



Access to Justice Board Meeting Minutes
October 14, 2016, 10:00 AM to 12:00PM
Washington State Bar Association, 1325 4th Ave, Suite 600, Seattle
Call: 1-866-577-9294; Access: 52140#

Present: Geoff Revelle (Chair), Lynn Greiner, Nick Gellert, Hon. Anita Crawford-Willis, Hon. Laura Bradley, Mirya Muñoz-Roach, Lindy Laurence, Francis Adewale, and Andy Sachs

Staff: Alison Grazzini, Diana Singleton, and Jessica DiPietro

Guests: Threesa Milligan, Christopher McBride, Jennifer Werdell, Kim Risenmay, César Torres, Sarah Eaquinto, Jennifer Greenlee, Caitlin Davis, Judge Bowden, and Mark Chattin

Minutes: The September 16 board meeting minutes were approved with César's edits.

ATJ Board Chair's Report: Geoff opened the first Access to Justice (ATJ) Board meeting of the 2017 fiscal year, offering his time to anyone who wants to meet about ATJ-related matters throughout his term. His main priorities are 1) to have the State Plan adopted and implemented and 2) to address funding issues, including how funds are raised and allocated.

Facilitator Related Fee: The ATJ Board received a letter from Presiding Commissioner Karena Kirkendoll of the Pierce County Superior Court asking the Board for its opinion concerning a payment of a \$20 user fee by people who wish to utilize optional services of their family law facilitators for assistance in filling out forms. This issue could have an impact on other areas of our state depending on which courts rely on the fees to fund the court facilitators and which courts require meeting with the facilitator. In Pierce County, the facilitator position is funded by a flat facilitator fee and user fee (there is no sliding scale fee structure). Clerks worry that if a fee waiver policy goes into effect, the position will be unfunded. In King County, pro se litigants are required to have one meeting with the family law court facilitator, and the fee for this mandatory meeting is waived.

Lindy shared that she had recently had a conversation with Commissioner Kirkendoll about this issue and she and Judge Bradley will be meeting with her next week. They will ask Commissioner Kirkendoll about data on the number of people who would need this waiver. Lynn also suggested reaching out to Janet Skreen and working with the Justice without Barriers Committee (JWOB), who have already worked with court facilitators in the past. It was decided that the issue will be referred to the JWOB Committee.

State Plan Update: Threesa reported that the State Planning Consensus Group cancelled their upcoming phone meetings in lieu of an all-day meeting on November 9th to finish the proposal. Originally, the group was concerned with the readability of the plan. However, they have now decided to focus only on the content, which will be put out for comment. Some strategies within the goals have named specific organizations. The Consensus Group is in the process of reaching out to those organizations and

determining responsibility and expectations once the plan is released. They expect to have a finished draft of the plan shortly after November 9th.

Joint December Meeting with Minority and Justice Commission, Gender and Justice Commission, and Interpreter Commission: Francis reported that all of these Supreme Court commissions will meet along with the ATJ Board on the morning of December 2 to promote equity and access to justice. We will have opening remarks and a plenary to learn about what all the commissions and the board are working on. Then, there will be a transition into breakout sessions for the remainder of the morning, with some of the respective groups meeting afterwards for their regular meetings. While the intended audience is the commissions and the ATJ board, the meeting is open to anyone. The theme for the day is *Race, Equity, and Access to Justice*.

Equal Justice Community Leadership Academy – Update and Support for Grant Application: Jennifer presented on the Equal Justice Community Leadership Academy (EJCLA), which provides intentional and strategic leadership training for Alliance and community groups. Based on the Shriver Center curriculum, this program is the first to adapt the curriculum on a statewide level. So far they have graduated 85 participants, just over 40% of whom are from outside of King County. The EJCLA evaluation found that graduates are using the tools, sharing the tools they have learned, and engaging more in the community. Graduate Mark Chatten shared how it helped motivate him personally to find his voice and professionally to revive his organization by increasing United Way funding from \$13,000 to \$110,000. Francis added that the goal of the ATJ Board to break down barriers and connect communities is aligned with the Leadership Academy, which has been able to help him apply these tools in his own region.

Jennifer reported that while the EJCLA does not intend to make a funding request until the next fiscal year, she would like to come back to the ATJ board to gauge interest in participating in the ongoing governance of the academy. The Leadership Academy has partnered with Wayfind to become an independent 501(c)(3). They plan to have all paperwork in by January 1 and have the program running before the next cohort which is rescheduled to start in March 2017. Geoff requested that Jennifer send him all draft corporate documents to review before submission. Geoff asked for a motion to approve finalizing and sending the draft grant request to the Legal Foundation of Washington (LFW). Judge Bradley moved, and Lindy seconded. The motion passed unanimously.

Law Student Pro Bono Report – University of Washington School of Law: Christopher McBride, a University of Washington (UW) 2nd year law student, reported as the President of the Street Youth Legal Advocates of Washington (SYLAW). The group has worked with the Orion Center and Seattle University (SU) to talk with homeless youth about their rights during street sweeps. Their main project is a record sealing project with TeamChild. Record sealing is not alleviating existing issues within the street youth community, so they are looking for what else they can do. Young aspiring attorneys cannot give legal advice even though they work one-on-one with a lot of clients, and it's difficult for them to find lawyers who want to supervise aspiring attorneys. Nick asked if Rule 9 were to be amended, it could create capacity and opportunity to expand the services of their group. Chris will follow up with Nick after the meeting about his thoughts.

The group is also struggling to understand the various players in the community. Lynn suggested connecting with the Youth Law Taskforce to find out key information. Lindy asked if the clients SYLAW works with have issues with legal financial obligations or driver's license reinstatement, but Chris said the Orion Center has that issue under control.

Rules Committee report on Rule 413: On behalf of the Rules Committee, Nick recommended that the ATJ board hear directly from both the proponents and opponents of Rule 413. The Rules committee is split, but generally supports the rule. Rule 413 will be on the agenda for the next ATJ board meeting, with the goal of having representatives from the Prosecutors, Defenders Association and others present.

CR 55: The CR 55 workgroup had another discussion earlier this week with members from the judges and clerks associations and NJP. They made additional progress in identifying areas to satisfy concerns.

Committee & Liaison Reports:

Communications Committee: Lynn reported that the next quarterly ATJ newsletter in January will focus on the Equal Justice Coalition (EJC), legal aid lobby day, and showcase innovative communications strategies as models for how to more effectively talk about civil legal aid work. The latter article will set the stage for a Legal Voices workshop on effective communication at the ATJ Conference. The newsletter is currently only going to 409 subscribers, so the committee's goal is to increase that number and broaden the audience. Meanwhile, the ATJ Leadership list serve will be changed to the ATJ Community list serve on October 21. WSBA staff is gathering email addresses to add to both lists. Please forward the email announcement to all colleagues inviting them to join the list serve and newsletter lists.

There is no centralized coordinated portal for the Alliance for Equal Justice ("the Alliance") so the Website Redesign Workgroup plans to revitalize the Alliance website as an umbrella site with existing websites evolving from it, for example the living history project, a calendar, links to providers, a portal for client services, a training section, and performance standards. While originally the committee had hoped to have the website finished by the end of October, this is a larger project than originally thought. The plans are for the content tree to be done by the end of the year, a website designer be hired at the beginning of 2017, and the site be unveiled at the ATJ conference in the summer.

Leadership Development Committee: Diana reported that the Leadership Development Committee is working on how to get law students more directly engaged with the ATJ Board, so they are incorporating more reports from law students in the ATJ Board meetings. They are also working on strategies for connecting new ATJ Board members with Alliance members.

WSBA BOG Report: Kim Risenmay reported that when the Board of Governors (BOG) met two weeks ago, they decided that Limited License Legal Technicians (LLLTs) and Limited Practice Officers (LPOs) will be WSBA members with voting rights. They tentatively created one (1) governor position to be filled by an LPO or LLLT and two (2) positions for non-attorney members of the public, which is contingent upon Supreme Court approval of the expansion of BOG member positions from 15 to 18. The bylaws were amended to clarify that all WSBA officers must be lawyer members and that 14 governor positions must be filled by lawyers.

The budget for 2017 was approved for \$18.9M of expenditures and \$2.5M from reserves. Their objective is to spend down the excess reserve and reduce it to just above \$2M. New lawyer license fees will remain at \$385 until FY 2018-2020 when they will increase to \$449, \$453, and \$458,

respectively. Additionally, the Lawyer Fund for Client protection will be increased from a \$75,000 to a \$150,000 maximum payout per matter without having a negative impact on the ability of the fund to pay legitimate claims. The BOG voted to support the Council on Public Defense's request for Legal Financial Obligations reform so that court fees will not be a barrier of access for indigent parties.

There were no changes to the referendum and recall provisions in the bylaws, no change to the WSBA name (leaving in the word "Association"), no immediate action on section policies, and no decision yet on the proposal to not have religious and spiritual practices at WSBA events. The latter two topics will be discussed at the November meeting. Finally, the deans of the law schools in Washington state met with the BOG to discuss a nationwide study, which found that many of the critical skills employers are looking for have not been the focus of traditional law school curricula. The deans will be using that study to consider how they will change the law school curricula in the future.

Civil Justice Reinvestment Plan Resolution passed by Civil Legal Aid Oversight Committee: Previously, the ATJ Board had supported a \$26M budget request from the state General Fund to address issues identified in the Civil Legal Needs Study. The Civil Justice Reinvestment plan would meet the minimum federal standard that there should be one (1) legal aid attorney for every 5,000 clients with a \$30,000 per year or less income. Washington currently has one (1) for every 10,000. Jennifer Greenlee, Chair of the Civil Legal Aid Oversight Committee, reported that the committee expects the submitted General Fund budget request will not be passed as it will double the current allocation by the state and money is very tight with McCleary and other pressing needs. Therefore, the resolution to fund the plan through a tax or surcharge on legal services was almost unanimously approved at their meeting in September. The rate being discussed is .5% which would fully fund the Reinvestment Plan and free up a significant portion of OCLA's general fund appropriation for other purposes like McCleary.

The legislature hasn't started, and there is no bill for a funding source that has been drafted or submitted, so there is no need to take additional steps aside from the support already voiced. The consensus among the ATJ Board is to delay further consideration of the issue until after the election. The resolution will be considered again at the December 9 meeting of the Civil Legal Aid Oversight Committee, which everyone is invited to attend and provide input. The Oversight Committee is continuing to meet with stakeholders, including Microsoft, who has voiced support for their new resolution with the tax increase/surcharge.

Other Updates, Upcoming Events: A Social Justice Game Jam will take place November 4-6. Similar to a hackathon, participants will design videogames to teach the public and community about civil legal issues. The cost to participate is \$25.

The meeting adjourned at 12:06pm