

# LOUISIANA ACCESS TO JUSTICE COMMISSION

## 2017/2018 MID-YEAR REPORT

In conjunction with the Supreme Court of Louisiana, the Louisiana State Bar Association has created the Louisiana Access to Justice Commission. Continuing the work of the former LSBA ATJ Policy Committee, the Commission pursues a coordinated and systemic approach to ensuring the public's access to the legal system.

The purpose of the commission is to “assure continuity of policy and purpose in the collaboration between the private bar, the courts, and the civil justice community so as to further the goal of assuring that Louisianans, regardless of their economic circumstance, have access to equal justice under the law.

### *a. Building Bridges*

Since its inception, the Building Bridges Committee has worked to educate legal professionals on the benefits of coordinating efforts between civil and criminal legal professionals that result in reduced recidivism rates and increased public safety. After its formation, the Committee quickly began to focus on the barriers that people face after incarceration. The re-entry efforts that the group works on support the courts, the Louisiana Department of Corrections, and the Re-Entry Court participants. Because of the Committee's progressive efforts in this area, the ABA has asked staff to lead a conference call discussion with commission members from around the country about serving the legal needs of the Re-Entry population. Below are accomplishments, ongoing action items, and initiatives of the Commission committee:

- Established the Re-Entry Court Collaborative Lawyering Project with the courts, LSC programs, and nonprofit organizations, which connects pro bono attorneys with reentry court participants to address legal issues causing barriers to successful reentry
- Provides CLE programming to attorneys to educate them on the highest priority legal needs of participants and encourages volunteerism for St. Tammany, Orleans and Jefferson Parishes.
- Works closely with 24<sup>th</sup> Judicial District Court Judge Scott U. Schlegel's Re-Entry Court to make case availability known and accessible online through [www.reentrycourt.com](http://www.reentrycourt.com).
- Engages unacquainted organizations to facilitate the functioning of court-based re-entry programs.
- Convenes monthly meeting with stakeholders to address challenges posed by the most prevalent civil legal needs of re-entrants (consumer debt, provisional driver's license, tax matters and child support).
- Acts as depository for resources and materials for volunteers
- Works directly with the courts to increase volunteer attorney pool. The most recent volunteer training CLE had 80 attendees and 35 attending attorneys agreed to take cases. 17 case matter were distributed onsite.

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### *b. Funding*

A task taken on by many statewide commissions, the Funding Committee focuses on developing means to increase funding for Louisiana's legal service organizations. One of the committee's goals this year is to secure a legislative appropriation for the state's civil legal aid providers. In an effort to secure this funding, LSBA Leadership and committee members are committed to meeting with various national and local legislators to explain the dire need for civil legal aid funding. The most recent meetings were with U.S. Representative Clay Higgins and LA Senator Jay Luneau.

- Developed a Communications & Messaging Plan to guide volunteers and provide information about Louisiana's legal aid network
- Planning numerous "Open House" events with local legal service offices where members of the LA Legislature and local business community will be invited
- Planning an "Access to Justice" Day at the LA Legislature
- Acting on the request to incorporate the LBF "Campaign to Preserve Civil Legal Aid" into the work of this committee

### *c. In Forma Pauperis*

The committee was established to help evaluate the current law and application of the law governing In Forma Pauperis in Louisiana, and to present solutions for the proper application of these laws while balancing the interest of all parties involved. This issue is of interest to several groups including the courts, clerks of court, civil legal aid providers and other members of the justice community. Initial efforts have been directed at providing IFP educational opportunities for attorneys, judges and clerks. It has been suggested that the Commission support a coordinated litigation plan to enforce the IFP laws.

- Made educational presentations to attorneys and judges at the LSBA Annual Meeting and at the ATJ Louisiana Justice Community Conference. The goal of the presentations was to educate the audience on perspectives of the courts, clerks and attorneys regarding IFP applications.
- Attended the Louisiana Clerks of Court conference and arranged for a display table to provide clerks with information on ATJ resources and IFP information.
- Drafted a survey of clerks, but a request to the Clerks of Court to assist in distribution has not been acted upon.
- Developing a series of articles to appear in the LDJA newsletter, *Obiter Dictum*, encouraging uniform application of the IFP statutes and best practices for courts.
- Creating additional educational materials for judges and clerks. The Committee has been encouraged to consider an IFP litigation plan as a more effective way of proceeding.
- Developing alternatives to IFP litigation, such as coordinating the working of several groups (the LDJA-Clerk of Court Liaison Committee, the Supreme Court Court Costs

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Committee and the work of the Louisiana ATJ Commission) currently examining this issue.

### *d. Language Access*

The committee was established to examine the state of the Language Access issue in Louisiana and inform the Commission regarding current activities and thoughts on how the Commission might further support work on language access to the courts. This committee works closely with the Supreme Courts Language Access Program.

- Developed an Attorney Reference Card for using court interpreters- modeled after the Supreme Court's Judges Bench Card
- Work with Louisiana Appleseed, on a report that reviews other states' language access efforts and practices
- Developed a survey for interpreters and attorneys to learn about their court experiences and practices for limited-English proficient (LEP) clients and witnesses. Both surveys will be completed with a written report.
- Planned summary of the Committee's findings based on the surveys and report together with recommendations for improved language access

### *e. Modest Means*

The Modest Means Committee was created to address the lack of legal services available to people who do not qualify for free legal services, but cannot afford market rate prices. The Committee's proposal to create an online legal directory was approved by the LSBA. The directory will list attorneys who offer reduced cost legal services on a sliding scale, through limited scope representation, or by offering flat fee rates. Committee efforts to develop the program include:

- Conducted a survey of LSBA members, mainly solo and small firm owners, to determine the current market and prices for affordable legal services
- Researched local and national Modest Means Programs to foresee potential challenges and successes with implementing various models
- Identified a program model feasible for the bar to operate that could match the modest means population with attorneys offering affordable legal services
- Created an online modest means directory with parameters for both the attorneys' listed and the public interested in viewing the list
- Filmed a one hour on-demand CLE with President-Elect Barry Grodsky and Professor Dane Ciolino with Loyola Law School on ethical considerations for representing clients with limited means

The online directory is expected to go live at the beginning of 2018. To join the directory, attorneys are required to complete the one-hour ethics CLE and fill out an application available online. Once completed, the attorneys will be listed in alphabetic order searchable by parish and practice area.

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After 50 or more attorneys are listed, the Committee will take steps to publicize the directory to the public, which will likely take place in mid-February.

### *f. Self-Represented Litigants*

This committee was established to address the civil legal needs of self-represented litigants who are unable to obtain counsel, and to assist state courts and other ATJ partners to serve the public more effectively. This includes assisting individual district courts, and other programs with the development of self-help resources, either online or as help desks as requested by courts.

- Provided training to over 300 public library staff on legal resources through the Legal Education & Assistance Program (LEAP), a partnership between with the Supreme Court’s Law Library of Louisiana, and Louisiana Library Association,
  - 142 attorneys volunteered for 76 events in nearly every parish during the 2017 “Lawyers in Libraries” Day of Service.
  - The Louisiana Civil Justice Center now administers six “virtual” self-help desks located in public libraries in rural parishes.
- Developed the LSBA “Find Legal Help Portal,” designed to connect the public with the full scope of legal services available including hiring an attorney, applying for legal aid, utilizing self-help services, or simply accessing legal information. [www.lsba.org/goto/FindLegalHelp](http://www.lsba.org/goto/FindLegalHelp)
- Supports ongoing self-help services in 25 judicial districts, all created in partnership with the Access to Justice program.
- Published limited domestic forms, customized for certain jurisdictions, that are now available via the Find Legal Help portal.
  - Forms and other resources for common issues under the jurisdiction of city/municipal courts are planned for 2018.
- Conducts CLE programming for attorneys in partnership with local courts and organizations, to support pro bono recruitment for self-help programming.
- Provides, in partnership with the Louisiana District Judges Association, training for judges and Justices of the Peace on adjudicating cases involving self-represented parties.
- Will conduct a statewide *SRL Service Provider Summit* in April 2018 in conjunction with the Spring Judges Conference.