



Louisiana Access to Justice Commission

10:30 a.m. on Monday, September 28, 2020

Attendees:

Mary Barrios, Southeast Louisiana Legal Services Board, Private Practitioner
Angela Bazile, Executive Counsel to Chief Justice Bernette Johnson, Louisiana Supreme Court
Alan Brackett, Treasurer, Louisiana Bar Foundation
Amanda Brown, Executive Director, Lagniappe Law Lab
Judge Cashe, 21st JDC, SRL Committee chair
Jeffrey Coreil, Co-Chair, NeunerPate
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
Chris Ralston, Louisiana Bar Foundation, President-Elect; Partner, Phelps Dunbar
Deidre Robert, Secretary, Louisiana Bar Foundation
Veronica Sizer, Governor’s Office of Homeland Security and Emergency Preparedness
Tina Suggs, Co-Chair, Access to Justice Committee; LSBA Board of Governors
Laura Tuggle, Executive Director, Southeast Louisiana Legal Services
Sandre Vujnovich, Judicial Administrator, Louisiana Supreme Court
Adrienne Wheeler, Executive Director, Louisiana Appleseed

Guests:

Tara Veazey, JFA Consultant

Staff:

Stephanie Beagh, Access to Justice Projects Counsel
Amy Duncan, Access to Justice Training and Projects Counsel
Jordan Maier, Access to Justice Assistant
Rachael Mills, Access to Justice Projects Counsel
Monte Mollere, Access to Justice Director

Minutes

- I. **Welcome and Introductions** – Chair Jeff Coreil welcomed the group.
- II. **Consent Calendar** – The May 15 consent calendar was passed as written.
- III. **Louisiana Bar Foundation Report** – Alan Brackett reported that the Bar Foundation would be maintaining grant levels for 2020. Next year’s budget has been adopted; despite a \$975,000 negative variance, the LBF anticipates being able to reduce the deficit to \$125,000 with the carryover from last year. The impact of the pandemic is already being reflected in IOLTA rates,

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which are down to 0.45% from 1%, reducing the LBF's anticipated income by half. The Bar Foundation created a finance committee and investment committee to focus on long term planning and are now also hiring for a new CFO. The board meets next month to review and update the strategic plan. LBF also continues to work with Spitfire communications strategists to complete a communications plan. Community Services Analysis is being contracted again to update the economic impact study in the next year.

IV. Access to Justice Projects, Issues, & Initiatives

a. COVID-19 Response by the ATJ Community – Ann Gregorie led updates on collaborative efforts of the ATJ Committee's Disaster Preparedness and Response Subcommittee.

- i.** The statewide disaster response hotline was not activated for the pandemic.
- ii.** Laura Tuggle shared that SLLS rolled out their COVID-19 legal helpline by the end of March; 80% of calls have been housing related with a 300% increase in evictions and 600% increase in unemployment cases. Their Facebook Live session on evictions garnered 4,000 unique viewers, and the SLLS blog has seen 98,000+ views. SLLS started an eviction advice clinic last week in partnership with the Pro Bono Project.
- iii.** Lagniappe Law Lab created several online legal assistance applications in response to COVID-19, including the Economic Impact Payment Navigator, Rent Relief Letter Generator, and Disaster Tip Line.
- iv.** Greg Landry reported that ALSC is receiving fewer applications than they would anticipate following Hurricane Laura; he attributes this to the fact that Disaster Recovery Centers and shelters are not being used (locations where ALSC would typically advertise legal assistance). Instead they are placing radio ads and advertising via flyers. Most evacuees have not returned to Lake Charles yet.
- v.** Louisiana Appleseed volunteer Margaret Viator updated the Disaster Manual for 2020 and is now working on creating a non-weather-related disaster manual.
- vi.** The Pro Bono Project is working to reshape pro bono programs for our new virtual world.
- vii.** Christy Kane is seeing an uptick in interest in pro bono service; Entergy recently lifted its guidance against in-person service.
- viii.** Rachael Mills shared that LA.FreeLegalAnswers.org income restrictions have been increased from 250% of the Federal Poverty Guidelines and fewer than \$10,000 in assets to 400% of the Federal Poverty Guidelines and up to \$500,000 in assets. 180 new questions were submitted between January and August, a 42% increase versus 2019. The site now tracks questions that reference the pandemic or the CARES Act. No questions related to Hurricane Laura yet.
- ix.** Hurricane Laura
 - 1.** SLLS has shared legal aid flyers through New Orleans Mayor's office event at the convention center; has not been able to reach evacuees in Baton Rouge area.
 - 2.** Veronica Sizer shared that FEMA and GOHSEP are setting up Disaster Recovery Centers (DRC) in the various hotels that have Hurricane Laura survivors in them. She asked that legal aid providers reach out to her to ensure that their services are included at the centers.

b. Strategic Planning – Amanda Brown and Tara Veazey reviewed the results of the JFA data collection and its impact on strategic planning for the Commission.

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- a.** Amanda Brown presented the completed GIS mapping project, which replaced the community listening sessions that were cancelled during the pandemic. The project compiled data from many sources to represent a full picture of the legal and socioeconomic infrastructure in Louisiana. Some key findings included:
 - i.** 40% of Louisiana's population earns incomes at or below 200% of the FPL (the level that most legal aid programs accept cases) = almost 1.8 million people potential eligible for free legal aid.
 - ii.** Louisiana has nearly 20,000 registered attorneys, but only about 150 full time legal aid attorneys → just 1 legal aid attorney for every 11,250 income eligible people.
 - iii.** 60% of Louisiana's land mass and 34% of the population eligible for civil legal services live in a civil legal desert, which is defined as an area where in-person civil legal assistance is at least a 45-minute drive away. These civil legal deserts experience high poverty – often 50% or more – and limited access to broadband internet in their homes.
 - 1.** Possible solutions to addressing these civil legal deserts include putting self-help centers in every courthouse, building a stronger culture of limited scope representation; and creating partnerships with public libraries, places of worship, and healthcare facilities.
- b.** Tara shared key themes that arose from analysis of this data:
 - i.** A rich infrastructure already exists in Louisiana in terms of collaboration between providers, and the ATJ Commission sits at the center.
 - ii.** Capacity constraints result in significant geographic legal deserts, where people face barriers to accessing legal services and information.
 - iii.** There are significant opportunities to build on the work that is already occurring by building relationships with nontraditional stakeholders – community organizations, churches, and healthcare providers. These include opportunities for preventative legal outreach.
 - iv.** There are opportunities for enhancing communications at all levels.
 - v.** The lack of a unified court system in Louisiana creates significant challenges to improving access to justice – makes it difficult to create efficient solutions.
- c.** What activities, strategies, or services would have the most meaningful impact on access to justice in Louisiana? 5 priority activities and strategies for consideration:
 - i.** Build communications plan to reach out to nonlegal stakeholders
 - ii.** Mandatory access to justice training annually for judges and court staff
 - iii.** Improve triage and referral by expanding nonlegal referral systems and cross-training
 - iv.** Increase and centralize self-help resources for residents living in civil legal deserts – in courthouses, Walmarts, etc.
 - v.** Invest in outreach to attorneys and the public to increase participation in Alternative Dispute Resolution and Limited Scope Representation
- d.** The ATJ Commission moved to approve the following next steps:
 - i.** The LSBA team will move forward with a grant proposal seeking up to \$100,000 in NSCS funding for JFA implementation to address barriers to access to justice in up to 3 parishes located in civil legal deserts
 - ii.** The ATJ Commission will update its strategic plan and its subcommittees' plans to incorporate goals from the JFA findings.

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- V. **Racial Justice** – The Commission discussed its role in ensuring racial justice in the civil legal system.
- a. Previously, the ATJ Committee decided to confer with the LSBA Committee on Diversity to see where we can collaborate to address racial inequity issues in access to justice. Jeff will report back on this conversation at the next meeting.
 - b. Greg expressed that it is not enough to have a diverse workforce; rather, all populations and levels of management must have an equitable share in the decision-making of the firm.
 - c. Louisiana Appleseed is focusing on addressing their internal operations – asking whether their own organization is working toward equity in the same way as their programs. With the help of two HR professionals, Appleseed is developing a survey to identify bias across staff and the board and examine how they develop their board and choose projects. The plan is to ask volunteers to take the survey.
 - d. Laura Tuggle reminded the group that legal services began as part of the civil rights movement, as a War on Poverty program. She noted that many might falsely assume that everyone in civil legal aid knows that we are based in a social justice background. Legal aid providers are not immune to inequity. SLLS did an equity index several years ago which set goals and metrics; having completed first level of goals, now looking forward to what need to do next – e.g., expanding training for frontline intake staff.
 - e. Sandra noted that under the chief’s leadership, judges will receive additional implicit bias training through Fall Judges’ Conference.

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

- a. **Building Bridges** – Adrienne Wheeler shared that Building Bridges is working to add a legal portion to the TIGER risk assessment tool with the Department of Corrections through the Louisiana Prisoner Reentry Initiative Steering Committee. The Committee is trying to identify what legal services/needs questions should be added to this front-end risk assessment tool. The Committee provides the benefit of a direct line of communication with Steering Committee and DOC to address developing legal needs.

In August, Building Bridges also hosted a reentry CLE with the LAPRI Steering Committee Legal Subcommittee on updates to law. The CLE highlighted the child support law passed in 2017, which suspends child support obligations for noncustodial parents who are incarcerated for 180 days or more. The law is currently not being applied; members are looking to address this outside the Building Bridges committee work.

- a. **Funding Committee** – Chris Ralston shared that the Funding Committee met every two weeks during the legislative session; out of session, they meet every 3 to 4 weeks. Congress provided an additional \$50 million to LSC during COVID-19; an additional \$50 million has since been requested. The state appropriation was also continued from last year following an attitude shift from legislators. Along these lines, Appleseed has produced webinars for legislators on where to direct constituents in need of legal resources – a long play to educate them on civil legal aid resources and their importance. Their lobbyist will continue working on the appropriation through 2021 but may not be able to continue through 2022.

VII. **Adjourn**

- a. Next meeting: Friday, November 6 at 10 AM, remote