

**LOUISIANA STATE BAR ASSOCIATION
ACCESS TO JUSTICE COMMITTEE MEETING
10:00 P.M. ★ Friday, December 15, 2017
New Orleans, LA**

Attendance:

Jeffrey Coreil, Co-Chair; Neuner Pate
Erica Andrews, Law Office of Erica Andrews, LLC
Stephanie Beagh, Louisiana Appleseed
Talya Bergeron, Southeast Louisiana Legal Services Corp.
Sean Brady, Flanagan Partners LLP
Laura Fine, Lehmann Norman & Marcus, LLC
Samuel Ford, Varadi, Hair, & Checki, LLC
Nicole Gaither, Southeast Louisiana Legal Services Corp.
Laila Hlass, Tulane Law School
Robert Lancaster, Louisiana State University
Betty Maury, Maury Law Firm, LLC
Luz Molina, Loyola University College of Law
Joe Oelkers, Acadiana Legal Service Corp.
Sara Pic, Louisiana Supreme Court Library
Jonathan Rhodes, Louisiana Civil Justice Center
Graham Ryan, Jones Walker LLP
Lisa Stansky, Southeast La Legal Services Corp.
Hon. Raymond Steib, 24th Judicial District Court
Jane Thomas, Attorney at Law
Sharonda Williams, Fishman Haygood Phelps Walmsley Willis & Swanson, LLP
Julia Wilson, Southeast Louisiana Legal Services

Staff:

Monte Mollere, ATJ Director
Amy Duncan, ATJ Training Counsel
Rachael Mills, ATJ Project Counsel
Michael Schachtman, ATJ SRL Counsel

Guest:

Bethany Blackson, LSBA Leadership Class
Alex Reed, LSBA Leadership Class
Todd Taranto, LSBA Leadership Class

Welcome & Introductions

Co-chair Jeff Coreil welcomed the committee and everyone introduced themselves. A motion was made to approve the consent calendar, seconded and passed unanimously.

ATJ Subcommittee and Staff Reports

Pro Bono Summit – Rachael Mills

The Access to Justice Pro Bono Summit is scheduled for January 18, 2018 in Baton Rouge at the Renaissance Hotel and will be held in conjunction with the LSBA Mid-Year Meeting. An updated draft agenda was distributed. The Summit will offer 4 hours of CLE. Attendance was still open and suggestions are welcome for additional attendees. Rachael will send a survey to the individuals that have RSVP'd to gather information to be discussed at the summit. Monte mentioned that Rachael wrote an article about the Pro Bono Survey findings. The article can be found in the Dec/Jan bar journal.

Lawyers in Library – Michael Schachtman

Michael gave a brief overview of the 4th year of the program. Over 150 attorneys serviced over 800 people. We are beginning to see more attorneys continue programs throughout the year. LCJC has also been working with libraries in rural areas without pro bono programs to install virtual helps desks. Currently they have installed six.

La.freelegalanswers.org – Rachael Mills

Rachael explained the program is an online pro bono program that is open to individuals up to 250% above poverty level. In response to Judge Steib's concern about malpractice insurance for volunteers, Rachael confirmed that the ABA provided malpractice insurance for information given on the site. Rachael distributed business cards advertising the site and committee members were encouraged to refer individuals that do not meet the requirements for legal aid.

LSBA Website Project – Michael Schachtman

The LSBA receives 400-500 calls per month from individuals wishing to obtain legal assistance. The LSBA website provides numerous resources for individuals which has been coordinated into an easily accessible page to help individuals with legal needs find the most appropriate legal assistance. The page is an access point from which to view and choose options most appropriate for the individual – ranging from help locating an attorney which someone can pay for, to modest means options, to pro bono and legal service options, to directions to available forms.

Michigan Statewide Triage – Monte Mollere/ Michael Schachtman

There is a national movement to provide better access to legal help through website portals. Michigan has a triage program to guide people through the website to the specific help that fits them best based on their needs.

ATJ Leadership Internship Project- Rachael Mills

During the program one student from each of the four law schools will attend a 6-week program sponsored by Adams & Reese, Baker Donelson, Jones & Walker and Phelps Dunbar. Currently the law schools are promoting the application process and the program is set to begin on May 14, 2018.

Consumer Protection Taskforce – Sam Ford

Louisiana is number one in consumer car loans with debit and collections. Currently, 46% of Americans have consumer debit that has been defaulted or charged off. This debt commonly gets sold to debt buyers that bring law suits. 91% of consumers go unrepresented in these law suit, and representation has an enormous effect on a debtor's success. The Taskforce is working on several ways to address these concerns: SRL forms and education for judges, attorneys, and consumers. The SRL forms were approved by the LDJA SRL subcommittee but denied by the full committee. Judge Steib offered to have the forms reviewed. Jeff Coreil made a motion for the ATJ Committee to endorse the uniform check list and forms of the task force in form subsequent of any changes. The motion was seconded and passed.

Justice Community Conversation

Southeast Louisiana Legal Services – Talya Bergeron

The SLLS 50th Anniversary celebration and CLE on November 9th was well attended. SLLS will continued to host events around the state throughout the year.

Louisiana Immigration Working Group - Laila Hlass

Louisiana Immigration Working Group chaired by Judge Zainey and the Gulf Coast Immigration Group bring together nonprofit groups in Louisiana and the gulf coast areas to collaborate on immigration issues.

Procedural Checklist for Incarcerated Pro Se Litigants- Betty Maury

Betty Maury reported a lack of resources in courts for incarcerated individuals who file suit, particularly in family law cases. The Law Library of Louisiana librarian Sara Pic mentioned similar situations as the library often receives letters from inmates with questions regarding civil matters. They both feel like a family law checklist may benefit these individuals and agreed to begin work on that.

Discussion of Implementation of LA Revised Statute 32:415.3 – Kelly Orians

In 2015, LA Revised Statute 32:415.3 went into effect requiring the Department of Motor Vehicles to issue a provisional Class “E” driver’s license to a person released from incarceration after serving a minimum of one year, unless one of the exceptions applies (e.g., imprisonment for vehicular homicide and other exceptions listed under A(3) of the statute). Unfortunately, the DMV has had extreme difficulty implementing the law. Kelly Orians, with Rising Foundation, has worked with OMV staff, Kelly Simmons on a “work around” to the current problems, but a more permanent, efficient mechanism needs to be developed. However, only the day prior, Kelly Orians received a call from Kelly Simmons that the problem has been fixed and that those that are eligible can now receive a provisional drivers license at any office across the state. Kelly Orians will test the new system to determine its effectiveness, and report back.

Access to Justice Commission Items

Language Access- Luz Molina, chair

This ATJ Commission Committee has completed an interpreter’s survey and is working on the report. It plans an attorney survey to determine how attorneys use interpreters and interact with the system. Louisiana Appleseed has supported this work with Phelps Dunbar volunteers who have conducted an examination of nationwide best practices. The Supreme Court has a page on their website with a list of Certified/Register interpreters and has produced a bench card for judges. Recently this committee has developed an information card for attorneys that can be found on the LSBA website.

Distinguished Fellow Pilot Project – Monte Mollere

This project enables senior lawyers and retired judges to partner with non-profit organizations, courts and other public interest legal organization to increase access to justice. The program allows retired lawyers with specialized skill and experience to be matched with entities that need their help. Fellows for this pilot project include; Judy Perry Martinez, Valerie Schexnayder, Thomas Gibbs, Hugh Straub and Sarah Campbell. Host organizations included: Southeast Louisiana Legal Services, Baton Rouge Bar Association, 19th JDC Court, Pro Bono Project and Acadiana Legal Services.