



Access to Justice Committee Meeting
September 14, 2015
State Bar of Georgia

AGENDA

1. Action Group assignments and reports
 - Pro Bono
 - Collaboration
 - Access to Justice Commission
 - Law Schools
 - Technology
2. Lawyers for Equal Justice / Pro Bono Innovations Grant update
3. Technology and Access to Justice update
4. October Pro Bono Celebrations and Pro Bono Awards Reception
5. ATJ Work Plan / ATJ Commission
6. Pro Bono Honor Roll/"Honor Wall"
7. National litigation funds coming to Georgia (JP Morgan Chase settlement)
8. State Bar Mid-year Meeting CLE- "Unbundled Services"
9. New Business

HEADQUARTERS

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State Bar of Georgia Access to Justice Committee

Subcommittee Rosters 2015-16

Access to Justice Commission Subcommittee

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Shatoree Bates
James Radford
Guy Lescault
Angela Hinton
Tim Floyd
Rob Remar
Len Horton

Law Schools Subcommittee

Gerry Weber, Chair

Hamida Jackson-Little
Sally Evans Lockwood
Latif Oduola-Owoo
Brad Groff
Kent Altorn

Collaborations Subcommittee

Hon. Marc D'Antonio, Chair

Jana J. Edmondson-Cooper
Colin Kelly
Sara Jane Hawk
Lateefah Thomas
Tommy V. Duck
Shatoree bates

Advisors

Martin Ellin
Phyllis Holmen
Steve Gottlieb

Pro Bono Subcommittee

Shalamar Parham, Chair

Hon. Katie Salinas
Latoya Bell
David Smith
Michael Geoffroy
Sarah Cipperly
Hon. Susan Pearce Tate
Charles Lester

MEMORANDUM

TO: Tim Floyd, Chair
Jill Pryor, Vice-chair

FROM: Michael Monahan, State Bar ATJ Staff

RE: Access to Justice Work Plan 2013 – 14 Report
Access to Justice Work Plan 2014-15

DATE: May 2014

.....
Please find below a report of the sub-committee activities accomplished in the 2013-14 Access to Justice (ATJ) Committee work plan.

Mission

The Access to Justice Standing Committee shall consider and make recommendations to the Board of Governors on the following:

- Promoting the growth of pro bono service to the poor by members of the State Bar;
- Operating the participation of Georgia's lawyers in the delivery of pro bono services through the Pro Bono Project;
- Providing appropriate recognition to Georgia lawyers whose pro bono efforts inspire the members of the legal profession;
- Promoting the establishment and efficient maintenance of legal aid organizations;
- Studying the administration of justice as it affects persons in low income groups;
- Studying methods of making legal services more readily available to persons of moderate means; and
- Encouraging and assisting local bar associations in accomplishing these purposes.

Proposed Initiatives

Following the adoption of the 2013-14 ATJ Committee Work Plan, many of the goals and objectives of the subcommittees were implemented (*see below*); however, many of these initiatives will require further follow through and oversight for 2014-15.

Method

The ATJ Committee will meet bi-monthly to consider reports from the following four sub-committees:

Pro Bono
Collaboration for access
Law schools
ATJ Commission

These sub-committees shall be comprised of five (5) members of the standing committee and tasked with the following:

Subcommittees

1. Pro Bono Subcommittee

In 2013-14 the Pro Bono Subcommittee implemented the following:

- *Adopted the ABA Model Rule of Professional Conduct 6.5 that allows attorneys who under the auspices of a program sponsored by a non-profit organization or court provide short term limited legal services to a client without expectation by either the client or attorney that the attorney will provide continuing representation in the matter and not be subject to the conflict of interest rules unless the attorney knows there is a specific conflict.*
http://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_6_5_nonprofit_court_annexed_limited_legal_services_programs.html
- *Conducted a lawyer awareness campaign to educate members of the State Bar on the applicability of Rule 6.5*
- *Expanded opportunities for local bar associations to market on-line training and CLE accreditation for pro bono*
<http://www.georgiaadvocates.org/gojc/>
- *Examined the feasibility of local and specialty bar pro bono committees*

In 2014-15, the Pro Bono Subcommittee will be focusing on the following:

Marketing:

- Developing a “*Be Nice To Pro Bono Lawyers*” campaign and a “*Retiring Lawyers Should Volunteer*” campaign with pro bono assistance from a law firm marketing department.
- Developing trainings for bar leaders and new judges.

Recognition:

- Creating an online self reporting “Honor Roll” with a goal to increase recognition to Georgia lawyers whose pro bono efforts inspire the members of the legal profession.
- Exploring the reinstatement of voluntary reporting.

Delivery of Services:

- Developing a Pro Bono Policy for State Employees.
- Matching state bar leaders with pro bono coordinators.

2. Collaboration for Access Subcommittee

In 2013-14, the Collaboration for Access Subcommittee implemented the following:

- *Worked with the AOC to replicate the Appalachian Circuit FLIC to other judicial circuits in the state*
<http://www.appfamilylawcenter.org/index.cfm?pagename=homepage>
- *Established a listserv for court personnel and conducted a survey to begin developing a “Tool Kit” for FLIC that can be used in other judicial circuits*
- *Applied for a LSC TIG grant to create an online SW GA Triage portal for six judicial circuits in 30 counties*

- *Sponsored a CLE training on Language Access in GA courts*

In 2014-15, the Collaboration for Access Subcommittee will be focusing on the following:

- Obtaining and implementing the LSC TIG grant.
- Applying for the LSC Pro Bono Innovation grant to compliment the LSC TIG grant.
- Creating a “tool kit” for FLIC that can be used in other judicial circuits.

3. Law School Subcommittee

In 2013-14, the Law School Subcommittee implemented the following:

- *Recruited law students as volunteers to work at legal aid providers by encouraging access to justice seminars and courses and participating in Celebration of Pro Bono activities <http://www.probono.net/celebrateprobono/>*
- *Established a law student recognition award for pro bono work*

In 2014-15, the Law School Subcommittee will focus on the following:

- Exploring the feasibility of using law students to manage a court information center or assist in the preparation of standardized forms.
[http://www.georgiaadvocates.org/gojc/library/folder.67849-HotDocs Forms Assembly Speed Up Your Pro Bono](http://www.georgiaadvocates.org/gojc/library/folder.67849-HotDocs%20Forms%20Assembly%20Speed%20Up%20Your%20Pro%20Bono)
- Expanding the opportunities for law students at all law schools to work at legal aid

4. ATJ Commission Project

In 2013-14, the ATJ Commission Project Subcommittee implemented the following:

- *Oversaw the work of the ABA grant consultant and the terms of the ABA grant;*
- *Established a Working Group to assist in drafting an ATJ Commission Work Plan;*
- *Served as the liaison to the Supreme Court and AOC on the implementation of the ABA ATJ Commission Grant; and*
- *Provided the full committee with periodic updates on the status of the grant.*

In 2014-15, the ATJ Commission Project Subcommittee will focus on the following:

- Continuing exploration of the creation of an Incubator Project in GA;
- Promoting widespread understanding and public awareness of importance of civil legal aid;
- Identifying and developing stable long term funding to support and sustain ATJ initiatives;
- Encouraging the design and implementation of new initiatives to expand ATJ and coordinate the delivery of legal aid.

H. Sol Clark Award
Elsie "Dolly" Robinson Chisholm

William B. Spann Jr. Award
Jay Clinton Fox and the
Advance Directives & POA Project,
Senior Legal Hotline

Dan Bradley Legal Services Award
Ira Foster,
Macon Regional Office, Georgia
Legal Services Program

**A Business Commitment Business
Law Pro Bono Award**
Sutherland Asbill & Brennan LLP.

**Law School Excellence in
Access to Justice Award**
Meagan M. Rafferty

State Bar of Georgia Pro Bono Awards Reception

Join Us for Hors D'Ouevres and Cocktails
October 15, 2015
5:30 – 7:30 p.m.

To honor the recipients of the
2015 State Bar of Georgia Pro Bono Awards.

State Bar of Georgia Conference Center Gallery
104 Marietta Street NW
Atlanta, Georgia

Please RSVP to probono@gabar.org

Sponsored by
the Access to Justice Committee & the Pro Bono Project of the
State Bar of Georgia

Supreme Court Leadership on State Legislative Funding for Civil Legal Aid

A Few Best Practices:

- ◆ **Provide leadership.** In many states, the active and visible support of the state's highest court and its individual members has determined the success or failure of initiating and increasing this very important funding source.
- ◆ **Build the leadership and support into the court's culture.** Success at the state legislature requires long-term, consistent support. In the most successful states, supportive justices have worked to ensure that the court as a whole sees access to justice and state funding for legal aid as a priority.
- ◆ **Create a high-powered ATJ commission.** Access to justice commissions are blue-ribbon entities comprised of leaders representing, at minimum, the state courts, the organized bar, and legal aid providers, but often including legislators and representatives of corporations, foundations, the medical community, and human services organizations. ATJ commissions have been instrumental in obtaining or increasing state funding.
- ◆ **Speak and write publicly on behalf of the funding.** Justices have testified on behalf of state funding for legal aid and chief justices have included a message of support in their annual state of the judiciary speeches to their legislatures. Justices have authored op-ed pieces on the importance of state funding for legal aid.
- ◆ **Call for and/or host hearings** or other public meetings and gatherings around the state to give representatives of the courts; the legal, business and faith based communities; human services organizations; and low income people the opportunity to share information about the value of legal aid and problems created by the lack of services.
- ◆ **Visit with legislators.** A personal visit is almost always a good strategy for educating a legislator about how important an issue is. When a supreme court justice makes the effort to do this, it can have a powerful impact.
- ◆ **Find funding sources.** Helping campaign leadership and legislators identify the most appropriate sources of state funding for legal aid.
- ◆ **Resolve conflicts.** When concerns are raised about a funding mechanism or other issues, initiate discussions that might resolve conflicts and/or negotiate solutions.
- ◆ **Administer the funds.** Where appropriate, agreeing that the administrative office of the court or other court entity will serve as administrator of the funds and/or include them in the courts' budget.

Examples:

Here are very brief summaries of the work done by just a few state supreme courts and their individual justices. Please see the *State Legislative Funding* chapter from the ABA's Fundraising Manual, included in your packet for today's meeting, for more complete information.

TEXAS

The Role of the Supreme Court: Funding for basic civil legal services is included in the supreme court's budget, and the court actively advocates for additional funding. There is a bipartisan consensus on this key principle: that providing assistance for those who cannot afford a lawyer is a critical part of the justice system and essential to the integrity of the rule of law. The chief justice and individual members of the court play a public role, making the case for legal aid funding by giving speeches, visiting with individual legislators, meeting with newspaper editorial boards and authoring op-ed pieces.

The Result: In 2013, Texas legal aid programs received approximately \$20.8 million in funds through appropriations and court fees and fines, almost 300 percent more than the \$5.4 million received 10 years ago.

NEW YORK

The Role of the Chief Judge: The current chief judge, when he was appointed in 2009, made increasing funding for civil legal aid a priority. He created the Task Force to Expand Access to Civil Legal Services, which includes leaders from the bench, bar, law schools, and legal aid, as well as legislators and representatives of unions, corporations, foundations and the medical community. He conducts annual public hearings to assess the unmet civil legal aid needs throughout the state. The task force prepares an annual report, based on the hearings and other research, which the chief judge then uses to make his case to the legislature and the governor.

The Result: New York's state funding has increased more than any other state over the past 12 years, going from \$4.6 million in 2003 to \$85 million for 2015.

WYOMING

The Role of the Supreme Court: An ATJ commission was established by the court in 2008. The chief justice designated an associate justice to chair the commission, and he worked tirelessly to lead the effort to document the need for civil legal aid and then find additional funding. Community meetings were held throughout the state, gathering documentation of the unmet need. The commission took responsibility for both leading the campaign and doing the hard day-to-day work to get the legislation passed and signed by the governor.

The result: Wyoming obtained its first-ever state funding, through a filing fee surcharge, in 2010. It generates about \$1,250,000 annually, making Wyoming fifth in the country in terms of state dollars per poor person, and more than doubling the total amount of funding available for civil legal aid in the state.

Prepared 7/15/15

The American Bar Association's Resource Center for Access to Justice Initiatives is a project of the Standing Committee on Legal Aid and Indigent Defendants. For more information about this document, contact Meredith McBurney, ABA Resource Development Consultant, 303/329-8091, meredithmcburney@msn.com.

Conference of Chief Justices and Conference of State Court Administrators - 2015

Adopt Three Resolutions Supporting Legal Aid and Access to Justice

The ABA Resource Center for ATJ Initiatives announced that the Conference of Chief Justices and the Conference of State Court Administrators adopted the following resolutions at their joint meeting at the end of July:

- Resolution 4 – In Support of the Statement of Best Practices for State Funding of Civil Legal Aid Prepared by the ABA Resource Center for Access to Justice Initiatives
[http://www.nlada100years.org/sites/default/files/CCJ Res on best practices FINAL.pdf](http://www.nlada100years.org/sites/default/files/CCJ%20Res%20on%20best%20practices%20FINAL.pdf)
- Resolution 5 – Reaffirming the Commitment to Meaningful Access to Justice for All
[http://www.nlada100years.org/sites/default/files/CCJ Res on Meaningful Access FINAL.pdf](http://www.nlada100years.org/sites/default/files/CCJ%20Res%20on%20Meaningful%20Access%20FINAL.pdf)
- Resolution 7 – Reaffirming the Critical Importance of Adequate Funding of the Legal Services Corporation
[http://www.nlada100years.org/sites/default/files/CCJ Res Reaffirm LSC FINAL.pdf](http://www.nlada100years.org/sites/default/files/CCJ%20Res%20Reaffirm%20LSC%20FINAL.pdf)

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\$106 Million JPMorgan Chase Settlement Provides Legal Aid Funding Opportunity

\$106 Million JPMorgan Chase Settlement Provides Legal Aid Funding Opportunity

Civil legal aid programs across the country have a great opportunity for new funding thanks to a settlement reached earlier this month.

As a result of investigations into JP Morgan Chase's practices of selling "zombie debt" and robo-signing court documents, the firm will pay \$106 million to attorneys general in 47 states and the District of Columbia. Chase also will pay \$50 million in consumer refunds and \$30 million to the Consumer Financial Protection Bureau, as well as \$30 million to the Office of the Comptroller of the Currency in a related action.



A description of the findings made by the CFPB and states and of Chase's obligations under the settlement are available on the CFPB's website. Of the \$106 million being paid to states, \$95 million will go to attorneys general in 47 states and the District of Columbia. (California, Mississippi and Wyoming were not party to the settlement.) An additional \$11 million will go to the attorneys general offices in the states that investigated the action -- Iowa, Colorado, Connecticut, Florida, Hawaii, Illinois, Indiana, North Carolina, Ohio, Oregon, Pennsylvania, Tennessee, Texas, and Washington -- for future expenditures related to investigating and prosecuting cases of illegal conduct related to financial services or state consumer protection laws. On page 37 of Ohio's version of the agreement (Exhibit B) is a list of the amounts going to each state.

While some states may already have decided how to use their payments, this is a great opportunity to make the case for civil legal aid funding. Illinois' \$7.2 million will be allocated entirely to legal services, including consumer debt counseling for poor and elderly residents. Under the settlement, each attorney general has discretion for how its money is allocated, so if you are interested in receiving some of this money, we encourage you to reach out to your attorney general. The Legal Aid Interagency Roundtable's toolkit on how legal aid helps protect consumers is an advocacy piece that can help make the case. Download it [here](#).

Any questions or comments should be directed to Radhika Singh Miller at r.singhmill@nlada.org.

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At ABA Annual Meeting, Linda Klein Seeks More 'Assistant Arguers'

Daily Report

August 4, 2015

The American Bar Association provided the prepared text of remarks made Tuesday by Linda Klein, president-elect of the ABA.

Thank you all and thank you, President Hubbard, for an exceptional year filled with achievements in the advancement of our profession and access to justice.

President Hubbard, you confronted significant issues on behalf of the ABA and did us proud. I am confident that next year we will all be celebrating President Brown's many outstanding accomplishments too. Thank you to Jack Rives for working to assure the ABA is an organization that serves its members. Marina Jacks, whose service we celebrated last night, we can't celebrate you enough; we can't thank you enough, Marina. Our entire ABA staff also deserves our gratitude. They impress us every day with great ideas to make our association successful. I will have the special good fortune to be working with the talented members of the Office of the President, and I was afforded a sample of their great talent this week. A special thank you to Sarah Vetrano, Larnetta Buck and Ira Pilchen, who worked two jobs so he could help me.

The privilege I will have to serve our profession and work with you on all the issues we have before us is only possible with the encouragement and support I receive every day from my husband, Michael. Next month is our 30th wedding anniversary—I suspect we will be spending it at an ABA meeting and Michael says that is fine with him.

In Houston, I introduced you to some of my family and colleagues. I have some new faces for you to meet. Our Georgia office administrator, Hayley Barbre, is a dear friend. Hayley's assistance to me made it possible to manage and grow our firm in Georgia and I am grateful to her.

It's been said that an educated nation is the guardian of liberty, so teachers are our allies in advancing the rule of law. I'd like you to meet my sister Marla, Teacher of the Year at her school, her husband, Ralph, and their children, my niece, Rachel, 15, an honors student, and her brother, Alec, now 11, who showed signs of being a lawyer at an early age. When

he was 6 he told me that he wanted to come to court with me so that he could be my "assistant arguer" and help people.

Assistant arguers, arguers, all who persuade, need someone to listen. When we spoke in Houston, I told you that the ABA will listen. And that's what we've been doing. We've been listening to NBA members, to HNBA members, NAPABA members and lawyers at Section meetings. All of that was easy, but we weren't getting the whole picture. I realized that we, the ABA, had to get out of our comfort zone. So on July 1, I had the pleasure of beginning the morning with a group of lawyers in Fargo, N.D., then driving to visit lawyers in Sioux Falls, S.D., then driving to Mason City, Iowa, for lunch the next day with the lawyers there. Three visits, two days and 1,200 miles.

I met 150 lawyers. Sure, I met lawyers who were ABA members. That was comfortable. But I also met lawyers who were disconnected from the ABA, lawyers who had rarely experienced the ABA, who never thought the ABA listened to them.

Simply by listening, here is what I learned:

- We want a diverse profession
- We want mentors for our young lawyers
- We want young lawyers to be able to get a job and one that isn't dependent on a high salary to pay back large student loans.
- We want a collegial profession, despite a high-tech world and billable hour demands.
- We expect the ABA to be on the front line helping lawyers so they can help their clients
- We want access to justice for all

The problems we lawyers see are nearly universal. Our profession can solve these problems. The ABA will lead the way. We are the convener. We are the gold standard, the seal of approval for best practices. We are the American Bar Association.

This is a team effort. No one person is the ABA. Many people in this room traveled to join in the rededication of the ABA monument at Runnymede. President Hubbard spoke about that day beautifully yesterday.

Picture the group of British barons riding their horses out to confront King John, 800 years ago. The barons insisting that the government promise the protection of rights, protection from illegal imprisonment and access to swift justice. If any one of them rode out alone to make demands on the king, the king would not have listened. But as a group, they made a difference and required the king to respect their rights.

This is how the ABA gets it done. We work together. Think about ABA Day ,when lawyers from all 50 states convince their congressional delegations to appropriate funding for the Legal Services Corporation. It works every year.

Lawyers are leaders. That's a professional trait. The people in this room are leaders among a profession of leaders. We need all of us working together with the state and local and

minority and specialty bars and sections we also represent, to get our constituents excited about the ABA. You know that the ABA is relevant to lawyers. With over 3500 entities, the ABA has what lawyers need.

I am honored to work every day on membership growth and member service, but we need your help. Lawyers need to hear about the ABA from all of us.

When I was very young, my grandpa Harry would give me a nickel to play the jukebox at the diner. Looking through the glass front, I was amazed at all the choices there were—rows and rows of 45 rpm records. You could pick any song and play it so everyone in the room could listen, and hearing the music, they would all smile.

Thinking about the ABA, with all its entities and programs, reminds me of the jukebox with all the choices for lawyers and the public. The more I know about the ABA the easier it is to answer questions and find the right 45, the right program, to fit another lawyer's interests, and to present all the options for lawyers to choose. As leaders we need to know as much as we can about what the ABA has to offer. It's not just a jukebox now. With new technology the ABA is relevant [with] programs anytime, anywhere. It's like supplementing the jukebox with iTunes and Pandora.

In May I met a young in-house counsel for a tech company. I told him about the ABA's great work bringing justice to 18,000 rape victims in Congo. Like many ABA members, he knew nothing about this until he heard about it. He was proud of the ABA and said he wanted to support this good work.

Most lawyers don't know about the ABA training pro bono volunteers who are helping thousands of veterans, and unaccompanied children at our border. We must find ways to communicate to young lawyers, and all lawyers, about the ABA programs they can be proud of and they can use. While we must communicate what we are already doing, we can offer them even more.

Everything is changing rapidly. We must change rapidly to be relevant, to develop what lawyers need tomorrow, to help our members in ways meaningful to them. Lawyers must see the ABA come to them and ask the questions. They must know that the ABA is listening.

We're all in this together. Lawyers, judges, law students. We fight for justice, the future of legal education, protecting our courts, diversity in our profession. With so much to do, we must break through the silos between state, local, minority bars, and sections, divisions and forums. We need maximum leverage to get everyone to listen. When a new lawyer can't find a job or a court closes, even for a day, it damages everyone. It may not be your state or your practice area, but we can't allow even one pillar to fall. We are the family that works together. That's the power of the organized bar. That's the power of the American Bar Association.

To get everyone to listen, we need lots of assistant arguers like my nephew Alec. We need arguers who are ABA members and lawyers who are not yet ABA members and lawyers who need to come back to the ABA. We need arguers who are not lawyers, but appreciate the importance of the rule of law. The ABA monument at Runnymede is in an idle field, but the real monument to justice and the progress we are making on it is everyone in this room:

In every judge, in every law student, in every lawyer. No one rides out alone to meet the King.

We are with them. We are the American Bar Association.

Thank you.

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