

## What is Access to Justice – and Why Are We Talking About It?

Access to Justice means that a person with a legal issue can get access to the level of legal help they need to get a fair outcome on their legal issue. Access, in this sense, can include *affordable*, *geographically reachable*, and *understandable information*.

The Frontlines training series includes Access to Justice because public libraries play a key role in helping patrons find reliable, understandable, and accessible resources. Let's break it down:

- **Affordable:** A legal matter can be expensive to handle. There are filing fees, copy costs, and attorney fees. Even people who are considered moderate or well-to-do may be challenged to come up with full-service legal fees. For those in the lower income range, full-fee attorneys are out of reach.
- **Geographically reachable:** There are areas of the world, sometimes called “legal deserts,” where the number of practicing attorneys is low (see [Paving the Road to Rural Justice: Legal Deserts](#), National Center for State Courts). The courthouse may be far away, making filing nearly impossible. Or someone may have a disability that prevents them from leaving their home to seek legal assistance.
- **Understandable:** The language and systems of law are complex. Those unfamiliar with law may struggle to understand what the words mean, and how the law may impact or help them. Levels of education vary widely, impacting further an ability to grasp law's complexity.

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### Our Justice System

The American law system divides law-related matters generally into two kinds of law: criminal and civil. You are likely familiar with the phrase, “If you cannot afford an attorney, one will be provided to you.” For most criminal matters, the law provides an attorney for those who cannot afford one. However – and this is a big however – this isn't true for civil matters, which includes family law (divorce, child custody), landlord-tenant, consumer, and many more everyday situations.

- **Criminal Law:** In criminal cases, the government prosecutes an individual or organization for an alleged offense. These matters often involve penalties like fines or imprisonment. Criminal cases must be initiated by the State, not by individual victims.

- **Civil Law:** Civil cases involve disputes between individuals or entities. The goal is usually to resolve conflict or seek compensation, not to impose punishment.

Criminal Matters	Civil Matters
Theft	Family (divorce, child support, etc.)
Burglary	Housing
Larceny	Foreclosure
Assault	Public Benefits
Murder	Worker's rights
	Consumer & debt issues

## Why People Don't Get the Legal Help They Need

Access to legal help is a foundational part of justice, but many people struggle to get the assistance they need. Here's why:

- **Cost of Legal Help:** Hiring a lawyer is expensive. Even middle-income individuals often can't afford full legal representation. While "low bono" (reduced fee) and "pro bono" (free) services exist, they're limited and overwhelmed by demand.

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*According to the [Legal Services Corporation's 2022 report](#), 50 million Americans live below 125% of the federal poverty line, as defined by the US Census Bureau. Of those with significant civil legal issues, 92% receive little or no legal help. The Justice Gap is the difference between the civil legal needs of low-income Americans and the resources available to meet those needs.*

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- **Lack of Awareness:** Many people don't know what resources are available or how to find reliable legal help. Search engines don't always provide trustworthy or locally relevant information.
- **Unrecognized Legal Problems:** Some people don't realize their issue has a legal solution. They may see only a confusing situation—without knowing that the law offers a path forward.
- **Complex Legal Processes:** Legal systems are complicated. Without legal training, understanding court procedures, forms, and terminology, or navigating a legal situation can be incredibly challenging.

That's why this training series is designed to help library staff recognize when a legal issue may be present—and connect patrons to appropriate resources.

## Who Are Self-Represented Litigants?

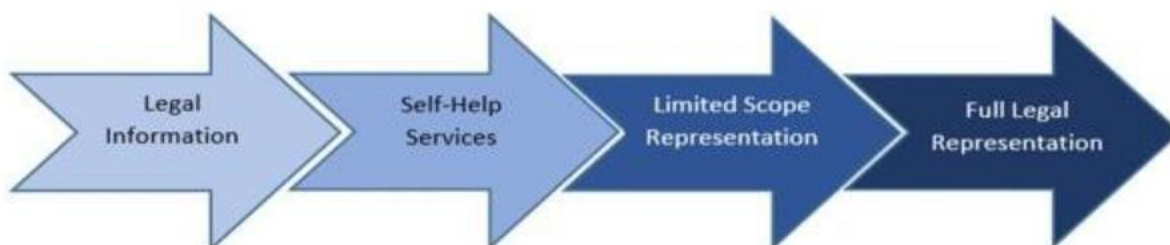
A self-represented litigant (SRL) is someone who goes to court without an attorney. In some locations, they are called *pro se* or *pro per*, both Latin terms meaning, essentially, for oneself. SRLs are increasingly common in civil cases. Some relevant statistics:

- In Maryland's Circuit Courts, 70% to 85% of domestic cases include at least one SRL, according to the Maryland Judiciary's [Clearing the Path to Justice](#).
- In Maryland's District Courts (handling small claims, traffic, landlord-tenant issues), the rate may be even higher.
- Nationwide, 3 out of 5 people in civil cases appear in court without a lawyer, according to the [Self-Represented Litigation Network](#) (SRLN; now called the [Access to Justice Network](#)).

SRLs are not always low-income. Many people choose to represent themselves due to cost, preference, or lack of access to an attorney.

## The Range of Legal Help

Legal help isn't one-size-fits-all. Assistance can range from basic legal information to full legal representation.



**Legal Information:** General explanations of legal terms, forms, and procedures. Often, queries from the public are based in a lack of knowledge about law and legal procedures. General information can improve their understanding so they can address their situation on their own:

- [The People's Law Library of Maryland \(PLL\)](#)
- [Maryland Court Help Topics and Videos](#)
- [Maryland Court Law Libraries](#)

**Self-Help Services:** Step-by-step guidance, court form assistance. Such services can include some assistance in identifying appropriate forms. Depending on the provider, self-help services can include brief discussion with an attorney who can provide limited legal advice.

- [Maryland Court Help Centers](#)
- [Family Law Clinics](#)
- [Maryland Court Law Libraries \(limited interpretive assistance\)](#)

**Limited Scope Representation:** An attorney helps with specific parts of a case.

Sometimes called *unbundled legal services*, a lawyer is hired to handle some, but not all, of the work involved in a legal matter. Those tasks not handled by the lawyer are handled by the litigant.

- [PLL – Limited Scope Representation](#)
- [American Bar Association \(ABA\) – Unbundling Resource Center](#)
- [Cornell Law School, Legal Information Institute – Wex: Limited Scope Representation](#)

**Full Representation:** An attorney manages all aspects of a case. With full representation, an attorney manages the steps, filings, and procedures of the legal situation. The attorney queries the client for specific details, clarifies how the law may view the situation, describes the rights and obligations involved, and explains the options available.

- [Maryland State Bar Association \(MSBA\) – Local & Specialty Bars](#)
- [PLL Get Help Articles](#)

With the right information and tools, many people can effectively address their legal issues, even without full legal representation. Library staff play a key role in helping them find those tools.

## Why Public Libraries Matter in Access to Justice

Some people are not aware that public law libraries exist, or that they may be open to the public. As a result, they often turn to their local public library when they need help with a legal question. In Maryland, we're fortunate to have multiple public law libraries, but not every state is as well-resourced. In many communities, the public library is the primary access point for legal information.

Even in areas with dedicated law libraries, public libraries are often more familiar and accessible. They are trusted community hubs – places people already turn to for information, support, and guidance.

### Location and Accessibility

Most law libraries are located inside courthouses, which often come with:

- Limited hours (typically standard office hours, weekdays only)
- Fewer locations, especially outside of urban centers
- Security or accessibility barriers for some patrons

In contrast, **public libraries offer:**

- Evening and weekend hours
- Multiple branches throughout communities
- Welcoming, familiar and informal spaces

With their community trust, geographic reach, and commitment to equitable service, public libraries play a vital role in expanding access to justice. They are uniquely positioned to help patrons find reliable legal information and connect them to further resources.

## Resources for Further Discovery

- [Can We Help You? A Guide for Maryland Judiciary Court Staff](#). Access to Justice Department, Maryland Judiciary.
- [Access to Justice Topics: Self-Represented Litigants](#). American Bar Association.
- [Clearing a Path to Justice: A Report of the Maryland Judiciary Work Group on Self-Representation in the Maryland Courts](#) (August 2007).
- Access to Justice. Brian R. Huffman. [Introduction to Law Librarianship](#), Zanada Joyner and Cas Laskowski, eds. Pressbooks, 2020.