

JUSTICE POWER



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COMMUNITY-DRIVEN
CAMPAIGNS

COMMUNITY
PARALEGALS

CONVENERS

KNOW YOUR RIGHTS
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HOW TO GUIDE ON...



COMMUNITY PARALEGALS



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The guide was created by Legal Link, a Justice Power member organization. The guide is written with the assumption that the program will be led by an attorney or legal organization (note that this is not required, but if no attorney is involved, there are additional considerations and limitations).

This How to Guide offers guidance for those interested in creating a Community Paralegal program (sometimes called community justice workers or community navigators).

This guide will refer to community paralegals as community navigators.

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GROUNDING



Izabela Markova

GROUNDING



Consider why you want to develop a Community Navigator Program.

Consider whether developing this program is in line with your organization's mission. Is it community-driven? Is it funder-directed?

Consider who is your target population and what are their unique needs?

Consider who the navigators should be - who are the trusted helpers for your target population? Where are community members turning for support in times of crisis?

Consider what legal issues the program should focus on - what are the gaps you are trying to fill in the local legal ecosystem?



DESCRIBING THE PROBLEM & SOLUTION

WHY COMMUNITY NAVIGATORS?

Globally, there is a significant lack of meaningful access to justice: over 5 billion people have unmet justice needs across the world. We are witnessing a large-scale justice gap crisis here in the United States: despite a significant amount of civil legal problems (74% of low-income households faced civil legal problems in the past year, 39% experienced 5+, and 20% experienced 10+), 92% of people do not receive adequate legal help.



Silvana P. Duncan
for ArtistsForClimate.org

*“Globally, there is a significant lack of meaningful access to justice: **over 5 billion people have unmet justice needs** across the world. We are witnessing a large-scale justice gap crisis here in the United States.”*



DESCRIBING THE PROBLEM & SOLUTION



Asis Percales for Fine Acts

WHY COMMUNITY NAVIGATORS?

There are a number of factors contributing to this growing gap:

- Not enough lawyers: With no constitutional right to counsel in civil cases, limited funding means we have approximately **1 person living in poverty to every 8,000+ legal aid (free) attorneys.**
- Lack of trust: 80% of people do not seek help for their civil legal issues outside of their immediate social network.
- Barriers to finding the right help at the right time: Most legal nonprofits serve a specific population and/or limit services to specific legal issue area(s). Each organization has a unique intake process and eligibility criteria - often in flux based on changing funding sources and staff capacity. In other words, even when people do seek out legal help, it is very difficult to find the right type of help at the right time.



DESCRIBING THE PROBLEM & SOLUTION



Alina Marinescu for Fine Acts

THE ROLE OF NAVIGATORS



Expanding the legal ecosystem:

Legal aid attorneys perform an essential role and while the field inarguably needs more sustained public funding and a right to counsel in key areas, the strategies of funding more civil legal aid attorneys alone will not meet the need. By creating additional layers of help - akin to community health workers, nurses, and first responders in the medical context - we can strengthen our legal ecosystem.

Trusted helpers:

Trusted community partners, trained to act as legal navigators (sometimes also referred to as community paralegals or community justice workers), can help communities experiencing poverty to identify legal issues earlier, access legal protections sooner, and remove legal barriers faster, while also allowing attorneys to operate at the top of their license. Community Navigators can help to make the law more transparent and accessible while empowering communities to know and access critical legal protections.



IDENTIFYING THE GAPS

GAPS IN LOCAL CONTEXT



In order to build out a Community Navigator Program that is effective and responsive to your community, you will want to first understand where the gaps are in your local legal ecosystem. Depending on your position within the community, these may be apparent.



Studio Punkt for ArtistsForClimate.org

Other strategies to surface and identify legal needs could include: conducting community listening sessions or administering legal needs surveys to community-facing staff in settings such as social service providers, community clinics, local schools, and/or faith-based organizations.

Consider the scope of your Community Navigator Program. Depending on your funding, staffing, and target population, your program may focus on one specific legal issue area or you may choose to cover a wide range of all legal issue areas more broadly.



IDENTIFYING COMMUNITY PARTNERS



Pietro Soldi for Fine Acts

COMMUNITY PARTNERS



To identify successful community partners, consider your target population and service area. Look for organizations who have mission alignment and whose staff see legal barriers arise in their client work.

Community partners who provide long-term case management services, or multiple touch points with the target population over a 6+ months period of time, are better able to provide support with legal issues.

Look for community partners who are embedded within and reflective of the communities they serve.

Engage multiple levels of community partners: leadership, management, and client-facing staff.



DESIGNING PROGRAM STRUCTURE

PROGRAM STRUCTURE



While Community Navigator Programs will differ, the following roles might be helpful to identify:

- Community Navigator Program Lead: ideally a full-time position charged with program management to include partner outreach, training delivery, coordination of post-training support, and data collection and evaluation.
- Community Partners / Community Navigators: trusted client-facing staff at community-based organizations who will receive training to act as community navigators.
- Trainers: trainers are attorneys (or non-attorney advocates) who can teach the material, answer questions, and maintain curriculum.
- Attorney support: advocates trained as attorneys (who may be staff at other legal nonprofits) who are willing and able to provide legal consultations, triage, and support to trained community navigators on complex legal issues that arise with their clients.



NAVIGATING UPL



Nikita Abuya

NAVIGATING UPL



What is UPL?

Each state has its own regulations governing the “Unauthorized Practice of Law” (UPL). While the rules differ state to state, UPL is usually defined as prohibiting non-lawyers from practicing law, which typically means that non-lawyers cannot give legal advice about a specific set of facts.



NAVIGATING UPL

NAVIGATING UPL



What can Community Navigators do under current UPL rules?

Community Navigator Programs can operate safely under existing UPL rules.

Community Navigators' work includes:

- Surfacing and identifying when life problems have a legal issue component.
 - Triage for urgency.
 - Provide relevant information, such as FAQs, guides, and screening tools.
 - Provide relevant resources, such as targeted referrals to legal aid, self-help centers, and nonprofits.
-
- Assist with follow-up and logistics (e.g., calling the legal aid intake line with the client / community member).
 - Support the client / community member to collect necessary paperwork.
 - Help the client to create a timeline of events.
 - Support the client to prepare for a meeting with an attorney (e.g., creating a list of their top 3-5 questions, gathering relevant paperwork needed, arranging childcare and transportation needs, etc.).
 - Provide emotional support.



NAVIGATING UPL



Adonis Papadopoulos for Fine Acts

NAVIGATING UPL



What can't Community Navigators do under current UPL rules?

Community Navigators cannot give legal advice, say they are an attorney or hold themselves out as a lawyer or legal professional, or decide what goes into legal forms or court paperwork.

Should Community Navigators be able to give legal advice?

With proper training and support, there is room for community navigators to successfully address legal problems. There are various efforts across the country aimed at carving out UPL exceptions to allow nonlawyers to do more (these include things like the creation of regulatory sandboxes, legislative waivers, or supreme court waivers), and there is a growing body of evidence to support the adoption of similar models. If you are interested in learning more, visit <https://www.frontlinejustice.org/>.



DEVELOPING TRAINING CURRICULUM & RESOURCES

TRAININGS & RESOURCES



Training curriculum and resources will vary, but could include components such as:

- **Provide Context / Background:**
 - An overview of legal empowerment.
 - An overview of why community navigators' role is critical to strengthening the legal ecosystem.

- **Build Community Navigators Skillset:**
 - How to identify legal issues (see for example the training resources offered by Community Legal Education Ontario: <https://cleoconnect.ca/tools-tips/five-steps-to-help-clients/>).
 - How to find and connect to trusted referrals and resources.
 - How to deliver trauma-informed care and advocacy
 - How to interview clients (see for example the training resources offered by the Right Question Institute's Legal Empowerment group: <https://rightquestion.org/legal/>).



DEVELOPING TRAINING CURRICULUM & RESOURCES

TRAININGS & RESOURCES



- **Integrate Active Learning Moments:**
 - Research shows that participants' ability to retain skills dramatically increases with varied opportunities for interactive learning. Consider building in interactive moments throughout your curriculum, such as:
 - Short pop quizzes.
 - Polling.
 - Small group breakout sessions.
 - Group brainstorms / shout-outs.
 - Gamification.

- **Deliver Key Legal Content + Resources:**
 - An overview of how legal resources are allocated (local courts, self-help centers, legal aid, nonprofits, bar associations, public defenders, private attorneys)
 - An overview of key legal issue areas that most commonly affect your target population.
 - Strategies and tips on how to find timely legal resources. This may take the form of an existing statewide referral service or 2-1-1. Depending on the geographic scope of your navigators, you may want to consider curating a list of key referrals in each issue area.

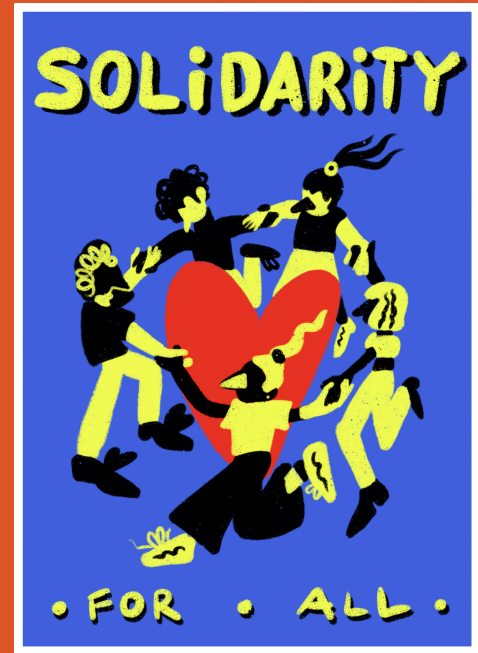


DATA COLLECTION & EVALUATION

DATA COLLECTION



Data collection and training feedback is **critical to ensure the material is effective and responsive to the local needs of community partners**. In addition to general training + trainer feedback, data points you might want to consider collecting are:



Alexandra Ramirez

- Goal attainment and net promoter scores
- Changes in knowledge over your key content areas
- Outcomes in navigators work in the community, such as:
 - How many community members did navigators serve?
 - How many legal issues were identified and in what areas?
- Outcomes in navigators work on the client's legal issues:
 - Did the client get connected to legal support?
 - Did the legal issue resolve? How?
 - Did the client's financial, housing, or employment situation improve as a result of the legal issue resolution?
 - Did the client feel more empowered as a result of the navigator's support?



LOOKING AHEAD

ONGOING TRAINING & SUPPORT



Sustainability: identify sustainable funding sources to ensure your network of community navigators is supported in the future.

Ongoing Support: navigators should receive ongoing training opportunities to increase skills and knowledge retention, in addition to keeping current on key changes to the law and legal resources. It is also important to offer ongoing touchpoints and relationship building to keep up engagement and use of the training material.

Building Community Power: consider cultivating a peer support network of navigators who have participated in the program to foster cross-learning and create opportunities that allow for the exchange of information.

Connecting to Broader Advocacy Efforts: connect participants with local advocacy organizations to maximize impact.



Please reach out to Legal Link if you would like to discuss any of this information in more detail at support@legallink.org.