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**Component Assessment: Triage and Referral**

Key Elements

The responses in this assessment provide a snapshot of Triage and Referral in your state. All responses are meant solely to inform assessment of this component.

Key elements of **Triage and Referral** include:

* Create intake systems that contemplate assessment, sorting and referral needs;
* Prepare identified, consistent and transparent triage and referral protocols and practices;
* Ensure triage is supported by automation (e.g., portal);
* Make sure all stakeholders, including non-traditional ones, are aware of referral information;
* Ensure effective referrals (e.g., entity can take the matter without time, income or subject-matter restrictions precluding service); and
* Create central court and legal aid telephone hotlines and e-mail or live chat services, as well as market-based equivalents to diagnose legal issues/potential solutions and resolve less complex issues at an early stage.

Need

1. Does Triage and Referral exist in your state?

Yes  No  Unsure

Additional information:

Remarks on strengths and gaps:

1. To what degree is Triage and Referral available at the county level?

*Tips:* Suggested sources of information include reportedservice areas and programs.

No counties  Few counties  Half of counties  Most counties  All counties

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

1. What is your best estimate of known demand for Triage and Referral?

*Tips:* Suggested sources of information include Triage and Referral intake reports.

Please provide a brief explanation of the calculation below under "Additional information".

Number:

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

Response

1. What is the best estimate of how much of the Triage and Referral demand has been met?

*Tips:* Suggested sources of information include Triage and Referral intake and service reports.

Number of individuals receiving Triage and Referral:

To calculate the percentage below =

Number of individuals receiving Triage and Referral *divided by*

Number of individuals in need of Triage and Referral (question 3).

Please provide a brief explanation of your calculation below under “Additional information”.

Percentage:

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

1. What case types use Triage and Referral? (select all that apply)

*Tips:* Suggested sources of information include triage and referral intake/program reports, surveys of self-help centers, court staff, judges, legal aid and pro bono providers. Please indicate any distinctions within contract cases below under “Additional information”.

Contract (includes landlord/tenant, debt collection & mortgage foreclosure)

Small Claims

Tort

Probate

Real Property

Mental Health (includes civil commitment, guardianship)

Family (includes divorce, protection orders)

Other

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

1. At what stage in the case is Triage & Referral provided? (select all that apply)

*Tips:* Suggested sources of information include triage and referral intake reports, surveys of self-help centers, court staff, judicial officers, legal aid and pro bono providers. Please identify any barriers in the notes below.

Pre-filing

Post-filing, uncontested

Post-filing, contested

Through entry of judgment

Post-judgement

Appellate

No case stage data is collected

Other

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

Technology Integration

1. Are Triage and Referral services available remotely (via video or telephone)?

*Tips:* Suggested sources of information include self-help online tools, Self-Help Center protocols and enabling rules and statutes. Please identify any barriers below under “Additional information”.

No counties  Few counties  Half of counties  Most counties  All counties

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

1. Is technology being optimized (e.g., technology utilized to the extent possible where practicable and feasible)?

*Tips*: Suggested sources of information include opinion surveys from program administrators, self-help centers, court staff, judicial officers, legal aid and pro bono providers and user focus groups or interviews. States might also identify additional technology examples. Please discuss any limitations in broadband access and infrastructure challenges below under “Additional information”.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Never** | **Rarely** | **Sometimes** | **Often** | **Always** |
| ***Administration*** |  |  |  |  |  |
| Case management tools |  |  |  |  |  |
| Litigation e-tools (discovery, filing) |  |  |  |  |  |
| Work & data sharing tools |  |  |  |  |  |
| Other: |  |  |  |  |  |
| ***General Education/Information*** |  |  |  |  |  |
| Communication tools (email/text notices) |  |  |  |  |  |
| Information-sharing tools (websites) |  |  |  |  |  |
| Other: |  |  |  |  |  |
| ***Service Delivery*** |  |  |  |  |  |
| Remote communication tools (videoconference) |  |  |  |  |  |
| Case resolution tools (online dispute resolution) |  |  |  |  |  |
| Other: |  |  |  |  |  |

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

Language

1. Are language access services and supports provided?

*Tips:* Respondent might replicate this question for “in court” and “out of court” or discuss any distinctions in the “Additional Information” section below. Suggested sources for “in court” information include language access plan, policies and protocols, language services available; “out of court” include triage & referral program policies and protocols, language services, state-level language coalitions/access to justice commissions. The Justice Index: Language Access Index might also inform responses to this question.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| ***Services & Supports*** | **Never** | **Rarely** | **Sometimes** | **Often** | **Always** |
| Interpretation (in-person, certified) |  |  |  |  |  |
| Translated materials (signage, orders, general information) |  |  |  |  |  |
| Bilingual employee support |  |  |  |  |  |
| Training |  |  |  |  |  |
| Outreach |  |  |  |  |  |
| Other: |  |  |  |  |  |

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

1. Do Triage and Referral reflect plain language principles and practices?

*Tips:* Example: Communications are concise.

Visit [plainlanguage.gov](https://plainlanguage.gov/) for additional examples of plain language principles and practices.

Respondent might replicate this question for “in court” and “out of court” or discuss any distinctions in the “Additional Information” section below. Suggested sources for “in court” information include language access plan, policies and protocols around plain language, survey on existence and use of plain language tools and resources “out of court” include triage and referral policies and protocols, plain language services/tools/resources, survey on existence and use of plain language tools and resources.

Never  Rarely  Sometimes  Often  Always

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

Special Populations

1. Do Triage and Referral practices and programs comply with disability access requirements?

*Tips:* Respondent might replicate this question for “in court” and “out of court” or discuss any distinctions below under “Additional information”. Suggested sources for information include triage and referral policies and protocols, state accommodations compliance and rules, evaluations and reports on compliance status. The Justice Index: Disability Access Index might also inform responses to this question.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| ***Access Requirements*** | **Never** | **Rarely** | **Sometimes** | **Often** | **Always** |
| ADA[[1]](#footnote-1) Title 1: Employment |  |  |  |  |  |
| ADA Title 2: State and Local Government Services |  |  |  |  |  |
| ADA Title 3: Public Accommodations |  |  |  |  |  |
| ADA Title 4: Telecommunications |  |  |  |  |  |
| ADA Title 5: Miscellaneous |  |  |  |  |  |
| Rehabilitation Act, Section 504 |  |  |  |  |  |

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

1. Are safeguards in place for vulnerable populations? (For example, individuals with trauma, cognitive impairment, learning disabilities, homebound, etc.)

*Tips:* Suggested sources of information include surveys of program administrators, self-help center staff, court staff, judicial officers, legal aid and pro bono providers, user focus groups and interviews and community and social service provider interviews or focus groups.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| ***Safeguard*** | **Never** | **Rarely** | **Sometimes** | **Often** | **Always** |
| Trauma-informed responses |  |  |  |  |  |
| Accommodations for remote appearances |  |  |  |  |  |
| Appropriate modalities to support user comprehension and participation |  |  |  |  |  |
| Additional time for client review |  |  |  |  |  |
| Confidentiality practices |  |  |  |  |  |
| Other: |  |  |  |  |  |

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

Ecosystem Ties & Voice

1. Are principles of diversity, equity and inclusion being applied to content development and/or service delivery? (e.g., Do Triage and Referral practices reflect cultural sensitivity? Is language gender-neutral? Is the impact of bias being considered?)

*Tips:* Suggested sources of information include surveys of program administrators, self-help centers staff, court staff, judicial officers, legal aid and pro bono providers, user focus groups and interviews and community and social service provider interviews or focus groups. Respondents may discuss content development and service delivery separately.

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

1. What financing structures are in place to support Triage and Referral? (select all that apply)

*Tips:* Suggested sources of information include interviews or focus groups with court staff, self-help centers, legal aid, community partners, social service providers and other Triage and Referral service leaders.

Budget line items

Fees

Private funding

Grants

Endowment

None

Other

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

1. Is financing for Triage and Referral sustainable (able to be maintained at a certain level)?

*Tips:* Suggested sources of information include interviews with the court, self-help centers, legal aid and other Triage and Referral service leaders.

Yes  No  Unsure

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

1. How does the access to justice governance/leadership support Triage and Referral? (select all that apply)

*Tips:* Suggested sources of information include surveys of access to justice commissioners, legal aid, trusted intermediaries, court staff and judicial officers and access to justice strategic plans.

Promoting Triage and Referral programs

Funding

Marketing

Support complementary initiatives

Other

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

Measurement

1. What data do you collect on Triage and Referral? (select all that apply)

*Tips:* Suggested sources of information include Triage and Referral reports and court case management data.

Number of referrals

Referral source

Number of cases with triage used

Triage use by case type

Referral use by case type

Outcomes in cases with referrals

Case outcomes for triaged cases

Case length for triaged cases

No data is collected

Other (can add multiple options):

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

17.i. How is the data used to inform access to justice strategy/policy?

17.ii. Who sees the data?

1. Are there accepted practices around documenting Triage and Referral data?

*Tips:* Examples of accepted practices include uniform data definitions, collection techniques and collection frequency.

If yes, please explain practices below under “Additional information”.

Yes  No  Unsure

Additional information (such as country/region distinctions):

Remarks on strengths and gaps:

Cumulative Component Assessment

Please score your overall progress on Triage and Referral based on the compiled information and additional data used to inform this assessment. The scoring should use the following scale:

**None:** In this category, component key elements, content or services are not available; no data is being collected; there is no sustained funding and there are many gaps to providing this service or content.

**Minimal levels:** In this category, very little demand for component key elements, content, or services is estimated to be met, potentially only in a few counties. There may be only a few (1-2) case types or litigation stages in which component key elements, content, or services are available. The majority of responses focusing on technology, language supports, access requirements, and safeguards, are ‘Rarely’ with a few ‘Sometimes’ selections. There are limited examples of diversity, equity, and inclusion as well as weak, unsustainable financing structures and data collection practices.

**Partial:** In this category, it is estimated that between a quarter and half of the demand for component key elements, content, or services is estimated to be met. Component key elements, content or services may not be statewide and in less than half of all counties. There may be only three to four case types and few litigation stages in which component key elements, content or services are available. The majority of responses focusing on technology, language services, access requirements and safeguards are ‘Sometimes’ with a few ‘Rarely’ or ‘Often’ selections. Additionally, only a few examples of diversity, equity and inclusion are present. Financing structures are somewhat stable while data collection is sporadic and rarely informs strategy or policy.

**Sufficient:** In this category, it is estimated that more than half of the demand for component key elements, content or services is being met. The component key elements, content or services may exist statewide and if not statewide, in many of the counties. Component key elements, content or services are provided to most case types and at multiple stages in the case. The majority of responses focusing on technology, language supports, access requirements, and safeguards are ‘Often’ with a few ‘Always’ or ‘Sometimes’ selections. Additionally, there are more than 2-3 examples of diversity, equity, and inclusion present. Stable and sustainable financing structures are listed; data collection may be established and occurring but there is room for advancement in how it informs the design, delivery and sustainability of the component.

**Advanced:** In this category, greater than 75% of the demand for component key elements, content or services is being met. The component key elements, content or services are statewide and are provided to almost all cases and at every feasible stage in the case. The majority of responses focusing on technology, language services, access requirements and safeguards are ‘Always’ with a few ‘Often’ or ‘Sometimes’ selections. Additionally, there are numerous examples of diversity, equity, and inclusion. Financing structures are described as robust and sustainable. Data collection and sharing occur regularly to inform component design and delivery with strong feedback loops in place to guide future development.

*Overall progress on Triage and Referral:*

None  Minimal levels  Partial  Sufficient  Advanced

1. Americans with Disabilities Act. For more information on ADA access requirements see, <https://www.ada.gov/>. [↑](#footnote-ref-1)