



Access to Justice Board Meeting Agenda

**March 24, 2017 – 10:30 AM to 2:00 PM**

Clark County Public Service Center, 1300 Franklin St, Vancouver, WA 98660

**Call: 1-866-577-9294; Access: 52140#**

*Recognizing that access to the civil justice system is a fundamental right, the Access to Justice Board works to achieve equal access for those facing economic and other significant barriers.*

|        |  |                                   |        |        |
|--------|--|-----------------------------------|--------|--------|
| 3 min  | <b>February Board Meeting Minutes</b>  | Geoff Revelle                     | Action |        |
| 7 min  | <b>ATJ Board Report</b><br>* Support for HB 1186<br>* Website Redesign Project | Geoff Revelle and Diana Singleton | Report | pp 5-6 |
| 5 min  | <b>ATJ Conference Update</b>   | Diana Singleton                   | Report |        |
| 5 min  | <b>Equal Justice Coalition Operational Rules</b>                               | Geoff Revelle                     | Action |        |
| 7 min  | <b>Equal Justice Coalition Update</b>  | Sal Mungia                        | Report |        |
| 10 min | <b>Northwest Immigrant Rights Project Update</b>                               | Jorge Barón                       | Report |        |
| 10 min | <b>Northwest Justice Project Update</b>  | César Torres                      | Report |        |
| 10 min | <b>LFW Funding Report</b>  | Caitlin Davis                     | Report |        |
| 3 min  | <b>Other Updates, Upcoming Events</b>  | All                               | Report |        |

**Listening Session**

|        |  |                      |                       |  |
|--------|--|----------------------|-----------------------|--|
| 30 min | <b>Clark County Volunteer Lawyer Program</b> | Elizabeth Fitzgerald | Report and Discussion |  |
| 30 min | <b>Northwest Justice Project – Vancouver</b> | Karen Campbell       | Report and Discussion |  |
| 30 min | <b>Break for Lunch</b>                       | All                  |                       |  |
| 30 min | <b>Cowlitz Wahkiakum Legal Aid</b>           | Lori Bashor-Sarancik | Report and Discussion |  |
| 30 min | <b>Northwest Justice Project – Longview</b>  | Lisa Waldvogel       | Report and Discussion |  |



**Access to Justice Board Meeting Minutes**  
**February 17, 2017, 10:00 AM to 12:00PM**  
Washington State Bar Association, 1325 4<sup>th</sup> Ave, 6<sup>th</sup> Floor, Seattle  
Call: 1-866-577-9294; Access: 52140#

**Present:** Geoff Revelle (Chair), Nick Gellert, Hon. Laura Bradley, Lindy Laurence, Lynn Greiner, Francis Adewale, Mirya Muñoz-Roach and Sal Mungia

**Absent:** Andy Sachs, Hon. Anita Crawford-Willis

**WSBA Staff:** Terra Nevitt, Diana Singleton, and Bonnie Sterken

**Guests:** Amber Rush, Kim Risenmay, Aurora Martin, Jennifer Brugger, Noah Samuels, Merf Ehman, Miguel Willis, Paul Bastine, Steve Crossland

**Minutes:** The December board meeting minutes were approved without edits.

**ATJ Board Chair and Staff Report:**

**Access to Justice Conference:** Diana reported that the ATJ Conference is happening on June 2-4 in Yakima. The Conference Planning Committee is reviewing workshop proposals with an eye towards selecting those that will help create a transformative conference. The Board is hosting a session following the Goldmark Award Luncheon to provide an opportunity for discussions about different policy issues relating to the new federal administration. The conversations will help inform the Conference Planning Committee in designing the schedule. Diana invited people to let her know if they have feedback for the focus of the Conference.

**Ad Hoc Funding Group:** Geoff reported that an ad hoc funding group of Alliance leaders has been convened to look at the current funding protocols and see if they need to be updated. The first meeting was mostly informational and the discussion covered what makes sense in the current climate. In the second meeting people shared their views and opinions about fundraising, what should be allowed, and how money should be allocated. They are having another meeting sometime around the end of March, and Geoff is soliciting ideas for the agenda for that meeting. The ad hoc group is not making any decisions but will circulate ideas to the wider Alliance for feedback and potentially adopting a formal position at a later time.

**ATJ Tech Fellows Program:** Miguel reported on the launch of the ATJ Tech Fellows Program. The program trains students on the use of technology to enhance legal services delivery. People who work in technology and legal services around the country teach the trainings. The fellows work 10 weeks at a legal services organization on a technology program. They are currently partnered with 11 organizations around the country, including Northwest Justice Project. They received applications from students at over 40 schools. The program is seeking partnerships and funding. Each student receives a summer stipend and Miguel is

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[www.wsba.org/atj](http://www.wsba.org/atj)

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looking for a place to house the project long-term. He has started conversations with the ABA and LSC to see what types of collaboration would look like, but he is trying to keep the project here in Washington State. They are currently fiscally sponsored and housed by Seattle University. Miguel opened up for questions and more information can be found at [www.atjtechfellows.org](http://www.atjtechfellows.org). The ATJ Board agreed to continue to discuss and see how they can support the program, particularly through the Technology Committee. The Board commended Miguel for all that he is doing for the program and the program itself.

**State Plan Update:** Terra reported on the progress for developing the final draft version of the state plan. The draft has been circulated for feedback. Alliance providers are asked to forward the plan to community partners for feedback. Ways to provide feedback include focus groups around the state, a survey and submitting open comments by email. Feedback is due April 17. The Consensus Group will review and consider feedback on April 24 and forward their final version of the plan to the ATJ Board for adoption at its May meeting. The final plan will be presented at the ATJ Conference in June. Terra summarized the content of the plan, and the draft was included in the meeting materials. Geoff thanked Terra for all the work that she has done on this project.

**Pattern Forms Letter and Interpreter Check Box:** Judge Bradley reported on the intent of the letter to ask that the Pattern Forms Committee include an interpreter check box on mandatory family law pattern forms. The letter was included in the meeting materials. She asked for approval for sending the letter from the ATJ Board to the Pattern Forms Committee. After discussion a motion to approve sending the letter passed unanimously.

**Legal Aid Lobby Day:** Sal reported on the success of Legal Aid Lobby Day. Approximately 100 people were there and he summarized the various meetings that took place. Everyone thanked the EJC for helping to organize. Lynn added that it was a fun, easy, and well organized event.

**Limited License Legal Technicians Update:** Steve Crossland reported on the background of the Limited License Legal Technician Board and process for establishing the profession. The first practice area was family law and now they are looking to add a second practice area. They will be recommending Estate and Healthcare Law as the next practice area to the Court in a month. They chose this area because they see an unmet need and the ability of LLTs to provide services in this space. If approved by the Court, next steps would be to develop the curriculum in this practice area. Steve noted that other states are looking at adopting a similar rule. Steve addressed questions and some topics covered included the demographics of people using and applying for the program, how they are trying to engage in rural areas, how the program overlaps with access to justice issues, ways to encourage minority students to apply for the program, and ways to partner with volunteer lawyer programs (particularly in rural areas).

**GR 36:** Nick reported on the rule proposal that was presented to the Court and circulated for comment. He summarized the focus and background of the rule. Nick reported that the ATJ Rules Committee's consensus was to show support for the goal of establishing a better process. The Rules Committee also discussed that the proposal is limited to race-based jury strikes and the committee supports the addition of gender-based strikes. Nick asked for approval to submit this as a comment. Sal moved that the ATJ Board support the proposed rule and encourage the Court to also include gender as one of the protected classes, and Francis seconded. Sal added additional details on the proposed rule and the alternative rule including gender. The motion passed unanimously.

**WSBA BOG Liaison Update:** Kim Risenmay provided an update from the WSBA Board of Governors. He reported that updates to the WSBA Bylaws now include LLLT and LPO practitioners as full members of the WSBA. The BOG also adopted a rule that would add three new members to the BOG, including two public members and one position reserved for either a LLLT and LPO practitioner. LLLTs and LPOs will now have full access to all of WSBA's services. Kim also provided a summary of the LLLT program.

**Funding Update:** The Legal Foundation of Washington provided a written report in the materials to summarize their work in 2016. Caitlin Davis will be invited to present at the next meeting to discuss the report in more detail.

The meeting adjourned at 11:30am



MEMBERS

Hon. Laura Bradley  
Hon. Anita Crawford-Willis  
Geoffrey G. Revelle, Chair  
Nicholas P. Gellert  
Lynn Greiner  
Mirya Muñoz-Roach  
Andrew N. Sachs  
Francis Adewale  
Lindy Laurence  
Salvador Mungia

STAFF

Diana Singleton  
Access to Justice Manager  
(206) 727-8205  
dianas@wsba.org



March 17, 2017

Sen. Mike Padden  
Chair, Senate Law & Justice Committee  
106 Irv Newhouse Building  
PO Box 40404  
Olympia, WA 98504

Sen. Jamie Pedersen  
Ranking Minority Member, Senate Law & Justice Committee  
235 John A. Cherberg Building  
PO Box 40443  
Olympia, WA 98504

RE: Support for the HB 1186 relating to Reimbursement of Court Interpreter Services

Dear Senator Padden and Senator Pedersen,

The Washington State Access to Justice Board urges you to support increased funding to the trial courts for the provision of court interpreters. The Access to Justice Board, established by order of the Washington Supreme Court in 1994, is charged with achieving equal access to the civil justice system for people facing economic and other significant barriers. Access to justice for individuals with limited English proficiency can never be achieved without adequate access to language services. This funding will help ensure that interpreter services are provided in all cases involving a person with limited English, which is a necessary and important step in providing meaningful access to our justice system and fulfilling our State's obligations under Title VI of the federal Civil Rights Act of 1964. Simply stated, language access is not a luxury and it is not a cost that should be passed on to court users.

The American Bar Association's Standards for Language Access in Courts, adopted in 2012, noted that a very high level of English proficiency is required for meaningful participation in our court system due to the use of legal jargon, the structured nature of court proceedings, and the stress normally associated with such proceedings. "Lack of language access services exacts a serious toll on the justice system. . . . with devastating consequences to life, liberty, family, and property interests." In the 2015 report "State of the Judiciary", then Chief Justice Madsen reported that language assistance was one of the most urgent funding needs, stating "With more than 200 different languages being spoken in Washington, qualified interpreters are critical to ensuring both access and fairness in the trial courts."

The need is substantial - seventy-eight different languages were interpreted in Washington State in 2014, with even the smallest courts reporting a need for interpretation services in up to 10 languages; meanwhile quality interpretation services are difficult and expensive to obtain. The need for interpreter services has only increased since that time. Many courts have difficulty determining when an interpreter is needed, have no mechanism for providing one prior to a hearing, and have no consistent policy or practice regarding who should pay for the services. This is a serious access to justice issue that increased funding would help remedy.

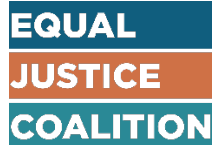
Thank you in advance for helping to ensure meaningful access to the justice system for everyone in our state.

Sincerely,



Geoff Revelle  
Access to Justice Board Chair

CC: Sen. Steve O'Ban, Vice-Chair, Senate Law & Justice Committee  
Sen. Jeannie Darneille, Member, Senate Law & Justice Committee  
Sen. Jan Angel, Member, Senate Law & Justice Committee  
Sen. David Frockt, Member, Senate Law & Justice Committee  
Sen. Lynda Wilson, Member, Senate Law & Justice Committee  
Paula Littlewood, WSBA Executive Director



## Equal Justice Coalition Operational Rules

### I. Equal Justice Coalition (EJC)

#### a. Composition

- i. The EJC is an opt-in coalition composed of stakeholders (organizations and individuals in support of civil legal aid) in Washington State.
- ii. The EJC Executive Committee is composed of:
  1. EJC Chair
  2. EJC Chair-elect, if applicable
  3. Communications & Advocacy Director of the Legal Foundation of Washington (aka EJC staff)
  4. Executive Director of the Legal Foundation of Washington
  5. EJC's Contract Lobbyists
  6. 1-2 volunteers, as appointed by the Executive Committee

#### b. EJC stakeholder duties

EJC stakeholders shall use best efforts to:

- i. Attend semi-annual EJC meetings
- ii. Prepare for participation in EJC meetings by reading the meeting materials sent before the meetings; and
- iii. Actively participate in EJC calls-to-action and advocacy efforts, as communicated and directed by the EJC Executive Committee.

#### c. EJC Executive Committee member duties

The EJC Executive Committee is responsible for the day-to-day operations of the EJC, and Executive Committee members shall use best efforts to:

- i. Deliver timely and informative communications to EJC stakeholders, including but not limited to "Action Alerts," advocacy one-pagers, and legislative updates
- ii. Meet on a weekly basis while the state legislature is in session to ensure effectiveness of advocacy efforts
- iii. Prepare materials for and facilitate semi-annual EJC meetings; and
- iv. Report to the Access to Justice Board on a monthly basis.

### II. EJC Meetings

- a. Form of meetings
    - i. EJC meetings give stakeholders an opportunity to receive updates from the Executive Committee, provide feedback to the Executive Committee, and make decisions regarding the strategy and focus of upcoming advocacy efforts.
    - ii. EJC meetings are held in-person and also accessible by phone.
  - b. Frequency
    - i. The EJC will convene its stakeholders twice per year. Once after the state legislative session adjourns and once before the next state session begins. The timing of these meetings will vary year to year, depending primarily on the length of the state session.
    - ii. Special meetings may be called by the EJC staff, EJC Chair, or the Executive Committee as a whole.
  - c. Decision making
    - i. The EJC strives to make all decisions by consensus of its stakeholders, as the effectiveness of our advocacy is dependent on our unified efforts. As such, decisions will be made by consensus of those EJC stakeholders in attendance during the meetings.
    - ii. In the event that we cannot reach consensus, the Executive Committee will determine course of action.
- III. EJC Chair
- a. Chair
    - i. Selection
 

The EJC chair will be selected by the Executive Committee and approved by EJC stakeholders
    - ii. Term
 

The EJC chair will serve one two year term, beginning in an even year.
    - iii. Duties
 

The Chairs shall:

      1. Coordinate with the EJC staff on meeting schedule, agendas, and facilitation for both the EJC stakeholder meetings and the EJC Executive Committee meetings
      2. Serve as a member of the Executive Committee.
      3. Serve as a means of oversight for the EJC staff
      4. Work with the EJC staff and Executive Committee to ensure the EJC advocacy efforts are moving forward.



**MEMORANDUM**

At your

1325 Fourth Avenue  
 Suite 1335  
 Seattle, WA  
 98101-2509

Ph: (206) 624-2536  
 Fax:(206) 382-3396

|              |   |
|--------------|---|
| <b>To:</b>   | Access to Justice Board   |
| <b>From:</b> | Caitlin Davis, Executive Director<br>Legal Foundation of Washington |
| <b>Date:</b> | February 10   |
| <b>Re:</b>   | LFW – End of Year Revenue Report                                    |

At your January meeting, I shared with you LFW’s 2017 grants decisions. This written report is intended to provide you with additional information about LFW’s revenue in 2016, which enabled us to make those grants possible. Following this report, please find three attachments.

First is the year-end IOLTA revenue report. As you can see, IOLTA revenue for 2016 was just over \$2M, nearly a 20% increase from 2015. While it falls far short of our highest IOLTA year ever (2007 – \$9.8M), there is some upward progress. Although the Federal Funds Rate has been raised by 50 basis points in the last year, the banks we work with have not yet increased the interest rate they pay on deposit accounts. This is consistent with what other IOLTA programs around the country have reported. We attribute the increase in revenue to larger balances in pooled trust accounts.

The second attachment provides detail about cy pres revenue. 2016 was not a great year for cy pres revenue, but we are grateful for what we received, including a last minute residual of \$175,000. We are hopeful about the impact of a rule change that would potentially double this revenue source. Please submit a letter of support to the Court!

In terms of our private charitable fundraising results, we are pleased to report that our efforts exceeded all of our goals in 2016. LFW’s Campaign for Equal Justice raised \$1,306,269, a 10% increase over 2015. The Endowment for Equal Justice received over \$1M in cash and pledges in 2016, which generated over \$650,000 for annual grants in 2017.

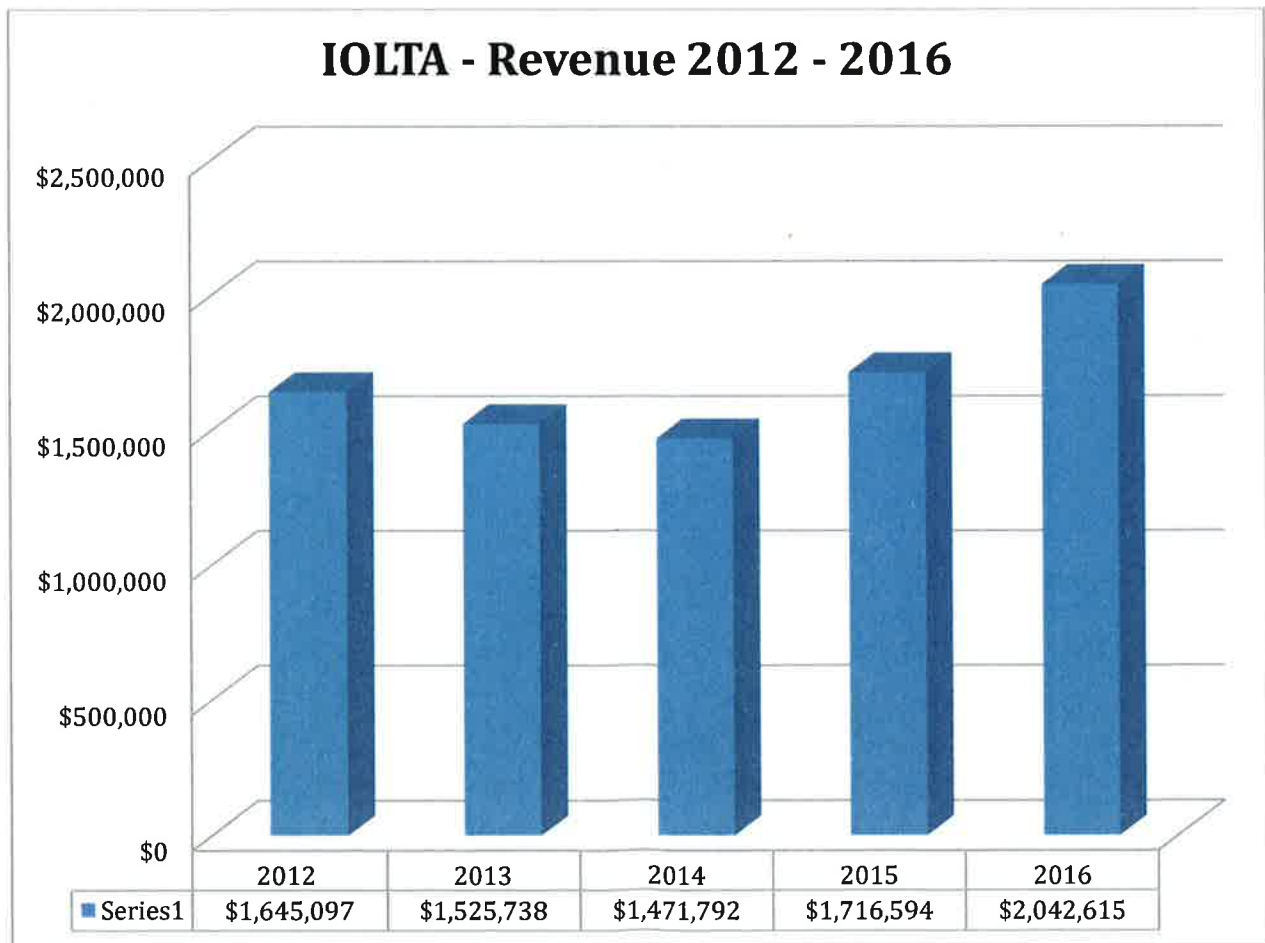
I’m sorry I can’t be with you in person for your meeting, however I’m happy to answer any questions you have by phone or email.

Finally, thanks to all of you for your support for legal aid. LFW could not do its work without the ATJ Board’s commitment and partnership.

## Memorandum

To: Board of Trustees  
 From: Linda D. Graham  
 Date: February 17, 2017  
 Re: **IOLTA Report**

The IOLTA revenue for 2016 was \$2,042,615 with the average monthly revenue being \$170,218. This is a 19% increase from 2015.





# MEMORANDUM

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|              |                   |
|--------------|-------------------|
| <b>To:</b>   | Board of Trustees |
| <b>From:</b> | Linda D. Graham   |
| <b>Date:</b> | February 17, 2017 |
| <b>Re:</b>   | Cy pres report    |

| Recipient Program | Result of CR 23? | Case Name   | Date Received         | Amount                     |
|-------------------|------------------|---|-----------------------|----------------------------|
| LFW               | Yes              | <i>Hesse v. Sprint Corp</i>   | 3/24/2016             | \$8,354.09                 |
| LFW               | Yes              | <i>Vaca-Tamoyo v. Painter's Unlimited</i>                               | 3/28/2016             | \$4,145.28                 |
| LFW               | Yes              | <i>Barker v. Debt Aid Processing, Inc</i>                               | 6/7/2016              | \$322.04                   |
| LFW               | Yes              | <i>Smith v. Sun Trust Mortgage, Inc</i>                                 | 7/7/2016              | \$7,696.71                 |
| LFW               | Yes              | <i>Bruner v. Davis Wire Corp.</i>                                       | 8/22/2016             | \$402.09                   |
| LFW               | Yes              | <i>Peterson v. Spokane County</i>                                       | 8/24/2016             | \$31,970.85                |
| LFW               | Yes              | <i>Thompson v. Green Financial Services, et al.</i>                     | 9/15/2016             | \$4,342.98                 |
| LFW               | Yes              | <i>Thompson v. Green Financial Services, et al.</i>                     | 10/11/2016            | \$7,949.64                 |
| LFW               | Yes              | <i>Body Recovery Clinic LLC v. Concentra Inc. et al.</i>                | 10/31/2016            | \$15,580.34                |
| LFW               | Yes              | <i>Rinky Dink Inc. et al v. Electronics Merchant Systems Inc. et al</i> | 11/8/2016             | \$5,719.07                 |
| LFW               | Yes              | <i>Chan et al v Wells Fargo Home Mortgage et al</i>                     | 12/8/2016             | \$5,523.33                 |
| LFW               | Yes              | <i>O.S.T. v. Regence Blueshield</i>                                     | 12/29/2016            | \$175,218.33               |
|                   |                  |   | <b>Total for 2016</b> | <b><u>\$267,224.75</u></b> |

**To:** LFW Board of Trustees

**From:** Melinda Mann, Chief Development & Stewardship Officer  
Natalia Fior McMahon, Annual Campaign Director

**Date:** February 17, 2017

**Re:** 2016 Endowment Fundraising Update and 2016 Campaign for  
Equal Justice Annual Fund update

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- **Endowment Cash/Pledges Raised for 2016** : Thanks to hard work and generosity of our donors, the Endowment raised \$1,056,000 in cash and pledges in 2016! And we are pleased to report that the Endowment fund currently sits at approximately \$15.5M after the distribution to LFW due to this robust fundraising and a strong rally in the market at the end of the year. It's a great place to be at the start of 2017.
- **NEW Endowment Coordinator**: Please welcome our new Endowment Coordinator, **Brendan Hennessey**. Brendan is a recent graduate of University of British Columbia and has worked for the Borgen Project as a fundraising assistant and also worked at the Garden City Group, which provides administrative support for class action cases. Brendan is familiar with the legal community as his father is a partner at Smith and Hennessey which supports legal aid through the King County Law Firm Campaign. You'll meet him at the January board meeting and in the meantime he can be reached at [brendan@legalfoundation.org](mailto:brendan@legalfoundation.org)
- **Endowment Board Officers**: The following slate of officers was approved at the January Board Meeting:
  - President: John Hoerster
  - Vice President: Ellen Dial
  - Secretary: Carolyn Cairns
  - Treasurer: Bruce Brooks
- **Communications Update**:
  - **Survey Responses**: We received a decent 7% response to our survey and we uncovered 21 people who would like more information about the Justice Society. I'll provide a brief presentation at the board meeting.
  - **Major Donor Brochure**: This foundational piece is finished, printed and ready for use. I'll bring copies to the board meeting.
  - **Endowment for Equal Justice webpage** ([www.legalfoundation.org/Endowment](http://www.legalfoundation.org/Endowment)) is live and we received a couple gifts via the donation page at the end of the year.

**Upcoming Reach 20 Activities:**

- **Two Reach 20 dinners** in the first quarter of 2017
- **Scheduling stewardship lunches:** Brendan and I will be working with each board member on their personal list of donors to steward. We will discuss this and our top list of donors at the board meeting as it may make sense for board members to team up on some potential donors.
- **Creating a video** for use at the Reach 20 Dinners
- **Relaunching the Justice Society** which will include a planned giving focus group.
- **Goldmark VIP Reception:** This is an opportunity to invite Advisory Council, major donors and others together for a social gathering in support of our Goldmark Award winners.

We look forward to working with you throughout 2017 as we raise awareness about the Endowment in the legal community (beginning of Phase II of Reach 20), make strategic solicitations and rein in more funds for legal aid.

CAMPAIGN for

**EQUAL  
JUSTICE**

**Campaign for Equal Justice News:** Our annual fund drive, which includes the Goldmark Award Luncheon, regional events such as Beer and Justice, our law firm campaigns and the WSBA opt out, was very successful in 2016 and saw a marked increase in contributions and new donors. This increase was due in no small part to the efforts of campaign director Natalia Fior McMahon, who provided great leadership and guidance to the campaign board and volunteers around the state! See the numbers below.

**Campaign for Equal Justice Total Amount Raised: \$1,306,269**

*\$127,926 more than 2015. A 10% increase!*

**2016 King County Law Firm Campaign Total (cash & pledges): \$562,650**

*\$35,500 more than 2015. A 6% increase*

**2016 Pierce County Law Firm Campaign Total (cash & pledges): \$47,875**

**Upcoming Events:**

**Beer & Justice Happy Hour Events**

We have started planning our calendar of events for 2017 and we are planning Beer & Justice events in the following locations: Seattle, Bellevue, Yakima, Bellingham, Spokane, Tacoma, Snohomish County. We are considering new events this year in Vancouver and Wenatchee. Beer & Justice events are a happy hour event to raise awareness of the Campaign for Equal Justice and to raise funds. We work with our Campaign board members and grantees in the area to help promote the work of our local grantees and to remind folks of the power of our united fundraising model that provides consistent annual funding for legal aid across our state.

**Phonathons**

These are a tried and true method of fundraising for the Campaign and we will continue our successful phonathons in 2017 in the following areas: Whatcom, Skagit, Clark, Chelan-Douglas and Snohomish counties.