



ARKANSAS
ACCESS TO
JUSTICE
REPRESENTING HOPE

April 1, 2011
12:00 PM – 3:00PM

Commissioners Present

Jean Carter, Nate Coulter, Angela Duran, Prof. Chuck Goldner,
Judge Leon Jamison, Lee Richardson, Chuck Roskopf, George Shelton,
Judge Jim Spears, Judge David Switzer, Justice Annabelle Tuck
Bill Waddell, Danyelle Walker

Staff Present

Amy Johnson, Ron Lanoue, Vince Morris, Kim Marshall, Sam Tobias

Welcome and Introductions

The meeting was called to order at 1:10 p.m. Justice Tuck welcomed the Commission and specifically welcomed new Commissioners Circuit Judge Leon Jamison and District Judge David Switzer. Other Commissioners went around the table and introduced themselves.

Approval of Minutes

Mr. Waddell moved to approve the minutes of the January 21 meeting and Judge Spears seconded the motion. The minutes were unanimously approved.

Committee Reports

Arkansas Access to Justice Foundation

Mr. Waddell gave the Arkansas Access to Justice Foundation report. He started by summarizing the purpose of the Foundation's fundraising efforts. The Foundation has approved a \$22,000 operating budget for 2011. At the Foundation meeting earlier that day, an audit committee was formed to oversee the audit presently underway. They have also set up a task force to explore consolidation of the Foundation with the IOLTA Foundation. Mr. Comstock is heading up a group that will work on creating a cy pres toolkit to be used to educate the bench and the bar about Access to Justice as a possible recipient of cy pres funds in class actions. The 2011 campaign is currently in its planning stages. Two new board members were also approved: Shane Bridgforth of Pine Bluff and Ray Fulmer of Ft. Smith. Mr. Waddell emphasized that the Foundation is raising funds not only to benefit Commission, but to support LAA and CALS as well. The Foundation decided in its meeting earlier in the day to withhold the amount needed for 2011 budget and distribute the remainder according to the formula developed by the Foundation. The main goal is still to make this a cohesive effort among the Foundation, CALS, and LAA.

Education Committee

Justice Tuck gave the Education Committee report, noting that the Committee has been working to plan the biannual conference. She reviewed minutes from last Committee meeting, and delivered the news that Laurence Tribe is not able to be keynote speaker. She related that the Committee sent invitations to Eric Holder and retired U.S. Supreme court Justice John Paul Stevens. Holder declined. However, there were good indications that Stevens would be able to come, but it would be some time in 2012. She noted that there is some money through the Clinton School and the Bowen School of Law for a joint project which could cover conference and travel expenses for Justice Stevens. The goal is to have the conference be a meeting with stakeholders from medical, business, education, nonprofit sectors to get a handle on addressing access to justice issues. The invitation list will include these sectors as well as the governor, legislators, and key decision makers. The plan is to invite our federal congressional delegation, and give them some sort of nominal presentation or speaking role.

Justice Tuck also reported on the symposium hosted March 31 at the the Bowen School of Law on Public Service Law. Participants included leading academics in public service law area. Justice Tuck, Ms. Carter, and Ms. Johnson were on a panel. The symposium was very successful, with close to 300 in attendance.

Court Assistance Committee

Judge Spears gave the Court Assistance Committee report. The Committee is collaborating closely with the Arkansas Legal Services Partnership and the Administrative Office of the Courts to create an automated petition for orders of protection for domestic violence victims. The automated packet is funded by federal stimulus money, and will include an educational outreach component and video. Other projects include the development of an uncontested guardianship petition for non-parental caregivers of minors in collaboration with the Division of Aging of the Arkansas Department of Human Services, Arkansas Voices for Children Left Behind, AARP, CALS, and LAA; the creation of StatesideLegal.org, an online resource for members of the military and their families, in collaboration with Pine Tree, ALSP, and LSC; and ShareLaw.org, which is in beta testing. The ALSP website is also undergoing content updates, including work on a Spanish Pro Bono portal, as well as a tax site.

In reference to the Spanish language gap, Judge Switzer mentioned that he often uses Google Translate in his court to supplement translators, and that this might be something to think about for educating judges and clerks.

Pro Bono Committee

Mr. Waddell gave the report for the Pro Bono Committee, noting the sheer amount of energy that the committee has. He discussed the "eHarmony" approach to attorney-case matching. The project, dubbed "L-Harmony," has already garnered interest from the Quattlebaum firm in

the areas of guardianships and saturation days. He also discussed working with attorneys in Memphis to cooperate in their existing library-based saturation days. Mr. Waddell also expressed a desire to develop a task force to promote a civil right to counsel in Arkansas. He explained that a template has been developed, and is being refined.

Executive Director's Report

Ms. Johnson presented the Executive Director's Report, beginning with the news of the Supreme Court's approval of the Commission's petition for attorneys licensed out-of-state to be able to provide pro bono services through a sponsoring legal aid entity. The opinion, which implemented the change in the form of an amendment to Administrative Order No. 15, is effective immediately. She continued by reporting the passage of SB300, which amended the corporate practice of law statute to provide an exception permitting nonprofit legal aid providers to represent individual clients. Without the amendment, legal aid providers could have been prevented from representing individual clients. This was approved and signed by Governor Beebe as of March 30, 2011, becoming Act 858. Continuing with legislative issues, Ms. Johnson also touched on the ongoing federal congressional issues concerning LSC budgets.

Mr. Shelton mentioned that the pro bono rule change would make a huge difference in the efforts of Wal-Mart to develop an internal pro bono program. Mr. Richardson reported the beginnings of a medical-legal partnership between Wal-Mart and Arkansas Children's Hospital. He gave a brief overview of what a medical-legal partnership is, and also reported on LAA's recent efforts and progress in developing MLPs in Arkansas.

Ms. Johnson gave a brief report on the research efforts of Chanley Painter, the Clinton School student conducting research on self-represented litigants.

Restructuring of Legal Services Committee

Justice Tuck turned the conversation to the possible restructuring of the Legal Services Committee. Ms. Johnson related some of the previous undertakings of the Legal Services Committee, and then continued by discussing the goals developed during the strategic planning session. She noted that every goal fell neatly under the umbrella of each committee except the Legal Services Committee. Justice Tuck suggested repurposing the Legal Services Committee to the Resource Development Committee, to which Mr. Shelton enthusiastically agreed. Judge Spears so moved, Ms. Walker seconded and the motion passed unanimously.

Committee Assignments

Justice Tuck asked that a small break be taken so that each commission member could decide which committee they would like to serve on.

The discussion deviated briefly, at Mr. Richardson and Ms. Carter's request, to address the issue of housing Commission staff within the CALS office. Ms. Carter explained the issues with things like lobbying and sharing of resources that could potentially cause problems for CALS and LAA's LSC funding. Ms. Johnson indicated that discussions would be undertaken with legal counsel to make sure that all parties involved were operating in a manner that kept everyone's interests protected.

Returning to committee assignments, Commissioners present agreed to the following committee assignments:

Mr. Shelton-Education, Resource Development
Ms. Walker- Pro Bono
Judge Jamison- Court Assistance
Judge Switzer- Court Assistance
Judge Spears- Court Assistance
Prof. Goldner- Legislative (chair), Education
Mr. Coulter- Education
Mr. Waddell -Pro Bono (chair)
Ms. Duran-Resource Development
Ms. Carter- Pro Bono
Mr. Richardson- Resource Development

Ms. Johnson agreed to follow up with Commissioners not present to confirm current desired assignments. The committees then individually convened to develop action steps for each committee's strategic objective. The results of the meetings were recorded by each committee for submission to staff to put in word documents and distribute to committees for final approval.

Justice Tuck adjourned the meeting at 3:09 p.m.