



COURT NAVIGATION PROGRAMS: Providing Connections and Support Across the Legal and Behavioral Health Systems*

This article reviews the findings from an environmental scan of court navigation programs. It focuses on programs that provide connections to community-based behavioral health and social services.

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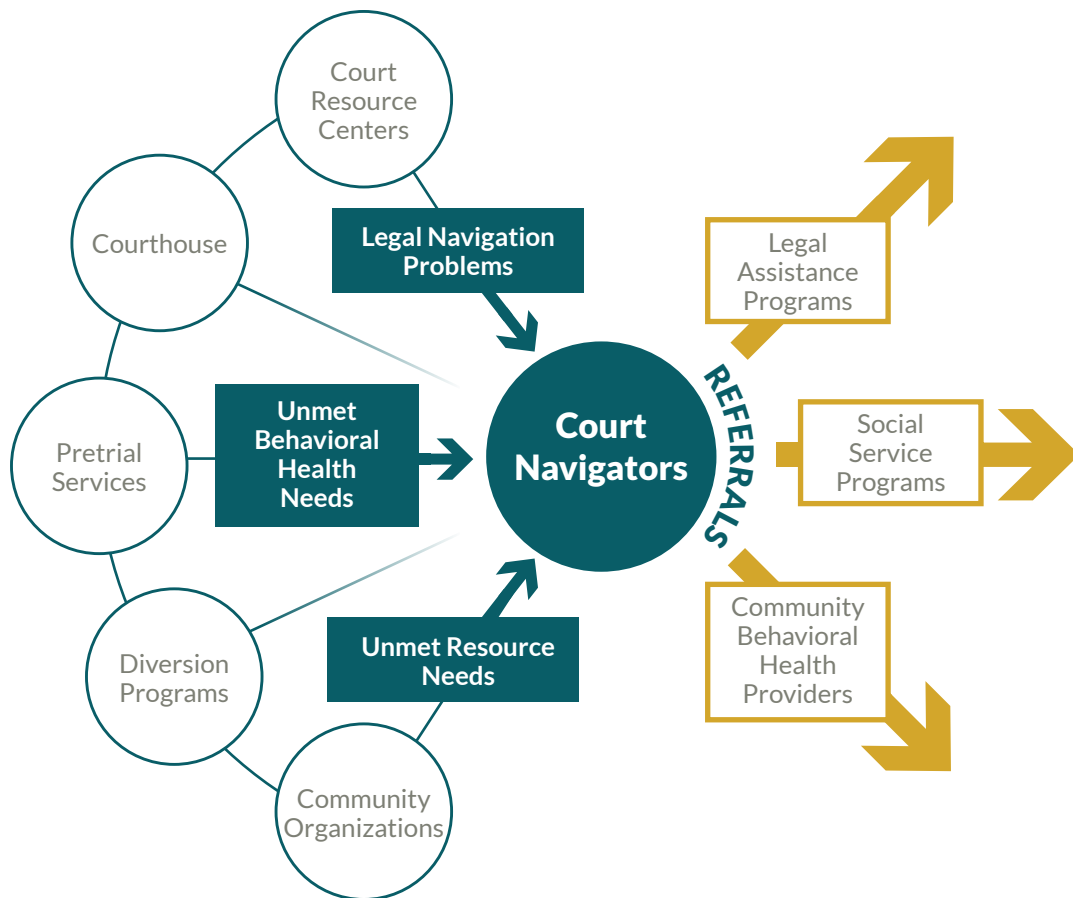
Courts face significant challenges when people involved in legal proceedings lack the knowledge and support to navigate complex legal processes. People may lack knowledge of how the legal system operates, the expectations placed on them by the court, or the resources and support needed to move through the legal process (Hagan, 2018). These challenges may be particularly pronounced for those navigating complex court procedures while also experiencing unmet needs related to mental health, substance use, housing instability, or unemployment (Couloute and Kopf, 2018; Desmond and Gershenson, 2017). Behavioral health and economic needs often lead to court involvement, and when not addressed, people risk cycling through the court system repeatedly (Zottola et al., 2023). Failure to address the behavioral health and economic needs of people who cycle through the courts not only takes a toll on their well-being but also places an undue burden on the courts (Dollar et al., 2018; Menendez and Eisen, 2019; Redlich and Han, 2014). In recognition of these challenges, many jurisdictions are seeking comprehensive and innovative solutions for enhancing the efficiency of court administration to improve both case processing and individual well-being.

One solution that courts have begun to explore are nonlawyer court navigation programs. These programs assist people through the intricacies of the court process, while also facilitating access to behavioral health, social, and human services. By facilitating connections to community-based services, court navigation programs can holistically respond to factors that may lead to court involvement while also supporting people through complex legal

processes. Court navigation programs are popping up across the United States; however, little research has documented how these programs function. To provide a comprehensive picture of court navigation programs, we completed a national scan and developed an accompanying compendium of programs that emphasize connecting people to community-based behavioral health, social, and human services while also helping them navigate the court process. Our work complements that of McClymont (2019), who conducted a foundational scan of nonlawyer navigator programs that help provide legal aid, primarily to self-represented litigants in the civil system.

How Do Court Navigation Programs Help Connect People to Resources?

Court navigation programs guide people through the legal process and play a crucial role in establishing connections to a variety of community-based behavioral health, social, and human services. While people involved in both civil and criminal court can lack the necessary knowledge and support for navigating legal processes, access to legal navigation services is not a universal solution (Sandefur, 2019). For some people, their court involvement may be at least partially attributable to mental health concerns, substance-use issues, housing instability, and unemployment. Court navigation programs help by offering invaluable assistance in clarifying legal procedures, directing people to resources, and ultimately empowering people to navigate the court system with greater confidence and understanding.

Figure 1 Diagram of Court Navigation Programs

Court navigation programs can function as centralized hubs for facilitating voluntary connections to needed resources, with navigators identifying unmet needs and providing warm hand-off connections to the appropriate community-based services. Participation in a court navigation program starts with a referral (see *Figure 1*). These referrals come from a variety of courtroom actors and court-affiliated organizations, such as pretrial services. Additionally, many court navigation programs allow self-referral. Once a person has been connected to a court navigation program, the court navigator speaks with the person to assess their needs and identifies appropriate services and support. Court navigators often call ahead to schedule appointments, provide or arrange for transportation, or directly connect the person with service providers. In this way, court navigators aim to have relatively brief, informal interactions with people intended to identify needs, answer questions, and connect people to resources all within a typical visit to the courthouse.

Method

We conducted an environmental scan of active court navigation programs across the United States. We developed our inclusion criteria based on a thorough review of the existing literature on nonlawyer court navigation programs and on discussions with a broad group of experts, including legal professionals, court personnel, court navigators, clinicians, community-based service providers, and researchers (see *Figure 2*). Our scan consisted of four steps. First, we reviewed the existing literature on court navigator programs to identify potential programs for inclusion. Second, we conducted internet searches for additional programs. We identified 107 programs for potential inclusion in our environmental scan. Third, we attempted to schedule brief interviews with each program to determine if programs met our inclusion criteria. We excluded 82 programs because we could not reach them or they did not meet our inclusion criteria, resulting in a list of 25 potential programs. Fourth, we created and distributed a detailed survey that queried the program development, funding, organizational structure, and service delivery. In total, 18 court navigation programs that met inclusion criteria responded to the survey.

Figure 2 Inclusion and Exclusion Criteria

CRITERIA CATEGORY	INCLUSION	EXCLUSION
Context of service provision	Navigators offer services through a court, court-based office (e.g. office of the public defender), court-affiliated resource (e.g. law library, resource center), or pretrial service agency. Services may also be offered in jail.	Navigators offer services exclusively through jail or prison.
Nature of services provided	Navigators provide guidance related to court processes and legal matters and connect people to behavioral health, economic, and social services in the community.	Navigators provide legal aid or provide guidance exclusively related to the court process and legal matters.
Population being served	Navigators provide services to people with active court cases (may provide services to others including the public, court personnel, family members of people involved with the court).	Navigators provide services exclusively in the context of a comprehensive program (e.g. assertive community treatment, community court, jail diversion programs.)
Process of providing services and making referrals	Navigators offer services person to person and include a warm handoff to community-based service providers when possible.	Navigators offer services through a self-help stand or kiosk and only connect people to services by providing information about the service provider.
Participation in services	Navigator services are intended to be offered on a voluntary basis.	Navigator services are offered exclusively as a part of an alternative to incarceration program, a specialty court program, a condition of release or exclusively by pretrial services officers.
Jurisdictions served	Navigators offer services within the United States in the context of state or lower-level courts (criminal, civil, juvenile, and family).	Navigators offer services outside the United States or exclusively under tribal or federal jurisdiction.

Based on our conversations with program personnel and survey results, we compiled a compendium of programs. All programs provided feedback to confirm accuracy in our representation of the program. In our summary of findings below, we refer to all programs as court navigation programs for clarity although several programs use different terminology. More complete descriptions of each program are available in the Court Navigator Compendium (<https://perma.cc/X29R-9DET>).

Findings

Geography

The programs we surveyed were geographically diverse. The 18 programs are located across 21 different states. Fourteen programs are local and operate in a single jurisdiction. Four programs operate in multiple jurisdictions. Of those four, three operate in courthouses across entire states. For example, the Criminal Justice Behavioral Health Liaison program provides services across all 95 counties in Tennessee, while another program, Partners for Justice, provides navigation services in multiple counties across the United States. Twelve programs operate in urban or suburban areas, five in mixed suburban-rural areas, and one in an entirely rural jurisdiction.

Program Development

The personnel providing navigation services are employed by an array of organizations. Some positions are directly employed by the court in which they work. Other positions are in the court but employed through local government agencies. For example, the court navigator in Phoenix, Arizona works with people in a municipal court and is employed by the city's human services department. Others are employed by local behavioral health agencies that have partnerships with county governments, as seen with the Criminal Justice Behavioral Health Liaison

program in Tennessee. Additionally, certain court navigation programs, like Partners for Justice or the program in Kalamazoo, Michigan, are embedded within public defender's offices.

Programs were typically developed through partnerships across various agencies, a common trend in their creation and sustainability. For instance, the Recovery Support Navigator program in Massachusetts is a product of collaborative efforts, stemming from Sequential Intercept Mapping workshops (<https://smtc.prainc.com/>). During these workshops, representatives from different parts of the criminal-legal continuum came together to identify gaps in services within their communities. As a result, a consortium comprising the Executive Office of the Trial Court, District Court, Probation, State Medicaid Office, Massachusetts Alliance for Sober Housing, Department of Public Health-Bureau of Substance Addiction Services, and the Department of Mental Health collaborated to create the court navigator position. Similarly, the navigator position in Columbus, Ohio also resulted from a collaboration between the court administration, the Columbus Mayor's Office, judicial leadership, and the Columbus Bar Foundation, demonstrating the importance of cross-agency cooperation in the development of these support roles.

Population Served

While all programs provide services for people with ongoing court cases, the programs surveyed report differences in the other populations that they serve. Half of the programs surveyed provide navigation services exclusively for people involved in criminal cases, while half work with people involved in civil court. For example, the court navigator in Columbus mostly works with people who have open eviction cases. In addition to serving people with open cases, many programs provide services to those who are adjacent to the court process. Eleven programs also provide services for family members of people who are facing criminal charges. Nine programs are open to the public, meaning they will provide services to people even if they do not have open court cases. The Community Resource Center in King County, Washington is in a courthouse, and anyone in the community can go to be connected to resources. Some programs emphasize vulnerable populations. For instance, the court navigator in Englewood, Colorado can provide services to anyone with an open case but was specifically designed to provide services to those experiencing homelessness.

Referral Process

The court navigation programs we surveyed all reported receiving referrals from a range of personnel within the courthouse community, such as judges, attorneys, and non-navigator courthouse staff. Some programs also reported referrals from community partners outside of the courthouse. For example, the court navigator in Englewood, Colorado has received referrals from employees of the city's public library. Several programs were designed to facilitate self-referrals. Both

the court navigator at the Justice Resource Center in Buncombe County, North Carolina and the court clinician in Chesterfield, Virginia have desks strategically located in or near the courthouse lobby, easily accessible to anyone entering. Similarly, some programs operate as resource centers in courthouses. The Resource Hub in Thurston County, Washington, and the Community Resource Center in Seattle are spaces within the courthouse complex where people receiving services can walk in at their convenience, have quick intake appointments, and be referred to appropriate services.

Services Provided

Sixteen of the court navigation programs surveyed conduct rapid screenings to determine a person's needs and to connect them with the appropriate resources for behavioral health, economic and social services, and legal aid. These assessments are typically conducted during initial intake meetings. Some programs are intentionally designed to streamline the referral process. For instance, the social work navigator in Columbus, Ohio streamlines the process with five-to-ten-minute appointments, wherein the navigator provides immediate referrals based on assessed needs. Eleven programs reported they conducted mental-health or substance-use screening or both. Programs often indicated that screening results alone do not determine connection to services. If a person expresses that they are seeking behavioral health services, the navigator will refer them to a community-based provider for a more comprehensive assessment, regardless of their screening results. Further, several programs indicated that they do not conduct a formal screening. Instead, they simply ask people if they would like to be connected to behavioral health services.



Court navigation programs provide a variety of direct services with the goal of meeting economic and social needs. Eleven programs offer transportation assistance to either court proceedings or community-service providers. This commitment ensures that logistical challenges do not hinder people from seeking the help they need, while also assisting in maintaining progress through the court process. Similarly, court navigation programs offer direct services that can reduce the administrative burden of accessing public services. Eleven programs assist people with completing applications for Social Security benefits or insurance enrollment, allowing quicker access to needed resources. For example, employees of the Community Resource Center in King County, Washington provide direct assistance to the people they work with in applying for Social Security

benefits. Half of the programs directly provide aid with essentials such as food, clothing, and shelter, which helps address resource-based barriers to participation in the court process.

Sixteen programs assist court-involved persons in navigating the physical courthouse, and thirteen programs answered questions about what steps were next in the court process. In addition to these services, some court navigation programs offer assistance related to legal tasks, though all programs were clear that they do not provide legal advice. Eleven programs assist people with legal paperwork, either in locating the correct documents or helping to ensure documents are completed. Navigators in ten programs were available to attend court hearings or meetings with attorneys to provide support if requested by the people receiving services.

Conclusion

Across the United States, court navigation programs assist people in civil and criminal courts by providing the knowledge and support necessary to navigate the complex procedural steps that constitute court involvement. Court navigators also facilitate access to services needed to address the underlying behavioral health or other needs that often drive court involvement. Providing aid to those with behavioral health needs is especially critical during a time when courts have become one of the primary sources of referral to both substance use and mental health treatment (Marks and Turner, 2014). Indeed, a National Judicial Task Force convened to examine state courts' response to mental illness and acknowledged the role courts must play in addressing the needs of people with serious mental illness. Suggestions included connecting people with community services and supports, bringing behavioral health specialists and social workers into court flow, and expanding the use of behavioral health screening and assessment (Reiber and Marks, 2022). Court navigation programs are one strategy to incorporate these suggestions.

Our compendium offers a starting point to explore examples of court navigator programs that could be adopted and adapted to fit local needs. The court navigator position is flexible by design and the programs to which we spoke emphasized their deliberate focus on addressing the needs most prevalent within their communities by connecting people to locally developed resource networks. Courts interested in developing a navigation program may benefit from assembling a team of community partners to discuss unique ways a court navigation program can help their community. In doing so, they can create a program that meets the specific needs of the people they serve within the bounds of the resources available in their community.

There is still much that is unknown about court navigation programs. While several of the programs we spoke with are collecting data on potential outcome measures, there has not been a comprehensive evaluation of their effectiveness. Anecdotal evidence supports the value of court navigators. As part of our ongoing work exploring court navigator programs, we have begun conducting interviews and site visits with several programs. One person in Tennessee described the navigators as glue that pulls the system together toward the goal of getting a person access to services. Navigators communicate with the people in the courtroom, the jail, the family, the service provider, and the persons seeking services themselves: “[T]hat really takes a lot of pressure off of these other individuals that have their own jobs and responsibilities and speeds up the process of individuals getting [to services].” This observation was echoed by a person who was connected to a transitional living facility by the navigator: “I couldn’t tell you how much I appreciate the work that [the navigator has done, they] went over and beyond what [their] job title is . . . every state ought to have this.” Once interviews and site visits have been completed, we hope to conduct formal outcome evaluations examining the effectiveness of these programs in enhancing outcomes for courts and individuals.

References

- Couloute, L., and D. Kopf (2018). "Out of Prison and Out of Work: Unemployment Among Formerly Incarcerated People." Report, Prison Policy Initiative.
<https://www.jstor.org/stable/resrep27307>
- Desmond, M., and C. Gershenson (2017). "Who Gets Evicted? Assessing Individual, Neighborhood, and Network Factors." *62 Social Science Research* 362.
<https://perma.cc/JSF8-SGZR>
- Dollar, C. B., B. Ray, M. K. Hudson, and B. J. Hood (2018). "Examining Changes in Procedural Justice and Their Influence on Problem-Solving Court Outcomes." *36 Behavioral Sciences and the Law* 32.
<https://doi.org/10.1002/bsl.2329>
- Hagan, M. (2018). "A Human-Centered Design Approach to Access to Justice: Generating New Prototypes and Hypotheses for Interventions to Make Courts User-Friendly." *6 Indiana Journal of Law and Social Equality* 199.
- Marks, J. S., and N. Turner (2014). "The Critical Link Between Health Care and Jails." *33 Health Affairs* 443.
<https://perma.cc/2W75-N96B>
- McClymont, M. E. (2019). "Nonlawyer Navigators in State Courts: An Emerging Consensus." Report, Justice Lab, Georgetown Law Center.
<https://perma.cc/333E-LWRF>
- Menendez, M., and L. B. Eisen (2019). "The Steep Costs of Criminal Justice Fees and Fines." Report, Brennan Center for Justice, November 21.
<https://perma.cc/7NAK-HB93>
- Redlich, A. D., and W. Han (2014). "Examining the Links Between Therapeutic Jurisprudence and Mental Health Court Completion." *38 Law and Human Behavior* 109.
<https://perma.cc/VQS5-MPS2>
- Reiber, P., and L. Marks (2022). "State Courts Leading Change: Reports and Recommendations." Report, National Judicial Task Force to Examine State Courts' Response to Mental Illness.
<https://perma.cc/SW2E-JS8D>
- Sandefur, R. L. (2019). "Access to What?" *148 Daedalus* 49.
- Zottola, S. A., B. Morrissey, S. L. Desmarais, E. C. Hope, L. Callahan, I. A. Massey, A. J. Fortuna, and R. A. Van Dorn (2023). "Understanding and Preventing Frequent Jail Contact." In D. Rudes, G. Armstrong, K. Kras, and T. Carter, eds., *Handbook on Prisons and Jails*. Abingdon, UK: Routledge.