

1. Record Nr.	UNINA9910272348303321
Autore	Halvorsen Rønning Olaf
Titolo	Outsourcing Legal Aid in the Nordic Welfare States [[electronic resource] /] / edited by Olaf Halvorsen Rønning, Ole Hammerslev
Pubbl/distr/stampa	Basingstoke, : Springer Nature, 2018 Cham : , : Springer International Publishing : , : Imprint : Palgrave Macmillan, , 2018
ISBN	3-319-46684-4
Edizione	[1st ed. 2018.]
Descrizione fisica	1 online resource (XIII, 341 p. 23 illus.)
Disciplina	364.6
Soggetti	Corrections Punishment Crime—Sociological aspects Criminal law Criminal justice, Administration of Welfare state Prison and Punishment Crime and Society Criminal Law and Criminal Procedure Law Criminal Justice Politics of the Welfare State
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	Intro -- Preface -- Contents -- List of Figures -- List of Tables -- 1: Legal Aid in the Nordic Countries -- Nordic Legal Aid Research -- Purpose of the Book -- Outline -- References -- 2: Legal Aid in Norway -- Brief Overview and Introduction -- Research on Legal Aid in Norway -- The Public Legal Aid Judicare Scheme -- History -- Eligibility -- Financial Eligibility -- Material Criteria -- Other Criteria -- Grants and Providers of Legal Aid -- Administration of the Legal Aid Scheme for Civil Matters -- Use of Public Legal Aid Schemes -- Use of the Judicare Scheme for Legal Assistance Outside Court -- Use of the Judicare Scheme for Legal Aid in Court Proceedings -- Legal Aid

Expenditure -- Expenditure on Legal Assistance Outside Courts -- Legal Representation Under the Judicare Scheme -- Expenditure on Alternative Legal Aid Schemes -- Public Legal Aid Offices -- Legal Expenses Insurance -- Alternative Legal Aid Schemes -- Pro Bono Work -- Student-Run Legal Aid Clinics -- Gatejuristen -- Norwegian Association for Asylum Seekers: NOAS -- Legal Aid Policy and Legal Aid Reform -- Conclusions -- Bibliography -- 3: Legal Aid in Sweden -- Introduction -- Historical Background -- Previous Research on Legal Aid in Sweden -- Legal Expenses Insurance -- The Public Legal Aid Scheme -- Entitlement Criteria -- General Restrictions -- Procedural Issues -- Conclusions on Entitlement to Public Legal Aid -- Providers Under the Scheme -- Use of Legal Aid<sup>4</sup> -- Spending on the Scheme -- Legal Aid Through Trade Unions -- Alternative Legal Aid Initiatives -- Pro Bono Legal Assistance -- Voluntary Student Legal Clinics -- Concluding Discussion -- References -- 4: Legal Aid in Finland -- Introduction -- Details and Function of the Finnish Legal Aid System -- Entitlement and Eligibility -- Legal Aid in PLA Offices -- Legal Aid Cases Handled by Private Attorneys. Expenditure<sup>9</sup> -- Alternative Legal Aid Initiatives -- Legal Expenses Insurance -- Other Legal Aid Initiatives -- Recent Policy Developments and Strategies for Publicly-funded Legal Aid -- The Debate on the Mixed Legal Aid Model in the Twenty-first Century -- Conclusion -- References -- 5: Legal Aid in Denmark -- Introduction and Historical Background -- Legal Aid Research -- Different Legal Aid Schemes<sup>2</sup> -- Pre-trial Legal Aid -- Legal Aid Providers -- The Use of Pre-trial Legal Aid -- Free Legal Aid (Fri Proces): Legal Aid in Regard to Lawsuits and Legal Proceedings -- The Use of Free Legal Aid in Lawsuits -- The Administration of, and Expenditure on, Legal Aid -- Concluding Remarks -- References -- 6: Legal Aid in Iceland -- Introduction -- Historical Background to the Development of the Law on Legal Aid -- The Current Legislation on Legal Aid in Civil Cases and its Administration -- Backlash During the Boom Years -- In the Eye of the Economic Storm -- Legal Aid Applicants and Recipients -- Gender Analysis -- Legal Expenses Insurance -- Access to Free Legal Counselling -- Conclusion -- References -- 7: Juss-Buss [Law Bus]: A Student-run Legal Aid Clinic -- Introduction -- Staff, Funding, and Case Types -- Case Types Mirroring Flaws in the Welfare State -- Workplace Organisation and Standardisation of Workflow -- Training -- Translating the Law into Everyday Language -- Referral Service for Clients -- Outreach Initiatives: With the Aim to Empower and Influence the Political Agenda -- 'Troubles-Talks' -- Help to Self-Help -- Legal Policy Work -- Concluding Remarks -- References -- 8: Gadejuristen [The Street Lawyers]: Offering Legal Aid to Socially Marginalised People -- Introduction -- The Organisation of Gadejuristen -- Staff, Funding, and Type of Cases -- Gadejuristen Cases -- The Work of Gadejuristen. Navigating in the Welfare State: Gadejuristen as Mediators -- Working on a Societal Level -- The Street Lawyer Method -- Conclusion -- Bibliography -- 9: Ex-prisoners' Need for Legal Aid in Denmark -- Introduction -- Material and Methods -- Lack of Legal Support for Ex-prisoners -- Ex-prisoners' Multifaceted Problems -- Need for an Income Combined with Complex Legal and Non-legal Problems Post-prison -- Housing Need Combined with Complex Post-prison Legal and Non-legal Problems -- Debt and Criminal History Challenge Income and Housing -- Intertwined Legal Aid Approach -- Difficulties in Transforming Multifaceted Needs into Legal Issues, and Applying for Help -- Trust and Seeking Comfort Amid Distrust and Discomfort -- New Legal Aid Initiative: Cross-functional Mentors Pre- and Post-

release -- Concluding Remarks -- References -- 10: Nordic Legal Aid and 'Access to Justice' in Human Rights. A European Perspective -- Introduction -- Legal Aid Ideology in the Nordic Schemes -- Nordic Delivery Models -- Main Entitlement Criteria -- Problem Criteria -- Poverty Criteria -- Welfare Ideology Behind the Finnish and Norwegian Schemes -- The European Court of Human Rights' Case Law on 'Access to Justice' -- Main Features of the 'Access to Justice' Perspective -- The Obligation to Provide Legal Aid -- Comparisons to Nordic Legal Aid -- The European Commission for the Efficiency of Justice (CEPEJ): A New Instrument for Improving Legal Aid? -- The CoE's Soft Law on Legal Aid -- The CEPEJ's Main Challenges Concerning Legal Aid -- What Does the European Judicial Survey Tell Us About the Performance of European Legal Aid? -- The Overall Picture -- Nordic Legal Aid in the European Setting -- The CEPEJ's Evaluation of European Legal Aid Schemes -- Conclusion -- References -- Legislation and Other Legislative Documents -- Finland: -- Norway: -- Council of Europe/CEPEJ:.

11: Legal Aid and Clinical Legal Education in Europe and the USA: Are They Compatible? -- Introduction -- Definitions: Clinical Legal Education and Legal Aid -- Clinical Education -- Legal Aid and 'Legal Services' -- Legal Aid and Clinics in the USA: The Reagan Assault on Legal Services -- The Earliest US Clinics: Europe's Surprising Role -- The Second Wave: Social Activism in the 60s and Beyond -- Crisis: Reagan's Attacks on Legal Services via Clinics -- Early Legal Clinics in Central Europe: Poland's Clinical Links to Legal Aid -- Post-Soviet Rapid Expansion of Clinics -- The Polish Case -- The Polish Legal Clinics Foundation (FUPP) as Unifying Influence -- The Aftermath: Let a Hundred Flowers Bloom Throughout Europe and the USA -- References -- 12: Juridification, Marginalised Persons and Competence to Mobilise the Law -- Introduction -- The Theory of Juridification and Law--Dissociated Seekers of Justice -- Habermas' Concept of Juridification and Legal Policy Proposals as Seen by Norwegian Legal Aid Research -- The Development from Weber's Formal Rationality to the Procedural Rules of the Welfare State and the Consequences for Those Seeking Justice -- Conclusion on Mobilising the Law -- References -- 13: Outsourcing Legal Aid in the Nordic Welfare States -- Introduction -- Legal Aid in the Nordic Countries -- Legal Aid in the Nordic Countries: A Nordic Model? -- Third Sector Initiatives -- Individualisation of Legal Aid -- Conclusion -- References -- Index.

---

## Sommario/riassunto

This edited collection provides a comprehensive analysis of the differences and similarities between civil legal aid schemes in the Nordic countries whilst outlining recent legal aid transformations in their respective welfare states. Based on in-depth studies of Norway, Sweden, Finland, Denmark, and Iceland, the authors compare these cases with legal aid in Europe and the US to examine whether a single, unique Nordic model exists. Contextualizing Nordic legal aid in relation to welfare ideology and human rights, Hammerslev and Halvorsen Rønning consider whether flaws in the welfare state exist, and how legal aid affects disadvantaged citizens. Concluding that the five countries all have very different legal aid schemes, the authors explore an important general trend: welfare states increasingly outsourcing legal aid to the market and the third sector through both membership organizations and smaller voluntary organizations. A methodical and compassionate text, this book will be of special interest to scholars and students of the criminal justice, the welfare state, and the legal aid system.

---