Chapter XXVI
OSS Adoption in the Legal Services Community

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ABSTRACT

This chapter provides an anecdotal case study of the adoption of open source software by government-funded nonprofit organizations in the legal services community. It focuses on the Open Source Template, a Web site system that provides information to the public on civil legal matters, and collaborative tools for legal aid providers and pro bono attorneys. The successful aspects of the adoption within this community are traced to the funders' emphasis on developing re-usable, non-proprietary technology tools, the strong communitarian ethic which nonprofits share with the open source community, and the presence of an active support network to broadly leverage intellectual capital. It is hoped that this chapter will assist those considering the adoption of open source software by identifying the specific factors that have contributed to the success within the legal services arena and the real-world benefits and challenges experienced by the members of that community.

INTRODUCTION

An instructive case study in OSS adoption is afforded by the experience of a number of government-funded nonprofit organizations in the legal services community. Since 2001, over 20 such organizations have established community Web site systems built entirely on OSS technologies. These Web sites are designed with a twofold purpose: to serve as a portal where individuals who cannot otherwise afford legal representation can find information to help with civil legal problems and questions, and to facilitate collaboration between providers of legal assistance through the use of online tools.

The subjects of this case study have some particular characteristics which have shaped their involvement with the technology and suggest where their experiences are apt to be shared. Those characteristics include: a small number of thought leaders motivated to pursue OSS alternatives to existing proprietary solutions; a broader community receptive to the advice and guidance of those leaders; a technology stack sufficiently mature to minimize the need for technical support while also sufficiently open to allow for

flexible use and customization; continuing support, financial, and consultative, from government funders committed to spreading the use of the technology and integrating it into wider initiatives; and the establishment of a robust and active community of users around the technology committed to principles of sharing, collaboration, and self-reliance.

The objectives of this chapter are to examine the successes and failures associated with OSS adoption by government-funded nonprofits by exploring:

- The philosophical appeal of OSS to the nonprofit legal services community
- The practical application of the OSS development methodology within the community, including re-use and sharing of code
- The cost benefits realized by this community
- The challenges in adopting OSS, including the importance of a supportive infrastructure and quality technical training
- Vendor relations, as they bear upon issues of control and independence

This case study is meant to provide insight into the real-world use of OSS within the nonprofit community and, by anecdote if not by rigorous scientific analysis, to draw out some important themes and implications of OSS adoption for those considering a similar path.

BACKGROUND

The Legal Services Corporation (LSC) is a private, nonprofit corporation established by Congress to provide civil legal assistance in areas such as family law, housing, and consumer issues to those who otherwise would be unable to afford it. Since 2000, as part of its Technology Initiative Program (TIG), the LSC has awarded grants to nonprofit legal services organizations nationwide to subsidize innovative uses of technology to improve the delivery of legal services to their client population. A central focus of the TIG program has involved the development of statewide Web site portals where clients can obtain legal information and where legal aid and pro bono attorneys throughout the state can collaborate and share resources.

Recognizing that statewide organizations across the nation have common needs that can be served by common tools, the LSC early on decided to support technology solutions that could be shared and reused by multiple groups, thereby minimizing costs for development, training, and support. In evaluating the merits of grant applications, replicability and reusability have always been important criteria.

In 2000, the LSC awarded two grants that subsidized the development of Web portal systems for Pine Tree Legal Assistance in Portland, Maine and Ohio State Legal Services Association in Columbus, Ohio. The vendor for those projects was selected via an open RFP process with preference given to proposals that included the use of OSS tools. The resulting sites—www.helpmelaw.org and www.oslsa.org, respectively—incorporate a wide array of informational resources and collaborative tools, including a full-text searchable document library, office locator, calendaring system, jobs database, and interest group areas with discussion forums. Both sites were built exclusively on OSS technologies, including Zope (a leading OSS content management system), MySQL, Apache, Python, and Linux.

In 2001, the components that comprised these portal systems were re-packaged as a template that could be easily customized for use by other legal aid organizations. The Open Source Template (OST), as it came to be known, was subsequently endorsed by the LSC as one of two systems that could be used by recipients of future grants subsidizing statewide Website projects in other states. (Hereafter in this chapter, the term OST shall be

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