

**University of Washington School of Law**  
Autumn 2020  
Access to Justice Law E507  
2 credits credit/no credit  
Class meets Wednesday 8:30-10:20 am  
5 October 2020 draft subject to revision

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**Class Description**

Introduction to how technology is transforming the delivery of legal services. Students will learn how to increase access to justice for low-income individuals through the use of A2J (Access to Justice) Author software tools. These tools were developed with the support of the Legal Services Corporation to help self-represented (pro se) litigants handle some of their own problems and to help legal services attorneys represent more clients effectively. Once familiar with how to use the A2J Author software

tools, students will work with local legal services attorneys to create self-guided interview forms for use by local legal services attorneys and local self-represented litigants. Selected topics related to information ethics and policy, the changing nature of professional services, and the persistence of institutional barriers to access to justice in American society will be considered. Possible parallels between the use of technology to deliver legal services to low income individuals more effectively and the use of technology by conventional law firms or in-house and government legal departments will also be considered. No prior experience of software development is required.

### **Learning Objectives**

The learning outcomes established by the faculty of UW Law for the JD curriculum as a whole can be found here: <https://www.law.uw.edu/academics/jd/curriculum/student-learning-outcomes>

Here are the learning outcomes for this course [the corresponding UW Law JD learning outcomes are noted in square brackets]:

- Identify the features of the American legal system that contribute to persistent unequal access to justice, and to consider what impact innovations in information technology may have on problems of unequal access to justice. [**UW Law: situate legal issues in their extra-legal context**];
- Use the A2J Author platform to construct interactive online Guided Interview web forms to partially automate the drafting of legal documents; apply legal doctrines embedded in the Guided Interviews to facts typed into web forms by self-represented litigants or legal services attorneys [**UW Law: understand substantive and procedural frameworks**];
- Transfer insights about the impact of information technology on law practice from the access to justice context to the conventional law practice context [**UW Law: provide client-oriented legal services**]; and
- Elicit requirements from prospective clients and engage in collaborative problem solving activities with other students [**UW Law: work collaboratively with others**].

### **Textbooks**

- Street, Glover, Everett & Lichty, *The Small Firm Roadmap: A Survival Guide to the Future of Your Law Firm Practice* (2019)
- Susskind & Susskind, *The Future of Professions: How Technology Will Transform the Work of Human Experts* (1st 2016, not 2nd ed. later in 2020)
- Plus other readings uploaded to the Files folder of the Canvas course website as PDFs

In addition, an “Assignment Guide” will provide background information and step-by-step instructions for each interactive class activity or assignment to be completed outside of class. Assignment Guides will be accessible in the AssignGuide folder of the Canvas course website as PDFs.

### **Grading**

Student performance in this course is assessed on a credit/no credit basis. Students who attend on a regular basis, participate actively in class and complete assignments on a regular and timely basis will receive credit.

## **Learning as a Community**

Our goal as instructors of this course is to welcome every student and invite learning. This is an “experiential” course designed to simulate law practice.

We know students may feel confused or frustrated in a course that is designed to challenge assumptions and to encourage students to master unfamiliar and difficult skills. To create an environment where students can feel safe leaning into new learning challenges, the mandatory grading curve does not apply to experiential learning courses.

Everyone makes mistakes, including us, and all mistakes can be seen as opportunities to learn. If you think we’ve made a mistake in either the design or the delivery of this course, then we welcome your feedback. Of course, we’re also interested to hear about anything that you think is working well.

You may provide us with your feedback in person or by email either during class or outside of class. Please note, however, that once class has begun, our primary focus tends to be on using class time to accomplish the learning objectives we’ve established. That focus can make it hard for us to process feedback in real time about any mistakes we’re making. If you provide us with feedback outside of class, it may be easier for us to understand what you are telling us and to think of an appropriate way to respond.

We would like the class to consider the following class norms. These are only suggestions and we would like to come to an agreement on how we conduct class going forward. So we will spend some time during week two finalizing these norms.

### **Class Norms**

- Bring a positive attitude to class and be prepared to focus on the material
- Assume good intent
- Everyone’s opinion is valuable
- Keep your webcam on as much as possible

## **Course Evaluation**

Course evaluations are open online during the last week of classes. Class time will be made available on 9 December 2020 for filling out your evaluation. Please bring a laptop or mobile device to class on this date to participate in the evaluation.

## **Guests and Visitors**

Please let your instructors know in advance if you would like to have a visitor accompany you when you attend class.

## **Law School Attendance Policy**

Under changes to ABA Accreditation Standard 304, adopted in August 2004, a law school shall require regular and punctual class attendance.

At any time after the fifth week of a course (halfway through a summer session course), a student who has been determined by the instructor to have attended fewer than 80 percent of the class sessions in any course will be required to drop the course from his or her registration upon the instructor's so indicating to the Academic Services Office.

An instructor may also impose stricter attendance standards or other sanctions for nonattendance, including lowering of a grade, provided that students are informed at the start of the course of the instructor's attendance rules and possible sanctions.

### **Access and Accommodation**

Your experience in this class is important to me. If you have already established accommodations with Disability Resources for Students (DRS), please communicate your approved accommodations to me at your earliest convenience so we can discuss your needs in this course.

If you have not yet established services through DRS, but have a temporary health condition or permanent disability that requires accommodations (conditions include but not limited to; mental health, attention-related, learning, vision, hearing, physical or health impacts), you are welcome to contact DRS at 206-543-8924 or uwdrs@uw.edu or disability.uw.edu. DRS offers resources and coordinates reasonable accommodations for students with disabilities and/or temporary health conditions.

Reasonable accommodations are established through an interactive process between you, your instructor(s) and DRS. It is the policy and practice of the University of Washington to create inclusive and accessible learning environments consistent with federal and state law.

### **Religious Accommodations**

Washington state law requires that UW develop a policy for accommodation of student absences or significant hardship due to reasons of faith or conscience, or for organized religious activities. The UW's policy, including more information about how to request an accommodation, is available at Faculty Syllabus Guidelines and Resources. Accommodations must be requested within the first two weeks of this course using the Religious Accommodations Request form available at <https://registrar.washington.edu/students/religious-accommodations-request/>

### **Tentative Course Schedule subject to revision**

#### **Module 1: Computer-Human Interaction**

##### **Class 1 Sept 30 Introduce Computer-Human Interaction**

- Discuss Small Firm Roadmap Intro & Part I [instructor led]
- UW Law Assignment Guide: Canvas LMS Instructor vs. Student Interaction
- Readings:
  - UML Ch1 UML Fundamentals
  - UML Ch2 Use Case Diagrams

- Optional: Client Centered Law Firm Ch7&8 2020
- Lucidchart YouTube UML Use Case Diagram Tutorial <https://youtu.be/zid-MVo7M-E>
- Canvas LMS Interface Canvas Class Interaction Activity

### **Class 2 Oct 7 Paper Forms to Computer Interaction**

- Small Firm Roadmap Chapters 6, 7 & 8 [student led]
- UW Law Assignment Guide: Google Forms Potluck Dinner Invitation & Variables
- Readings:
  - UML Ch4 Workflow Modeling
  - Smartsheets Workflow Introduction
- Google Forms Potluck Dinner Invitation Canvas Assignment

### **Module 2: CALI Access to Justice Author**

### **Class 3 Oct 14 Usability v. Complexity Tradeoffs**

- SFRM Chs 9, 10 & 11 [student led]
- UW Law Assignment Guide: A2J Author Dinner Invite & Variables
- John Mayer video tutorial <https://youtu.be/zdxYY8lWNvU>
- Readings:
  - Owen Staudt Pedwell, Access to Justice: Meeting the Needs of Self-Represented Litigants, Introduction 2001 (this is the report on the process of developing A2J Author)
  - Hurder Negotiating Attorney Client Relationship 1996
  - Optional: Owen Staudt Pedwell Access-to-justice-meeting-the-needs 2002 (entire book)
- A2J Author Potluck Dinner Invitation Canvas Assignment

### **Class 4 Oct 21 Design Interaction for Self-Represented Litigants**

- SFRM Chs 12, 13 & 14 [student led]
- UW Law Assignment Guide: A2J Author Intake Form & Variables
- Reading: Client Interview Counsel Decision Making Ch1
- A2J Author Legal Services Intake Form & Creating Variables

### **Class 5 Oct 28 Design Interaction for Attorneys**

- Susskind & Susskind Intro & Chapter 1 [student led]
- UW Law Assignment Guide: Mapping Legal Reasoning as a Workflow
- Reading: Legal Project Management & Process Improvement
- A2J Author Landlord Tenant Interview Canvas Assignment

### **Class 6 Nov 4 Design Attorney-Client Collaborative Interaction**

- S&S Chapters 2 & 3 [student led]
- UW Law Assignment Guide: SRL vs Attorney vs Shared Control over Interaction
- Readings:
  - Case Management Concepts & Skills Intro 4th ed 2019
  - Marin Intro Case Management Model & Notation CMMN 2016
- A2J Author Landlord Tenant Output Canvas Assignment

NO Class 7 Nov 11 HOLIDAY

### **Module 3: Law Practice Management Systems**

### **Class 8 Nov 18 Law Practice Management Systems**

- S&S Chapters 4 & 5 [student led]
- UW Law Assignment Guide: Functions of Clio as Law Practice Management Software
- Readings:
  - Law Practice Technology Ch5 Case Management Software
  - Law Practice Checklists Litigation
- Clio Law Practice Management Canvas Assignment

### **Class 9 Nov 25 Usability vs. Access Tradeoffs**

- S&S Chs 6, 7 & Conclusion [student led]
- UW Law Assignment Guide: Compare A2J Author with Clio Doc Automation
- Readings:
  - Different Firms Take Different Approaches to UTBMS
  - Uniform Task Based Management System UTBMS
  - UTBMS New Code
  - Implementing Task-Based Billing
- Document Automation in Clio Canvas Assignment

### **Module 4: Duty of Technological Competence**

### **Class 10 Dec 2 What Technological Competence Is Due?**

- UW Law Assignment Guide: Should use of tools like A2J Author or Clio be mandatory?
- Readings
  - 2020 ATJ Technology Principles Final
  - Order Approving ATJ Technology Principles

- Courts.wa.gov-Rules of Professional Conduct Rule1.1
- Washington Adopts ABA RPC Duty Technological Competences 2016
- NAAG Duty of Technological Competence
- What Do UW Law Clinics Do? Canvas Assignment

**Class 11 Dec 9 Breaking Barriers to Access to Justice**

- UW Law Assignment Guide: Transforming the epistemic culture of law practice
- Readings:
  - Licklider Man Computer Symbiosis 1960
  - Kasparov Deep Thinking Human Plus Machine 2017
- What Should UW Law teach students? Canvas Assignment