



**Arkansas Access to Justice Foundation Board Meeting  
November 11, 2022 via Zoom**

**Foundation Board Members:** Brian Clary – Secretary, Hillis Schild – Treasurer, Kyle Burton, Deepali Lal, Tabitha Lee, Harry Light, Debby Nye, Kristin Pawlik, Gwendolyn Rucker, John Thomas Shepherd, Victoria Smith, & Eddie H. Walker, Jr.

**Unavailable:** Cliff McKinney – President, Sainabou Sonko-Vice President, & Aaron Brooks

**Guests:** Milo Mumgaard (Executive Director, Center for Arkansas Legal Services) & Courtney Nosari-Wall (Law Clerk to Justice Robin Wynne)

**Staff:** Jordan Bates-Rogers, Tameka Parker, & Autumn Ballard

**Welcome and Introductions – Mr. Clary**

- Mr. Clary called the meeting to order and asked Mr. Burton and Mr. Mumgaard to introduce themselves.

**Business Items**

- A quorum was present for the meeting.
- **Approval of September 2022 Minutes** – Mr. Clary asked for a motion to accept the September 2022 minutes. Mr. Light made a motion to accept the minutes as written. Ms. Schild seconded the motion. With no further discussion, the motion passed.
- **Approval of Proposed 2023 Budget** – Ms. Schild prefaced that there was not a quorum at the previous Finance Committee meeting, so no reports came as approved. Ms. Schild reported that interest on deposits was going up and had a positive impact on IOLTA revenue in 2022. Budgeted expenses were up \$45,000 from contract labor to hire Ms. Abby Brenneman’s temporary replacement due to her military deployment, additional help, and language access initiative help. Mr. Clary asked if the Program Coordinator position’s approved salary or the \$45,000 will cover her temporary replacement. Mr. Bates-Rogers explained a small portion will probably go to Ms. Brenneman’s replacement to pay them for training purposes before the Program Coordinator approved salary officially starts after Ms. Brenneman’s official deployment date. Ms. Schild reported Special Event expenses were up by about \$10,000, while program expenses declined. Budgeted sponsorship



expenses increased. Mr. Bates-Rogers explained that Access to Justice would like to commit more sponsorship funds to encourage broader programming at statewide legal aid conferences and support minority law student organizations.

- **Motion** – Ms. Schild asked for a motion to accept the proposed budget as presented. Ms. Smith made a motion to accept the report. Ms. Rucker seconded the motion. With no further discussion, the motion passed.
- **August & September Financial Reports**-Ms. Schild reported stable financials moving into September. IOLTA income from banks was reported as significantly more than budgeted due to increasing interest rates. Fendler Fellowship expenses increased; Mr. Bates-Rogers explained that hiring interns has become more expensive. Mr. Bates-Rogers also highlighted Advertising expenses were over budget due to IOLTA marketing, with the 2023 budget including an increase in Advertising funds. Ms. Schild reported total income for September at \$57,247, and total expenses at \$67,000, and explained that expenses were in line, but a grant payment fell in September that pushed the expense amount up. Reported income total for September was -\$10,145.
- **Motion** – Mr. Clary asked for a motion to approve the August and September financial reports as presented. Mr. Light made a motion to accept the reports. Ms. Pawlik seconded the motion. With no further discussion, the motion passed.
- Ms. Schild highlighted a resolution to the Board of Directors to allocate \$400,000 to purchase CDs since interest rates were high. Mr. Clary asked why a bank was already chosen instead of waiting for interest rates to rise; Ms. Schild explained that RFP had already been put out for rates, and that working with Generations Bank, a preferred IOLTA bank, with a great interest rate seemed like a good way to secure additional funding. Mr. Clary asked where the allocated \$400,000 was currently located. Ms. Schild highlighted funding in the Simmons ICS Account and the Southern Bancorp certificate that was up for renewal.
- **Motion** – Mr. Clary asked for a motion to approve a \$200,000 CD to Generations Bank. Ms. Pawlik made a motion to approve. Ms. Nye seconded the motion. With no further discussion, the motion passed.
- **Motion** – Mr. Clary asked for a motion to approve a \$200,000 CD to Southern Bancorp. Mr. Walker made a motion to approve. Ms. Lee seconded the motion. The motion passed, but post-vote discussion commenced. Mr. Burton asked for the interest rate on the Southern Bancorp CD. Mr. Bates-Rogers informed Mr. Burton that Southern Bancorp offered a 3.51% interest rate. Mr. Burton asked if all of the allocated funds can be placed in



Generations Bank. Ms. Schild explained that splitting the funds is more secure, and that spreading wealth to preferred banks is a good idea.

#### **Grants Committee Report** – Ms. Gwendolyn Rucker

- Ms. Rucker reported that the Grants Committee met to finalize the details for the Scipio Africanus Jones prints for fundraising efforts. The signed prints are available for a minimum donation of \$250. The first print sold at the Arkansas Access to Justice Kickoff Silent Auction for \$550. No other prints had sold to date. Mr. Bates-Rogers reported that the Grants Committee was also working on updates to Grants policies to add flexibility and efficiency.

#### **Scholarship Committee Report** – Ms. Tabitha Lee

- Ms. Lee reported that the Scholarship Committee had set a launch date of December 1 for Scholarship Essay Competition details to be announced. Mailouts via internal listserv will go out. Ms. Lee asked the board to spread the announcement through their networks. Ms. Lee reported that the flyer was being finalized, and a ‘need’ component was added to the scoring rubric.

#### **Executive Director’s Report** – Mr. Jordan Bates-Rogers

- **Statewide Pro Bono Portal Update** – Mr. Bates-Rogers reported the Pro Bono Portal is live. Legal aid organizations already have pro bono opportunities listed.
- **Language Access Initiative Update** – Mr. Bates-Rogers reported that due to Arkansas’s low scoring metrics on language access, the Foundation will be working on translating key documents such as the Order of Protection Petition, Summons Form, and standard visitation orders from local courts. Work will also be done to ensure individuals are notified in the language they speak that they have the right to an interpreter and language services at every court interaction point.
- **Administrative Order 22** – Mr. Bates-Rogers reminded the Board of negotiations with IOLTA banks to eliminate fees, specifically First Horizon Bank charging high fees after their acquisition of Iberia Bank and were not interested in negotiation. At the last meeting, the board voted to request amendments to Administrative Order 22. The amended order has been submitted to court for consideration.



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**IOLTA Report** – Ms. Tameka Parker

- Ms. Parker reported an increase in revenue in June-August 2022 versus June-August 2021. 87 banks were participating in the IOLTA program, with 32 having preferred bank status. Seven new banks qualify for preferred status, and Ms. Parker reached out to them to follow up on accepting that status. Mr. Clary asked if the increase in preferred banks was due to Access to Justice's work or if banks were falling in line. Ms. Parker and Mr. Bates-Rogers explained the frequency of reaching out to banks contributed to banks accepting preferred status, but that it was a little of both. Mr. Clary asked what the preferred IOLTA bank rate was prior to Covid-19. Mr. Bates-Rogers explained it was 75 basis points (0.75%) pre-Covid, and 50 basis points (0.50%) after.

**Project Reports** – Mr. Jordan Bates-Rogers

- Mr. Bates-Rogers reported that Ms. Brenneman had been working to get the Free Legal Answers program answer rate up as well as working on and user testing the Unlawful Detainer form. The next CLE was Immigration Law 101.

**Partner Organization Updates** – Mr. Jordan Bates-Rogers and Mr. Milo Mumgaard

- **Access to Justice Commission** – Mr. Bates-Rogers thanked many meeting participants for Kickoff assistance and reported that funds raised were still being tallied but estimated about \$12,000 from the Kickoff event. Next year's Kickoff date is October 5, 2023, at 6:00 PM.
- **Center for Arkansas Legal Services** – Mr. Mumgaard reported that he had been prioritizing getting to know the CALS staff and their work since he was still new to the Executive Director position. He provided some personal background and reported wanting to conduct an in-depth legal needs assessment to better serve Arkansans.
- **Legal Aid of Arkansas** – No report.

**Next Meeting Date** – February 3, 2023, 12:00 PM via Zoom

**Meeting Adjournment** – Mr. Brian Clary asked for a motion to adjourn after no new business was brought forward. Ms. Smith motioned to adjourn the meeting. With no further discussion, the motion passed.