



**UALR-Bowen School of Law
1201 McMath Avenue
Conference Room 515
Friday, July 24, 2009
11:30 A.M.**

MINUTES

Attending

Commissioners:

Prof. Charles Goldner, *Chair*
Mr. Nate Coulter
Judge Craig Hannah
Ms. Susie Pointer
Ms. Danyelle Walker

Mr. Bill Brown
Ms. Angela Duran
Prof. D'lorah Hughes
Mr. Lee Richardson

Ms. Jean Carter
Ms. Zina Frazier
Justice Annabelle Imber
Mr. George Shelton

Special Guest:

Mr. Jon Comstock

Staff:

Mr. Ron Lanoue

Mr. Vince Morris

Mr. Chad Owens

Prof. Charles Goldner welcomed the members and guest at 11:45 a.m. He introduced Prof. D'lorah Hughes as the newest Commissioner, appointed by the Dean of the University of Arkansas School of Law.

Prof. Goldner also introduced Mr. Jon Comstock, attorney for Wal-Mart Inc., as a special guest. Mr. Comstock represented Commissioner Bill Waddell, who had to be absent. Mr. Comstock is a member of the LAA Board of Directors and has been very involved in helping the Commission's Joint Committee for the Statewide Campaign.

Prof. Goldner asked the Commission to review the minutes from the last meeting. Mr. Nate Coulter made a motion to approve the minutes from April 24, 2009. Justice Annabelle Imber seconded the motion. The Commission approved the minutes by unanimous vote.

Statewide Campaign

Though not a member of Joint Committee, Prof. Goldner said he has been involved in its conversations and has attended a few meetings. He applauded the committee for its work on what will become the Commission and State's first statewide campaign.

Prof. Goldner spoke with Gov. Mike Beebe's office about obtaining Gov. Beebe as honorary chair of the campaign. The governor has not responded yet, but **Prof. Goldner is following up with his office**. Prof. Goldner then asked Mr. Comstock to speak about the work of the Joint Committee for the Statewide Campaign.

When he began working on the campaign, Mr. Comstock said, he initially imagined one in which donors would give money to the Commission. He thought the Commission would then distribute donations among CALS and LAA according to their poverty populations. Because the Commission is not a 501(c)(3) organization, however, it cannot collect donations at this time. CALS and LAA must remain recipients of money raised in their regions. This situation creates a problem for groups and individuals who would like to make statewide donations, he said. Instead of making one donation, statewide donors will have to split their gifts between two different groups.

Prof. Goldner offered a solution. If donors want to make **statewide donations, they can write their checks to Statewide Legal Aid Campaign**. These donations will then be divided among CALS and LAA according to their percentages of the state's poverty population. Otherwise, if donors want their contributions to **remain in their service areas, they can write their checks as in the past to either CALS or LAA**.

Prof. Hughes asked if the Commission is interested in obtaining 501(c)(3) status. She mentioned that the University of Arkansas School of Law has a clinic in which law students help 501(c)(3) organizations. Mr. Nate Coulter said it would benefit the campaign if the Commission can tell donors it is attempting to obtain 501(c)(3) status. He said the Commission should launch this effort before asking for donations. Prof. Hughes agreed and recommended that the Commission approach the law students as soon as possible. **She volunteered to find out more information**. Mr. Comstock suggested involving Mr. Waddell, who has previously volunteered to coordinate the Commission's 501(c)(3) legal requirements if non-profit status is obtained.

Mr. Ron Lanoue spoke about the administration of the campaign. He explained how division chairs are responsible for contacting members of their divisions. For instance, the division chairs for corporate attorneys will be responsible for gaining the support of corporate attorneys. Commissioners would activate the process by contacting leaders of the divisions. Commissioners added their names as contacts to activate various division chairs. Ms. Carter and Mr. Richardson would do so for their fourteen office divisions, and other Commissioners would be responsible for initiating the remaining divisions. Mr. Coulter suggested that the **current and past bar presidents should be asked to activate the bar association sections on behalf of the campaign**.

Ms. Jean Carter spoke about how the Board of Directors for the Volunteer Organization of the Center for Arkansas Legal Services (VOCALS) plans to coordinate its activities with the Commission's campaign. On behalf of the VOCALS Board of Directors, she expressed concern about the Commission's campaign. She said VOCALS has led fundraising efforts in Pulaski County for 27 years. As such, the Board hesitates to hand over its efforts to a campaign that means well but may not exist in a few years. Therefore, before the Commission takes over fundraising, the Board seeks a smooth transition between its fundraising efforts and those of the Commission. Otherwise, she said, Pulaski county attorneys may be confused about whom they should donate to. The Board's priority is raising money, and it understandably has concerns about losing potential donors.

Prof. Goldner then told how the Joint Committee for the Statewide Campaign has decided to use two letters during the campaign. **Most donors in Arkansas, including potential new donors in Pulaski County, will receive the Commission's statewide campaign literature.** However, **previous regular donors in Pulaski County [both attorneys and judges] will receive VOCALS letters that display the VOCALS name and explain that VOCALS has joined with the Commission's new statewide campaign.** He explained the basis for this decision, saying the Commission needs the support and help of VOCALS if this campaign is going to be successful. VOCALS has done all the past work in Pulaski County, he said, and the Commission does not want to drive it or its members away.

Mr. Coulter agreed, assuring Ms. Carter that the Commission is trying to make solicitations more effective and efficient. The Commission is not trying to take away funding, he said, and he believes that much more can be raised with a coordinated effort.

Mr. Comstock said the campaign **brochure is a good part of the transition because it will be included in both sets of letters.** The campaign's first year is a transition year. A large part of its success depends on corporate donors having the ability to donate to a statewide entity.

Justice Imber returned to the topic of campaign administration. She suggested inviting the section leaders, past president, and future president of the Arkansas Bar Association to be campaign division chairs. She also asked **Mr. Comstock to invite Ken Reeves of FedEx as a co-chair of the corporate division.**

Mr. George Shelton asked if the Commission is willing to explore obtaining a professional fundraising consultant. Many are interested in doing pro bono work, he said, because (1) they will obtain a great list of potential donors and (2) they will meet potential clients such as the Governor. For these reasons, they might help the Commission at no charge. He added that keeping up with division chairs will be a 60-hours-per-week job, and he believes the Commission needs experienced help.

Prof. Goldner said the Commission has not considered a consultant before because it does not have money. However, he said, the Commission is very interested in any consultant who will help at no charge. **Mr. Shelton agreed to find out more information and contact staff.**

Mr. Coulter volunteered to contact Rep. Steve Harrelson about becoming the division chair in Texarkana. Judge Craig Hannah volunteered to contact a few judges from Mountain View.

Mr. Comstock asked if he could, when asking for donations, guarantee that the **donor would be publicly recognized at the statewide conference.** He also asked if a group could present a donation to the campaign at the conference. Justice Imber, who is leading the conference planning committee, agreed that such recognition is a great idea. She added that the conference and campaign are supposed to work in tandem. Prof. Goldner also agreed, saying that lead donors can make a very powerful statement with public recognition.

Mr. Lanoue asked everyone to review the budget. Prof. Goldner suggested asking printing companies to donate their work to the campaign. Short of that, he added, the Commission should assure the printers that they will be paid only after the campaign brings in money. Ms. Susie Pointer agreed and suggested asking Twin City Printing for a good deal. Mr. Lee

Richardson reminded the group that both legal aid organizations already budget \$6,000 for fundraising.

Mr. Lanoue asked how the campaign could obtain a mailing list of Arkansas attorneys. Justice Imber and Ms. Pointer said the Supreme Court clerk's office maintains a list. Justice Imber agreed to notify the clerk that the **Commission would be requesting the list**. Ms. Pointer reminded staff to ask the clerk to leave out the names of the deceased.

Statewide Conference

Justice Imber turned to the first annual statewide conference. She said the idea is to have an interactive conference. The education committee decided that the conference will last only one day — Friday, November 13, 2009. She added that the Commission will certainly spend time during lunch recognizing lead donors.

Then Justice Imber guided everyone to the agenda. She has contacted Mr. Tommy Wells about giving the opening plenary speech. Mr. Wells is the current president of the American Bar Association, though when the date of the conference arrives, he will be a former president. As a backup, Justice Imber suggested Justice Jess Dickenson, an Associate Justice of the Mississippi Supreme Court. Also, Justice Imber offered **to ask Chief Justice Jim Hannah to introduce the opening speaker**.

After the opening plenary, a Commissioner and another speaker will talk about poverty and the need for legal aid in Arkansas. Justice Imber asked for speaker recommendations. Mr. Comstock pointed out that attorneys enjoy hearing a Justice of the Supreme Court. As such, he recommended someone from the Arkansas Supreme Court. Prof. Goldner agreed, saying Justice Imber is the right person to speak about the need for legal aid in Arkansas.

Justice Imber accepted and asked if another speaker should join her. Two speakers often keep the audience's attention better, she added. Mr. Comstock agreed, saying two speakers give each other a chance to refresh between portions of their speech. Justice Imber asked **staff to prepare a PowerPoint for this portion of the conference**. **Ms. Angela Duran offered to help with the presentation by providing staff with two poverty reports** from her non-profit, the Southern Good Faith Fund.

After this portion of the conference, Justice Imber said, there will be a coffee break with clients. The clients will speak to conference attendees about their experiences with poverty and legal aid. Mr. Lanoue pointed out that this activity was a success when the LSC Board of Directors met with CALS and LAA clients a few years ago.

After the coffee break, Justice Imber said, there will be four breakout sessions. The morning sessions are about identifying problems, she said, and the afternoon sessions are about developing solutions. Each of the four sessions, she added, will concern one of four areas of poverty law: Family, Consumer, Housing, and Income Maintenance. She asked volunteers to lead the breakout sessions. Ms. Danyelle Walker nominated **Mr. Rusty Sparks to lead the session about bankruptcy**. Mr. Coulter volunteered to lead a session but asked that a legal aid attorney join him. Prof. Goldner agreed, saying **Commissioners should be the sessions' facilitators and legal aid attorneys should be the sessions' legal resources**. Justice Imber asked **staff, Mr. Richardson, and Ms. Carter to find attorneys who could help the Commissioners during the breakout sessions**. Ms. Carter suggested **inviting experts to the conference**, who will help the groups move the discussions forward.

For the lunch break, Justice Imber said, the education committee has invited Sen. Dale Bumpers to speak. She added that Sen. Bumpers would add political weight and prestige to the conference.

The conference will end by having each breakout group announce solutions to problems in its particular area of poverty law, Justice Imber said. The committee is also open to suggestions for an evening reception. It could be held in the Peabody or possibly in the Clinton School of Public Service. She nominated Justice Dickenson to speak at the evening reception.

Ms. Pointer suggested publishing the breakout session reports. Prof. Hughes agreed and suggested **publishing the reports in the state's law reviews.**

Ms. Pointer suggested **inviting representatives from the Department of Human Services, social services providers, Agencies on Aging, and community agencies.** Mr. Shelton added that the Commission should **invite the corporate counsels of major Arkansas corporations.** Mr. Comstock agreed and said he is compiling such a list. Mr. Richardson recommended **inviting the leadership of county bar associations.**

Mr. Lanoue asked the Commissioners if they agreed with having a \$100 registration fee. Justice Imber said she prefers having no registration fee; however, she pointed out that the conference could cost around \$10,000. Instead of charging a fee, Mr. Comstock recommended, the Commission could suggest, but not require, a registration fee. Ms. Duran suggested having a small fee of \$25 and covering the remainder of the expenses with sponsorships.

Prof. Goldner pointed out that a potential fee will depend on whether the conference offers CLE credit. Justice Imber replied that the education committee plans to contact Mr. Chris Thomas about CLE credit. Mr. Lanoue said it would be difficult to determine whether the breakout sessions qualify for CLE credit because there will be no scripts. Prof. Goldner said, however, that the committee for CLE credit likes to accredit interactive sessions. Justice Imber said the opening plenary and her speech will be easily accredited, which would amount to at least 2 hours of ethics CLE. Mr. Shelton suggested that a conference offering CLE credit should charge at least a \$100 registration fee, but Ms. Pointer said non-lawyers wouldn't pay \$100 for a conference because they don't need CLE credit. The Commission agreed to: **(1) seek CLE accreditation, (2) charge a \$100 registration fee only to those who want CLE credit, (3) charge no fee to those who do not want CLE credit, (4) seek sponsorships, and (5) ask registrants to make checks payable to the Arkansas Legal Services Partnership.**

New Website

Mr. Vince Morris gave the Commissioners a quick tour of the Commission's redesigned website, www.arkansasjustice.org.

Job Announcement: Director of ATJC

Prof. Goldner quickly described the new job opening of ATJC Executive Director. He and Mr. Coulter will assist with interviewing and making a hiring recommendation. Though the director will be an employee of the Supreme Court, he said, the position will be located with the staff of the Arkansas Legal Services Partnership.

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

Action Items

1. Campaign

- a. Prof. Goldner to follow up with Governor's office about Honorary Chair.
- b. Campaign Donations:
 - i. Statewide donations - checks made to Statewide Legal Aid Campaign
 - ii. Local donations - checks made to either CALS or LAA
- c. Prof. Hughes to find out more information about University of Arkansas School of Law clinic in which law students help 501(c)(3) organizations.
- d. Current and past bar presidents to be asked to activate the bar association sections on behalf of the campaign.
- e. Campaign Literature:
 - i. Most donors in Arkansas, including potential new donors in Pulaski County, will receive the Commission's statewide campaign literature
 - ii. Previous regular donors in Pulaski County [both attorneys and judges] will receive VOCALS letters that display the VOCALS name and explain that VOCALS has joined with the Commission's new statewide campaign
 - iii. Brochure to be included in both sets of letters
- f. Mr. Comstock to invite Ken Reeves of FedEx as a co-chair of the corporate division.
- g. Mr. Shelton to find out more information and contact staff about possible fundraising consultant.
- h. Mr. Coulter to contact Rep. Steve Harrelson about becoming the division chair in Texarkana.
- i. Judge Craig Hannah to contact a few judges from Mountain View about becoming division chairs.
- j. Donors to be publicly recognized at the statewide conference.
- k. Commission to request from Supreme Court clerk the list of licensed attorneys.

2. Conference

- a. Justice Imber to ask Chief Justice Jim Hannah to introduce the opening speaker.
- b. Justice Imber to give presentation about Poverty in Arkansas / Need for Legal Aid.
- c. Staff to prepare a PowerPoint for Justice Imber's presentation.
- d. Ms. Angela Duran to help with Justice Imber's presentation by providing staff with two poverty reports.
- e. Ms. Danyelle Walker to ask Mr. Rusty Sparks to lead the session about bankruptcy.
- f. Commissioners to be facilitators during breakout sessions.
- g. Legal aid attorneys to be legal resources during breakout sessions.
- h. Staff, Mr. Richardson, and Ms. Carter to find attorneys to help the Commissioners during the breakout sessions.
- i. Invite legal experts to the conference.
- j. Publish reports from conference in the state's law reviews.
- k. Add to invitation list:
 - i. Representatives from the Department of Human Services
 - ii. Representatives from social services providers
 - iii. Representatives from Agencies on Aging
 - iv. Representatives from community agencies
 - v. Corporate counsels of major Arkansas corporations
 - vi. Leaders of county bar associations
- l. Seek CLE accreditation.
- m. Charge a \$100 registration fee only to those who want CLE credit.

- n. Charge no registration fee to those who do not want CLE credit.
- o. Seek sponsorships.
- p. Ask registrants to make checks payable to the Arkansas Legal Services Partnership.