



October 2, 2025

Submitted via the CLRRTaskForce@dccsystem.gov

Executive Office of the D.C. Courts
ATTN: CLRRTF
500 Indiana Avenue, N.W., Suite 6680
Washington, DC 20001

RE: Public Comment on Proposed D.C. App. R. 49(c)(14): Community Justice Worker Programs

To Whom It May Concern:

On behalf of Frontline Justice, we appreciate the opportunity to provide comments on the proposed addition of D.C. App. R. 49(c)(14), which would authorize Community Justice Worker programs in the District of Columbia.

Frontline Justice is a national, nonpartisan initiative working to close the civil justice gap by building a community-based workforce of trained and supervised justice workers. Our mission is to mobilize, support, and equip trusted community advocates to become frontline legal helpers who ensure that all Americans have access to affordable, effective legal support for everyday civil matters.

We commend the leaders of the D.C. Courts and their D.C. Courts Civil Legal Regulatory Reform Task Force for recognizing the urgent need to expand access to justice through innovative models. By recommending a framework for “persons who are not members of the D.C. Bar, including nonlawyers” to engage in the limited practice of law “under the supervision of an active member of the D.C. Bar” [Proposed Rule 49(c)(14)(A)], the Task Force proposes a critical step toward making civil justice accessible to the District’s residents.

Our comments are intended to highlight areas of strength in the proposal, as well as areas where clarification or adjustment may further ensure that Community Justice Worker programs are effective, equitable, and sustainable. In the sections that follow, we highlight the relevant provisions of the proposed rule and offer comments intended to strengthen the framework for Community Justice Worker programs.

Subject-Matter Scope

Quoted Rule Language

The Task Force states that it “does not recommend any specific subject-matter limits on CJW programs, beyond the limitation to civil matters” because “the critical unmet need for legal assistance spans many different areas of civil law” and because legal-services providers “have direct knowledge about the unmet needs for legal assistance” (Report at p. 32).

Comment

We strongly support this approach. Arbitrary subject-matter limitations have proven counterproductive in other jurisdictions by artificially narrowing the scope of help available to communities. Leaving flexibility to legal services providers ensures that programs are responsive to real-world needs, whether those involve housing, benefits, family stability, debt, or other matters.

Supervision & Eligible Organizations

Quoted Rule Language

The proposed rule provides that “persons who are not members of the D.C. Bar, including nonlawyers, may engage in the limited practice of law under the supervision of an active member of the D.C. Bar in good standing who is employed by an eligible organization that provides free or low-cost legal services to residents of the District of Columbia” [Proposed Rule 49(c)(14)(A)]. As for what type of organization may apply to operate a community justice worker program, the proposed rule states that to be eligible, an organization must be “a non-profit organization that is tax-exempt under section 501(c)(3)... and provides free or low-cost legal services to residents of the District of Columbia” [Proposed Rule 49(c)(14)(B)].

Comment

We support the requirement that Community Justice Workers operate under supervision and within an institutional framework that ensures malpractice coverage, accountability, and ethical compliance. These safeguards are crucial for establishing public trust and ensuring the delivery of quality services.

At the same time, we encourage the Court to consider that many of the community institutions best positioned to host CJWs, such as schools, reentry programs, health clinics, and faith-based organizations, are not themselves legal aid providers. Other jurisdictions have shown that community-embedded models, paired with supervision from legal aid “hub” organizations, can extend reach and effectiveness while maintaining strong oversight.

We therefore recommend that the Courts allow for, and even encourage, partnerships where an application would be submitted jointly by a legal services provider and another nonprofit organization. CJWs may be embedded in trusted community settings, but their training, supervision, and malpractice coverage remain anchored in eligible legal services providers. This

would preserve the safeguards envisioned by the Task Force while allowing programs to meet people where they already are and promote deeper involvement by community nonprofits.

Permissible and Prohibited Tasks

Quoted Rule Language

The Task Force recommends that Community Justice Workers be authorized to perform a wide range of functions, including “assisting clients in understanding and navigating court and administrative proceedings; assisting with written discovery; writing, signing, and filing legal documents on behalf of clients; providing advice about legal rights, remedies, defenses, options, and strategies; attending depositions; advocating for clients’ rights; participating in mediation; preparing settlement agreements; assisting in preparing for evidentiary hearings and trials; attending court and administrative proceedings to provide support and assistance; and representing clients in court, including making representations on behalf of a client, answering questions from the court on behalf of a client, and making legal arguments on behalf of a client” [Proposed Rule 49(c)(14)(F)].

Comment

We commend the Task Force for including advice, document preparation, and court representation within the scope of permissible tasks. These functions are critical for addressing the justice gap in a meaningful way. Limiting CJWs only to navigation or information would fail to address the real barriers faced by residents who cannot secure legal representation.

The proposal also states that CJWs “may not take or defend a deposition or conduct an evidentiary hearing or trial on behalf of a client” [Proposed Rule 49(c)(14)(G)]. We recognize that many jurisdictions have drawn this same line, and that such a safeguard responds to concerns expressed during Task Force outreach. At the same time, we note that in certain administrative contexts, such as SNAP or unemployment appeals, proceedings may involve evidentiary hearings where trained nonlawyers can and are already authorized to provide effective representation.

We encourage the Court to preserve flexibility for CJWs to handle such administrative evidentiary proceedings under supervision, even while excluding depositions and complex court trials. Doing so would align with established practice in federal and state agencies and ensure that CJWs can address some of the most pressing needs of low-income residents.

Oversight & Data Collection

Quoted Rule Language

The Task Force recommends that “the Courts designate a person or entity to assist the Courts with oversight of CJW programs,” including responsibilities to “maintain records of approved programs and certified CJWs; receive and review reports provided by participating legal-services providers; monitor the program; and suggest changes to improve the program.” The monitor would also “report annually on the number of clients served by CJWs; the number

of legal matters handled by CJWs, broken down by legal area; and the number of client complaints received, if any” (Report at pp. 34–35).

Comment

We support the creation of a monitoring function to ensure accountability and build confidence in the program. At the same time, we urge the Court to ensure that oversight yields meaningful data about outcomes, not just outputs. Reporting only the number of clients served or complaints received will not capture whether Community Justice Workers are improving access to justice, preventing crises, or enhancing trust in legal institutions.

Reasonable, standardized data collection focused on key outcomes such as resolution rates, client satisfaction, and the types of barriers CJWs help clients overcome will allow the Court and stakeholders to learn from the program in real time. This approach avoids undue administrative burden on courts by placing reporting responsibility with the authorized organizations, while still providing critical insight for policy improvement.

We encourage the Court to require data that is simple, consistent, and actionable. This is an opportunity for the District to join other jurisdictions in authorizing CJW programs, while also creating an evidence base that will inform their long-term success and sustainability.

Conclusion

We commend the Task Force for advancing this bold and thoughtful proposal. By recommending the adoption of a new rule to authorize Community Justice Worker programs, the Task Force has taken a critical step toward addressing the justice gap in the District of Columbia. The proposed framework appropriately recognizes that the unmet need for civil legal help spans many areas of life, and that Community Justice Workers can and should be entrusted with meaningful legal tasks such as advising clients, drafting documents, and appearing in court.

Our comments are offered in the spirit of strengthening what is already a promising model. Specifically, we encourage the Court to:

- Preserve the Task Force’s choice not to impose subject-matter limits beyond civil matters, allowing programs to remain responsive to real community needs.
- Permit hub-and-spoke partnerships so that CJWs may be embedded in trusted community institutions while retaining supervision and oversight through eligible legal services providers.
- Preserve flexibility for CJWs to participate in administrative evidentiary proceedings under supervision, even while excluding complex civil trials and depositions.

- Strengthen data collection by requiring authorized programs to report on outcomes and barriers, not just client counts, to build an evidence base for the program's impact.

For additional context on how these models are being developed and tested across the country, and how we are supporting community justice workers and their hosting organizations on the ground, we invite the Court to review the following resources: [Task Force Briefing Report](#), [Task Force Members](#), [Community Justice Worker Stories](#), and the [Groundwork Online Community](#).

Experience from other jurisdictions demonstrates that CJW programs are both effective and safe. In Alaska, Alaska Legal Services trained approximately 60 CJWs, 50 of whom were mobilized to respond to the state's SNAP backlog. Together, they resolved 3,093 SNAP cases in 2023 (up from just 125 in 2022), with CJWs themselves closing nearly 500 cases and securing \$1.43 million in benefits for families.¹ The program demonstrated scalability and responsiveness by assisting hundreds of clients who otherwise would have been turned away, while community partners expressed eagerness to expand the model into family law and end-of-life planning.² An upcoming NSF-funded evaluation of a CJW program is underway, which will show further growth and significant economic impact. While we do not yet have final published figures, the upcoming results of this study promise to deepen the evidence base for CJW scaling and return on investment.

More broadly, evidence also shows that trained non-lawyer advisors perform as well as or better than lawyers in common civil areas such as housing, benefits, and debt, and that consumer complaints have been minimal when programs are properly supervised and embedded in trusted organizations.³ Similarly, in Utah, a regulatory sandbox that includes justice workers delivered over 75,000 services between 2020 and the time data was collected in 2024. Well-designed CJW programs are scalable and inspire confidence among consumers.⁴

We respectfully urge the Court to adopt the Task Force's proposed framework for Community Justice Workers and to incorporate these refinements to ensure the model is effective and sustainable. The District of Columbia has an opportunity to lead the nation in reimagining how ordinary people access legal help, and in doing so, to make justice a reality for all residents.

¹ Lincoln Caplan, *The Justice Worker*, The American Scholar, June 4, 2025, <https://theamericanscholar.org/the-justice-worker/>.

² See Nikole Nelson, Rebecca L. Sandefur & Matthew Burnett, *Empowering Justice Through Community Justice Workers*, MGMT. INFO. EXCH. J., Spring 2024, at 30, https://img1.wsimg.com/blobby/go/edc44ae6-300c-4a50-b54b-84410f4af739/downloads/MIE_Journal_Spring_2024_Empowering%20Justice%20Thr.pdf?ver=1724702445362.

³ See Richard Moorhead, Avrom Sherr & Alan Paterson, *Contesting Professionalism: Legal Aid and Nonlawyers in England and Wales*, 37 LAW & SOC'Y REV. 765 (2003).

⁴ See Rebecca L. Sandefur & Matthew Burnett, *Building Successful Justice Worker Programs: Emerging Insights from Research and Practice*, 41 ALASKA L. REV. 24 (2024).

Respectfully submitted,

Nikole Nelson, J.D.
Chief Executive Officer
Frontline Justice
nikole@frontlinejustice.org

Alicia Mitchell-Mercer, DPA, PMP
Chief Operating Officer
Frontline Justice
alicia@frontlinejustice.org