



Louisiana Access to Justice Commission

10:00 a.m. on Wednesday, December 9, 2020

Attendees

Mary Barrios, Board Member, Southeast Louisiana Legal Services; Private Practitioner
Angela Bazile, Executive Counsel to Chief Justice Bernette Johnson, Louisiana Supreme Court
Alan Brackett, Treasurer, Louisiana Bar Foundation; Managing Member, Mouledoux, Bland, Legrand & Brackett
Amanda Brown, Executive Director, Lagniappe Law Lab
Brandi Cole, Associate General Counsel, CenturyLink, now Lumen Technologies
Jeff Coreil, co-chair, NeunerPate
Jennifer Eagan, Liaison Counsel to District Judges, Louisiana Supreme Court
Ann Gregorie, Executive Director, Baton Rouge Bar Association
C.C. Kahr, Executive Director, Pro Bono Project New Orleans
Christy Kane, Pro Bono Counsel, Entergy
Greg Landry, Executive Director, Acadiana Legal Services Corporation
Virginia Listach, Director, Southern University Law Center Legal Clinic
Lauren McKnight, LSBA Board of Governors; Private Practitioner
Alainna Mire, LSBA President; Assistant Attorney, City of Alexandria
Luz Molina, Clinic Professor, Loyola College of Law
Chris Ralston, Louisiana Bar Foundation, President-Elect; Partner, Phelps Dunbar
Dona Renegar, Partner, Veazey, Felder & Renegar
Deidre Robert, Secretary, Louisiana Bar Foundation; Executive Counsel for Louisiana Department of Transportation and Development
Graham Ryan, Partner, Jones Walker
Laura Tuggle, Executive Director, Southeast Louisiana Legal Services
Sandra Vujnovich, Judicial Administrator, Louisiana Supreme Court
Adrienne Wheeler, Executive Director, Louisiana Appleseed
Hon. Lisa Woodruff-White, East Baton Rouge Parish Family Court

Guests

Chief Judge Shannon Bishop, Office of Workers' Compensation
Shama Farooq, Tulane Domestic Violence Law Clinic
Denette Young, Communications Director, Louisiana Bar Foundation

Minutes

- I. **Welcome and Introductions** – Jeff Coreil welcomed the group and self-introductions were made.
- II. **Consent Calendar** – The consent calendar was approved as written.
- III. **Louisiana Bar Foundation Report** – Deidre Roberts presented the Louisiana Bar Foundation's new communications plan, described below.

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- a. LBF engaged Spitfire Strategies to develop a plan to raise awareness about the need for civil legal aid. Spitfire is a Washington, DC agency with history of working with advocacy organizations and foundations.
- b. Goals of the plan:
 - i. Establish LBF as recognized funder of choice and trusted authority for civil legal aid in Louisiana
 - ii. Increase resources for civil legal aid in Louisiana
- c. Objectives:
 - i. Educate the three branches of government on the need for civil legal aid
 - ii. Elevate LBF's statewide and national profile
 - iii. Establish and deepen relationships with donors
- d. Audiences:
 - i. Media – identify key publications, editors, and journalists and pinpoint what details are needed for them to pick up the story
 1. LBF recently completed a Pop-Up Tour – statewide educational tour on civil legal aid with seven sessions specifically customized to each region. A journalist has sought information from SLLS thanks to the media tour.
 - ii. State policymakers – inform legislators, especially new members, via a customized approach that taps into their individual values
 - iii. Philanthropists – build relationships with key national funder and community foundations to get them to fund civil legal aid across the US
- e. Intersection with other agencies – information sharing will be key as the LBF plan complements the JFA communication plan and LA Appleseed legislative education efforts.

IV. Access to Justice Projects, Issues, & Initiatives

- a. **COVID-19 Response by the ATJ Community** – Ann Gregorie shared that the disaster subcommittee continues to meet every 2-3 weeks to monitor the response to COVID-19 and natural disasters. These meetings include FEMA and the Red Cross. Recently the group discussed issue of evacuee housing. Rachael is monitoring hotline which was activated in response to Hurricane Laura. Access to disaster survivors has been limited – mostly doing outreach through distribution of flyers, creation of videos/social media posts, and LA.FreeLegalAnswers.org.

- i. **Remote Access to Courts** – ATJ Commission members discussed key issues regarding remote access to the courts, which has become all the more pressing during COVID-19. Guests Judge Shannon Bishop, Chief Judge in the Office of Worker's Compensation and Professor Shama Farooq with the Tulane Domestic Violence Law Clinic joined the discussion. Beginning in summer 2020, Professor Farooq collected data from legal providers around the state on remote hearings, particularly in adversarial cases.

- Issues identified:

- o Several noted the technology barriers litigants face, especially in rural areas, including:
 - A lack of access to reliable internet and appropriate hardware
 - Professor Farooq noted that many litigants may only have access to a cell phone; appearing by computer may give one party an advantage.
 - Some rural residences have little to no access to broadband internet

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needed to run Zoom.

- A lack of familiarity with software (Zoom, no longer using email, etc.)
- Mary Barrios noted that clients' hardware may be tied up by other activities, such as remote schooling.
- Professor Farooq commented that some litigants may have physical or mental health issues that make it more difficult to interact remotely, e.g. difficulty using a digital screen, psychological vulnerability to seeing the opposition up close, etc. She acknowledged that there may not be a solution to this issue, but that the judiciary needs to be aware.
- Professor Farooq noted issues with evidentiary barriers: Requiring that evidence be sent by email is a problem for SRLs due to issues with communicating directly with the opposition, the danger of revealing strategy, and lack of familiarity with email. She suggested that courts could provide a safe digital platform to send exhibits.
- Jeff Coreil noted a lack of uniformity across courts in how to access and participate in remote proceedings.
- Luz Molina noted that litigants may not have a private, quiet space from which to appear.
- Strengths:
 - Judge Woodruff-White noted that in her experience, remote meetings can be an effective and efficient way to carry out uncontested divorces and lawyer status conferences
- The Commission discussed possible solutions, including some that are already being used in members' courtrooms:
 - Include Zoom login info, user instructions, and a phone number for tech help on court notices
 - Make remote software available for practice ahead of remote proceedings
 - Designate court staff to be available to assist litigants with tech issues over the phone
 - Provide computers in private, sanitized spaces in the courthouse for litigants to use
 - Where possible, tap local community centers (such as libraries and churches) to provide internet access and private space for rural litigants.
 - Upcoming legislation from Senator Beth Mizell is intended to improve broadband access in rural areas
 - Development of best practices for remote hearings for judges and litigants
 - Creation of uniform court websites with a prominent Zoom login button on home page
- Next Steps:
 - The SRL Committee plans to work with LDJA SRL Committee on materials for SRLs.
 - The Technology Committee will collaborate with the Supreme Court Technology Commission regarding their recommendations to the Supreme Court, including the development of best practices for remote hearings and the creation of uniform court websites.
- ii. **Notarial Services by Clerks of Court for Domestic Violence Survivors** – Adrienne Wheeler presented a request to support an inquiry into ability of Clerks of Court to provide notarization of domestic violence petitions. She explained that onsite notarial services are critical for many litigants, particularly those seeking protective orders. A protective order must be notarized to take effect, and leaving the courthouse to find a notary can be dangerous, time-consuming, and expensive for survivors of domestic violence. As outlined in the memo included in the meeting materials, clerks of court and their deputies have the power to notarize these documents ex officio; nevertheless, many refuse to. C.C. Kahr noted that the pandemic has heightened the severity of this

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issue, as the self-help desks that used to notarize documents in the court are now closed. The ATJ Commission voted to support these efforts to ensure survivors of domestic abuse and sexual assault are able obtain notarized documents through all Louisiana clerks of court offices. Jeff Coreil additionally indicated that he would reach out to the Lafayette Clerk of Court to ask him to encourage his colleagues to follow his lead in notarizing documents.

- b. Strategic Planning** – Amy reported on the November 6 Committee Chairs meeting with Luz Molina, Adrienne Wheeler, Chris Ralston, Virginia Listach, and Amanda Brown. The meeting was intended to explore opportunities to incorporate the JFA findings into the Commission’s existing strategic plan. The chairs voted to add three additional goals to the plan:
1. To create and implement a communications plan that includes widespread distribution of the findings of the JFA GIS mapping project.
 - a. This will likely involve collaboration with the Louisiana Bar Foundation regarding their communications plan.
 2. To increase access points to legal information in civil resource deserts
 3. To pursue a strategy for including an annual mandatory access to justice training for judges and court staff

The JFA team is now working on submitting the final report to NCSC summarizing the work on the project. In the following implementation phase, the team intends to collaborate with two to three parishes identified as civil legal resource deserts to develop localized solutions to increase access to legal resources.

- c. Racial Justice** – Jeff Coreil updated the group on efforts to support racial equity through Access to Justice initiatives. During the September ATJ Committee meeting, Arlene Knighten suggested incorporating racial justice education into the Louisiana Justice Community Conference. The resulting agenda was focused on issues of race, diversity, and inclusion in the profession. Some highlights included:
- i. Ethics session on attorneys’ ethical and professional obligation to understand the impact of cultural differences on communication
 - ii. A keynote session on intersectionality and disability advocacy
 - iii. Professionalism session on how to have difficult conversations about equity and inclusion
 - iv. “Poverty Lawgorithms” session exploring how computer algorithms negatively impact low-income communities and communities of color across various practice areas

These sessions will be made available for viewing at www.probono.net/la.

- d. Louisiana Lawyers in Libraries** – Stephanie Beagh reported on this year’s Lawyers in Libraries program. She noted that while COVID-19 caused the suspension of many in-person events, it also caused an increase in pandemic-related legal needs. Fortunately, the ATJ team was able to pivot and host the 7th annual Lawyers AND Libraries events to provide much needed legal assistance to individuals virtually by leveraging other existing pro bono programs, such as LA.FreeLegalAnswers.org and the LIFT Fellows.

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Despite the pandemic and the midweek arrival of Hurricane Zeta, volunteer attorneys across Louisiana turned out during National Celebrate Pro Week (October 26-31st) to help provide free, virtual legal assistance by answering patrons' questions in one-on-one sessions over the phone and on LA.FreeLegalAnswers.org. Some volunteers also provided live presentations on pressing and pandemic-related issues via our newly created Lawyers in Libraries Facebook page. Public libraries throughout the state helped promote events, distributed bookmark flyers, and shared info on websites and social media.

The event was extremely successful: Volunteer attorneys assisted over 84 patrons from 25 parishes through the Ask-A-Lawyer sessions alone, and the webinar presentations have already reached over 2,500 viewers on Facebook. For more information, visit www.LouisianaLawyersinLibraries.org.

- e. **ATJ Developing Leadership Intern Program** – Rachael Mills shared that Entergy and Phelps Dunbar have both returned as sponsors for the 2021 ATJ Developing Leadership Intern Program; however, the program is still in need of two more sponsors for students from Loyola and LSU. Sponsors do not need to be located in the same city and are responsible for funding the \$3,000 stipend. Email Rachael Mills (rachael.mills@lsba.org) if you are aware of any firm, company, or in-house counsel that may be interested – nonlegal entities are welcome.

V. **ATJ Commission Committees and ATJ Committee Subcommittee Reports**

- a. **Funding Committee** – Chris Ralston shared that the committee continues to meet every three to four weeks. COVID-19 continues to threaten filing fee revenue; however, civil legal aid has received unexpected support from the state via a renewed \$500,000 appropriation. Adrienne shared that they recently met with Jay Dardenne for direction on the 2021 year and are looking out for possible CARES act funding, should it become available.
- b. **Language Access Committee** – Luz Molina reported that the Language Access Plan was approved by the Louisiana Supreme Court. The Committee has completed a brochure for the public on how to request interpreter and are currently taking inventory of vital court documents that will need to be translated for the public.

VI. **Adjourn**

- a. Next meeting: Friday, February 5