

ACCESS TO JUSTICE COMMISSION MEETING

Friday, May 17, 2019

Baton Rouge, LA

Attendance:

Hon. James Genovese, Associate Justice, Supreme Court, Co-Chair
Jeff Coreil, Pro Bono Partner, Neuner Pate, Co- Chair
Amanda Barnett, Louisiana Bar Foundation, Red River Bank
Amanda Brown, Louisiana Bar Foundation
Hon. Jeffery Cashe, Judge 21st Judicial District Court
Jennifer Eagan, Louisiana Supreme Court
Christy Kane, Pro Bono Counsel, Entergy Services, LLC
Chris Ralston, LA Bar Foundation Board, Phelps Dunbar, LLP
Hon. Harry Randow (retired)
Dona Kay Renegar, Veazey Felder & Renegar, L.L.C.
Valerie Schexnayder, Mickey S deLaup, APLC, LSBA Board of Governors
Mark Surprenant, Vice-President, Southeast Louisiana Legal Services Corp. Board of Directors,
Adams and Reese
Lisa Stansky, Southeast Louisiana Legal Services
Laura Tuggle, Southeast Louisiana Legal Services
Molly Vigour, Canal HR, Inc
Adrienne Wheeler, Louisiana Appleseed

Guests:

Kaylin Jolivet, ATJ Internship Program – LSU
Francie Trimble, ATJ Internship Program – Tulane
Selena Martinez, ATJ Internship Program – SULC
Zora Djenohan, ATJ Internship Program – Loyola

Staff:

Amy Duncan, ATJ Training & Project Counsel
Linda Johnson, ATJ Technology Counsel
Joanna Laidler, ATJ Projects Counsel
Rachael Mills, ATJ Projects Counsel
Jordan Maier, ATJ Assistant (remote)
Monte Mollere, ATJ Director

- I. **Welcome and Introductions**
Co-Chairs Justice Genovese and Jeff Coreil welcomed Commission members and guests. Attendees introduced themselves.
- II. **Consent Calendar** – There were not requests to remove any items from the consent calendar and it was approved as written.
- III. **Louisiana Bar Foundation Report** – Chris Ralston shared the Bar Foundation’s goals for developing diversified funding sources, as well as their developments in increasing technology support services, particularly to rural clients. This year, the LBF will launch a statewide Legal Navigator Program, which is an artificial intelligence-driven software for accessing civil legal

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aid. The program will direct low-income and rural Louisianans to the most appropriate local services based on their needs.

IV. Access to Justice Projects, Issues, & Initiatives

a. ATJ Strategic Planning – Jeff Coreil presented the eight ATJ 2019 goals formulated at the February 15, 2019 Strategic Planning Session, which had been approved by the Executive Committee of the LSBA Board of Governors. The Commission ratified the goals as written (summarized below).

- i. Add two legislative Commission members.
 1. Jeff requested that Commissioners share any contacts in the legislature who may be interested in joining the Commission.
- ii. Create and execute a communication campaign to increase awareness of civil legal aid and the efforts of the Louisiana Access to Justice Commission.
 1. The campaign will be developed by Alainna Mire and assisted by Virginia Listach.
- iii. Develop and implement a pilot conflict resolution program located where other resources are not readily available.
- iv. Obtain approval of our plan from the Louisiana State Bar Association and share our plan with the Supreme Court of Louisiana and the Louisiana Bar Foundation to garner support.
- v. Partner with Louisiana Bar Foundation to launch Legal Navigator Program.
- vi. Collaborate with the Supreme Court of Louisiana and Clerks of Court as to what data needs to be collected.
 1. Commissioners noted that SRL and IFP data was particularly lacking.
- vii. Research methods to increase attorney/legal volunteerism and develop initiatives and best practices.
- viii. Convene Clerks of Court, and other stakeholders from judicial bodies to discuss the unified court systems.

b. ATJ Developing Leadership Intern Program – Chris Ralston introduced the four interns participating in this year’s internship program, which annually provides the opportunity for rising 2L students to work with pro bono and civil legal aid providers. The sponsors for the past three years - Adams and Reese, L.L.P., Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., Phelps Dunbar, L.L.P. - were joined this year by Entergy, LLC.

Two new civil legal aid providers were also added to programming this year, STAR (Sexual Trauma Awareness & Response) and the Louisiana Coalition against Domestic Violence. These partners joined the Baton Rouge Bar Association, CrescentCare, the Justice and Accountability Center, Louisiana Appleseed, the New Orleans Family Justice Center, Southeast Louisiana Legal Services, the Pro Bono Project of New Orleans, and the Parole Project to give the interns a keen understanding of the civil legal aid network.

Finally, special thanks was noted to the judges who offered their expertise to the interns,

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including Judge Bernadette G. D’Souza, Orleans Parish Civil District Court; Judge Jeffrey C. Cashe, 21st Judicial District Court; Judge Timothy S. Marcel, 29th Judicial District Court; and Judge Lisa M. Woodruff-White, East Baton Rouge Family Court.

V. Access to Justice Commission Committee Reports

- a. **Building Bridges** – Amy Duncan reported that the Committee continues to meet with OMV and DOC to discuss ways to reduce barriers to accessing the provisional driver’s license.

The Committee will conduct a CLE for attorneys listed on the Online Modest Means Directory in July to educate them on the highest priority re-entry legal needs that cannot be addressed by the organizations steering the program (JAC, SLLS, and First 72+) at the Re-Entry Legal Clinic. The ultimate goal will be for Directory attorneys to agree to accept cases referred from the clinic and offer the clients reduced rates based on income eligibility.

Members of the Committee are working closely with Orleans Traffic and Municipal Court to launch Re-Entry Attachment Docket Day (RADD), in which a judge reviews attachments for people recently released and typically waives a substantial portion of fines and fees associated. The members of the Committee are determining whether the program model can expand in Jefferson Parish.

Finally, the new child support and arrearages law will soon go into effect; the Committee is working with DCFS to understand the rollout of the law.

- b. **Funding Committee** – Chris Ralston shared that the U.S. House Appropriations approved \$550 million for civil legal aid, which is an encouraging increase in federal funding from last year. However, he noted that not only obtaining funding but maintaining it from year to year is an ongoing effort. Monte noted that while we lobby yearly at the federal level, this year for the first time three congressmen (Representatives Abraham and Richmond and Senator Cassidy) signed on to a letter to support robust funding for the Legal Services Corporation.

In state efforts, the Committee has emphasized to legislators that LA is one of four states that does not have a statewide appropriation for civil legal aid, and that the lack of state funding can restrict civil legal aid providers from obtaining other foundation grants. State representative Cameron Henry recently committed to \$500,000 in funding for civil legal aid.

- c. **Modest Means Committee** – Virginia Listach shared that since it launched in April 2018, nearly 2,000 applications to use the Modest Means Directory have been filled out without any publicity outside of libraries. 56 attorneys are listed on the directory in 16 practice areas and covering all 64 parishes. Currently, the Committee plans to increase the number of attorneys listed by promoting the directory on social media, at CLE events, and through email blasts.

In the long-term, the Committee has developed a first draft of an “unbundling” toolkit to

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provide resources, such as engagement letters and access to forms, that will assist attorneys interested in offering “unbundled” legal services or limited scope representation. The Committee has also developed a survey to disseminate to attorneys listed on the Directory that asks (among other questions) about the number of clients they have helped through the directory, the types of services they are providing, and resources they are interested in receiving. The results of this survey will be disseminated at the next meeting.

- d. **SRL Committee** – Judge Randow reported that his and Joanna’s attendance at the Spring Judges Conference was very useful in promoting support for SRLs. At the Conference, they were able to interact both with district court and city court judges, several of whom expressed interest in the concept of a Self Help Desk.

The committee also met in May to plan this year’s SRL Summit, to be held in August. The Committee is considering hosting future Summits in conjunction with the Clerks Institute in August (Baton Rouge) and the National Association of Hearing Officers Conference in November (New Orleans) to maximize attendance.

Finally, 2019 marks the sixth year of the LSBA “Lawyers in Libraries” Week of Service, which is held each year in conjunction with “National Celebrate Pro Bono Week”. This year, the Committee is working closely with librarians to strengthen the partnership between libraries and the Access to Justice Community. In particular, the Committee wants to provide further resources and support for libraries across the state and to increase the local promotion of ‘Lawyers in Libraries’ events. To assist with these goals, Committee members attended the Louisiana Library Association’s annual conference to provide librarians with additional training in relation to available legal resources and referral information. Committee members are also attending subsequent librarian trainings in Orleans parish in May and June.

- e. **Technology Committee** – The Technology Committee met in February and April of 2019. At the first meeting, they discussed tackling hearing officer form issues. In the interim, the Committee added representatives from SLLS, ALSC, Baton Rouge Bar Foundation, Louisiana Bar Foundation, and the courts, and in the next meeting discussed larger-scale pain points in technology, such as managing multiple methods of legal aid intake, court unification, e-filing, and more. At the next meeting the committee will report on what projects they chose to move forward on.

VI. Access to Justice Committee Subcommittee Reports

- a. **IFP Committee** – The new subcommittee, chaired by Jeff Coreil, examined In Forma Pauperis (IFP) practices throughout Louisiana and found inconsistent application and interpretation resulting in differing outcomes depending on the court before whom the indigent litigant sought access. These reported issues, provided by legal aid and pro bono attorneys, were analyzed by Louisiana Appleseed volunteer attorneys and found to be misapplications of the statutes. The subcommittee elected to seek a resolution requesting a review by the Louisiana State Law Institute to determine whether a rewrite or clarification might eliminate continued inconsistent application of IFP procedures. The misapplication often results in less court access by indigents who would legally be

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afforded IFP privileges. The commission passed the motion to move forward with the resolution.

- VII. **Adjourn** – This meeting concluded the 2018-2019 session of the Access to Justice Commission. Commissioners were asked to submit their interest in continuing with the Commission in the next bar year to ATJ Director Monte Mollere.