



**University of Arkansas – William H. Bowen School of Law**  
**1201 McMath Avenue/Little Rock 72202**  
**Room 515**  
**Friday, October 21, 2005**  
**1:00 P.M.**

**Minutes**

**Attending:** Dean Goldner [Chair], Mr. Brown, Judge Brown, Ms. Carter, Mr. Carter, Mr. Coulter, Ms. Frazier, Judge Hannah, Mr. Johnson, Ms. Pointer, Mr. Richardson, Judge Spears, Ms. Walker, Ms. Olson, [Mr. Morris and Mr. Lanoue/Staff]

The meeting opened at 1:08 with approval of the Commission Minutes of July 15, 2005, as amended.

**Judicial Conference**

Dean Goldner highlighted the Access to Justice presentation of Judge Lora Livingston of Travis County, Texas at the Judicial Conference in El Dorado yesterday morning. Judge Livingston delivered an excellent overview of access to justice history, issues and actions in Texas and elsewhere to enhance their justice system. Many of the comments focused on actions applicable to the court systems. Judge Spears stated the discussion was well received. Mr. Lanoue reported that the eleven [11] surveys he gathered up as he was leaving revealed some interesting information which the Pro Se Committee and then the Commission will want to consider. [Judge Spears brought back from the Judicial Conference an additional thirty-two [32] surveys and more are expected to be returned by mail, fax, or email.]

Dean Goldner announced utilizing the same format as previous meetings that begin with committee reports and conclude with an overall discussion and decision-making process relative to all the committee recommendations.

**Pro Bono Committee Report**

Judge Spears presented the Bono Committee Report focusing on the Town Hall Meetings, a Commission/Legislative reception, and future outreach to the Quorum Courts following the Town Hall meetings.

**Legal Services Committee Report**

Ms. Frazier presented the Legal Services Committee Report highlighting the Texas Access to Justice DVD as a model for developing a similar tool in Arkansas, updating the radio PSA's of a few years ago, and setting a joint meeting of the Commission with the Legal Services Committee of the Arkansas Bar. In discussing the Committee's joint fund development plan, Dean Goldner asked Mr. Lanoue to present the additional

information contained in the meeting packet for members to add to their Environmental Assessment portion of their Commission handbook.

**Environmental Assessment Information**

Mr. Lanoue pointed out that the difference between poverty population statistics for both CALS and LAA varied only 6 hundredths of a percent at **100% and 125% of poverty**. The **Pro Se Resources** table showed the extensive information already available on the Arkansas Legal Services Partnership [ALSP] website and the more limited number of resources on other sites. The **Congressional District & Commissioners Map** was provided for information as the Town Hall meetings are implemented; so too the **Congressional Office Contact Information** that has already been employed to initiate contacts with Congressional office staffs. The **Arkansas Court Structure** should prove helpful to non-attorneys on the Commission. The listing of Arkansas by **Community Libraries & Court Houses** is an important resource as the Commission moves to enhance the ability of both pro se and pro bono access. Finally Mr. Lanoue commented that the last environmental attachment: **Documenting the Justice Gap in America** – September 2005 should be the one thing everyone reads this weekend because it sets the stage for the important work in which the Commission members are engaged.

**Pro Se Committee Report**

In the absence of Chairman Mullane, Ms. Pointer presented the Pro Se Committee Report which highlighted the need to determine current pro se resources [provided above in response to the committee request], and surveys of judges [discussed above], clerks, and pro se litigants themselves.

**Decisions on Objectives from the Committee Reports\***

\* Decisions and comments leading up to them are all in boldface

**DISCUSSION ITEMS**

**DECISIONS**

| <b>DVD Issues</b>  | <b>Decisions from this Meeting</b>   |
|--|--|
| 1. The Commission needs to determine who will speak for it in two ways: <ul style="list-style-type: none"> <li>• Supreme Court Justice opening remarks</li> <li>• Client story narrative [Bill Moyers in Texas]</li> </ul>   | 1. <b>Justice narrative: Dean Goldner announced that Justice Annabelle Clinton-Imber was appointed by the Chief Justice Hannah to represent the court on the commission and everyone agreed she would be ideal to make opening remarks on behalf of the Commission.</b><br>2. <b>Client narrative: Ron will talk with Skip Rutherford about Bill Clinton narrating the DVD with Dale Bumpers or David Pryor being approached if the former president cannot do it.</b> |
| 2. A professional producer and writer need to be secured. The Commission should host a meeting with 4 or 5 potential bidders on the Arkansas DVD project to elicit their advice, review their productions, and seek in-kind/underwriting support ideas.<br><i>Financing-</i> | <i>Parameters:</i><br>7-12 minute length<br>Partial list of potential invitees:<br><b>Full Service-</b> <ul style="list-style-type: none"> <li>• Cranford Johnson Robinson Woods</li> <li>• Stone &amp; Ward</li> <li>• Demp Dempsey</li> </ul>  |

|   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• How will this be financed?</li> <li>• Can the Commission utilize corporate underwriting? [Entergy, Tyson, etc.]</li> </ul> <p><b>Mr. Brown described an approach he has made to Tyson seeking their underwriting.</b></p> <p><b>The Commission consensus was that underwriting funds are an acceptable method of funding the DVD providing recognition in the credits is the only advantage given to the underwriter. Editorial content and control remains vested in the Commission. To insure the appropriateness of this approach Mr. Coulter suggested showing Justice Clinton-Imber the DVD and asking her to take up the issue of funding with her colleagues. They may even want to help fund the production.</b></p> <p><b>Mr. Richardson pointed out the continuing availability of ABA funds at AVLE [\$7,000] which could be applied to this project provided one of the client vignettes covers an elderly person.</b></p> <p><i>Target Audience:</i><br/>Bar and Public</p> | <ul style="list-style-type: none"> <li>• Gary Jones Productions</li> <li>• Waymac &amp; Crew</li> <li>• 5-Star</li> </ul> <p><b>Production Services-</b></p> <ul style="list-style-type: none"> <li>• Video Perfection</li> <li>• Talk Business -Roby Brock</li> <li>• Image Works – Tim Moore</li> <li>• Creative Media Services – Marvin Black</li> <li>• Comcast – Mike Wilson</li> <li>• KATV – Dale Nicholson</li> <li>• ASU/UAF production facilities</li> </ul> <p><b>Ms. Olson talked about a 37-minute video done for the UALR law school which cost \$25,000.</b></p> <p><b>Judge Spears made the motion which was seconded by Mr. Coulter to proceed with the production of a Commission DVD on Access to Justice in Arkansas. The vote was unanimous.</b></p> <p><b>The Commissioners agreed that the Legal Services Committee needed to create a timeline for this project.</b></p> |
| <p>3. Legal services staff need to identify potential client speakers with good stories</p>   | <p><b>Legal Services should move ahead with client story selections.</b></p>   |
| <p><b>Town Hall Decisions</b></p>   |  |
| <p>Determine Town Hall Outcomes <i>[Goal 1. Develop an objective and accurate understanding of the problems Arkansans face in using our legal system to obtain justice in civil cases.]</i></p>   | <ol style="list-style-type: none"> <li>1. Information/data</li> <li>2. Client experiences</li> <li>3. Agency experiences</li> <li>4. Court experiences</li> <li>5. Attorney experiences</li> </ol>   |

|  |  |
|--|--|
| <p><b>Program Format</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Welcome by Member of Congress <i>[if present]</i></li> <li><input type="checkbox"/> Introduction by ATJC Chair/Member</li> <li><input type="checkbox"/> Panelists speak</li> <li><input type="checkbox"/> Audience speaks <i>[service providers, agencies, public interest groups]</i> The Commission [and congressional offices] needs to identify these groups and invite them.</li> <li><input type="checkbox"/> A few clients <i>[including some turned down for service because of lack of legal service resources]</i></li> </ul> | <p><b>Program Format Approved</b></p>  |
| <p><b>Panelists</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ATJ Commissioners [3-4 from district]</li> <li><input type="checkbox"/> Supreme Court Justice</li> <li><input type="checkbox"/> Congress member [if desired]</li> <li><input type="checkbox"/> ATJC Staff Member</li> <li><input type="checkbox"/> Invite Glenn Vassar, President of the Arkansas Bar</li> </ul>   | <ul style="list-style-type: none"> <li>• All Members of Congress have been invited to participate [Vic Snyder will participate and make opening remarks]</li> </ul> <p><b>Committee and Staff should continue these arrangements.</b></p>  |
| <p>Arrange meeting dates and venues by 1/1/06</p>  | <p><i>See below</i></p>  |
| <p>Contact each Congressional staff officer to:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Inform about the ATJC</li> <li><input type="checkbox"/> Seek a date at which their Member can participate</li> <li><input type="checkbox"/> Where [city/venue] should meeting be held</li> <li><input type="checkbox"/> Advertise as 1 hour</li> </ul>   | <p>All Congressional offices have been contacted. They were asked to select a date convenient to the Member sometime between January and April 2006. They were briefed on the ATJC and will receive information about the Commission. They cannot provide the Commission with a selected date until the House leadership provides the Winter/Spring voting calendar sometime in December. Member's staffs were also asked to select the city and venue in which to meet along with developing a list of agencies in their districts that would want to make input to the Commission.</p> |
| <p>Ron should quickly make contact with Congressional office staff in light of public focus on poverty due to Katrina and Rita.</p>  | <p><i>See above</i></p>  |
| <p><b>Lead Commissioners</b> by Congressional District:<br/> 1<sup>st</sup> – Lee Richardson<br/> 2<sup>nd</sup> – Nate Coulter<br/> 3<sup>rd</sup> – Jim Spears<br/> 4<sup>th</sup> – Waymond Brown</p>   | <p><b>Approved by Commission</b></p>   |
| <p><b>Invite</b> to Town Hall Meetings:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Seek suggestions from Bill Brown, Steve Carter, Martha McCaskill of the ATJC</li> <li><input type="checkbox"/> Ask Congressional office to identify &amp; invite</li> <li><input type="checkbox"/> Legal services staff</li> <li><input type="checkbox"/> Identify &amp; invite local legislators</li> </ul>   | <p><b>Approved by Commission</b></p>   |
| <p>Engage a <b>court reporter</b> for each session so that a complete record is available to print a report.</p>   | <p><b>Legal Service pro bono court reporters should be contacted in each Congressional District.</b></p>   |
| <p>Provide a detailed <b>registration</b> form to secure data for future events and contacts.</p>  |  |
| <p>In addition to the statewide media, the Congressional office staff press person should furnish/contact their <b>local media</b> sources</p>   | <p>In process with District staffs</p>   |
| <p>Provide an <b>evaluation</b> sheet to help hone the</p>   |  |

|  |   |
|--|---|
| town meeting process   |   |
| <b>Potential Expenses:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Travel</li> <li><input type="checkbox"/> Court reporter</li> <li><input type="checkbox"/> Room [if not comped]</li> <li><input type="checkbox"/> ATJC fliers [if not from other commission source]</li> </ul> |   |
| <b>Commission/Legislature</b>  |   |
| <b>Goal 4 Objective 2.</b> In January 2007, the ATJC will host a Legislative Information/Reception.  | <p>Luncheon and evening reception times held on <b>Wednesday, January 24, 2007</b> pending Commission selection today.</p> <p><b>The Commission voted unanimously to secure the evening reception time.</b></p> <p><b>How to pay for it will need to be considered by the committee and Commission in the next three months.</b></p>  |
| <b>Commission/Bar</b>  |   |
| <b>Goal 8. Objective 1.</b> In 2005, the Commission should convene a joint meeting with the Arkansas Bar Association's Legal Services Committee to explore possible funding sources such as raising annual attorney licensing fees.  | <p>Discussion with Chair of the Bar's Legal Services Committee, Mr. Mullane, at this Commission meeting to arrange a one hour meeting at the Bar's mid-January sessions in Memphis – January 19-22, 2006.</p> <p><b>Mr. Mullane was unable to attend so Mr. Lanoue was asked to seek a time that Friday afternoon to meet with Mr. Mullane's Bar committee and for the Commission to conduct its January quarterly meeting. Mr. Coulter felt that knowledge of a meeting with the Commission would encourage bar committee members to participate. Mr. Lanoue should ask the bar's Executive Director, Don Hollingsworth to secure a room for the Commission meeting.</b></p> |

**Legal Services Committee**

|  |  |
|--|--|
| <b>Radio PSAs</b>  |  |
| <ul style="list-style-type: none"> <li><input type="checkbox"/> They needed to be played often</li> <li><input type="checkbox"/> Staff needed a great deal of time to get the stations to accept and then air the spots</li> <li><input type="checkbox"/> Some of the PSA's needed to be recorded by African Americans.</li> <li><input type="checkbox"/> Some of the PSA's needed to be recorded by a female</li> </ul> | <p><b>The committee should continue to pursue this issue perhaps in conjunction with the Town Hall Meetings.</b></p> |

|  |  |
|--|--|
| <ul style="list-style-type: none"> <li>□ The following topics should be covered by the spots: <ul style="list-style-type: none"> <li>▪ Housing</li> <li>▪ Land loss</li> <li>▪ SSA</li> <li>▪ Consumer</li> <li>▪ Tax Credits</li> <li>▪ Predatory practices</li> </ul> </li> </ul> <p>Each committee member would review and send Mr. Lanoue additions to the radio stations list provided in the materials</p> |  |
| <b>Legal Services Funds Division</b>   |  |
| <p>The agreed upon division of all LSC funding is based on poverty population within the counties of the state which each legal services operations covers. The current split based on the 2000 Census is:</p> <p style="text-align: center;"><b>59.9 CALS</b><br/><b>40.1 LAA</b></p>   | <p>Questions were raised regarding split based on 125% of Poverty. Results –*</p> <p style="text-align: center;"><b>59.87 % CALS</b><br/><b>40.12 % LAA</b></p> <ul style="list-style-type: none"> <li>• <i>County 125% Poverty Level Table included in Environmental Scan information in this meeting packet.</i></li> </ul> <p><b>Maintain current funds division.</b></p> |

**Pro se Committee**

|   |   |
|---|---|
| <b>Pro se Decisions</b>   |   |
| Determine what resources are currently available for pro se litigants in Arkansas                           | <b>Pro Se Resources Table distributed</b>   |
| Questionnaire for district and circuit court judges, clerks, and law librarians concerning pro se litigants | <p>Draft Survey of Circuit Court Clerks is attached.</p> <p><b>Judges Survey [partial results] distributed.</b></p> <p><b>Clerks Survey sent by email by AOC today.</b></p> |
| Questionnaire for Pro Se litigants  | In development  |

**Commission Website**

Mr. Morris led members through a Commission Website presentation utilizing projected images of various aspects of the site which he and Mr. Lanoue had developed since the last meeting. **Dean Goldner appointed Mr. Sewall and Ms. Olson to review the complete website over the next two weeks to recommend any changes prior to going public with the site.** The following suggestions were also offered in taking the site public:

1. Important to point out forms availability which is an issue for judges.
2. Share site with webmasters at AOC and Bar for inclusion on their websites.
3. Important to share this site with librarians around the state.

## **Commission Administration**

### *Appointments:*

**Justice Annabelle Clinton-Imber – Appointed by the Supreme Court**

**Mr. Frank Sewall appointed by the Arkansas Bar Association**

**Ms. Danyelle Walker and Mr. Nate Coulter reappointed by the Arkansas Bar Association**

### *Funding:*

**The court will only pay for Commission travel as it does with other committees. No staff or other funding will be available.**

**Chair Goldner will work with the Court to pursue 6.1 Rule changes recommended by the Commission including the buy out provision. The Chair will also seek appointment of a House Member to the Commission.**

The meeting adjourned at 2:59.