

# Tech Justice

## A Conversation About Making Justice More Accessible

BY MIGUEL WILLIS AND AURORA MARTIN

**EDITOR'S NOTE:** When Miguel Willis started law school, not only did he represent the digital generation of students and young people whose lives are intertwined with all things technology, but also he had a penchant for seeing the potential of technology as a tool for justice. When Willis came up with the idea of holding Seattle's first "social justice hackathon" at Seattle University School of Law, the law school's Access to Justice Institute put him in touch with the local network of civil legal aid programs. A cold call to Columbia Legal Services' director, Aurora Martin, turned out to be the beginning of a collaboration in which the two of them imagine justice in the digital age. In the span of one hackathon, Martin was inspired by the inventive approaches and solutions she observed. The following conversation between Martin and Willis mirrors their mutual mentorship of ideas and vision of justice.

**Aurora Martin:** Having grown up in legal aid in one state and one program over 17 years, I consider myself part of a bridge generation of advocates between the pioneers of civil legal aid and the millennials. Together we constitute the arc of a movement to end poverty and racial injustice. We are seeing how advancements in technology are profoundly affecting our client communities and the potential reach of our advocacy. The challenge for legal aid is to bring technology into how we solve problems, build capacity, and advocate on behalf of our clients.

**Miguel Willis:** As a law student, I have been thoroughly trained to issue-spot—that is, to analyze a case or a line of cases to assess potential issues and then recognize which issue or issues warrant more discussion to determine the best outcome under a certain set of factual circumstances. Ironically, law students are rarely called to spot the biggest issue that plagues our profession: access to justice.

Nearly 80 percent of the legal needs of the poor are unmet, and two-thirds of middle-income Americans have unmet legal needs.<sup>1</sup> Some do not think of hiring

a lawyer when a legal problem arises; others may not realize they even have a legal issue; and many cannot afford a lawyer, especially those in low-income and rural communities.<sup>2</sup> This gap in practical and meaningful legal access is unacceptable for a nation that rests its bedrock principles on the rule of law and justice.

**Martin:** The poverty data and justice gap statistics are not surprising to many of us,

cause of this cycle and overwhelming client needs, we have trouble thinking beyond the goal of securing more lawyers to serve.

### The Social Justice Hackathon

**Willis:** As a young person and given my own experience of growing up in a poor household not readily having access to adequate legal services, I think the solution to ending poverty and advancing racial justice is more than just the law.

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but those numbers can be overwhelming when we think about the intersecting systems (civil and criminal) that low-income people encounter and experience. The storied history of civil legal aid and civil rights organizations experiencing political and economic pressures has caused what feels like painful cycles of retrenchment and relief, always within a reality of scarcity.<sup>3</sup> Be-

I was inspired to create Seattle's first "Social Justice Hackathon" at Seattle University School of Law in November 2015. A "hackathon" is an event where programmers, software developers, and user-interface designers collaborate intensively on projects in competition with other teams. Many hackathons are intended for educational or social purposes, while in other cases the goal is to create usable software.<sup>4</sup> Hackathons start with presenta-

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1 See Benjamin P. Cooper, *Access to Justice Without Lawyers*, 47 AKRON LAW REVIEW 205–6 (2014).

2 See Robin Runge, *Addressing the Access to Justice Crisis in Rural America*, 40 (3) HUMAN RIGHTS (2014).

3 See generally Victor Geminiani, *Whence We Come: Review of Earl Johnson Jr., To Establish Justice for All: The Past and Future of Civil Legal Aid in the United States*, CLEARINGHOUSE ARTICLE (July 2015).

4 See Melissa Phipps, *Collaboration Meets Competition: The Power of the Hackathon*, GENERAL ASSEMBLY (July 28, 2014).



tions from someone with a problem or host of problems that the event participants will set out to solve. Initial presentations are short, one-to-two-minute pitches, with no slides or props, to explain who the person with the problem is, what problem needs to be solved, and how the audience can help solve the problem. In most cases, nontechnical subject-matter experts in a particular field present their problem to the software developers and user-interface designers in the audience. Participants then suggest ideas and form teams based on individual interests and skills. The main work of the hackathon immediately follows and can last anywhere from several hours to several days. At the end of the hackathon, each group presents its results to the audience and a panel of judges, who in turn select the winning teams.

The goal of the Seattle Social Justice Hackathon was to promote innovation and cross-disciplinary collaboration to create technology-based solutions to expand legal access and improve the delivery of legal services to poor and underrepresented communities. The idea of the Social Justice Hackathon had first come to me about a year earlier, during my first year in law school, after I participated in the Seattle Legal Startup Weekend, a weekend-long hackathon to spur technological disruption

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of the legal industry.<sup>5</sup> One of problem areas during the Startup Weekend was “access to justice,” but most teams and participants were focused on creating monetized solutions to disrupt the legal marketplace.

In creating the Social Justice Hackathon, I wanted to emulate the Startup Weekend model but scale back the problem area to focus specifically on access-to-justice solutions. In organizing the hackathon, I first reached out to the organizers of the Legal Startup Weekend and Seattle University School of Law’s Access to Justice Institute for advice and resources. These initial meetings allowed me to narrow the scope of the hackathon from just focusing on creating access-to-justice solutions to partnering with Seattle legal aid organizations to identify real problems their clients faced to inspire “hackable” solutions over the two-day event. We formed a small organizing team tasked with identifying partners, securing sponsors, logistics, and marketing of the event to participants.

With most of the legal community being completely unfamiliar with this type of event, one of our biggest hurdles was to get buy-in from the legal community. To garner support and participation from the Seattle legal aid community, we set up in-person meetings to pitch the hackathon to various legal aid organizations such as Columbia Legal Services and the Northwest Justice Project. We reached out to several committees of both the county and state bar associations, including the Washington State Bar Association’s Access to Justice Board’s Technology Committee and Delivery System Committee. Through the law school’s Access to Justice Institute, we reached out to several legal aid email lists and called on alumni of the law school to propose problems. We asked each of these organizations to help spread the word of the event, and we recruited several influencers in the Seattle legal aid community to help with outreach.

For sponsorship, we reached out to both law firms and technology companies which have sponsored this type of event. Sponsors included small to large

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<sup>5</sup> See [Seattle Legal Startup Weekend, October 10–12, 2014](#).

firms, legal technology companies, and our title sponsor, Microsoft.

To market the event, we employed diverse tactics ranging from social media to pitching the hackathon at local technology meet-up groups to collaborating with engineering departments at both Seattle University and the University of Washington. We posted our hackathon on several technology community calendars and did outreach at both Seattle law schools.

Our goal was not to host an event just to build more mobile applications that no one would ever use but to get around the barriers that block the most vulnerable in our society from accessing legal services. This goal was a tough feat to accomplish in just two days, but I believe we succeeded. After the hackathon, we put forth three projects that promise to close the access-to-justice gap a bit.

**Martin:** As a first-time hackathon participant and total novice to the tech world and hipster tendencies of a hackathon, I did not know what to expect but wanted to learn what the fuss was all about. I must say I was inspired by the entirety of the event—the pace of problem solving, the methodology, and the implications for organizational culture, performance, and, of course, advocacy. Not to say that technology is the solution to poverty, but it certainly presents new opportunities and reveals new barriers as we think about our work for justice.

I was so intrigued by the format and process of the event. I saw the dynamic problem solving of the interdisciplinary teams of coders, designers, lawyers, and students. All the participants were local, and the lawyers who participated were either private attorneys who serve in a pro bono capacity with legal aid programs or legal aid attorneys themselves. The fast-paced and

precise nature of identifying a problem that has digital parameters and digital solutions has also helped me think a little differently about the formation of advocacy teams and the method of problem solving in my own program, Columbia Legal Services. The rhythm of problem solving was fun, creative, and multidimensional. But the key was the diversity of thought partners.

**Willis:** The teams definitely had fun, were creative, and produced prototypes that were impressive. For example, the “Paid It” team created a mobile app that allows

when leaving their consultation.<sup>7</sup> The app is fully developed and being used in conjunction with the King County Bar Association’s Neighborhood Legal Clinics.<sup>8</sup>

The hackathon’s first-place team developed the “Court Whisperer,” an easy-to-use portal that guides *pro se* litigants through complex legal tasks by using simple instructions and voice recognition.<sup>9</sup> The app takes existing state forms and reconstructs them into a mobile-friendly view. Questions are presented in plain language and then placed back into forms

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individuals who pay their rent outside the traditional banking system to document all landlord payments. Users can snap pictures of a check, money order, or other payment and record details such as the purpose and recipient of the payment. The app also allows users to collect a signature from the recipient. Users then have a full transaction record in case they need it during a legal dispute. The app is still in development, and its developers have partnered with the King County Bar Association Housing Justice Project for implementation.<sup>6</sup>

The “Social Justice League” team created a Web-based app that allows walk-in legal clinics to record a client’s information and send to the client documents necessary for the client’s case. This technology efficiently triages the walk-in clinic experience to allow volunteer attorneys to see more clients, and it gives clients more helpful information

in the court’s required format. The app is still in development in partnership with the Self-Represented Litigation Network, a Washington, D.C., nonprofit organization.<sup>10</sup>

### How Technology and Law Intersect to Expand Access to Justice

**Willis:** By having diverse people at the table—techie, students, law professionals, and those affected—we can creatively think about what solutions we can find through technology. Innovation and technology adoption can be vital tools for courts and legal aid organizations to reach more clients and to do so more efficiently. Legal aid organizations can make the biggest strides to increase legal access and

<sup>6</sup> See [King County Bar Association, Housing Justice Project](#) (n.d.).

<sup>7</sup> “Triage” in the legal context is diagnosing and understanding a person’s legal problem(s) and giving early education, information, guidance, services, and referral that best meet that person’s legal situation and needs within the resources available (see, e.g., [California Courts, Helping People Before the Court: Effective Triage as a Critical First Step](#) (n.d.)).

<sup>8</sup> See [King County Bar Association, Neighborhood Legal Clinics](#) (n.d.).

<sup>9</sup> See [Court Whisperer](#) (n.d.).

<sup>10</sup> See [Self-Represented Litigation Network](#) (2016).

improve delivery of legal services in three core areas: (1) creation of new legal technologies, (2) adopting a model of organizational excellence, and (3) design thinking in the delivery of legal information.<sup>11</sup>

**Martin:** Yes, those are three areas where we can be innovative in our work for justice. A handful of great initiatives show how technology has enhanced capacity and delivery of client services, whether online resources for advocates and other community providers or more efficient forums and tools of communication.

#### CREATION OF NEW LEGAL TECHNOLOGIES

**Willis:** The hackathon model is a great example of how legal aid organizations and courts can foster an environment to create new legal technologies that target actual problems clients face. As the number of self-represented litigants has increased in all levels of the court system, the creation of new technologies that will more effectively and efficiently improve the quality of information for self-represented litigants is vital to ensuring access to justice. Online document-assembly Web portals, e-filing and e-delivery technologies, and interactive user-centered websites are some examples of how technology has created not only new efficiencies in court administration but also possibilities for the legal process to become more accessible to more people.<sup>12</sup>

**Martin:** At the same time, however, we cannot ignore the digital divide or the technology deficit that many low-income communities experience. I am beginning to think that some level of access to

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technology is a basic need. Data related to a person's identity, public records, education, credit, and public benefits are increasingly digital. The system assumes that people have access to technology to access and manage this information. That assumption is a problem, especially for people with disabilities and people with language or cultural differences.

**Willis:** The creation of new technologies alone will not erase disparities in legal access, but if this trend becomes commonplace—so that courts and legal aid organizations, for example, are more willing to experiment with new user- or client-centered solutions—we will get closer to making justice accessible for all.<sup>13</sup>

#### ADOPTING ORGANIZATIONAL EXCELLENCE

**Willis:** Having been initially exposed to the tech world just over a year ago during my first year of law school, I began to transform my thought process and work output radically as I came to adopt the “lean” methodology. Lean is a user-centric methodology to improve any process through the elimination of waste in every aspect of the process; it is based on the ideas of continuous incremental improvement and respect for people.<sup>14</sup> When speaking of “organizational excellence” as a way to increase legal access and improve the delivery of services, I am basically proposing that courts and legal aid organizations adopt lean principles.

**Martin:** Those are interesting concepts because the “lean” principles touch on what the Sargent Shriver National Center on Poverty Law's leadership programming aims to do also, just in the legal aid world.<sup>15</sup> These concepts could spawn some interesting intersections of tech and legal language and even opportunities to bridge generations. For example, one legal aid leadership principle is communicating strategic intent; this calls to mind some of the lean principles that aim to ensure that every aspect of an enterprise contributes to its overall success.

**Willis:** As a practical matter, legal aid programs may want to introduce tools to enhance capacity and contribute to a cultural shift on problem-solving methods. For example, widespread adoption of work-productivity tools can dramatically curb waste, increase work flow, make more efficient use of scarce resources, and improve the quality of legal services. Legal aid organizations could be trained to use project management tools such as Trello, which is a visual tool that teams can use to collaborate, communicate, and share information securely.<sup>16</sup> It is a user-friendly way to keep track of every aspect of a project, and teams can easily work together on updates and changes. Slack is another great tech tool that streamlines team communication to create, track, and research conversations through public and private channels and direct messages.<sup>17</sup>

11 See [American Society for Quality, What Is Organizational Excellence?](#) (n.d.) (“Organizational excellence refers to ongoing efforts to establish an internal framework of standards and processes intended to engage and motivate employees to deliver products and services that fulfill customer requirements within business expectations.”).

12 See [James E. Cabral et al., Using Technology to Enhance Access to Justice](#), 26 HARVARD JOURNAL OF LAW AND TECHNOLOGY 241 (2012).

13 A “user-centered solution” results from “designing a tool, such as a website's or application's user interface, from the perspective of how it will be understood and used by a human user” ([Usability First, Introduction to User-Centered Design](#) (n.d.)).

14 See JAMES P. WOMACK & DANIEL T. JONES, LEAN THINKING: BANISH WASTE AND CREATE WEALTH IN YOUR CORPORATION (1996).

15 See [Sargent Shriver National Center on Poverty Law, Leadership Academy](#) (n.d.).

16 See [Trello](#) (2016).

17 See [Slack](#) (n.d.).

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## One of the key takeaways from the first Social Justice Hackathon was that the legal profession alone will not solve the serious justice gap in our country.

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**Martin:** We are now using collaborative technology at Columbia Legal Services, and some project teams of ours use it as they meet about an advocacy issue and simultaneously edit a document across offices. Another collaborative technology platform that we may start using more is Sharepoint; it would be a way to share information internally in a kiosk-like fashion. We are considering developing an internal program radio that could be an amusing way of both strengthening connections among offices and sharing updates and basic information in an audible way that is akin to your favorite public or community talk-radio station.

### DESIGN THINKING IN THE DELIVERY OF LEGAL INFORMATION

**Willis:** Another tech-inspired way to think about legal aid work is “design thinking.” It uses empathy, creative intelligence, and business modeling with a core emphasis on creating user-centered solutions. Courts and legal aid organizations can take advantage of design thinking by making the most use of the content on their websites. The process starts with using technology to collect data on their clients’ needs; the data can be collected through online surveys, focus groups, and online user-feedback tools incorporated within their websites.

Gathering an accurate assessment of what their potential clients’ legal needs are and presenting that legal information on their websites in a user-friendly manner can better assist self-navigating litigants so that legal aid organizations can spend precious resources serving clients with complex legal issues. Reducing legalese and incorporating videos and other

interactive features are some other simple ways that courts and legal aid organizations can make justice more accessible.

**Martin:** Your latter point about presenting legal information in a user-friendly way is what the new frontier could be. Digital communication tools and social media are too easily dismissed as something for the younger generation or as something just for social purposes. The fact is that technology needs to be democratized, and the possibilities for more effective multimodal community advocacy, education, outreach, and community mobilization are already opening up within segments of the client populations we are trying to serve.<sup>18</sup> Many client communities use cellphones for a variety of reasons, such as keeping in touch with family from afar (e.g., immigrants who send remittances) or mobilizing and sharing information about issues they care about. Cellphones are practical tools that are too often thought of as distinct from legal services delivery. Movements such as Black Lives Matter and immigrant rights have used social media to create large-scale virtual conversations to further their work. Our work for justice needs to embrace the trend of digital communication and social media; we should at least be unafraid of imagining justice more dynamically.

### Lessons Learned from the Social Justice Hackathon

One of the key takeaways from the first Social Justice Hackathon was that the legal profession alone will not solve the serious

<sup>18</sup> See, e.g., Jill Schachner Chanen, *App to Aid Migrant Workers Wins 3rd Hackaccess to Justice Hackathon*, ABA JOURNAL (Oct. 27, 2015).

justice gap in our country.<sup>19</sup> Because of the complexity of poverty and inequality, a collaboration of interdisciplinary innovators will be required to get around the restrictions and barriers that prohibit low-income or moderate-means individuals from accessing legal services. This interdisciplinary approach to finding solutions must reach beyond the silos of professional fields and include a diversity of perspectives and backgrounds, including of those affected most by poverty and inequality.

The hackathon model offers a fertile environment for the legal and tech communities to collaborate in an innovative way. But we must fashion a more sustainable model to foster the rapid creation and adoption of new technologies and processes to make justice more accessible. An ecosystem must be in place where law schools, legal aid providers, courts, federal and local governments, legal tech companies, other professions, and the community can collaborate to create sustainable solutions and implement efficient processes with the end-user in mind.

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<sup>19</sup> See *City of Seattle, Social Justice Hackathon Demo Day*, SEATTLE CHANNEL (Feb. 3, 2016).