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Access to Justice (<https://www.probonoinst.org/category/access-to-justice/>), Community Justice Workers (<https://www.probonoinst.org/category/community-justice-workers/>)

BRIDGING THE JUSTICE GAP IN LEGAL DESERTS: COMMUNITY JUSTICE WORKERS AND LEGAL ADVOCATES IN ARIZONA

For the vast majority of Americans, hiring a lawyer simply isn't an option. In addition to common financial barriers, Arizona ranks among the states with the **lowest number of attorneys per capita** (<https://www.abajournal.com/news/article/abas-profession-profile-shows-a-dearth-of-lawyers-in-rural-areas-and-attorney-debt-struggles?>), making access to legal representation especially problematic. Arizona is taking measures to bridge this growing divide through the creation of a **community justice worker (CJW) and community legal advocate (CLA)**

(https://www.tucsonsentinel.com/local/report/010725_community_justice_workers/non-lawyers-can-provide-legal-help-low-income-arizonans-through-new-program/) program—a way for nonlawyers to help residents meet legal needs where representation is scarce or unattainable.

The concept of community-based justice programs is not novel to the legal industry. As described by **Frontline Justice** (<https://www.frontlinejustice.org/>), the leading non-partisan organization supporting CJW initiatives across the country: "Just like paramedics, nurses, and home aides have expanded access to basic health needs, justice workers can do the same for the justice system."

These programs offer a new and innovative approach to access to justice that is gaining momentum nationwide. The model, **first implemented in Alaska** (<https://www.alsc-law.org/cjw/>), aims to meet legal needs in communities by offering free or low-cost legal

assistance to those who cannot afford it. With the help of these new legal service providers, Arizona hopes to make legal help more accessible to its residents, especially those who are most in need.

Legal Deserts: Where Financial Need Meets Scarcity

According to the Legal Services Corporation (LSC) 2022 **Justice Gap Study** (<https://justicegap.lsc.gov/resource/executive-summary/>), 92% of civil legal problems reported by low-income Americans received inadequate or no legal assistance, highlighting the severity of this issue nationwide. Three out of four low-income households experienced at least one civil legal problem in the previous year, including critical issues such as health care, housing, education, veterans' benefits, and domestic violence.

The problem is even more pronounced in **rural communities**

(<https://www.justice.gov/atj/fact-sheet-access-justice-rural-access>), where lawyers are scarce and court resources are also often limited. Traveling to a metropolitan area where more resources exist is generally not a viable option due to the time and costs involved. These barriers disproportionately affect marginalized populations, leading to systemic inequalities. Places like rural Arizona that have especially low rates of lawyers per capita are referred to as "legal deserts." Without enough legal professionals to meet the need, individuals facing eviction, family disputes, or debt collection cases often navigate the system without support, exacerbating existing disparities.

The Rise of Nonlawyer Legal Service Providers in Arizona

Arizona is home to many innovative access to justice efforts spanning several decades. From its QuickCourt self-service kiosk model deployed over 30 years ago to help litigants prepare court forms to its authorization of unbundled legal services allowing for limited-scope representation, the Arizona judiciary has taken active steps toward making access to justice a reality for Arizonans.

Through **Administrative Order 2014-83**

(<https://www.azcourts.gov/Portals/22/admorder/Orders14/2014-83.pdf>), issued over ten years ago, the Supreme Court of Arizona established the Arizona Commission on Access to Justice. In creating the Commission, the Court cited Goal 1 of the Arizona judiciary's Strategic Agenda entitled *Advancing Justice Together*:

Arizonans look to our courts to protect their rights and to resolve disputes fairly and efficiently. To serve these ends, Arizona's judicial branch must work to ensure that all individuals have effective access to justice. This goal is advanced not only by examining legal representation for moderate and low-income persons, but also by helping self-represented litigants and others navigate the judicial process.

Recognizing that the access to justice crisis can't be solved by lawyers alone, in 2020, Arizona began its **CJW journey** (<https://iaals.du.edu/blog/diverse-landscape-community-based-justice-workers>), modifying unauthorized practice of law (UPL) restrictions to authorize its first CJW initiative in the area of domestic violence. The program started with a single organization. After demonstrated success, it was scaled statewide in 2023. That same year, another CJW-based program was implemented in the housing arena. Both projects were developed and scaled in partnership with **Innovation for Justice (i4J)** (<https://www.innovation4justice.org/>), a social innovation lab housed at The University of Arizona James E. Rogers College of Law and The University of Utah David Eccles School of Business.

It was against this backdrop that in February 2024, the Arizona Commission on Access to Justice voted to consider expanding a CJW program throughout the state. With a strong foundation for community justice work already in place, the new statewide program developed quickly, and in December 2024, the Supreme Court of Arizona issued

Administrative Order 2024-250

(<https://www.azcourts.gov/Portals/22/admorder/Orders24/2024-250.pdf?ver=YYDz3bAZqH-jJnkdK9jiWA%3D%3D>), which established the Legal Services Authorized Community Justice Worker (LSACJW) program.

On March 19, 2025, the Court issued **Administrative Order 2025-60**

(https://www.azcourts.gov/Portals/22/admorder/Orders25/2025-60.pdf?ver=i7y8U_X-0F-IEGmyLNt1Cg%3d%3d), adopting new section 7-211 of the Arizona Code of Judicial Administration. That section, found in the chapter governing certification and licensing programs, is entitled "Community-Based Justice Work Delivery Models." The new rules expanded upon the CJW model, creating two categories of nonlawyer legal service providers—"authorized community justice workers" and "certified community legal advocates."

Services Tailored to the Needs of Arizonans

The program adopted by the Court allows nonlawyers to provide assistance to Arizonans in areas of great need. These include domestic violence, evictions/housing stability, public benefits, debt/debt relief, unemployment law, and consumer issues. These are currently the only areas of law approved by the Court. However, the rules provide a mechanism for amending this list should changes be recommended and approved as the program develops.

Promoting further flexibility, the rules provide for two different types of nonlawyer legal services providers. Authorized CJWs are supervised by an approved LSO licensed attorney and are permitted to provide specified legal assistance and advice in the approved areas of law to the LSO's clients. These service providers may:

- Provide advice
- Prepare documents including court filings
- Negotiate legal rights and responsibilities
- Provide representation in administrative proceedings

Certified CLAs, on the other hand, work or volunteer for an approved community-based organization. These organizations may include shelters for those experiencing domestic violence or homelessness, schools, or faith-based institutions, to name a few. To become approved to offer the legal services of a CLA, the organization must apply to the Administrative Office of the Courts.

Certified CLAs must be mentored by a lawyer who has been licensed to practice in Arizona for at least five years or who is now inactive or retired and meets specific criteria including expertise in the subject area, or by an organization providing certified CLA training. Certified CLAs are authorized to provide legal services to community members who are already receiving other services from the community-based organization for which the advocate is working or volunteering. They are permitted to provide legal assistance and advice in the subject area in which they are certified, including the following services:

- Assessing the rights and obligations at issue in legal proceedings
- Developing dispute resolution strategies
- Identifying legal claims and defenses and how to assert them in the appropriate manner
- Explaining the process and timeline of legal proceedings
- Engaging in negotiations
- Preparing for hearings and mediations

For certified CLAs assisting clients of approved community-based organizations with court or administrative hearings, these advocates are permitted to:

- Sit at counsel table during administrative and court hearings to advise and assist participants who are representing themselves
- Respond to requests for information from a judicial officer at a hearing
- Assist with directly related post-hearing issues

Effective and Accessible Training Models

The paths for becoming an authorized CJW and a certified CLA are designed to be accessible to members of the community, training them to help their neighbors with specific areas of critical need. Express requirements for qualifications, training, and

oversight ensure that these service providers are qualified and understand the specific legal topics and proceedings in which they will be helping members of their community.

For both categories of service providers, the individuals applying to provide legal services must be over the age of 18 and of good moral character, possess a high school diploma or equivalent, and be a citizen or legal resident of the United States. The main distinction between the two models is that CJWs work for or volunteer with an LSO, while certified CLAs work for or volunteer with a community-based organization.

For CJWs, an approved LSO must nominate the individual in writing, and the individual must complete training provided by the LSO or an organization providing approved certified CLA training on professional conduct, including conflicts of interest, the duty of candor, and confidentiality, along with training in any approved area of legal services the individual plans to provide. The LSO must also conduct a background check and confirm the individual is competent in the subject matter. The individual must agree in writing to abide by all rules and regulations of the LSO and to provide the authorized services under an LSO-affiliated attorney's supervision.

Certified CLAs have many similar requirements. However, rather than an LSO being responsible for nominating them, checking their background, and confirming their training, the approved community-based organization bears these responsibilities.

A Program with Powerful Promise for Arizona Communities

With Arizona's strong track record of developing and scaling effective access to justice programs, the future of the state's new Community-Based Justice Work program appears bright. As efforts to incorporate CJW models into access to justice strategies flourish across the country, Arizona stands as a model for scaling and building upon evidence-based programs with proven success.

The role of the Supreme Court of Arizona in supporting and facilitating successful programs around the state has been critical to this success. The Court **stated** (<https://www.azcourts.gov/Portals/22/admorder/Orders24/2024-250.pdf?ver=YYDz3bAZqH-jJnkdK9jiWA%3D%3D>) that “[e]stablishing [the program] in conjunction with Arizona's LSC grantees will advance the Court's Strategic Agenda goal of improving access to legal services and information for vulnerable Arizonans, including Arizona's rural residents, with appropriate safeguards in place to ensure the delivery of quality services.” Chief Justice Ann Scott Timmer has spoken about the program, **stating** (https://www.tucsonsentinel.com/local/report/040125_community_justice_workers/arizona-supreme-court-approves-program-allow-non-lawyers-give-legal-advice/), “By empowering local community members to provide essential support under the guidance of trained attorneys, we are expanding access to justice and ensuring that more Arizonans can navigate legal challenges with the help they need.”

A National Call to Action

What can you do to support powerful access to justice solutions like this across the country? Spread the word and educate your community! There are many misconceptions about legal services—from mistaken notions that there is a constitutional right to an attorney in civil cases like those involving domestic violence, eviction, and public benefits to misguided impressions that only lawyers can assist with these issues. Correct these misconceptions in your community and educate the public on **different types of legal service providers** (<https://www.probonoinst.org/wp-content/uploads/Summary-of-Differences-between-Lawyers-and-Nonlawyer-Legal-Service-Providers.pdf>). Share that in places like Arizona, **Alaska** (<https://www.alsc-law.org/cjw/>), and **Utah** (<https://iaals.du.edu/blog/diverse-landscape-community-based-justice-workers>), these programs are working well, and that they are being considered in several other jurisdictions including **Texas** (<https://www.probonoinst.org/2024/09/26/reimagining-legal-services-how-texas-is-tackling-the-access-to-justice-crisis/>) and **Washington, D.C.** (<https://www.probonoinst.org/2024/10/10/exploring-nonlawyer-providers-to-enhance-access-to-justice-in-dc/>)

Looking for more ways to support CJW initiatives? If you represent a law firm or a business with an in-house legal department and would like to get involved in CJW efforts in your area, please reach out to us at **pbi@probonoinst.org** (<mailto:pbi@probonoinst.org>).

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