

# APPENDIX 1:

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# RECOMMENDATIONS, WITH IDEAS FOR IMPLEMENTATION

## I. UNLOCK THE POTENTIAL OF OUTCOMES DATA TODAY

### A. Use existing outcomes data more effectively

1. **Use outcomes data** – Rely on outcomes data reported to funders to deepen understanding of legal aid, improve service, and explain the value of legal aid to new audiences.
2. **Identify trends** – Monitor outcomes for patterns that point to changes in legal needs in the low income community, including by correlating findings with data sets held by social services organizations.
3. **Go deeper with research partners** – Pursue research in collaboration with social scientists and others.

### B. Move to “big goals” and client-centered measures to report outcomes

1. **Develop “big goals”** – Develop “big goals” that connect client outcomes to the mission of civil legal aid, including such goals as improving stability, security, and well-being.
2. **Make measures client-centered** – Re-shape outcome measures in collaboration with clients and with social services providers to highlight the outcomes most important to clients. See also, Appendix A (collected sets of outcome measures).
3. **Pursue a process** – Pursue a collaborative process with multiple providers and funders to develop big goals and client-centered measures for all stakeholders in New York City.

### C. Combine outcomes with “big data” and other data sets

1. **Share data sets** – Leading institutions in the access to justice community should make measures and data sets available and accessible to all stakeholders.
2. **Preserve privacy** – The community should develop best practices for ensuring clients’ privacy.
3. **Be vigilant against bias** – The community should develop best practices to reduce risks of bias in the design, collection, and analysis of data.
4. **Fund data analysts** – Funders should make grant support available (through unrestricted grants and/or through dedicated revenue) to pay for providers to hire data analysts to improve the quality of data analysis.
5. **Increase the use of big data and publicly available data sets** – Rely on multiple data sets to show: 1) broader implications of outcomes achieved by clients, 2) impacts on communities, and 3) needs of the client population.
6. **Use data visualizations** – Improve the quality and number of data visualizations.

### D. Build communication between funders and providers

1. **Build provider-funder communication** – Providers and funders should communicate with each other about, and ideally co-create, outcomes to track as a means of reducing burden and sharpening the providers’ work.
2. **Educate funders** – Explain to funders the provider’s goals and its reporting capacities and limitations at start of the grant relationship.
3. **Declare goals for using each measure** – Funders should explain the rationale for each measure and the funder’s planned use for each outcomes finding.
4. **Develop consensus among funders** – Funders should reach consensus with one another on measures that are essential, and seek providers’ input.

## II. PURSUE SOLUTIONS TO HARDER CHALLENGES IN TRACKING OUTCOMES

### A. Track “systemic” outcomes

1. **Build consensus on systemic measures** – Providers and funders should work toward consensus on which outcomes to track in systemic advocacy initiatives with systemic impacts – for example, numbers affected, benefits obtained, laws changed, other societal impacts.
2. **Measure roles in collaboration** – Funders should invite reporting of outcomes from multi-organization collaborations and credit providers for roles performed in coalition.
3. **Measure collateral outcomes** – The community should work toward consensus on how best to credit providers for collateral outcomes achieved during the course of systemic advocacy initiatives that are not yet complete.
4. **Measure ripple effects** – Funders should support research on the societal outcomes obtained through systemic advocacy.
5. **Make the case to the public** – The community should rely on outcomes data to help the public understand the importance of systemic advocacy that benefits vulnerable people, while remain alert to the risk of retaliation from entities wed to the status quo.

### B. Secure feedback on outcomes

1. **Seek outcomes reporting from service recipients** – Providers and funders are focusing on securing feedback on actions taken and outcomes achieved, as distinct from feedback only about quality of service.
2. **Insist on clarity in survey design** – Survey preparers should consult experts and consider drafting guidelines to achieve simplicity, clarity, objectivity, consistency, and confidentiality in the design of survey instruments.
3. **Consider texting and other technologies** – The community should continue to investigate pros and cons of technology for texting projects to secure outcomes in brief service.

### C. Partner with courts to improve outcomes data

1. **Make all court dockets digital** – Courts should make their dockets digital.
2. **Make court data, including outcomes data, less expensive and more accessible** – Courts should make outcomes data accessible and inexpensive.
3. **Track court data by race, ethnicity, and other factors** – Courts should track data in forms that are easy to disaggregate by race, ethnicity and other factors that are essential to allowing analysis of whether the justice system carries out its functions in a neutral and non-discriminatory manner.
4. **Pursue law and policy reforms to build standards, funding, and infrastructure for tracking court data** – Providers, funders and courts should pursue law and policy reforms to establish statewide standards, funding and infrastructure to improve tracking and reporting of court outcomes data.
5. **Protect private information** – Courts should adopt protections to better ensure the privacy of litigants consistent with the requirements of law.
6. **Increase funding for gathering court data** – Funders should support providers in projects to explore the potential for gathering court data in ways that will boost understanding of outcomes for vulnerable litigants.

### D. Support holistic service by tracking outcomes

1. **Track referral outcomes to assure provision of service** – Funders should support providers in tracking outcomes achieved through referrals of clients (and others seeking service) to other organizations.
2. **Develop networks to track outcomes** – Providers and funders should pursue network-building with social services organizations to increase understanding of outcomes achieved through referrals.

### III. PRESERVE THE INTEGRITY OF OUTCOMES DATA AT ALL TIMES

#### A. Improve the integrity of outcomes data

1. **Prioritize using data to improve service** – Providers should approach data tracking as a tool for improving service, and not just an administrative burden.
2. **Engage staff with data expertise** – Providers should engage staff in specific practice groups or possessing specific area expertise to have a significant role in defining outcome measures.
3. **Standardize and train on data entry** – Providers and funders should standardize data entry procedures and hold regular trainings on data entry.
4. **Share data transparently** – Providers should circulate data findings and data analyses to all staff.
5. **Review and revise measures** – Providers and funders should remove measures not being used and review patterns of use to determine whether new measures are needed.

#### B. Manage the challenge of proving causation

1. **Manage causation questions through a culture of learning** – Collect outcomes data, share it within the organization, entrust leadership roles on outcomes data to staff, articulate norms and standards of practice, be transparent about intake practices, and use data internally to foster conversation about the multiple factors influencing outcomes.
2. **Manage causation questions by owning triumphs, without over-claiming** – Inform funders of outcomes achieved by the office, but always be careful not to claim accomplishments that may be caused by other factors in the lives of clients and in the provision of civil legal aid.
3. **Pursue rigorous research, including through randomized controlled trials** – Enlist researchers to use rigorous methodologies to clarify the value of civil legal aid.