

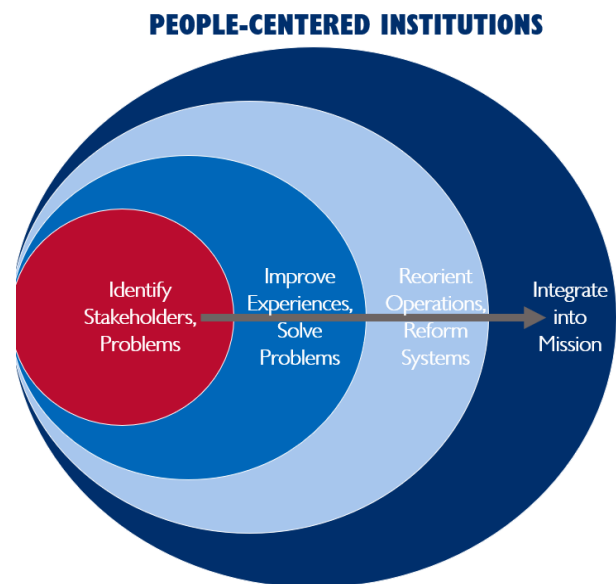
Rule of Law Technical Note: Identifying People and Problems

Putting People at the Center of Justice

A people-centered approach to rule of law reform is an intentional renewal of the core of the social contract, including providing dispute resolution and regulation. Resolving disputes with certainty, transparency, and predictability avoids parties resorting to self-help, grows public trust and the legitimacy of government, and promotes a stable and effective society. Regulation prevents harm, protects the vulnerable, and facilitates economic and social growth. The justice system can improve its contribution to all of these objectives by recommitting to serving people by helping to solve their problems. As USAID’s Rule of Law Policy notes, a People-Centered Justice (PCJ) approach provides a new and vital lens for guiding rule of law reform. PCJ affirmatively values institutions, but recognizes that their capacity to achieve their mission, effectiveness, and service delivery can all be improved with greater alignment to people’s experiences.

The experience and perception of individual justice seekers is at the heart of a PCJ approach. However, developing PCJ approaches and interventions is an intentional process not susceptible to shortcuts. The first step in a PCJ approach or intervention is identifying which people have what problems and understanding why and how they seek justice.

Civil and criminal legal problems are widespread, but they can often be hidden due to underreporting, low use of justice institutions, and unavailable or low quality data on their prevalence. This is particularly true for civil legal problems, which are estimated to affect over half (and as high as 70%) of the population. The “usual” sources of information, such as court records, are insufficient. Experiencing legal problems may be very common, but seeking to resolve them through the legal system is not. Studies show that many people don’t realize their problem may have a legal resolution; others simply learn to live with a resolvable issue.



Identify People and their Problems

Because legal problems and people's justice journeys can vary widely, approaches to identifying these problems and those who suffer from them must be holistic. Data is key to understanding who has solvable legal problems and understanding their experience. Data provides a framework for defining problems and gauging their incidence and impact. Viewed over time and geography, data about legal problems can highlight connections to political or social situations, such as weak governance, corruption, or conflict. This data can also highlight which populations disproportionately experience more legal problems, certain types of problems, or worse justice outcomes, such as low-income populations, racial or ethnic minorities, and people with disabilities. Data also reveals weaknesses about existing processes to resolve legal problems. Are justice services geographically accessible? Are they easy to navigate and understand, including by those with lower levels of literacy and/or acting without legal counsel? Data's ability to define is how it enables shared ownership of problems, processes, and thereby solutions.

Accordingly, a nationwide analysis of prevalent legal problems will provide a helpful entry point for understanding people's problems and the experiences of justice seekers. However, practitioners and policymakers may find national surveys to be insufficient as they design more tailored PCJ approaches that are actionable at the individual level. So, surveys, qualitative data collection, and analyses will often need to be performed at the local level. The objective is also not simply to log the existence and prevalence of these problems but to understand them and their impact on people.

Justice data can be collected using both qualitative and quantitative methods. Moreover, it is useful not just for identifying and triangulating problems, but also to shape solutions. There are a variety of data collection and design tools that can be of use in this regard.



Data collection tools are fundamental. The Rule of Law IDEAS Lab has produced guidance and job aids to support effective data collection. A variety of survey tools—practitioner, user, and legal needs surveys—as well as other data collection methods, such as focus group discussions, are outlined in these resources. When undertaking any data collection, it is important to focus on the appropriate population. A nationwide survey, such as a Justice Needs and Satisfaction Survey, can be very helpful for establishing context and identifying key legal problems affect the general population at the national level. However, to understand how to help specific groups with the same problem, more targeted surveys, focus groups, or other methods may be needed. For example, in general women or minorities experience employment related challenges in medium-sized firms at higher levels. PCJ approaches require understanding not only that the problems exist, but also how they impact similarly situated individuals. To develop PCJ interventions, we will need to know how these people experience the problem, what they know about services that may be available to resolve or mitigate it, and their experience with those services and justice processes.

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Design tools help to clarify the challenge posed by the problem. These tools focus on the human experience with legal problems and the justice system. The stories justice seekers tell are very valuable data for developing solutions as they clarify the challenges from the user perspective. Is the system easy to navigate or do people need more information to resolve their justice problem? How friendly and open are the existing processes or do frontline workers (such as cops or clerks) need to treat justice seekers with more respect? Journey mapping and design sprints can help synthesize this experience into workable solutions. Studies on the cost of legal problems and justice services and indexing for populations can prepare to scale up impact. Understanding local data collection and analysis capacity is also important. Stories and stakeholder mapping can reveal potential obstacles or perverse incentive structures. This first step is not just about context analysis but reaching the most actionable question: who suffers from which problem and how.

Additional References

[Rule of Law Technical Note: Path to People-Centered Justice in Five Key Steps](#)

[Rule of Law Policy](#)

[Rule of Law Practitioner's Guide](#)

[Co-Creation Toolkit Interactive Guide](#)

[Data Along the Justice Journey](#)

[People-Centered-Justice & Data](#)

