



The U.S. Department of Justice, Office of Justice Programs, National Institute of Justice is seeking applications for an evaluation of the National Crime Victim Law Institute State and Federal Clinics and System Demonstration Project. This program furthers the Department's mission by sponsoring research to provide objective, independent, evidence-based knowledge and tools to meet the challenges of crime and justice, particularly at the State and local levels.

Solicitation: Case Study Evaluation of the National Crime Victim Law Institute State and Federal Clinics and System Demonstration Project

Eligibility

(See "Eligibility," page 4.)

Deadline

All applications are due **June 27, 2007, 11:59 p.m. eastern time.**

Contact Information

For assistance with the requirements of this solicitation, contact Carrie F. Mulford, Social Science Analyst, at 202-307-2959 or Carrie.Mulford@usdoj.gov.

This application must be submitted through Grants.gov. For technical assistance with submitting the application, call the Grants.gov Customer Support Hotline at 1-800-518-4726.

Grants.gov Funding Opportunity No. 2007-NIJ-1583

SL# 000795

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Case Study Evaluation of the National Crime Victim Law Institute State and Federal Clinics and System Demonstration Project

CFDA No. 16.560

Overview

The National Institute of Justice (NIJ) is the research, development, and evaluation agency of the U.S. Department of Justice (DOJ) and a component of the Office of Justice Programs (OJP). NIJ provides objective, independent, evidence-based knowledge and tools to enhance public safety and the administration of justice. NIJ solicits proposals to inform its search for the knowledge and tools to guide policy and practice.

NIJ is soliciting proposals for an evaluation of the National Crime Victim Law Institute State and Federal Clinics and System Demonstration Project (NCVLI Project). Since 2002, the Office for Victims of Crime (OVC) has funded the NCVLI Project to establish eight state clinics and one federal clinic to educate the legal profession about crime victims' rights and to aid in the enforcement of victims' rights in the criminal justice system. An evaluability assessment, funded by NIJ, recommended a case study methodology as the most appropriate design for determining the impact of the NCVLI Project. (See the appendix for copies of the individual evaluability assessments and contact information.)

Deadline: Registration

Registering with Grants.gov is a one-time process; however, if you are a first time registrant, it could take several weeks to have your registration validated and confirmed and to receive your user password. Start the registration process early to prevent delays that may cause you to miss the application deadline. You must complete these three steps before you are able to register: 1) Register with Central Contractor Registry (CCR), 2) Register yourself as an Authorized Organization Representative (AOR), and 3) Be authorized as an AOR by your organization. For more information, visit www.grants.gov. **Note: Your CCR Registration must be renewed once a year. Failure to renew your CCR registration may prohibit submission of a grant application through Grants.gov.**

Deadline: Application

The due date for applying for funding under this announcement is **June 27, 2007, 11:59 p.m. eastern time.**

Eligibility

In general, NIJ is authorized to make grants to, or enter into contracts or cooperative agreements with, States (including territories), local governments (including federally recognized Indian tribal governments that perform law enforcement functions), nonprofit organizations, profit organizations, institutions of higher education, and certain qualified individuals. Foreign governments, foreign organizations, and foreign institutions of higher education are not eligible to apply.

Faith-Based and Other Community Organizations: Consistent with President George W. Bush's Executive Order 13279, dated December 12, 2002, and 28 C.F.R. Part 38, it is DOJ policy that faith-based and other community organizations that statutorily qualify as eligible applicants under DOJ programs are invited and encouraged to apply for assistance awards to fund eligible grant activities. Faith-based and other community organizations will be considered for awards on the same basis as other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with all other grantees in the administration of such awards. No eligible applicant or grantee will be discriminated for or against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Faith-based organizations receiving DOJ assistance awards retain their independence and do not lose or have to modify their religious identity (e.g., removing religious symbols) to receive assistance awards. DOJ grant funds, however, may not be used to fund any inherently religious activity, such as prayer or worship. Inherently religious activity is permissible, although it cannot occur during an activity funded with DOJ grant funds; rather, such religious activity must be separate in time or place from the DOJ-funded program. Further, participation in such activity by individuals receiving services must be voluntary. Programs funded by DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion.

Applicants are encouraged to review the Civil Rights Compliance section under "Additional Requirements" in this announcement.

Specific Information—Case Study Evaluation of the National Crime Victim Law Institute State and Federal Clinics and System Demonstration Project

NIJ is seeking applications to evaluate the NCVLI Project. In 2002, OVC began funding the NCVLI to develop the State and Federal Clinics and System Demonstration Project. The primary goals of the NCLVI Project are to expand the enforcement of victims' rights in the criminal justice system and to educate legal professionals about the importance of victims' rights. Nine legal clinics funded under the project provide direct representation to victims on the enforcement of their rights in criminal court. NCVLI serves as an intermediary organization to these legal clinics. As the intermediary, NCVLI selects sites for funding, provides clinics with intensive technical assistance and oversight in the implementation and operation of clinic efforts and training, and hosts a cluster meeting of funded clinics.

Over the past 25 years, the victims' rights movement has helped to secure limited rights for victims to participate in the criminal justice process. All 50 States have enacted some form of victims' rights law, and 33 States have adopted constitutional amendments guaranteeing rights to victims. These rights are intended to protect victims and ensure that they are treated with dignity and equality. The right to receive notice (e.g., of sentencing or parole hearings); the right to be heard during various stages of the court process; the right to restitution; and the right to various victim protection laws (e.g., rape shield laws) are examples of victims' rights that are part of the legislation in many States. Jurisdictions also can vary significantly in the degree to which victims' rights are safeguarded and ensured.

In 2003, NCVLI provided funding to a State clinic in Arizona, followed in 2004 by State clinics in California, Maryland, New Mexico, and South Carolina. In 2005, State clinics in Idaho, New Jersey, and Utah, as well as a Federal clinic in Arizona, were funded. Clinic funding was provided to applicants in States where victims' rights laws were sufficient to provide a basis for sustaining and enforcing victims' rights. Evaluability assessments, however, suggest that an evaluation using a comparison group design would not be informative because of differing State laws and varying stages of clinic development.

Evaluations of the NCVLI Project should address the following:

- Has the enforcement of victims' rights improved in States or jurisdictions where clinics are operating? (For example: Are attorneys appearing more often on behalf of victims? Are more victim impact statements taken and read in court? Are victims more likely to receive notice of hearings and trials?)
- Does the amount of effort a clinic devotes to a particular region or target population result in a corresponding change within that region or target population? (For example: If a clinic places a strong emphasis and devotes a large proportion of resources to recruiting pro bono attorneys, is there a substantial pool of pro bono attorneys that can be called on when needed? If a clinic spends 75 percent of its funds and efforts working in one jurisdiction, has victims' rights enforcement improved more than in other jurisdictions in that State?)
- Has legislation changed in States where NCVLI clinics are operating?
- Has there been an increase in published opinions, motions filed, and case law related to crime victims' rights since the establishment of the NCVLI clinics?
- Have published opinions, motions filed, and case law become more supportive of crime victims' rights since the establishment of the NCVLI clinics?
- What are the characteristics of clinics or clinic models associated with positive change in the enforcement of victims' rights laws and education of the legal profession?
- How has awareness of victims' rights laws changed over time for victims, the public, and other criminal justice stakeholders?

- Has the number of pro bono attorneys trained in victims' rights law increased since the establishment of the NCVLI clinics?
- Do law students who were involved with NCVLI clinics continue to participate in victims' rights cases?
- How have case referral sources and the case selection processes changed over time?
- What were some of the facilitating factors and implementation challenges faced by the NCVLI clinics?
- Are there any aspects of the NCVLI program that should be enhanced, changed, or eliminated?

Applicants may consider using some of the following approaches when designing methods for evaluation:

- Collecting and analyzing data from qualitative and quantitative sources using a multiyear longitudinal design.
- Using existing archival records to examine change over time.
- Collecting information from multiple informant populations. (Informant populations may include victims, potential victims, victim advocates, judges, law enforcement, prosecutors, attorneys who represent victims or who were trained by NCVLI or clinic staff, law students who participated in legal clinics, etc.)
- Concentrating on localized geographic areas in States with clinics.
- Employing an embedded case study design (i.e., a case study of NCVLI, with embedded case studies of its 9 clinics, with embedded case studies of selected cases).

NIJ is particularly interested in evaluations that include the following products: a baseline report, a process evaluation report, and an outcome evaluation report. (See "cost of proposed work," below, for information on the anticipated project period.)

Applicants will be expected to consult with NCVLI staff as well as NIJ staff prior to finalizing the research questions and evaluation design. Additional research questions may emerge and some research questions may be revised or eliminated based on this consultation.

What will *not* be funded:

1. Provision of training or direct service.
2. Proposals primarily to purchase equipment, materials, or supplies. (Your budget may include these items if they are necessary to conduct applied research, development, demonstration, evaluation, or analysis, but NIJ does not fund proposals that are primarily to purchase equipment.)
3. Work that will be funded under another specific solicitation.

4. Evaluation designs that do not include all clinics, although data collection plans for the Federal clinic may be different from that of the State clinics.
5. Proposals that do not demonstrate a thorough understanding of victims' rights issues.
6. Proposals that do not demonstrate an awareness of the issues raised in the evaluability assessment.
7. Evaluation designs that do not use qualitative and quantitative data sources.

Cost of proposed work: NIJ anticipates that up to \$500,000 may become available for a fiscal year 2007 award made through this solicitation. A supplement may be awarded in fiscal year 2008, subject to the availability of funds and other considerations. As indicated above, NIJ is particularly interested in evaluations that include a baseline report, a process evaluation report, and an outcome evaluation report. Such an evaluation may require a total of up to \$1,000,000 and a project period of approximately 36 months. NIJ therefore recommends that applicants divide the proposed work into two phases, with the first phase resulting in the delivery of (at a minimum) a baseline report and a process evaluation. This will enable NIJ in its discretion to fund the proposed work incrementally. In such cases, the proposal should address the scope, duration and cost of both phases of the project. However, the Budget Detail Worksheet and detailed budget narrative should address only the costs associated with completing the first phase of the proposed project. The budget for the first phase should not exceed \$500,000 and the project period should not be longer than 18 months. The total cost for both phases of the proposed project should not exceed \$1,000,000, and the anticipated combined project period should not exceed approximately 36 months.

All NIJ awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

A grant made by NIJ under this solicitation may account for up to 100 percent of the total cost of the project. See "Cofunding," under "What an Application Must Include."

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. Performance measures for this solicitation are as follows:

Objective	Performance Measures	Data Grantee Provides
Develop and analyze information and data having clear implications for criminal justice policy and practice.	1. Relevance to the needs of the field as measured by whether the grantee's substantive scope did not deviate from the funded proposal or any subsequent agency modifications to the scope.	1. A final report providing a comprehensive overview of the project and a detailed description of the project design, data, and methods; a full presentation of scientific findings; and a thorough discussion of the

	<ol style="list-style-type: none"> 2. Quality of the research as assessed by peer reviewers. 3. Quality of management as measured by whether significant interim project milestones were achieved, final deadlines were met, and costs remained within approved limits. 	<p>implications of the project findings for criminal justice practice and policy.</p> <ol style="list-style-type: none"> 2. Quarterly financial reports, semi-annual progress reports, and a final progress report.
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How to Apply

DOJ is participating in the e-Government initiative, one of 25 initiatives included in the President’s Management Agenda. Part of this initiative—Grants.gov—is a “one-stop storefront” that provides a unified process for all customers of Federal grants to find funding opportunities and apply for funding.

Grants.gov Instructions: Complete instructions can be found at http://www.grants.gov/applicants/get_registered.jsp. If you experience difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at 1-800-518-4726.

CFDA Number: The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is **16.560**, titled “**Case Study Evaluation of the National Crime Victim Law Institute State and Federal Clinics and System Demonstration Project,**” and the Grants.gov funding opportunity number is 2007-NIJ-1583.

A DUNS number is required: The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS (Data Universal Numeric System) number in their application for a new award or renewal of an award. Applications without a DUNS number are incomplete. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving Federal funds. The identifier is used for tracking purposes and to validate address and point of contact information. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, simple, one-time activity. Obtain one by calling 1-866-705-5711 or by applying online at <http://www.dnb.com/us>. Individuals are exempt from this requirement.

What an Application Must Include

Standard Form 424

Program Narrative

The Program Narrative includes:

- a. Abstract (not to exceed 400 words).
- b. Table of contents.
- c. Main body, which includes:

- Purpose, goals, and objectives.
 - Review of relevant literature.
 - Research design and methods.
 - Implications for policy and practice.
 - Management plan and organization.
 - Dissemination strategy.
- d. Appendixes (not counted against program narrative page limit) include:
- Bibliography/References (if applicable).
 - List of key personnel (required).
 - Résumés of key personnel (required).
 - List of previous and current NIJ awards (required).
 - Letters of cooperation/support or administrative agreements from organizations collaborating in the project (if applicable).
 - Chart for timeline, research calendar, or milestones (required).
 - Other materials required by the solicitation.

Budget Detail Worksheet

Templates for filling out the Budget Detail Worksheet may be found online at http://www.ojp.usdoj.gov/Forms/budget_fillable.pdf, OJP Standard Forms & Instructions. If you have any questions, please contact the Office of the Comptroller's Customer Service Center at 1-800-458-0786.

Budget Narrative

Indirect Rate Agreement (if applicable)

Applicants that do not have a federally negotiated indirect cost rate and wish to establish one can submit a proposal to their “cognizant” Federal agency. Generally, the cognizant federal agency is the agency that provides the preponderance of direct federal funding. This can be determined by reviewing an organization’s schedule of federal financial assistance. If DOJ is your cognizant federal agency, obtain information needed to submit an indirect cost rate proposal at <http://www.ojp.usdoj.gov/oc/indirectcosts.htm>.

Other Program Attachments

These include several forms, available on OJP’s funding page at <http://www.ojp.usdoj.gov/forms.htm>.

Page limit: The program narrative section of your proposal must not exceed 30 double-spaced pages in 12-point font with 1-inch margins. Abstract, table of contents, charts, figures, appendixes, and government forms do not count toward the 30-page limit for the narrative section.

Cofunding: A grant made by NIJ under this solicitation may account for up to 100 percent of the total cost of the project. You must indicate whether you believe it is feasible for you to contribute cash, facilities, or services as non-Federal support for the project. Your proposal should identify generally any such contributions that you expect to make and your proposed budget should indicate in detail which items, if any, will be supported with non-Federal contributions.

Selection Criteria

Successful applicants must demonstrate the following:

Understanding of the problem and its importance.

Within the program narrative of the proposal, applicants are expected to provide a thorough literature review that illustrates their comprehensive knowledge of the proposed study subject; identifies the field's past empirical work that contributes to the theoretical foundation of the proposal; and demonstrates the contextual contribution of the proposed project to criminal justice research, policy, and practice.

Quality and technical merit.

1. Awareness of the state of current research or technology.
2. Soundness of methodology and analytic and technical approach.
3. Feasibility of proposed project and awareness of pitfalls.
4. Innovation and creativity (when appropriate).

Impact of the proposed project.

1. Potential for significant advances in scientific or technical understanding of the problem.
2. Potential for significant advances in the field.
3. Relevance for improving the policy and practice of criminal justice and related agencies and improving public safety, security, and quality of life.
4. Affordability and cost-effectiveness of proposed end products, when applicable (e.g., purchase price and maintenance costs for a new technology or cost of training to use the technology).
5. Perceived potential for commercialization and/or implementation of a new technology (when applicable).

Capabilities, demonstrated productivity, and experience of applicants.

1. Qualifications and experience of proposed staff.
2. Demonstrated ability of proposed staff and organization to manage the effort.
3. Adequacy of the plan to manage the project, including how various tasks are subdivided and resources are used.
4. Successful past performance on NIJ grants and contracts (when applicable).

Budget.

1. Total cost of the project relative to the perceived benefit.
2. Appropriateness of the budget relative to the level of effort.
3. Use of existing resources to conserve costs.

Dissemination strategy.

1. Well-defined plan for the grant recipient to disseminate results to appropriate audiences, including researchers, practitioners, and policymakers.
2. Suggestions for print and electronic products NIJ might develop for practitioners and policymakers.

Relevance of the project for policy and practice:

Higher quality proposals clearly explain the practical implications of the project. They connect technical expertise with criminal justice policy and practice. To ensure that the project has strong relevance for policy and practice, some researchers and technologists collaborate with practitioners and policymakers. You may include letters showing support from practitioners, but they carry less weight than clear evidence that you understand why policymakers and practitioners would benefit from your work and how they would use it. While a partnership may affect State or local activities, it should also have broader implications for others across the country.

Review Process

NIJ is firmly committed to the competitive process in awarding grants. All proposals under this solicitation will be subjected to independent peer-review panel evaluations. External peer-review panelists consider both technical and programmatic merits. Panelists are selected based on their expertise in subject areas pertinent to the proposals.

Peer-review panelists will evaluate proposals using the criteria listed above. NIJ staff then make recommendations to the NIJ Director. The Director makes award decisions.

Reasons for rejection: NIJ may reject applications that are incomplete, do not respond to the scope of the solicitation, do not comply with format requirements, or are submitted after the deadline. No additions to the original submission are allowed.

When awards will be made: All applicants, whether they are accepted or rejected, will be notified. The review and approval process takes about 6 months. You should not propose to begin work until at least 6 months after the proposal deadline on the cover of this solicitation. Also, you should not expect to receive notification of a decision for at least 6 months after that date. Lists of awards are updated regularly on NIJ's Web site at <http://www.ojp.usdoj.gov/nij/funding.htm>.

Additional Requirements

- Civil Rights Compliance
- Confidentiality and Human Subjects Protections regulations
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) compliance
- DOJ Information Technology Standards
- Single Point of Contact Review
- Non-supplanting of State or Local Funds

- Criminal Penalty for False Statements
- Compliance with Office of the Comptroller Financial Guide
- Suspension or Termination of Funding
- Non-profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property

We strongly encourage you to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at <http://www.ojp.usdoj.gov/funding/otherrequirements.htm>.

If your proposal is funded, you will be required to submit several reports and other materials, including:

Final substantive report: The final report should be a comprehensive overview of the project and should include a detailed description of the project design, data, and methods; a full presentation of scientific findings; and a thorough discussion of the implications of the project findings for criminal justice practice and policy. It must contain an abstract of no more than 400 words and an executive summary of no more than 2,500 words.

A draft of the final report, abstract, and executive summary must be submitted 90 days before the end date of the grant. The draft final report will be peer reviewed upon submission. The reviews will be forwarded to the principal investigator with suggestions for revisions. The author must then submit the revised final report, abstract, and executive summary by the end date of the grant. The abstract, executive summary, and final report must be submitted in both paper and electronic formats.

For program evaluation studies, the final report should include a section on measuring program performance. This section should outline the measures used to evaluate program effectiveness, modifications made to those measures as a result of the evaluation, and recommendations regarding these and other potential performance measures for similar programs. (This information will be particularly valuable to NIJ and other Federal program agencies in implementing performance measures for federally funded criminal justice programs.)

Interim reports: Grantees must submit quarterly financial reports, semi-annual progress reports, a final progress report, and, if applicable, an annual audit report in accordance with Office of Management and Budget Circular A-133. Future awards and fund drawdowns may be withheld if reports are delinquent.

Appendix

Part I

Evaluability Assessment Reports

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Evaluability Assessment of the State and Federal Clinics and System Demonstration Project:

Final Report

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NIJ # 2006TO045





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Evaluability Assessment of the State and Federal Clinics and System Demonstration Project

SYNOPSIS

Grantee:

National Crime Victims Law Institute (NCVLI)

Sub-Grant Duration:

NCVLI awarded sub-grants to nine clinics across the United States. Table 1 below presents the location for the clinics and the duration of their sub-grants.

Table 1. Sub-Grant Duration		
Site Location	Sub-grant Duration Period	Total Years of Funding
Arizona (State)	5/1/03 through 4/30/06	3
Arizona (Federal)	5/1/06 through 4/30/07	1
California	4/1/04 through 3/31/07	3
Idaho	4/1/05 through 3/31/07	2
Maryland	4/1/04 through 3/31/07	3
New Jersey	4/1/05 through 3/31/07	2
New Mexico	4/1/04 through 3/31/07	3
South Carolina	4/1/04 through 3/31/07	3
Utah	4/1/05 through 3/31/07	2

Most clinics received funding for three years. This money was intended to either help support the work of an existing clinic, or intended to be seed money to help establish a clinic in a state with statutes that would help the movement progress.

Current Award:

The State/Federal Clinics and System Demonstration Project is supported by grant No. 2002-VF-GX-K004, awarded by the Office for Victims of Crime (OVC), Office of Justice Programs, United States Department of Justice.

Funding History:

NCVLI developed the State/Federal Clinics and System Demonstration Project with OVC funding in 2002. Beginning in 2003, NCVLI began awarding sub-grants to Project clinics. Table 2 below is a summary of clinic funding amounts per year:

Table 2. Sub-Grant Funding History					
Site Location	2003 - 2004	2004 - 2005	2005 - 2006	2006 - 2007	Total
Arizona (State)	\$100,000	\$75,000	\$50,000	0	\$225,000
Arizona (Federal)	0	0	\$57,000	\$105,000	\$162,000
California	0	\$50,000	\$103,000	\$80,000	\$233,000
Idaho	0	0	\$57,000	\$105,000	\$162,000
Maryland	0	\$50,000	\$103,000	\$80,000	\$233,000
New Jersey	0	0	\$57,000	\$105,000	\$162,000
New Mexico	0	\$50,000	\$103,000	\$80,000	\$233,000
South Carolina	0	\$50,000	\$103,000	\$80,000	\$233,000
Utah	0	0	\$57,000	\$105,000	\$162,000
Total	\$100,000	\$275,000	\$690,000	\$740,000	\$1,805,000

The Arizona clinic was part of the original proposal team for OVC funding and because it is viewed as a leader or best practice model by the field, it received state funding in 2004 and is the only site to be funded by NCVLI for both state and federal efforts.

Project Summary:

NCVLI received a grant from OVC on September 30, 2002. The Demonstration Project grant was designed cooperatively with OVC, NCVLI, and AVCV and sites are funded from 2003 through 2007.

Scope of Evaluation:

OVC appropriated funds to the National Institute of Justice (NIJ) to conduct an evaluability assessment of NCVLI’s Demonstration Project. The evaluability assessment was to determine whether a rigorous evaluation of NCVLI and its Demonstration Project could be evaluated, and if so, what type of research design would be best suited for this work. The Urban Institute (UI) was awarded the contract in 2006. To help make this determination, UI staff, along with NIJ staff, conducted site visit activities at NCVLI and all of the Demonstration Project clinics. Site visit activities included conducting interviews with key program staff, document review, and observation.

Summary of Evaluability Assessment Activity:

Prior to conducting site visits with NCVLI and the legal clinics located in Arizona, New Jersey, California, New Mexico, Maryland, South Carolina, Utah and Idaho, the UI research team reviewed project documents submitted to OVC and NCVLI, and reviewed information posted on the legal clinic websites to learn more about NCVLI and its legal clinics. Next, the UI/NIJ research team conducted site visits activities at NCVLI and all legal clinics. While on site, the team conducted face-to-face interviews with program

staff (e.g., executive director, office administrator, attorney, and intern) and in some sites observed courtroom activity and classroom sessions.

While most clinics are staffed with a few people, all clinics made sure staff were available to be interviewed for at least one hour. In Idaho and New Mexico the research team also visited a law school class session and to observe the staff attorney argue the issue of standing before a judge. Evaluability assessment activities across all sites informed the research team on the individual clinic goals and lessons learned by each clinic and how these clinics fit into the overall mission of NCVLI. For more detailed information on each clinic, see the attached individual clinic site visit reports.

Findings:

NCVLI and its State and Federal Clinics and System Demonstration Project should be evaluated to determine how the project is influencing the victims' rights movement and whether the Project can be heralded as a best practice model. This evaluation should take into consideration changes at the client (victim), system (criminal justice stakeholders), and community (potential future victims) levels. To measure how the Project influences outcomes at the three levels, it is recommended that the Project be evaluated over a 3 – 5 year period that would allow adequate time to determine whether changes have occurred. A suggested research design is a case study approach that includes a mix of qualitative (e.g., interviews, surveys, document review), and quantitative (e.g., reporting trends and aggregating a variety of outcome measures) data collection from all Project clinics. Evaluability assessment findings revealed that a comparison sample for this type of work generally is not feasible. NCVLI and its legal clinics maintain adequate records that would support an evaluation as suggested, and NCVLI and clinic staff expressed an interest in participating in an evaluation should evaluation resources be provided.

INITIAL PROJECT ANALYSIS

Introduction:

In order to address the issue of victim rights enforcement, OVC entered into a cooperative agreement with NCVLI to develop the State and Federal Clinics and System Demonstration Project (Project). The Project was created to advocate for the expansion of the enforcement of victims' rights in the criminal justice system, and the expansion of education of the legal profession in this particular area. To better understand the Project's impact through NCVLI and its clinics, NIJ and OVC entered into a contract with UI to conduct an evaluability assessment of the Project. The evaluability assessment will provide information that will assist NIJ and OVC in determining the feasibility of conducting a rigorous outcome or impact evaluation of the Project.

What do we already know about projects like these?

In 2004, there were approximately 24 million crimes committed against people twelve years and older, and approximately one-fifth of those crimes (5.2 million) involved some sort of violent criminal activity (Catalano 2005). Experts have estimated that five out of six people will be victims of a completed or attempted violent crime in their lifetime (Koppel 1987). Over the past 25 years, crime victims have secured limited rights to participate in the criminal court process. Generally, these rights are intended to protect and preserve the dignity of victims through changes in criminal law. Examples include the right to receive notice and be heard during various phases of the criminal court process, the right to restitution, and laws that protect victims, such as rape shield laws and laws that protect child victims (Beloof 2001). All 50 states guarantee victims of crime some form of legal rights of participation in the criminal legal process (Beloof 1999) and 33 states guarantee crime victims' rights within their state constitutions (NCVLI 2006). In 2004, crime victims were granted rights to participate in the criminal justice process in federal courts. However, the exact rights that victims of crime possess and the extent to which these rights are enforced vary significantly among jurisdictions. Table 3 below presents variations in the basic right of standing to participate in court processes in states with NCVLI funded clinics.

Table 3. Variation Among Jurisdictions Regarding Standing	
Site Location	Status of Standing
Arizona (State and Federal)	Both crime victims and prosecutors in Arizona have legal standing to assert victims' rights in court.
California	Crime victims do not have legal standing to have an attorney represent them in all proceedings in California. The only enumerated right victims have is the right to restitution. All other rights are scattered throughout endless statutes.
Idaho	While crime victims in Idaho do not have explicit legal standing, judges, prosecutors, and defense attorneys have not challenged attorneys on standing.
Maryland	Though crime victims do not have explicit legal standing in Maryland, a statute enables crime victims to file an application for leave to appeal final orders to the State's Court of Special Appeals if certain basic rights are denied. To resolve the issue of legal standing in Maryland, staff attorneys are developing a body of case law and using published opinions (i.e. <i>Bell</i>) to support their legal arguments.
New Jersey	Victims in New Jersey are provided with broad constitutional rights. The courts have interpreted these vague rights broadly. Thus, the issue of legal standing is not explicitly addressed in the relevant legislation however court interpretation of victims' rights has not impeded the work of crime victim attorneys.
New Mexico	In NM crime victims have constitutional and statutory rights that are personal to them, but there is no case law explicitly clarifying standing that they have a private attorney represent them in all proceedings.
South Carolina	The issue of legal standing in South Carolina is not clearly resolved. While a constitutional amendment provides a right of appeal for victims' rights violations, it does not explicitly state that the victim first has a right of standing at the trial level.
Utah	Crime victims and prosecutors in Utah have legal standing to assert victims' rights in court.

To help promote awareness, education and the enforcement of crime victims' rights, NCVLI, a non-profit research and educational organization, was formally established in 2000. In 2002, NCVLI entered into a cooperative agreement with OVC to conduct the State and Federal Clinics and System Demonstration Project. The two primary goals of the Project are to: (1) expand the enforcement of victims' rights in the criminal justice system, and (2) expand the education of the legal profession in the area of victims' rights. The Project funds nine legal clinics that provide direct pro bono legal services to victims to enforce their rights to participation in the criminal process, as well as conducts outreach and education events. NCVLI serves as the intermediary and provides the clinics with training, technical assistance in the form of legal support and research, assistance with implementation, financial and programmatic monitoring, and coordination with victim advocacy organizations. NCVLI hosts an annual cluster meeting of the funded clinics and a conference on crime victims' rights. It also helps to educate law students in the area of victims' rights because most law students are not educated about the rights of victims within criminal justice proceedings as a part of their formal or continuing legal education.

NCVLI, and the clinics, are the only organizations of their kind in the United States. Little is known about the impact of their work on the crime victims' rights movement.

What could an evaluation of this project add to what we know?

An evaluation of NCVLI and its Project would increase our knowledge of victims' rights and enforcement of these rights in the United States. Specifically, an evaluation of the Project would help answer research questions such as: (1) what are the varying protections/rights crime victims are afforded in the United States (nationally and locally)? (2) To what extent are these rights enforced within each jurisdiction studied? What are different local models/methods employed to help enforce victims' rights? What are the strengths and weaknesses of each identified model? What external factors support or hinder model success? (3) What additional rights have stakeholders identified that crime victims need in order to better protect victims during the criminal justice process within each jurisdiction? (4) What key stakeholders (e.g., judges, prosecutors, defense attorneys, victim advocates, social service providers, community leaders, and victims) should be involved in this work, and what are their anticipated roles? (5) What outreach, education and training activities are being conducted to increase understanding and competencies (nationally and locally)? (6) Have the outreach, education and training activities increased awareness and knowledge of crime victims' rights among victims and stakeholder? (7) Does the existence of the NCVLI clinic increase the number of attorneys providing pro bono services for these victims?

These are just some of the research questions that would be answered by evaluating this Project. Answers to these important questions would help shape rules and regulations (legislation), policies, and practices of stakeholders involved in this work.

Which audiences would benefit from this evaluation? What could they do with the findings?

Likely audiences to benefit from an evaluation of the Project include judges, prosecutors, defense attorneys, victim advocates, social service providers, community leaders, and victims. The implications of evaluation study findings for each audience member are described below:

Community leaders – Like social service providers, some community leaders have an historical context for the crime victims’ rights movement. Their knowledge and experience would greatly inform the development of materials and trainings. Also, information gleaned from data collected from these stakeholders would help inform public awareness campaigns so that the public-at-large (potential crime victims) would have a better understanding of their rights, methods for how to enforce their rights, and the support systems in their area. A public awareness campaign around these issues is necessary to increase the visibility and understanding of crime victims’ rights.

Defense attorneys – Assessment respondents alluded to their belief that defense attorneys do not understand the laws pertaining to crime victims. Additionally, they reported that defense attorneys do not understand the role of a crime victim and his/her attorney during the criminal court process. This has been demonstrated to respondents through perceived inaccuracies and inadequate responses to pleadings and motions brought by crime victim attorneys. Evaluation study findings would help develop resource materials appropriate for defense attorneys that would include information on the rights of crime victims during the criminal court process so that future defense responses to pleadings and motions can be better informed. A benefit of more thoughtful responses is that future case law can be truly based on the merits of a case.

Judges – Preliminary findings from this evaluability assessment indicate that judges in the American court system are not well versed in crime victims’ rights and the protections that should be afforded to these victims. Moreover, judicial sensitivity to the needs of crime victims is not commonplace. Evaluation study findings would help develop appropriate materials (e.g. resource guides, fact sheets, bulletins) and training curricula for judges to increase not only their knowledge about crime victims’ rights and the protections victims should have during the criminal court process, but also their sensitivity to crime victims’ needs.

Lawmakers – With increased attention on the rights of crime victims, legislatures are reviewing laws within their jurisdictions to determine whether there are adequate protections for these victims. Findings from an evaluation would greatly inform lawmakers about what is occurring in other states, and provide guidance on how to best develop or modify laws for their state.

Prosecutors – Evaluability assessment findings seem to suggest that some prosecutors are not comprehensively versed in the role of a crime victim during the criminal justice process. Moreover, some prosecutors do not fully understand the role of a crime victim’s

attorney. Evaluation study findings would help develop appropriate materials and training curricula for prosecutors to increase their knowledge of the role of a crime victim's attorney during the criminal court process. Prosecutor training around the issue of supporting the role of a crime victim's attorney during an investigation and prosecution is necessary to better protect the crime victim.

Social service providers – Some social service providers are part of the grass roots movement to promote crime victims' rights. Because these stakeholders have an historical context for this work, it would be essential to include them in a comprehensive evaluation of the project. What could be learned from these stakeholders would help inform the development of materials and trainings for other stakeholders mentioned in this section. Additionally, it would help clarify the role of social service providers in how they can work with victim advocates and crime victim attorneys.

Victim advocates – Victim advocates who work in a prosecutor's office would benefit from evaluation study findings as well. Respondents from the assessment indicated that some advocates are unaware of crime victims' rights and at times may hinder crime victim attorneys from best protecting the victim's rights. Moreover, some advocates are not connected with social service providers in the community to best meet the social service needs of crime victims. Evaluation study findings would help develop appropriate materials (e.g., resource lists of area providers) and trainings for advocates so that advocates better understand how to collaborate with local providers and to work with crime victim attorneys.

Victims – Crime victims would greatly benefit (perhaps benefit the most) from an evaluation of the project. Findings could help educate stakeholders and inform the systems that are in place to promote and enforce crime victims' rights. An evaluation of the project would necessarily need to include the voice of the victim as they can be considered "experts" on what types of support they need during the criminal court process. The information they hold could greatly inform resource materials and trainings.

Overall, evaluation findings would provide these stakeholders with information on how to develop or modify a model for protecting crime victims' rights within their state.

Is the grantee interested in being evaluated?

Overall, NCVLI and clinic staff are receptive to the idea of an evaluation. Staff also reported that if such an evaluation were to take place they would need additional support/resources to fully participate in a rigorous endeavor.

What is the background/history of this program?

NCVLI was founded in 1999 with a Department of Education grant. Because there were no high-quality national resources for crime victim law enforcement, NCVLI was founded to serve as a national resource for attorneys who represent crime victims and to promote the awareness and understanding of crime victims' rights. Its mission is to change legal culture so that victims are treated with dignity and respect. To help shape

the idea of the institute, NCVLI executive director Doug Beloof read relevant literature, and met with 20 attorneys across the United States who were advocating for victims' rights. He soon realized that most attorneys were ignorant about this topic and sought to educate them and start a movement of getting victims' rights enforced. NCVLI's primary activities include educating the legal profession, providing technical assistance on victims' rights questions, litigation and legal issues, supporting clinics, hosting conferences, publishing and disseminating a newsletter, and increasing National Alliance of Victims' Rights Attorneys (NAVRA) membership.

The establishment of state and federal legal clinics is one component of the work being done by NCVLI. The idea was to create a model of crime victims' rights enforcement that could be replicated in other jurisdictions so that crime victims' rights are fully integrated into the U.S. criminal justice system. Doug Beloof explained his vision of the clinic that helps move the cycle of this civil rights project forward. The cycle includes: creation of laws, education and awareness, litigation, wins (sets precedent), and losses (helps to clarify the law and perhaps lead to changed aspects of the law). NCVLI sought to establish nine clinics in states that had sufficient laws (e.g., laws with some recognition of victims' rights) so that the cycle could be conducted. NCVLI issued a solicitation a few years ago and selected five applicants from a pool of seventeen. Soon after, a second solicitation was issued resulting in four clinics being funded from a new pool of seventeen applications. Clinics were selected in states that had developed crime victims' rights laws where the laws could be tested. While these clinics are operated in different settings and have different approaches to promoting victims' rights, they share the common ultimate goal of helping victims and pushing the victims' rights movement forward.

At what stage of implementation is the program?

NCVLI is in its fourth year of OVC funding that began in 2002. The state and federal demonstration project is being fully implemented.

What are the project's outcome goals in the view of the project director?

NCVLI aims to achieve eight primary goals. These goals include:

1. Project development,
2. Educating the legal profession,
3. Providing legal technical assistance,
4. Conducting litigation,
5. Funding state and federal clinics,
6. Hosting conferences,
7. Disseminating a newsletter, and
8. Increasing the NAVRA membership.

Specifically, the NCVLI Project director reported several objectives for the state and federal clinics namely: funding the sites, NCVLI training, NCVLI technical assistance, NCVLI monitoring, clinic planning, clinic student training, clinic attorney training, clinic

attorney recruitment, clinic evaluation/performance measurement, clinic cases, and sustainability planning. These objectives are the primary activities for the Project that are reflected in the three levels of outcomes – client level, system level, and community level – as depicted on the NCVLI Project logic model.

Does the proposal/project director describe key project elements? Do they describe how the project’s primary activities contribute to goals?

The key Project elements, as reported by the Project director and clinic staff, are discussed above and clinic activities are also described in Table 10 below. These key activities contribute to the overall NCVLI mission of changing the legal culture among all stakeholders in the criminal justice system process so victims are treated with respect and dignity throughout the criminal justice process.

Can the logic by which activities should affect goals be sketched?

A draft logic model for the NCVLI Project is included in Appendix A. The Project logic model incorporates the activities of the individual clinics that contribute to the achievement of NCVLI goals. Clinic logic models are included in Appendix B.

Are there other local projects providing similar services that could be used for comparisons?

UI research team members asked NCVLI staff whether they would be able to identify comparison samples and suggested the following: (1) States with “good laws” and a clinic/no clinic, versus states with “bad laws” and a clinic/no clinic, versus states with no laws and a clinic/no clinic; (2) States with victims rights’ bill of rights and/or constitutional amendments with a clinic versus states with no laws and no clinic; and (3) Locations where a victim is represented by an attorney versus a victim who is not represented by an attorney although one is available.

NCVLI and clinic staff agreed that there are no other projects providing similar services, and that finding a comparison sample would be a complex endeavor with too many factors that would render meaningless findings. These factors include: (1) numerous laws that are rule-, statute-, or constitutional-based¹; (2) variance in enforceability by courts; and (3) internal policies and procedures of prosecutor guidelines and practices. NCVLI staff also suggested that if they could identify two new states with comparable laws (although it will be unlikely to find such a situation) and start a clinic in one and not in the other this may be a possible way of conducting a rigorous impact study.

Thus, to find a comparison sample that would allow a researcher to assess the intervention of the legal clinics at the client, system, and community levels appears not to be a feasible option for this type of issue. It also appears that it would be too complex to

¹ The American Bar Association asked NCVLI to rank the 30,000 existing victims rights laws. NCVLI attempted to do this but found that there were so many underlying factors to what makes one victim’s rights law better than another one.

compare existing clinics because each state has a very distinct legal system, legal culture and general history regarding victims’ rights. For instance, states differ by whether they even have a state constitution that recognizes victims’ rights. Controlling for these differences is exceedingly complex because of the difficulty in accurately measuring many important elements such as judges’ and attorneys’ knowledge and perceptions of victims’ rights and how these perceptions relate to outcomes. Furthermore, each clinic has developed its own model to fit within the current legal culture of victims’ rights in its area. Each clinic varies by the type and jurisdiction of cases it takes depending on the expertise and education of clinic staff and overall resource levels of the clinic.

Will samples that figure in outcome measurement be large enough to generate statistically significant findings for modest effect sizes?

For reporting purposes, NCVLI requests that the legal clinics track data on clinic activities such as the number of clients served, cases handled, clients referred to community providers, and training events conducted. While some clinics have automated systems (e.g., Access, Excel, Case Framework, Legal Files) to help track data, other clinics, rely primarily on paper case files. Thus, data for outcome measures are best kept for client and system level outcomes, while clinics did not report collecting or tracking data for community level outcomes.

However, it is not recommended that an evaluation utilize clients or cases to construct a sample within a typical quasi-experimental framework utilizing a treatment and comparison group. Sampling from just a pool of clients or cases does not fully take into consideration the other outcomes (e.g., system and community levels) NCVLI hopes to achieve with its Project. Moreover, focusing on having a large sample size can be misleading because one win in an appellate court can do more in furthering the goals of the clinic than taking on 100 trial court cases.

If NIJ is interested in examining the impact of the clinic on a client-level outcome it may be possible to utilize a sample of victims flowing into the clinic. Table 4 below presents the estimated annual sample size for each clinic.

Table 4. Estimated Sample Size	
Site Location	Estimated Annual Sample Size (N=)
Arizona (State)	34
Arizona (Federal)	4*
California	24
Idaho	25
Maryland	16
New Jersey	100
New Mexico	96
South Carolina	20
Utah	18
Total	337

* At the time of the evaluability assessment the Arizona Federal legal clinic was not fully operational.

AZ and MD handle more appellate (complex) cases where very specific provisions of the law are tested. These cases can last months and are very difficult to use to determine or track outcomes, for the many reasons stated above.

Is the grantee planning an evaluation?

NCVLI and its legal clinics are not planning an evaluation of the State/Federal Demonstration Project, or an evaluation of a single legal clinic at this time.

Although currently there are no plans for a rigorous evaluation, few clinics have experimented with the use of informal victim satisfaction surveys. Project staff members indicate that the surveys have not been particularly helpful and that response rates have been relatively low. It is important to note, however, that staff do receive valuable feedback from clients in anecdotal form (e.g., verbal thanks, greeting cards, etc.) that is used to inform clinic practices.

What data systems exist that would facilitate evaluation? What are the key elements contained in these systems?

NCVLI developed a web-based management information system (i.e., Social Solutions) to assist the clinics with data collection and reporting. This system is a full performance measurement system that enables NCVLI to track outputs related to their stated goals and objectives. The system allows NCVLI to aggregate data within and across clinics. Reports based on data input by the clinics are produced monthly, quarterly and are also created to assist with applications for continuation funding. Many of the fields require clinics to enter data in response to open-ended questions. NCVLI recognizes that open-ended responses do not facilitate coding and reporting and they are currently working with the developer to revise some of the questions and response formats.

NCVLI helped each clinic set up the system in its local clinic office and provides technical assistance when system problems arise. Some clinics reported problems with trying to merge their existing data systems with Social Solutions, or that the database did not meet the needs of its office. For these reasons, most clinics use other data systems such as an Excel database, Case Framework, Legal Files, or Microsoft Word. All of the clinics also maintain paper case files.

Are there data to estimate unit costs of services or activities?

Data are available to estimate unit costs. A provision of the NCVLI grant requires all clinics to quantify the number of hours a staff person funded under the NCVLI grant spends on grant tasks (e.g., case planning, intakes, general research, project research, court time, etc.). The costs of service provision could therefore be calculated by aggregating the hours a staff person spends on a particular task, multiplying by his or her hourly wage, and dividing by the number of clients who have received that service.

Are there data about possible comparison samples?

NCVLI and its legal clinics only collect and track data related to their projects. See discussion above on comparison samples.

In general, how useful are the data systems to an impact evaluation?

Data systems would be useful to an outcome evaluation as they are appropriately detailed, and kept up-to-date. However, some pertinent information useful for an evaluation of this Project may only be found, or more fully recorded, in paper case files (e.g., attorney notes on courtroom impressions, attorney notes on involvement with community stakeholders).

SITE VISIT EVALUABILITY ASSESSMENT

Is the project being implemented as advertised?

NCVLI is implementing the following activities as advertised: project development, litigation (e.g., amicus briefs and legal research), conferences, outreach/education, legal technical assistance, clinics, newsletter, and NAVRA membership. Of primary concern for this evaluability assessment is the implementation of the state and federal clinics in the nine funded sites. The clinics, within their jurisdictions, are all implementing their clinics as advertised. The Arizona federal and Utah clinics, both funded beginning in 2005, are perhaps more in the early stages of clinic development and implementation.

What is the intervention to be evaluated?

The intervention to be evaluated is NCVLI's State/Federal Clinics and System Demonstration Project (Project).

What outcomes could be assessed? By what measures?

The intervention described above provides several outcomes that could be assessed. These outcomes and some of their possible measures are listed below.

Client-level outcomes - Client-level outcomes pertain to the legal and social services made available to and/or received by victims who contact the clinic, including referrals to social service agencies. Evaluators could measure frequencies of each of the following services: intake telephone conversations, follow up telephone calls and meetings with clients, referrals to social service providers, explanations of legal terminology and proceedings (including what victims can expect during each stage of the legal proceedings), court accompaniments, and direct legal services. In addition, evaluators could also measure the total number of clients served and the total number of cases litigated by clinic staff. Finally, evaluators could also measure client satisfaction with support offered by the clinic.

System-level outcomes - System-level outcomes pertain to the legal impact of clinic efforts in changing the law or legal culture to benefit all victims of crime. Possible measures include the change in calls to NCVLI and the clinics, court appearances by pro bono attorneys, motions filed, published opinions, case law, law student participation, compliance with state's victims' right laws by stakeholders throughout the criminal justice system, and the enactment of new legislation at the state and federal levels.

Community-level outcomes - Community-level outcomes pertain to the impact of clinic efforts in changing the climate of the community at large. Although these outcomes are particularly difficult to measure, possible indications of community change could be the change in awareness of the clinic by crime victim service providers, public awareness of victims' rights, and community capacity to redress any harms against victims.

Are there valid comparison groups?

There are no other projects providing similar services in the U.S. Finding a comparison sample would be a complex endeavor with too many factors that would render meaningless findings.

Is random assignment possible?

Random assignment would not be a feasible means of evaluating the Project. A major component of NCVLI and clinic work is victim service provision. In order to best serve victims and to promote the overall goal of improving the climate of the criminal justice system for victims, staff attorneys prioritize the clients and cases they accept based on a variety of factors. Random assignment would interfere with the mission of the clinic by requiring staff attorneys to accept some cases that do not support the overall mission of the clinic and to refuse other cases that would likely have a greater overall impact on promoting victims' rights in the criminal justice system. See Table 8 below for clinic case selection criteria.

Likewise, random assignment would not be a feasible means of evaluating a change in law or legal climate. The nature of the criminal justice system would preclude the random assignment of judges, prosecutors, defense attorneys, and other court practitioners to cases handled by clinic staff. In addition, practitioners and future practitioners could not be randomly assigned to training provided by the clinic.

What threats to a sound evaluation are most likely to occur?

Evaluability assessment findings revealed several threats to an evaluation of the Project. Common threats include uncertain funding and staff turnover. Possible threats as expressed by clinic staff are included in Table 5 below.

Table 5. Possible Evaluation Threats	
Site Location	Possible Evaluation Threats
Arizona (State and Federal)	Fluid clinic funding Clinic staff turnover Limited resources (staff, office space, funding for adequate compensation)
California	Slow case flow Frequent changes in the persons handling a case (i.e., students handle cases for only a semester and then cases are shifted to another student the next semester or to a law clerk over the summer) Funding
Idaho	Case transfer at the end of a semester Fluid nature of funding Low case flow numbers
Maryland	Uncertain funding
New Jersey	Fluid nature of clinic funding Varying nature in which case information and office activities are tracked and stored Not familiar with research processes, thus have not focused on developing protocols and mechanisms for data collection that are geared toward evaluation
New Mexico	Clinic funding
South Carolina	Fluid nature of clinic funding Turnover of clinic staff
Utah	Uncertain continuation of clinic funding Characteristics of the Utah community in that people solve problems within the family or church

Depending on the type of evaluation developed, it is important to note that it would be difficult to include existing sites in an evaluation because of problems with establishing a baseline (or “pre” measure) from which to examine change over time, since the Project has been underway for a number of years and because current clinic NCVLI funding expires in 2007. Funding and resource availability were primary concerns of NCVLI and clinic staff.

Are there hidden strengths in the project?

There are several strengths of the clinics that comprise the Project. These strengths are presented below in Table 6. Common strengths include staff expertise and the sharing of resources. In addition, there are no other efforts similar to NCVLI or the clinics. Any information shared from lessons learned in these sites or from an evaluation would be of great assistance to other states thinking of developing a clinic or state effort.

Table 6. Hidden Strengths in the Project	
Site Location	Project Strengths
Arizona (State and Federal)	Established by leading expert in field Staff cohesiveness Comprehensive case management Strategic planning by experts Streamlined intake processes Partnership with law school
California	Associated with a law school that has a history of involvement in victims' rights issues Alumni network of the McGeorge Law School Association with the law school has helped provide them with stability they might not otherwise have had if they been a stand-alone clinic
Idaho	VRC clinic director and adjunct professors bring with them several combined years of experience working on crime victims' rights issues. They are well known and respected in Idaho for their involvement in these issues
Maryland	Clinic located in a high-crime area Shares human and physical resources with larger organization Collaboration between legal and social services staff Long-standing history and presence of larger organization in the community
New Jersey	Local community support for CVLC
New Mexico	Dedicated staff and its affiliation with the DWI Resource Center
South Carolina	Political and legal climate of South Carolina in regard to victims of crime Shared human and physical resources with larger organization Long-standing history and presence of larger organization in the community
Utah	Supportive, victims' rights-oriented political environment

What are the sizes and characteristics of the target population?

Because the Project focuses on three main levels (e.g., client, system, and community), there are many possible target populations for the Project. Target populations could include clients, pro bono attorneys, law students, and community stakeholders. Clinic administrators are collecting data on size and characteristics at the client level. Table 7 below presents the average size of the client target population and target characteristics as expressed by clinic staff. Also included are characteristics of clients and cases handled.

Table 7. Sizes and Characteristics of the Target Population		
Site Location	Average Target Size	Target Characteristics
Arizona (State and Federal)	34 – State 4 - Federal	Cases generally involve homicides, and sexual assault cases involving children (e.g., molestation, sex crimes, etc.)
California	24	The clinic serves the greater Sacramento area, which includes the four counties of Yola, San Joaquin, Placer, and EL Dorado. The typical clinic client is a victim of burglary, theft, and/or drug-related crimes.
Idaho	25	The clinic serves the entire state of Idaho. The typical client is a female, domestic violence victim. Idaho is largely a rural state with a primarily White population. It was noted that the number of Hispanic residents has begun to increase.
Maryland	16	The majority of clients' cases involve the right to be present, the right to be heard, the right to receive notice, and the right to give Victim Impact Statements. The clinic also handles cases involving rights to privacy and motions for reconsideration, which are unique to the state of Maryland.
New Jersey	100	Most of the victims served by the clinic are from New Jersey's inner cities – Newark, Camden, Irvington, and Trenton. There are 21 counties in the state and each county has appointed prosecutors. As a result, the clinic encounters many cases where prosecutors have limited courtroom experience, choose not to fully pursue cases, and/or are unresponsive and biased against their inner city constituents. As a result, the clinic encounters a victim population that does not trust prosecutors, the police, or the criminal justice system.
New Mexico	96	The typical client referred to the clinic is a female domestic violence client or parent(s) of a child that has been murdered. The population is most likely to be victims of domestic violence, child abuse, sexual assault, rape, homicide, and DWI.
South Carolina	20	Clients are men, women, and children of varying races and socio-economic backgrounds throughout the state.
Utah	18	The typical client is a poor, Hispanic, female victim of rape/sexual assault. However, children do make up about 10% of the clinic's caseload. The clinic has made appearances on cases involving: rape/sexual assault, murder, domestic violence, child abuse, negligent homicide, and embezzlement.

Data on other target populations (e.g., pro bono attorneys and law students) are being collected by the clinics and would help inform and evaluation of the Project. Clinics would need to develop and administer protocols to better capture changes at the community level.

***How is the target population identified (i.e., what are the eligibility criteria)?
What/who gets excluded as a target?***

The target population discussed here is the victim. Victims are referred to the legal clinics through multiple sources, based on a clinic’s outreach and networking efforts within its state. NCVLI staff encourage legal clinics to accept cases that will have the greatest impact on moving the crime victims’ rights movement forward. The NCVLI’s executive director believes that one win in an appellate court can do more in furthering the goals of the movement than 100 trial cases. Thus, an NCVLI goal is for a clinic to accept the best cases in which to test law. When clinic staff were asked about their selection criteria, the majority of clinic staff indicated that they understood and supported NCVLI’s point-of-view, but that it was difficult to turn away a client’s case because for some clinics they were only getting a few number of cases, or because some clinic staff stated that without the clinic’s services some victims would have no other option for getting their violations addressed. Table 8 below presents each clinic’s referral source and case selection criteria.

Table 8. Clinic Selection Criteria	
Site location	Case selection criteria
Arizona (State and Federal)	AVCV receives referrals from countless agencies and individuals throughout the state, and staff members are approached with many more cases than they are able to accept. For this reason, the clinic now accepts only what they describe as “have to” cases, which are cases that closely fit their mission or contain egregious violations of victims’ rights. In general, clinic attorneys try to focus their efforts on cases that fit the clinic’s strategic plan.
California	The clinic accepts any case in which a crime victim’s rights are being violated. The victim must call the clinic – the clinic does not pursue cases. The clinic will not take civil cases. Nor does the clinic take collection cases without information on the defendant, since an investigator would need to be hired.
Idaho	The clinic serves direct victims of felonies or other violent crimes committed in Idaho. An adult or juvenile could have perpetrated the crime brought to the clinic’s attention and victims can be of any age or income level. Also eligible are immediate family members of child victims or of homicide victims. The clinic has a very low rate of exclusion in terms of whom it will take as a client. The small number of cases it has had to reject were cases involving civil litigation matters.
Maryland	The clinic attempts to accept all victims who need legal representation to assert their rights and who are not also defendants in any criminal case. To date, only victims who are also defendants of criminal cases have been excluded. With only a small number of attorneys available to handle cases, the clinic administrators indicated that the clinic may need to exclude clients in the future based on the sizes of their existing caseloads and the location of the clients in relation to the clinic’s offices.
New Jersey	The clinic gets referrals from many sources (e.g., criminal defense attorneys) throughout the state because the executive director is viewed as a leader in this field. The clinic does not accept domestic violence or family law cases. Cases not accepted by the clinic are referred to other attorneys.

Table 8. Clinic Selection Criteria – (Continued)	
Site location	Case selection criteria
New Mexico	The primary referral sources for the clinic include the New Mexico Domestic Violence Association, Survivors of Homicide, prosecutors, advocates in prosecutors’ offices, legislature, judges and the media. As a policy, the clinic does not initiate first contact with the victim. The clinic also bases its definition of “victim” on the constitutional/statutory victim in a case that has been charged. Therefore, the clinic excludes victims of cases that have yet to be charged, and defendants charged in criminal proceedings, even if there has been a rights violation. The clinic refers these types of cases to other legal organizations (e.g., ACLU).
South Carolina	The clinic receives approximately 50-60% of its referrals from victim advocates and the remainder from victims themselves. To be served by the clinic, clients must have cases that contain direct violations of their legal rights as victims of crime. Victims who contact the clinic whose cases do not contain direct violations of their legal rights are referred to social service agencies or to their victim advocates.
Utah	The clinic serves the entire state of Utah. It is important to note that Utah legislation considers complaint of crime victimization sufficient to categorize a person as a crime victim; formal charges are not necessary. The clinic also uses the following case selection criteria: (1) Case must be an active criminal case in the investigative stage, state trial or appellate courts (including juvenile court); (2) Case must involve an enumerated Constitutional or statutory victims’ right (either pre-emptive or post violation). Precedence given to cases in which an identified priority issue is at stake; and (3) The victim client must be willing to sign a representation agreement, establishing an attorney/client relationship and sign any relevant informed consents and waiver forms deemed necessary for the case.

Clinics do attempt to fulfill the NCVLI goal of selecting priority cases, but because of the need to increase caseloads and to redress victim harm they are willing to accept a broader range of cases. Doing so increases the exposure of crime victims’ rights to law students, and to other criminal justice stakeholders.

Have the characteristics of the target population changed over time?

Client target populations have been fairly consistent over time with many respondents reporting that they primarily work with women and children victims. One clinic noted that it has seen a rise in its Hispanic client population.

How large would target and comparison samples be after one year of observation?

After one year of observation, a clinic would have an estimated average caseload of 42 victims. The New Jersey and New Mexico clinics reported the largest average client caseloads. Comparison samples are unlikely and unknown.

What would the target population receive in a comparison sample?

Finding a comparison sample is unlikely and services provided are unknown.

What are the shortcomings/gaps in delivering the intervention?

The threats to an evaluation presented in Table 5 above are also the shortcomings/gaps in delivering the intervention as expressed by clinic staff.

What do recipients of the intervention think the project does? How do they assess the services received?

It was beyond the scope of this work to interview clinic clients. Therefore, we do not have first-hand knowledge of what clients think the clinics do.

What kinds of data elements are available from existing data sources? What specific input, process, and outcome measures would they support?

NCVLI and clinic staff are collecting data on specific input, process, and outcomes measures. Data elements for each measure are described below.

Input measures – Inputs are the resources of NCVLI and the legal clinics. These measures include amount and duration of OVC funding, years of staff experience, number of state statutes and case law, and number of networks.

Process measures – Process refers to the activities of NCVLI and the legal clinics. Measures of these activities include the number of state and federal clinics; number of requests for legal services; number of requests for legal research and information; number of recruitment events and attendance for pro bono attorneys and law students; number of staff, pro bono attorneys and interns available to handle a case; amount of time spent on legal representation; number of court appearances by staff, pro bono attorneys, and law students; number of legal submissions; number of amicus curiae briefs filed; number of published opinions; number of client satisfaction surveys administered and received; and number of participants at annual conferences; number of NAVRA members.

Outcome measures – Outcome measures are measures that reflect the achievement of the Project goals. These measures are at the client, system, and community levels. Client level outcomes measures include changes in access to and knowledge about attorney representation, victims' rights and criminal justice process, client participation, and client satisfaction. System level outcomes measures include changes in access to and education/training for attorneys and students; changes in knowledge about and respect for crime victims' rights; changes in advocacy and enforcement of crime victims' laws; changes in awareness of crime victims' rights; and changes in the reporting of crime victims' rights.

These data elements can be found the NCVLI's database, and/or in the data collection and tracking systems used by the clinics.

How complete are data records? Can you get samples?

Automated data records and paper case files seem to be comprehensive at NCVLI and the legal clinics. NCVLI and clinic staff are open to giving researchers full access to data records if an evaluation is done.

What routine reports are produced?

For the Project, the legal clinics submit quarterly progress reports to NCVLI. Clinic staff have remarked that the reporting requirements for the NCVLI sub-grant is one of the most stringent reporting requirements. This information is then used by NCVLI in its progress reports to OVC.

Can target populations be followed over time?

Target populations such as clients, pro bono attorneys, and law students can be followed over time. Staff at NCVLI and the legal clinics keep detailed records on these target populations. These data are either stored in automated systems or in paper case files.

Can services delivered be identified?

Services provided by NCVLI and each clinic can be identified. Table 9 below presents each clinic's primary activities. The activity categories are those as envisioned by NCVLI for 2006 – 2007.

Site	Activity					
	Planning	Student Training	Attorney Training	Attorney Recruitment	Eval/Perf Measure	Cases
Arizona (State and Federal)	X	X	X	X		X
California	X	X	X	X	X	X
Idaho	X	X	X	X		X
Maryland	X	X			X	X
New Jersey	X	X	X			X
New Mexico	X		X	X		X
South Carolina	X	X	X			X
Utah	X	X	X	X	X	X

The clinics in California, Maryland, and Utah reported that they conduct client satisfaction surveys to assess clinic services. They use this feedback to make necessary modifications to program implementation.

Can systems help diagnose implementation problems?

NCVLI and legal clinic data recording systems (e.g., databases or paper case files) can be used to diagnose implementation problems. NCVLI routinely reviews legal clinic reports to detect what support clinics may need. NCVLI then follows up with clinics during routine, or as needed, conference calls with clinic staff. Because most clinics are staffed with only a few people, clinic staff reported that through daily communication and often case conferencing they are able to detect any implementation problems and to address any problems quickly soon after they arise.

Do staff tell consistent stories about the program? Are their backgrounds appropriate for the project activities?

Staff at NCVLI and at the legal clinics all told consistent stories. Staff also are all deeply committed to the issue of victims' rights and most have worked in the field of victims rights for many years.

What do partners provide/receive? How integral to project success are the partners?

Partners of the NCVLI legal clinics include law schools, and service provider organizations. These partners provide the legal clinics with law student interns, facilities (e.g., office space, equipment), and client referrals. They receive outreach/education, training, and referrals provided by legal clinic staff.

What changes is the director willing to make to support the evaluation?

The executive director at NCVLI is willing to work with a researcher to help identify the best research design for this Project. He understands the utility of evaluation and is interested in supporting research efforts that are not overly burdensome for his staff or clinic staff. Provided that staff are supported with the necessary resources that it takes to conduct a thoughtful evaluation, the NCVLI executive director would be willing to participate in such an endeavor.

CONCLUSION

Would you recommend that the project be evaluated? Why or why not?

The UI research team recommends that an evaluation of the Project be undertaken. This Project is timely and is gaining momentum across the United States. Before additional resources are spent to support this work, and to best inform how limited resources should be allocated, an evaluation of the impact of this work should be done.

What kinds of evaluation designs would you propose?

A potential research design for an evaluation of this Project would be a three to five year case study measuring change over time. Data, both qualitative and quantitative in nature are available to support this evaluation.

Crime victims' rights laws and models of enforcement are in the developing stage, thus this is an opportune time for research to be conducted to determine theoretical propositions and practical implications about whether these laws and models are effective. What are the laws? How do they work? Why do they produce certain outcomes? To answer these types of questions, researchers need to understand the process and impact of NCVLI and the legal clinics. When "how" or "why" questions are being asked about a contemporary set of events over which the researcher has little or no control, case studies are the preferred research method (Yin 1994, 9). Not only will a qualitative design, such as a case study, yield data that will help in the development of crime victimization protection theories but also findings will greatly contribute to the development of practical policies and procedures for promoting and enforcing crime victim rights.

There are some data elements that are quantitative in nature that are being collected by NCVLI and the legal clinics that can help inform the proposed evaluation. While these quantitative data will provide some insight into the process and impact of this Project, using quantitative methods alone that rely on predetermined categories of analysis (e.g., number of cases filed, number of victims served, number of laws passed) would not be sufficient to gather the varying details about enforcement models (legal clinics) or to delve into the context of how the models truly work for replication purposes.

Specifically, we suggest a case study of NCVLI along with embedded case studies of its legal clinics. Embedded case studies add another layer of detail so that the research team has more in-depth information to better evaluate how NCVLI is servicing the crime victims' rights field. Yin (1994, 42) states that an "embedded design can serve as an important device for focusing a case study inquiry." Thus, an embedded case study of the clinics would be necessary to best determine how NCVLI is servicing the field. Additionally, we suggest a research design that blends the strengths of both qualitative and quantitative features so that data from varying sources are collected for analysis.

In addition, a multi-year or longitudinal, state-based survey of attorneys and other stakeholders would also assist in measuring system and community outcomes related to the work of NCVLI and the clinics. As described in the overall logic model (Appendix A), NCVLI has multiple goals across multiple outcome levels—it will be important to accurately assess outcomes at each of these levels. A longitudinal survey of stakeholders would provide information on changes in the overall culture of victims' rights among states—important information even in those states that have had a clinic for some years.

An evaluation that culminates in a variety of reports each geared to the different stakeholders (practitioners such as attorneys, judges, and victim service providers) would go a long way in informing the field on promising and best practices.

What should NIJ's grant manager know about this project?

Staff at NCVLI and at all of the legal clinics were very supportive of the UI/NIJ research team's evaluability assessment efforts. Initially, some sites expressed reluctance to participate in the evaluability assessment. NCVLI took steps to inform the legal clinics about the purpose of an evaluability assessment, and how an open call for a full evaluation could result from it. In the end, NCVLI understands that an evaluation would, in the long run, actually help advance their mission. Once the clinics better understood what the UI/NIJ research team was trying to accomplish all staff were extremely willing to support our efforts.

APPENDIX A: NCVLI LOGIC MODEL

National Crime Victims Law Institute State/Federal Demonstration Project Logic Model

INPUTS

Resources:

- OVC funding and grant monitoring to NCVLI to fund nine crime victims rights clinics around the country
- NCVLI staff experience, including staff existing legal and political connections
- Experience and connections of staff at legal clinics
- Facilities; housed at Lewis & Clark Law School, Portland, Oregon

Climate:

- Victims' rights included in 33 state Constitutional amendments guaranteeing victims of crime rights in the criminal justice process
- The Crime Victims Rights Act of 2004 (18 U.S.C. §3771) which provides comprehensive rights to victims in federal courts
- Existing statewide victim services networks

ACTIVITIES

Establish/monitor clinic:

- Establish legal clinics nationwide (e.g., sub-grants, partnerships, boards, priority issue setting)
- Develop reporting and financial management protocols (e.g., Case Files)
- Conduct site visits with all legal clinics and conduct regular conference calls
- Seek additional sources of funding to sustain initiative

Legal representation/services:

- Provide direct legal services by pro bono legal clinics in trial and appellate courts through clinics
- Provide TA to clinics (e.g., state manuals, legal research)
- File amicus curiae briefs
- Recruit pro bono attorneys and law students through clinics

Community education and training:

- Conduct national training and education for participants in the criminal justice system (e.g., attorneys, judges, law enforcement, and victim service providers)
- Host annual NCVLI Law and Litigation Conference in Portland, OR
- Participate in National Alliance of Victims' Rights Attorneys (NAVRA)
- Maintain and disseminate a resource bank of crime victims' law
- Disseminate information on issue (e.g., media outlets, bar journals, case updates)

OUTPUTS

Establish clinic:

- Number of state and federal clinics
- Clinic model(s) that can be replicated
- Monthly and quarterly reports and telephone calls with legal clinics
- Continuation funding

Legal representation/services:

- Number of requests for legal services received and provided at clinics
- Number of requests for legal research and information
- Number of recruitment events and attendance for pro bono attorneys and law students by clinics
- Number of staff, pro bono attorneys and interns available to work on a case
- Number of court appearances by staff, pro bono attorneys, and law students at trial and appellate levels

- Number of legal submissions with court and/or administrative body

- Number of amicus curiae briefs filed

- Number of published opinions at trial and appellate levels

- Number of client satisfaction surveys distributed and received

Community education and training:

- Number of participants and participation at Annual Law & Litigation Conference
- Number of NAVRA members
- Collaboration among advocates, educators and attorneys that shape the system
- Technical assistance on victims' rights (e.g., clinic cases, reference manual, case updates)

OUTCOMES

Client-level outcomes:

- Increased access to a knowledgeable attorney for representation in the criminal justice system
- Increased understanding of victims' rights and criminal justice process
- Increased meaningful participation by victims in the criminal justice process

System-level outcomes:

- Increased access to education, training and technical support from a community of experts for crime victims' rights attorneys and interns
- Increased knowledge about and respect for legal rights of crime victims by all criminal justice system stakeholder
- Increased advocacy and enforcement of crime victims' laws (legal representation)

Community-level outcomes:

- Increased awareness and understanding of crime victims' rights
- Increase reporting of crime victims' rights violations

APPENDIX B: CLINIC LOGIC MODELS

**CRIME VICTIMS LEGAL ASSISTANCE PROJECT
(ARIZONA VOICE FOR CRIME VICTIMS)
LOGIC MODEL**

Community Characteristics/Context

- **Legal climate**
-- Crime victims and prosecutors have standing to assert victims' rights in AZ
- **Political climate**
-- Victims' rights included in AZ Constitution in 1990
- **AVCV infrastructure**
-- Housed within Arizona State University College of Law
-- Strong Executive Director, helped to create initial momentum for larger Demonstration Project (NCVLI)

Incoming Workload

- Number of victims of crime needing social or legal services
- Number of violations of victims' rights in state and federal courts
- Number of organizations that have the capacity to serve victims of crime
- Number of practitioners and law students knowledgeable about victims rights

Inputs: CVLAP Resources

- Staff, including existing legal and political connections of staff; licensed clinical social worker on staff
- Strategic plan (vision of Steve Twist)
- Funding, technical assistance from NCVLI
- Connections to other clinics through NCVLI conferences and listserv
- Partnership with Arizona State University College of Law; use of student volunteers

Outputs of CVLAP

- Number of calls received from victims
- Numbers of client intakes completed
- Number of client cases assessed and referred by clinic staff
- Number of new service providers contacted to become part of referral network
- Explanation of legal system and legal proceedings to clients
- Number of practitioners reached through court interactions, including judges, prosecutors, and defense attorneys
- Number of law students reached through victims' rights course and CVLAP recruitment activities
- Development of plans for sustainability

Intermediate Outcomes[†]

Client-Level Outcomes:

- Improved client-level understanding of criminal justice process/reduced victim anxiety
- Client satisfaction in criminal justice process measured at various points in case

Case & System-Level Outcomes:

- Increase in calls to CVLAP
- Increased number of court appearances by pro bono attorneys affiliated with Project
- Increased number of motions filed
- Number of published opinions
- Increased number of published opinions on victims' rights
- Judicial decisions at trial and appellate level (case law)
- Number of law students attending information session on project; number of students applying for internship
- Increased compliance with state's victims' right laws

Community-Level Outcomes:

- Increased (immediate) awareness of Project by crime victims service providers

End Outcomes[†]

Client-Level Outcomes:

- Reduced victim trauma
- Satisfaction with outcome of the case

System-Level Outcomes:

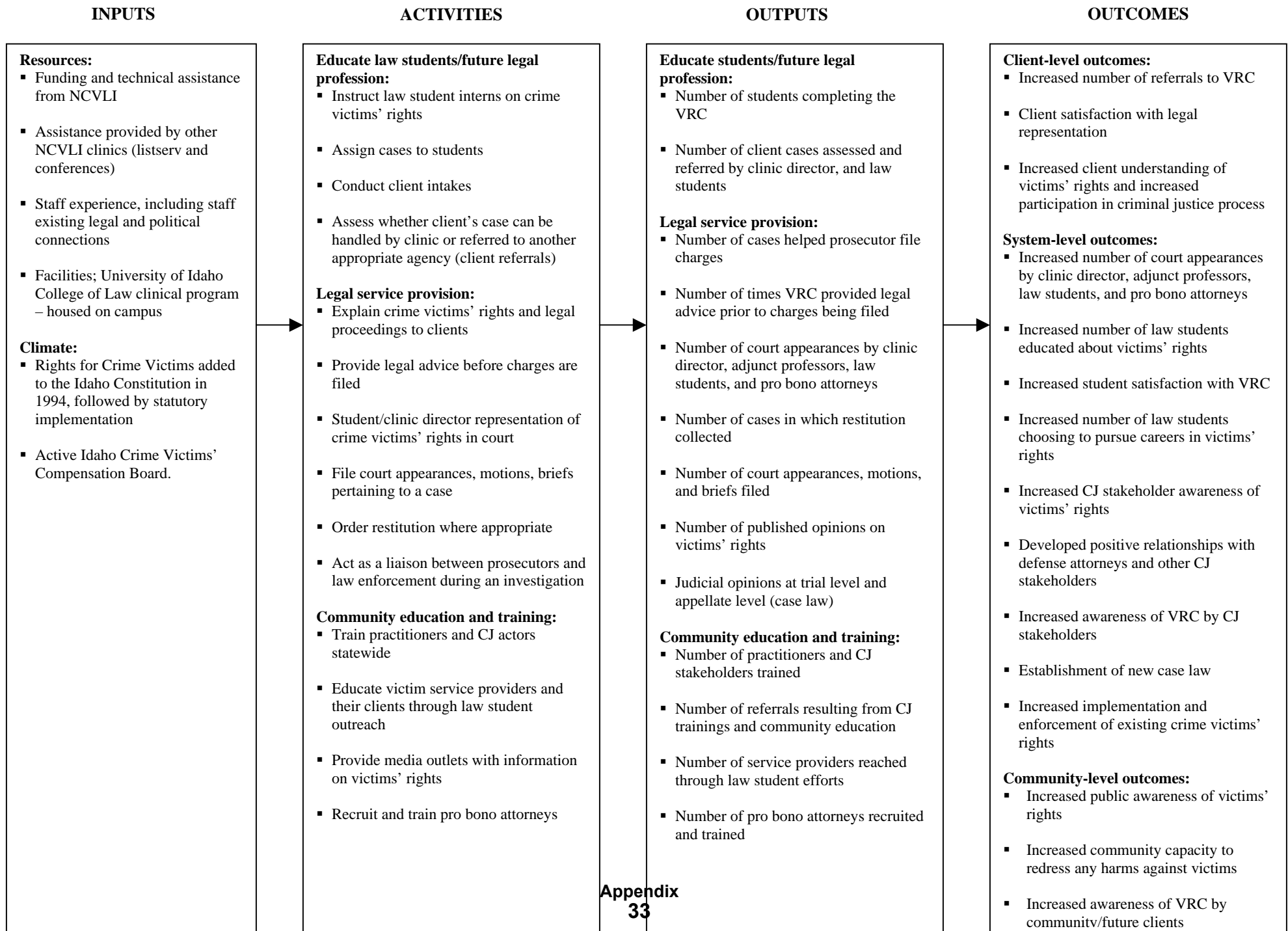
- Increased number of court appearance by pro bono attorneys not affiliated with project
- Establishment of new state (AZ) laws supporting victims' rights
- Establishment of new Federal laws supporting victims' rights
- Establishment of new state laws outside of AZ
- Increased awareness of Project/clinic by all agents/stakeholders in the CJ system
- Improved legal system culture-- increase in willingness by prosecutors and judges to honor rights of victim without push from CVLAP

Community-Level Outcomes:

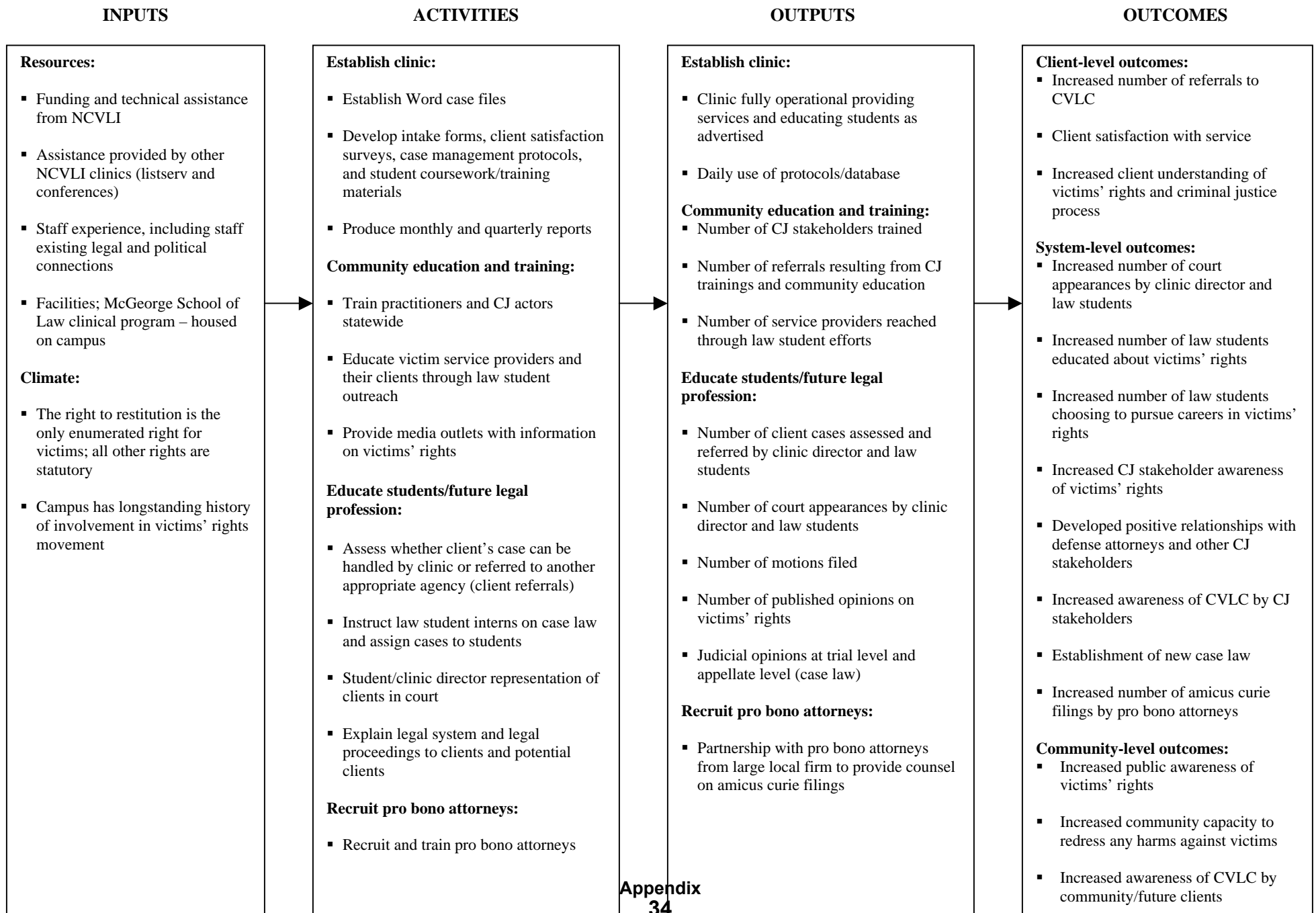
- Increased public awareness of victims' rights
- Increased community capacity to redress any harms against victims

[†]These outcomes can be measured for both the state and federal clinic

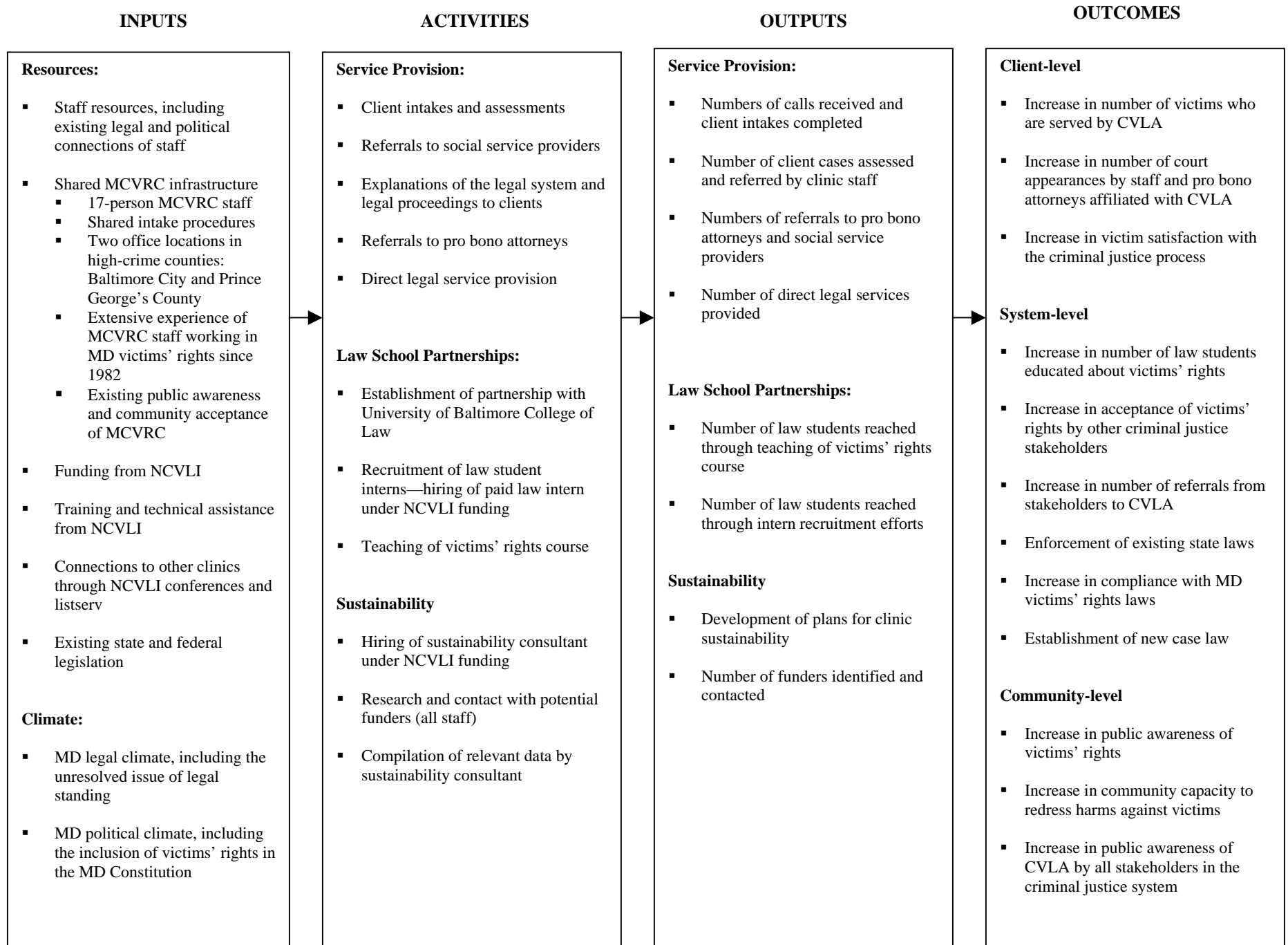
University of Idaho College of Law Victims' Rights Clinic (VRC) Logic Model



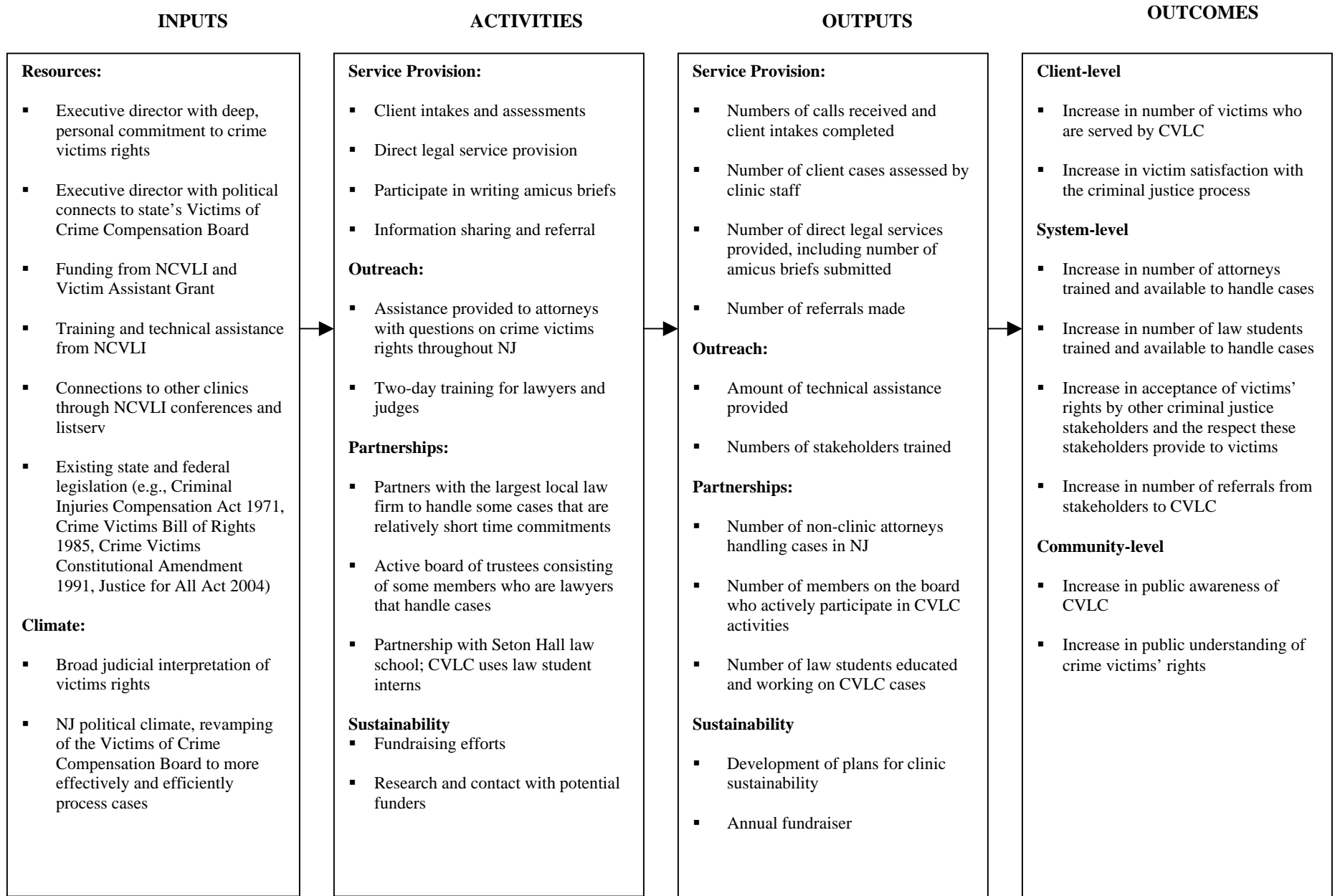
McGeorge School of Law's Crime Victims Legal Clinic (CVLC) Logic Model



CRIME VICTIM LEGAL ADVOCACY (CVLA) LOGIC MODEL



CRIME VICTIM LAW CENTER (CVLC) LOGIC MODEL



New Mexico Victims' Rights Project (NMVRP) Logic Model

INPUTS

Resources:

- Funding and technical assistance from NCVLI
- Assistance provided by other NCVLI clinics (listserv and conferences)
- Staff experience, including staff existing legal and political connections
- Support provided by an advisory board (responsible for sustainability plan)
- Facilities; shares office space with DWI Resource Center (well-known statewide)

Climate:

- NM victims' rights laws enacted in 1987
- Constitutional Amendment ratified by voters in 1992 and enacting statutes adopted in 1994.

ACTIVITIES

Legal service provision:

- Network with stakeholders for client referral
- Follow-up on all referrals within 24 hours
- Assess legal issues of a case and refer to appropriate service provider or accept case as part of caseload
- Meet regularly with NMVRP staff to discuss cases, and collaborate with NCVLI and other clinics for legal advice
- Represent clients in court (focus on issues of standing and notification), and make sure restitution is ordered and followed through on when appropriate

Community education and training:

- Train practitioners and CJ actors statewide
- Produce/distribute educational materials (e.g., training videos, bulletins)
- Help prosecutors write and file briefs on crime victims' rights
- Provide media outlets with stories and victims' rights information
- Explain legal system and legal proceedings to clients and potential clients
- Work to change judicial procedures at District level

Recruit pro bono attorneys:

- Recruit and train pro bono attorneys

OUTPUTS

Legal service provision:

- Number of court appearances by staff and pro bono attorneys
- Number of motions filed
- Number of published opinions on victims' rights
- Judicial opinions at trial level and appellate level (case law); specifically with respect to standing and notification

Community education and training:

- Number of clients referred to clinic
- Number of client cases assessed and referred by staff
- Number of stakeholders attending trainings
- Number of practitioners reached through court interactions, including judges, prosecutors, and defense attorneys
- Number of media outlets reached
- Number of prosecutorial and judicial procedures changed at District court level
- Size of victim services referral network

Recruit pro bono attorneys:

- Number of pro bono attorneys who are ready to accept cases when called upon

OUTCOMES

Client-level outcomes:

- Increased number of referrals to NMVRP
- Client satisfaction/wellbeing achieved within the realm of "do no further harm"
- Increased client understanding of victims' rights and the criminal justice process

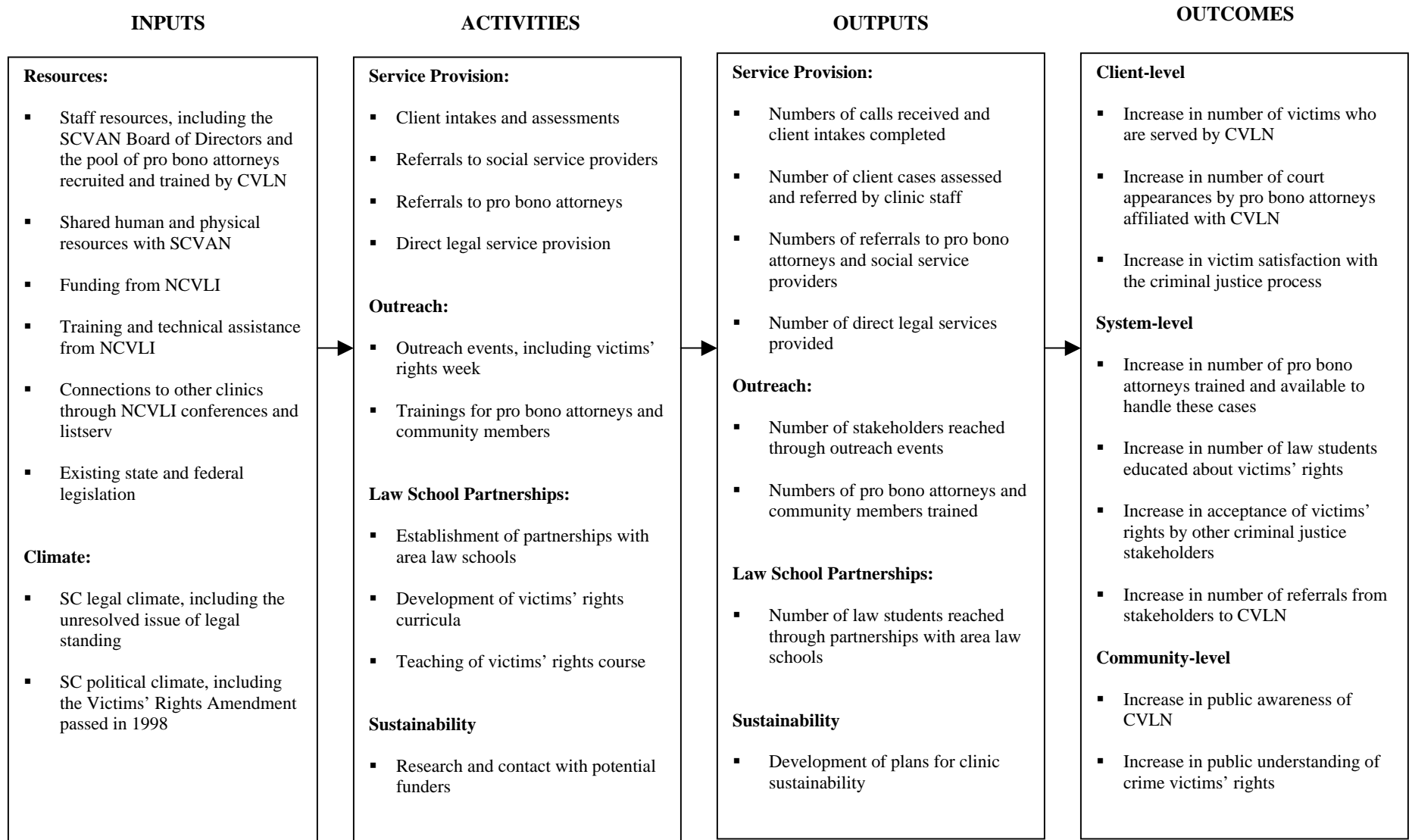
System-level outcomes:

- Increased number of court appearances by staff attorneys and pro bono attorneys
- Increased judicial and prosecutorial respect of victims' rights attorneys – change in SOP to honor rights of crime victims
- Increase networking with crime victim service providers
- Establishment of new case law, specifically on standing and notification

Community-level outcomes:

- Improved public education and awareness of victims' rights
- Increased community capacity to redress any harms against victims
- Increased awareness of NMVRP by all stakeholders in the CJ system

CRIME VICTIM LEGAL NETWORK (CVLN) LOGIC MODEL



Utah Crime Victims Legal Clinic (UCVLC) Logic Model

INPUTS

Resources:

- Funding and technical assistance from NCVLI
- Assistance provided by other NCVLI clinics (listserv and conferences)
- Staff experience, including staff existing legal and political connections
- Oversight provided by an advisory board
- Facilities; housed in Rape Recovery Center (well-known statewide)

Climate:

- Victims' rights included in UT Constitution in 1994 and UT Bill of Rights
- Existing statewide victim services network

ACTIVITIES

Establish clinic:

- Establish Excel database and Word case files
- Develop intake forms, client satisfaction surveys, trainee satisfaction surveys, and case management protocols
- Produce monthly and quarterly reports

Legal service provision:

- Network with stakeholders for client referral
- Assess whether client's case can be handled by clinic or should be referred to another appropriate agency (client referrals)
- Represent clients in court

Recruit pro bono attorneys and law student interns:

- Recruit and train pro bono attorneys
- Working to form partnerships with Brigham Young University Law School and the University of Utah Law School
- Instruct law student interns on case law and assign cases

Community education and training:

- Train practitioners and CJ actors statewide
- Produce/distribute educational materials
- Work with statewide network of victim service providers
- Provide media outlets with information

OUTPUTS

Establish clinic:

- Clinic fully operational providing services as advertised
- Daily use of protocols/database

Legal service provision:

- Number of court appearances by staff, pro bono attorneys, and law school interns
- Number of motions filed
- Number of published opinions on victims' rights
- Judicial opinions at trial level and appellate level (case law)

Recruit pro bono attorneys and law student interns:

- Recruited 2 pro bono attorneys and 5 law interns
- Formal partnership with University of Utah
- Number of court appearances by pro bono attorneys and law students

Community education and training:

- Number of clients referred to clinic
- Number of client cases assessed and referred by staff
- Number of stakeholders attending trainings
- Client understanding of victims' rights, criminal justice process, and reduced anxiety

OUTCOMES

Client-level outcomes:

- Increased number of referrals to UCVLC
- Client satisfaction with service (regardless of case outcome)
- Reduced victim trauma

System-level outcomes:

- Increased number of court appearances by staff attorneys, pro bono attorneys and law student interns
- Increased number of law students choosing to pursue careers in victims' rights
- Increased respect for crime victims' rights by defense attorneys

- Enforcement of existing state laws

- Increased compliance with UT victims' rights laws

- Establishment of new case law

Community-level outcomes:

- Increased public awareness of victims' rights
- Increased community capacity to redress any harms against victims
- Increased awareness of UCVLC by all stakeholders in the CJ system

Evaluability Assessment of the State and Federal Clinics and System Demonstration Project: Arizona Voice for Crime Victims

Final Report

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NIJ # 2006TO045





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Evaluability Assessment of the State and Federal Clinics and System Demonstration Project

SYNOPSIS

Grantee:

Arizona Voice for Crime Victims (AVCV)

Sub-Grant Duration:

State clinic – 5/1/03 through 4/30/06

Federal clinic – 5/1/06 through 4/30/07

Current Award:

The State/Federal Clinics and System Demonstration Project is supported by grant No. 2002-VF-GX-K004, awarded by the Office for Victims of Crime (OVC), Office of Justice Programs, United States Department of Justice. AVCV received \$387,000 over a four-year period.

Funding History:

AVCV developed the Crime Victims Legal Assistance Project (CVLAP) with VOCA funding in 2001. Beginning on May 1, 2003, AVCV received funding as part of the State/Federal Clinics and System Demonstration Project. Below is a brief summary of funding amounts per year:

Federal Funding for State Project

Year 1 = \$100,000 5/1/03 – 4/30/04

Year 2 = \$75,000 5/1/04 – 4/30/05

Year 3 = \$50,000 5/1/05 – 4/30/06

Federal Funding for Federal Project

Year 3 = \$57,000 5/1/05 – 4/30/06

Year 4 = \$105,000 5/1/06 – 4/30/07

Project Summary:

Arizona Voice for Crime Victims (AVCV) is part of the State/Federal Clinics and Systems Demonstration Project under funding from the National Crime Victims Law Institute (NCVLI). NCVLI received OVC funding to develop eight state clinics and one federal clinic as part of an overall mission to promote balance and fairness in the justice system through crime victim centered legal advocacy, education, and resource sharing. With funding from NCVLI, AVCV expanded the newly developed Crime Victims Legal Assistance Project (CVLAP).

CVLAP is a collaborative effort between AVCV and the Arizona State University College of Law. CVLAP is the first direct representation legal clinic for crime victims in the United States and has been recognized by the United States Department of Justice and

the National Crime Victim Law Institute as a model site for the nation. The main goal of CVLAP is to provide direct pro bono legal services to crime victims to enforce their rights in the criminal process. Formed in 2001, CVLAP is comprised of two paid staff attorneys, Arizona State University College of Law students, and volunteer attorneys who represent crime victims pro bono during criminal proceedings.

NCVLI received a grant from OVC on September 30, 2002. The Demonstration Project grant was designed cooperatively with OVC, NCVLI, and AVCV. Thus, the application was made so that AVCV would receive funding in 2003 to help support the operation of its existing state clinic. The state funding for AVCV expired on April 30, 2006. Beginning in 2005, AVCV also received funding to test their model at the federal level. This federal funding expires on April 30, 2007.

Scope of Evaluation:

This evaluability assessment was to determine whether a rigorous evaluation of NCVLI and its Demonstration Project could be conducted. To help make this determination the Urban Institute research team conducted site visit activities at NCVLI and the Demonstration Project clinics. Site visit activities included conducting interviews with key program staff, document review, and observation.

Summary of Evaluability Assessment Activity:

Two researchers and an NIJ staff person conducted a one-day visit to CVLAP in July 2006. The research team met with all CVLAP staff members individually throughout the day. The team also spent time viewing the electronic databases used to collect relevant evaluation information.

Findings:

The Arizona site should be included in an evaluation of NCVLI and its legal clinics. This site maintains adequate records that would support an evaluation. While staff at CVLAP expressed an interest in participating in an evaluation, they also reported concerns about their resource capacity for such an endeavor.

INITIAL PROJECT ANALYSIS

Introduction

In order to address the issue of victims' rights enforcement, OVC entered into a cooperative agreement with NCVLI to develop the State and Federal Clinics and System Demonstration Project. The Demonstration Project was created to advocate for the expansion of the enforcement of victims' rights in the criminal justice system and the expansion of education of the legal profession in this area. To better understand the Demonstration Project's impact through NCVLI and its Clinics, the National Institute of Justice (NIJ) and OVC entered into a contract with the Urban Institute to conduct an evaluability assessment of the Project. The evaluability assessment will provide information that will assist NIJ and OVC in determining the feasibility of conducting a rigorous outcome or impact evaluation of the NCVLI Demonstration Project.

What do we already know about projects like these?

In 2004, there were approximately 24 million crimes committed against people twelve years and older, and approximately one-fifth of those (5.2 million) involved some sort of violent crime (Catalano 2005). Experts have estimated that five out of six people will be victims of a completed or attempted violent crime in their lifetimes (Koppel 1987). Over the past 25 years, crime victims have secured limited rights to participate in the criminal court process. Generally, these rights are intended to protect and preserve the dignity of victims through changes in criminal law. Examples include the right to receive notice and be heard during various phases of the criminal court process, the right to restitution, and laws that protect victims, such as rape shield laws and laws that protect child victims (Beloof 2001). All 50 states guarantee victims of crime some form of legal rights of participation in the criminal legal process (Beloof 1999), and 33 states guarantee crime victims' rights within their state constitutions (NCVLI 2006). In 2004, crime victims were granted rights to participate in the process in federal courts. However, the exact rights that victims of crime possess and the extent to which these rights are enforced vary significantly among jurisdictions.¹ Additionally, most law students are not educated about the rights of victims within criminal justice proceedings as a part of their formal or continuing legal education.

NCVLI is a non-profit research and educational organization, established in 2000 to assert victims' rights in criminal trial courts. In 2004, NCVLI entered into a cooperative agreement with OVC to conduct the State and Federal Clinics and System Demonstration Project. The two primary goals of the Project are: (1) to expand the enforcement of victims' rights in the criminal justice system, and (2) to expand the education of the legal profession in the area of victims' rights. The Demonstration Project establishes and funds nine legal clinics that provide direct pro bono legal services to victims to enforce their rights to participation in the criminal process. To this end, in 2004, NCVLI funded five state clinics in the following cities: Albuquerque, NM, Columbia, SC, Sacramento, CA, Tempe, AZ, and Upper Marlboro, MD. In 2005, they added three additional state clinics in Salt Lake City, UT, Newark, NJ, and Moscow, ID, and a federal clinic in Tempe, AZ. NCVLI serves as the intermediary and provides these clinics with training, technical assistance in the form of legal support and research, assistance with implementation, financial and programmatic monitoring, coordination with victim advocacy organizations, and other assistance as needed. NCVLI holds an annual conference on crime victims' law and helps to educate law students in the area of victims' rights. There is also an annual cluster meeting of the clinics funded by NCVLI before the conference.

NCVLI and the associated clinics are the only organizations of their kind in the United States. For this reason, virtually nothing is known about the impact and effectiveness of the national organization or the various models of legal clinics it supports.

¹ An important area in which victims' rights differ among jurisdictions is legal standing. While both crime victims and prosecutors in Arizona have legal standing to assert victims' rights in court, other jurisdictions do not provide legal standing to victims and prosecutors. These differences in legal standing inform clinic strategies and practices.

What could an evaluation of this project add to what we know?

An evaluation of NCVLI and its State and Federal Clinics and System Demonstration Project would increase our knowledge of victims' rights and enforcement of these rights in the United States. Specifically, an evaluation of the project would help answer research questions such as: (1) What are the varying protections/rights crime victims are afforded in the United States (nationally and locally)? (2) To what extent are these rights enforced within each jurisdiction studied? What are different local models/methods employed to help enforce victims' rights? What are the strengths and weaknesses of each identified model? What external factors support or hinder model success? (3) What additional rights have stakeholders identified that crime victims need in order to better protect victims during the criminal justice process within each jurisdiction? (4) What key stakeholders (e.g., community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims) should be involved in this work, and what are their anticipated roles? (5) What outreach, education, and training activities are being conducted to increase understanding and competencies (nationally and locally)? (6) Have the outreach, education, and training activities increased awareness and knowledge of crime victims' rights among victims and stakeholders? (7) Does the existence of the NCVLI clinic increase the number of attorneys providing pro bono services for these victims? These are some of the research questions that would be answered by evaluating this project. Answers to these important questions would help shape rules and regulations (legislation), policies, and practices of stakeholders involved in this work.

Which audiences would benefit from this evaluation? What could they do with the findings?

Likely audiences to benefit from this work include community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims. The implications of evaluation study findings for each audience member are described below:

Community leaders – Like social service providers, some community leaders have an historical context for the crime victims' rights movement. Their knowledge and experience would greatly inform the development of materials and trainings. Also, information gleaned from data collected from these stakeholders would help inform public awareness campaigns so that the public-at-large (potential crime victims) would have a better understanding of their rights, methods for how to enforce their rights, and the support systems that exist in their areas. A public awareness campaign around these issues is necessary to increase the visibility and understanding of crime victims' rights.

Defense attorneys – Evaluability assessment respondents alluded to their belief that defense attorneys do not understand the laws pertaining to crime victims. Additionally, they reported that defense attorneys do not understand the role of a crime victim and his/her attorney during the criminal court process. This has been demonstrated to respondents through perceived inaccuracies and inadequate responses to pleadings and motions brought by crime victim attorneys. Evaluation study findings would help develop resource materials appropriate for defense attorneys that would include

information on the rights of crime victims during the criminal court process so that future defense responses to pleadings and motions can be better informed. A benefit of more thoughtful responses is that future case law can be truly based on the merits of a case.

Judges – Preliminary findings from this evaluability assessment indicate that judges in the American court system are not well versed in crime victims’ rights and the protections that should be afforded to victims. Moreover, judicial sensitivity to the needs of crime victims is not commonplace. Evaluation study findings would inform the development of appropriate materials (e.g. resource guides, fact sheets, bulletins) and training curricula for judges to increase not only their knowledge about crime victims’ rights and the protections victims should have during the criminal court process, but also their sensitivity to crime victims’ needs.

Lawmakers – With increased attention on the rights of crime victims, legislatures are reviewing laws within their jurisdictions to determine whether there are adequate protections for these victims. Findings from an evaluation would greatly inform lawmakers about what is occurring in other states and provide guidance on how to best develop or modify laws for their state.

Prosecutors – Evaluability assessment findings seem to suggest that some prosecutors are not comprehensively versed in the role of a crime victim during the criminal justice process. Moreover, some prosecutors do not fully understand the role of a crime victim’s attorney. Evaluation study findings would aid in the development of appropriate materials and training curricula for prosecutors to increase their knowledge of the role of a crime victim’s attorney during the criminal court process. Prosecutor training around the issue of supporting the role of a crime victim’s attorney during an investigation and prosecution is necessary to better protect the crime victim.

Social service providers – Some social service providers are part of the grass roots movement to promote crime victims’ rights. Because these stakeholders have an historical context for this work, it would be essential to include them in a comprehensive evaluation of the project. What could be learned from these stakeholders would help inform the development of materials and trainings for other stakeholders mentioned in this section. Additionally, it would help clarify the role of social service providers in how they can work with victim advocates and crime victim attorneys.

Victim advocates – Victim advocates who work in a prosecutor’s office would benefit from evaluation study findings as well. Respondents from the assessment indicated that some advocates are unaware of crime victims’ rights and at times may hinder a crime victim attorney from best protecting a victim’s rights. Moreover, some advocates are not connected with social service providers in the community to best meet the social service needs of crime victims. Evaluation study findings would aid in the development of appropriate materials (e.g., resource lists of area providers) and trainings for advocates so that advocates can better understand how to collaborate with local providers and to work with crime victim attorneys.

Victims – Crime victims would greatly benefit (perhaps benefit the most) from an evaluation of the project. Findings could help educate stakeholders and inform the systems that are in place to promote and enforce crime victims’ rights. An evaluation of the project would need to include the voice of the victim, as victims can be considered the “experts” on what types of support they need during the criminal court process. The information they hold could greatly inform resource materials and trainings.

Overall, case study findings would provide stakeholders with information on how to develop or modify a model for protecting crime victims’ rights within their state (as described above).

Is the grantee interested in being evaluated?

Overall, the Executive Director and other clinic staff members are receptive to the idea of an evaluation. Since the CVLAP has been a forerunner to other NCVLI clinics, staff from other NCVLI-funded clinics as well as external parties have frequently visited the CVLAP office and called upon clinic staff to share best practices. For this reason, there is some degree of hesitation among clinic staff to engage in a rigorous evaluation process, as it may divert valuable staff time from their primary objectives. Several staff members expressed concern that a full-scale evaluation will be time-consuming for clinic staff and may interfere with their mission of providing services to victims.

What is the background/history of this program?

As previously mentioned, CVLAP is the forerunner to all other NCVLI clinics. Though the clinic originally opened in 2001, the Board President of AVCV had already been working in the field of victims’ rights for more than two decades. For this reason, the history of CVLAP is intertwined with the history of victims’ rights both nationally and in the state of Arizona. The work of Board President Steve Twist in the field of victims’ rights illustrates the history of the Arizona clinic.

While a law student at Arizona State University in 1974, Steve Twist first learned about the issue of victims’ rights from Frank Carrington of Americans for Effective Law Enforcement, who later became the founder of the victims’ rights movement in the United States. In the late 1970s, Steve was given the task of rewriting Arizona’s criminal code, and he included some early language on victims’ rights. During the 1980s, Steve became involved in the victims’ rights movement on a national level, advocating for the inclusion of victims’ rights into the 6th Amendment of the U.S. Constitution.

In Arizona, Steve pursued the intermediate goal of obtaining rights for victims at the state level. He drafted the Arizona bill that voters accepted in 1990, making Arizona the fifth state in the U.S. to include victims’ rights in its Constitution. Despite this apparent success, it soon became clear that the laws on their own were not effective in providing rights for victims because they were not being enforced. Steve Twist and Doug Beloof, currently the Executive Director of NCVLI, collaborated to build a national institution dedicated to advancing victims’ rights. NCVLI is the result of that effort, and the clinics are, essentially, an outgrowth of NCVLI. Even before AVCV received funding from

NCVLI, Steve had begun CVLAP with a VOCA grant in June 2001. In addition, Steve was taking on pro bono cases himself before the clinic opened.

At what stage of implementation is the program?

The state clinic is fully operational. Having completed its NCVLI funding in 2005, the state clinic is now sustained by a variety of other funding sources, including state VOCA funding and private monies raised for AVCV through corporate donations and fundraisers. Funding for the federal clinic began in 2005 and will continue until 2007.

What are the project's outcome goals in the view of the project director?

There are three major outcome goals of the project: (1) to support crime victims through the provision of social and legal services, (2) to change the law to benefit all victims (primarily through litigation resulting in new case law), and (3) to change the overall culture of the legal system (attorneys, judges, legislatures, jurors/the public) to recognize that victims' rights are basic constitutional rights and should be recognized and upheld. In regard to the third outcome of changing the culture of the legal system, it is important to note that clinics are prohibited from lobbying for legislative change due to restrictions in federal funding. Clinic staff members cannot lobby for legislative change as part of the NCVLI grant.

Does the proposal/project director describe key project elements? Do they describe how the project's primary activities contribute to goals?

The first goal of the clinic is to provide support to victims as they proceed through the criminal justice system. There are several project activities that support this goal, including intake telephone conversations, follow up telephone calls and meetings, referrals to social service providers, explanations of legal terminology and proceedings (including what victims can expect during each stage of the legal proceedings), and court accompaniment. In addition, staff attorneys provide direct legal services to clients, including court appearances and the filing of motions.

By helping crime victims go through the legal process, staff attorneys take on cases that will be litigated in the local court system throughout the entire state of Arizona. The Executive Director of AVCV also takes on cases/appeals going in front of the 9th Circuit Court. The litigation of victims' rights cases over time establishes a body of case law that creates a new culture of understanding and recognition of the rights of crime victims. Furthermore, staff attorneys meet with the Board President to discuss changes in the climate of the courts and to prioritize the victims' rights issues that they will attempt to litigate. In addition, staff attorneys meet with social workers to discuss client intakes and to identify clients and cases that they can litigate in pursuit of larger legal goals (i.e., the cases that will have the largest impact on changing the legal culture).

Apart from direct legal efforts, the Board President of AVCV supports the mission of changing the courtroom climate by teaching a course in victims' rights at Arizona State University. He has taught this course since fall semester 2002 using a textbook he co-authored with Doug Beloof. It should be noted that there are very few victims' rights courses taught in law schools across the country and that Doug Beloof's original textbook

(1999) was the first of its kind. The current textbook used in the field (Beloof, Cassell, and Twist 2005) is a revision of this original textbook.

Can the logic by which activities should affect goals be sketched?

A draft logic model for CVLAP is included as Attachment A. Elements of this logic model will be incorporated into a multi-dimensional logic model for NCVLI that will be included in the final report. This final NCVLI logic model will illustrate how the activities of the individual clinics contribute to the overall goals of NCVLI.

Essentially, the larger goals of CVLAP are accomplished by starting with the provision of support to victims. Project social workers begin the goal of supporting clients during the intake process. Staff members who complete client intakes are trained in working with victims of crime and are able to refer clients to social service agencies throughout the state that can address their specific needs. In addition, social workers and staff attorneys help clients to understand their legal rights and educate clients on what they can expect during each stage of the legal process. When clients appear in court, project staff can also accompany them to provide emotional support, and staff attorneys can provide direct legal services. When appropriate, clinic staff members also call upon a small group of pro bono attorneys to assist in providing legal services to victims.² All of these activities promote the goal of supporting clients.

To achieve the second goal of changing the law to benefit all victims and the third goal of changing the culture of the legal system, project staff members prioritize the cases they choose to litigate. First, the Executive Director and Board President set priorities for issues they want to litigate, and then social workers help staff attorneys identify cases that will support these objectives. Finally, staff attorneys file the necessary motions and provide direct legal representation to victims in court. This chain of action promotes the goal of changing the law to benefit all victims, and the mere presence of staff attorneys in the courtroom contributes to changing the overall culture of the court system to be more inclusive of victims and more aware of victims' rights. Additionally, project staff members provide training for practitioners and teach courses at the partner law school to educate law students in the area of victims' rights. Over time, (1) a body of case law develops, (2) laws are changed through the legislature, and (3) agents and stakeholders in the criminal justice process are educated about victims' rights.

It is important to note that typical output and outcome measures used in court-related evaluations, such as the number of cases supported and/or litigated and the number of cases won, do not adequately capture the essence of the goals of this project. For instance, a loss in court can be a success if the public or the legislature becomes aghast at

² Board President Steve Twist recruited some of the pro bono attorneys who work with CVLAP, while other attorneys simply heard about the program and volunteered. All pro bono attorneys who work with the clinic have received training from CVLAP staff. Currently, the clinic's focus in this area is maintaining existing relationships with pro bono attorneys who have already been trained and who understand the unique challenges of victims' rights law. According to clinic staff, working with a small group of pro bono attorneys who have already been trained is preferable to cultivating new relationships with a larger number of pro bono attorneys who are new to the challenges that exist in litigating victims' rights law (e.g., where to stand in the courtroom).

the outcome of the case and momentum is established to change the law (directly through the legislature or through voter initiatives). Furthermore, losses often result in cases going to the appeals stage. Appeals that are won can have a larger impact than trial cases on changing the culture around victims' rights.

Are there other local projects providing similar services that could be used for comparisons?

AVCV is a statewide umbrella organization that brings together a variety of staff and services to assist victims. Since CVLAP is operated by AVCV, there is no other organization of its kind in the state of Arizona. Furthermore, we would not recommend that other state clinics be used for comparison, because each state has a very distinct legal system, legal culture and general history regarding victims' rights. For example, states differ by whether they even have a state constitution that recognizes victims' rights. Controlling for these differences is exceedingly complex because of the difficulty in accurately measuring many important elements such as judges' and attorneys' knowledge and perceptions of victims' rights and how these perceptions relate to outcomes. Furthermore, each clinic has developed its own model to fit within the current legal culture of victims' rights in that state/locality. Additionally, each clinic varies by the type and jurisdiction of cases it takes depending on the expertise and education of clinic staff and overall resource levels of the clinic.

Will samples that figure in outcome measurement be large enough to generate statistically significant findings for modest effect sizes?

As discussed above, one win in an appellate court can do more in furthering the goals of the clinic than 100 trial cases; small sample sizes may be misleading about the effects of a small number of well chosen cases. However, if NIJ were interested in examining the impact of the clinic solely on a victim-specific outcome such as satisfaction with the legal process, it may be possible to utilize a sample of victims flowing into the clinic. According to the Director of Victim Services, AVCV received 89 requests for services from victims, nine requests from public agencies, and 28 requests from private agencies during the most recent year for which data are available (July 1, 2005, through June 30, 2006). From these requests, a total of 43 new victims were served.

Numbers of victims who receive direct legal services are significantly lower. During the second and third quarters of 2005 (April through September), the state clinic received 59 requests for legal services, seventeen of which resulted in the provision of direct legal services. The federal clinic received ten requests for legal services during the same time period, resulting in the provision of direct legal services in two cases. Extrapolating these numbers over a full year of operation, the state clinic would provide direct legal services to approximately 34 clients each year, while the federal clinic would provide direct legal services in 4 cases. Numbers of federal cases are likely underestimates, however, as the federal clinic was not fully operational during this reporting period.

Is the grantee planning an evaluation?

There are no plans for a formal evaluation at present, though the clinic has experimented with the use of informal client satisfaction surveys. Project staff members indicate that the surveys have not been particularly helpful and that response rates have been relatively low. Since many client cases remain open for several years, clients are often confused when they receive the surveys, thinking that CVLAP has closed the cases. The clinic now aims to survey clients only after the cases are complete. A member of the project staff has developed a database to track the mailing of client surveys, enabling staff to calculate a formal response rate. It is important to note, however, that project staff members do receive valuable feedback from clients in anecdotal form (verbal thanks, greeting cards, etc.) that is used to inform clinic practices.

What data systems exist that would facilitate evaluation? What are the key elements contained in these systems?

CVLAP uses a database called Case Framework that was developed for the clinic by Robert Kwan of Kwan Online. Case Framework is used to maintain client-level data on clients served by CVLAP. Data can be accessed either by entering the client's name, or the client case. Project staff are able to access Case Framework online and use the system to maintain individual calendars, project calendars, document attachments, and case notes. The system is password-protected to maintain the confidentiality of client data. In addition, the clinic can contact Robert Kwan at any time to request updates to the software to meet their data entry and reporting needs.

The Case Framework database contains detailed information on clients, case activities, and staff time allocation. Details on these data elements are provided in the Site Visit Evaluability Assessment section below.

Are there data to estimate unit costs of services or activities?

A provision of the NCVLI grant requires all clinics to quantify the number of hours any staff person funded under the NCVLI grant spends on a variety of possible tasks (case planning, intakes, general research, project research, court time, etc.). The costs of service provision could therefore be calculated by aggregating the hours a staff person spends on a particular task, multiplying by his or her hourly wage, and dividing by the number of clients who have received that service. At CVLAP, the Director of Victim Services is responsible for grant reporting.

Are there data about possible comparison samples?

The Case Framework database used by the Arizona clinic contains information specific to clients who are served by the project. For this reason, the database does not contain information on possible comparison samples.

In general, how useful are the data systems to an impact evaluation?

Depending on the type of evaluation conducted, the data systems could be useful for an impact evaluation of the first two goals of the clinic, but not for the third goal (changing the culture of the legal system). Since the database contains detailed case notes for each client and allocation of staff time by task, service provision could be quantified to

complete an impact evaluation for the first goal and outcomes of cases and assessment of new case law could be conducted (but would be difficult to accurately capture success). For the third goal, however, there are no data in the system that could accurately quantify changes in the culture of the court. Also, it should be reiterated that while “wins” and “losses” may be noted in the case notes, these official results do not necessarily reflect the impact each case may have on the law or overall culture. Staff attorneys indicate that some of their biggest “wins” for victims’ rights occurred in cases they technically lost.

SITE VISIT EVALUABILITY ASSESSMENT

Is the project being implemented as advertised?

AVCV has two NCVLI-funded clinics. The state clinic was implemented as advertised throughout its years of NCVLI funding. The federal clinic is being implemented as advertised, enabling staff attorneys to pursue victims’ rights issues in federal courts. Staff attorneys indicate that they are now litigating many of the same issues in federal court that were litigated in state court several years ago. Additionally, project staff members provide clients with referrals to social services as advertised.

What is the intervention to be evaluated?

The intervention to be evaluated is the services provided by CVLAP.

What outcomes could be assessed? By what measures?

The intervention described above provides several outcomes that could be assessed. These outcomes and some of their possible measures are listed below.

Client-level outcomes - Client-level outcomes pertain to the legal and social services made available to and/or received by victims who contact the clinic, including referrals to social service agencies. Evaluators could measure frequencies of each of the following services: intake telephone conversations, follow up telephone calls and meetings with clients, referrals to social service providers, explanations of legal terminology and proceedings (including what victims can expect during each stage of the legal proceedings), court accompaniments, and direct legal services. In addition, evaluators could also measure the total number of clients served and the total number of cases litigated by clinic staff. Finally, evaluators could also measure client satisfaction with support offered by the clinic.

System-level outcomes - System-level outcomes pertain to the legal impact of clinic efforts in changing the law or legal culture to benefit all victims of crime. Possible measures include the change in calls to CVLAP, court appearances by pro bono attorneys, motions filed, published opinions, case law, law student participation, compliance with state’s victims’ right laws by stakeholders throughout the criminal justice system, and the enactment of new legislation at the state and federal levels.

Community-level outcomes - Community-level outcomes pertain to the impact of clinic efforts in changing the climate of the community at large. Though these outcomes are

particularly difficult to measure, the change in awareness of the clinic by crime victim service providers, public awareness of victims' rights, and community capacity to redress any harms against victims could indicate a change in community climate.

Are there valid comparison groups?

There are no other clinics in the state of Arizona that provide pro bono legal services to crime victims.

Is random assignment possible?

Random assignment would not be a feasible means of evaluating provision of services to victims. In order to best serve victims and to promote the overall goal of improving the climate of the criminal justice system for victims, staff attorneys prioritize the clients and cases they accept based on a variety of factors. Random assignment would interfere with the mission of the clinic by requiring staff attorneys to accept some cases that do not support the overall mission of the clinic and to refuse other cases that would likely have a greater overall impact on promoting victims' rights in the criminal justice system.

Likewise, random assignment would not be a feasible means of evaluating a change in law or legal climate. The nature of the criminal justice system would preclude the random assignment of judges, prosecutors, defense attorneys, and other court practitioners to cases handled by clinic staff. In addition, practitioners and future practitioners could not be randomly assigned to training provided by the clinic.

What threats to a sound evaluation are most likely to occur?

One possible threat to a sound evaluation is the fluid nature of clinic funding. NCVLI funding for the Arizona state clinic has already expired, and funding for the federal clinic will most likely end before a rigorous evaluation can be conducted. At present there are five streams of funding that contribute to clinic staffing and expenses, none of which are guaranteed at their current level for future years.

Another possible barrier to a sound evaluation is turnover of clinic staff. Since 2001, the clinic has lost one executive director and two staff attorneys. Working conditions at the clinic may contribute to future staff turnover, as social workers and staff attorneys experience heavy caseloads and cramped working quarters. Working for the clinic requires many more hours per week than are compensated by staff salaries and student credit hours.

Depending on the type of evaluation developed, it is important to note that it would be difficult to establish a baseline (or "pre" measure) from which to examine change over time, since the project has been underway for a number of years.

Are there hidden strengths in the project?

A hidden strength of the project is clinic staff cohesiveness. The CVLAP model capitalizes on the talents of each individual staff person and enables the clinic to effectively pursue its mission. Staff attorneys and law student interns work hand-in-hand with the Director of Victim Services and social work interns to deliver comprehensive

case management for victims. Legal staff members recognize the expertise of social work staff in interacting with victims both during the intake process and throughout the representation of victims in court. Similarly, social work staff recognize the expertise of legal staff in selecting cases that will best promote the mission of expanding and upholding the rights of all victims in state and federal courts. All staff members recognize the expertise of Board President Steve Twist in developing strategic plans for the legal efforts of the clinic. This mutual recognition of strengths enables clinic staff members to collaborate as a cohesive workgroup in pursuit of the clinic's goals.

From a logistical standpoint, this clinic workgroup dynamic allows cases to be processed as efficiently as possible, particularly during the client intake phase. The current Executive Director has restructured the roles of clinic staff to improve efficiency in case processing. Specifically, she has streamlined the intake process so that administrative staff screen all initial phone calls to the clinic and refer potential new clients to social work staff to complete the intake process. This arrangement allows legal staff to concentrate their energies on research efforts and direct representation of victims, both of which are coordinated and supervised by the Executive Director herself. Other clinic staff members view these changes in a positive light, explaining that this new model has enabled AVCV to expand its service provision in a way that would not have been possible under previous leadership.

Another hidden strength of the project is its use of the law school model. Each year, clinic staff members present the opportunity to volunteer for CVLAP at the partner law school's "Pro Bono Plunge" event. The clinic recruits both law students and graduate students of social work and liberal arts to intern at AVCV. This model provides an abundant source of volunteers for the clinic and fosters collaboration between interns from different fields. In addition, the clinic technically has "project" status, enabling it to accept law student interns in their first and second years.

Though many students sign up to volunteer for the clinic each year, only a few stay to volunteer for the clinic in a substantial, continuing way. However, the few students who do stay provide a source of pre-trained applicants for permanent positions with the clinic. For example, one current staff attorney had volunteered with AVCV for approximately 600 hours before graduation. When she was later hired for the full-time position, she was able to begin her role with almost no additional training in victims' rights issues. This was particularly helpful because any outside attorney hired by the clinic would need to be trained in the unique challenges of victims' rights law, including when to talk, when to announce, and where to physically stand in the courtroom.

In addition, the background and dedication of the founder and current president of AVCV (Steve Twist) is a huge asset to the project. Mr. Twist has worked in the field of victims' rights since 1975. He is the former Chief Assistant Attorney General of the State of Arizona. He is the principal author of the Arizona constitutional amendment for victims' rights and the Arizona Victims' Rights Implementation Act. He has extensive experience litigating the enforcement of victims' rights. He has worked across the country helping

state legislatures and local groups consider and pass victims' rights amendments and implementing statutes.

What are the sizes and characteristics of the target population?

The clinic has changed both the number of clients it serves at any given time and the nature of the cases it accepts. Under the original VOCA funding, the clinic was evaluated based on the number of cases taken and the number of clients served. The typical client at that time was involved with relatively minor issues (such as bar fights and barking dogs), and legal staff members primarily filed motions of protection.

Under new funding sources and new leadership, AVCV now handles fewer cases, but the cases it does accept are more serious. Approximately 60-70% of the current cases are homicide cases, with sexual assault and cases involving children (molestation, sex crimes, etc.) comprising the bulk of the remaining caseload.

As previously mentioned, AVCV served 43 new victims during the last reporting year (approximately 3-4 new victims per month) according to the Director of Victim Services. According to quarterly reports submitted to OVC, the state clinic received 59 requests for legal services and provided direct legal services in 17 cases between April and September 2005. The federal clinic received ten requests and provided direct legal services in two cases during the same time period. If numbers of clients flowing into ACVC remain constant, the state clinic will provide direct legal services to approximately 34 clients each year, while the federal clinic will provide direct legal services to four clients. Numbers for the federal clinic are likely underestimates, however, as the federal clinic was not fully operational during this period.

How is the target population identified (i.e., what are the eligibility criteria)? What/who gets excluded as a target?

AVCV receives referrals from countless agencies and individuals throughout the state, and staff members are approached with many more cases than they are able to accept. For this reason, the clinic now accepts only what they describe as "have to" cases, which are cases that closely fit their mission or contain egregious violations of victims' rights. In general, clinic attorneys try to focus their efforts on cases that fit the strategic plan developed by Steve Twist and other project staff.

Have the characteristics of the target population changed over time?

See above.

How large would target and comparison samples be after one year of observation?

Although an impact evaluation of the clinic would not solely focus on the effect of the program on clients, if ACVC client intakes remain constant, the state clinic will provide direct legal services to approximately 34 clients each year. Numbers for the federal clinic (n = 4 per year) are more difficult to estimate because the federal clinic was not fully operational during this period.

What would the target population receive in a comparison sample?

Not applicable-- However, if one were interested in simply examining victim satisfaction, it may be possible to compare victim outcomes for cases accepted by a clinic to cases not accepted because of limited resources (i.e., CVLAP would have taken them if there were more attorneys). For the most part, cases not taken on by CVLAP would be qualitatively different from cases that were taken.

What are the shortcomings/gaps in delivering the intervention?

Two potential sources of shortcomings or gaps in intervention are the nature of clinic funding and the turnover of clinic staff. Both of these issues are discussed above in the section on threats to a sound evaluation.

What do recipients of the intervention think the project does? How do they assess the services received?

Clinic clients were not interviewed for this evaluability assessment. Therefore, we do not have first-hand knowledge of what clients think CVLAP does.

What kinds of data elements are available from existing data sources? What specific input, process, and outcome measures would they support?

The Case Framework database enables project staff members to access detailed information on clients, case activities, and staff time allocation.

Client Information - For each client, the following information is available: sex, age, ethnicity, and disability status of the client; type of crime committed against the client; list of victims' rights violated in the client's case; status of the client's case (active or completed); descriptive information on the defendant(s) in the case; source of client's referral to AVCV; intake format (telephone or in person); and information on referrals to other agencies.

Case Information - Each time a staff member works on a case, she completes a "Case Note" in the client's electronic file. Each case note contains the following information: name of client, date of activity, description of activity, time of activity, whether staff made appearances on behalf of the client, and length of time spent by staff members on the activity. In addition, staff members can also attach documents to the client's file electronically, including motions filed on the client's behalf.

Staffing Information - As previously stated, each staff member of the clinic is required to record her hours in accordance with guidelines set forth in the NCVLI grant. For this reason, staff time allocation on various case activities (case planning, intakes, general research, project research, court time, etc.) can be aggregated and accessed by date.

How complete are data records? Can you get samples?

Due to confidentiality reasons, researchers could view only a test version of the database. If a full-scale evaluation were funded, the evaluators could then obtain clearance to view the database in full.

What routine reports are produced?

The Arizona site is required to submit quarterly progress reports to NCVLI. This information is then used by NCVLI in its progress reports to OVC. The Arizona site also is required to submit quarterly reports for its VOCA funding. The research team examined these reports and found them to be very detailed---important outputs are quantified in the reports to NCVLI.

Can target populations be followed over time?

Clients served by the clinic can be tracked over time through detailed case notes maintained in the Case Framework database. If practitioners and future practitioners were used as the target population in an evaluation of courtroom climate, they could also be followed over time.

Can services delivered be identified?

Yes, services delivered by project staff can be identified through case notes and staff time allotment records maintained in the Case Framework database. However, social services designed to support victims' needs delivered by referral agencies cannot be identified.

Can systems help diagnose implementation problems?

Yes, the data systems can aid in the diagnosis of implementation problems, as all staff members have access to the Case Framework database and can review entries made by other project staff. In addition, the database contains a "conflict" flag to indicate a client who is already in the system or who was a defendant in a previous case.

Do staff tell consistent stories about the program? Are their backgrounds appropriate for the project activities?

Staff members do tell consistent stories about the project, and each staff member's background seems appropriate for the role that he or she serves in the clinic. The Director of Victim Services is a licensed clinical social worker, and she closely supervises the social work interns. The Executive Director worked in the Arizona legislature when the state accepted victims' rights into its Constitution in 1990, and the Staff Attorney had three years of volunteer experience with AVCV before she assumed her current position. As described above, Board President Steve Twist has been integral in both the national victims' rights movement and the victims' rights movement in Arizona for over twenty years.

What do partners provide/receive? How integral to project success are the partners?

AVCV has partnered with the law school at Arizona State University. The law school provides the physical space for the legal clinic as well as the opportunity to recruit student interns at the annual "Pro Bono Plunge" event described above.

What changes is the director willing to make to support the evaluation?

Given the workload and limited resources, it would be difficult for the Executive Director of the project to make changes to support an evaluation. However, if CVLAP were asked to make changes to the Case Framework database, it would be feasible given that project staff members work closely with the developer of the database. The Director of Victim

Services is in regular contact with the developer, who provides his services free to the project. Throughout the clinic's years of operation, changes have been made regularly to the database to better serve the project.

CONCLUSION

Would you recommend that the project be evaluated? Why or why not?

The Arizona site should be included in an evaluation of NCVLI and its legal clinics. This site maintains adequate records that would support an evaluation. Staff at CVLAP are interested in participating in such an evaluation, if one is funded, but expressed concerns about its resource capacity to participate in a rigorous evaluation.

What kinds of evaluation designs would you propose?

A potential research design for an evaluation of the Project would be a three to five year case study measuring client, system, and community level changes over time.

What should NIJ's grant manager know about this project?

As stated previously, the Arizona state clinic is the forerunner to other clinics under NCVLI funding and a source of best practices for the other clinics. Though some of the other clinics under NCVLI funding began with the provision of social services and then added legal services, the clinic in Arizona has offered legal services from the start. Project staff members work together to provide a holistic approach to case management.

Another important note is that the four main staff members of the clinic share one small office without dividers or soundproofing of any kind. Each staff member has his or her own desk, but the area is quite cramped with furniture, files, and other necessary materials. In addition to inconveniencing project staff, this situation also interferes with the ability of the staff to conduct confidential meetings with clients. At present, clinic staff members need to meet with clients in a conference room on the first floor of the law school that may be utilized at other times by several other organizations. Having additional space for the clinic would not only improve working conditions for staff members, but may also improve the experiences of the clients the clinic serves.

Attachment A
CVLAP Logic Model

**CRIME VICTIMS LEGAL ASSISTANCE PROJECT
(ARIZONA VOICE FOR CRIME VICTIMS)
LOGIC MODEL**

Community Characteristics/Context

- **Legal climate**
-- Crime victims and prosecutors have standing to assert victims' rights in AZ
- **Political climate**
-- Victims' rights included in AZ Constitution in 1990
- **AVCV infrastructure**
-- Housed within Arizona State University College of Law
-- Strong Executive Director, helped to create initial momentum for larger Demonstration Project (NCVLI)

Incoming Workload

- Number of victims of crime needing social or legal services
- Number of violations of victims' rights in state and federal courts
- Number of organizations that have the capacity to serve victims of crime
- Number of practitioners and law students knowledgeable about victims rights

Inputs: CVLAP Resources

- Staff, including existing legal and political connections of staff; licensed clinical social worker on staff
- Strategic plan (vision of Steve Twist)
- Funding, technical assistance from NCVLI
- Connections to other clinics through NCVLI conferences and listserv
- Partnership with Arizona State University College of Law; use of student volunteers

Outputs of CVLAP

- Number of calls received from victims
- Numbers of client intakes completed
- Number of client cases assessed and referred by clinic staff
- Number of new service providers contacted to become part of referral network
- Explanation of legal system and legal proceedings to clients
- Number of practitioners reached through court interactions, including judges, prosecutors, and defense attorneys
- Number of law students reached through victims' rights course and CVLAP recruitment activities
- Development of plans for sustainability

Intermediate Outcomes[†]

Client-Level Outcomes:

- Improved client-level understanding of criminal justice process/reduced victim anxiety
- Client satisfaction in criminal justice process measured at various points in case

Case & System-Level Outcomes:

- Increase in calls to CVLAP
- Increased number of court appearances by pro bono attorneys affiliated with Project
- Increased number of motions filed
- Number of published opinions
- Increased number of published opinions on victims' rights
- Judicial decisions at trial and appellate level (case law)
- Number of law students attending information session on project; number of students applying for internship
- Increased compliance with state's victims' right laws

Community-Level Outcomes:

- Increased (immediate) awareness of Project by crime victims service providers

End Outcomes[†]

Client-Level Outcomes:

- Reduced victim trauma
- Satisfaction with outcome of the case

System-Level Outcomes:

- Increased number of court appearance by pro bono attorneys not affiliated with project
- Establishment of new state (AZ) laws supporting victims' rights
- Establishment of new Federal laws supporting victims' rights
- Establishment of new state laws outside of AZ
- Increased awareness of Project/clinic by all agents/stakeholders in the CJ system
- Improved legal system culture-- increase in willingness by prosecutors and judges to honor rights of victim without push from CVLAP

Community-Level Outcomes:

- Increased public awareness of victims' rights
- Increased community capacity to redress any harms against victims

[†]These outcomes can be measured for both the state and federal clinic

Evaluability Assessment of the State and Federal Clinics and System Demonstration Project: McGeorge School of Law's Crime Victims Legal Clinic

Final Report

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Colleen Owens

NIJ # 2006TO045





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Evaluability Assessment of the State and Federal Clinics and System Demonstration Project

SYNOPSIS

Grantee: McGeorge School of Law's Crime Victims Legal Clinic (CVLC)

Sub-Grant Duration: April 1, 2004 through March 31, 2007

Current Award:

The State/Federal Clinics and Systems Demonstration Project is supported by grant No. 2002-VF-GX-K004, awarded by the Office for Victims of Crime (OVC), Office of Justice Programs, United States Department of Justice. CVLC has received \$233,000.00 over a 3-year period.

Funding History: National Crime Victims Law Institute (NCVLI) funding for CVLC began in April 2004 and will conclude in March 2007. Below is a brief summary of funding amounts per year:

Year 1 = \$50,000 4/1/2004 – 3/31/2005

Year 2 = \$103,000 4/1/2005 – 3/31/2006

Year 3 = \$80,000 4/1/2006 – 3/31/2007

Project Summary:

CVLC is part of the State/Federal Clinics and Systems Demonstration Project under funding from NCVLI. NCVLI received OVC funding to develop eight state clinics and one federal clinic as part of an overall mission to promote balance and fairness in the justice system through crime victim-centered legal advocacy, education, and resource sharing. CVLC was first established with funding from NCVLI. The clinic is housed on the campus of the McGeorge School of Law and provides legal representation for victims of crime in the greater Sacramento area that includes the five counties of Sacramento, Yolo, San Joaquin, Placer, and El Dorado. CVLC is the only clinic of its type in California.

Scope of Evaluation:

The purpose of this evaluability assessment was to determine whether a rigorous evaluation of NCVLI and its Demonstration Project could be conducted. To help make this determination the Urban Institute research team, along with staff from the National Institute of Justice (NIJ) conducted site visit activities at NCVLI and the Demonstration Project clinics. Site visit activities included conducting interviews with key program staff, document review, and observation.

Summary of Evaluability Assessment Activity:

Two researchers along with a representative from NIJ conducted a one-day site visit to CVLC. The site visit included interviews with the project director and affiliated staff,

including a professor, fiscal manager, and associate director. It also included a tour of the law school campus and the CVLC facilities.

Findings:

CVLC should be included in an evaluation of NCVLI and its legal clinics. This site maintains adequate records that would support an evaluation and has expressed a willingness to participate in such an effort.

INITIAL PROJECT ANALYSIS

Introduction

In order to address the issue of victims' rights enforcement, OVC entered into a cooperative agreement with NCVLI to develop the State and Federal Clinics and System Demonstration Project. The Demonstration Project was created to advocate for the expansion of the enforcement of victims' rights in the criminal justice system and the expansion of education of the legal profession in this area. To better understand the Demonstration Project's impact through NCVLI and its Clinics, NIJ and OVC entered into a contract with the Urban Institute to conduct an evaluability assessment of the Project. The evaluability assessment will provide information that will assist NIJ and OVC in determining the feasibility of conducting a rigorous outcome or impact evaluation of the NCVLI Demonstration Project.

What do we already know about projects like these?

In 2004, there were approximately 24 million crimes committed against people twelve years and older, and approximately one-fifth of those (5.2 million) involved some sort of violent crime (Catalano 2005). Experts have estimated that five out of six people will be victims of a completed or attempted violent crime in their lifetimes (Koppel 1987). Over the past 25 years, crime victims have secured limited rights to participate in the criminal court process. Generally, these rights are intended to protect and preserve the dignity of victims through changes in criminal law. Examples include the right to receive notice and be heard during various phases of the criminal court process, the right to restitution, and laws that protect victims, such as rape shield laws and laws that protect child victims (Beloof 2001). All 50 states guarantee victims of crime some form of legal rights of participation in the criminal legal process (Beloof 1999), and 33 states guarantee crime victims' rights within their state constitutions (NCVLI 2006). In 2004, crime victims were granted rights to participate in the process in federal courts. However, the exact rights that victims of crime possess and the extent to which these rights are enforced vary significantly among jurisdictions.¹ Additionally, most law students are not educated about the rights of victims within criminal justice proceedings as a part of their formal or continuing legal education.

¹ An important area in which victims' rights differ among jurisdictions is legal standing. Currently, crime victims do not have legal standing to have an attorney represent them in all proceedings in CA. The only enumerated right victims have is the right to restitution. All other rights are statutory rights and are scattered throughout endless documents. The law school's funded Victims' Resource Center produces an index of statutes related to victims' rights in an effort to consolidate all of this information.

NCVLI is a non-profit research and educational organization, established in 2000 to assert victims' rights in criminal trial courts. In 2004, NCVLI entered into a cooperative agreement with OVC to conduct the State and Federal Clinics and System Demonstration Project. The two primary goals of the Project are: (1) to expand the enforcement of victims' rights in the criminal justice system, and (2) to expand the education of the legal profession in the area of victims' rights. The Demonstration Project establishes and funds nine legal clinics that provide direct pro bono legal services to victims to enforce their rights to participation in the criminal process. To this end, in 2004, NCVLI funded five state clinics in the following cities: Albuquerque, NM, Columbia, SC, Sacramento, CA, Tempe, AZ, and Upper Marlboro, MD. In 2005, they added three additional state clinics in Salt Lake City, UT, Newark, NJ, and Moscow, ID, and a federal clinic in Tempe, AZ. NCVLI serves as the intermediary and provides these clinics with training, technical assistance in the form of legal support and research, assistance with implementation, financial and programmatic monitoring, coordination with victim advocacy organizations, and other assistance as needed. NCVLI holds an annual conference on crime victims' law and helps to educate law students in the area of victims' rights. There is also an annual cluster meeting of the clinics funded by NCVLI before the conference.

NCVLI and the associated clinics are the only organizations of their kind in the United States. For this reason, virtually nothing is known about the impact and effectiveness of the national organization or the various models of legal clinics it supports.

What could an evaluation of this project add to what we know?

An evaluation of NCVLI and its State and Federal Clinics and System Demonstration Project would increase our knowledge of victims' rights and enforcement of these rights in the United States. Specifically, an evaluation of the project would help answer research questions such as: (1) What are the varying protections/rights crime victims are afforded in the United States (nationally and locally)? (2) To what extent are these rights enforced within each jurisdiction studied? What are different local models/methods employed to help enforce victims' rights? What are the strengths and weaknesses of each identified model? What external factors support or hinder model success? (3) What additional rights have stakeholders identified that crime victims need in order to better protect victims during the criminal justice process within each jurisdiction? (4) What key stakeholders (e.g., community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims) should be involved in this work, and what are their anticipated roles? (5) What outreach, education, and training activities are being conducted to increase understanding and competencies (nationally and locally)? (6) Have the outreach, education, and training activities increased awareness and knowledge of crime victims' rights among victims and stakeholders? (7) Does the existence of the NCVLI clinic increase the number of attorneys providing pro bono services for these victims? These are some of the research questions that would be answered by evaluating this project. Answers to these important questions would help shape rules and regulations (legislation), policies, and practices of stakeholders involved in this work.

Which audiences would benefit from this evaluation? What could they do with the findings?

Likely audiences to benefit from this work include community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims. The implications of evaluation study findings for each audience member are described below:

Community leaders – Like social service providers, some community leaders have an historical context for the crime victims’ rights movement. Their knowledge and experience would greatly inform the development of materials and trainings. Also, information gleaned from data collected from these stakeholders would help inform public awareness campaigns so that the public-at-large (potential crime victims) would have a better understanding of their rights, methods for how to enforce their rights, and the support systems that exist in their areas. A public awareness campaign around these issues is necessary to increase the visibility and understanding of crime victims’ rights.

Defense attorneys – Evaluability assessment respondents alluded to their belief that defense attorneys do not understand the laws pertaining to crime victims. Additionally, they reported that defense attorneys do not understand the role of a crime victim and his/her attorney during the criminal court process. This has been demonstrated to respondents through perceived inaccuracies and inadequate responses to pleadings and motions brought by crime victim attorneys. Evaluation study findings would help develop resource materials appropriate for defense attorneys that would include information on the rights of crime victims during the criminal court process so that future defense responses to pleadings and motions can be better informed. A benefit of more thoughtful responses is that future case law can be truly based on the merits of a case.

Judges – Preliminary findings from this evaluability assessment indicate that judges in the American court system are not well versed in crime victims’ rights and the protections that should be afforded to victims. Moreover, judicial sensitivity to the needs of crime victims is not commonplace. Evaluation study findings would inform the development of appropriate materials (e.g. resource guides, fact sheets, bulletins) and training curricula for judges to increase not only their knowledge about crime victims’ rights and the protections victims should have during the criminal court process, but also their sensitivity to crime victims’ needs.

Lawmakers – With increased attention on the rights of crime victims, legislatures are reviewing laws within their jurisdictions to determine whether there are adequate protections for these victims. Findings from an evaluation would greatly inform lawmakers about what is occurring in other states and provide guidance on how to best develop or modify laws for their state.

Prosecutors – Evaluability assessment findings seem to suggest that some prosecutors are not comprehensively versed in the role of a crime victim during the criminal justice process. Moreover, some prosecutors do not fully understand the role of a crime victim’s attorney. Evaluation study findings would aid in the development of appropriate

materials and training curricula for prosecutors to increase their knowledge of the role of a crime victim's attorney during the criminal court process. Prosecutor training around the issue of supporting the role of a crime victim's attorney during an investigation and prosecution is necessary to better protect the crime victim.

Social service providers – Some social service providers are part of the grassroots movement to promote crime victims' rights. Because these stakeholders have an historical context for this work, it would be essential to include them in a comprehensive evaluation of the project. What could be learned from these stakeholders would help inform the development of materials and trainings for other stakeholders mentioned in this section. Additionally, it would help clarify the role of social service providers in how they can work with victim advocates and crime victim attorneys.

Victim advocates – Victim advocates who work in a prosecutor's office would benefit from evaluation study findings as well. Respondents from the assessment indicated that some advocates are unaware of crime victims' rights and at times may hinder a crime victim attorney from best protecting a victim's rights. Moreover, some advocates are not connected with social service providers in the community to best meet the social service needs of crime victims. Evaluation study findings would aid in the development of appropriate materials (e.g., resource lists of area providers) and trainings for advocates so that advocates can better understand how to collaborate with local providers and to work with crime victim attorneys.

Victims – Crime victims would greatly benefit (perhaps benefit the most) from an evaluation of the project. Findings could help educate stakeholders and inform the systems that are in place to promote and enforce crime victims' rights. An evaluation of the project would need to include the voice of the victim, as victims can be considered the "experts" on what types of support they need during the criminal court process. The information they hold could greatly inform resource materials and trainings.

Overall, case study findings would provide stakeholders with information on how to develop or modify a model for protecting crime victims' rights within their state (as described above).

Is the grantee interested in being evaluated?

Yes, CVLC staff are interested participating in an evaluation of the NCVLI project.

What is the background/history of this program?

The McGeorge School of Law has a history of working with crime victims which dates back to the 1970s when supervised students would help victims write victim impact statements. In 1985, the school was awarded a grant to open a victims' resource center where victims could call a 1-800 number for information and referral sources. After one year of operation, the resource center became mandated through state legislation and the McGeorge School of Law became the entity tasked with operating the Victims' Resource Center. Attorney Julise Johanson directs the Victims' Resource Center and supervises

students (most of whom are work-study in the summer). Funding for the resource center derives from general funds distributed through the Governor's office.

Given the law school's history of involvement in victims' rights, faculty members were encouraged by Doug Beloof to apply to be a part of NCVLI's Demonstration Project. Julise Johanson applied for funding as project director, along with Jeanne Benvenuti, Associate Director of the school's Capital Center for Government Law and Policy, and Professor Clark Kelso, Director of the Capital Center for Government Law and Policy.

Although CVLC was awarded NCVLI funding in April 2004, program administrators did not have time to present the clinic for faculty approval until Fall 2004 due to the law school semester schedule and the impending break for the summer. The clinic was approved in the Fall 2004, and officially opened in the Winter 2005 semester.

The clinic is set up such that a maximum of eight law students may enroll in the program. As a part of the program, students attend a seminar taught by Julise Johanson once a week on victims' rights issues. The students are then given between one and five cases to work on under the supervision of Julise and are required to commit to 100 hours in the clinic a semester or about 15 hours a week. Before a student is permitted to handle a case, the student must be certified with the California State Bar Association. In addition, before students take the victims' rights course, they are required to take or be concurrently enrolled in two second-year courses -- Evidence and Civil Procedure. During the summer months, cases are transferred from law students to hired law clerks, and clients are made aware of this possibility at the beginning of a case.

When the clinic officially began in January 2005, seven students were enrolled with very limited cases to handle. During the Fall 2005 semester, there was only one student enrolled in the program. The Fall 2006 semester has six students enrolled in the program.

At what stage of implementation is the program?

The clinic is in its third and last year of implementation under the NCVLI grant.

What are the project's outcome goals in the view of the project director?

The project director identified four outcome goals for CVLC. The first goal was to actually establish the clinic and begin implementation by January 2005. Due to the lack of relevant case referrals, a second goal identified was to do educational outreach within the community.² After a year of doing outreach without getting much results, CVLC modified their outreach efforts. While during the first year efforts were focused on outreach surrounding issues related to restitution since they held expertise in that area, in the second year outreach focused on privacy issues since it was identified by the clinic as an emerging issue of concern. The third goal was to educate students on crime victims' rights. Lastly, a goal was to train and recruit pro bono attorneys.

² The year before the clinic received the NCVLI grant they were awarded a separate grant to do work on victim restitution in California. Because of this, a lot of the initial case referrals the clinic received were related to restitution.

Does the proposal/project director describe key project elements? Do they describe how the project's primary activities contribute to goals?

To achieve the first goal of establishing a clinic, CVLC staff worked to gain approval from McGeorge Law School to add the program to the clinical education curriculum. Also, they devised educational materials, electronic and hard copy case files, client satisfaction surveys, intake forms, student timesheets, and NCVLI reporting documents.

Once the clinic became operational, CVLC began to focus on the second goal of providing community education and training. CVLC provided assistance to victim witness advocates in the prosecutor's office on a variety of victims' rights-related cases. The clinic's handling of these cases helped develop a positive relationship with victim advocates and opened the door for CVLC to conduct trainings for the prosecutor's office on privacy rights in the Fall of 2005. During this training, 30 prosecutors attended which directly resulted in five case referrals. Not only did this activity help educate the legal community on privacy rights issues for victims of crime, but it also helped to foster a referral source for clinic cases. Also, using the McGeorge alumni list, public defenders, district attorneys, and stakeholders others were identified within the legal community to attend a training held by the clinic on crime victims' rights.

Although the clinic currently does not conduct any formal training with judges, staff believe they are best educating judges one at a time by representing cases before them. It was noted that judges appear more respectful towards CVLC's students than they might otherwise be towards an older, more experienced lawyer. This was regarded as being a positive benefit in that this attitude seems to act as a buffer better aiding the judges in opening their minds and educating them on crime victim law.

Additionally, the clinic has a great relationship with the media which helps educate both the legal and non-legal communities. Media coverage has influenced lawyers to want to participate in clinic activities, unfortunately as of now the clinic does not have enough cases to support the extensive use of pro bono attorneys.

In addition to attending seminars and working on cases, students enrolled in the clinic also go out into the community to perform outreach on the services they provide. The students speak at domestic violence shelters, immigrant organizations, and various other service provider agencies throughout the community. All of this contributes to the goals of educating students and the future legal profession, as well as developing relationships with potential referral sources.

With respect to their last goal, the clinic has conducted training to recruit pro bono attorneys. The clinic has identified a large local law firm to provide counsel and has utilized the firm to provide counsel for an amicus curie filing. However, staff expressed difficulty using pro bono attorneys given the low number of cases active at the clinic.

Can you sketch the logic by which activities should affect goals?

A draft logic model for CVLC is included as Attachment A. Elements of this logic model are incorporated into a multi-dimensional logic model for NCVLI that is included

in the final report. This final NCVLI logic model illustrates how the activities of the individual clinics contribute to the overall goals of NCVLI.

Are there other local projects providing similar services that could be used for comparisons?

There are no other projects providing services similar to CVLC in California.

Will samples that figure in outcome measurement be large enough to generate statistically significant findings for modest effect sizes?

A total of 59 cases have been referred to the CVLC since its inception. Of this number, 39 were accepted and 20 cases were rejected because they were inappropriate or because clients did not stay in contact with the clinic.

Is the grantee planning an evaluation?

No, CVLC is not planning an evaluation.

What data systems exist that would facilitate evaluation? What are the key elements contained in these systems?

There are detailed hard copy and electronic files that contain client information. These systems are structured in three parts: intake, representation, and client satisfaction. Intake contains basic client and case information. Representation contains all documents related to legal representation for the case (motions, briefs, etc), and client satisfaction contains a client satisfaction survey that is completed at the closing of each case.

Are there data to estimate unit costs of services or activities?

The budget and operations grant manager explained that they have refined data on budgeting. Systems would be able to inform calculating per unit costs. A cost-benefit analysis is possible using the following data elements: personnel costs, fringe benefits, operating costs, and capital/equipment costs.

Are there data about possible comparison samples?

The CVLC database and files contain information specific to clients it serves.

In general, how useful are the data systems to an impact evaluation?

Data systems are well structured, appropriately detailed, and kept up-to-date.

3. SITE VISIT EVALUABILITY ASSESSMENT

Is the project being implemented as advertised?

The clinic provides legal representation; student training; pro bono attorney training; prosecutor, judge and public defender training; and community outreach as advertised.

What is the intervention to be evaluated?

The intervention to be evaluated is the McGeorge School of Law's Victims of Crime Legal Clinic.

What outcomes could be assessed? By what measures?

The intervention described above provides several outcomes that could be assessed. These outcomes and some of their possible measures are listed below.

Client-level outcomes - Client-level outcomes pertain to legal and social services made available to and/or received by victims who contact the clinic. Evaluators could measure frequencies of each of the following services: intake telephone conversations; follow-up telephone calls and meetings with clients; referrals to social service providers; explanations of legal terminology and proceedings; court accompaniments; and direct legal services. In addition, evaluators also could measure the total number of clients served by the CVLC project director and students. Finally, evaluators could measure client satisfaction with clinic services.

System-level outcomes - System-level outcomes pertain to the legal impact of clinic efforts in changing the law or legal culture to benefit all victims of crime. Possible measures include the change in calls to CVLC, law student participation, court appearances, motions filed, published opinions/case law, amicus curie filings, compliance with state laws by stakeholders throughout the criminal justice system, and the enactment of new crime victims' rights legislation.

Community-level outcomes - Community-level outcomes pertain to the impact of clinic efforts in changing the climate of the community at large. Though these outcomes are particularly difficult to measure, the change in awareness of the clinic by crime victim service providers, public awareness of victims' rights, and community capacity to redress any harms against victims could indicate a change in community climate.

Are there valid comparison groups?

CVLC is the only clinic providing legal representation to crime victims in California.

Is random assignment possible?

Random assignment would not be a feasible means of evaluating provision of services to victims. Staff at CVLC have made it a priority to accept all viable crime victims' rights cases. Therefore, random assignment would interfere with the mission of the clinic by requiring staff to accept some cases and to refuse other cases. Likewise, random assignment would not be a feasible means of evaluating a change in law or legal climate. The nature of the criminal justice system would preclude the random assignment of judges, prosecutors, defense attorneys, and other court practitioners to cases handled by clinic staff. In addition, practitioners and future practitioners could not be randomly assigned to training provided by the clinic.

What threats to a sound evaluation are most likely to occur?

Threats may include: slow case flow, frequent changes in the persons handling a case (i.e., students handle cases for only a semester and then cases are shifted to another student the next semester or to a law clerk over the summer), and funding.

Program staff are unsure whether the clinic will be able to continue once NCVLI funds expire. The clinic is pursuing other funding sources, but it is not guaranteed that the McGeorge School of Law (which is part of the University of the Pacific) will pick up the cost of operating the clinic. The school has many legal clinics and has a policy that no additional clinics are allowed to open unless they come with their own source of funding. Although the clinic is part of the permanent law school curriculum and McGeorge has a history of victims' rights involvement, that does not mean that it will continue to be taught even though it provides unique services to the state.

Are there hidden strengths in the project?

The strengths to this project are that not only is it associated with a law school, but also it is associated with a law school that has a history of involvement in victims' rights issues. Clinic staff recognize this as a strength because they believe it helped the clinic quickly gain credibility in the community. The alumni network of the McGeorge Law School has been a tremendous resource for the clinic. This built-in connection to the field has been instrumental in helping the clinic educate the California legal profession on crime victim issues, and has encouraged referral of relevant cases. In addition, it was noted by project staff that their association with the law school has helped provide them with stability they might not otherwise have had if they been a stand-alone clinic. This stability comes in the form of extensive office space and the use of the general legal clinic facilities (client intake areas, mock court rooms, mock attorney offices, videotaping equipment for teaching purposes, large classrooms for teaching and hosting training, access to legal documents through Lexis Nexus and the library, etc.). These resources would have been too costly to otherwise provide had the clinic not been affiliated with the law school.

What are the sizes and characteristics of the target population?

The clinic serves the greater Sacramento area, which includes the five counties of Sacramento, Yolo, San Joaquin, Placer, and El Dorado. The typical clinic client is a victim of sexual assault, burglary, theft, and/or drug-related crimes.

How is the target population identified (i.e., what are the eligibility criteria)? What/who gets excluded as a target?

The clinic accepts any case in which a crime victim's rights are being violated. The victim must call the clinic – the clinic does not pursue cases. The clinic will not take civil cases. Nor does the clinic take collection of restitution cases without information on the defendant, since an investigator would need to be hired.

Have the characteristics of the target population changed over time?

The types of crimes within the community have remained fairly consistent.

How large would target and comparison samples be after one year of observation?

A total of 59 cases have been referred to the CVLC since December 2004. Of this number, 39 cases were accepted and 20 cases were rejected because they were inappropriate or because clients did not stay in contact with clinic staff. Extrapolating these figures over a year, at a rate of about 2 cases per month for which direct legal representation could be provided, would result in about 24 relevant cases a year.

What would the target population receive in a comparison sample?

Not applicable.

What are the shortcomings/gaps in delivering the intervention?

Three potential shortcomings/gaps in delivering the intervention are slow case flow, turnover of clinic staff (i.e., cases change hands once students leave for the semester, or for school breaks), and the unsure future of funding. These issues were discussed above in the section on threats to a sound evaluation.

What do recipients of the intervention think the project does? How do they assess the services received?

Clinic clients were not interviewed for this evaluability assessment. Therefore, we do not have first-hand knowledge of what clients think CVLC does.

What kinds of data elements are available from existing data sources? What specific input, process, and outcome measures would they support?

Input measures – Extensive electronic data are kept by CVLC’s fiscal manager that includes information on the size and characteristics of the staff, budget, existing resources, and expenses (including personnel costs, fringe benefits, operating costs, and capital/equipment costs). One could also use this data to calculate cost per case activity (motion, briefs, court appearances, travel, etc.) and the overall cost of working on a particular case (by type of crime associated with a case, outcome of the case, and/or nature of right violation).

Process measures – CVLC conducts four broad activities: establishing the clinic, conducting community education and training, educating students/future legal profession, and recruiting pro bono attorneys. Data exist through monthly and quarterly reports that would inform the clinic’s progress in establishing itself – whether protocols and the Excel database are being used on a daily basis. These data would also inform the degree to which community education and trainings have taken place, and with whom they were conducted. Data that could inform how well the clinic is reaching the goal of educating students would be found in hard copy intake data files and electronic Word files. These data speak to the number of client cases assessed and referred by staff, number of court appearances by the clinic director and law students, and the number of motions filed. These files would also contain data on number of published opinions on victims’ rights, as well as judicial opinion at the trial and appellate level (case law). With respect to measuring CVLC’s efforts to recruit pro bono attorneys and law student interns, the Excel database and Word files would contain the most up-to-date information on the number of students and pro bono attorneys that have been recruited and who are working on cases. Lastly, measures of community education and training might be measured by gathering data on source of referral contained on client intake forms. Additionally, one may look to quarterly reports to NCVLI in an effort to gauge the number and frequency of criminal justice stakeholder trainings as well as the number and frequency of community service providers reached through law student outreach efforts.

Outcomes measures – Outcome measures may be looked at with respect to client-level outcomes, system-level outcomes, and community-level outcomes. Client-level outcomes would include: increases in the number of referrals to CVLC, client satisfaction, and increased client understanding of victims’ rights and the criminal justice process. Client satisfaction and increases in client understanding of victims’ rights and the criminal justice process can both be measured by looking at client satisfaction surveys distributed to clients at the close of each case.³ Increases in the number of referrals can also be measured by tracking the number of client intake forms over time. System-level outcomes include the following, which can all be measured by looking at data in Excel and hard copy case files: increased number of court appearances by clinic director and law students, increased amicus curie filings, and new case law. Data tracked over time in the class roster would be able to speak to changes in the number of law students educated about victims’ rights. In order to measure whether there is an increase in the number of students choosing to pursue victims’ rights-oriented legal careers, evaluators may be able to contact these students in the future with support from the alumni office. In an effort to measure the system-level outcome of increased awareness of CVLC by criminal justice stakeholders, a combination of intake data on source of referral and number of referrals could be reviewed. Lastly, community-level outcomes include: increased public awareness of victims’ rights, increased community capacity to redress any harms against crime victims, and increased awareness of CVLC by community/future clients. While these outcomes are particularly difficult to measure, it would be possible to again look towards the number and source of referral to gauge increased awareness of CVLC by community/future clients.

How complete are data records? Can you get samples?

Due to confidentiality reasons, researchers could only view sample documents. If a full-scale evaluation were funded, the evaluators could then obtain clearance to view the electronic and hard copy records in full.

What routine reports are produced?

CVLC is required to submit quarterly progress reports to NCVLI. This information is then used by NCVLI in its progress reports to OVC. The research team examined these reports and found them to be very detailed – important outputs are quantified in the reports to NCVLI.

Can target populations be followed over time?

Target populations that could be followed over time include clients through case notes stored in Word and in the three-part hard copy case file. Also alumni could be tracked over time through the alumni office.

Can services delivered be identified?

Through document review of case records one can easily track the legal services a client receives from the clinic. The services clients receive include: pro bono legal

³ Two questions explicitly asked on the client satisfaction survey are: “Did your involvement with the clinic increase your understanding of victims’ rights?” “Did your involvement with the clinic increase your understanding of the criminal justice process?”

representation, referral to victim service providers, and an explanation of victims' rights and the criminal justice system/process.

Can systems help diagnose implementation problems?

Systems are structured such that they should be able to identify implementation problems, however, the clinic is so small that at this point it is very easy for the clinic director to identify issues as they arise.

Do staff tell consistent stories about the program? Are their backgrounds appropriate for the project activities?

All staff tell consistent stories about the program and have years of experience working with victims of crime.

What do partners provide/receive? How integral to project success are the partners?

The McGeorge School of Law is instrumental in the success of the legal clinic. The law school provides an extensive alumni network to which the clinic has quick and easy access. The law school also provides extensive office space and the use of the general legal clinic facilities such as client intake areas, mock court rooms, mock attorney offices, videotaping equipment for teaching purposes, large classrooms for teaching and hosting training, access to legal documents through Lexis Nexus and the library.

It can be argued that McGeorge School of Law benefits from this clinic in that it reaffirms the McGeorge School's history of allegiance towards victims' rights issues. The clinic also provides an invaluable tool to help further educate the students and future lawyers of California and the United States on an often overlooked/neglected issue. All this strengthens the legal community in its adherence to constitutional law, democracy, and the freedom and rights of citizens.

What changes is the director willing to make to support the evaluation?

The director and staff were willing to support an evaluation and seemed open to any changes that might be necessary, though none were specifically mentioned.

CONCLUSION

Would you recommend that the project be evaluated? Why or why not?

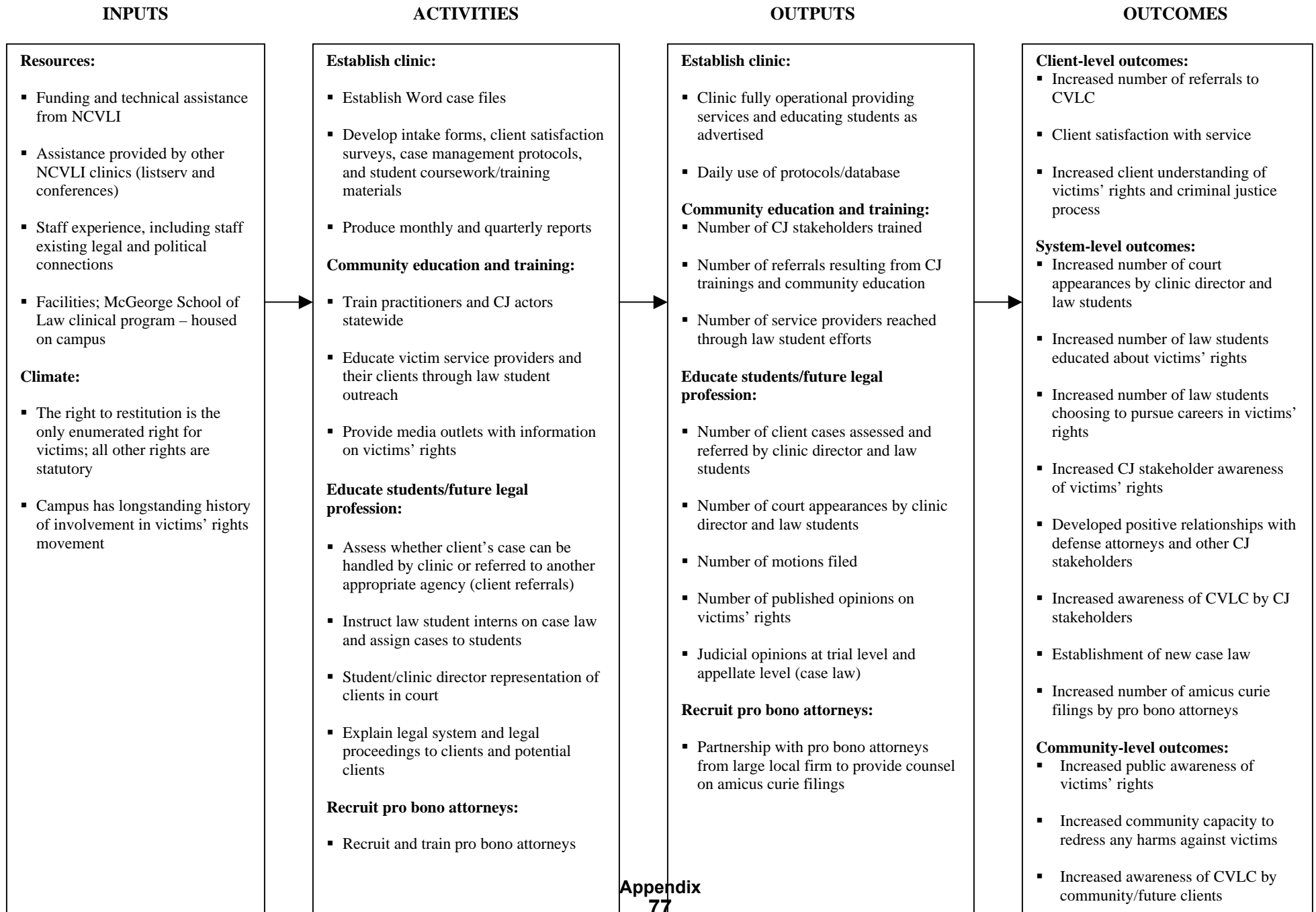
The California site should be included in an evaluation of NCVLI and its legal clinics. This site maintains adequate records that would support an evaluation and staff seemed interested in participating in such an evaluation, if one is funded.

What kinds of evaluation designs would you propose?

A potential research design for an evaluation of NCVLI would be a three to five year case study measuring client, system, and community level changes related to crime victims' rights.

Attachment A
CVLC Logic Model

McGeorge School of Law's Crime Victims Legal Clinic (CVLC) Logic Model



Evaluability Assessment of the State and Federal Clinics and System Demonstration Project: University of Idaho College of Law Victims' Rights Clinic

Final Report

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Colleen Owens

NIJ # 2006TO045





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EVALUABILITY ASSESSMENT OF THE STATE AND FEDERAL CLINICS AND SYSTEM DEMONSTRATION PROJECT

SYNOPSIS

Grantee: University of Idaho College of Law Victims' Rights Clinic (VRC)

Grant Duration: April 1, 2005 - March 31, 2007

Current Award:

The State/Federal Clinics and Systems Demonstration Project is supported by grant No. 2002-VF-GX-K004, awarded by the Office for Victims of Crime (OVC), Office of Justice Programs, United States Department of Justice. VRC received \$162,000 over a 2-year period.

Funding History:

VRC came into existence with funding as a part of the State/Federal Clinics and System Demonstration Project. Below is a brief summary of funding amounts per year:

Year 1 = \$57,000 4/1/2005 – 3/31/2006

Year 2 = \$105,000 4/1/2006 – 3/31/2007

Project Summary:

VRC is part of the State/Federal Clinics and Systems Demonstration Project under funding from the National Crime Victims Law Institute (NCVLI). NCVLI received OVC funding to develop eight state clinics and one federal clinic as part of an overall mission to promote balance and fairness in the justice system through crime victim centered legal advocacy, education, and resource sharing. VRC was first established with NCVLI funding and is a part of the University of Idaho College of Law's clinical program.

Scope of Evaluation:

This evaluability assessment was to determine whether a rigorous evaluation of NCVLI and its Demonstration Project could be conducted. To help make this determination the Urban Institute (UI) research team conducted site visit activities at NCVLI and the Demonstration Project clinics. Site visit activities included conducting interviews with key program staff, document review, and observation.

Summary of Evaluability Assessment Activity:

Two UI researchers and an NIJ staff person conducted a one-day site visit to VRC in August 2006. The research team met with the VRC clinic director, a financial contact person, an office manager, a VRC student, the director of all of University of Idaho's legal clinical programs, the service coordinator, two adjunct faculty members (one on site and one via telephone), and a representative from a local victim service provider agency. In addition, the UI/NIJ research team was invited to attend a VRC class taught by the clinic director and was invited to observe the Idaho Supreme Court hear a case in an on-

campus courtroom. Lastly, the research team spent time viewing extant program materials in an effort to collect relevant evaluation information.

Findings:

The Idaho site should be included in an evaluation of NCVLI and its legal clinics. The site maintains adequate records that would support an evaluation and the staff expressed an openness and willingness to participate should an evaluation take place. However, should an evaluation take place, evaluators would need to be careful in selecting cases that are crime victims rights specific since there may be some cases they handle that do not deal with crime victims rights violations.

INITIAL PROJECT ANALYSIS

Introduction

In order to address the issue of victims' rights enforcement, OVC entered into a cooperative agreement with NCVLI to develop the State and Federal Clinics and System Demonstration Project. The Demonstration Project was created to advocate for the expansion of the enforcement of victims' rights in the criminal justice system and the expansion of education of the legal profession in this area. To better understand the Demonstration Project's impact through NCVLI and its Clinics, the National Institute of Justice (NIJ) and OVC entered into a contract with the Urban Institute to conduct an evaluability assessment of the Project. The evaluability assessment will provide information that will assist NIJ and OVC in determining the feasibility of conducting a rigorous outcome or impact evaluation of the NCVLI Demonstration Project.

What do we already know about projects like these?

In 2004, there were approximately 24 million crimes committed against people twelve years and older, and approximately one-fifth of those (5.2 million) involved some sort of violent crime (Catalano 2005). Experts have estimated that five out of six people will be victims of a completed or attempted violent crime in their lifetimes (Koppel 1987). Over the past 25 years, crime victims have secured limited rights to participate in the criminal court process. Generally, these rights are intended to protect and preserve the dignity of victims through changes in criminal law. Examples include the right to receive notice and be heard during various phases of the criminal court process, the right to restitution, and laws that protect victims, such as rape shield laws and laws that protect child victims (Beloof 2001). All 50 states guarantee victims of crime some form of legal rights of participation in the criminal legal process (Beloof 1999), and 33 states guarantee crime victims' rights within their state constitutions (NCVLI 2006). In 2004, crime victims were granted rights to participate in the process in federal courts. However, the exact rights that victims of crime possess and the extent to which these rights are enforced vary significantly among jurisdictions.¹ Additionally, most law students are not educated about the rights of victims within criminal justice proceedings as a part of their formal or continuing legal education.

¹ An important area in which victims' rights differ among jurisdictions is legal standing. While crime victims in Idaho do not have legal standing, judges, prosecutors, or defense attorneys have not challenged VRC's standing.

NCVLI is a non-profit research and educational organization, established in 2000 to assert victims' rights in criminal trial courts. In 2004, NCVLI entered into a cooperative agreement with OVC to conduct the State and Federal Clinics and System Demonstration Project. The two primary goals of the Project are: (1) to expand the enforcement of victims' rights in the criminal justice system, and (2) to expand the education of the legal profession in the area of victims' rights. The Demonstration Project establishes and funds nine legal clinics that provide direct pro bono legal services to victims to enforce their rights to participation in the criminal process. To this end, in 2004, NCVLI funded five state clinics in the following cities: Albuquerque, NM, Columbia, SC, Sacramento, CA, Tempe, AZ, and Upper Marlboro, MD. In 2005, they added three additional state clinics in Salt Lake City, UT, Newark, NJ, and Moscow, ID, and a federal clinic in Tempe, AZ. NCVLI serves as the intermediary and provides these clinics with training, technical assistance in the form of legal support and research, assistance with implementation, financial and programmatic monitoring, coordination with victim advocacy organizations, and other assistance as needed. NCVLI holds an annual conference on crime victims' law and helps to educate law students in the area of victims' rights. There is also an annual cluster meeting of the clinics funded by NCVLI before the conference.

NCVLI and the associated clinics are the only organizations of their kind in the United States. For this reason, virtually nothing is known about the impact and effectiveness of the national organization or the various models of legal clinics it supports.

What could an evaluation of this project add to what we know?

An evaluation of NCVLI and its State and Federal Clinics and System Demonstration Project would increase our knowledge of victims' rights and enforcement of these rights in the United States. Specifically, an evaluation of the project would help answer research questions such as: (1) What are the varying protections/rights crime victims are afforded in the United States (nationally and locally)? (2) To what extent are these rights enforced within each jurisdiction studied? What are different local models/methods employed to help enforce victims' rights? What are the strengths and weaknesses of each identified model? What external factors support or hinder model success? (3) What additional rights have stakeholders identified that crime victims need in order to better protect victims during the criminal justice process within each jurisdiction? (4) What key stakeholders (e.g., community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims) should be involved in this work, and what are their anticipated roles? (5) What outreach, education, and training activities are being conducted to increase understanding and competencies (nationally and locally)? (6) Have the outreach, education, and training activities increased awareness and knowledge of crime victims' rights among victims and stakeholders? (7) Does the existence of the NCVLI clinic increase the number of attorneys providing pro bono services for these victims? These are some of the research questions that would be answered by evaluating this project. Answers to these important questions would help shape rules and regulations (legislation), policies, and practices of stakeholders involved in this work.

Which audiences would benefit from this evaluation? What could they do with the findings?

Likely audiences to benefit from this work include community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims. The implications of evaluation study findings for each audience member are described below:

Community leaders – Like social service providers, some community leaders have an historical context for the crime victims’ rights movement. Their knowledge and experience would greatly inform the development of materials and trainings. Also, information gleaned from data collected from these stakeholders would help inform public awareness campaigns so that the public-at-large (potential crime victims) would have a better understanding of their rights, methods for how to enforce their rights, and the support systems that exist in their areas. A public awareness campaign around these issues is necessary to increase the visibility and understanding of crime victims’ rights.

Defense attorneys – Evaluability assessment respondents alluded to their belief that defense attorneys do not understand the laws pertaining to crime victims. Additionally, they reported that defense attorneys do not understand the role of a crime victim and his/her attorney during the criminal court process. This has been demonstrated to respondents through perceived inaccuracies and inadequate responses to pleadings and motions brought by crime victim attorneys. Evaluation study findings would help develop resource materials appropriate for defense attorneys that would include information on the rights of crime victims during the criminal court process so that future defense responses to pleadings and motions can be better informed. A benefit of more thoughtful responses is that future case law can be truly based on the merits of a case.

Judges – Preliminary findings from this evaluability assessment indicate that judges in the American court system are not well versed in crime victims’ rights and the protections that should be afforded to victims. Moreover, judicial sensitivity to the needs of crime victims is not commonplace. Evaluation study findings would inform the development of appropriate materials (e.g. resource guides, fact sheets, bulletins) and training curricula for judges to increase not only their knowledge about crime victims’ rights and the protections victims should have during the criminal court process, but also their sensitivity to crime victims’ needs.

Lawmakers – With increased attention on the rights of crime victims, legislatures are reviewing laws within their jurisdictions to determine whether there are adequate protections for these victims. Findings from an evaluation would greatly inform lawmakers about what is occurring in other states and provide guidance on how to best develop or modify laws for their state.

Prosecutors – Evaluability assessment findings seem to suggest that some prosecutors are not comprehensively versed in the role of a crime victim during the criminal justice process. Moreover, some prosecutors do not fully understand the role of a crime victim’s

attorney. Evaluation study findings would aid in the development of appropriate materials and training curricula for prosecutors to increase their knowledge of the role of a crime victim's attorney during the criminal court process. Prosecutor training around the issue of supporting the role of a crime victim's attorney during an investigation and prosecution is necessary to better protect the crime victim.

Social service providers – Some social service providers are part of the grassroots movement to promote crime victims' rights. Because these stakeholders have an historical context for this work, it would be essential to include them in a comprehensive evaluation of the project. What could be learned from these stakeholders would help inform the development of materials and trainings for other stakeholders mentioned in this section. Additionally, it would help clarify the role of social service providers in how they can work with victim advocates and crime victim attorneys.

Victim advocates – Victim advocates who work in a prosecutor's office would benefit from evaluation study findings as well. Respondents from the assessment indicated that some advocates are unaware of crime victims' rights and at times may hinder a crime victim attorney from best protecting a victim's rights. Moreover, some advocates are not connected with social service providers in the community to best meet the social service needs of crime victims. Evaluation study findings would aid in the development of appropriate materials (e.g., resource lists of area providers) and trainings for advocates so that advocates can better understand how to collaborate with local providers and to work with crime victim attorneys.

Victims – Crime victims would greatly benefit (perhaps benefit the most) from an evaluation of the project. Findings could help educate stakeholders and inform the systems that are in place to promote and enforce crime victims' rights. An evaluation of the project would need to include the voice of the victim, as victims can be considered the "experts" on what types of support they need during the criminal court process. The information they hold could greatly inform resource materials and trainings.

Overall, case study findings would provide stakeholders with information on how to develop or modify a model for protecting crime victims' rights within their state (as described above).

Is the grantee interested in being evaluated?

The grantee expressed an interest in being evaluated should an evaluation take place.

What is the background/history of this program?

The idea for the University of Idaho College of Law Victims' Rights Project came from two adjunct professors – Monte MacConnell and Jamie Shropshire. Both attorneys with extensive histories of involvement in victims' rights, they applied for NCVLI funding as a part of the first wave of funded clinics in 2003. MacConnell and Shropshire's proposal was not funded because it was felt that their proposed model would have been strengthened if it allied itself more strongly with the University of Idaho College of Law and if the clinic had more of a unified statewide approach. Subsequently, the proposal

was modified and resubmitted to NCVLI for the second wave of funding. As a result, NCVLI awarded a 2-year \$162,000 grant to establish the University of Idaho College of Law Victims' Rights Project. VRC's grant was awarded in April 2005 and will expire in April 2007.

VRC is one of eight, and the second most popular, clinical programs offered at the law school. Third-year law students staff the program and are assigned cases and provide legal representation, under the direction and supervision of the clinic director, attorney, and professor, Pat Costello. To actively handle cases, third-year students must seek a limited license to practice law from the Idaho Supreme Court. Currently, the clinic has seven students enrolled and typically aims for a class size of about ten. VRC is marketed to first year law students during the university's clinical program recruitment effort held in the spring semester. Students are required to submit a three-page clinical application and they must interview with the clinic director. VRC is a 3-credit class with a requirement of 60 hours of work (180 hours) per credit. This includes class time learning about victims' rights law and how to represent clients in court, clinic hours spent answering telephones and doing client intake, and one-on-one meetings with the clinic director. In addition, the clinic operates a toll-free number that is connected to a pager, and students take turns being assigned pager duty.

VRC partners with the two adjunct professors, Monte MacConnell and Jamie Shropshire, who first envisioned the ID crime victims' rights clinic. As a part of VRC, Ms. Shropshire consults with students on their cases, conducts some legal research with students, and teaches at least two classes. One class she teaches is on criminal procedure and another is on dealing with challenging victims. Mr. MacConnell also works with student interns on legal cases. Additionally, they are responsible for helping network with victim service providers and other criminal justice stakeholders throughout the state and for serving victims in the Boise and Lewiston areas of the state. At this point, however, referrals from these parts of the state have been low.

At what stage of implementation is the program?

VRC is currently in its second year of implementation, and final year of NCVLI funding.

What are the project's outcome goals in the view of the project director?

According to the project director, the overall mission of VRC is to make sure crime victims' rights legislation is being implemented and enforced. Supporting this mission involves three goals: to educate VRC law students on crime victims' rights, to increase justice for crime victims through legal representation/legal service provision, and to educate the legal profession and other criminal justice stakeholders.

Does the proposal/project director describe key project elements? Do they describe how the project's primary activities contribute to goals?

The clinic director and others interviewed described how VRC's primary activities contribute to its' goals. With respect to the goal of educating law students, the clinic director and adjunct faculty members instruct the students on crime victims' rights law and the practical aspects of how to represent crime victims in court. In addition, the

clinic director conducts regular one-on-one meetings with each of the students. As a part of the clinic, students conduct client intakes and rotate responsibility of wearing a pager that is connected to the clinic's toll-free number. This helps to build the students' client interaction skills. As a part of the intake process, students are encouraged to provide recommendations to the clinic director as to whether or not a client's case is relevant to their office. Although the clinic director ultimately makes these decisions, it is a useful tool that builds the students' legal reasoning and assessment capacity.

The second goal identified by VRC is to provide legal services with an eye towards enforcing existing victims' rights laws and pushing for new victims' rights case law. To this end, staff explain crime victims' rights and legal proceedings to clients. Further, they provide legal advice to persons before charges are filed. If charges have been filed and a victims' rights violation has taken place, students under the supervision of the clinic director and/or adjunct faculty members provide legal representation. Lastly, it was explained that oftentimes VRC finds itself acting as a liaison between prosecutors and law enforcement during an investigation. This usually manifests itself as VRC building a case and encouraging prosecutors to press charges.

VRC's third overarching goal is to provide community education and training. As such, they train practitioners and criminal justice stakeholders statewide, educate victim service providers through law student outreach, provide media outlets with information/stories on victims' rights, and recruit and train pro bono attorneys.

Can you sketch the logic by which activities should affect goals?

A draft logic model for VRC is included in Appendix A. Elements of this logic model are incorporated into a multi-dimensional logic model for NCVLI that is included in the final report. This final NCVLI logic model illustrates how the activities of the individual clinics contribute to the overall goals of NCVLI.

Are there other local projects providing similar services that could be used for comparisons?

There are no other projects providing similar services in Idaho.

Will samples that figure in outcome measurement be large enough to generate statistically significant findings for modest effect sizes?

After one year of operation, VRC currently has 9 open victims' rights cases and 16 closed cases. The director expects this caseload to remain constant as the clinic continues to conduct outreach efforts and becomes more widely known among victim service providers, criminal justice stakeholders, and the community at large. It was mentioned that most cases are closed due to lack of follow-through on the part of the victims.

Is the grantee planning an evaluation?

At the time of our site visit, VRC had no plans for an evaluation.

What data systems exist that would facilitate evaluation? What are the key elements contained in these systems?

There are two main data systems that would facilitate an evaluation. The first system is the Excel database that contains information on cost per NCVLI activity for the clinic director and two adjunct faculty members. This information would be useful for a cost analysis. The second data system is known as Legal Files and contains all documents pertinent to a case, from the time a call is made to the clinic, through client intake and representation. Data are also captured on individuals who call requesting legal advice or referral information but feel uncomfortable giving their name.

Are there data to estimate unit costs of services or activities?

The program's financial contact person keeps data on unit costs in an Excel spreadsheet. These costs are broken down by the three main NCVLI activities: recruitment of pro bono attorneys, education of the legal profession, and grant reporting and compliance. This information is kept for the clinic director, and the adjunct staff.

Are there data about possible comparison samples?

VRC is the only clinic providing legal representation to crime victims in Idaho.

In general, how useful are the data systems to an impact evaluation?

Data systems would be useful to an impact evaluation as they are appropriately detailed, and kept up-to-date.

SITE VISIT EVALUABILITY ASSESSMENT

Is the project being implemented as advertised?

Yes. The project's website and brochures correctly advertise the breadth of services it offers – both to crime victims and students.

What is the intervention to be evaluated?

The intervention to be evaluated is VRC.

What outcomes could be assessed? By what measures?

The intervention described above provides several outcomes that could be assessed. These outcomes and some of their possible measures are listed below.

Client-level outcomes - Client-level outcomes pertain to the legal services received and/or the social services made available to victims who contact the clinic. Evaluators could measure increased number of referrals to VRC, client satisfaction with legal representation, increased referral to victim service providers, increased client understanding of victims' rights and the criminal justice process, and increased client participation in criminal justice proceedings.

System-level outcomes - System-level outcomes pertain to the legal impact of clinic efforts in changing the legal culture to benefit all victims of crime. Evaluators could measure: numbers of VRC and pro bon attorney court appearances, numbers of law students attending VRC, law student satisfaction with VRC, increases in criminal justice

stakeholder awareness of victims' rights, the development of positive relationships with defense attorneys and other criminal justice stakeholders, the number of times VRC acts as a liaison between the prosecution and law enforcement, increases in awareness of VRC by criminal justice stakeholders, changes in implementation and enforcement of existing laws, and the establishment of new case law.

Community-level outcomes - Community-level outcomes pertain to the impact of clinic efforts in changing the climate of the community at large. Though these outcomes are particularly difficult to measure, increased public awareness of victims' rights, increased community capacity to redress any harms against victims and increased awareness of VRC's services by the community could indicate a change in community climate.

Are there valid comparison groups?

VRC is the only clinic providing crime victim legal services in Idaho.

Is random assignment possible?

Random assignment would not be a feasible means of evaluating provision of services to victims. VRC has made it a priority to accept all viable crime victims' rights cases. Therefore, random assignment would interfere with the mission of the clinic by requiring staff to accept some cases and to refuse other cases. Likewise, random assignment would not be a feasible means of evaluating a change in the legal climate. The nature of the criminal justice system would preclude the random assignment of judges, prosecutors, defense attorneys, and other court practitioners to cases handled by clinic staff. In addition, practitioners and future practitioners could not be randomly assigned to training provided by the clinic.

What threats to a sound evaluation are most likely to occur?

A possible threat to evaluation may be case transfer at the end of a semester. Another possible threat would be the fluid nature of funding. Even if the clinic becomes absorbed into the University of Idaho's legal clinical programs, it was expressed that the clinic would likely drop its' focus on the recruitment of pro bono attorneys and would also reduce the geographical scope of cases accepted. Low case flow numbers could also threaten a sound evaluation. Low numbers of referrals have caused the clinic to work closely with the school's Domestic Violence/Substance Abuse Clinic so that students can remain busy. Because of this, evaluators would need to carefully select between cases that are true crime victims' rights cases and those that are not. Lastly, the clinic has reported problems with victims following through with the clinic once the case is opened. This may pose a threat to a sound evaluation if the trend continues.

Are there hidden strengths in the project?

The biggest strengths of the project are found in VRC staff and the University of Idaho College of Law. The VRC clinic director and adjunct professors bring with them several combined years of experience working on crime victims' rights issues. They are well known and respected in Idaho for their involvement in these issues, which has helped lend credibility and visibility to the clinic. Additionally, while no specific sustainability plans exist at the moment, the University of Idaho College of Law has a history of

absorbing clinical programs after grant funding expires. This, along with the tremendous support (e.g., office space, law library, interview rooms) already offered by the college, is a significant strength of VRC.

What are the sizes and characteristics of the target population?

The target population includes the entire state of Idaho. It was noted that the typical client is a female, domestic violence victim or a University of Idaho student with ESL issues. Idaho is largely a rural state with a primarily White, middle class population. It was noted that the number of Hispanic residents has begun to increase.

Most of VRC's cases involve prosecutors electing not to pursue clients' cases. The second most popular request involves restitution, followed by the ability to be heard at sentencing. The clinic director and others explained that even though there is no case law on standing, on average judges are friendly to victims' rights and student representation on victims' rights and have not opposed their presence. While this judicial support is positive, in some ways staff felt that students were not fully experiencing what it could be like to argue in court for an explicit interpretation of a legal issue such as standing.

How is the target population identified (i.e., what are the eligibility criteria)? What/who gets excluded as a target?

As stated by program staff and in VRC literature, the clinic serves direct victims of felonies or other violent crimes committed in Idaho. An adult or juvenile could have perpetrated the crime brought to VRC's attention and victims can be of any age or income level. Also eligible are immediate family members of child victims or of homicide victims. VRC has a very low rate of exclusion in terms of whom it will take as a client. The small number of cases it has had to reject were civil litigation matters.

Have the characteristics of the target population changed over time?

The increase in the number of Hispanic residents was the only change reported.

How large would target and comparison samples be after one year of observation?

As stated earlier, VRC has 9 open victims' rights cases and 16 closed cases. These numbers should at least stay the same, if not increase, as the clinic continues to conduct outreach efforts and becomes more widely known among victim service providers, criminal justice stakeholders, and the community at large.

What would the target population receive in a comparison sample?

Not applicable.

What are the shortcomings/gaps in delivering the intervention?

Three potential shortcomings/gaps in delivering the intervention are turnover of clinic staff (i.e., cases transfer when students leave for the semester), the uncertain nature of future funding, and low case flow. These issues were discussed above in the section on threats to a sound evaluation.

What do recipients of the intervention think the project does? How do they assess the services received?

Clinic clients were not interviewed for this evaluability assessment. Therefore, we do not have first-hand knowledge of what clients think VRC does.

What kinds of data elements are available from existing data sources? What specific input, process, and outcome measures would they support?

Input measures- The Excel database kept by the fiscal manager who handles all of the University of Idaho College of Law's clinical programs, including VRC, would be the best source of information on funding sources, costs per NCVLI activity (for the clinic director and adjunct professors), and other overhead costs and expenses.

Process measures- Case file data and intake data contained in the Legal Files database could inform the broad and interrelated goals of legal service provision and student education. Measures this data could support include: number of students completing the VRC; number of client cases assessed and referred by the clinic director, and law students; the number of times VRC provides legal advice prior to charges being filed; number of cases VRC helped a prosecutor file charges (acted as a liaison between prosecutors and law enforcement); the number of court appearances by the clinic director, law students, and adjunct professors; the number of cases in which restitution was ordered and collected; the number of notices to appear in court, motions and briefs filed; and the number of judicial opinions the trial and appellate level (case law). Data informing the goal of community level and training would be found in the intake (referral source) section of Legal Files for the number of referrals resulting from criminal justice trainings and community education. A combination of information from the fiscal manager's Excel database and Legal Files would provide data informing the number of practitioners and criminal justice stakeholders trained, the number of service providers reached through law student outreach efforts, and the number of pro bono attorneys recruited and trained.

Outcome measures- Outcome measures could be assessed with respect to three categories: client-level, system-level, and community-level outcomes. Client-level outcomes that could be assessed would include increased number of referrals to VRC, number of referrals to victim service providers, client satisfaction with legal representation, increased client understanding of victims' rights and the criminal justice process, and increased client participation in criminal justice proceedings. Data found in the Legal Files on client intake would inform the number of referrals, and data on client satisfaction surveys capture measures of client satisfaction with VRC, understanding of victims' rights and participation in legal proceedings.

A variety of system-level outcomes can be assessed through referral data found in intake files scanned into the Legal Files system. These outcomes would include: increased criminal justice stakeholder awareness of victims' rights, and increased awareness of VRC by criminal justice stakeholders. Case file data found in Legal Files would also be able to inform a variety of outcomes. These include: increased number of court appearances by the clinic director, law students, adjunct professors, and pro bono

attorneys; establishment of new case law; increased number of students educated about crime victims' rights; and increased enforcement of existing crime victims' rights. Student satisfaction surveys are distributed at the close of each class that would inform the outcome of increasing student satisfaction with VRC. Lastly, there are currently no data collected that could inform whether there have been increases in the number of students choosing careers in, or taking pro bono cases in crime victims' rights, however the director of all clinical programs as well as the director of VRC expressed a willingness to try to measure this should an evaluation take place.

Although it is difficult to measure community-level outcomes, one could look to the frequency and source of referrals found in the intake files in the Legal Files system to inform whether there may have been an increase in public awareness of victims' rights, and of VRC.

How complete are data records? Can you get samples?

Due to confidentiality reasons, researchers could only view sample documents. If a full-scale evaluation were funded, the evaluators could then obtain clearance to view the electronic and hard copy records in full.

What routine reports are produced?

VRC is required to submit quarterly progress reports to NCVLI. This information is then used by NCVLI in its progress reports to OVC. The research team examined these reports and found them to be very detailed – important outputs are quantified in the reports to NCVLI.

Can target populations be followed over time?

Populations that can be followed over time include students, with the help of the VRC director and the director of all University of Idaho clinical programs. Clients may be followed over time through case files stored in the Legal Files system.

Can services delivered be identified?

Through case file review through Legal Files one can identify services that are being delivered. These services clients receive include: legal advice prior to charges being filed, referral to social services, legal representation, the ordering of restitution, and an explanation of crime victims' rights and the criminal justice system/legal proceedings. Additionally, the clinic will act as a liaison between law enforcement and prosecutors during an investigation.

Can systems help diagnose implementation problems?

Due to the small number of students and cases handled by VRC, and regular student conferencing with the project director, one would suspect that implementation problems could easily be diagnosed. Additionally, to the extent to which the affiliated, off-site adjunct staff must submit their timesheets coded according to each of the three NCVLI activities (educate students, recruit pro bono attorneys, and grant reporting) these systems could ideally catch whether implementation problems were occurring.

Do staff tell consistent stories about the program? Are their backgrounds appropriate for the project activities?

All VRC staff have years of victims' rights experience. VRC staff and all those affiliated with the clinic tell consistent stories, with one exception. There seemed to be a few conflicting reports about the degree to which VRC's services are fully known by victim service providers and the degree to which the clinic perceives its services to be known. Confusion was expressed over the types of cases victim service providers could refer to the clinic which one could safely assume has had an impact on the number of case referrals.

What do partners provide/receive? How integral to project success are the partners?

The University of Idaho College of Law School provides a significant amount of resources that have been integral to the operation of VRC. These resources include physical office and classroom space, use of the general clinical programs' financial manager and office manager, and supplemental funding.

It can be argued that the University of Idaho College of Law benefits from VRC in that it provides an invaluable tool to help further educate the students and future lawyers of Idaho and the United States on an often overlooked/neglected constitutional issue. All this strengthens the legal community in its adherence to constitutional law, democracy, and the freedom and rights of citizens.

What changes is the director willing to make to support the evaluation?

The clinic director is open to supporting an evaluation and has agreed to help contact students for follow-up in assessing whether their involvement in VRC influenced their career paths.

CONCLUSION

Would you recommend that the project be evaluated? Why or why not?

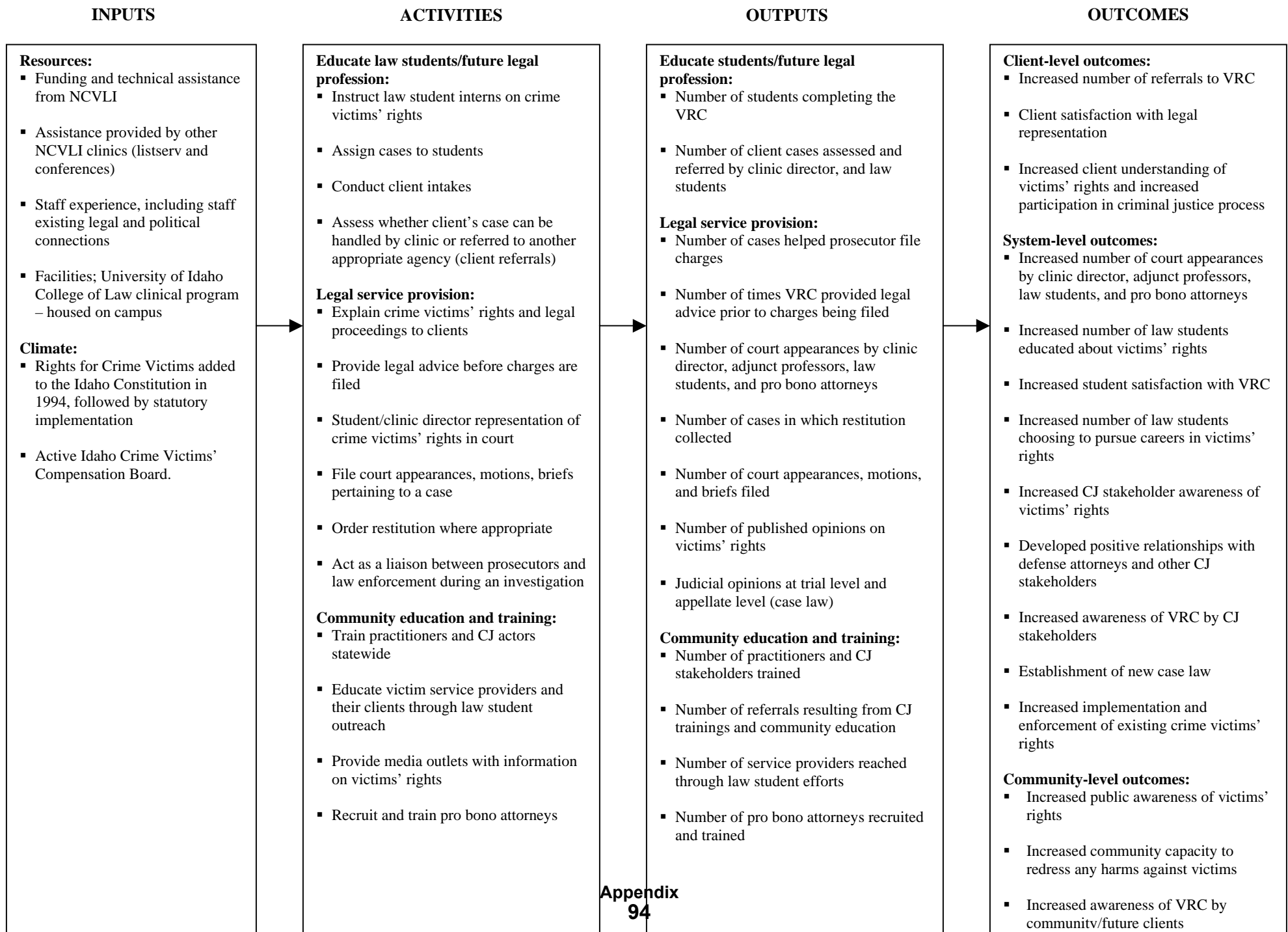
VRC should be included in an evaluation of NCVLI and its legal clinics. This site maintains one of the most comprehensive databases that would support an evaluation. Staff affiliated with VRC are interested in participating in such an evaluation, if one is funded.

What kinds of evaluation designs would you propose?

A potential research design for an evaluation of NCVLI would be a three to five year case study measuring client, system, and community level changes related to crime victims' rights.

Appendix A
VRC Logic Model

University of Idaho College of Law Victims' Rights Clinic (VRC) Logic Model



Evaluability Assessment of the State and Federal Clinics and System Demonstration Project: Maryland Crime Victims' Resource Center, Inc. (MCVRC)

Final Report

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NIJ # 2006TO045





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Evaluability Assessment of the State and Federal Clinics and System Demonstration Project

SYNOPSIS

Grantee: Maryland Crime Victims' Resource Center, Inc. (MCVRC)

Sub-Grant Duration: April 1, 2004 through March 31, 2007

Current Award:

The State/Federal Clinics and System Demonstration Project is supported by grant No. 2002-VF-GX-K004, awarded by the Office for Victims of Crime (OVC), Office of Justice Programs, United States Department of Justice. MCVRC received \$233,000.00 over a three-year period.

Funding History:

On April 1, 2004, MCVRC received funding as part of the State/Federal Clinics System Demonstration Project. Below is a brief summary of funding amounts per year:

Year 1 = \$50,000 4/1/2004 – 3/31/2005

Year 2 = \$103,000 4/1/2005 – 3/31/2006

Year 3 = \$80,000 4/1/2006 – 3/31/2007

Project Summary:

MCVRC's Crime Victim Legal Advocacy (CVLA) project is part of the State/Federal Clinics and Systems Demonstration Project under funding from the National Crime Victims Law Institute (NCVLI). NCVLI received OVC funding to develop eight state clinics and one federal clinic as part of an overall mission to promote balance and fairness in the justice system through crime victim centered legal advocacy, education, and resource sharing. The goal of MCVRC is to provide comprehensive services to victims of crime throughout the state of Maryland. The goal of the center under NCVLI funding is to test victims' rights law in Maryland by providing free legal services to victims. With funding from NCVLI, MCVRC expanded its existing CVLA project by hiring a staff attorney. NCVLI funding for CVLA expires in March 2007.

Scope of Evaluation:

This evaluability assessment was to determine whether a rigorous evaluation of NCVLI and its Demonstration Project could be conducted. To help make this determination the Urban Institute (UI) research team conducted site visit activities at NCVLI and the Demonstration Project clinics. Site visit activities included conducting interviews with key program staff, document review, and observation.

Summary of Evaluability Assessment Activity:

Two researchers from UI and the National Institute of Justice (NIJ) grant monitor conducted a one-day site visit to CVLA in August 2006. The research team met with

MCVRC staff members and CVLA staff members individually throughout the day. The UI/NIJ research team also spent time viewing electronic databases used to collect relevant evaluation information.

Findings:

CVLA should be included in an evaluation of NCVLI and its legal clinics. MCVRC is part of Maryland's compliance program. As a result of the compliance program and related efforts, CVLA (the MCVRC legal clinic) has worked with the courts to develop appropriate data tracking tools to track compliance with victims' rights procedures throughout the state of Maryland. Data collected as part of the compliance program would greatly facilitate evaluation of the outcomes of the clinic. The University of Baltimore also has evaluations prepared by students in the law school course that could also facilitate any evaluation. While staff at MCVRC and CVLA expressed an interest in participating in an evaluation of NCVLI and its legal clinics, they also reported concerns about their resource capacity for such an endeavor.

INITIAL PROJECT ANALYSIS

Introduction

In order to address the issue of victims' rights enforcement, OVC entered into a cooperative agreement with NCVLI to develop the State and Federal Clinics and System Demonstration Project. The Demonstration Project was created to advocate for the expansion of the enforcement of victims' rights in the criminal justice system and the expansion of education of the legal profession in this area. To better understand the Demonstration Project's impact through NCVLI and its clinics, NIJ and OVC entered into a contract with UI to conduct an evaluability assessment of the Project. The evaluability assessment will provide information that will assist NIJ and OVC in determining the feasibility of conducting a rigorous outcome or impact evaluation of the NCVLI Demonstration Project.

What do we already know about projects like these?

In 2004, there were approximately 24 million crimes committed against people twelve years and older, and approximately one-fifth of those (5.2 million) involved some sort of violent crime (Catalano 2005). Experts have estimated that five out of six people will be victims of a completed or attempted violent crime in their lifetimes (Koppel 1987). Over the past 25 years, crime victims have secured limited rights to participate in the criminal court process. Generally, these rights are intended to protect and preserve the dignity of victims through changes in criminal law. Examples include the right to receive notice and be heard during various phases of the criminal court process, the right to restitution, and laws that protect victims, such as rape shield laws and laws that protect child victims (Beloof 2001). All 50 states guarantee victims of crime some form of legal rights of participation in the criminal legal process (Beloof 1999), and 33 states guarantee crime victims' rights within their state constitutions (NCVLI 2006). In 2004, crime victims were granted rights to participate in the process in federal courts. However, the exact rights that victims of crime possess and the extent to which these rights are enforced vary

significantly among jurisdictions.¹ Additionally, most law students are not educated about the rights of victims within criminal justice proceedings as a part of their formal or continuing legal education.

NCVLI is a non-profit research and educational organization, established in 2000 to assert victims' rights in criminal trial courts. In 2004, NCVLI entered into a cooperative agreement with OVC to conduct the State and Federal Clinics and System Demonstration Project. The two primary goals of the Project are: (1) to expand the enforcement of victims' rights in the criminal justice system, and (2) to expand the education of the legal profession in the area of victims' rights. The Demonstration Project establishes and funds nine legal clinics that provide direct pro bono legal services to victims to enforce their rights to participation in the criminal process. To this end, in 2004, NCVLI funded five state clinics in the following cities: Albuquerque, NM, Columbia, SC, Sacramento, CA, Tempe, AZ, and Upper Marlboro, MD. In 2005, they added three additional state clinics in Salt Lake City, UT, Newark, NJ, and Moscow, ID, and a federal clinic in Tempe, AZ. NCVLI serves as the intermediary and provides these clinics with training, technical assistance in the form of legal support and research, assistance with implementation, financial and programmatic monitoring, coordination with victim advocacy organizations, and other assistance as needed. NCVLI holds an annual conference on crime victims' law and helps to educate law students in the area of victims' rights. There is also an annual cluster meeting of the clinics funded by NCVLI before the conference.

NCVLI and the associated clinics are the only organizations of their kind in the United States. For this reason, virtually nothing is known about the impact and effectiveness of the national organization or the various models of legal clinics it supports.

What could an evaluation of this project add to what we know?

An evaluation of NCVLI and its State and Federal Clinics and System Demonstration Project would increase our knowledge of victims' rights and enforcement of these rights in the United States. Specifically, an evaluation of the project would help answer research questions such as: (1) What are the varying protections/rights crime victims are afforded in the United States (nationally and locally)? (2) To what extent are these rights enforced within each jurisdiction studied? What are different local models/methods employed to help enforce victims' rights? What are the strengths and weaknesses of each identified model? What external factors support or hinder model success? (3) What

¹ An important area in which victims' rights differ among jurisdictions is legal standing. In Maryland, the issue of legal standing has a large impact on victims' rights work. Though crime victims do not have general legal appellate standing in Maryland, a statute enables crime victims to file an application for leave to appeal interlocutory and final orders to the State's Court of Special Appeals if certain basic rights are denied. Project staff members are testing previously untested laws through direct litigation and through informal advocacy work. To resolve the issue of a lack of case law in Maryland, staff attorneys are developing a body of case law and using published opinions (i.e. *Lopez-Sanchez*, *Bell*, *Lamb*) to support their legal arguments.

additional rights have stakeholders identified that crime victims need in order to better protect victims during the criminal justice process within each jurisdiction? (4) What key stakeholders (e.g., community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims) should be involved in this work, and what are their anticipated roles? (5) What outreach, education, and training activities are being conducted to increase understanding and competencies (nationally and locally)? (6) Have the outreach, education, and training activities increased awareness and knowledge of crime victims' rights among victims and stakeholders? (7) Does the existence of the NCVLI clinic increase the number of attorneys providing pro bono services for these victims? (8) Are law students benefited when they learn about victims' rights in law school? These are some of the research questions that would be answered by evaluating this project. Answers to these important questions would help shape rules and regulations (legislation), policies, and practices of stakeholders involved in this work.

Which audiences would benefit from this evaluation? What could they do with the findings?

Likely audiences to benefit from this work include community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, victims, and educators. The implications of evaluation study findings for each audience member are described below:

Community leaders – Like social service providers, some community leaders have an historical context for the crime victims' rights movement. Their knowledge and experience would greatly inform the development of materials and trainings. Also, information gleaned from data collected from these stakeholders would help inform public awareness campaigns so that the public-at-large (potential crime victims) would have a better understanding of their rights, methods for how to enforce their rights, and the support systems that exist in their areas. A public awareness campaign around these issues is necessary to increase the visibility and understanding of crime victims' rights.

Defense attorneys – Evaluability assessment respondents alluded to their belief that defense attorneys do not understand the laws pertaining to crime victims. Additionally, they reported that defense attorneys do not understand the role of a crime victim and his/her attorney during the criminal court process. This has been demonstrated to respondents through perceived inaccuracies and inadequate responses to pleadings and motions brought by crime victim attorneys. Evaluation study findings would help develop resource materials appropriate for defense attorneys that would include information on the rights of crime victims during the criminal court process so that future defense responses to pleadings and motions can be better informed. A benefit of more thoughtful responses is that future case law can be truly based on the merits of a case.

Judges – Preliminary findings from this evaluability assessment indicate that judges in the American court system are not well versed in crime victims' rights and the protections that should be afforded to victims. Moreover, judicial sensitivity to the needs of crime victims is not commonplace. Evaluation study findings would inform the development of appropriate materials (e.g. resource guides, fact sheets, bulletins) and

training curricula for judges to increase not only their knowledge about crime victims' rights and the protections victims should have during the criminal court process, but also their sensitivity to crime victims' needs.

Lawmakers – With increased attention on the rights of crime victims, legislatures are reviewing laws within their jurisdictions to determine whether there are adequate protections for these victims. Findings from an evaluation would greatly inform lawmakers about what is occurring in other states and provide guidance on how to best develop or modify laws for their state.

Prosecutors – Evaluability assessment findings seem to suggest that some prosecutors are not comprehensively versed in the role of a crime victim during the criminal justice process. Moreover, some prosecutors do not fully understand the role of a crime victim's attorney. Evaluation study findings would aid in the development of appropriate materials and training curricula for prosecutors to increase their knowledge of the role of a crime victim's attorney during the criminal court process. Prosecutor training around the issue of supporting the role of a crime victim's attorney during an investigation and prosecution is necessary to better protect the crime victim.

Social service providers – Some social service providers are part of the grass roots movement to promote crime victims' rights. Because these stakeholders have an historical context for this work, it would be essential to include them in a comprehensive evaluation of the project. What could be learned from these stakeholders would help inform the development of materials and trainings for other stakeholders mentioned in this section. Additionally, it would help clarify the role of social service providers in how they can work with victim advocates and crime victim attorneys.

Victim advocates – Victim advocates who work in a prosecutor's office would benefit from evaluation study findings as well. Respondents from the assessment indicated that some advocates are unaware of crime victims' rights and at times may hinder a crime victim attorney from best protecting a victim's rights. Moreover, some advocates are not connected with social service providers in the community to best meet the social service needs of crime victims. Evaluation study findings would aid in the development of appropriate materials (e.g., resource lists of area providers) and trainings for advocates so that advocates can better understand how to collaborate with local providers and to work with crime victim attorneys.

Victims – Crime victims would greatly benefit (perhaps benefit the most) from an evaluation of the project. Findings could help educate stakeholders and inform the systems that are in place to promote and enforce crime victims' rights. An evaluation of the project would need to include the voice of the victim, as victims can be considered the "experts" on what types of support they need during the criminal court process. The information they hold could greatly inform resource materials and trainings.

Educators – Law school deans and other educators would benefit from an evaluation of the project. Findings could help shape curriculum, which could increase the number of

students becoming aware of and gaining an understanding of the role of crime victims in the justice system as part of their practice of law.

Overall, case study findings would provide stakeholders with information on how to develop or modify a model for protecting crime victims' rights within their state (as described above).

Is the grantee interested in being evaluated?

The MCVRC executive director and CVLA staff attorney reported that they would support an evaluation of NCVLI and its legal clinics if their role in the evaluation were not too time-consuming and if it did not create an extra administrative burden on its staff.

What is the background/history of this program?

In 1982, Roberta and Vince Roper's daughter, Stephanie, was brutally murdered. In their daughter's memory, the Roper's founded the Stephanie Roper Committee to advocate for more victims' rights in the criminal justice system, and the Stephanie Roper Foundation to provide information and support to victims. In 1998, the Foundation expanded to provide legal services to victims, and CVLA was established. CVLA was initially staffed solely with pro bono attorneys. CVLA administrators soon learned that pro bono attorneys required training in the field of victims' rights and proved difficult to recruit. In 2002, the Committee and the Foundation merged to form MCVRC. Funding from NCVLI and other sources enabled MCVRC to hire a staff attorney for its CVLA project.

At what stage of implementation is the program?

CVLA is fully operational and its NCVLI funding expires in March 2007.

What are the project's outcome goals in the view of the project director?

The MCVRC mission is to provide comprehensive services to victims of crime throughout the state of Maryland. The goal of MCVRC under NCVLI funding is to test victims' rights law in Maryland by providing free legal services to victims through CVLA.

Does the proposal/project director describe key project elements? Does he describe how the project's primary activities contribute to goals?

The Executive Director defines MCVRC as "a full-service victim entity." He describes CVLA, the legal clinic, as an appendage of the whole organization. To achieve the overarching goal of providing comprehensive services to victims, MCVRC and CVLA staff members collaborate to offer direct social and legal services to victims and to refer victims to outside agencies when appropriate. In addition, the Executive Director of MCVRC teaches a course in victims' rights at the University of Baltimore School of Law to promote awareness of victims' rights issues in future practitioners and to support changing the climate of the courtroom to benefit all victims of crime. The director reported that the two most important elements of the CVLA project model are hiring staff attorneys and teaching at law schools.

Essentially, the goals of the clinic are accomplished by starting with the provision of support to victims. Project advocates, social workers, and therapists begin the goal of supporting clients during the intake process. Staff members who complete client intakes are trained in working with victims of crime and are able to refer clients to social service agencies throughout the state that can address their specific needs. In addition, social workers and staff attorneys help clients to understand their legal rights and educate clients on what they can expect during each stage of the legal process. When clients appear in court, project staff can also accompany them to provide emotional support, and staff attorneys provide direct legal services.

More specifically, staff members of MCVRC have distinct roles in client intake and case management processes. Intake phone calls are completed by the three victim advocates on staff and are supervised by the Director of Services. The Director of Services then meets with the victim advocates and CVLA's legal staff once per week to discuss the client intakes and to determine the appropriate services to be provided to each client. After a service plan has been established for a client, social workers and therapists on staff provide social services to the client, and the executive director (an attorney) and the staff attorney provide legal services. Law student interns help clinic attorneys with case research and assist other clinic staff with intake and administrative tasks. In this way, all staff members of MCVRC (including CVLA) work together to provide comprehensive services to victims.

With regard to impacting intermediate and end outcomes related to the legal and judicial system climate around victims' issues, project attorneys prioritize the cases they litigate. The executive director and the staff attorney file the necessary motions and provide direct legal representation to victims in court. This chain of action promotes the goal of changing the law to benefit all victims, and the mere presence of staff attorneys in the courtroom contributes to changing the overall culture of the court system to be more inclusive of victims and more cognizant of victims' rights.

Can you sketch the logic by which activities should affect goals?

A draft logic model for CVLA is included as Appendix A. Elements of this logic model are incorporated into a comprehensive logic model for NCVLI found in the final report to illustrate how clinic activities contribute to the overall goals of NCVLI.

Are there other local projects providing similar services that could be used for comparisons?

MCVRC (including CVLA) is the only organization of its kind in the state of Maryland.

Will samples that figure in outcome measurement be large enough to generate statistically significant findings for modest effect sizes?

Staff reported many outcome goals (e.g., client-level, system-level, and community-level) for CVLA, thus, it is not recommended that an evaluation solely utilize cases or clients to construct a sample within a typical quasi-experimental framework utilizing a treatment and comparison group. However, if NIJ is interested in examining the impact of the clinic on a client-level outcome such as satisfaction with the legal process, it may be

possible to utilize a sample of victims flowing into the clinic. Details on client numbers are provided in the “sizes and characteristics of the target population” section below.

Is the grantee planning an evaluation?

There are no plans for a formal evaluation at present. The Executive Director of the center is not aware of any funds available for evaluation purposes.

What data systems exist that would facilitate evaluation? What are the key elements contained in these systems?

The primary data system of MCVRC is the Legal Files system developed by Foundation Software and adopted by the clinic in 2005. Prior to implementing the Legal Files system, data for MCVRC were maintained in an Access database. Clinic staff members have been able to input the data from previous years into the Legal Files system.² The Legal Files database now contains information on all clients served since 1982, though the center has retained the original paper files from its earliest years. The Legal Files database is compatible with the Crystal Reporting System, which MCVRC uses to produce all of its reports.

The Legal Files system is divided into two sections: general files and legal files. General files are opened for all clients for whom a formal intake is completed, and legal files are opened for only those clients who receive legal services. While all staff members can access general files, only legal staff members can access legal files. Legal files also contain more data elements than do general files, since legal files are used in reporting for three different funding sources. Clients who receive both general services and legal services have two separate files within the Legal Files system. For each client, the following data elements are recorded into the system: marital status, race, and gender; status of case (open or closed); and client county.

Are there data to estimate unit costs of services or activities?

A provision of the NCVLI grant requires all clinics to quantify the number of hours any staff person funded under the NCVLI grant spends on a variety of possible tasks (e.g., case planning, intakes, general research, project research, and court time). The costs of service provision could therefore be calculated by aggregating the hours a staff person spends on a particular task, multiplying by his or her hourly wage, and dividing by the number of clients who have received that service. At MCVRC, the Fiscal Manager (who is not under NCVLI funding) is responsible for grant reporting.

Are there data about possible comparison samples?

The Legal Files database used by MCVRC only contains information specific to clients who are served by MCVRC.

² MCVRC was unable to use the Case Framework database promoted by NCVLI because the data maintained in the earlier MCVRC Access database could not be transferred easily into Case Framework.

In general, how useful are the data systems to an impact evaluation?

An impact evaluation of MCVRC would need to take into consideration client-level, system-level, and community-level outcomes. Although frequencies and rates of direct legal services provided to victims could be calculated easily using the Legal Files database, MCVRC administrators indicated that those statistics would not accurately reflect other clinic goals. For example, goals such as changes made to Maryland law or the actual benefits of losing a case in court cannot be easily measured and systematically captured over time in Legal Files.

It should be noted that since Maryland established voluntary sentencing guidelines that include data on victims, data are available from other sources on a number of outputs specifically related to victim notification of criminal justice procedures (e.g., victim present at sentencing, victim notified of plea, etc.). Again, these would most likely be measures of client-level outcomes (e.g., victim satisfaction), but indirectly could be proxies for system-level outcomes (e.g., changes in practitioner perceptions and behavior related to notification, changes in stakeholder acceptance of victims' rights).

The law school also has student evaluations of the victims' rights course that may be utilized in an evaluation. These evaluations and the perspectives of law school administrators (particularly the Criminal Law Chair) may have insight that could be quantified.

SITE VISIT EVALUABILITY ASSESSMENT

Is the project being implemented as advertised?

Yes, CVLA staff members are testing victims' rights law in the state of Maryland as advertised.

What is the intervention to be evaluated?

The intervention to be evaluated is the work of CVLA.

What outcomes could be assessed? By what measures?

The intervention described above provides several outcomes that could be assessed. See logic model for a more detailed list of outcomes.

Client-level outcomes - Client-level outcomes pertain to the legal and social services made available to and/or received by victims who contact the clinic. Outcomes include referrals for social services, the provision of various types of direct legal services, number of cases argued by legal staff, individual case results (wins and losses), number of clients served, and the geographic distribution of clients throughout Maryland.

System-level outcomes - System-level outcomes pertain to the legal impact of clinic efforts in solidifying and expanding the law to benefit all victims of crime. Possible measures include changes in practitioner perceptions, the development of new published opinions on victims' rights, and compliance with existing victims' rights laws. Measures

of these outcomes could include surveys of practitioners over time and frequencies of published opinions on victims' rights. In addition, compliance could be measured through the completeness of elements on the Maryland Sentencing Guidelines Worksheet, including completion of the Notification Request Form (NRF), the presence of victims in court, and the use of Victim Impact Statements. A copy of the Maryland Sentencing Guidelines Worksheet is provided as Appendix B, and a copy of the Notification Request Form is provided as Appendix C. These forms are mandated by the State of Maryland.

Community-level outcomes - Community-level outcomes pertain to the impact of clinic efforts in changing the climate of the community at large. Though these outcomes are particularly difficult to measure, the change in awareness of the clinic by crime victim service providers, public awareness of victims' rights, and community capacity to redress any harms against victims could indicate a change in community climate.

Are there valid comparison groups?

There are no other clinics in the state of Maryland that provide pro bono legal services to crime victims in criminal cases.

Is random assignment possible?

Random assignment would not be a feasible means of evaluating provision of services to victims even if the number of eligible cases increased. Staff attorneys prioritize the clients and cases they accept to achieve maximum effect. Random assignment would interfere with the mission of the clinic by requiring staff attorneys to accept some cases that do not support the overall mission of the clinic and to refuse other cases that would likely have a greater overall impact on promoting victims' rights.

What threats to a sound evaluation are most likely to occur?

The major threat to a sound evaluation of CVLA is funding. NCVLI funding for CVLA is set to expire in March 2007. While MCVRC has secured additional funding sources to support CVLA until July 2007, there is no guarantee that these funding sources will not change.³ Furthermore, there is no guarantee that MCVRC will be able to secure additional funding to support CVLA for duration of a rigorous, full-scale evaluation. Finally, CVLA staff members who are responsible for administrative duties and grant monitoring are not funded under NCVLI grants, meaning that MCVRC will need additional funds to support administrative personnel throughout the course of any evaluation.

Are there hidden strengths in the project?

CVLA has some hidden strengths that make it a unique legal clinic. First, CVLA is located in Prince George's County and Baltimore City, two areas of Maryland with notoriously high rates of crime. Thus, the locations of these offices enable clinic staff to reach a large number of crime victims. Second, MCVRC shares its human and physical

³ CVLA has hired a sustainability consultant to identify potential sources of future funding (e.g. private foundations) as a provision of the NCVLI subgrant, but this effort has not yet resulted in additional funding for CVLA.

resources with CVLA. MCVRC's 17-person staff supports CVLA staff, enabling the clinic to serve a large number of clients at any given time. Also, CVLA shares the overhead costs of rent, utilities, equipment, supplies, and administrative staff with MCVRC. A third strength of CVLA is the collaboration that exists between legal and social services staff within MCVRC. MCVRC's Director of Services oversees all client intakes, assuring that each client receives the unique set of services he or she needs. The center also has weekly meetings to discuss new client intakes and to develop strategic plans for service. The work done by MCVRC's victim advocates and Director of Services in screening, processing, and sorting intakes enables CVLA staff to focus on identifying clients and cases that are suitable for litigation. A final strength of the clinic is the longevity of MCVRC's work in the state of Maryland. Both founders and the Executive Director of the center have over twenty years of experience working with victims and advocating for victims' rights in Maryland. Through these efforts, they have established and maintained contacts throughout the state that are invaluable to the center's current efforts. In addition, the center has helped to shape the landscape of victims' rights legislation in Maryland. According to the MCVRC website, the center has played a role in the passage of over 70 pieces of legislation in the state since 1982. In this way, CVLA benefits from the history and ongoing efforts of MCVRC.

What are the sizes and characteristics of the target population?

According to data compiled by the Director of Services, MCVRC completed 64 intake calls during their last reporting quarter. Of these 64 intakes, only three of the clients received direct legal services from CVLA staff. Direct legal services include the filing of motions and appearances in court on behalf of clients. The clinic's Staff Attorney estimates that she has approximately 3-4 ongoing cases open at any time. Social workers, not under NCVLI funding, have caseloads of approximately 25 clients at a time.

According to the clinic's Staff Attorney, the majority of clients served by the clinic have cases that involve basic victims' rights such as the right to be present, the right to be heard, the right to receive notice, and the right to give Victim Impact Statements. In addition, the clinic also handles cases involving rights to privacy and motions for reconsideration. In Maryland, a defendant can file a motion for reconsideration to request a review of his or her sentence for any reason. A judge then reviews the sentence, having sole discretion to uphold, change, or revoke the initial sentence. Victims are often excluded from this process.

How is the target population identified (i.e., what are the eligibility criteria)? What/who gets excluded as a target?

CVLA attempts to accept all clients who meet their eligibility criteria (i.e. all victims who need legal representation to assert their rights and who are not also defendants in any criminal case). However, the clinic has only the following attorneys working on cases: the Executive Director, the Staff Attorney under partial NCVLI funding, another part-time attorney under VAWA funding, and a small panel of pro bono attorneys handling

issues outside the scope of MCVRC funding sources.⁴ For this reason, CVLA attorneys prioritize the cases they accept. According to the Executive Director, priority is given to cases in which there have already been problems (i.e. violations of victims' rights) and cases where problems are expected to emerge. CVLA administrators indicated that the clinic may need to exclude clients in the future based on the sizes of their existing caseloads and the location of the clients in relation to MCVRC's offices.

Have the characteristics of the target population changed over time?

Project staff members did not indicate that there had been any significant changes to the client population since the opening of the clinic under NCVLI funding.

How large would target and comparison samples be after one year of observation?

The lead victim advocate who is responsible for entering client intakes into the Legal Files system estimates that she enters data for about 400 new clients each fiscal year. Based on estimates made by the Director of Services and the Staff Attorney, MCVRC has accepted about 64 new clients per quarter. Approximately three to four of these clients receive direct legal services from CVLA. Extrapolating these figures to a full year, MCVRC would accept approximately 256 new clients a year for general services (64 x 4), and CVLA would serve approximately 12 - 16 new clients a year.

What would the target population receive in a comparison sample?

Not applicable.

What are the shortcomings/gaps in delivering the intervention?

As previously described, one potential source of shortcomings or gaps in the intervention is clinic funding. A second potential source of disruption to the intervention relates to the relatively small size of the center's legal staff and their physical limitations on taking too many cases or cases located too far from the clinic. Currently, legal staff members are careful to work together to make sure someone is able to attend each hearing or court appearance involving their clients even when these events are double-booked. The clinic needs more attorneys in order to expand its client base, but the clinic cannot hire more attorneys without additional funding.

What do recipients of the intervention think the project does? How do they assess the services received?

Clinic clients were not interviewed for this evaluability assessment. Therefore, we do not have first-hand knowledge of what clients think CVLA does.

⁴ Pro bono attorneys for CVLA now handle mostly collateral civil cases, which fall outside the scope of clinic funding. The Executive Director has found that using pro bono attorneys in this way is quite effective in meeting the needs of clients and helps to avoid some of the problems associated with using pro bono attorneys in criminal court (i.e. lack of knowledge of victims' rights and how to attempt to enforce those rights).

What kinds of data elements are available from existing data sources? What specific input, process, and outcome measures would they support?

The primary data system of MCVRC is the Legal Files system. The Legal Files system contains two distinct sections: general files and legal files. The legal files are most pertinent to CVLA work. Paper copies of client information collected during the intake process are also available on the center's New Victim Information sheets (see Appendix D), though this information is also available electronically.

It should be noted that MCVRC has previously received OVC funds to implement a compliance initiative. As part of the compliance initiative, MCVRC worked with the Governor's Office of Crime Control and Prevention to improve an administrative system to respond to violation of crime victims' rights provisions.

A final source of data may be the sustainability consultant hired to help the clinic identify additional potential sources of funding. Clinic staff members indicate that the sustainability consultant has done some work in compiling data on the clinic's activities that may be of use if a full-scale evaluation is funded.

How complete are data records? Can you get samples?

Records maintained in the Legal Files database seem to be fairly complete since 1982. Due to confidentiality reasons, researchers could view only a test version of the database. If a full-scale evaluation were funded, the evaluators could then obtain clearance to view the database in full. See Appendices B – E for sample documents.

What routine reports are produced?

Using the Crystal Reporting System, MCVRC produces and submits quarterly progress reports to NCVLI as required by the NCVLI grant.

Can target populations be followed over time?

Yes, clients served by the clinic can be tracked over time through contact information maintained in the Legal Files database.

Can services delivered be identified?

Yes, services delivered by project staff can be identified through case notes and staff time allotment records maintained in the Legal Files database and center timecard records. However, services delivered by referral agencies cannot be identified.

Can systems help diagnose implementation problems?

Weekly meetings between clinic legal staff, the center's Director of Services, and victim advocates aid program administrators in the diagnosis of implementation issues.

Do staff members tell consistent stories about the program? Are their backgrounds appropriate for the project activities?

Staff members do tell consistent stories about the project, and each staff member's background seems appropriate for the role that he or she serves in the clinic. The Executive Director of the clinic has been working with the MCVRC since 1985, and the

Staff Attorney has several years of experience in law, both in corporate settings and in legislative work. MCVRC staff members who are not under NCVLI funding also have appropriate backgrounds for their roles.

What do partners provide/receive? How integral to project success are the partners?

As previously described, CVLA is a part of MCVRC. This relationship enables the clinic to share general staff and overhead costs with the center as a whole. In addition, this relationship enables the clinic to capitalize on the progress MCVRC has made in the field of victims' rights in Maryland since 1982. This progress includes a large body of victims' rights legislation, extensive networking with court practitioners and social service agencies throughout the state (all system-level components), and a substantial amount of public awareness about the organization and the issue of victims' rights (all community-level components). The relationship of CVLA to MCVRC and the resulting benefits of this relationship are critical to CVLA success.

What changes is the director willing to make to support the evaluation?

The MCVRC Executive Director indicated that he would be willing to be shadowed by evaluators in the office and in court and would be willing to allow access to clients. In addition, he said he would be willing to facilitate contacts if researchers wanted to conduct a survey of practitioners.

CONCLUSION

Would you recommend that the project be evaluated? Why or why not?

The Maryland site should be included in an evaluation of NCVLI and its legal clinics. This site maintains adequate records that would support an evaluation. Staff members at CVLA are interested in participating in such an evaluation, if one is funded, but expressed concerns about the clinic's resource capacity to participate in a rigorous evaluation.

What kinds of evaluation designs would you propose?

A potential research design for an evaluation of the Project would be a three to five year case study measuring client, system, and community level changes over time.

If NIJ did not have the resources to implement a research study of NCVLI and all of its clinics, and instead decided to focus on one or two clinics, we would suggest that Maryland's clinic be used in an evaluation. Since MCVRC is part of Maryland's compliance program, data collected as part of the compliance program would greatly facilitate an evaluation of the Maryland clinic. It would be possible to collect information on victims' rights compliance from the MD Sentencing Guidelines Worksheet (Appendix B) and track these outcomes over time.

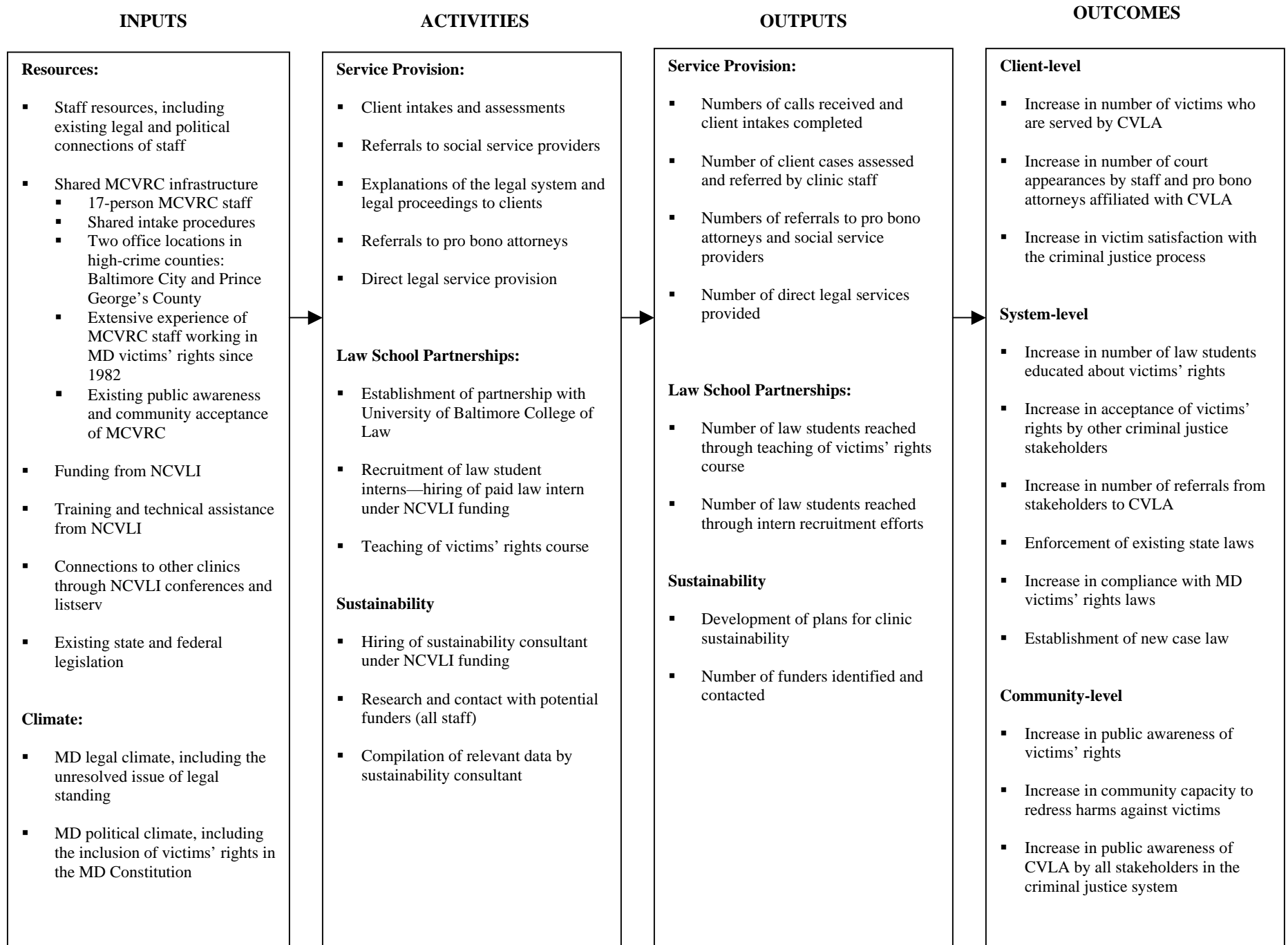
What should NIJ's grant manager know about this project?

Grant reporting requirements, particularly the renewal application and reporting requirements associated with NCVLI funding, are quite burdensome for clinic staff. In

addition, the staff members who enter the clinic's data into the Legal Files system for reporting purposes are not funded under the NCVLI grant. Since a full-scale evaluation will place extra burden on MCVRC's administrative staff members, the Maryland clinic will need funding to compensate administrative help if a full-scale evaluation is funded.

Appendix A
CVLA Logic Model

CRIME VICTIM LEGAL ADVOCACY (CVLA) LOGIC MODEL



Appendix B

Maryland Sentencing Guidelines Worksheet

MARYLAND SENTENCING GUIDELINES WORKSHEET

OFFENDER NAME (Last, First, Middle) SEX Male Female BIRTHDATE JURISDICTION

PSI Yes No DATE OF OFFENSE DATE OF SENTENCING DISPOSITION TYPE ABA plea agreement Non-ABA plea agreement Jury trial Non-ABA plea agreement Para. no agreement Review Probation Revocation Court trial

REPRESENTATION Private Public Defender Court Appointed Self

ETHNICITY Hispanic/Latino Origin Yes No INDIGENCE ESTABLISHED Yes No

RACE Black White Other Native Hawaiian/Pacific Islander American Indian/Alaskan Native

CONVICTED OFFENSE TITLE 1st Convicted Offense 2nd Convicted Offense 3rd Convicted Offense

OFFENSE SCORE 1- VII CJIS CODE MD CODE, ART, & SECTION STAT. MAX MAND. MIN CASE #/DOCKET #

OFFENSE SCORE(S) - Offense Against a Person Only

1 st Off	2 nd Off	3 rd Off	A. Seriousness Category	OFFENDER SCORE	GUIDELINES RANGE	ACTUAL SENTENCE
01	01	01	V - VII	A. Relationship to CJS When Instant Offense Occurred 0 = None or Pending Cases 1 = Court or Other Criminal Justice Supervision	1 st Con. Off.	1 st Convicted Offense
03	03	03	IV	B. Juvenile Delinquency 0 = 23 years or older or crime-free for 5 years or no more than 1 finding of a delinquent act 1 = Under 23 years old and 2 or more findings of a delinquent act or 1 commitment 2 = Under 23 years and committed 2 or more times	2 nd Con. Off.	2 nd Convicted Offense
05	05	05	DI	C. Prior Adult Criminal Record 0 = None 3 = Moderate 1 = Minor 5 = Major	3 rd Con. Off.	3 rd Convicted Offense
08	08	08	II	D. Prior Adult Parole/Prob Violation 0 = No 1 = Yes		
10	10	10	I			

1st Off 2nd Off 3rd Off

0 0 0 = No Weapon
1 1 1 = Weapon Other Than Firearm
2 2 2 = Firearm or Explosive

1st Off 2nd Off 3rd Off

0 0 0 = No
1 1 1 = Special Victim Vulnerability

OFFENSE SCORE(S)

OFFENDER SCORE

Overall Guidelines Range Multiple Counts Only

50% of Sentence Announced

Parole Notification Yes No

SENTENCE DEPARTURE INFORMATION

If the actual sentence departs from the guidelines range, please indicate the Court's reason(s) using the numerical code(s) on the list of common departure factors in the manual, if applicable.

Departure Code 9 or 18 (Please Explain):

VICTIM INFORMATION

Victim Unavailable Yes No

Victim Injured Yes No

Victim Notified Plea Yes No

Victim Notified Date Yes No

Victim Present Yes No

Written VIS Yes No

Oral VIS Yes No

No Contact with Victim Yes No

CICB Cost Imposed Yes No

Parole Notification Yes No

Sentencing Judge's Signature

Worksheet Completed By Title

Sentencing Judge (Please Print)

Appendix C
Notification Request Form

FORM MUST BE COMPLETED FOR EACH DEFENDANT OR JUVENILE

In the Circuit/Juvenile Court for _____ City/County Case No. _____
State v. _____ Date of Birth _____ / _____ / _____
Name of Defendant/Juvenile

CRIME VICTIM NOTIFICATION REQUEST AND DEMAND FOR RIGHTS FORM
(PLEASE PRINT ALL INFORMATION)

Victim's Name:
Ms./Miss/Mrs./Mr. _____ If a minor, Date of Birth _____

If Victim is a Minor, or Deceased, or Disabled, please give:

Victim Representative's Name:
Ms./Miss/Mrs./Mr. _____ Relationship _____

I REQUEST NOTICE OF ALL EVENTS RELATED TO THIS CASE AND TO THE DEFENDANT/JUVENILE, AS ALLOWED BY LAW, AND DEMAND ALL THE RIGHTS TO WHICH VICTIMS OF CRIME ARE ENTITLED.

Date _____

Signature of Victim or Victim's Representative

● See back of this form for specific instructions and information ●

PLEASE PROVIDE AN ADDRESS AND PHONE NUMBER TO RECEIVE ALL NOTICES.

THIS FORM WILL BECOME PART OF THE PUBLIC RECORD IN THIS CASE. IF YOU DO NOT WANT YOUR ADDRESS AND PHONE NUMBER IN THE RECORD, PROVIDE AN ALTERNATE VICTIM CONTACT NAME, ADDRESS AND PHONE NUMBER.

Victim/Victim's Representative: _____

Address _____

City _____ State _____ Zip _____

Phone (day) _____ Phone (evening) _____

Alternate Victim Contact

If another person or organization has agreed to receive and forward notices to you AND you agree to maintain contact with the Alternate, complete the following information:

Name of Alternate Victim Contact _____

Relationship to Victim/Victim's Representative: Family Member Friend Support Agency Other

Contact Address: _____

City _____ State _____ Zip _____

Phone (day) _____ Phone (evening) _____

Additional services now available in Maryland for victims of crime:

VINE is a user-friendly notification service available 24 hours a day/7 days a week.
For more information call 1-866-MD4VINE or register on-line at www.vinelink.com

VICTIM RIGHTS COMPLIANCE LINE: 1-877-9CRIME2 or e-mail myrights@VictimsVoice.us

Appendix D

New Victim Information Sheet

Maryland Crime Victims' Resource Center - New Victim Information

Computer entry date _____
Conflict Check

Open Date: _____ Close Date: _____ Intake Person: _____ Information Sent: _____
Date

Caller's Name: _____ Relationship to Victim: _____

Address: _____
Street Address *City* *State* *Zip*

Phone: () _____ () _____ () _____
Home *Work* *Cell*

Ok to leave messages at: Home number? yes no Work number? yes no Cell number? yes no

Email address: _____ Referred by: _____

Victim: _____ DOB: _____ Marital Status: S M D W Sex: M F
(Primary) Race: Black White Native American Hispanic Asian/Pacific Islander

Victim: _____ DOB: _____ Marital Status: S M D W Sex: M F
(Primary) Race: Black White Native American Hispanic Asian/Pacific Islander

Crime: _____ Date of Crime: _____ Location: _____
County

Person Served: _____ Relationship to Victim: _____
(Secondary) DOB: _____ Marital Status: S M D W Sex: M F Race: _____

Person Served: _____ Relationship to Victim: _____
(Secondary) DOB: _____ Marital Status: S M D W Sex: M F Race: _____

Criminal Case No.: _____ State Attorney: _____ Phone: _____

Victim/Witness Coordinator: _____ Phone: _____

Defense Attorney(s): _____ Phone: _____

Judge: _____ Motion Hearing: _____ Trial Date: _____

Defendants: _____

Investigating Officer(s): _____

Criminal Injuries Compensation Board (CICB): CICB provides compensation for victims of violent crimes, or their dependents who have suffered out-of-pocket losses for medical and other related services due to physical injury, loss of income, or death. They are a payor of last resort.

CICB explained? yes no Police report No: _____ Note: CICB will reject claims without a PD Report No.

Restitution Vine Notification Request Form CICB Support Groups Victim Impact Statement

CVLA VOCA MVOC VAWA NCVLI EARMARK INCOME ELIGIBILITY

Appendix E

VOCA Statistical Reporting Sheet

VICTIMS OF CRIME ASSISTANCE PROGRAM - Amended MONTHLY VICTIM STATISTICAL REPORT

AGENCY Maryland Crime Victims' Resource Center, Inc. PROGRAM NAME (IF DIFFERENT) _____

REFERENCE CSA/CVA 06-044 REPORT MONTH/YEAR _____

SECTION I: NEW VICTIMS IN REPORT MONTH ONLY (COMPLETE FOR EACH TYPE OF VICTIMIZATION THAT APPLIES TO YOUR PROJECT)

TYPE OF VICTIMIZATION	Number of Primary Victims	YTD Primary Total	Projection	Number of Secondary Victims	YTD Secondary Total	Projection
A. DOMESTIC VIOLENCE						
B. ADULT SEXUAL ASSAULT						
C. ADULTS MOLESTED AS CHILDREN						
D. CHILD PHYSICAL ABUSE/ASSAULT						
E. CHILD SEXUAL ABUSE/ASSAULT						
F. ELDER ABUSE						
G. SURVIVORS OF HOMICIDE						
H. DUI/DWI						
I. ROBBERY						
J. ASSAULT						
K. OTHER CRIMES (SPECIFY)						
2-Theft 1-ATT Murder 1-Burglary 1-Fraud						
1-Mal Destr. Prop. 2-Kidnapping						
1-Conversion 1-Harassment						

SECTION II: NEW VICTIMS IN REPORT MONTH ONLY (COMPLETE FOR NEW PRIMARY VICTIMS BELONGING TO THE UNSERVED/UNDERSERVED POPULATIONS LISTED BELOW)

PRIMARY VICTIMS SERVED	NUMBER OF PRIMARY VICTIMS SERVED	YEAR TO DATE TOTAL
A. CHILD (0-17)		
B. DISABLED/HANDICAPPED		
C. NATIVE AMERICAN		
D. ELDERLY		
E. MINORITIES (According to Federal Classifications)		
F. OTHER (SPECIFY)		

SECTION III: NEW VICTIMS SERVED (PERTAINS TO VICTIMS WHO ARE NEW TO EACH PARTICULAR SERVICE FOR REPORT MONTH)

SERVICES	Primary Victims	Secondary Victims	YTD TOTAL
A. NOTIFICATION/VICTIM RIGHTS (mandatory)			
B. ASSISTANCE/COMPENSATION CLAIMS (mandatory)			
C. HOTLINE			
D. CRISIS COUNSELING			
E. FOLLOW-UP CONTACT			
F. THERAPY			
G. GROUP TREATMENT/SUPPORT			
H. SHELTER/SAFEHOUSE			
I. CRIMINAL JUSTICE SUPPORT/ADVOCACY			
J. EMERGENCY FINANCIAL ASSISTANCE			
K. EMERGENCY LEGAL ADVOCACY			
L. PERSONAL ADVOCACY			
M. INFORMATION/REFERRAL (in person)			
N. INFORMATION/REFERRAL (telephone)			
O. OTHER (please specify) <i>Vine, Letters, Email</i>			

Name of Preparer: (Please Print) _____

Phone # of Preparer: _____

Signature of Preparer: _____

Date: _____

Evaluability Assessment of the State and Federal Clinics and System Demonstration Project: The New Jersey Crime Victims' Legal Advocacy Project

Final Report

Kevonne Small, J.D.

Colleen Owens

NIJ # 2006TO045





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Evaluability Assessment of the State and Federal Clinics and System Demonstration Project

SYNOPSIS

Grantee: The New Jersey Crime Victims' Legal Advocacy Project operated by New Jersey Crime Victims' Law Center (CVLC)

Sub-Grant Duration: April 1, 2005 – March 31, 2007

Current Award:

The State/Federal Clinics and System Demonstration Project is supported by grant No. 2002-VF-GX-K004, awarded by the Office for Victims of Crime (OVC), Office of Justice Programs, United States Department of Justice. CVLC received \$162,000 over a two-year period.

Funding History:

Beginning on April 1, 2005, CVLC received funding as part of the State/Federal Clinics System Demonstration Project. Below is a brief summary of funding amounts per year:

Year 1 = \$57,000 4/1/05 – 3/31/06

Year 2 = \$105,000 4/1/06 – 3/31/07

Project Summary:

CVLC is part of the State/Federal Clinics and Systems Demonstration Project under funding from the National Crime Victims Legal Institute (NCVLI). NCVLI received OVC funding to develop eight state clinics and one federal clinic as part of an overall mission to promote balance and fairness in the justice system through crime victim centered legal advocacy, education, and resource sharing. With funding from NCVLI, the CVLC executive director, Richard Pompelio, hired an administrative assistant.

Scope of Evaluation:

The purpose of this evaluability assessment was to determine whether a rigorous evaluation of NCVLI and its Demonstration Project could be evaluated. To help make this determination the Urban Institute research team conducted site visit activities at NCVLI and the Demonstration Project clinics. Site visit activities included conducting interviews with key program staff, document review, and observation.

Summary of Evaluability Assessment Activity:

Two researchers from the Urban Institute and a representative from the National Institute of Justice (NIJ) conducted a one-day site visit to CVLC in July 2006. The research team met individually with CVLC's executive director, administrative assistant, and a representative from the board of trustees. The team also spent time reviewing media accounts (e.g., news articles) and other clinic material (e.g., brochures and handouts).

Findings:

If an evaluation of NCVLI and its legal clinics is undertaken, researchers may want to consider including the New Jersey site in the evaluation. The CVLC executive director has a deeply rooted history working on the crime victim rights' issue, and his insight would provide useful data for a descriptive analysis of NCVLI and its clinics. This site maintains paper case file records that would support an evaluation. In addition, staff would be willing to develop protocols and other mechanisms (e.g., database) to collect and track data necessary for an evaluation. Staff at CVLC expressed an interest in participating in an evaluation should an evaluation be conducted.

INITIAL PROJECT ANALYSIS

Introduction

In order to address the issue of victim rights enforcement, OVC entered into a cooperative agreement with NCVLI to develop the State and Federal Clinics and System Demonstration Project. The Demonstration Project was created to advocate for the expansion of the enforcement of victims' rights in the criminal justice system, and the expansion of education of the legal profession in this particular area. To better understand the Demonstration Project's impact through NCVLI and its Clinics, the National Institute of Justice (NIJ) and OVC entered into a contract with the Urban Institute to conduct an evaluability assessment of the Project. The evaluability assessment will provide information that will assist NIJ and OVC in determining the feasibility of conducting a rigorous outcome or impact evaluation of the NCVLI Demonstration Project.

What do we already know about projects like these?

In 2004, there were approximately 24 million crimes committed against people twelve years and older, and approximately one-fifth of those (5.2 million) involved some sort of violent crime (Catalano 2005). Experts have estimated that five out of six people will be victims of a completed or attempted violent crime in their lifetime (Koppel 1987). Over the past 25 years, crime victims have secured limited rights to participate in the criminal court process. Generally, these rights are intended to protect and preserve the dignity of victims through changes in criminal law. Examples include the right to receive notice and be heard during various phases of the criminal court process, the right to restitution, and laws that protect victims, such as rape shield laws and laws that protect child victims (Beloof 2001). All 50 states guarantee victims of crime some form of legal rights of participation in the criminal legal process (Beloof 1999) and 33 states guarantee crime victims' rights within their state constitutions (NCVLI 2006). In 2004, crime victims were granted rights to participate in the process in federal courts. However, the exact rights that victims of crime possess and the extent to which these rights are enforced vary significantly among jurisdictions.¹ Additionally, most law students are not educated

¹ An important area in which victims' rights differ among jurisdictions is legal standing. These differences in legal standing inform clinic strategies and practices. Victims in the state of New Jersey are provided with broad constitutional rights. The courts have interpreted these vague rights broadly. Thus, the issue of legal standing is not explicitly addressed in the relevant legislation however court interpretation of victims' rights has not impeded the work of attorneys like Richard Pompelio.

about the rights of victims within criminal justice proceedings as a part of their formal or continuing legal education.

NCVLI is a non-profit research and educational organization, established in 2000 to assert victims' rights in criminal trial courts. In 2004, NCVLI entered into a cooperative agreement with OVC to conduct the State and Federal Clinics and System Demonstration Project. The two primary goals of the Project are to: (1) expand the enforcement of victims' rights in the criminal justice system, and (2) expand the education of the legal profession in the area of victims' rights. The Demonstration Project establishes and funds nine legal clinics that provide direct pro bono legal services to victims to enforce their rights to participation in the criminal process. To this end, in 2004, NCVLI funded five state clinics in the following cities: Albuquerque, NM, Columbia, SC, Sacramento, CA, Tempe, AZ, and Upper Marlboro, MD. In 2005, they added three additional state clinics in Salt Lake City, UT, Newark, NJ, and Moscow, ID, and a federal clinic in Tempe, AZ. NCVLI serves as the intermediary and provides these clinics with training, technical assistance in the form of legal support and research, assistance with implementation, financial and programmatic monitoring, coordination with victim advocacy organizations, and other assistance as needed. NCVLI holds an annual conference on crime victims' law and helps to educate law students in the area of victims' rights. There is also an annual cluster meeting of the clinics funded by NCVLI before the conference.

NCVLI, and the associated clinics, are the only organizations of their kind in the United States. For this reason, virtually nothing is known about the impact and effectiveness of the national organization or the various models of legal clinics it supports.

What could an evaluation of this project add to what we know?

An evaluation of NCVLI and its State and Federal Clinics and System Demonstration Project would increase our knowledge of victims' rights and enforcement of these rights in the United States. Specifically, an evaluation of the project would help answer research questions such as: (1) What are the varying protections/rights crime victims are afforded in the United States (nationally and locally)? (2) To what extent are these rights enforced within each jurisdiction studied? What are different local models/methods employed to help enforce victims' rights? What are the strengths and weaknesses of each identified model? What external factors support or hinder model success? (3) What additional rights have stakeholders identified that crime victims need in order to better protect victims during the criminal justice process within each jurisdiction? (4) What key stakeholders (e.g., judges, prosecutors, defense attorneys, victim advocates, social service providers, community leaders, and victims) should be involved in this work, and what are their anticipated roles? (5) What outreach, education and training activities are being conducted to increase understanding and competencies (nationally and locally)? (6) Have the outreach, education and training activities increased awareness and knowledge of crime victims' rights among victims and stakeholder? (7) Does the existence of the NCVLI clinic increase the number of attorneys providing pro bono services for these victims? These are some of the research questions that would be answered by evaluating

this project. Answers to these important questions would help shape rules and regulations (legislation), policies, and practices of stakeholders involved in this work.

Which audiences would benefit from this evaluation? What could they do with the findings?

Likely audiences to benefit from this work include judges, prosecutors, defense attorneys, victim advocates, social service providers, community leaders, and victims. The implications of evaluation study findings for each audience member are described below:

Community leaders – Like social service providers, some community leaders have an historical context for the crime victims’ rights movement. Their knowledge and experience would greatly inform the development of materials and trainings. Also, information gleaned from data collected from these stakeholders would help inform public awareness campaigns so that the public-at-large (potential crime victims) would have a better understanding of their rights, methods for how to enforce their rights, and the support systems in their area. A public awareness campaign around these issues is necessary to increase the visibility and understanding of crime victims’ rights.

Defense attorneys – Assessment respondents alluded to their belief that defense attorneys do not understand the laws pertaining to crime victims. Additionally, they reported that defense attorneys do not understand the role of a crime victim and his/her attorney during the criminal court process. This has been demonstrated to respondents through perceived inaccuracies and inadequate responses to pleadings and motions brought by crime victim attorneys. Evaluation study findings would help develop resource materials appropriate for defense attorneys that would include information on the rights of crime victims during the criminal court process so that future defense responses to pleadings and motions can be better informed. A benefit of more thoughtful responses is that future case law can be truly based on the merits of a case.

Judges – Preliminary findings from this evaluability assessment indicate that judges in the American court system are not well versed in crime victims’ rights and the protections that should be afforded to these victims. Moreover, judicial sensitivity to the needs of crime victims is not commonplace. Evaluation study findings would help develop appropriate materials (e.g. resource guides, fact sheets, bulletins) and training curricula for judges to increase not only their knowledge about crime victims’ rights and the protections victims should have during the criminal court process, but also their sensitivity to crime victims’ needs.

Lawmakers – With increased attention on the rights of crime victims, legislatures are reviewing laws within their jurisdictions to determine whether there are adequate protections for these victims. Findings from an evaluation would greatly inform lawmakers about what is occurring in other states, and provide guidance on how to best develop or modify laws for their state.

Prosecutors – Evaluability assessment findings seem to suggest that some prosecutors are not comprehensively versed in the role of a crime victim during the criminal justice

process. Moreover, some prosecutors do not fully understand the role of a crime victim's attorney. Evaluation study findings would help develop appropriate materials and training curricula for prosecutors to increase their knowledge of the role of a crime victim's attorney during the criminal court process. Prosecutor training around the issue of supporting the role of a crime victim's attorney during an investigation and prosecution is necessary to better protect the crime victim.

Social service providers – Some social service providers are part of the grass roots movement to promote crime victims' rights. Because these stakeholders have an historical context for this work, it would be essential to include them in a comprehensive evaluation of the project. What could be learned from these stakeholders would help inform the development of materials and trainings for other stakeholders mentioned in this section. Additionally, it would help clarify the role of social service providers in how they can work with victim advocates and crime victim attorneys.

Victim advocates – Victim advocates who work in a prosecutor's office would benefit from evaluation study findings as well. Respondents from the assessment indicated that some advocates are unaware of crime victims' rights and at times may hinder crime victim attorneys from best protecting the victim's rights. Moreover, some advocates are not connected with social service providers in the community to best meet the social service needs of crime victims. Evaluation study findings would help develop appropriate materials (e.g., resource lists of area providers) and trainings for advocates so that advocates better understand how to collaborate with local providers and to work with crime victim attorneys.

Victims – Crime victims would greatly benefit (perhaps benefit the most) from an evaluation of the project. Findings could help educate stakeholders and inform the systems that are in place to promote and enforce crime victims' rights. An evaluation of the project would necessarily need to include the voice of the victim as they can be considered "experts" on what types of support they need during the criminal court process. The information they hold could greatly inform resource materials and trainings.

Overall, case study findings would provide stakeholders with information on how to develop or modify a model for protecting crime victims' rights within their state (as described above).

Is the grantee interested in being evaluated?

Overall, the executive director, his administrative assistant and the board representative are receptive to the idea of an evaluation. However, they did express some concern with the overwhelming nature of reporting requirements for grants.

What is the background/history of this program?

Richard Pompelio is an attorney who, prior to 1989, mainly handled civil legal matters in his private law practice. In February 1989 his seventeen-year old son was murdered. The events of his son's death and the treatment he and his family received during the trial process led Mr. Pompelio to change his life course. He got involved in an effort to add a

victims' rights amendment to the New Jersey state constitution, became chairman of the state's Victims of Crime Compensation Board, and in 1992 opened CVLC, which now has offices in Sparta and Moorestown. Mr. Pompelio and his administrative assistant are fulltime staff at CVLC. CVLC has an active board of trustees consisting of Pompelio family members, and close friends who provide oversight as required by NCVLI (board of trustees). Although the board meets every two months, CVLC staff are in daily contact with some board members who even help handle CVLC cases.

At what stage of implementation is the program?

CVLC is fully operational and in its last year of NCVLI funding.

What are the project's outcome goals in the view of the project director?

The primary goal of CVLC as expressed by its executive director is to make sure that any crime victim who goes through the criminal justice system is treated with respect and dignity, is fully protected by the law, and that the standards of state and federal legislation are fully upheld.

Does the proposal/project director describe key project elements? Do they describe how the project's primary activities contribute to goals?

Key elements or activities of the CVLC include:

- Service provision – Mr. Pompelio does client intakes and assessments, provides clients with information and direct legal representation, and he writes amicus briefs. These efforts are to achieve his goal of making sure legislative standards are upheld and clients' rights are protected.
- Outreach – Mr. Pompelio conducts a two-day training event for judges and lawyers. He trains lawyers on how to represent victims in the criminal and civil system. Included in Appendix A is the table of contents for the training manual. Also, he serves as a source of information for attorneys (including prosecutors) and is always willing to discuss crime victims' rights legal issues. About 15% - 20% of his time is spent giving advice and answering questions over the telephone. These activities further his goal of ensuring that clients are treated with respect and are protected, and that the legal standards regarding crime victims' rights are upheld.
- Partnerships – CLVC has a relationship with Seton Hall Law School where Mr. Pompelio teaches a class and works with law student interns. He also has a relationship with a local law firm to handle cases that involve relatively short time commitments.
- Sustainability – CLVC engages in fundraising activities to not only help sustain the clinic's viability, but also to promote the mission/message of the clinic.

Can the logic by which activities should affect goals be sketched?

A draft logic model for CVLC is included as Appendix B. Elements of this logic model are incorporated into a multi-dimensional logic model for NCVLI that is included in the

final report. This final NCVLI logic model illustrates how the activities of the individual clinics contribute to the overall goals of NCVLI.

Are there other local projects providing similar services that could be used for comparisons?

There are no other projects in New Jersey providing similar services to CVLC. However, through Mr. Pompelio's training, there are attorneys who are providing crime victims' rights services in New Jersey.

Will samples that figure in outcome measurement be large enough to generate statistically significant findings for modest effect sizes?

According to the executive director, CVLC is currently handling between 100-125 cases. These cases were referred from a variety of sources due to the high visibility of Mr. Pompelio within the state of New Jersey. Samples that figure in outcome measurement would be large enough to generate significant findings for modest effect sizes.

Is the grantee planning an evaluation?

There are no plans for a formal evaluation at present.

What data systems exist that would facilitate evaluation? What are the key elements contained in these systems?

CVLC maintains financial information using an automated system. Case files are primarily paper files with some information (e.g., briefs, motions, filings) being stored in a computer.

Are there data to estimate unit costs of services or activities?

A provision of the NCVLI grant requires all clinics to quantify the number of hours any staff person funded under the NCVLI grant spends on a variety of possible tasks (case planning, intakes, general research, project research, court time, etc.). The costs of service provision could therefore be calculated by aggregating the hours a staff person spends on a particular task, multiplying by his or her hourly wage, and dividing by the number of clients who have received that service.

Are there data about possible comparison samples?

Data systems at CVLC only contain information about CVLC matters.

In general, how useful are the data systems to an impact evaluation?

The mechanisms in place for collecting data at CVLC would be most useful for a descriptive study and could provide insight into NCVLI and CVLC goals.

SITE VISIT EVALUABILITY ASSESSMENT

Is the project being implemented as advertised?

CVLC is being implemented as advertised.

What is the intervention to be evaluated?

The intervention to be evaluated is the services provided by CVLC.

What outcomes could be assessed? By what measures?

The intervention described above provides several outcomes that could be assessed. These outcomes and some of their possible measures are listed below.

Client-level outcomes - Client-level outcomes pertain to the legal services made available to and/or received by victims who contact the clinic. Evaluators could measure frequencies of each of the following services: intake telephone conversations, follow up telephone calls and meetings with clients, explanations of legal terminology and proceedings, court accompaniments, and direct legal services. In addition, evaluators could also measure the total number of clients served and the total number of cases litigated by clinic staff. These data would be found in paper case files.

System-level outcomes - System-level outcomes pertain to the legal impact of clinic efforts in changing the law or legal culture to benefit all victims of crime. Possible measures include the change in calls to CVLC, court appearances by non-staff attorneys on victims' rights matters, motions filed, published opinions/case law, law student participation, and compliance with state's victims' right laws by stakeholders throughout the criminal justice system.

Community-level outcomes - Community-level outcomes pertain to the impact of clinic efforts in changing the climate of the community at large. Though these outcomes are particularly difficult to measure, the change in public awareness of victims' rights, and community capacity to redress any harms against victims could indicate a change in community climate.

Are there valid comparison groups?

There are no other projects in New Jersey providing free legal services to crime victims.

Is random assignment possible?

Random assignment would not be a feasible means of evaluating provision of services to victims. In order to best serve victims and to promote the overall goal of improving the climate of the criminal justice system for victims, the staff attorney prioritizes the clients and cases they accept based on a variety of factors, but makes a concerted effort to handle each case that is presented to him. Random assignment would interfere with the mission of the clinic by requiring the staff attorney to without his discretion accept some cases and to reject other cases.

Likewise, random assignment would not be a feasible means of evaluating a change in law or legal climate. The nature of the criminal justice system would preclude the random assignment of judges, prosecutors, defense attorneys, and other court practitioners to cases handled by CVLC. In addition, practitioners and future practitioners could not be randomly assigned to training provided by the clinic.

What threats to a sound evaluation are most likely to occur?

One possible threat to a sound evaluation is the fluid nature of clinic funding. At present there are two primary streams of funding (e.g., NCVLI and Victim Assistance Grant funding) that contribute to clinic staffing and expenses, none of which are guaranteed at their current level for future years. Another threat to a sound evaluation is the varying nature in which case information and office activities are tracked and stored. Staff expressed that they are not familiar with research processes, thus have not focused on developing protocols and mechanisms for data collection that are geared toward evaluation. If this site were included in an evaluation of NCVLI and its legal clinics additional time would need to be spent with staff helping them to develop standardized protocols and mechanisms for data collection.

Are there hidden strengths in the project?

A hidden strength of the project is the local community support for CVLC. CVLC holds an annual fundraising event and throughout the year participates in other fundraising activities (e.g., selling of merchandise) that bring not only attention to the clinic, but also helps to fund clinic activities. Mr. Pompelio and his family are well known in New Jersey, especially the Sparta area, and have a long-standing relationship with New Jersey residents who are also committed to helping promote awareness of victims' rights and keeping the clinic open.

What are the sizes and characteristics of the target population?

CVLC currently has open between 100 – 125 cases. Most of the victims served by the clinic are from New Jersey's inner cities – Newark, Camden, Irvington, and Trenton. There are 21 counties in the state and each county has appointed prosecutors. As a result, CVLC encounters many cases where prosecutors have limited courtroom experience, choose not to fully pursue cases, and/or are unresponsive and biased against their inner city constituents. As a result, CVLC encounters a victim population that does not trust prosecutors, the police, or the criminal justice system.

How is the target population identified (i.e., what are the eligibility criteria)? What/who gets excluded as a target?

CVLC gets referrals from many sources (e.g., criminal defense attorneys) throughout the state because the executive director is viewed as a leader in this field. CVLC does not accept domestic violence or family law cases. Cases not accepted by CVLC are referred to other attorneys.

Have the characteristics of the target population changed over time?

The population has not changed significantly over time.

How large would target and comparison samples be after one year of observation?

The executive director reports that the average yearly caseload is 100.

What would the target population receive in a comparison sample?

Not applicable.

What are the shortcomings/gaps in delivering the intervention?

A possible shortcoming/gap in operating the clinic is the executive director's wariness about establishing a formal group of pro bono attorneys as envisioned by NCVLI. This is because pro bono attorneys often work for very large firms and as such are not able to devote the amount of time and energy needed to work these types of cases. However, through his personal relationships and prior work experience, Mr. Pompelio has developed relationships with NJ attorneys who offer to help out on cases when they can.

What do recipients of the intervention think the project does? How do they assess the services received?

Clinic clients were not interviewed for this evaluability assessment. Therefore, we do not have first-hand knowledge of what clients think CVLC does.

What kinds of data elements are available from existing data sources? What specific input, process, and outcome measures would they support?

Currently, staff at CVLC record case information in Word files and/or in paper case files. Because the research team did not have approval to review sensitive client case information, the team did not review case files. Financial information is collected/stored in an automated system that also was not viewed by the research team. Based on our discussion with clinic staff, we reasonably conclude that these files likely contain data elements such as those discussed above in the sections on unit costs (inputs), key project elements (process), and the section on outcomes and outcomes measures.

How complete are data records? Can you get samples?

Due to confidentiality reasons, researchers did not view paper case files or files stored on the executive director's personal laptop computer. If a full-scale evaluation were funded, the evaluators could then obtain clearance to view the database in full.

What routine reports are produced?

The New Jersey site is required to submit quarterly progress reports to NCVLI. This information is then used by NCVLI in its progress reports to OVC.

Can target populations be followed over time?

Clients served by the clinic can be tracked over time through detailed case notes maintained either in paper files or in the executive director's personal laptop computer. If practitioners and future practitioners were used as a target population in an evaluation of courtroom climate, they could also be followed over time because the executive director's longstanding relationship with his peers and with Seton Hall law school students and alumni.

Can services delivered be identified?

Yes, services delivered by project staff can be identified through case notes and staff time allotment.

Can systems help diagnose implementation problems?

Because CVLC is operated with such a small staff and an active board of trustees, any problems with implementation are quickly discovered and addressed immediately.

Do staff tell consistent stories about the program? Are their backgrounds appropriate for the project activities?

Staff told consistent stories about the project, and each staff member's background seems appropriate for their role in the clinic.

What do partners provide/receive? How integral to project success are the partners?

CVLC has a partnership with Seton Hall Law School. CVLC teaches a class at the law school and law school student interns work with clinic. These students gain insight to the crime victims' rights issue as well as experience working on legal cases. CVLC also has an informal partnership with a local law firm to handle cases. These attorneys not only provide needed legal support for Mr. Pompelio, but also they are exposed to the crime victims rights' issue.

What changes is the director willing to make to support the evaluation?

Given the CVLC workload and limited resources, it would be difficult for the executive director of the project to make changes to support an evaluation. However, the director did express that if CVLC were asked to make changes to support an evaluation they would do their best to accommodate any requests.

CONCLUSION

Would you recommend that the project be evaluated? Why or why not?

The New Jersey site would provide interesting descriptive information in an evaluation of NCVLI and its legal clinics. The greatest benefit of including this site would be the rich history of its executive director in his community. If this site is included in an evaluation, efforts would need to be made to assist this site with developing standardized protocols and a mechanism for tracking and storing data. Staff at CVLC are interested in participating in such an evaluation, if one is funded, but expressed concerns about its resource capacity to participate in a rigorous evaluation.

What kinds of evaluation designs would you propose?

A potential research design for an evaluation of the Project would be a three to five year case study measuring client, system, and community level changes over time.

What should NIJ's grant manager know about this project?

Mr. Pompelio expressed a bias against developing a strong pool of pro bono attorneys to do this work. He feels that attorneys who are not doing this work full-time cannot financially afford to work these cases that could take a protracted period of time. Instead, Mr. Pompelio has made it his life mission to do this work and he capitalizes on support from friends and colleagues when they are available to help him, as well as charitable contributions from community members.

Appendix A

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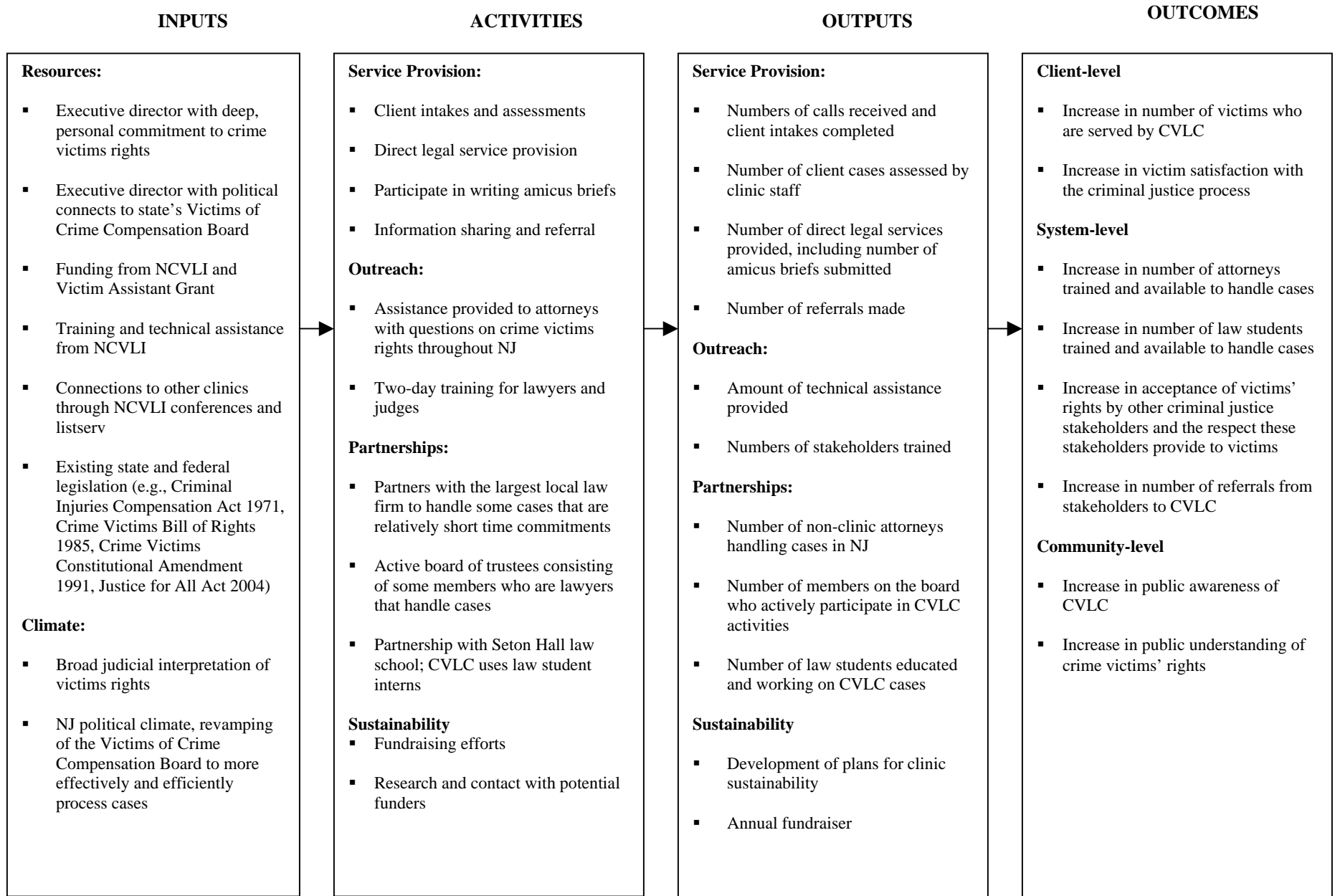
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Appendix B
CVLC Logic Model

CRIME VICTIM LAW CENTER (CVLC) LOGIC MODEL



Evaluability Assessment of the State and Federal Clinics and System Demonstration Project: New Mexico Victims' Rights Project (NMVRP)

Final Report

Kevonne Small, J.D.

Colleen Owens

NIJ # 2006TO045





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Evaluability Assessment of the State and Federal Clinics and System Demonstration Project

SYNOPSIS

Grantee: The New Mexico Victims' Rights Project (NMVRP)

Grant Duration: April 1, 2004 through March 31, 2007

Current Award:

The State/Federal Clinics and System Demonstration Project is supported by grant No. 2002-VF-GX-K004, awarded by the Office for Victims of Crime (OVC), Office of Justice Programs, United States Department of Justice. NMVRP received \$ 233,000.00 over a three-year period.

Funding History:

Beginning on April 1, 2004, NMVRP received funding as part of the State/Federal Clinics and System Demonstration Project. Below is a brief summary of federal funding amounts per year:

Year 1 = \$ 50,000 4/1/2004 – 3/31/2005

Year 2 = \$ 103,000 4/1/2005 – 3/31/2006

Year 3 = \$ 80,000 4/1/2006 – 3/31/2007

Project Summary:

NMVRP is part of the State/Federal Clinics and Systems Demonstration Project under funding from the National Crime Victims Law Institute (NCVLI). NCVLI received OVC funding to develop eight state clinics and one federal clinic as part of an overall mission to promote balance and fairness in the justice system through crime victim centered legal advocacy, education, and resource sharing. With funding from NCVLI, NMVRP became a crime victim's legal assistance project under the already established DWI Resource Center, a non-profit organization located in Albuquerque, New Mexico.

Scope of Evaluation:

This evaluability assessment was to determine whether a rigorous evaluation of NCVLI and its Demonstration Project could be conducted. To help make this determination the Urban Institute research team conducted site visit activities at NCVLI and the Demonstration Project clinics. Site visit activities included conducting interviews with key program staff, document review, and observation.

Summary of Evaluability Assessment Activity:

Two Urban Institute (UI) researchers along with an NIJ staff person conducted a one and a half day site visit to NMVRP in July 2006. The site visit took place in the Center's offices and included a tour of the office space, interviews with the project director, staff attorney, office manager, and paralegal/victim advocate. UI and NIJ staff were also invited to attend a court hearing in which the staff attorney argued the issue of standing to

be present during a pre-trial interview between the defense attorney and the crime victim (a client of NMVRP).

Findings:

The New Mexico site should be included in an evaluation of NCVLI and its legal clinics. This site maintains adequate records that would support an evaluation and the staff express an openness and willingness to participate should an evaluation take place.

INITIAL PROJECT ANALYSIS

Introduction

In order to address the issue of victims' rights enforcement, OVC entered into a cooperative agreement with NCVLI to develop the State and Federal Clinics and System Demonstration Project. The Demonstration Project was created to advocate for the expansion of the enforcement of victims' rights in the criminal justice system and the expansion of education of the legal profession in this area. To better understand the Demonstration Project's impact through NCVLI and its Clinics, the National Institute of Justice (NIJ) and OVC entered into a contract with the Urban Institute to conduct an evaluability assessment of the Project. The evaluability assessment will provide information that will assist NIJ and OVC in determining the feasibility of conducting a rigorous outcome or impact evaluation of the NCVLI Demonstration Project.

What do we already know about projects like these?

In 2004, there were approximately 24 million crimes committed against people twelve years and older, and approximately one-fifth of those (5.2 million) involved some sort of violent crime (Catalano 2005). Experts have estimated that five out of six people will be victims of a completed or attempted violent crime in their lifetimes (Koppel 1987). Over the past 25 years, crime victims have secured limited rights to participate in the criminal court process. Generally, these rights are intended to protect and preserve the dignity of victims through changes in criminal law. Examples include the right to receive notice and be heard during various phases of the criminal court process, the right to restitution, and laws that protect victims, such as rape shield laws and laws that protect child victims (Beloof 2001). All 50 states guarantee victims of crime some form of legal rights of participation in the criminal legal process (Beloof 1999), and 33 states guarantee crime victims' rights within their state constitutions (NCVLI 2006). In 2004, crime victims were granted rights to participate in the process in federal courts. However, the exact rights that victims of crime possess and the extent to which these rights are enforced vary significantly among jurisdictions.¹ Additionally, most law students are not educated about the rights of victims within criminal justice proceedings as a part of their formal or continuing legal education.

NCVLI is a non-profit research and educational organization, established in 2000 to assert victims' rights in criminal trial courts. In 2004, NCVLI entered into a cooperative

¹ An important area in which victims' rights differ among jurisdictions is legal standing. Currently, in NM crime victims have constitutional and statutory rights that are personal to them, but there is no case law explicitly clarifying standing that they have a private attorney represent them in all proceedings.

agreement with OVC to conduct the State and Federal Clinics and System Demonstration Project. The two primary goals of the Project are: (1) to expand the enforcement of victims' rights in the criminal justice system, and (2) to expand the education of the legal profession in the area of victims' rights. The Demonstration Project establishes and funds nine legal clinics that provide direct pro bono legal services to victims to enforce their rights to participate in the criminal process. To this end, in 2004, NCVLI funded five state clinics in the following cities: Albuquerque, NM, Columbia, SC, Sacramento, CA, Tempe, AZ, and Upper Marlboro, MD. In 2005, they added three additional state clinics in Salt Lake City, UT, Newark, NJ, and Moscow, ID, and a federal clinic in Tempe, AZ. NCVLI serves as the intermediary and provides these clinics with training, technical assistance in the form of legal support and research, assistance with implementation, financial and programmatic monitoring, coordination with victim advocacy organizations, and other assistance as needed. NCVLI holds an annual conference on crime victims' law and helps to educate law students in the area of victims' rights. There is also an annual cluster meeting of the clinics funded by NCVLI before the conference.

NCVLI and the associated clinics are the only organizations of their kind in the United States. For this reason, virtually nothing is known about the impact and effectiveness of the national organization or the various models of legal clinics it supports.

What could an evaluation of this project add to what we know?

An evaluation of NCVLI and its State and Federal Clinics and System Demonstration Project would increase our knowledge of victims' rights and enforcement of these rights in the United States. Specifically, an evaluation of the project would help answer research questions such as: (1) What are the varying protections/rights crime victims are afforded in the United States (nationally and locally)? (2) To what extent are these rights enforced within each jurisdiction studied? What are different local models/methods employed to help enforce victims' rights? What are the strengths and weaknesses of each identified model? What external factors support or hinder model success? (3) What additional rights have stakeholders identified that crime victims need in order to better protect victim's rights during the criminal justice process within each jurisdiction? (4) What key stakeholders (e.g., community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims) should be involved in this work, and what are their anticipated roles? (5) What outreach, education, and training activities are being conducted to increase understanding and competencies (nationally and locally)? (6) Have the outreach, education, and training activities increased awareness and knowledge of crime victims' rights among victims and stakeholders? (7) Does the existence of the NCVLI clinic increase the number of attorneys providing pro bono services for these victims? These are some of the research questions that would be answered by evaluating this project. Answers to these important questions would help shape rules and regulations (legislation), policies, and practices of stakeholders involved in this work.

Which audiences would benefit from this evaluation? What could they do with the findings?

Likely audiences to benefit from this work include community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims. The implications of evaluation study findings for each audience member are described below:

Community leaders – Like social service providers, some community leaders have a historical context for the crime victims’ rights movement. Their knowledge and experience would greatly inform the development of materials and trainings. Also, information gleaned from data collected from these stakeholders would help inform public awareness campaigns so that the public-at-large (potential crime victims) would have a better understanding of their rights, methods for how to enforce their rights, and the support systems that exist in their areas. A public awareness campaign around these issues may be necessary to increase the visibility, understanding and importance of crime victims’ rights.

Defense attorneys – Evaluability assessment respondents alluded to their belief that defense attorneys do not understand the laws pertaining to crime victims. Additionally, they reported that defense attorneys do not understand the role of a crime victim and his/her attorney during the criminal court process. This has been demonstrated to respondents through perceived inaccuracies and inadequate responses to pleadings and motions brought by crime victim attorneys. Evaluation study findings would help develop resource materials appropriate for defense attorneys that would include information on the rights of crime victims during the criminal court process so that future defense responses to pleadings and motions can be better informed. A benefit of more thoughtful responses from defense attorneys is that future case law can be truly based on the substantive issues.

Judges – Preliminary findings from this evaluability assessment indicate that judges in the American court system are not well versed in crime victims’ rights and the protections that should be afforded to victims. Moreover, judicial sensitivity to the needs of crime victims is not commonplace. Evaluation study findings would inform the development of appropriate materials (e.g. resource guides, fact sheets, bulletins) and training curricula for judges to increase not only their knowledge about crime victims’ rights and the protections victims should have during the criminal court process, but also their sensitivity to crime victims’ needs.

Lawmakers – With increased attention on the rights of crime victims, legislatures are reviewing laws within their jurisdictions to determine whether there are adequate protections for these victims. Findings from an evaluation would greatly inform lawmakers about what is occurring in other states and provide guidance on how to best develop or modify laws for their state.

Prosecutors – Evaluability assessment findings seem to suggest that some prosecutors are not comprehensively versed in the role of a crime victim during the criminal justice

process. Moreover, some prosecutors do not fully understand the role of a crime victim's attorney. Evaluation study findings would aid in the development of appropriate materials and training curricula for prosecutors to increase their knowledge of the role of a crime victim's attorney during the criminal court process. Prosecutor training around the issue of supporting the role of a crime victim's attorney during an investigation and prosecution is necessary to better protect the crime victim.

Social service providers – Some social service providers are part of the grass roots movement to promote crime victims' rights. Because these stakeholders have a historical context for this work, it would be essential to include them in a comprehensive evaluation of the project. What could be learned from these stakeholders would help inform the development of materials and trainings for other stakeholders mentioned in this section. Additionally, it would help clarify the role of social service providers in how they can work with victim advocates and crime victim attorneys.

Victim advocates – Victim advocates who work in a prosecutor's office would benefit from evaluation study findings as well. Respondents from the assessment indicated that some advocates are unaware of crime victims' rights and at times may hinder a crime victim attorney from best protecting a victim's rights. Moreover, some advocates are not connected with social service providers in the community to best meet the social service needs of crime victims. Evaluation study findings would aid in the development of appropriate materials (e.g., resource lists of area providers) and trainings for advocates so that advocates can better understand how to collaborate with local providers and to work with crime victim attorneys.

Victims – Crime victims would greatly benefit (perhaps benefit the most) from an evaluation of the project. Findings could help educate stakeholders and inform the systems that are in place to promote and enforce crime victims' rights. An evaluation of the project would need to include the voice of the victim, as victims can be considered the "experts" on what types of support they need during the criminal court process. The information they hold could greatly inform resource materials and trainings.

Overall, case study findings would provide stakeholders with information on how to develop or modify a model for protecting crime victims' rights within their state (as described above).

Is the grantee interested in being evaluated?

Yes, the grantee's objective for an evaluation would be to educate others around the country on the issue of crime victims' rights.

What is the background/history of this program?

NMVRP is affiliated with the DWI Resource Center, a private non-profit organization, that was founded by the project director, Linda Atkinson. Acknowledging alcoholism and drunk driving as endemic to New Mexico, Linda Atkinson founded the DWI Resource Center in 1994 (incorporated in 1993 and gained 501c3 status in 1994). The purpose of the Resource Center was to educate and provide assistance and services to

crash victims/survivors. In an attempt to bridge the gaps in service to crime victims that were not being filled by other service providers, the Center created a support group and performed court monitoring.

Through years of working with victims, Linda Atkinson gained a tremendous amount of exposure to court processes and to the legislature. She conducted training for law students and was instrumental in working with a woman at the Victim Assistance Organization (VAO) to get a New Mexico Constitutional amendment establishing victims' rights passed. This amendment was ratified by 68% of voters in 1992. In 1994, the enabling statutes to this amendment were adopted and hold that victims have the right to timely disposition; to be notified of any charges; to be notified of the offender's release from jail or prison; to appear and be heard at criminal proceedings; to be notified of proceedings in time to attend; to be informed of prison furloughs, transports and escapes; and the right to attend parole hearings. In 2002, the Center was awarded a Bureau of Justice Assistance grant to do a victims' rights education and enforcement project. Under the grant she did trainings for attorneys, advocates, law enforcement, created crime victim resource cards, training videos for law enforcement and prosecutors and surveyed crime victims and advocates on the status of rights being protected and enforced in the state.

NMVRP was established in 2003 under the grant from NCVLI. NMVRP shares office space and staff with the DWI Resource Center. The overall mission of the clinic is to provide education and enforcement of victims' rights in NM. The clinic is composed of a lawyer who is primarily funded under NCVLI, the project director and office manager who receive some NCVLI funding, and a staff member who is funded under a Victims of Crime Act (VOCA) grant, but performs much of the NCVLI-related intakes. The lawyer initially hired under BJA funding and when that grant ended, utilized NCVLI funding, focused on resolving crime victims' rights violations through negotiations rather than litigating these matters in court. The current attorney, instead, has made it a priority to resolve these violations through litigation. Staff at NMVRP believe that this strategy of successfully litigating violations will help to increase the number of referrals made to NMVRP and most importantly, will create a body of case law that will bring an enforcement mechanism to the NM statute.

At what stage of implementation is the program?

The clinic is in its third and final year of funding under the NCVLI grant.

What are the project's outcome goals in the view of the project director?

The mission of NMVRP is to provide education and enforcement of victims' rights in NM. The project director identified the following outcome goals:

Client-level outcomes:

- Increase referrals from criminal justice stakeholders

- Improve client well-being

- Increase client understanding of the criminal justice process

System-level outcomes:

- Increase legal representation
- Increase involvement of pro bono attorneys
- Improve judicial and prosecutor respect of crime victims' attorney role in court
- Increase collaboration/networking with crime victim service providers (referrals)
- Increase judicial opinions at trial and appellate level (case law)

Community-level outcomes:

- Improve education and awareness of the criminal justice stakeholders
- Improve education and awareness of the community on victim rights issues

Does the proposal/project director describe key project elements? Do they describe how the project's primary activities contribute to goals?

The project director describes key project elements and the manner in which they contribute to goals in the following ways:

Legal Service Provision:

- NMVRP staff refer clients to appropriate victim service providers and follow up with clients within 24 hours of referral. NMVRP staff also provide clients with a detailed listing of service providers and contact information on the project's website.
- Clinic staff strictly adhere to a policy of "do no further harm" to the victim which guides the extent to which they will pursue a case, regardless of the case's potential to establish case law.
- NMVRP staff work towards clarification/case law on standing and notification. They also make sure that restitution is ordered and followed through where appropriate. Clinic staff members meet regularly to review and talk about cases. The staff attorney relies heavily on input, and advice from NCVLI and other NCVLI clinics.
- The clinic helps prosecutors write and file briefs related to crime victims' rights, and it provides representation on cases related to standing and notification and currently has a case on standing before the New Mexico Supreme Court.

Community Education and Training:

- NMVRP conducts training for probation and parole, the victim advocates at the Crime Victim Reparation Committee, all levels of the Law Enforcement Academy, the New Mexico Department of Corrections, Crime Victim Reparation Committee

(organization that distributes VOCA and Violence Against Women Act funding), and prosecutors.

- There have not been any formal training within the community, but a large component of the clinic's strategy on education is the use of media outlets. Through these outlets, they have increased media coverage of victims' rights issues within television, newspapers, and magazines thus reaching a broad audience. This has been done through op-ed pieces, news coverage, and informing reporters of stories on a regular basis.
- Staff developed (under BJA funding) training videos for law enforcement and prosecutors, as well as sample Standard Operating Procedures (SOP's) for prosecutors and crime victim resource cards. NMVRP has also created, distributed and posted a bulletin on various victims' rights issues on its website.
- With respect to the judiciary, the clinic does not perform any formal training but rather sends educational letters to judges on different issues. NMVRP works to change judicial procedures at the district level where internal policies to uphold victims' rights need to be developed.

Recruit Pro Bono Attorneys:

- NMVRP has trained a pool of pro bono attorneys on the issue of crime victims' rights. When needed, these attorneys will be called upon to assist with client matters.

Can you sketch the logic by which activities should affect goals?

A draft logic model for NMVRP is included as Attachment A. Elements of this logic model are incorporated into a multi-dimensional logic model for NCVLI that is included in the final report. This final NCVLI logic model illustrates how the activities of the individual clinics contribute to the overall goals of NCVLI.

Are there other local projects providing similar services that could be used for comparisons?

NMVRP is the only entity providing legal representation and assistance on crime victims' rights in the state of New Mexico.

Will samples that figure in outcome measurement be large enough to generate statistically significant findings for modest effect sizes?

According to the office manager, NMVRP received about 50 calls during the most recent quarter for which data were available. From these calls, 32 victims were served or about 8 victims per month. Extrapolating these numbers over a year, the clinic should serve about 96 crime victims. Staff informed us that the average case is open for 3-5 months.

Is the grantee planning an evaluation?

The grantee has no plans for a formal evaluation, but is open to participating in an evaluation. The grantee expressed that they engage in a constant iterative reflection

process where they review their successes, challenges, referral sources, and partners (where referrals are/are not coming from, service providers are/not working with them).

What data systems exist that would facilitate evaluation? What are the key elements contained in these systems?

The clinic maintains an Excel database with spreadsheets for client intake forms and staff timesheet data. These data are entered and updated by the office manager. Client intake data kept by the office manager include: reason for call, name, address, call date, charges filed, prosecutor contact, case type (clinic refers clients with civil legal matters to other attorneys for assistance), court dates, and background on the criminal case. All contact, follow-up, and case status including active, inactive, and closed cases is documented in the database. The lead staff attorney also maintains Microsoft Word case files. For an evaluation both Excel files and Word files would need to be reviewed.

Are there data to estimate unit costs of services or activities?

Unit costs could be estimated for the project director and staff attorney by activity. Activities performed are submitted to the office manager who tracks them in three categories: outside training, direct victim service provision, and recruitment of pro bono attorneys or law students. Costs associated with media time could also be calculated.

Are there data about possible comparison samples?

The Excel database used by the New Mexico clinic contains information specific to clients who are served by the project.

In general, how useful are the data systems to an impact evaluation?

Data found in the Excel database and the Word case files would be useful for an impact evaluation. Below we present how data for the NMVRP goals are found in these two data sources:

- Client wellbeing - Data that would inform client wellbeing would be the satisfaction surveys completed at the close of each case.
- Effective legal representation - Data on effective representation would include timeliness of follow-up with victim, frequency of contact with the victim, quality and appropriateness of motions and briefs filed, and case outcome. Whether or not case law is established can also be tracked in hard copy and electronic attorney case file notes.
- Recruitment of pro bono attorneys – Data on the number of trainings conducted and pro bono attorneys available to provide services can inform how well the clinic is doing toward accomplishing its goal of recruiting pro bono attorneys.
- Improved prosecutorial and judicial respect of crime victims’ rights attorney in court – While this may be difficult to measure, data contained in attorney case files on court proceedings may inform this. Additionally, NMVRP keeps track of the number of prosecutors it helps write motions and briefs, as well as the number of cases NMVRP

proposes filing independently on behalf of a victim in an effort to get the prosecutor to uphold victims' rights. One might look to a decrease in the numbers of cases where independent filing on behalf of a victim is proposed to a prosecutor, or where because of prosecutorial violation of victims rights, such independent filing becomes necessary as a measure of increased prosecutorial respect for crime victims' rights and the role of the crime victims' rights attorney.

- Education of the legal profession, law enforcement, judiciary, and community on victim rights issues - Existing data can inform the number of trainings conducted on victims' rights issues, and the number of individuals from the legal profession, law enforcement, judiciary, and community that have attended those trainings. Data on changes in the frequency of referrals can inform the impact of victims' rights trainings.
- Networking with crime victim service providers – Data on the number of trainings conducted and referral trends.

SITE VISIT EVALUABILITY ASSESSMENT

Is the project being implemented as advertised?

NMVRP has an easy-to-navigate website as well as descriptive program materials. Both accurately reflect the depth and breadth of work conducted by NMVRP.

What is the intervention to be evaluated?

The intervention to be evaluated is the operation and services of NMVRP.

What outcomes could be assessed? By what measures?

The intervention described above provides several outcomes that could be assessed. These outcomes and some of their possible measures are listed below.

Client-level outcomes - Client-level outcomes pertain to the legal and social services made available to and/or received by victims who contact the clinic, including referrals to social service agencies. Evaluators could measure frequencies of each of the following services: intake telephone conversations, follow up telephone calls and meetings with clients, referrals to social service providers, explanations of legal terminology and proceedings (including what victims can expect during each stage of the legal proceedings), court accompaniments, and direct legal services. In addition, evaluators could also measure the total number of clients served and the total number of cases litigated by clinic staff. Finally, evaluators could also measure client satisfaction with support offered by the clinic.

System-level outcomes - System-level outcomes pertain to the legal impact of clinic efforts in changing the law or legal culture to benefit all victims of crime. Possible measures include the change in calls to NMVRP, court appearances by pro bono

attorneys, motions filed, published opinions, case law, and the enactment of new legislation.

Community-level outcomes - Community-level outcomes pertain to the impact of clinic efforts in changing the climate of the community at large. Though these outcomes are particularly difficult to measure, the change in awareness of the clinic by crime victim service providers, public awareness of victims' rights, and community capacity to redress any harms against victims could indicate a change in community climate.

Are there valid comparison groups?

There are no other clinics in the state of New Mexico that provide pro bono legal services to crime victims.

Is random assignment possible?

Random assignment would not be a feasible means of evaluating provision of services to victims. In order to best serve victims and to promote the overall goal of improving the climate of the criminal justice system for victims, staff attorneys prioritize the clients and cases they accept based on a variety of factors. Random assignment would interfere with the mission of the clinic by requiring staff attorneys to accept some cases that do not support the overall mission of the clinic and to refuse other cases that would likely have a greater overall impact on promoting victims' rights in the criminal justice system.

Likewise, random assignment would not be a feasible means of evaluating a change in law or legal climate. The nature of the criminal justice system would preclude the random assignment of judges, prosecutors, defense attorneys, and other court practitioners to cases handled by clinic staff. In addition, practitioners and future practitioners could not be randomly assigned to training provided by the clinic.

What threats to a sound evaluation are most likely to occur?

One possible threat to a sound evaluation is clinic funding. Although the project director has worked with the advisory board to devise a sustainability plan, one has yet to be put in place.

Are there hidden strengths in the project?

Strengths of NMVRP are its dedicated staff and its affiliation with the DWI Resource Center. Staff members bring with them a strong commitment to victims' rights and many years of work in the field. NMVRP is housed in the same offices as the DWI Resource Center allowing for some of its costs to be absorbed by DWI Resource Center activities that may overlap.

What are the sizes and characteristics of the target population?

NMVRP handles approximately 8 cases per month. The typical client referred to the clinic is a female domestic violence client or parent(s) of a child that has been murdered. The population is most likely to be victims of domestic violence, child abuse, sexual assault, rape, homicide, and DWI.

How is the target population identified (i.e., what are the eligibility criteria)? What/who gets excluded as a target?

The New Mexico Domestic Violence Association, Survivors of Homicide, prosecutors, advocates in prosecutors' offices, legislature, judges and the media all identify clients for NMVRP. As a policy, the clinic does not initiate first contact with the victim. The clinic also bases its definition of "victim" on the constitutional/statutory victim in a case that has been charged. Therefore, the clinic excludes victims of cases that have yet to be charged, and defendants charged in criminal proceedings, even if there has been a rights violation. The clinic refers these types of cases to other legal organizations (e.g., ACLU).

Have the characteristics of the target population changed over time?

The client population has remained fairly constant over time.

How large would target and comparison samples be after one year of observation?

NMVRP received about 50 calls during the most recent quarter for which data are available. From these requests, a total of 32 new victims were served or about 8 victims per month. Extrapolating these numbers over a year, the clinic should serve about 96 crime victims after one year.

What would the target population receive in a comparison sample?

Not applicable.

What are the shortcomings/gaps in delivering the intervention?

One possible shortcoming or gap in delivering the intervention is the unsure nature of future clinic funding.

What do recipients of the intervention think the project does? How do they assess the services received?

Clinic clients were not interviewed for this evaluability assessment. Therefore, we do not have first-hand knowledge of what clients think NMVRP does.

What kinds of data elements are available from existing data sources? What specific input, process, and outcome measures would they support?

Input measures – Excel spreadsheets contain budget information. Data include funding, overhead expenses (rent, salaries), and cost per NCVLI activity.

Process measures – NMVRP conducts three broad activities: legal service provision, community education and training, and recruitment of pro bono attorneys. With respect to legal service provision, data on client characteristics, referral source, timeliness of NMVRP follow-up, and service providers referred to (if appropriate) can be found in the intake data kept in the intake/data manager's electronic and hard copy files. After the intake/data manager processes the case and the clinic decides to represent the client, the case goes to the attorney and project director for a more in-depth assessment of the legal issues pertaining to the case. Information on legal assessment, and activities performed during court representation (i.e., whether restitution was ordered if appropriate, and the extent to which issues of standing and notification are being represented) can be found in

hard copy case files and the attorney's Excel database which may be accessed by the project director but is kept separate from the intake database.

Outcome measures – Outcomes for NMVRP are: client-level, system-level, and community-level. With respect to client-level outcomes, existing intake data could inform any increases in the number of referrals and the various referral sources. In addition, client satisfaction surveys would be another source of data as they are distributed to each client at the close of a case.² These surveys non-identifiable as to client responding and are kept in hard copy format separate from the client's case file. With respect to system-level and community-level outcomes, increases in the number of staff and pro bono court appearances can be tracked through clinic electronic and hard copy case files. To assess the degree to which networking has occurred with other crime victim service providers, one can assess if there are changes in the number and variance of referrals to service providers. In addition, one may also use the same database to assess whether there has been an increase in the number of referrals to NMVRP from a variety of sources. NMVRP uses these data to informally assess where referrals are coming from and where they are not coming from and then uses that information to target future education and training efforts. Therefore, data on referral source is useful for gauging both system and community-level outcomes. Establishment of new case law can also be tracked through information obtained in the attorney's electronic and hard copy case files. Data on changes in judicial and prosecutorial respect and standard operating procedures is also informally tracked in attorney notes and reported to NCVLI. To date, NMVRP has noted that one judge and three district attorneys have developed internal policies to make sure victims' rights are being upheld. NMVRP also keeps tracks the assistance it provides prosecutors with writing briefs, and the number of cases the attorney threatens with prosecution. Thus, changes in these numbers could signal changes in judicial and prosecutorial respect for crime victims' rights and the role of the crime victims' attorney.

How complete are data records? Can you get samples?

Due to confidentiality reasons, researchers could not view the database. If a full-scale evaluation were funded, the evaluators could then obtain clearance to view the database in full.

What routine reports are produced?

The New Mexico clinic is required to submit quarterly progress reports to NCVLI. This information is then used by NCVLI in its progress reports to OVC. The research team examined these reports and found them to be very detailed---important outputs are quantified in the reports to NCVLI.

² The lawyer initially hired under BJA funding (and when that grant ended utilized NCVLI funding), focused on resolving crime victims' rights violations through negotiations rather than litigating these matters in court. The current attorney, instead, has made it a priority to resolve these violations through litigation. It might be interesting to compare whether this had any impact on victim satisfaction by analyzing victim satisfaction surveys before and after the first attorney was on staff.

Can target populations be followed over time?

The victim population served by NMVRP can be tracked over time through detailed case electronic and hard copy case files.

Can services delivered be identified?

Yes, services delivered by project staff can be identified through case notes and timekeeping records stored in Excel databases.

Can systems help diagnose implementation problems?

NMVRP staff is in constant communication and consultation with each other about cases such that implementation problems are quickly identified.

Do staff tell consistent stories about the program? Are their backgrounds appropriate for the project activities?

Staff were consistent in the stories they told about the clinic's program, mission, goals, and activities. As mentioned earlier, staff bring with them a tremendous amount of knowledge, experience, and passion working in the field of victims' rights.

What do partners provide/receive? How integral to project success are the partners?

The DWI Resource Center is very much a part of NMVRP's success. The Resource Center provides office space, and administrative support. In addition, the Center's reputation was integral in lending legitimacy to NMVRP after its inception.

What changes is the director willing to make to support the evaluation?

The director and staff are willing to support an evaluation and seem open to any changes that might be necessary to facilitate such an effort.

CONCLUSION

Would you recommend that the project be evaluated? Why or why not?

The New Mexico site should be included in an evaluation of NCVLI and its legal clinics. This site maintains adequate records that would support an evaluation. Staff at NMVRP are interested in participating in such an evaluation, if one is funded.

What kinds of evaluation designs would you propose?

A potential research design for an evaluation of the Project would be a three to five year case study measuring client, system, and community level changes over time.

What should NIJ's grant manager know about this project?

As part of the evaluability assessment site visit activities, the UI/NIJ research team accompanied the executive director and staff attorney to court. The attorney argued the issue of whether a crime victim has a right to legal representation during a pre-trial interview. The researchers observed the type of resistance these attorneys face from judges, defense attorneys, and defendants.

Attachment A
NMVRP Logic Model

New Mexico Victims' Rights Project (NMVRP) Logic Model

INPUTS

Resources:

- Funding and technical assistance from NCVLI
- Assistance provided by other NCVLI clinics (listserv and conferences)
- Staff experience, including staff existing legal and political connections
- Support provided by an advisory board (responsible for sustainability plan)
- Facilities; shares office space with DWI Resource Center (well-known statewide)

Climate:

- NM victims' rights laws enacted in 1987
- Constitutional Amendment ratified by voters in 1992 and enacting statutes adopted in 1994.

ACTIVITIES

Legal service provision:

- Network with stakeholders for client referral
- Follow-up on all referrals within 24 hours
- Assess legal issues of a case and refer to appropriate service provider or accept case as part of caseload
- Meet regularly with NMVRP staff to discuss cases, and collaborate with NCVLI and other clinics for legal advice
- Represent clients in court (focus on issues of standing and notification), and make sure restitution is ordered and followed through on when appropriate

Community education and training:

- Train practitioners and CJ actors statewide
- Produce/distribute educational materials (e.g., training videos, bulletins)
- Help prosecutors write and file briefs on crime victims' rights
- Provide media outlets with stories and victims' rights information
- Explain legal system and legal proceedings to clients and potential clients
- Work to change judicial procedures at District level

Recruit pro bono attorneys:

- Recruit and train pro bono attorneys

OUTPUTS

Legal service provision:

- Number of court appearances by staff and pro bono attorneys
- Number of motions filed
- Number of published opinions on victims' rights
- Judicial opinions at trial level and appellate level (case law); specifically with respect to standing and notification

Community education and training:

- Number of clients referred to clinic
- Number of client cases assessed and referred by staff
- Number of stakeholders attending trainings
- Number of practitioners reached through court interactions, including judges, prosecutors, and defense attorneys
- Number of media outlets reached
- Number of prosecutorial and judicial procedures changed at District court level
- Size of victim services referral network

Recruit pro bono attorneys:

- Number of pro bono attorneys who are ready to accept cases when called upon

OUTCOMES

Client-level outcomes:

- Increased number of referrals to NMVRP
- Client satisfaction/wellbeing achieved within the realm of "do no further harm"
- Increased client understanding of victims' rights and the criminal justice process

System-level outcomes:

- Increased number of court appearances by staff attorneys and pro bono attorneys
- Increased judicial and prosecutorial respect of victims' rights attorneys – change in SOP to honor rights of crime victims
- Increase networking with crime victim service providers
- Establishment of new case law, specifically on standing and notification

Community-level outcomes:

- Improved public education and awareness of victims' rights
- Increased community capacity to redress any harms against victims
- Increased awareness of NMVRP by all stakeholders in the CJ system

Evaluability Assessment of the State and Federal Clinics and System Demonstration Project: South Carolina Crime Victim Legal Network

Final Report

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NIJ # 2006TO045





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Evaluability Assessment of the State and Federal Clinics and System Demonstration Project

SYNOPSIS

Grantee:

South Carolina Victim Assistance Network (SCVAN)

Sub-Grant Duration:

April 1, 2004 through March 31, 2007

Current Award:

The State/Federal Clinics and System Demonstration Project is supported by grant No. 2002-VF-GX-K004, awarded by the Office for Victims of Crime (OVC), Office of Justice Programs, United States Department of Justice. SCVAN has received \$233,000.00 over a 3-year period.

Funding History:

Beginning on April 1, 2004, SCVAN received funding as part of the State/Federal Clinics and System Demonstration Project. Below is a brief summary of funding amounts per year:

Federal Funding for State Project

Year 1 = \$50,000 4/1/2004 – 3/31/2005

Year 2 = \$103,000 4/1/2005 – 3/31/2006

Year 3 = \$80,000 4/1/2006 – 3/31/2007

Project Summary:

South Carolina Victim Assistance Network (SCVAN) is part of the State/Federal Clinics and Systems Demonstration Project under funding from the National Crime Victims Law Institute (NCVLI). NCVLI received OVC funding to develop eight state clinics and one federal clinic as part of an overall mission to promote balance and fairness in the justice system through crime victim centered legal advocacy, education, and resource sharing. With funding from NCVLI, SCVAN created the Crime Victim Legal Network (CVLN). NCVLI funding for SCVAN expires in March 2007.

Scope of Evaluation:

This evaluability assessment was to determine whether a rigorous evaluation of NCVLI and its Demonstration Project could be conducted. To help make this determination the Urban Institute research team conducted site visit activities at NCVLI and the Demonstration Project clinics. Site visit activities included conducting interviews with key program staff, document review, and observation.

Summary of Evaluability Assessment Activity:

Two researchers and an NIJ staff person conducted a one-day visit to CVLN in August 2006. The research team met with all CVLN staff members individually throughout the day. The team also obtained copies of the CVLN case intake form (see Attachment A) and descriptions of data elements included in clinic electronic and paper records (see Attachments B and C).

Findings:

The South Carolina site should be included in an evaluation of NCVLI and its legal clinics. This site maintains adequate records that would support an evaluation.

INITIAL PROJECT ANALYSIS

Introduction

In order to address the issue of victims' rights enforcement, OVC entered into a cooperative agreement with NCVLI to develop the State and Federal Clinics and System Demonstration Project. The Demonstration Project was created to advocate for the expansion of the enforcement of victims' rights in the criminal justice system and the expansion of education of the legal profession in this area. To better understand the Demonstration Project's impact through NCVLI and its Clinics, the National Institute of Justice (NIJ) and OVC entered into a contract with the Urban Institute to conduct an evaluability assessment of the Project. The evaluability assessment will provide information that will assist NIJ and OVC in determining the feasibility of conducting a rigorous outcome or impact evaluation of the NCVLI Demonstration Project.

What do we already know about projects like these?

In 2004, there were approximately 24 million crimes committed against people twelve years and older, and approximately one-fifth of those (5.2 million) involved some sort of violent crime (Catalano 2005). Experts have estimated that five out of six people will be victims of a completed or attempted violent crime in their lifetimes (Koppel 1987). Over the past 25 years, crime victims have secured limited rights to participate in the criminal court process. Generally, these rights are intended to protect and preserve the dignity of victims through changes in criminal law. Examples include the right to receive notice and be heard during various phases of the criminal court process, the right to restitution, and laws that protect victims, such as rape shield laws and laws that protect child victims (Beloof 2001). All 50 states guarantee victims of crime some form of legal rights of participation in the criminal legal process (Beloof 1999), and 33 states guarantee crime victims' rights within their state constitutions (NCVLI 2006). In 2004, crime victims were granted rights to participate in the process in federal courts. However, the exact rights that victims of crime possess and the extent to which these rights are enforced vary significantly among jurisdictions.¹ Additionally, most law students are not educated

¹ An important area in which victims' rights differ among jurisdictions is legal standing. The issue of legal standing in South Carolina is not clearly resolved. While the South Carolina constitutional amendment provides a right of appeal for victims' rights violations, it does not explicitly state that the victim first has a right of standing at the trial level. CVLN is working to resolve the issue of standing in its state.

about the rights of victims within criminal justice proceedings as a part of their formal or continuing legal education.

NCVLI is a non-profit research and educational organization, established in 2000 to assert victims' rights in criminal trial courts. In 2004, NCVLI entered into a cooperative agreement with OVC to conduct the State and Federal Clinics and System Demonstration Project. The two primary goals of the Project are: (1) to expand the enforcement of victims' rights in the criminal justice system, and (2) to expand the education of the legal profession in the area of victims' rights. The Demonstration Project establishes and funds nine legal clinics that provide direct pro bono legal services to victims to enforce their rights to participation in the criminal process. To this end, in 2004, NCVLI funded five state clinics in the following cities: Albuquerque, NM, Columbia, SC, Sacramento, CA, Tempe, AZ, and Upper Marlboro, MD. In 2005, they added three additional state clinics in Salt Lake City, UT, Newark, NJ, and Moscow, ID, and a federal clinic in Tempe, AZ. NCVLI serves as the intermediary and provides these clinics with training, technical assistance in the form of legal support and research, assistance with implementation, financial and programmatic monitoring, coordination with victim advocacy organizations, and other assistance as needed. NCVLI holds an annual conference on crime victims' law and helps to educate law students in the area of victims' rights. There is also an annual cluster meeting of the clinics funded by NCVLI before the conference.

NCVLI and the associated clinics are the only organizations of their kind in the United States. For this reason, virtually nothing is known about the impact and effectiveness of the national organization or the various models of legal clinics it supports.

What could an evaluation of this project add to what we know?

An evaluation of NCVLI and its State and Federal Clinics and System Demonstration Project would increase our knowledge of victims' rights and enforcement of these rights in the United States. Specifically, an evaluation of the project would help answer research questions such as: (1) What are the varying protections/rights crime victims are afforded in the United States (nationally and locally)? (2) To what extent are these rights enforced within each jurisdiction studied? What are different local models/methods employed to help enforce victims' rights? What are the strengths and weaknesses of each identified model? What external factors support or hinder model success? (3) What additional rights have stakeholders identified that crime victims need in order to better protect victims during the criminal justice process within each jurisdiction? (4) What key stakeholders (e.g., community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims) should be involved in this work, and what are their anticipated roles? (5) What outreach, education, and training activities are being conducted to increase understanding and competencies (nationally and locally)? (6) Have the outreach, education, and training activities increased awareness and knowledge of crime victims' rights among victims and stakeholders? (7) Does the existence of the NCVLI clinic increase the number of attorneys providing pro bono services for these victims? These are some of the research questions that would be answered by evaluating this project. Answers to these important questions would help

shape rules and regulations (legislation), policies, and practices of stakeholders involved in this work.

Which audiences would benefit from this evaluation? What could they do with the findings?

Likely audiences to benefit from this work include community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims. The implications of evaluation study findings for each audience member are described below:

Community leaders – Like social service providers, some community leaders have an historical context for the crime victims’ rights movement. Their knowledge and experience would greatly inform the development of materials and trainings. Also, information gleaned from data collected from these stakeholders would help inform public awareness campaigns so that the public-at-large (potential crime victims) would have a better understanding of their rights, methods for how to enforce their rights, and the support systems that exist in their areas. A public awareness campaign around these issues is necessary to increase the visibility and understanding of crime victims’ rights.

Defense attorneys – Evaluability assessment respondents alluded to their belief that defense attorneys do not understand the laws pertaining to crime victims. Additionally, they reported that defense attorneys do not understand the role of a crime victim and his/her attorney during the criminal court process. This has been demonstrated to respondents through perceived inaccuracies and inadequate responses to pleadings and motions brought by crime victim attorneys. Evaluation study findings would help develop resource materials appropriate for defense attorneys that would include information on the rights of crime victims during the criminal court process so that future defense responses to pleadings and motions can be better informed. A benefit of more thoughtful responses is that future case law can be truly based on the merits of a case.

Judges – Preliminary findings from this evaluability assessment indicate that judges in the American court system are not well versed in crime victims’ rights and the protections that should be afforded to victims. Moreover, judicial sensitivity to the needs of crime victims is not commonplace. Evaluation study findings would inform the development of appropriate materials (e.g. resource guides, fact sheets, bulletins) and training curricula for judges to increase not only their knowledge about crime victims’ rights and the protections victims should have during the criminal court process, but also their sensitivity to crime victims’ needs.

Lawmakers – With increased attention on the rights of crime victims, legislatures are reviewing laws within their jurisdictions to determine whether there are adequate protections for these victims. Findings from an evaluation would greatly inform lawmakers about what is occurring in other states and provide guidance on how to best develop or modify laws for their state.

Prosecutors – Evaluability assessment findings seem to suggest that some prosecutors are not comprehensively versed in the role of a crime victim during the criminal justice process. Moreover, some prosecutors do not fully understand the role of a crime victim’s attorney. Evaluation study findings would aid in the development of appropriate materials and training curricula for prosecutors to increase their knowledge of the role of a crime victim’s attorney during the criminal court process. Prosecutor training around the issue of supporting the role of a crime victim’s attorney during an investigation and prosecution is necessary to better protect the crime victim.

Social service providers – Some social service providers are part of the grass roots movement to promote crime victims’ rights. Because these stakeholders have an historical context for this work, it would be essential to include them in a comprehensive evaluation of the project. What could be learned from these stakeholders would help inform the development of materials and trainings for other stakeholders mentioned in this section. Additionally, it would help clarify the role of social service providers in how they can work with victim advocates and crime victim attorneys.

Victim advocates – Victim advocates who work in a prosecutor’s office would benefit from evaluation study findings as well. Respondents from the assessment indicated that some advocates are unaware of crime victims’ rights and at times may hinder a crime victim attorney from best protecting a victim’s rights. Moreover, some advocates are not connected with social service providers in the community to best meet the social service needs of crime victims. Evaluation study findings would aid in the development of appropriate materials (e.g., resource lists of area providers) and trainings for advocates so that advocates can better understand how to collaborate with local providers and to work with crime victim attorneys.

Victims – Crime victims would greatly benefit (perhaps benefit the most) from an evaluation of the project. Findings could help educate stakeholders and inform the systems that are in place to promote and enforce crime victims’ rights. An evaluation of the project would need to include the voice of the victim, as victims can be considered the “experts” on what types of support they need during the criminal court process. The information they hold could greatly inform resource materials and trainings.

Overall, case study findings would provide stakeholders with information on how to develop or modify a model for protecting crime victims’ rights within their state (as described above).

Is the grantee interested in being evaluated?

Overall, clinic staff members are receptive to the idea of an evaluation. However, given the small size of clinic staff, additional administrative resources may be needed if such an evaluation were funded.

What is the background/history of this program?

The South Carolina Victim Assistance Network (SCVAN), a 501(c)(3) organization, was established in 1984 to advocate on behalf of victims and witnesses of crime throughout the state. SCVAN operates several statewide programs, and its Board of Directors is comprised of victims' advocates and heads of victim service programs throughout South Carolina. Since its inception in 1984, SCVAN has employed a variety of means to obtain its objectives, including lobbying for changes in SC law and increasing public awareness around the issue of victims' rights.

The idea for opening a legal clinic within SCVAN was around for two years before funding was obtained to implement it. SCVAN leadership originally approached the Interest on Lawyers Trust Accounts (IOLTA) of the South Carolina Bar Association with the idea of opening a clinic to provide direct legal services to victims. The original request to IOLTA was not funded, and CVLN opened with NCVLI funding in 2004.

Though CVLN operates under the larger umbrella of SCVAN, the CVLN clinic is quite small. Currently, the Project Director of CVLN is a part-time staff member of the clinic. Two additional staff members work with CVLN: the Clinic Coordinator who is a full-time staff member, and the Chief Executive Officer of SCVAN who has direct daily involvement with the clinic, although she works on the project part-time. In total, CVLN operates with two main staff members.

At what stage of implementation is the program?

The state clinic is currently in its third year of operation and third year of NCVLI funding. NCVLI funding for the clinic will continue until March 2007.

What are the project's outcome goals in the view of the project director?

The goals of CVLN are as follows: (1) to provide crime victims with free legal services in asserting their Constitutional and statutory rights, and (2) to solidify and expand crime victims' rights throughout the state.

Note: Though SCVAN plays an active role in supporting legislative changes in SC, staff members of CVLN cannot lobby for legislative change as part of the NCVLI grant.

Does the project director describe key project elements? Does she describe how the project's primary activities contribute to goals?

Free legal services to crime victims - The first goal of the clinic is to provide free legal services to crime victims. There are several clinic activities that support this goal, including intake telephone conversations, follow up telephone calls and meetings, referrals to social service providers, and the provision of direct legal services such as court appearances and the filing of motions. In addition, the recruitment and training of pro bono attorneys also contribute to this first goal.

Solidify and expand crime victims' rights awareness - The second goal of the CVLN is also supported by several clinic activities. In addition to reaching practitioners through court appearances, clinic staff members also reach community members through outreach

efforts, trainings, and a partnership with an area law school. Finally, marketing the clinic to victim advocates, victims' support groups (e.g. Parents of Murdered Children), and other stakeholders throughout the state aid in promoting this second goal.

Can the logic by which activities should affect goals be sketched?

A draft logic model for CVLN is included as Attachment D. Elements of this logic model are incorporated into a multi-dimensional logic model for NCVLI that is included in the final report. This final NCVLI logic model illustrates how the activities of the individual clinics contribute to the overall goals of NCVLI.

To accomplish the goal of providing free legal services to victims, the Clinic Coordinator manages all incoming calls and completes victim intake forms when appropriate. The Clinic Coordinator then conferences with the Project Director (who is also the staff attorney) to determine whether the case contains a direct violation of victims' rights, requires additional follow-up, and/or requires a referral to another agency. If a case contains a direct violation of victims' rights, the Project Director then follows up with the client directly. If a case does not contain a direct violation of victims' rights, then the Clinic Coordinator provides the client with general resource information. In all circumstances, clients who need social services are referred to CVLN's network of service providers, many of which have been working with SCVAN for years.

To achieve the second goal of solidifying and expanding the rights of victims throughout the state, the Project Director divides her time between the direct representation of victims and the development and implementation of education and training activities throughout the state. In addition, the Project Director conferences frequently with NCVLI in pursuit of this second goal.

Are there other local projects providing similar services that could be used for comparisons?

There are no other clinics in South Carolina that provide free legal services to victims of crime in asserting their Constitutional and statutory rights.

Will samples that figure in outcome measurement be large enough to generate statistically significant findings for modest effect sizes?

If NIJ were interested in examining the impact of the clinic based on a victim-specific outcome such as satisfaction with the legal process, it may be possible to utilize a sample of victims flowing into the clinic. According to the Clinic Coordinator, CVLN has accepted approximately 60 cases during the past three years of operation, which is approximately twenty cases per year. Currently, the clinic's active caseload averages between 8 and 9 cases. However, these figures likely underestimate future client numbers, as the clinic has not been fully operational during the past three years.

Is the grantee planning an evaluation?

There are no plans for a formal evaluation although the clinic has experimented with the use of informal client satisfaction surveys. Project staff members often receive valuable

feedback from clients in anecdotal form (verbal thanks, greeting cards, etc.) that is used to inform clinic practices.

What data systems exist that would facilitate evaluation? What are the key elements contained in these systems?

CVLN uses a combination of electronic and paper case files to maintain clinic records. Currently, the Clinic Coordinator maintains an Access database for all incoming calls to SCVAN and an Excel database for all cases accepted by CVLN. In addition, the Project Director maintains paper files on each client containing her legal notes. Details on the data elements contained in the CVLN Excel database and the staff attorney's paper records are provided in the Site Visit Evaluability Assessment section below.

The South Carolina clinic experimented with using the Case Framework database used by other clinics under NCVLI funding during its second year of operation. However, given the small size of the South Carolina clinic (2 main staff members), the Case Framework database proved to be overly burdensome and inefficient for the SC clinic.

As with all other clinics under NCVLI funding, the South Carolina clinic also maintains detailed records of staff time allotment to various clinic activities, such as case planning, intakes, general research, project research, and court time.

Are there data to estimate unit costs of services or activities?

A provision of the NCVLI grant requires all clinics to quantify the number of hours any staff person funded under the NCVLI grant spends on a variety of possible tasks (case planning, intakes, general research, project research, court time, etc.). The costs of service provision could therefore be calculated by aggregating the hours a staff person spends on a particular task, multiplying by his or her hourly wage, and dividing by the number of clients who have received that service. At CVLN, the Clinic Coordinator is responsible for grant reporting.

Are there data about possible comparison samples?

The Excel database and paper records maintained by CVLN contain information specific to clients who are served by the project. For this reason, these data sources do not contain information on possible comparison samples. However, the Access database maintained for all calls to SCVAN may contain some information on clients whose cases were not accepted by CVLN.

In general, how useful are the data systems to an impact evaluation?

Depending on the type of evaluation conducted, the data systems could be useful for an impact evaluation of the two goals of the clinic. Since the data systems contain detailed case notes for each client and allocation of staff time by task, the provision of legal services could be measured to conduct an evaluation of the first goal. In addition, a systematic review of case outcomes and new case law also could be conducted though it may be difficult to accurately capture clinic "success" through data elements that are currently being captured in the MIS and case files. Time spent on education and training efforts in pursuit of the clinic's second goal, as well as efforts to create and maintain

partnerships with pro bono attorneys and law schools, could be measured using staff timesheets.

SITE VISIT EVALUABILITY ASSESSMENT

Is the project being implemented as advertised?

CVLN is being implemented as advertised, enabling staff and pro bono attorneys to provide free legal services to victims of crime throughout the state of South Carolina. Additionally, project staff members provide clients with referrals to social services as advertised.

It should be noted, however, that CVLN is still in the process of developing its partnership with the Charleston Law School. The first Project Director of CVLN developed a curriculum for the course, and the idea is currently before the faculty committee of the Law School. Though the Dean is supportive of the project, final approval has not yet been obtained for the Project Director to teach a course on victims' rights law.

What is the intervention to be evaluated?

The intervention to be evaluated is the services provided by CVLN.

What outcomes could be assessed and by what measures?

The intervention above provides several outcomes that could be assessed. These outcomes and some of their possible measures are listed below.

Client-level outcomes - Client-level outcomes pertain to the legal and social services made available to and/or received by victims who contact the clinic, including referrals to social service agencies and pro bono attorneys. Evaluators could measure frequencies of each of the following services: intake telephone conversations, follow up telephone calls and meetings with clients, referrals to social service providers, referrals to pro bono attorneys, and direct legal services. In addition, evaluators could also measure the total number of clients served and the total number of cases litigated by clinic staff. Finally, evaluators could measure client satisfaction with support offered by the clinic.

System-level outcomes - System-level outcomes pertain to the legal impact of clinic efforts in solidifying and expanding the law to benefit all victims of crime. Possible measures include the change in calls to CVLN, court appearances by pro bono attorneys, motions filed, published opinions, case law, law student participation, compliance with SC victims' right laws by stakeholders throughout the criminal justice system, and the enactment of new legislation at the state and federal levels.

Community-level outcomes - Community-level outcomes pertain to the impact of clinic efforts in changing the climate of the community at large. Though these outcomes are particularly difficult to measure, the change in awareness of the clinic by crime victim

service providers, public awareness of victims' rights, and community capacity to redress any harms against victims could indicate a change in community climate.

Are there valid comparison groups?

There are no other clinics in the state of South Carolina that provide pro bono legal services to crime victims.

Is random assignment possible?

Random assignment would not be a feasible means of evaluating provision of legal services to victims. In order to best serve victims and to promote the overall goal of solidifying and expanding victims' rights law throughout the state, CVLN only accepts cases that contain direct violations of victims' rights. Random assignment of cases would preclude clinic staff from some of the clients who are most in need of legal services and whose cases are best suited to further the overall goals of the clinic.

What threats to a sound evaluation are most likely to occur?

One possible threat to a sound evaluation is the fluid nature of clinic funding. NCVLI funding for the South Carolina clinic is set to expire in March 2007. Currently, CVLN is working to obtain funding from Interest on Lawyers Trust Accounts (IOLTA) through the SC Bar Association. If IOLTA funding does not come through, however, CVLN may not be able to sustain its current level of operation.

Another possible barrier to a sound evaluation is turnover of clinic staff. Since its inception, CVLN has had three separate project directors. Though the current Project Director is well-suited for her position, future changes to project staffing may cause changes to clinic functioning and related data systems, particularly changes to legal files which are currently maintained on paper. In addition, the current Clinic Coordinator has been with CVLN for three years, and other SCVAN staff members indicate that she would be the most difficult staff member to replace. Since the Clinic Coordinator is responsible for client intake, data management, and grant reporting, data systems and clinic operations may change drastically if she were to leave the clinic.

Depending on the type of evaluation developed, it is important to note that it would be difficult to establish a baseline (or "pre" measure) from which to examine change over time, since SCVAN has been working in the field of victims' rights since 1984 and CVLN has been in operation since April 2004.

Are there hidden strengths in the project?

A hidden strength of CVLN is the political and legal climate of South Carolina in regard to victims of crime. The current political and legal climate of South Carolina recognizes victims' rights, and victims' rights initiatives are passed quickly through the legislature. The Chief Executive Officer of SCVAN reports that nine out of fifteen victims' rights initiatives were passed by the legislature in the past year. In addition, the Board of Directors and the Public Policy Coordinator of SCVAN have political affiliations throughout the state. Even though the issue of legal standing has not been clearly resolved in South Carolina (see footnote on page 2), CVLN is able to overcome this

barrier because of the existing legal and political climate. Compared to clinics operating in other states, CVLN encounters relatively low resistance from the community.

Another hidden strength of the clinic is its shared human and physical resources with SCVAN. These shared resources are particularly beneficial to the CVLN intake process. Since the Clinic Coordinator for CVLN also serves an administrative role for SCVAN, she is able to screen all incoming SCVAN calls for their relevance to CVLN. Since SCVAN has been serving victims in South Carolina since 1984, CVLN is able to benefit from existing public awareness of SCVAN and is able to reach many more potential clients operating under SCVAN than it would if it were operated independently. According to the Clinic Coordinator, CVLN receives approximately 50-60% of its referrals from victim advocates and the remaining 40-50% from victim self-referrals.

What are the sizes and characteristics of the target population?

As previously mentioned, the clinic's active caseload is 8-9 cases, and CVLN has served a total of approximately 60 clients over the past three years (slightly less than two clients per month). If client flow remains unchanged, the clinic will serve approximately twenty clients per year. Since the first three years of CVLN were dedicated to launching the clinic (e.g., establishing a protocol/procedure, marketing clinic in community, education and outreach), however, these numbers are likely to grow in future years.

According to clinic staff, the clients served by CVLN represent a broad cross-section of South Carolina residents. Clients are men, women, and children of varying races and socio-economic backgrounds. In addition, the clinic serves both rural and urban residents of South Carolina, not just residents in close proximity to the clinic's office in Columbia.

How is the target population identified (i.e., what are the eligibility criteria)? What/who gets excluded as a target?

CVLN receives approximately 50-60% of its referrals from victim advocates and the remainder from victims themselves. To be served by the clinic, clients must have cases that contain direct violations of their legal rights as victims of crime. Victims who contact the clinic whose cases do not contain direct violations of their legal rights are referred to social service agencies or to their victim advocates for case management as mentioned above.

Have the characteristics of the target population changed over time?

Clinic staff members did not identify significant changes to the target population over time.

How large would target and comparison samples be after one year of observation?

If South Carolina client intakes remain constant, the state clinic will provide direct legal services to approximately twenty clients each year. As previously mentioned, this is likely an underestimate, as the clinic was not fully operational during the time period upon which this figure is based.

What would the target population receive in a comparison sample?
Not applicable.

What are the shortcomings/gaps in delivering the intervention?

Two potential sources of shortcomings or gaps in intervention are the nature of clinic funding and the turnover of clinic staff. Both of these issues are discussed above in the section on threats to a sound evaluation.

What do recipients of the intervention think the project does? How do they assess the services received?

Clinic clients were not interviewed for this evaluability assessment. Therefore, we do not have first-hand knowledge of what clients think CVLN does.

What kinds of data elements are available from existing data sources? What specific input, process, and outcome measures would they support?

As previously explained, CVLN uses a combination of electronic and paper files to maintain clinic records. Currently, the Clinic Coordinator maintains an Excel database containing detailed information for all cases accepted by CVLN. In addition, the Project Director maintains paper files on each client containing her legal notes. CVLN also maintains detailed records of staff time allotment to various clinic activities in accordance with NCVLI grant reporting requirements. Details on the data elements contained in each of these data sources are provided below.

Excel Database (Client Intake Information) - For each client, the following information is available: intake date, source of referral, telephone log number (used to check if a client has previously contacted the clinic), case number (assigned by CVLN), victim's name, victim's county, name of staff or pro bono attorney assigned to the case, type of victims' rights violation, case status (open or closed), and whether the client was sent a client satisfaction survey.

Paper Records (Legal Case Information) – Project staff members create a paper file for each client served by the clinic. Each client's folder normally contains the following elements: client intake sheet (Attachment A), representation agreement, pro bono attorney information (if case was assigned to a pro bono attorney), incident report, offender criminal history (“rap sheet”), motions filed by CVLN, correspondence, case law/research, and attorney notes.

Staffing Information - As previously stated, clinic staff members under NCVLI funding are required to record their hours in accordance with guidelines set forth in the NCVLI grant. For this reason, staff time allocation on various case activities (case planning, intakes, general research, project research, court time, etc.) is maintained on staff timesheets.

How complete are data records? Can you get samples?

Due to confidentiality reasons, researchers could view only a list of data fields contained in the Excel database and in client paper records (see Attachments B and C). If a full-scale evaluation were funded, evaluators could then obtain clearance to view the databases in full.

What routine reports are produced?

The South Carolina site is required to submit quarterly progress reports to NCVLI. This information is then used by NCVLI in its progress reports to OVC. The research team examined samples of these reports and found them to be very detailed; important outputs are quantified in the reports to NCVLI.

Can target populations be followed over time?

Clients served by the clinic can be tracked over time through detailed case notes maintained in the paper case files and the Excel database.

Can services delivered be identified?

Yes, services delivered by project staff can be identified through case notes and staff time allotment records maintained in the clinic databases. Social services delivered by referral agencies can be identified but not tracked.

Can systems help diagnose implementation problems?

Data that are being tracked can be reviewed periodically to determine whether project implementation is sufficient to achieve project goals.

Do staff members tell consistent stories about the program? Are their backgrounds appropriate for the project activities?

Staff members do tell consistent stories about the project, and their backgrounds are appropriate for project activities. The Chief Executive Officer of SCVAN has worked with the Attorney General for the Chief of Prosecution in SC and has served as a court assistant, managing statewide grand jury and death penalty divisions. The Project Director began her career as a nurse practitioner, where she often worked with victims of crime. She then completed her law degree and worked in a variety of settings before joining CVLN, including advocacy, the public defender's office, and private practice. The Clinic Coordinator took a course on victimology while obtaining her degree in criminal justice and has over three years of experience working with CVLN.

What do partners provide/receive? How integral to project success are the partners?

Pro bono attorney partners provide direct legal representation for clients. NCVLI provides technical assistance for the clinic. Law school partners provide opportunities to implement victims' rights curricula. In the future, law schools may also provide opportunities to recruit law student interns.

What changes is the director willing to make to support the evaluation?

Although the Project Director is receptive to a possible evaluation, the South Carolina clinic would need additional administrative support if a full evaluation were funded due

to the small size of the clinic staff. As previously mentioned, the Clinic Coordinator is responsible for all record keeping and grant management for CVLN. Additional administrative support for the clinic would be needed if a study were to be conducted.

If necessary, electronic and paper recordkeeping could be modified to support a rigorous full-scale evaluation.

CONCLUSION

Would you recommend that the project be evaluated? Why or why not?

The South Carolina site should be included in an evaluation of NCVLI and its legal clinics. This site maintains adequate records that would support an evaluation. However, given the small size of clinic staff, additional administrative support will be needed if a full evaluation is funded.

What kinds of evaluation designs would you propose?

A potential research design for an evaluation of the Project would be a three to five year case study measuring client, system, and community level changes over time.

Attachment A
Case Intake Form

Taking Case? yes no

Assigned case #

Assigned attorney:

CONFIDENTIAL

**SC Crime Victim Legal Network
CASE INTAKE FORM**

INTAKE INFORMATION

Person Doing Intake:

Date of Intake:

How did victim hear about CVLN?

Priority Issue?

- Participation in system
- Discovery of victim's records
- Right to counsel
- Remedies
- Harassment of victims by third parties

CASE INFORMATION

Right(s) Denied:

Investigator:

Crime(s):

Inv. #

Date of Crime:

Prosecutor

Location of Crime: (City)

Prosecutor #

Investigating Agency:

Warrant #

Victim / Witness Advocate: Yes No

First

Last

Organization

Address:

Telephone

Email

Fax

Other Advocates:

VICTIM INFORMATION (CONFIDENTIAL)

Victim (include age if minor):

First **Last**

Age

Parent Name (if minor):

Other Names Used:

First **Last**

Address:

Home phone number **Cell**

Fax Number **Email**

Alternative Contact Information:

Name

Phone

Email

Does victim have an attorney? **Yes** **No**

Name

Phone

Offender Information:

Relationship to victim

Defendant:

First **Last**

Defense Attorney:

First **Last**

Telephone **Email** **Fax**

Alternate Names/ Affiliated Entities of Defendant

FACTS OF CASE (attach additional sheets):

Attachment B

Data Elements in Excel Database

South Carolina Crime Victim Legal Network

A program of the South Carolina Victim Assistance Network

1900 Broad River Road, Suite 200, Columbia, South Carolina 29210

Phone: (803) 750.1200 Toll Free: (888) 852.1900 Fax (803) 750.3003

Website: www.scvan.org/Legal

CVLN Staff

CVLN Program Director

Susan Quinn, Attorney at Law

CVLN Clinic Coordinator

Shannon Geary

SCVAN

Board of Directors

President

Brett Macgargle, Director
Office of Community Justice
SC Department of Juvenile Justice

Vice President

Marian Lindsey
Retired, SC Department of
Probation Parole & Pardon Services

Secretary/Treasurer

Ritchie Tidwell
Tidwell & Associates

Members

Dean Kilpatrick, Ph.D., Director
National Crime Victims Research
Treatment Center/MUSC

Lynn Hawkins
Executive Director
SAFE Homes/Rape Crisis Coalition

Pam Gregory, FBI
Law Enforcement Victim Advocates

Margaret C. Frierson
Executive Director
National Center for Missing
and Exploited Children/SC

Anne Laver, Victim Advocate
Aiken Department of Public Safety

Lawrence H. Bergmann, Ph. D
Post Trauma Resources

Vicki Bourus
Executive Director
SCCADVASA

Kay Homes
Victim/Survivor

Hope Blackley
Crime Victims Ombudsman,
Governor's Office

Lillian Garcia
Victim Advocate, Greenville County

Ex-Officio Members

Saylor Fox
Victim Assistance Coordinator
SC Juvenile Parole Board

Carol Wyatt
Executive Director, Sexual Trauma
Services of the Midlands

Gwen Herod
Victim Advocate, Sumter County
Sheriff's Department

Mary Ann Stroup
Victim Advocate
Greenwood Co. Sheriff's Department

Donald J. Zelenka
Deputy Attorney General

Public Policy Coordinator

Laura S. Hudson

Chief Executive Officer

Veronica L. Swain

August 23, 2006

Excel Spreadsheet fields for case intake:

- **Intake Date**
Month/year that CVLN accepted case
- **Referral**
Where did the call come from? Advocate, law enforcement, non-profit, etc.
- **Phone log #**
SCVAN keeps a daily log of incoming calls. This would also give us an idea if we have received a call from a victim previously
- **Case Number**
Case # is shown as (month – year – number) example: 08-06-60
- **Victim's Name**
Last name, first name
- **County**
Case location, this also may give us an indication of problem areas within the state.
- **Attorney**
Indicates whether Susan is handling the case or if it was referred to a *pro bono* attorney
- **Violation**
The type of victims' rights violation
- **Closed**
Indicates if case is currently open or closed
- **Survey**
CVLN usually follows up with a client satisfaction survey once the case is closed by the attorney. This column indicates if one was sent or not

Attachment C

Data Elements in Paper Case Files

South Carolina Crime Victim Legal Network

A program of the South Carolina Victim Assistance Network

1900 Broad River Road, Suite 200, Columbia, South Carolina 29210

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Chief Executive Officer

Veronica L. Swain

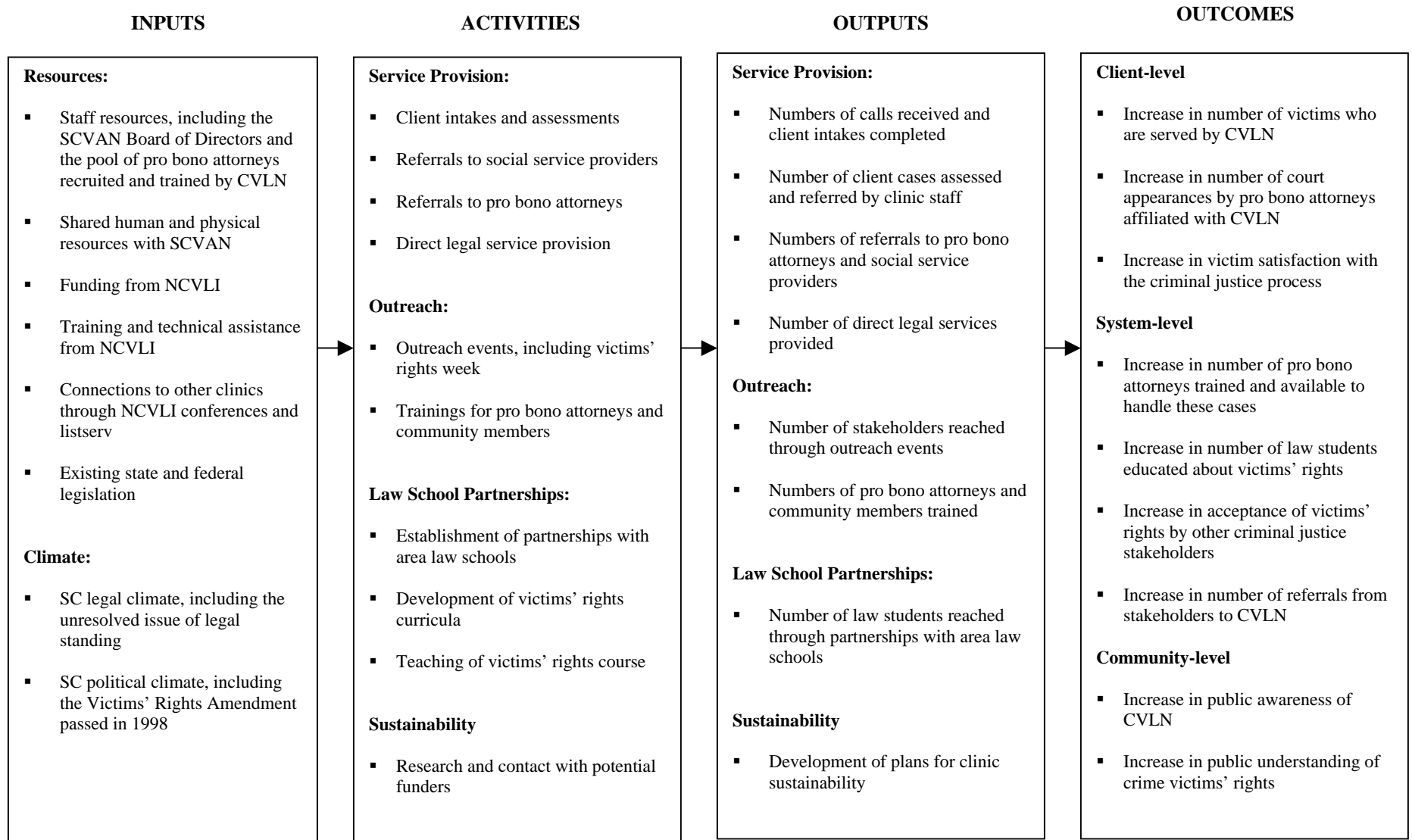
August 23, 2006

A client's paper file would normally include the following subfolders:

1. Case intake sheet
2. Representation agreement
3. Pro Bono information (if one was assigned)
4. Incident report
5. Offenders criminal history (rap sheet)
6. Motions filed (by CVLN)
7. Correspondence
8. Case law / research
9. Notes

Attachment D
CVLN Logic Model

CRIME VICTIM LEGAL NETWORK (CVLN) LOGIC MODEL



Evaluability Assessment of the State and Federal Clinics and System Demonstration Project: Utah Crime Victims Legal Clinic (UCVLC)

Final Report

Kevonne Small, J.D.

Colleen Owens

NIJ # 2006TO045





URBAN INSTITUTE
Justice Policy Center

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Washington, DC 20037
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JPC Publication: **CV03 0101**

EVALUABILITY ASSESSMENT OF THE STATE AND FEDERAL CLINICS AND SYSTEM DEMONSTRATION PROJECT

SYNOPSIS

Grantee:

Utah Crime Victims Legal Clinic (UCVLC)

Grant Duration:

April 2005 – March 2007

Current Award:

The State/Federal Clinics and Systems Demonstration Project is supported by grant No. 2002-VF-GX-K004, awarded by the Office for Victims of Crime (OVC), Office of Justice Programs, United States Department of Justice. UCVLC received \$162,000 over a 2-year period.

Funding History:

UCVLC came into existence with funding as a part of the State/Federal Clinics and System Demonstration Project. In addition to funding from NCVLI, the clinic also receives some funding from the Utah Office of Crime Victim Reparations. Below is a brief summary of funding amounts per year:

Federal funding

Year 1 = \$57,000 4/1/2005 – 3/31/2006

Year 2 = \$105,000 4/1/2006 – 3/31/2007

Utah Office of Crime Victims Reparations

Year 1 – Year 2 = \$24,664.69 7/1/2005 – 6/1/2007

Project Summary:

Utah Crime Victims Legal Clinic (UCVLC) is part of the State/Federal Clinics and Systems Demonstration Project under funding from the National Crime Victims Law Institute (NCVLI). NCVLI received OVC funding to develop eight state clinics and one federal clinic as part of an overall mission to promote balance and fairness in the justice system through crime victim centered legal advocacy, education, and resource sharing. UCVLC came into existence with funding from NCVLI.

UCVLC is housed in the state's Rape Recovery Center in Salt Lake City, Utah and provides services statewide. One full-time executive director and one full-time victim advocate/volunteer attorney coordinator staff the clinic. The mission of UCVLC is to promote and advance crime victims' Constitutional and civil rights in the criminal justice system through legal advocacy, education, and resource sharing.

Scope of Evaluation:

This evaluability assessment was to determine whether a rigorous evaluation of NCVLI and its Demonstration Project could be conducted. To help make this determination the Urban Institute research team conducted site visit activities at NCVLI and the Demonstration Project clinics. Site visit activities included conducting interviews with key program staff, document review, and observation.

Summary of Evaluability Assessment Activity:

Two researchers and an NIJ staff person conducted a one-day visit to UCVLC in August 2006. The research team met with all UCVLC staff members and spent time viewing extant program materials in an effort to collect relevant evaluation information.

Findings:

The Utah site should be included in an evaluation of NCVLI and its legal clinics. The site maintains adequate records that would support an evaluation and the staff expressed an openness and willingness to participate should an evaluation take place.

INITIAL PROJECT ANALYSIS

Introduction

In order to address the issue of victims' rights enforcement, OVC entered into a cooperative agreement with NCVLI to develop the State and Federal Clinics and System Demonstration Project. The Demonstration Project was created to advocate for the expansion of the enforcement of victims' rights in the criminal justice system and the expansion of education of the legal profession in this area. To better understand the Demonstration Project's impact through NCVLI and its Clinics, the National Institute of Justice (NIJ) and OVC entered into a contract with the Urban Institute to conduct an evaluability assessment of the Project. The evaluability assessment will provide information that will assist NIJ and OVC in determining the feasibility of conducting a rigorous outcome or impact evaluation of the NCVLI Demonstration Project.

What do we already know about projects like these?

In 2004, there were approximately 24 million crimes committed against people twelve years and older, and approximately one-fifth of those (5.2 million) involved some sort of violent crime (Catalano 2005). Experts have estimated that five out of six people will be victims of a completed or attempted violent crime in their lifetimes (Koppel 1987). Over the past 25 years, crime victims have secured limited rights to participate in the criminal court process. Generally, these rights are intended to protect and preserve the dignity of victims through changes in criminal law. Examples include the right to receive notice and be heard during various phases of the criminal court process, the right to restitution, and laws that protect victims, such as rape shield laws and laws that protect child victims (Beloof 2001). All 50 states guarantee victims of crime some form of legal rights of participation in the criminal legal process (Beloof 1999), and 33 states guarantee crime victims' rights within their state constitutions (NCVLI 2006). In 2004, crime victims were granted rights to participate in the process in federal courts. However, the exact rights that victims of crime possess and the extent to which these rights are enforced vary

significantly among jurisdictions.¹ Additionally, most law students are not educated about the rights of victims within criminal justice proceedings as a part of their formal or continuing legal education.

NCVLI is a non-profit research and educational organization, established in 2000 to assert victims' rights in criminal trial courts. In 2004, NCVLI entered into a cooperative agreement with OVC to conduct the State and Federal Clinics and System Demonstration Project. The two primary goals of the Project are: (1) to expand the enforcement of victims' rights in the criminal justice system, and (2) to expand the education of the legal profession in the area of victims' rights. The Demonstration Project establishes and funds nine legal clinics that provide direct pro bono legal services to victims to enforce their rights to participation in the criminal process. To this end, in 2004, NCVLI funded five state clinics in the following cities: Albuquerque, NM, Columbia, SC, Sacramento, CA, Tempe, AZ, and Upper Marlboro, MD. In 2005, they added three additional state clinics in Salt Lake City, UT, Newark, NJ, and Moscow, ID, and a federal clinic in Tempe, AZ. NCVLI serves as the intermediary and provides these clinics with training, technical assistance in the form of legal support and research, assistance with implementation, financial and programmatic monitoring, coordination with victim advocacy organizations, and other assistance as needed. NCVLI holds an annual conference on crime victims' law and helps to educate law students in the area of victims' rights. There is also an annual cluster meeting of the clinics funded by NCVLI before the conference.

NCVLI and the associated clinics are the only organizations of their kind in the United States. For this reason, virtually nothing is known about the impact and effectiveness of the national organization or the various models of legal clinics it supports.

What could an evaluation of this project add to what we know?

An evaluation of NCVLI and its State and Federal Clinics and System Demonstration Project would increase our knowledge of victims' rights and enforcement of these rights in the United States. Specifically, an evaluation of the project would help answer research questions such as: (1) What are the varying protections/rights crime victims are afforded in the United States (nationally and locally)? (2) To what extent are these rights enforced within each jurisdiction studied? What are different local models/methods employed to help enforce victims' rights? What are the strengths and weaknesses of each identified model? What external factors support or hinder model success? (3) What additional rights have stakeholders identified that crime victims need in order to better protect victims during the criminal justice process within each jurisdiction? (4) What key stakeholders (e.g., community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims) should be involved in this work, and what are their anticipated roles? (5) What outreach, education, and training activities are being conducted to increase understanding and competencies (nationally and locally)?

¹ An important area in which victims' rights differ among jurisdictions is legal standing. While both crime victims and prosecutors in Utah have legal standing to assert victims' rights in court, other jurisdictions do not provide legal standing to victims and prosecutors. These differences in legal standing inform clinic strategies and practices.

(6) Have the outreach, education, and training activities increased awareness and knowledge of crime victims' rights among victims and stakeholders? (7) Does the existence of the NCVLI clinic increase the number of attorneys providing pro bono services for these victims? These are some of the research questions that would be answered by evaluating this project. Answers to these important questions would help shape rules and regulations (legislation), policies, and practices of stakeholders involved in this work.

Which audiences would benefit from this evaluation? What could they do with the findings?

Likely audiences to benefit from this work include community leaders, defense attorneys, judges, lawmakers, prosecutors, social service providers, victim advocates, and victims. The implications of evaluation study findings for each audience member are described below:

Community leaders – Like social service providers, some community leaders have an historical context for the crime victims' rights movement. Their knowledge and experience would greatly inform the development of materials and trainings. Also, information gleaned from data collected from these stakeholders would help inform public awareness campaigns so that the public-at-large (potential crime victims) would have a better understanding of their rights, methods for how to enforce their rights, and the support systems that exist in their areas. A public awareness campaign around these issues is necessary to increase the visibility and understanding of crime victims' rights.

Defense attorneys – Evaluability assessment respondents alluded to their belief that defense attorneys do not understand the laws pertaining to crime victims. Additionally, they reported that defense attorneys do not understand the role of a crime victim and his/her attorney during the criminal court process. This has been demonstrated to respondents through perceived inaccuracies and inadequate responses to pleadings and motions brought by crime victim attorneys. Evaluation study findings would help develop resource materials appropriate for defense attorneys that would include information on the rights of crime victims during the criminal court process so that future defense responses to pleadings and motions can be better informed. A benefit of more thoughtful responses is that future case law can be truly based on the merits of a case.

Judges – Preliminary findings from this evaluability assessment indicate that judges in the American court system are not well versed in crime victims' rights and the protections that should be afforded to victims. Moreover, judicial sensitivity to the needs of crime victims is not commonplace. Evaluation study findings would inform the development of appropriate materials (e.g. resource guides, fact sheets, bulletins) and training curricula for judges to increase not only their knowledge about crime victims' rights and the protections victims should have during the criminal court process, but also their sensitivity to crime victims' needs.

Lawmakers – With increased attention on the rights of crime victims, legislatures are reviewing laws within their jurisdictions to determine whether there are adequate

protections for these victims. Findings from an evaluation would greatly inform lawmakers about what is occurring in other states and provide guidance on how to best develop or modify laws for their state.

Prosecutors – Evaluability assessment findings seem to suggest that some prosecutors are not comprehensively versed in the role of a crime victim during the criminal justice process. Moreover, some prosecutors do not fully understand the role of a crime victim’s attorney. Evaluation study findings would aid in the development of appropriate materials and training curricula for prosecutors to increase their knowledge of the role of a crime victim’s attorney during the criminal court process. Prosecutor training around the issue of supporting the role of a crime victim’s attorney during an investigation and prosecution is necessary to better protect the crime victim.

Social service providers – Some social service providers are part of the grassroots movement to promote crime victims’ rights. Because these stakeholders have an historical context for this work, it would be essential to include them in a comprehensive evaluation of the project. What could be learned from these stakeholders would help inform the development of materials and trainings for other stakeholders mentioned in this section. Additionally, it would help clarify the role of social service providers in how they can work with victim advocates and crime victim attorneys.

Victim advocates – Victim advocates who work in a prosecutor’s office would benefit from evaluation study findings as well. Respondents from the assessment indicated that some advocates are unaware of crime victims’ rights and at times may hinder a crime victim attorney from best protecting a victim’s rights. Moreover, some advocates are not connected with social service providers in the community to best meet the social service needs of crime victims. Evaluation study findings would aid in the development of appropriate materials (e.g., resource lists of area providers) and trainings for advocates so that advocates can better understand how to collaborate with local providers and to work with crime victim attorneys.

Victims – Crime victims would greatly benefit (perhaps benefit the most) from an evaluation of the project. Findings could help educate stakeholders and inform the systems that are in place to promote and enforce crime victims’ rights. An evaluation of the project would need to include the voice of the victim, as victims can be considered the “experts” on what types of support they need during the criminal court process. The information they hold could greatly inform resource materials and trainings.

Overall, case study findings would provide stakeholders with information on how to develop or modify a model for protecting crime victims’ rights within their state (as described above).

Is the grantee interested in being evaluated?

The executive director, Heidi Nestel, and the victim advocate/volunteer attorney coordinator, Brandon Simmons, are interested in being evaluated.

What is the background/history of this program?

In 1994, a Victims' Rights Amendment was added to the Utah Constitution. In conjunction with the Utah Victims Bill of Rights, these stand as a testament to the state's commitment to crime victims' rights. The Utah Crime Victims Legal Clinic (UCVLC) came into existence through efforts made by the Utah Council for Victims' Rights (body within the governor's branch).

After the Victims' Rights Amendment was enacted, the Council brought a training academy to Utah to train relevant stakeholders on victims' rights issues. Through this effort the Council realized that Utah needed to take their victims' rights work from training to enforcement. The Council then identified the NCVLI grant as the perfect bridge in aiding the enforcement of their legislation. The Council formed an advisory group and identified the Rape Recovery Center (RRC) as the conduit through which they would apply for the grant. RRC was thought to be a good fit since they were a well-established organization within Utah that had provided training and services across the state. While RRC now focuses on the Salt Lake City Area, it was thought that the crime victims' clinic would be able to draw from their statewide resources and connections, as well as referrals. In addition, RRC saw a benefit to housing the clinic (which was envisioned as being statewide) since it would help keep RRC connected. Next, the advisory board identified Heidi Nestel for the position of executive director. Heidi was well-known in the field of victims' rights through her work as a prosecutor for the Davis County Prosecutor's Office and as a supervisor of the office's victim advocate program. Therefore, Heidi was approached by the advisory board and asked to help write the proposal and participate as the executive director.

UCVLC was awarded the NCVLI grant in April 2005. Funding through the first year of the grant was sufficient to cover Heidi's salary, travel, equipment, supplies, and a nominal amount towards consultants and contracts. On July 17, 2006, Heidi hired Brandon Simmons under a VOCA grant to serve as the Victim Advocate/Volunteer Attorney Coordinator.

At what stage of implementation is the program?

UCVLC is in its second year of OVC funding which began in April 2006 and will end in March 2007.

What are the project's outcome goals in the view of the project director?

The mission of UCVLC is to promote and advance crime victims' Constitutional and civil rights in the criminal justice system through legal advocacy, education, and resource sharing. As such, the four outcome goals identified by the executive director, Heidi Nestel, are the following:

- 1.) Establish procedures, criteria materials and protocols to guide clinic development and operation;

- 2.) Enforce the rights of victims by educating criminal justice participants/professionals about crime victims' rights and networking with advocacy programs;
- 3.) Ensure crime victims' rights in criminal cases through pro bono legal representation in the trial and appellate courts; and
- 4.) Promote promising practices in working with and protecting the legal rights of crime victims.

Does the proposal/project director describe key project elements? Do they describe how the project's primary activities contribute to goals?

Detailed documentation exists describing the manner in which primary activities contribute to UCVLC's goals. With respect to the first goal of establishing procedures, criteria materials and protocols to guide clinic development and operation, UCVLC has produced monthly and quarterly reports, financial, administrative, and programmatic protocols, intake and case management protocols, intake forms, client satisfaction protocols, and a client satisfaction survey. In addition, UCVLC has obtained 501c3 status from the IRS and secured a VOCA grant to hire Brandon Simmons as Victim Advocate/Volunteer Attorney Coordinator.

In an effort to support the second goal of enforcing the rights of victims by educating criminal justice participants/professionals about crime victims' rights and networking with advocacy programs, UCVLC has conducted trainings with various entities which has resulted in training over 800 professionals to date. Trainings have included professionals from some of the following organizations: Utah Victim Assistance Academy, Utah Prosecution, Utah Corrections, Utah Police Academy, Rape Recovery Center, University of Utah Law School, Weber State Criminal Justice, Brigham Young University, Vernal City law enforcement and prosecution, and attendees of the Annual Victims' Rights Conference.

The third goal of UCVLC is to ensure crime victims' rights in criminal cases, through pro bono legal representation in trial and appellate courts. Thus far, two pro bono attorneys and five law students have been recruited with the law students donating 650 hours as of July 2006. UCVLC recruits students from the University of Utah (UU) and from Brigham Young University (BYU). It should be noted that UU is the only school that has victims' rights curriculum. As a part of their involvement with UCVLC, Heidi instructs students on the case law and gives them as much hands-on work as possible. Students are assigned cases and are involved in the intakes and all of the meetings. The clinic's vision for the future of its involvement with pro bono attorneys is to have a network of about 25-50 attorneys in each judicial district who provide free judicial training and handle 1-3 cases/year.

UCVLC has received 39 referrals for legal assistance and has provided direct legal representation on 23 cases (3 closed and 20 active). In addition, victims' rights issues

that have been addressed include: right to restitution; speedy trial and final disposition; information and assistance through process; to be treated with dignity and respect, free from harassment; notification of hearings; to be present and heard at important criminal justice proceedings; to have information submitted and considered at sentencing; to have confidential information protected; and the designation of a victim in a homicide case.

Lastly, in order to support the fourth goal of promoting promising practices in working with and protecting the legal rights of crime victims, UCVLC has attended and advised the Judicial Victims' Rights Committees statewide training.

Goals and activities are monitored closely and progress is charted in an Excel spreadsheet.

Can you sketch the logic by which activities should affect goals?

A draft logic model for UCVLC is included as Attachment A. Elements of this logic model are incorporated into a multi-dimensional logic model for NCVLI that is included in the final report. This final NCVLI logic model illustrates how the activities of the individual clinics contribute to the overall goals of NCVLI.

Are there other local projects providing similar services that could be used for comparisons?

There are no other local or state projects providing similar services.

Will samples that figure in outcome measurement be large enough to generate statistically significant findings for modest effect sizes?

Since opening its doors in April 2005, UCVLC has received 39 referrals for legal assistance, 23 of which have resulted in direct legal representation (3 closed and 20 active). It is safe to assume that these numbers would either remain constant or increase in the near future due to the clinic's expanding outreach efforts. Based on staff estimates, the clinic receives about 12 calls per month resulting in 4 court appearances, 4 referrals, and 4 cases in which UCVLC would do work for/with others involved in the case. Therefore, although the clinic has provided direct legal representation on 23 cases over a one-year time period, if the current rate of 4 new client court appearances per month continues, the clinic will likely serve about 48 clients each year.

Is the grantee planning an evaluation?

No, the grantee does not have an evaluation planned, however, they are open to one in the future.

What data systems exist that would facilitate an evaluation? What are the key elements contained in these systems?

UCVLC has been working with Case Framework to develop a management information system that is specific to its clinic's needs. Until the Case Framework system is phased in, UCVLC uses Excel to capture data elements. These elements include case number, case name, date engaged, rights issue, case posture, hearing attended and documents filed, in-court appearances, and verbal motions/objections.

In addition, a client's case file contains an intake sheet, any correspondence, a legal service agreement, pleadings filed from other attorneys and any minutes from other attorneys. Client intake forms contain the following information: intake information (person doing the intake, date, name and date of attorney reviewing the case, whether case is accepted, the reason if case is not accepted, and who referred the client to UCVLC), victim information (victim name and date of birth, parent if minor, aliases, address, telephone number and whether a message may be left, fax number, email and whether an email may be left, and alternative contact information), case information (crime(s), right(s), procedural posture, legal product(s), date of crime, location of crime, police department, report number, assigned judge, court case number, and facts of case), other participants (defendant information, affiliated entities of defendant, state's attorney, and victim/witness advocate information). These data elements are kept on paper forms that are inserted into a client's hard copy case file along with a printout of the Excel datasheet with the case information described above. As previously mentioned, the clinic is in the process of establishing a Utah-specific Case Framework database that will have the capacity to automate all of this data.

Are there data to estimate unit costs of services or activities?

The executive director's timesheet is coded based on the NCVLI goals of providing legal representation, recruiting pro bono attorneys and law students, and educating the legal community. Therefore, unit costs could be calculated according to the activities in support of these goals. Although Brandon Simmons is not funded by NCVLI, his timesheet is coded in a similar fashion so it would also be available should it be needed during an evaluation.

Are there data about possible comparison samples?

UCVLC is the only clinic providing legal representation to crime victims in Utah.

In general, how useful are the data systems to an impact evaluation?

Data systems could be used to inform two of the four clinic goals: 1.) Ensure crime victims' rights in criminal cases through pro bono legal representation in the trial and appellate courts; and 2.) Promote promising practices in working with and protecting the legal rights of crime victims. Information collected in electronic and hard copy case notes could be quantified along with outcomes of cases and any changes in case law could be utilized.

SITE VISIT EVALUABILITY ASSESSMENT

Is the project being implemented as advertised?

Yes, the project is being implemented according to how it is advertised.

What is the intervention to be evaluated?

The intervention to be evaluated is the service provided by UCVLC.

What outcomes could be assessed and by what measures?

The intervention described above provides several outcomes that could be assessed. These outcomes and some of their possible measures are listed below.

Client-level outcomes - Client-level outcomes pertain to the legal services provided the and social services referred to the victims who contact the clinic. Evaluators could measure frequencies of each of the following services: intake telephone conversations, follow-up telephone calls and meetings with clients, referrals to social service providers, explanations of legal terminology and proceedings (including what victims can expect during each stage of the legal proceedings), court accompaniments, and direct legal services. In addition, evaluators could also measure the total number of clients served and the total number of cases litigated by clinic staff. Finally, evaluators could also measure client satisfaction with support offered by the clinic.

System-level outcomes - System-level outcomes pertain to the legal impact of clinic efforts in changing the law or legal culture to benefit all victims of crime. Possible measures include the change in calls to UCVLC, court appearances by pro bono attorneys, motions filed, published opinions, case law, law student participation, compliance with state's victims' right laws by stakeholders throughout the criminal justice system, and the enactment of new legislation at the state and federal levels.

Community-level outcomes - Community-level outcomes pertain to the impact of clinic efforts in changing the climate of the community at large. Though these outcomes are particularly difficult to measure, the change in awareness of the clinic by crime victim service providers, public awareness of victims' rights, and community capacity to redress any harms against victims could indicate a change in community climate.

Are there valid comparison groups?

UCVLC is the only clinic providing legal representation to victims in the state of Utah.

Is random assignment possible?

Random assignment would not be a feasible means of evaluating provision of services to victims. In order to best serve victims and to promote the overall goal of improving the climate of the criminal justice system for victims, staff attorneys prioritize the clients and cases they accept based on a variety of factors. Random assignment would interfere with the mission of the clinic by requiring staff to accept some cases that do not support the overall mission of the clinic and to refuse other cases that would likely have a greater overall impact on promoting victims' rights in the criminal justice system.

Likewise, random assignment would not be a feasible means of evaluating a change in law or legal climate. The nature of the criminal justice system would preclude the random assignment of judges, prosecutors, defense attorneys, and other court practitioners to cases handled by clinic staff. In addition, practitioners and future practitioners could not be randomly assigned to training provided by the clinic.

What threats to a sound evaluation are most likely to occur?

Although UCVLC's advisory board is working on a sustainability plan and although clinic staff are optimistic about future funding, there is no articulated plan once NCVLI funding expires in March 2007. Therefore, one possible threat to a sound evaluation is the uncertain continuation of clinic funding.

Another possible threat to a sound evaluation (or something that should be taken into consideration) are the characteristics of the Utah community. Clinic staff described the Utah community as being highly religious, tight-knit, and family-oriented. As such, it was felt that there is a sense that people tend to first seek help within the religious community instead of going to the authorities. The degree to which this is a pervasive attitude within the community may hinder the ability of an evaluation to measure impact on community perceptions of victims' rights and it also may hinder the number of referrals the clinic could potentially receive in the future.

Are there hidden strengths in the project?

One of the greatest strengths to UCVLC is the supportive, victims' rights-oriented political environment. Utah has progressive victims rights laws, statewide networks of service providers, statewide training conferences, victim advocates in prosecutor offices, and for the most part, a judiciary that recognizes the importance of upholding victims rights. Also, it is important to note that UCVLC came into existence through a direct push from the Utah Council for Victims' Rights – a body within the governor's office. This illustrates the recognition and commitment on behalf of the state to advancing the enforcement of their victims' rights legislation.

What are the sizes and characteristics of the target population?

To date, appearances have been made on 23 cases throughout Utah with the greatest number of cases coming from Salt Lake County (northern Utah). Of these cases, 3 have been closed and 20 remain active. As noted by clinic staff, the typical UCVLC client is a poor, Hispanic, female victim of rape/sexual assault. However, children do make up about 10% of UCVLC's caseload at any given time. The clinic has made appearances on the following number and types of cases: rape/sexual assault (8), murder (5), domestic violence (3), child abuse (3), negligent homicide (1), and embezzlement (1). UCVLC became involved in the majority of cases (14) during the pre-trial stage. The remainder of the cases were referred to UCVLC at the post-conviction (4), investigative (3), and appellate (3) stages.

Including the cases in which an appearance has been made, there have been a total of 39 victims referred to UCVLC for legal assistance. Victim advocates were responsible for referring 28 of these cases, followed by prosecution (5), law enforcement (3), victims' rights committees (2), and newspaper coverage (1).

How is the target population identified (i.e., what are the eligibility criteria)? What/who gets excluded as a target?

UCVLC serves the entire state of Utah. It is important to note that Utah legislation considers complaint of crime victimization sufficient to categorize a person as a crime victim; formal charges are not necessary.

UCVLC also uses the following case selection criteria:

1. Case must be an active criminal case in the investigative stage, state trial or appellate courts (including juvenile court);
2. Case must involve an enumerated Constitutional or statutory victims' right (either pre-emptive or post violation). Precedence given to cases in which an identified priority issue is at stake²;
3. The victim client must be willing to sign a representation agreement, establishing an attorney/client relationship and sign any relevant informed consents and waiver forms deemed necessary for the case.

Victims who have been formally charged are excluded as clients.

Have the characteristics of the target population changed over time?

Over the past 15 years, the Latino population has increased tremendously. As mentioned above, in order to address the language needs of the community, UCVLC's victim advocate/volunteer attorney coordinator is fluent in Spanish. As a direct or indirect result of this, the religious makeup of the community was altered from primarily Mormon across the state to fifty percent Mormon and fifty percent Catholic and Protestant in Urban areas (while rural areas remain predominantly Mormon).

How large would target and comparison samples be after one year of observation?

Since opening its doors in April 2005, UCVLC has received 39 referrals for legal assistance, 23 of which have resulted in direct legal representation (over a 15 month time period). It is safe to assume that these numbers would either remain constant or increase in the near future due to the clinic's expanding outreach efforts. Therefore, at a minimum, the clinic would receive about 32 referrals for legal assistance and provide direct legal services to about 18 clients one year after observation.

What would the target population receive in a comparison sample?

Not applicable.

What are the shortcomings/gaps in delivering the intervention?

As discussed in the section on potential threats to a sound evaluation, a shortcoming/gap may be a lack of funding after March 2007.

² UCVLC has identified the following victims' rights priority issues: confidentiality/privacy of protected records, restitution, speedy trial and disposition, child victims' rights, and juvenile court rights.

What do recipients of the intervention think the project does? How do they assess the services received?

Clinic clients were not interviewed for this evaluability assessment. Therefore, we do not have first-hand knowledge of what clients think UCVLC does.

What kinds of data elements are available from existing data sources? What specific input, process, and outcome measures would they support?

The data currently being gathered include the following:

Client Information - Client information is collected through intake sheets. This information contains: person doing the intake, date, name and date of attorney reviewing the case, whether case is accepted, the reason if case is not accepted, and who referred the client to UCVLC), victim name and date of birth, parent if minor, aliases, address, telephone number and whether a message may be left, fax number, email and whether an email may be left, and alternative contact information.

Case Information - Case information is collected through intake forms and is kept within Excel once a case becomes active. This information includes: crime(s), right(s), procedural posture, legal product(s), date of crime, location of crime, police department, report number, assigned judge, court case number, and facts of case, defendant information, affiliated entities of defendant, state's attorney, and victim/witness advocate information. In addition, a case file contains any correspondence, a legal services agreement, pleadings filed from other attorneys and any minutes from other attorneys.

Staffing Information – Staffing information on time spent providing legal representation, recruiting pro bono attorneys and law students, and educating the legal community is recorded for both clinic staff members.

How complete are data records? Can you get samples?

Due to confidentiality reasons, researchers could only view a test version of the database. If a full-scale evaluation were funded, the evaluators could obtain clearance to view the database in full.

What routine reports are produced?

The Utah site is required to submit quarterly progress reports to NCVLI. This information is then used by NCVLI in its progress reports to OVC. The Utah site is also required to submit quarterly reports for its VOCA funding that supports the site's victim advocate/volunteer attorney coordinator. The research team examined these reports and found them to be very detailed – important outputs are quantified in the reports to NCVLI.

Can target populations be followed over time?

Target populations that could be followed over time include clients through data collected in Excel and in the case file throughout the life of the case. System level stakeholders that may be followed include judges, prosecutors, defense attorneys, legislators, and social service providers. These groups may be followed over time through the use of

surveys and/or observation. The community at large may be followed through analysis of changes in media coverage, and community surveys on perceptions/understanding of crime victims' rights.

Can services delivered be identified?

Services delivered to clients by UCVLC can be identified through case files, and timecard information. While the delivery of social services through referrals is not currently being captured, one may conceivably capture this information in the future by simultaneously conducting surveys of both victims and social service providers to see whether victims were referred to services and if so, whether they pursued these services.

Can systems help diagnose implementation problems?

While the office only contains two individual staff members, data are being collected in such a way that it would be possible to identify implementation problems should data be reviewed periodically.

Do staff tell consistent stories about the program? Are their backgrounds appropriate for the project activities?

The executive director, Heidi Nestel, and the victim advocate/pro bono attorney coordinator, Brandon Simmons, tell consistent stories about the program. In addition, both are very well qualified for the positions in which they serve. Prior to her role as executive director, Heidi Nestel was a prosecutor for the Davis County Prosecutor's Office and supervisor of their victim advocate program. Brandon Simmons, a recent law school graduate, has had prior involvement in victims' rights issues, specifically as they pertain to children. In addition, he is fluent in Spanish; an asset in meeting the needs of the clinic's large Hispanic population.

What do partners provide/receive? How integral to project success are the partners?

The Rape Recovery Center is integral to project success in that it provides the physical space, administrative support, and client referrals. In return, the Rape Recovery Center benefits from the ease of referrals of clients and the statewide connections that UCVLC develops.

What changes is the director willing to make to support the evaluation?

The director would be willing to make any changes necessary to support an evaluation.

CONCLUSION

Would you recommend that the project be evaluated? Why or why not?

The Utah site should be included in an evaluation of NCVLI and its legal clinics. This site maintains adequate records that would support an evaluation. Staff at UCVLC are interested in participating in such an evaluation, if one is funded.

What kinds of evaluation designs would you propose?

A potential research design for an evaluation of NCVLI would be a three to five year case study measuring client, system, and community level changes related to crime victims' rights.

What should NIJ's grant manager know about this project?

UCVLC is unique in that there is a vested state interest in the clinic. While no plans for sustainability beyond NCVLI funding have been articulated yet, the clinic and its advisory board are working on plans for sustainability and are optimistic given the political climate. Additionally, although Utah has had a commitment to victims' rights, UCVLC is the first, and only, clinic of its kind in the entire state. As a new clinic, UCVLC staff have expressed the importance NCVLI and its partners have played in helping the clinic to grow and develop.

Attachment A
UCVLC Logic Model

Utah Crime Victims Legal Clinic (UCVLC) Logic Model

INPUTS

Resources:

- Funding and technical assistance from NCVLI
- Assistance provided by other NCVLI clinics (listserv and conferences)
- Staff experience, including staff existing legal and political connections
- Oversight provided by an advisory board
- Facilities; housed in Rape Recovery Center (well-known statewide)

Climate:

- Victims' rights included in UT Constitution in 1994 and UT Bill of Rights
- Existing statewide victim services network

ACTIVITIES

Establish clinic:

- Establish Excel database and Word case files
- Develop intake forms, client satisfaction surveys, trainee satisfaction surveys, and case management protocols
- Produce monthly and quarterly reports

Legal service provision:

- Network with stakeholders for client referral
- Assess whether client's case can be handled by clinic or should be referred to another appropriate agency (client referrals)
- Represent clients in court

Recruit pro bono attorneys and law student interns:

- Recruit and train pro bono attorneys
- Working to form partnerships with Brigham Young University Law School and the University of Utah Law School
- Instruct law student interns on case law and assign cases

Community education and training:

- Train practitioners and CJ actors statewide
- Produce/distribute educational materials
- Work with statewide network of victim service providers
- Provide media outlets with information

OUTPUTS

Establish clinic:

- Clinic fully operational providing services as advertised
- Daily use of protocols/database

Legal service provision:

- Number of court appearances by staff, pro bono attorneys, and law school interns
- Number of motions filed
- Number of published opinions on victims' rights
- Judicial opinions at trial level and appellate level (case law)

Recruit pro bono attorneys and law student interns:

- Recruited 2 pro bono attorneys and 5 law interns
- Formal partnership with University of Utah
- Number of court appearances by pro bono attorneys and law students

Community education and training:

- Number of clients referred to clinic
- Number of client cases assessed and referred by staff
- Number of stakeholders attending trainings
- Client understanding of victims' rights, criminal justice process, and reduced anxiety

OUTCOMES

Client-level outcomes:

- Increased number of referrals to UCVLC
- Client satisfaction with service (regardless of case outcome)
- Reduced victim trauma

System-level outcomes:

- Increased number of court appearances by staff attorneys, pro bono attorneys and law student interns
- Increased number of law students choosing to pursue careers in victims' rights
- Increased respect for crime victims' rights by defense attorneys

- Enforcement of existing state laws

- Increased compliance with UT victims' rights laws

- Establishment of new case law

Community-level outcomes:

- Increased public awareness of victims' rights
- Increased community capacity to redress any harms against victims
- Increased awareness of UCVLC by all stakeholders in the CJ system

Part II

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