Market Opportunity Assessment of Self-Represented Litigant Market





Final Presentation

December 8, 2016

CARLSON CONSULTING ENTERPRISE

CCE TEAM BACKGROUND



Jorgen Lervick, Team Lead

- 3rd year JD/MBA, emphasis in Strategy; Consulting; Business Law
- Prior Experience: Legal Assistant, Skadden, Arps, Slate, Meagher & Flom LLP; Legal Intern, CHS Inc.
- Summer Internship: Law Clerk, Land O'Lakes, Inc.
- Post Graduation: Law Clerk, DeWitt, Mackall, Crounse & Moore



Kaylee Buesgens, Team Member

- Undergraduate, Senior, Accounting and Management Information Systems Major
- Prior Experience: Accountant Intern, UnitedHealth Group
- Summer Internship: IT Audit and Attestation Intern, KPMG
- Post Graduation: IT Audit and Attestation Associate at KPMG



Sarah Cronk, Team Member

- 2nd year MBA/MPP, emphasis in Strategy; Finance
- Prior Experience: Engineer for Dept. of the Navy on nuclear submarine overhauls
- Summer Internship: Cognizant Business Consulting Intern in Manufacturing Division
- Post Graduation: Senior Technology Consultant, Deloitte Consulting LLP



Avanish Dwivedi, Team Member

- 2nd year MBA, emphasis in Marketing; Strategy
- Prior Experience: Technical consultant
- Summer Internship: Research Intern, Office of Technology Commercialization
- Post Graduation: Seeking Product Manager role at a technology company



Jeremy Hemsworth, Team Member

- 2nd year MBA, emphasis in Marketing
- Prior Experience: Technology consultant and military intelligence
- Summer Internship: Microsoft, focused on go-to-market strategy
- Post Graduation: Product Marketing Manager, Microsoft Corporation

AGENDA

Introduction

- Market Analysis of U.S. Self-Represented Litigants (SRLs)
- SRL Process
- Product and Players
- Customer Types
- Proposed Product
- Considerations
- Recommendations

EXECUTIVE SUMMARY

Context

- TR identified a possible opportunity in the SRL market that could lead to adoption of a CMS system.
- CCE team was asked to conduct a market assessment to evaluate the attractiveness of the opportunity.

Market Analysis

- Self-represented litigants (SRLs) have remained stagnant, making up roughly 3/4 civil case loads.
- Despite the large amount of SRLs, courts are unable to meet SRL needs.
- SRLs are concentrated in civil and domestic courts and there is a positive correlation between case success and representation.

SRL Process

- SRLs interact with the court during the entire case lifecycle but lack assistance.
- Lack of assistance causes pain points for SRLs and courts on issues including finding information, navigating the process, filing, preparing for trial.
- SRLs fail to present evidence, object, and take 15 minutes more per case.

Products and Players

- SRLs seek out help from court administrators, selfhelp centers, Legal Aid, and the internet, among others.
- The products currently serving SRLs are disparate with no product covering the entire case lifecycle.
- While Tyler Technologies and LawHelp Interactive are main players, neither is meeting SRL needs.

Customer Types

- A successful product must be able to assist both courts and SRLs, with courts being the primary customer and SRLs being the end-user.
- SRLs have concerns ranging from accessibility to unfamiliarity with the legal process, each of which must be taken into account when creating a product.

Product Proposal

- SRLs require a product that serves them throughout the entire case lifecycle, providing a single point comprehensive solution for key process guidance.
- By filling the complete needs of SRLs and conserving court resources, an SRL portal could give TR a competitive advantage.

Considerations

- Unbundling laws and the ability of Tyler to build upon its existing product must be considered.
- Product may require state CMS data access that is difficult to get.
- Courts have expressed a willingness-to-pay for a product, but their ability-to-pay should be considered.

Recommendation

- The SRL market is attractive and TR has the potential to provide value and increase ecosystem access.
- Three possible options exist for TR: (i) build an SRL portal; (ii) partner with LHI to build upon their recently announced portal; or (iii) make stand-alone plug-ins compatible with LHI.
- To balance risk with potential returns, TR should partner with LHI to provide differentiating features.

The CCE team was chartered to assess the attractiveness of the opportunity in the self-represented litigant market.

PROJECT OVERVIEW

SITUATION

- Thomson Reuters is entering the court arena with Court Case Management Systems solutions
- Thomson Reuters would like to serve as a connector within the court ecosystem
 - Self-represented litigants (SRLs) are a major piece of the court ecosystem that are not currently served by Thomson Reuters

KEY QUESTION

What is the attractiveness of the opportunity in the SRL market for Thomson Reuters to meet customer needs with an eye towards commercialization and ecosystem access in the near term?

DELIVERABLES

- SRL market analysis
- Identification of SRL market opportunity



THOMSON REUTERS

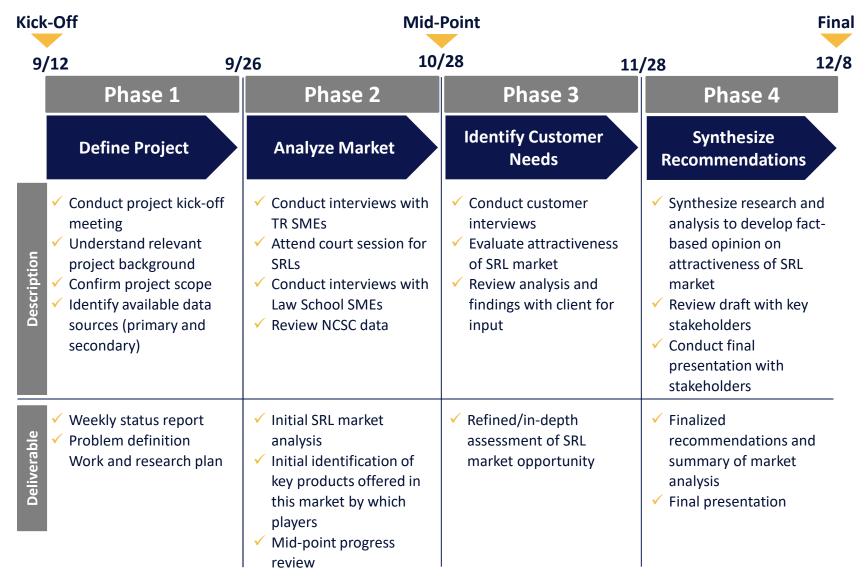
SCOPE

In-Scope

- U.S. state trial courts
- Segmentation by case type
- Civil courts, family courts, domestic relations courts, probate courts, small claims courts
- Current CMS solutions that serve SRLsOut-of-Scope
- Appellate courts, criminal courts
- Legal and regulatory considerations
- Unauthorized practice of law issues
- E-Filing, case tracking software, manual forms, online help

Throughout the project, the team has focused on analyzing the market, identifying key products and players, and assessing customer needs and concerns.

TIMING & RESEARCH PLAN



The team conducted 48 interviews with courts, SRLs, and SMEs and extensive secondary research to inform our analysis and recommendations.

RESEARCH OVERVIEW

EXTERNAL MARKET

9

- Jarret Hann, NCSC

INTERNAL

Tolu Adeleye, Director, Strategy

Dori Buckethal, Marketing Manager,

Craig Larson, VP Productivity Solutions

Tom Leighton, VP, Legal Editorial Operations

Mahesh Rengaswamy, Senior Director, CMS

Jackie Black, Senior Marketer, Government

- James Harris, NCSC
- Jim McMillan, NCSC
- Deborah Smith, NCSC
 Missouri SAO
- David Udell, National
 Washington SAO Center for Access to

Government

Development

Manoj Jain, VP, CMS

Nick Maday, VP, Strategy

- **Justice**
- California SAO*
- Kansas SAO

9

- Center, Colorado
- Francisco-Javier P. Digon-Greer, Florida
- Marty Ellin, Georgia
- Colin Kelley, Georgia
- Gwendolyn Fortson Waring, Georgia
- Jim Conlon, Illinois
- LaKesha Triggs, Indiana
- Judge Sally Pokorny, Kansas
- Anne Woods, Kansas
- Amv Garoushi. Michigan
- Bridget Gernander, Minnesota
- Sara Gonsalves, Minnesota

CUSTOMER

26

- Kathy Sekardi, Heidi Barba, New Arizona Hampshire
- Bonnie Rose Hough, Lisa Merrill, New California Hampshire
- Denver Cty Self-Help
 Sharon Perreault, New Hampshire
 - Mary S. Searles, New Hampshire
 - Laura Black, Ohio
 - Samantha Benton, Oregon
 - Judge Rachel Bell, Tennessee
 - Diana Singleton, Washington
 - Janet Skreen, Washington
 - Jennifer L. Binkley, Wisconsin
 - John Greacen. **Greacen Associates**
 - 2 SRLs at Hennepin **County Court**

SECONDARY RESEARCH

- Conducted 50 state survey to analyze SRL market
- NCSC (2015) The landscape of civil litigation in state courts
- IAALS (2016) Cases without counsel, research on experiences of selfrepresentation in U.S. Family court
- Greacen Associates LLC (2011) Resources to assist self-represented litigants, a fifty-state review of the "state of the art"
- IAALS (2016) Call to Action: Achieving Civil Justice for All
- The Justice Gap: A Study of the Legal Needs of NH's Low Income Residents (2013)
- Report of The Summit on the Use of Technology to Expand Access to Justice
- Report on Limited Representation Pilot Projects, April 2011, Art Thompson
- Tyler Technologies website
- LawHelp Interactive website
- Bridging the Justice Gap: Wisconsin's Unmet Legal Needs Final Report (2007)
- The Washington State Plan for Integrated Pro Se Assistance Services by the Pro Se Project (2010)
- Family Law in Focus: A Retrospective Study of Colorado's Early Experiments with **Proactive Case Processing**
- Triage Protocols for Litigant Portals: A Coordinated Strategy Between Courts and Service Providers

UMN/CCE SMES

4

Anna Beadle, Staff Attorney Minnesota Justice Foundation

Anne Thompson, Director, Product

- Steve Noble, McKinsey & Company
- Richard Painter, Professor, University of Minnesota Law School
- Christine Sovereign, Accenture

EXPERIENCE

1

Attended Hennepin County Harassment Court to observe represented and selfrepresented litigants

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Based on point-in-time jurisdictional data, individual self-represented litigant needs are not being met.

MARKET SUMMARY

SRL volume varies

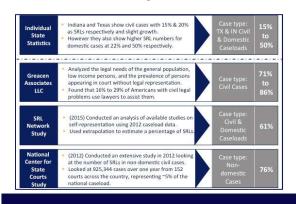
The number of SRLs can vary significantly between states, with some states around 20% and others having above 80%, however domestic and family SRL cases are consistently higher across all states. Analyses at the national level all conclude that SRLs make up roughly 3/4 of civil caseloads.

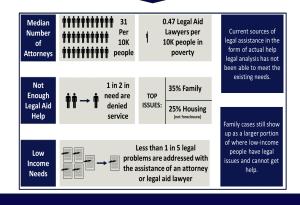
Needs not being met

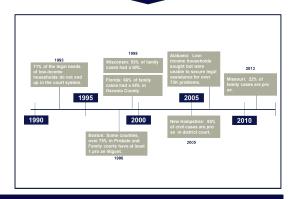
According to access to justice reports, the courts are not meeting the needs of self represented litigants. Additionally, there is a positive correlation of representation and case success rates.

Persistent problem

When assessing the current market potential, it is evident that courts have dealt with the challenges that come with serving self represented litigants for over 25 years without much success.



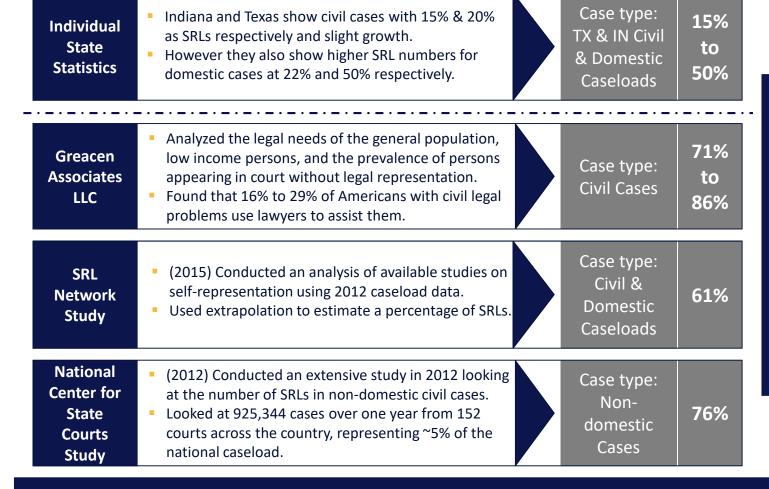




Therefore, there is a market and need for a SRL solution to be offered in the marketplace.

SRL statistics can vary greatly between states, however, multiple analyses conclude that SRLs make up roughly 3/4 of civil case litigants.

NATIONAL STATISTICS



Assessing caseload numbers for 40 states and D.C. shows that Civil, Domestic, and Traffic cases made up 79% of 72M cases in 2015.

These numbers show that SRLs overall comprise a majority of civil cases in trial courts and could be as high as 43M a year for 40 states and D.C.

Across various case types, it appears that representation in court does impact the outcome of the case.

OUTCOMES FOR SELF-REPRESENTED LITIGANTS

HOUSING

- Depending on the study, tenants are more likely to win 3X to 19X with representation.
- "Pro se litigants are silenced by the court"
- Represented tenants fair better in "every stage of the proceeding"

CUSTODY

"The most common outcome was that the mother obtained physical custody, but representation remained a significant variable. When the father alone was represented, the mother obtained physical custody only 49% of the time, while that figure rose to 86% when the mother alone was represented."

DOMESTIC VIOLENCE

"83% of women who had an attorney were successful in getting the order, compared to only 32% of women without an attorney."

DEBT COLLECTION

"...lawyers increased the plaintiffs' success rate by 25%...when they faced unrepresented defendants, while a lawyer for the defendant increased success rate by 67% when pitted against an unrepresented plaintiff."

ADMINISTRATION PROCEEINGS

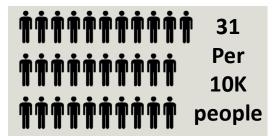
"Data from Social Security disability appeals, unemployment appeals, immigration appeals, and other administrative appeals typically show that the success rate is 15-30% greater when the claimant is represented."

There is a positive correlation between representation and success rates in court across a range of case types.

People below the poverty line are not having their legal needs fully met.

ACCESS TO JUSTICE

Median
Number
of
Attorneys



0.47 Legal Aid
Lawyers per
10K people in
poverty

Current sources of legal assistance in the form of actual help legal analysis has not been able to meet the existing needs.

Not Enough Legal Aid Help

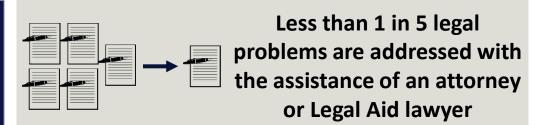


TOP
ISSUES:

25% Housing
(not foreclosure)

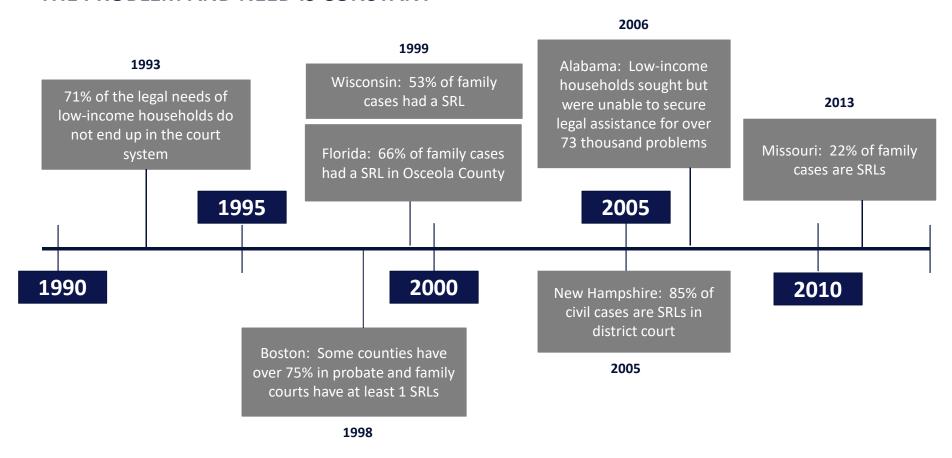
Family cases still show up as a larger portion of where low-income people have legal issues and cannot get help.

Low Income Needs



A market for self-represented litigants exists as the number of cases stays stagnant and access for justice statistics do not change.

THE PROBLEM AND NEED IS CONSTANT



A solution has not lowered the number of self-represented litigant cases or improved access to justice in the past 25 years.

AGENDA

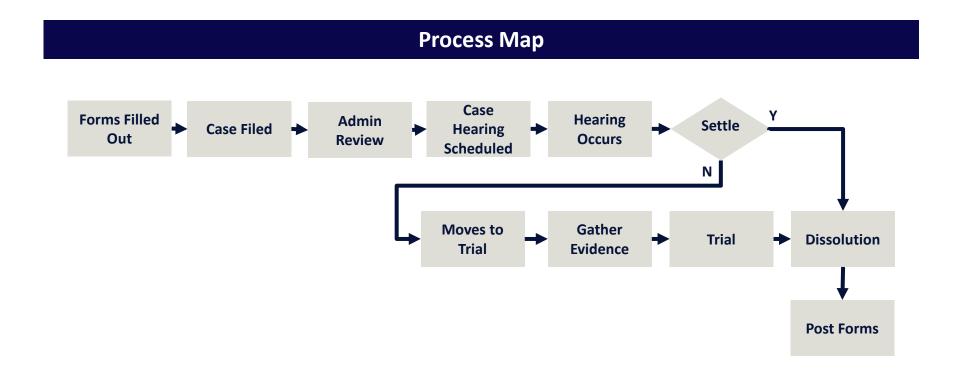
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SRL Process

- Product and Players
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A high-level process map outlines the SRL journey through the court.

CURRENT SRL JOURNEY THROUGH COURT SYSTEM



SRLs must understand procedure, prepare, and be well-equipped for each level within the court system journey.

Currently, there are four main categories of SRL pain points having to do with filing, navigating the process, seeking information, and preparing for trial.

SRL PAIN POINTS THROUGH COURT SYSTEM

Seeking Information

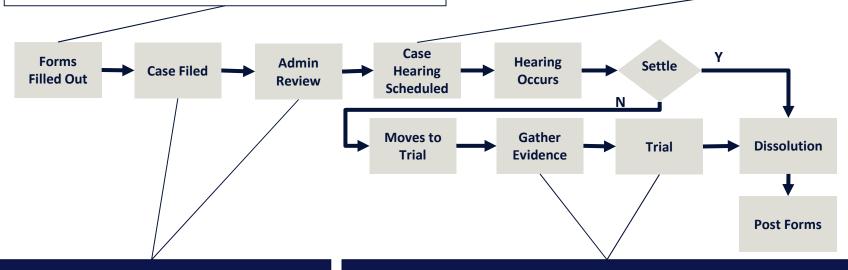
SRL: Trouble finding and filtering needed information and knowing the correct forms to use.

Court: Staff overwhelmed with questions from SRLs and struggle with being asked for legal advice.

Navigating Process

SRL: Not knowing court procedures, timeline, etiquette, or next steps.

Court: Can lead to unresolved or noshow cases.



Filing

SRL: Difficulty filing out forms and judgments leading to forms being rejected.

Court: Reviewing incorrect forms that wastes time and resources.

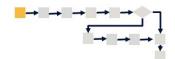
Preparing for Trial

SRL: Knowing how to make motions, how to respond and present papers or evidence, and sufficient amount and types of evidence.

Court: Waste time and money when SRLs do not show, takes on average 15 minutes longer per case.

SRLs cannot find the correct information for their cases, placing pressure on court personnel for help and making their court experience extremely unfavorable.

PAIN POINTS IN DEPTH – SEEKING INFORMATION



Current State

- SRLs are having trouble finding and navigating information
- Tailoring general advice to SRL's specific situation
- Tension between SRLs and court staff with unauthorized practice of law issues
- Information is scattered among different locations

SRLs Pain Points

Illinois: People from the Chicago suburbs will go to the downtown courthouse to file because there is a self-help center where they can get advice. However, this leads to their cases being dismissed because the forms are filed in the wrong court jurisdiction.

Jim Conlon, Law Clerk,
 Cook County, IL

New Mexico: Court forms vary throughout the state

-No form instructions, not on all websites,
no state-wide standard for formats for
required forms

Court Pain Points

Kansas: "Many show up expecting me to prepare all the forms, including memorializing their oral agreements. In their minds, they have to show up, tell me what they want and I will fix it for them."



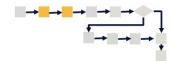
Sally Pokorny, District Court Judge
 Douglas County, KS

NCSC SRL Task Force Report

- -SRLs are expect the filing clerk to provide them with relevant forms necessary to file a case.
- -SRLs assume that verbal or written instructions accompany the forms to facilitate the process.
- -When the forms do not exist or are difficult to understand, they ask court clerks on what and how to file crossing gray line between legal information and legal advice.

Filing forms is a major hurdle for SRLs to understand and execute correctly, the probability is high of incorrect forms due to so many challenges faced.

PAIN POINTS IN DEPTH - FILING



Current State

- Majority of forms are not in Plain English or native languages making them very difficult to understand
- SRLs do not understand what forms are required to file and where they are located
- SRLs do not realize that some forms may be updated and do not have the most current version
- Sheer amount of paperwork is overwhelming
- Multiple revisions are burdensome
- Repeat entry of information is confusing
- Not all forms are fillable online

SRL Pain Points

Kansas: "The average person does not understand how to fill out the forms; the average person has no idea about 'blow back' if agreements are not adequately described; the average person has no idea that in a divorce that ALL property must be dealt with and side agreements are not enforceable."



 Sally Pokorny, District Court Judge Douglas County, KS

Court Pain Points

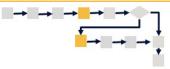
NCSC SRL Task Force Report

Failure to file responsive pleadings or supplemental documents in a timely manner creates additional paperwork and postage costs for court staff in the form of reminders or notices of dismissals for failure to prosecute.

In some instances, court staff may reject filings by SRLs, once or even several times, due to procedural requirements.

SRLs struggle to navigate through the court process and generally have no direction on where to go or how to do it, placing large strains on the courts.

PAIN POINTS IN DEPTH – NAVIGATING THE PROCESS



Current State

- More civil cases are being disposed because of administrative reasons (dismissed or defaults) as compared to 20 years ago; leading to less settlements overall. 10% vs 62%
- SRLs do not remember beginning steps in court process
- SRLs are under emotional stress
- SRLs are not interested in learning the law, they are interested in knowing what step to take next

SRL Pain Points

Florida: "The biggest pain point for SRLs would be lack of knowledge by the pro se litigant on finding the proper resources to help them."



Francisco-Javier P. Digon-Greer,
 Florida Bar Assistant Director of
 Programs Division

IAALS

SRLs state:

"sense of feeling lost"

"being in the dark"

"wandering through a room
with no lights on"

Court Pain Points

Center for American Progress

"The presence of *pro se* litigants can cause the court to spend up to four times as much time on a case"

"...(SRLs) may require repeated visits to the courtroom, because they didn't know to bring material the first time around"

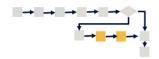
California: "The need is to build the system assuming there are no lawyers."



Bonnie Rose Hough,
 Principal Managing Attorney
 Center for Families, Children, and the Courts

With trial specific information, SRLs fall short because of the lack of easily accessible resources to help them understand trial expectations.

PAIN POINTS IN DEPTH - PREPARING FOR TRIAL



Current State

- Focused on telling their story whereas the court needs to follow procedures and rules
- SRLs do not feel heard and judge does not get the information they need
- Some states offer videos, online tutorials, or word documents to explain trial but is often confusing and not helpful

SRL Pain Points

Washington: "SRLs need to know how to make a motion, respond, and present final papers. On the other hand, facilitators need to learn that they can help litigants prepare for trial without giving legal advice."



Janet Skreen, Court Association
 Coordinator, WA Administrative
 Office of the Courts

IAALS, 2016

SRL states:

"When I was summoned, there was no breakdown of what I needed to bring to court."

Court Pain Points

NCSC SRL Task Force Report

"Incomplete or indecipherable court documents make it difficult for judges to determine the relief requested or even whether the claim has a legally cognizable basis."

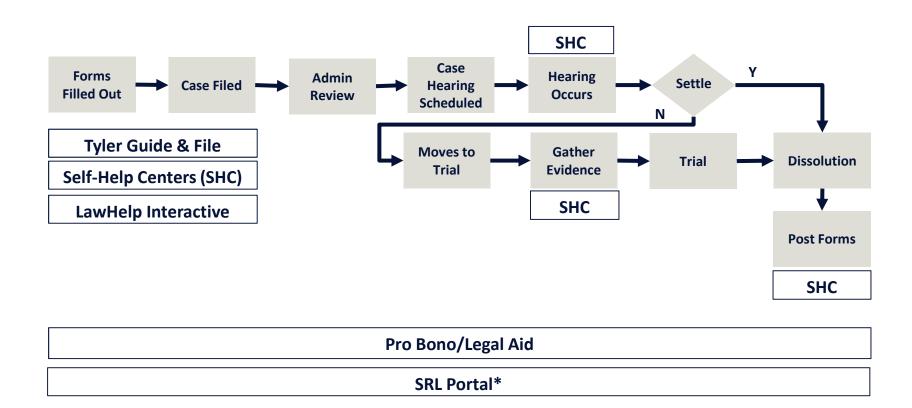
American Bar Association Survey of ~1,000 Judges

- 94% of respondents indicated that failure to present necessary evidence was a common problem
- 89% said that ineffective witness examination was an issue for SRLs
- 81% cited SRL failures to properly object to evidence as problematic
- 77% referenced ineffective arguments by SRLs

Many of the current marketplace offerings assist SRLs in the early stage of the process, with relatively few options available throughout the full case lifecycle.

CURRENT PRODUCT COVERAGE

Source: The Justice Gap: A Study of the Legal Needs of NH's Low Income Residents (2013), NCSC



With relatively few options that span the full case lifecycle, there exists an opportunity for a comprehensive product to meet the needs of self-represented litigants.

^{*}SRL portal in Florida only.

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The market for a SRL solution is fragmented and immature, yet players are beginning to establish themselves and products are improving.

PRODUCT AND PLAYER SUMMARY

Product Summary



- There are a number of solutions on the marketplace ranging significantly in terms of functionality. Some solutions offer features such as e-filing, while others provide video hosting, online chat and collaboration tools.
- The solutions on the market provide varying levels of functionality; however, no offering is complex enough to improve SRL access to justice. Current solutions are little more than filing instructions and form preparation.

Player Summary

- Players attempting to address SRL needs are Tyler Technology, LawHelp, Intresys and self-developed, non-commercial solutions.
- Tyler Technologies is building on their installed base of File & Serve customers to sell Guide & File. The increasing number of states using Tyler's File & Serve product presents a significant challenge to entering the market.
- LawHelp Interactive is a significant concern as their platform is based on best of breed technology and continues to improve. LHI also provides users access to its platform at no cost.

Major Products





Major Players









SRLs interact with the courthouse in-person at courthouses and self-help centers and also online with legal resources that might be available.

SRL INTERACTIONS WITH RESOURCES

IN PERSON
LUSON

SRL Employee

COURTHOUSE

Self-Help Center

Pro Bono

Legal Aid

3RD PARTY

In-person resources meet SRL needs, but an opportunity exists to combine all existing resources into one SRL portal.

Answers SRL auestions throughout entirety of case, directs to correct resource

COURTHOUSE Help fill out

forms, give guidance, answer questions, direct to resources

3RD PARTY Perform legal services or represent litigant for free

Perform legal services or represent litigant for free if income

qualification is met

"Thomson Reuters has the forms and keys to the kingdom to develop a solution for SRLs."

- Colin Kelley, Georgia ATJ Board Member

ONLINE

SRL Portal

One-stop shop of all resources: Identify case type, form population, videos, tutorials

Fillable Forms

Asks questions to SRL about case to populate form to file

Plain Language **Forms**

All forms in easy to understand, plain language that lay people can interpret

Form Webpage

A single webpage hosted by state court that houses all necessary forms for SRLs

E-Filing

Allows SRLs to file necessary forms online directly to **CMS**

Self-Help Website

Websites maintained by state court that includes forms, howto guides, videos

Of the 33 states analyzed, the majority have simple form offerings and Legal Aid organizations to assist SRLs.

PRODUCT TYPE MATRIX

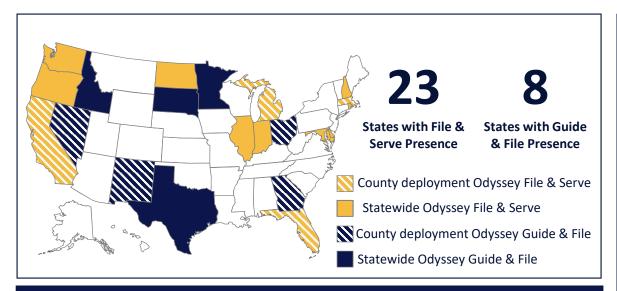
Four categories exist that encompass SRL product resources. Of each category, there are various products with the listed number of states currently offering each product.



The majority of states provide more complex solutions that is harder for SRLs to solicit information from while fewer states offer portals or Plain English forms.

Tyler has a widely adopted solution focused on e-filing, which does not meet the needs of SRLs but could give them an advantage should they release a product.

TYLER TECHNOLOGIES



Tyler Technologies

- Tyler is a considerable concern in that they have a large installed base of customers and it would be relatively simple for them to provide additional functionality that would meet the needs of SRLs
- A cooperative Tyler would be critical in providing API access to feed a potential Thomson Reuters product; however, cooperation is highly unlikely
- There is no evidence that Tyler is currently developing a portal with similar capabilities

Tyler is the dominant player in e-filing market, which well positions them for the nascent SRL market — this represents a significant threat should they enter the SRL market with a portal-type solution.

LawHelp Interactive is a major non-profit player in the market for SRL solutions; however, their products rely on content provided by others.

LAWHELP INTERACTIVE



Development Partners:

probono.net





Software Partners:







LawHelp Interactive (LHI)

- LHI is developing a portal concept with the help of Microsoft and other partners; however, the portal will be a proof of concept with the goal of nationwide adoption.
- LHI's goal is to improve access to justice there is no profit motivation as the product is largely funded through governmental grants and corporate partnerships and is provided to SRLs at no cost.
- Any product built by LHI will rely on courts and aid organizations to populate content, which reduces the speed of adoption.
- If LHI were to integrate with Tyler, the portal concept could gain significant traction.

LawHelp
Interactive's current
product resembles a
solution to the
needs of SRLs but it
is reliant on users to
create content and
varies from state to
state – there is a
portal under
development but it
is unknown how
they will solve the
content gap.

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Courts and SRLs are both potential customers for a SRL specific product as both groups have complementary pain points.

POTENTIAL CUSTOMERS



Courts

- Courts differ significantly when using technology to address SRL access to justice.
- Courts are unable to address all SRL needs using the current spectrum of products.
- Courts are overwhelmed with SRLs asking for guidance and courts face increased workload because of mistakes made by SRLs.
- Self-help centers in courts may have to turn away SRLs due to limited resources.



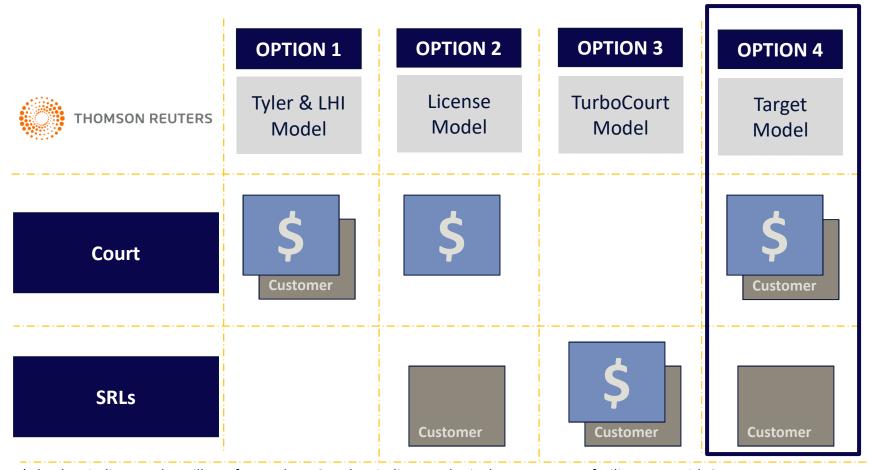
SRLs

- SRLs have different needs and only some of these needs are currently being met by the court.
- A principal need for SRLs is guidance, specifically what to do and when to do it, which is not currently being met in the majority of courts.
- SRLs have "need for validation" in the legal world, which can currently be fulfilled by self-help centers and Legal Aid.
- Online resources made available by courts often lack the "human touch," which decreases the efficacy and possibility of SRLs using them.

As courts and SRLs have differing needs, a product must address concerns of both parties in order to be effective.

TR should target a model where the court pays for the product to provide better coverage to SRLs, but the court and SRLs are users to reduce burden on court.

MARKET MODEL OPTIONS

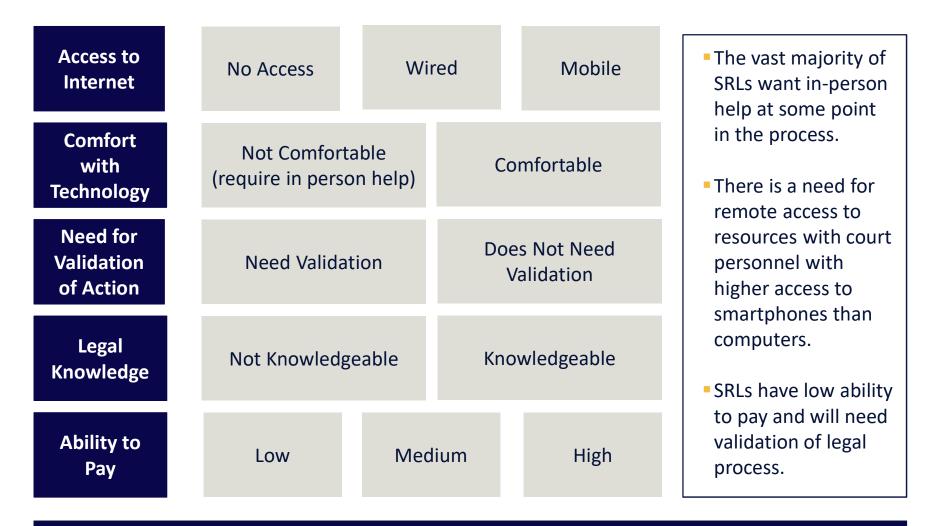


^{*}Blue box indicates who will pay for product. Grey box indicates who is the customer to facilitate use with SRLs.

A product which will be used by both court and SRLs will help Thomson Reuters to provide more comprehensive solution for court needs.

A variety of groups of SRLs exist with each preferring different and sometime contradictory features to satisfy their legal needs.

SRL PREFERENCES



Thomson Reuters needs to do future research on which segments to target because due to contradictory SRL needs, it is difficult for a single product to target all SRL segments.

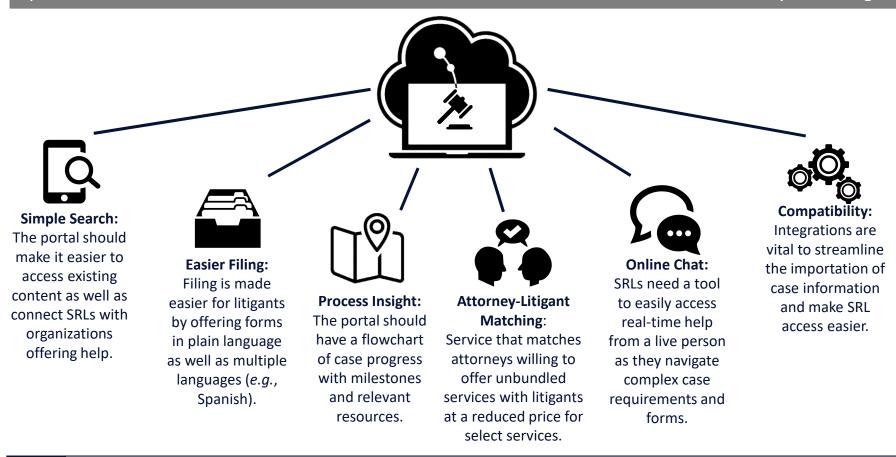
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- Considerations
- Recommendations

TR should offer a product that provides legal guidance and resources to SRLs, thereby relieving strain on the courts and improving SRL access to justice.

PRODUCT VISION

The ideal product will meet SRLs where they are, will assist SRLs throughout their entire court process, and will connect SRLs with essential resources such as online chat and attorney matching.

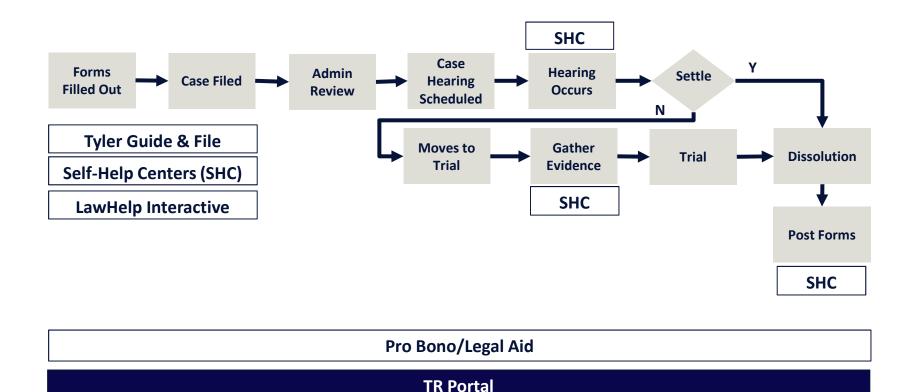


Basics

- **Accessibility:** SRLs access the internet in different ways, any product needs to be mobile device friendly and available by other methods. Human assistance should also be offered over expanded timeframe.
- **Comprehensive Solution:** All resources and capabilities should existing on a single platform.

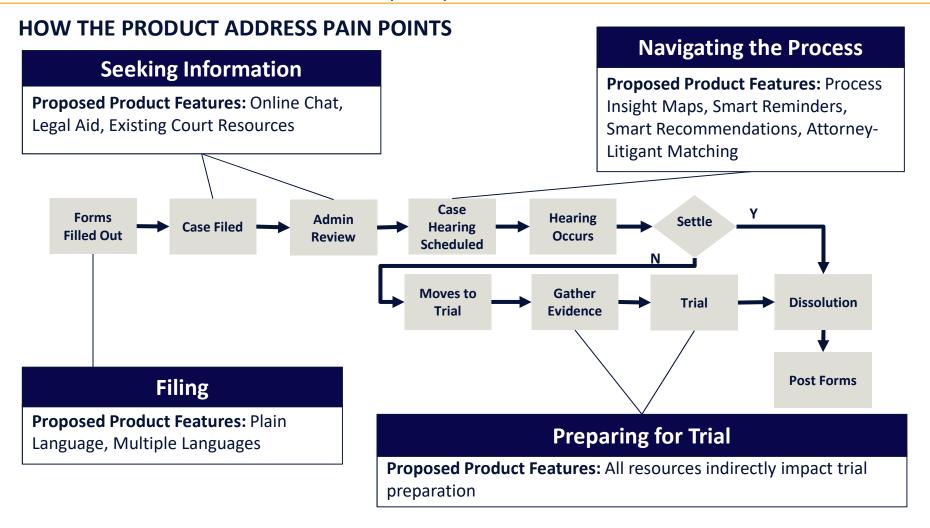
A Thomson Reuters product that possesses the proposed characteristics would provide a holistic solution for SRLs that covers the entire case lifecycle.

PROPOSED PRODUCT COVERAGE



While other solutions only cover part of case lifecycle, the proposed Thomson Reuters product would improve the SRL process, educate SRLs, and keep them engaged throughout the entire case lifecycle.

By providing assistance throughout all stages of a case, the proposed SRL product addresses all of the SRL and court pain points.



The proposed product will also provide technical assistance including: accessibility, compatibility with other court products, and a single point comprehensive solution.

Existing products in the marketplace do not meet the needs of SRLs, missing vital capabilities that would provide the highest quality of assistance.

COMPETITOR PRODUCT FUNCTIONALITY

Characteristics	Tyler	LHI Current	Florida Triage	Proposed TR Product
Accessibility	✓		✓	✓
Plain Language	\checkmark			\checkmark
Multiple Languages	✓		✓	\checkmark
Process Insights				\checkmark
Smart Reminders				\checkmark
Smart Recommendations				\checkmark
Attorney-Litigant Matching			✓	\checkmark
Online Chat		✓	✓	√
Existing Resources		\checkmark		
Legal Help Organizations		\checkmark	\checkmark	\checkmark
Comprehensive Solution			✓	✓
Compatibility with Other Court Products				✓

No product exists that provides Plain Language forms, Process Insights, and Smart Reminders.

Florida's In-House Statewide Triage Gateway Portal is piloted in Clay County to assess whether to employ statewide.

A product does not exist that provides the one-stop shop for SRLs that is needed – an area for TR to play.

Thomson Reuters can offer product elements that differentiates from its competitors to establish value for SRLs.

DIFFERENTIATING FACTORS

EXPANDED PRODUCT FUNCTIONALITY

Process Insight Maps

Algorithms for Smart Recommendations

Attorney-Litigant Other Court Products

Thomson Reuters is able provide the time and cost efficient elements to courts and SRLs that do not exist in current products.

SRL experts and personnel emphasized the need to better serve is lacking without these features.

THOMSON REUTERS COMPETITIVE ADVANTAGE

Thomson Reuters to create content

Financially Independent

Industry Expertise

Thomson Reuters has the industry expertise and existing form content while LHI requires courts to create and upload content.

The LSC (offers LHI) relies on grants for product development.

AGENDA

- Introduction
- Market Analysis of U.S. Self-Represented Litigants (SRLs)
- SRL Process
- Product and Players
- Customer Types
- Proposed Product

Considerations

Recommendations

There are certain factors that may complicate market entry for Thomson Reuters.

CONSIDERATIONS

Legal

- Advice provided by software may expose Thomson Reuters to risk.
- Unbundling laws vary by state, meaning that a product would have to be limited in certain states.

Ecosystem

- The fragmented nature of the court ecosystem mean that any product will have to be highly customizable.
- Tyler has established a significant presence in the e-filing/CMS market, which could block access to data.
- May be difficult to gain access to CMS data.

Collaborators

- State Bar Associations may oppose any software solution that reduces the need for attorneys.
- It may be difficult to gain the support of Legal Aid organizations that have already partnered with LHI.

Customers

- Consumers may not have significant resources to pay for an advanced product.
- Courts will be reticent to pay for a platform if some of the needs are already being met by competing products or services (e.g., Guide & File).

Players

- Tyler may respond by building additional functionality that matches a Thomson Reuters SRL product.
- Commercial and proprietary providers may not invest in APIs or actively work to block the export of efile/CMS data.
- LHI is currently developing a concept that possesses the exact features outlined in a potential TR product.

Company

- Data needed for insight generation may not be available.
- Development of a meaningful platform will take significant resources and the requirements for a minimally viable product may be close to that of a complete product.
- The short-term profit potential of a product that meets the needs of SRLs may be minimal.

Different legal and ecosystem factors in states creates factors which will affect Thomson Reuters' market entry.

LEGAL AND ECOSYSTEM INTERACTION



Unbundling Availability

In the United States, 43/50 states have passed laws that allow attorneys to offer unbundling services to serve SRLs at instantaneous points in the case allowing TR to serve them with an attorney-litigant match feature.



Unified Court System

In the United States, 26 states have unified court systems that allow for easier state-wide implementation of software solutions for SRLs. The remaining 24 states would not offer an easy state wide implementation.



Easy Access States

Out of 50 states only 24 states allow unbundling of services and have unified court systems which can aid Thomson Reuters in providing comprehensive full service state wide solution.

States where unbundling of legal services is not allowed and States without unified legal system complicates providing standard full service SRL solution.

Tyler and LHI already have a significant presence in and relationships with different states.

PLAYER AND CUSTOMER RELATIONSHIP



Tyler Coverage

Tyler is present in 23 states with File & Serve and in 8 states with Guide & File, making a breakthrough in these states difficult for a new product.



LHI Coverage

LHI, with its presence in 29 states, will be a significant challenger due to recent significant technology pushes and it remaining a free service.



Easy Relationship States

Out of 50 states we have 14 states where Tyler (through File & Serve) and LHI are not present. Thomson Reuters will have to expend extra effort to make inroads into the remaining 36 states.

Tyler and LHI presence in and relationships with 36 states will present a significant challenge to TR in entering these states.

AGENDA

- Introduction
- Market Analysis of U.S. Self-Represented Litigants (SRLs)
- SRL Process
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The SRL market is attractive to TR due to the lack of an all-encompassing solution and SRLs being an ongoing concern, but certain risks must be considered.

ATTRACTIVENESS OF SRL MARKET

Key Question What is the attractiveness of the opportunity in the SRL market for TR to meet customer needs with an eye towards commercialization and ecosystem access in the near term?

Key Considerations Regarding Whether to Enter

Pro Con

- SRL-specific issues are an ongoing concern and court technology needs to address such issues
- Large opportunity to improve access to justice
- Courts are willing to pay
- SRL product could open door for TR to deepen court relationships in other non-CMS products
- There is still a need for state-specific content development, which TR could potentially offer

- Tyler, with its CMS solution, already has deep relationships with courts
- LHI has adoption in some states for their SRL product and is currently building out a prototype SRL portal
- Low ability for SRL product to lead to greater TR CMS adoption
- Uncertainty regarding revenue potential
- May require state data access that is difficult to get

Result; Yes

This opportunity in the SRL market is attractive because:

- SRL numbers are steady, verifying consistent user base and need
- Needs not being met: product landscape is fragmented & court structure complications
- No one else has figured out how to serve through all-encompassing solution or platform

The market is attractive and there is an opportunity for TR to enter and provide a differentiating product but certain risks must be taken into account.

We see three ways that Thomson Reuters could potential enter this market.

MARKET ENTRY APPROACHES

Options	TR Build a SRL Portal from Scratch	TR to Partner with LHI	Make stand alone plug- ins compatible with LHI Portal
Description	SRL Portal that has all product characteristics	TR to provide differentiating features that LHI does not have currently	TR offer certain features to be bought in addition to LHI portal
Commercialization	√ √ √	✓	✓
Ecosystem	√ √ √	√√	✓
Pros	 Financially independent Thomson Reuters may have ability to bring unique value 	 Less expensive Ecosystem access Keeps TR in the know with changing court ecosystems 	 Less expensive Keeps Thomson Reuters in the know with changing court ecosystems
Cons	 Expensive May be too late for Thomson Reuters to enter the market because of LHI/Microsoft partnership 	 May be difficult to negotiate beneficial terms due to number of LHI partners. TR would not have full control over the SRL portal 	 Plug-ins have no value alone, left with nothing if LHI portal not developed Will not be seen as leader or indispensable

Thomson Reuters must take further steps to determine if it is realistic and profitable to enter into the SRL space with the proposed solution.

NEXT STEPS

Areas of Further Research

Internal Capabilities

- Content Sourcing Thomson Reuters will need to have capabilities to analyze case data to provide contextual advice with smart recommendations
- **Software Integration** In order for the portal to be effective, it must integrate with other Thomson Reuters services (e.g., Small Law Business Development Platforms)
- Staffing A key feature of the software is help from real people, this can be a combination of external resources (SHC staff) and Thomson Reuters personnel
- **Development** A minimally viable product will require significant development for release

Consumer Research

- Willingness to Pay A price point commensurate with the consumers willingness to pay should be investigated
- **Feature Analysis** Much of the proposed product resulted from external research and SME interviews; however, further research can be conducted to narrow in on consumer needs
- Usability Further research should be conducted or sourced to determine the best product design to meet the needs of SRLs

Partnership Evaluation

- APIs A key component of the proposed product is avoiding duplication of effort by importing
 case details from the filing solution this should be verified
- Legal Aid Resources The solution requires legal experts to staff the online chat/email interface, in order to minimize costs, Thomson Reuters should investigate partnerships for staffing
- LHI The path with the least risk and lowest cost necessitates investigation to determine if this is a viable, non-conflicting partnership opportunity that will be mutually beneficial

APPENDIX TABLE OF CONTENTS

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urrent Offerings by State	
layers	C
roposed Product Characteristics	. C
egal and Ecosystem Interaction	E

Three elements pose a challenge to data collection: lack of tracking requirements, lack of data counting standards, and differing court structures.

APPENDIX A: DATA DISCREPANCIES WITHIN STATE COURT DATA

"There is no national compilation of state court data on cases involving self-represented litigants as there is very little accurate data on the number of self-represented litigants."

—Deborah Smith, NCSC Analyst

"Some courts have great computer systems in place that are capable of tracking such data, while other courts are very small and don't have the same resources."

—Jarret W. Hann, NCSC Analyst

"The largest hurdle to learning about civil litigation in the state courts lies at the heart of courts as organizations."

—Civil Justice Initiative

CASE TRACKING

There are no tracking requirements for *pro se* cases.

4 NCSC professionals confirmed that a national comprehensive dataset does not exist for the number of *pro se* litigant cases by state.

Jurisdictional Point-in-Time Data: Indiana, Texas, Kansas, and Wisconsin.

CASE COUNTING

State courts count *pro se* cases differently. The two main discrepancies are:

- 1. <u>Unit of Count</u>: Number of *pro se* litigants per case.
- 2. <u>Point of Count</u>: the instance in the case timeline that determines if a case is *pro se* case or not.

Counting this data also requires CMS customization.

COURT STRUCTURE

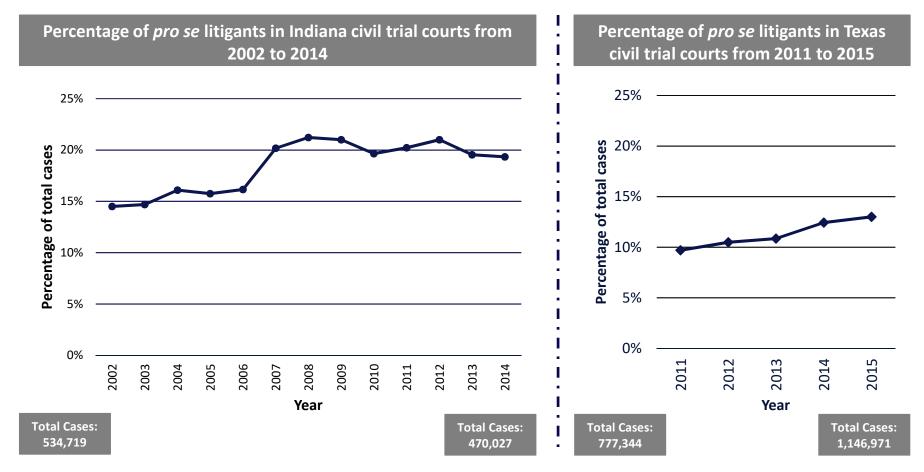
Court structures differ across states impacting case counting in two major ways:

- Jurisdiction: Counts in superior vs. district courts or total civil cases across the state.
- 2. <u>Case Categories</u>: "Domestic" or "Family" include different cases in different states.

As there is not a national dataset, we will highlight pro se trends with individual datasets.

Longitudinal data from Indiana and Texas highlights the consistency and importance of the *pro se* segment.

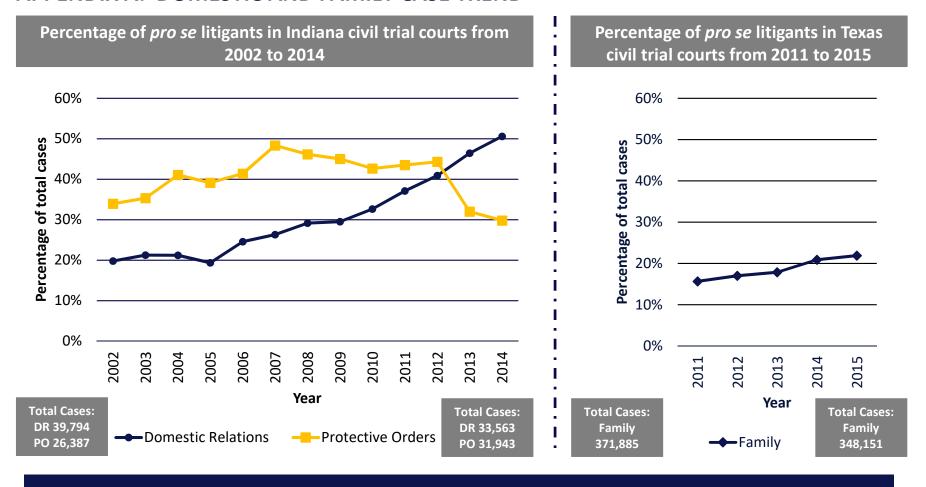
APPENDIX A: OVERALL CIVIL CASE TREND



Indiana and Texas reveal a moderate growth trend in the percentage of *pro se* litigants in civil trial cases overall.

Further drill-down of the longitudinal studies indicates the importance of domestic relations and family cases as a *pro se* dominant category.

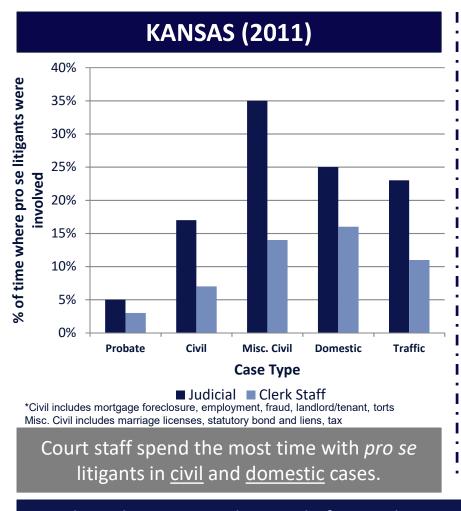
APPENDIX A: DOMESTIC AND FAMILY CASE TREND

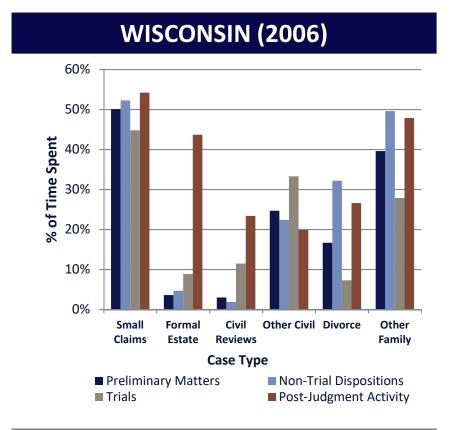


Texas and Indiana show a growing trend in family/domestic pro se litigants.

Data from Kansas and Wisconsin exists and shows that judges and clerks spend the most time with civil, domestic, and small claims cases.

APPENDIX A: WORK LOAD STUDIES INVOLVING SELF-REPRESENTED LITIGANTS





Judges spend the most time with *pro se* litigants in <u>small claims</u> and <u>family</u> cases.

Both studies support the trend of *pro se* litigants dominating in family and domestic relations by higher percentages of assistance in these categories.

States are offering a variety of solutions to assist SRLs but an all-encompassing solution is lacking.

APPENDIX B: SOLUTION TYPES

Spectrum of Solutions Offered by Number of States*



An SRL Portal is lacking across the nation and offers a place for Thomson Reuters to play.

Most states offer forms to SRLs via their website or e-filing, and a few offer forms in Plain English.

APPENDIX B: LIST OF STATES OFFERING FORMS FOR SRLS

Forms 35 30 25 20 15 10 5 Plain E-Filing Form Webpage **English Forms**

States Offering Plain English Forms (8/33)

Arizona
Idaho
Illinois
Massachusetts
Minnesota
Oregon
Tennessee
Washington

States Offering All Forms on a Webpage (32/33)

Maryland	North Carolina
Massachusetts	Ohio
Michigan	Oregon
Minnesota	Pennsylvania
Missouri	South Dakota
Montana	Tennessee
Nevada	Texas
New Hampshire	Utah
New Jersey	Washington
New Mexico	Wisconsin
New York	
	Massachusetts Michigan Minnesota Missouri Montana Nevada New Hampshire New Jersey New Mexico



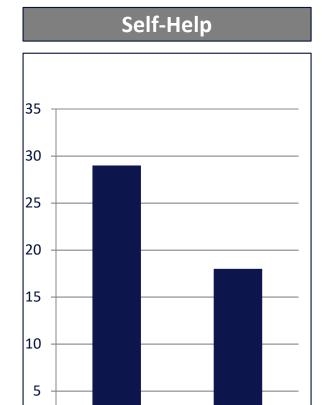
States Offering E-Filing (32/33)

Alabama	Montana
Alaska	Nevada
Arizona	New Hampshire
California	New Jersey
Colorado	New Mexico
Florida	New York
Georgia	North Carolina
Idaho	Ohio
Illinois	Oregon
Indiana	Pennsylvania
Kansas	South Dakota
Maryland	Texas
Massachusetts	Utah
Michigan	Virginia
Minnesota	Washington
Missouri	Wisconsin

Over half of the states offer self-help resources to SRLs either in person or online.

APPENDIX B: LIST OF STATES OFFERING SELF-HELP RESOURCES FOR SRLS





Self-Help Website Self-Help Center





Most states offer in person services to SRLs via SRL court employees, Legal Aid, or other pro bono organizations.

APPENDIX B: LIST OF STATES OFFERING IN PERSON RESOURCES FOR SRLS

In Person 35 30 25 20 15 10 5 **SRL Court** Legal Aid Pro Bono **Employee**

States That Have Dedicated SRL Employees (21/33)

Arizona	Montana
California	New Jersey
Colorado	New Mexico
Florida	New York
Georgia	Oregon
Idaho	Tennessee
Illinois	Texas
Maryland	Utah
Massachusetts	Virginia
Minnesota	Wisconsin
Missouri	

States Offering Other Pro Bono Resources (24/33)

Arizona	Michigan	Pennsylvania
California	Minnesota	Tennessee
Colorado	Missouri	Texas
Florida	Nevada	Utah
Georgia	New Jersey	Virginia
Illinois	New York	Washington
Kansas	North Carolina	
Maryland	Ohio	
Massachusetts	Oregon	



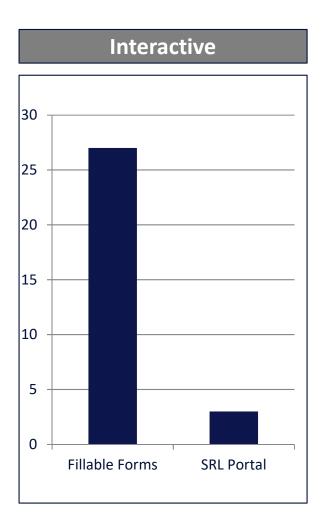
States That Provide Legal Aid Assistance (33/33)

Alabama	Nevada
Alaska	New Hampshire
Arizona	New Jersey
California	New Mexico
Colorado	New York
Florida	North Carolina
Georgia	Ohio
Idaho	Oregon
Illinois	Pennsylvania
Indiana	South Dakota
Kansas	Tennessee
Maryland	Texas
Massachusetts	Utah
Michigan	Virginia
Minnesota	Washington
Missouri	Wisconsin
Montana	

Most states offer interactive resources for SRLs such as fillable forms, but very few offer a SRL-specific portal.

APPENDIX B: LIST OF STATES OFFERING INTERACTIVE RESOURCES FOR SRLS







States	Offering an SRL Portal	(3/33)
California	Florida	New Mexico

Of the players currently offering *pro se* solutions, Tyler Technologies is the clear market leader due to the complexity of its offerings and its significant install base.

APPENDIX C: PLAYER LANDSCAPE

Company	Product	Market Position	Competitive Risk
*** tyler technologies	Odyssey Guide & File	 Clear market leader due to robustness of solution and number of states served Integrated pro se solution (Odyssey Guide & File) 	HIGH
INTERACTIVE Legal documents made simpler	LawHelp Interactive	 Open source platform that varies in comprehensiveness by state Integrates with several states for e-filing Overlaps with Odyssey in several states 	HIGH
íntresys	TurboCourt	 Specializes in e-filing solutions to help its clients optimize efficiency and effectiveness TurboCourt is its pro se solution 	MEDIUM
Ĩ-CAN!™ LEGAL	i-CAN! Legal	 Introduced in 2001 with target of serving pro se litigants Expanded from Orange County to 6 other states 	LOW
	Palm Beach County Self-Service Center	 Proprietary solution focused solely on serving residents of Palm Beach County Online services geared toward assisting pro se litigants 	LOW

Palm Beach County is unlikely to adopt a commercial *pro se* solution because its current approach is serving customer needs and serves customers where they are.

APPENDIX C: IN-DEPTH LOOK: PALM BEACH COUNTY SELF-SERVICE CENTER

Implementation

Background

- Originally allowed under the Self-Help Rule in the Florida Family Court Rules of Procedure
- Purpose is to connect litigants with legal services, and provide access, information, resources, and procedural assistance to pro se litigants
- Now, 20 self-help centers have been opened
 - Most are basic in offerings, but others, like Palm Beach County, are more robust

Services Provided

- Self-Help Centers assist pro se litigants by:
 - Engaging in limited conversations to assist in the completion of blank on forms
 - Providing definitions of legal terms
 - Providing information about courts
- Self-Help Center's strategy is to provide assistance that is not in competition with other pro bono services or attorneys

The Self-Help Center's strategic advantage comes from its ability to serve *pro se* litigants both in person and online.

"A large number of jurisdictions do
not view pro se litigants as a problem,
taxpayers/customers who deserve quality service,
meaningful access to justice, and respect."

—Florida Team Report on Pro Se Litigants

Financial Information

- Self-Help Centers are funded by the clerk and the court and are staffed by both clerk of court employees and court employees
- Basic forms are provided free-of-charge
- Other forms are priced at a pay-per-play level, with the prices ranging from \$1 to \$20 per form

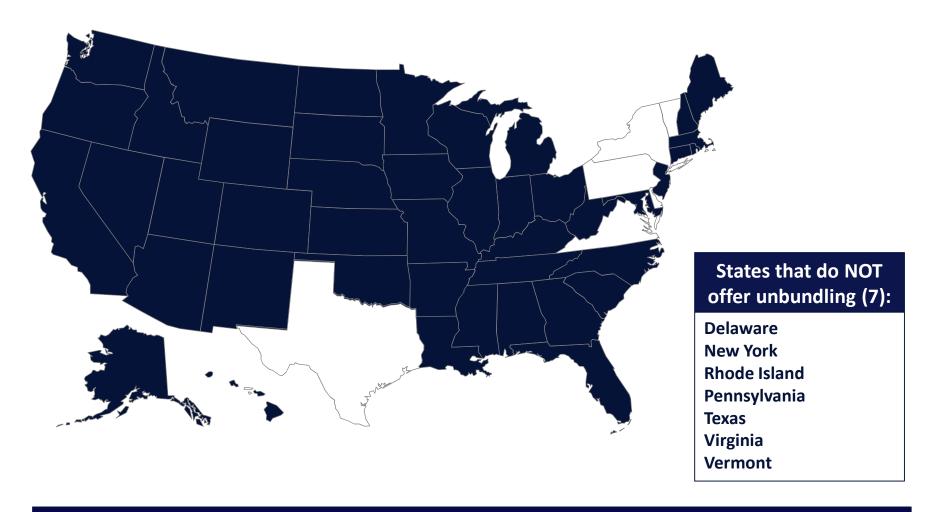
Sample Menu of Services		
Attorney Consultation*	\$1/minute	
Blank Motion	\$1	
Eviction Complaint	\$10	
Petition for Adoption	\$20	

APPENDIX D: PRODUCT CHARACTERISTICS

- **1. Accessibility:** SRLs access the internet in different ways, any product needs to be mobile device friendly and available by other methods. Human assistance should also be offered over expanded timeframe.
- 2. Plain language: SRLs often have trouble deciphering legal language, therefore, any product must be available in plain language.
- **3. Multiple languages**: Many SRLS need resources offered in multiple languages depending on geographic locations and majority of forms are only written in English.
- **4. Process Insight Map:** A product should have a flowchart of case progress with milestones and relevant resources.
- 5. Smart Reminders: Email and text notifications should be integrated to remind SRLs what needs to be done and by when specific to their case.
- **Smart Recommendations:** A product should be able to provide SRLs with reasonable recommendations based on prior case results to provide best practices and funnel litigants to correct resources, following a *Triage* model.
- 7. Attorney-Litigant Matching: Service that identifies attorneys willing to offer unbundled services to match with litigants for reduced price for select services
- 8. Online Chat: SRLs need a tool to easily access real-time help from a live person as they navigate complex case requirements and forms.
- **9. Existing Resources:** A product should have access to video tutorials, workshops, existing court resources (DIY kits, instructions, information on current webpages).
- **10. Legal Help Opportunities:** Often SRLs don't understand the free resources available to them, the product should be able to suggest appropriate resources for SRLs.
- 11. Comprehensive Solution: All resources and capabilities should existing on a single platform.
- **12. Compatibility with other court products:** Integrations are vital to streamline the importation of case information and make SRL access easier.

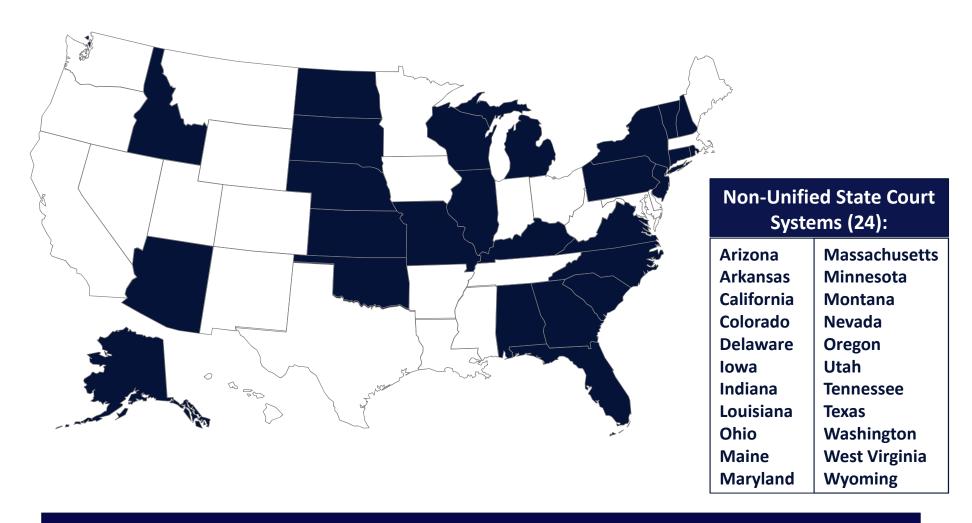
In the United States, 43/50 states have passed laws that allow attorneys to offer unbundling services to serve SRLs at instantaneous points in the case.

APPENDIX E: MAP OF UNBUNDLING AVAILABILITY



The majority of states do offer unbundling services allowing TR to serve them with an Attorney-Litigant match feature. In the United States, 26 states have unified court systems that allow for easier state-wide implementation of software solutions for SRLs.

APPENDIX E: MAP OF STATES WITH A UNIFIED COURT SYSTEM



Even though 48% of states would not offer an easy state-wide implementation, major strides have been made through county-wide implementations.