ALASKA COURT SYSTEM ACCESS TO JUSTICE COMMITTEE

Alaska's justice ecosystem
Building a partnership of providers

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Acknowledgements

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The JFA project grant has enabled Alaska to move our efforts forward and develop an action plan to provide all Alaskans with access to justice to address their civil legal needs. The funds have enabled us to look at the challenge in an expansive way, using technology tools to show why we need to be as inclusive as possible in working with legal, social services, medical, and information service providers as extenders of legal information and referrals. Thanks to the Self-Representation Litigation Network for the GIS work and taking the time to help us understand the power of using this tool. Also, thanks to Polinode for creating the right tool for undertaking a social network analysis to understand the relationships between legal and non-legal providers and for Andrew's helpfulness in answering our many questions.

Finally, we are grateful for the Alaska JFA Steering Committee, the Alaska Access to Justice Committee, and other friends who gave hours of time to discuss this plan over the last year. We are inspired by your dedication to address Alaska's challenges with a spirit of collaboration, innovation and common-sense problem-solving. Thanks to the many providers across our great big state who took the time to take the survey and to meet with JFA staff to share information that will benefit our common customers, clients, patients and patrons.

This work has the potential to change the way we provide access to "justice," empowering Alaskans to address their legal and associated needs.

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Executive Summary

In December of 2016, the Alaska State Court System (through its Access to Justice Committee (ATJ)) received a Justice For All (JFA) grant from the Public Welfare Foundation administered by the National Center for State Courts. The grant supported the development of this statewide action plan to expand access to justice.

The JFA project had three phases:

Redefine "justice" as an ecosystem of services to address issues essential to ensuring wellbeing, including housing, family, education, financial security, jobs, food, information, health, safety and access to legal information;

Map Alaska's justice ecosystem and infrastructure associated with legal, social service, medical and information providers to assess the state's assets and gaps; and

Analyze the relationships within the justice ecosystem to identify ways to strengthen connections and fill existing gaps.

This report identifies a variety of next steps to overcome the gaps and to create a better justice system as identified through this process:

Educate medical, social service and information service providers about legal information and services and develop training curricula and "legal checkup" tools for providers on the availability and scope of legal services and information

Expand the capacity of legal providers to address unmet legal needs through technology and training programs including the Microsoft legal access platform and creating a legal incubator and certification and training programs for legal paraprofessionals.

Build the justice ecosystem network through enhancing connections between legal providers and non-legal providers and embedding legal providers within existing networks.

Test and evaluate the network approach in the justice domain of financial security by focusing on implementing interventions in debt collection to avoid the cascading hardships that often result from these matters.

Providing Justice for All in Alaska depends on a partnership of providers building a strong ecosystem of networked, meaningful and effective services. Connecting people to meaningful information and vital services responds to the underlying legal issues and their broader impacts

on Alaskan communities and families. Strengthening connections is critical to increasing access to justice in our state.

Expanding access to justice requires innovation and moving past the idea that an attorney or a courtroom is the best or only solution for Alaskans. Partnering across legal, social services, medical and information providers to address the array of justice needs that people face may be the key to the early detection, diagnosis and intervention necessary to empower Alaskans to solve their problems before they find themselves in the legal system. Innovating the way we understand "justice" and the ways we provide "access," are the guiding principles of the JFA plan.

Understanding Alaska

Alaska is the geographically largest, least densely populated, and most ethnically diverse state in the U.S. We cover an area greater than the next three largest states combined (Texas, California and Montana). We have the smallest population density with only 1.26 inhabitants per square mile compared to 5.85 for Wyoming, the next least populous state. Our largest city, Anchorage, where more than 40% of Alaskans live, is one of the most ethnically diverse in the country and houses one of the nation's largest indigenous urban populations.

These characteristics create unique challenges for Alaskans seeking basic services necessary for safety, security, and wellbeing. Many of the approximately 250 small communities that dot Alaska's landscape are not connected to a road system and are accessible only by plane, or by boat during the summer and snowmachine during the winter. These rural communities range in population between 30 and 5,000 residents. The state is home to 229 federally recognized tribes, slightly more than half the total number of tribes in the United States.

People living in rural communities suffer the highest rates of unemployment in the U.S., and contend with exceptionally high costs of food, housing and utilities. Some communities lack basic services such as indoor plumbing and sanitation services. Many live below the poverty level. Very few communities have resident lawyers or courts, and at least 75 communities lack any law enforcement presence at all. Physical access to legal services and the courts is difficult and expensive, and essentially out of reach to most rural residents. The lack of easy physical access to services means that internet access and the ability to conduct business on-line is important to perform basic tasks - especially for retail and banking services.[1] However, in many locations, internet availability and speed are lacking.[2] Public and school libraries play a critical role in providing community internet and are often the only location for public access.

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[1] See Zak, A. "Amazon Prime eases rural Alaska's pricey shipping woes." Alaska Dispatch News, May 31, 2016. www.adn.com/business/article/amazon-prime-eases-rural-alaskas-pricey-shipping-woes/2015/12/20/.

[2] The communities on the limited road system and southeast Alaska largely enjoy faster internet provided by fiber optic cable. The rest of Alaska experiences much slower internet through microwave and satellite access. However, newly laid fiber optic cable in northern Alaska should create faster access

Urban Alaskans face different but similarly daunting challenges to their ability to access justice. Wealth disparities mean that in some neighborhoods, residents experience chronic unemployment and poverty. Structural obstacles such as inadequate transportation, lack of childcare and language barriers keep people living on the margins, and obstruct their capacity to access legal assistance.

Isolation, extreme conditions and the legacy of colonialism contribute to a complex set of challenges that bring people into contact with the legal system. Many Alaskans experience drug and alcohol addiction, but are unable to access treatment facilities and other recovery options because these services are in short supply or nonexistent. Sobering statistics plague Alaska: the state ranks first in the nation for per capita suicide rates (almost double the national average) and sexual assault (reported rape is three times and child sexual assault is six times the national average). Alaska consistently rises to the top for national rates of domestic violence with 59% of women experiencing intimate partner or sexual violence.

Research shows that two-thirds of adults living in mid-size American cities have experienced a civil legal issue in the last 18 months. Dealing with these issues often causes fear, loss of income, physical or mental health issues, and real or threatened violence.[3] Eighty percent of low income Americans do not seek professional legal help for civil legal problems that cause instability in their homes, families and livelihoods. People often do not seek help because they do not know where to find it, do not know whether their problem is "legal," or because they decide to deal with the problem themselves.[4]

Given this research, we estimate that, on average, an individual Alaskan experiences 2.1 legal issues every eighteen months.[5] For many Alaskans, these legal needs coexist with other issues such as substance abuse, domestic violence, mental health and medical diagnoses, homelessness, poverty, unemployment, and lack of education. The negative synergies between legal problems and other issues is "well-established [as] legal problems trigger other legal problems and legal problems trigger, and are triggered by, a range of non-legal problems."[6] This is especially the case for populations already in stress, "many people, particularly the disadvantaged, experience clusters of interconnected legal and non-legal problems that, like

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to many communities. See Kang, C. "Melting Arctic Ice Makes High-Speed Internet a Reality in a Remote Town," New York Times, Dec. 7, 2017. www.nytimes.com/2017/12/02/technology/from-the-arctics-melting-ice-an-unexpected-digital-hub.html.

[3] See Sandefur, R.L., Accessing Justice in the Contemporary USA: Findings from the Community Needs and Services Study (2014).

[4] See Legal Services Corporation, The Justice Gap: Measuring the Unmet Civil Legal Needs of Low-Income Americans (2017).

[5] See Sandefur, R. , supra.

[6] OECD Policy Roundtable on Equal Access to Justice, May 22-23, 2017, at 18.

Gordian knots, cannot be disentangled."[7]

Lawyers are trained to "issue spot" – to recognize people's legal problems as a specific set of legal issues requiring specific legal remedies. This approach treats legal issues in a vacuum rather than as part of a cluster of needs that a person may experience. Expanding access to justice requires cutting the "Gordian knot" and realizing that "justice" is more than the traditional legal system; it is an ecosystem of interconnected services provided by legal and non-legal service providers who address the myriad of issues that people encounter. Unless justice needs are addressed together, individual problems will persist.

The incredible geography, widespread small population centers, linguistic, cultural, and economic differences create an ideal ecosystem for innovation and collaboration. Fortunately, Alaskans enjoy a culture of working together, forming partnerships to further common objectives and being open to new and innovative solutions. This is particularly true in rural communities where providers often are more connected and coordinated than their urban counterparts. These existing networks are strengths and can serve as models for larger communities in maximizing human capacity to solve problems.

The JFA project concludes that legal providers must partner with providers in the medical field, social services and information organizations such as libraries and local governments to fill Alaska's justice gap. Partnering across these sectors illuminates new ways of problem-solving and may be the key to the early detection, diagnosis and intervention necessary to help Alaskans solve their problems before they find themselves in the court system. This approach has the potential to result in a better *justice* system than in places where lawyers are readily available and the geography does not force people to innovate.

Alaska's Access to Justice Initiatives

The JFA project builds on Alaskan initiatives and programs designed to effectively deliver services and to partner with diverse stakeholders. Many of these efforts have been recognized nationally as groundbreaking to expand access to justice. These programs all share a common premise: individuals who experience legal needs are best served through a spectrum of services ranging from robust and understandable information and self-help services to unbundled legal services to full representation and alternative dispute resolution options. In addition, simplification of processes and triaging individual legal matters to determine the most

[7] Id. at 18.

appropriate resolution approach are critical to making the traditional justice system accessible to all. A combination of these initiatives and services are foundational to empowering individuals to understand how to approach their legal issues. The examples described below highlight the role that innovation and partnerships play in expanding access to justice-related services for Alaskans. These models are both integral to and integrated within the JFA work.

The Alaska Court System's Self-Help Center is a national model for remotely delivering comprehensive self-help services. The Court System provides in-depth website information and plain language forms for most civil case types. It is the most permissive in the United States in providing litigants with the option to appear remotely in court proceedings by telephone and sometimes video. All limited English parties, witnesses and victims involved in cases in the Alaska Court System receive free interpreters, and Alaska is pioneering the use of remote interpreters via video. The Court System offers free mediation services in child custody matters, child abuse and neglect cases and adult guardianship. The Family Law Self-Help Center, the court's mediation program and Alaska Legal Services Corporation (ALSC) have partnered to provide special settlement calendars using triage and simplified processes for self-represented parties in divorce and custody cases using unbundled attorneys and court mediators to facilitate the resolution of cases by agreement. The state child support agency and military legal assistance lawyers also participate in this settlement project.

The statewide Alaska Legal Services Corporation has long utilized partnerships to extend the reach of civil legal aid. ALSC has worked closely with Alaska Native communities around the state and many of its offices are embedded in tribal social services offices in regional "hub" communities. ALSC has widespread community based support throughout the state, and is the go-to entity for social service and medical providers making legal referrals throughout the state (see the *JFA Social Network Analysis*). In 2015, ALSC spearheaded Medical Legal Partnerships (MLPs) and has attorneys working in rural communities in partnership with tribal health providers and the Alaska Native Tribal Health Consortium, the largest provider of health care to indigenous people in the United States. MLP goals include legal empowerment, health equity, employment opportunities, sustainable access to services, utilizing current technology systems to bridge gaps, enhancing available community resources, and cross sector partnerships. This model is a hopeful pathway toward addressing the social determinants of health.[8]

ALSC is also partnering with the Alaska Public Defender Agency to create a "Holistic Defense" model. This model strengthens the connection between civil and criminal justice to promote an

[8] Civil legal aid services can positively impact individual and population health, "including "significant reduction in stress and improvement in health and wellbeing after receiving [legal] services" such as for housing, public and disability benefits, employment, and debt collection problems." Atkins, D., Mace Heller, S., DeBartolo, E., Sandel, M., Medical-Legal Partnerships and Healthy Start: Integrating Civil Legal Aid Services into Public Health Advocacy, Journal of Legal Medicine, 2014 Vol. 35, No. 1, pgs. 195-209.

"innovative, client-centered, and interdisciplinary approach" to public defense, and provides seamless access to services that meet the client's legal and social support needs. The aim is to team criminal defense representation with comprehensive and effective social services providers to address a person's mental health and social needs.[9] The model equips defense attorneys with the capacity to handle the wide array of complex social, economic, legal, and psychological needs of their clients. The team approach focuses on rehabilitative treatment, but also addresses other civil legal and social needs that may impact successful rehabilitation and community participation.

The Alaska Bar Association has the first and perhaps only section of unbundled legal service attorneys in the United States, and runs a series of events offering pro bono legal services to communities. Non-profit legal service providers work to ensure their services are available to a variety of constituencies including low income Alaskans, immigrants and refugees, domestic violence victims, individuals with disabilities, Alaska Natives, elders and individuals reentering society after incarceration. They provide direct legal services from full representation to unbundled legal services as well as place cases with pro bono attorneys, offer clinics and run hotlines.

These are just a few of the many examples of innovative partnership-based initiatives to increase access to justice. See Appendix A for a description of how these efforts comport with the *JFA Components* as set forth in the Justice For All Guidance Materials (January 2017).

Defining Justice

Defining "justice" goes beyond legal needs and resources. In 2015, the Conference of Chief Justices and Conference of State Court Administrators (CCJCSCA) recognized that ensuring access to justice "involve[s] basic human needs, such as shelter, sustenance, safety, health, and child custody" and urged states to create a "a continuum of meaningful and appropriate services to secure effective assistance for essential civil legal needs."[10]

The United Nations defines "justice" as "the ability to live free from fear of all forms of violence and access to quality

[9] Robin Steinberg, Beyond Lawyering: How Holistic Representation Makes For Good Policy, Better Lawyers and More Satisfied Clients, 30 N.Y.U. Rev. L. & Soc. Change 625, 630 (2006).
[10] Resolution 5, Reaffirming the Commitment to Meaningful Access to Justice for All.

education, healthcare, fair economic policies and environmental protections."[11] In 2015, the UN adopted 17 Sustainable Development Goals to ensure all people live in peace and prosperity. Goal 16 recognized justice as critical to achieving this vision.

The United States government recognized the relationship between expanding access to justice and eradicating poverty in 2016.[12] These institutions understand that the legal system is one component of a broader ecosystem of services necessary to ensure justice for all Americans.

An ecosystem approach is responsive to a more complete spectrum of needs a person may have, including safety, health care, shelter, financial, employment and food security, as well as the ability to address legal issues. It recognizes the reality that often people's legal problems are connected to other issues in their lives including domestic violence, substance abuse, mental health diagnoses, poverty, or lack of housing, employment or education. It expands the types of services and providers who are available to help Alaskans. Integrating different kinds of service providers into the justice ecosystem exponentially expands the reach of each of the providers within this networked ecosystem. No matter which door clients, patients or customers enter, they can connect to the right resources for their unique situations. An ecosystem of integrated services connects people to the resources they need, and opens the door to ensuring access to justice for all Alaskans.

Understanding Justice Assets and Gaps

Alaska's access to justice work (described above) yields a robust landscape for innovative legal services available to Alaskans, and yet Alaskans continue to face obstacles to securing the services and information they need.

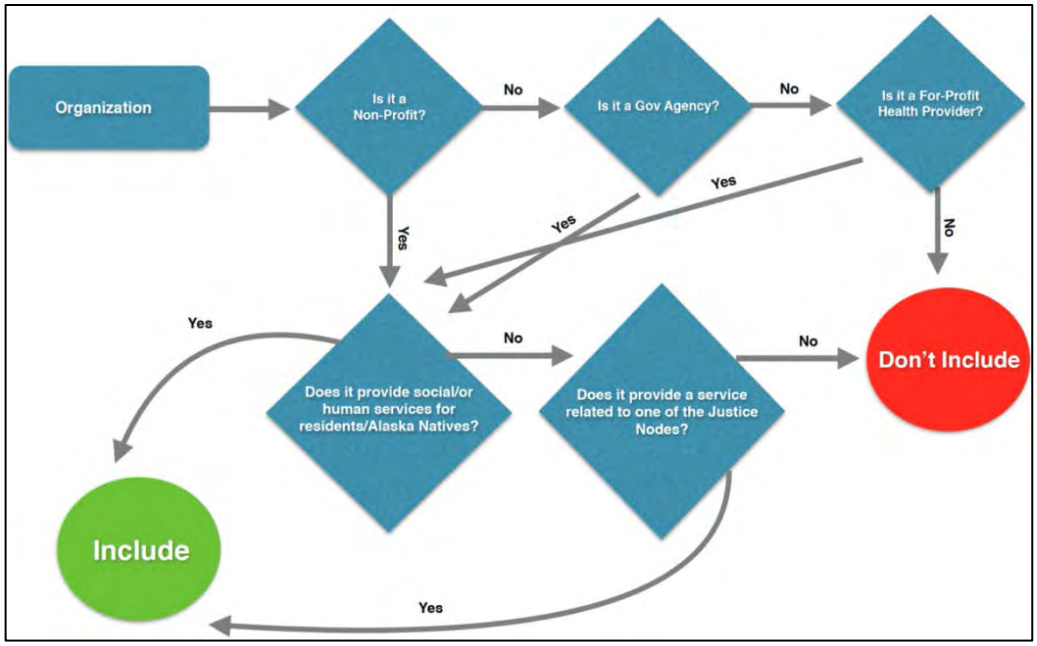
The JFA project identified three steps to understand Alaska's justice assets and gaps and overcome these obstacles. First, we defined the ecosystem of justice services by identifying the

[11] UN Sustainable Development Goals, 2015.
[12] https://obamawhitehouse.archives.gov/the-press-office/2015/09/24/presidential-memorandum-establishment-white-house-legal-aid-interagency.

relevant "domains" of justice needs. Second, using these domains we identified and mapped the providers offering services within those domains throughout the state. Third, we analyzed the relationships between these providers to understand the connections between them and identify gaps that may inhibit access to justice.

The first step identified the constituent parts of the justice ecosystem to include ten related "domains:" safety, housing, education, access to information, legal assistance, food, jobs, health, consumer services, and family-based services. These domains were identified using international and national justice indicators and related research on justice and wellbeing.[13] We tested the applicability of this research to the unique circumstances of our state through feedback and insights provided by the multi-sectoral Justice for All Steering Committee.[14]

Identifying the justice domains facilitated compiling a list of approximately 1,500 providers throughout Alaska who work with people facing challenges in these ten areas. We relied on existing and publicly available data sources to create a comprehensive list of statewide service providers who assist Alaskans within each of the ten domains.[15] The figure to the left shows the methodology used to decide whether to include a provider.

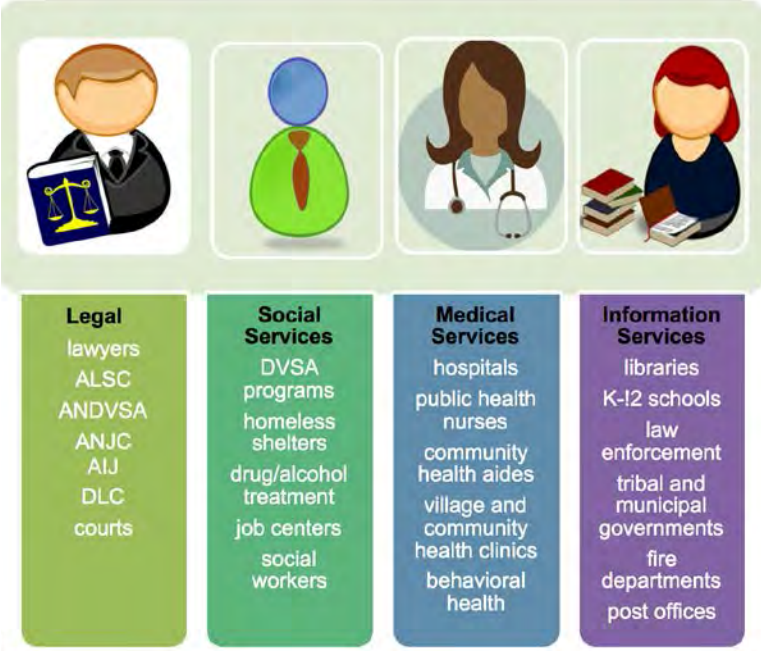


[13] See, e.g., http://justiceindex.org; http://ncforaj.org/wp-content/uploads/2016/12/Written-Submissions-Rev.-12.1.16-final-correct.pdf; https://sustainabledevelopment.un.org/post2015/transformingourworld.

[14] The Steering Committee included representatives from organizations including homeless services, municipal government, libraries, public defenders, the Alaska Court System, the Alaska Bar Association, non-profit legal service providers (for low income Alaskans, individuals with disabilities, immigrants and refugees, Alaska Natives, domestic violence victims), reentry services, services for Alaska Native populations, medical service providers and faith-based social service organizations. The minutes from the four quarterly meetings are available in Appendix E. The JFA Quarterly Reports are in Appendix F.

[15] The list was generated using data shared by the United Way of Anchorage's 2-1-1 service, the State of Alaska non-profit corporation database, the database of non-profit agencies hosted by the Foraker Group, government databases, and information provided from medical, legal and social service providers who were part of the JFA steering committee or referred to by the steering committee members.

The providers were further categorized into types of services provided: legal, medical, social service or information services.



This data was then used to map the justice assets through GIS technology and identify gaps in the justice ecosystem through a Social Network Analysis.

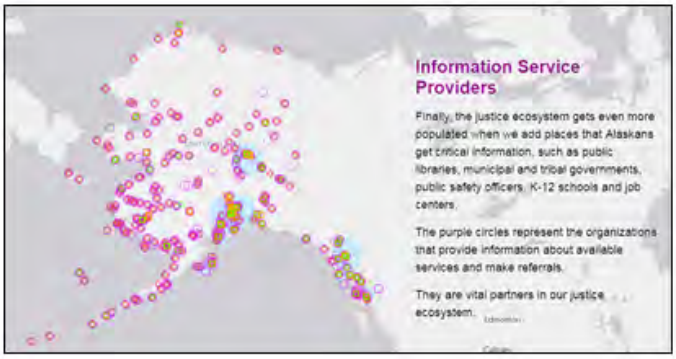
Mapping Alaska's Justice Ecosystem

The second step in the JFA project mapped the justice assets in Alaska. This step was intended to inform our understanding of Alaska's justice-related infrastructure using Geographic Information Systems (GIS) mapping technology. GIS is designed to capture, manage, analyze, and display all forms of geographically referenced information. GIS mapping is emerging as a tool for justice-related work through the work of the Self-Represented Litigation Network, and reveals visual patterns and trends in the form of maps. Many different types of data can be integrated into GIS and represented as a map layer, including communities, roads, locations of legal services, social services, medical services and information services. When these maps are layered on top of one another, we gain insights into relevant characteristics of a community or location that might be critical for strengthening the justice infrastructure.

From our provider database (Appendix B), we mapped this information to gain a visual understanding of who provides what types of services and where. The provider information shows the types of services (legal, medical, social and information) within each community, and the specific organizations appear by clicking the icons. These organizations and providers are the assets within the justice ecosystem.

The GIS Access to Justice Story Map is available at: www.courts.alaska.gov/jfa/storymap.htm.

The GIS justice assets maps are available at: www.courts.alaska.gov/jfa/maps.htm.



For example, the "Legal Providers" map includes lawyer location by zip code, showing that lawyers are concentrated in only a few communities. The map of "Medical Service Providers" demonstrates that community health aids are spread out much more widely throughout rural communities. The maps depict the challenges that prevent Alaskans from reaching services given the distances between providers and help us see the ways those challenges might be overcome through partnerships.

In addition to the maps, we created a GIS story map to show why a partnership of providers is necessary to expand access to justice. The story map shows the prevalence and geographic distribution of four common types of civil cases Alaskans experience – domestic violence, divorce and custody, eviction, and debt collection. It also estimates the unmet legal needs of the population living in the communities of each trial court location.

The story map shows that within the four types, the Alaska Court System heard more than 56,000 cases over a three-year period and only 36% involved any lawyers. Domestic violence cases are the most common of these civil case types, constituting over half of the 56,000 cases filed. Of these cases, over 90% involved self-represented litigants on both sides. In divorce and custody cases, which make up one-quarter of these most common case types, 64% of the cases involved self-represented litigants on both sides. Evictions accounted for 13% of the case types analyzed, and 40% of those cases had both sides self-represented. Where lawyers were involved, most represented landlords with tenants having legal counsel in less than half a percent of the cases. For debt collection, the data demonstrate a staggering illustration of the

representation imbalance. Close to 99% of debt cases involved a lawyer, but 92% of those cases had only the debt collector represented and less than 1% had a lawyer representing just the debtor. Only 6% of the cases involved both sides having representation.

These cases represent a fraction of the estimated legal needs. If we extrapolate from the Sandefur study, Alaskans likely experience approximately 2.1 civil legal issues every 18 months.[16] Using this research, the GIS story map depicts the estimated civil legal needs of Alaskans and suggests that Alaskans face far more legal issues than represented by the number of court cases they file. They often face them alone and without a lot of information.

Further, the story map shows the impossibility of addressing the civil legal needs of Alaskans solely through the legal community, as there are nowhere near the number or distribution of attorneys able to assist. In 2016, there were approximately 2,350 attorneys in active status statewide. That same year, there were approximately 120,000 total statewide trial court case filings in all case types.

Over the last three years, approximately 45% of these 2,350 lawyers entered an appearance in at least one of four common case types described in the GIS maps.[17] While many lawyers have helped Alaskans in these case types, most have been involved with few cases,[18] resulting in many Alaskans representing themselves as discussed above and shown in the GIS story map. And importantly, many legal issues are resolved without someone ever filing a court case, and many more remain unaddressed.

The map shows a sizable gap between the number of filed cases and the projected legal needs, demonstrating that people are not going to court to address all their legal needs. The challenge is to fill this gap by creating solutions that go beyond the traditional ways of thinking about access to justice as more than just access to a courthouse or a lawyer. Rather, the JFA approach is one of integrating service

[16] See Sandefur, R., supra.

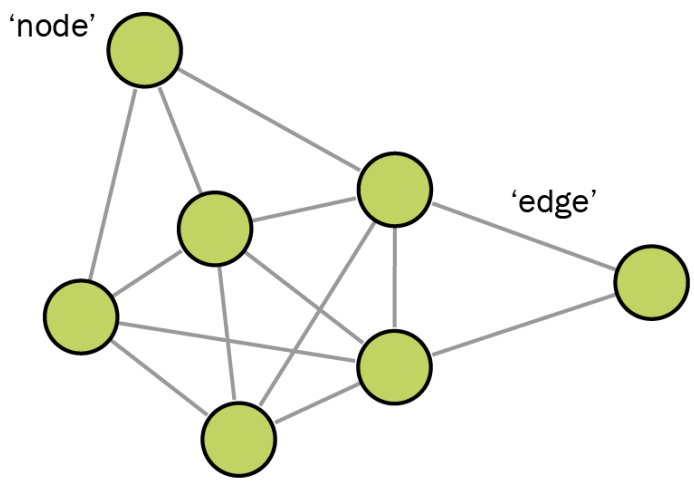
[17] This information is based on a report generated from the Alaska Court System's case management system that list attorney appearances in cases. However, the report cannot easily match lawyer case appearances to the number of cases because some cases had multiple appearances by different lawyers. Also, the reports may list cases twice because each party is listed.

[18] Almost two-thirds of the lawyers appeared ten or fewer times in these cases during the three years, with just over one-quarter of the attorneys appearing in only one case. Thirty percent of the lawyers appeared in eleven to one-hundred cases and many of them are institutional entities like the Attorney Generals' Office representing the child support agency. Five percent of the lawyers appeared in the range of 100 to 5,387 cases, mostly representing commercial clients in collection matters.

providers and creating an ecosystem of services to make sure that no matter where an Alaskan goes for help or information, they can find the help they need for their unique issues. The goal is that whatever doors clients, patients or customers walk through, it is the right one to get where they need to go.

Analyzing Alaska's Justice Network

The third step in the JFA project used a social network analysis to understand the relationship strengths and weaknesses between the network of service providers. A social network analysis (SNA) provides a quantitative and qualitative analysis that maps and measures relationships and flows (networks) between entities. The "nodes" in the network are the providers, while the links or "edges" show relationships or flows between the nodes. SNA provides both a visual and a mathematical analysis of human and institutional relationships, using specific SNA measures.



SNA measures relationships using:

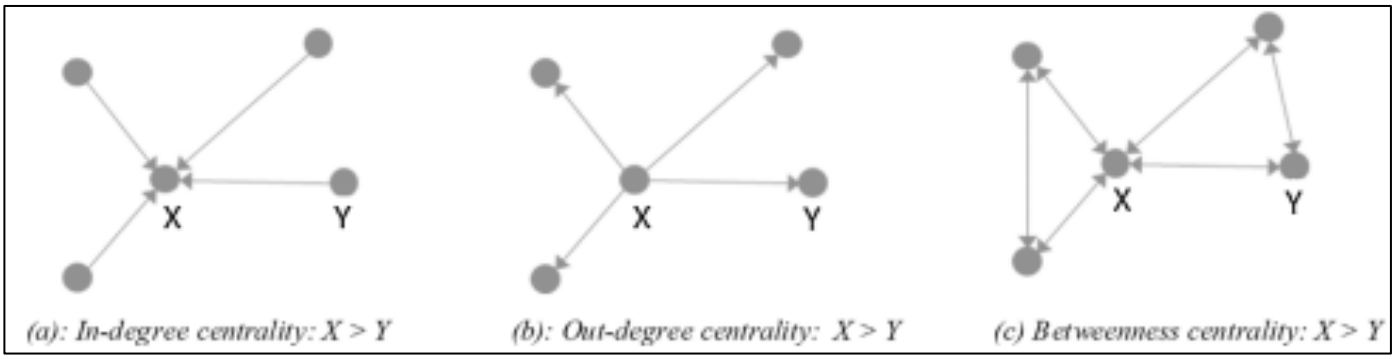
"**Network density**" describes the portion of the potential connections in a network that are actual connections;

"**Between-ness Centrality**" provides a measure of how important a node is in providing bridging connections;

"**In Degree**" sums the incoming edges for a node;

"**Out Degree**" sums the outgoing edges for a node;

"**Page Rank**" (used to help construct the Google search engine rankings) is an alternative measure of centrality.



Kim, J., Makarand, H., "Social network analysis: Characteristics of online social networks after a disaster," International Journal of Information Management 38 (2018) 86–96 February 2018.

The SNA analyzed the existing ties between the justice-related service providers (within the four types: legal, medical, social service, and information). The goal of this analysis was to identify the extent and effectiveness of the provider partnerships and to determine how and to whom non-legal providers referred individuals who may have legal problems.

The objectives of the SNA were to:

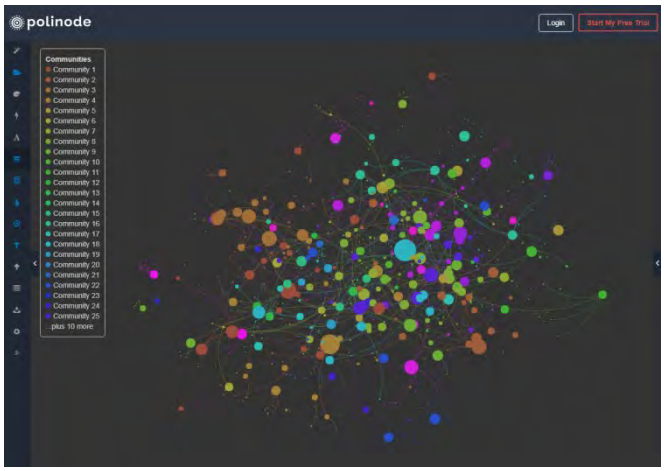
- Provide a baseline measure of how the network of providers are connected to each other;
- Investigate different aspects of the relationship between organizations, including communication frequency, information and resources sharing practices, and referral systems (formal and informal); and
- Empirically describe the structure of legal information and referral flow in the Alaska justice ecosystem.

The social network analysis was developed using Polinode (www.polinode.com), a cloud-based tool for conducting organizational network analysis and visualization. Of the 1,500 service providers identified in the JFA database, we identified 768 email address contacts for individuals working within these organizations. From the 768, 470 individuals received the survey and the email did not bounce. From that 470, we received 178 responses (totaling a 40% response rate). The response from village tribal offices was very low, less than 5%. See Appendix C for the survey questions.

Attribute data for each organization was sorted into the following categories: types of services provided, types of populations served, number of clients served in a year, intake eligibility, community and borough location, and affiliated real world networks. The research analyzed network ties based on the following metrics: relationship strength and frequency of interaction; and type of relationship (social capital - bonding, bridging or linking). The figure below provides helpful illustrations and descriptions of social capital relationships from a neighborhood revitalization study.

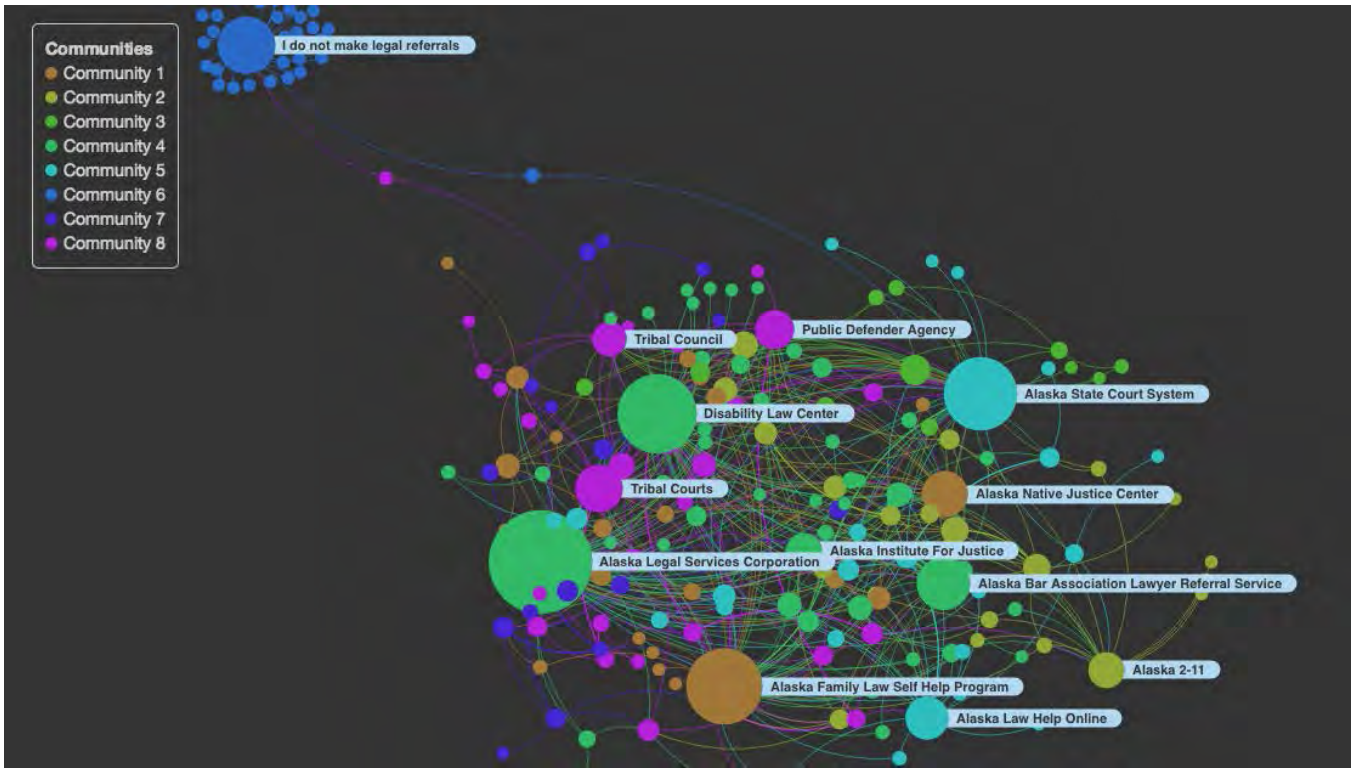
Type	Description
Bonding (Exclusive) **Strong Social Bonds and Trust** 	• An association and trust among neighbors, or strong social bonds, and effective organizations within a community (Putnam, 1993, 2000). • These ties are socially closer (involving few people, usually family, friends, and maybe community) and not always geographically closer (involving people living close to each other) (Putnam, 1993, 2000; Saegart & Winkel, 1998; Larsen et al., 2004).
Bridging (Inclusive) **Cross-Organization Partnerships** 	• A set of cross-cutting and cooperative ties occurs when members of a group connect with members of other groups to seek access or support or to gain information (Saegart & Winkel, 1998; Larsen et al., 2004). • Establishes horizontal ties between associative organizations and supports the formation of alliances and coalitions across communities (i.e., across local institutions, between poor and affluent communities) (Putnam, 1993, 2000; Saegart & Winkel, 1998; Larsen et al., 2004.
Linking (Inclusive) **Cross-Boundary Alliances with External Resource Networks** 	• Refers to "relations between individuals and groups in different social strata in a hierarchy where power, social status, and wealth are accessed by different groups" (Cote & Healy, 2001, p. 42). • Includes the capacity to leverage resources, ideas, and information from formal institutions beyond the community, which facilitates cooperative relationships in which power and control by one side are higher than on the other side (Saegart & Winkel, 1998).

Figure from Mitchell-Brown, J. "Revitalizing the First-Suburbs: The Importance of the Social Capital-Community Development Link in Suburban Neighborhood Revitalization —A Case Study," Journal of Community Engagement and Scholarship, December 16, 2013 (http://jces.ua.edu/revitalizing-the-first-suburbs-the-importance-of-the-social-capital-community-development-link-in-suburban-neighborhood-revitalization-a-case-study).



This image is the full network of all entities surveyed. Same colored circles represent a "community," defined as a group of entities sharing connections within the larger network. The community detection algorithm is a fundamental metric in SNA that uncovers sub-networks and clusters within a network. This algorithm defined several communities based on nodes that have common edges and attributes.

Social network analyses reveal aspects of organizational and systems behavior and relationships. For example, a SNA can show where specific organizations refer people for services and for what types of issues. We wanted to know where organizations refer individuals with legal problems and included a survey question about that issue so that the SNA tool could analyze referrals to legal organizations from providers within the network. The image below shows that the majority of referrals for legal services go to Alaska Legal Services Corporation (ALSC), which is represented by the largest green circle to the left of the network.



Alaska Legal Information Referral Network

However, if the case type is one that does not fit within ALSC's guidelines, the referral is both inefficient for ALSC that does the intake only to find out that it cannot accept the case, and frustrating for the client whose need for legal assistance remains unmet. Understanding the complexities of how information, referrals and resources flow between organizations facilitates improvements in communication and collaboration, and thus improves performance and saves valuable time and resources.

In addition to the electronic survey that populated the SNA, the project team visited six communities - Utqiaġvik (formerly known as Barrow), Nome, Kotzebue, Juneau, Ketchikan, and Bethel. The team met with 54 individuals in the six communities, including public health nurses, social workers, community health aides, legal services attorneys, librarians, behavioral health

and substance abuse clinicians, hospital social workers, and advocates at domestic violence shelters. They shared information about the JFA project and asked questions to fill in gaps from the SNA survey. Many providers did not know where to refer individuals who experience legal issues. When they do make referrals, it is often to Alaska Legal Services that has a statewide presence, and because of limited knowledge of other available legal resources. Internet access and broadband connectivity is extremely limited and/or slow in the Arctic region and many villages. Libraries are a common place to access the Internet. Many providers reported that State funding reductions have dramatically impacted their abilities to support and sustain essential services.

General Network Findings

(https://app.polinode.com/networks/explore/5a2e47fabb2eb10013280e99)

- Health and safety organizations have the farthest reach into communities. Measures from network study confirm that Alaska State Troopers and health organizations including public health nurses, community health aides, and behavioral health/substance abuse organizations are central figures in the entire network of the Alaska justice ecosystem with the highest degree of centrality.

- Working with medical providers is key to building capacity to access justice services. Health providers are highly influential in their networks and their removal from the network would hamper the exchange of information and resources within the Alaska Native villages.

- Rural communities are more networked than their urban counterparts. Rural community hubs show a higher density of collaboration and greater number of connections between partner organizations than larger communities. The study revealed that a high number of organizations located in rural hub communities have strong ties and relationships with Anchorage and Fairbanks based organizations. These ties provide opportunities for the successful implementation of future justice interventions.

- Legal service providers need to strengthen relationships with non-legal service providers. Overall, legal service providers have stronger ties with other legal service providers and weaker ties with non-legal service providers. This indicates a gap in collaboration with the entire Alaska justice ecosystem that can be the focus of intervention efforts designed to strengthen collaborations between types of providers (not just within types of providers).

- There is great variety in small community networks, and these networks are often defined by geography and service domains.
- Consumer finance and immigration and refugee services have the lowest density of service domains within the statewide network and therefore have the highest potential for positive interventions that may increase the density.

See Appendix G for additional images from the SNA, including illustrations of specific community relationships.

Legal Information and Referral Network Findings

(https://app.polinode.com/networks/explore/5a2e4b56f7d8f50013d3afe1)

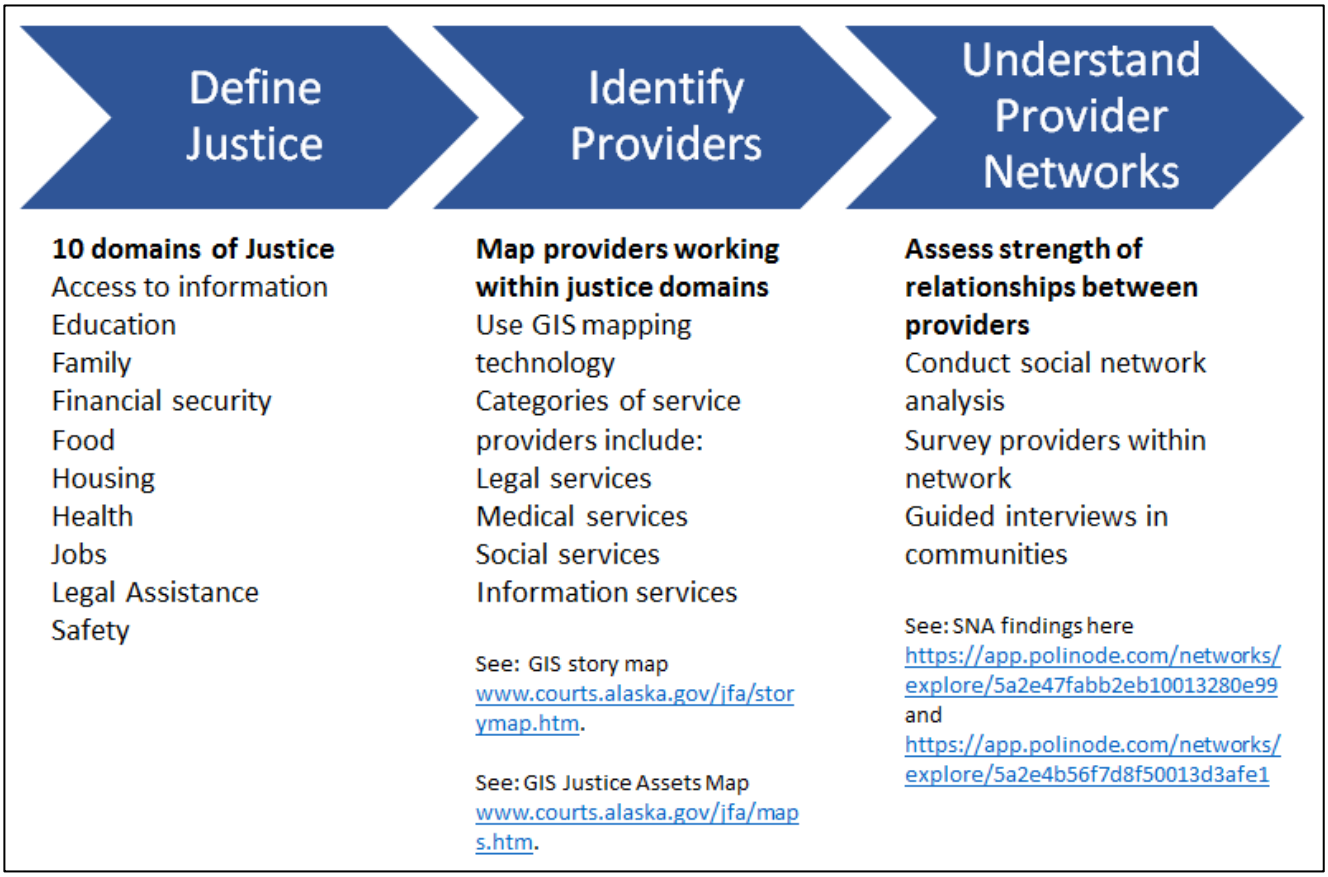
- Alaska Legal Services Corporation is the most central actor within this network with the highest total degree. The Alaska Court System and its Family Law Self-Help Center follow close behind.
- There are varying paths to legal referrals that indicate high redundancy and confusion in the network. Making changes to the pattern of relationships (more targeted referrals) can change and improve the structure of the network.
- Non-legal providers refer clients to legal services at a lower rate than legal service providers refer clients to each other. This indicates gaps in referral streams into and throughout the legal service network.
- There is a high degree and frequency of referrals to remote and web-based self-help services including Family Law Self-Help Center (www.courts.alaska.gov/shc/family/selfhelp.htm) and Alaska LawHelp (https://alaskalawhelp.org).
- There is a high in-degree and frequency of legal referrals to Alaska 2-1-1 from non-legal services providers, indicating gaps in direct legal referrals.
- The entities that do not currently make legal referrals present opportunities to strengthen network ties and will be the focus of future education efforts. See Appendix G.

The SNA identifies the extent of connectivity between the service providers, allowing a deeper understanding of where strong networks exist and the gaps in connectivity. This analysis revealed the strong networks that should be used to share information and referrals. It also showed the absence of established networks, providing an opportunity to create new pathways for information sharing and problem-solving.

The complete SNA is available at:

https://app.polinode.com/networks/explore/5a2e47fabb2eb10013280e99 &
https://app.polinode.com/networks/explore/5a2e4b56f7d8f50013d3afe1

The three linked phases of this project are critical to understanding justice as an ecosystem. The first step enabled a broad definition of justice that included allied professions and providers. The second step mapped the justice ecosystem using GIS technology, representing an inventory of services available to Alaskans to fill their justice needs. This inventory is dynamic, capable of accommodating changes of the providers offering justice-related services. The third step assessed the strengths of the relationships within the network of providers. Using social network analysis as a tool to understand these relationships also provides a means to

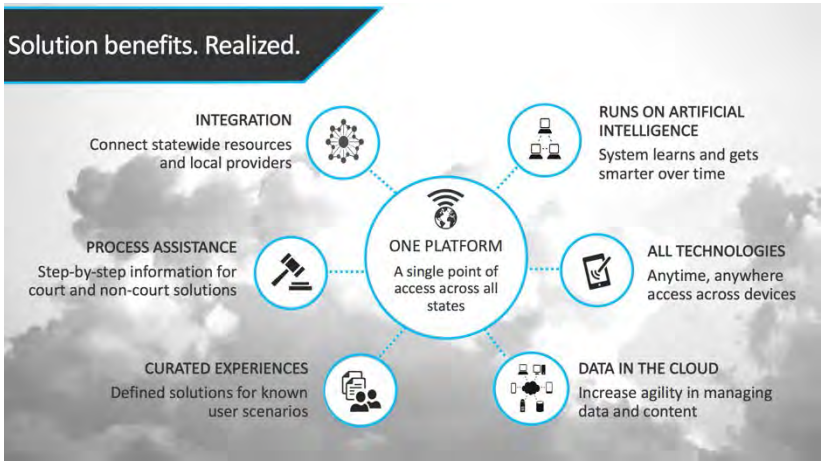


account for any changes to the network. These three steps allow for a dynamic, thorough and responsive way to identify available place-based allied providers and understand their connections to each other. These tools can be applied anywhere, in any jurisdiction, and the methodology is scalable and replicable.

Microsoft Legal Access Platform

From the beginning, the JFA project envisioned working with legal and non-legal service providers across Alaska to address people's civil justice needs, and to empower individuals with a broad range of tools to effectively address their justice needs. Shortly after learning Alaska would be JFA grant state, Legal Services Corporation released an RFP to find pilot states for a legal access platform project. Recognizing that the legal access platform project would further our JFA goals, we applied to be a pilot state. In April 2017, Legal Services Corporation, Microsoft, and Pro Bono Net announced that Alaska was one of two states chosen to receive technical assistance from Microsoft to pilot the development of a legal access platform.

The purpose of the project is to build an information and referral platform by 2019 to match users with appropriate resources and services to address their civil legal and associated needs.



The framework for the proposal rested on the same approach taken within the JFA work: the legal community needs to expand the way we define justice and justice related services to include allied providers if we are to expand the way Alaskans can access critical justice services.

The JFA project is helping to inform the development of the Microsoft Legal Access Platform. Microsoft's primary approach is to create a technology platform that is responsive and relevant to users (e.g., clients, patients, customers). The goal of the platform is to provide a user with a single point of access to step-by-step information to address their legal needs, using court and non-court solutions. Users will be directed to relevant information for their issues, including statewide resources, processes and local providers. They are using an inclusive design approach, conducting an immersion study to better understand the ways that Alaskans access services and information. Microsoft's work is very focused on understanding the people who will use the platform. In addition, they understand that some users will access the platform with service providers with whom they already work. As such, Microsoft is designing for both users and services providers as target audiences.

Microsoft's development of a platform is an ideal complement to the JFA work. The JFA project to map the justice systems' assets and gaps has focused primarily on understanding the varied service providers who frequently work with individuals who experience justice related issues.

Microsoft is utilizing the concept of inclusive design, and is conducting an immersion study throughout Alaska to inform their efforts. See Appendix D for a presentation given by Agnew::Beck, Microsoft immersion study consultant, and JFA staff. By working together, the JFA project and the Microsoft effort will enhance each other's successes and ensure that service providers can maximize their collaboration, extend their reach, and expand the opportunities available to Alaskans to access critical resources. Moreover, the completed platform will be a key tool to which providers can refer or directly work with their clients, patients and customers to address their legal and associated needs, and to empower them to understand their options.

The Path Forward

Creating Justice for All Alaskans and Building an Ecosystem of Justice Services

Creating a continuum of linked, meaningful and appropriate services is key to expanding access to justice for all Alaskans. It is consistent with an expansive definition of justice, and with the *JFA Strategic Planning Guidance Materials'* stated goal of creating a "well-integrated and coordinated supporting infrastructure" that provides access to "effective assistance to solving civil legal problems." In Alaska, solving civil legal problems will not be achieved by the legal system alone. Alaska is in a unique position to partner and collaborate so that civil legal problems are not managed in an insular legal system. The lack of attorneys may be beneficial to the creation of a better system that would not otherwise occur, much like the Alaskan tribal health care system that created innovative programs to address the lack of physicians, dentists and psychologists across the state.

> *"The opposite of poverty is not wealth*
>
> *The opposite of poverty is justice"*
>
> - Bryan Stevenson, Founder of Equal Justice Initiative 2012

As shown in the GIS map and the social network analysis, partnerships between service providers to address the range of justice needs identified within the justice domains is the biggest hope we have for success. In addition to building and maintaining key partnerships with service providers, we are looking to build technological and human capacity to expand the providers' ability to meet the clients' legal needs, and to educate individuals about their options and empower them to access the system.

The GIS mapping work and the Social Network Analysis revealed key findings about the justice ecosystem in Alaska that help to inform the path forward. First, the GIS maps demonstrate that legal service providers alone cannot fill the justice gap. The opportunity to provide access to critical services rests within developing strong relationships with providers in allied sectors, including medical, social services, and information services. Second, the connection between the legal service providers and these allied professionals is generally weak. Although groundbreaking partnership efforts are underway in some arenas (MLPs and the Holistic Defense project), the connections between legal, medical, social service, and information service providers need to be leveraged and expanded to better meet the needs of Alaskans throughout the state. Third, regarding impacting specific legal issues, the biggest areas of opportunity include the area of debt collection as shown by the JFA component inventory and SNA.

In addition, the JFA project plans to continue to engage the JFA Steering Committee in the activities described below. The JFA Steering Committee will assist the Alaska Access to Justice

Committee in continuing to guide the development, governance and direction of future efforts to build the justice ecosystem.

Finally, we will seek funding to implement the JFA plan. This funding will support dedicated personnel to continue the JFA work to build and strengthen justice-related networks and continue to engage communities in this work throughout Alaska.

Bridging Across Providers: Educating Providers about Legal Information and Services

Education and Training

As shown in this report, there is a tremendous need to expand the limited reach of legal providers. Educating non-legal providers about available legal information and services is a critical first step in addressing this need. There are a variety of ways to accomplish this, including developing training opportunities for medical, social service and information service providers on the availability and scope of legal services that exist to assist their customers, clients, patients and patrons.

This will involve developing training curriculum and creating a system for conducting "legal Echeckups" for clients to assess whether they are experiencing an issue that has a legal remedy. "The concept of legal health is gaining currency as a way of empowering people to take charge of their legal affairs as a preventative strategy. This encourages people to take responsibility for their "legal health" in the same way they do for their physical and mental health. For example, a Legal Health Check-Up Project in Ontario aims to extend the reach of legal aid by asking clients about everyday legal problems concerning income, housing, education, employment, family and social and health support."[19]

Task	Timeline
Research existing legal check-up tools and refine for Alaska	1st quarter of implementation phase

Launching this education and training platform requires initial in-person trainings, continued outreach in rural hub communities, outreach to providers attending Anchorage-based trainings and conferences, and creating an online tutorial to keep it sustainable after the initial in-person trainings.

[19]www.legalhealthcheckup.ca/bundles/legalcheck/pdf/lhc-project-summary.pdf; see also Legal Checkup for Veterans: https://veteranslegalcheckup.com; Hagen, M., "What Would An Effective, Useful Legal Health Checkup Look Like?" 6/30/17 (www.openlawlab.com/2016/06/30/what-would-an-effective-useful-legal-health-checkup-look-like).

Tasks	Timeline
Identify Anchorage-based trainings and conferences scheduled for 2018	1st quarter of implementation phase
Conduct outreach to organizers to request time to present about JFA plan	1st quarter of implementation phase
Develop community outreach plan for hub communities, identifying stakeholders in the legal, social services, medical and information services categories.	1st quarter of implementation phase
Conduct community outreach in hub communities (Utqiaġvik, Kotzebue, Nome, Bethel, Dillingham, Kodiak, Fairbanks, Mat-Su Valley, Juneau, Sitka, Ketchikan, Anchorage, Kenai-Soldotna) planning for 3 days/community to present about JFA plan	2nd-4th quarters of implementation phase
Develop on-line tutorial about JFA plan – legal information and services for referral	2nd-3rd quarters of implementation phase

In addition to providing information about existing legal information and services available to Alaskans, we need to increase the capacity of the legal system to fill the gap in legal services. There are two opportunities for doing so: through technology and through building human capacity.

Expanding Technical Capacity - Legal Access Platform and 2-1-1

As described above, the planned Microsoft Legal Access Platform will offer innovative technological opportunities to expand the ways in which Alaskans can diagnose their legal need and get the help they require to adequately address those needs. The development of the Platform builds on the justice ecosystem idea through its reliance on justice partners, particularly in the information service sector, to expand its reach into more corners of the state. Similarly, there is work on-going to improve the responsiveness of the United Way 2-1-1 system in Alaska regarding referrals for legal issues, and the JFA team is engaged in this effort.

Tasks	Timeline
Work with Microsoft to develop Legal Access Platform and facilitate connection with stakeholders – curated content review, immersion study/inclusive design assistance, integration with existing services such as United Way/2-1-1, development of tutorial for providers to learn how to use the platform when completed, outreach to providers about platform	2018
Work with United Way/2-1-1 to strengthen information about referrals for legal information and services	1st quarter of implementation phase

Creating Human Capacity - Legal Training Through A Legal Incubator

Likewise, building more human capacity to provide legal advice and information will be instrumental in expanding access to justice. One opportunity lies in the development of a legal incubator to train attorneys to build a low-cost legal service practice. Legal incubators have emerged around the United States in response to the chronic, pervasive lack of affordable legal services available to low and middle income people. In 2016, the Alaska Access to Justice Committee prioritized the creation of an incubator to train and mentor attorneys committed to social justice and public interest law. An Alaska incubator will train lawyers to build solo and small firm practices dedicated to serving low income and modest means clients who otherwise would lack access to civil justice. Efforts will continue to build support to launch an incubator, including discussions about opportunities to secure funding.

Tasks	**Timeline**
Increase efforts to create an incubator model by engaging with law schools, universities, law firms, and the bar association	1st quarter of implementation phase
Identify potential funding sources	2nd quarter of implementation phase

Creating Human Capacity – Certification Program for Legal Paraprofessionals

As the GIS story map shows, rural Alaska has few communities with any resident lawyers. While lawyers in the more urban locations provide remote assistance and representation throughout Alaska, Alaskans would benefit from locally-based legal assistance. The Alaska tribal health care system provides high quality medical services throughout the state, especially in small rural villages, despite the concentration of physicians in more urban centers and hub communities. They have developed a cadre of paraprofessionals through well-defined education and certification training programs. These paraprofessionals provide a limited range of medical and dental services throughout Alaska, including the most remote villages. These providers work closely with off-site physicians through telemedicine systems that use telemedicine and information technology to provide clinical health care from a distance.

Telemedicine and information technology of the type used in the Alaska Native health care network provides a model that can expand capacity to provide access to justice throughout Alaska. This is an opportune time to explore the possibility of creating a professional pathway for a paraprofessional to provide legal assistance in rural Alaska using a certification process. Alaska Pacific University (APU) is in the process of becoming a tribal university in partnership with the Alaska Native Tribal Health Consortium (ANTHC). APU and ANTHC are already partnering with ALSC on the Medical Legal Partnerships. APU's primary focus will be to build capacity of rural health providers and create college degree programs for various providers who

make up the tribal health system throughout Alaska. Their vision is to build community-based knowledge through education, technical assistance, and team based networks with enhanced inter-disciplinary information sharing for care coordination and program evaluation. This vision aligns well with the work done through the JFA project. Preliminary discussions with APU and Seattle University School of Law have been very promising, and include the potential to create a certification program for paraprofessionals in the legal field.

Tasks	**Timeline**
Meet with APU, Seattle University School of Law, ALSC to discuss a certification program for legal paraprofessionals	1st quarter of implementation phase
Review existing legal paraprofessional models (LLLT in Washington and Utah and Navigators in NY) to determine what components are applicable to Alaska	1st quarter of implementation phase

Building the Network: Embedding Legal Resource Representatives in Established Networks

An additional approach that builds connections between legal providers and non-legal providers is the identification of existing networks such as formal and informal working groups, task forces, professional associations, and community-based and subject-matter-based entities to embed legal resources within those networks. Through the *JFA* work, we have already identified municipal networks of entities involved in domestic violence issues, homeless services, opioid task forces, a guardianship network (see case study), the Human Trafficking Working Group, and now the *Justice for All* Steering Committee. In addition, there are existing pro bono networks such as those housed within the Alaska Bar Association and Alaska Legal Services Corporation. It makes sense to use existing infrastructure and add representation of the legal perspective. This provides many benefits; not only does it facilitate the ecosystem approach to justice issues, but provides opportunities for the legal and non-legal providers to understand the various resources available to help their collective clients, patients and customers to problem-solve solutions together.

Tasks	**Timeline**
Identify existing networks by subject matter and community	1st-2nd quarters of implementation phase
Contact networks to request a meeting to discuss the JFA plan concept and present to membership (ideally when doing community outreach)	2nd-3rd quarters of implementation phase
Identify lawyers from the community who can participate regularly in networks as legal resource	2nd-3rd quarters of implementation phase

Case Study: Building a Network Around Guardianship Issues

Recent efforts to establish a Working Interdisciplinary Network of Guardianship Stakeholders (WINGS) are in line with the JFA project efforts. After guardianship petitions increased 59% from 2010 – 2016, the Alaska Court System identified key issues of concern, which the JFA staff confirmed during community visits in the Fall of 2017:

- inconsistent monitoring of guardians by the courts;
- the lack of data collection regarding the assets and liabilities under court control through guardianships and conservatorships;
- public guardians with extremely large caseloads that exceed best practices;
- the need for improved education regarding less restrictive alternatives to guardianship, including supported decision-making;
- the lack of resources in rural Alaska for guardians and vulnerable elders and individuals with disabilities; and
- the need for improved communication about guardianship and less restrictive alternatives to guardianship between the court system and the community organizations that serve vulnerable elders and individuals with disabilities.

The Court System established WINGS to address these concerns by convening stakeholders from the legal, social services, medical and information services sectors - the disabilities and elder communities, non-profit legal and non-legal organizations, Medical Legal Partnerships, state and federal government agencies, and hospitals. WINGS has begun creating work plans to identify specific actionable targets:

- improving existing forms to use plain language;
- simplification of court processes;
- improved monitoring of annual reports;
- development of a training curriculum about guardianship issues;
- education and training plan for court staff, judicial officers and other stakeholders involved with guardianships; and
- development of on-line course for newly appointed guardians.

The WINGS effort overlaps with much of the JFA work, including some common steering committee members, and offers a good example of how providers can work together to better serve Alaskans.

Testing the Efficacy of Building Networks: Improving Responses to Debt Collection

As identified in the JFA components analysis and the SNA, one of the largest gaps in information and services involves consumer financial issues, specifically in debt collection. Debt collection cases accounted for 14% of the four common case types Alaskans filed in the last three years. Close to 99% of the cases involved lawyer representation. Almost all the lawyers represented those trying to collect the debts: 92% of the cases had only the debt collectors represented, less than 1% had only the debtor represented, and 6% had both sides represented.

The inability of Alaskan consumers to resolve these issues has enormous consequences for wellbeing, and impacts on credit, opportunities for housing and employment, and overall stability. Our efforts to positively address the consequences of debt will involve building out the network of resources available to debtors; debtors may be more likely to engage in services in a preventative fashion before the issues result in a debt collection matter, or respond to a debt collection action in court, reducing the likelihood of a default judgment and additional amounts added to the judgment.

Tasks	**Timeline**
Develop plain language court forms for debt collection cases	1st-2nd quarters of implementation phase
Create content about debt collection cases for the Alaska Court System self-help website, including FAQs and links to ALSC's on-line classroom presentations	1st-2nd quarters of implementation phase
Conduct bench-bar meetings between creditor attorneys and judges to discuss the issues and identify solutions	1st-2nd quarters of implementation phase
Review court rules for possible changes that promote fairness and more opportunities for debtors to participate in debt collection cases and potentially reach fair settlements of their debt matters	1st-2nd quarters of implementation phase
Work with Alaska Job Centers and other providers to offer "legal check-ups" to debt issues	3rd quarter of implementation phase
Pilot SoloSuit, a software application to create an answer to a debt collection complaint that was created by LawX at Brigham Young University School of Law. SoloSuit asks debt collection defendants a few simple questions about the complaint and the facts of their case. The software then formats an answer that is ready to file. Most defendants can complete the process in less than 10 minutes.	3rd quarter of implementation phase

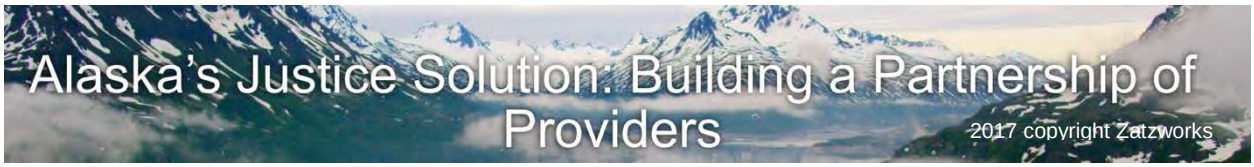
Evaluation

The efficacy of the debt collection interventions can be measured by comparing default judgment rates before and after the interventions. Also, case outcomes will be studied to determine if more cases resolve using different options such as satisfaction of debts using payment plans, reduced debt amounts, reduced interest rates, or dismissal of the case due to the defendant's effective pleading of affirmative defenses.

The social network analysis tool will be used to evaluate the change in networks before and after interventions. For example, the current network is very small of entities that offer consumer and financial services relevant to individuals dealing with a debt collection issue (see Appendix G). After the interventions, surveys and guided interviews will be conducted resulting in another network analysis. This analysis will be compared visually to the current analysis. Hopefully, the new network analysis will reflect an increased network of providers who know where to direct their client, customer, patient or patron who is experiencing a debt issue through the knowledge they gained from the legal resource curriculum, legal checkups and the Legal Access Platform that will feature debt collection as one of its subject matter areas.

If this approach to address debt collection issues is successful and the network analysis tool results in a helpful evaluation, it can be a model for tackling other subject matter areas such as housing issues and eviction.

Similarly, the Microsoft Legal Access Platform will involve an evaluation process once deployed. The Pew Charitable Trusts will be helping to design and produce an evaluation of the project, which will inform future steps in Alaska and other jurisdictions.



Conclusion

Providing Alaskans with 100% access to justice requires building partnerships between legal providers, social service providers, medical service providers and information service providers. All are part of the justice ecosystem that empowers Alaskans by providing the information and services to make informed choices about how to address their justice needs and access a network of services. This approach can help ameliorate the negative consequences that impact Alaskans, and hopefully prevent or minimize the necessity to bring issues into a formal legal setting. Through the JFA project, Alaska is creating a justice ecosystem of networked providers.

Recognizing that often people do not come directly to legal services as their initial response to a legal issue, strategies such as effective referral may make legal information and services more accessible. This ecosystem ensures that no matter which door clients, patients, or customer enter, they can connect to the right resources for their unique situation. An ecosystem of integrated providers acts as a "force multiplier" and more efficiently and appropriately connects people to the resources they need. Strengthening this ecosystem opens the door to ensuring access to justice for all Alaskans.