to make sure you have adequate resources and subject matter experts that can devote time to the project. In our case, despite the data showing a large unmet need for consumer law, we simply did not have the resources and human capital available to tackle that subject matter.

In the end, our stakeholder group agreed on four Areas of Impact to kick off our project: Divorce, Child Custody / Visitation, Landlord-Tenant / Eviction, and Unpaid Wages. Choosing only one data source as gospel could have lead us down a different path. Of course, any chosen legal issue will be of at least some value - and one day we'd love to have this platform encompass all of these very important issues. However by staying focused and asking the right questions - **How can we make the most impact? Where do we have the most support?** - we are well on our way to collecting information and building the infrastructure that will help the most vulnerable among us increase their chances of interacting with the justice system in a fair and functional way.

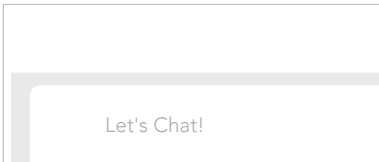
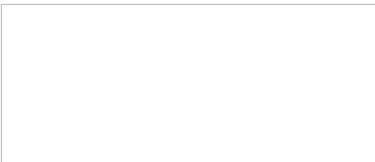
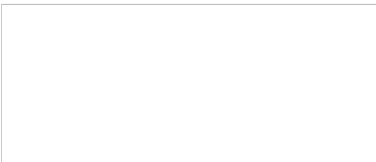
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Prioritizing Innovation

This year I'm co-chairing the Louisiana Access to Justice Commission's Technology Committee. In recent years, this particular committee had become a bit neglected as our state focused on other critical issues like language access, unmet needs, and trying to escape the hell that is being one of only four states in the US with no legislative support for civil legal aid.

But now - we're back. This is a revival, so to speak.

Per the committee's mission statement, the purpose of this committee is "to explore and recommend technological solutions to improve the efficiency and effectiveness of legal services delivery and the justice system." Pretty straightforward, but also incredibly far reaching.

Where do we even go with that?

As most people in the trenches will tell you, the problem with the Access to Justice sector is that we are bound by a system in which organizations are not always afforded the time and resources to strategically plan and innovate. As we found out at the Technology Committee's first meeting, this means there is *a lot* of work to be done.

To be honest, I think the initial meeting of this committee induced anxiety more than it did comfort and excitement. There's something unsettling about spending 3 hours discussing issues our service providers face, only to realize that there are simply no way we can take each of these things on all at once.

Because of this, we all agreed that we had to ruthlessly prioritize.

To that point, I wanted to be sure we brought some type of structure to the chaos that we had just unveiled. I tried finding something off-the-shelf that would help us streamline this process, but couldn't find *exactly* what I was looking for.

Instead, I made a [Legal Innovation Evaluation Framework](#) that you might also find useful. It's essentially divided in to four components: ***Problem, Solution, Execution, and Prioritization***.

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I think it is fairly straightforward, so if you're done reading my ramblings, feel free to download it and be on your merry way. 😊 But if you're interested in the thought process behind it, please proceed!

Problem

Even the headings have substance here. The framework starts by asking the evaluator to identify a "top level" area of impact - the idea is to scale back as far as possible and identify the domain or function in which you'll be operating. For us, this was things like Advice Clinics, Volunteer Knowledge Management, and New Staff Training. After that, the evaluator should try to get closer to the target with "sub-issue" and identify the pain point they're experiencing in general terms. For example in "advice clinics," perhaps it's scheduling or following up with volunteer attorneys. You get the idea.

The heart of the evaluation framework focuses on getting very comfortable with the problem itself. This requires jotting down the evaluator's own understanding of the problem, and reaching out to staff people that do this work every day to get their thoughts. From there, the evaluator should document the current process as-is and identify any inefficiencies or redundancies that might be problematic. Who knows, a slight tweak in your process might go a long way.

Solution

This phase is about doing your due diligence. The framework asks the evaluator to go out and research what other jurisdictions have done regarding their issue or a similarly related issue. Let's not reinvent the wheel here!

I also want people to get invested in the project and provide their own ideas of the "perfect" solution. They get the chance to combine their research with their newfound-but-now-deep understanding of the problem to get some skin in the game. It's also super helpful when it's time to design or select a solution if the project moves forward.

But beware - this has the potential to fall off track. Hopefully I don't find that people are too married to their concepts when it's time to act. Alas, I think it's an important part of the exercise to get people's creativity flowing and cut down on time (this is a committee setting, after all). Plus, if the project is not selected in the near term, perhaps that person or organization can act on it anyway (yay for personal autonomy and getting things done!).

Execution

The execution portion of this framework is about nailing down the logistics of how this project might get done.

Stakeholders are going to have a major impact on the reality of any given project. So through this framework, evaluators are tasked to think long and hard about who this project affects.

We're also going to need to set realistic expectations about how the project can be funded, who can do the work, and how long it will take.

Prioritization

One thing that stood out to me during our first meeting was how *different* the group shared were - mostly in scale. On one end of the spectrum, we had

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appointments. At other end was court data collection. We needed a way to objectively rank these projects, balancing feasibility with impact.

The prioritization section asks the evaluator to score their project on 6 factors:

Technical difficulty - how technically complex do you think this project will be?

Is it addressable with no technology or easy-to-implement on-market solutions? Or will it require an entirely custom solution.

Human resourcing - how much human support will be required to pull this off? Is the committee enough, or do we need a full time employee to manage the project, or even a team of people?

Financial commitment - will this effort be cheap, involving very minimal initial and/or ongoing costs? Or is this a major lift that will require some creative funding strategies? (Let's be honest, this one is probably one of the biggest factors. See above musings re: chronically stretched-thin access to justice resources.)

Implementation - how hard will stakeholder adoption be and/or how much behavior modification will be required of those impacted by this project?

Sustainability - is this something that can just operate or exist on it's own after it's complete, or will it require regular governance / maintenance and thus some level of dedicated staff for it to survive?

Impact - how impactful is this project on the "legal experience"? This will likely vary by stakeholder, but I think most innovations have a somewhat similar magnitude of effect on the system.

Luckily, the evaluator should have a good understanding of these components from their earlier efforts. This portion of the framework is not to dissuade the pursuit of a project, but to be as honest and realistic as possible up front about its difficulty - mostly so there are no surprises, and to be sure everyone is fully on board.

Well, there you have it! It can be a challenge to get everyone on board with a particular project. I believe this framework helps remove some of those interpersonal barriers by bringing objective facts to the forefront of the conversation. Hopefully this gives you a solid foundation for cataloging and prioritizing legal innovations in your work.

If you'd like the editable Word version, shoot me an email at amanda@lagniappelawlab.org, and I'm happy to share!

Problem

1

LEGAL INNOVATION EVALUATION FRAMEWORK

EVALUATOR:

SUB-ISSUE:

TOP LEVEL AREA
OF IMPACT:

PROBLEM DESCRIPTION

(Short but detailed description of the issue we want to address. Ask staff or other interested stakeholders for their opinions on what the issue might actually be.)

CURRENT PROCESS

(Describe the process as-is. May not apply to every project. If there are multiple processes for the same action, describe each of them. This may require observation of employees / staff / volunteers.)

MAJOR ISSUES WITH CURRENT PROCESS

(Documentation of current processes should highlight inefficiencies / areas for improvement. What could we do to remove inefficiencies / redundancies, etc. before applying technology?)

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Solution

2

RESEARCH LINKS AND SUMMARIES

(Research + report on what efforts other states have undertaken to solve this or adjacent problems. If none, go to the next section.)

JURISDICTION

BRIEF SUMMARY

SOURCE

IDEAL-STATE

(In your opinion, after conducting your research, what does the perfect solution look like? Technology solution? Process improvement? Resource-reallocation? Combination? Brainstorm and jot down notes; map it out if there is a clear, actionable plan.)

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Execution

3

POTENTIAL STAKEHOLDERS

(Stakeholders are anyone that may be affected by change to this workflow. Consider – who does this project affect? Who does it benefit? Who does it inconvenience? Next to each stakeholder, indicate how they are affected (positively, negatively, neutrally?)

RESOURCING

(How will we get this project done? What resources can we leverage? Think about sources for funding, managing, and implementing the goal.)

TIMELINE

(How long will this project take? Any indications from your research? If not, what is a best-case-scenario timeline for accomplishing this goal?)

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Prioritization

4

Score your project based on each of the following factors:

TECHNICAL DIFFICULTY

1	2	3	4	5
Very Easy				Very Difficult
none / on-market solutions		existing solution w/customization		custom solution

HUMAN RESOURCING

1	2	3	4	5
Minimal				Very Difficult
committee only		committee + outside assistance		FTE(s) or dedicated team

FINANCIAL COMMITMENT

1	2	3	4	5
Free / Cheap				Expensive
minimal initial + ongoing costs				high initial and/or ongoing costs

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Prioritization

5

Score your project based on each of the following factors:

IMPLEMENTATION

1

Very Easy

little-to-no push-back / easy adoption

2**3****4****5**

Very Difficult

one or more stakeholders will challenge implementation / significant behavior modification required

SUSTAINABILITY

1

Very Easy

governance / maintenance not required

2**3****4****5**

Very Difficult

regular governance / maintenance essential; dedicated staff, etc.

IMPACT

1

Very Low

minimal effects felt by stakeholders

2**3****4****5**

Very High

dramatic effects on individual's experience

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