



ABOVE THE LINE NETWORK 2023–2025 STRATEGIC PLAN

Designing a Path Forward for the Middle Class

abovethelinenetwork.org

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Strategic Planning Committee

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Introduction

In America, everyday people struggle to find quality and affordable legal services when they need them. While most organized access to justice efforts today rightly focus on people with low income, who are particularly vulnerable in the legal system, middle-class Americans also face daunting challenges finding affordable legal help when they need it. They are “above the line” of income eligibility for already overstretched free legal aid, but also struggle to find quality and affordable legal services in the current legal market.

With the middle class representing more than 50% of our nation’s population by a [commonly accepted definition](#), their challenges in getting the legal help they need have [profound consequences for access to justice in our country](#). With the majority of Americans being left behind, a more concerted national effort is needed to address this distinct access gap, and the new *Above the Line Network* aims to do just that.

The Problem in a Nutshell

Over a hundred-million middle-class Americans find themselves in a justice gap with limited legal help—they are above the income eligibility line for free legal aid reserved for the poorest Americans, yet they also struggle to get legal help elsewhere. The traditional legal marketplace they must navigate serves corporate and higher-income people well, but it is largely out of reach for this middle-income group. The result is that people in the middle class—[who make up the largest share of Americans](#)—face distinct and alarming challenges in accessing legal services when they need them. This problem has been well documented in comprehensive studies by [IAALS](#) and the [Legal Services Corporation](#) (LSC) among others.

Different organizations use different definitions for middle-income and middle class. For this project, we will use 125%* of the federal poverty line (\$18,225 for an individual in 2023)—also known as the income eligibility line for free legal aid services used by LSC-funded organizations—and up to two times the median household income (\$141,568 for an individual in 2023), the upper income limit [Pew Research Institute](#) uses to define the middle class. The local cost of living, substantial student debt, or other financial obligations can further constrain an individual’s ability to afford the legal services they need to resolve the legal problems in their lives. Even still, a justice gap for everyone making between \$18,225 and \$141,568 presents a stark reality for most Americans.

**Some legal aid organizations may use different percentages of the federal poverty line when determining eligibility for free legal services.*

The graphic below illustrates the nature of the “Above the Line” problem, with rain representing legal problems Americans typically face, and the umbrellas representing access to affordable legal services.



The leaky umbrella over the low-income group on the left represents the portion of the country who qualify for free legal aid services but, more often than not, will not receive them because there is not enough to go around due to resource constraints. In contrast, the corporate and higher-income group on the right has a sturdy umbrella fully covering them because they are well served by a competitive and high-functioning market of lawyers and law firms, meaning this group of Americans can find and afford legal services when they need them. The middle-class group, however, faces distinct challenges. They make too much money to access the free legal aid to the left of them, but generally can't afford the services of lawyers and firms serving the corporate and higher-income market to their right. Only a small portion of them have umbrellas at all, representing the better-functioning areas of the legal market (such as people with personal injury cases and real estate transactions), but most find themselves struggling to find affordable legal help when they need it.

The Above the Line Network Concept

How do we reframe a legal marketplace that's not serving the vast majority of Americans or small businesses? While there is no one-size-fits-all solution, there are many promising models around the United States and beyond already in place and committed to serving this vastly underserved market. But, a more concerted effort is needed to both build on what we know is working in this area and tackle some of the larger systemic challenges currently facing the middle class.

That's where the *Above the Line Network* comes in. The project will work to ensure that the voice of middle-class Americans is heard and represented in access-to-justice advocacy and funding efforts by harnessing the existing endeavors of incubators, socially conscious private law firms, nonprofit law firms, legal aid programs, and other organizations from around the United States and beyond.

There is much we all can learn from each other about what is working well in this space. There also is much more we can do to build support for larger policy and systemic changes that could greatly expand access to justice for the middle class and, in the process, improve access for people of all income levels. The new *Above the Line Network* aims to do just that.

Taking the Above the Line Network from Concept to Reality

The *Above the Line Network* (ATLN) is a joint project convened by IAALS and The Chicago Bar Foundation (CBF) that will be hosted at IAALS. The project advances the CBF's work in helping legal consumers in the middle class connect with affordable and accessible quality legal services—including through its legal incubator program, the Justice Entrepreneurs Project—and the work of IAALS in helping the legal profession evolve to put client and consumer needs first and enable people of all socioeconomic backgrounds to find the legal help they need.

Beginning in May 2023, IAALS and the CBF invited partner organizations from around the United States and Canada to be part of a strategic planning process (*see our planning committee list*). With the counsel and assistance of Dr. Brenda Wagenknecht-Ivey of Praxis Consulting, Inc., this committee came together for an intensive, 5-month planning process to build out the ATLN concept and create an initial strategic plan for the launch of this new initiative.

The Strategic Plan is presented below and includes:

- ATLN's mission, vision, and core values; and

- Key focus areas, long-range goals, and strategies for achieving those goals over the next few years.

See ATLN's Annual Operational Plan for the specific initiatives underway to advance this work and achieve the goals set forth below.

The work of ATLN, including implementation of the strategic plan, will be led by IAALS and the CBF. This partnership allows IAALS and the CBF to leverage each other's expertise and resources to provide the foundation, support, and reach needed to launch and sustain this project. The CBF has provided initial funding to IAALS. This funding will cover staffing and other related expenses such as the development of a dedicated webpage and knowledge center for the project, which will be hosted by IAALS. The CBF has also underwritten the costs of the strategic planning process. Jessica Bednarz, Director of Legal Services and the Profession at IAALS, and Roya Samarghandi, Associate Director of Advocacy, Innovation & Training at the CBF, will jointly lead this project.

Mission, Vision, and Core Values

Mission

ATLN is a community of leaders from across the United States, Canada, and beyond working together to transform the delivery of legal services for the underserved middle class.

Vision

ATLN envisions a legal system where everyday people have access to justice through affordable and quality legal assistance.

Core Values

1. **Inclusive:** we promote a welcoming and supportive environment that solicits and embraces diverse perspectives
2. **Collaborative:** we are a community that shares ideas, works together, and celebrates successes
3. **Client-Centered:** we focus on the current and evolving legal needs of the middle class
4. **Innovative:** we pursue creative and transformative solutions that enhance access to affordable and quality legal services, and achieve system change
5. **Informed:** we are driven by data and experience

Strategic Focus Areas, Goals, and Strategies

Strategic focus areas (SFAs) are the large, looming issues or areas that are vitally important to future success. They are areas of strategic importance. SFAs typically present as either challenges that must be addressed and/or overcome, and/or opportunities that should be seized. Focusing on SFAs will help an organization achieve its mission and pursue its vision of the future.

The ATLNL will focus on the following two SFAs for the next couple of years:

1. Build a Thriving Community of Providers and Innovators
2. Transform the Delivery of Legal Services

Below are descriptions of each SFA, long-range goals, and strategies to achieve the goals. Refer to ATLNL's annual Operational Plan for implementation priorities.

Strategic Focus Area (SFA) 1: Build a Thriving Community of Providers and Innovators

There are efforts underway across the United States, Canada, and beyond—incubators, socially conscious and sliding scale law firms, legal aid organizations, and others who have built promising models focused on serving the middle class (i.e., people and small businesses who are otherwise priced out of the traditional legal market). But many of these organizations are working alone and lack the connection and/or resources needed to scale and sustain their efforts, resulting in a loss of long-term success and viability.

There is a high need and now an opportunity through the partnership between IAALS and CBF to bring these organizations and leaders together to build a thriving, collaborative, and supportive community. This community, which will be focused on transforming the delivery of legal services for the middle class, will benefit greatly from: 1) sharing ideas, resources, and best practices; 2) identifying, studying, and further developing replicable, scalable, and sustainable service delivery models; 3) compiling and sharing data and documenting experiences and lessons learned; and 4) celebrating successes.

A thriving community of this nature, supported by ATLNL's infrastructure and using creative approaches and solutions, will work toward ATLNL's vision of creating a legal system where everyday people have access to justice through affordable and quality legal assistance.

Goals, Strategies, and Strategic Initiatives

Goal 1: The ATLN will be a diverse, formalized, and growing community of innovators, entrepreneurs, and organizations working together to make quality legal services affordable and accessible for the middle class.

Strategies:

1. Educate and increase awareness of the legal services gap for the middle class and the opportunities and strategies for closing the gap.
2. Network with individuals/providers in different communities and geographical locations who are working to transform the delivery of services to the middle class.
3. Build a welcoming, collaborative, and client-centered network committed to expanding access to affordable and quality legal services to the middle class.
4. Assess, identify, and educate about replicable, scalable, empirically based models and approaches.
5. Develop and share resources (e.g., data, personal stories, successful models) and funding opportunities to help ensure sustainability.
6. Formalize the ATLN governance and infrastructure to lead and support a thriving community.

Goal 2: ATLN will build a coalition of allies and funders who support and promote innovative models for making legal services more accessible and affordable for the middle class.

Strategies:

1. Use data and other evidence to educate allies and funders about the legal services gap for everyday people, the market opportunity that exists to meet this gap, and the need to develop new/additional funding sources for these services.
2. Use data and other evidence to build support for and persuade allies and funders regarding the benefits of providing legal services to the middle class.
3. Document and share resources and data about alternative and/or expanded funding opportunities and structures that serve the middle class beyond traditional legal aid funding.
4. Network with, engage, and seek assistance from all allies including leaders in the judiciary, legal community, and legislature, as well as community advocates.

See ATLN's Annual Operational Plan for the initiatives underway to advance this work and achieve the goals in this SFA.

Strategic Focus Area 2: Transform the Delivery of Legal Services

The need for accessible and quality legal services for people below the income eligibility line is well studied and documented. As described in the Introduction, while the need for accessible and quality legal services for people above the eligibility line with lower to middle incomes also has been studied and documented, this area has not received the attention or funding needed to bridge this gap in legal services.

Additionally, while there are efforts underway across the United States, Canada, and beyond to provide affordable and quality legal services for everyday people (as noted above), there are many challenges and obstacles to overcome. There also are many opportunities to seize as several states modify laws and modernize regulations to expand access to affordable legal services, and many Access to Justice Commissions, most appointed by State Supreme Courts, explore innovative approaches to enhancing access to justice for all people.

IAALS and the CBF, along with other leaders dedicated to having a legal system where everyday people have access to justice through affordable and quality legal assistance, will continue our work to transform the delivery of legal services. Efforts will focus on leveraging existing and emerging opportunities as well as working to overcome challenges and obstacles. Through education and advocacy, ATLN and its partners will seek system and other changes that will help bridge the legal services gap, ensuring access to affordable, quality legal services for the middle class.

Goals, Strategies, and Strategic Initiatives

Goal 1: ATLN, in collaboration with allies and partners, will work to transform the delivery of legal services for the middle class.

Strategies:

1. Compile quality, empirically based data and experiences that demonstrate the need, benefits, and impacts of changes and solutions that expand access to legal services for the middle class.
2. Educate the legal community and system leaders—judicial, legislative, regulatory, and others—about the middle class “legal services gap” and strategies and opportunities for bridging the gap.
3. Build support among partners, allies, and system leaders (e.g., law schools, law firms, judiciary, bar associations, legal aid funders, etc.) for filling the legal services gap for the middle class.

4. Advocate for system—judicial, legal, and regulatory—reform that will expand access to legal services for the middle class (e.g., expand the ecosystem of providers eligible to provide services; effective models and approaches for delivering legal services).
5. Educate system leaders about and promote the use of innovative, effective practices that expand access to and the affordability of legal services to the middle class (e.g., use technology such as remote appearances; re-engineer and streamline court processes).
6. Promote the use of technology to improve access, efficiency, and the delivery of legal services.
7. Advocate for laws, policies, and practices that will increase access to legal representation or services (i.e., expand the use of limited scope services, increase transparency and predictable pricing, streamline court processes to reduce the cost of litigation, modernize rules, etc.).

See ATLN's Annual Operational Plan for the initiatives underway to achieve the goals in this SFA.