

TIG FINAL EVALUTION REPORT

Grantee name: Montana Legal Services Association

TIG grant number: 14009

Submission date: June 28, 2017

Contact person: Krista Partridge, Alex Clark

Phone number: 406-442-9830 x134, 406-543-8343 x220

E-mail address: kpartrid@mtlsa.org, aclark@mtlsa.org

I. Project Goals and Objectives

The project goal was to create and implement automated forms to allow low-income pro se litigants in Montana to easily, efficiently, and effectively access Montana District Courts and resolve their family law problems. The project had two objectives:

- Use HotDocs and A2J Author to create guided interviews that will produce automated family law forms that will enable low-income pro se litigants to produce accurate legal pleadings that can be filed in Montana District Courts for the initiation or modification of a dissolution of marriage and/or a parenting action.
- Conduct outreach and publicity to increase the availability and use of the new automated family law forms by low-income persons.

No changes were made in the goal during the course of the project.

II. Evaluation Data and Methodologies

MLSA assessed the development of the automated family law court forms for Montana self-represented litigants in accordance with the approved evaluation plan. The following quantitative and qualitative evaluation data was gathered and documented by the project team throughout the development, testing, and roll-out of the forms:

- List and description of interviews and automated documents produced, including URLs.
- Description of collaboration with the Self-Represented Litigant Committee of Montana's Access to Justice Commission (SRL Committee) including the introduction of interviews/forms, requests from the Committee, responses to the Committee, and resulting changes to the interviews/forms.
- Description of internal and end-user forms usability test protocols, including significant test results and resulting modifications based on test results.
- Confirmation from the SRL Committee that the forms are accurate, consistent with court requirements and acceptable for use.
- Interviews and surveys of internal testers (MLSA staff, Montana Court Help program staff, State Law Library staff, and SRL Committee members) about usability, usefulness, accuracy of the automated forms, and appropriateness for court filing.
- Interviews and surveys of users regarding usability and usefulness of the automated forms.
- Interview with the MLSA Project Manager, Alex Clark.

MLSA also assessed the outreach effort for the automated family law forms. Evaluation data was gathered and documented by the project team throughout the outreach process, and included:

- The outreach plan.
- Description of all outreach activities, including roles and activities of project partners.
- Statistics from the LawHelpInteractive.org server on number of times the form interviews have been accessed and the number of forms produced.

III. Summary of Major Accomplishments, Recommendations and Future Steps

As a result of significant statutory changes, the Self-Represented Litigants Committee of the Montana Access to Justice Commission (SRL Committee) was charged with revising the pro se family law forms for Montana. Their goal was to preserve access to justice for pro se litigants and to ensure that the forms would continue to be accepted by District Courts throughout Montana. The SRL Committee planned to fundamentally rework the form sets, rendering MLSA's existing automated forms unusable as a starting point for revision. MLSA obtained funding through this TIG to develop the companion automated versions of the new pro se family law form sets. Following are the major accomplishments, recommendations and future steps.

Major Accomplishments

- After a challenging development process, the new automated forms are in use by pro se litigants, Self-Help Law Center staff, and pro bono advocates. The forms went live on the LawHelpInteractive (LHI) website on March 31, 2017. The statistics for the first partial quarter of use (April 1 to June 20, 2017) show that 219 A2J interviews have been completed with 39 full assemblies downloaded, a conversion rate of 21%. While this data likely includes some testing use, the bulk of the testing had been completed by March 31, 2017.
- MLSA further cemented its partnerships with the SRL Committee and Court Help Program staff over the course of this project. By involving the partners throughout the development and testing process, we enhanced their understanding of both the complexity of document automation and the utility of well-drafted, plain language automated forms for pro se users.

Recommendations and Future Steps

The challenges faced during the development and testing process largely flowed from the inability of the Access to Justice Commission's SRL Committee to finalize the pro se forms on schedule. As outlined in the recommendations below, the delay in receiving the final forms from the SRL Committee required extending milestone and payment period deadlines, but also flowed into MLSA staff turnover during the critical internal testing phase of the project.

- The project was delayed because the new hard copy pro se forms were not completed on schedule. Additional time should be allowed when working with volunteers (SRL Committee) as a necessary part of the project, particularly when the core tasks cannot begin until the volunteers have completed their work and when the volunteers have the final authority to approve form content for use in the District Courts.
- The MLSA project manager left MLSA in mid-project. To the extent possible, a second MLSA staff member (besides the Executive Director) should be included in TIG projects from the beginning, at least on the periphery, as a safeguard in case of unexpected turnover or illness. This staff member could also be used as a resource to help with routine tasks such as scheduling, testing, reporting, and other administrative duties.

- Automated forms were not available for testing until very late in the project and major errors were found. In negotiating future contracts with automated form developers, consider setting interim milestones to allow inspection and testing of the basic functionality of a form or forms at an earlier stage of development, when bugs are typically easier to resolve and before issues lead to delays in the completion of milestones.

IV. In-Depth Analysis of Accomplishments

The focus of this project was to create and implement new automated family law forms to continue access to Montana District Courts for low-income pro se litigants in dissolution and parenting plan matters. The existing pro se family law forms had been automated by MLSA through a 2003 TIG grant (TIG 03694) and were to be obsolete upon the completion of a wholly new set of pro se forms developed by the SRL Committee to comply with statutory changes. In the process, the goal was to make the new hard copy and automated forms even easier for pro se litigants to understand and use.

The project objectives, the strategies used to accomplish each objective, and the effects on pro se family law litigants are discussed in detail below.

Objective 1

Use HotDocs and A2J Author to create guided interviews that will produce automated family law forms that will enable low-income pro se litigants to produce accurate legal pleadings that can be filed in Montana District Courts for the initiation or modification of a dissolution of marriage and/or a parenting action.

MLSA accomplished Objective 1.

LINK to Automated Family Law Forms:
<https://lawhelpinteractive.org/Interview/GenerateInterview/5780/engine>

Absent funding received through TIG 14009 to automate the new family law forms developed by the SRL Committee, self-represented litigants in Montana would have lost a critical tool for filing their own dissolution and/or parenting actions in Montana's District Courts. These automated forms provide an important benefit to many low-income Montanans who cannot afford an attorney, who are unable to receive free legal advice or representation from MLSA due to limited resources, and who don't have easy access to one of the six Self-Help Law Centers located in larger towns throughout the state.

Pre-Development Collaboration with Montana's SRL Committee

MLSA's Project Manager, Christine Mandiloff, began the project by coordinating with the SRL Committee's liaisons to finalize the list of forms to automate and to secure an agreement from the Committee to provide the final drafts of the forms to MLSA by May 1, 2015. This schedule provided enough time for MLSA to obtain quotes and enter into an agreement with a HotDocs/A2J developer. In May, the SRL Committee reported that significant work remained to be done on the forms, and so MLSA requested and was granted an extension of time to complete the project milestones. The delays were largely a result of the fact that the SRL Committee is comprised of volunteers for the Montana Access to Justice Commission, whose work to revise the complex family law form sets was done on a volunteer basis and entirely on their own time. In addition, two of the Committee's leaders changed jobs during the early stages of the project which limited the amount of time they had available to devote to the project.

During a project meeting with MLSA in July 2015, the SRL Committee decided upon the final list documents to be automated, eliminating an answer form packet and forms for step-parent adoption and guardianship that had previously been considered. The Committee agreed that the final drafts of the forms would be submitted to MLSA in time to conduct the RFP process, select a developer, and begin the document automation work in compliance with the TIG project deadlines. A total of 46 individual forms were selected for automation and were grouped into the following “form packet” categories:

- Dissolution With Kids
- Joint Dissolution With Kids
- Dissolution Without Kids
- Joint Dissolution Without Kids
- Parenting Plan
- Joint Petition for Parenting Plan
- Notice of Intent to Move

A developer was selected through a competitive RFP solicitation, an agreement was finalized, and automation work began by December 31, 2015.

Internal Testing

Internal testing of the automated forms began in August 2016, but a significant problem in the coding prevented users from conducting meaningful tests: a bug did not allow for completion of the interview and documents could not be generated. This issue was fixed by early September and internal testing began in earnest. Due to a lack of resources, Christine Mandiloff’s position at MLSA had been eliminated, with the plan that she would stay on until the major milestones of this project had been completed. Due to the delays in the project, Christine’s planned departure from MLSA occurred just as internal testing began, and the responsibility for management and internal testing was assumed by Alex Clark, a newly hired Community Outreach Assistant. Internal testing continued until the end of October and overlapped with end user usability testing. Many of the errors identified by Mr. Clark during internal testing were not resolved until late September and early October due to a pre-planned absence by the developer. As a result, the usability testers encountered distracting bug and coding errors that ideally would have already been resolved so that the testing could focus primarily on ease of use, plain language, and accuracy in document production.

The following table illustrates a number of the more significant problems that were discovered during internal testing, the dates on which they were reported to the developer and the dates on which they were resolved.

Internal Testing Log		
Error	Date Reported	Date Resolved
1. Cannot continue past step 39 “If at any time, you wish to save the answers...”	9/1/2016	9/2/16
2. Cannot continue past question “Start time (if different than the general start time already specified) End time....”	9/7/16	9/7/16

3. Cannot generate document.	9/8/16	10/4/16 (Developer was out of the office from 9/7/16 to 9/21/16).
4. Parenting Plan and Notice of Intent to Move interviews were embedded within the Dissolution interview causing user to answer questions regarding division of assets when filing only a Parenting Plan or Notice.	9/21/16	9/25/16. Developer recomputed logic to put Parenting Plan and Notice interviews on a separate track than the Dissolution interview.
5. Interview did not force user to exit interview when State does not have jurisdiction over Parenting.	9/21/16	9/25/16
6. The interview question "Should one parent be the sole decision maker for your child's lives..." was inconsistent with the committee's intention of allowing pro se litigant to ask that both parents make decisions together and that if an agreement cannot be reached then choose which parent would have the final say.	9/21/16	9/25/16. New branching logic and corresponding interview questions added.
7. Interview has indigence questionnaire to help pro se user complete court filing fee waiver form. Montana Supreme Court recently issued a decision directing Attorney General to make new, state-wide filing fee waiver form. That form is still in development.	9/21/16	9/25/16. Indigence questionnaire removed from interview.
8. Notice of Intent to Move does not allow for a Respondent in an original parenting or dissolution case to be named as such in the caption.	10/27/16	10/31/16. Added additional interview questions and corresponding logic to allow for a Respondent to be named as such in a Notice of Intent to Move.

Ongoing Collaboration with Montana's SRL Committee

Revisions to the structure and content of the hard copy final forms were made by the SRL Committee throughout the development process and contributed to further delays in the project. Some of the changes were beyond the control of the project team, such as the need to implement gender neutral terminology in light of the U.S. Supreme Court decision in *Obergefell v. Hodges*. Additional changes resulted from the developer's questions and requests for clarification as he began the automation process. Ultimately, the SRL Committee made mid-stream revisions that impacted most of the 46 forms. For example, the SRL Committee had created attachments to primary forms to allow for additional children, additional residences, etc., but the developer suggested that an expansion of the primary form would be more efficient. Since the SRL Committee would make the final decision as to whether the forms were acceptable under Montana law and suitable for filing in District Court, the MLSA project manager needed to coordinate with the Committee to approve these structural changes. In addition, the MLSA project manager discovered problems with the wording of the various service-related documents (e.g. Request for Sheriff to Serve Documents, Order for Service by Publication, etc.) which had to be routed back to the SRL Committee to be addressed. As a result of these and other modifications to the content and structure of the forms, MLSA requested and was granted 3-month extensions for Payment Periods 3

and 4 in order to allow the SRL Committee to conclude its work and to give the developer sufficient time to complete automation of the final documents.

Throughout the internal and end user testing process, MLSA coordinated with the SRL Committee to ensure that the intent of the Committee was appropriately captured and to seek clarification on various issues and questions as they arose. The SRL Committee had to make decisions on how to handle a variety of complications that came up during internal testing and questions from the developer as he made final changes to the interview. The close collaboration between the MLSA project manager and the SRL Committee was a key to the project's successful conclusion. While the ongoing revisions made for a rather disjointed and lengthy process, the resulting quality of the final product was improved and buy-in from the SRL Committee was ensured.

The following examples of the coordination between MLSA and the SRL Committee illustrate the complexity of the document automation process and the substance of the issues that arose during the very late stages of development.

ISSUE 1: The filing fee waiver questions and form were removed from the interview and form set (see #7 of the Internal Testing Log above). Alex Clark coordinated with the SRL Committee to provide language for a disclaimer with instructions for pro se users on how to request a fee waiver.

RESOLUTION: The SRL Committee proposed the following language in response: "If you can't afford to pay the court fee to file your papers, you can ask the court to allow you to file without paying the fee. To do this you will need a form called an "Affidavit of Inability to Pay Filing Fees." The Affidavit of Inability to Pay Fees may also be called a "Fee Waiver", an "Affidavit in Forma Pauperis", or a "Declaration of Inability to Pay Fees." To make sure you get the right form for the court where you are filing, ask for the form at the Court Help Center or the Clerk of District Court for the Judicial District where you are filing." Once the new fee waiver form is finalized by the Montana Attorney General and approved by the Montana Supreme Court, MLSA intends to modify the interview text and add a link to the new form.

ISSUE 2: The developer had questions regarding the amount of child support entered by the user and asked for language from the SRL Committee on exactly how the A2J interview should ask whether the amount of child support is consistent with the calculation prepared by the Petitioner, Respondent, Court, or "Other".

RESOLUTION: The SRL Committee proposed questions and branch logic that would prompt the pro se user to contact the Child Support Enforcement Division to obtain a child support order, or use the Online Child Support Calculator calculate the child support amount. The pro se user would be asked who calculated the child support amount, and if any option but "Other" was chosen, the user would be directed to attach the support order or calculation. If "Other" was chosen, the user would be directed to do the following: "You must explain to the judge why the child support amount you are asking for is in the best interest of your child or children. What you type here will appear in your parenting plan exactly as you type it: *The amount of child support I am asking for is in the best interest of our child because:* [Text Entry Box]"

ISSUE 3: The SRL Committee designed the form sets for use by petitioners only, but also felt it was important to include a form for “Notice of Intent to Move” - a notice that could be filed by a petitioner or a respondent. At the time, no one on the project team, including the developer, was aware that this inconsistency would present a host of technical and programming challenges and would require changes to the guided interview questions.

RESOLUTION: The SRL Committee and project team decided not to abandon the “Notice of Intent to Move” form because it is so often needed by pro se litigants with parenting plans. The work-around involved the programming of multiple switches through 20 pages of documents that had already been automated, and required the SRL Committee and project team to decide on how to best guide users so that the appropriate documents would be generated for their circumstance.

Usability Testing with End Users

Mr. Clark recruited end users for usability testing by reaching out to community partners, posting flyers in courthouses, posting on social media, and by soliciting new MLSA staff members or AmeriCorps members to test the forms. A total of 13 testers completed the process and returned the end user surveys. Each tester was assigned a unique fact scenario. The end user testing uncovered bugs and generated comments and suggestions around usability that informed the final content and design of the automated interview. Since many of the bugs were redundant to the internal testing results described previously, this analysis will focus on the usability issues noted by the end users.

- **Visitation Hours:** Multiple testers reported frustration at being required to enter start and stop times for school break visitation, even though the user selected “None”. The developer was able to make the start and stop times optional if the user chooses “None” thereby shortening the interview time.
- **Screen Formatting:** Users reported difficulty seeing the scroll bars for the dialogue box and interview pop-up window. Instructions were added at the beginning of the interview directing users to maximize the interview window and to use Chrome or Firefox browsers for the best results.
- **Interview Length:** Users indicated that the interview took longer than 30 minutes to complete, so text was added to the introduction to alert users that, “This interview will take about one hour to complete.”
- **Parenting Plan Text:** One tester reported that she was confused by the question, “Is there anything you’d like to add to the parenting plan?” and thought she needed to add visitation details in this text box. The question was re-worded to ask, “Are there any important facts that you would like the court to know about in your Petition for Parenting Plan? We will talk about what you want for visitation shortly.”
- **Parenting Plan Only Interview:** A user noted that the introductory statement in this interview was vague and confusing about what information was needed, stating: “To complete this interview you will need the following information: yourself, your spouse, and your children, including where they lived in the last five years, and who they lived with.” The wording was changed to clearly outline the exact information needed for each person.

The follow-up survey for the usability testers asked them to rate the interview on a scale of 1-5, with 1 being not user-friendly, and 5 being very user-friendly. The average rating was 3.6, even before the various usability issues had been addressed and before the programming bugs had been fixed. One tester noted, “The interview questions are clear and user-friendly.” And while another tester indicated that it would be difficult, “if the user does not have all of the adverse income and asset information,” she gave the forms an overall rating of 4 out of 5 for user-friendliness. A tester who had worked in a Self-Help Law Center

stated, “The ‘*Learn More*’ tips [are] helpful to help pro se users get through the process on their own” and recalled that many of the items covered were also frequently asked questions at the self-help centers. When asked to rate the overall usefulness of the forms, all of the testers who responded rated the forms as “Very useful”.

Feedback from Partner Organizations & End Users

In addition to coordinating end user testing and conducting surveys of testers, Mr. Clark interviewed Self-Help Law Center supervisors, members of the public, and SRL Committee members to obtain comments and recommendations for improvements to the forms. In order to coordinate with the SRL Committee and at the recommendation of the Court Help Program Administrator, the forms were “soft-launched” for pilot testing at the Gallatin County Self-Help Law Center. Unfortunately, this particular self-help center was not well-suited for testing computer-based forms: the center does not have computer stations for pro se litigants to use and is not particularly technology-oriented. The site supervisor stated that, “The majority of customers at this center want hard copies and hope to leave with a packet of forms.” This supervisor recommended that centers with more computer stations would probably be better for testing of this nature.

Although the pilot test site was not ideal, MLSA still managed to obtain some end user feedback from members of the public. Mr. Clark interviewed eight end users who had been recruited to provide feedback on their experience in using the forms. All but one of the users was able to complete the interview, and all reported that they would be more likely to use such tools in the future. Notably, the only user who did not complete the interview indicated that she was “not computer savvy” and had trouble with a “touchy” computer. Other users reported that the interview was long, but “pretty straightforward” and one user said, “I have never had to fill out a legal document before. I assume they are not fun and can be rather confusing, so I would say that I would be much more likely,” to use an interview like this to complete a legal document.

Overall, the feedback and recommendations gleaned from these interviews resulted in a final automated form interview that flowed more naturally and was easier to understand for pro se users. The following chart lists some of the most important changes that were made to the interview as a result of partner and end user feedback.

Modification Suggested by:	Details of Modification:	Result:
Partner Organization	The visual aid of the avatar’s movement through the guided interview signposts should correspond more closely with the user’s progress through the interview. The avatar seemed “stuck” on an early step even though much of the interview had been completed.	The pro se litigant will see a more accurate visual depiction of progress and won’t be discouraged that the avatar seemingly hasn’t moved, even though the user has completed a significant portion of the form.
End User	Add more information about the cost of filing forms in court.	The pro se litigant will arrive in court prepared to make the correct payment or request a fee waiver.

Partner Organization	Move all questions regarding existing medical coverage for children to directly after questions regarding medical support order.	The flow of the interview was improved by asking all co-parenting and medical information related questions in the same section.
Partner Organization	Change the text of Step 6 from “Parenting Information” to “Co-Parenting”.	The intent of the SRL Committee and Montana statute is reinforced through the use of “Co-Parenting” terminology.
End User	Add language to the introduction of holiday schedule clarifying that it’s not required to request a different schedule for each holiday.	This change can help minimize the length of the interview.
Partner Organization	Change text of Step 10 from “Service Info” to “Filing and Serving Your Documents.” Make this step begin at question regarding the county in which the user will file forms with the court and end at question regarding the court address.	Pro se litigants often aren’t familiar with the term “Service” and the new wording makes this step more understandable. The filing county and court address fit logically under the “Filing and Serving Your Documents” section.
Partner Organization	Add language at the end of the forms interview suggesting that the pro se user read through the entire forms packet to make sure the forms turned out as the pro se user expected.	This is a helpful reminder for pro se users, particularly after what can be a long process of completing the forms.
End User	Add additional explanation to define the “ranking system” for special occasions, school breaks, holidays, and regular parenting time schedule.	Helps pro se users to understand what is meant by ranking holidays so that they’re aware of the ramifications of these decisions.
Partner Organization	Add additional information at the end of the interview explaining to pro se user where to sign the forms and that a notary is not necessary.	Helpful information and reminders about the next steps for pro se users once the forms are printed.

Approval by SRL Committee

Internal and end-user testing and evaluation and resulting modifications to the automated forms took place from August 2016 through March 2017. On March 31, 2017, the automated forms were made publicly available on the LHI website. As described in the next section on outreach, further input was sought from partners and pro bono advocates during the soft launch, resulting in additional work on the

part of the developer and project manager and therefore delayed the initiation of the “hard launch.” The “hard launch” and public outreach began in April. Finally, on May 10, 2017, the Forms Sub-Committee of the SRL Committee met and confirmed on behalf of the full committee that the forms that were automated as part of TIG 14009 are accurate, consistent with court requirements, and acceptable for use. The Sub-Committee noted that the automation process had not substantially altered the forms as they were provided to MLSA and the developer.

Objective 2

Conduct outreach and publicity to increase the availability and use of the new automated family law forms by low-income persons.

MLSA accomplished Objective 2.

MLSA finalized the outreach plan for the automated family law forms on October 31, 2016, and although the “soft launch” to MLSA staff, partner organizations, and SRL Committee members proceeded on schedule beginning in December 2016, the full implementation of the outreach plan was delayed due to the number of pending revisions to the automated forms. MLSA requested and was granted the opportunity to postpone public outreach until the forms had been thoroughly vetted by internal and external testers, partner representatives, and pro bono advocates. Although the final forms were posted on the LHI website on March 31, 2017, public outreach did not begin until May, after all the bugs had been corrected and requested revisions addressed by the develop, and the automated forms approved by the SRL Committee.

There are slightly less than 3 months of usage data available for analysis, but the early results from the LHI website are promising, particularly given the fact that public outreach didn’t begin until May. Between April 1 and June 20, 2017, 219 family law A2J interviews were initiated with 39 full document assemblies downloaded, a conversion rate of 21%. While this data likely includes some testing use, the bulk of the formal testing had been completed by March 31. MLSA suspects that the relatively low conversion rate may be a result of the many initial screening questions that prevent pro se users from completing a form that is inappropriate for their circumstances. MLSA and its partners plan to continue outreach and to promote the use of the forms by pro se litigants. Usage data from the LHI website will be monitored to gauge the effectiveness of outreach efforts and to make adjustments as warranted.

The following table illustrates the outreach activities conducted during the “soft launch” phase and the public outreach or “hard launch” phase. The public outreach efforts are highlighted.

Date	Outreach Targets	Affiliation	Content of Outreach
December 2016 - January 2017	Jan Bjork, Nolan Harris, Alex Ames, Pamela Poon, Jessica Wilkerson, and SRL Committee members	18 th Judicial District Court Administrator, Court Help Program Administrator, Gallatin County Self Help Law Center Site Supervisor, MLSA attorney, SRL Committee	Soft launch and evaluation. Tearstrips and half sheets with gift card incentive for pro se litigants to use the automated forms. (Provided by webinar and email.)
February 2017	Alex Ames and SRL Committee Members	Gallatin County Self Help Law Center Site Supervisor, SRL Committee	Follow up on soft launch and interview. (Provided by phone and email.)
April 2017	Nolan Harris, All Self Help Law Center Supervisors, MLSA staff	Court Help Program Administrator, Self Help Law Centers, MLSA	Finalized tools published on MontanaLawHelp. (Provided by email.)
May 1, 2017	Pro se litigants and service providers		Public Outreach Launch via "Legal Tip of the Week" Email: 628 contacts. Newspaper: 4,600+ circulation. Facebook: 58 views
May 9-11, 2017	Diane Kaatz, Sheila Verlanic, Jim Stordahl	Administrative Assistant, 5 th Judicial District; Judicial Assistant, 3rd Judicial District; Court Administrator, 18 th Judicial District	Finalized tools published on MontanaLawHelp. (Provided by email.)
5/11/17	MLSA Intake Staff		Finalized tools published on MontanaLawHelp (Provided by conference call.)
May 15, 2017	Pro se litigants and service providers		"Legal Tip of the Week" Email: 628 contacts. Newspaper: 4,600+ circulation. Facebook: 39 views
May 22, 2017	William Willard, pro se litigants	Site Supervisor, Missoula County Self Help Law Center; Self Help Center patrons	Finalized tools published on MontanaLawHelp. (Provided in person, dropped off outreach flyers.)
May 23, 2017	SRL Committee members		Finalized tools published on MontanaLawHelp.org. (Provided by email.)
June 12, 2017	Pro se litigants and service providers		"Legal Tip of the Week" Email: 628 contacts. Newspaper: 4,600+ circulation. Facebook: 39 views
June 21, 2017	Pro se litigants and service providers		Distributed outreach flyers at HRDC Resource Fair in Billings
June 28, 2017	General public, Pro se litigants and		Mtlsa.org blog post regarding finalized tools

	service providers, All MLSA Staff and AmeriCorps members.		
--	--------------------------------------------------------------------	--	--

V. Factors Affecting Project Accomplishments

Four major factors affected the project's accomplishments.

1. The SRL Committee was unable to complete the pro se forms on schedule, necessitating multiple extension requests.

As described in Section IV, the family law forms automation project experienced significant setbacks from the beginning due to delays in receiving the final hard copy forms to be automated from the SRL Committee. The impetus for the project was the fact that new pro se forms were under development by the Committee and would make MLSA's existing automated forms obsolete as soon as the Montana Supreme Court adopted the new forms for use in the District Courts. In order to preserve the best possible access to resources for self-represented litigants, MLSA decided to apply for funds to automate the new forms in anticipation of timely completion by the SRL Committee.

The SRL Committee volunteers worked diligently to complete the complex job of revising the forms to reflect statutory requirements, and to also integrate plain language and other changes to make the forms more understandable for pro se litigants. The Committee simply underestimated the amount of time it would take to complete the job. The Committee also underwent a transition as two of its most active members changed jobs during the project and took more limited roles as a result. In hindsight, it may have been safer for MLSA to apply for TIG funding only after the new forms had been completed and approved, but then pro se litigants would have gone for a year or more without automated forms that would be accepted by the District Courts while the new automated forms were developed and tested. In addition, once the new form sets were approved by the Supreme Court, it would have been much more difficult to make changes to the hard copy forms that would simplify automation or enable a smoother interview process.

Many of the subsequent problems in the development process - both major challenges and minor hiccups - were a direct or indirect result of the initial delay in receiving the final forms. If the project had remained on the original schedule, the turnover of MLSA project management staff would have occurred after the major milestones had been completed and only the final evaluation remained; and the developer would have been more readily available to work on bug fixes and revisions, rather than being on a lengthy pre-planned absence during internal testing.

2. MLSA encountered turnover in project staff during the critical phase of internal testing.

Due to a lack of resources, TIG Project Manager Christine Mandiloff's position at MLSA had been eliminated, with the plan that she would stay on until the major milestones of this project had been completed. Due to the delays in the project, Christine's planned departure from MLSA occurred just as internal testing began. Christine had managed multiple TIG document automation projects in the past, and while MLSA's Community Outreach Assistant Alex Clark did an admirable job of stepping in to complete the project, mid-project staff turnover is always challenging as the new staff member gets up to speed. To add further complication, the internal testing immediately revealed a flaw in the programming

that prevented users from completing the interview and producing documents. The sheer scope and complexity of automation involving 46 documents incorporated into 7 different form sets, and the nature of coordinating with a volunteer committee and a variety of other stakeholders, would have been challenging even for an experienced manager, much less a new staff member joining an ongoing project at a particularly difficult time.

3. The “soft-launch” pilot testing was conducted at a Self-Help Center that was not equipped for client computer access, nor was it predisposed to embrace technology.

The Gallatin County Self Help Center was chosen as the pilot test site for the automated forms at the recommendation of the SRL Committee and the Court Help Program Administrator, and MLSA relied on their judgment. Interviews with Gallatin County Self Help Center staff conducted as part of the evaluation process revealed that the site was not an ideal choice. The Self Help Center staff reported that the site did not have computer stations to allow clients to access and use the automated forms. The site supervisor also commented that most of the patrons at the center just want paper form packets to take home, and he suggested that pilot testing at a center with computer stations would have been better. As a result of these limitations, MLSA was unable to gather feedback from pro se users and instead relied on volunteer members of the public to test the forms.

4. The productive working relationship between the MLSA project manager and the SRL Committee liaison was a key factor in the ultimate success of the project.

A significant factor in the successful outcome of the project was the close working relationship between the MLSA project manager, Alex Clark, and SRL Committee member and MLSA staff attorney Ed Higgins. Mr. Higgins is an active and long-standing member of the SRL Committee, and as the Committee leadership transitioned, he played a pivotal role in communicating the Committee’s intent to Mr. Clark and acted as a liaison between MLSA and the Committee. Given the volume of the changes and decisions to be made by the SRL Committee, Mr. Higgins’ experience and responsiveness made what could have been a more prolonged and difficult final stage of the project into a relatively smooth process.

VI. Strategies to Address Major Challenges

1. Allow more time for projects that must rely on the work of volunteers who are outside the direct control of the project management team.

Additional time should be allowed when the project requires working with volunteers (in this case, the SRL Committee), particularly when the core tasks cannot begin until the volunteers have completed their work and the volunteers have final authority to accept the forms for the court to use. In the future, MLSA should be cautious about moving forward with automation projects involving complex form sets that are still being drafted and when the drafting of the forms is not under MLSA’s direct control. If it is decided to pursue funding for an automation project prior to receiving final drafts of the forms from a third party, MLSA should consider setting interim deadlines for individual forms or subsets of forms so that development can begin for at least some of the documents. This would allow any overarching issues of structure and content to be resolved in the early stages of the project and would enable the form drafters to incorporate recommendations from MLSA and the developer into the remainder of the forms.

2. Incorporate additional staff time into TIG proposals to provide project support and to ease the transition process in the event of staff turnover during the project.

To the extent possible, a second staff member (besides the Executive Director) should be included in longer-term TIG projects, at least on the periphery, as a safeguard in case of unexpected turnover or illness. This staff member could be at the support staff level and could also be used as a resource to help with routine tasks such as scheduling, testing, and other administrative duties. This would allow for continuity and a smooth transition in the event of staff disruptions, and would enable the project manager to focus on more substantive tasks and project coordination.

3. Conduct more testing at earlier stages of the development process.

Internal testing of the forms began in August 2016, eight months after the developer began to automate the documents. Testing immediately revealed significant bugs that prevented users from completing an interview or producing documents. Internal testing could not resume for another full month while the developer fixed the problems. In negotiating future contracts with automated form developers, MLSA should consider setting interim milestones that would allow for inspection and testing of the basic functionality of a form or forms at an earlier stage of development, when bugs are typically easier to resolve and before issues lead to delays in the completion of milestones.

4. Select pilot test sites that are equipped with the appropriate technology.

MLSA deferred to the SRL Committee's selection of the Gallatin County Self Help Center as the pilot testing site for the family law forms. Unfortunately, this site was not properly equipped to enable end users to test automated forms because it lacked client computer workstations and was not predisposed to promoting the use of technology for clients. In the future, MLSA should select its own pilot test sites or provide a set of threshold requirements for pilot test sites to project partners. At a minimum, pilot test sites should have the appropriate hardware and internet access to allow pro se clients to use the automated forms onsite. And ideally, the staff at the pilot sites should be open to trying new technology and promoting its use to their clients.

VII. Major Lessons and Recommendations

MLSA learned three major lessons that resulted in recommendations for themselves and others.

1. **Don't underestimate the complexity of form automation projects.** Technology projects are inherently complicated, particularly those which require the participation and coordination of volunteer entities. MLSA has successfully completed many automated forms projects and each has come with its own set of difficulties. With each project, lessons learned are incorporated into the next, and new challenges arise. No matter the level of one's experience and how much planning has gone into anticipating disruptions, some new wrinkle will arise and require a nimble response to keep the project on track. Build in adequate time for project staff so that TIG management tasks don't take a back seat to day-to-day responsibilities.

2. **Test early and often.** It may be helpful for the project manager to create a testing schedule for staff and have the Executive Director require staff to test. Staff should also assist in recruiting low-income users, whether clients, former clients, or others. Projects should build adequate staff time into TIG budgets to allow for extensive testing, and require developers to provide draft versions of automated documents or sub-sets of documents at interim stages of development so that critical errors can be resolved early in the process. Pilot testing should be conducted at appropriately equipped sites by testers

who are given instruction and support throughout the pilot phase. And don't hesitate to replace or add pilot locations if a chosen site is not producing results.

3. Cultivate and nurture relationships with the key staff of current and future project partners.

MLSA was lucky that one of their staff attorneys was a long-standing member of the volunteer committee in charge of drafting the pro se forms that were automated through this project. Without his involvement, additional deadline extensions may well have been needed in order to complete the project. This fortunate circumstance demonstrates the value of building rapport with the staff and leadership of organizational partners and other stakeholders. One never knows when these relationships might be leveraged to achieve goals that will benefit the missions of both the organizations and best serve the needs of their low-income clients.