

A2J Evaluation and Research Options

Pro Bono Example: You have designed a program that recruits and trains non-attorney advocates in rural areas to provide assistance with various administrative processes, under the supervision of attorneys. The case type you are currently training the advocates in is food stamps, but you plan on expanding to other areas of law. You have just completed a pilot program and before rolling this out statewide, you want to know if the program is effective overall and whether there is a difference in effectiveness between your non-attorney advocates and your pro bono attorneys in obtaining positive outcomes for your clients.

Question	When To Use	Methods	Usefulness	Limitations	Examples
<p>1. Who, What, Where – What is known about the landscape within which your program operates? (e.g., population demographics and needs, access to services, infrastructure, laws and policies, other trends)</p> <p><i>Example: Where are the clients with food stamp needs located? Where are the sources of non-attorney advocates or pro bono attorneys? What are the rules and policies surrounding non-attorneys assisting on food stamp cases?</i></p>	<p>When launching a new program, modifying an existing one, or periodically tracking population changes over time.</p> <p><i>Example: Before launching the program to determine where to target outreach and training.</i></p>	<p>Qualitative: (1) Focus groups with users; (2) Interviews with stakeholders; (3) Direct observation</p> <p>Quantitative: (4) Analysis of program; administrative data (5) Analysis of external data sets (e.g., U.S. Census data)</p> <p><i>Example: Consider internal or external data on the poverty population and availability of pro bono attorneys, broken down by location. Consider examining what the biggest administrative hurdles are for these particular cases.</i></p>	<p>This approach will help determine whether a program is a good fit for accomplishing its intended goals by:</p> <ul style="list-style-type: none"> ● describing the landscape before introducing a new program; ● guiding modifications to a planned program before full implementation; ● periodically tracking whether the landscape has changed over time; ● describing the need for funding and resources <p><i>Example: Will help you determine whether you have enough non-attorney advocates in the areas where there are both high poverty population and not enough pro bono attorneys. Will help you better plan outreach and training materials.</i></p>	<p>Methodology: this approach is descriptive. It will not determine if a program is working as designed, i.e., if it is or will be effective.</p> <p>Implementation: it is difficult to draw conclusions about the population based on data from a sample. It is also difficult to obtain high/representative response rates to surveys.</p> <p><i>Example: Will not know the effectiveness of either the advocates or pro bono attorneys in terms benefits to the clients, let alone how they compare to each other. Will not know if the program is cost-effective.</i></p>	<p>WASH. STATE SUPREME COURT, CIVIL LEGAL NEEDS STUDY UPDATE (2015).</p> <p>FED. COMM. COMM'N, BROADBAND PROGRESS REPORT (2016).</p> <p>AM. BAR ASSOC., SUPPORTING JUSTICE: A REPORT ON THE PRO BONO WORK OF AMERICA'S LAWYERS (2018).</p> <p>The Justice Index; also see this overview.</p> <p>List of legal needs assessments, compiled by the American Bar Association</p>

Formative Assessment

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Question	When To Use	Methods	Usefulness	Limitations	Examples
<p>2. What - Does the program operate the way it was intended to operate? Does it run smoothly? Was it implemented as designed?</p> <p><i>Example: Are the training sessions and materials being implemented as planned? Are the advocates and pro bono attorneys understanding and feeling confident in what they will be doing? Are your outreach efforts successfully reaching your target population? Are the clients making their way through the screening and intake system?</i></p>	<p>At the time of program launch or during operation.</p> <p><i>Example: Consider evaluating a pilot project before expanding statewide.</i></p>	<p>Qualitative: (1) Interviews with program staff; (2) Direct observation; (3) Client surveys</p> <p>Quantitative: (4) Client surveys; (5) Statistical analysis of administrative data</p> <p><i>Example: Consider surveying or interviewing advocates and attorneys after conducting training and after they have completed each case. Survey clients to understand what their experience was regarding whether they felt heard, understood the process, etc. Look at administrative data to understand how long cases are taking, who you are serving, etc.</i></p>	<p>This approach will help determine whether a program or program is accomplishing actually its goals:</p> <ul style="list-style-type: none"> Is it operating according to the implementation plan (e.g., is it reaching its target population). Is it faltering in any respect (e.g., enabling program administrators to see if protocols are being followed). <p><i>Example: Might reveal comprehension issues among advocates and attorneys or other implementation flaws.</i></p> <p><i>Might reveal disconnects between your target population and the clients you are actually reaching. Will have been useful to have done a formative assessment first to know how your client population compares to the poverty population in the service area.</i></p>	<p>Methodology: this approach is descriptive. It will not determine if a program is or will be effective.</p> <p>Implementation: it is difficult to draw conclusions about the population based on data from a sample or beta testers. It is also difficult to obtain high/representative response rates to surveys.</p> <p><i>Example: Will not know the effectiveness of either the advocates or pro bono attorneys in terms benefits to the clients, let alone how they compare to each other. Will not know if the program is cost-effective.</i></p>	<p>THOMAS M. CLARKE & REBECCA L. SANDEFUR, PRELIMINARY EVALUATION OF THE WASHINGTON STATE LIMITED LICENSE LEGAL TECHNICIAN PROGRAM (2017).</p> <p>JUDICIAL COUNSEL OF CALIF. ADMIN. OFFICE OF THE COURTS, MODEL SELF-HELP PILOT PROGRAMS--A REPORT TO THE LEGISLATURE (2005).</p> <p>BRIDGEPORT CONSULTING, MICHIGAN LEGAL HELP EVALUATION REPORT (2015).</p>

Process Evaluation

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Question	When To Use	Methods	Usefulness	Limitations	Examples
<p>3. Cost - What are the economic benefits of the program compared to its costs? Is the program cost-effective and sustainable?</p> <p><i>Example: You may have received funding to establish this program, but how much is it saving in terms of staff time, materials, and other overhead costs? If the funding runs out, what will it take to sustain the program? Do the economic benefits differ depending on whether advocates or pro bono attorneys provide the services?</i></p>	<p>Before program launch and during the operation of an existing program</p> <p><i>Example: You will likely have considered some of these things when putting together a budget for your grant application, but also consider evaluating a pilot project before expanding statewide.</i></p>	<p>Quantitative & Qualitative:</p> <p>(1) Cost-benefit/economic impact analysis (2) Return on investment analysis</p> <p><i>Example: Consider looking at the various costs of training advocates and attorneys and maintaining the program, and costs to the clients, compared to the benefits of the program. Might also look at other costs/savings in the community. Do these costs/benefits differ depending on whether advocates or pro bono attorneys are providing the services?</i></p>	<p>This approach will help determine the sustainability of a program, namely: the efficiency or economic viability of a program through a comparison of costs incurred against benefits yielded. It provides administrators and funders with evidence of the program's financial feasibility. It may also help you secure additional funding.</p> <p><i>Example: This information may help you determine how and where to expand your program. It might also help you make changes to your program to make it more cost-effective. For example, you might find that in-person trainings are no more effective than online trainings and can then modify your training program. Or you might find that the way you are conducting intake has a particularly high cost to clients and there are other low-cost options that you can implement.</i></p>	<p>Methodology: this approach focuses only on relative costs and benefits. It will not reveal if a contemplated or implemented program is effective.</p> <p>Implementation: it does not necessarily provide a holistic understanding of savings, through community improvements and other social impacts, and it often does not include costs to the clients themselves.</p> <p><i>Example: Despite the cost savings, will not know the effectiveness of either the advocates or pro bono attorneys in terms benefits to the clients, let alone how they compare to each other. Will not know if the cost-benefits in the area of food stamps will apply to other areas of law.</i></p>	<p>BOSTON BAR ASS'N, INVESTING IN JUSTICE: A ROADMAP TO COST-EFFECTIVE FUNDING OF CIVIL LEGAL AID IN MASSACHUSETTS (2014).</p> <p>STOUT RISIUS ROSS, INC., THE FINANCIAL COST AND BENEFITS OF ESTABLISHING RIGHT TO COUNSEL IN EVICTION PROCEEDINGS UNDER INTRO 214-A (2016).</p> <p>GREACEN ASSOC., LLC, THE BENEFITS AND COSTS OF PROGRAMS TO ASSIST SELF-REPRESENTED LITIGANTS (2009).</p> <p>List of impact studies, compiled by the American Bar Association</p>

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<p>4. Outcomes - Is my program <i>associated</i> with positive or negative outcomes its recipients/users?</p> <p><i>Example: Is this program associated with positive outcomes for the clients, such as obtaining food stamps, reducing delays, and improving their financial stability and wellbeing? Is the program associated with positive outcomes for the participating advocates and pro bono attorneys? Is the program associated with continued involvement from volunteers?</i></p>	<p>At the conclusion of a pilot phase, perhaps at appropriate intervals during the program's existence</p> <p><i>Example: Consider conducting such an evaluation once you have a good sample of clients/cases. A pilot program might provide enough data for this.</i></p>	<p>Observational (e.g., pre-post) statistical analysis, perhaps combined with quantitative or qualitative outcome measurements</p> <p><i>Example: Consider collecting data on food stamp denial rates, error denial rates, timeliness, and days delayed for a sample of cases prior to rolling out your program. Then compare this data to the same outcomes collected for the clients in your program (after a pilot, within first 6 months or a year, depending on case volume). Consider surveying volunteers.</i></p>	<p>This approach will help you determine, with some caveats, the efficacy of a program, i.e., whether and to what extent a program has met the goals that its designers intended to affect as well as any unintended consequences</p> <p><i>Example: This information will help you understand how your program relates to a variety of outcomes. Conducting such an analysis may also help you uncover unintended consequences of your program (other positive or negative outcomes you hadn't anticipated). An evaluation of this sort may be sufficient to satisfy your funder's requests and may provide some preliminary evidence to secure additional funding. Such findings might guide further research to determine causal factors.</i></p>	<p>Methodology: this approach provides at least correlational, possibly close to <i>causal</i> information on a program's effectiveness, depending on the method(s) deployed</p> <p>Implementation: it can be difficult to identify and rule out confounding factors. The extent to which a study of this design will measure the intended causal pathways depends the extent to which confounding variables are identified, measured, and controlled for using statistical techniques.</p> <p><i>Example: Will not know if your program actually caused the differences you are observing. It might be that other changes took effect at around the same time. Maybe there have been some administrative changes in how food stamps are being processed or some other project in your state to assist clients with these issues.</i></p>	<p>Jessica K. Steinberg, <i>In Pursuit of Justice? Case Outcomes and the Delivery of Unbundled Legal Services</i>, 18 GEO. J. ON POVERTY L. & POL'Y 453 (2011).</p>

Outcome Evaluation

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Question	When To Use	Methods	Usefulness	Limitations	Examples
<p>5. Outcomes - Does my program <i>seem to cause</i> any positive or negative outcomes for the recipients/users?</p> <p><i>Example: Does my program cause any positive outcomes for the clients, such as obtaining food stamps, reducing delays, and improving their financial stability and wellbeing?</i></p>	<p>At the conclusion of a pilot phase, perhaps at appropriate intervals during the program's existence</p> <p><i>Example: Consider conducting such an evaluation once your pilot phase is complete and there is now a significant enough sample for tracking outcomes.</i></p>	<p>Assignment to program or control, but using criterion other than random assignment (e.g., eligibility cutoff) followed by a combination of quantitative or qualitative outcome measurements</p> <p><i>Example: You might compare the outcomes for your clients assisted by attorneys to the clients in your program who had assistance from an advocate. To evaluate the overall effectiveness of clients receiving help (whether from an advocate or attorney), you may consider comparing the outcomes for your clients to the outcomes of clients who had no assistance.</i></p>	<p>This approach can provide some causal evidence of a program's effectiveness if the underlying quasi-experimental framework is valid. This approach may be an option when a true experimental design is not practical or ethical</p> <p><i>Example: You might discover some differences in effectiveness between your advocates and attorneys in such a way that may guide future training and resource allocation. You might also discover that for food stamp cases, advocates are just as effective as pro bono attorneys, which might guide how your state decides to invest in recruitment and training of advocates where pro bono attorneys are not available. You may discover through surveying your volunteers that there are changes you can make to your training and to the program to do a better job recruiting and retaining volunteers.</i></p>	<p>Methodology: this approach can mimic full causal inference but is not as strong as a true experimental design</p> <p>Implementation: it can be difficult to rule out confounding factors; the extent to which this design will measure the intended causal pathways depends on the extent to which confounding variables are identified, measured, and controlled for using statistical techniques.</p> <p><i>Example: You might find that the way in which clients were sorted to receive a pro bono attorney vs an advocate are related to the outcomes you have observed (did your program send easier cases to the advocates and harder cases to the attorneys?). There may also be relevant differences between the clients who made their way to your program vs the ones who didn't.</i></p>	<p>JILL T. MESSING ET AL., POLICE DEPARTMENTS' USE OF THE LETHALITY ASSESSMENT PROGRAM: A QUASI-EXPERIMENTAL EVALUATION (2014).</p> <p>GREACEN ASSOC., LLC, NORTH DAKOTA SUPREME COURT FAMILY MEDIATION PILOT PROGRAM EVALUATION (2012).</p>

Natural / Quasi-Experimental

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Question	When To Use	Methods	Usefulness	Limitations	Examples
<p>6. Outcomes - Does my program <i>cause</i> any positive or negative outcomes for the recipients/users?</p> <p><i>Example: Does my program cause any positive outcomes for the clients, such as obtaining food stamps, reducing delays, and improving their financial stability and wellbeing?</i></p>	<p>At the conclusion of a pilot phase or after an initial phase of data collection</p> <p><i>Example: This approach requires sufficient case volume. You will likely need to conduct an evaluation of this sort post-pilot phase and after the launch of your program.</i></p>	<p>Randomized control trials, which formally assign units to program or control (e.g., using a lottery) followed by a combination of quantitative or qualitative outcome measurements</p> <p><i>Example: Use of a lottery to assign eligible clients to an attorney vs an advocate. Depending on your case volume and resource constraints, you may also consider random assignment to a control group, receiving no assistance.</i></p>	<p>Provides causal evidence of a program's effectiveness</p> <p><i>Example: Will answer the research question with causal information about the effectiveness of your program and the relative effectiveness of pro bono attorneys vs. advocates.</i></p>	<p>Implementation: This method will often provide a narrow answer to a research question that is specific to the case type and population and therefore may require replication in other locations with other participants. It is also resource- and time-intensive and requires careful attention to selection mechanisms and compliance with ethical standards</p> <p><i>Example: Such a study may take 1+ years to complete, depending on case volume. Depending on the complexity of the type of program, may require partnering with outside researchers.</i></p>	<p>D. James Greiner, Cassandra Wolos Pattanayak & Jonathan Hennessy, <i>The Limits of Unbundled Legal Assistance: A Randomized Study in a Massachusetts District Court and Prospects for the Future</i>, 126 HARV. L. REV. 901 (2012).</p> <p>JUDICIAL COUNCIL OF CALIF., <i>EVALUATION OF THE SARGENT SHRIVER CIVIL COUNSEL ACT</i> (2017).</p>

Experimental Evaluation