



**Peabody Hotel
Memphis
Friday, January 20, 2006
1:00 P.M.**

Minutes

Attending: Dean Chuck Goldner [Chair], Mr. Bill Brown, Ms. Jean Carter*, Justice Annabelle Clinton Imber, Mr. Nate Coulter*, Ms. Zina Frazier, Judge Craig Hannah, Mr. Michael Mullane*, Mr. Lee Richardson*, Mr. Frank Sewall, Ms. Kelly Olson, Mr. Ron Lanoue [Secretary]

Arkansas Bar Association & Legal Services Committee Attendees: Mr. A. Glenn Vasser [President], Mr. Clay Patty, Mr. James Sprott [President-Elect], Mr. Don Hollingsworth [Executive Director]

* Also members of the Bar Committee on Legal Services

Dean Goldner opened the Joint Session at 1:15 referred to the hand out [*History, Mission, Structure, Current Goals and Objectives Packet*] everyone had received which gives the history of the Arkansas Access to Justice Commission. Knowing many of the individuals in the room were involved in that process he noted the nature of this joint meeting was to determine how the Committee and Commission would continue to work together in the future. He turned the meeting over to Mr. Mullane, Chair of the bar's Legal Services Committee who then presented the goals of the committee related to access to justice. Goal 1 is to support the work of the Access to Justice Commission and Goal 2 is to support the legal services entities in the state: Center for Arkansas Legal Services [CALs], Legal Aid of Arkansas [LAA] and Arkansas Legal Services Partnership [ALSP]. Upon request Mr. Lanoue provided an overview of the work of ALSP including the Pro Bono Partnership, Joint Board and staff development work with CALs and LAA, maintaining legal services www.arlegalservices.org and the Commission websites www.arkansasjustice.org and staffing the Commission.

Dean Goldner suggested that the best way to achieve the Committee's goals today would be for members to offer input as the Commission proceeded through its agenda. The first item, approval of Minutes of October 21, 2005, was moved by Mr. Brown, seconded by Ms. Olson and unanimously accepted.

Dean Goldner and Mr. Lanoue led members into discussion and decisions on the next two items by utilizing the *Major Activity Timelines Form* which organized the current status and decision needs of the three major items remaining on the agenda.

Commission DVD

Mr. Lanoue highlighted the packet of information, which included a request to President Clinton to narrate the client stories and a request to CALS/LAA Managing Attorneys asking for submission of client stories. It also included items related to production of a marketing DVD for the Commission; a cover letter to potential bidders, the RFP itself and a list of companies receiving the RFP.

Commitments to date:

- ❑ Justice Imber will make the opening remarks
- ❑ Client stories submitted for culling by the Commission's legal services committee

Immediate actions to be undertaken:

1. All Commissioners should approach potential funding sources using the RFP indicating a likely price tag of \$27,000. [**Mr. Brown** remains in touch with Tyson. **Mr. Mullane** will contact Target Stores in NW Arkansas. **Ms. Frazier and Mr. Lanoue** will initiate contact with Entergy.]
2. **Mr. Coulter** will talk with Mr. Skip Rutherford to gauge the likelihood of President Clinton's participation.
3. The selected production company should screen the short list of potential client stories to help choose the best four.

Town Hall Meetings

Dean Goldner asked Mr. Lanoue to update the Commission of this rapidly advancing process. Mr. Lanoue presented the information showing the meeting schedule by Congressional District and the status of decisions involving Town Hall Meeting implementation.

Commitments to date:

- ❑ February 13, 1:00 in Pine Bluff with 4th District Congressman Ross
- ❑ Dean Goldner, Ms. Olson and Mr. Mullane pledged the legal clinics at both law schools would cover the costs of a Commission flier to be available at all the Town Hall Meetings.
- ❑ Five Panelists were determined to be the ideal number– including the Member of Congress. Justice Imber cleared her calendar to be one of the panelists. Dean Goldner agreed to join Justice Imber. Mr. Vasser offered to serve as a panel member. With Congressman Ross that provided a panel of four.
- ❑ Because of the short lead-time for this event, radio PSA's were put on hold.

Immediate actions to be undertaken:

1. Judge Waymond Brown would be asked to join the panel by **Judge Craig Hannah**.
2. **Dean Goldner** would invite one other Commissioner to serve on the panel.
3. Secure video coverage for future Commission use from UABP or local cable access. This would be in addition to the media invitations also being managed by the **staff**.
4. To secure a court reporter *gratis*, Justice Imber suggested staff call Maria Lafferty at the AOC who is Secretary of the state's Court Reporters.

5. **Ms. Carter and Mr. Richardson** would create a broad invitation list and specifically contact agencies they regularly work with like the area agencies on aging and others to provide audience participation. Likewise they would contact the local bar chairs in District 4 counties to come testify.
6. **Commission staff** will put notice of the Town Hall Meetings on the Commission and ALSP web sites.

Pro Se Judge and Clerk Survey Results

Mr. Mullane complimented the survey and summary provided by the staff and then reviewed the comparative results. Of significance was the fact that both the judges and clerks were in agreement on the five highest types of pro se cases. Although the rankings were different, the type cases were all the same [Divorce, Orders of Protection/Domestic Violence, Child/spousal support, Name change, Child Custody/visitation.] Both groups saw an increase in the number of pro se cases over the past three years [79% of judges, 88% of clerks]. Mr. Mullane expressed some surprise that providing old case files was the number two referral for both groups of respondents. The significant percentages of both groups which favor standard protocols for the treatment of pro se litigants provides an excellent opportunity for the Commission to be of service to judges, clerks and the access to justice process in general. Mr. Mullane told of his experience in Maine with on-site facilitators, a suggested helpful action identified in the surveys. They were members of the legal secretaries organization who volunteered to help pro se litigants in using standard forms. Mr. Mullane further noted that both judges and clerks in the survey felt that the highest priority of help would be the development and implementation of approved forms for pro se litigants. At a future date the Commission would need to determine at what reading level these forms should be produced – 5th or 8th grade.

Immediate actions to be undertaken:

- The Pro Se Committee will develop recommendations for the Commission based on these survey results in full recognition that each court has its own culture. Mr. Brown asked if the Commission could use the forms already on the website. Mr. Mullane stated this would be part of the Committee recommendation.
- **Mr. Mullane** will email the Bar's Legal Services Committee members to help participate in the forms development work of the Commission's Pro Se Committee. Justice Imber suggested Mr. Mullane also contact Ms. Sue Newberry who is criminal case coordinator with extensive experience in pro se post conviction relief [civil included].

Other Commission Business -Website

Dean Goldner praised the now up and running website. Mr. Lanoue indicated that in its short history some 450 hits have been recorded and that a full analysis of activity would be provided at the April meeting. [**Mr. Lanoue** will forward the year's quarterly meeting dates to everyone.]

Other Commission Business –Legislature

Dean Goldner opened a discussion of the fourth timeline activity, legislation for 2007. Mr. Vasser suggested that Dean Goldner appear before the Bar Association to communicate Commission recommendations for bar action including the decisions on Model Rule 6.1 which appears in the listing of Goals and Objectives. There may need to be a compromise but the issue should be joined.

Action: Ms. Frazier moved and Mr. Sewall seconded a motion to send the **Chair to present the Commission’s recommendations to the bar**. It passed unanimously.

Mr. Coulter suggested that the Commission and Bar meet soon to consider proposing a mechanism to the Legislature which would firmly establish funds for the Commission. We must maintain our momentum with the Legislature and impress upon them the critical needs of legal services and the Commission. We need to formulate what we want and work with the bar, judges, clerks etc. so as to have a firm proposal for the AOC.

Mr. Vasser pointed out that the Bar’s Board of Governors would be meeting in April. Dean Goldner suggested moving forward some of the Commission work so that it can be presented to the bar at that time. Mr. Vasser noted that in its June meeting the Bar decides on legislation it will be seeking in the 2007 session.

Action: Ms. Carter felt the earlier the Commission could act the better so that the Legal Services Committee of the Bar could support **Commission recommendations for legislative support of operating funds for the Access to Justice Commission**. She so moved with Mr. Coulter seconding. The motion passed unanimously.

The meeting adjourned at 2:47.