

# United States Department of Justice

## Office for Access to Justice

*Justice Belongs to Everyone*



**Fiscal Year 2025  
President's Budget Submission  
March 2024**

# Table of Contents

<b>I</b>	<b>Overview of the Office for Access to Justice</b> .....	<b>4</b>
A.	Background.....	4
1.	Mission, Vision, and Principles .....	5
2.	Challenges and Environmental Accountability .....	7
<b>II.</b>	<b>Summary of Program Changes.....</b>	<b>8</b>
<b>III.</b>	<b>Appropriations Language and Analysis of Appropriations Language.....</b>	<b>8</b>
<b>IV.</b>	<b>Program Activity Justification.....</b>	<b>9</b>
A.	Office for Access to Justice.....	10
1.	Policy Initiatives and Programs.....	10
2.	Performance Tables .....	14
<b>V.</b>	<b>Program Increases by Item.....</b>	<b>16</b>
<b>VI.</b>	<b>Program Offset by Item .....</b>	<b>16</b>
<b>VII.</b>	<b>Exhibits .....</b>	<b>16</b>
A.	Organizational Chart	
B-1	Summary of Requirements	
B-2	Summary of Requirements by Decision Unit	
C.	FY 2025 Program Increases/Offsets by Decision Unit <b>(Not Applicable)</b>	
D.	Resources by DOJ Strategic Goal and Objective	
E.	Justification for Technical and Base Adjustments	
F.	Crosswalk of 2023 Availability	
G.	Crosswalk of 2024 Availability	
H-R.	Summary of Reimbursable Resources	
H-S.	Summary of Sub-Allotments and Direct Collections Resources <b>(Not Applicable)</b>	
I.	Detail of Permanent Positions by Category	
J.	Financial Analysis of Program Changes <b>(Not Applicable)</b>	
K.	Summary of Requirements by Object Class	
L.	Status of Congressionally Requested Studies, Reports, and Evaluations <b>(Not Applicable)</b>	

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## I Overview of the Office for Access to Justice

The Department of Justice (“DOJ” or “the Department”) is requesting **\$10.5 million, 42 positions (22 attorneys) and 42 full-time equivalents (FTE)** in Fiscal Year (FY) 2025 to continue the critical efforts and important work of the Office for Access to Justice (“ATJ” or “the Office”). The Office for Access to Justice works to remove barriers to the Department’s founding principle: equal justice under law. ATJ’s mission is to ensure, for all communities, access to the promises and protections of our civil and criminal legal systems. With the goal of creating a more holistic and equitable approach to justice through fair and efficient legal systems, ATJ aspires to promote confidence in the justice system, secure public safety, and meet the critical legal needs of the American people. Working with Federal, State, local, tribal, and territorial stakeholders to achieve that goal, the Office promotes access to courts and legal systems through legal assistance and counsel; data-driven, stakeholder-informed, and innovative approaches; and reform of legal systems to improve integrity, accountability, and fiscal responsibility. The ATJ also serves as the U.S. Government’s central authority on access to justice issues and directs and staffs the White House Legal Aid Interagency Roundtable (“LAIR”), which includes more than 28 federal agencies and is co-chaired by the Attorney General and White House Counsel.

### A. Background

In 2010, the Department established the Access to Justice initiative within the Office of the Associate Attorney General to address access issues in civil and criminal legal systems. 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 Department. In addition, the White House Legal Aid Interagency Roundtable was launched. LAIR 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 Department’s role in leading efforts across government to seek and secure meaningful access to justice and reconvening the Legal Aid Interagency Roundtable.<sup>1</sup> In response to the Presidential Memorandum, the Attorney General launched a review process led by senior leadership

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<sup>1</sup> *Memorandum on Restoring the Department of Justice’s Access-to-Justice Function and Reinvigorating the White House Legal Aid Interagency Roundtable*, May 18, 2021, <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/>.

officials aimed at “identifying access-to-justice policy initiatives of high priority in light of today’s most pressing challenges,” and directing the development of “a detailed plan for expanding our role in leading access-to-justice policy initiatives across government.”<sup>2</sup>

The 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 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 Department dedicated to the mission of closing those gaps.<sup>3</sup> On October 29, 2021, the Office for Access to Justice was formally reestablished as a separate and stand-alone component within the Department.

In March of 2022, the Office received its first 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 a Director to lead the Office.<sup>4</sup> Also in May, 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 but holds a Department-wide mandate.<sup>5</sup>

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. To date, ATJ is on track to fill all of its authorized positions and has launched a number of initiatives through its Offices of Policy and Programs. ATJ’s FY 2025 request of \$10.5 million will enable the Department to strengthen these efforts, and sustain ATJ’s work to narrow the most urgent justice gaps between legal needs and services available in the United States and around the world.

## **1. Mission, Vision, and Principles**

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 central to realizing that principle, as the Office works to dismantle barriers to justice and ensure access to the promises and protections of our civil and criminal legal systems for all communities.

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

<sup>3</sup> *A Report to the President of the United States from the Attorney General of the United States* (September 15, 2021). <https://www.whitehouse.gov/wp-content/uploads/2021/10/Report-to-the-President-from-the-Attorney-General-September-15-2021.pdf>

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

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

ATJ serves as the government-wide authority on access to justice. Pursuant to 28 C.F.R. §0.33, the Office is mandated 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 areas of criminal indigent defense and civil legal aid.” The Office is further 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.”

### **MISSION OF THE OFFICE FOR ACCESS TO JUSTICE**

The Office for Access to Justice works to remove barriers to the founding principle of the Department of Justice: equal justice under law. ATJ’s mission is to ensure access to the promises and protections of our civil and criminal legal systems for all communities.

This mission of access to justice is broad and urgent. 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 access 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, civil and administrative legal 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.

### **VISION OF THE OFFICE FOR ACCESS TO JUSTICE**

Justice belongs to everyone. ATJ’s vision is a world in which fair and efficient legal systems deliver just processes and outcomes, promote confidence in the justice system, secure public safety, and meet the critical legal needs of the American people.

The Office for Access to Justice works to achieve its mission and pursue its vision with three core guiding principles.

- (1) *Expanding Access.* Expand access to legal systems by increasing the availability of legal assistance, supporting public defense, and eliminating barriers that exclude people based on economic, demographic or geographic factors.
- (2) *Accelerating Innovation.* Support research, data and innovative strategies to improve fairness and efficiency in legal systems and to ensure Department services and programs incorporate modern, evidence-based practices to further equal access to justice.
- (3) *Safeguarding Integrity.* Promote policies and reforms that improve the accountability, fiscal responsibility and integrity of legal systems and process.

### **PRINCIPLES OF THE OFFICE FOR ACCESS TO JUSTICE**

1. *Expand Access*
2. *Accelerate Innovation*
3. *Safeguard Integrity*

## **2. Challenges and Environmental Accountability**

*External Challenges.* The COVID-19 pandemic further exposed and exacerbated longstanding 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 incarcerated individuals 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, innovative approaches, and legal system reform to reduce the gap in access to justice. Further, advances in technology and artificial intelligence pose opportunities to expand access to justice while also presenting risks that access gaps will be exacerbated if these efforts are not conducted through evidence-based and equitable approaches.

*Internal Challenges.* Over the past year, ATJ has made significant progress in continuing to reinforce structures and staffing for longevity. However, ATJ is still working 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 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**

No program changes are requested.

## **III. Appropriations Language and Analysis of 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, \$10,478,000: Provided, That the unobligated balances of prior year appropriations made available for the Office for Access to Justice under the heading "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 2025 to promote greater sustainability, transparency, and accountability of the Office's work. If enacted, this language would break ATJ out from under the General Legal Activities account to become its own separate, standalone account. Doing so would allow for greater stability and consistency of the Office's funding and programmatic work in the long term. 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, by making clear the Office exists as a standalone component.



#### IV. Program Activity Justification

<b>Access to Justice</b>	<b>Direct Positions</b>	<b>Estimated FTE</b>	<b>Amount (\$000)</b>
2023 Enacted <sup>1/</sup>	42	17	\$10,015
2024 Continuing Resolution <sup>2/</sup>	42	34	\$10,015
Adjustments to Base and Technical Adjustments	0	8	\$463
2025 Current Services	42	42	\$10,478
2025 Program Increases	0	0	\$0
2025 Request	42	42	\$10,478
<b>Total Change 2024-2025</b>	<b>0</b>	<b>8</b>	<b>\$463</b>

<b>Access to Justice - Information Technology Breakout</b>	<b>Direct Positions</b>	<b>Estimated FTE</b>	<b>Amount (\$000)</b>
2023 Enacted <sup>1/</sup>	2	0.5	\$78
2024 Continuing Resolution <sup>2/</sup>	2	0.5	\$86
Adjustments to Base and Technical Adjustments	0	0	\$2
2025 Current Services	2	0.5	\$88
2025 Program Increases	0	0	\$0
2025 Program Offsets	0	0	\$0
2025 Request	2	0.5	\$88
<b>Total Change 2024-2025</b>	<b>0</b>	<b>0</b>	<b>\$2</b>

<sup>1/</sup> FTEs are actual.

<sup>2/</sup> Amounts included herein referring to the FY 2024 Continuing Resolution reflect an Annualized Continuing Resolution level.

## A. Office for Access to Justice

### 1. Policy Initiatives and Programs

The Office for Access to Justice divides its work between the Office of Programs and the Office of Policy. Some of the Office's efforts are detailed in summary below.



#### *Access to Justice for Communities*

ATJ's **Language Access Program** is led by the Language Access Coordinator, a position designated by the Attorney General with a Department-wide mandate to expand language access. The Language Access Coordinator oversees the ATJ Language Access Program, chairs the Department's Language Access Working Group, develops language access policies and initiatives, and works to develop and expand language access resources across the Department of Justice. ATJ led the updating of the Department's Language Access Plan in compliance with the Attorney General's 2022 *Memorandum on Strengthening the Federal Government's Commitment to Language Access*. The Plan, published on August 15, 2023, modernizes language access policies to further expand access and advance equity, including for the first-time recognizing sign language as a language and addressing the language access needs of individuals who are Deaf or hard of hearing. ATJ is centralizing and expanding language access resources, including through the development of a one stop shop for quick access by components to language service resources. In FY 2023, ATJ supported more than two dozen offices, including 14 United States Attorneys' Offices, in translating printed and digital content into over 30 languages. The requested translations focus on outreach and training materials, Department webpages, feedback forms and providing overall access to justice for multilingual communities.

ATJ also works to ensure access to justice does not depend on economic status. In FY 2023, ATJ partnered with the Civil Rights Division and the Office of Justice Programs to issue a **Dear Colleague Letter on fines and fees**, cautioning against the assessment of legal system fines and fees which may be unlawful, racially discriminatory, and unfairly penalize individuals who may be unable to pay, and separately in FY 2023, issued an **Access to Justice Spotlight on Fines and Fees** to promote innovative efforts that reduce reliance on court fines and fees across the country. The ATJ report aims to serve as a resource for policymakers looking to decrease systemic reliance on fines and fees as a source of revenue, and to redress the harms fines and fees can cause. It spotlights the work of 46 states, including efforts of state legislatures, counties, municipalities, courts, and local prosecutors.

ATJ pursues access to justice for **Veterans**, including by serving on the DOJ Coordinating Committee on Veterans and Servicemembers, and through LAIR partnerships with the Department of Veterans Affairs (VA) and the Department of Defense. ATJ partnered with the Servicemembers and Veterans Initiative (SVI) and

Executive Office of United States Attorneys to engage with United States Attorney's Offices to expand Veterans Treatment Courts and reentry programs; partnered with the VA and SVI to host a Veterans Day event on VA Medical Legal Partnerships, partnered with SVI to host a virtual listening session on issues facing the Black veteran community; and participated in a VA Hispanic Heritage Month celebration event, highlighting work to support and expand legal assistance to Veterans and to promote language access.

ATJ also supports access to justice for **rural communities**. In FY 2023 ATJ convened a series of law school visits across the country to promote legal help in rural areas. Through the visits, ATJ elevated public defender, prosecutor and public interest career opportunities and spotlighted innovative programs and initiatives that address the access to justice crisis in small, Tribal, and rural communities.



### ***Access to Justice Across the Federal Government and Globally***

ATJ houses the Executive Director, and the staff of the ***White House Legal Aid Interagency Roundtable (LAIR)***, reinvigorated pursuant to a May 18, 2021, Presidential Memorandum. LAIR is a collaboration of over 28 federal agencies that works to pursue access to justice across government by improving coordination among Federal programs; expanding access to legal services; developing policy recommendations that improve access to justice; assisting with implementation of Goal 16 of the United Nation's 2030 Agenda for Sustainable Development; and advancing relevant evidence-based research, data collection, and promulgation of best practices. Since 2021 ATJ has hosted annual principals convenings of LAIR Member agency heads and issued the 2021 Report, *Access to Justice in the Age of COVID-19*<sup>6</sup>; the 2022 Report, *Access to Justice through Simplification: A Roadmap for People-Centered Simplification of Federal Government Forms, Processes, and Language*<sup>7</sup>; and the 2023 Report, *Access to Justice in Federal Administrative Proceedings: Nonlawyer Assistance and Other Strategies*.<sup>8</sup>

ATJ leads the ***Federal Government Pro Bono Program***, which was established over two decades ago pursuant to Executive Order 12988. The Program facilitates pro bono legal and other volunteer services by federal government employees as permitted by statute, regulation, and ethical rules, mobilizing federal government lawyers to pursue

<sup>6</sup> Legal Aid Interagency Roundtable, *Access to Justice in the Age of COVID-19* (2021), [https://www.justice.gov/ag/page/file/1445356/download#:~:text=The%20coronavirus%20disease%202019%20\(COVID,access%20or%20other%20safe%20alternatives](https://www.justice.gov/ag/page/file/1445356/download#:~:text=The%20coronavirus%20disease%202019%20(COVID,access%20or%20other%20safe%20alternatives).

<sup>7</sup> Legal Aid Interagency Roundtable, *Access to Justice through Simplification: A Roadmap for People-Centered Simplification of Federal Government Forms, Processes, and Language*, <https://www.justice.gov/atj/executive-summary-legal-aid-interagency-roundtable-2022-report>.

<sup>8</sup> Legal Aid Interagency Roundtable, *Access to Justice in Federal Administrative Proceedings: Nonlawyer Assistance and Other Strategies* (2023), <https://www.justice.gov/d9/2023-12/2023%20Legal%20Aid%20Interagency%20Roundtable%20Report-508.pdf>.

pro bono volunteerism. In FY 2023, ATJ launched the DOJ Pro Bono Portal, an innovative approach to encouraging pro bono engagement that will make it easier for Department attorneys to participate in volunteer legal services in their individual capacities, by providing quick and simple access to pro bono opportunities.

ATJ 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. In FY 2022 and FY 2023, ATJ participated in the Organization for Economic Cooperation and Development (OECD) Global Access to Justice Roundtable with 38 other member countries to collaborate on people-centered approaches to access to justice. In 2023, the Roundtable took place in Slovenia and the ATJ Director delivered remarks for the United States. ATJ also participated in the 2023 Cross Border Crime Forum in Ottawa, Canada, provided technical assistance in conjunction with the adoption of the "Equal Access to Justice for All" resolution at the 32nd Session of United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ) in Vienna, Austria, and partnered with DOJ's Criminal Division Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) to support the launch of a new Public Defender Division of the Ghana Legal Aid Commission.



### ***Access to Justice through Innovation, Data and Research***

ATJ established formal collaborations with the National Institute of Justice and the Bureau of Justice Statistics to launch a **state court civil data study** on the feasibility of collecting critical national-level data on outcomes in high-volume civil cases; and *Gideon at 60: A Snapshot of State Public Defense Systems and Paths to System Reform*, a **national scan of public defense service models** currently used in State, local, and Tribal adult, trial-level, criminal cases, to address the prevalence of different models, factors contributing to how jurisdictions select different models, and variations in case and other outcomes associated with each model.

The *ATJ* also works to improve access to DOJ programs and resources through people-centered design and regular engagement with communities. ATJ is supporting DOJ's U.S. Trustee Program with their efforts to expand access to virtual bankruptcy meetings nationwide, utilizing access to justice and human-centered design strategies. ATJ helped to organize and host a listening session with legal aid providers about ways to further increase accessibility of the virtual meetings by addressing specific participation concerns expressed by people in low-income and rural communities. ATJ is also supporting DOJ's Office of the Pardon Attorney in streamlining and simplifying the application for clemency form by using access to justice strategies and best practices in human-centered design, including collecting suggestions from advocates and petitioners who use the form.



## ***Access to Justice through Legal Assistance Initiatives***

The Office for Access to Justice works to expand access to ***public defense, civil legal aid, pro bono and other forms of legal help*** across criminal, immigration, civil and administrative legal systems. ATJ identifies and elevates opportunities to enhance the availability and quality of representation; lifts up the perspectives of legal aid attorneys and public defenders on government commissions, committees, and working groups in regulatory, enforcement, and policy discussions, and review of legislation; educates the public on the need for and solutions to address legal assistance gaps; and advances the development of new and existing grant programs, research, training, and technical assistance. ATJ also works to develop creative initiatives to provide legal support, information and assistance, and to promote new and alternative methods to expand access to legal help.

The Office serves as the principal legal advisor for the Department on the constitutional right to counsel and the other rights under the Sixth Amendment. In FY 2023, ATJ led the launch of a ***National Public Defense Day Tour*** to mark the 60th anniversary of *Gideon v. Wainwright*, which involved six visits of public defense sites across the country joined by Department officials. The Office also issued a Dear Colleague Letter with the Office of Justice Programs clarifying the availability of Byrne-Justice Assistance Grants funding to resource public defense; engaged in a series of law school visits to promote public defense careers in rural communities; and designated a new role in ATJ solely dedicated to support state and local public defense.

As part of Public Defense Day engagement, ATJ partnered with the Federal Bureau of Prisons (BOP) to issue recommendations to the Deputy Attorney General after a ***100 Day Review of Access to Counsel in Federal BOP Facilities***. The review addressed operational and policy changes that could be made to expand and modernize access to public defenders and attorneys for those incarcerated in BOP pretrial facilities.

ATJ is collaborating with BOP to develop an innovative ***Civil Legal Services Pilot Project*** to provide civil legal assistance to individuals incarcerated in federal Bureau of Prisons facilities, to improve successful reentry outcomes, reduce recidivism and promote public safety.

## 2. Performance Tables

PERFORMANCE AND RESOURCES TABLE												
Decision Unit: Access to Justice												
RESOURCES (\$ in thousands)			Target		Actual		Target		Changes		Requested (Total)	
			FY 2023		FY 2023		FY 2024		Current Services Adjustments and FY 2025 Program Changes		FY 2025 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
			34	\$10,015	17	\$10,015	34	\$10,015	8	\$468	42	\$10,478
TYPE	STRATEGIC OBJECTIVE	PERFORMANCE	FY 2023		FY 2023		FY 2024		Current Services Adjustments and FY 2025 Program Changes		FY 2024 Request	
Program Activity	3.2, 3.3, 3.4, 3.5, 5.1	Access to Justice	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
			34	\$10,015	17	\$10,015	34	\$10,015	8	\$468	42	\$10,478
KPI:	3.4	Number of strategic partnerships established by the Office for Access to Justice to improve equal access to justice.	10		22		-		-		-	
KPI:	3.4	Number of times individuals accessed strategic resources on advancing access to justice.	-		-		12,000		-		14,000	
<i>* ATJ's KPI regarding strategic partnerships is being discontinued and replaced in FY 2024 with a new KPI that measures the number of times individuals access strategic resources on advancing access to justice. New targets for this KPI are provided in the above table.</i>												

Strategic Objective	PERFORMANCE MEASURE TABLE					
	Decision Unit: Access to Justice					
	Performance Measures <sup>1/</sup>	FY 2023	FY 2023	FY 2024	FY 2025	
		Target	Actual	Target	Target	
N/A	Agency Priority Goals	N/A	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.	10	22	-	-
3.4	Key Performance Indicator	Number of times individuals accessed strategic resources on advancing access to justice.	-	-	12,000	14,000

1/ ATJ's KPI regarding strategic partnerships is being discontinued and replaced in FY 2024 with a new KPI that measures the number of times individuals access strategic resources on advancing access to justice. New targets for this KPI are provided in the above table.

**V. Program Increases by Item**

N/A

**VI. Program Offset by Item**

N/A

**VII. Exhibits**