

ACCESS TO JUSTICE COMMISSION MEETING
Friday, November 16, 2018
New Orleans, LA

Attendance:

Jeffery Coreil, Pro Bono Partner, Neuner Pate, Co- Chair
Hon. James Genovese, Associate Justice, Supreme Court, Co- Chair
Hon. Jeffery Cashe, Judge 21st Judicial District Court
George “Dave” Ernest III, LA Bar Foundation, Hurlburt, Monroe and Ernest
Vivian Guillory, President, Southeast Louisiana Legal Services, Board of Directors
Christy Kane, Pro Bono Counsel, Entergy Services, LLC
Gregory Landry, Executive Director, Acadiana Legal Service Corporation
Virginia D. B. Listach, Director, Southern University Law Center
John E. McAuliffe, Jr., Secretary, Louisiana State Bar Association
Luz M. Molina, Loyola University of New Orleans College of Law
Chris Ralston, LA Bar Foundation Board, Phelps Dunbar, LLP
Hon. Harry Randow, Judge 9th Judicial District Court (retired)
Dona Kay Renegar, LSBA, Immediate Past President, Veazey Felder & Renegar, L.L.C.
Mark Surprenant, Vice-President, Southeast Louisiana Legal Services Corp. Board of Directors, Adams and Reese
Kimberly Theriot, Corporate Counsel, Conrad Shipyard LLC
Molly Vigour, Corporate Counsel, Canal HR, Inc.
Sandra Vjunovich, Judicial Administrator of the Louisiana Supreme Court
Hon. Lisa Woodruff-White, Chief Judge, East Baton Rouge Family Court

Guests:

Elena Perez, Southeast LA Legal Services
Michael Street, President, Louisiana Bar Foundation
Laura Tuggle, Southeast LA Legal Services

Staff:

Amy Duncan, ATJ Training & Project Counsel
Linda Johnson, ATJ Technology Counsel
Joanna Laidler, ATJ Assistant
Rachael Mills, ATJ Projects Counsel
Monte Mollere, ATJ Director
Michael Schachtman, ATJ SRL Counsel

I. Welcome and Introductions

Co-Chair Jeff Coreil welcomed Commission members and guests. Attendees introduced themselves.

II. Consent Calendar – Mark Suprenant provided information about the 2018-19 Distinguished Fellows Introductory Ceremony directly following the Commission Meeting in the Supreme Court. **A motion by Dona Renegar to adopt the consent calendar was seconded and passed unanimously.**

III. Louisiana Bar Foundation Report

Chris Ralston provided a report on the activities of the Louisiana Bar Foundation (LBF), including:

- The LBF is currently updating the Economic Impact Study using statistics from the 2018 work of Louisiana civil legal aid providers. It is due to be completed in January 2019 and will be circulated to the Commission once it is finished.
- LBF has hired technology consultant Amanda Brown to create an integrated civil legal aid technology portal that employs artificial intelligence. The project is well underway. It is envisaged that the portal will be able to help in rural areas and in relation to disaster response. The new Technology Committee will hopefully be able to provide oversight.

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- The Federal Fund Target Interest Rate increase has resulted in a net increase of approximately \$2.5M annually in IOLTA revenue, which is more than anticipated. The LBF 2019 Budget grants will have to be adjusted upwards to reflect the increase.
- LBF has made the statewide grant application available online through their website. The majority of applications opened in October and will close December 3.

IV. Access to Justice Projects, Issues & Initiatives

- a. Gap Assessment.** Luz Molina reported on the Gap Assessment Report, which has now been finalized. The Report was commissioned so that there was Louisiana specific data on unmet civil legal needs available, instead of having to extrapolate information from national surveys. Using data collected by David Yarbrough and Steve Gruesbeck, and information obtained from an LSC study of Louisiana-only data conducted near the same time, the 'Louisiana Unmet Legal Needs Report' was prepared by Luz Molina and Amanda Hass. The report will be a great step in crafting solutions to unmet legal needs in Louisiana and a follow up report is recommended. The Commission discussed strategies to improve access to civil legal services for rural communities, including partnering with remote library programs. The Commission accepted a motion to endorse the Report and to send to the Board of Governors for their review and adoption.
- b. LIFT & Flood Proof Incubator Project.** Laura Tuggle explained that the Flood Proof Project has currently achieved \$8.7 million in economic benefits for people effected by the Baton Rouge Floods. Although the Project is in its final phase, SLLS continues to receive new requests for assistance and have 30 open cases. To address this ongoing need, the Incubator Project has been expanded. The Incubator will provide a stipend, mentorship and training for two attorneys who will give an 18-month commitment. In addition, SLLS is working with the ABA Center for Innovation to modify the Flood Proof App to make it applicable state wide so that it can be used as a resilience tool. Applications for the Incubator Project are now open. Commission members discussed ways to promote the Incubator Project to new admittees (0-5 years).
- c. ATJ Developing Leadership Internship Program.** Chris Ralston reported that the Internship Program, which is now in its fourth year, aims to identify and cultivate future leaders and to encourage ongoing pro bono work. This year, one of the four original sponsoring firms had to drop out, so the Program is looking for a Baton Rouge sponsor to provide a stipend to a student at Southern University. The \$3,000 stipend for the six-week internship is important to be able to attract the top students. The Internship Program is in the process of recruiting another sponsor. Commission Members should get in contact with Rachael Mills or Monte Mollere if they have any ideas about a potential sponsor.
- d. Strategic Planning.** Dona Renegar reported that Monte Mollere and Jeff Coreil had spoken with Brent Henley to discuss options for strategic planning now that Commission is in its third year. A strategic planning session is considered valuable to discuss and identify the ongoing focus of the Commission. The cost of the strategic planning is \$1200 and includes an initial meeting, a strategic planning session and a follow up to discuss the results. Brent Henley comes highly recommended by Commission Members and is available on February 15, 2019 in lieu of a currently scheduled Commission Meeting. The Commission passed a motion to proceed with engaging Brent Henley to undertake a strategic planning session with the Commission.

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V. Access to Justice Commission Committee Reports.

- a. Building Bridges Committee** – Molly Vigour, Chair provided an update on the work of this Committee. The Committee is focused on two strategic barriers to re-entry – securing government benefits and child support benefits. Food stamps is a primary focus, State and Federal law is inconsistent. The Committee aims to organize a summit with the Department of Corrections and the Department of Children and Family Services and requests assistance from Commission Members if they have relevant departmental contacts. The Committee is also partnering with the Public Defender’s Office and other grant recipients to facilitate collaboration between organizations to ensure that re-entry services are not duplicated.
- b. Funding Committee** – Committee Chair Chris Ralston reiterated that the Committee is happy about the IOLTA revenue increase, all of which will be allocated to Louisiana non-profits. The efforts to reinstate State funding are ongoing, but they have been greatly assisted by the efforts of lobbyists engaged through Louisiana Appleseed. The Committee is currently preparing follow up materials for Commissioner Jay Dardenne and Matthew Block following their meeting in August. The Committee has ensured that the legal service providers and LBF are registered as NGOs in order to receive funding in the event that state funding is reinstated.
- c. Modest Means Committee** – Virginia Listach explained that the Modest Means Committee has been primarily focused on improving the directory. Specifically, the Committee is trying to improve limited scope representation and unbundling processes in Louisiana; create better resources for attorneys currently participating in the directory; and increase public awareness of the registry. The Committee intends to speak to corresponding jurisdictions about limited scope representation, undertake a survey of current attorneys on the register, create a resource repository based on the needs of attorneys and the public and increase recruitment of new attorneys. The Commission discussed options to attract new attorneys.
- d. Self -Represented Litigants Committee** – Judge Harry Randow reported that the Summit that took place in Natchitoches, Louisiana on November 2, 2018 was very successful, although there was a smaller turnout. Judge Randow indicated that the judges, clerks, and court staff who attended were extremely interested in learning about SRL and encouraged the Commission to continue to host the Summit annually. Many of the people who attended were not aware of the broad range of services available, including that SRL can take different forms in different areas. The Commission agreed to continue hosting annual SRL Summits. Judge Randow and Monte Mollere congratulated Michael Schachtman on his role in organizing the Summit and his work promoting SRL throughout the State.
- e. Technology Committee.** Dona Renegar reported that Joyce Raby, the Executive Director of the Florida Justice Technology Center presented to the newly established Technology Committee in order to provide some guidance to the Committee. Her advice was to pick a small, focused, well-defined program as the Committee’s first project and to focus on program’s outcomes not needs. Going forward, a full Committee will need to be established with diverse representation, including input from Amanda Brown and representatives from the legal service providers.

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VI. Access to Justice Committee Subcommittees

a. Pro Bono

- (i) National Pro Bono Week/Lawyers in Libraries.** Michael Schachtman and Joanna Laidler provided a report on Lawyers in Libraries, which is in its fifth year. Over 115 attorneys participated in over 81 separate events throughout the week, which took place across 60 parishes. Feedback from participating attorneys and librarians included an interest in scheduling LIL events throughout the year. The LSBA acknowledges the hard work of Louisiana libraries, LSBA members, pro bono agencies, bar associations, private practitioners, and legal service providers in staffing and coordinating events.
- (ii) Pro Bono Awards.** Joanna Laidler provided an update about the Pro Bono Awards. Nominations for the awards will open online on Monday December 3, 2018. Nominations will close on February 22, 2019 and the awards ceremony will be hosted by the Supreme Court on May 21, 2019. Please get in contact with Monte Mollere or Joanna Laidler if you would like to volunteer to help select next year's award winners.

b. Disaster Response. Rachael Mills updated the Commission about the Disaster Response Plan. As the Louisiana Civil Justice Center was a large part of Louisiana's disaster response, the Disaster Response Subcommittee is still working to finalize an alternative plan, including staffing a disaster hotline. The Subcommittee is speaking to Louisiana's counterparts in Texas and Florida to better understand how other states address disaster management. Once the Subcommittee finalizes its Disaster Response Plan, it will circulate it to the Commission.

c. IFP. Jeff Coreil explained that the newly established Subcommittee has had an initial meeting to discuss the composition of the Subcommittee and its short-term goals. The Subcommittee wishes to refer the issue to the Law Institute to obtain a neutral opinion about whether Louisiana is conforming with other IFP statutes around the country and what possible solutions exist in other jurisdictions. The Subcommittee is meeting again on November 27 and is extending an invite to other Committee members who want to participate. The Commission Members discussed the general issues surrounding IFPs in Louisiana and whether the Commission can refer an issue to the Law Institute.