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Memorandum of the Legal Navigator Decision-Making Process

Legal Navigator Governance and Sustainability Plan – GT-TG21G-00014

Legal Aid Society of Hawaii - 2023

Executive Summary

Köměngé LLC assisted Legal Aid Society of Hawaii (LASH), the Alaska Court System (ACS), Alaska Legal Services Corporation (ALSC), the Hawaii State Judiciary, Legal Services Corporation (LSC), and other key partners (the Stakeholders) through a moderated, decision-making process to develop a Legal Navigator Governance and Sustainability Plan. Through this process, the partners identified the best use of Legal Navigator in the future. The original intent was to create a plan outlining responsibilities and decision-making processes for the ongoing maintenance of the platform and expansion of the platform to new states to support the goal of creating a multi-state portal for legal resources.

Legal Navigator is a platform envisioned as a multi-state portal for legal resources. The success of the highly collaborative pilots in Hawaii and Alaska demonstrated the viability of the model of a statewide platform consolidating legal resources. After thorough discussion and analysis of the value created, the capabilities that currently exist, and an honest assessment of platform limitations, the partners decided the best use of Legal Navigator in the future is as individual statewide instances of the platform, rather than one multi-state portal.

Planning the Future for Legal Navigator

The Analysis Process

The analysis of platform data, survey responses, and interview feedback was used to review Legal Navigator and guide development of the Governance and Sustainability Plan. The review of Legal Navigator and sustainability recommendations also focused on the thoughtful implementation of the technology solution to ensure it meets the needs of vulnerable populations and is flexible enough to address diverse needs across multiple states.

In dialogue with LASH and the Stakeholders, Köměngé developed the Project and Data Collection Plan that included: identification and collection of baseline data and documentation; proposed survey protocols; and draft key informant interview questions. Extensive data was discussed,

reviewed, or collected, including: existing platform agreements; Legal Navigator infrastructure and code documentation; historical code maintenance descriptions and costs; documentation of known issues or limitations; documentation of the WordPress update; current Stakeholder time and costs for platform maintenance and administration; Stakeholder surveys, and Key Stakeholder and Technology Partner Interviews. Existing platform documentation provided background to Kōmēngé on original platform goals, platform development decisions, and barriers to implementation, ensuring thoughtful guidance during the moderated decision-making process.

Kōmēngé met with the developer, Ignition72, to get their opinions about the next steps needed to make the site scalable and capable of managing shared expansion to other partners. From this conversation it became clear that there was misalignment between the developer and the partners as to the capability and advisability of scaling and sharing the platform as developed, without added modifications.

The Stakeholders participated in several moderated work sessions, including one with the developer, to: discuss platform value, identify concerns and limitations, and consider the best steps toward governance and sustainability. The original intent was to culminate the project with a Governance and Sustainability Plan for ongoing platform maintenance and expansion to new states. Ultimately, the decision to move forward using individual statewide instances of the platform was made due to existing limitations of the platform and the high variability in individual state needs. See Slides from Ignition72, “LSC Governance Options,” Appendix p. 300.

The Value of Legal Navigator

Together LASH, ACS, ALSC, the Hawaii State Judiciary, and LSC created a valuable model for guided legal assistance and piloted capabilities that are valuable to share with other jurisdictions. The partners successfully created a trusted source of legal information in Hawaii and Alaska. For courts and legal services providers, the platform offers:

- One location to update content statewide, efficiently providing accurate information.
- A collaborative site for access to justice partners that reduces duplication of efforts.
- Guided interviews that replicate the interview process and legal information traditionally provided by a human facilitator.
- Plain language searches for legal issue spotting, transition to the Guided Assistant, and generate the Personal Action Plan.
- The ability to receive Personal Action Plans from individuals seeking a referral.
- A clean user interface.
- Customization to specific legal issues, community needs, and program processes.

For individuals in the community and self-represented litigants, the platform offers:

- A trusted source of legal information provided and reviewed by experts.
- A Guided Assistant that generates a Personal Action Plan.
- Ability to locate relevant legal and social service organizations in the state or region.
- Targeted information only relevant to them and their legal needs.
- Information to tackle legal issues without needing an attorney or advocate.
- Personal Action Plans tailored to the user’s situation.
- Sharing of the Personal Action Plan to aid referral to relevant local organizations.

Barriers and Limitations to Expansion of the Existing Platform

The primary barrier to expansion of the existing Legal Navigator platform as a multi-state portal for legal information lies in the increasing complexity due to customization based on program and community needs. Different organizations use different internal software, hosting, and data organization systems. Creating one portal based on the current WordPress website that can integrate with numerous document assembly services, case management systems, or court software is not simple and may not be cost effective or technologically efficient. Through this Legal Navigator process, court and legal aid advocates in Alaska and Hawaii engaged in a highly collaborative and coordinated development effort. However, the widely different needs of the courts as compared to legal aid programs and the usage of different software implementations required individualized updates to the platform. Adding additional states or programs would only increase the customization and complexity of the system.

In addition, the website is being updated to accommodate different document assembly systems and adding Legal Server integration. This has been a complicated process but is near completion. Legal Navigator was originally designed to create interviews using A2J Author, although not all A2J Author features were available to use in the Legal Navigator Platform. Later in the development process, Legal Navigator was modified to be optimized for the HotDocs document assembly system used by Hawaii. Alaska requested that the platform also be modified to support using DocAssemble to create interviews on the Legal Navigator platform. Due to technical challenges, the project was abandoned after being partially completed. Updating Legal Navigator as it currently exists to support DocAssemble, or other programs desired by different states, would be costly, time consuming, and would add additional complexity. This would necessitate ongoing updates to multiple styles of document assembly, where updates are not essential for both partners. As updates are made to accommodate one partner, those may require changes that negatively impact another. Adding more states to the platform would increase the concern that future updates may damage functionality for other partners. Each partner would need to update the system in a manner that does not harm or limit usage by other partners. Originally envisioned as a labor and cost saving measure to share updates, ultimately the cost and coordination may be contrary to this goal.

Making the Best Decision for the Platform and Access to Justice

Through this process, the future of the platform was carefully weighed, considering costs, time burden for existing partners, and the possibility of lowering costs and barriers to implementation in other states to increase access to legal information nationwide. Discussions focused on three options:

- Arranging adoption of the code and website by a capable and interested technology partner for ongoing development as a shared platform with expansion to other states.
- Creating a collaborative governance structure for ongoing maintenance, development, and expansion of one shared platform that supports onboarding of new states and coordinates leadership among interested partners, such as Alaska, Hawaii, and newly onboarded states.
- Polishing of the platform to meet current partner needs and sharing the code and learnings for other states or programs to implement independently, with Alaska and Hawaii proceeding together or separately.

The partners committed additional time and resources into updating and analyzing the platform for expansion. After considering available technology partners, a technology company with nationwide reach could not be found to adopt the current iteration of Legal Navigator while balancing existing partner needs to protect the current functionality of the site.

During this time the platform was still undergoing updates and changes to meet the needs of Alaska and Hawaii. The code and website as it currently existed could not be scaled and shared “as is” without changes. Alaska and Hawaii shared the back end of the website, meaning that Alaska could edit Hawaii’s resources and interviews and vice versa. While this functioned with two states, albeit with care, the risk of damage to resources and interviews with the addition of new partners was great. As discussed above, the website does not support the full feature-set of A2J Author. In addition, complications arose when trying to add DocAssemble to the Legal Navigator platform, the document assembly system Alaska wished to use for building interviews, so they could be more versatile. As Hawaii utilizes HotDocs, both HotDocs and A2J Author changes necessitated updates to Legal Navigator. Updates to accommodate Legal Server were successfully undertaken, but the ability to make all A2J Author updates is limited by the current technology and cost concerns.

The varied needs of both partners triggered the consideration of a new option: splitting the current Legal Navigator website into individual platforms for Hawaii and Alaska. The most affordable and efficient option was the separation of Legal Navigator into an Alaska instance and a Hawaii instance to separate resources and allow focused updates of the website to meet different software requirements. After the split, the partners could proceed via continued informal collaboration. The resulting code from the split could all be shared on GitHub for future implementation and expansion in other states or regions.

The Future of Legal Navigator

Even with the exceptional relationship between these partners, to offer the highest usability and customization to each state, the partners decided to convert the platform into individual statewide resources updated and customized separately to meet statewide and program needs. Hawaii will proceed with a statewide Legal Navigator platform focused on HotDocs and Legal Server integration and related updates. Alaska will not maintain a separate Legal Navigator website. It will, instead, convert the developed A2J Author interviews into DocAssemble interviews, which will be accessible on their existing court website.

A collaborative platform could be possible for partners with highly aligned interests, needs, and existing technology resources. However, this is most likely possible only within one state or region and between partners with similar technological systems or one coordinating partner for the technological implementation. Using the existing WordPress site with both HotDocs and A2J Author was determined by the software vendor to be cumbersome and costly. Future expansion of this platform would be best accomplished through individual state or regional iterations of the Legal Navigator platform using the shared code to be provided on GitHub. Staff in Alaska and Hawaii can act as expert points of contact for project implementation and management questions, but individual instances of the platform would manage their own technology and resources, allowing customization to meet specific program or community needs. See “Legal Navigator Decision Process Miro Board,” Appendix, p. 11.

One of the lessons learned is the difficulty and importance of keeping the high-level vision for the future of the project (a unitary national portal) at the forefront when selecting a platform, developing features, and managing day-to-day usability. It was late in the process before partners discovered that the HotDocs and A2J Author integrations had been hard coded into the site. This ultimately represented a significant barrier to scalability and per-program flexibility, despite all parties (at least in theory) knowing that scalability was a core goal of Legal Navigator. It is possible (though by no means certain) that the modular approach would have taken more time and development resources than the partners would have been willing to commit. Unfortunately, it seems that sufficient questions

about scalability were not asked and answered explicitly before committing to the plan to develop the features as executed. As a result, instead of talking about the process of on-boarding new partners and governing the expanded site, it became clear that additional resources would be required to restructure the site to make expansion viable, or at the very least, an independent opinion would be needed to assess the options. Separately, there also seemed to be some lack of clarity on the issue of whether a unitary site versus co-managed individual instances of the site would provide the best path forward technologically using WordPress as the base platform. Obviously, having clear information about the capabilities and limitations of potential platforms (from the engineers, not the salespeople) is a critical step in scoping every project. This is of particular concern for a project – like Legal Navigator – that went through several iterations, structures, and developers.

Conclusion

Although the broadest vision of Legal Navigator as a unitary national portal was not realized, on a state specific basis significant value was created for people needing legal help in Alaska & Hawaii: a one-stop-shop for quality, curated legal resources; plain language issue spotting; extensive guided interviews; a resulting personal action plan; and the ability to easily share that plan with other service providers. In addition, by streamlining, packaging, and sharing the code for this work on GitHub, other states or regions will be able to start with the benefit of Alaska and Hawaii's effort. New projects could more quickly build a customized Legal Navigator instance best suited to locally relevant technologies while capitalizing on all the various functionality and workflows designed by the Alaska & Hawaii collaboration. The GitHub repository will provide a substantial benefit to the national legal aid network – and people seeking access to justice resources in participating states, now and in the future, will gain access to unique and powerful resources generated through LSC's investment in this project.