



SIMLab Legal Sector Overview 2014-2015

Our mission statement within the Legal sector is to lower the barriers to accessing legal systems. Social Impact Lab's broader focus has enabled us to explore, recommend, and implement with other impactful, inclusive technologies beyond Frontline and SMS. The two topical pillars of the project are Holistic Accessibility and Formalization, with a special focus on Land during this strategic cycle.

Holistic Accessibility examines the accessibility of a legal system in its entirety, from the constellation of organizations that compose it to the procedures that define someone's experience within it. Within legal systems, organizations tend to be loosely linked with each other, if at all, and have minimal administrative resources. This, combined with already labyrinthine legal language and procedures, can make it very difficult for a newcomer to navigate the system. Accessible technology can help improve system-wide organization of legal systems, meeting people at every level of connectivity with the aim of helping them spend less time finding a person or organization that can help, and more time actually getting their problem solved. Holistic Accessibility is divisible into three areas, and we are working to develop active projects in each: incident reporting, intake and triage management, and process tracking.

Example – Incident Reporting

Inclusive technology can be used to augment existing reporting mechanisms, in order to help marginalized individuals find assistance from whatever means is available to them. In Oklahoma, for example, a system in one county that piloted domestic violence reporting over SMS saw more incoming messages per month than the number of domestic violence victims the state processed for the entire prior year. This reporting also resulted in 18 convictions, due to the victims' ability to silently call for help.

Example – Intake and Triage Management

As technology continues to proliferate unevenly, organizations spend a disproportionate amount of resources manually processing low-connectivity clients. Finding simple ways to digitize these clients, from SMS and automatic voice systems to in-office kiosks, can substantially reduce the cost of client intake. System-wide intake and triage systems can redirect clients to the appropriate organization first, as opposed to sending individuals on a new search each time.

Example – Process Tracking

Process opacity is a major barrier to accessing legal systems. Building low-touch reminder and feedback mechanisms can make a substantial difference in both actual and perceived

transparency and navigability of a legal process. A project funded by Google.org in Odisha, India is using SMS to report task completion in a government-operated land allocation program, enabling both high-level administrators and rural communities to track the progress of a particular village as it moves through the process.

Example – Accessibility Audit

Finally, we've also been doing some early work developing a format for "accessibility audits" of a legal system or subsystem, building on SIMLab's expertise in context assessment work. Pending a successful search for small seed funding, there is substantial interest in applying this method to a multiplicity of contexts. The UNDP is currently doing a project on statutory entitlements to legal aid in Africa, and there continues to be general interest in analyzing the technical capacities of legal aid frameworks in developing contexts, such as Afghanistan, but there is currently a gap in examining the overall environment for accessing legal services, from statutes and personnel to logistics and technology, despite its necessity for developing optimal solutions.

Formalization

Formalization addresses the friction between "traditional" and "modern" views of ownership, conflict resolution, and justice as legal systems mature, and examines ways of using technology to harmonize the most difficult points of conflict. Battles between community-owned land and burgeoning extractive industries is the popular example, particularly in Africa, but formalization troubles also arise in conflict resolution and access to justice. Paradoxically, formal ways to resolve a grievance—a court, for instance—only improve and build trust with an increased volume of cases, but that volume will never come if individuals don't already trust a formal, unfamiliar system to meet their needs. There are myriad opportunities to use technology to strengthen, legitimize, and normalize informal systems (a community mediator, for example), and use them to augment the capacity of still-nascent formal justice systems.

Example – Community Conflict Resolution

Informal, community-based conflict resolution mechanisms have the benefit of familiarity, but can also calcify existing biases and power imbalances, and may also prove difficult to enforce when the decision is unpopular. On the other hand, these systems provide necessary capacity that formal systems cannot meet. In Colombia, Community Conciliators are volunteer mediators that help to resolve conflicts in their neighborhoods. Although they receive some initial training from the government, their progress and quality are barely tracked, if at all. Technological integration of formal and informal conflict resolution systems can normalize and legitimize the experience of clients who move between them, improving the enforcement weight of informal systems while bolstering the capacity of formal ones.

Subfocus - Land

Land focuses on two broad areas: the acquisition of formal title and the services that build on holding title, from mutation and sale to resilience and agriculture upkeep. The major project

here—and for Legal, generally—is funded by a grant from Google.org, and uses mobile technology to expedite a land allocation and titling program for landless tribal villagers in Odisha, India. Here, SMS will be used by government staff and community representatives to coordinate with each other and report their progress towards various milestones throughout the process, enabling district leaders to identify problems in real time, and communities to track how far along in the allocation process their village is. Titles are the gateway to many key services, such as agriculture and homestead assistance, and acquisition and maintenance continue to be huge needs for maturing legal systems and governments. We hope to use the Google project as a jumping off point for more work in this area.