

December 20, 2024

Arizona Supreme Court & Administrative Office of the Courts  
1501 W. Washington St.  
Suite 104  
Phoenix, AZ 85007

RE: Support for the Community-Based Justice Worker Service Delivery Models

Dear Justices of the Arizona Supreme Court & Administrative Office:

We write as co-directors of Stanford University's Deborah L. Rhode Center on the Legal Profession ("Rhode Center") to offer support for the adoption of Section 7-211 to the Arizona Code of Judicial Administration. That provision, which would codify a statewide community justice worker program into Arizona law, promises to bridge the justice gap that is currently afflicting tens of thousands of Arizona families. Thank you for giving us the opportunity to share our perspective.

Access to justice is a cornerstone of our legal system, encapsulated by the four words inscribed on the façade of the United States Supreme Court building: *equal justice under law*. Unfortunately, these words do not reflect the system's day-to-day reality. Most Americans do not have any access to justice at all.

The statistics are shocking.<sup>1</sup> In roughly three-quarters of the 20 million civil cases filed annually in state courts, at least one side lacks a lawyer—a sharp increase from 1992 (the only prior year where good data is available).<sup>2</sup> In some legal areas, such as family, housing, and

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<sup>1</sup> Americans experience an estimated at least 150 million new civil justice problems annually. See Rebecca L. Sandefur & James Teufel, *Assessing America's Access to Civil Justice Crisis*, 11 U.C. IRVINE L. REV. 753, 765 (2020). At least 120 million of those problems go unresolved. See INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS. & HAGUE INST. FOR INNOVATION OF L., JUSTICE NEEDS AND SATISFACTION IN THE UNITED STATES OF AMERICA 235 (2021).

<sup>2</sup> See NAT'L CTR. FOR STATE CTS., CIVIL JUSTICE INITIATIVE: THE LANDSCAPE OF CIVIL LITIGATION IN STATE COURTS iv (2015) (reporting that, in 75% of non-domestic relations civil cases, at least one side lacks a lawyer); NAT'L CTR. FOR STATE CTS. ET AL., FAMILY JUSTICE INITIATIVE: THE LANDSCAPE OF DOMESTIC RELATIONS CASES IN STATE COURT ii (2018) (reporting that, in domestic relations cases, "the majority of cases (72%) involved at least one self-represented party"). Federal courts, which see about 260,000 civil cases annually (barely a drop in the bucket, compared to the 20 million adjudicated by state courts), have fewer self-represented litigants (SRLs). But even there, SRLs initiate 25% of claims and lodge more than half of appeals. Judith Resnik,

debt, 80 to 90 percent of parties are unrepresented.<sup>3</sup> These figures only capture those who make it to court; many more individuals struggle with serious legal problems outside the formal judicial process.<sup>4</sup> Approximately 75 percent of low-income households experienced at least one civil legal problem in the past year; 40 percent experienced at least five.<sup>5</sup> The vast majority of those individuals (some 92 percent) do not receive any or enough legal assistance.<sup>6</sup> These individuals often navigate complex and life-altering issues—affecting their family, safety, housing, employment, and finances—without any formal guidance.

Of course, the Arizona Supreme Court is no stranger to this reality. The Court’s Task Force on the Delivery of Legal Services detailed these and other alarming figures in its pioneering 2019 report. That report also—critically—recognized that traditional approaches to addressing the access to justice crisis—like mandating pro bono service or seeking greater funding for legal aid—have proven ineffective.<sup>7</sup> In 2020, the Conference of Chief Justices passed an important Resolution (Resolution 2), doubling down on that dismal conclusion.<sup>8</sup> In passing the Resolution, the Chief Justices observed that “access to affordable legal services is critical in a society that has the rule of law as a foundational principle.” The Justices further concluded: “[T]raditional solutions to reducing the access to justice gap, such as increased funding for civil legal aid, more pro bono work, or court assistance programs . . . are not likely to resolve the gap, which is only increasing in severity.”<sup>9</sup>

The Arizona Task Force and the Conference of Chief Justices’ damning conclusions concerning the insufficiency of traditional solutions are correct—and critically important.<sup>10</sup>

No doubt, American lawyers should redouble their commitment to representing low-income Americans pro bono. But even a significant increase in pro bono efforts would fall short. Studies show that, even if every lawyer in the U.S. provided 100 additional pro bono hours per year, each household with a civil legal issue would still receive only 30 minutes of legal help.<sup>11</sup> Nor will an increase in legal aid cut it. Currently, Legal Services Corporation-funded

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*Mature Aggregation and Angst: Reframing Complex Litigation by Echoing Francis McGovern’s Early Insights into Remedial Innovation*, 84 L. & CONTEMP. PROBS. 231, 238–39 (2021).

<sup>3</sup> LUCY RICCA & ERIC HELLAND, RAND, CONFERENCE ON ACCESS TO JUSTICE IN CALIFORNIA 1 (2024).

<sup>4</sup> Nora Freeman Engstrom, *She Stood Up: The Life and Legacy of Deborah L. Rhode*, 74 STAN. L. REV. ONLINE 1, 8 (2021); Rebecca Sandefur, *What We Know, and Need to Know, About the Legal Needs of the Public*, 67 S.C. L. REV. 443, 447–49 (2015).

<sup>5</sup> LEGAL SERVS. CORP., THE JUSTICE GAP: THE UNMET CIVIL LEGAL NEEDS OF LOW-INCOME AMERICANS 8 (2022).

<sup>6</sup> *Id.*

<sup>7</sup> TASK FORCE ON THE DELIVERY OF LEGAL SERVS., ARIZ. SUP. CT., REPORT AND RECOMMENDATIONS (Oct. 4, 2019).

<sup>8</sup> CONF. OF CHIEF JUSTICES, RESOLUTION 2 URGING CONSIDERATION OF REGULATORY INNOVATIONS REGARDING THE DELIVERY OF LEGAL SERVICES (2020).

<sup>9</sup> *Id.*

<sup>10</sup> Nora Freeman Engstrom, *Legal Insurance and Its Limits*, 124 MICH. L. REV. (forthcoming 2025).

<sup>11</sup> 3 *Ways to Meet the “Staggering” Amount of Unmet Legal Needs*, AM. BAR ASS’N (July 2018).

organizations turn away nearly half of the requests they receive due to limited resources.<sup>12</sup> Even a doubling or tripling of legal aid will barely make a dent in the problem.<sup>13</sup>

Against this backdrop, Arizona has long distinguished itself as a leader in re-thinking how to authorize and regulate legal services providers to better reach and serve the state's citizens. Arizona established the Legal Document Preparer Program in 2003, far before a national regulatory innovation movement had sparked, and it launched the more expansive Legal Paraprofessional Program in 2021.<sup>14</sup> Then, in 2020, Arizona became the first state to authorize a community justice worker (CJW) program. Authorized in 2020 and 2023, Arizona's Domestic Violence Legal Advocates and Housing Stability Legal Advocates have provided general legal information and legal advice regarding housing matters, orders of protection, and family law over the past several years.<sup>15</sup> The broader CJW program detailed in proposed ACJA 7-211 is a logical next step, adding breadth to the already diverse ecosystem of legal service providers.

Now, one might wonder, is it sensible to invite more nonlawyers into the fold? Evidence suggests it is.

### **Evidence on Nonlawyer Assistance**

For more than fifty years, researchers have studied the benefits and perils of nonlawyer assistance. Here is what we know, in brief: Consumers want legal help, including from nonlawyers.<sup>16</sup> And qualified nonlawyers can be competent and effective. Indeed, a battery of studies, assessing different courts, at different times, and using different metrics, finds that trained nonlawyers can perform as well as, or sometimes better than, their J.D.-toting counterparts.<sup>17</sup> While *much more* can be learned from the use of nonlawyer providers in civil

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<sup>12</sup> LEGAL SERVS. CORP., *supra* note 5, at 9.

<sup>13</sup> Nora Freeman Engstrom & David Freeman Engstrom, *The Making of the A2J Crisis*, 75 STAN. L. REV. ONLINE 146, 153 (2024) (“We could (and should) expand legal aid funding. But we haven’t gotten where we are because of budget cuts, and even a vast increase over current commitments would barely dent the current crisis.”).

<sup>14</sup> In the Matter of: Arizona Code of Judicial Administration §7-208: Legal Document Preparers, No. 2003-14 (Ariz. 2003); ARIZ. SUP. CT., ANNUAL REPORT OF THE BOARD OF NONLAWYER LEGAL SERVICE PROVIDERS TO THE ARIZONA SUPREME COURT (Apr. 2021).

<sup>15</sup> In the Matter of: Authorizing a Housing Stability Legal Advocate Pilot Program, No. 2024-34 (Ariz. 2024); In the Matter of: Authorizing a Domestic Violence Legal Advocate Pilot Program, No. 2024-35 (Ariz. 2024); Cayley Balser & Stacy Rupprecht Jane, *The Diverse Landscape of Community-Based Justice Workers*, IAALS BLOG (Feb. 22, 2024).

<sup>16</sup> See, e.g., NATALIE ANNE KNOWLTON, INST. FOR THE ADVANCEMENT OF THE AM. LEGAL SYS., CASES WITHOUT COUNSEL: OUR RECOMMENDATIONS AFTER LISTENING TO THE LITIGANTS 29 (2016); Cayley Balser et al., *Leveraging Unauthorized Practice of Law Reform to Advance Access to Justice*, 18 L. J. FOR SOC. JUSTICE 66, 97–100 (2024); Rebecca L. Sandefur, *Legal Advice from Nonlawyers: Consumer Demand, Provider Quality, and Public Harms*, 16 STAN. J. CIV. RTS. & CIV. LIBERTIES 283, 289–97 (2020).

<sup>17</sup> See, e.g., MARY E. MCCLYMONT, GEO. JUST. LAB, NONLAWYER NAVIGATORS IN STATE COURTS: AN EMERGING CONSENSUS (2019); REBECCA L. SANDEFUR & THOMAS M. CLARKE, AM. B. FOUND., NAT’L CTR. FOR STATE CTS. & PUB. WELFARE FOUND., ROLES BEYOND LAWYERS: EVALUATION OF THE NEW YORK CITY COURT NAVIGATORS PROGRAM (2016); DAVID KRAFT ET AL., FIVE YEAR REVIEW OF PARALEGAL REGULATION: RESEARCH FINDINGS. FINAL REPORT FOR THE LAW SOCIETY OF UPPER CANADA 6 (2012); HERBERT M. KRITZER,

justice matters—and while more and more rigorous study is urgently needed—researchers have achieved proof of concept on qualified nonlawyer assistance.

### **Initial Studies from the United States**

One source comes from the early 1960s. There, in *Sperry v. Florida*, a nonlawyer practitioner who wanted to prepare and prosecute patent applications registered to practice before the U.S. Patent Office—but the Florida Bar challenged Sperry’s professional activities, claiming that his activities constituted the unauthorized practice of law. The Florida Supreme Court sided with the Florida Bar, and Sperry appealed. Siding with *Sperry*, the U.S. Supreme Court acknowledged that “nonlawyers have practiced before the Office from its inception, with the express approval of the Patent Office and to the knowledge of Congress.”<sup>18</sup> In fact, the Court pointed out that, in response to inquiries, the Patent Office had declared that “there is no significant difference between lawyers and nonlawyers, either with respect to their ability to handle the work or with respect to their ethical conduct.”<sup>19</sup>

Two additional sources come from the 1980s. At that time, Professors Donald Duquette and Sarah Ramsey sought to assess representation of children in child abuse and neglect cases across several provider types: generalist lawyers and a group of providers—law students, lay volunteers, and private attorneys—who received specialized training.<sup>20</sup> Using court data and interviews, Duquette and Ramsey assessed the quality of the providers’ representation. Evaluating both process and outcome measures, they found that “[n]onlawyers carefully selected and trained and under lawyer supervision performed as well as trained lawyers in representing children, and certainly performed better than lawyers without special training.”<sup>21</sup>

Just a few years later, Professor Zona Fairbanks Hostetler zeroed in on the Social Security Administration and the Immigration and Naturalization Services.<sup>22</sup> After conducting a series of interviews with federal agency officials, as well as representatives from legal aid and social services agencies, she reported that “a high level of satisfaction with nonlawyer representatives, not only at the early stages of assisting with forms and informal conferences, but also at later stages of agency proceedings.”<sup>23</sup> She concluded that “[t]he overwhelming

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LEGAL ADVOCACY: LAWYERS AND NONLAWYERS AT WORK (1998); Jessica K. Steinberg et al., *Judges and the Deregulation of the Lawyer’s Monopoly*, 89 FORDHAM L. REV. 1315 (2021); Richard Moorhead et al., *Contesting Professionalism: Legal Aid and Nonlawyers in England and Wales*, 37 LAW & SOC’Y REV. 765, 785–87 (2003); Nora Freeman Engstrom, *Effective Deregulation: A Look Under Hood of State Civil Courts*, JOTWELL, Oct. 31, 2022.

<sup>18</sup> *Sperry v. Florida*, 373 U.S. 379, 388 (1963).

<sup>19</sup> *Id.* at 402.

<sup>20</sup> Donald N. Duquette & Sarah H. Ramsey, *Representation of Children in Child Abuse and Neglect Cases: An Empirical Look at What Constitutes Effective Representation*, 20 U. MICH. J.L. REFORM 341 (1987).

<sup>21</sup> *Id.* at 390.

<sup>22</sup> Zona Fairbanks Hostetler, *Nonlawyer Assistance to Individuals in Federal Mass Justice Agencies: The Need for Improved Guidelines*, 2 ADMIN. L.J. 86, 86 (1988).

<sup>23</sup> *Id.* at 103.

opinion is that there is little perceived difference in the quality of help between lawyers as a class and nonlawyers as a class.”<sup>24</sup>

Part of this may be attributable to the fact that, unlike lawyers (who tend to get a one-size-fits-all legal education), many nonlawyer advocates were (and still are) specially trained to perform the specific tasks they perform. Hostetler explained:

A number of the nonprofit agencies interviewed stressed that their nonlawyer employees and volunteers were specially and intensively trained to fill out administrative agency forms and to answer questions concerning agency rules and procedure. They opined that it was their experience that lawyers in private practice rarely, if ever, received any training in these functions as part of their law school curricula.<sup>25</sup>

Next, in the 1990s, Herbert Kritzer, a prominent political scientist and University of Minnesota Law Professor, explored qualified lay agents in the context of four administrative settings in Wisconsin: unemployment compensation appeals, tax appeals, Social Security disability appeals, and labor grievance arbitration. Through observation, interviews, and outcome analysis, Kritzer found that “nonlawyers can be effective advocates and, in some situations, better advocates than licensed attorneys.”<sup>26</sup> His research demonstrated that the formal training of a general practitioner is only one path through which to acquire the skills and knowledge necessary to provide competent assistance and representation.<sup>27</sup> In many contexts, including the four administrative settings in his study, Kritzer concluded:

[T]he key to effective representation is the combination of three types of expertise: knowledge about the substance of the area, an understanding of the procedures used, and familiarity with the other regular players in the process. The latter can come only with experience, but the first two (substantive and procedural expertise) could be imparted through one-year, specialized training programs for paralegals, legal technicians, and licensed advocates.<sup>28</sup>

Kritzer further noted that “[t]he expertise necessary to handle specialized proceedings or tasks can also be acquired experientially, either through an apprentice-like process or by parallel experience.”<sup>29</sup>

Yet another source comes from the mid-2010s. Then, Professor Rebecca Sandefur, a MacArthur Foundation genius award winner, conducted a meta-analysis of research undertaken between the mid-1960s and the 2000s to explore the specific question of how much

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<sup>24</sup> *Id.*

<sup>25</sup> *Id.* at 105 (citation omitted).

<sup>26</sup> Herbert M. Kritzer, *Viewpoint: Rethinking Barriers to Legal Practice*, 81 JUDICATURE 100, 100 (1997).

<sup>27</sup> *Id.* at 101.

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

lawyer representation changes the outcomes of formal adjudication.<sup>30</sup> The study’s design allowed Professor Sandefur to compare impacts of lawyer representation to both nonlawyer advocate representation and litigant self-representation. Broadly, she found that lawyers “perform so much better than lay people, but only somewhat better than [nonlawyer advocates].”<sup>31</sup> And further:

In the kinds of cases studied to date, lawyers’ impact comes more from managing relatively simple legal procedures than from deploying the complex legal theories or doctrines that are the stuff of formal legal education. Lawyers’ impact also reflects their relationship to the court as professionals who understand how to navigate a rarefied interpersonal world.<sup>32</sup>

Ultimately, Sandefur concluded that “[d]oing professional work with technical competence may sometimes require relatively low levels of professional expertise, but a need for relational expertise may shape the effectiveness of that competence, particularly when non- or paraprofessionals try to carry out their work in contexts dominated by professionals, such as courts.”<sup>33</sup>

In 2017, Professors Anna Carpenter, Alyx Mark, and Colleen Shanahan built on Sandefur’s meta-analysis, exploring how lawyers and nonlawyers working in the same context develop and exercise expertise.<sup>34</sup> Through interviews and case data from more than 5,000 unemployment insurance appeal hearings in the District of Columbia’s Office of Administrative Hearings, they found that when lawyers and nonlawyers appear at hearings, case outcomes and procedural behaviors were similar. Specifically, Carpenter and her co-authors found “that the similar procedural behaviors reflect specialized expertise in unemployment hearings that lawyers and nonlawyers share . . . . Namely, we find that nonlawyers can and do help parties navigate basic, commonly used procedures and that they understand basic substantive legal concepts.”<sup>35</sup>

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<sup>30</sup> Rebecca L. Sandefur, *Elements of Professional Expertise: Understanding Relational and Substantive Expertise through Lawyers’ Impact*, 80 AM. SOCIO. REV. 909, 913 (2015).

<sup>31</sup> *Id.* at 924. Sandefur noted that there were enormous differences across the studies included in her meta-analysis, with nonlawyer advocates including law students, labor union staff, paralegals, social workers, and friends or family of the litigant. *Id.* at 915.

<sup>32</sup> *Id.* at 926 (citation omitted).

<sup>33</sup> *Id.* at 927.

<sup>34</sup> Anne E. Carpenter, Alyx Mark & Colleen F. Shanahan, *Trial and Error: Lawyers and Nonlawyer Advocates*, 42 L. & SOC. INQUIRY 1023 (2017).

<sup>35</sup> *Id.* at 1046. Where nonlawyers and lawyers differ, however, is that the former “are not equipped to challenge judges on issues of substantive law or procedure in a given case, or to expand or develop the law in any way” whereas “lawyers can and do challenge judges on points of substantive law and procedure, and can and do argue for law reform.” *Id.*

## More Recent Evaluations within the United States

We also have a growing dataset from U.S. states that are authorizing qualified nonlawyer legal services providers. Studies from this arena also supply valuable information.

For one, as you know, Washington launched a Limited License Legal Technician (“LLLT”) program in 2015, which allowed certified and trained nonlawyers to assist with certain family law matters. A preliminary evaluation of Washington’s LLLT program found that clients “uniformly reported that LLLTs provided competent assistance” and further that “their legal outcomes were improved by utilizing the services of LLLTs.”<sup>36</sup> Some clients also expressed a desire to have assistance from LLLTs in areas beyond the providers’ purview, including “represent[ing] them in conversations or negotiations with opposing lawyers and parties” and “accompany[ing] them into court and at least assist[ing] them in answering questions during court hearings.”<sup>37</sup>

The Washington Supreme Court decided to sunset the LLLT program on June 4, 2020. Thereafter, an independent Rhode Center *post mortem* ironically concluded that, prior to its termination, the program had been a success. Clients, the Center Report found, described “overwhelmingly positive experiences with LLLTs.”<sup>38</sup> Attorneys, who worked with LLLTs in a variety of contexts, likewise reported high satisfaction with the practitioners’ work.<sup>39</sup> The same was true for many judges and commissioners, some of whom reported “that LLLT work product is often higher quality and easier for the court to consume than attorney work product.”<sup>40</sup> Additionally, a number of judges and commissioners reported efficiency gains in cases involving LLLTs.<sup>41</sup>

Similar findings are emerging from Minnesota where—effective as of January 1, 2025—the Legal Paraprofessional Program will be permanent and will include an expanded scope of practice areas.<sup>42</sup> Clients of Legal Paraprofessionals were surveyed as part of the interim pilot evaluation, and 15 out of 17 “were satisfied or very satisfied with the services they received.”<sup>43</sup> The same number “were likely or very likely to recommend the services of a legal paraprofessional to their family or friend.”<sup>44</sup> Further, supervising attorneys (12 out of 13)

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<sup>36</sup> THOMAS M. CLARKE & REBECCA L. SANDEFUR, NAT’L CTR. FOR STATE CTS., AM. B. FOUND., & PUB. WELFARE FOUND., PRELIMINARY EVALUATION OF THE WASHINGTON STATE LIMITED LICENSE LEGAL TECHNICIAN PROGRAM 9 (2017).

<sup>37</sup> *Id.*

<sup>38</sup> JASON SOLOMON & NOELLE SMITH, STANFORD CENTER ON THE LEGAL PROFESSION, THE SURPRISING SUCCESS OF WASHINGTON STATE’S LIMITED LICENSE LEGAL TECHNICIAN PROGRAM 9 (2021).

<sup>39</sup> *Id.* at 12.

<sup>40</sup> *Id.* at 13.

<sup>41</sup> *Id.*

<sup>42</sup> Order Amending Rules Governing Legal Paraprofessional Pilot Project, No. ADM19-8002 (Minn. 2024).

<sup>43</sup> STANDING COMM. FOR LEGAL PARAPROFESSIONAL PILOT PROJECT, MINN. SUP. CT., FINAL REPORT AND RECOMMENDATIONS TO THE MINNESOTA SUPREME COURT 8 (Jan. 12, 2024).

<sup>44</sup> *Id.*

reported being “[v]ery satisfied with the quality of work provided by paraprofessionals under their supervision, and no respondents reported being dissatisfied.”<sup>45</sup> Of the judges surveyed (14), nine “agreed that paraprofessionals displayed appropriate decorum in the courtroom,” eight “reported paraprofessionals were aware of applicable court rules,” and 11 “agreed that paraprofessionals observed courtroom courtesies.”<sup>46</sup>

## Evidence from Overseas

Other evidence comes from outside the United States.

In the 1980s, at the request of the then-Lord Chancellor’s Department, Professors Hazel Genn and Yvette Genn studied nonlawyer performance in administrative tribunals in England and Wales.<sup>47</sup> Across the four tribunals they researched, Genn and Genn found that “the presence of a representative significantly and independently increases the probability that appellants and applicants will succeed with their case at a tribunal hearing.”<sup>48</sup> Furthermore, “[f]ew among the tribunals or representatives interviewed believe that lawyers were necessarily best equipped to conduct representation in tribunals.”<sup>49</sup> Similar to what Kritzer, Hostetler, and others have found, Genn and Genn concluded that “specialisation and experience were the most important qualifications for good representation.”<sup>50</sup>

In the late 1990s, Professors Richard Moorhead, Avrom Sherr, and Alan Paterson examined the differences between nonlawyers and solicitors in England and Wales.<sup>51</sup> Their inquiry considered welfare benefits, debt, housing, and employment cases, where nonlawyers are permitted to supply certain types of assistance.<sup>52</sup> They found that, even after controlling for other factors, a solicitor (a lawyer) was *less likely* to get a positive result for a client than a nonlawyer in both welfare benefit and employment cases.<sup>53</sup>

Moorhead and his co-authors acknowledged that such differences may reflect other factors, so they layered in peer review and client satisfaction assessments. Ultimately, they concluded:

[T]hese results indicate a statistically significant difference between solicitors and [nonlawyers] in terms of the quality of their contracted work. [Nonlawyers]

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<sup>45</sup> *Id.* at 7.

<sup>46</sup> *Id.* at 8.

<sup>47</sup> HAZEL GENN & YVETTE GENN, THE EFFECTIVENESS OF REPRESENTATION AT TRIBUNALS: REPORT TO THE LORD CHANCELLOR (1989). Specifically, Genn and Genn used quantitative data on outcomes, observation at hearings, and interviews to assess nonlawyer participation in various tribunals.

<sup>48</sup> *Id.* at 243. This finding endured “when other measurable factors related to outcome” were held constant. *Id.* at 107.

<sup>49</sup> *Id.* at 245.

<sup>50</sup> *Id.* at 245–46.

<sup>51</sup> Moorhead et al., *supra* note 17, at 777.

<sup>52</sup> For the ins and outs of the assistance that nonlawyers can supply, see *id.* at 773.

<sup>53</sup> Housing cases presented a more mixed picture. *Id.* at 787.



had clients with slightly higher satisfaction ratings and got significantly better results, and their work on cases was more likely to be graded at higher levels of quality by experienced practitioners working in their field. Put alongside the findings on quality, the “justice on the cheap” presumption about nonlawyer services is turned on its head.<sup>54</sup>

## Conclusion

Lawyers are—and should remain—the beating heart of the legal service ecosystem. But lay advocates can help lawyers to serve more people more efficiently. By extending lawyers’ reach, community-based lay helpers can enable communities to identify and vindicate their legal rights and prevent avoidable harm from having devastating impacts.

Arizona’s leadership has long been at the forefront of the A2J movement. Multiple states across the country are following Arizona’s lead; they have launched or are considering launching justice worker programs, including Alaska, Hawaii, Delaware, Texas, and Indiana. The proposed codification continues Arizona’s commendable record of leadership.

We applaud the Arizona Supreme Court and statewide judicial leadership for their vision in this effort and in moving the legal services sector toward a more accessible, affordable, and equitable future.



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<sup>54</sup> *Id.* at 789. While it may be easy to dismiss research from England and Wales as involving sufficiently different legal systems, University of Colorado Law Professor Deborah Cantrell notes in regard to Moorhead’s work that “the systemic differences are modest enough that the study’s results remain relevant to discussions about nonlawyer practice in the United States.” Deborah J. Cantrell, *The Obligation of Legal Aid Lawyers to Champion Practice by Nonlawyers*, 73 *FORDHAM L. REV.* 883, 890 (2004).