



# ANNUAL REPORT

To the Washington State Supreme Court

&

The Washington State Bar Association Board of Governors

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February 2007



Washington State Access to Justice Board

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**ACCESS TO JUSTICE BOARD ANNUAL REPORT**  
TO THE  
WASHINGTON STATE SUPREME COURT  
WASHINGTON STATE BAR ASSOCIATION BOARD OF GOVERNORS

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## **I. ACCESS TO JUSTICE BOARD**

### **A. Mission**

Recognizing that access to the civil justice system is a fundamental right, the Access to Justice Board works to achieve equal access for those facing economic and other significant barriers.

The Access to Justice (ATJ) Board continues to track and evaluate its progress under the directives of this Court's Order (**Tab 1**), and continues to refine its mission through the mechanisms it has established to do so: *Access to Justice Board Statement of Principles and Goals* (**Tab 2**); *Hallmarks of an Effective Statewide Civil Legal Services System* (**Tab 3**); *Revised Plan for the Delivery of Civil Legal Services to Low Income People in Washington State (Revised State Plan)* (**Tab 4**), the annual Access to Justice Conference Recommendations and the ATJ Board's annual goal setting process.

### **B. Members and Participants**

Attached is a current list of ATJ Board members and ATJ Board Committee chairs (**Tab 5**). Three new members, Wayne Blair, Millicent Newhouse and Elizabeth Fry, were appointed by the Supreme Court in May 2006. Judge Greg Tripp will begin his second year as ATJ Board Chair in May 2007; Dan Gottlieb serves as Chair-Elect.

Approximately 220 volunteers currently serve on the ATJ Board's 12 standing committees. A roster of volunteers is attached (**Tab 6**). They include Supreme Court justices, state court commissioners and judges, administrative law judges, tribal court judges, members of the WSBA Board of Governors, private and government attorneys, law and public librarians, court clerks, courthouse facilitators, paralegals, members of the Alliance for Equal Justice (legal aid, *pro bono* program and specialty provider staff), law students and faculty, paralegal students, members of the armed forces, mediators, educators, technology specialists, LAW Fund (Legal Aid for Washington) and Legal Foundation of Washington representatives, staff from the Administrative Office of the Courts and the Washington State Bar Association, legislators, state agency staff, disability groups, consumer groups, and representatives from the media.

The ATJ Board also enjoys the active participation of formal liaisons from key justice system partners, including the Washington State Bar Association, Administrative Office of the Courts, Superior Court Judges Association, District and Municipal Court Judges Association, and Office of Administrative Hearings. A complete list is attached (**Tab 7**).

### **C. Meetings**

The ATJ Board met 10 times since its last *Report*, including its annual two-day retreat. Attached are the agendas from the March 9, April 14, May 8-9, June 9, July 28, September 8, October 20, and December 1, 2006 and the January 12 and February 16, 2007 meetings (**Tab 8**).

On September 7, 2006, the ATJ Board hosted the first-ever meeting of its committee chairs for the purpose of reviewing the new ATJ Board Operational Rules and providing a general orientation on current ATJ Board initiatives.

### **D. Communication**

This *Report* and the ATJ Board meeting minutes are posted on the ATJ Board's website: <http://www.wsba.org/atj>. The purpose of the website is to provide useful information for those in Washington State and nationally who are interested in

learning about the ATJ Board and its initiatives. The ATJ Board recently began posting its meeting materials for those who prefer to access them online.

To improve communication and facilitate the dissemination of information, the ATJ Board and the Washington State Bar Association host email listserves for the ATJ Board, each of the ATJ Board's committees and special projects, the Leadership Group, and the Washington State Bar Association's Pro Bono and Legal Aid Committee.

#### **E. Staff**

The ATJ Board and its committees (with the exception of the Equal Justice Coalition and the Communications Committee, which are staffed by the Legal Foundation of Washington), are administered by the Washington State Bar Association within its Justice Programs Division. Current Justice Program Division staff include: Joan Fairbanks, Justice Programs Manager; Sharlene Steele, Access to Justice Programs Liaison; Pam Inglesby, Public Legal Education Manager; Guadalupe Cavazos, State Plan Specialist (beginning 3/1/07); and Allison Durazzi, Justice Programs Coordinator. The Justice Programs Division has additional part-time administrative support from Camille Campbell.

#### **F. Long Range Strategic Planning Process**

The ATJ Board initiated this process in 2005 under the auspices of its Task Force on Board Development and Planning, chaired by ATJ Board member Dan Gottlieb. The process involved the development, administration and analysis of results of a questionnaire soliciting information from key stakeholders on the ATJ Board's role in addressing access to justice issues. This ATJ Board considered this data at a facilitated planning retreat in May 2005 and developed three strategic initiatives for the upcoming three years. At its April 14, 2006 meeting, the ATJ Board adopted work plans for these three initiatives, which include:

- (1) *What ATJ structure best enables the ATJ Board to fulfill its mission?* The ATJ Board has engaged the *pro bono* services of a business lawyer to consider various models put forward by a Structure Workgroup of the ATJ Board's Task Force on Board Development and Planning. The Structure Workgroup will reconvene in the spring to consider the findings and observations of the business lawyer, and will make a final recommendation to the ATJ Board.
- (2) *How can the ATJ Board most effectively choose programs, innovative measures and make policy decisions to further its mission?* The Strategic Initiatives Workgroup developed a process for analyzing and selecting new ATJ Board initiatives. Many of these suggestions have been incorporated into the ATJ Board's Operational Rules (see I.G below).
- (3) *What can the ATJ Board do to broaden the geographic and cultural diversity of its leadership?* These responsibilities will be assigned to the ATJ Board's new Nominating and Leadership Development Committee, which also has leadership development and training responsibilities assigned to it under the *Revised State Plan* (see IV.H below)

#### **G. Organizational Development**

The ATJ Board *Order* provides that the ATJ Board "may adopt internal operational rules pertinent to [its] powers and duties." The ATJ Board's Task Force on Board Development and Planning developed a set of operating rules which the ATJ Board approved at its March 9, 2006 meeting (**Tab 9**). They address the roles and duties of ATJ Board members, officers and committee chairs; committee structure and function; the role of staff; and other pertinent matters.

At its April 14, 2006 meeting the ATJ Board voted to adopt a Memorandum of Understanding between the Washington State Bar Association and the Access to Justice Board which articulates the understanding of both parties on the respective roles of WSBA and the ATJ Board regarding staff and financial support for the ATJ Board **(Tab 10)**.

Also at its April 14, 2006 meeting, the ATJ Board formally opposed a proposed rule (submitted to the Court as GR 12.1) put forward by WSBA to address its administrative and oversight responsibilities over six independent boards, including the ATJ Board. WSBA subsequently amended proposed GR 12.1 in January 2007 to address antitrust concerns **(Tab 11)**.

#### **H. ATJ Board Role in Washington State**

Within Washington State, the ATJ Board is a mechanism for “expanding, coordinating, and promoting effective and economical civil legal services delivery for vulnerable low and moderate income people,” as contemplated by the *Order*. The ATJ Board enjoys an active role in Washington State’s justice community. Examples of this involvement (since February 2006) include the following:

**Justice in Jeopardy:** The ATJ Board voted to endorse a resolution in support of Justice in Jeopardy initiatives and to specifically support the Office of Civil Legal Aid’s request of \$5.268 million **(Tab 12)**.

**Proposed Amendments to RPC 1.14 (IOLTA Rule):** The ATJ Board took a formal position in opposition to a proposal to attach restrictions to the uses of IOLTA funds that would mirror current Washington state restrictions **(Tab 13)**. On January 10, 2006, the ATJ Board submitted a letter to Justice Charles Johnson, Chair of the Supreme Court Rules Committee, in response to his request to the ATJ Board, WSBA Board of Governors, the Office of Legal Aid, the Civil Legal Aid Oversight Committee and the Legal Foundation of Washington for comments on the proposed rule change. ATJ Board member Wayne Blair and representatives from the other stakeholder groups participated as panel members at a May 11, 2006 hearing before the Supreme Court. The Supreme Court subsequently dismissed the rule petition.

**Public Service Voices Series of the Gates Public Service Law Scholarship Program:** Several ATJ Board members and ATJ Board committee members have agreed to be guest authors for this new series.

**Proposed ADA (Americans with Disabilities Act) Coordinator position at AOC:** At the request of its Impediments Committee, the ATJ Board endorsed a proposal by the Administrative Office of the Courts to seek funding for a new staff position to assume primary responsibility for coordinating efforts to make courts more accessible for people with disabilities.

**Re-Visioning the Seattle University School of Law’s Access to Justice Institute:** Dean Kellye Testy has invited the ATJ Board’s participation in this process, which to date has included a community discussion on December 18, 2006.

**Seattle Journal for Social Justice (SJSJ):** The Editor-in-Chief has requested the development of a formal relationship between the ATJ Board and the *SJSJ*. The ATJ Board will appoint a member to serve on the *SJSJ* Advisory Board, and currently is considering a set of proposals for a collaborative relationship.

**Proposed Fee Waiver Rule:** The ATJ Board has voted to support the adoption of a rule that provides a uniform process for waiving court and clerks’ fees and charges in civil matters on the basis of indigency, and which is consistent with draft GR 34, which has been proposed by WSBA’s Pro Bono and Legal Aid Committee.

**WSBA Trust Account Responsibilities and Retainers Task Force:** The WSBA Office of Disciplinary Counsel has proposed Formal Opinion 198 which addresses how lawyers may properly handle client funds, specifically flat fees collected and retained up front for services to be performed. The BOG has established a Task Force to make recommendations to the Board of Governors with respect to these issues and has asked the ATJ Board to provide input on the consumer protection aspects of trust accounts. U.S. Magistrate Judge Mary Alice Theiler serves as the ATJ Board’s representative on the Task Force.

**Washington State Human Rights Commission:** The ATJ Board voted to recognize and support the work of the Human Rights Commission, recognizing that the HRC legislative proposal for 2007–09 addresses the needs identified in the *Civil Legal Needs Study* and is consistent with the goals of the *Revised State Plan*.

**Accessibility of the WSBA Website:** The Washington State Bar Association’s Committee on Diversity has asked for ATJ Board endorsement and support for plans to make the WSBA website accessible, consistent with the Supreme Court’s Access to Justice Technology Principles. The ATJ Board’s website also will be included in this upgrade **(Tab 14)**.

**Committee for Indigent Representation and Civil Legal Equity (CIRCLE):** Non-judicial members of the ATJ Board participate in this group, which is exploring a litigation-based approach to establishing a civil right to counsel. Staffing and support for the project are provided by the Northwest Justice Project and the Legal Foundation of Washington.

**Task Forces and Committees:** ATJ Board representatives currently serve on the following: WSBA Committee on Public Defense; WSBA Loan Repayment Assistance Program; WSBA Amicus Committee; WSBA Committee on Diversity; and WSBA Trust Account Responsibilities and Retainers Task Force; and the Supreme Court’s Public Trust and Confidence Committee.

**Recognition for Outstanding Contributions:** The ATJ Board continues to nominate, and support the nomination of, key individuals and organizations for awards and recognition. The ATJ Board nominated Patrick McIntyre for the WSBA’s Lifetime Service Award, which he received. The ATJ Board presented annual awards at its 2006 Access to Justice Conference: the 2006 Judicial Leadership Award to Judge Anne Ellington for her long-time commitment to access to justice and for her work on the ATJ Board’s Impediments Committee; and the 2006 Access to Justice Leadership Award to outgoing Northwest Justice Project Executive Director Patrick McIntyre. The ATJ Board arranged a special surprise celebration at the ATJ Conference to honor the founding members and staff of the Bar Leaders for the Preservation of Legal Services for the Poor. Mike Greco, Jonathan Ross and Bill Whitehurst, and staff Gail Kinney were recognized and thanked for their work to address threats to the continued funding of the federal Legal Services Corporation. All four attended the Conference in person **(Tab 15)**.

**Integration with the Organized Bar:** The ATJ Board works to enhance collaboration and communication with the Board of Governors and WSBA bar leaders in the following ways: (1) annual ATJ Board presentation to the BOG; (2) presentation at the annual WSBA Section and Committee Chair orientation; (3) annual orientation of the WSBA president and new members of the Board of Governors; and (4) reciprocal liaisons with the Board of Governors.

**Integration with the Judiciary:** The ATJ Board works to enhance collaboration and communication with the judiciary in the following ways: (1) annual meeting with the Supreme Court; (2) ATJ Board orientation for new Justices; (2) active recruitment of

judges from all levels of state court, administrative law and tribal courts for participation on the ATJ Board and on ATJ Board committees; (3) establishment of formal liaisons to the ATJ Board from the Superior Court Judges Association, the District and Municipal Court Judges Association, and the Office of Administrative Hearings; (4) establishment of a formal liaison to the ATJ Board from the Administrative Office of the Courts; and (5) ATJ Board liaison to the Board for Judicial Administration

**Orientation of Justice System Partners:** ATJ Board members and staff regularly make presentations about the ATJ Board, its initiatives, and the broader Alliance. Examples during the past year include: (1) ATJ Board orientation for Justice Jim Johnson; (2) ATJ Board orientation for Hon. Roosevelt Currie, new Chief Administrative Law Judge; and (3) ATJ Board orientation for new State Court Administrator Butch Stussy and new AOC Judicial Services Director Dirk Marler.

**Expansion of Participation in ATJ Board Initiatives:** The ATJ Board continues to reach beyond the “usual suspects” to involve new people on the ATJ Board committees and as liaisons to the ATJ Board, including those outside the legal community.

#### **I. National Role**

The ATJ Board continues to be active at the national level and is viewed as a model for other states.

**National meeting of ATJ Board Chairs:** ATJ Board Chair Judge Greg Tripp and ATJ Board Manager Joan Fairbanks participated in the fifth National Meeting of State Access to Justice Chairs as part of the American Bar Association/National Legal Aid and Defender Association Equal Justice Conference in Philadelphia on May 1, 2006 (**Tab 16**).

**American Bar Association Resolutions on Civil Right to Counsel and Ten Principles of a State System for Delivery of Civil Legal Aid:** The ATJ Board voted to support these resolutions (**Tab 17**).

**American College of Trial Lawyers Emil Gumpert Award:** A Seattle Fellow of the American College of Trial Lawyers has nominated the ATJ Board for the Emil Gumpert Award. The ATJ Board has submitted a project description with a focus on leadership development, which currently is being considered by ACTL. If selected, the ATJ Board will receive \$50,000 for implementation of the project (**Tab 18**).

**Support for Local ADA Technical Assistance Programs:** At the request of the ATJ Board’s Impediments Committee, the ATJ Board submitted comments opposing proposed funding cuts to the National Institute on Disability Rehabilitation and Research (NIDRR). NIDRR provides funding to local ADA Technical Assistance Programs which in turn work to make the courts more accessible for people with disabilities.

**National Conferences:** ATJ Board staff participates actively in the planning for key national conferences, including the National Legal Aid and Defender Association Annual Conference and the ABA/NLADA Equal Justice Conference.

**Road Map:** The ATJ Board’s Open Society Institute-funded handbook, *Equal Justice . . . The Noblest Common Denominator: A Road Map for Building an Equal Justice Community*, published four years ago, has been widely distributed throughout the country. The handbook continues to be used by many states in a variety of ways to build and enhance their own state and local equal justice communities. Plans are underway to update and revise the handbook.

**Technical Assistance:** ATJ Board members and staff continue to provide assistance to those in other states that request information about the ATJ Board and its initiatives. ATJ Board staff participated as a trainer for the newly formed Georgia Access to Justice Commission.

## **II. SUPREME COURT-FUNDED ATJ BOARD INITIATIVES**

### **A. Final Report on FY 2006 Initiatives**

In 2005 the Legislature, at the request of the Supreme Court, appropriated \$200,000 for the biennium to support the work of the ATJ Board. Both the WSBA Board of Governors and the Supreme Court approved the expenditure of \$100,000 for the 2006 fiscal year (July 1, 2005 – June 30, 2006) to support three projects: \$11,700 for geographic information system (GIS) mapping technology to support the revision of the ATJ Board's *Revised State Plan*; \$27,500 to implement the Access to Justice Technology Principles; and \$60,800 to support the implementation of the ATJ Board's Communications Plan. The ATJ Board submitted a final report to the Supreme Court on July 18, 2006 (**Tab 19**).

### **B. Reports on Current FY 2007 Initiatives**

Both the WSBA Board of Governors and the Supreme Court approved the expenditure of \$100,000 for the 2007 fiscal year (July 1, 2006 – June 30, 2007) to support two projects: \$90,000 to support implementation of the ATJ Board's *Revised State Plan*; and \$10,000 to support the 2006 Open House Project. Following is the status of these initiatives:

#### **1. State Plan Implementation**

The ATJ Board has submitted two quarterly progress reports (July 1, 2006 – September 30, 2006; October 1, 2006 – December 31, 2006) to the Supreme Court (**Tab 20**).

#### **2. 2006 Open House Project**

The Open House Project is an ambitious effort undertaken by the Alliance and the Access to Justice Board to build support for civil legal aid. The Alliance for Equal Justice hosted 17 receptions throughout the state on October 11, 2006 (**Tab 21**). More than 1,000 people participated statewide, including local elected officials, judges and state legislators and candidates. The Open House Project generated print, broadcast and radio coverage throughout the state. Each Open House featured a keynote speaker, including Supreme Court justices, federal and local judges, Washington's Attorney General, business leaders and leaders in the legal community. Attorney General McKenna used the Open House as an opportunity to publicly announce his support for the request for increased state funding for civil legal aid in the 2007 legislative session. Immediately following the Open House event, there also was a surge in contributions to the Campaign for Equal Justice and offers to volunteer to help raise support.

### **C. Status Report on FY 2007-2009 Funding Request**

The ATJ Board submitted a letter to Chief Justice Alexander on July 7, 2006 requesting continued funding for the ATJ Board at current levels (\$200,000 for the biennium) for 2007-2009 (**Tab 22**). The ATJ Board has identified a need to continue to dedicate these funds to the implementation of the *Revised State Plan*, and will be providing the Washington State Bar Association and the Supreme Court with a proposal for how funds would be expended in FY 2008. As in previous years, the ATJ Board will seek approval from WSBA's Budget and Audit Committee. The ATJ Board

requests that the Supreme Court consider and approve the proposal at its June 7, 2007 *en banc*.

### **III. ATJ-COORDINATED STATE PLANNING**

#### **A. Background**

The ATJ Board is responsible for statewide planning for the provision of civil legal aid, as contemplated by this Court's *Order*, and in accordance with the vision articulated in the ATJ Board's *Hallmarks of an Effective Statewide Civil Legal Aid System*. Additionally, the ATJ Board, through its annual Access to Justice Conferences (see *IV.A below*, Access to Justice Conference Committee), has created a mechanism for institutionalizing an ongoing statewide planning process that involves the entire justice system.

The ATJ Board adopted its first *Plan for the Delivery of Civil Legal Aid to Low Income People in Washington State (State Plan)* in 1995, at the request of the federal Legal Services Corporation, to address Congressional limitations placed on legal aid services that could be provided with federal funds. That plan dramatically reconfigured the delivery system to ensure that no one would be written out of the justice system. In 1999, the ATJ Board revised its *State Plan*, again at the request of the Legal Services Corporation. The 1999 revision set delivery goals and delineated responsibilities, including responsibilities for statewide support of the delivery system. In 2003, Washington state served as a Legal Services Corporation pilot site for evaluating state plans and state justice communities.

The ATJ Board established the State Plan Review Committee in 2003 to revise the ATJ Board's 1999 *State Plan*. The current revision of the *State Plan* was developed following the review of the findings in the *Civil Legal Needs Study*, conclusions from the Supreme Court's Task Force on Civil Equal Justice Funding and Quantitative Report; the 2000 Census; the Legal Services Corporation's 2003 evaluation of the ATJ Board's 1999 *State Plan*; recommendations from the Access to Justice Conferences; and interactive GIS maps of significant demographic and resource data. Many members and supporters of the Alliance for Equal Justice participated in the state plan review process and contributed comments to the various drafts. The ATJ Board adopted the *Revised State Plan* on May 8, 2006 at its annual retreat (**Tab 4**).

#### **B. Key Components of the Revised State Plan**

##### Goals of the Revised State Plan:

- A. Establish minimum thresholds for client service delivery
- B. Substantially expand access to necessary legal aid services for all low income people
- C. Provide an ongoing infrastructure for effective support and accountability
- D. Provide a blueprint for future budget requests and resource allocation decision making

##### Areas of Planning Focus:

- A. *Upgrading Rural Delivery*. There is insufficient legal aid presence in rural parts of the state. The *Revised State Plan* does the following:
  - Creates 19 regional service areas of not less than 12,000 low income people each (**Tab 23**)
  - Establishes a range of legal aid services that must be available to clients within each region

- Requires that not less than 3.0 legal aid full time equivalent (FTE) attorneys serve each region, with at least 2.0 FTEs resident within the region
  - Directs regional providers to prioritize and coordinate their client service delivery efforts
- B. *Strengthening Pro Bono.* There are a number of small *pro bono* programs in areas of the state with insufficient numbers of private attorneys available to provide meaningful and reliable client services. The *Revised State Plan* does the following:
- Structurally integrates the *pro bono* function into the regional delivery infrastructure where there is an insufficient number of private attorneys to reliably contribute 1 FTE (1,500 hours per year) of legal aid services
  - Upgrades the statewide capacity to provide training, technical assistance and other support for *pro bono* providers
- C. *Centralizing Client Intake and Access in King County.* The *Revised State Plan* directs King County programs to develop a plan to centralize intake, access and referral services, much the same way as CLEAR (Coordinated Legal Education, Advice and Referral) has done for clients living in the other 38 counties.
- D. *Expanding Client Access for All Low Income People.* The *Revised State Plan* directs that new and innovate efforts be undertaken to address obstacles that limit access to CLEAR and the legal aid system due to cultural, linguistic, status-based, ability-related or other challenges.
- E. *Strengthening Statewide Support Functions.* The *Revised State Plan* identifies and assigns responsibility for the following key functions: State Planning and Implementation; Evaluation and Accountability; Advocacy Coordination; Resource Development; Professional Development and Training; Pro Bono Support; Technology; Building Support for Equal Justice

Implementation and Oversight:

*Immediately:* ATJ Board established a State Plan Oversight Committee

*December 31, 2006:* All 19 regions completed their planning assessments; King County completed its proposal for a centralized intake system

*June 30, 2007:* Completion of 19 regional plans

*June 30, 2010:* Implementation of the *State Plan*

**C. Status of the Implementation of Statewide Support Functions**

The following functions are now formally set forth in the *Revised State Plan* as Statewide Support:

**State Planning and Implementation:** (see *IV.K* below, State Plan Oversight Committee)

**Evaluation and Accountability:** (see *IV.I* below, Performance Assessment and Accountability Committee)

**Advocacy Coordination:** The Northwest Justice Project will take the lead in developing a standing Alliance-wide client advocacy coordinating group. The work group will include representatives from all segments of the Alliance and should, on an ongoing basis, work to identify the mechanisms and procedures needed to ensure

major substantive issues and priority client needs will be addressed deliberately, consistently, efficiently and effectively.

**Resource Development:** The *Revised State Plan* provides that the Legal Foundation of Washington shall carry out its resource allocation functions consistent with the *Revised State Plan*. The Equal Justice Coalition (see *IV.D below*, Equal Justice Coalition) will continue to serve as the principal voice of the Alliance on matters relating to federal and state funding. Alliance members will participate in and support these efforts as requested. Private resource development efforts by individual programs will be carried out in a manner that is both cooperative and consistent with the Campaign for Equal Justice. Statewide resource development will be expanded into new areas such as foundations, corporate donors, major gifts and appropriate special purpose government grant opportunities.

**Professional Development and Training:** The *Revised State Plan* provides that the ATJ Board will be responsible for coordinating ongoing individual, organizational and statewide leadership development (see *IV.H below*, Nominating and Leadership Development Committee). Should the ATJ Board be awarded the American College of Trial Lawyers Emil Gumpert Award (described above in *I.I National Role*), it will use the funds for a significant leadership development initiative for Alliance members. The ATJ Board coordinates the annual Access to Justice Conference (see *IV.A below*, Access to Justice Conference Planning Committee), which is a significant training event. ATJ Board staff has developed a library of MCLE-accredited videotapes from training events throughout the state and is making them available to Alliance members. ATJ Board staff also is responsible for implementing Washington State Board of Continuing Legal Education Regulation 103(g), which awards CLE credits for handling *pro bono* cases, and coordinating annual training events for attorneys who wish to participate in WSBA's Emeritus Attorney Program.

The Northwest Justice Project will be responsible for forming, in cooperation with other Alliance members, an inter-program training committee. The training committee will regularly evaluate substantive and advocacy skills training needs and adopt a statewide training plan.

**Pro Bono Support:** The *Revised State Plan* provides that the existing statewide Pro Bono Support Coordinator position be upgraded from .5 FTE to 1 FTE and established as a permanent, full-time component of the statewide support system. This full-time equivalent position will be responsible for a range of activities delineated in the *Revised State Plan*.

The ATJ Board works closely with WSBA's Pro Bono and Legal Aid Committee (PBLAC), that is taking primary responsibility for implementation key *pro bono* initiatives, which include: (1) promoting Supreme Court involvement to increase *pro bono* participation; (2) implementing Washington State Board of Continuing Legal Education Regulation 103(g), which awards CLE credits for handling *pro bono* cases; (3) promoting the new amendments to RPC 6.1 and implementing RPC 6.1's voluntary reporting provision; (4) proposing state and local rule changes to remove barriers to volunteering; and (5) proposing a state court rule to provide uniform standards for the application of fee waivers in civil matters for low income people. ATJ Board staff participates on the Pro Bono Support Coordinator Oversight Board to oversee the activities of a half-time Pro Bono Support Coordinator based at Columbia Legal Services. The Coordinator provides technical support for individual *pro bono* programs and works to ensure these programs are full partners in the Alliance for Equal Justice.

**Technology:** The Revised *State Plan* assigns responsibility for implementing the ATJ Board’s Technology Plan to the ATJ Board’s Technology Committee (*see IV.L below, Technology Committee*).

The Northwest Justice Project houses and maintains CLEAR and the Washington Law Help and Advocate Resource Center (ARC) websites. ARC provides training resources, reference materials and communication tools for legal aid advocates and private attorneys who are handling *pro bono* matters for low income clients ([www.advocateresourcenter.org](http://www.advocateresourcenter.org)). The Office of Civil Legal Aid is coordinating the development of a uniform statewide case management system for Alliance members. The process of identifying a vendor is being finalized. Funding for the system is being provided by the Office of Civil Legal Aid and the Legal Foundation of Washington.

**Building Support for Equal Justice:** The *Revised State Plan* recognizes that a strategic, planned and sustained effort to build and maintain understanding and support for the work and vision of the Alliance between and among Alliance members, supporters and the public is critical. Central to the effort is the implementation of the ATJ Board’s Communications Plan (*see IV.B below, Communications Committee*).

#### **IV. ATJ BOARD STANDING COMMITTEES**

The ATJ Board currently oversees the work of 12 standing committees which are addressing the priorities established by the Supreme Court’s *Order*.

##### **A. Access to Justice Conference Planning Committee**

Colleen Kinerk, Chair

*Mission: Plans, organizes and coordinates the annual Access to Justice Conference, including soliciting and tracking annual conference recommendations.*

The 11th annual Access to Justice Conference, *Access to Justice Conference: Equal Justice Under Law*, was held jointly with the annual Bar Leaders Conference on June 9-11, 2006 in Yakima. The ATJ Conference included the following sessions:

- Using Information Technology to Improve Access to Justice: Advocate Resource Center and Washington Law Help
- Developing a Unified Message: Telling Your Story
- Achieving Equal Justice: The Role of Court Interpreters
- Improving Educational Outcomes for Youth in Dependencies
- Emerging Dispute Resolution: Improving Dispute Resolution in Washington State
- Bringing Justice to Schools
- Moving Forward with Innovations to Improve Equal Justice: Authorizing Legal Technicians
- Balancing the Scales of Justice: Criminal and Civil Partnerships for Special Education Cases
- Book Discussion Group: *The Spirit Catches You and You Fall Down* by Anne Fadiman
- Leadership Group Meeting: Plan for the Delivery of Civil Legal Aid to Low Income People in Washington State

The joint ATJ Board/Bar Leaders conference plenary session, “Crafting a Vision for the Civil Right to Counsel in Washington,” featured ABA President Michael Greco’s vision for a defined right to counsel in civil cases. President Greco also provided the keynote address.

The Moderately Talented (Yet Plucky) Repertory Theatre of Justice, performed *OCLANogan!* at the Friday evening Welcoming Reception.

The Annual Access to Justice Conference Report includes recommendations that have been developed and tracked since the first Access to Justice Conference in 1996 (**Tab 24**). The Conference Committee is developing ways to make the recommendations a more prominent focus during the conferences and as part of the annual conference planning process.

Plans are underway for the 12th annual Access to Justice Conference on June 1-3, 2007 in Wenatchee.

**(A copy of the 2006 ATJ Conference Report is included with this Report).**

**B. Communications Committee**

Michele Storms, Chair

*Mission: Identifies and articulates common messages for those within the delivery system and creates systems for improved communication.*

The Access to Justice Board adopted the *Alliance for Equal Justice Statewide Communications Plan* in May 2004. Since then, the Communications Committee has been working to implement the plan, focusing on its four major goals to:

- Develop and maintain communication tools for the Alliance;
- Increase visibility of the Alliance and educate target audiences about the work of the Alliance;
- Enhance the ability of Alliance members to use communication tools and techniques in their fundraising and friend raising efforts; and
- Attract and retain volunteers for *pro bono* work.

Recognizing the need for professional assistance to carry out key projects in the Plan, the Access to Justice Board recommended that Supreme Court funds be used to contract with Pyramid Communications to address the following specific objectives in the Communications Plan:

Statewide Communications Trainings: With the assistance of Pyramid Communications, committee members facilitated 12 trainings statewide for Alliance members and supporters. The trainings focused on how to strategically and consistently use coordinated messaging when discussing civil legal aid to further the Alliance’s mission of achieving civil equal justice for low income individuals and families. Over 150 people received training statewide.

Alliance Brochure: Committee members oversaw development and printing of over 11,000 Alliance brochures that explain the Alliance, civil legal aid and how to receive assistance. Committee members also developed a template for Alliance members to insert program-specific information within the brochure (**Tab 25**).

Alliance Info Graphic: Committee members sought stakeholder feedback and oversaw the design of a one-page graphic that visually represents the network of civil legal aid programs in Washington state and their supporters (**Tab 26**).

Alliance Website Design and Development: Committee members wrote the content and oversaw Pyramid Communication's development and design of the Alliance website, [www.allianceforequaljustice.org](http://www.allianceforequaljustice.org). The website is intended as a resource for Alliance members and their communications needs, as well as a site for the public to learn about the Alliance and legal aid.

Client Story Database: Committee members began collecting and writing client stories to fill a searchable database designed by Pyramid Communications. This will enable the Alliance to have easily accessible client stories available for outreach materials when needed. This database, a work in progress, is being populated with stories and is accessible on the homepage of the Alliance website.

Miscellaneous: The Campaign for Equal Justice developed and printed banners for every Alliance member program. Each banner displays its program name and logo, the Alliance logo and the Campaign logo together.

### **C. Council on Public Legal Education**

Hon. Marlin Appelwick and Judith Billings, Co-Chairs

*Mission: To promote public understanding of the law and civic rights and responsibilities. The Council pursues this mission by conducting, coordinating, encouraging and publicizing public legal education efforts in Washington State.*

The substantive work of the Council on Public Legal Education (CPLÉ) is carried out in committees. The CPLÉ also has an Executive Committee that oversees the committees' work and plans the agendas for the full CPLÉ meetings.

K-12 Education Committee: This Committee helped move a bill through the state legislature that requires all public school students in Washington be assessed on their civics knowledge and skills at three different grade levels. The bill was sponsored by CPLÉ member Rep. Dave Upthegrove. The CPLÉ coordinated support for the bill within the justice system and individual members testified before the legislature and otherwise lobbied for its passage. This new legislation represents significant progress in the CPLÉ's efforts to institutionalize civics and law-related education in the state's K-12 school system.

CPLÉ members and staff built on that effort by offering sessions at three 2006 summer institutes organized by the Office of the Superintendent of Public Instruction in Spokane, Yakima and Seattle, as well as at conferences of the Washington State Council for the Social Studies, which demonstrated specific law-related educational curricula that would meet the requirements of the legislation.

Several members of the K-12 Education Committee represented the CPLÉ in a new broad based initiative, "Educating for Democracy," spearheaded by the Washington State Council for the Social Studies. This group held a well-attended leadership summit on social studies education at the Washington State Convention and Trade Center in November. Emceed by Dave Ross and featuring a keynote speech by Justice Mary Fairhurst, the event was televised by TVW and resulted in an article on "the social studies crisis" published in *The Seattle Times* (**Tab 27**).

Lawforwa Website Committee: This Committee focused in 2006 on publicizing and evaluating the website. Publicity efforts included asking other justice system entities to post links to lawforwa on their websites, promoting the website to the media in conjunction with Law Day, participating in a TVW program highlighting the website, and developing a video public service announcement which will be distributed to the state's television stations in 2007. These efforts resulted in a dramatic increase in use of the website, from an average of 267 visitors per day in January to 799 per day in December. Evaluation efforts included posting an online user feedback survey

and designing and overseeing usability research which is being conducted by graduate students from the University of Washington's Information School.

Youth Court/Street Law Committee: This Committee continued its multi-year effort, partially funded by the Washington Judges Foundation, to increase the quantity and quality of youth courts in the state and create new Street Law high school classes using volunteer judges as co-teachers. The committee conducted its first-ever training of Street Law teachers and judges, held in the summer at the Seattle University School of Law. The committee conducted two statewide youth court trainings, funded by the U.S. Department of Justice through the Youth for Justice network, and continued to otherwise assist existing and potential youth courts by providing information and support.

Youth courts are becoming exceedingly popular both nationally and in Washington state, as evidenced by a front-page article in *The Seattle Times* (December 23, 2006) which quoted Youth Court/Street Law Committee Chair Margaret Fisher and CPLE staff Pam Inglesby as expert sources (**Tab 28**). The CPLE is actively participating in the creation of both a formal statewide youth court association and a national youth court association. Three dynamic state youth court leaders have volunteered to serve on the boards for both. Additionally, CPLE members are exploring the concept of a regional youth court event to take place in the Seattle area in 2007, which would bring together youth courts from Alaska, Idaho, Oregon and Washington.

Additional Initiatives: The CPLE also accomplished the following in 2006:

- Advised the Washington State Bar Association's new "Foundations of Freedom" program committee on how it might best educate the public about the American system of government and the important role of the courts.
- Solicited nominations for the CPLE's "Flame of Democracy" Award, given to an individual, organization or program in Washington state that has made a significant contribution to increasing the public's understanding of law, the justice system or government. Several nominations were received in the fall and the award will be presented in early 2007.
- Presented a workshop at the 2006 Access to Justice and Bar Leaders Conferences on how lawyers and judges can help educate young people about the justice system.
- Assisted a high school teacher in Yakima with locating numerous judges and lawyers across the state willing to correspond with his students about legal issues. He showcased the project at the spring Washington State Council for the Social Studies retreat and at the 2006 Access to Justice and Bar Leaders Conferences, and is considering publishing the correspondence as a book.
- Distributed information about civics education programs at conferences of social studies teachers, the ATJ community, and the judiciary.
- Continued to build the public legal education community in Washington state by bringing together individuals and organizations doing public legal education that do not regularly correspond. For example, individual CPLE members met throughout the year with a new civics education consortium based at the state capitol, and representatives of that group were invited in turn to present at the fall 2006 CPLE meeting.
- At the fall 2006 judicial conference, CPLE Co-Chair Judge Appelwick received the Nevins Award from the Washington Judges Foundation in recognition of the work the CPLE has done over the past several years. The Nevins Award is presented

annually to a Washington state judge for his or her leadership in the area of public legal education.

#### **D. Equal Justice Coalition (EJC)**

Scott Smith, Chair

*Mission: To ensure that people are treated equally and fairly before the law by educating others about the importance of civil legal aid in our communities and advocating for sufficient public funding for civil legal aid for low income people living in Washington state.*

##### State Funding for Civil Legal Aid:

In late 2005, federal Victim of Crime Act (VOCA) funding was redirected away from several civil legal aid programs that provide emergency legal representation of domestic violence victims. Working with the Access to Justice Board's ad-hoc committee formed in response to this loss and with the Office of Civil Legal Aid, the Equal Justice Coalition advocated for a supplemental appropriation to mitigate the loss of funding.

The 2006 Washington State Legislature appropriated \$200,000 for the end of the 2005-2006 fiscal year and an additional \$400,000 for the 2006-2007 fiscal year. This funding helped sustain some existing program capacity. Some funds were also redirected to help make services available statewide through a specialized domestic violence legal help hotline run through the Northwest Justice Project's CLEAR System.

In response to the findings of the Washington Supreme Court's *Civil Legal Needs Study*, the 2005 Washington State Legislature appropriated a biennial increase of \$3 million for civil legal aid. These funds contributed to the Northwest Justice Project's opening of a new office in Walla Walla, satellite offices in Pasco and Bremerton, and increasing service capacity in other regions of the state in 2006.

2006 was the second year of the collaborative *Justice in Jeopardy Initiative*, a partnership of many stakeholders working to increase funding to ensure the fair and equal administration of justice. The Equal Justice Coalition participates in *Justice in Jeopardy* stakeholder meetings, and with the Office of Civil Legal Aid, represents the importance of legal aid services within the partnership. In addition to the supplemental appropriation for legal aid to mitigate the loss of VOCA funding, *Justice in Jeopardy* achieved increased state funds for improving criminal indigent defense, expanding parents' representation in dependencies, and piloting a study about the impact of juror fees on juror participation rates.

The Access to Justice Board's *Revised State Plan* has provided a useful framework for the development of a strategic, needs-based request to the Legislature in the 2007 budget. In addition to laying the groundwork for regional planning for the most efficient and effective delivery of legal aid services, the *Revised State Plan* identified rural regions of the state with the most limited access to civil legal aid services. The Equal Justice Coalition worked closely with the Office of Civil Legal Aid (OCLA) and Northwest Justice Project in OCLA's development of a responsive and persuasive budget document. In the 2007 Washington State Legislative session, the Equal Justice Coalition will support a \$5.268 million request, most of which is targeted to address the gap in rural legal aid services identified in the *Revised State Plan* (**Tab 29**).

##### Federal Funding for Civil Legal Aid:

Equal Justice Coalition friends and supporters volunteered to travel to Washington, D.C. May 2–4, 2006 to meet with our state’s Congressional Delegation to advocate for increased federal funding for civil legal aid. The EJC delegation included: Access to Justice Board Member Judge Rebecca Baker, Washington State Bar Association President-elect Stan Bastian, Legal Foundation Trustee and former U.S. Attorney Bill Hyslop, EJC Chair J. Richard Manning, Northwest Justice Project Director Patrick McIntyre, EJC Chair-elect Scott Smith, WSBA President Brooke Taylor, Access to Justice Board Chair Judge Greg Tripp, and EJC Education Director Sara Zier. The group met with each of the members of Washington state’s Congressional Delegation or their staff representatives. Senators Cantwell and Murray and Representatives Baird, Dicks, Inslee, Larsen, McDermott, Reichert and Smith signed letters of support for increased funding for civil legal aid.

2007 FY funding for the federal Legal Services Corporation is likely to remain flat. Congress passed continuing resolutions for nine remaining FY 2007 appropriations bills, maintaining current program funding levels, including the Legal Services Corporation, through February 2007.

Equal Justice Open House Day: The Equal Justice Coalition provided support for this event (see *II.B.2 above*).

Justice at Work: The Equal Justice Coalition publishes an online newsletter, *Justice at Work*, several times per year (**Tab 30**).

#### **E. GAAP (Greater Access and Assistance Project) Committee**

Rachelle Anderson and Michele Storms, Co-Chairs

*Mission: Establish a structure to support viable moderate means panels in Washington state.*

This is a joint project and committee of the Access to Justice Board and the Washington Young Lawyers Division (WYLD). The Committee supported the development and implementation of a pilot project in Spokane County under the direction of the Spokane County Young Lawyers Division and housed at the Spokane County Bar Association. The Committee evaluated the project in 2005, and it is now a permanent access point for moderate income people to the civil justice system.

The Committee is focused on replicating the Spokane model in other parts of the state. With assistance from this committee (marketing, recruitment and training), the King County Bar Association has added a GAAP component to its low fee panel, which is included in its Lawyer Referral Service. The Snohomish County Bar Association, in conjunction with Snohomish County Young Lawyers, has recently implemented GAAP in that county. The Committee is currently working with Kitsap County and Whatcom County to implement GAAP in those counties.

The Washington State Bar Association provides a budget for the project for initial non-recurring expenses for each program. WYLD has received a \$2,000 grant from the ABA which is being used for start-up costs for new GAAP locations, and to pay for ongoing expenses for the Spokane GAAP.

The Washington State Bar Association has allocated \$20,000 in its 2007 budget for a feasibility study for the establishment of a statewide GAAP. The independent contractor hired to conduct the study will draft the final report, recommendations and financial analysis. The report will include detailed recommendations with respect to what is needed for a centralized statewide GAAP, as well as a recommendation as to the most effective model(s). At least one recommendation will include how a program can be implemented without WSBA involvement. At least one recommendation will include involvement with WSBA but with no net cost to WSBA.

The study began in January 2007 and the final report is due on or before April 26, 2007.

#### **F. Impediments to Access to Justice Committee**

Hon. Catherine Shaffer and Howard Graham, Co-Chairs

*Mission: Identify and remove impediments to the justice system, including physical and language barriers, ineffectual and unworkable rules and procedures, disparate treatment and other obstacles that may serve as barriers to equal justice.*

The Committee has continued to focus over the past year on impediments in the justice system facing people with disabilities:

##### Ensuring Equal Access for People with Disabilities: A Guide for Washington Courts:

The Committee has completed this publication, which is a resource for judicial officers and court staff to address the barriers posed by their own courthouses and court practices. The *Guide* focuses on four broad types of disability: visual disabilities, hearing disabilities, mobility impairments, and cognitive disabilities. It discusses the obligations of judges and court personnel, and identifies approaches to solving common difficulties people with disabilities have experienced in gaining access to courts. The Washington State Bar Association appropriated money to print 3,500 copies of the *Guide* and 10,000 copies of a companion brochure. With the assistance of the Administrative Office of the Courts, every state court judge has a copy of the *Guide*. Committee members made formal presentations on the *Guide* to the following during the past year: Washington State Bar Association Board of Governors; Court Leadership Conference; the District and Municipal Court Judges Association Conference; the Northwest Tribal Court Judges Conference; the national Administrative Law Judges Conference; and Seattle University School of Law. The Committee developed a power point presentation with streaming video which it uses for its presentations. The *Guide* is now online and plans are underway to post it in accessible formats. **(Copies of the Guide and Brochure are included with this Report).**

##### Proposed Court Rule for Requesting Accommodations for People with Disabilities:

The Committee developed proposed GR 33, which creates a process by which individual litigants can confidentially notify the court if they have disabilities. A determination of accountability will be made on an individual basis. The proposed rule was endorsed by the WSBA Board of Governors and forwarded to the Supreme Court for consideration **(Tab 31)**.

Human Rights Commission Forum: The ATJ Board and the Washington State Human Rights Commission co-sponsored a special forum on January 19, 2006 entitled *Making Washington State Courthouses Accessible for People with Disabilities*. Members of the Impediments Committee and the ATJ Technology Principles Strategy Group developed the program and facilitated the presentation.

#### **G. Law School Committee**

Lynn Greiner and Steve Fredrickson, Co-Chairs

*Mission: To ensure that every law student in the state has an understanding of the importance of public interest law.*

The ATJ Board established this Committee at its January 2007 meeting at the request of an *ad hoc* committee that has been meeting for the past eighteen months in response to a 2005 ATJ Conference Committee recommendation to increase law school involvement in the Alliance for Equal Justice and to strengthen the relationship between law students and Alliance members. Committee members have

been participating in law student receptions and events for the purpose of showcasing the Alliance and discussing opportunities for involvement by law students. Currently the committee is working on scheduled events at each of the three law schools, as well as a number of other projects, including job shadowing and internships. Current goals of the committee include developing improved collaboration between and among the law schools; increasing participation with Gonzaga University School of Law; and facilitating more deliberate engagement of students and all levels of staff and faculty.

#### **H. Nominating and Leadership Development Committee**

Dan Gottlieb and Nieves Negrete, Co-Chairs

*Mission: To coordinate ongoing individual, organizational and statewide leadership development, and to identify and nominate new ATJ Board members.*

The Committee began meeting in July 2006. Current efforts are focused on leadership development and include the following:

The *Revised State Plan* charges this Committee with the responsibility for coordinating individual, organizational and statewide leadership development. The Committee is developing a plan to coordinate statewide leadership development training for Alliance members, currently expected to include the following components: definition of Equal Justice Leadership; establishment of leadership plan goals; and the establishment of an ATJ Leadership Development Initiative.

The Committee worked with the Legal Foundation of Washington to make leadership the "*leitmotif*" for the Goldmark Day luncheon and training sessions on February 16, 2007. The Committee introduced its work, and solicited input and participation from, the luncheon attendees and Alliance members and supporters with written materials, informational and inspirational messages and roundtable discussions (**Tab 32**).

The Committee is working with the ATJ Conference Planning Committee to develop a presentation on the proposed ATJ Leadership Development Initiative at the 2007 ATJ Conference, the theme of which is "Valuing Leadership: Ensuring Justice for All."

The Committee expects to pursue other leadership development initiatives, including:

- Recruitment of additional Committee members, with a focus on diversity,
- Outreach to local, minority and specialty bar associations and law schools,
- Development of a "master list" of past, present and future leaders, for ongoing communications and recruitment, and
- "De-briefing" current and past leaders regarding their leadership experiences, with an eye to memorializing and articulating the attributes of leadership.

#### **I. Performance Assessment and Accountability Committee**

Patrick McIntyre, Chair

*Mission: (1) evaluate and make recommendations for changes to the ATJ Board's Program Performance Accountability Standards, and (2) develop a protocol for coordinated peer assessment of Alliance member program performance against the expectations of the Revised State Plan and relevant state and national standards.*

This is a new Committee established by the *Revised State Plan*. Committee members are being selected. Work will begin soon and will be completed by June 2007.

**J. Pro Se Committee**

Millicent Newhouse, Chair

*Mission: To identify and remove barriers to access to the civil justice system for pro se litigants.*

The ATJ Board's Family Law Committee has concluded that a continued focus limited to access issues in family law is unnecessarily narrow and should be expanded to include access issues for *pro se* litigants in the court system and in the administrative process. Based on a review of the history of the Committee, current impediments to the justice system identified by CLEAR advocates, the findings in the Civil Legal Needs Study, and the *Revised State Plan*, the ATJ Board sunset the Family Law Committee and established the Pro Se Committee. The Committee will focus on addressing policies and procedures, in collaboration with the courts and the Office of Administrative Hearings, to the extent the issues lend themselves to policy and rule-making changes. The Committee's agenda for the next three years will be guided by the list of impediments identified by CLEAR advocates (**Tab 33**).

The ATJ Board is in the process of identifying a co-chair and members.

**K. State Plan Oversight Committee**

Greg Dallaire, Chair

*Mission: To oversee and provide technical support for implementation of the Revised State Plan and to monitor changes in the civil equal justice system that may require new or additional planning focus.*

Please see Section III. of this Report for a full description of the *Revised State Plan* (May 2006). Please see **Tab 20** for the first two quarterly reports to the Supreme Court on the activities of the State Plan Oversight Committee. Recent activity includes the development of a regional planning template, which was presented to the members of the Alliance for Equal Justice on February 16, 2006. Members of the State Plan Oversight Committee (SPOC) will be working closely with regional planning teams to develop regional plans by June 30, 2006. The ATJ Board has utilized Supreme Court funds to hire a contract Regional Planning Facilitator, Lynn Greiner. The *Revised State Plan* also provides for the development of a centralized information and referral system in King County which will provide a central entry point for low income people. On February 1, the ATJ Board approved a proposal developed by legal aid providers in King County.

**L. Technology Committee**

Brian Backus, Chair

*Mission: To increase and improve access to the justice system by promoting efficient inter-agency technology needs-assessment, planning, collaboration and evaluation.*

At the May Access to Justice Board retreat, the Board directed that the Technology Committee become the focal point for technology initiatives and charged the committee with responsibility for providing continuing direction toward realizing the ATJ Technology Principles. In anticipation of the roles the ATJ Board and Technology Committee will play in implementing and promoting the principles, several committee members participated in the ATJ Technology Principles Implementation Strategy Group. A final report was submitted to the Supreme Court in July 2006 (**Tab 19**).

Also at its May retreat the ATJ Board made the Statewide Website Advisory Group (SWAG) a subcommittee of the Technology Committee. The primary focus of SWAG

is to eliminate duplication among justice system websites and facilitate cross-referencing. SWAG has prepared an inventory which contains a summary of the mission and content of each website. SWAG will be developing uniform messages for all websites (e.g., how to find legal help) and will develop a directory of law-related websites. SWAG is chaired by Sue Encherman.

The Board also asked the Technology Committee to provide a formal status report on the implementation of the 2004 Technology Plan and to revise the Plan consistent with current and anticipated technology needs. A core group of committee members produced the status report and a revised Access to Justice Technology Plan which the Board adopted at its December meeting (**Tab 34**). The committee will now move forward to implement the revised plan.

Consistent with the *Revised State Plan* and the Technology Plan, efforts were undertaken to identify and acquire a common case management system (CMS) for Alliance member legal aid programs. The process is being underwritten by and coordinated through the Office of Civil Legal Aid. The OCLA is working with a 10-person Technical Advisory Group composed of representatives of Alliance members and supporters, and has retained MTG Management Consultants to provide technical assistance and support for the procurement effort. An RFP was let in October 2006. It is anticipated that a CMS solution will be selected in early 2007. Migration to the new CMS is expected to occur during the second half of 2007 and the first half of 2008.

## **V. ATJ BOARD SPECIAL INITIATIVES**

### **A. ATJ Technology Bill of Rights Committee (ATJ-TBOR)**

Hon. Donald Horowitz (Retired), Chair

The following initiatives arose out of efforts to create and implement the Washington State Access to Justice Technology Principles, which were developed by the ATJ Technology Bill of Rights Committee and adopted on December 3, 2004 by the Washington State Supreme Court. The Principles are published with the Washington Court rules and on the AOC and WSBA websites.

ATJ Technology Principles Implementation Strategies Group: The Supreme Court provided \$27,500 in FY 2006 to fund a process to implement the Access to Justice Technology Principles. Please see **Tab 19** for the final Report of the Implementation Strategies Group. Many of these recommendations have been assigned to the Access to Justice Board through its Technology Committee.

Best Practices Template: The Technology Committee also is overseeing the completion of a project funded by the State Justice Institute (SJI) to develop an online Best Practices Template for the self-assessment of technology design, development and deployment in a state court system. It is anticipated that this tool will be useful for courts in their implementation of the ATJ Technology Principles.

SeaMar Community Health Center Project: The Committee received a \$25,000 grant from the Washington State Attorney General's Office to develop a public access terminal at SeaMar Community Health Center, in partnership with the Mexican Consul and others. The goal is to create a model for a fully equipped and accessorized kiosk and computer terminal containing and providing legal system information and services relevant to the needs, cultures, capabilities and capacities of and understandable and usable by a diverse population, emphasizing people of limited income, different culture and language (in this instance largely Hispanic and Latino) and other circumstances which render them vulnerable.

### **B. Task Force on ATJ Board Development and Planning**

Dan Gottlieb, Chair

*Mission: To coordinate the ATJ Board's long range strategic planning process and the development of internal operational rules.*

The Task Force completed its long range strategic planning process in May 2006 (see *I.F above*).

### **C. Workgroup on the Statewide Delivery of Legal Aid Services to Domestic Violence Survivors**

Leslie Owen, Chair

The ATJ Board established this Work Group in June 2005 to address funding and service delivery issues, precipitated by the loss of VOCA (Victims of Crime Act) funds by the Northwest Justice Project and a number of pro bono programs. Funds were used to hire staff attorneys to handle these cases, while also leveraging volunteer attorney resources. The Work Group proposed five recommendations, which it will continue to work to address.

## **VI. CURRENT CIVIL EQUAL JUSTICE FUNDING**

The information set forth below provides the current civil equal justice funding picture, recognizing that each funding source has its own particular set of

restrictions and requirements which dictate how the money is used, and also recognizing that there are multiple small sources of public and private funds that are brought in by individual programs and not necessarily counted in the totals. The following does not include funds raised by bar foundations, or volunteer attorney services and other non-cash contributions to the civil equal justice network. A current list of civil equal justice providers is attached **(Tab 35)**.

Source:

**Legal Foundation of Washington** (this includes IOLTA, private resources raised by LAW Fund, and other available funds): \$6.5 million.

**Federal** (Legal Services Corporation): \$5.8 million.

**State** (OCLA): \$8.6 million (with a request for an additional \$5.268 million pending for the 2007-09 biennium).

**Private** (LAW Fund): \$300,000 – \$350,000.

Final Recipient:

**Northwest Justice Project** (statewide delivery, CLEAR and website operation, support): \$5.8 million (Legal Services Corporation); \$8.3 million (of that, \$1.4 million is subcontracted to support seven specialized legal aid providers and 25 *pro bono* programs); \$100,000 (Legal Foundation of Washington).

**Columbia Legal Services** (special populations, special purpose statewide delivery): \$4.9 million (Legal Foundation of Washington).

**Local Pro Bono Programs** (leverage local *pro bono* representation) and **Specialty Legal Aid Providers** (augment services, serve discrete client communities): \$3.2 million (approximately half is funded by Legal Foundation of Washington and half is funded by the State).

## **VII. NEXT STEPS**

The implementation of the *Revised State Plan* will drive much of the work of the ATJ Board for the next three to five years. The task is somewhat analogous to putting together a complex jigsaw puzzle. Once the pieces are in place, the picture will be a map of Washington state with equitable distribution of resources for low income people and a solid statewide support infrastructure to hold the pieces together. The ATJ Board is well positioned for this task, having solidified its own structure through the completion of a long range planning process.