

United States Department of Justice

Office for Access to Justice



**Fiscal Year 2024 Spring Call
Budget Submission
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Table of Contents

I. OVERVIEW OF THE OFFICE FOR ACCESS TO JUSTICE	3
A. Background	3
B. Mission and Objectives	4
C. Challenges and Environmental Accountability	5
II. SUMMARY OF PROGRAM CHANGES	6
III. APPROPRIATIONS LANGUAGE	7
IV. PROGRAM ACTIVITY DESCRIPTION AND JUSTIFICATION.....	7
A. Promoting Access	8
B. Accelerating Innovation	11
C. Safeguarding Integrity.....	12
V. Program Increases by Item	15
VI. Program Offsets by Item.....	30
VII. Exhibits	30
A. Organizational Chart	
B. Summary of Requirements	
C. FY 2024 Program Increases/Offsets by Decision Unit	
D. Resources by Department of Justice Strategic Goal and Objective	
E. Justification for Technical and Base Adjustments	
F. Crosswalk of 2022 Availability	
G. Crosswalk of 2023 Availability	
H. Summary of Reimbursable Resources (Not Applicable)	
I. Detail of Permanent Positions by Category	
J. Financial Analysis of Program Changes	
K. Summary of Requirements by Object Class	
L. Status of Congressionally Requested Studies, Reports, and Evaluations (Not Applicable)	

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I. OVERVIEW OF THE OFFICE FOR ACCESS TO JUSTICE

The Department of Justice is requesting **\$13.7 million, 51 positions (27 attorneys) and 47 full-time equivalents (FTE)** in Fiscal Year (FY) 2024 to continue its efforts to reinvigorate the work of the Office for Access to Justice (“ATJ” or “the Office”). The Office serves as the U.S. Government’s central authority on access to justice issues and directs and staffs the 28 federal agencies that comprise the White House Legal Aid Interagency Roundtable (“Roundtable”). The mission of the Office for Access to Justice is to ensure equal justice under the law by engaging in transformative and systemic work to ensure that all communities have access to the promises and protections of our legal systems. Working with Federal agencies and State, local, tribal, and territorial stakeholders, the Office aims to achieve its core mission by promoting access to courts and legal systems, including through legal assistance and counsel; pursuing data-driven, stakeholder-informed, and innovative approaches to judicial process; and by promoting integrity, accountability, and reform of legal systems with the goal of creating a more holistic and equitable approach to justice.

A. Background

In 2010, the Justice Department established the Access to Justice initiative within the Office of the Associate Attorney General to address access issues in civil and criminal justice systems¹. The primary focus of the initiative was to improve indigent defense, enhance the delivery and efficiency of legal services, and identify and promote alternatives to court- and lawyer-intensive solutions.

“There can be no equal justice without equal access to justice. And because we do not yet have equal access to justice in America, the task before us is urgent.”

Attorney General Merrick B. Garland

In 2015, the Office for Access to Justice was formally established as a stand-alone component within the Justice Department. In addition, the White House Legal Aid Interagency Roundtable was launched. The Roundtable brings together federal agencies and departments to pursue access to justice across government, including by raising awareness of the ways in which legal assistance can help advance a wide range of federal objectives, including employment, family stability, housing, consumer protection, and public safety.

Beginning in 2017, the activities of the Office continued in a more reduced capacity. On May 18, 2021, the President issued a memorandum reaffirming the Justice Department’s role in leading efforts across government to seek and secure meaningful access to justice and reconvening the Legal Aid Interagency Roundtable. In response to the Presidential Memorandum, the Attorney General launched a review process led by senior officials in the Justice Department’s leadership offices aimed at “identifying access-to-justice policy initiatives of high priority in light of today’s most pressing challenges,” and to “develop a detailed plan for expanding our role in leading access-to-justice policy initiatives across government.”²

The Justice Department’s extensive review process engaged a wide range of stakeholders nationwide at all levels of government and beyond. It revealed that longstanding justice gaps in

¹ When ATJ uses the term “justice systems”, it is referring to the achievement of just outcomes in both criminal and civil legal systems. However, it is recognized that there is an evolving conversation about this terminology.

² [Memorandum from the Attorney General, *Access to Justice* \(May 18, 2021\).](#)

our country had been exposed and exacerbated by COVID-19. Also, as set forth in the Attorney General’s phased strategic plan to reinvigorate the Department’s role in advancing access to justice, it identified a clear and immediate need for restoration of a stand-alone office within the Justice Department dedicated to the mission of closing those gaps.³ On October 29, 2021, the Office for Access to Justice was formally reestablished as a separate and stand-alone component within the Justice Department.

In March of 2022, the newly re-established Office received its first enacted budget, under the General Legal Activities appropriation, as a stand-alone component in the amount of \$4.5 million. With this funding, the Office immediately began hiring and, within the first 120 days post enactment, had already filled approximately one third of its positions. In May of 2022, Attorney General Garland announced the appointment of Rachel Rossi to serve as the Director of the Office.⁴ Also in May 2022, Attorney General Garland announced the hiring of the Department’s first-ever Language Access Coordinator, a position that sits within the Office for Access to Justice.⁵

In December of 2022, the Office received an FY 2023 enacted appropriation of \$10.0 million to allow for the continued growth and development of the organization. Building upon the enacted FY 2023 budget, the FY 2024 budget request for \$13.7 million will enable the Department to further its revitalization efforts and bolster the work of the Office to narrow the most urgent justice gaps between legal needs and services available in the United States and around the world.

Electronic copies of the Department of Justice’s Congressional Budget Justifications and Capital Asset Plan and Business Case exhibits can be viewed or downloaded from the Internet using the Internet address: <https://www.justice.gov/doj/budget-and-performance>.

B. Mission and Objectives

The foundational principle of the Department of Justice is to ensure equal justice under the law. The mission of the Office for Access to Justice is to engage in transformative and systemic work to ensure that all communities have access to the promises and protections of our legal systems.

Millions of people across the United States face barriers, inequities and inefficiencies in our legal systems that undermine trust in government and the rule of law. Ensuring equal access to justice includes ensuring parties are on equal footing through access to effective and well-resourced counsel, and other forms of legal assistance. It also requires innovative and community-centered approaches, including through improving the use of technology, language and disability access across policies and programs. It requires transparency, study, and consistent evaluation through improved research and data collection to better understand access to justice gaps and to gauge whether programs are effective, equitable, and accessible. And finally, it requires the consistent safeguarding of the accountability and integrity of criminal,

³ [A Report to the President of the United States from the Attorney General of the United States \(September 15, 2021\).](#)

⁴ <https://www.justice.gov/opa/pr/justice-department-announces-director-office-access-justice>

⁵ <https://www.justice.gov/opa/pr/justice-department-announces-new-initiatives-address-and-prevent-hate-crimes-and-hate>

immigration, civil and administrative judicial systems, including by combatting economic and racial inequities and other barriers to equitable and just legal outcomes. The Office for Access to Justice engages in the transformative and systemic work necessary to ensure that the Department accomplishes its mission not just for some, but for all.

The Office for Access to Justice accomplishes its mission guided by three strategic pillars (a) promoting equal access and eliminating barriers to legal promises and protections; (b) accelerating innovation across legal systems; and (c) safeguarding civil and criminal justice system integrity. Pursuant to 28 C.F.R. §0.33, the Office is responsible for “[p]romot[ing] uniformity of Department of Justice and government-wide policy and litigation positions relating to equal access to justice” and “[e]xaminin[g] proposed legislation, proposed rules, and other policy proposals to ensure that access to justice principles are properly considered in the development of policy.”

STRATEGIC PILLARS OF ATJ PROGRAM ACTIVITY

- A. *Promoting Access*
- B. *Accelerating Innovation*
- C. *Safeguarding Integrity*

C. Challenges and Environmental Accountability

External Challenges. The COVID-19 pandemic further exposed and exacerbated inequities in the Nation’s legal systems. Domestic violence cases and unemployment assistance cases soared at the same time that court closures and trial postponements stemming from COVID-19 caused delays. Indigent defendants in pre-trial detention and individuals who are incarcerated experienced extensive delays in the resolution of matters. Meanwhile, the expiration of moratoriums on evictions and increased bankruptcies filings continue to tax our justice systems at every level. All of these challenges continue to increase the need for legal aid and assistance, to increase and accelerate the need to consider innovative approaches, and to require reform of legal systems to reduce the gap in access to justice.

Internal Challenges. As a newly reestablished office, ATJ is continuing to recruit staff, build its organizational systems, create partnerships with stakeholders at all levels, refine its strategies to advance equal justice, and prioritize efforts for effective impact, within provided resources.

Environmental Accountability. Good stewardship of the environment is not just a responsibility; it is a public value. The Office is therefore committed to being a good steward of the environment and performing, as well as encouraging, sustainable best practices. ATJ is working toward meeting all Administration and Department of Justice guidelines for improving environmental and energy performance. ATJ is also looking at ways to reduce its carbon footprint, acquire green products and services, and establish cost-effective waste prevention and recycling programs.

II. SUMMARY OF PROGRAM CHANGES

Program Change	Description ⁶	Pos.	FTE	Dollars (\$000)	Page
Expanding Language Access	ATJ will expand language access services across the Department, including through increased translation of written materials and interpretation services, quality assessments of both translations and interpretation, and trainings on language access legal mandates and how to implement language access best practices for Department staff. ATJ will also build the Department’s capacity to assess and improve the quality of its high-impact services to individuals and communities with limited proficiency in English (LEP) as spelled out in the DOJ Equity Action Plan (Action 3) in compliance with EO 13985 .	2	1	\$750	15
Strengthening Public Defender Systems and Right to Counsel	ATJ will identify best practices and strategies that overcome barriers to effective representation; conduct research and data collection to identify access gaps and the root causes of racial disparities, wrongful conviction, and overrepresentation of vulnerable groups and communities of color in criminal legal systems; support resources for, elevate the voice of, and educate the public about the importance of the public defense function; and enhance opportunities to provide technical assistance and training programs for providers who will help close the justice gap for low and moderate income people.	5	4	\$599	21
Leading the Legal Aid Interagency Roundtable	ATJ will be able to staff and direct the work of the 28-member White House Legal Aid Interagency Roundtable, actively engage stakeholders representing the legal aid and advocacy organizations and justice gap-impacted communities to help inform federal programs allowing them to be more easily accessed and effective. ATJ will also be able to provide leadership in advancing relevant evidence-based research and data collection relating to civil legal and indigent defense and promulgate best practices across the federal government.	2	1	\$199	26

⁶ The above programmatic areas are not mutually exclusive. All of ATJ’s programs and initiatives are cross-cutting in nature and address all three strategic pillars.

III. APPROPRIATIONS LANGUAGE

OFFICE FOR ACCESS TO JUSTICE SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the Office for Access to Justice, \$13,668,000: Provided, That the unobligated balances of prior year appropriations made available for the Office for Access to Justice under the heading “Legal Activities—Salaries and Expenses, General Legal Activities”, including any funds that were transferred to such heading for such purpose, shall be transferred to the appropriation under this heading.

Justification for Appropriations Language Change

The Office for Access to Justice proposes the above appropriations language change in FY 2024 to promote greater sustainability, transparency, and accountability, of the Office’s work. If enacted, this language would move ATJ out from under the General Legal Activities appropriation to become its own separate, stand-alone appropriation. Doing so would allow for greater stability and consistency of the Office’s funding and programmatic work in the long term, to address the access to justice crisis. Additionally, this language change would also directly respond to stakeholder requests for expanded transparency of the Office’s budget and operations. Finally, this language will increase the visibility, and therefore accountability, of the Office, and encourage expanded collaboration and engagement with government and non-government stakeholders, who may not be aware that the Office was reinvigorated as a stand-alone component.

IV. PROGRAM ACTIVITY DESCRIPTION AND JUSTIFICATION

Access to Justice	Direct Pos.	Estimate FTE	Amount
2022 Enacted ^{1/}	26	3	\$4,500
2023 Enacted	42	34	10,015
Adjustments to Base and Technical Adjustments	0	8	2,105
2024 Current Services	42	42	12,120
2024 Program Increases	9	5	1,548
2024 Request	51	47	\$13,668
Total Change 2023-2024	9	13	\$3,653

Access to Justice - Information Technology Breakout	Direct Pos.	Estimate FTE	Amount
2022 Enacted ^{1/}	0	0	\$0
2023 Enacted	4	4	631
Adjustments to Base and Technical Adjustments	0	0	0
2024 Current Services	4	4	631
2024 Program Increases	0	0	0
2024 Program Offsets	0	0	0
2024 Request	4	4	\$631
Total Change 2023-2024	0	0	\$0

^{1/} FTEs are actual.

A. Promoting Access

The Office for Access to Justice will promote legal system access by working to eliminate barriers that prevent just and efficient outcomes for everyone in the United States. This includes expansion of access to counsel and other legal assistance.

Increasing Access to Legal Representation

The Office for Access to Justice works to expand access to legal assistance in civil and criminal legal systems. The Office serves as the principal legal advisor for the Justice Department on the constitutional right to counsel and the other rights guaranteed under the Sixth Amendment to the Constitution of the United States. The Office identifies and elevates opportunities to enhance the availability and quality of representation; foster collaboration to share best practices and identify achievable solutions; lift up the voices and perspectives of legal aid attorneys and public defenders in regulatory, enforcement, and policy discussions, and on government commissions, committees, working groups, and in the review of legislation; educate the public; and encourage diverse stakeholders to develop strategies that will overcome endemic barriers to effective representation. The Office also advances federal priorities through partnerships with legal aid service providers, including through the development of new and existing grant programs, research, training, and technical assistance for providers to address the substantial “justice gap” between truly meeting the needs of historically underserved people and the resources available for legal services.

Leveraging and Modernizing Pro Bono Programs

As part of a holistic approach to expanding access to justice, the Office also leads the Federal Government Pro Bono Program, which was established more than a quarter century ago pursuant to Executive Order 12988. The Program facilitates pro bono legal and other volunteer services by federal government employees that is performed on their own time, as permitted by statute, regulation, and ethical rules. The Office leads the modernization and expansion of the Federal Government Pro Bono Program nationwide, including by expanding and deepening relationships with legal services organizations, developing and providing training to prepare federal government attorneys to volunteer, overseeing the ethics review of specific opportunities, and providing mentoring to volunteer attorneys to ensure successful outcomes in pro bono matters.

Leading the Federal Government’s Legal Aid Interagency Roundtable

The Office is responsible for directing and staffing the work of the Legal Aid Interagency Roundtable, which comprises 28 federal departments and agencies. The goal of the Roundtable is to foster innovative interagency collaborations that succeed in advancing fair, just, and efficient outcomes for everyone in America. The Roundtable identifies opportunities for: federal

funding to improve outcomes and efficiently reach program goals; agency collaborations with legal services to improve enforcement and outreach activities; and the reduction of barriers that prevent underrepresented and vulnerable populations from effectively accessing access to justice.

The President's May 18, 2021, Memorandum Restoring the Office for Access to Justice and the Legal Aid Interagency Roundtable includes the list of mandates for the Roundtable.⁷

Increasing Language Access

While timely and accurate communication with the public is essential to the Department's mission, language barriers often prevent many communities from understanding their rights, reporting crimes, or otherwise having full and equal access to the Department's services and resources. In the May 27, 2021 Attorney General memorandum to Department employees on improving efforts to combat hate crimes and hate incidents, the Attorney General committed to establishing a full-time, permanent Language Access Coordinator to increase the Department's language access capabilities including expanded translations of its public-facing content and ensuring culturally competent and community-driven approaches to Department work. That Coordinator has been hired and sits in ATJ, supporting the Department in improving, modernizing and streamlining processes for providing services to individuals with limited proficiency in spoken English.

Leading Stakeholder Access and Engagement

To ensure that all communities have equitable access to, and benefit from, the Justice Department's work and services, the Office serves as the principal liaison and point of contact between the Justice Department and legal assistance organizations, including public defender organizations. Additionally, the Office works to establish and deepen lines of communication between the Department and historically underserved and marginalized communities. In this role the Office coordinates stakeholder engagement efforts across components to facilitate meaningful engagement, share insights, and avoid duplication of efforts. To date, the Office has facilitated dozens of meetings and events with stakeholders on topics ranging from increasing court access through technology to the role of legal aid in combating hunger. The Office will leverage these partnerships to gather, analyze, and incorporate feedback from people impacted by the Department's programs and services with the ultimate goal of designing and implementing resources, structures and supports to increase justice system efficiency, advance equity, and build trust.

⁷ [Memorandum on Restoring the Department of Justice's Access-to-Justice Function and Reinvigorating the White House Legal Aid Interagency Roundtable](#)

Central Authority for the U.S. on Access to Justice Before International Organizations

The Office for Access to Justice serves as the central authority of the executive branch on access to justice issues before international and multilateral organizations. In consultation with the Department of State, the Office is leading the U.S. government's efforts to implement Goal 16 of the United Nations Sustainable Development Goals, to promote peaceful and inclusive societies, ensure equal access to justice for all, and build effective, accountable, and transparent institutions at all levels.

B. Accelerating Innovation

There is a sizeable gap between the abilities of our legal systems and the urgent needs of many individuals in the United States. To close this gap, court personnel and legal service providers have responded with innovative solutions that the Office can research, evaluate, support and identify as “best practices”. In courts and communities across the country, people are working every day to simplify processes and bring new service delivery models to those who need it most.

The Office will serve as a partner for courts, legal service providers, and others who are committed to identifying responsive, effective solutions to legal challenges. In particular, the Office is committed to:

- Accelerating innovation in the proceedings overseen by the Department of Justice;
- Reducing structural barriers that prevent courts and legal service providers from successful transformation;
- Amplifying and promoting the efforts of those who are successfully closing the justice gap through innovative practices and programs in their courts and legal services;
- Reducing inefficiencies and expanding service delivery solutions across governments to help revitalize our justice systems; and
- Identifying and spotlighting innovative strategies to close the gap between the need for, and the availability of, quality legal assistance.

C. Safeguarding Integrity

The Office for Access to Justice will advance equal access to justice by promoting the integrity and accountability of legal systems. While the Office is committed to removing obstacles that prevent meaningful access to counsel and the courts, this work to expand *access* must accompany efforts to also address the underlying laws and policies that unjustly criminalize poverty, result in racial disparities, or otherwise produce unjust outcomes for underserved communities. The Office will work to combat economic barriers, such as unjust fines and fees, bail, warrants, citations, and improper ability-to-pay processes. The Office will also work to ensure economic opportunity and fairness for all, including in bankruptcy, consumer protection, and eviction and foreclosure proceedings. The Office will promote uniformity of Department of Justice and government-wide policies and litigation positions relating to equal access to justice. The Office will also partner with state and local stakeholders to support justice system integrity and access to justice initiatives.

The Office will also continue to play an active role in ensuring that the Justice Department fully implements the First Step Act of 2018. This includes by staffing the efforts of the Reentry Coordination Council convened by the Attorney General in October 2021, and the continued work to build upon the Report entitled *Coordination to Reduce Barriers to Reentry: Lessons Learned from COVID-19 and Beyond*. In support of the Council, ATJ will work to increase support for legal services in the areas of employment, education, housing, food insecurity, and healthcare to improve outcomes for people transitioning back into society at the completion of a prison sentence.

In addition, the Office will continue to build on its work and successes over the past decade. Details on past activities and accomplishments can be found here <https://www.justice.gov/archives/atj/accomplishments> and <https://www.justice.gov/atj>.

PERFORMANCE AND RESOURCES TABLE

Decision Unit: Access to Justice												
RESOURCES (\$ in thousands)			Target		Actual		Target		Changes		Requested (Total)	
			FY 2022		FY 2022		FY 2023		Current Services Adjustments and FY 2024 Program Changes		FY 2024 Request	
Total Costs and FTE (Reimbursable: FTE are included, but costs are bracketed and not included in totals)			FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			13	\$4,500	3	\$4,500	34	\$10,015	13	\$3,653	47	\$13,668
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2022		FY 2022		FY 2023		Current Services Adjustments and FY 2024 Program Changes		FY 2024 Request	
Program Activity	3.2, 3.3, 3.4, 3.5	Access to Justice	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			13	\$4,500	3	\$4,500	34	\$10,015	13	\$3,653	47	\$13,668
APG Measure:	TBD											
KPI:	3.4	Number of strategic partnerships established by the Office for Access to Justice to improve equal access to justice.	6		10		10		10		20	
Performance Measure:	To be determined											
Performance Measure:	To be determined											

**Data Definition, Validation, Verification, and Limitations: Due to ATJ recently being re-established, the Office is still in the process of developing performance measures.*

Strategic Objective	PERFORMANCE MEASURE TABLE					
	Decision Unit: Access to Justice					
	Performance Measures ^{1/}	FY 2022	FY 2022	FY 2023	FY 2024	
		Target	Actual	Target	Target	
N/A	Agency Priority Goals	N/A	N/A	N/A	N/A	
3.4	Key Performance Indicator	Number of strategic partnerships established by the Office for Access to Justice to improve equal access to justice.	6	10	10	20

1/ Due to ATJ recently being re-established, the Office is still in the process of developing performance measures.

V. Program Increases by Item

Item Name: **Expanding Language Access**

Budget Decision Unit: Access to Justice

Organizational Program: Office for Access to Justice

Program Increase: Positions 2 Atty 0 FTE 1 Dollars \$750,000

Description of Item

The Office for Access to Justice (ATJ) is requesting an additional \$750,000 and two positions (no attorneys) and one FTE to promote justice system access through language access. This includes expanding the Department's language access capabilities, including translation, interpretation, quality assessments, and training consistent with the Department's Equity Action Plan in response to Executive Order (EO) 13985 as well as commitments made by the Attorney General in response to the COVID-19 Hate Crimes Act.

Justification

The need for language access is significant. According to recent data from the Census Bureau, nearly 68 million, or one in five people, spoke a language other than English at home in 2019. This number nearly tripled from just over 23 million in 1980, to 67.8 million in 2019. The goal of the language access work at the Department is to ensure that linguistically marginalized communities and those with limited proficiency in spoken English, including Deaf and Hard of hearing (D/Hoh), are able to understand their rights, report crimes, and otherwise have access to the Department's many services and resources.

The Department engages in a very broad range of services, communications and interactions that often require language service support. These include interviews of witnesses, victims, and defendants in civil, criminal, and administrative cases and investigations; grievance procedures, counseling, health services, and educational programming in prisons; in-court interpretation and translation needs including in immigration and bankruptcy proceedings; and translation of written notices and other legal information or interactions. And yet, the Department has not previously had a centralized component or office focused on language access and language resources, which is why developing and growing ATJ's language access program is so critical.

Through the May 2021 Attorney General *Memorandum on Improving the Department's Efforts to Combat Hate Crimes and Hate Incidents*, Attorney General Garland directed the Department to establish the first ever Department-wide Language Access Coordinator.⁸ On May 20, 2022,

⁸ Attorney General Memorandum on Improving the Department's Efforts to Combat Hate Crimes and Hate Incidents (May 27, 2021), https://www.justice.gov/d9/2022-12/attorney_general_memorandum-improving_the_departments_efforts_to_combat_hate_crimes_and_hate_incidents.pdf.

Attorney General Garland announced the designation of Ana Paula Noguez Mercado, within the Office for Access to Justice, to serve in this role. ATJ has since been working to expand this work into a Language Access Team. The Language Access Coordinator and language access work spans across all of the Department's priorities, requiring significant funding and resources to continue to be developed.

ATJ's Language Access Program leads the Department's Language Access Working Group (DOJ LAWG), which includes representatives from across DOJ components. The DOJ LAWG meets regularly and works collaboratively on language access issues and needs across the Department's work, including to ensure the Department's full compliance with EO 13166 on *Improving Access to Services for Persons with Limited English Proficiency*. This includes leading efforts to update and modernize the Department's Language Access Plan; increase awareness of all DOJ personnel's language access obligations and disseminate resources to assist them in communicating with individuals who have limited proficiency in English; identify and share internal language access best practices and resources; reassess, revise and work towards ensuring implementation of language access plans, policies, and practices on a regular basis in response to both public stakeholder input and the experiences of individuals with limited English proficiency who interacting with DOJ; provide feedback, support, and accountability to each other to increase meaningful and equal language access across Department policies, activities, programming, and solicitation opportunities; and identify and address existing language barriers for individuals with limited proficiency in English in their interactions with the Justice Department.

Further, the Department's [Equity Action Plan](#) in response to [Executive Order 13985](#) on *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, listed increased language access as one of the Department's top priority actions. ATJ has been tasked with leading this priority through the appointment of the Department's Language Access Coordinator. These mandates are significant, and ongoing. They include:

- centralizing and expand language access resources and promote language access directives across the Department;
- improving awareness by staff of the Department's telephonic language service and other language contracts that may be used by all components and staff;
- working with components that have particularly high language access needs, such as the Executive Office for Immigration Review (EOIR) and the Bureau of Prisons (BOP), to provide assistance to the component in making its programs more language accessible;
- establishing and maintaining a one-stop shop for Department components to obtain interpreters or translations, including an inventory of internal resources such as existing translation and interpretation contracts;
- establishing and maintaining an internal repository of commonly translated documents, a Department-wide translation glossary of common legal terms in the top languages spoken by LEP individuals, standard language assistance notices, flyers, and posters for the Department's components to use;
- establishing template web pages or web standards to help components post translated content for LEP communities;
- creating guidance on identifying documents for translation and targeting languages for translation;
- providing for translations of the Department's most common publicly accessed

webpages into Spanish (and will consider translation into additional common languages of LEP individuals in the United States or in the relevant geographic region or in the relevant subject matter audience); and

- guidance and technical assistance for United States Attorney's Offices and other components, as appropriate, on their ongoing language access needs.

DOJ's ability to effectively accomplish its mission to engage underserved and linguistically marginalized communities, including across all of the activities described above, requires a whole-of-Department innovative approach to language access. In FY 2024, the Department will improve and expand efforts initiated in FY 2022 and FY 2023, and consistent with the Department's EO 13985 Equity Plan through:

- The development of an internal repository of commonly translated documents;
- The reinvigoration of the Department's intra-agency working group on language access, with representatives from components that most commonly interact with the public, to coordinate strategies and best practices to ensure a whole-of-Department approach to providing language assistance; and
- The providing of interpretation services at public trainings and events across all components.

Building on this work initiated in FY 2022 and FY 2023, ATJ requests funding to support translation of important DOJ webpages, notices, flyers, public events materials, etc. into up to 15 languages. This work will include the additional process of translation review to ensure accuracy and cultural responsiveness of translated material. By providing access through translation to the top 15 languages, ATJ can account for 89 percent of individuals with limited English proficiency (LEP) in the United States. These efforts will allow the Department to comply with its mandates contained in Executive Orders 13166 and 13985, as well as the directive to the Language Access Coordinator within the Department's [Equity Action Plan](#). Additionally, this work ensures DOJ is providing meaningful access to its programs and activities for individuals with limited proficiency in English.

Additional funding will also support the convening and facilitating of a multilingual working group, which will collaborate with community language access and access to justice experts to develop strategies to overcome barriers to Department services. The working group will also host multilingual listening sessions with community stakeholders to solicit feedback and improve language access services of select DOJ components. This will include regular and recurring group meetings and listening sessions comprised of representatives from culturally specific community-based organizations, as well as language access advocates and experts. Finally, this funding will also be used to provide interpreting services at additional public trainings and events across all components, and to effectively provide guidance and technical assistance for United States Attorney's Offices and other components on their ongoing language access needs, in accordance with commitments under the Department's Equity Plan.

Impact on Performance

Increasing Language Access directly supports Objective 3.2 Combat Discrimination and Hate Crimes Under Strategic Goal 3: Protect Civil Rights. Language access is a key barrier to the reporting of hate crimes. Increasing language access also advances Objective 3.3 Reform and

Strengthen the Criminal and Juvenile Justice Systems to Ensure Fair and Just Treatment of linguistically marginalized individuals as well as Objective 3.4: Expand Equal Access to Justice by continuing to improve the Department's knowledge, use, and expansion of the language access resources.

It is important to note that language access is a core area of work for the Department that has not existed before, and the need is far outpacing ATJ's resources and staff ability to respond. As ATJ has continued to develop this new workstream for the Department, it has been overwhelmed with incoming requests for assistance and language resources. This includes component and leadership office requests for assistance with translations and interpretations, which are often very costly, as well as requests for technical assistance on language access needs and policies from other Federal agencies. These additional resources will help ATJ meet this increasing demand.

ATJ, in collaboration with the DOJ LAWG, will develop a system to track the number of events where live interpreting is utilized, the number of translated website pages and documents, as well as the number of views of translated website pages and other available analytic metrics, as appropriate. Doing so will allow ATJ and the DOJ LAWG to set internal performance metrics, determine whether the translations increase traffic to the website, and make adjustments as needed. Additionally, ATJ and the DOJ LAWG will work towards developing a system to track the increase in reporting and participation in events by individuals with LEP across components.

These actions will improve DOJ's performance regarding Executive Order 13985, [Executive Order 13166](#), *Improving Access to Services for Persons with Limited English Proficiency*, 65 Fed. Reg. 50,121 (Aug. 16, 2000), and [the Department's Language Access Plan](#) (March 2012). These Executive Orders and plans require DOJ to ensure that it is reaching, communicating with, and serving historically marginalized communities. By providing more materials, trainings, guidance documents, webpages and other resources in multiple languages, the Department can meet its commitments for non-English speakers, providing information in a language they can understand so that they can avail themselves of the Department's promise of "justice for all."

Funding

1. Base Funding

FY 2022 Enacted				FY 2023 Enacted				FY 2024 Current Services			
Pos	Atty	FTE	Amount (\$000)	Pos	Atty	FTE	Amount (\$000)	Pos	Atty	FTE	Amount (\$000)
1	0	1	\$63	2	0	1.5	\$422	2	0	2	\$443

2. Personnel Increase Cost Summary

Type of Position/Series	FY 2024 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				2 nd Year	3 rd Year	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Misc Admin & Prog (0301) GS-15	\$136	1	\$267	\$147	\$15	\$147	\$15
Misc Admin & Prog (0301) GS-13	\$104	1	\$207	\$135	\$13	\$135	\$13
Total Personnel	\$240	2				\$282	\$28

3. Non-Personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2024 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Advisory and Assistance Services	\$510	\$510	1	\$0	\$0
Total Non-Personnel	\$510		1	\$0	\$0

4. Justification for Non-Personnel Annualizations

N/A

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Current Services	2	0	2	\$424	\$19	\$443		
Increases	2	0	1	\$240	\$510	\$750	\$282	\$28
Grand Total	4	0	3	\$664	\$529	\$1,193	\$282	\$28

6. Affected Crosscuts

Civil Rights
 Access to Justice

Item Name: **Strengthening Public Defender Systems and Right to Counsel**

Budget Decision Unit: Access to Justice

Organizational Program: Office for Access to Justice

Program Increase: Positions 5 Atty 4 FTE 3 Dollars \$599,000

Description of Item

The Office for Access to Justice is requesting an additional \$599,000 and five positions (four attorneys) and three FTEs to enhance its activities that advance equal access to justice by engaging with public defender systems to conduct research and data collection, develop guidance, share best practices, promote the public defense function, and ensure that federal government policies and practices are informed by the public defender perspective, to work toward the protection and expansion of all American’s access to counsel and legal assistance.

Justification

The Department of Justice is the primary law enforcement agency in the Federal Government. Within the Department, ATJ plays a unique role as the principal legal advisor for the Department on the constitutional right to counsel and other rights guaranteed under the Sixth Amendment. The Attorney General’s Report to the President on Access to Justice noted ATJ’s critical need to “support[] public defenders and indigent defense...”⁹ The principal responsibilities of the Office include “to plan, develop, and coordinate the implementation of access to justice policy initiatives of high priority to the Department and the executive branch, including in the area[] of criminal indigent defense”¹⁰ Engaging with and learning from the experience of public defenders and others who are invested in criminal defense is a critical component of ATJ’s mandates, and it benefits and supports the Department’s work, the justice system, and public safety.

This requested funding and staff will allow ATJ to ensure the voices and experiences of defenders are included in regulatory, enforcement, policies, and practices of the Federal Government, and that defenders “have a voice on government commissions, committees, working groups, and in legislative and policy decision-making,” a priority noted by the Attorney General in standing up the Office.¹¹ These new positions will be responsible for providing advice, views, alternatives or recommendations on issues, problems, policies or questions pertaining to improving indigent defense and enhancing the delivery of legal services to historically underserved populations. Furthermore, they will also lead outreach and engagement efforts with public defenders from around the country to help identify innovative strategies being

⁹ <https://www.justice.gov/ag/page/file/1445351/download>.

¹⁰ See 28 CFR § 0.33.

¹¹ See *A Report to the President of the United States, from the Attorney General of the United States Pursuant to the President’s Memorandum on Restoring the Department of Justice’s Access-to-Justice Function (September 15, 2021)*

implemented at the state and local levels that overcome barriers to effective representation and access to counsel.

These additional positions will also ensure ATJ can identify best practices that overcome barriers to effective representation; conduct research and data collection to identify access gaps and the root causes of racial disparities, wrongful conviction, and overrepresentation of vulnerable groups and communities of color in criminal legal systems; educate the public about the importance of the public defense function; and enhance opportunities to provide technical assistance and training programs for providers who will help close the justice gap for low and moderate income people.

As part of the March 18, 2023 60th anniversary of the landmark Supreme Court decision in *Gideon v. Wainwright* (the case which held that the Sixth and Fourteenth Amendments require states to provide counsel to every indigent criminal defendant facing a felony charge, frequently called Gideon Day or Public Defense Day), ATJ will launch a number of initiatives focused on the Office's mission to support indigent defense, which will require additional personnel and resources to continue and to build upon. These include conducting reviews and issuing recommendations or guidance on access to counsel issues, launching a campaign to lift up public defense as a strong career choice for law students, and conducting regular annual engagement. This regular engagement will include geographically diverse federal and state/local public defense offices with a focus, in each location, on one or two specific areas of interest to the public defense community. Some of these issues may include the need for defender independence, innovative defender programs and initiatives, community engagement, holistic representation models, racial justice, rural defense challenges, and more. Such engagement would culminate in an annual report to highlight what was learned and to provide an effective tool to amplify innovations, and the needs and voices of defenders. Launching and growing this work and building upon it will require additional personnel and resources. Additionally, ATJ is exploring opportunities to expand its statement of interest practice on Sixth Amendment right to counsel issues. The first iteration of the ATJ frequently filed statements of interest on these matters. ATJ continues to receive frequent requests to engage in Sixth Amendment matters. Additional resources and staff would allow ATJ to be more responsive to incoming requests, and significantly expand its involvement in Sixth Amendment right to counsel matters, including issuing additional guidance and information about best practices that will encourage systemic improvements.

Impact on Performance

Per Department's FY 2022 – FY 2026 Strategic Plan, ATJ's program increase request is in line with the Attorney General's top priorities and is integral to helping the Department meet its mission and strategic goals. This additional funding will allow ATJ to help protect the civil rights of individuals (Strategic Goal 3) by expanding access to justice and reducing barriers to equal justice and legal aid.

Without this additional funding, ATJ will be unable to expand its ability to monitor and engage on matters of critical importance to safeguarding the Sixth Amendment right to counsel and related rights. Stakeholders and interagency partners have expressed that ATJ involvement is critically important and often persuasive to courts and other decisionmakers. If ATJ does not have the necessary resources to do so this will greatly impede the Department's mission to ensure equal access under law. Stakeholders urge expanded investment to ensure Constitutional

protections for all those in the criminal justice system, particularly those related to the Sixth Amendment.

Finally, without this increased funding for additional staff members, ATJ will not be able to help resolve the significant gap between the legal needs of vulnerable populations (i.e., economically disadvantaged communities, communities of color, servicemembers and veterans, previously incarcerated individuals, disabled individuals, victims of crime, etc.) and the resources available to meet those needs. The lack of additional funding will impede ATJ's ability to expand its partnerships with other DOJ components and federal agencies in developing strategies to address the legal challenges faced by these vulnerable communities. ATJ will also not be able to increase its outreach to stakeholders, who are often best positioned to communicate the legal challenges and identify the unmet needs of these vulnerable, and often overlooked, communities.

Funding

1. Base Funding

FY 2022 Enacted				FY 2023 Enacted				FY 2024 Current Services			
Pos	Atty	FTE	Amount (\$000)	Pos	Atty	FTE	Amount (\$000)	Pos	Atty	FTE	Amount (\$000)
1	1	.5	\$95	4	2	3	\$1,060	4	4	4	\$1,131

2. Personnel Increase Cost Summary

Type of Position/Series	FY 2024 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				2 nd Year	3 rd Year	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Attorneys (0950) – GS-14	\$533	4	\$260	\$171	\$6	\$685	\$25
Paralegals / Other Law (0950) GS-09	\$66	1	\$130	\$85	\$27	\$85	\$27
Total Personnel	\$599	5				\$770	\$52

3. Non-Personnel Increase/Reduction Cost Summary

N/A

4. Justification for Non-Personnel Annualizations

N/A

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Current Services	4	2	4	\$1,107	\$24	\$1,131		
Increases	5	4	3	\$599	\$0	\$599	\$770	\$52
Grand Total	9	6	7	\$1,706	\$24	\$1,730	\$770	\$52

6. Affected Crosscuts

Civil Rights
Access to Justice

Item Name: **Leading the Legal Aid Interagency Roundtable**

Budget Decision Unit(s): Access to Justice

Organizational Program: Office for Access to Justice

Program Increase: Positions 2 Atty 1 FTE 1 Dollars \$199,000

Description of Item

The Office for Access to Justice is requesting an additional \$199,000 and two positions (one attorney) and one FTE to enhance the work of the Legal Aid Interagency Roundtable (Roundtable). This includes ATJ's engagement with the 28 federal departments and agencies that comprise the Roundtable. The goal of the Roundtable is to foster innovative interagency collaborations that succeed in advancing fair, just, and efficient outcomes for everyone in America. This additional funding will also allow ATJ to continue the reinvigoration of the Roundtable in accordance with Presidential mandate.

Justification

As directed in President Biden's May 18, 2021 Memorandum on *Restoring the Department of Justice's Access-to-Justice Function and Reinvigorating the White House Legal Aid Interagency Roundtable*, the Office of Access to Justice houses the Executive Director of, and serves as the staff for the Roundtable.¹² The Roundtable is co-chaired by Attorney General Garland and the White House Counsel, and brings together more than two dozen departments and agencies across the Federal Government to address the most pressing legal services challenges that economically disadvantaged communities, communities of color, and many others across our country face every day. However, ATJ currently has only one dedicated staff member (the Executive Director of the Roundtable) assigned to the Roundtable workstream. ATJ requires additional funding to meet its Presidential mandates to serve as the staff of the Roundtable¹³.

According to the Legal Services Corporation's (LSC) most recent 2022 Justice Gap Study, 92 percent of the civil legal problems of low-income Americans did not receive any or enough legal help. This means the vast majority of individuals were forced to navigate complex legal systems without legal assistance, including in disputes where they risk losing their job, their livelihood, their home, their children, or their safety. Low-income individuals approach LSC-funded legal aid organizations for help with an estimated 1.9 million civil legal problems in a year. These organizations must turn away 49 percent, or 1 out of every 2 requests they receive due to limited resources.¹⁴ All too often, these unaddressed or under-addressed legal issues push people into poverty and compound the effects of other harms. The Roundtable serves as the

¹² <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/05/18/memorandum-on-restoring-the-department-of-justices-access-to-justice-function-and-reinvigorating-the-white-house-legal-aid-interagency-roundtable/>.

¹³ *Id.*

¹⁴ <https://justicegap.lsc.gov/resource/executive-summary/>

unique platform to pursue coordinated and collaborative access to justice across sectors of society represented by the various federal agencies.

Through additional funding and staff, ATJ would have the necessary capacity to fulfill the many directives set forth in the Presidential Memorandum. With additional capacity, ATJ would be able to actively engage stakeholders representing the legal aid and advocacy organizations and justice gap-impacted communities to help inform federal programs and allow them to be more accessible and effective.

Most recently, the Roundtable successfully accelerated agency action on form and process simplification in obtaining or providing legal information or assistance. At a December 16, 2022, principals' convening co-chaired by the White House Counsel and the Attorney General, and at which the Second Gentlemen and Associate Attorney General provided remarks, principals and high-level officials attended, representing most of the 28 federal agency members of the Roundtable. Agencies ranging from the Department of Veterans Affairs to the Department of Labor described work already completed and made a series of commitments regarding process simplification and access to legal assistance. Increased funding would allow the Roundtable to support agencies in meeting those commitments.

The Roundtable has annual reporting and convening obligations, and in the next fiscal year, the Roundtable will build on 2022 efforts and developing creative, evidence-based solutions for access-to-justice interventions across a wide variety of Federal program areas. Areas being considered by the Roundtable for possible focus include meeting the legal services needs of rural communities, improving the accessibility of administrative processes, or examining the intersection between indigent defense and federal agency programs and services. Without increased funding for additional staff members to support the Roundtable, its capacity to engage the 28-member agencies will be constrained, and its priorities will be narrowed, thus impeding its ability to effectively meet this Presidential mandate, or to contribute to addressing the access to justice gap across federal government.

The Roundtable further promotes partnership across government through a unique structure that promotes a first-of-its kind example for states and foreign partners. ATJ has been called upon to provide technical expertise as states have sought to develop similar entities and partnerships (including through legislation) and for foreign partners (including at the Organization for Economic Co-operation and Development's Access to Justice Roundtable, in Riga, Latvia). Growth and dedicated resources and personnel will be critical to ensure the success of the Roundtable and to imbed its work long term, particularly as these partners are watching and emulating its mission.

Impact on Performance

Per Department's FY 2022 – FY 2026 Strategic Plan, ATJ's program increase request is in line with the Attorney General's top priorities and is integral to helping the Department meet its mission and strategic goals. This additional funding will allow ATJ to help protect the civil rights of individuals (Strategic Goal 3) by expanding access to justice and reducing barriers to equal justice and legal aid.

Without this additional funding to support the Roundtable, its capacity to engage all its member agencies will be constrained and its priorities may be narrowed, impeding its ability to

effectively contribute to addressing the access to justice gap through enhanced coordination among federal programs to expand their equitable access and drive evidence-based research and promulgation of best practices.

Additionally, without increased funding for additional staff members, ATJ will not be able to help address the significant gap between the needs of vulnerable populations and the resources available to meet those needs. ATJ will not be able to promote innovative approaches and best practices with its government stakeholders, such as advances in legal technology and data collection. The lack of additional funding will impede ATJ's ability to expand its partnerships with other DOJ components and federal agencies in developing strategies to address the legal challenges faced by these vulnerable communities.

Funding

1. Base Funding

FY 2022 Enacted				FY 2023 Enacted				FY 2024 Current Services			
Pos	Atty	FTE	Amount (\$000)	Pos	Atty	FTE	Amount (\$000)	Pos	Atty	FTE	Amount (\$000)
1	1	.5	\$95	1	1	1	\$279	1	1	1	\$293

2. Personnel Increase Cost Summary

Type of Position/Series	FY 2024 Request (\$000)	Positions Requested	Full Year Modular Cost per Position (\$000)	Annualizations (\$000)			
				2 nd Year	3 rd Year	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Attorneys (0950) – GS-14	\$133	1	\$260	\$171	\$6	\$171	\$6
Misc Admin & Prog (0301) - GS -09	\$66	1	\$130	\$85	\$27	\$85	\$27
Total Personnel	\$199	2				\$256	\$33

3. Non-Personnel Increase/Reduction Cost Summary

N/A

4. Justification for Non-Personnel Annualizations

N/A

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/Atty	FTE	Personnel	Non-Personnel	Total	FY 2025 (net change from 2024)	FY 2026 (net change from 2025)
Current Services	1	1	1	\$284	\$9	\$293		
Increases	2	1	1	\$199	\$0	\$199	\$256	\$33
Grand Total	3	2	2	\$483	\$9	\$492	\$256	\$33

6. Affected Crosscuts

Civil Rights
Access to Justice

VI. Program Offsets by Item

N/A

VII. Exhibits