The author(s) shown below used Federal funding provided by the U.S. Department of Justice to prepare the following resource:

**Document Title:** What Constitutes Success? Evaluating Legal Services for Victims of Crime, A Formative Evaluation, Webinar, 2021

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**Document Number:** 304986

**Date Received:** July 2022

**Award Number:** 2018-ZD-CX-0004

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What Constitutes Success? Evaluating Legal Services for Victims of Crime
A FORMATIVE EVALUATION

Webinar: November ###, 2021

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Acknowledgements

This work was produced under grant number 2018-ZD-CX-0005 awarded by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this presentation are those of the contributors and do not necessarily represent the official position or policies of the U.S. Department of Justice.
The Partnership

Kris Lugo, Senior Research Associate at JRSA is the PI on the project. Many thanks to NCVLI along with the subject matter experts and pilot sites!
Webinar Agenda

Introductions

Background and Process

The Model: What Constitutes Success in Legal Services?

The Formative Process with 3 Victims’ Rights Enforcement

Legal Services Clinics

Lessons Learned and Reminders

Further Resources Available
Project Relevance

OFFICE FOR VICTIMS OF CRIME VISION 21
- Prioritized crime victims
- Emphasis on victims’ rights enforcement

LACK OF SYSTEMATIC EVALUATION
- What works
- Rights on paper vs. rights in practice
- Costs and benefits

LACK OF STANDARD OF CARE
- Roadmap for practitioners
- Best practices
- Standardized procedures

LACK OF PROGRAM EVALUATION
- Whether services are working
- How victims define a successful outcome

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Research Questions

1. How can “effectiveness” of a legal services program for victims of crime be defined?

2. What inputs, activities, outputs, and outcomes should be measured to evaluate the effectiveness of a legal services program?

3. What systems and data are needed to evaluate a legal services program?
Stage 1: Developing the Conceptual Model
What is a Conceptual Model?

**Conceptual model:** illustrates the pathways to achieving program outcomes

**Theory of change:** explains how program activities are believed to produce those outcomes

➢ **Why a Conceptual Model for Victim Legal Services?**
How do you build one?

DEVELOPING THE CONCEPTUAL MODEL

WHAT DOES "SUCCESS" IN VICTIM LEGAL SERVICE PROGRAMMING MEAN?
WHAT CLIENT OUTCOMES CAPTURE THIS SUCCESS?
WHAT ESSENTIAL ELEMENTS OR CHARACTERISTICS DEFINE SUCCESS?
WHAT CASE OUTCOMES CAPTURE THIS SUCCESS?
HOW IS SERVICE DELIVERY AND ORGANIZATION DESIGNED TO ACHIEVE THESE OUTCOMES?

QUESTIONS GUIDING JRSA, NCVLI, & ADVISORY COMMITTEE CONVERSATIONS

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Project Methodology

1. Interviews with Subject Matter Experts
2. Draft Conceptual Model
3. Survey to Subject Matter Experts
4. Revise Conceptual Model
5. Pilot Tests
6. Develop Research Framework
7. Site Visits
8. Finalize Conceptual Model
9. Roundtable with Subject Matter Experts

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Model Considerations

Outcomes are achievable for individuals

Objectives are ideals to strive for

This conceptual model is limited to legal services

Providers can customize the model

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High Level Model

**Program Activities**

**Criminal/Juvenile Legal Systems:**
- Formal legal representation such as entry of appearance and motion practice to protect rights
- Non-legal companionship & emotional support in court

**Civil Legal Systems:**
- Seek relief, damages, and/or protections for victims

**Administrative Legal Systems:**
- Seek expungement
- Assist with victim compensation, Title IX, immigration, etc.

**All Legal Systems:**
- Intake/needs assessment
- Keep victim informed
- Refer victims to appropriate social or health services
- Seek financial recompense
- Advance case law
- Public outreach

**Short-Term Outcomes**

**Victim/Survivor**
- Victims’ rights were advocated for and enforced
- Victim services delivered met victims’ needs

**Community**
- Communities are educated on victims’ rights/services
- Communities know where and how to seek help

**System**
- Courts: Precedents on victims’ rights set
- Attorneys: Uphold victims’ rights
- Law Enforcement: Trained on victim response
- Networks between all legal sectors established

**Long-Term Objectives**

**Victim/Survivor**
- Empowerment/self-efficacy
- Trust legal system to treat them fairly
- Functionally reintegrated into a community
- Financial Stability

**Community**
- Trust in legal system
- Support allocating resources to victims

**System**
- Responsive to victims’ needs
- Stronger process/outcomes because all views are heard

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Victims seeking to conserve what resources they have after victimization (material, emotional, mental, social)...

... may be assisted in doing so via trauma-informed legal services, with an attorney advocating on their behalf (underlying mechanism)...

... to achieve some measure of procedural justice (objective), even if the case outcome is not as the victim might hope (e.g., conviction).
Stage 2: Formative Work with 3 Victims’ Rights Legal Clinics

Oregon Crime Victims’ Law Center (OCVLC)
Maryland Crime Victims’ Resource Center (MCVRC)
Arizona Voice for Crime Victims (AVCV)
Formative Evaluation Process

- Develop Conceptual Model
- Site visits and interviews to learn about programs
- Create program-specific logic models, process flows
- Identify measures to collect outcome data
- Prepare data collection tools and reporting mechanisms
  - Client survey
  - Organizational data (CMS)
- Test data collection over pilot period
- Evaluate results, determine readiness for evaluation
Create Process Flows

- Referral
  - Self-referral
  - Other/external referral

- Intake Assessment (Advocate)
  - Case opened
  - Client needs assessment
  - Client eligibility for services
  - Conflict check

- Client Processing (Attorney)
  - Attorney case assignment (Executive Director)
  - Initial client consultation
  - Client representation agreement

- Client Representation (Attorney)
  - Full case review, notifications and evidence
  - Client meetings (+Advocate)
  - Court proceedings & appeals
  - Court accompaniment (Advocate)
  - Victims' rights enforcement

- End of Services (Attorney)
  - Client satisfaction surveys (Executive Director)
  - Termination letter
  - Case closed
  - Follow up (Advocate)

Client's needs outside scope of services
Client not eligible for services
Client conflict
Client opts out of services
Case closed
Exit Services/Referred Out

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Incorporating the Unexpected

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Steps in Analysis

**Purpose:** to assess data for utility for future evaluation

- Data Completeness, Validity, Reliability
- Conceptual Validity — does *this data tell us what we want to know*?
  - Including comparing multiple measures for same concept — *which ones work better*?
- Fidelity Testing — *will the data collected work to do it*?
- Evaluability Assessment

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Key Questions: Are these program ready?

Requirements for the effective conduct and use of evaluation:

1. Agreement on realistic program goals given its design, resources, and activities;
2. Agreement on criteria for measuring program performance;
3. Availability of data and information to measure program performance;
4. Ability and willingness to use evaluation results and agreement on how they should be used.

Lesson Learned #1

Lawyers/legal service providers and researchers are two buckets of service providers or two sets of experts.
Lesson Learned #2

Lawyers/legal service providers and researchers should have ongoing conversations.

Reminder
Lesson Learned #3

Lawyers/legal service providers may assess services in relation to the conceptual model to determine if the service or model needs adjustments during the evaluation process.
Lesson Learned #4

It is an iterative process that requires time to reassess the agency’s services and mission and the conceptual model to see where the agency fits and where it fits.
Outcome Eval Designs under Consideration

- Quasi-experimental designs using:
  - Propensity Score Matching or
  - Matched Comparison Groups
- Interrupted Time Series Design
- Pre-test, post-test

...further exploration to occur during process evaluation
... but what about the unexpected?

Did the model still work even while the COVID-19 pandemic changed the established service delivery processes AND the criminal justice system???
What Can You Use the Conceptual Model For?

- Program Design
- Program Evaluation
- Telling your story to stakeholders and funders

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Discussion
Thank you!

For more information:
- Visit www.jrsa.org/projects/legal-services.html
- Read and download additional resources

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Legal Services Providers

- **Criminal/Juvenile legal systems**
  - Provide legal representation
    - Promote victims' interests & desires
    - Protect/seek enforcement of victims' legal rights
  - Provide accompaniment & support in court

- **Civil legal systems**
  - Seek relief, damages, &/or protections for victims
    - Examples: protective orders, family law, housing & benefits advocacy, employer advocacy, collecting restitution, securing civil damages, defense against countersuits or misuse of legal system against victim by the defendant

- **Administrative legal systems**
  - Seek expungement & vacatur of records
  - Assist with victim compensation applications & appeals
  - Assist with Title IX enforcement/campus proceedings
  - Assist with immigration legal needs
  - Public benefits assistance
  - Re-entry assistance for victims who were incarcerated

- **All Legal Systems**
  - Conduct comprehensive victim intake/needs assessments
  - Keep victim informed throughout the case
  - Refer victims to appropriate social or health/mental health services, to internal personnel or other providers.
  - Maintain active networks with complementary legal providers & other victim service providers
  - File appeals, amicus briefs
  - Conduct public outreach & education on victims' rights/remedies
  - Document issues with implementation of victims' rights
  - Trainings for victim-involved stakeholders

Legal System in which each activity occurs can vary by state.

**All services are trauma-informed and culturally competent. Barriers are removed that would prevent access based on race/ethnicity, gender, disability, age, or English-speaking ability.**

Approach is victim-led. Victim decides what they want from available options at every step while expectations are managed.

**Program Activities**

- **Criminal/Juvenile legal systems**
  - Provide legal representation
    - Promote victims' interests & desires
    - Protect/seek enforcement of victims' legal rights
  - Provide accompaniment & support in court

- **Civil legal systems**
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- **Legal System in which each activity occurs can vary by state.**

**Program Outcomes (Short-Term)**

**Victim/Survivor Outcomes**

- Victim reports understanding their rights
- Victim reports having/understanding available legal options
- Victim reports being informed about status of case
- Victim reports being given clear expectations about processes & possible outcomes
- Victim reports feeling their views were represented
- Victim receives services tailored to their expressed needs
- Victim has financial & resource losses minimized
- Victim reports feeling protected from additional trauma due to legal participation
- Victim receives outcomes they perceive as just

**Community Outcomes**

- Communities are educated about victims' rights
- Communities are educated about victim options to seek legal & social services assistance
- Communities understand harms of crime

**System Outcomes**

- **Courts**
  - Case law developed
  - Courts are informed about victim rights
  - Victim rights enforced & victim rights violations reduced
- **Attorneys**
  - Legal actors in all sectors informed about victims' rights
  - Legal actors accountable for upholding victims' rights
  - Policy/practice in place for victim support referrals
- **Law Enforcement**
  - Law enforcement is informed about victims' rights
  - Law enforcement violations of victims' rights are reduced
- **Networks established/MOUs in place between legal sectors**
  - Education and outreach materials readily available

**Long-Term Objectives: Wellbeing for Victims/Survivors**

**Victim/Survivor Objectives**

- Empowerment & self-efficacy
- Increased trust in legal system to operate fairly
- Survivors & families integrated into a supportive community
- Improved/ restored financial stability
- Improved health and mental health
- Reduced vulnerability to crime

**Community Objectives**

- Communities believe that the justice system recognizes and enforces victims' rights
- More community members believe they will be treated well & fairly if they report crime
- Communities support use of resources/tax dollars to help victims & prevent crime

**System Objectives**

- Legal systems more responsive to victims' needs, providing a holistic approach to service provision
  - Strong, multidisciplinary collaborations & victim response procedures exist between all relevant legal & social services providers
  - All systems more trauma informed & responsive
- Legal systems stronger overall - all views (victim, defendant, state, and public) are represented & heard