Technology in case management for legal empowerment work

Table of Contents

Introduction

This report reviews how organisations in Indonesia, Moldova, Mongolia, Sierra Leone and South Africa are using technology and data to further their work on legal empowerment. To do so, it assesses how organisations in Open Society Foundations' Shared Framework collect, manage and analyse data on community-based justice provision in those five countries, as well as the role technology plays in supporting these activities. The report aims to draw out trends and effective practices that can inform efforts by Shared Framework participants to make legal empowerment activities more sustainable and effective.

WHAT IS THE OPEN SOCIETY FOUNDATIONS SHARED FRAMEWORK?

In 2016, Open Society Foundations (OSF) launched a four-year initiative that aims to institutionalise and financially secure systems that offer community-based justice services for poor and marginalised people who are in 11 low-, middle-, and high-income countries: Indonesia, Macedonia, Kenya, Moldova, Mongolia, Nepal, Pakistan, Sierra Leone, South Africa, Ukraine and the United States. Two of Open Society Foundations' thematic programs (the Public Health Program and the Justice Initiative) are also participating in the Shared Framework.

The participant programs and partners work together, sharing experiences and methods to encourage emulation of promising models or approaches. The participants are seeking to build evidence and expertise on three themes that affect institutionalisation and sustainability. One of those themes is: "Leveraging technology to expand the availability of legal information, improve delivery of legal assistance, strengthen advocacy and promote cost effectiveness."

SCOPE AND METHODS

This report focuses on how Open Society Foundations and their partners in Indonesia, Moldova, Mongolia, Sierra Leone and South Africa are using technology to collect, analyse and share data about their legal empowerment activities. Researchers conducted 22 interviews with people working on legal empowerment initiatives from Indonesia, Mongolia, Moldova, Sierra Leone, and South Africa. The five countries were selected in collaboration with members of Open Society Foundations' Shared Framework team, with the intention of covering a range of environments with varying connectivity, access to technology and prior experience with technology-based solutions.

Interviewees were identified on the basis of recommendations from Shared Framework members and snowball sampling of other interviewees. They included OSF programme managers, technical consultants and civil society partner representatives, as well as individuals based in government

institutions and representatives of international organisations with experience with similar topics. Researchers also conducted a desk review of publicly available literature on the use of technology in legal empowerment work and internal resources shared by interviewees.

The types of technology used in legal empowerment work can be split into three main types: **organisation-facing technology** (designed for an internal case management system); **client-facing technology** (designed to provide information to or facilitate interactions with clients, such as a website to disseminate information or an automated case intake form); or **institution-facing technology** (such as a docket management system for use in collaboration with a legal institution). When asked to describe how they were engaging with technology, interviewees typically referenced organisation-facing technology solutions, focusing on case management systems as an area fundamental to the way in which they operate.

As such, this report focuses on case management, and the processes underlying its implementation, with the aim of drawing out overarching lessons about technology use. Interviewees described the following case management systems:[1]

COUNTRY	ORGANISATION	PRIMARY PURPOSE OF CASE MANAGEMENT SYSTEM
Indonesia	Yayasan Lembaga Bantuan Hukum Indonesia (YLBHI, Indonesian Legal Aid Foundation)	Monitor legal empowerment activities to identify areas for improvement and collect more data for use in advocacy for policy reform.
Moldova	National Legal Aid Council (NLAC)	Streamline the reporting, monitoring and evaluation process for paralegals, reduce costs and improve data collection and analysis.[1]
Mongolia	Legal Aid Center	Allow Legal Aid Center to monitor public defenders' activities and provide them with information, as well as tracking other pro bono lawyers and actors that provide free legal aid.
Sierra Leone	Open Society Initiative for West Africa (OSIWA), Justice Sector Coordination Office (JSCO), National Legal Aid Board	Collect, validate and evaluate client data generated through interactions with paralegals.
South Africa	Centre for Community Justice and Development (CCJD)	Collect accurate client data on paralegals' engagement with clients for research and advocacy.
South Africa	National Alliance for the Development of Community Advice Offices (NADCAO)	Coordinate activities of community advice offices and collect data for use in advocacy.
Various	Namati	Collect, monitor and analyse client data for use in advocacy, and identify opportunities to improve services.

Legal empowerment actors typically work with five key types of data:

 • **Client data**: Data about specific clients and their cases. This might be subcategorised into personal information, intake form, case notes, and case outcome.

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1 Note: the system was created in 2011 but is only being used for tracking activities related to legal aid provided by lawyers who are contracted by the state and public defenders.

• **Aggregate data**: Data about a population of cases, most likely as a query from a case management system.

• **System data**: Publicly available information on court cases, police reports, and so on. This data would be used to potentially contextualise information in the previous two categories - for instance, to backfill outcome data in a limited scope representation.

• **Legal data**: Data on laws themselves. In common law jurisdictions (such as Sierra Leone and partially South Africa), this denotes cases in addition to statutes. In civil law jurisdictions (Indonesia, Mongolia, Moldova, and partially South Africa), this would mostly be statutes.

• **Derived information frameworks**: Based on the above data, it is common for organisations to build information frameworks to categorise different types of legal issues and build intake around them. This solves two problems: dealing with the fact that different organisations call the same service by different names; and helping connect clients to related services when they have a particular issue.[2]

Client data, aggregate data and (to a lesser extent) derived information frameworks were most commonly referenced by interviewees, and the report focuses on how these kinds of data are collected and used.

LIMITATIONS

The scope of this report is limited to the way in which legal services providers use technology to collect and use data on their activities. The use of technology to change how individuals understand the law, or to consider how technology is used in courts, falls outside the scope of this study. Future research would be needed to assess the perceptions and needs of all users of the technology systems under discussion, such as community paralegals or members of the public.

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2 One example in the United States is the National Subject Matter Index, maintained by LSNTAP (https://nsmi.lsntap.org), a taxonomy of legal issues that could be incorporated into case management systems to support data normalization efforts. For more on the use of semantic networks as a way to help build associations between different types of services, see Keith Porcaro, 'Building Public Service Ecosystems,' https://medium.com/@keithporcaro/building-public-service-ecosystems-d3d4f3cc9995. Law Help Interactive (http://www.lawhelpinteractive.org/) and A2J Author (https://www.a2jauthor.org/) are tools that help facilitate intake forms that can be shared across US jurisdictions.

Executive Summary

FINDINGS

• **Shared Framework participants in Indonesia, Moldova, Mongolia, Sierra Leone and South Africa are interested in improving case management systems because they are keen to capture more comprehensive, accurate data about their legal empowerment activities in a more efficient way.**

• **They believe that better data can help them to reach their organisational goals** by improving the quality of their advocacy, and by helping them to provide services to larger numbers of people in a more efficient and effective way (see diagram below).

• **The case management systems described by interviewees are relatively new**. Most have been introduced in the last three years.

• **Most organisations' case management systems involve a broadly similar set of processes**: data collection, validation and analysis. However, there are significant differences in the way these processes are conducted in different countries, primarily because of differences in the context in which the organisation operates

ACTIVITY	OUTPUT	OUTCOME	IMPACT
1. Collect more data about community-based justice activities in accessible formats.	More data about trends in legal empowerment activities is available to organisations in a format suitable for analysis.	Organisations have better data to conduct effective advocacy to governments on supporting legal empowerment activities.	Policy-making and funding decisions are better informed by data from community-based justice activities.
		Organisations have better data to identify individuals' needs and potential responses.	Organisations can respond more effectively to individuals' legal needs.
2. Collect data about community-based justice activities more efficiently.	More operational data about legal empowerment is available to organisations.	Operations can be monitored more accurately, and opportunities for improvements and training identified.	Organisations run operations more efficiently, and tailor training to staff and volunteers' needs more effectively.
	Staff have more time for other activities such as casework.	Staff spend more time directly providing legal support to individuals.	Legal empowerment activities reach larger numbers of ordinary people.

| 3. Collect more accurate data about community-based justice activities. | ▶ | More accurate data is available to organisations and frontline staff. | ▶ | Organisations can access higher-quality material for use in advocacy. | ▶ | Policy-making and funding decisions are better informed by data from community-based justice activities. |
| | | Frontline staff have access to more information about similar cases for use when providing support or advice. | ▶ | Staff spend more time directly providing legal support to individuals. | ▶ | Frontline community-based justice provision is better informed and supports people more effectively. |

Reasons for using technology in case management systems.

• **Most case management systems described by interviewees have been built from scratch**, typically by developers based in their country.

• **Interviewees are not aware of existing case management systems suitable for use in environments like theirs**, including environments with limited connectivity and access to power. This may indicate an overall lack of appropriate case management systems, highlighting the importance of accurately assessing users' needs when building or modifying technology solutions.

• Interviewees considered **three main factors when choosing technology solutions for case management**: the ability of available infrastructure to support the solution in a cost-effective way; technical literacy among staff required to use the solution, and how appropriate the solution was for the particular context for which it had been chosen.

• **Introducing new case management systems is a time- and cost-intensive process**, including in terms of providing training for staff and providing technical support.

RECOMMENDATIONS

• **Take advantage of the recent introduction of new case management systems by creating spaces for Shared Framework participants to discuss and share experiences** on topics such as selecting technology, improving data quality and training staff.

• Significant differences between the countries and contexts under review preclude this report from making operational recommendations that are applicable to all case management systems mentioned by interviewees. However, **Shared Framework participants might benefit from sharing information on selection criteria for technology systems**, as well as ways of mitigating challenges.

• **Organisations should consider taking a human-centred design approach to assess user needs when choosing, modifying or designing technology solutions**. Ensuring that staff and volunteers adopt and use systems effectively is a key challenge for Shared Framework participants. Understanding the technology needs of users in depth could help organisations to design or modify systems so that usability or access challenges are identified and mitigated in advance.

• Similarly, **organisations should aim to collect more detailed data on how case management systems are being used**. This could help organisations design systems and interfaces that make accurate data collection easier, such as by improving default settings and record validation.

• **Identifying incentives for using new case management systems may help to make systems more likely to be used regularly and effectively**. An example of an incentive is giving community paralegals easier access to data about similar cases that can help them do their work. Framing the introduction of technology in terms of how it contributes to the organisation's overall strategic goals may also be a productive strategy.

• Training sessions that provide **ongoing support rather than one-off sessions may be more likely to help build up participants' capacity** and confidence over the long term.

• Organisations should ensure that they have at least **one person with specific responsibility for ensuring that data is entered in a consistent, accurate way**, and at least **one person who can 'champion' for the system within the organisation** and build staff capacity to use and analyse the data themselves.

• **Organisations should ensure that technical support is readily available for staff**, either remotely or (ideally) in-person, particularly at the inception of a new case management system or following significant changes to an existing person. If possible, the technical support provider should have an understanding of legal empowerment activities.

• For organisations to build and retain individuals' trust, **it is critical to collect and manage personal and legal data responsibly**. Shared Framework participants and other organisations should consider conducting a more in-depth assessment of the risks of collecting and managing data about clients; identifying strategies for mitigating risks in varying contexts; and sharing ways of gaining informed consent on the use of their data.

• **Continue efforts to use other types of technology solutions, including client-facing and institution-facing technologies**, to identify areas for collaboration between legal empowerment actors, provide people with more accessible information about their rights, and facilitate connections to formal legal support where it is needed.

Why are organisations introducing case management technology to support their legal empowerment work?

SUMMARY

Interviewees think that improving case management systems can help them to capture more comprehensive, accurate data about their legal empowerment activities in a more efficient way. They believe that better data can help them to reach their organisational goals by improving the quality of their advocacy, and by helping them to provide services to larger numbers of people in a more efficient and effective way.

RECOMMENDATION

Interviewees described these reasons for adopting technology in general, rarely referring to specific operational targets, either in in their country or elsewhere. Documenting examples from successful practice can help Shared Framework participants establish realistic goals and measure progress towards them.

The following section provides more detailed explanations of the reasons described by interviewees for introducing technology.

1. COLLECTING MORE DATA ABOUT COMMUNITY-BASED JUSTICE ACTIVITIES IN ACCESSIBLE FORMATS

Interviewees were interested in collecting larger quantities of data for two reasons: to access more comprehensive data about legal empowerment activities for use in advocacy; and collecting data about legal empowerment activities that would not otherwise be available.

COLLECTING MORE COMPREHENSIVE DATA FOR USE IN ADVOCACY

Interviewees often said that they felt collecting more data through case management systems could help them make more compelling arguments for governments to support legal empowerment activities. This was partly in response to a perception that data on community-based justice activities was not being collected: several interviewees described having seen large piles of unsubmitted case forms in the local offices because organisations lacked the capacity to input the data in a timely manner. Interviewees focused on the need for two types of data:

• National-level data showing the frequency and levels of service that legal empowerment activities provide, to demonstrate the scale of activities already taking place[3] and highlight their need for continued support. (Data for this purpose was also collected through surveys by organisations in all the countries under review.)

• Data that provides evidence to support arguments about the effectiveness of community-based justice activities in addressing broader social issues. Interviewees mentioned both straightforward performance metrics - such as recording case outcomes - and data that provides evidence of the broader impact of some activities (such as advice offices' capacity to prevent issues escalating, and thereby reducing the need to go to court).

In a related trend, interviewees described a common desire for a standardised approach to collecting and processing data that would enable regional- or national-level analysis of legal services provision. For example, in Indonesia the Ministry of Law and Human Rights' case management system contains information submitted by large numbers of organisations across the country, allowing the Ministry to gain a more comprehensive picture of trends.

COLLECTING DATA THAT WOULD OTHERWISE BE UNAVAILABLE

Technology was most often considered useful for use in case management because of its potential to allow the collection of larger quantities of data that could give a more complete picture of community-based justice activities. This was seen as particularly important because the information gathered, such as data on the prevalence of domestic violence or labour issues that might be underreported to authorities, might be otherwise inaccessible.

This data can be particularly valuable because it often comes from people based in the community in which they work, who can identify issues that might be missed by others.[4] Case data also documents individuals' experiences as they navigate judicial processes - unlike survey data, which is typically best suited for showing common problem types and paths to resolution. As Vivek Maru, CEO of the international organisation Namati, puts it: "When you do grassroots casework, you are generating information that no-one else has. That can make you way more powerful."[5]

2. COLLECTING DATA MORE EFFICIENTLY

Interviewees felt that case management systems, if implemented effectively, could reduce the time spent on entering and updating case reports, and giving paralegals and others the capacity to access data on similar cases to inform their own actions. Before adopting a case management system, Legal Aid South Africa adopted a process that they described as "extremely labour intensive": they provided a set of approved Microsoft Word documents as templates into which staff had to input information. This caused problems because staff in the organisation's 135 offices did not always select the right template, or created their own versions of the templates, which led to inconsistencies and inaccuracies in the data. This meant that they needed to rely on more than 60 managers to check documents for errors and formatting. After introducing a case management system, they said

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3 Metrics for this can vary, in part because of the different types of representation available. In the United States, for example, it is common to count everyone in the household in the "clients served" count. For examples of efforts to measure outcomes in the US, see the Legal Services Corporation (federal government funder of legal aid)'s limited data on their site about their grantees: https://www.lsc.gov/grants-grantee-resources/program-profile?RNO=634032 and their outcomes toolkit: https://www.lsc.gov/grants-grantee-resources/civil-legal-outcomes/outcomes-toolkit
4 Note: to help proactively recognise individuals' legal needs, legal checkups are becoming more common in the US. See: https://www.americanbar.org/content/dam/aba/images/office_president/legal_checkup_issues_paper_final_3_march%2022.pdf
5 Carnegie Endowment, "Can Legal Aid Change Power Dynamics? Experiences from India, Sierra Leone, and Elsewhere", October 2017, http://carnegieendowment.org/2017/10/27/can-legal-aid-change-power-dynamics-experiences-from-india-sierra-leone-and-elsewhere-event-5720

that the number of managers needed to check documentation reduced from 64 to 5.[6]

Interviewees suggested that more accurate, regularly updated data was also useful because it could help legal aid providers to monitor overall operational capacity or identify areas where training budgets should be concentrated.

As a monitoring and evaluation officer at the Justice Sector Coordination Office (JSCO), which coordinates activities by various groups in the Sierra Leonean justice sector, put it: "When we're looking at the case forms, we already know what the challenges are. I know who needs to learn how to write case summaries, and who needs to do their activity log properly." Others felt that case management systems could help them save time by reducing the need for travel to monitor activities in person: "Going into the field is costly - a case management system can help us gather what is happening on the ground."

Interviewees also referred to the potential for case management systems to collect information that could be used to assess an organisation's overall efficiency. One organisation described a system that sends managers automatic email alerts on cases that are not resolved after a defined period of time, allowing them to follow up with individual paralegals. Some case management systems directly integrate time-tracking functionalities to gather information on the use of staff resources, although this was not referenced in the countries under review.[7]

Secondly, interviewees often suggested that well-designed technology solutions could reduce the overall time required for routine tasks such as entering data, freeing up time for frontline work such as working directly with clients.

3. COLLECTING MORE ACCURATE DATA

Interviewees all felt that improving case management systems needs to enable paralegals and organisations to collect and submit data more regularly, accurately and promptly. This came in response to a common theme: the fact that all interviewees said that one of their key challenges was the limited quality of the data to which they had access. In particular, they cited inconsistencies and duplications in the data, and incomplete or missing case forms. To take one example, an interviewee in Sierra Leone described a case in which they were asked to provide data on prison inmates, and needed to take two weeks to read through files to find the necessary information: "Even the Excel database was not comprehensive; we had to go back to paper files." Interviewees typically hoped that using technology more effectively could help them improve the overall accuracy and quality of the data that they collected.

GOALS OF IMPROVING CASE MANAGEMENT SYSTEMS

Interviewees highlighted two main ways in which improving their collection and management of data could contribute to their overall goals:

IMPROVING ADVOCACY FOR MORE EFFECTIVE AND SUSTAINABLE LEGAL EMPOWERMENT ACTIVITIES

Ensuring sustainable funding for community-based justice services is a key priority for the Shared Framework. Interviewees felt that collecting data more effectively could help improve their advocacy

6 See: https://www.hotdocs.com/solutions/client-stories/legal-aid-south-africa.
7 See: https://lsntap.org/content/case-management-system-review-and-rating.

for more sustained financial support for legal empowerment work, in two ways: by providing stronger evidence of individuals' legal needs, and by better demonstrating the impact of legal empowerment support to address those needs.

This would help to address the problem, summarised by one interviewee in South Africa and seen in several other countries: "Some community advice offices with case management systems have been able to generate headline statistics. But in reality, because so few are producing this data, we really don't have strong arguments for the aggregate impact." For example, the Centre for Community Justice and Development (CCJD) in South Africa is currently working on a project that aims to estimate costs that institutions such as the police would have incurred if CCJD's services had not been available.[8] In Sierra Leone, a larger three-year initiative co-funded by the Open Society Institute in West Africa (OSIWA) and the International Development Research Centre (IDRC) will look at case data as well as collect new sources of data on costs and benefits.

One interviewee suggested that, as a long-term goal, developing a standardised system for collecting and managing data could help to demonstrate increased overall professionalism in the sector, and thereby make a more compelling advocacy case for sustainable support to legal empowerment activities. As one interviewee in Sierra Leone said: "some managers may not have the confidence and gravitas to engage policy makers; evidence-based reforms will make it easier for them to do so." Researchers have been addressing these questions using other methods, such as Harvard's Access to Justice Lab, which conducts randomised controlled trials (RCTs) to assess the impact of legal aid work.[9] However, methods like these are expensive and time-consuming, and often require additional funding and external expertise to implement.

GAINING A STRONGER UNDERSTANDING OF INDIVIDUALS' LEGAL NEEDS TO HELP INFORM POLICY-MAKING ON SERVICE PROVISION, IN THE LEGAL SECTOR AND ELSEWHERE

Most interviewees saw effective case management systems as playing an important role here, particularly because they could allow data to be collected and analysed in a way that makes it easier to access insights. As one interviewee in Sierra Leone said: "Technology will come in because it will start giving us perspective on the work paralegals are doing in their communities." This was considered to be particularly valuable for identifying priority areas for policy reforms and emerging needs, such as the prevalence of a particular issue or increasing demands from a specific demographic group.

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8 This is a common metric for legal aid in the US. See: https://www.americanbar.org/content/dam/aba/events/legal_aid_indigent_ defendants/2012/05/national_meetingofstateaccesstojusticechairs/ls_sclaid_atj_economicbenefit.authcheckdam.pdf
9 http://a2jlab.org/

How are case management systems being used in legal empowerment work?

SUMMARY

The case management systems described by interviewees are relatively new. Most have been introduced in the last three years.

Most organisations' case management systems involve a broadly similar set of processes: data collection, validation and analysis, leading to the production of data on overall trends in community-based justice provision.

However, there are significant differences between countries and sometimes between organisations in the same country, primarily because of differences in the context in which the organisation operates.

Significant differences between the countries and contexts under review preclude this report from making operational recommendations that are applicable to all case management systems mentioned by interviewees. For example, a sophisticated solution that could advance one organisation's work might be inappropriate for another because of infrastructural constraints.

RECOMMENDATION

Take advantage of the recent introduction of new case management systems by creating spaces for Shared Framework participants to discuss and share experiences on topics such as selecting technology, improving data quality and training staff.

More detailed data on how case management systems are being used could also help organisations design systems and interfaces that make accurate data collection easier, such as by improving default settings and record validation.

For organisations to build and retain individuals' trust, it is critical to collect and manage personal and legal data responsibly. Shared Framework participants and other organisations should consider conducting a more in-depth assessment of the risks of collecting and managing data about clients; identifying strategies for mitigating risks in varying contexts; and sharing ways of gaining informed consent on the use of their data.

This chapter sets out how interviewees are currently using technology for case management to support their work in the five countries under review. It summarises patterns in current technology usage, identifies high-level trends, and makes recommendations for Shared Framework participants that are engaged in implementing technology solutions.

OVERVIEW

Interviewees typically described case management systems that have been introduced in the last three-to-four years, most of which were direct replacements for a paper-based system (as with Indonesia, Sierra Leone and Moldova). Organisations are often still testing early instances of these systems, and actively seeking to improve them. The table below lists the systems described by interviewees, ordered by the year in which they were introduced (most recent first).

COUNTRY	TECHNOLOGY SOLUTION	INCEPTION DATE
Moldova	Case management system	2017
Mongolia	Case management system	2017
Indonesia	Case management system (YLBHI)	2016
Sierra Leone	Case management system	2015
Indonesia	System to monitor legal aid reimbursements (Ministry of Law and Human Rights)	2014[10]
Various	Case management system (Namati)	2013
South Africa	Case management system (NADCAO)	2012
South Africa	Case management system (CCJD)	2000

In many instances, these developments form part of a broader trend of change management within organisations, often linked to efforts to improve overall organisational efficiency and effectiveness. Organisations are going beyond simply introducing technology, and attempting to use the additional data created through using technology to reshape their processes as a whole. Namati's Vivek Maru highlighted this trend: "Ourselves, we are in the process of trying to make this loop from having information coming in to having it inform our advocacy. That is still something that we're working on every day."[11] This represents an opportunity for sharing experiences between Shared Framework members to identify promising approaches. This report aims to contribute to this process.

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10 For national system; regional offices previously had separate systems.
11 Carnegie Endowment, "Can Legal Aid Change Power Dynamics? Experiences from India, Sierra Leone, and Elsewhere", October 2017, http://carnegieendowment.org/2017/10/27/can-legal-aid-change-power-dynamics-experiences-from-india-sierra-leone-and-elsewhere-event-5720.

COMMON PROCESSES IN CASE MANAGEMENT SYSTEMS

Three overall types of process were present in all case management systems described by interviewees: data collection, data validation and data analysis. However, there were also significant differences between these processes according to the country, the background of the organisation that built and maintains the case management system, and the environment in which the interviewee was working. For example, a sophisticated solution that could advance one organisation's work might be inappropriate for another because of infrastructural constraints, while the need to collaborate with intermediary organisations or government institutions that already have case management systems might be strategically incompatible with the introduction of a new system that offers efficiency or usability improvements.

This section describes key similarities and differences between these systems, to identify areas where broader lessons can be shared between Shared Framework participants, and areas where contextual differences may limit opportunities to do so.

DATA COLLECTION

Similarity
In most countries, data about individuals' interactions with legal advice and support services is collected by community paralegals, who document a broadly similar set of information.

Difference
Case management data intake forms are highly standardised in some countries and vary significantly between organisations in others. In some countries, a wide range of legal support organisations are using entirely separate forms, whereas in others, a single organisation is providing legal support using a uniform, standardised system.

Difference
Data is transmitted and entered into case management systems in ways that differ radically according to connectivity, geographic distance between offices, and staff access to and experience with technology.

A community paralegal, attorney or legal advice provider typically starts engaging with a client in person or by telephone, and then completes a form (or series of forms). These forms usually include a broadly similar set of data and categories. The person initially dealing with the client is usually responsible for deciding how to assign cases to categories, although in a small number of cases these decisions are more likely to be made by lawyers or supervisors of legal aid organisations. The table below outlines the most common types of data that organisations collect:

INTAKE INFORMATION			ACTIVITY LOG
DETAILS OF CLIENT	CASE DETAILS	CLIENT ENGAGEMENT WITH LEGAL EMPOWERMENT ACTOR	ACTIONS TAKEN BY LEGAL EMPOWERMENT ACTOR
Identifying information (name, ID number, gender, date of birth) **Contact address** **Phone number** **Demographic information** (religion, nationality, occupation) **Occupation** **Income**	**Type of case** (criminal/civil) **Category of case** (eg domestic abuse, housing) **Narrative description of case**	**Distance from actor**, mode of transport used to reach actor, and/or time taken to reach actor* **How client learned of actor*** **Actor that referred client** (if any)*	**Date of intake** **Narrative report** of actions taken **Tools used** (mediation, distribution of resources, referral to other services) **Institutions engaged*** **Tools and resources used** **Status** **Result** (if resolved)

In some instances, these forms are standardised, as in Sierra Leone, where civil society organisations and the Justice Sector Coordination Office (JSCO) collaborated to agree on the basis of a common case intake form that is used nationwide. In other countries, forms vary significantly between legal aid providers - as in South Africa, where there are more than 300 community advice offices and no common data intake form.

The ways in which data is collected also varies significantly between countries. Data on activities can be submitted by telephone call to a regional office (as in Mongolia), by posting a paper form (as in Mongolia and Sierra Leone), or by photographing a form and sending a picture of it to an office over WhatsApp (as in some cases in Sierra Leone and South Africa). In other cases, a paralegal enters data directly into a case management system, either by inputting it into a web-based platform (as in Moldova) or via a dedicated software application designed for a smartphone or a tablet (as in Namati's programme in Mozambique).

The quality of infrastructure available to support case management systems is a key factor in all countries, with poor connectivity and limited access to data and hardware frequently compelling organisations to rely on less sophisticated technological solutions. Notably, almost no systems allow users to input data when internet access is unavailable. As one interviewee in Sierra Leone suggested: "It's been a good thing for us having hard-copy case forms; they can be easily accessed and submitted. Had we depended on an internet-based system, it would have been difficult." Even where internet is available, providing it on a regular basis can be expensive, as with the tablet- and mobile phone application-based systems described in South Africa. There are also significant costs involved in providing technical support to maintain hardware such as computers or phones.

The case management systems that interviewees described were either self-hosted (as in the case of the YLBHI, which runs data off a server in each of the 15 offices), or hosted by a partner organisation (for example, Legal Aid South Africa hosts NADCAO's case management system on its own servers).

No participants in the Shared Framework were using cloud-based servers to host data, although Namati's Salesforce implementations for its country teams involve hosting data on Salesforce's cloud-based server.

VALIDATION

Similarity All data entered into case management systems is validated by at least one person before it can be used in analysis.

Difference The profile and experience levels of the person responsible for validating the data varies according to country. A data clerk based in a regional office is responsible for doing so in some instances, while an evaluation officer in an organisation's national headquarters or an attorney may do so in others.

Difference Some organisations verify or follow up on data entered into case management systems, while others do not.

Before being used for analysis and advocacy, data is typically validated by at least one person. The identity of this person varies according to the system used, and depends on the size of the organisation, the institutional context of justice provision in that country, and the validation activities that they are required to undertake. For example, Legal Aid South Africa's system requires an attorney to approve a report before it can be finalised, whereas systems in Indonesia and Moldova require a supervisor in a regional office to validate and/or enter a report into the system before it can be finalised.

Most interviewees described systems that require one level of validation, although in a small number of instances a second level of verification takes place, to check particular claims and cases either via collecting supporting data through other means (as with Legal Aid South Africa) or through on-site visits to monitor practice (as with the JSCO's work in Sierra Leone). Interviewees said that the validation process often highlights problems with data quality such as inconsistencies in the data, or incomplete case forms.

Notably, in several cases data is transferred between offices in the form of emails, with spreadsheets containing the data added as attachments. These data transfer methods could place client confidentiality at risk, particularly if unencrypted data is transmitted over email, or if data about clients' cases is shared on WhatsApp groups with members who then pass the data on to others.

ANALYSIS

Similarity All case management systems output content in a spreadsheet-based format, with staff then conducting the analysis manually - typically in Microsoft Excel.

Difference In some countries, data is collected and analysed on a monthly basis, whereas in other countries, analysis only happens biannually or annually because of delays in accessing or submitting data.

Difference The complexity of analysis varies in different organisations, according to staff experience with analysis processes and access to software.

In the case management systems described by interviewees, analysis was almost exclusively done manually. Most case management systems did not appear to be based on databases that are easily queryable, but instead include a functionality to export data in CSV[12] format. As such, staff typically export the data in this way and conduct the analysis in Microsoft Excel (ranging from simple charts to pivot tables) and, in a small number of cases, using statistical analysis software such as SPSS. Interviewees often felt that there was potential for them to do more regular and more effective analysis, but that the systems they are using are not well-suited for this purpose. This was partly linked to the fact that the systems described do not allow real-time access to data as it is submitted, but usually require regional offices to download and send data on their own initiative.

This is an interpersonal problem as well as a technological problem: one interviewee in Indonesia described having to send regular monthly emails reminding offices to submit data. In some countries, it is more common for paralegals to input data on paper which is then entered by a data clerk at a later date, and analysed at quarterly or even yearly intervals. As one staff member in Sierra Leone put it: "We were thinking about real-time data collection, with geographic information - but we had to bring our expectations down a bit." Typifying this approach, an interviewee from Namati suggested: "Many of the case management systems that exist aren't well-adapted to what we do: the ease of analysis and aggregation is lacking."

Another interviewee with experience of case management systems in a range of countries said: "My biggest disappointment is that lot of data is being collected, but it's less common to find an organisation using data in a rich way." Automated analysis, alerts or document assembly features were not present in the systems described by interviewees, with the exception of Namati's case management system, which uses the Salesforce platform. This incorporates dashboards that automate some elements of analysis, as well as automated notifications that are designed to flag cases that require different types of attention (such as a stock out of an essential medicine in a health facility).

RESPONSIBLE DATA AND CASE MANAGEMENT

Organisations working on legal empowerment collect a wide range of types of data about their clients, ranging from national ID numbers to details of cases. Client data about specific clients and their cases is often highly sensitive, subject to data protection regulations and difficult to share (as even other legal aid organisations may be prohibited from seeing it because of potential conflicts of interest.) Although creating aggregate data usually involves removing personally identifiable information such as names and addresses, it may be technically be possible to combine it with other sources to reidentify individuals.

Separately, organisations using cloud services to store or process legal data that are not designed explicitly for this purpose raises questions. Because cloud providers have access to the data, putting client data on a cloud service is the same as disclosing client data to them (known as the third-party doctrine). In a separate concern, a cloud provider might inadvertently hand over data in response to a subpoena that is protected by attorney-client privilege.

This report did not seek to assess organisational security threats, and interviewees rarely described concerns of this nature. However, one pointed out that in Indonesia, legal advice offices can have antagonistic relationships with groups such as the police, and that these offices had expressed

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12 Comma Separated Values, a file format that stores tabular data in text format and is suitable for use in Microsoft Excel and data analysis packages.

concerns about security directly. An assessment of responsible data issues in the collection and use of client data could help to identify threats and mitigating strategies in future.

CULTURE AROUND USING THE USE OF LEGAL DATA

Interviewees were generally aware that the systems they used often contained highly sensitive data, and understood the importance of collecting and storing it in a responsible way. However, they also referred to some practices that could allow others to access data, particularly if it is transmitted over unencrypted email, or if data about clients' cases is shared on WhatsApp groups. In some cases, this had manifested in reluctance to collect and share data on specific topics, such as clients' salaries.

Given the sensitivity of the data that is being collected, any breaches that result in other actors gaining access to the data could severely affect an organisation's relationship with the people it aims to help. This is particularly important in cases where clients have built up relationships with community advice offices over time, and are less trusting of new systems or organisations that they do not already know. In South Africa, various interviewees described experiencing suspicion of data collection. As one put it: "'We have resistance from people who say 'data is power' and ask why they have to give information. We explain why it's important, but they feel like we are getting the data for ourselves. It becomes political." After using students to conduct a survey to gather information about a new system, one South African organisation found that people were reluctant to talk them, because they preferred to trust paralegals that had established links in their community: "they know us: we know that they're doing this to help us." This highlights the importance of gaining informed consent from clients about the way in which their data will be processed and managed.[13]

PRIVILEGE AND CONFIDENTIALITY

When discussing sharing and publishing data, interviewees stated that the data they collected was aggregated to a degree that made it less sensitive, usually describing processes that involved removing the name, address and identification number of a client before sharing it. However, even small amounts of data about an individual can be enough to identify them when combined with other available datasets. In many cases, there is highly likely to be a party with an adverse interest in finding out legal advice given to a client (or even the fact that a client is getting legal advice) and using it to directly harm a client (for instance, moving faster on an eviction, physical intimidation). It might also be possible to search public court databases for dates and attorney names to identify an individual, or use other data sources that are either publicly accessible or commercially available through data brokers (known as 'the mosaic effect').[14]

When using technology solutions for case management, particularly with marginalised groups, organisations should consider how using these systems affects their ability to build or strengthen relationships of trust with individuals. This presents an opportunity for Shared Framework participants and other organisations. Overall organisational security practices could be strengthened, for example through building understanding of good practice when managing client data. Together, they can conduct a more in-depth assessment of the risks of collecting and managing data about clients' cases; identify strategies for mitigating these risks in different contexts; and share ways of explaining to people that data about them is being collected and managed responsibly.

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13 For more on this, visit https://responsibledata.io
14 See, for example, http://wws.princeton.edu/news-and-events/news/item/mosaic-effect-paints-vivid-pictures-tech-users-lives-felten-tells-privacy

How are new case management systems selected?

SUMMARY

Most case management systems described by interviewees have been built from scratch, typically by developers based in their country.

Interviewees were not aware of existing case management systems suitable for use in environments like theirs, including with limited connectivity and access to power. This may indicate an overall lack of appropriate case management systems, highlighting the importance of accurately assessing users' needs when building or modifying technology solutions.

Interviewees considered three main factors when choosing technology solutions for case management: the ability of available infrastructure to support the solution in a cost-effective way; technical literacy among staff required to use the solution, and how appropriate the solution was for the particular context for which it had been chosen.
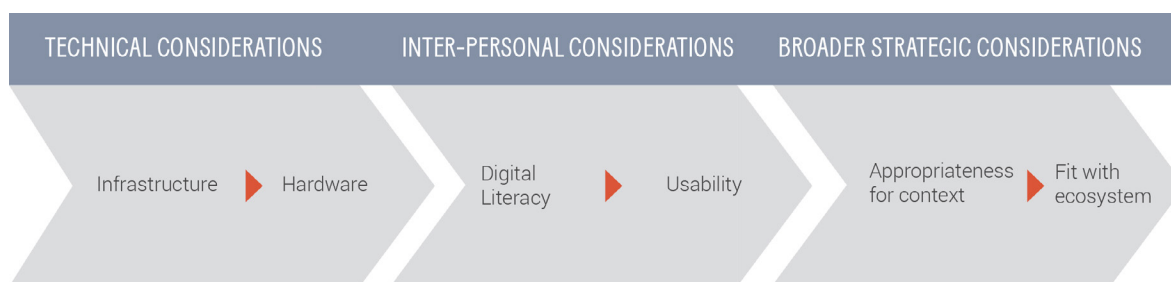
RECOMMENDATION

Consider taking a human-centred design approach to make careful assessments of user needs. As ensuring staff and volunteers adopt and use systems effectively is a key challenge for Shared Framework participants, understanding these individuals' technology needs in depth could help organisations to design or modify systems so that usability or access challenges are identified and mitigated in advance.[15]

Continue to prioritise case management systems that can be accessed by the largest number of people, while seeking methods of introducing more sophisticated technology solutions in a way that is appropriate to the needs of their intended users.

CRITERIA FOR SELECTION

Researchers asked interviewees what factors they had considered when deciding how to introduce a new case management system. Interviewees typically started by assessing what was technically possible, then considered the experience and abilities of the people they were working with, and, finally attempted to estimate how a new system would fit in a particular local context.

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15 See https://alidade.tech for an interactive guide to these techniques.

| TECHNICAL CONSIDERATIONS | INTER-PERSONAL CONSIDERATIONS | BROADER STRATEGIC CONSIDERATIONS |

Infrastructure ▶ Hardware   Digital Literacy ▶ Usability   Appropriateness for context ▶ Fit with ecosystem

These processes usually involved extensive consultations with a wide range of people and actors, including international perspectives from the Open Society Justice Initiative, other participants in the Shared Framework, and expert sources in each country, and included time for testing and iteration in response to feedback from users. The criteria developed as a result of these consultations are described in depth below.

INFRASTRUCTURE AND ACCESS TO HARDWARE

Connectivity - and the cost of maintaining it - was cited as a priority consideration in every interview. Unreliable internet access, frequent power outages, and patchy mobile phone network coverage were all raised regularly, and led in particular to suggestions that introducing new technology solutions may be more appropriate in cities than in rural areas. Access to hardware was often raised, too: for example, in Mongolia, some computers in regional offices are around eight years old, while other interviewees highlighted the limited number of computers in each regional office.

DIGITAL LITERACY

Another criterion people and organisations' ability to access technology is digital literacy: the extent to which they can understand and effectively use data and technology in their work. Many interviewees were concerned that limited digital literacy levels of staff and volunteers could constrain efforts to introduce new tools. As one interviewee put it in relation to Indonesia, "even the familiarity of even using computers is an issue sometimes [among paralegals], for example when it comes to inputting electronic data." In South Africa, one interviewee noted results from a survey conducted by NADCAO in June 2017, in which staff in many advice offices also said that they lacked the ability to use computers effectively.

Many interviewees highlighted the importance of starting with less complex systems in the hope that a wider range of people would use them effectively. A typical sentiment was: "We don't need a sophisticated system, [but] something that is very realistic that anyone can use." The reasons suggested for these digital literacy challenges varied. Some interviewees suggested that generational differences were responsible. "Most people in advice offices are old - for them, tech is a magic word," one interviewee from South Africa commented, noting that younger paralegals often take less time to adapt to new systems that requires them to use new technology-enabled methods such as mobile data collection. On the other hand, others suggested that challenges might be attributable to a general lack of familiarity with community-based justice work, noting that in Sierra Leone, paralegals with several years of experience are much less likely to report problems than paralegals who have recently begun offering community-based justice services.

Uncertainty about digital literacy led some interviewees to be cautious about introducing new processes: "We want everyone to be comfortable with data input first, so that we can help them understand why they are doing this work," said an interviewee in Sierra Leone. This also extended to some interviewees. As one said: "I am very far from understanding this tech thing. We need someone

who knows more about it and can help us." Effective technology selection and management can help to tackle this challenge over time, however. Human-centred design approaches and careful assessments of user needs can help organisations to design or modify systems so that even users with more limited experience working with digital tools can build their skills effectively. As one interviewee in Indonesia put it: "If we could use something more sophisticated, sometimes the user interface is better and it's actually more user friendly [for legal aid organisations and paralegals]."[16]

OWNERSHIP AND APPROPRIATENESS FOR LOCAL CONTEXT

Because of the need to ensure that systems are easy to use, and to encourage volunteers and staff to adopt them, interviewees said it is often important for technology solutions to be developed and managed by the same groups that are implementing them.

This was particularly common in South Africa, potentially because of the large number of organisations providing legal advice services on a range of specialised topics, and the accompanying need to capture different types of data in response to differences in geographical area, context and the types of issues that advice offices deal with. In other cases (such as Moldova, where the system was being implemented by the national legal aid council), this was because technology options were being developed together with institutions or government entities — often as part of a broader effort to institutionalise infrastructure and support for community-based justice services and legal aid. Elsewhere, this tendency was linked to a desire among organisations to retain ownership and control over their own systems.

For example, in Indonesia, the 15 regional YLBHI offices each had their own systems for collecting and processing data about their activities. When the organisation decided to create a single system that all 15 could use, YLBHI assessed various options, and decided to use a system developed by their Makassar office, which used a software developer local to the area. Although price was a key factor (for example, YLBHI's Jakarta office's system cost more to run on a month-to-month basis), interviewees said that the fact that this system came from within their existing network and had been created in the same context in which it would be implemented was also critically important. The interviewees also noted the importance for the organisation of having access to support from someone from the same country, who was already familiar with the issues they faced: "there's someone who already knows it."

More practically, other interviewees noted the importance of having systems that could display content in the relevant local languages and scripts. The YLBHI case management system developed in Makassar was also described as being more suitable because, unlike several other systems they assessed (which were only available in English), it can be used by people who only speak Bahasa Indonesia. In particular, Namati noted that multilingual capabilities are an advantage of using the Salesforce platform, which supports multiple languages and allows users with different language capabilities to review the same data. For example, Lusophone users in Mozambique can enter data into the system, while Anglophone users based outside the country can use the system in English to access analysis about cases without needing to understand Portuguese.[17]

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16 Note: interviewees' references to usability did not extend to questions of interfaces that were accessible for people with disabilities.

17 Languages that do not use Latin or Cyrillic alphabets can also cause problems for some case management and database packages, which may have trouble storing them. For example, fonts for languages such as Farsi and Oriya have only recently been standardised (or are not standardised at all).

AVAILABILITY OF INFORMATION ABOUT TECHNOLOGY SOLUTIONS

As noted above, it is most common for technology platforms or case management systems to have been developed from scratch, typically by a developer commissioned by the organisation or as the result of a partnership with another institution. Interviewees did not describe using any off-the-shelf software, whether designed for legal aid purposes or otherwise, besides Microsoft Excel and SPSS (a software package used for statistical analysis). Several interviewees directly stated that they were unaware of alternative solutions that they could assess, highlighting a possible lack of technology options that meet their needs (or easily accessible information about those options that exist). As an interviewee put it: "There might be free online software available, but that's not my expertise, so we had to go with the local contractor's recommendation."

Notably, in most cases, Shared Framework participants either recruited a technical consultant to help organisations implement a new system (as in Indonesia, where the Tifa Foundation provided a consultant to support YLBHI in the development of their case management system), or worked with technical consultants with an existing working relationship with a relevant institution (as in Mongolia, where the Open Society Forum recruited a consultant with extensive experience in the Ministry of Justice to give feedback on draft specifications for a new case management system).

Two interviewees said that they had looked for alternative options before making the choice, but could not find any that fully met their needs (options mentioned included Kobo Toolbox[18] and CaseBox,[19] both of which interviewees ultimately rejected because they required technical expertise to make modifications in areas such as case forms). Interviewees did not mention other case management platforms designed for legal services use cases, including Clio and LegalServer.[20] Namati noted that they had conducted a comprehensive review of available options in mid-2017, and concluded that, although they "don't see a system out there built for the kind of work [they are] doing," Salesforce remained the best option for them at this point.

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18 http://www.kobotoolbox.org/
19 https://www.casebox.org/
20 Systems available targeted at US organisations include Clio and LegalServer, while CyberJustice Laboratory's case management system is targeted at Francophone countries. Note that, as the basic steps and taxonomy of a case may vary from country to country, an off-the-shelf solution may need more configuration than it offers. See: https://lsntap.org/content/case-management-system-review-and-rating

How are case management systems introduced and maintained?

SUMMARY

Digitising case-management processes is time- and resource-intensive.

The most commonly mentioned challenge hampering the adoption of technology in organisations' work is enabling paralegals and organisations to collect and submit data regularly, accurately and promptly.

Identifying incentives for using new case management systems - such as reducing the time required to input data, or giving community paralegals easier access to data about similar cases that can help them do their work - may help to make systems more likely to be used regularly and effectively.

RECOMMENDATION

When introducing new case management systems, organisations should expect to invest significant time and resources, including in areas such as migrating content, providing training and providing ongoing technical support. This may save resources in the long run, even if it requires investment at the outset.

Identify incentives to encourage the adoption of case management systems. Promoting time-saving benefits or framing the system in terms of how it contributes to the organisation's overall strategic goals may also be a productive strategy.

Training sessions that provide ongoing support rather than one-off sessions may be more likely to help build up participants' confidence over the long term.

Organisations should ensure that they have at least one person with specific responsibility for ensuring that data is entered in a consistent, accurate way, and at least one person who can 'champion' for the system within the organisation, and build staff capacity to use and analyse the data themselves.

Organisations should ensure that technical support is readily available for staff, either remotely or (ideally) in-person, particularly at the inception of a new case management system or following significant changes to an existing person. If possible, the technical support provider should have an understanding of legal empowerment activities.

During interviews, organisations raised several factors that they felt had helped them to incorporate technology into their work effectively. Identifying and documenting these factors in more detail, in collaboration with Shared Framework participants and others, may be a step in this direction.[21] Interviewees also stressed that the process can take a considerable amount of time. Even the Indonesian Ministry of Law and Human Rights, which has made it mandatory for civil society organisations seeking reimbursement to use its web-based legal information system, pointed out that it took three years to transition to a web-based system.

INTRODUCING DIGITAL CASE MANAGEMENT SYSTEMS IS TIME- AND RESOURCE-INTENSIVE

One of the primary reasons for enthusiasm about technology among interviewees was the potential for new tools to save time and resources, both in organisational head offices and among frontline staff such as community paralegals.

This desire to work more efficiently usually stemmed from two common problems with paper-based case management systems. The first is the tendency for paper forms to become lost, remain unsubmitted, or contain unclear or inaccurate data. The second-most commonly referenced problem was the difficulty involved in transmitting and receiving data in a timely manner so that it can be aggregated for reference and analysis. For example, in Indonesia, one interviewee noted that prior to the introduction of a new system, some legal aid organisations had needed to travel for up to a day to submit data to a regional office, because of the lack of a reliable alternative way of transmitting data. All these problems significantly limited organisations' capacity to collate and analyse data on a regular basis, with some interviewees only able to undertake analysis procedures on a yearly basis.

Interviewees generally agreed that adopting digital case management systems had helped them to work more efficiently. However, collecting more, and more accurate, data inevitably entails investing time and resources. For example, adopting a new case management system can involve migrating data from previously completed cases (where data needs to be re-entered, re-classified and checked), establishing a protocol for adding new cases, and handling cases that are currently in progress and could be changed at any time. As one interviewee with experience of introducing case management systems in multiple countries put it: "Tech is not the hard part - it's the resources within the programmes to get value out of the data. You usually don't have enough human capital to oversee data collection, do data entry properly, and have the bandwidth to do good analysis."

Interviewees that had already introduced systems frequently said that the process had been time-consuming. In countries with longstanding traditions of community-based justice provision work (such as South Africa), some interviewees described experiencing reluctance from community paralegals with extensive experience with one set of procedures, because of perceptions that new tools would add unnecessarily to their workload.

This resistance tends to manifest in staff and volunteers failing to enter some data into the case management systems at all. In Indonesia, one interviewee noted that in the first year of the YLBHI case management system's operation, one-third of the 95 variables included on the data intake form were left blank in almost all cases.[22] In Sierra Leone, interviewees said that the supervisors who were responsible for validating and entering data sometimes did not enter it at all.

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21 In the US, the LSC has published technology baselines which describe the basic levels of technology that they believe a legal aid office ought to have: https://www.lsc.gov/sites/default/files/TIG/pdfs/LSC-Technology-Baselines-2015.PDF
22 The interviewee did not state what kind of data these uncompleted fields typically contained.

TAKE TIME TO UNDERSTAND USERS' DAY-TO-DAY WORKING REALITIES

Interviewees typically suggested that this was because there were not enough clear incentives for people or organisations to change their standard working patterns. This was a particular problem in situations where the person collecting the data does not have a direct accountability relationship with the organisation managing it. In South Africa, for example, CCJD directly employs paralegals and is thus able to require them to submit data in a given format, whereas NADCAO is trying to motivate offices to undertake voluntary reporting of the data they collect.

Interviewees suggested that this process was even harder when requests to adopt a new system come from outside the organisation. In South Africa, one interviewee who had been involved in a series of discussions with community advice offices said: "People don't like to be policed - they don't see why they should provide data to you. In my experience, it's a very hard sell." In some contexts, interviewees suggested that this could be linked to concerns about funding and competition: "Maybe they think that if data is shared it might be used by others [to gain funding]."

Interviewees noted that problems were most common when people have already become accustomed to a set routine, and are now being asked to change it to conform to a new system. As one interviewee in Indonesia explained: "Usually [legal aid providers] finish the case, and write the report and analyse it much later. Now, they have to do it daily. It's new, and that's the challenge that the the offices face." Several interviewees pointed to a perceived conflict between the increased amounts of time required for data collection, entry and monitoring, and the time available for engaging directly with clients.

More research with users would help to understand the prevalence of these concerns, and help to identify ways to mitigate them. For example encouraging someone to type notes into a case management system might be tackled by making it easier for that person to access and search their notes later, and demonstrating to them that this can save them time in the long term. Identifying country-by-country examples of such opportunities is beyond the scope of this report, but would be a valuable exercise to undertake in the future.

TRAINING

The training provided for users varied in style of delivery, intensity and regularity. As well as increasing participants' ability to use the relevant software effectively, some interviewees (such as NADCAO) said that they also use training sessions to assess users' needs and identify areas for potential adjustments. Training sessions generally involve trainers travelling to regional centres, and can take several forms:

• **One-off trainings**: these are typically provided in a series of one-to-three sessions.

• **Programmes of repeat trainings**: usually on recurring issues such as ensuring the quality of data collected.

• **Online trainings**: these are often provided in conjunction with the training sessions above, and are conducted with organisations that have a sufficiently strong internet connection.

In most cases, training sessions are facilitated by staff with responsibility for collecting and analysing monitoring data: for example, the JSCO in Sierra Leone has two monitoring and evaluation officers who conduct trainings every three-to-four months and provide on-demand support on telephone

calls. In a smaller number of cases, trainings are facilitated by external consultants. In general, many technology support organisations find the most effective format for training sessions to be involving participants in situations similar to ones they will face in reality, while providing support over a longer period of time (particularly because participants tend to find it more challenging to retain information from one-off training sessions).

INCENTIVES FOR ADOPTING NEW TECHNOLOGY SOLUTIONS

Interviewees cited the following tactics for encouraging users to adopt use new case management systems:

Framing the introduction of technology in terms of overall strategic improvement. In many cases, the new systems described involved collecting new types of data, in larger quantities. The challenge that follows, as one interviewee put it, is "to get them to value the data, and see how useful it is for their organisation's capacity growth." Some organisations have attempted to approach this by explaining how more effective client data collection can give access to better aggregate data, which then helps support the organisation's overall sustainability.

For example, in Indonesia, representatives from funders including the Asia Foundation and the Tifa Foundation gave presentations to legal advice offices to highlight that "you can get more donors if you have good data. That's already been proven by some offices, like Jakarta city's YLBHI office, which uses their data as part of an advocacy bid to the government." As well as highlighting the way in which funders like to see data about legal services provision, interviewees also said that they tried to make the case for collecting and analysing data in a way that was useful in advocacy to funders.

Increasing users' day-to-day familiarity with data and demonstrating how it could practically improve their work. In this respect, interviewees suggested that it was helpful to introduce test-case scenarios "where you can actually prove things: once you can show them the benefits, such as 'statistics we can give to you that you can give to your stakeholders,' they can buy into the whole process." Others suggested ways of demonstrating the impact of documenting cases more accurately that did not involve statistics. For example, CCJD said that they ran more than 20 trainings with their paralegals, taking time to understand how they understood the data they collected. In one example, they selected two to three case reports from each paralegal, conducted only minimal editing, published it in print and then gave copies to each paralegal so that they could see how cases were recorded. According to the interviewee, "they really liked that, and started recording more because they could see that we were picking up on it."

HUMAN RESOURCES

Interviewees often noted that the presence of enough adequately qualified staff is critical when introducing or modifying technology solutions. Specifically, this involves the inclusion of **at least one person who carries the responsibility for checking and validating data**: this person is sometimes an external consultant who is also responsible for general technical maintenance, and sometimes a dedicated staff member (usually based within a regional or national office).

Separately, four interviewees suggested that there is a need to designate one person as **responsible for ensuring that the system's functionalities continue to meet the organisation's needs**, particularly because organisations are likely to have to adjust systems on a regular basis (for

example, by adding additional data fields to a case management system to capture additional data on an emerging trend).

It is common for organisations to hire external consultants to provide support in these areas, in part because of a perceived lack of technical capacity to implement them successfully themselves. As one interviewee that works with various civil society organisations in Indonesia said: "We encourage civil society organisations to hire a person who does these technical things. They are lawyers - they need help to use this IT." One interviewee, with several years' experience as a consultant, noted that they had often seen organisations experience problems when the one person in the organisation with experience and knowledge of a particular technology system left, because the rest of the organisation lacked comparable experience. This highlights the importance of creating strong technical documentation about a system, and of building up a broad base of technical understanding in an organisation - even if this may take more time and resources in the short term.

Until 2016, Namati predominantly worked with a consultant who was responsible for implementing and providing training on systems introduced as part of their programmes. They have since recruited a dedicated staff member with responsibility for these systems, noting that "it has been a huge change to have an in-house expert" because of their understanding of both the technology options and interpersonal relationships within country teams. Interviewees also noted that the systems they were working with needed to be adjusted and refined in constant feedback loops, particularly in relation to the redesign of data fields.

PROMISING INITIATIVES

Although this report does not focus on the use of technology to inform people about their rights and help them access legal advice independently, several interviewees mentioned the potential of solutions such as the Indonesian Ministry of Law and Human Rights' Legal Smart Channel application - which provides information and tips on issues such as reporting domestic violence in a way that is designed to work well on an Android mobile phone[23] - and videos and games such as those by the US-based New Media Advocacy Project, which displays videos in court waiting rooms,[24] and NuLawLabs' games that teach people about how to file a case.[25]

In relation to case management specifically, interviewees were particularly positive about the use of mobile phones to collect and view data. In Sierra Leone, WhatsApp was widely used to send and receive data on cases, which was entered separately into a case management system, while Namati's use of Salesforce allows them to use the associated mobile application (app) to review data on other similar cases while in the field, or enter data while offline. Other experimental systems (as with the development of an app to allow South African community advice offices to input data using smartphones) are still being tested. In general, interviewees were keen to prioritise improving the three basic processes in case management systems - data collection, validation and analysis - over and above efforts to introduce more advanced technology solutions.

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23 http://lsc.bphn.go.id/
24 http://www.newmediaadvocacy.org/
25 http://www.nulawlab.org/

Conclusion

Generally, interviewees felt that many actors in the legal empowerment field were at a point at which they could review early progress on the incorporation of technology and data-focused ways of working, and think critically about how to do so more effectively in future. This was visible in renewed efforts to encourage collaboration both within countries and internationally, and a desire to develop a shared understanding of how to address challenges and identify opportunities.

Implementing an effective technology solution to improve case management requires organisations to make substantial investments in time and resources. Despite this, there is cautious optimism about the potential benefits of technology among all interviewees. Many felt that the greatest opportunity lay in the potential for case management systems to improve the monitoring of activities and identify trends - such as types of cases that are becoming more common, patterns in activity in a specific region, or the time a paralegal takes to respond to a case.

Interviewees often said that it was important for them to consider how a new system could encourage collaboration between organisations; create a more coordinated advocacy approach to amplify groups' voice at national and provincial levels; and help to bring about greater conceptual clarity about monitoring and evaluation metrics. In several countries, notably Mongolia and the United States, interviewees were thinking about how technology can be used to encourage a larger range of actors to provide access to justice, such as through involving actors from other sectors, such as nurses or librarians, in providing advice.

This, they suggested, could bring about a more updated and comprehensive picture of activities over time, thereby contributing to the development of approaches that respond more effectively to justice needs in a particular context.

ANNEX A
Country-specific processes

SIERRA LEONE

DATA COLLECTION

When a paralegal from the National Legal Aid Board takes on a case, they complete three copies of a paper-based form laid out in three sections: case intake, case activity log and case resolution. They then send one of these three copies to a district office (typically located in a peri-urban town) to be entered into the case management system. In some cases, where paralegals find it difficult to submit hard copies of case forms, they use mobile phones to photograph the form and send it to a supervisor over WhatsApp. These WhatsApp messages sometimes included audio and video recordings and pictures related to the case in addition to the notes from meetings with communities.

CATEGORISATION AND VALIDATION

Paralegals are responsible for categorising the type of case on the form, such as economic injustice (e.g. a land dispute), abuse by the authorities (e.g. corruption by formal government) or social infrastructure issues (e.g. agriculture development). These categorisations, as well as general checks on the accuracy of the data and the quality of the case description, are checked by a supervisor in each district of the country — typically the head of a civil society organisation coordinating paralegals' work — before the case is added to the national case management system. In some scenarios, a supervising lawyer also gives input in situations where legal advice is needed on the classification of a case. After data is entered into the case management system, it is reviewed by one person in Freetown, who cleans the data, and asks clarifying questions to ensure its accuracy. This case classification system was developed over time, with the help of consultations with various civil society organisations that support justice services.

The JSCO is currently training a team of clerks who will have specific responsibility for entering and validating this data. The Open Society Initiative for West Africa (OSIWA) and the international organisation Namati also conduct joint in-person visits to support paralegals in entering data, while the JSCO also conducts independent visits to assess if data is being captured and stored correctly.

ANALYSIS

Analysis typically focuses on tracking what paralegals are doing, and patterns in types of cases and client demographics, to create evidence to engage policy-makers to prioritise areas for reform. The JSCO is currently responsible for analysing data submitted to the case management system, which can be downloaded in .csv format. The analysis is currently conducted by monitoring and evaluation officers using Microsoft Excel, as well as some more detailed queries in SPSS. In the long term, the

JSCO hopes to allow other institutions to analyse the data themselves and create their own reports (at this point, other institutions do not have access permissions to the system that would allow them to do so).

MOLDOVA

COLLECTION

Paralegals in Moldova complete monthly reports, in which they write details of their cases as well as other data of the types described in the table above. Paralegals directly enter this information into an online system provided by the National Legal Aid Council (NLAC), which is currently being redesigned because of perceptions that the data it produced was overly complicated and difficult to analyse. The new system, which can be accessed over a browser, is designed to allow paralegals to access information about similar cases that can inform their decision-making.

VALIDATION

Once data has been inputted into the system, it is validated and reviewed by staff in the territorial office of the NLAC (the administrative headquarters for each sub-region).

ANALYSIS

Analysis focuses on identifying trends in the types of cases that people face, to provide evidence that supports advocacy to the government for policy reform. The system currently being tested will include functionalities that allow more detailed analysis, such as aggregate statistics for activities in specific locations, or according to types of case (which are not available in the current version).

INDONESIA

COLLECTION AND VALIDATION

The YLBHI's case management system collects data on four forms. When a person enters a YLBHI office asking for assistance, they are received by paralegals, who fill out on the first two forms, collecting information about the client and the issue they face, and conducting means-testing to assess if they are eligible for support. Paralegals then deliver an assessment to the head of each legal aid office to allow them to assess whether the case meets YLBHI's criteria and should be given to an available lawyer. During the case, lawyers input the second two forms: data (entered into an activity log form), followed by case analysis (looking at questions including the resolution of the case and factors such as the behaviour of police and the treatment of the legal aid lawyer). Legal aid offices then either input data directly into the system or send the YLBHI office a paper copy of the forms, which will then be manually inputted into the case management system in separate offices, each of which hosts a separate version of the same software on a server.

Separately, the Indonesian Ministry of Law and Human Rights collects evidence from legal aid organisations to verify whether they are eligible for reimbursement from the government. This system allows organisations to upload photographs of court documents (taken on a smartphone or with a regular camera), which are then read, verified and transcribed into a legal information system by Ministry staff in regional offices. After this point, it is sent to the Ministry's finance office, which

completes the process by transferring money to legal aid providers.

ANALYSIS

The YLBHI system creates a CSV output of the data collected through the system, which each of the 15 offices submits to the national office in Jakarta. All 15 datasets are then manually compiled into one dataset, and then analysed using Microsoft Excel and SPSS. Interviewees noted that there was potential to automate this process, but that it is currently conducted manually because of bugs in the system.

SOUTH AFRICA

COLLECTION

Interviewees said that all community advice offices collect data about their cases in some form, and that the methods for doing so range in sophistication from a log-book to a database system. As mentioned above, there are more than 300 community advice offices in South Africa, many of which have their own data intake form - with the data collected determined by the type of issues on which each office focuses (such as labour rights or support for sex workers). Notably, NADCAO is currently negotiating with a range of partners to gain agreement on a common set of data fields across various organisations.

In recent years, NADCAO has been collecting data by visiting offices in person with a data capturer, aiming to speak to the person who has written the case forms. The interviewee noted that in some cases, because of the involvement of large numbers of volunteers, the writer themselves may no longer be there, in which case NADCAO will ask the head of the office for clarifications. In other cases, workflows were described as being more standardised: with services provided by Legal Aid South Africa, an attorney is often responsible for inputting initial case intake information, which is then taken back to the office and entered into their case management system.

Community advice offices collected data in multiple ways: NADCAO, for example, allows them to fill out paper forms and send pictures of them to the Johannesburg-based civil society organisation Probono.org, where their data clerk enters data and shares it with their data analyst. Probono.org also provides tablets to the five offices it works with, which allow paralegals to enter information directly as well as using a WhatsApp-based system.

Legal Aid South Africa, meanwhile, uses a case management system as the basis for all its activities (with around 85% of all data being entered directly into the case management system), as well as a dedicated web application for projects on specific issue areas that allows users to input additional data relevant to the topic.

VALIDATION

Validation and approval systems also varied significantly between organisations. Information is submitted by a paralegal once every month, where it is checked by a monitor before being inputted (as in the case of CCJD). In other cases, data is submitted at different intervals - for example, as with the WhatsApp data entry system described above.[26]

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26 Note: Interviewees did not specifically mention conducting a conflicts check before starting a case intake form, although they were not asked about this issue either.

Legal Aid South Africa described a different type of workflow; each case goes through an approval system conducted by monitors in the national office, where it is allocated to an appropriate attorney, and updated with a progress report reporting on outcomes and time spent by the attorneys.

ANALYSIS

South African interviewees displayed a particularly broad range of procedures for conducting analysis. One interviewee described having to download each case as an individual file because of the lack of a functionality to analyse and summarise the data. Another interviewee described asking their technical consultant to extract statistical summaries of the data from their database and share with them for analysis, while, at the other end of the spectrum, Legal Aid South Africa has a team of around 10 people analysing data using both Microsoft Excel and SQL queries. In most cases described in the interviews, data was being analysed in Microsoft Excel.

MONGOLIA

In Mongolia, approaches to case management systems differed from those in other countries, with data primarily being collected so that the Ministry of Justice can document the activities of public defenders across the country. Public defenders typically submit data once every month, using paper forms that are sent by post, or by telephone. The Open Society Forum is currently working with the government by providing a consultant to give technical feedback on specifications for a new system, which is scheduled to be launched in 2018. (At the time of writing, the government has yet to make a decision as to that whether they want a program developed from scratch, or a system run by the same private technical provider used by other government departments.)

ANNEX B
Glossary of Terms

API: application programming interface. These allow data from one system to be easily and automatically read by another system.

CCJD: Centre for Community Justice and Development in South Africa.

CSV: Comma Separated Values, a file format that stores tabular data in text format, suitable for use in Microsoft Excel and data analysis packages.

JSCO: Justice Sector Coordination Office in Sierra Leone.

Legal empowerment: Legal empowerment uses a range of approaches to achieve its goal of making the protections of the law accessible to ordinary people. These range from improving institutional processes such as grievance mechanisms, to helping people find solutions to their own legal problems through providing accessible information on the law and remote or in-person legal advice.

NADCAO: National Alliance for the Development of Community Advice Offices in South Africa.

NLAC: National Legal Aid Council in Moldova

OSIWA: Open Society Initiative for West Africa.

VoIP: Voice over Internet Protocol. A type of technology that allows for the delivery of voice communications and multimedia sessions over Internet Protocol (IP) networks, such as the Internet.

YLBHI: Yayasan Lembaga Bantuan Hukum Indonesia, the Indonesian Legal Aid Foundation.

ANNEX C
List of interviewees

The following interviewees, working on legal empowerment initiatives from Indonesia, Mongolia, Moldova, Sierra Leone and South Africa, agreed to have their name included in this report.

NAME	ORGANISATION
Anggara Suwahya	Justika
Badamragchaa Purevdorj	Open Society Forum Mongolia
Boroto Ntakobajira	National Alliance for the Development of Community Advice Offices in South Africa
Claire Carlton Hanciles	Legal Aid Board Sierra Leone
Donny Ardyanto	
Erin Kitchell	Namati
Dr Henry Mbawa	Justice Sector Coordination Office in Sierra Leone
Josephine Scott-Manga	Justice Sector Coordination Office in Sierra Leone
Kyanyisile Ntsenge	Open Society Foundations South Africa
Kristomo	
Liz Keith	Pro Bono Net
Mark O'Brien	Pro Bono Net
Matthew Burnett	Open Society Justice Initiative
Maxwell Abbott	Consultant for the Open Society Justice Initiative

Mia Schmid	Namati
Micah Perlin	Independent consultant
Nancy Sesay	Open Society Initiative for West Africa
Natalia Camburian	Soros Foundation Moldova
Peter Chapman	Open Society Justice Initiative
Rupert Roos	
Soyol-Erdene	Independent consultant
Sumaiya Islam	Open Society Justice Initiative
Winnie Martins	Centre for Community Justice and Development in South Africa