Duncan the Debtbot

Leveraging Technology to Increase Access to Justice

BY REAGAN LARKIN

Colorado Legal Services (CLS) is the only program in Colorado that provides free civil legal aid to indigent people in every county. Serving low-income and elderly Coloradans, CLS focuses on legal issues that have the greatest impact on basic human needs, including food, shelter, utilities, necessary medical care, adequate income, and freedom from domestic violence and abuse. Accordingly, CLS provides legal help in the areas of family law and domestic violence, consumer and finance, housing, income maintenance and employment, and health and individual rights.

In 2018, CLS handled over 12,000 cases on behalf of over 25,000 low-income Coloradans and successfully obtained nearly $4 million in awards and benefits for its clients.[1] Although CLS employs 60 attorneys in 13 offices across Colorado,[2] it extends its reach to help even more low-income Coloradans by using technology to increase access to justice across the state.

To fund new technology initiatives, CLS seeks grants from Legal Services Corporation (LSC), the federally funded entity that provides operating funds to legal aid organizations throughout the nation, including CLS. CLS has received 15 technology grants from LSC since 2002. CLS also relies heavily on funds raised during the annual Associates Campaign, discussed at the end of this article.

Meet Duncan

A recent technology initiative grant from LSC allowed CLS to develop a chatbot to help people in debt or being threatened with or facing legal action. CLS has affectionately dubbed the chatbot "Duncan the Debtbot," after Duncan Honeycutt, the 2019 fellow who helped develop it. CLS launched Duncan the Debtbot for public use at the end of January 2020. The Debtbot is accessible through CLS's website.[3]

Duncan the Debtbot was the brainchild of Molly French, CLS's technology unit manager. French saw a chatbot demonstration at a conference and was inspired to create one for CLS. She believes the chatbot format has many potential uses in the legal aid field and hopes to develop them in the future using the Debtbot as a starting point.

Functionality

In designing and developing the Debtbot, French and other CLS employees first sought to pinpoint the legal needs of low-income Coloradans living in rural areas. CLS staff interviewed attorneys, judges, advocates, and debtors in the Seventh and Twenty-First Judicial Districts (collectively, stakeholders) to determine relevant issues and legal needs, and then designed the Debtbot to address those issues and needs.

Through guided navigation and artificial intelligence, Duncan the Debtbot educates debtors, allows them to evaluate their options for dealing with a debt-related legal problem, and provides them with meaningful information and trusted resources they may not have been able to find on their own. Although the Debtbot does not provide legal advice, its educational function is critical because so much of the information on the internet is outdated, irrelevant, inaccurate, or outright deceptive. Additionally, the Debtbot helps debtors avoid scams and fraud.

The Debtbot can also help debtors complete legal forms. For example, if a debtor has been served with pleadings for debt collection,

the Debtbot directs the debtor to an answer form and then helps fill it out, walking the debtor through a series of questions and auto-populating the form based on the responses. The Debtbot can assist debtors in filling out additional legal forms related to debt collection, including a notice of exemption in response to garnishment documents.

Key Objectives

CLS hopes to achieve several goals with Duncan the Debtbot's help. CLS's overarching goal is to increase access to justice by meaningfully educating debtors about their options and the various outcomes they may experience. The Debtbot uses plain language that allows laypersons to easily understand legal processes and concepts without getting bogged down in legalese, and it defines and explains legal terms debtors may encounter.

CLS also seeks to provide defendants in collection-related actions with valid defenses to file answers, thereby giving them a voice in the legal process. This is a critical objective because so few debtors enter appearances in collection actions, either personally or through legal counsel, or file answers. According to the stakeholders, up to 98% of collection actions result in default judgments against defendants. Typically, debtors wait until their wages or bank accounts have been garnished or they discover a lien against their property before they engage in the legal process, and even then, engagement remains low.

A third goal is to reduce barriers that may otherwise prevent debtors from seeking legal advice or engaging in the legal process. CLS learned from the stakeholders that specific concerns inhibit debtors from seeking legal advice or engaging in the legal process. Some debtors are hesitant to seek legal advice or answer a debt collection complaint for fear of admitting liability for the debt. Undocumented or migrant workers may not be willing to provide their name, phone number, or location to CLS for fear that they may be targeted by U.S. Immigration and Customs Enforcement or some other government agency. With those concerns in mind, CLS designed the Debtbot to protect users' anonymity. The Debtbot does not ask, collect, or save debtors' names, financial information, or other private information, and it does not save legal forms that debtors create with its assistance. By eliminating the collection of private information, CLS has allayed significant worries that may prevent debtors from pursuing information or engaging in the legal process.

Overall, CLS's use of the Debtbot will help preserve CLS's limited resources and funding;

allow attorneys, paralegals, and other staff members to use their time to accomplish other, more substantive tasks; decrease duplication of efforts; and help low-income Coloradans locate meaningful legal information and resources.

Accessibility

The Debtbot is accessible on any device. At the outset, CLS recognized that phone accessibility of the Debtbot is crucial because 71% of lower-income Americans have smartphones and the number of lower-income Americans who rely on their smartphone for online usage has roughly doubled since 2013.[4] Further, the Debtbot was designed with rural Coloradans in mind. The Debtbot allows people to access meaningful information without having to travel to a CLS office, which may be difficult or impossible on a limited income.

Looking Ahead

CLS views Duncan the Debtbot as a model on which to develop additional chatbots covering a variety of legal issues and topics, including, for example, chatbots for tenants experiencing eviction or people desiring to seal or expunge juvenile or criminal records. While Duncan was launched in English, French hopes to launch a Debtbot with additional language capabilities in the near future. CLS also noted that a live chat feature could potentially be added to the Debtbot. Of course, such features and options are dependent on CLS's receipt of necessary and sustainable funding.

Other Uses of Technology

CLS has long used technology to make the best use of its limited resources and serve as many Coloradans as possible. In 2014, CLS launched an application feature through its website allowing those seeking CLS's services to submit an application for legal aid electronically at their convenience. In 2019, over 10,000 applications were submitted to CLS online, demonstrating the high need for legal aid in Colorado and the importance of technology in this process. Electronic applications help make the intake process more efficient, allowing CLS to more quickly determine whether applicants are eligible for CLS's services and whether CLS has

the ability to help them with their particular legal issue.

In 2016, with the help of two multiyear grants from LSC's Pro Bono Innovation Fund, CLS launched five rural clinics that are accessible via videoconferencing or telephone. These clinics use technology to connect volunteer attorneys located in the Denver metro area with local partnerships in rural areas to provide those living outside of urban areas the legal advice they need.

CLS also looks forward to developing a virtual courthouse tour. CLS staff have found that some low-income Coloradans are reluctant to engage in the legal process because they are intimidated at the thought of entering a courthouse. The virtual courthouse tour should help remove this barrier. French estimates that the virtual tour will launch in 2021.

CLS's use of technology to increase access to justice is limited by lack of adequate and sustainable funding. For example, CLS had a live chat application that connected pro bono attorneys with veterans experiencing legal issues. The application allowed veterans to obtain crucial legal advice in a quick, efficient, and cost-effective manner while increasing pro bono participation of attorneys by allowing them to work on pro bono matters remotely. CLS discontinued its use of the application due to a lack of necessary resources, although French hopes that the application can be revived in the future.

Associates Campaign

You can support CLS's technology goals by contributing to the Legal Aid Foundation of Colorado's (LAF) 16th Annual Associates Campaign for Justice, which kicks off on March 1. During this month-long campaign, associates from more than 60 firms across Colorado lead their firms in a friendly competition by educating their colleagues on the need for legal aid in our communities and encouraging them to donate to the campaign.

Associates compete to out-fundraise their peers at similarly sized firms. Firms that raise the most money on a per capita basis earn "bragging rights" in their respective categories. Firms also receive recognition for 100% associate

participation and for non-associate giving, among other awards. Law firm partners, special counsel, and staff are also encouraged to participate in the fundraising efforts. The standings are announced throughout the competition, which encourages further fundraising efforts among firms.

The Associates Campaign has proven extremely successful at raising funds and furthering the vital tradition of supporting legal aid in Colorado. In 2019, the Associates Campaign raised a record-setting $231,542.38 for CLS in just one month, and LAF is hoping to surpass this figure in 2020. The funds raised through the Associates Campaign and by LAF throughout the year are essential to CLS's continuing efforts to assist low-income Coloradans with their legal needs.

Associates are encouraged to make a difference by participating in their firm's Associates Campaign or establishing a 2020 Associates Campaign at their office. To sign up, please contact Kelly Bossley, LAF associate director, at (303) 863-9544 or kelly@legalaidfoundation. org. Donations can also be made by visiting legalaidfoundation.org and selecting "Donate Now." CL

Reagan Larkin serves on the Legal Aid Foundation's Associates Advisory Board. She is a shareholder at Sweetbaum Sands Anderson PC, where she practices commercial litigation and real estate litigation—rlarkin@sweetbaumsands. com.

NOTES

1. *See* "Legal Aid Foundation of Colorado 2018–2019 Highlights: Supporting Justice Changing Lives Restoring Hope," Legal Aid Foundation of Colorado, www.legalaidfoundation.org/wp-content/uploads/LAF-Annual-Highlights-2018-19-web.pdf.

2. *Id.*

3. https://www.coloradolegalservices.org.

4. *See* "Digital divide persists even as lower-income Americans make gains in tech adoption," Pew Research Center (May 7, 2019), https://www.pewresearch.org/fact-tank/2019/05/07/digital-divide-persists-even-as-lower-income-americans-make-gains-in-tech-adoption.