

A2J Evaluation and Research Options



Technology Example: You designed a new online tool to help self-represented litigants file for Chapter 7 bankruptcies. The tool contains eligibility criteria: it is available to people with incomes up to 200% FPL and it excludes people with a mortgage. Also, at this time, it is only in English. You want to learn (1) whether the tool will reach the people who need it; and (2) whether it will help those people obtain bankruptcies and improve their financial situations.

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: Does my client population have internet access?</i></p>	<p>When launching a new program, modifying an existing one, or periodically tracking population changes over time.</p> <p><i>Example: When considering creation of an online tool to help people file for bankruptcy.</i></p>	<p>Qualitative:</p> <p>(1) Focus groups with users; (2) Interviews with stakeholders; (3) Direct observation</p> <p>Quantitative:</p> <p>(4) Analysis of program; administrative data (5) Analysis of external data sets (e.g., U.S. Census data)</p> <p><i>Example: Consider external data on internet usage, by geographic location and demographics.</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: Determine if elderly populations in rural areas who do not have internet access at home, might have access at libraries or other community centers. This might guide additional outreach efforts in those areas.</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: At this stage, one would not know if the tool will be used or understood, let alone whether it will help people file for bankruptcy.</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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Process Evaluation

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: Does my web-based bankruptcy tool contain any tech glitches? Does it operate with the web-browsers and types of computers my clients are likely to use? Is all of the language used at an appropriate reading level such that the clients will understand? Is the time it takes to work through the tool manageable?</i></p>	<p>At the time of program launch or during operation.</p> <p><i>Example: Just after launching the my web-based tool and when one would want to know if it is user-friendly, working properly, and whether protocols are being followed.</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: Preliminary user testing; surveys of users asking about satisfaction and comprehension; gathering data on how many users successfully complete the whole process.</i></p>	<p>This approach will help determine whether a program or program is actually accomplishing 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 technological glitches, readability/ comprehension issues, or other design flaws; might reveal populations (e.g., elderly users in rural areas, people with limited English proficiency) that have difficulty completing the process.</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 reveal if tool will be used by litigants, whether it will help people file for or obtain a bankruptcy, or anything about financial outcomes.</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>

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<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 received a grant for \$50,000 to produce the tool; how much is it saving in terms of legal aid staff time and other overhead costs?</i></p>	<p>Before program launch and during the operation of an existing program</p> <p><i>Example: Some predetermine d time before and after launch of the web tool.</i></p>	<p>Quantitative & Qualitative:</p> <p>(1) Cost-benefit/economic impact analysis; (2) Return on investment analysis</p> <p><i>Example: Compare the cost of maintaining and administering the tool compared to the cost of serving similar clients using staff time and other overhead costs; calculate broader economic savings in the community.</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.</p> <p><i>Example: The funder might have asked for cost-saving calculations. You may be curious about the sustainability of this web tool to guide your program’s resource allocations. Having this information may also guide expansion of this tool (e.g., rolling out a non-English version or a similar tool for a different area of law).</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 does not include costs to the clients themselves.</p> <p><i>Example: Despite the cost savings, you will not know if the tool will be used by the client population, let alone whether it will help people file for or obtain a bankruptcy.</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>

Return on Investment Evaluation

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Question	When To Use	Methods	Usefulness	Limitations	Examples
<p>4. Outcomes - Is my program <i>associated</i> with positive or negative outcomes for its recipients/users?</p> <p><i>Example: Is the implementation of this tool correlated with more successful bankruptcies among my client population?</i></p>	<p>At the conclusion of a pilot phase, perhaps at appropriate intervals during the program's existence</p> <p><i>Example: Once the pilot phase is complete and there is a large enough sample on which to conduct an analysis.</i></p>	<p>Observational (e.g., pre-post) statistical analysis, perhaps combined with quantitative or qualitative outcome measurements</p> <p><i>Example: You might collect data on bankruptcies filed by self-represented litigants for a year prior to the implementation of this tool and compare them to bankruptcies filed by other such litigants for a year after the tool was implemented.</i></p>	<p>This approach will help you determine, with some caveats, the efficacy of a program or 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: You might discover that bankruptcy filings spike in one area of your state, but not in another area. Or you might even discover that bankruptcy filings went down in some areas, which might suggest that litigants are using this tool instead of some other possibly more effective method (e.g., hiring lawyers). 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 the bankruptcy tool actually caused the differences you are observing. It might be that other changes took effect at around the same time. Maybe there is a new lawyer for the day program, or an effort in libraries to better distribute self-help materials.</i></p>	<p><u>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).</u></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?</p> <p><i>Example: Does my web-based bankruptcy tool seem to help people who would not otherwise be able to navigate the process to obtain bankruptcy protection?</i></p>	<p>At the conclusion of a pilot phase, perhaps at appropriate intervals during the program's existence</p> <p><i>Example: Once the pilot phase is complete and there is a large enough sample on which to conduct an analysis.</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 sample of clients who used this tool to a set of clients who did not use the tool, based on eligibility criteria or access issues.</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 could compare outcomes between those who used the tool and those who did not, suggesting what might have happened to the group of people who did not use the tool if they could have accessed it. For example, the program group might complete more successful bankruptcies than the non-program group, and when examining differences between those who used the tool and those who did not, you may not find any reason to believe the differences in outcomes were due anything other than the use of the tool.</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: In this case, you might find that the two samples are different in important ways that also explain outcomes (e.g., higher income, mortgages, non-English speakers). Look for some arbitrary reason for establishing a group of non-users (e.g., those turned away due to lack of capacity, but otherwise the non-users are similar to the tool users).</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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Experimental Evaluation

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?</p> <p><i>Example: Does my web-based bankruptcy tool actually help people who would not otherwise be able to navigate the process achieve bankruptcies?</i></p>	<p>At the conclusion of a pilot phase or after an initial phase of data collection</p> <p><i>Example: Once the pilot phase is complete and there is a large enough sample on which to conduct an analysis.</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 the tool rather than some other type of assistance or no assistance. For example, you could use an arbitrary piece of information (e.g., day of birth) for random assignment.</i></p>	<p>Provides causal evidence of a program's effectiveness</p> <p><i>Example: Even stronger causal inference about the effectiveness of the bankruptcy tool relative to observational methods.</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: Your randomized study might take at least one year to complete, depending on case volume. Depending on the complexity of the program, you might also need to partner 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., EVALUATION OF THE SARGENT SHRIVER CIVIL COUNSEL ACT (2017).</p>