



**UALR-Bowen School of Law  
1201 McMath Avenue  
Friday, August 15, 2008  
Conference Room 515  
1:00 P.M.**

## **Minutes**

Attending: Dean Goldner [Chair], Mr. Bill Brown, Ms. Carter, Ms. Duran, Ms. Frazier, Judge Hannah, Prof. Olson, Ms. Pointer, Mr. Richardson, Mr. Sewall, Mr. Shelton, Judge Spears [Vice Chair], and staff: [Mr. Lanoue-secretary, Mr. Morris, and Mr. Owens]

Dean Goldner opened the meeting at 1:06 p.m. He introduced Mr. George Shelton, the Director of Campaign Support at Wal-Mart who is the new appointee to the Commission by the Governor. Mr. Shelton represents the non-attorney – Chamber of Commerce position. The Chair then asked everyone to introduce themselves. After all introductions, Dean Goldner asked for approval of the previous minutes. The minutes were unanimously approved as submitted.

### **Education Committee**

In the absence of Justice Imber, Mr. Brown highlighted the Initiatives Table and introduced each initiative to the Commission.

Dean Goldner asked if the Commission approved ***asking Chief Justice Hannah to discuss the ATJC in his State of the Judiciary Addresses to the Legislature.*** After a seconded motion, the Commission approved. ***The Commission will offer to provide relevant information to the Chief Justice.***

***The Commission next considered the proposed distribution timetable for the annual report.*** All approved. Mr. Lanoue asked who should sign each particular cover letter. Dean Goldner volunteered to sign all letters as Chair of the Commission. In addition, he recommended Justice Imber's signature when the letter goes to the courts. When the report goes to legislators, Dean Goldner recommended that the Commissioners from the Legislature [Rep. Bond, Sen. Thompson] sign. To civic leaders, Dean Goldner recommended Mr. Shelton's signature. Finally, Dean Goldner suggested that the Chair make the determination for each mailing. All approved Dean Goldner's recommendations.

Dean Goldner pointed the Commissioners to the table of potential non-commission committee members. He asked the members for more recommendations. ***He also pointed out that the Chair of the Commission has the authority to appoint non-commission members without Commission action.***

Dean Goldner asked Mr. Brown about the proposed local town hall meetings. Mr. Brown confirmed that these were being considered. Dean Goldner asked if state legislators would serve as hosts. ***He stated that these legislators should be contacted soon after the legislative session ends. He also suggested that the Education Committee consider how many House and Senate districts should be combined for a town hall meeting.***

### **Legal Services Committee**

Ms. Pointer reported on the action items of the Legal Services committee. Ms. Pointer asked Dean Goldner to mention IOLTA during his presentation at the New Lawyer Practicum and he confirmed that he would.

She stated that the committee felt the contact list of the Arkansas Bar Association would be helpful in its work. She spoke to someone at the Bar who told her that the contact list could be purchased upon approval. ***Mr. Sewall told the Commission that he would approach the Bar.*** He suggested that the Bar Association might send an email on behalf of the Commission, especially if it cannot give out its contact list. Ms. Olson stated that the Bar may send an email if its members benefit from the content of the letter being sent. Dean Goldner pointed out that because the Bar was responsible for requesting the creation of the Commission, it might provide the contact list free of charge. Mr. Sewall agreed to look into it. Dean Goldner asked for a formal approval. ***The Commissioners formally approved Mr. Sewall asking the Bar for its contact list at no charge.***

***Ms. Pointer asked Judge Spears to make a presentation at the next County Judges Association meeting. He agreed to do so. Staff will secure a time on the Judges' meeting schedule.***

Ms. Pointer asked the Commission do adopt the Ten Core Values. Dean Goldner asked the Commissioners to read the Ten Core Values and reflect on them and that ***the Commission at its next meeting would discuss and determine how best to use the document.***

Ms. Pointer moved on to the initiative of Attorney Registration Fees and Bar Dues to Fund Legal Services. She pointed the Commissioners to the documents of surrounding states. ***Dean Goldner asked that the Commissioners read the documents and come to the next Commission meeting prepared to discuss using bar dues and registration fees in Arkansas to support legal services.***

Ms. Pointer next reported on the IOLTA grants. She pointed the Commissioners to the document containing national IOLTA grants. ***She stated that the information would be updated in September and she would send the 2007 document to***

***the Commissioners. The staff will forward these documents to the full Commission when the information is updated.***

### **Legislative Committee**

Mr. Lanoue updated the Commission in Rep. Bond's absence and reiterated the bill to increase the case filing fee from \$140 to \$150 will be the focus. Dean Goldner pointed to the committee's priority action item of hiring a professional lobbyist and noted that because of lack of funding the Commission will need to rely on Rep. Bond and Sen. Thompson to move the Commission bill through the Legislature. Dean Goldner stated that because the Commission obtained the full support of the Bar Association, it has the next best thing to a private lobbyist – support from Mr. Jack McNulty, the Bar's lobbyist. Mr. Sewall stated that each Commissioner should commit the time to get the attention of legislators prior to the session and during it as well.

### **Pro Bono Committee**

Mr. Sewall discussed the action items on the committee's initiative table. ***He stated that the Pro Bono Committee will send a letter to the members of the Arkansas Bar Association asking each member to volunteer for 2-3 cases annually. The committee will send the letter when the winter edition of The Arkansas Lawyer is published. Mr. Sewall volunteered to get the contact list from the Bar.***

He stated that of the 6 target areas mentioned on the initiative table, the Committee would target El Dorado [Union County] and Jonesboro [Craighead County] for beginning a VOCALS-style pro bono volunteer organization. ***He stated that a letter would be sent to the heads of those county bar associations asking them to assist the Commission with starting such an organization in their areas.***

Mr. Sewall then talked about another aspect of the committee's work, the corporate counsel campaign. He stated that some work has already been accomplished with Tyson by Mr. Morris. ***He stated that he would develop a pilot program to be established at Blue Cross/Blue Shield.***

Mr. Richardson stated that John Comstock of Wal-Mart, a member of the Legal Aid of Arkansas Board, was interested in speaking with Mr. Sewall about corporate counsel. ***Mr. Richardson suggested adding Mr. Comstock to the Pro Bono Committee.***

### **Court Assistance Committee**

Judge Spears commended Mr. Morris for his help during the last court assistance committee meeting. He praised Mr. Morris's work on the website and court assistance documents. He pointed out that a significant portion of Mr. Morris salary and benefits depend on grants, particularly from LSC, but that federal grant money is drying up. The

LSC funds technology development projects but then expects the local entities to sustain them. As such, Judge Spears suggested gaining AOC funding to secure continued support for Mr. Morris's work. Dean Goldner asked Mr. Morris how much money should be requested from the Court. Mr. Morris replied that it depends on the goals of the Commission, such as sustaining the technology, enhancing the technology, etc.

Mr. Brown asked if the Winthrop Rockefeller Foundation could be contacted for funding. Mr. Lanoue responded that the Foundation is just now completing work to identify ways to "move the needle" against poverty in the state. Both he and Ms. Carter are positioned to respond to the future RFP's expected from the Foundation soon.

***Dean Goldner asked for a formal approval to ask the AOC for funding to support the Commission's technology efforts. All approved.***

Judge Spears moved on to the composite evaluation form for 2008 trainings, which were all conducted by Mr. Morris, sometimes with various Commissioners. Dean Goldner praised Mr. Morris for such high numbers. Mr. Morris pointed out that the district judges and clerks gave lower grades for the trainings than pro se litigants and attorneys.

Judge Spears and Mr. Morris asked the Commissioners to recommend changes to the judges' survey, which is a follow-up to the survey done by the Commission in 2004. Ms. Carter asked the judges if the new question, #10, added to the survey by the pro bono committee, made sense. Judge Hannah recommended a rewording, "pro bono cases" rather than pro bono attorneys, to Mr. Morris.

Judge Spears asked Mr. Morris to update the Commission about the recent self-help center in the Sherwood small claims district court. After telling about the self-help center he mentioned the new Spanish-language videos and also discussed the number of documents on the website.

## **Related Materials for Commission Consideration**

### **Civil Gideon**

Dean Goldner asked if Civil Gideon is something that the Commission should ask the Arkansas Bar Association to support. ***Dean Goldner sent this item to the Legal Services Committee for more discussion, research and a recommendation.***

### **Pro Hac Vice**

Mr. Morris explained the table of fees in other states for Pro Hac Vice admission. Ms. Pointer asked if the Court has statistical information for Pro Hac Vice admission in Arkansas. Mr. Lanoue stated that this information is not collected in Arkansas. Judge Spears stated that statistical information is not collected because so few attorneys practice Pro Hac Vice. ***Dean Goldner suggested keeping this item as an option in the AOC funding request to be developed by the staff. The Commissioners agreed.***

## **Cy Pres**

Dean Goldner suggested referring this item to the Education Committee because leftover funds are distributed with court approval. He suggested educating the judges about the ATJC so that they will consider directing some of the funds to the Commission. He stated that perhaps a brochure for all federal and circuit court judges would be an appropriate response. ***As chair, Dean Goldner sent this item to the Education Committee.***

## **2008 Annual Report of the Commission**

Dean Goldner moved to the action item of including client stories in the next Annual Report. Mr. Lanoue asked if we should include stories. Judge Spears suggested including human-interest stories because without them, reports are less compelling. ***All agreed that the annual report would benefit from human-interest stories. Ms. Carter suggested using comments given to Mr. Morris by users of the website as well. Along those lines, Dean Goldner suggested using different stories than the Joint Legal Aid Annual Report.***

Dean Goldner asked if there was other business.

Dean Goldner stated that the next meeting should be held in October but not to conflict with the annual Judicial Conference or Statewide Legal Aid Providers Staff Conference, and he asked the staff to send out a conflict calendar.

***With no other business, Dean Goldner thanked the Commissioners and adjourned the meeting at 2:55 p.m.***

## **ACTION ITEMS**

1. Approach Chief Justice Hannah and ask him to discuss the ATJC in his addresses to the Legislature.
2. Distribute Annual Reports according to timetable. Cover letters to be signed by Dean Goldner and one pertinent commissioner, such as Justice Imber when the letter goes to the courts, Rep. Bond or Sen. Thompson when the letter goes to legislators, Mr. Shelton when the letter goes to civic leaders, etc.
3. Chair of the Commission to appoint non-commission members without Commission action.
4. Future town halls to be hosted by local legislators. Contact legislators soon after their legislative session. Each meeting might focus on a smaller area of the state than the previous town hall meetings.
5. Mr. Sewall to ask the Arkansas Bar Association for its contact list at no charge.
6. Judge Spears to make presentation at next County Judges Association meeting.
7. Commissioners to read the document entitled, "Ten Core Values." Discuss the document at the next Commission meeting.
8. Discuss, at the next Commission meeting, using bar dues to fund legal services.
9. IOLTA grants info updated in September. Send the 2006 and 2007 info to the Commissioners once updates are available.
10. Pro Bono Committee to send a letter to the members of the Arkansas Bar Association asking each member to volunteer for 2-3 cases annually. The committee will send the letter when the winter edition of The Arkansas Lawyer is published.
11. Pro Bono Committee to send a letter to the heads of the Craighead and Union county bar associations. The letter will ask them to start a VOCALS-style pro bono organization.
12. Establish a pilot corporate counsel program at Blue Cross/Blue Shield.
13. Add John Comstock to the Pro Bono Committee.
14. Ask the AOC to fund technology.
15. Legal Services Committee to discuss and research Civil Gideon.
16. Keep Pro Hac Vice as an option in the AOC funding request to be developed by the staff.
17. Education Committee to discuss and research Cy Pres.
18. Include human-interest stories in the next Annual Report.