

THE CLASS OF 1964 POLICY RESEARCH SHOP
**ACCESS TO JUSTICE FOR SELF-
REPRESENTED LITIGANTS THROUGH THE
NEW HAMPSHIRE CIRCUIT COURT
NAVIGATOR PROGRAM: A PATH FORWARD**



PRESENTED TO THE NEW HAMPSHIRE SUPREME COURT
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Report Recommendation Overview

Short-Term Recommendations (before the next funding biennium in July 2025):

Recommendation 1: Purchase Tablets for Data Collection

Recommendation 2: Create a Data Platform for Check-Ins

Recommendation 3: Create a System for Text/Email Notifications

Recommendation 4: Publish a Report Evaluating Where to Place Future Navigators After a Short-Term Data Collection Period

Recommendation 5: Hire a New Court Navigator and a New Court Navigator Volunteer Program Manager

Recommendation 6: Increase Navigator Advertising

Recommendation 7: Create a Navigator Schedule

Recommendation 8: Appointment Booking

Recommendation 9: Request an Appropriate Number of Navigators for the Next Funding Biennium

Medium-Term Recommendations (after the next funding biennium in July 2025):

Recommendation 10: Redesign courts.nh.gov to Simplify Information and User Interface and User Experience

Recommendation 11: Ensure Forms are Linguistically Accessible

Recommendation 12: Reform the Form Change Process

Recommendation 13: Audit TurboCourt to Ensure Form Parity Between Paper and Online

Recommendation 14: Explore AI Navigator Solutions

Recommendation 15: Increase Personal and Client-Based Mental Health Trainings

Recommendation 16: Begin Methods Preserving Institutional Knowledge

Recommendation 17: Create an Annual Navigator Report

Recommendation 18: Establish a Volunteer Program

Recommendation 19: Expand Access to Assistance Outside Normal Business Hours

Recommendation 20: Work Closely with the Upcoming Community Navigator Program

Recommendation 21: Examine Career Paths to Become Navigators

Long-Term Recommendations (stakeholders' visions for the Navigator Program):

Recommendation 22: Ensure No Litigant Walks into Court Alone

Glossary of Terms

Access to Justice Commission: A commission created in 2007 by the New Hampshire Supreme Court to facilitate improvements to citizens' access to the court system, especially low-income self-represented litigants in the Circuit Court System. Members of the Commission include attorneys, judges, court administrators, and New Hampshire Supreme Court Justices.

American Rescue Plan Act (ARPA): A \$1.9 Trillion economic stimulus bill passed in 2021 by the 117th Congress of the United States. This funding included \$1.19 Million to New Hampshire for access to justice programs, to be allocated by the Access to Justice Commission.

Circuit Court System: The division of the New Hampshire Court System that hears non-jury cases. These cases include trusts, wills and estates, adoptions, guardianships, equity matters, name changes, involuntary commitments, misdemeanor and violation criminal offenses, small claims, landlord-tenant matters, stalking, and civil claims cases.

Computer Kiosks: Desks with computers stationed in each courthouse across the state. Computer Kiosks are used mainly for online filing.

Court Navigator: A court staff employee who provides legal information to litigants. Often abbreviated as "Navigator" within the text.

Court Navigator Volunteer Program Manager: A Navigator proposed by this research whose primary tasks would be recruiting, training, and managing Volunteer Navigators.

Court Staff: Any state court employee.

TurboCourt: An online platform for SRLs to file forms for their case. This program is available online and is pre-installed on Computer Kiosks.

E-Filing Coordinator: A court staff employee in the Nashua Courthouse who exclusively helps SRLs with online filing using Computer Kiosks.

Nashua Navigator: The Navigator who works exclusively in the Nashua Courthouse.

National Center for State Courts: An independent, non-profit organization which provides information and research to state court systems.

Self-Represented Litigant (SRL): Individuals who do not have legal representation (a lawyer) for their case.

Traveling Navigator: The Navigator who has an office in Concord, but books appointments around the state.

Executive Summary

The New Hampshire Circuit Court Navigator Program currently operates with two court employees to provide legal information and assistance to self-represented litigants (SRLs). This report highlights the current effectiveness of the Navigator Program and provides recommendations for how the Program can continue to grow sustainably and expand access to justice. Ultimately, the research reveals that an expansion of the Navigator Program would improve the experience of New Hampshire Circuit Court SRLs.

We first contextualize the motivation for the Navigator Program based on the New Hampshire Access to Justice Commission's legal need assessments. We survey the current status of the Navigator Program relating to the next funding biennium and provide history of this Program within New Hampshire as well as similar programs across the United States. Next, we describe our research methodology for program evaluation, which included observational analyses, interviews, and an original survey. Subsequently, we explain our findings on structural challenges to justice in New Hampshire, evaluating the Program's effectiveness for SRLs and the court system, and discuss current barriers to Navigator effectiveness. Finally, we provide short-, medium-, and long-term recommendations from stakeholders for potential future Navigator Program improvements.

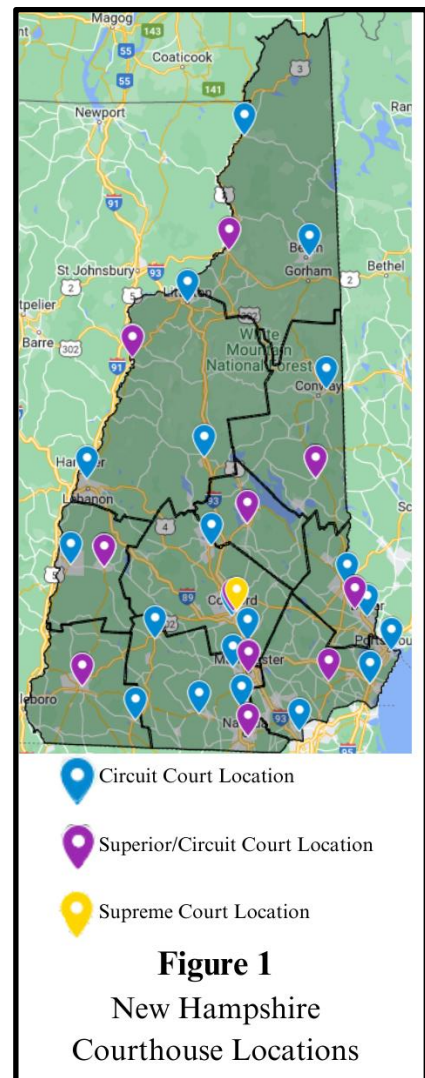
1. Introduction

Popular depictions of a courtroom often include two individuals walking in with lawyers, and a judge ruling on the case. The current reality in the United States, however, is that vast numbers of people entering courthouses do so alone, without lawyers. These litigants (people involved in a lawsuit) represent themselves to their case's judge in their proceedings with the court.¹

Most legal cases fall into two separate categories: criminal and civil cases. Criminal cases usually involve someone breaking a law and committing a “crime against society” such as murder, assault, or robbery. A guilty verdict, or ruling, in such cases may result in jail time. Civil cases, such as divorces and landlord-tenant cases, usually involve disputes between two people or groups of people over circumstances that require repairing. A civil verdict may result in some form of compensation, whether monetary or otherwise. Essentially, while criminal cases can administer punishments, civil case often center around a resolution and/or compensation.

New Hampshire's Court System is generally separated by these two types of cases. There are 44 courthouses as shown in Figure 1,² including the New Hampshire Supreme Court (yellow), the Circuit Courts (blue), and the Superior Courts (purple). The Superior Court hears all cases that involve a jury trial (mostly criminal cases). The Circuit Court hears cases where a judge rules on the case. Finally, the Supreme Court hears special cases, such as appeals from the Circuit or Superior Court, or matters involving state agencies.

Specifically, the Circuit Court was created in 2011 by merging together the former District, Probate, and Family Court Divisions.³ Accordingly, the cases that the Circuit Court deals with, which are mainly civil, include: **trusts** (asset ownership or management), **wills and estates** (the lawful distribution of property of someone who died), **adoptions, guardianships** (ensuring that individuals unable to make decisions for themselves have someone appointed to make decisions in their best interests), **equity matters** (fairness in the application of law resulting in non-monetary remedies), **name changes**, **involuntary commitments** (individuals are hospitalized or detained for mental health treatment), **misdemeanor and violation criminal offenses** (low-level violations of law such as traffic violations, littering, small theft, simple assault, and some drug offenses), **small claims** (cases to resolve small financial disputes), **landlord-tenant matters** (cases between property owners and individuals who rent from them), **stalking** (a



behavioral pattern of unwanted surveillance or harassment), and **civil cases** (cases financially larger than small claims but less than \$25,000).⁴

Unlike the US constitutional right to a lawyer in criminal cases, a litigant's right to an attorney in civil cases varies across the nation and is not guaranteed in New Hampshire.⁵ The result is that many New Hampshire civil case litigants in the Circuit Court do not have an attorney and are thus considered self-represented litigants (SRLs). Without an attorney, SRLs face unique challenges with potentially limited legal and procedural knowledge or training. Thus, in 2007 the New Hampshire Supreme Court created the New Hampshire Access to Justice Commission with the stated purpose to “expand access to and enhance the quality of justice in civil legal matters for New Hampshire residents,” noting that “many people, including those who are currently eligible for free legal services [and] those who do not qualify for such programs but are ... unable to afford the cost of legal services, are forced to represent themselves.”⁶ Notably, “access to justice” goals broadly aim to ensure that all individuals, regardless of their background, socioeconomic status, or other characteristics, should have equal access to the legal process through resources, services, and conflict resolution.

Since its creation, the New Hampshire Access to Justice Commission has established initiatives to help litigants from diverse linguistic, cultural, and socioeconomic communities. In 2013, the Commission released “The Justice Gap: A Study of the Legal Needs of New Hampshire’s Low-Income Residents.” This report found “striking evidence of a gap between the legal needs of low-income people in New Hampshire and the legal services available to them,” critically noting that low-income women, disabled persons, and senior citizens face additional legal barriers in New Hampshire.⁷

The Commission further identified that, “The justice gap also leads to a surprisingly high rate of self-representation in New Hampshire state courts—an estimated 61 to 70 percent overall.”⁸ This justice gap (the difference between the need for legal assistance and available resources) fits with national trends that marginalized demographic communities often face disproportionate access to justice barriers.⁹ Finally, the court system itself can sometimes present financial or procedural barriers that impact the experiences of individuals attempting to navigate the court system. As one scholar explains, SRLs “appearing without lawyers [means] that [litigants arrive] at the court with little understanding of where to go, what to do, and who might be able to help them.”¹⁰

Following the 2013 report, the Access to Justice Commission released a second legal needs study in 2021. This report confirmed the 2013 finding that low-income, senior, disabled, and female litigants experience increased legal challenges. In 2023, the Commission released its most recent report, identifying that nearly 85% of Circuit Court cases involved at least one party who was self-represented.¹¹ This statistic represents a potential 39% increase in SRLs since the Commission’s 2013 study.¹²

Responding to these reports’ conclusions about the extent of self-representation and SRL needs across New Hampshire, the Commission has instituted programs to help SRLs as they progress through their cases. These programs primarily operate in the Circuit Court, where cases

are predominantly civil, and litigants are often SRLs. These programs operate under the idea that the court remains the ultimate purveyor of justice. Essentially, since the one commonality between litigants is the court system, many legal professionals believe that the court should provide litigants with the resources to succeed before and during their case's duration. In August 2020, the Commission suggested the creation of a "Court Navigator Program." This Court Navigator Program intended to expand free legal information services (rather than legal aid services) within the court's jurisdiction. The New Hampshire Supreme Court subsequently requested budgetary funding for two Court Navigator positions ("Navigators"), which the Legislature granted. As part of its 2021 Report, the Commission stated the Navigator Program had "great promise."¹³ At the current moment, three years into the Program, the New Hampshire Supreme Court and Circuit Court Administrators wish to examine the Court Navigator Program's past impact and future potential.

2. Purpose Statement

The New Hampshire Court Navigator Program ("Navigator Program") began operating in late 2021. In the first six months (November 2021 to April 2022), the court conducted a basic evaluation to examine the Navigator Program's impact compared to its original intent. No subsequent formal analysis of the Program's performance, however, has occurred since May 2022.

The New Hampshire Court System receives funding from the state's biennial (two-year) budget. The Supreme Court submits a budgetary proposal to the Governor's Office and Legislature, with the Legislature appropriating funds for the Judicial Branch's General Fund. A new biennial budget will take effect on July 1st, 2025, meaning that the court system will assemble its branch's budget proposal in the upcoming months after this report's release. Thus, the Court currently stands at a pivotal juncture to evaluate the Navigator Program's effectiveness and decide its future. Since the budget proposal includes all funding for the court system between 2025 and 2027, the court will soon decide to what extent (if any) its proposal will include funding for Navigators.

In this context, Circuit Court Administrator Heather Kulp commissioned this research. The court sought research to inform their decisions about the Program moving forward. Accordingly, this research explored the questions: 1) How effective is the New Hampshire Court Navigator Program in its current form as it relates to its goals to help SRLs and the court system?, and 2) Should the Program be continued? If so, what principles should inform decision-making regarding the Program's structure and function to achieve its goals?

3. Background

Across the US, many states like New Hampshire have piloted access to justice initiatives to help SRLs. Court navigator programs are one example of these initiatives. This section explains: 1) Goals/Criteria for Evaluation, 2) Navigator Programs: Definition and Roles, and 3) Navigator Programs: Funding and Work Structures, and 4) New Hampshire Navigator Program History and Current Operations.

3.1 Goals and Criteria for Evaluation

In the past decade, legal researchers have conducted analyses of access to justice programs beyond traditional legal aid. These studies created specific methods for program analyses and set specific benchmarks for program success. For this research, we specifically relied on two foundational studies: 1) “Roles Beyond Lawyers: Summary, Recommendations, and Research Report of an Evaluation of the New York City Court Navigators Program and its Three Pilot Projects” by Rebecca Sandefur of the American Bar Foundation, and Thomas Clarke of the National Center for State Courts;¹⁴ and 2) “Nonlawyer Navigators in State Courts: An Emerging Consensus” by Mary McClymont of the Georgetown Law Center.¹⁵

Between these two studies, three main criteria emerge as the broad goals and assessment areas for the programs beyond traditional legal aid:

1. **Efficacy**—To what extent are Navigators successfully providing information to SRLs and enhancing court effectiveness (easing judges’ workloads and saving time for court staff)?
2. **Access to Justice**—To what extent are Navigators increasing SRLs’ knowledge about their legal issues, the court system, and court processes with accurate, robust information? Does this information help reduce the justice gap through assisting underserved demographics?
3. **Sustainability**—To what extent is there support for the Navigator Program from the court and/or outside organizations, or how can it be garnered? If the Navigator Program operates with Efficacy and Access to Justice, should the Program be continued, expanded, and/or replicated in other jurisdictions?

These three criteria, informed by the two reports and our research, are fully explored in Table 1 on the following page.

Table 1: Scholars' definitions of Efficacy, Access to Justice, and Sustainability as used in this research.

Efficacy

Efficacy is defined by Rebecca Sandefur and Thomas Clarke as how well the program functions. In the report, they write: "must be both competently performed and positively impactful on the work of participants in the legal matters served. Participants may include courts and their staff, who have interests in the timely, efficient and lawful processing of cases, and litigants, who have interests in these same goals. Litigants also have interests in the outcomes and experience of justice processes in their own particular matters. [...] Efficacy is about implementing [a program that] does work in attaining its specific goals for service delivery."

Some of the tasks related to Efficacy are:

- Helping SRLs with a variety of well-defined tasks based on individual SRL needs, which may not necessarily directly relate to court processes (such as momentary grief support);
- Making legal information clearer and more accessible;
- Increasing self-perceptions of case preparedness amongst SRLs;
- Reducing the administrative burden of other court staff;
- Directing SRLs to state agencies and/or legal aid organizations if necessary.

Access to Justice

Access to Justice is described by Mary McClymont as providing a feeling that SRLs successfully completed the actions they must take for their case. The report states that programs centering around Access to Justice will equip SRLs: "to understand their legal issues and navigate the court system by providing high quality practical information, [serve] the many individuals who lack representation and helping them overcome obstacles in resolving their legal matters ... file appropriate forms, pursue their legal cases more effectively than when they go it alone [and] become educated about their legal options and potential outcomes. [...] In the short term [SRLs] are better prepared to move forward with their cases while in the long term this assistance will help litigants move to a place of stability."

Some of the tasks related to Access to Justice are:

- Performing tasks with which SRLs need assistance (such as typing for individuals with arthritis).
- Providing necessary legal information.
- Improving court processes to be more accessible to SRLs in the future.
- Utilizing their knowledge of court processes to ease burdens for SRLs.

Sustainability

Rebecca Sandefur and Thomas Clarke describe Sustainability as the key to success for a navigator program long-term. They write, “Services must be produced by personnel managed through durable models of training, supervision and regulation that ensure the consistent delivery of services of adequate quality. The means of funding production and delivery must be durable, whether the source is public funds, charity or philanthropy, client fees, or some combination of these. Models of service production successful at a small scale may require revision to succeed at a larger scale. Sustainability requires not only maintaining material efficacy, but also legitimacy. Stakeholders, who include the public and the organized legal profession as well as individual litigants and courts, must accept and employ the new tasks as means of delivering assistance, and perceive them as at least as valuable as other uses of the same resources.”

Some of the tasks associated with Sustainability are:

- Organizing stable program funding so that it will attract Navigator candidates who seek job stability.
- Ensuring the program will not be interrupted by funding shortages.
- Creating program legitimacy (the degree to which stakeholders view the program as an appropriate and acceptable way to accomplish the mission of the program).
- Creating court legitimacy (the degree to which citizens have faith and confidence in the justice system, perceive the court as administering justice equitably, and do not believe that there is a “two-tiered justice system”)
- Preserving institutional knowledge about successes and challenges of the program across and among generations of staff.
- Enhancing the legitimacy of the Navigator Program through communication with SRLs, court staff (including judges, public defenders, clerks, etc.) about how the program operates, and places for future investment.
- Consistently identifying opportunities for improvement based on SRL, judge, staff, and outside groups’ feedback.
- Gathering evidence of program value to justify continued funding.

3.2 Navigator Programs: Definition and Roles

Principally, a Navigator is a nonlawyer who assists SRLs as part of the court system. (Note: While a Navigator may also provide assistance to those with counsel, this report refers to Navigator clients as SRLs given that they constitute the vast majority of Circuit Court litigants.)

Importantly, Navigators provide legal *information* rather than legal *advice*. Legal information encompasses what the SRL “can do” (*i.e.* how to file forms, what legal options are available, etc.), whereas legal advice suggests what the SRL “should do” (*i.e.* file a certain type of motion, write a specific phrase, etc.).¹⁶ The distinction between legal advice and legal information remains critical because the intent of Navigator Programs is to facilitate procedural justice through legal information. The report “Nonlawyer Navigators in State Courts” defines procedural justice as SRLs’ “sense that a decision process was fair and incorporated their participation, that they were treated with respect, and that the decision-maker was impartial.”¹⁷ A Navigator, therefore, does not seek to change case *outcomes*. Rather, Navigators strive to ensure that SRLs have the ability to present their case wholly, completely, and truthfully. Achieving procedural justice thus exists as the ultimate goal of a Navigator-SRL interaction. Within these interactions, the three criteria for evaluation (Efficacy, Access to Justice, and Sustainability) set the foundation for how to structure Navigator Programs to achieve procedural justice.

Based on current Navigator Program studies and this research, we discerned twelve main elements that might encompass a Navigator interaction. These tasks, in expected sequential order, are:

- **Timing:** The Navigator seeing the SRL during or outside normal business hours, and through a booked appointment or walk-in.
- **Assistance Format:** The Navigator assisting the SRL in-person, over the phone, or on a videoconference platform.
- **Initial Assessment:** The Navigator providing an initial, thorough assessment of the SRL’s needs. This “legal triage” aims to identify the litigant’s needs.
- **Legal Information:** The Navigator informing the SRL that Navigators cannot provide legal advice, and exclusively provide legal information.
- **Language and Technological Assistance:** The Navigator providing the SRL language-based or technological assistance.
- **Document Assistance:** The Navigator assisting the SRL fills out forms or other court documents to the degree the SRL desires.
- **Appointment Length:** The Navigator answering all SRL questions, providing equal to or slightly more than necessary legal information.
- **Location:** The Navigator being stationed in a clear location in the courthouse where SRLs who do not know about the program can discover and utilize their assistance. Further, the Navigator directing the litigant to any necessary locations within the courthouse.
- **Outside Resource Connection:** The Navigator connecting the SRL to other resources specific to their case type (legal aid services, pro bono lawyers, etc.) if necessary.

- **Procedural Information:** The Navigator providing legal/procedural information specific to the SRL's case (such as what next steps the litigant must take).
- **Influence of Decision-Making:** The Navigator explaining the intent of the court process, providing all reasonable or available options to the litigant, and sketching a possible roadmap for the SRL's next steps in their case.
- **Humanistic Approach:** The Navigator understands that there are people behind the court cases and are equipped to provide emotional support to the litigant beyond their legal information duty, such as through listening to the SRL's story.

3.3 Navigator Programs: Funding and Work Structures

To perform these specific tasks, different navigator programs across the United States have structured their operations differently in order to address the specific needs of SRLs within their geographic area. According to “Nonlawyer Navigators in State Courts,” states have implemented over 23 court navigator programs in more than 80 US states/localities as early as 1981, with most programs beginning after 2002.¹⁸ Each court navigator program fundamentally aims to help litigants who cannot access/afford legal services but would benefit from them.¹⁹ The structures of these programs vary in the following areas based on SRLs' geographic-specific needs:

- **Population Served:** Over 60% of programs operate in only one courthouse or other building type.
- **Professional Background:** Navigators include full-time staff, undergraduate students, post-secondary students, retirees, community advocates, paralegals, and legal paraprofessionals. 35% of Navigators are employees of nonprofits and provide direct legal advice beyond legal information, often pertaining to a specific case type such as landlord-tenant cases.²⁰
- **Position Home:** ~50% of programs are structured as part of the court system itself with court staff who supervise and manage the Navigators directly. The other programs partner with community organizations, often employing volunteers, lightly compensated staff, or trained AmeriCorps members.²¹
- **Case Types:** Navigators mainly help with civil cases. One-third of navigator programs specialize in a single case type exclusively, which is often eviction cases. Slightly under 50% of navigator programs help with any case type. In those programs, newer Navigators often specialize in one to two case types until they achieve two or more years of experience, and then can help with all case types.²²
- **Assistance Population:** Court Navigators are mandated or expected to answer legal questions from any party in a case, whether the party is an SRL or not.
- **Navigators Access and Locations within the Courthouse:** Navigators are accessible to SRLs in a range of locations and methods across courthouses. For example, Navigators may be stationed at security desks, have a desk inside the Clerk's Office, screen people in

the Clerk's line, have their presence announced at the beginning of court sessions, or be mentioned on signage or written forms and documentation.

- **Timeframe:** Navigators rarely help an SRL beyond one day unless the program structure helps the SRL from the case's beginning to end.²³
- **Courtroom Jurisdiction:** Few programs have formal authorization for Navigators to provide legal information to SRLs in the courtroom, but many hold informal approval from commissions or task forces. These programs allow Navigators to answer questions specifically directed to them, but not to present facts for the SRL.

3.4 New Hampshire's Court Navigator Program: History and Current Operations

Similarly, New Hampshire's Court Navigator Program operates in a particular geographic context. The Access to Justice Commission and Supreme Court tailored the Program to New Hampshire SRLs' specific needs. Similar to other US programs, New Hampshire Navigators are not practicing lawyers, though their previous experience could be in law. Further, Navigators do not seek to change case outcomes. Instead, they provide legal information to SRLs in pursuit of procedural justice.

Current Personnel

Currently, the New Hampshire Court Navigator Program is composed of two positions: 1) the Court Navigator Program Manager who operates from the Nashua Courthouse (the "Nashua Navigator") and 2) the Court Navigator Service Coordinator who holds a Concord office but travels for appointments to courthouses throughout the state (the "Travelling Navigator"). Still, though, both Navigators schedule appointments with SRLs either from a phone call to the court or through the Navigator email address. The current Nashua Navigator is Manu Cunha, and the current Travelling Navigator is Patty Cole. As state employees, New Hampshire's two Navigators are salaried employees whose funding derives from the New Hampshire Judicial Branch General Budget (see Section 2 for more details). Both positions currently stand at Labor Grade 33 with salaries of \$50,329-\$73,924, making the maximum personnel costs of the existing Program \$295,696 per biennium.

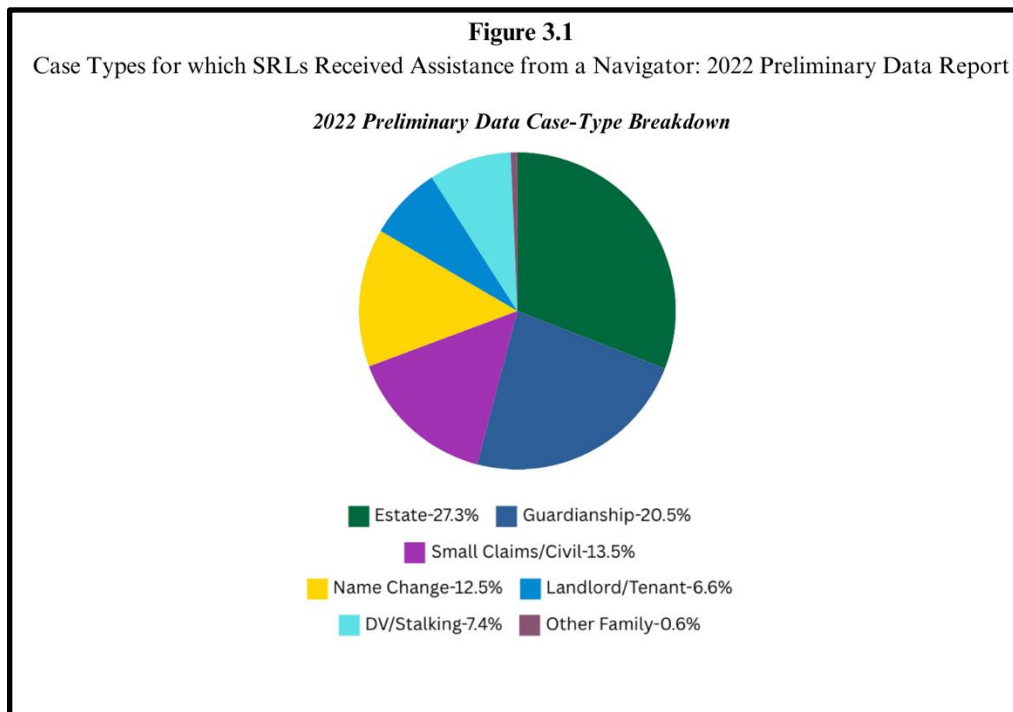
Beginning of the Navigator Program: Pilot Program and Data Collection

When the New Hampshire Access to Justice Commission proposed the Court Navigator Program in August 2020, it would begin as a pilot program. As "Nonlawyer Navigators in State Courts" addresses, pilot programs often aim to "explore and refine navigator program operations [and] secure buy-in from judges and court staff, the bar, and other relevant stakeholders."²⁴ Resulting from pilot programs, courts often choose to institutionalize and expand Navigator Programs (taking them from a pilot program to an endowed program) when stakeholders observe Navigators in action.

The Navigator Program’s pilot began in November 2021, when the Nashua Navigator began work.²⁵ To explore the Program’s operations and solicit stakeholder buy-in, the New Hampshire Navigator Program conducted a six-month gap analysis²⁶ (November 2021 to May 2022) to evaluate the Navigator performance with expected performance. The Travelling Navigator then presented this evaluation to stakeholders. First, this internal presentation stated that the Program was designed to spend:

as much time as needed helping [an SRL] complete a form, explaining a court process, walking a party through the e-filing system, and translating information into a primary language (Portuguese). The Navigator could also more quickly direct someone to a more appropriate resource for their needs, since the Navigator met people in the lobby rather than having people self-select to a particular window.²⁷

In addition to anecdotal evidence, the analysis included the date and length of time, location, case type, and other notes on SRLs helped. Figure 3.1 displays the case-type results, revealing that the most frequent case types were estate (27.36%), guardianship (20.54%) small claims (13.48%), name change (12.47%), and criminal (11.47%).²⁸ Interaction time between Navigator and SRLs often becomes prolonged with these case types because the cases contain many steps (*e.g.* for estate cases: processing a death certificate, validating the will, finding and calculating assets/debts, ensuring all parties are notified, and finally filing a court petition, etc.). Finally, the pilot revealed a preference among court staff for *quality* interactions with SRLs rather than the *quantity* of appointments. The average length of an interaction was 52 minutes.



Post-Pilot Operations

Since the pilot, the two Navigators have created Program improvements such as creating a shared Navigator email to schedule appointments and updating the www.courts.nh.gov website to include an advertisement for Navigator assistance. No other significant changes have been made to the Program related to the measures set forth in Sections 3.2 and 3.3.

Most recently, as part of the *American Rescue Plan Act of 2021*, New Hampshire was awarded \$1.19M for Access to Justice initiatives. Out of that fund, the New Hampshire Access to Justice Commission created six main subprojects in their 2023 Report including 1) the simplification and translation of court forms, 2) alternative dispute resolution services, 3) a legal navigator portal platform, 4) a virtual court center, 5) data collection to measure disparate justice impacts, and 6) a community navigator program.²⁹ This funding opens an opportunity to pilot new Navigator Program structures and tasks.³⁰

This research builds upon the first gap analysis conducted by assessing the Efficacy of the Program for the populations directly served by the Navigators: SRLs. Further, given the funding opportunity from ARPA and the timeline of the next biennium's budget, we also solicited feedback on perceptions of the Navigator Program within the court system and if and how the Program should continue amongst other access to justice initiatives.

4. Methods

To assess the Navigator Program's current operations and if and how it should continue, we employed three methods to gain a holistic understanding of the Program and its impacts: observational analyses, stakeholder interviews, and an SRL experience survey. Each method assessed one or more of the Efficacy, Access to Justice, and Sustainability criteria laid out in Section 3.1.

First, we conducted observational analyses by spending one business day each at the Nashua and Concord courthouses with the Nashua and Travelling Navigator, respectively. These observations sought to understand the Navigators' day-to-day activities, observe interactions with SRLs, view each courthouse's layout, assess each courthouse's effectiveness in conveying Navigators' availability, obtain Navigator Program perspectives from court staff, discuss the Program in-depth with the Navigators, and ask SRLs about their views on the court system and Navigator Program. The observations of Navigators helping SRLs allowed us to assess their Efficacy. The SRL interviews granted us instant feedback of Navigators' effect on the SRL's Access to Justice. By observing office relations, we also gained insights on buy-in from other court staff. Essentially, the observational analysis provided insight into Navigators' tasks while soliciting perspectives from the Navigators, other court staff, and SRLs.

Second, we conducted 19 expert interviews with individuals who held national, court-system wide, regional (county), and local (courthouse-level) perspectives on the New Hampshire Navigator Program or Navigator Programs in general. Individual expertise included perspectives on general and/or New Hampshire-specific Access to Justice initiatives, New Hampshire's

budgetary process, Navigator’s interactions with court staff, other court programs (such as the Information Desk), and the Navigator Program itself. While all interviews included questions on Efficacy, Access to Justice, and Sustainability (see Section 4.2), most interviews focused on one of these criteria as most appropriate to experts’ positions and experience.

Finally, we asked Navigators to distribute a survey to SRLs they helped. This survey primarily aimed to update the 2021-2022 gap analysis data, while also soliciting feedback about SRL’s personal perspectives on the Program. Thus, the survey asked demographic and case-type questions to assess if the Program currently serves high-need populations and thus measuring Access to Justice. Further, the survey assessed whether the Navigator successfully answered the SRL’s questions, thus evaluating Efficacy. The survey implicitly evaluated Sustainability by soliciting feedback on the interaction and court system at-large.

Ultimately, we chose the three methods based on past scholarly research and a need to solicit perspectives from all stakeholders: SRLs, Navigators, court staff, outside experts, and New Hampshire Supreme Court Justices. We further describe each of these methodologies in the next sections.

4.1 Observational Analyses

We conducted our observational analyses within the two main courthouses in which the Navigator Program currently operates: Nashua and Concord. While the Nashua Navigator always works in that courthouse, we chose to observe the Travelling Navigator in the Concord Courthouse since it is a high-traffic courthouse, meaning we were likely to see more Navigator-SRL interactions there. Each observation was conducted during one business day, with generally standardized procedures.

The Travelling Navigator observation in Concord occurred on January 18, 2024, and the Nashua Navigator observation occurred on February 9, 2024. To begin the observations, we engaged in casual conversation with court staff (such as the security guards) to ascertain how much each court employee works with the Navigator, the history of that courthouse’s infrastructure, and the court personnel who work in that building. We next toured the courthouse for a sense of the Navigator’s station, Computer Kiosk location, and courtroom layout.

The observations prioritized viewing interactions between the Navigator and each SRL who entered the courthouse. When an SRL arrived, the Navigator greeted them and assessed their purpose for traveling to the courthouse. They also introduced us to each SRL to gain consent for viewing the interaction. If the case was confidential, we did not observe the interaction.

Throughout each Navigator-SRL interaction, we noted a) the SRL’s legal, technological, language and other needs, b) how specifically the Navigator assisted them, c) the general process for E-Filing forms, and d) the timing of each interaction, especially when the Navigator assisted more than one SRL at a time. We utilized this data to evaluate the Navigators’ interactions based on the criteria found in Section 3.2. Specifically, we utilized an original rubric, available in Appendix A, to assess key components of each interaction.

Once the Navigator completed the interaction, we asked if the SRL would share information about their experience in a brief interview. These interviews sought to: a) articulate how the Navigator had provided assistance to the SRL, b) why/how the SRL had sought the Navigator’s help, c) how positively the SRL viewed the interaction, and d) whether the SRL knew the next steps for their case. Interviews lasted up to 15 minutes and were recorded with consent.

Throughout the broader observation, we spoke with the Navigators to gain substantial background about their job, how activities differ day-to-day, their perspectives on opportunities for improvement, challenges they face, and thoughts on the Program’s future. At the observations’ conclusion, we conducted a formal expert interview, utilizing questions further described in Section 4.2.

Following each observation, we synthesized key perspectives expressed by stakeholders. The rubric evaluations and other notes informed the background necessary to create the questions for the subsequent interviews and SRL experience survey.

4.2 Stakeholder Interviews

During this research, we conducted 19 stakeholder interviews between January 18, 2024, and February 28, 2024. Each interview lasted 30–60 minutes and some were recorded with affirmative consent. Dartmouth’s Committee for the Protection of Human Subjects deemed this research exempt from IRB approval, but we still maintained clear consent and confidentiality protocols and respect for research participants such as informed consent forms, anonymity of responses, and safe storage of data.

The specific interview’s focus varied by interviewee, but can be broadly categorized by one or more of the following intentions: 1) understand the purpose of the New Hampshire Court Navigator Program, 2) evaluate the Program’s current function, 3) understand the interviewee’s role within the court system, 4) explore national access to justice initiatives and navigator programs, 5) examine stakeholder awareness and support of the New Hampshire Navigator Program, and ideas for future improvement, and 6) investigate specific legal challenges such as plain language on forms.

To solicit these different perspectives, researchers interviewed relevant stakeholders identified through a mix of recommendations from Senior Court Administrator Heather Kulp and individuals selected through snowball, purposive, and stratified sampling. The interviews included the two Court Navigators, Circuit Court Administrators, Access to Justice Commission Co-Chairs and members, National Center for State Court Access to Justice Division consultants, the Information Center Manager, Court Clerks, the Deputy Administrative Judge, the Circuit Court Administrative Judge, and New Hampshire Supreme Court Justices (including the Chief Justice). Throughout this report, we utilize each interviewee’s general job title to maintain a level of anonymity when possible. When the interviewee shared particularly salient comments because of their specific role, this report names the position. When multiple interviewees shared similar comments, those views are represented as that of “stakeholders.”

While interviews focused on the interviewee’s specific knowledge and expertise, each interview contained questions regarding the previously established criteria, specifically Background, Efficacy, Access to Justice, and Sustainability. The general goal of each section was as follows:

Background

- Establish the daily operations of the interviewee’s job and previous roles within the court system;
- Display past career paths;
- Identify interactions between the interviewee and Navigators.

Efficacy

- Define the SRL need that prompted the creation of the Navigator Program;
- Define measures of success within the Navigator Program;
- Reflect whether the Navigator Program is succeeding by those standards;
- Establish whether the Navigator Program has changed the administrative burden of the Circuit Court system or of the interviewee specifically;
- Explore other Access to Justice initiatives and how they could be/are being implemented in New Hampshire.

Access to Justice

- Identify current Access to Justice challenges that New Hampshire SRLs face, and how the Navigator Program addresses those challenges;
- Highlight other resources available to SRLs;
- Expand on the specific administration of procedural justice, such as communicating SRLs’ next steps to take in their case;
- Delineate legal information versus legal advice resources;
- Learn about other government programs (such as tenant assistance programs).

Sustainability

- Gauge the interviewee’s personal awareness of and support for the Navigator Program, and perceptions of awareness and support from other stakeholders;
- Characterize current court financial and personnel resources;
- Explain the budgetary process and identify any budgetary challenges;
- Solicit any hesitancy about the Program;
- Identify the role of different navigator program structures, such as the Community Navigator Program.

Once interviews concluded, each interviewer synthesized stakeholder perspectives. For this analysis, we looked for topics and emerging themes raised by multiple stakeholders. We relied on a preponderance of evidence to solidify the “stakeholders’ perspectives” written about in Section 5 and beyond. While building the collection of perspectives, we selected quotes that were representative of larger trends. Unique topics raised from any stakeholder’s perspective were added to subsequent interviews to assess whether that perspective was shared by multiple

stakeholders. This synthesis formed the basis for this report’s understanding of the challenges the court and SRLs face, and opportunities for improvement (recommendations).

4.3 SRL Experience Survey Analysis

As detailed in Section 2, the court previously conducted an initial examination of the Navigator Program’s function. However, this data was limited to the location, date, length, and case type for interactions between November 2021–April 2022. Notably, there has been no consistent systematic data collection on SRL experiences with the Navigator Program.

We created the SRL Satisfaction Survey to continue collecting data based on the preliminary analysis to assess long-term trends, while also utilizing the Survey to assess Efficacy, Access to Justice, and Sustainability. The survey contained 26 questions across four sections: 1) SRL demographics, 2) Navigator Services, 3) Satisfaction with Navigators, and 4) Experience with the Court System At-Large. Each section contained questions regarding the previously established criteria of Background, Efficacy, Access to Justice, and Sustainability. The questions in each section (along with the metric it assessed) sought to:

Demographics

- Collect the SRL’s age, gender, race, education, income, and number of children (*Access to Justice*).
- Collect statuses of disability, marriage, and employment (*Access to Justice*).

Navigator Services

- Identify how long the interaction was, what services the Navigator provided, and the location of the courthouse (*Efficacy*).
- Identify the case type and position of the SRL in their case: plaintiff, defendant, petitioner, respondent, etc. (*Efficacy, Access to Justice*).
- Solicit how the SRL first found out about the Navigator Program (*Efficacy, Sustainability*).
- Ask the SRL’s perception of how knowledgeable the Navigator was of their case type (*Efficacy*).

Satisfaction with Navigators

- Ask whether the SRL felt they had adequate time to meet with the Navigator (*Efficacy, Access to Justice*).
- Solicit the SRLs confidence about understanding their case’s requirements before and after the Navigator interaction (*Efficacy, Access to Justice*).
- Rate overall satisfaction with the Navigator Program (*Efficacy, Sustainability*).
- Allow an open-ended answer for ways the Navigator could have improved the SRL’s experience (*Efficacy, Access to Justice*).

Experience with the Court System At-Large

- Explore the extent the SRL believes that the court’s decision-making process is fair, incorporates their participation, and treats them with respect; and that decision-makers are objective (*Access to Justice*).

To field the survey, the research team provided the Navigators with a detailed survey protocol and printed materials, including consent forms with more information about the research (see Appendix B) and paper copies of the survey in pre-addressed and stamped return envelopes for mailing to the Rockefeller Center Policy Research Shop. The consent form also included a QR code which linked to an identical online survey version. Following an SRL-Navigator interaction, the survey protocol had Navigators distribute the consent form and either paper survey or sheet with the QR code (see Appendix B). Navigators informed SRLs that the survey would be anonymous and that all questions were optional.

We chose a paper survey so that SRLs who might need technological assistance could easily fill out the survey. We provided a pre-addressed envelope to eliminate cost as a barrier for participation while ensuring SRL anonymity. We provided a QR code, though, for SRLs who preferred to complete the survey online.

The surveys were provided to SRLs beginning on February 6th, 2024. We analyze 34 responses here which were postmarked between that date and March 13th, 2024. We subsequently conducted a data analysis of the responses. We analyzed the demographic data through summary statistics (mean, mode, median, standard deviation). The data on SRLs’ interactions with Navigators (case type, services assisted with, how SRLs found out about the Navigator Program) were compiled into pie charts to demonstrate the breakdowns of those metrics. Further, questions ranking aspects of the Navigator Program or Court System on a scale were visualized into bar plots.

Due to the timeframe of this research and the current location of the Navigators, we note that the SRL population studied is a subpopulation of all New Hampshire SRLs. Based on our observational analysis, we estimate that the Navigator Program helps an *average* of six SRLs per day. Given the 36-day collection period, we estimate the total potential population for the survey was 216, thus soliciting a speculative 16% response rate (though not all SRLs may have received a survey). Notably, while our capacities could not yield a fully representative sample from the entire population of New Hampshire SRLs, our research illuminates the perspectives of SRLs physically coming into courthouses currently served by Navigators who were helped and opted to take the survey. Though SRLs may have completed the survey in an emotionally vulnerable situation due to the stress of their case, we designed the survey to avoid emotionally sensitive questions. Ultimately, while the results cannot be generalized to the entire New Hampshire SRL population, it provides us insight into the population studied for the Program’s future.

5. Results: Court Navigator Program’s Effectiveness

Informed by the observational analyses, interviews, and the SRL survey, we synthesized and evaluated diverse stakeholder perspectives to assess the effectiveness of the Navigator Program. From that analysis, four main themes emerged, which structure the Results section as follows: 1) Structural Challenges to Justice, 2) Program Effectiveness: SRLs, 3) Program Effectiveness: The Court System, and 4) Barriers to Navigator Effectiveness. First, we define the top challenges facing the New Hampshire Court System generally. Next, we discuss the Navigator Program’s Efficacy for the served population of SRLs. Then, we similarly examine the Navigator Program’s Efficacy for the court system at-large. Finally, we highlight specific aspects of the Navigator Program that present opportunities for improvement.

5.1 Structural Challenges to Justice

To evaluate the Navigator Program’s Efficacy, we first gained an understanding of the unique situation, environment, and challenges that face the New Hampshire Circuit Court. Based on interviews with court stakeholders, observations of the Navigator Program’s daily operation, and the SRL Satisfaction Survey, we identify four main challenges facing the court: 1) Staffing Shortages, 2) Legal Aid Resource Shortages, 3) Demographic Challenges, and 4) Infrastructure. While this research does not center these broader challenges, it is important to note them, since the Navigator Program operates under these conditions. Further, the Navigator Program has the potential to address these challenges.

5.1.1 Staffing Shortages

Stakeholders shared an underlying consensus that many challenges the court faces have been shaped by global events, namely the 2008 Financial Crisis. During this period, state budgets were decreased due to decreased tax revenue.³¹ The New Hampshire Court System was forced to eliminate many positions and an existing Court Service Coordinator Program. An antecedent to the current Navigator Program, three Court Service Coordinators were stationed in Nashua, Brentwood, and Grafton/Coos Counties. As a result of the budget cuts and layoffs, all three Coordinators left the court system, which led to a significant loss of institutional knowledge, including from the Grafton/Coos Counties Coordinator who had been part of the court system for 40 years. Between 2008 and 2021, no similar program emerged although Senior Court Administrators reported an interest in instituting such programs.

Importantly, this loss of institutional knowledge was not unique to the Coordinator position. Many other positions saw long-time employees retire from the court system. Currently serving long-time court staff indicate that the “story of the court” since then has been rebuilding that institutional knowledge among employees.

Given that the court’s staff has been almost completely rebuilt since the Financial Crisis of 2008-2009, many positions still remain unfilled. Like many other regions in the nation, New

Hampshire faces a shortage of administrative staff within the court system, in particular. According to an interview with the Administrative Judge, 42 staff positions within the Circuit Court remain unfilled. Notably, other stakeholders indicated that before the Financial Crisis, it was commonplace for court staff to serve for upwards of three decades.

The Court also faces a challenge similar to many other public service careers in attracting new employees from younger generations, particularly with available salaries and benefits (healthcare, pension, etc.). In particular, many stakeholders attributed the staffing shortage to an inability to compete with private sector wages. This shortage in court staff means those currently employed may take on additional tasks to ensure the court's functioning, thereby either limiting time for tasks outside their basic job description and/or leading to increased burnout from workload and employment stress.

Finally, judges also face staffing shortages, resulting in a backlog of cases. For example, the Administrative Judge reported sitting as a judge two days per week to clear the backlog. This responsibility differs from the normal operations of the Administrative Judge, who usually helps schedules *other* judges to hear cases. Essentially, judges face similar personnel challenges as other court staff.

5.1.2 Shortage of Legal Aid

While Court staffing shortages were largely rooted in the Financial Crisis, legal aid shortages proliferated during and following the COVID pandemic. During 2020, pandemic-related economic challenges caused an increase in legal need such as evictions, unemployment claims, and domestic violence.³² Notably, most of these case types would fall under the Circuit Court's jurisdiction.

Currently, New Hampshire residents can access a civil legal aid network outside the court system through the Disability Rights Center- New Hampshire, the Legal Assistance & Referral Center, New Hampshire Legal Assistance, and the Pro Bono Referral Program. These organizations' limited resources have been unable to meet demand, however, especially that exacerbated by the COVID Pandemic.³³ SRLs view this network as effective,³⁴ but less than 3.5% of individuals eligible in New Hampshire receive legal aid services according to previous research conducted by the Dartmouth College Policy Research Shop in 2011.³⁵ This coverage may also have decreased post-pandemic given both increased demand for legal aid and increased legal aid staffing shortages. The Navigator Program is one mechanism through which to provide help to the vast majority of those eligible for legal aid that do not receive assistance in practice.

According to stakeholders, New Hampshire also faces an attorney shortage with limited recent remedy. One judge characterized the attorney shortage as a top challenge to providing Access to Justice When only one side in a case is represented, as is so often the case, the attorney and legal aid shortages significantly impede procedural justice by creating an imbalance within the courtroom. Additionally, court staff and other experts cannot provide legal advice to SRLs, thereby limiting unrepresented litigants to legal aid organizations that may not have the capacity to provide legal advice to them.

5.1.3 Demographic Challenges

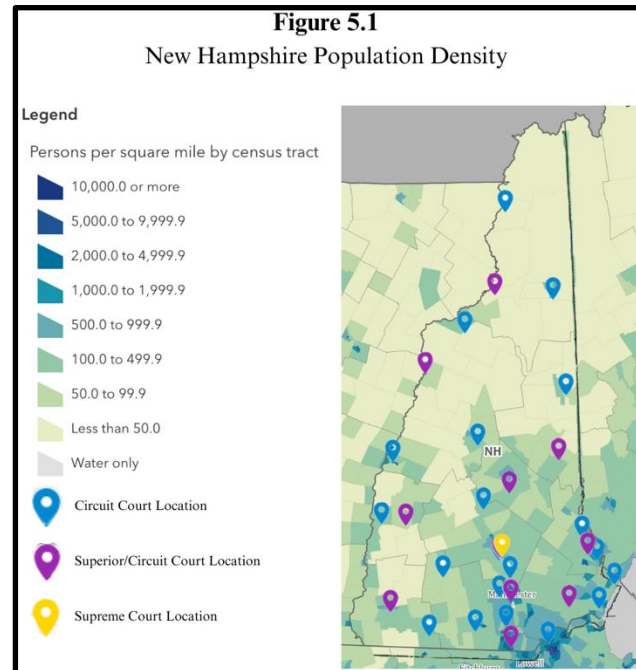
In addition to ongoing difficulties with staffing within the courts and legal profession more broadly, New Hampshire also faces demographic challenges that impact access to justice. The New Hampshire population is concentrated primarily in the state's south and southeast region (see Figure 5.1). Larger cities like Manchester and Concord, located in the southeast, are among the densest areas, however, 47% of the population lives in rural counties. The Access to Justice Commission has stated that rural areas such as Coos County have “experienced disproportionately severe declines in jobs and resources.”³⁶ Many stakeholders highlighted that rural SRLs face unique challenges when interacting with the justice system.

First, courthouses are more spread out in the northern counties, which have lower population densities. Thus, SRLs must travel longer distances to reach the courthouse. Researchers and stakeholders have indicated, however, that these challenges are partially alleviated through technological systems implemented because of COVID (such as virtual hearings).³⁷

While technology helps bridge the gap between SRLs' location and courthouses, court administrators for these northern, rural counties highlighted that technology is often inadequate there. For example, one administrator explained that in Haverhill and its surrounding areas, cell phone coverage is spotty. As Pew Research has demonstrated, rural Americans face lower levels of technology ownership and lower broadband (internet) access than suburban and urban counterparts.³⁸ Finally, achieving access to justice is difficult in “legal deserts”—sparsely populated areas with few or no lawyers. Previous research by the Access to Justice Commission indicated that Grafton and Coos Counties qualify as these deserts, where “there may only be two or three attorneys available in any given issue area.”³⁹ These legal deserts often stem from broader factors impacting US rural counties such as employment and other economic opportunities. One stakeholder, for example, shared that young lawyers are “looking for money, and it's not in the north.” Unique challenges emerging New Hampshire's from rural geography thus amplify the previously discussed issues with legal professional recruitment and training.

5.1.4 Physical Infrastructure

Finally, New Hampshire's Circuit Court specifically faces infrastructural challenges. Multiple stakeholders expressed a need for increased resources devoted to physical court infrastructure in discussions regarding investment priorities for the next biennium. A Circuit Court Administrator,



for example, raised an example of benches zip-tied together in a courtroom because it lacked benches, which could lead to SRLs “not feel[ing] respected by the court system.”

Stakeholders also spotlighted technology as another area needing physical infrastructure improvements. One Assistant Circuit Court Administrator explained that technology has improved (such as implementing E-Filing), but quality technology like updated website design and accurate online filing programs need higher prioritization across the state.

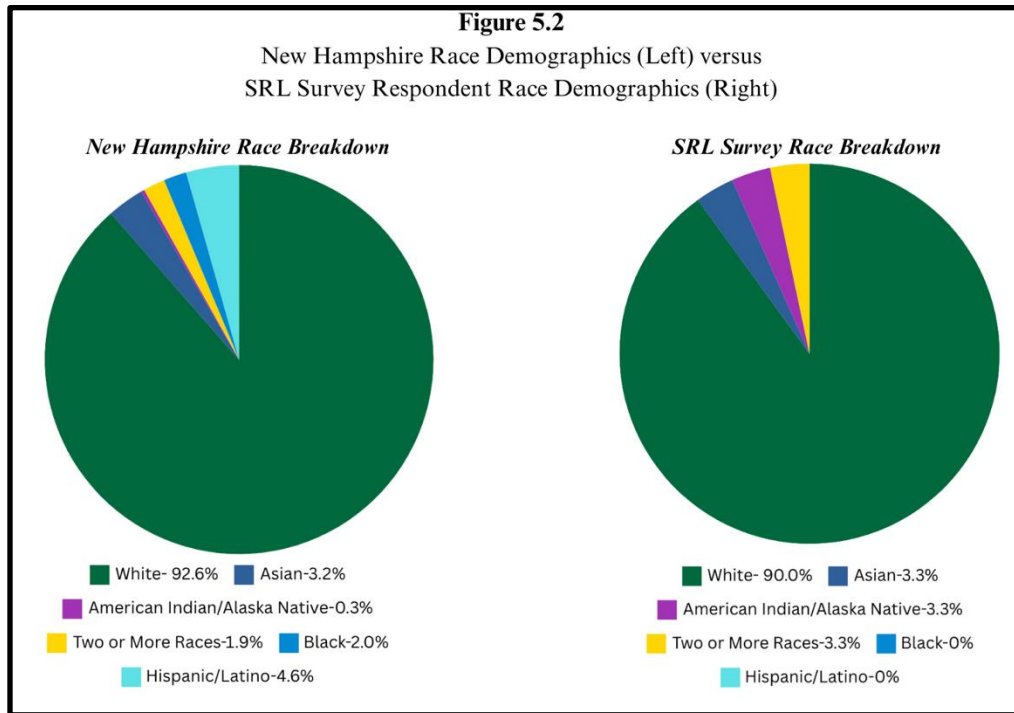
It is within this context of Court staff shortages, limited legal aid, state demographics and aging physical infrastructure that the Navigator Program exists as one means through which to increase Access to Justice for New Hampshire’s SRL population. Next, we turn to our specific findings on the effectiveness of the Navigator Program’s operations, especially given the above-identified challenges.

5.2 Evaluation of Efficacy: SRLs

SRLs’ perspectives are foundational to accurately assess the Navigator Program’s success according to the Efficacy and Access to Justice goals. We solicited SRLs’ evaluation of the Navigator Program through the SRL Satisfaction Survey (see Section 4.3). Navigators offered the anonymous and voluntary survey to SRLs during data collection, ultimately yielding 34 responses analyzed here. Though the following findings mainly stem from the survey, the SRL interviews during the observational analysis also informed these results (see Section 4.1). The conclusions represent the views of SRLs who received assistance from a Navigator during February and March, 2024, and reflect the sections of the survey devoted to demographic data, Navigator services, satisfaction with Navigators, and satisfaction with court system. *(Note: those who marked “Prefer Not to Answer” or skipped the question are not calculated in the percentages presented here. Further, some questions allowed SRLs to mark multiple responses, so the results amount to greater than 100%. The data in parentheses displays the percentage and number of respondents who selected the respective option being discussed.)*

5.2.1 Demographic Data

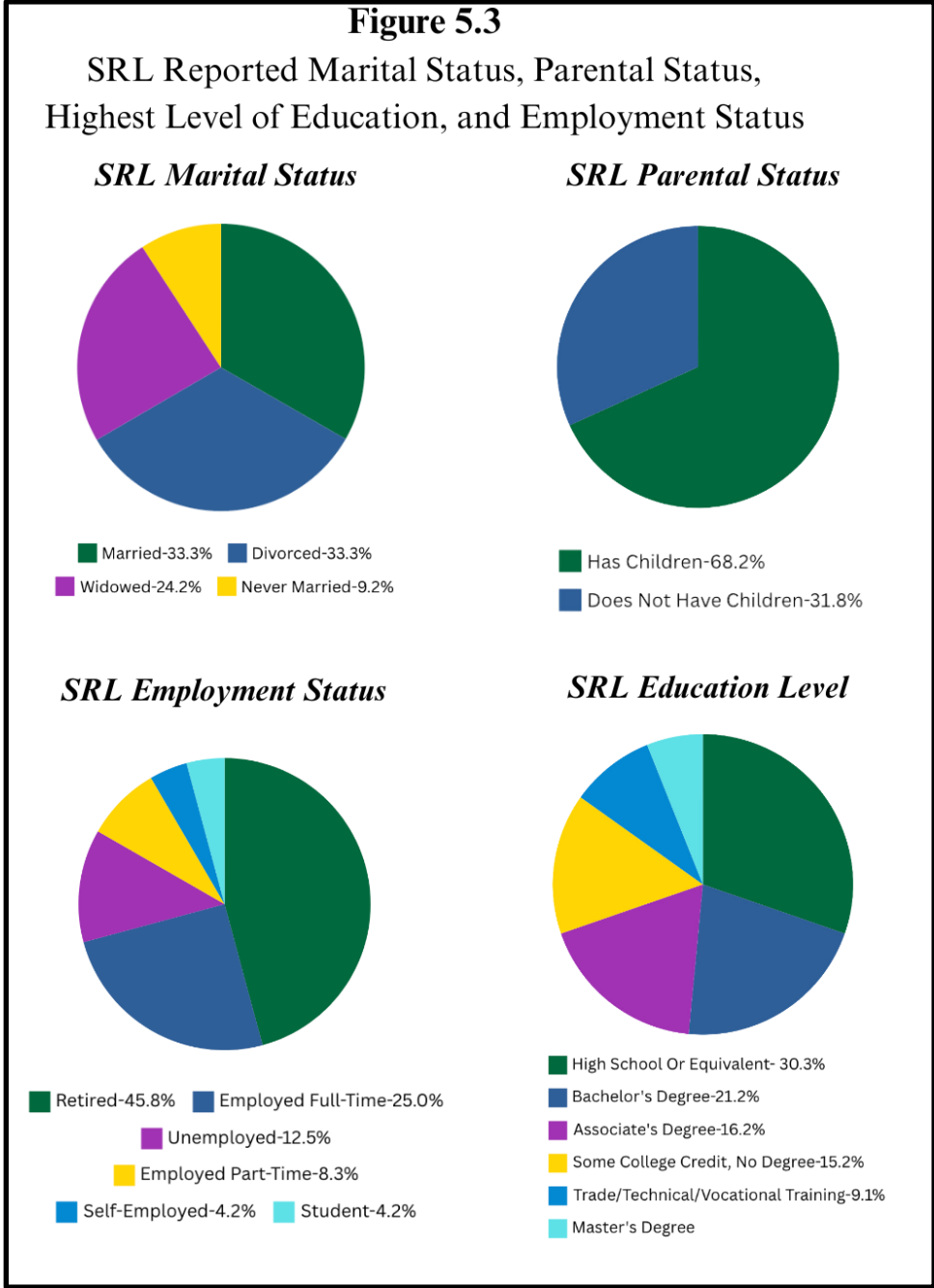
Survey respondents self-identified their age, gender, race or ethnicity, disability status, yearly household income range, marital status, number of children, employment status, and education level. Respondent’s ages ranged from 38 to 88, with a median age of 63. Notably, 61.3% ($n=19$) of respondents were senior citizens over the age of 60. Almost two-thirds of respondents identified as female (62.5%, $n=20$). Additionally, the vast majority of respondents identified as White (90.0%, $n=27$), but other respondents identified as Asian (3.3%, $n=1$), American Indian/Alaska Native (3.3%, $n=1$), or 2+ races (3.3%, $n=1$). These demographics are almost identical to statewide demographics, as shown below in Figure 5.2, but do not represent Black or Hispanic SRLs.



Further, almost one-third of respondents reported having a disability (31.3%, $n=10$). These disabilities were mainly physical, including arthritis, lung cancer, and spinal lumbar stenosis. Though, one respondent also reported having “cognitive issues.”

The respondent population was largely low income and had children, but was generally evenly spread among marital, employment, and education statuses (see Figure 5.3). First, 42% of respondents ($n=11$) were low income, reporting their yearly earnings as \$30,000 or below. For reference, the 2024 Federal Poverty line is \$15,060 for a one-person household. Thus, an individual at 200% income of the Federal Poverty line (\$30,120) is standardly defined as “low-income,” and would likely qualify for legal aid in New Hampshire according to the Access to Justice Commission's 2013 Legal Needs Study.

This number is a conservative estimate, as it only calculates low-income based on a one-person household being at or below 200% of the federal poverty level.⁴⁰ Next, respondents almost evenly identified between being married (33.3%, $n=11$), divorced (33.3%, $n=11$), and widowed (24.2%, $n=8$), and over two-thirds of respondents reported having children (69.7%, $n=23$). Further, employment status varied greatly. Most respondents were retired (42.2%, $n=14$) or employed full-time (27.3%, $n=9$), with other SRLs identifying as unemployed (12.1%, $n=4$), employed part-time (9.1%, $n=3$), self-employed (3%, $n=1$), disabled (3%, $n=1$), or a student (3%, $n=1$). Finally, all respondents were a high-school graduates or the equivalent. This was the highest level of education for almost one third of respondents (30.3%, $n=10$). Others reported further education, including trade/technical/vocational training (9.1%, $n=3$), some college credit without a degree (15.2%, $n=5$), an associate degree (18.2%, $n=6$), a bachelor's degree (21.2%, $n=7$), or a master's degree (6.1%, $n=2$) as their highest level of educational attainment.

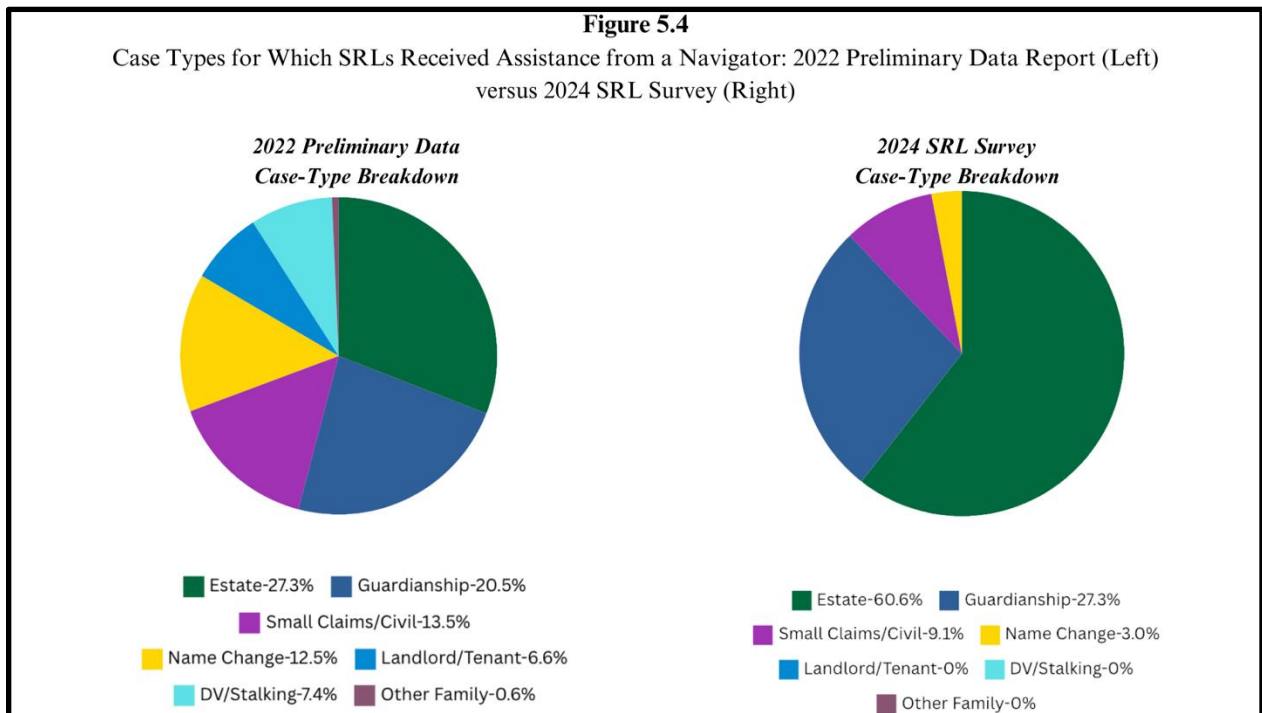


The demographic results reveal that the Navigator Program exactly meets its Access to Justice goals. Fundamentally, the Navigator Program is serving low-income individuals. Whereas approximately 16% of the New Hampshire population earns less than 200% of the Federal Poverty Line,⁴¹ 42% of individuals helped by the Navigator Program earn less than that threshold (an over 2.5-fold increase compared to statewide metrics). Alternatively, the presence of highly educated, high-income individuals utilizing the Navigator Program likely indicates that the Navigator Program’s services benefit all populations, whether or not they are from an underserved community.

The Access to Justice Commission’s 2013 Legal Needs Study discovered that “Women, disabled persons, and senior citizens are over-represented in the low-income population.”⁴² Our research finds that the Navigator Program currently serves these populations. The majority of respondents were either senior citizens and/or women, and almost one-third of respondents had one or more physical disabilities. The Navigator Program, therefore, is fundamentally serving the communities with the highest legal need as defined by the 2013 Study by helping target populations at higher rates than statewide demographics.

5.2.2 Navigator Services

Survey results indicated that Navigators help SRLs across high-need cases. First, the most frequent case type that Navigators helped with remained estates (60.6%, n=20) and guardianships (27.3%, n=9). This data marks a trend of continuity between the 2022 preliminary analysis and this survey, with those two main case-types remaining the top two with which Navigators assist (see Figure 5.4). These findings were also supported during interviews with the Navigators who confirmed that estate and guardianship cases as the case type they assist SRLs with most often. Further, the vast majority of SRLs reported spending 30 minutes or longer with the Navigator (70.6%, n=24). Notably, these results cannot conclude whether the need for other case types would be greater in other courthouses or whether individuals with non-estate cases are choosing not utilizing Navigator services. Instead, the results represent the current population served rather than total SRL need.



The most common service SRLs reported receiving was assistance completing documentation and forms. All respondents received this help (100%, n=33). Importantly, many SRLs from this population faced barriers filling out forms. SRL interviews illuminated three main reasons for difficulty filling out forms: 1) did not understand how to use TurboCourt online, 2) could not fill out a paper form due to a physical disability, and 3) could not correctly fill out either form due to confusing instructions. For example, one SRL with arthritis shared that the Navigator typed out his forms on the Courthouse Kiosks since he was unable to do so. In addition to forms, Navigators helped SRLs determine the next steps of their case or procedural options (n=15, 45.5%) and provided language interpretation support (3.0%, n=1).

Finally, most SRLs only knew about the Navigator Program because they became aware of the Program while physically in the courthouse (see Figure 5.5). An overwhelming majority of the respondents (85%, n=29) indicated being referred to the Navigator Program after entering the courthouse, either by a referral by a court employee, seeing a Navigator in the Courthouse, or being approached by a Navigator. Some SRLs found out about the Navigator Program through non-court means, either a legal organization or the community (14.7%, n=5). Yet, despite increased information regarding the Navigator Program on the court website (see Figure 5.6), no respondents learned about the program online. Thus, the Navigators’ services are largely limited to only the people physically able or have enough time to travel to that courthouse.

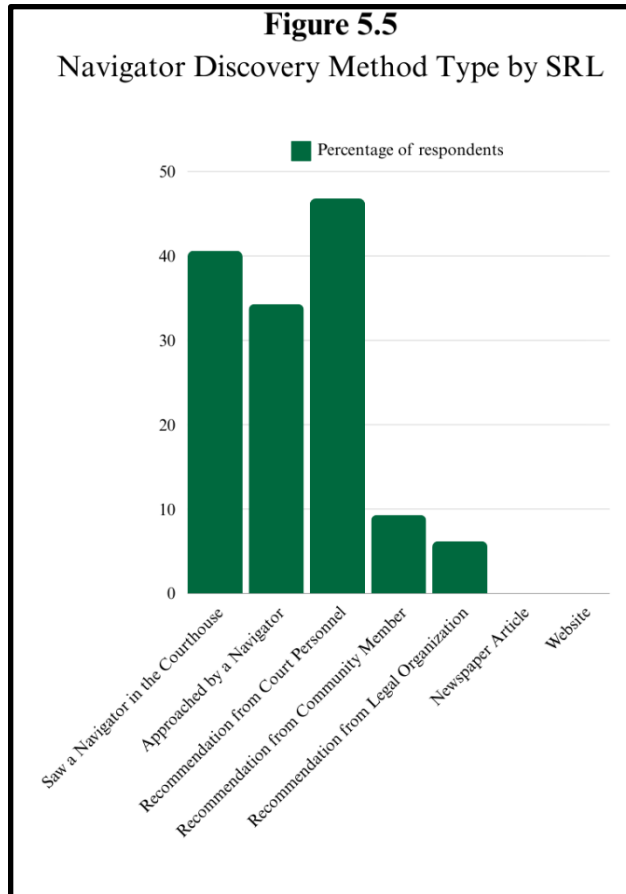



Figure 5.6

Screenshot of Court Website Advertisement for Navigators

Court Navigators Available To Help



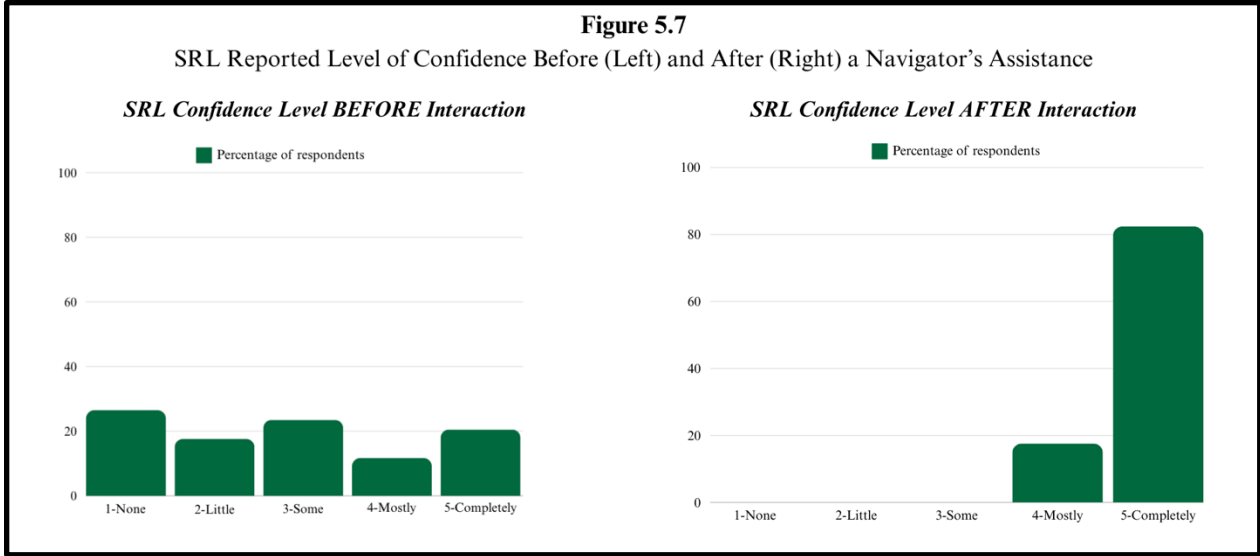
Do you need help completing court documents in the electronic system or in paper? We have Court Navigators available to assist you. Services are available in a variety of case types, but particularly in guardianships, estates, name changes, domestic violence/stalking, small claims and civil. A Court Navigator can meet with you at a courthouse conveniently located near you or they can walk you through the process over the phone. To make your appointment, send an email to navigator@courts.state.nh.us or call 1-855-212-1234 and request a court navigator to contact you.

We draw several conclusions from the data on SRL-Navigator interactions. First, the Navigator Program helps SRLs with case types that include lengthy filing periods (estate and guardianship). This means the Navigator Program currently meets its Access to Justice goal to help SRLs with case types necessitating assisting SRLs for longer periods of time. Second, Navigators assisted with tasks that SRLs could not individually complete, such as physically filling out forms or understanding court processes. Finally, our findings indicate that the SRL population helped by Navigators is largely “random,” depending on whether the SRL enters a courthouse where a Navigator is on that day.

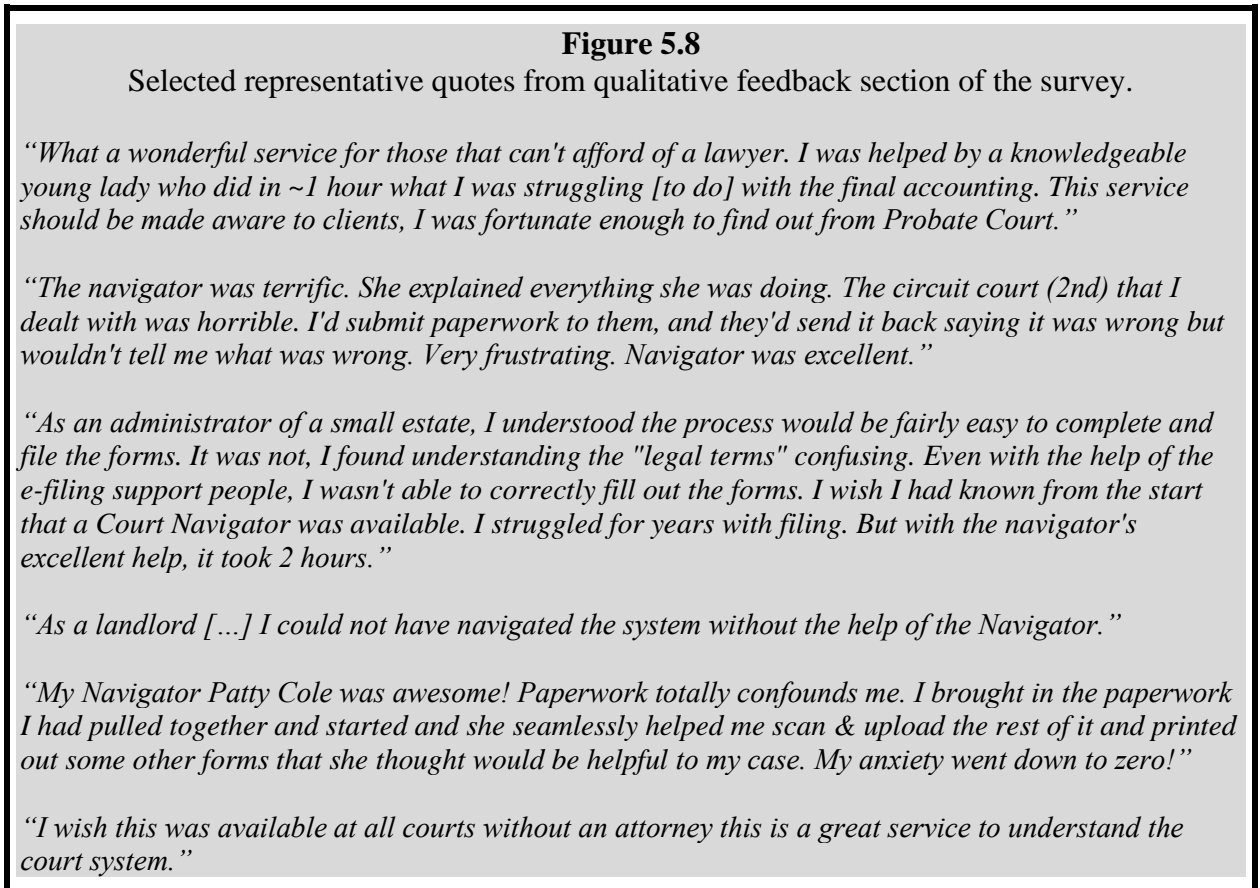
5.2.3 Navigator Satisfaction

Critically, respondents characterized high Efficacy for the Navigators through satisfaction with their services. First, all respondents reported having adequate time with the Navigator and having all questions fully answered (100%, $n=32$). Further, SRLs left the courthouse feeling confident about their case after their Navigator interaction (see Figure 5.7). Before their Navigator interaction, only some SRLs reported understanding the requirements of their case “mostly” (11.8%, $n=4$) or “completely” (20.6%, $n=7$) confidently. After meeting the Navigator, however, all respondents reported feeling “mostly” (17.6%, $n=6$) or “completely” (82.4%, $n=28$) confident. The average respondent increased their confidence by 40%, a reported two-point increase on the scale. Additionally, the standard deviation was 1.49 before, and .39 after meeting the Navigator, meaning that there was greater variation in confidence levels before meeting the Navigator, but almost all SRLs experienced similar levels of high confident post-Navigator interaction.

This sentiment likely stems from SRLs’ perception that the Navigator was adequately knowledgeable about that SRL’s specific case type, since all but one respondent indicated that the Navigator is “fully” knowledgeable about their case type (97.1%, $n=33$). Additionally, all respondents reported extremely high overall satisfaction with the Navigator Program on a scale of 1-10, with all respondents either indicating a rating of 9 (11.8%, $n=4$) or 10 (88.2%, $n=30$).



We also asked SRLs to provide open-ended notes on their experience or how Navigators could have improved the interaction. SRLs shared overwhelmingly positive sentiments in these responses. A selected list of representative quotes is shown in Figure 5.8 below, with the full list included in Appendix C.

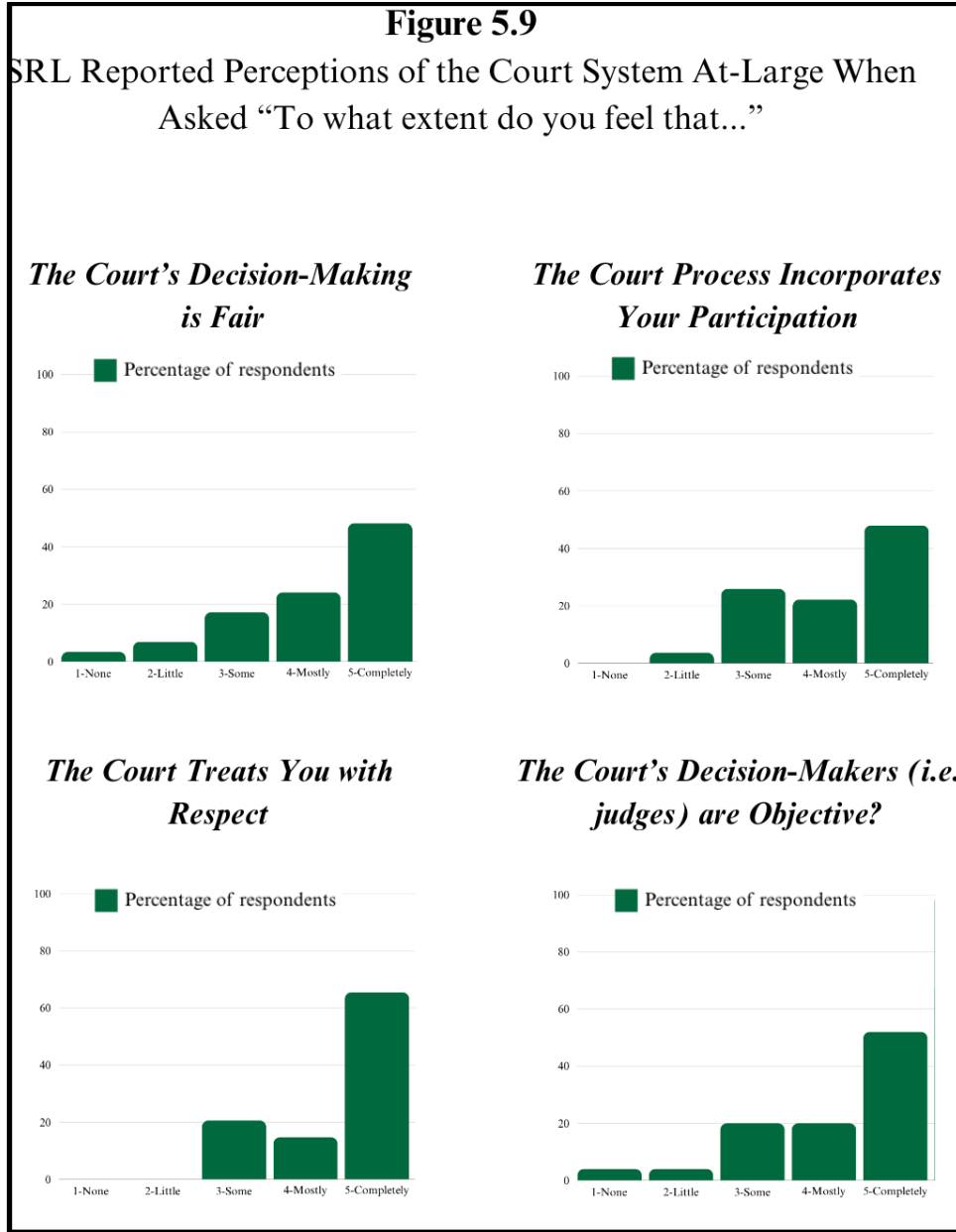


These qualitative responses indicate overwhelming satisfaction with and relief from the Navigator Program. SRLs reported frustration with court processes, but the Navigators helped them quickly, effectively, and in ways other services could not provide. SRLs reported “compassion” and “empathy” from the Navigators, providing emotional support during overwhelming times. Overall, SRLs relayed a desire for the Navigator Program to continue with more SRLs receiving the service, relaying sentiments such as “I wish this was available at all courts without an attorney.”

Thus, SRLs reported extreme satisfaction with Navigator services. Respondents reported that the Navigators were extremely knowledgeable about their case type, leading to large increases in confidence in understanding the requirements of their case. Resultantly, overall satisfaction with the Navigator Program was rated near-perfect. These results suggest extremely high current levels of Efficacy in the Navigator Program. SRL feedback in interviews and on the survey indicates that this Efficacy likely stems from the current Navigators holding a great deal of institutional knowledge, assisting SRLs with a variety of tasks per case-type, supporting SRLs emotionally, and exhibiting high levels of patience during long/complex interactions.

5.2.4 Court Satisfaction

Finally, we ascertained SRLs’ perceptions of the court system at-large (outside the Navigator interactions) to draw conclusions about procedural justice. These questions were written based on the definition of procedural justice from Section 3.2. While SRLs reported near-perfect satisfaction with the Navigator Program, perceptions of the court system varied more, though the majority of responses were positive (see Figure 5.9). Near half of all respondents indicated that the extent they “mostly” or “completely” feel that: the court’s decision-making is fair (72.4%, $n=21$), the court process incorporates their participation (70.4%, $n=19$), the court treats them with respect (79.3%, $n=23$), and that the decision-makers (*i.e.* judges) are objective (72%, $n=18$). Overall, SRLs appear to generally perceive the court as fair, that it incorporates their participation, and is respectful. Importantly though, more respondents preferred **not** to answer these questions (up to 9 respondents, compared to 4 in other sections), so the results may not be representative of the full SRL population.



These statistics ultimately gauged SRL perceptions of procedural justice, with SRLs holding a generally positive view of the court process. Almost all respondents reported neutral or positive views of the court as fair, incorporating their participation, respectful, and objective. Related to the Navigator Program, this means that SRLs who receive assistance from Navigators have generally high views that the court administered procedural justice. Additionally, although question wording prevents a direct comparison, we can deduce that the favorability consensus was stronger for the Navigator Program than the court more generally given response distributions. It is thus possible to interpret the Navigator Program as a uniquely effective or popular offering of the court. We are unable to determine from this data, however, whether a positive experience with the Navigators directly causes increased perceptions of at-large court legitimacy.

5.2.5 Conclusion

Based on SRL feedback through the survey and interviews, we found extremely high levels of Efficacy in the Navigator Program for the population that it serves. First, the Navigator Program currently succeeds in its Access to Justice goals by helping target demographics: low-income, female, disabled, senior citizen, and less technologically fluent SRLs without other access to legal aid. Second, Navigators provide excellent services to SRLs, with all SRLs reporting extremely high satisfaction with the program – SRLs appear to leave the courthouse feeling confident about their case due to the Navigator’s help. Finally, most SRLs who received help from a Navigator felt that the court administers procedural justice.

5.3 Evaluation of Effectiveness: The Court

In addition to the Navigator Program’s Efficacy for SRLs, we found strong benefits to the court system. As court employees, Navigators interact with other court staff to help achieve broad court goals. We found that there are four primary areas in which the court benefits as enumerated in the below sections: 1) Easing the Burden of Court Staff, 2) Process Simplification, 3) Easing the Burden of Judges, and 4) Court Provision of Procedural Justice.

5.3.1 Easing the Burden of Court Staff

Navigators often assist with cases where the instructions remain unclear for the SRL. The current highest frequency case types for Navigators’ assistance (estate and guardianship) are time-consuming, complex case types. Further, stakeholders indicated that during these cases SRLs may be “in crisis,” as SRLs could be dealing with death or disputes. Navigators shared that many SRLs enter the court “confused,” “heated,” or “distraught.” SRLs in interviews reported feeling these emotions especially when they had to visit the courthouse multiple times without a resolution to their question or without knowing what actions to take next.

Critically, the Navigator Program helps these SRLs by offering assistance from staff specifically trained in these high-intensity case types. Before the Navigator Program, SRLs only received assistance from non-Navigator court staff. However, these court staff help SRLs with general inquiries, meaning they may hold less case-type specific knowledge to quickly help SRLs. Further, SRLs’ significant need—along with administrative understaffing—has created an additional burden for current court staff members having to assist with those cases. Based on observations and conversations with Administrators, this burden results in clerks taking on additional tasks: providing legal information to SRLs or handling lengthy and emotionally intensive situations. To allow focus on their main responsibilities, court staff cannot devote the same time to an SRL as a Navigator is able. Thus, court staff often only provide SRLs instructions for next steps rather than Navigators, who walk the SRL through the process until completion.

To examine this impact of the Program’s Efficacy on the court system, we probed whether court staff perceived a change in their daily responsibilities or workload resulting from the

Navigator Program's implementation. Critically, all relevant stakeholders reported improvement in their daily workloads or workflow. Court staff who interact with SRLs feel the largest impact, such as Clerks and E-File Coordinators. When Navigators can field technical/specific E-Filing questions, it restores time to these court employees, who no longer must handle that inquiry. Administrators also see benefits to their personal workload, with one Assistant Circuit Court Administrator explaining the Navigator Program is a "huge relief" and "takes a lot off" court staff. The Navigator Program has therefore eased the court staff's administrative burden by streamlining SRL assistance to the Navigator Program, allowing court staff to work on their main responsibilities while Navigators serve SRLs.

5.3.2 Process Simplification

The Navigator Program also allows the court system to receive feedback on court processes from SRLs. Often, SRLs are unfamiliar with a form's legal terminology, resulting in an unawareness of next action steps for their case. When SRLs do not take these next steps in their case, they can face late filing fees and the court docket can become delayed. Navigators both help SRLs with these confusing processes and use SRLs' feedback to improve the processes themselves.

Court staff reported across interviews that Navigators reduce SRLs' case time from start to finish. An Assistant Circuit Court Administrator relayed that SRLs who work with Navigators have their questions "quickly answered" and "use TurboCourt more effectively." One Administrative Judge addressed paperwork errors. According to this stakeholder, Navigators reduce SRL mistakes in paperwork, which prevents complicated and extended filing processes for the court and SRL.

However, sometimes procedural challenges emerge from the court system. We found through observations and interviews that TurboCourt often miscalculates the numbers entered on forms with no user error. During our observation, the Travelling Navigator, knowing these errors, hand calculated the numbers to change the inputs and ensure the correct output eventually printed on court filings. Without the Navigators' knowledge about these procedural mistakes, the forms could have appeared to be incorrect to a judge even if the SRL entered the numbers correctly on TurboCourt.

Moreover, Navigators have the power to improve those procedures. One Senior Circuit Court Administrator who has observed the Navigators' weekly progress highlighted the Program's ability to provide feedback to court administrators about common areas of confusion (either about forms or form processes). The court has used this feedback loop to make changes to forms and procedures that ultimately simplify the litigation process. For example, the current Travelling Navigator is on the forms committee, and other court staff mentioned reporting form improvements to their superiors. Additionally, 34.8% of SRL survey respondents reported that the Navigator provided the "next steps" in their case. All SRLs interviewed indicated a clear resolution to their visit: whether the SRL or the court would need to take another action, and what that action would entail. Importantly, however, both Assistant Circuit Court Administrators and a Deputy Administrative Judge reported that the assistance Navigators provided in simplifying the court

process only extends to where Navigators are located. SRLs in different courthouses may face different challenges when filling out forms since differing counties face different demographic needs (such as age and language). Thus, the Navigators' overarching impact on process simplification is constrained to specific court locations. Ultimately, though, the Program does improve the court process for SRLs.

5.3.3 Easing the Burden of Judges

New Hampshire currently experiences Circuit Court judicial shortages, even prompting one Supreme Court Justice to concurrently sit on the Circuit Court bench. Resultantly, judges often operate on tight schedules and take on additional daily cases to reduce court backlog. Judges thus have a stake in ensuring SRLs arrive well-prepared to court to streamline each case.

Even though judges do not interact with the Navigators daily, they held strongly favorable views toward the Navigator Program. Surprisingly, all judges interviewed shared experiences of explaining processes or next steps to SRLs (which is not a judge's usual role). SRLs' knowledge gap for their hearing underscores the Navigator Program's goal of clarifying procedures and expectations. Notably, all interviewed judges indicated that they could discern whether an SRL had been helped by a Navigator because they were "more prepared and knowledgeable about the requirements of their case." Judges even pointed to recent examples of Navigators helping SRLs whose case over which they presided.

Judges also hoped Navigators could later improve the judicial process' flow. For example, one judge shared that "ideally, if an SRL needs to fill out a form again, I can send them outside the courtroom to a Navigator. Then, they'll feel more confident walking out of the courthouse that they won't get in trouble nor must come back to court." The favorable view of the Navigator Program translated to the Supreme Court as well with the two interviewed Justices voicing support for the Program and its mission. Thus, Judges across the Circuit and Supreme Court view the Navigator Program as benefiting their roles.

5.3.4 Court Provision of Procedural Justice

Finally, the largest impact on the court system is increasing access to justice through SRLs' procedural justice perceptions. The court system largely creates the services, rules, and programs that affect an SRL's perception of procedural and, often, substantive justice. Often, SRLs apply their sense of procedural justice to the entire court system or judiciary as a whole. For instance, SRLs who feel that their participation was not adequately considered in the justice process are likely to have less trust in the overall court system. This has consequences for the functioning of the courts as a legitimate branch of government power and authority. As demonstrated in Section 5.2.4, the Navigator Program is instrumental in administering procedural justice for SRLs.

5.4 Barriers to Navigator Effectiveness

While we have established above the overwhelming benefits from the Navigator Program, 8 major challenges also arose from our engagement with stakeholders that encumber the Program's full Efficacy and Access to Justice, and therefore future Sustainability:

- **Limited Data Collection:** Currently, the court system does not know identify which litigants are self-represented or how many current SRLs there are. Thus, not all SRLs cannot be targeted by the Navigator Program to receive assistance. Further, no consistent data collection exists, threatening Sustainability since the Program cannot know if it is meeting its Access to Justice goals. For example, the Navigator Program largely does not assist with domestic violence cases perhaps because there is a more robust legal aid structure outside the court process. However, we could not discern the potential need for additional assistance for other case types such as low-level criminal cases because data does not exist for all SRLs. Notably, however, a "Justice Data and Statistic Manager" began work in February 2024 and will be focused on increasing data availability.
- **Navigator Overburden and Need for More Assistance:** The Navigators currently operate at "80%+ capacity" with low capacity to assist significantly more SRLs, according to one Administrator. For the Travelling Navigator, this means that she can only focus on helping SRLs rather than build a volunteer program (which is part of the job description). Critically, this "overburden" means that Access to Justice likely would not increase through more litigants knowing about the Navigator Program. If the Program advertises itself to litigants while keeping the current number of Navigators remained constant, the Navigator's existing overburden would prohibit helping significantly more SRLs. Further, there are Access to Justice limitations emerging from the current geographic coverage, hours of operation, and case-types primarily addressed in the current Program.
- **Lack of Advertising:** Though the Navigator Program has included information on the website, the information might reach more people if it were in a more easily accessible location and format. For example, SRLs likely do not know what a "Navigator" is and what they can assist with. Notably, stakeholders indicated outreach has not begun due to the current Navigator overburden.
- **Lack of Schedule Continuity:** The Nashua Navigator is available in one place every day, but the Travelling Navigator travels across the state some days. Nonetheless, SRLs could not currently find exactly where or when to receive a Navigators' help. This pattern contributes to the "randomness" previously mentioned in who is served by the Program.
- **Technology Challenges:** Technology challenges currently exist, especially in the court's software. At a basic level, the user experience of the court's website and TurboCourt present opportunities to improve SRLs' experiences. Currently, only Navigators may know many of these system's challenges, so SRLs would likely only correctly fill out the form with a Navigator's help.

- **Lack of Trainings:** Many Court Staffers, including Navigators, reported feeling underprepared for interactions when SRL enters the courthouse in crisis. Court Staff desired increased mental health training to prepare them for these challenges.
- **Ongoing Institutional Knowledge and Communication:** Since the two current Navigators have been working in the court system for decades, their eventual departure would threaten Navigator Program’s institutional knowledge, especially given current record-keeping processes. Further, the court can improve its communication about the Navigator Program to solicit more buy-in from all members of the court.
- **Court Staff Tension for Differences in Pay:** Currently, court staff sometimes perform the functions of Navigator when no Navigator is present to assist SRLs in that courthouse. However, these court employees are paid less for performing a similar role. (This is perhaps typified by an E-File Coordinator who is three labor grades below a Navigator.) Our research revealed that these discrepancies can create tension when someone must serve as a Navigator when none are present, and contributes to the “randomness” as aforementioned.

This section therefor concludes that our research indicated the Navigator Program generates a high-level of Efficacy but faces a large barrier to success in the lack of widespread availability of Navigators. In the next section, we offer short-, medium-, and long-term mechanisms through which the court can sustain the successes and ameliorate the challenges of the Navigator Program.

6. Navigator Program Recommendations

Based on our mixed-method approach, we concluded that the answer to the first part of our research question is that the Navigator Program is fundamentally effective. We now turn to part two of our research question: what modifications can be made to the Program structure and function to better achieve its goals? While stakeholders consistently raised “lack of resources” as preventing full access to justice, human infrastructure is expensive, and New Hampshire faces similar budgetary challenges to municipal and state governments across the country.

Thus, considering these budgetary constraints and the above findings, *any* increase in the number of Navigators will increase access to justice so long as the new Navigators maintain similar levels of Efficacy as the current Navigators. From this research, all stakeholders held the sentiment that to increase access to justice for SRLs, the Court Navigator Program would need to expand to more courthouses and hire more Navigators. The Navigator Program now faces a critical juncture. The New Hampshire Supreme Court will soon decide how much funding to request for the State Budget Biennium beginning on July 1, 2025. With this deadline in mind, this section includes Short-, Medium-, and Long-Term recommendations for opportunities to cultivate long-term Sustainability while maintaining current Efficacy levels. The recommendations are separated by actions **before** the current funding biennium ends in July 2025 (Short-Term Recommendations),

actions **after** the next biennium begins in July 2025 (Medium-Term Recommendations), and stakeholders' future visions for the Program (Long-Term Recommendations). We offer these proposals with the goal of using available resources while setting up the Navigator Program for continued success.

More specifically, we first offer Short-Term Recommendations to begin data collection, expand the Navigator Program to four total Navigators, and clearly convey how SRLs can receive Navigator assistance. These tasks' short-term nature could be accomplished before the new funding biennium begins in July 2025 to increase Access to Justice immediately and lay foundations for long-term Sustainability. Next, we offer Medium-Term Recommendations related to technology/platforms, human infrastructure improvements, and Navigator Program enhancements. These recommendations intend to increase Access to Justice for all SRLs, enhance the Navigator's Efficacy with specific SRL populations and case-types, and create standard operating procedures for soliciting stakeholder buy-in. Finally, we offer a Long-Term Recommendation for the vision of the Navigator Program's end-goal based on founding stakeholders' visions of the Program. This vision is no one walks into court alone and is a goal that could be achieved through the foundations set-up by the Short- and Medium-Term Recommendations.

Each recommendation below seeks to build upon the current successes of the Navigator Program, while improving long-term Efficacy, Access to Justice, and Sustainability of the Program at-large as considered throughout this Brief. While Court actions may ultimately vary from the below, we present these recommendations to emphasize the principles and intentions actors affirm must undergird the Navigator Program's ongoing function. Further, each recommendation stems from, synthesizes or expands upon ideas suggested by Navigators, Court Staff, Access to Justice Commission Members, Academic Scholars SRLs, or other relevant stakeholders throughout our research.

6.1 Short-Term Recommendations

Based on our findings, the three recommendations that stakeholders deemed most reasonable and feasible to implement before the new funding biennium begins in July 2025 relate to collecting data, expanding the Program, and streamlining Program visibility to SRLs and Court Staff. These items aim to demonstrate the Program's value to stakeholders so the Supreme Court can continually evaluate and advocate for the Program if it remains successful.

These recommendations consider two contextual factors: 1) present funding from the *American Rescue Plan Act* (ARPA), and 2) this report's release approximately one year before the budget review process and the next funding biennium beginning on June 30, 2025.

Due to these considerations, we offer the following short-term recommendations:

1. **Data Collection and Communication:** Create data collection tools in collaboration with the new Justice Data and Statistics Manager and purchase physical technology and platform capabilities to enable data collection and communication with SRLs through text and email.
2. **Navigator Program Expansion:** Hire a minimum of two new Court Navigators: one Volunteer Navigator Manager, and one travelling Court Navigator. The Navigator Program would employ four total Navigators with this change.
3. **Increase Court Navigator Accessibility:** Increase Navigator Program advertising and create a clear process for litigants to determine where and when they can see a Navigator by booking an appointment or as a walk-in to the courthouse.

6.1.1 Data Collection

As discussed with the new Justice Data and Statistics Manager, data collection remains critical to the Navigator Program's future Sustainability. Our research demonstrated that the Navigator Program is currently effective, but not all SRL need is being met. Future data collection could aim to identify both where the need is and how it can best be met as well as provide an ongoing version of the SRL experience analysis conducted here over time. In the short-term, however, the highest data collection need is quantifying the presence and distribution of SRLs.

The Navigator Program faces a challenge in that only two Navigators currently serve a potential population of 195,554 or more litigants per year.⁴³ However, data is not currently collected on exactly which litigants are self-represented statewide, when these cases emerge, what each SRL's needs entail, and where the SRL is located. In the future, tracking SRLs' interactions with the justice system during their case could increase procedural justice. Specifically, this data could enable clear communication between the court and SRLs, allowing maximum opportunities for SRLs' participation in their case.

Thus, to adequately address the statewide needs of SRLs, the total population that the Navigators could potentially serve must be known. Four recommendations therefore arise to institute data collection: 1) Purchase Tablets for Data Collection, 2) Create Data Platforms for Check-Ins, 3) Institute a System for Text/Email Notifications, and 4) Publish a Short-Term Report to Inform Navigators' Future Placement. Unspent ARPA funding could potentially provide an opportunity to fund these projects while implementing them in conjunction with the Justice Data and Statistics Manager. We proposed that these short-term projects serve as a "triage" system to evaluate immediate need type and locations across the state, *not* an experience survey as we conducted. Yet, the design of this system would be capable for long-term utilization for more robust data collection to answer if the Navigator Program continues to be effective, and if Navigator interactions have a causal impact on perceptions of the court or case outcomes.

Recommendation 1: Purchase Tablets for Data Collection

The ultimate goal of data collection, as supported by the Justice Data and Statistics Manager, is to gain a “bird’s eye view” of individuals interacting with the court system. Data collected would seek to understand all litigants within the court system to improve court processes and provide assistance to those litigants (see Recommendation 12). In the short-term, though, data collection efforts can especially be aimed at informing the court where to place future Navigators.

In pursuit of that goal, stakeholders indicated that a sustainable mode for data collection could be tablets where SRLs check-in to the courthouse, similar to a self-check in at a doctor’s office. This check-in effort would first need physical technological infrastructure for the courthouse buildings. Ideally, each courthouse security station could have a tablet for SRL check-ins, allowing Court staff to instantaneously know the arrival of SRLs while allowing others such as the Justice Data and Statistics Manager to track trends in who enters the courthouse over time.

To accomplish the goal of tracking SRLs, administrators could purchase one tablet per courthouse to station at the security checkpoint. We calculate 80 tablets as an overestimate of necessary tablets since some courthouses include multiple divisions. Further, we could not confirm whether multiple security checkpoints exist per courthouse.

Cost estimate for high- and low-cost tablets:

High Cost (Apple): 80 tablets @ \$600 each = **\$48,000**

Low Cost (Amazon): 80 tablets @ \$140 each = **\$11,200**

Alternatively, the company [PatientTrak](#) (see right) provides both hardware and/or software for a kiosk check-in. Specific pricing for these services would be available by request of the court.



Recommendation 2: Create a Data Platform for Check-Ins

In the Short-Term, the data collected by the tablets would inform where to expand the Navigator Program (see Section 6.1.2). Tablets would thus collect data from all litigants entering the courthouse to identify key information about SRLs and where they exist in the state. Informed by our methodology and stakeholder input, we therefore recommend the following data collection categories:

- Reason for Visit: hearing, case filing, form filing, Navigator appointment, etc.
- Status of counsel (if applicable): self-represented, private lawyer, pro bono lawyer, etc.
- Case Type: estate, guardianship, etc.
- Contact information (optional): phone number, email, opt-in to reminders.

These questions could be further informed based on Court Staff expertise. To collect this data, platforms exist through companies such as [Solution Reach](#), [The Receptionist](#), [Olea](#), and [Phreesia](#) to install on the tablets. Critically, this data collection would last for the indefinite future,

as it relates to broader Access to Justice and procedural fairness within the court system rather than the Navigator Program exclusively.

This platform could grant data access to court staff. Additional development of the platform could:

- Enable Judges to see which SRLs have been helped by Navigators/Court Staff.
- Enable Navigators/Court Staff to view actions taken by SRLs.
- Enable Navigators/Court Staff to view documents completed by SRL.
- Display SRL contact information if the SRL chooses to provide it.
- Display SRL demographics if the SRL chooses to provide it (to potentially offer court resources, such as for differing physical/mental/linguistic needs).

A consideration for this data usage is data privacy. Revealing sensitive information or information that could implicitly inform a judge's decision (*i.e.* if the SRL did not receive a Navigator's assistance) may have effects on procedural justice for an SRL.

Recommendation 3: Create a System for Text/Email Notifications

Multiple stakeholders indicated a preference to create a system that allows texting or emailing SRLs. This platform would allow the court to remind SRLs about upcoming court dates and deadlines for filings, inform them about court services, and communicate with SRLs as the court sees fit. This platform could utilize the contact information collected by the check-in platform of Recommendation 2. Since most SRLs reported owning a phone, sending automatic text notifications to SRLs could ensure that SRLs know what next steps they must take in their case.

Recommendation 4: Publish a Report Evaluating Where to Place Future Navigators After a Short-Term Data Collection Period

Though the Access to Justice Commission's 2013 legal need assessment paved the path for Court Navigators, the Administrative Judge indicated that the court system has “not done a deep dive into the actual SRL population past the use of old data,” and indicated a desire to collect data on SRLs coming into the court system in the near future. In order to evaluate the immediate locations and needs of SRLs, we propose a 3-to-6-month data collection period followed by the publication of a report illuminating the landscape of SRLs throughout the state.

More specifically, the proposed report would specifically analyze the data collected from the tablets described in Recommendation 2 to determine the location and need of SRLs entering the courthouse in New Hampshire. This analysis would reveal more precisely number of SRLs per county and thus give a better indication of areas of need. Although this research revealed that some courthouses have fewer employees and see fewer SRLs (*i.e.* Coos County has three employees), a concrete number of SRLs could help determine the need at each courthouse.

Thus, the report would reveal:

- The number of litigants served at each courthouse;
- Litigants' main reasons for entering the courthouse;
- The breakdown of litigants' representation level by courthouse (*i.e.* self, private, pro bono);
- The case-type distribution at each courthouse.

In the report, the court could determine how the data informs the future of the Navigator Program. For example, if certain courthouses see an unusual amount of small claims cases, it could be an opportunity to hire a Navigator specially trained in small claims cases for that courthouse during the next funding biennium.

6.1.2 Navigator Program Expansion

Recommendation 5: Hire a New Court Navigator and a New Court Navigator Volunteer Program Manager

As seen above, the Navigator Program hosts high Efficacy levels, and all stakeholders (Navigators, Court Staff, and SRLs) desire more Navigators. Thus, while the data collection efforts begin to inform longer-term priorities, hiring two new Navigators could immediately increase Access to Justice. Notably, these initial positions can be filled while data indicating the highest geographic need for SRLs is collected if the positions build upon knowledge from past court programs (such as the Court Service Coordinator) and this research's findings to recreate current successes. The two positions we propose are one additional Court Navigator and one Court Navigator Volunteer Program Manager, thereby increasing the Navigator Program to four total Navigators in the short-term.

While the current Navigators help all SRLs they can, two Navigators cannot meet all SRL needs across the state. Further, the Travelling Navigator has not had sufficient time to create a Volunteer Navigator Program given immediate demands for traditional Navigator services, though it was originally part of the Travelling Navigator's job description. Thus, the first position that could be created in the short-term is a "Court Navigator Volunteer Program Manager." This Navigator's main focus would be to recruit, train, and manage Volunteer Navigators (see Recommendation 17) while performing some of the same duties as the current Navigators. Second, because the outstanding SRL need for Navigators is so high, a third Navigator could be hired (in addition to the two current Navigators) to perform current Navigator duties in another location.

As a result of this proposal, the Navigator Program would increase to four Navigators. However, two main options exist for how to structure the new positions, which mainly differ according to where the volunteer program would operate:

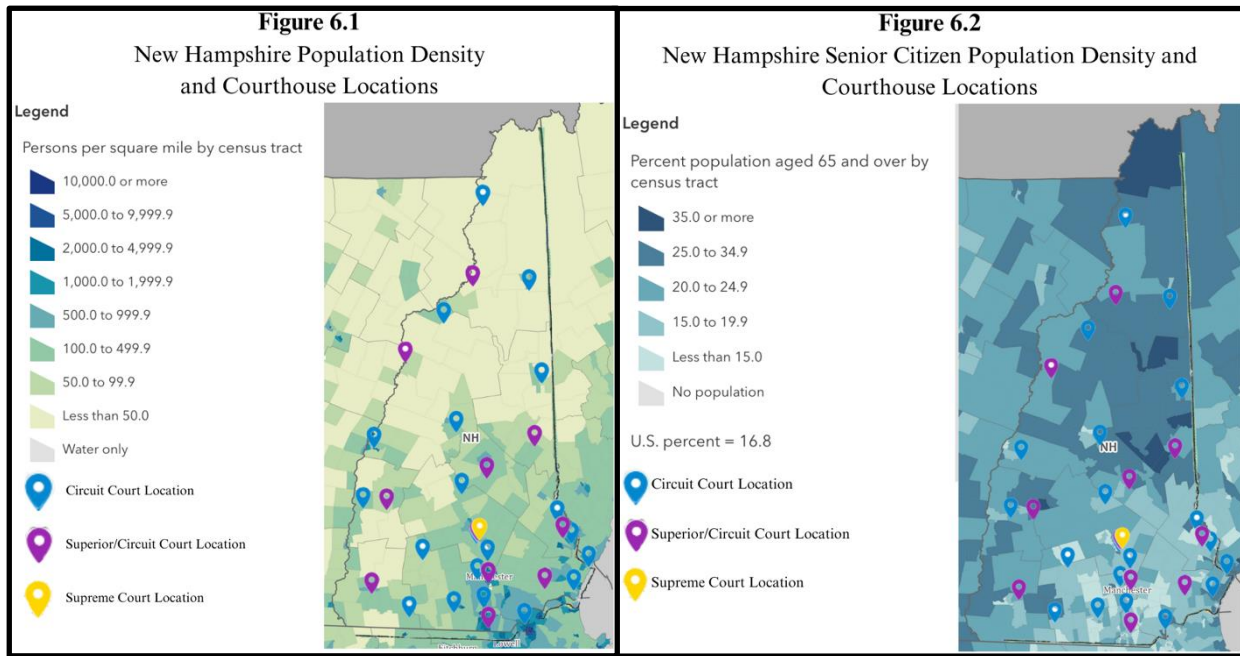
- **Rural Volunteer Program Option:** Station one new Court Navigator Volunteer Program Manager in a low-traffic courthouse, and one new Court Navigator in a high-traffic courthouse.
- **Urban Volunteer Program Option:** Station one new Court Navigator Volunteer Program Manager in a high-traffic courthouse, and one new Court Navigator in a low-traffic courthouse.

Considerations for Program Expansion

A fundamental insight discerned from this research is that the population served by Navigators skews toward older residents and those without access to a computer. These attributes may emerge because probate cases, relating to matters after death, predominantly involve older individuals. Especially for these individuals, the courthouse Computer Kiosks have improved Access to Justice by providing a computer. SRLs interviewed were grateful for Computer Kiosks since most reported owning a phone as their only piece of technology. Notably, technological need is particularly acute in rural areas.⁴⁴ Based on these age and rural technology challenges, the two options for Program expansion consider where to station the two new Court Navigators based on New Hampshire’s rural areas and elderly population density. This section discusses the considerations that could inform whether to implement a Rural Volunteer Program Option or Urban Volunteer Program Option.

First, Figure 6.1 shows each New Hampshire courthouse mapped onto the population density per census tract. Clearly, the largest density of courthouses is in southern New Hampshire, which also has the highest population density. From interviews, Court Staff identified southern courthouse locations as “high-traffic courthouses,” meaning that SRLs often enter the courthouse. Namely, the courthouses identified as high traffic were Manchester, Brentwood, Laconia, Concord, Nashua, and Portsmouth. Alternatively, courthouses in rural north New Hampshire serve less densely populated counties. Interviews identified the low-traffic courthouses as: Colebrook, Berlin, Lancaster, Littleton, Lebanon, Conway, North Haverhill, Plymouth, and Ossipee Courthouses.

Further, Figure 6.2 displays the same overlay of courthouses on a map revealing the density of the population aged 65 or older. Together, the two maps reveal that high-density places have the highest number of courthouses, but places with the highest density of *elderly* population have the lowest number of courthouses. In this light, the main consideration between the Rural versus Urban Volunteer Program Options is whether the volunteer program can increase the number and/or distribution of Navigators and therefore SRLs served more effectively in the north or south of the state.



Volunteer Program Options: Explained

Rural Volunteer Program Option: Station one Court Navigator Volunteer Program Manager in a Low-Traffic Courthouse, and one Court Navigator in a High-Traffic Courthouse.

The Rural Volunteer Program Option would prioritize creating a widespread Volunteer Program across rural New Hampshire. First, the new (*i.e.* third) Court Navigator would likely take on a role similar to the current Nashua Navigator in a different high-traffic and likely southern Courthouse, serving SRLs walking-in or booking appointments. Being stationed at a high-traffic Courthouse, they would increase the total number of SRLs the Program serves.

In addition, the Volunteer Program Manager would be stationed in a low-traffic likely northern Courthouse. Combined with community outreach, the goal would be to create a widespread volunteer program across rural New Hampshire courthouses that can more effectively cover a wider geographic terrain and reduce the individual travel burden or availability constraints. This volunteer program would strive to ensure that a Volunteer Navigator would be available at every courthouse at least once per week. While managing the volunteer program, they could also serve as a Travelling Court Navigator as they travel to rural courthouses to help SRLs and train Volunteer Navigators.

Urban Volunteer Program Option: Station one Court Navigator Volunteer Program Manager in a High-Traffic Courthouse, and a Court Navigator in a Low-Traffic Courthouse.

The Urban Volunteer Program Option would prioritize training many Volunteer Navigators to work in high-traffic courthouses while still ensuring that rural SRLs can receive expert Navigator assistance. First, this option would station a Court Navigator in a low-traffic courthouse. By stationing the Court Navigator in a low-traffic courthouse, this option would increase rural SRLs' Access to Justice through a Navigator. Having this Navigator stationed in the Northern part of the state could also open up the opportunity to act as a Travelling Navigator to the other rural courthouses.

Additionally, this option would station the Volunteer Program Manager in a high-traffic Courthouse. This Volunteer Program Manager would aim to create a large network of Volunteer Navigators. Since there are likely more potential volunteers in cities with high-traffic courthouses, the Volunteer Navigator Manager could have the opportunity to greatly build the Volunteer Program there. Further, since many large cities are closer to each other (*i.e.* Concord, Manchester, and Nashua are within 30 minutes driving), the Volunteer Program Manager could coordinate Volunteer Navigators from neighboring cities potentially serving at nearby high-traffic courthouses.

Table 6: Summary of Options, Opportunities, and Challenges by Volunteer Program Options

	<u>Option Rural Volunteer Program</u>	<u>Option Urban Volunteer Navigator</u>
Structure	<ul style="list-style-type: none"> • Hire one Court Navigator in a high-traffic courthouse** to perform functions similar to the two current Navigators. • Hire one Navigator Volunteer Program Manager to create a Volunteer Program for low-traffic courthouses.* 	<ul style="list-style-type: none"> • Hire one Court Navigator in a low-traffic courthouse* to perform functions similar to the two current Navigators. • Hire one Navigator Volunteer Program Manager to create a Volunteer Program for high-traffic courthouses.**
Opportunities	<ul style="list-style-type: none"> • The Court Navigator addresses numerous SRLs in high-traffic courthouses. • The Navigator Volunteer Program Manager travels around rural, northern New Hampshire. • Northern New Hampshire-based volunteers can also provide assistance across a large geographic region of courthouses. 	<ul style="list-style-type: none"> • The Court Navigator ensures that Northern New Hampshire has access to a Navigator. • There is likely a greater pool of potential Navigators for in the densely populated south of New Hampshire. • Volunteer Navigators could travel to nearby high-traffic Courthouses (e.g. a Concord-based volunteer travels to Manchester)
Challenges	<ul style="list-style-type: none"> • Unknown number of potential volunteers (those with legal training) in the north counties) • Northern New Hampshire already faces a shortage of public defenders and attorneys, so potential volunteer may be low. • The Volunteer Program manager would need to travel to train volunteers across northern courthouses. • Only one Navigator in a high-traffic courthouse could lead to burnout due to an overwhelming number of SRLs seeking assistance at one time. 	<ul style="list-style-type: none"> • Unknown need for <i>which</i> northern courthouse has the most need for a Court Navigator. • Volunteer Program would partially overlap with work currently completed by the Navigators in Concord and Nashua (though the need is greater than their current capacities)

***Low-Traffic Courthouses:** Colebrook, Berlin, Lancaster, Littleton, Lebanon, Conway, North Haverhill, Plymouth, and Ossipee.

****High-Traffic Courthouses:** Manchester, Brentwood, Laconia, Concord, Nashua, and Portsmouth.

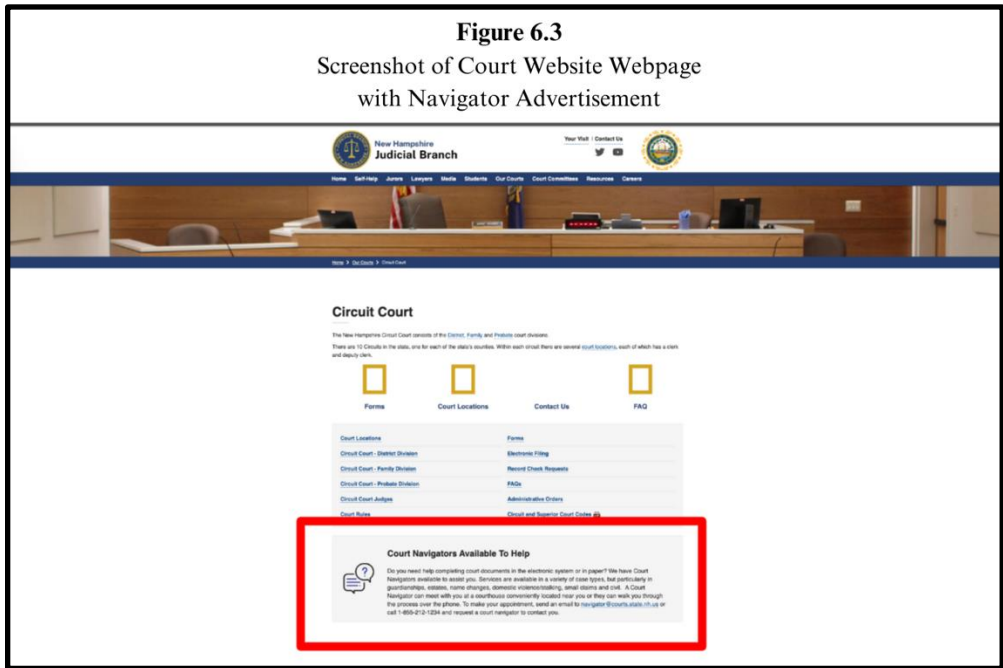
6.1.3 Increase Court Navigator Accessibility

Almost all SRLs surveyed either discovered the Navigator from court staff or from a Navigator being in the courthouse at the time of their visit. Interviews revealed that SLRs entering the courthouse “did not know about the Navigator Program until [they] got [to the courthouse] and were helped [by one].” Further, one SRL noted that “nine out of ten times when I come to see the court, I get told to come back.” One interviewed SRL had visited the court six times. But, all interviewed SRLs’ final interaction was when a Navigator helped them.

Currently, most SRLs helped by Navigators are referred by court staff (both by phone from the Information Center and in-person). While this is important to continue, it prohibits Access to Justice if the only SRLs helped by Navigators are those that can physically enter the courthouse, have enough time to enter the courthouse, and/or have the monetary or transportation means to travel to the courthouse. Further, even if all those things are true, an SRL who does enter can only be helped when the Navigator is present or the SRL has an appointment. We therefore recommend streamlining the Navigator’s availability through increasing advertising, creating a schedule for Navigators, and creating a booking portal for Navigators.

Recommendation 6: Increase Navigator Advertising

Increased variety in advertising methods could increase public SRL knowledge of the Program and reach target populations. First, the Navigator section on the website could be more prominent. The current advertisement is mainly available on the main “Circuit Court Page,” but may not stand out visually to all website visitors (see Figure 6.3 below). Further, SRLs may not know what a “Navigator” is, so they may not take action to schedule an appointment.



Second, virtual advertising presents an opportunity to notify more SRLs about the Navigator Program. For example, Facebook could be a prime place to place advertisements due to its high levels of usage across age demographics.⁴⁵

Third, traditional advertising could reach populations that could benefit from Navigator assistance but do not have social media. For example, starting six years after the program's inception, Maryland's Navigator Program began allotting a small advertising budget for advertisements on the radio, billboards, and buses. The former Maryland Navigator Manager reported this was an effective advertising technique in an interview.

Finally, the Access to Justice Commission has proposed a "Community Navigators" program. Deliberate outreach opportunities with the newly arriving Community Navigators could connect many SRLs with the Court Navigator Program. Ultimately, increased outreach in combination with increased Navigators will increase Access to Justice by helping more SRLs (see Recommendation 19).

Recommendation 7: Create a Navigator Schedule

The Navigator Program faces a major challenge related to Navigators' perceived "randomness" of availability as previously discussed. For example, a litigant from Nashua would always be able access the Nashua Navigator's assistance in the Nashua Courthouse under the current setup. However, currently, a SRL could not personally locate the Travelling Navigator on specific days. Importantly, if the Navigator Program expands to include a volunteer program, SRLs will need to know which days a Volunteer Navigator will be available at each location. To address this challenge, Court Administrators propose a monthly public schedule for the Navigators, displaying where each Navigator will be each day. Thus, SRLs could know when they could receive a Navigator's help, and either plan to walk in or book an appointment for that day.

Recommendation 8: Appointment Booking

The current Navigators created a central Navigator email to streamline appointment scheduling. To further enhance this initiative to increase Efficacy, the court could utilize an appointment scheduling platform similar to [Calendly](#). This platform would allow SRLs to choose a preferred time and location online, granting them certainty for receiving a Navigator's assistance without the back-and-forth scheduling over the phone or by email. This platform would counteract the "randomness" with certainty for an appointment time. Further, some SRLs might still prefer to schedule by phone or email. Thus, allowing all Court Staff to access and edit the platform could further streamline the scheduling process. Additionally, collecting select SRL information through the scheduling platform could contribute to other data collection efforts (see Recommendations 2 and 4). For example, the number of appointments could contribute to the understanding of where SRLs need Navigators most (for example, if certain Navigators become booked-out weeks in advance).

6.1.4 Future Steps: Proposed Schedule

Recommendation 9: Request an Appropriate Number of Navigators for the Next Funding Biennium

Because no data exists to assess the need for SRLs per courthouse, we cannot provide a sufficient assessment of how many Navigators would be necessary for the next funding biennium. However, Recommendations 1-4 would collect data to assess that need and create a report based upon it. Thus, the report discussed in Recommendation 4 would provide the reasoning necessary for determining the number of Navigator positions to request from the legislature. Our research ascertained a sentiment from SRLs that they would like to see more Navigators in courthouses, SRLs saying things such as “Manchester could also use Navigator Services as they do not have this helpful service. Please make necessary improvements/upgrades soon as Manchester is a highly populated city.”

We therefore recommend that the court request an appropriate number of Navigator positions that would meet the level of need determined during the data collection period. While the short-term proposed expansion to four total Navigators is a step that would increase Access to Justice for SRLs in New Hampshire, we recommend that is a first step for expanding the Navigator Program. With this step, though, the court would need to assess whether those two positions meet the current level of SRL need in courthouses across the state. The current Navigators indicated that increased spatial distribution of assistance was their number one priority if the Program expands, and SRLs desired an increase in the number of Navigators. With the recommendations set forth in this section, the court would gain further expertise to inform how to implement a potential Program expansion.

Based on the recommendations in Sections 6.1.1-6.1.3, the following dates are proposals for implementing the next important moments for the Navigator Program:

- April 2024:** This report is released. Internal conversations within the court system occur for next steps.
- *May 2024:** The Court Administrator begins recruiting for the two new Navigator positions.
- *Mid-2024:** Tablets are purchased as the Data Specialist creates the platform for data collection to be administered on the tablet.
- *Mid- to Late- 2024:** Tablets are installed at the security desks of all court locations.
- *3rd and/or 4th Quarter of 2024:** A data collection period to locate and identify SRLs using the tablets takes place. The two new Navigators begin work. Recruitment for the Volunteer Navigator Program begins.
- *Early 2025:** Court Administrators create a report from the short-term data collection period to assess where further new Navigators should be stationed (in addition to the four Navigators). The Supreme Court’s budget request is submitted to the Legislature. The budget request would be informed by the report on the level and location of SRLs’ needs.

- July 1st, 2025:** The new funding biennium begins. Additional Navigators could begin work depending on recruitment and funding from the Legislature for more than four positions.
- 2025-2027:** Continued data collection occurs, assessing the Program’s ongoing Efficacy and Access to Justice goals.
- Early 2027:** The Supreme Court’s budget request is submitted to the legislature, including a revised total number of Navigators based on how well the Navigators of the ‘25-’27 biennium address the outstanding SRL need for Navigators established by this research.

Actions based upon our short-term recommendations are those labelled with an asterisk above. Ultimately, creating two new Navigator positions will help litigants arrive in court feeling more prepared and ready for the legal process, and move toward serving the greatest population as possible. Further actions toward Navigator Program advertisement and accessibility also serve this goal while early data collection lays the foundation for establishing evidence to present to the Legislature to ensure ongoing Program Efficacy and subsequent funding Sustainability. Essentially, these recommendations would set the foundation for continual evaluation of the Program’s Efficacy, and garner data for presentation to the legislature to inform future funding decisions. The remainder of the above timeline encompasses actions we now address as medium- and long-term recommendations.

6.2 Medium-Term Recommendations

Building upon the short-term recommendations, several medium-term recommendations emerged from to enhance the Program’s longer-term Efficacy, Access to Justice, and Sustainability. Considering the challenges to the court discussed in Section 5.1, these suggested Program modifications serve to benefit the Navigator Program and court system at-large. The modifications therefore center around technology, human infrastructure, and Program modifications.

6.2.1 Technology Recommendations

Recommendation 10: Redesign courts.nh.gov to Simplify Information and User Interface and User Experience

Almost all stakeholders and SRLs indicated difficulty accessing the New Hampshire Court website’s wealth of information. While the webpage hosts many helpful resources, the current user interface presents a barrier for users to find necessary information. Even Court Administrators indicated it is “challenging” to search for documents “even if [they] know what [they are] looking for.” Similarly, some SRLs mentioned in interviews that a major reason for going to the courthouse for help from court staff was an inability to find or understand the next steps in their case based on website resources.

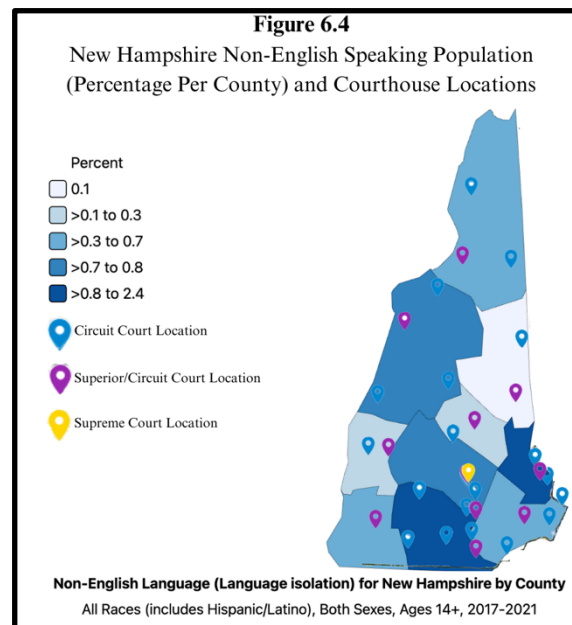
A well-designed website provides an opportunity for SRLs to be more self-sufficient and reduce demands on court staff. The Web Coordinator and Data Specialist can collaborate effectively with court administrators to improve the user experience in these regards on an ongoing basis. In particular, the following changes could be implemented:

- Creating a “Get Help Now” button that directs users to [“chat bot”](#) assistance and potentially a Navigator referral.
- Create a “Find What I Need” button and process that directs users to the specific forms for their case. First, this pathway would ask the user what they are looking for (case-type, form, etc.). Then, it would automatically direct the user to the resource they are looking for. It could also solicit optional demographic data (see Section 6.1.1) and direct the user to relevant resources, such as state agencies or rental assistance.
- Create information icons to explain what each case types means (*i.e.* an “i” logo that when the user hovers over the icon would explain what a “Guardianship Case” is)
- Create a process to accept fees/fines payments online.

Recommendation 11: Ensure Forms are Linguistically Accessible

New Hampshire faces a major language accessibility challenge. More than 7.8% of New Hampshire residents speak a language other than English.⁴⁶ Though the current Nashua Navigator assists litigants in Portuguese, other top languages spoken in New Hampshire include Spanish, French, and Chinese. While translators are available, stakeholders indicated that translators must be scheduled in advance and are usually utilized during hearings rather than during the filing process. Thus, by providing linguistically accessible forms, the court could improve Access to Justice for non-English speakers. This remains critical since the current Nashua Navigator’s eventual departure thus threatens the Program’s long-term Access to Justice and Sustainability goals because Portuguese-speaking SRLs would lose assistance ease. In the long-term, multilingual Navigators could be hired and the Portuguese fluency of the Nashua Navigator could be institutionalized in the job requirements for that position. Further, court administrators could solicit help from New Hampshire’s College and University students to help translating forms, with a precedent by the Department of Motor Vehicles.⁴⁷

Figure 6.4⁴⁸ shows the prevalence of non-English speakers by county, with New Hampshire Courthouse locations overlaid.



Recommendation 12: Reform the Form Change Process

Navigators receive large quantities of SRL feedback about forms. Through interacting with SRL as they complete forms, the Navigators often hear suggestions for form improvements. For example, the Travelling Navigator relayed that she writes down if the way that SRLs perceive form instructions differs from the court intends them to be completed. Then, she works behind the scenes to change those forms to increase accessibility. Critically, the current Travelling Navigator (Ms. Cole) *can* propose form changes because she chairs the Forms Committee. Though all court staff indicated a willingness to pursue form changes based on SRL feedback, if Ms. Cole were not acting in these dual roles, SRLs would essentially lose representation on the Forms Committee. Thus, for the court to improve form accessibility, the following actions could be pursued:

- Institutionalize membership of at least one Navigator on the Forms Committee.
- Continue sending representatives from the New Hampshire Court System to [Forms Camp](#), hosted by the National Center for State Courts.
- Conduct user testing on form changes by soliciting feedback from general community members, thereby testing a form's accessibility.
- Standardize the process for court staff to suggest form changes to superiors. The process could be more formal than the current provision of anecdotal feedback during meetings.
- Conduct a review before the yearly TurboCourt software update is ready to be submitted.

Recommendation 13: Audit TurboCourt to Ensure Form Parity Between Paper and Online

All court staff who interact with TurboCourt, especially the two Navigators, indicated consistent malfunctioning of TurboCourt. First, a Navigator indicated that “often the specific name of the forms [on TurboCourt] is not exactly the way it’s named on the website.” Second, TurboCourt is often unclear about how to fill out a form, thus necessitating Navigator assistance.

Importantly, TurboCourt often miscalculated the numbers on forms. The user-entered inputs often do not calculate the correct output (the sum does not match the summands). Navigators, knowing this error, sometimes hand calculate the numbers and change the inputs on TurboCourt. This process ensures that the correct output becomes printed on court documents. Thus, in the medium-term, court administrators could a) analyze (and correct if necessary) whether the names and content on TurboCourt and paper forms match, and b) that calculations produce the correct output. Since a major challenge is that TurboCourt can only be edited once per year, the court could compile a running list of necessary changes.

Recommendation 14: Explore AI Navigator Solutions

Artificial Intelligence (AI) could present an opportunity to increase access to justice. Recently, the US Department of Homeland Security unveiled a plan to explore AI use while ensuring civil rights and civil liberties.⁴⁹ The prospects for use in courtrooms is constantly evolving, as are the companies creating these technologies in the legal space such as Thomson Reuters and Spellbook. An exploration of current and future AI options that emerge to assist SRLs would put the court ahead of the curve in technology. As one AI expert argued in the New York Times, “Large-language-model-powered chatbots could already be providing better service — at all hours, in all languages, at less cost.”⁵⁰ These AI solutions could form the basis for the chatbots suggested in Recommendation 8. Based on this research into specific SRL needs, AI would not likely be able to replace a Navigator in the near future, but rather exist as another method to help SRLs find necessary resources. However, any utilization of AI will additionally need to consider data security, intellectual property compliance, cost, and user accessibility.

6.2.2 Human Infrastructure Recommendations

While creating tools for the website and forms, the court could implement additional human infrastructure improvements to improve the Navigator Program and address the challenges of Section 5.1.

Recommendation 15: Increase Personal and Client-Based Mental Health Trainings

Court Staff consistently indicated a desire for more mental health trainings. They strongly hoped to receive future training to dealing with SRLs’ and their own mental health. Staff who worked in the court pre-COVID judged that SRL mental health challenges have proliferated post-pandemic. Further, many SRLs enter the court in-crisis since Circuit Court cases often deal with highly personal issues such as death, housing, and familial matters. Importantly, these mental health challenges are often not addressed in Circuit Court as completely as in Mental Health Court where litigants have both lawyers and mental health resources. Thus, court staff and Navigators suggested increases in trainings for: suicide prevention, de-escalation, grief support, and emotional trauma response.

Senior Court Administrators hoped that Navigators and Clerks could also expand mental health resources postings in courthouses. For example, an SRL mental health resource guide that was created by the Nashua Navigator could be posted more prominently on the website and at courthouse counters.

Navigators and court staff can also face personal wellness challenges from the emotional burden of SRL cases. Staff often carry the emotional weight of SRLs’ lived experiences, as they spend more time hearing the stories behind court cases. One Navigator described that “we often have tears in our eyes after discussions with SRLs.” Navigators identified this emotional responsibility as a potential cause for future burnout within the Navigator Program, thereby threatening its Sustainability and Efficacy. Thus, providing specific resources for Navigators’

personal mental health could support Navigator work and attempt to reduce turnover for future Navigators.

Recommendation 16: Begin Methods Preserving Institutional Knowledge

A principal challenge to the Navigator Program’s future Efficacy and Sustainability is the preservation of institutional knowledge from the current Navigators. The current Navigators were partially chosen because of their prior experience within the court system. They both, therefore, hold a wealth of knowledge about the court system, processes, and personnel. This knowledge, which benefits the court, could be lost when they eventually leave their roles. If more Navigators are hired, though, the current Navigators could have time to share their knowledge to the new Navigators. The current Navigators could create resource sheets explaining the process of filing a form in-person or on TurboCourt. They could also create a best practices sheet for SRL interactions, given the emotionally sensitive nature of the cases with which they assist. Finally, they could create videos walking SRLs through filling out forms that could also be used as future Navigator training materials.

As stakeholders relayed to researchers, providing the wrong legal information (*e.g.* misguiding litigants toward the wrong next steps to take in their case) can be more harmful to procedural justice than having no Navigator interaction at all. As a non-lawyer assistance program expert noted, “SRLs don’t care about distinction between legal advice and information ... they’re just looking for ‘what am I supposed to do with this?’ Navigators will answer with information. In the end, when [SRLs] get information, they will act on it.” Thus, preserving existing institutional knowledge can help maintain current Efficacy levels.

Recommendation 17: Create an Annual Navigator Report

A Navigator Program annual report could provide an ongoing measure of Program Efficacy and help solicit buy-in from stakeholders. Members of the New Hampshire Supreme Court involved in the budget process indicated that reports are critical for stakeholder buy-in to the Program. An annual report could ensure the Program’s Sustainability by providing the opportunity for stakeholders to see the impact of the Navigator Program. This report can build on the initial report from Recommendation 4. While that report would inform where to place Navigators, these annual reports would allow consistent evaluation of the Program’s Efficacy to present to the legislature for Program funding. This data could be collected on the tablets from Recommendation 1, with questions based on the SRL experience survey from our research. Further, the report could also identify future challenges impacting Navigator Efficacy, which would similarly shape actions taken with regard to the Program.

Notably, this research utilized reports from other non-lawyer navigator programs across other U.S. states. By releasing a public report, New Hampshire can demonstrate its leadership in implementing Access to Justice initiatives.

6.2.3 Medium-Term Court Navigator Recommendations

Finally, the Navigator Program could expand Access to Justice through ongoing expansion of the Navigator Program's size and scope. These potential Program enhancements offer different ways to improve the Navigator Program outside the current definition of a Navigator as a court employee who works between the hours of 9 AM to 4 PM Monday-Friday.

Recommendation 18: Establish a Volunteer Program

As discussed in Section 6.1.2, this report recommends creating a Volunteer Navigator Program Manager position. This person would oversee a network of volunteers who act as Court Navigators but are not paid court staff. The Volunteer Navigator Program Manager hired in the short term (see Section 6.1.2), alongside input from senior court administrators, could take certain steps in the medium-term to develop a volunteer program once the Volunteer Program Manager is established in the role. These steps could include:

- *Identify a potential volunteer program structure, create training materials, and form a potential schedule for when/where Volunteer Navigators would help SRLs.* Access to Justice consultants indicated that trainings should prepare volunteers for replicated tasks. Essentially, providing robust training for the most common tasks (*i.e.* filling out form) so that each volunteer maintains high Efficacy for those tasks. Stakeholders indicated a successful program could be run by having by-appointment-only Volunteer Navigators. Then, volunteers can choose their schedules while potentially decreasing idle time.
- *Conduct outreach to the University of New Hampshire (UNH) Franklin Pierce School of Law and other undergraduate colleges and universities to potentially create fellowship opportunities for Navigator shadowing (and thus develop the pipeline to careers within the court), or internship opportunities for introductory legal assistance (and thus expand the pool of potential Navigators in the shorter term).* In the past, UNH law students have assisted SRLs in Concord District Court to complete payment plans for small claim debt judgements.
- *Identify other potential volunteers such as: retired attorneys, members of the New Hampshire Bar, judges, pro bono attorneys, paralegals, members of legal aid organizations, and social workers.*

Recommendation 19: Expand Access to Assistance Outside Normal Business Hours

Currently, some people may not be able to access Navigator services given that they are offered during the court's normal business hours (9 AM- 4 PM, Monday-Friday). For example, working parents with children in school may be less able to visit a courthouse during the workday. This observation is in line with Judges' perspectives that allowing virtual court appearances has definitively increased Access to Justice. These litigants can conduct their court proceedings during their lunch hour/break time without the travel time to the courthouse. This virtual option

Currently, Navigators do not have the expectation nor capacity to handle cases outside normal business hours (though they sometimes do help SRLs after hours). Further, the Information Center does not take voicemails after hours. Thus, between the hours of 4 PM and 9 AM, an SRL cannot receive critical assistance from the court. Thus, the court could expand access by creating programs to assist SRLs outside normal hours. These programs could include: an online chatbot, Information Center call-backs for voicemails, and/or future Navigators whose paid time or volunteer hours fall outside normal business hours.

Recommendation 20: Work Closely with the Upcoming Community Navigator Program

As part of New Hampshire's allotted ARPA funding, the Access to Justice Commission allocated funds for six new projects. One of these projects is creating a "Community Navigator Program." During our interviews, stakeholders indicated strong support for this proposed Community Navigator Program, which will provide legal information within communities. The Community Navigator Program would serve as a compliment to the Court Navigator Program, with the intent that SRLs would not have to travel to a courthouse for assistance provided by a Navigator. Accordingly, the Community Navigator Program would operate in places such as public libraries, schools, state agencies (such as the DMV), or other public institutions.

Specifically, the Community Navigator Program would distribute legal information guides guiding litigants through the court process and informing about the Court Navigator Program and legal aid resources. Beyond legal information, though, the Community Navigator Program has the opportunity to provide resources to prevent problems from developing into court cases, such as contact information for rental assistance programs to avoid landlord-tenant cases that result from overdue rent. Essentially, the Community Navigator Program could reduce burden on the court through: performing Court Navigator operations in the community, providing legal information and connecting to legal aid resources through brochures in public places (such as libraries), or providing resources to help prevent issues from becoming court cases (such as financial assistance programs).

Recommendation 21: Examine Career Paths to Become Navigators

Navigators with previous court experience have high Efficacy levels, according to this research. However, the research also identified that the court faces a major challenge attracting younger generations into entry-level positions. Such challenges could impact the ability to recruit Navigators from within the court in the future who hold helpful institutional knowledge.

Administrators directly involved in the court hiring process indicated that the 2022 weighted legal needs study effectively secured pay raises across Court Staff positions. They also noted, however, that the pay scale needs to further increase to recruit a younger generation for entry-level roles. Court Administrators described the situation, saying that "the recent pay raises have been ineffective for places such as Lebanon, where fast food workers can make more than the court staff." Other Court Administrators described that there is no financial incentive for the younger generations to currently enter the court system because "the pay is at poverty level." Thus,

for long-term Sustainability, stakeholders described an increase in pay plus outreach to recruit young people into public service careers as the equation for successful Sustainability.

Additionally, a clearer career development pathway to Navigator positions could increase Sustainability and institutional knowledge. Based on the holistic stakeholder approach, stakeholders envisioned a likely career path as follows: Information Center Employee → Kiosk Coordinator → Court Navigator. At the Information Center, the employee would provide legal information about court processes and forms. As a Kiosk Coordinator, they would transition to provide in-person support and TurboCourt expertise for SRLs to successfully fill out forms. Finally, with further training, they would be set up for success in handling more time-consuming and emotionally substantive interactions as Court Navigators. By this stage, they would have the knowledge and connections to replicate current Efficacy levels within the Navigator Program.

6.3 Long-Term Recommendations

The Court Navigator Program has fundamentally improved Access to Justice for New Hampshire SRLs despite the court staff and legal aid shortages. The Navigator Program has served as a cost-effective strategy to address Access to Justice challenges. Current Access to Justice is limited, however, given the present number and location of Navigators. Thus, this research supports the benefits of any Program expansion in the short-term, while striving to achieve Recommendation 22.

Recommendation 22: Ensure No Litigant Walks into Court Alone

Stakeholders indicated that the court system is the ultimate steward of justice. Thus, it is incumbent on the court to assist SRLs navigating required court processes. Critically, the research here demonstrates that procedural justice can be supplemented through the Navigator Program given that neither the US nor New Hampshire has granted Civil Gideon (or, a right to counsel in civil cases). Legal information experts such as Navigators can still provide necessary information so SRLs can better present their case on its merits. Therefore, the conclusions of this research support stakeholder recommendations that the court strive to eventually provide assistance to all SRLs seeking such support. This assistance could be achieved through a Court Navigator, legal paraprofessional, law student, court staff, community aid representative, or any another person with proper training. This assistance would ensure access to justice through litigants never standing alone in the courtroom, and each case being presented in a more merited, balanced way.

The Court Navigator is a fundamental part of this goal. As the Court Navigator Program expands, its Access to Justice impact is mainly limited by the number of Navigators available for assistance. Judges indicated a preference that one or more Navigators would be stationed in each courthouse so they can send SRLs outside for instance assistance with their case. Further, in the long-term Navigators would be able to assist any population, not only those who can travel to the courthouse during normal business hours and physically access the building.

Both the New Hampshire Legislature and Supreme Court have indicated strong interest in improving Access to Justice for SRLs. Through actions such as leading the Committee on Legal

Education and Admissions Reform (CLEAR), creating the Court Navigator Program, continuing a commitment to the Access to Justice Commission, and raising the pay for Court Staff, New Hampshire serves as an example for its commitment to its constituents. By continuing this commitment, New Hampshire can help make reality the popular vision of two people entering a courtroom with legally trained representatives. By doing so, New Hampshire would create a lived reality of equal justice under the law.

7. Conclusion

This research aimed to assess whether the New Hampshire Court Navigator Program is effective, if it should be continued, and what Program modifications should be made. This research was guided by the three guiding principles of Efficacy, Access to Justice, and Sustainability.

We collected data through observations of the Navigator Program, interviews with stakeholders, and a survey of SRLs assisted by Navigators. The findings revealed that the Program is demonstrably effective at providing procedural justice to assisted SRLs. The current Navigators operate the Program with high levels of Efficacy. SRLs reported near perfect satisfaction after interacting with a Navigator, leaving the courthouse confident about knowing their case's next steps. The Program is currently meeting the Access to Justice goals (namely helping low-income, female, disabled, and senior SRLs) identified by a 2013 Legal Needs Assessment of New Hampshire litigants, though the Program serves all SRLs. The Sustainability of the Program is contingent upon expanding the Program's size and scope for the next funding Biennium.

All stakeholders indicated that the Program should continue, and we formed the recommendations detailed above based on their perspectives for improvement opportunities. In the short-term, we recommend the Program creates data collection tools, hires two new Court Navigators (one Volunteer Program Manager, and one additional Court Navigator), increases Navigator accessibility, and writes a short-term report for where to station future Navigators. In the medium-term, we recommend the court pursue technological investments, human infrastructure upgrades, and Navigator Program expansions. In the long-term, we reiterated a goal from stakeholders to provide legal assistance so that no litigant stands alone in the courtroom.

The underlying theme of this research is that any expansion of the Navigator Program will help New Hampshire SRLs. Through these recommendations, we believe that the Navigator Program can increase Access to Justice and Sustainability while sustaining current Efficacy.

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Appendix A: Observational Analysis Rubric

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1

Walk-In or Appointment Type of case: _____ Date: _____ Time: _____ Observer: _____

All categories should be highlighted after the interaction. Only fill out a row if applicable to the interactions.

	1 Inadequate Interaction <i>Did not complete the basic tasks assigned to a Navigator.</i>	2 Weak Interaction <i>Answered general questions, but unable to provide specific, relevant information.</i>	3 Adequate Interaction <i>Navigator performs tasks as assigned, but at the minimum threshold for help.</i>	4 Satisfactory Interaction <i>Navigator provides complete information, but does not offer more information, or there are opportunities for growth.</i>	5 Excellent Interaction <i>Very strong, no questions the Navigator could not answer for SRL. The Navigator goes above and beyond to provide Access to Justice.</i>
1- Initial Assessment	Did NOT conduct an initial assessment of needs	Received a litigant-PROMPTED initial assessment of needs	Conducted an initial assessment of needs, EVEN IF litigant SCHEDULED AN APPOINTMENT	Conducted a CURSORY initial assessment of needs	Conducted a THOROUGH initial assessment of needs
2- Language Assistance	DID NOT provide language assistance if necessary (native or technological literacy)	Provided SOME language assistance (native or technological literacy)	Provided SOME language assistance (native or technological literacy)	DID provide language assistance (native or technological literacy)	Provided EXCELLENT language assistance (native or technological literacy)
3- Timing	Rushed the litigant through the interaction	Answered MOST litigant questions until the litigant did not have any more	Answered ALL litigant questions	Answered ALL litigant questions until they did not have any more AND asked if the litigant had any more questions	Answered all litigant questions until they did not have any more AND litigant expressed the Nav gave more info than they thought they needed
4- Legal Advice vs. Info	DID NOT inform the litigant that Navigator cannot provide legal advice OR provides legal advice	DID NOT inform the litigant that Navigator cannot provide legal advice	Informed the litigant that Navigator cannot provide legal advice AT SOME POINT DURING THE MEETING	Informed the litigant that Navigator cannot provide legal advice AT THE BEGINNING OF THE MEETING	Informed the litigant that Navigator cannot provide legal advice at the beginning of the meeting AND EXPLAINED WHY

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2

5- Locations	Did NOT know physical locations within the courthouse	Directed litigant to SOME physical locations within the courthouse	Directed litigant to NECESSARY physical locations within the courthouse (such as a courtroom but not info desk)	Directed litigant to MOST physical locations within the courthouse	Directed litigant to ALL physical locations within the courthouse
6- Connecting w/ Resources	Connected the SRL to NO other resources (legal aid services, pro bono lawyers, court staff, etc.)	Connected the SRL to UNHELPFUL other resources (legal aid services, pro bono lawyers, court staff, etc.)	Connected the SRL to other resources IF PROMPTED (legal aid services, pro bono lawyers, court staff, etc.)	OFFERED the SRL other resources available (legal aid services, pro bono lawyers, court staff, etc.)	Connected the SRL to other resources SPECIFIC TO THEIR CASE TYPE (legal aid services, pro bono lawyers, court staff)
7- Legal Info	Did NOT provide any legal/procedural information (see below, then specify in comments)	Provided SOME legal/procedural information (see below, then specify in comments)	Provided legal/procedural information WHEN ASKED (see below, then specify in comments)	Provided NECESSARY legal/procedural information (see below, then specify in comments)	Provided legal/procedural information SPECIFIC TO THE LITIGANT'S CASE (see below, then specify in comments)
8- Influence of Decision Making	DIRECTLY INFLUENCED litigant's decisionmaking (should vs. can do this)	SUBTLY influenced litigant's decisionmaking (should vs. can do this)	Influenced litigant's decisionmaking through PROVIDING LIMITED OPTIONS (should vs. can do this)	DID NOT influence litigant's decisionmaking (should vs. can do this)	Provided all available options AND did not influence litigant's decisionmaking (should vs. can do this)
9- Improvements	Navigator DID NOT ATTEMPT TO discern a future improvement for their interaction	Navigator COULD NOT discern a future improvement for their interaction	Navigator DID discern a future improvement for their interaction	Navigator could discern a future improvement for their interaction OR did not need to improve	Navigator could discern a future improvement for their interaction AND took steps to improve or notify court staff (such as a form improvement)

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3

10- Support	Navigator DID NOT provide emotional support to the litigant	Navigator provided IMPERSONAL emotional support to the litigant	Navigator provided SOME emotional support to the litigant	Navigator provided ADEQUATE emotional support to the litigant	Navigator provided emotional support ABOVE AND BEYOND THEIR JOB to the litigant
11- Meetings	<i>(If applicable)</i> DID NOT accompany litigant to meeting when asked (judge, counsel, etc.)	<i>(If applicable)</i> DID NOT OFFER to accompany litigant to meeting (judge, counsel, etc.)	<i>(If applicable)</i> Accompanied litigant to meeting (judge, counsel, etc.)	<i>(If applicable)</i> Accompanied litigant to meeting for emotional support (judge, counsel, etc.)	Accompanied litigant to meeting AND served as a liaison between parties (judge, counsel, etc.)

Appendix B: SRL Experience Survey

Court Navigator Program Survey

Please tell us about your recent experience working with the Court Navigators. All responses will be kept anonymous and the survey is optional.

This survey is being conducted by a group of four undergraduate students at Dartmouth College producing research on behalf of the Rockefeller Center's Policy Research Shop (PRS). The PRS collaborates with government clients in New Hampshire and Vermont to provide analysis with the aim of better informing policy decisions. Through the PRS, students design, plan, and conduct research-based investigations to address a research question for their client. The research the students produce is nonpartisan.

We are asking for your anonymous, voluntary participation in this research based on your experience with a New Hampshire Court Navigator. Please read the consent form, which contains information about the project including project details and data anonymity. By completing and returning this survey, you agree to participate in this study.

Once you have completed this survey, please mail it to Policy Research Shop % **Elizabeth Pfeffer, 6082 Rockefeller Hall, Hanover, NH, 03755.**

Section One: Navigator Services

This section will ask questions about your experience obtaining assistance from the Court Navigator.

Are you a plaintiff or defendant?

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> Plaintiff | <input type="checkbox"/> Respondent |
| <input type="checkbox"/> Defendant | <input type="checkbox"/> Don't Know/Unsure |
| <input type="checkbox"/> Petitioner | <input type="checkbox"/> Prefer not to say |

How did you first learn about the Court Navigator Program? (Check all that apply).

- | | |
|---|---|
| <input type="checkbox"/> Approached by a Navigator | <input type="checkbox"/> Recommendation from a community member (family, friend, or acquaintance) |
| <input type="checkbox"/> Newspaper article | <input type="checkbox"/> Recommendation from court personnel |
| <input type="checkbox"/> Recommendation from a legal organization (law firm, nonprofit, or other non-governmental organization) | <input type="checkbox"/> Saw a Navigator in the Courthouse |
| | <input type="checkbox"/> Website |
| | <input type="checkbox"/> Prefer not to say |

What type of case did you receive assistance with?

- | | |
|---|---|
| <input type="checkbox"/> Criminal | <input type="checkbox"/> Name Change |
| <input type="checkbox"/> Domestic violence/Stalking | <input type="checkbox"/> Small Claims/Civil |
| <input type="checkbox"/> Estate | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Guardianship | |

On a scale of 1-5, with 5 being the highest, was the Navigator adequately knowledgeable about your specific case type?

	1	2	3	4	5	
Not knowledgeable	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Extremely knowledgeable

What service(s) did the Navigator provide? (Check all that apply.)

- | | |
|---|---|
| <input type="checkbox"/> Accompaniment to attorney conferences, hallway conversations, etc. | <input type="checkbox"/> Language/interpretation support |
| <input type="checkbox"/> Assistance completing documentation and forms | <input type="checkbox"/> Next steps to take in your case |
| <input type="checkbox"/> Courthouse navigation (ex. finding buildings or offices) | <input type="checkbox"/> Referral to available legal assistance |
| | <input type="checkbox"/> Review of procedural options |
| | <input type="checkbox"/> Prefer not to say |

How long was your meeting with the Navigator?

- | | |
|---|--|
| <input type="checkbox"/> Less than 30 minutes | <input type="checkbox"/> 2 or more hours |
| <input type="checkbox"/> 30 minutes - 1 hours | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> 1 - 2 hours | |

At which courthouse/location(s) were you served by a Navigator? (Check all that apply.)

- | | | |
|------------------------------------|------------------------------------|------------------------------------|
| <input type="checkbox"/> Online | <input type="checkbox"/> Claremont | <input type="checkbox"/> Dover |
| <input type="checkbox"/> By phone | <input type="checkbox"/> Colebrook | <input type="checkbox"/> Franklin |
| <input type="checkbox"/> Berlin | <input type="checkbox"/> Concord | <input type="checkbox"/> Goffstown |
| <input type="checkbox"/> Brentwood | <input type="checkbox"/> Conway | <input type="checkbox"/> Hampton |
| <input type="checkbox"/> Candia | <input type="checkbox"/> Derry | <input type="checkbox"/> Haverhill |

- | | | |
|---------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> Hillsborough | <input type="checkbox"/> Manchester | <input type="checkbox"/> Rochester |
| <input type="checkbox"/> Hooksett | <input type="checkbox"/> Merrimack | <input type="checkbox"/> Salem |
| <input type="checkbox"/> Jaffrey | <input type="checkbox"/> Milford | <input type="checkbox"/> Administrative Court Offices |
| <input type="checkbox"/> Keene | <input type="checkbox"/> Nashua | <input type="checkbox"/> Rochester at Strafford County |
| <input type="checkbox"/> Laconia | <input type="checkbox"/> Newport | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Lancaster | <input type="checkbox"/> Ossipee | |
| <input type="checkbox"/> Lebanon | <input type="checkbox"/> Plymouth | |
| <input type="checkbox"/> Littleton | <input type="checkbox"/> Portsmouth | |

Section Two: Navigator Satisfaction

This section will ask questions about your satisfaction with assistance from the Court Navigator.

Do you feel like you had adequate time to meet with the Navigator and have your questions fully answered?

- Yes No Prefer not to say

How confident did you feel about understanding the requirements of your case before meeting the Navigator?

	1	2	3	4	5	
Not confident at all	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Very confident

How confident did you feel about understanding the requirements of your case after meeting the Navigator?

	1	2	3	4	5	
Not confident at all	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Very confident

On a scale of 1 to 5, with 5 being the most satisfied, how would you rate your overall satisfaction with the Navigator Program?

	1	2	3	4	5	
Not satisfied	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Very satisfied

How could the Navigator have improved your experience receiving help for your legal issue? Please include any other notes on your experience here.

Section Three: Experience with the Court System At-Large

This section will ask questions about your experience with the court system aside from your experience with a Court Navigator. If your case has not yet been resolved, please answer based on your experiences up until this point.

To what extent do you feel that the Court's decision-making is fair?

	1	2	3	4	5	
Extremely Unfair	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Extremely Fair

To what extent do you feel the court process incorporates your participation?

	1	2	3	4	5	
I am completely unable to participate in the process and share my story	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	I am always able to participate in the process and share my story

To what extent do you feel the Court treats you with respect?

	1	2	3	4	5	
I am treated completely disrespectfully	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	I am treated completely respectfully

To what extent do you feel that the Court's decision makers (*i.e.* your judge) are objective?

1 2 3 4 5

The decision-maker is not objective The decision-maker is completely objective

Section Four: Your Demographics

These questions ask about your demographics to assess who the Court Navigators are currently helping. These questions are optional.

What is your age? _____

What is your gender identity?

- Female Non-binary
 Male Prefer not to say

With what race(s) do you identify?

- American Indian or Alaska Native White
 Asian Hispanic/Latino Descent
 Black or African American Prefer not to say
 Native Hawaiian or Other Pacific Islander

Do you have one or more physical or mental disabilities?

- Yes Prefer not to say
 No

If applicable, please specify your disability(s): _____

Within what range is your yearly household income?

- Under \$15,000 \$91,000 - \$120,000
 \$16,000 - \$30,000 \$121,000 - \$150,000
 \$31,000 - \$90,000 Prefer not to say

What is your marital status?

- | | |
|--|--|
| <input type="checkbox"/> Never married | <input type="checkbox"/> Divorced |
| <input type="checkbox"/> Married | <input type="checkbox"/> Widowed |
| <input type="checkbox"/> Separated | <input type="checkbox"/> Prefer not to say |

Do you have children?

- | | |
|------------------------------|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> No | |

What is your current employment status? (Check all that apply.)

- | | |
|---|--|
| <input type="checkbox"/> Employed Full-Time | <input type="checkbox"/> Student |
| <input type="checkbox"/> Employed Part-Time | <input type="checkbox"/> Retired |
| <input type="checkbox"/> Unemployed | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> Currently incarcerated | |

What is the highest level of education you have completed?

- | | |
|--|--|
| <input type="checkbox"/> Some high school, no diploma | <input type="checkbox"/> Associate degree |
| <input type="checkbox"/> High school graduate, diploma, or the equivalent (<i>i.e.</i> GED) | <input type="checkbox"/> Bachelor's degree |
| <input type="checkbox"/> Some college credit, no degree | <input type="checkbox"/> Master's degree |
| <input type="checkbox"/> Trade/technical/vocational training | <input type="checkbox"/> Doctoral degree |

Appendix C: SRL Experience Survey Open-Ended Responses

Responses to the question “How could the Navigator have improved your experience receiving help for your legal issue? Please include any other notes on your experience here.” Some minor grammatical and spelling changes were made for clarity.

- ⇒ *“Manu Cunha did an amazing job, she really helped me out, she is an asset to your program!”*
- ⇒ *“No improvement needed.”*
- ⇒ *“The Navigator was terrific. She explained everything she was doing. The circuit court (2nd) that I dealt with was horrible. I'd submit paperwork to them, and they'd send it back saying it was wrong but wouldn't tell me what was wrong. Very frustrating. Navigator was excellent.”*
- ⇒ *“She was wonderful.”*
- ⇒ *“As an administrator of a small estate, I understood the process would be fairly easy to complete and file the forms. It was not, I found understanding the "legal terms" confusing. Even with the help of the e-filing support people, I wasn't able to correctly fill out the forms. I wish I had known from the start that a Court Navigator was available. I struggled for years with filing. But with the Navigator's excellent help, it took 2 hours.”*
- ⇒ *“What a wonderful service for those that can't afford of a lawyer. I was helped by a knowledgeable young lady who did in ~1 hr. That I was struggling with the final accounting. This service should be made aware to clients, I was fortunate enough to find out from Connecticut Probate Court.”*
- ⇒ *“I have dealt with Diane, Laura, and Manu All very professional, helped me through a hard time with empathy. It was very comforting and put me at EASE They are irreplaceable!”*
- ⇒ *“I can't think of anything. Patty knows the case and is always very helpful. I wish this was available at all courts without an attorney this is a great service to understand the court system.”*
- ⇒ *“Because my case had multiple heirs, some passing before the decedent and some after; the Navigator was very helpful in explaining the process and helped securing it to completion.”*
- ⇒ *“I was very happy with the Navigator no need for improvement.”*

- ⇒ *“Patty Cole was very nice, helped me fill out estate forms, she was very patient with me.”*
- ⇒ *“As a landlord with a deceased intestate no next-of-kin tenant whose small estate was subjected to significant retirement income and errant credit card and burial expenditure, in the 4 months before I was appointed, I could not have navigated the system without the help of the Navigator.”*
- ⇒ *“She was very helpful and compassionate because my wife of 36 years just died.”*
- ⇒ *“My experience couldn't have been better. Very satisfied with the help I received.”*
- ⇒ *“My Navigator Patty Cole was awesome! Paperwork totally confounds me. I brought in the paperwork I had pulled together and started and she seamlessly helped me scan & upload the rest of it and printed out some other forms that she thought would be helpful to my case. My anxiety went down to zero!”*
- ⇒ *“She was extremely helpful with the TurboCourt system--which would not respond in my home office.”*
- ⇒ *“The Navigator was amazing. I would be lost without her. So thankful for the Navigator and this program.”*
- ⇒ *“Patty was (is) very knowledgeable and helpful!”*
- ⇒ *“She did great. No need for improvement.”*
- ⇒ *“Manchester Circuit Court lied about not being able to file name change at Manchester using Turbo Court. Gave 0 direction as to what forms necessary. Manchester needs more than 2-3 computers to access Turbo court. Manchester could also use Navigator Services as they do not have this helpful service. Please make necessary improvements/upgrades soon as Manchester is a highly populated city. Thank you!”*
- ⇒ *“I need help with some procedural stuff. This service was helpful to review the forms since the tech stuff is not user friendly and the directions were not clear to me.”*