

## Justice for All Consumer Debt Pilot Summary Report

In 2018, the Massachusetts Access to Justice Commission (Commission) was awarded an implementation grant to launch a Justice for All Consumer Debt Pilot (Pilot). The Pilot was generously funded by the Public Welfare Foundation, the Kresge Foundation, and the Open Society Foundations through the Justice for All initiative of the National Center for State Courts. The Pilot provided an opportunity to put into action ideas from the Massachusetts Strategic Action Plan, an initiative that was geared toward improving access to justice throughout the Commonwealth and also funded through the Justice for All initiative.

Consistent with the recommendations set forth in the Strategic Action Plan released in December 2017, the goal of the Pilot was to create, in one community, a continuum of services for people burdened with consumer debt. To achieve this goal, the Pilot sought to establish and amplify communication and collaboration among legal and non-legal service providers in Dorchester – a neighborhood of Boston hit hard by the consumer debt crisis. The Pilot envisioned that residents of Dorchester with consumer debt would be able to resolve some of their problems by working with non-legal service providers “upstream,” prior to becoming involved in the court system, and that their legal problems could be addressed with various forms of limited legal assistance.

The work of the Pilot largely fell under three categories: technological augmentation; collaborative education, training, triage, and referral; and legal services. The successes of the Pilot include, but are not limited to:

- Self-Help Tools: The Pilot created and made broadly available a set of on-line tools for end users and social services entities to utilize before a court case is initiated, or before the next hearing date after a case has been filed. A subset of those tools is available here: <https://www.gbls.org/self-help/consumer>
  
- Collaboration and Cross-Training: The Pilot tested outreach, training, and referral approaches with several non-legal service providers and developed extended relationships with three providers in order to explore what worked best. With its largest partner, the Pilot completed a detailed work plan for partnering legal

services with financial guides and coaches over the course of a full calendar year. The plan, which could be a model for other partnerships, includes making short presentations to consumers, training financial guides to spot issues, training financial coaches to triage and assist clients in accessing the on-line tools created by the Pilot, and creating a referral process to the legal services provider for more in-depth legal assistance where appropriate. This plan, which is in the process of being implemented, is a collection of the practices that were found to work best when they were tried with partners during the course of the Pilot.

- Court-Based legal services: The Pilot recognized that the Volunteer Lawyers Project (VLP) and Greater Boston Legal Services (GBLS) successfully operate Lawyer for the Day (LFD) programs that save Massachusetts consumers millions of dollars each year in the form of reduced or eliminated debt. In light of the success of these efforts, an LFD program was launched in the Dorchester Division of the Boston Municipal Court at the start of the pilot year. VLP operated the LFD program, and the Pilot staff attorney and GBLS staffed several sessions each month. Commission leadership, VLP, and GBLS met with the judicial and clerk leadership before the LFD program began to discuss how to most effectively run the program in Dorchester. Importantly, the court's Clerk Magistrate, who is also a member of the Commission, provided invaluable assistance by consolidating the number of collection cases to be heard during a small number of days each month. The Pilot owes a debt of gratitude to VLP, GBLS, and the Dorchester Division of the Boston Municipal Court.
- Individual Representation: As originally conceived, the Pilot did not anticipate that the staff attorney would perform significant individual casework, outside of LFD activities. However, providing direct legal services to the clients of our non-legal partners proved critical to making the partnerships valuable from the perspective of non-legal service agencies. Providers were only willing to commit their scarce resources to the significant efforts necessary to collaborate with a project like the Pilot if they were assured that the result would increase their own clients' direct

access to a lawyer. As a result, the Pilot staff attorney took on and completed 60 cases for a total savings of more than \$68,000 in reduced consumer debt.

The Pilot demonstrated the importance and limits of strategic collaboration between legal and non-legal service providers when seeking to respond to problems like consumer debt. Despite their many strengths and best efforts, multiple potential community partners did not have the resources or capacity to participate in the Pilot. Nevertheless, three community partners – Urban Edge, the Jeremiah Program, and the Boston Tax Help Coalition – joined our pilot and, by doing so, more effectively triaged problems faced by their clients, responded with self-help tools where possible, and referred a targeted subset of clients to legal services for full representation. Each organization also expressed interest in greater collaboration in the future. In addition, the lessons learned in Dorchester through this pilot, as well as the on-line tools, will help to provide guidance to a new consumer debt defense project recently launched in Springfield, MA. In short, the Pilot demonstrated that there is an appetite and willingness among legal and non-legal service providers – and the courts – to transform the existing array of community resources into a continuum of services for consumers burdened with consumer debt in the Commonwealth.