



**UALR-Bowen School of Law
1201 McMath Avenue
Room 515
Friday, January 30, 2009
11:30 A.M.**

MINUTES

Attending

Commissioners:

Chair – Mr. Charles Goldner
Mr. Will Bond
Justice Annabelle Clinton Imber
Ms. Zina Frazier
Ms. Susie Pointer
Ms. Danyelle Walker

Vice Chair – Judge Jim Spears
Ms. Jean Carter
Ms. Angela Duran
Mr. Leon Johnson
Mr. Bill Waddell

Guests from ArBA Young Lawyers:

Mr. Cliff McKinney

Ms. Gwen Rucker

Staff:

Mr. Ron Lanoue
Mr. Chad Owens

Mr. Vince Morris

Prof. Goldner welcomed the Commission at 11:45 a.m. He welcomed and introduced Mr. Bill Waddell, the newest Commissioner, and Ms. Gwen Rucker and Mr. Cliff McKinney, guests from the Arkansas Bar Association (ArBA) Young Lawyers.

He then asked the Commission to review the minutes from the last meeting. Upon motion duly made and seconded, the Commission approved the minutes from Nov. 21, 2008, by unanimous vote.

Access to Justice License Plate

Ms. Rucker, Chair of the ArBA Young Lawyers, thanked the Commission for allowing her and Mr. McKinney to speak. She told how their idea for an Access to Justice license plate began at a conference in Texas. She then turned the presentation over to Mr. McKinney, who began by showing examples of other specialty license plates in Arkansas. He told the Commission that specialty plates are no longer allowed to have

large symbols beside the numbers. Instead, they can now have a logo and slogan only at the bottom of the plate.

The Department of Finance and Administration (DFA) has no funds for specialty plates, he said; therefore, the initial costs (\$3,000) must be paid by the non-profit organization seeking the plate. The non-profit organization can avoid paying all or part of the initial costs by gathering up to 300 signatures of people who agree to buy a plate. Each signature is worth \$10.

Mr. McKinney pointed out, however, that many people already own specialty license plates and will not want another; therefore, these people will not want to sign the form agreeing to buy a plate. He suggested that the Commission request a \$50 donation, instead of a signature, from these people.

He also pointed out that the Commission is allowed to set a donation amount per plate. Most groups set a donation amount of \$25. Every year, he said, each specialty plate owner pays an extra \$25 when purchasing tags. Judge Spears asked Mr. McKinney to estimate how much money the plates would raise. Mr. McKinney guessed \$5,000–\$6,000 per year. He pointed out that the revenue is recurring as long as people continue to pay for the plate.

Prof. Goldner asked if signatures are provided instead of \$3,000, does the DFA keep the first \$3,000 collected from the sales of the specialty plate. Mr. McKinney said that it does not; the DFA recoups its costs through a specialty license plate fee that is separate from the donation amount of \$25. This fee is also paid when an owner of a specialty license plate purchases tags each year.

Mr. McKinney then summarized the requirements for creating a specialty license plate: (1) the plate must benefit a non-profit group, (2) the group must design the plate, and (3) the group must meet the initial costs with money, signatures, or a combination of both.

Mr. McKinney and Ms. Rucker then volunteered to help gather signatures. Mr. McKinney pointed out that after enough signatures are gathered and a design is submitted, no additional work would be required.

Upon motion duly made and seconded, the Commission unanimously approved endorsing the efforts of Mr. McKinney and Ms. Rucker. The Commission asked them to **report back as soon as the signatures have been gathered**. Prof. Goldner thanked Mr. McKinney and Ms. Rucker for their presentation, time and effort.

Updated Status: Commissioner Terms

Mr. Waddell has been chosen by Ms. Rosalind Mouser, President of the Arkansas Bar Association, to replace former Commissioner Mr. Frank Sewall. Mr. Sewall has also asked to temporarily leave the Pro Bono Committee to work on other bar projects. Sen. Bob Johnson has reappointed Sen. Robert Thompson to the Commission. Prof. Michael

Mullane has resigned from the Commission and will be replaced soon with someone chosen by Dean Cyndi Nance of the University of Arkansas School of Law.

One-Page Annual Report Addendum

Prof. Goldner praised the 2008 Annual Report Addendum, and he praised the Education Committee for developing the idea. Mr. Lanoue reported that it cost around \$3,000 to print. Prof. Goldner said that the **updated Annual Report will be sent to legislators soon.**

Legislation Update

Mr. Bond summarized the legislative discussion at the previous Commission meeting. He understood that the Commission's bill will be filed next week in the Senate. He asked the staff to **schedule a Legislative Committee meeting in the next few weeks.** He asked the **Commissioners to speak with members of the Senate and House Judiciary Committees.**

Prof. Goldner asked **staff to send Commissioners (1) the names of those on both judiciary committees and (2) Mr. Bond's contact information.**

Mr. Bond also mentioned several specific legislators, including Rep. Stephanie Flowers, Rep. Dawn Creekmore and Rep. Darrin Williams, who could possibly help with the bill. Rep. Bond asked Commissioners to communicate with him by email about the Commission's legislative progress. He also volunteered to arrange meetings between legislators and Commissioners.

Equal Justice Watch Website

Mr. Lanoue updated the Commission about the new website and gave a tour of the site. Prof. Goldner told the Commission that a **press release about the site will not be sent to media and legislators until the Commission's bill is filed in the Senate.**

Discuss Possible Funding for Staff Position

Prof. Goldner discussed his meeting with the AOC about funding a support position for the Commission. He asked the Commission to officially approve this request for funding. Justice Imber stated that because the Court created the Commission at the request of the Bar, the Bar's opinion should be sought. Prof. Goldner agreed to contact Ms. Mouser to discuss how to achieve this. Justice Imber also pointed out that the AOC has never made a grant with bar dues; therefore, this is not a funding option for the Commission.

Mr. Johnson made a motion to **support and welcome funding from the Court for the Commission staff position.** He added that current staff support is stretched to its limits. Ms. Walker seconded the motion. The motion was approved unanimously.

Status: IOLTA Forms

Prof. Goldner told the Commission that the Court, IOLTA, and the clerk's office have suggested ways to extract the data about pro bono hours from the new IOLTA compliance forms. Justice Imber stated that the clerk has agreed to tabulate the data. Ms. Pointer stated, however, that if the clerk obtains the data, the association between pro bono hours and attorney names might be maintained. Prof. Goldner and Justice Imber said that data must not be kept on an identifiable basis; in other words, the **pro bono data must be separated from attorney names.**

Ms. Walker and Mr. Bond pointed out that the bottom portion of the new IOLTA form is easily overlooked. And Justice Imber agreed that next year the form should be designed differently. She also pointed out that many attorneys had not expected to be asked about their pro bono hours and thus had not been keeping up with them.

Update: Statewide Pro Bono Campaign

Ms. Pointer said there were no updates regarding the statewide pro bono campaign because there has not been a Legal Services Committee meeting since the last Commission meeting.

Registration Fees and Bar Dues

Prof. Goldner discussed the map of surrounding states and their registration fees and bar dues. He pointed out that acting on this agenda item may get in the way of AOC funding for a Commission staff position. Mr. Waddell asked if there is a way for an attorney to voluntarily pay extra bar dues that would go to legal services. He added that voluntary extra bar dues would raise more money than specialty license plates. Ms. Carter expressed concern that attorneys who paid extra bar dues would decrease their pro bono financial contributions. Prof. Goldner asked the **Legal Services Committee to research this agenda item.**

Ten Core Values Resolution

Prof. Goldner asked the Commission to table this document until the next meeting. He asked the **staff to email it to the Commissioners three days before the next Commission meeting with a reminder to review it for discussion.**

Other Business

Justice Imber referred to an agenda item from the previous Commission meeting about *pro hac vice*. She stated that the AOC does not collect statistics about *pro hac vice*.

Justice Imber also referred to a previous meeting's agenda item about a State of the Judiciary Address by Chief Justice Hannah. She said a Chief Justice has never made such an address to the Legislature, and as such, the current Chief Justice would not be in a position to mention the Commission in a speech.

Justice Imber reminded the Commissioners of an Arkansas Trial Lawyers conference related to Access to Justice and Pro Bono during the first weekend in May in Eureka

Springs. She asked if another Commissioner would attend and speak about the Commission with her.

Prof. Goldner reminded the Commissioners of the National Access to Justice Conference in May in Orlando, FL. Mr. Bob Echols of the ABA asked Prof. Goldner to join a panel at the conference. Prof. Goldner invited other Commissioners to attend.

With no further business, Prof. Goldner adjourned the meeting at 1:30 p.m.

Action Items

1. Staff, Ms. Rucker and Mr. McKinney to gather signatures for specialty license plates and report back when finished.
2. Staff to send 2007 Annual Report with updated 2008 Addendum to legislators.
3. Staff to schedule a Legislative Committee meeting soon.
4. Commissioners to speak with members of the Senate and House Judiciary Committees.
5. Staff to send Commissioners
 - a. The names of those on judiciary committees
 - b. Mr. Bond's contact information
6. Staff to send press release about the site to media and legislators when Commission's bill is filed in the Senate.
7. Commission supports and welcomes funding from the AOC for a Commission staff position.
8. Whoever collects pro bono data must separate it from attorney names.
9. Legal Services Committee to research raising funds for legal aid through attorney registration fees and bar dues.
10. Staff to email Ten Core Values to the Commissioners three days before the next Commission meeting with a reminder to review them for discussion.