



Minutes
Access to Justice Board
November 30, 2012
10:00 a.m. – 3:00 p.m.
Washington State Bar Association

Present: **ATJ Board members** Chair Kirsten Barron, Chair-elect Ishbel Dickens, Lisa Atkinson (by phone), Breean Beggs, Nick Gellert, Lynn Greiner, Geoff Revelle; **ATJ Board committee chairs and members** Jim Bamberger, Caitlin Davis Carlson, Eric Gonzalez-Alfaro, Brian Rowe, Naria Santa Lucia, César Torres; **Liaison(s)** Dan Ford (WSBA Board of Governors), Hon. Johanna Bender (District and Municipal Court Judges Association), Cheryl Strobert (Washington State Human Rights Commission); **Guest(s)** Bill Hinsee, Debi Perluss; **ATJ Board staff** Allison Durazzi, Joan Fairbanks, Charles Dyer (contractor for the Pro Se Project) and ATJ Board Fellow Andrew Lee.

ATJ Board Chair's Report:

- ATJ Board Chair Kirsten Barron announced that the American Bar Association has awarded the ATJ Board a \$20,000 grant to develop best practices for electronic filing. Grants also were awarded to ATJ Commissions in Alabama, Colorado, Hawaii, Maine, Massachusetts and Mississippi. These are one-year grants for projects that can be replicable in other states.
- Alliance-wide gathering: Programming is being developed for this event by the ATJ Board's Conference Planning Committee. Programming will be in the morning and the afternoon on February 15, the day of the annual Goldmark Awards Luncheon. One of the themes to be explored is the role of lawyers in the social justice movement.
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Approval of October 26, 2012 ATJ Board Meeting Minutes: The minutes were approved as drafted.

Approval of Memorandum of Understanding between the Washington Pattern Forms Committee and the Access to Justice Board: The ATJ Board approved the Memorandum of Understanding, which clarifies the process for approving plain language Domestic Relations forms and their adoption as the mandatory Domestic Relations pattern forms.

Support for the American Bar Association's Resolution on Unbundling Legal Services: ATJ Board members discussed this proposed resolution endorsing the use of unbundled legal services to increase access to the justice system. The request is for the WSBA Board of Governors to co-sponsor and for the ATJ Board to support. There was discussion as to whether the language in the resolution adequately reflects the American Bar Association's intentions. The ATJ Board will ask the Board of Governors to co-sponsor and will provide them a proposed letter outlining the concerns. The ATJ Board's Executive Committee will draft the letter; WSBA ABA Delegate Debi Perluss offered to review it.

Discussion of proposed ATJ Conference Mission Statement: Kirsten presented a draft mission statement for future ATJ conferences. She requested feedback. The ATJ Board will share the draft statement with

Alliance members and other interested stakeholders before reconvening a conference committee to determine next steps. There was a suggestion that all examples be removed from the mission statement.

Advocacy Report: Northwest Justice Project Executive Director César Torres provided the Board with an overview of NJP's recent strategic planning process and priority-setting.

NJP started with a review of its mission statement among the senior attorneys and management staff and, eventually, all staff statewide. The result was an articulated vision, "Justice for all low-income people in Washington State," and a new mission, "To secure justice through high quality legal advocacy that promotes the long-term well-being of low-income individuals, families, and communities."

After the new mission was adopted in November 2009, NJP started the process of assessing how well each aspect of the organization aligned with the mission. This year-long process involved several staff workgroups tasked with identifying issues that were mission-related, how they were addressing those issues, identifying any gaps and providing recommendations to fill those gaps. NJP worked with a graduate student from LIOS (Leadership Institute of Seattle) to facilitate the process of synthesizing workgroup reports and recommendations into a strategic plan. A draft plan was reviewed by NJP staff, with the final plan adopted by the NJP Board in October 2011.

With the strategic plan complete, NJP moved into charting the implementation of the plan. Again, there was a process of soliciting input from the staff. Additionally, NJP conducted a survey among community-based partners. The top three priority areas are overcoming barriers to employment; educational equity; and transportation. NJP was already doing work in some of these areas, and will continue to build on that work. Goal is to dedicate up to 25% of advocacy resources on this focus of attacking barriers in employment. Every office will be involved in implementing the plan. NJP is also engaging with local communities. Still to be determined is how to involve the Alliance-wide task forces in implementing this plan, including developing legal strategies.

CLEAR implemented two significant changes: a callback system and online intake. While there is a provision for emergencies for phone calls, most clients can leave a message with CLEAR or complete the online intake and expect a return call within 24 hours. CLEAR has experienced staffing reductions, but is also handling more complicated cases. The demand for family law is very high, so one of the goals is to develop a program-wide response to addressing family law matters.

Kirsten thanked César for his report, and encouraged NJP to consider how the ATJ Board can be helpful in further implementation of the plan.

Funding Report:

IOLTA and special grants: Legal Foundation of Washington Executive Director Caitlin Davis Carlson reported that the LFW Board was able to maintain grants at the previous year's levels. Additionally, the Board developed a plan for the first year distribution of Housing Justice Grant funds.

Legal Services Corporation funding: There is a currently a continuing resolution in place. Until there is a solution to the "fiscal cliff," there will be a \$20 million reduction in LSC funds.

State funding: OCLA Director Jim Bamberger reported that moderate growth in revenues is expected but does not cover the state's ongoing legal and statutory obligations. The budget deficit forecast is

\$950 million, which does not take into account the \$1.5 billion for the implementation of *McCleary v State* (Washington Supreme Court, January 2012). The 2013 Judicial Branch 2013 budget requests have been approved by the Supreme Court and the Board for Judicial Administration. The budget includes \$50,000 in new money for state court operations; \$542,000 for the Office of Public Defense; and \$3.7 million for OCLA to maintain agency operations and to restore positions lost to previous cuts.

King County: EJC Director Eric Gonzalez reported that the King County Council has adopted its 2013 budget which restored funding to all King County funded Alliance programs at last year's levels and increased funding for the Seattle Community Law Center and the Eastside Legal Assistance Program. This was accomplished through meetings with the King County Council's budget committee and letters of support from the ATJ Board, WSBA and others.

Campaign for Equal Justice: LAW Fund Director Naria Santa Lucia reported that the Campaign to date has exceeded \$900,000 with 6,828 donors. The King County Law Firm Campaign to date has raised \$349,000 from 75 law firms. The Campaign has been conducting phone-a-thons throughout the state. It hosted a kick-off event in Yakima which raised \$6,100, which doubled that raised in 2011. . Check-off donations are down 27% on the WSBA license form, which is not unexpected given that the Washington State Bar Foundation has a check-off for the first time this year. The Campaign is looking at social media as a vehicle to raise more funds. She noted that the ATJ Board is at 70% of giving and encouraged full participation.

Leadership Academy update: Leadership Academy Advisory Committee Chair Breean Beggs reported that the Committee received 33 applications for participation for the first year. The Committee is especially pleased with the outreach many people in the Alliance did that resulted in this response. Additionally, community partner organizations are well-represented among the applicant pool. Shriver Center trainers granted permission to increase the cohort by three people, for a total 28 members. The Advisory Committee has finalized the decision-making process, and has meetings scheduled to discuss the applications. They anticipate final decisions in about two weeks.

Fellowship Report: Andrew Lee provided a summary of his work over the past year as an ATJ Board Fellow from New York University School of Law. He helped advance the ATJ Board Technology Committee's work on electronic access to court records. He was instrumental in drafting the ATJ Board's successful proposal for funding from the American Bar Association to implement improvements in the area of electronic access to court records in Washington State. He also devoted substantial time to writing content for the Technology Committee's website (ATJWeb.org) and developing model policies on social media and privacy for use by legal aid organizations. Kirsten presented Andrew with a gift of thanks from the ATJ Board. Technology Committee Chair Brian Rowe note that Andrew's assistance contributed to a very productive year.

Assignment of ATJ Board Members to Legal Community Events: Board members noted the upcoming PILA and PILF auctions.

WSBA Board of Governors Report: ATJ Board Liaison Geoff Revelle reported that the BOG has retreated from its September 2012 decision to adopt the Pro Bono and Legal Aid Committee's proposal to expand the number of MCLE credits available for pro bono work. Members of the BOG and the Mandatory Continuing Legal Education Board met in October to develop a "compromise" position that would be submitted to the Supreme Court. Significantly, the compromise reduces the number of "live" credits available, which credits are critical for small and rural pro bono programs seeking to attract volunteer

attorneys. The ATJ Board has submitted a letter opposing this compromise and will weigh in with the Supreme Court once the rules are published for comment.

Limited License Legal Technician Board: Nick Gellert was the ATJ Board's representative on a committee that was charged with recommending a slate of 21 qualified applicants and to recommend 13 of them for the LLLT Board. The BOG adopted this slate unanimously and sent it to the Supreme Court for appointment. Applicants included a large pool of lawyers and non-lawyers, most of them qualified. The goal was to develop a slate with geographic, racial and experiential diversity.