



MINUTES
Access to Justice Board
July 12, 2013
WSBA CLE Conference Center
1:00 – 3:30 p.m.

Present: **ATJ Board Members** Chair Kirsten Barron, Hon. Lisa Atkinson, Breean Beggs, Hon. Anita Crawford-Willis, Ishbel Dickens, Nick Gellert, Lynn Greiner, Geoff Revelle, Dr. Marion Smith, Jr.; **ATJ Board Committee Chairs and Members** John Midgley, César Torres, Jim Bamberger, Eric Gonzalez Alfaro, Brian Rowe, Don Horowitz, Jorge Barón, Pam Feinstein (by phone); **Liaisons** Dan Ford (WSBA Board of Governors), Hon. Lisa Sutton (by phone) (Superior Court Judges Association), Will Ross (WSBA Pro Bono and Legal Aid Committee); **Guests** Naria Santa Lucia, Andrea Axel, Debbie Nelson, Stephanie Wilson, Mark Johnson, Paul Bastine; Staff Joan Fairbanks, Burton Eggertson, Kiley Thornton, Charley Dyer.

Approval of May 3, 2013 ATJ Board Meeting Minutes: The minutes were approved as submitted.

ATJ Board Chair's report: Kirsten Barron reported on the ATJ Board's June 7, 2013 retreat. The Board agreed to conduct an evaluation of its work. The Board also developed draft priorities for the next two years which are on this agenda for discussion. Kirsten also thanked Charley Dyer for his service as manager of the Pro Se Project and presented him with a plaque.

Funding Report:

State Funding: Equal Justice Coalition Director Eric Gonzalez Alfaro and Office of Civil Legal Aid Director Jim Bamberger reported on the results from the legislative session, which funds the Office of Civil Legal Aid at \$23.186 million for the FY 2013-15 biennium. It does not continue or carry forward the \$490,000 in supplemental JSTA funding received in 2012. They thanked all who worked hard to achieve these results.

Jim reported on a meeting held earlier in the week to begin to plan for the 2014 interim legislative session. Participants agreed in principle to pursue a request in the supplemental budget to enable the Northwest Justice Project to replace its phone system, which is losing functionality. A new phone system would have a more sophisticated ability to interface with the Alliance and to build capacity for the future. He is working with NJP to put together a statement of need, and NJP will get an outside assessment of the status of its current system. The anticipated costs is \$350,00 - \$400,000.

LAW Fund: LAW Fund President Mark Johnson thanked the ATJ Board for its fifth consecutive year of 100% participation in the Campaign for Equal Justice.

LAW Fund Director Naria Santa Lucia introduced Stephanie Wilson, LAW Fund's new Development Coordinator. LAW Fund has created the Baker Cup to be presented to the county with the most judges who participate in the Campaign. Naria reported that LAW Fund is 60% ahead in funding from one year ago. There are 820 new donors, and LAW Fund has recaptured 1,245 donors. There have been upgrades in 361 gifts. The biggest decline has been the opt-out on the WSBA license fee of 23%. Other

efforts have been high, including Give Big and the Whatcom County phone-a-thon (an increase of 1.26% from last year). This year the Campaign for Equal Justice has launched a law firm associates campaign. It also is partnering with Pierce County on its law firm campaign. The Endowment for Equal Justice is 1,184 % ahead of last year and is now at \$7.2 million. The Laurel Rubin Fund is almost 300% ahead of last year, having raised \$8,876 this year.

King County Funding: Eric reported that the Equal Justice Coalition has worked on increasing King County funds for Alliance programs. This year the King County budget included \$302,000 for five Alliance programs; funding was expanded for six programs. The annual budget process will begin shortly and the EJC will work to maintain those levels.

Federal Funding: NJP Director César Torres reported that Legal Services Corporation (LSC) funding has been on a continuing resolution. The Senate recently endorsed the White House budget number for the next fiscal year, although there may be another year of sequestration. There was a 7% cut in the LSC budget this year which will carry forward to next year. Since this is a compounding cut, it constitutes a 14% cut. In 1981, federal LSC funding was \$320 million. If adjusted for inflation, LSC funding would be \$750- 800 million in today's dollars. NJP's ability to maintain its current footprint is now dependent on what happens at the federal level.

Discussion and approval of proposed 2013-14 ATJ Board Priorities: The ATJ Board convened a full discussion of these priorities, which included consideration of a number of memoranda from interested stakeholders included in the meeting materials. The ATJ Board will consider these suggestions and develop a final set of priorities. There was a suggestion that in the future the ATJ Board solicit suggestions for priorities prior to its annual retreat, at which those priorities are developed.

Status of Discussion on Information Gathering, Research, Assessment and Evaluation:

Evaluation of the ATJ Board: Joan reported that the ATJ Board will be conducting an evaluation of its work. It is hoping to do this in collaboration with the Public Welfare Foundation, which is interested in an assessment of all state ATJ Boards and Commissions.

Hallmarks Revision: Several participants in the Leadership Academy are reviewing the Hallmarks and will propose their recommendations at the Academy's October retreat.

Data Collection: Andrea Axel is convening a workgroup for this purpose.

Civil Legal Needs Study: Jim Bamberger has updated the ATJ Board and Alliance with a recent e-mail about the status of the Study.

Proposed ATJ Comments to CJC 2.2 and 206: Nick Gellert reported that the ATJ Board had presented an initial draft of these comments to the Supreme Court at its June 6, 2013 meeting. The Court requested that the ATJ Board solicit comments on this draft from appropriate stakeholders and resubmit proposed final comments to the rule to the Court in the fall. The ATJ Board approved a draft cover letter to be sent to the judicial associations and others soliciting feedback.

Proposed ER 901: ATJ Board Technology Committee Chair Brian Rowe and Technology Committee Member Don Horowitz 901 reported that the WSBA Rules Committee has proposed a section on electronic e-mail. The Technology Committee has concerns that the rule may have an adverse impact on individual litigants, and is requesting that the BOG send it back to the Rules Committee; and that the WSBA Rules Committee consult with experts to develop language to make the rule easy to use and to

prevent abuse. The Technology Committee has consulted with Barbara Endicott-Popovsky, a leading technology on information security, in preparing materials to be considered by the BOG and the WSBA Rules Committee. The ATJ Board approved the request and the materials will be submitted to the BOG for consideration at its July 26-27, 2013 meeting.

Approval of 2013 ATJ Board Awards: The ATJ Board approved the awards. The Awards Committee will reconvene to consider their presentation now that there is no longer an annual ATJ Conference.

Legal Community Events: The ATJ Board has proposed a new process for assigning people to attend these events. The ATJ Board will send out an e-mail to the Alliance prior to each Board meeting inquiring whether there are events that an ATJ Board member would be welcome to attend. Volunteers will be solicited at each Board meeting.

Update on September Advocacy Conference: Conference Coordinator Pam Feinstein reported that the September 11-13, 2013 conference will be held in Ellensburg. Invitees are limited to Alliance attorney advocates and the directors of pro bono programs funded by OCLA or LFW. To date, 243 people have registered. There are 40 workshops. Pam will share the full agenda when it is completed.

ATJ Board's Role in the WSBA Governance Task Force: BOG Liaison Dan Ford reported that WSBA has convened a governance committee and is soliciting responses to questions from various stakeholder groups, including the Access to Justice Board and community. The goal is to begin a dialogue, which will start with a Town Hal meeting on August 12 at the WSBA Conference Center. The ATJ Board will re-draft some of the questions and send them to the Alliance. There may be a separate ATJ Board response given its unique relationship to WSBA. The ATJ Board Executive Committee will develop and oversee a process for soliciting and compiling the feedback.

Thank you, Allison Durazzi: The ATJ Board hosted a thank you party for Allison Durazzi who is leaving her position as staff to the ATJ Board. The Board presented her with Flame of Justice.