Resolution 6

RESOLUTION TO CREATE THE LOUISIANA ACCESS TO JUSTICE COMMISSION
Proposed by the
ACCESS TO JUSTICE POLICY COMMITTEE OF
THE LOUISIANA STATE BAR ASSOCIATION

WHEREAS, Louisiana's legal system is founded upon the fundamental principle that our courts be accessible to all persons;

WHEREAS, access to justice for low and moderate income Louisianans is and continues to be an area of critical need that requires a coordinated and systemic approach;

WHEREAS, the importance of this statewide coordinated approach has been of fundamental interest to the Louisiana State Bar Association ("LSBA") and its members and in 1997 the LSBA created an Access to Justice Committee which at the time was one of only seven in the nation;

WHEREAS, in order to ensure a broader, systemic examination of Access to Justice issues, the LSBA in 2007 established an Access to Justice Policy Committee as an umbrella committee focused on assuring continuity of policy and purpose in the collaboration between the private bar and the civil justice community ;

WHEREAS, a recent review of the LSBA's Access to Justice efforts by a nationally recognized consultant concluded that the LSBA's Access to Justice Committees have made great strides in expanding, coordinating and promoting effective and economical civil legal services delivery for vulnerable low and moderate income people in Louisiana and that the initiatives and programs in place in Louisiana are amongst the best in the country;

WHEREAS, the model of statewide Access To Justice entities in "commission" formats has been recognized nationally, including by the Conference of Chief Justices and Conference of State Court Administrators through joint resolutions calling on states to support the creation of Access to Justice Commissions;

WHEREAS, recognizing the importance of civil equal justice to the proper functioning of our democracy, and the need for leadership and effective coordination of civil equal justice efforts in our state, the Louisiana State Bar Association's Access to Justice Policy Committee and Access to Justice Committee encourage the continuation of that ongoing work through the creation of a Louisiana Access to Justice Commission which will operate as a collaboration between the Louisiana Supreme Court and the Louisiana State Bar Association;

WHEREAS, the Access to Justice Policy Committee recommends that the Louisiana Access to Justice Commission be created, and established in the following manner:

1. **MISSION STATEMENT**

   The Mission of the Louisiana Access to Justice 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.

2. GOALS

The Louisiana Access to Justice Commission will operate as an LSBA Committee and will be a collaboration between the LSBA and the Supreme Court to:

- Educate the people of Louisiana about the importance of equal access to justice and of the challenges many Louisianans face in effectively accessing our civil justice system;
- Foster the development of a strong statewide civil legal services delivery system by licensed attorneys;
- Encourage a strong and consistent commitment to providing equal access to justice among the leaders of our state;
- Develop and recommend initiatives to increase effective access to the civil justice system for all Louisianans;
- Develop and recommend initiatives intended to maximize resources and funding for access to justice in civil matters and to encourage the wise and efficient use of the available resources;
- Identify and assess current gaps and future needs for access to justice in civil matters by low-income Louisianans;
- Develop and recommend initiatives to reduce systemic barriers to access to justice, including enhancing resources for self-represented litigants
- Encourage members of the bar to provide pro bono legal services as a regular component of their practice;
- Perform such other tasks as are necessary from time to time to encourage enhancement and expansion of the availability and provision of civil legal services by licensed attorneys to persons of limited financial resources;
- Periodically report to the Louisiana State Bar Association Board of Governors and the Supreme Court on the effectiveness of the statewide access to justice system and services provided within the umbrella of that system;
- Periodically evaluate the progress made by the Access To Justice Commission in fulfilling its mission.

3. MEMBERSHIP

The Louisiana Access to Justice Commission is a standing committee of the Louisiana State Bar Association and consists of 21 voting members appointed by the President of

the Louisiana State Bar Association upon consultation with the Chief Justice of the Louisiana Supreme Court. Appointments shall include:

- Representatives of the diverse ethnic, gender, legal and geographic communities of Louisiana;
- Lawyers who have demonstrated a commitment to and familiarity with access to justice issues in Louisiana; and
- Lawyers who reflect the diversity of types of civil legal aid providers.

Membership shall include:

- a Justice of the Louisiana Supreme Court
- two members of the Louisiana District Judges Association, at least one being a member of the Rural Judges Committee
- a representative from the Judicial Administrative Office of the Louisiana Supreme Court
- a member of the Executive Committee of the Louisiana State Bar Association
- a member of the Louisiana State Bar Association's Board of Governors
- the Chair of the LSBA Access to Justice Committee
- an officer of the Louisiana Bar Foundation
- a member of the Board of Directors of the Louisiana Bar Foundation
- two members representing a federally-funded Louisiana Legal Services Corporation (Executive Director or Board Chair)
- a representative of a pro bono organization
- at least one private practitioner
- a representative of two of the Louisiana Law Schools faculties, with seats to be rotated amongst the schools
- a representative from the Clerk of Court's Association
- two corporate or "in-house" counsel drawn by preference from the Corporate Counsel Committee of the LSBA

4. CO-CHAIRS

The Louisiana Access to Justice Commission will be co-chaired by a member of the Judiciary and a member of the bar as appointed by the President of the Louisiana State Bar Association upon consultation with the Chief Justice of the Louisiana Supreme Court.

5. PLANNING

The Louisiana ATJ Commission will facilitate strategic planning for the Louisiana Civil Justice Community and may create such sub-committees and appoint such sub-committee members as are necessary to facilitate the work of the Commission, subject to the approval of the President of the Louisiana State Bar Association.

6. STAFFING

The Louisiana State Bar Association will provide staffing for the Louisiana ATJ Commission to the same degree that it provides staffing to other standing committees. The budget for the ATJ Commission will be subject to the Louisiana State Bar

Association's annual budgetary process. Supervision of the budget of the Commission is the responsibility of the Louisiana State Bar Association Board of Governors. The Commission and staff supporting the Commission will comply with the fiscal policies of the Louisiana State Bar Association.

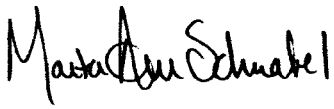
7. REPORTING

The Commission will produce an annual report and provide copies to the Board of Governors of the Louisiana State Bar Association and Louisiana Supreme Court. The Commission will also provide oral reports as requested by the Bar and Court.

NOW, THEREFORE BE IT RESOLVED, that Louisiana State Bar Association create the Louisiana Access to Justice Commission; and,

BE IT FURTHER RESOLVED, that the Louisiana Access to Justice Commission be established in accordance with the recommendations herein and the bylaws of the Louisiana State Bar Association be amended accordingly.

Respectfully submitted,
May 11, 2015



Marta-Ann Schnabel, Chair
LSBA Access to Justice Policy Committee

APPROVED
HOUSE OF DELEGATES
JUNE 11, 2015
DESTIN, FL

APPROVED
BOARD OF GOVERNORS
JUNE 12, 2015
DESTIN, FL