



OnlineTNJustice.org
Free legal advice & counsel

Where Technology Facilitates Pro Bono Capacity in Tennessee

What is Online Tennessee Justice?

Online Tennessee Justice or OTJ for short is a website where qualifying Tennesseans can ask a lawyer for help with a legal issue. Qualifying users can post questions on the website about their civil legal needs and receive basic legal information and advice from approved volunteer attorneys.

Qualified users are (1) low-income Tennesseans, below two-hundred fifty percent (250%) of the Federal Poverty Guidelines (2) are not incarcerated; and (3) have less than five thousand dollars (\$5,000) in total assets.

Why is it needed?

OTJ addresses the “connectivity” problem which most states experience. Clients in urban areas who could not connect to clinics because of lack of transportation, child care issues, work schedules, etc needed a way to be served without having to be at a particular place at a particular time. There are also many clients in rural areas where there are very few lawyers, clinics or other pro bono resources available. Those clients have trouble connecting to existing resources as well. Online Tennessee Justice addresses both problems and has spurred other models to help address the need. It also assists clients whose income is slightly higher than the poverty guidelines legal services agencies must follow.

ONLINE TENNESSEE JUSTICE IS A JOINT PROJECT OF



The OTJ Model

The website was created in order to eliminate barriers to lawyer pro bono (such as geographic location, work schedule or family obligations), expand pro bono to the most rural areas of Tennessee and provide assistance to eligible Legal Aid clients who are turned away due to lack of resources.

Goals

- to enhance access to justice for low income Tennesseans and rural pro se litigants
- to serve clients who may not be served by traditional legal aid services
- to remove barriers to providing pro bono services for attorneys.

Approach

Clients

- Free
- Easy-to-use
- Can access at any time of day from anywhere with internet access
- Anonymous

Volunteer Attorneys

- Provide pro bono any time of day from anywhere with web access
- Requires minimal commitment to clients
- Receive CLE credit for service

OnlineTNJustice.org is based on the walk-in clinic or dial-a-lawyer model where clients request brief advice and counsel about a specific civil legal issue from a volunteer lawyer.

Lawyers provide information and basic legal advice without any expectation of long-term representation. Attorneys are protected under the state of Tennessee Rules of Professional Conduct for limited scope representation.

Online Tennessee Justice Operations & Data

Operations

For OTJ's current size, one staff member handles daily site operations. That includes:

- Responding to questions or requests for help as needed
- Reviewing user questions to ensure they have properly labeled the question's category
- Weekly, send attorneys an update email that includes the current list of queued questions
- See the admin screen to the right.

The screenshot shows the 'All Questions in Queue' page in the Online Tennessee Justice Administration system. The page includes a navigation menu with options like 'Question Management', 'Account Management', 'Category Management', 'Reporting', and 'Attorney View'. Below the navigation, there are filters for question age: 'less than 10 days old', 'older than 10 days', 'older than 25 days', and 'closed'. The main content is a table with columns for 'Category', 'Subject', 'Last Updated', 'Request Date', 'Court Date', and 'Replies'. The table lists several questions, including 'unemployment', 'eviction', 'guardianship rights', 'rent to own contract', and 'Tenant rights in Memphis'. Each row has 'Reply' and 'Edit' buttons. The footer of the table indicates 'Displaying 1 - 5 of 32 item(s)'.

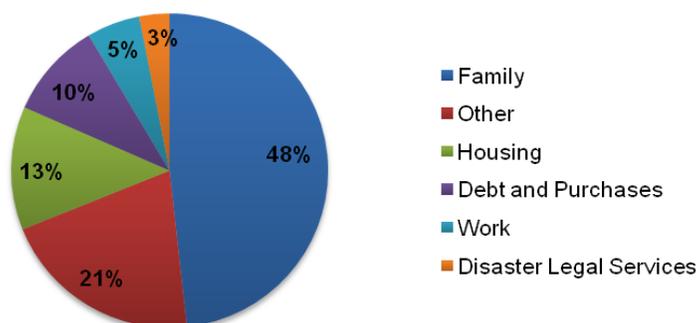
Category	Subject	Last Updated	Request Date	Court Date	Replies
Work	unemployment	2/27/2013 11:48:11 AM	2/28/2013 8:23:36 AM		0
Housing	eviction	2/28/2013 8:23:36 AM	2/28/2013 8:23:36 AM		0
Family	guardianship rights	2/28/2013 8:23:58 PM	2/28/2013 8:23:58 PM		0
Housing	rent to own contract	2/28/2013 11:29:39 PM	2/28/2013 11:29:39 PM		0
Housing	Tenant rights in Memphis	3/4/2013 3:11:36 PM	3/4/2013 3:11:36 PM		0

Relevant Data

as of 3/24/2013

- **163** licensed TN attorneys have answered **2,859 questions**
- The largest factor contributing to ineligibility is user income level.
- Other categories, with 1% or less of questions are:
 - Health Care
 - Benefits
 - School/Juvenile
 - Immigration/Citizenship

Questions by Category



Starting a Program in Your State

The Online Tennessee Justice computer program is owned by Baker, Donelson. Its license is available for use by bar associations, ATJ Commissions, or other reputable pro bono organizations for free as long as the entity uses its best efforts to serve the client population in the area in which that entity operates. There is a two page license agreement. To view the licensure agreement, please request a copy from the contacts below. You may also request marketing material mark-ups to help advertise your program once it is launched.

For a list of frequently asked questions, such as *How do lawyers check for conflicts of interest? or Is there a confidentiality issue with client information/lawyer advice being housed on the internet?*, please contact TALS at the information below. TALS can provide you with a demo account to see the behind the scenes of OTJ.

For more information on Starting an Online Justice Program, contact –

George 'Buck' Lewis, Attorney – Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

(e) blewis@bakerdonelson.com; (p) 901.577.2256; (m) 165 Madison Avenue, Suite 2000, Memphis, TN 38103

Liz Todaro, Access to Justice/Public Education Coordinator – Tennessee Bar Association

(e) ltodaro@tnbar.org; (p) 800-899-6993; (m) 221 4th Avenue N. Suite 400, Nashville, TN 37219

For questions on OTJ Operations or frequently asked questions contact –

Samantha Sanchez, Operations Director – Tennessee Alliance for Legal Services

(e) ssanchez@tals.org; (p) 888-395-9297 ext. 21; (m) 50 Vantage Way, Suite 250, Nashville, TN 37228



OnlineTNJustice.org is a joint project of the law firm Baker, Donelson, Bearman, Caldwell & Berkowitz, the Tennessee Alliance for Legal Services (TALS) and the Tennessee Bar Association (TBA).

OnlineTNJustice.org is based on the walk-in clinic or dial-a-lawyer model where clients request brief advice and counsel about a specific civil legal issue from a volunteer lawyer. Lawyers provide information and basic legal advice without any expectation of long-term representation. The website was created in order to eliminate barriers to lawyer pro bono (such as geographic location, work schedule or family obligations), expand pro bono to the most rural areas of Tennessee and provide assistance to eligible Legal Aid clients who are turned away due to lack of resources.

Baker Donelson has graciously agreed to license the website, free of charge, to organizations who would like to replicate it for their own communities. Below is a list of frequently asked questions we have received from organizations who are interested in replicating the website.

Frequently Asked Questions

Q: Can we use identical or close to identical language if we use the system, substituting our state's name for Tennessee, etc.?

A: Yes

Q: How do you measure how many servers you will need—is it based on projected volume of requests for help?

A: We are using two servers for Tennessee. One runs the website, the other runs the database. Two servers should be sufficient for other programs. Dell donated the cost for both servers—\$5,500. We don't use a T1 connection, just a cable Internet line and there have been no issues with bandwidth.

Server Specs:

Web Server

Processor: Quad-Core AMD Opteron™ Processor 2378 2.39 GHz

Memory (RAM):16.0 GB

Operating System: Windows Server 2008 Enterprise without Hyper-V SP2

System Type: 64-bit Operating System

Operating System Drive: 130GB (Only needs 60 GB)

Data Drive: 270GB (Not needed)

Software: Internet Information Services (IIS) 7, ASP.NET Framework 4.0

SQL Server: SAME AS ABOVE

The Data Drive is required on this server.

Software: Microsoft SQL Server 2008 Enterprise Edition R2 (64-bit)

The developer will need Visual Studio 2010.

Q: How did you gauge potential volume of requests?

A: We knew the volume at local pro bono clinics in our urban areas and knew that there were many more people who needed assistance. The volunteer response has been great, but we have had to ramp up our outreach to get clients. We need intake staff at legal aid to be aggressive about getting the information about the website to the clients who are turned away. We still aren't at the volume we would like for clients.

Q: How many requests for help do you receive per week or per month?

A: On average over the past year, we received approximately 130 questions per month. Our major sources of referral are legal aid programs. A majority of our questions related to family law.

Q: How are volunteer lawyers trained?

A: No formal training is offered besides the FAQ section on the website. We also created a YouTube video for lawyers <http://www.youtube.com/watch?v=Z4uesStFQUw>

Q: What did it cost to get the website up and running?

A: The donated programming from Baker IT team is valued at \$40,000. Baker has a copyright application pending but can draft a licensing agreement granting organizations a license to access to the intellectual property free of charge.

Q: How many volunteers do you have?

A: Over 330 have registered, not all are actively answering questions.

Q: How big is the Tennessee Bar in terms of all registered attorneys?

A: The total number of active attorneys with a Tennessee address is 18,623. If you include attorneys licensed in Tennessee who live outside the state, then that number rises to 21,374.

Q: Did you start as a pilot and expand, or start statewide?

A: We started statewide.

Q: How did you advertise for volunteers?

A: Through the *Tennessee Bar Journal*, the *Tennessee Volunteer Attorney* newsletter, the TBA's daily electronic newsletter *TBA Today*, presentations to the TBA leadership, local bar leaders and at the Supreme Court's first annual pro bono summit.

Q: How did you publicize to the public?

A: Press releases, presentations to human services organizations, links on websites that serve the public. It's a good idea to contact the field offices of elected officials as well as the Red Cross so they can include information in their packets for disaster victims, etc.

Q: What kind of staffing do you need—how much time and what level/type of expertise?

A: We have two separate staffing needs. The first is related to IT and maintenance/enhancements for the website. The second piece is the day-to-day administration of the website – approving volunteers, answering client's technical questions, promoting the website and fundraising for the website. A .50 FTE can handle the day-to-day functions. IT maintenance/enhancements vary from month to month depending on the number of improvements we are rolling out to the website.

Q: Can lawyers subscribe to alerts to know when certain types of questions are posted?

A: Yes, lawyers can sign up for specific types of questions and can be alerted via email anytime a question is posted to their particular area of expertise.

Q: Can clients & lawyers email back and forth to get additional information?

A: Yes, they can. The lawyer also has the ability to end the communication at any time.

Q: Can the client print the information shared by the volunteer attorney?

A: Yes, it is stored in the client's website account.

Q: Did you do any judicial education?

A: Not specifically.

Q: What kind of feedback have you had?

A: Lawyer and client feedback has been largely positive. Most of the client feedback is to thank us for the service and the lawyers have offered suggestions on ways to improve the website. We use electronic survey options for both lawyers and clients; they are prompted to complete a survey each time they log out of the website.

Q: How many people has it helped?

A: As of today, over 2200 questions have been posted.

Q: How do you measure whether the program is effective?

A: Clients and lawyers are offered the option to answer a survey each time they log out of the website. We review survey data periodically.

Q: Do you keep statistics, and, if so, what kind?

A: The website is set up to produce canned reports for us. We can examine all of the eligibility data, determine where the questions come from (county level data), how many questions are posted in each category (family, debt/purchases, healthcare, housing), etc.

Q: Are there similar but unrelated programs in other states and, if so, which ones? Why did you choose not to replicate that program, or why did they choose not to replicate the Tennessee program?

A: There is a similar program in southern Michigan used for several counties. The program used a Technology Initiative Grant from Legal Services Corporation to get started, but they ran into some barriers with LSC regarding client eligibility, pro bono reporting, income verification, etc., so we opted to create our own version from scratch.

Q: What is the likelihood of fraud, people gaming the website to get free advice?

A: The problems seen in the client emails are not the problems of wealthy people. The website is based on the honor system, the same as it is in advice clinic model.

Q: Do you have a sample response for those questions that are over 30 days and for which the person requesting help receives a list of resources?

A: Yes, we have responses for those who don't qualify as well as those whose questions aren't answered.

Q: How was income eligibility set at 250% of the federal poverty level? Is that similar to another program that you have or unique to this program?

A: A group of volunteers from the Tennessee Bar Association's Access to Justice Committee set the standard, and the TBA and TALS boards approved the income guidelines. We wanted to be a service for people who are turned away from legal aid but still unable to pay market rate for an attorney.

Q: When the website suggests "alternative resources," what might those be?

A: Are you referring to what information we provide to clients if they are turned away due to lack of eligibility? If so, we provide all clients with the contact information for other programs where they might be able to receive help.

Q: Can we segregate client requests by county or district, or can any attorney answer any question regardless of where it's from?

A: We have it set up so that any lawyer can answer any question. We can track which counties the questions come from.

Q: Ideally, who should monitor the responses to make sure questions are answered?

A: The website is set up to color code the questions: green = questions less than 10 days old, yellow = questions older than 10 days, red = older than 25 days. A staff person should be in charge of monitoring and assigning questions, when necessary, to volunteers who might be willing to answer them. We rarely need to assign a question in order to get it answered.

Q: Who should maintain the database? Should it be done in each district/county?

A: It would likely be more cost effective for it to be maintained by one entity for the entire state, but that is a decision that each state will have to make on its own.

Q: How long will it take to set up?

A: After a licensee has its own servers, Baker can get the database out within two weeks. The website could probably be up and running within 2 months.

Licensee requirements:

The licensee will need someone to handle the installation of the hardware and software; two servers should be sufficient. The licensee will need to hire a developer for a period of time, this developer will need to be proficient in Microsoft C#. That developer will have to work with the Baker Donelson IT team to take out all references to "TN"Justice and make the website specific for the licensee. Baker Donelson would share the a copy of (1) the empty database, or schema, without the Tennessee data and (2) the code, it is similar to a text document until you run it through a compiler, and the licensee's developer would be responsible for doing this.

For additional information or to receive a temporary password to explore the website, contact:

Liz Todaro, Access to Justice Coordinator

Tennessee Bar Association

615-383-7421 or ltodaro@tnbar.org