COMMUNITY JUSTICE WORKERS: PART OF THE SOLUTION TO ALASKA'S LEGAL DESERTS

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ABSTRACT

Legal deserts – large geographic areas where there are few or no attorneys – are found throughout the United States, including Alaska. These deserts are a major contributor to the access to justice gap. Further compounding the scarcity of legal resources in these areas, many people living in legal deserts cannot afford legal help, even when a lawyer is available. Legal aid organizations have struggled to overcome these challenges in meeting the legal needs of low-income Americans and are often forced to turn away as many people as they are able to help. Alaska Legal Services Corporation (ALSC) is responding to this challenge in part through a new type of legal professional: the community justice worker. Inspired by the Alaska Native Tribal health care system, community justice workers are non-attorneys trained to offer specific legal interventions for a particular legal issue. During Alaska's recent Supplemental Nutrition Assistance Program (SNAP) crisis, community justice worker volunteers helped ALSC meet an exponential increase in SNAP delay and denial cases and successfully recovered $1.43 million in food security benefits on behalf of clients. ALSC looks to continue expanding its successful community justice worker program to meet the legal needs of low-income Alaskans.

I. INTRODUCTION

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.

-Alaska Court System, *Justice for All Statewide Action Plan*[1]

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1. Stacey Marz, Mara Kimmel & Miguel Willis, *Alaska's Justice Ecosystem:*

Alaska is not the first state that comes to mind when thinking about deserts in the United States, although its North Slope, receiving less than ten inches of precipitation a year, qualifies as one.[2] In true Alaskan style, the North Slope is part of the second largest desert in the world, the Arctic Polar Desert.[3] Covering parts of Alaska, Canada, Greenland, Iceland, Norway, Sweden, Finland, and Russia, the Arctic Polar Desert's total area is nearly twice the size of the continental United States.[4] Alaska is also home to many other deserts—legal ones. Legal deserts are large geographic areas where there are few or no attorneys available, requiring residents to travel long distances for legal assistance.[5] The state is covered in them. For example, over 27,000 people live in Western Alaska's Yukon-Kuskokwim Delta (YK-Delta) region[6]—spanning 58,000 square miles and roughly the size of New York State[7]—but only four private attorneys and one civil legal aid attorney work in the hub community of Bethel.[8] In the Bering Strait Region, just south of the Arctic Circle, only two private attorneys and one civil legal aid attorney[9] are available to the almost 10,000 people living in 20 villages, including the hub community of Nome.[10] Access to counsel is similarly limited in most rural areas across the state.[11]

Equitably serving all communities in Alaska is a challenge. Alaska is geographically the largest state in the nation (663,300 square miles)[12] and

Building a Partnership of Providers, ALASKA CT. SYS. ACCESS TO JUST. COMM. ii (2017), https://courts.alaska.gov/jfa/docs/plan.pdf.

2. Bethany Neilson & Tyler King, *Utah and the Arctic: From One Desert to Another*, MEDIUM: OUR ARCTIC NATION (Sept. 24, 2016), https://medium.com/our-arctic-nation/utah-and-the-arctic-from-one-desert-to-another-f2292d66f169.

3. *Id.*

4. *Id.*

5. *See ABA Profile of the Legal Profession 2020*, A.B.A. 2 (July 2020), https://www.americanbar.org/content/dam/aba/administrative/news/2020/07/potlp2020.pdf (defining legal deserts as counties where there is one or fewer lawyers for every 1,000 residents).

6. *See* America Counts Staff, *Alaska, Least Densely Populated State, Had Population of 733,391 in 2020*, U.S. CENSUS BUREAU (Aug. 25, 2021), https://www.census.gov/library/stories/state-by-state/alaska-population-change-between-census-decade.html (combining population of Bethel (population 18,666) and Kusilvak (population 8,368) census areas).

7. *Our Region*, ASS'N OF VILL. COUNCIL PRESIDENTS, https://www.avcp.org/about-avcp/our-region (last visited July 24, 2024).

8. TODD COMMC'NS, ALASKA DIRECTORY OF ATTORNEYS (2024).

9. *Id.*

10. *Id.*

11. *See* Marz et al., *supra* note 1, at 9 (the "Legal Providers" map shows that lawyers are concentrated in only a few communities throughout the State).

12. TRAVEL ALASKA, https://www.travelalaska.com (last visited Oct. 16, 2024).

boasts some of the most extreme weather in the United States.[13] The phrase "rural Alaska" is commonly used to refer to communities located off the road system.[14] These communities are unconnected to each other or the rest of the state by roads or the Alcan Highway, and are accessible to the rest of the state only by plane or barge.[15] Travel between these communities is accomplished by small planes, boats, or snow machines.[16] Out of Alaska's total population of over 736,000, approximately 250,000 residents live in rural Alaska.[17]

A. The Access to Justice Gap

Legal deserts are not unique to Alaska. In communities without legal counsel, residents must travel far for routine legal matters like drawing up a will, handling a divorce, or obtaining a guardianship.[18] This phenomenon is a major contributor to what is known as the access to justice gap. The American Bar Association's 2020 Profile of the Legal Profession found that large parts of the country have few or no lawyers.[19] Fifty-four of the more than 3,100 counties and county-equivalents in the United States have no lawyers, and "[a]nother 182 have only one or two lawyers."[20] In fact, 40% of all counties and county-equivalents have less than one lawyer per 1,000 residents.[21] To compound the scarcity of legal

13. Summer temperatures rarely climb above 65 degrees in coastal areas and higher elevations but often reach above 90 degrees in the Interior. Winter temperatures also span the range from a temperate 20 degrees to below -30 degrees. *See Alaska Weather*, TRAVEL ALASKA, https://www.travelalaska.com/plan-your-trip/planning-tools/alaska-weather (last visited Oct. 16, 2024).

14. *See Alaska*, RURAL.GOV, https://www.rural.gov/community-networks/ak (last visited Oct. 16, 2024) (explaining the isolation and remoteness of rural Alaska).

15. *See* U.S. DEP'T OF JUST., PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE: HEARING ON RURAL AND TRIBAL JUSTICE (2020), https://www.justice.gov/ag/file/1075801/dl?inline#page=76 (providing a written statement and supplemental materials of Vivian Korthuis, Chief Executive Officer, Association of Village Council Presidents describing public safety challenges in rural Alaska).

16. *Id.*

17. *See* David Jones, *Population of Alaska: An In-Depth Analysis of Trends and Insights*, THE TUNDRA DRUMS (June 26, 2024), https://thetundradrums.com/trends-insights-and-population-of-alaska (stating that 34% of Alaska's population lives in rural areas).

18. *See ABA Profile of the Legal Profession 2020*, *supra* note 5, at 2 ("Many [counties] are parts of legal deserts – large areas where residents have to travel far to find a lawyer for routine matters like drawing up a will, handling a divorce or disputing a traffic violation.").

19. *Id.*

20. *Id.*

21. *Id.*

resources, even when legal help can be found, many people living in legal deserts cannot afford it.

About fifty million Americans live in households with incomes below 125% of the poverty threshold.[22] People living in rural areas are more likely to live in poverty as 19% of the rural population lives below the poverty line compared to 15% of suburban and urban populations.[23] In its 2022 report *The Justice Gap: The Unmet Civil Legal Needs of Low-Income Americans*, the Legal Services Corporation (LSC) found that low-income Americans sought legal help for only 25% of the civil legal problems that substantially impacted them in the past year.[24] An impact was considered "substantial" if it affected the individual "very much" or "severely" (as opposed to "moderately," "slightly," or "not at all").[25] Common reasons for not seeking legal help were concerns that attorneys were too expensive or unable to help with their type of problem.[26]

In 2021, low-income Americans did not receive any or enough legal help for 92% of the problems that substantially impacted them,[27] an *increase* from about 86% in 2017.[28] LSC-funded organizations (the majority of legal aid providers) are approached with an estimated 1.9 million civil legal problems each year, but are only able to provide legal help for one-half of these matters.[29] Even when low-income Americans obtain legal help, most do not receive adequate assistance. For all of the matters substantially affecting low-income Americans in LSC's study, 66% of them were not sufficiently addressed.[30]

B. Alaska Legal Services Corporation's Response to Alaska's SNAP Crisis

Legal deserts present great challenges for ALSC. As Alaska's sole statewide provider of free, comprehensive civil legal aid, ALSC is regularly forced to turn away at least as many eligible clients as it can serve. However, Alaska's recent food security crisis saw a different outcome.

22. LEGAL SERVICES CORP., THE JUSTICE GAP: THE UNMET CIVIL LEGAL NEEDS OF LOW-INCOME AMERICANS 22 (2022) [hereinafter THE JUSTICE GAP 2022].
23. *Id.* at 23.
24. *Id.* at 45.
25. *Id.* at 44.
26. *Id.* at 49–51.
27. *Id.* at 48.
28. LEGAL SERVS. CORP., THE JUSTICE GAP: MEASURING THE UNMET CIVIL LEGAL NEEDS OF LOW-INCOME AMERICANS 6 (2017), https://lsc-live.app.box.com/s/6x4wbh5d2gqxwy0v094os1x2k6a39q74.
29. THE JUSTICE GAP 2022, *supra* note 22, at 70–71.
30. *Id.* at 46.

In early fall of 2022, just as it seemed that the end of the COVID-19 pandemic was in sight, a new crisis was brewing.[31] As pandemic-era SNAP (food stamps) waivers ended, the Alaska Division of Public Assistance fell drastically behind in processing new SNAP applications and "recertifications" for existing SNAP beneficiaries.[32] Further complications, including outdated information technology systems and staffing concerns, snowballed.[33] As a result, thousands of families waited up to six months or more to learn if they were eligible for benefits or for SNAP recertification.[34]

To make matters worse, Western Alaska was hit with a typhoon.[35] The typhoon wiped out fishing gear and caused power outages, resulting in the spoilage of a season's worth of subsistence harvest (fish and game).[36] Neighbors relied on each other to feed their families,[37] and families made the hard choice of paying bills or buying food.[38] Thousands of Alaskans waited months for their SNAP cases to be processed,[39] despite regulations requiring that applications be processed in thirty days (or

31. *See* Katherine Fung, *Alaskans Left 'Starving' While Waiting Months for Food Stamps*, NEWSWEEK (Feb. 27, 2023), https://www.newsweek.com/alaskans-left-starving-waiting-months-snap-benefits-food-stamps-1784167 (reporting on the backlog of food stamps applications and recertifications across Alaska beginning in August 2022).

32. *See id.* ("[Alaska Health Commissioner] Hedberg has said the backlog began after the department received 8,000 SNAP certifications that overwhelmed the state's outdated IT system. She also pointed to the pandemic and the end of the state's public health emergency in July for causing the backlog . . . .").

33. *Id.*

34. *See* Claire Stremple, *Alaskans Again Wait Months for Food Stamps, Workers Union Blames Policy Choices*, ALASKA BEACON (Dec. 8, 2023), https://alaskabeacon.com/2023/12/08/alaskans-again-wait-months-for-food-stamps-workers-union-blames-policy-choices (In winter of 2022, "federal administrators said 15,000 Alaskans were waiting in a backlog." Some applicants "wait[ed] for benefits for up to 10 months." As of December 2023, again the backlog "has swollen to more than 12,000 [people] . . . . Alaskans have been waiting up to six months . . . .").

35. *See* Zachariah Hughes, *Storm Repairs Move Ahead in Western Alaska as Freeze-Up Closes In*, ANCHORAGE DAILY NEWS (Oct. 2, 2022), https://www.adn.com/alaska-news/rural-alaska/2022/10/01/storm-repairs-barrel-ahead-in-western-alaska-as-freeze-up-closes-in ("'The subsistence foods cannot be replaced . . . [e]ight months' collection of Eskimo food: fish, herring, seal oil, seal meat, moose, you name it, all the greens.'").

36. *Id.*

37. *See id.* ("[F]ood donations have poured in to help families cope with huge quantities of subsistence foods lost to spoilage after power failures . . . .").

38. *See* ASSOC. PRESS, *'People Are Suffering' in Alaska as Food Stamps Benefits Continue to Stall*, FOX NEWS (Apr. 24, 2023), https://www.foxnews.com/us/people-suffering-alaska-food-stamps-benefits-continue-stall ("People are struggling and having to make choices of getting food or getting heating fuel . . . .") (citation omitted).

39. *See* Stremple, *supra* note 34 and accompanying text.

seven days if eligible for expedited service).[40]

At first, many people did not realize—and were not told—that their delay in receiving food benefits was actually a legal issue. However, in a matter of weeks, the number of SNAP benefit delay or denial cases that ALSC received increased exponentially. With families going months without being able to buy food, ALSC accepted every SNAP delay and denial case that came through its doors.

In 2023, ALSC closed 3,093 SNAP benefits delay and denial cases, an over 2,000% increase from the 125 closed SNAP cases in 2022. Helping every client who called for assistance with SNAP benefits meant that ALSC's entire caseload became one-third SNAP delay and denial cases. With only twenty-five staff attorneys—roughly two attorneys for every 10,000 Alaskans living in poverty[41]—ALSC turned to pro bono volunteers to help meet the overwhelming need for assistance. Mobilizing pro bono volunteers is nothing new in the legal community, but for the first time in Alaska, a sizable number of these volunteers were Community Justice Workers (CJWs).

II. COMMUNITY JUSTICE WORKERS: A COMMUNITY-BASED SOLUTION

Despite best efforts, traditional models of civil legal services delivery for Alaskans, such as those relying primarily on private, legal aid, and pro bono attorneys, have failed to alleviate legal deserts or effectively respond to the access to justice crisis. In response, an increasing number of CJW volunteers have stepped in to help. As co-directors for ALSC's Community Justice Worker Resource Center (CJWRC), two of the authors have access to program data and development information from the program's inception in 2018 through publication of this article. This information is shared to spread awareness of the program to communities and organizations in Alaska and to offer insights to organizations in other states considering similar initiatives.

A. Inspired by Alaska's Tribal Healthcare System

Inspired by the success of the Alaska Tribal healthcare system in providing access to healthcare in rural Tribal communities, ALSC developed the CJW model: community embedded, culturally appropriate

40. 7 C.F.R. § 274.2(b) (2024).

41. *See Alaska Legal Services Corporation Program Profile*, ALASKA LEGAL SERVS. CORP., https://www.lsc.gov/grants/our-grantees/alaska-legal-services-corporation-program-profile (last visited Aug. 27, 2024) (reporting 25 full-time attorneys for an estimated eligible low-income population of 121,400).

non-attorneys who are trained to offer specific interventions for particular legal issues. Before Alaska's SNAP crisis began, ALSC had already taken steps to address the issue of legal deserts. As part of the Alaska Court System's Justice for All Project, ALSC and other legal providers examined service delivery for legal, health, and social services throughout the State.[42] The Justice for All Project identified the Tribal healthcare system as having one of the largest footprints in rural Alaska.[43]

The Alaska Tribal healthcare system is nationally recognized for its proficiency in serving rural Alaska.[44] Tribes are well-known for their innovation in providing health and social services in extremely rural environments. This includes the unique Community Health Aide/Practitioners (CHA/P) model, where community members are provided a set amount of competency-based medical education.

The Community Health Aide Program (CHAP) began with the provision of village-based oral antibiotic treatments during the tuberculosis epidemics of the 1940s and 1950s.[45] In 1968, the program received federal recognition and congressional funding through the Indian Health Service.[46] The CHAP consists of "well defined roles, selection criteria, curricula, training standards, and certification at [five] different levels . . . [allowing CHA/Ps to] provide emergency, acute, chronic, and preventive health care for all ages. They are the front-line providers in a comprehensive, integrated Alaska Tribal Health System."[47] The program's success in medical assistance resulted in the development of its Dental Health Aide Program in 2004 and Behavioral Health Aide Program in 2009 to address similar access to care issues.[48]

42. Marz et al., *supra* note 1, at 1, 8.

43. *See id.* at 4, 15 (noting the importance of the medical-legal partnership and the key role medical providers play in building networks across rural communities).

44. *See Alaska Native Medical Center: High-Quality, Culturally Sensitive Health Care*, ALASKA NATIVE MED. CTR. (Nov. 2022), https://practiceatanmc.org/wp-content/uploads/2023/01/FY-2022-ANMC-Fact-Sheet_Nov.-2022.pdf ("ANMC also works in close partnership with Alaska's rural health facilities to support a broad range of health care and related services."); Joaqlin Estus, *National Panel Praises Alaska Tribal Health System Successes*, ICT (May 4, 2023), https://ictnews.org/news/national-panel-praises-alaska-tribal-health-system-successes (describing positive impacts of culturally responsive healthcare); Katherine Gottlieb, *The Nuka System of Care: Improving Health Through Ownership and Relationships*, 72 INT'L. J. CIRCUMPOLAR HEALTH 1, 4–5 (2013) (discussing the benefits of a customer-owner model of healthcare for Alaska Natives).

45. Golnick et al., *Innovative Primary Care Delivery in Rural Alaska: A Review of Patient Encounters Seen by Community Health Aides*, 71 INT'L. J. CIRCUMPOLAR HEALTH 1, 2 (2012).

46. *Id.*

47. *Id.* at 3.

48. Tanner McCoon, *Bridging Alaska's Healthcare Gaps: Inside the Community*

The program's success relies on its providers being connected to the communities and cultures they serve, receiving competency-based education, and having a larger supervisory care team. CHA/Ps are selected locally by their communities and Tribal councils and hired by Tribal Health Organizations operating CHAPs. [49] The Health Aides' practice is based on the Alaska Community Health Aide/Practitioner Manual (CHAM), which provides guided questions and exams to be used at every patient visit.[50] The CHAM "guides the CHA/P towards the best assessment and treatment for the patient's presented problem. While CHA/Ps practice remotely, they work with the supervision and support of physicians and mid-level providers in regional health clinics and hospitals often several hundred air miles away."[51]

It used to be practically impossible to support full-time doctors, physician assistants, or nurse practitioners in off-the-road-system communities. Now, the approximately 550 CHA/Ps in more than 170 Alaskan villages[52] make medical care available in most rural communities.

B. Community Justice Worker Program

Drawing inspiration from the Alaska Tribal healthcare system, ALSC launched its own CJW model pilot program funded by a 2018 Legal Services Corporation Pro Bono Innovation grant.[53] Like CHAP, ALSC's CJW model seeks individuals already living in and familiar with Alaska's many diverse communities, including Tribal government staff, social services professionals, CHA/Ps and other healthcare professionals, and citizen volunteers. However, the CJW program is built on a volunteer model, utilizing partnerships with individuals working in non-legal helping professions, as well as unaffiliated community member volunteers with the desire to help their neighbors.

In order to train its growing number of volunteers, ALSC sought out

Health Aide Program, WILDERNESS MED. STAFFING (Nov. 21, 2023), https://wildernessmedicalstaffing.com/alaska-healthcare-community-health-aide-program.

49. Golnick et al., *supra* note 45, at 3 (explaining that Tribes and Tribal organizations operate community health aide programs under the Indian Self-Determination and Education Assistance Act, Public Law 93-638).

50. *Id.*

51. *Id.*

52. *Community Health Aide Program (CHAP): Introduction and History*, CMTY. HEALTH AIDE PROGRAM, https://akchap.org/community-health-aide/about/ (last visited July 18, 2024).

53. *Alaska Legal Services Corporation Awarded $304,297 Pro Bono Innovation Fund Grant*, ALASKA LEGAL SERVS. CORP., https://www.alsc-law.org/2018/pro-bono-innovation-fund-grant/ (last visited Dec. 2, 2024).

experts in delivering high-quality training to adult learners, particularly in rural Alaska. In partnership with the Alaska Native Tribal Health Consortium (ANTHC)—the country's largest, most comprehensive Tribal healthcare system, responsible for supporting Tribal health aide training statewide[54]—ALSC created courses to train volunteers on discrete legal topics. ALSC provided content written by subject matter experts, which ANTHC's Distance Learning Network transformed into culturally appropriate and digestible lessons. The courses rely on adult education expertise; incorporate the wisdom of Alaska Native elders and community leaders; and include interactive teaching techniques.

Each course is free, asynchronous, and tailored to an eighth-grade reading level. Modules are self-paced and involve knowledge checks, such as quizzes or assignments. The courses are hosted through Blackboard, an online learning platform with low internet bandwidth requirements. ALSC has access to Blackboard through its partnership with Alaska Pacific University (APU), a small liberal arts college making a big impact in the state.[55] Considered an Alaska-Native serving institution, APU is in the process of becoming a federally-designated Tribal college.[56] It partners with ANTHC to provide health education in rural regions of the state.[57] APU's experience and commitment to education has also contributed to the CJW program's success.

After training, CJWs have access to Basecamp,[58] an online platform providing resources such as templates, forms, and legal guides. The platform also features a forum for collaboration and support among CJW volunteers and ALSC staff. After completing a course, new volunteers partner with an ALSC staff attorney to work on matters such as assisting low-income families to appeal the denial of their SNAP benefits. Clients who are matched with CJWs remain ALSC clients and are ensured quality services through ALSC staff supervision. CJWs are covered under ALSC's malpractice insurance.

54. *Overview*, ALASKA NATIVE TRIBAL HEALTH CONSORTIUM, https://www.anthc.org/who-we-are/overview (last visited Aug. 27, 2024).

55. Yereth Rosen, *APU President Says the School Can Help Address Alaska's Outmigration Woes*, ALASKA BEACON (Apr. 25, 2023), https://alaskabeacon.com/2023/04/25/apu-president-says-the-school-can-help-address-alaskas-outmigration-woes (APU has an important role to play in addressing the outmigration of residents, especially those who are college-aged, through its support for Alaska Native students and its distinctive hands-on and community-focused programs).

56. *Id.*

57. *Id.*

58. Basecamp is a project management platform that also enables chat, message boards, and file sharing. *Basecamp*, 37 SIGNALS, https://basecamp.com/ (last visited Dec. 12, 2024).

C. A Growing Movement

Some CJWs, while volunteers for ALSC, provide legal services as part of their employment with community-based non-profit and social services organizations. ALSC partners with community-level organizations, including medical professionals, to continue to expand the program.[59]

One example of cross-trained volunteers at a sponsoring organization is Tribal realty specialists who have completed ALSC's wills training course. The Association of Village Council Presidents (AVCP), located in the YK-Delta, is a large Tribal consortium with fifty-six federally-recognized member Tribes.[60] AVCP has identified fractionation in the YK-Delta region as a major barrier to using Native allotments for beneficial purposes (e.g., residential or business).[61] Fractionation occurs when several heirs exercise undivided ownership over a tract of land rather than a physically identifiable portion of the property, creating difficulty in effectively utilizing and managing the land.[62] Estate planning allows an allotment owner to designate who will receive restricted property rather than the property being divided among many heirs under Alaska's laws of intestate succession.[63]

In response to this issue, over the course of the last year, all AVCP Realty staff members became CJWs trained to write wills. Through an agreement with ALSC, AVCP CJWs meet with, advise, and write wills for clients, which are then reviewed by ALSC staff attorneys. AVCP CJWs provide a service that used to be elusive for many YK-Delta Native allotment owners.

Interest in becoming a CJW has remained constant, and the primary recruitment method is word-of-mouth. The number of volunteers has grown organically and consistently since its inception in 2018. Participation varies by course, but the most popular are SNAP Advocacy and Wills. CJWs may complete as many courses as they wish—all courses

59. Sunni Bean, *Alaska Legal Services Corporation is Bringing Free Legal Training to Rural Alaska Residents*, KYUK (Nov. 3, 2023, 4:00 PM), https://www.kyuk.org/public-safety/2023-11-03/alaska-legal-services-corporation-is-bringing-free-legal-training-to-rural-alaska-residents

60. *Our Story*, ASS'N OF VILL. COUNCIL PRESIDENTS, https://www.avcp.org/our-story (last visited Aug. 27, 2024).

61. *See Native Allotments*, ASS'N OF VILL. COUNCIL PRESIDENTS, https://www.avcp.org/tribal-resources/native-allotments (last visited Aug. 27, 2024) (discussing challenges fractionation poses to realty transactions for native allotments).

62. *What is Fractionation?*, INDIAN AFFS., https://www.bia.gov/bia/ots/dtlc/fractionation (last visited Aug. 27, 2024).

63. ALASKA STAT. § 13.12.101 (2023).

are fully funded by ALSC at no cost to the volunteer. Course incompletion, where participants do not finish the course or lose contact with ALSC, hovers at a rate between 35% and 40%. While these participants are not asked about their reason for incompletion, at least some incomplete courses can be attributed to employee turnover at a sponsoring employer agency.[64]

CJWs have varied backgrounds. About a quarter of all volunteers are employed or referred by a Tribe or Tribal nonprofit. Another 22% work in the healthcare or social service fields. Additionally, 22% of volunteers are law students interested in volunteering with ALSC but unable to hold a full internship position. The remainder of CJW volunteers come from the education sector or are private citizens interested in volunteer opportunities.

The geographic diversity amongst CJW volunteers reflects the communities where ALSC clients live. CJWs are currently located in forty-eight communities across Alaska, compared to ALSC's twelve staffed offices. About one-third of CJWs identify as Alaska Native, compared to 20% of ALSC staff. CJWs have more availability than ALSC staff to conduct community outreach and education, and refer people they meet to ALSC for services.[65]

D. Early Indications of Success for Community Justice Workers

The SNAP Advocacy CJW course was launched in 2019 and, by the time Alaska's SNAP crisis exploded, there were approximately sixty trained CJW volunteers available to take SNAP cases through ALSC. That number has now grown to over 200 CJW volunteers who have completed training in SNAP advocacy, debt collection defense, domestic violence advocacy, the Indian Child Welfare Act, or wills—with even more volunteers currently in the training pipeline. Further courses are planned for disaster response advocacy, eviction defense, probate and title clearing, and ethics and professionalism by the end of 2025.

Because CJWs are thoroughly trained in a discrete area of law, client outcomes are incredibly successful. During the height of Alaska's year-long SNAP crisis, CJWs were able to recover $1.43 million in food security benefits and closed almost 500 cases. They were 100% successful in resolving their clients' SNAP delay issues. CJW volunteers filed hearing requests, negotiated with state agents, and in some cases represented

64. Data summarized from ALSC's APU course enrollment and completion records from 2018 through publication and from ALSC's Human Resources Department.

65. *Id.*

clients in administrative proceedings. In addition, CJWs provided outreach and legal information to isolated communities, educating community members on their legal rights in food benefits cases. CJWs also flagged otherwise unknown systemic issues, such as clients' difficulties using the centralized telephonic customer service system, that ALSC staff attorneys otherwise may not have realized. Information from CJWs made ALSC staff better informed when advocating for improved SNAP processes through informal inter-agency collaboration.

In October 2023, ALSC officially launched the Community Justice Worker Resource Center (CJWRC) with keynote speaker Rachel Rossi, the Director of the U.S. Department of Justice Office of Access to Justice. [66] The CJWRC is the hub of the CJW work, focused on developing training, workforce development, support, and sustainability for the "spokes": CJWs in their individual communities. The hub and spoke model is collaborative, leveraging the skills, technological capabilities, space, relationships, and regional expertise of diverse entities to advance community justice work. The CJWRC also focuses on recruitment, retention, and developing strong partnerships statewide. In addition to the growing number of volunteers, the CJWRC has also added full-time staff CJWs in some ALSC offices to further expand access to free civil legal assistance.

E. Next Steps in Expanding Community Justice Workers in Alaska

SNAP was chosen as an initial training opportunity for CJWs because of the high priority of food security among client communities. Additionally, each SNAP household is entitled to a representative of its choosing in administrative proceedings, regardless of whether the representative has a law license.[67] As a result, ALSC was able to train and utilize a large number of non-attorney volunteers without raising concerns of unauthorized practice of law.

In November 2022, the Alaska Supreme Court approved Rule 43.5: Waiver to Engage in the Limited Practice of Law for Non-Lawyers Trained and Supervised by ALSC.[68] The rule allows CJWs to provide legal assistance in certain civil matters if they: 1) are trained by ALSC; 2) are supervised by ALSC; 3) engage in limited practice exclusively for ALSC;

66. Rachel Rossi, Dir., Off. for Access to Just., Keynote Remarks at the Launch of the Alaska Legal Services Corporation's Community Justice Worker Resource Center (Oct. 25, 2023).

67. *See* 7 C.F.R. § 273.15(f) (2024) ("[A] case may be presented by a household member or a representative, such as a legal counsel, a relative, a friend or other spokesperson.").

68. ALASKA RULES OF BAR 43.5.

and 4) obtain informed consent from clients.[69] The CJWRC is in the beginning stages of building a curriculum and certification process to prepare CJWs to represent clients in court using the waiver.

The CJWRC is also working with an American Bar Foundation (ABF) affiliated Access to Justice research team—including ABF Access to Justice Scholar Dr. Michele Statz, ABF Senior Program Officer Matthew Burnett, and MacArthur Fellow Dr. Rebecca Sandefur—to better understand the CJW program's impact, develop best practices, and scale the model for future use in more communities nationwide. This work will contribute to the much-needed body of research on the effectiveness of non-attorney advocates and embed a shared methodology for research and evaluation.

III. CONCLUSION

By the spring of 2024, Alaska's SNAP crisis had receded. Calls from clients whose benefits have been delayed or denied are now much less frequent. The SNAP crisis tested the CJW model, and the program was able to quickly and effectively scale in response. Hundreds of clients were helped that would have otherwise been turned away. CJWs are proud of the work they have done, and continue to do, for their community members.

While SNAP served as the initial testing ground for the CJW model, it is only the beginning. There are many areas—healthcare, eviction defense, probate, family, debt defense—where CJW volunteers can proactively address legal needs through outreach, education, and advocacy in court and administrative systems.

There is no one magic solution to ending legal deserts or permanently closing the justice gap, but collaborative solutions will bring us closer to both goals. During her keynote remarks at the CJWRC opening last fall, Director Rossi offered this challenge to access to justice advocates:

This pursuit of justice often requires us to reimagine our systems, and to push for visions of justice that others may not yet see as possible. It won't be easy, it may take time and patience and it can frequently be exhausting. But to truly access justice for all, we cannot accept only the choices before us. We cannot be limited by the options the system presents us today.[70]

The CJW movement in Alaska is one new option that has much to offer residents living in legal deserts as well as families unable to afford

69. *Id.*
70. Rossi, *supra* note 66.

legal assistance. As the program continues to develop, mature, and scale in the coming years, many Alaskans may find that their local legal deserts are shrinking and that affordable, reliable legal help is available in their own communities.