

Legal Services Corporation Technology Initiative Grants (TIG)

Sample Letter of Intent for 2016 TIG Cycle

Category: Innovations and Improvements

Amount Requested: \$123000

Are you also requesting funding for this project through LSC's Pro Bono Innovation Fund program? **No**
Are you applying for a Pro Bono Innovation Fund that complements this grant? **No**

Description of Project - *Briefly describe the basic elements of the system(s), how they will be developed, how they will operate, the function they will serve within the legal services delivery system, their expected impact, and similar factors. (The impact should only be highlighted here; more details about the system's benefits should be provided below.)*

Legal Aid Organization (LAO), in collaboration with Community Service Programs (CSP) and the Human Relations Commission (HRC), proposes to develop an online Small Claims Court Mediation application. LAO serves as the Small Claims Advisor for the large Central County area and through its existing small claims automated module, has already created over 48,000 small claims pleadings online and has e-filed over 16,800 small claims complaints. The Small Claims Court Mediation service seeks to enable small claims litigants to complete their small claims litigation without the necessity of visiting the court.

LAO will utilize the small claims website and its existing automated module as a referral source for the online small claims mediation service. Upon accessing the small claims mediation service users may elect to complete a 'request to mediate' form. Once this form is completed, the form will be submitted to the adverse party inviting them to respond. Both parties will upload relevant case documents, which will be reviewed by a project coordinator. The project coordinator will ensure the completion of case files, and that parties are prepared for mediation. LAO will use volunteer attorneys and retired judicial officers to review these documents and determine if there is anything outside of the submitted documents that would be necessary or helpful to facilitate the successful mediation of this case.

LAO will work with CSP and HRC to develop a panel of experienced mediators. The documents will be submitted to a mediator for mediation after they have been reviewed by the volunteer attorneys. At a designated time, the litigants will have the opportunity to mediate their small claims case via video conference, telephone or in person. Finally, upon a successful mediation a small claims stipulation form will be completed, signed and sent to the court. If the parties decide not to mediate their claim or do not settle their case at the conclusion of the mediation, they will be more prepared for trial with all the necessary documentation already compiled. LAO expects this service to help reduce the number of small claims cases the courts will hear, and the cases heard by the courts will go faster because the parties will be more prepared. As a result, LAO will examine next steps to add small claims arbitration and determine the feasibility of a future endeavor in family law.

Major Benefits - *Describe the specific ways in which the system(s) will increase or improve services to clients and/or enhance the effectiveness and efficiency of program operations. To the extent feasible, discuss both the qualitative and quantitative aspects of these benefits.*

LAO serves as the Small Claims Advisor for Central County and through its automation software has already created over 48,000 Small Claims pleadings online and has e-filed over 16,800 small claims complaints. The proposed online mediation service will allow small claims litigants the ability to resolve their dispute online without going to the court.

To litigate a small claims case a litigant will usually be required to take at least a half day off of work, perhaps find day-care, drive or take a bus to court, find parking and navigate their way to the appropriate court room where they will likely spend a considerable amount of time waiting. The proposed online mediation service will reduce the need for these litigants to take off work, they will be able to save on travel time to the court, waiting at the court, coordinating daycare, and transportation.

Plaintiffs will benefit by having an agreement where their case is settled and they are paid. Defendants will benefit by possibly paying less, having a payment plan and preventing damage to their credit by not have a judgment recorded. The court will benefit as cases will be resolved and resolved according to the needs of the parties.

Further, even if the parties do not settle, they will be better prepared for trial, have their documents in order, and be more confident that the court will have the necessary documentation and arguments to properly rule. It will be more efficient should the parties decide not to mediate their claim at the conclusion of using the online small claims center, and they will be prepared to go to trial with all the necessary documentation already complied. LAO expects this service to help reduce the number of small claims cases the courts will hear, and the cases heard by the courts will go faster because the parties will be more prepared.

Replication of the online small claims mediation website will be useful in rural areas.

Estimated Costs - *Start by stating the amount of funding you are seeking from the TIG program, and then give the estimated total project cost, summarizing the anticipated costs of the major components of the project. List anticipated contributions, both in-kind and monetary, of all partners involved in the project.*

Legal Aid Organization (LAO) is seeking \$123,000 over a 12 month period. It is estimated that the project will cost \$173,000 and includes the following costs:

Project Manager \$39,000, Mediation Coordinator \$24,000, interactive website design \$50,000, evaluation \$10,000 and volunteer time \$50,000. Contributions will include community service programs and the Human Relations Commission, donated mediation (estimated at \$50,000), mediation trainings and the creation of expert trainings.

2016 Small Claim Mediation Module Budget Proposal:

Project Manager \$39,000

Mediation Coordination \$24,000

Interactive Website Design \$50,000

Evaluation \$10,000

Total \$123,000

Major Partners - *Identify organizations that are expected to be important partners. Specify the role(s) each partner will play.*

The major partners are Community Service Programs (CSP), the Human Relations Commission (HRC), the State Superior Court, Central County, and experienced court administrators who are familiar with LAO's automated small claims module, including nationally recognized court professionals. CSP and HRC are both long time dispute resolution services operating in Central County with contracts to provide mediation services to the Superior Court. CSP and HRC will serve as the mediators for LAO's Small Claims Mediation online application. The State Superior Court of Central County will send a notice to the other party once the small claims has been initiated. The notice will encourage both parties to resolve their small claims matter, thereby increasing the efficiency of the court system.

Leading court administrators are supporters of this project and have agreed to support and advise on the development and implementation of this project, including the manager of the State Courts Self-Help Website; the overseer of grant funds for court based self-help centers and legal services programs; and the court's lead developer of educational materials for judges and court staff to assist them in handling cases with self-represented litigants.

Innovation/Replication - *Identify how and why the proposed project is new and innovative. Identify how and why the proposed project can significantly benefit and/or be replicated by other legal services providers and/or the community at large.*

Innovation: This project is innovative in that it is the first of its kind in the State. It allows our client community to have better access to the justice system by allowing them to mediate their small claims case online in a way that is both accessible and convenient. The online Small Claims Mediation application will use the internet to connect the parties, exchange positions, share needs, goals, and wants and resolve their dispute in a mutually beneficial way. We will be working specifically with the Community Service Programs (CSP) and the Human Relations Commission (HRC) on this project to bring small claims mediation outside of the court. They are well-established dispute resolution entities that currently help resolve a wide range of disputes including small claims cases and family law matters. As this project develops, we plan on moving beyond small claims into family law matters.

Replication: LAO will be able to offer a model of this online mediation project that could be used by other legal services providers, mediation programs and non-profit organizations. Once this program is fully functioning, CSP, HRC, as well as other entities, will be able to adapt this program and offer online mediation in areas expanding far beyond small claims matters. While this online process will be piloted in Central County in small claims cases, the online mediation process could easily be used to assist in all kinds of matters.