



Access to Justice Commission Foundation Joint Meeting
August 13, 2021 / 9 a.m. via Zoom

ARKANSAS
ACCESS TO
JUSTICE
REPRESENTING HOPE

Commission (12 voting):

- | | | |
|---------------------------|------------------------------|----------------------|
| Mark Mayfield-Chair | Judge Carlton Jones -Sec. | Skye Martin |
| Kendall Lewellen | Justice Robin Wynne | Judge Holly Mayer |
| Dequeshia Prude-Wheeler | Kerri Michael | Senator James Sturch |
| Dr. Chad Rodgers | Prof. Tiffany Murphy | Rep. Andrew Collins |
| Cliff McKinney-ex officio | Kelly Browe Olson-ex officio | |

Guests

- | | |
|----------------------|--------------------------------------|
| Courtney Nosari-Wall | Kevin De Liban-Legal Aid of Arkansas |
|----------------------|--------------------------------------|

Unavailable

Samantha Blassingame, Judge Kim Bridgforth-Vice Chair, & Prof. Tim Tarvin-ex officio

Staff

Jordan Bates-Rogers, Tameka Parker, Desirae' Walker, & Cristy Park

Welcome and Introductions: Everyone introduced themselves and were welcomed to the meeting.

Approval of Minutes February 05, 2021: Mr. Mayfield asked for a motion to approve the February 05, 2021 Commission minutes. Professor Murphy made a motion to approve the minutes as presented, motion seconded by Ms. Michael, motion passed unanimously.

Approval of Minutes June 04, 2021: Mr. Mayfield asked for a motion to approve the June 04, 2021 Joint Commission/Foundation minutes. Professor Murphy made a motion to approve the minutes as presented, motion seconded by Ms. Browe Olson, motion passed unanimously.

Due to the previous joint meeting (Commission/Foundation) not having a quorum the One-Page Resource Guide and In Forma Pauperis Instructions were discussed again.

One-Page Resource Guide: Mr. Mayfield asked for a motion to approve the One-Page Resource Guide. Professor Murphy made a motion to approve, motion seconded by Judge Jones, motion passed unanimously.

In Forma Pauperis Instructions: Mr. Mayfield asked for a motion to approve the In Forma Pauperis instructions. Professor Murphy made a motion to approve, motion seconded by Judge Meyer, motion passed unanimously.

Executive Director's Report

McDonald v. Langley

Mr. Bates-Rogers discussed the case out of Texas (McDonald v. Longley). This case challenged the mandatory bar structure in Texas. The Texas Access to Justice Commission was implicated in the suit. The plaintiffs were challenging the requirement to join the Texas Bar Association, in

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part, because of some of the spending and lobbying work that the Texas Access to Justice Commission. The plaintiffs were successful in the Court of Appeals. The court said that the work of the Texas Access to Justice Commission violated the free speech and associational rights of the plaintiffs. Our Commission does not engage in the type of lobbying that the Texas Access to Justice Commission does. Our work is consistent with what the court laid out. The case can also be differentiated from our situation in that we do not have a mandatory bar. However, since it involved the work of a sister access to justice commission, the case was brought to the attention of Commissioners.

Pro Bono Awards-Nominations Requested

A request was made to nominate someone that does great pro bono work or a judge that is deserving of recognition for making their court more accessible to all Arkansans, a link was provided.

Save the Date-October -7th at 6pm, Access to Justice Month Kickoff

The awards event will take place on October 7, 2021 at 6pm. It has not been decided on whether it will be in-person or virtual.

Eviction Moratorium Expiration

The Federal eviction moratorium did briefly expire, but the CDC reinstated a modified eviction moratorium that will likely be challenged. Ms. Lewellen has taken the lead and is working with Foundation and legal aid on a grant to try and get some recovery funds for an eviction diversion program. This program would help tenants get representation and also have mediation funds so that judges could order eviction cases to mediation. The hope is to help both landlords and tenants by facilitating rental assistance payments.

POWER Act CLE-September 24 from noon to 3pm

Arkansas Access to Justice has partnered with the Federal courts for a CLE on Sept 24, 2021. The Federal courts are required to do a pro bono event focused on domestic abuse each year. We have done this for the past three years. Mark your calendars.

Midsummer Fundraising Appeal & Fall Campaign for Legal Aid Appeal

The midsummer fundraising appeal this year focused on reaching out to attendees of our CLEs. We have received some responses already and will monitor results to inform future fundraising efforts.

We will kick-off the fall campaign for legal aid appeal in the next couple months. We will be reaching out for your assistance with signatures for fundraising letters. We appreciate all the help we received last year and look forward to another great event.

Upcoming Project-Request to Ark Supreme Court for Expanded Self-Help Resources

Ms. Nosari-Walls and Justice Wynne have been assisting staff in formulating a request to Chief Justice Kemp for additional self-help resources on the Supreme Court's website and other modifications to that will improve accessibility.

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August 13, 2021 / 9 a.m. via Zoom

Project Reports-Ms. Park (for information)

- ***AR Free Legal Answers Clinics:*** Ms. Park reported that most of the the questions received through the AR Free Legal Answers Program consist of family law, housing and employment. Twice a month we hold zoom clinics with attorneys who are paired up with law students to give the students an opportunity to assist with answering some of the questions. Last quarter 150 clients were served.
- ***Pro Bono Focused CLEs:*** We continued to have one CLE a month through July. We had really good attendance. Several attorneys agreed to accept a pro bono case.

Foundation Report

Mr. McKinney provided a brief update on the Foundation's business. He reported that the Foundation's audit has been received and reviewed by him and everything appears to be in order. Low interest rates are still a concern for the Foundation.

Mr. Bates-Rogers reported that the Federal Reserve currently has its target interest rate at a historic low, which directly impacts IOLTA revenue. Some banks have IOLTA rates that are as low as 0.01%. The board recently increased the target reserve amount to \$750,000 to help ensure that the Foundation is well-positioned to weather future low-rate environments.

Project & Partner Organization Updates (for information)

Center for Arkansas Legal Services: Ms. Lewellen updated the Commission. She informed the Commission that the last quarter has been very busy. Cases are up about 41% more than last year. The highest percentage of cases are family law, housing, criminal record sealing/expungement, consumer protection and debt issues followed by other public benefits. Housing cases are rising due to the eviction moratorium ending. The Center for Arkansas Legal Services has completed 65 outreach events in the last quarter. They have advertised on local radio, used billboards, set up help desks at some of the district courts around the state, completed community presentations and had a table/booth set up at the Hope Watermelon festival. They are also working on strategic planning to be more efficient and to evenly distribute caseloads throughout the state. Lastly, they are looking to hire two directors, a Director of Legal Work and Advocacy to oversee legal work and a Director of Intake and Special Projects to oversee intake, special projects, clinics, pro bono and projects of that nature. They are excited and looking forward to the upcoming changes.

Legal Aid of Arkansas: Mr. De Liban updated the Commission. He reported that there will be an increase of funding coming from the Legal Services Corporation to the state. Legal Aid of Arkansas caseloads have continued to be steady. Their most frequent case types are fair housing, domestic violence and unemployment. They're hoping to get some recovery funds to assist with the housing crisis. The funds will help to represent more tenants, and to make sure everyone's rights are being respected. Mr. De Liban also stated there are rental assistance funds in the state through various programs, but they are slow to be distributed, which is adding to evictions. Their annual conference in October will be held virtually due to the rising Covid cases.

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Next Meeting Date: October 8th at 9am via Zoom

Meeting Adjourned.