

**Access to Justice Commission
Minutes
March 26, 2018**

The access to Justice Commission met at the Supreme Court Building March 26, 2018. The members attending the meeting in person, by video or by phone were Justice Kate Fox (Chair), Chief Justice Jim Burke, Justice Lynne Boomgaarden, Judge Timothy Day, Judge Tori Kricken, Judge Richard Lavery, Judge Paul Phillips, Judge Terri Smith, Amanda Roberts, Angie Dorsch, Anne Sutton, Brad McKim, Dam Fleck, John Burman, Kayla Spencer, Mackenzie Williams, Ray Macchia, Sharon Wilkinson, Tony Ross, Walter Eggers, Ronda Munger, Liz Hutchinson, Lannette Cress, Aaron Varner.

1. Welcome: Justice Fox thanked the members of the Commission for attending. She introduced Justice Lynne Boomgaarden and announced Justice Boomgaarden will be taking over as the new chair for the Commission after this meeting. Justice Fox will remain a part of the Commission. Justice Fox also announced Judge Terri Smith, the new Eastern Shoshone and Northern Arapaho Tribal Court judge, would be joining the meeting.

2. Reports from Providers:

a. Equal Justice Wyoming (EJW). Angie Dorsch reported Equal Justice Wyoming (EJW) had just completed its grant making process. EJW is in the process of notifying the grantees of the \$1.8 million for the upcoming biennium. EJW has launched a new mediation program with Cheyenne as the pilot project site. Federal funding from the Victims of Crime Act and the Attorney General's Office has been awarded to EJW for four additional attorneys who will provide legal services to victims of crime through the end of June 2018. EJW is experiencing unmet need with the online portal. There are currently over 20 attorneys involved but there is a backlog of questions that need to be answered.

b. Legal Aid of Wyoming (LAW). Ray Macchia reported that Legal Aid of Wyoming (LAW) has opened an office in Cody and is partnering with the Coalition against Domestic Violence to provide more services in that area of need. There are similar partnerships in Gillette and Rock Springs. Ray and his staff have met with the Tribal Court to address its needs with forms, access to justice and the high number of pro se clients. The next big project for LAW is a statewide needs assessment required by the Legal Services Corporation (LSC). An RFP for the statewide assessment will be put out soon. Anyone within the Access to Justice group is encouraged to participate.

For the benefit of the new members, Justice Fox mentioned the other providers: University of Wyoming College of Law Civil Legal Services Clinic; Wyoming Coalition Against Domestic Violence and Sexual Assault; Wyoming Children's Law Center; Laramie County Community Partnership through a Medical-Legal Partnership; Teton County Access to Justice Center.

Additional discussion was held regarding the needs assessment, what information is needed, how to proceed, and funding.

3. Reports from Working Groups:

a. Communications Working Group (CWG). Mackenzie Williams reported the Communications Working Group (CWG) has created a drop box folder where the presentation materials and information are available to everyone. It is the goal of the group that every member of the Commission will do a presentation this year. Members of the CWG and other working groups have met to come up with a strategy for educating legislators about Access to Justice and related happenings around the state and in their communities. The Delivery Working Group (DWG) and CWG have jointly discussed forms: how the two groups can work together to promote the forms, the obstacles of making the forms available, and follow-up help for individuals once the forms are completed. Activities with the law school during law week have also been discussed. Senator Tony Ross offered some insight into the legislative contact process. Senator Ross has found one-on-one personal contact is most beneficial. Justice Fox suggested a Commission member go along with Angie or Ray so they are not perceived to be asking for funding during the educational visits.

The Commission critiqued the Power Point presentation entitled “Access to Justice & Civil Legal Aid in Wyoming”. Suggested changes were discussed. Angie will make the changes and redistribute the electronic version. Individuals making the presentations should adapt the presentation to their audience and make changes accordingly. The key of the presentation is to raise awareness of the resources available, promoting fairness regardless of income level.

b. Delivery Working Group (DWG). Judge Tori Kricken referred to the meeting minutes from September 14, 2017 and re-emphasized the proposals the group planned to move forward on.

Proposal #1 Differentiated Case Management in Divorces (Triage). The group continues to work on ideas for expediting family law cases. They are still in the process of gathering numbers and information about what is slowing down divorces, modifications in different courts and what is needed to improve that process. The rules for expedited divorce cases were successfully repealed.

Proposal #2 Provide Additional Information Regarding Court-Specific Access to Interpreters and ADA Accommodations. This proposal has been completed. Anne Sutton in Teton County has updated her website. Anne has shared the update to her website with the other District Court Clerks via email and will demonstrate the modification at the next Clerks of District Court meeting in June. Angie and Ronda will meet and discuss adding this information, in addition to some more general information, to the judicial branch website.

Proposal #3 Reduce Cost of Service by Publication. This proposal has been addressed by reducing the size of the publication. The group is not ready to move to the idea of e-publication due to concerns about how it will mesh with other rules of civil procedure and constitutional notions of due process in terms of making sure that defendants are aware of any litigation.

Proposal #4 Expand Volunteer Reference Attorney Program. This is being done and continues to be done very successfully.

Proposal #5 Draft & Provide Reference Materials (How-to Guides). Done in collaboration with the CWG. The two groups have come up with additional assistance in using some of the resources that are already out there and ideas on how to expand limited scope representation. Subsequent meeting will be held on how to continue to move forward with this proposal.

Proposal #6 Provide Voluntary/Free Divorce Mediation. This is being done with some limited success based on Angie's report. The DWG has decided to table this proposal due to lack of funding and the fact it is being pursued in other avenues.

c. Funding Work Group (FWG). Walter Eggers reported on Legal Services Corporation, Equal Justice Wyoming Foundation and Public Service Loan Forgiveness Program funding support efforts.

i. LSC Funding – In February the Trump administration announced that LSC funding should be eliminated. The American Bar Association (ABA) has designated this issue at its top priority for ABA Day. Walter, Ray, Darin Scheer and Angie will attend ABA Day on April 11th and 12th in Washington, DC. They will meet with Wyoming's congressional delegation. A working group has been established to assemble letters of support from various community groups for LSC funding to be submitted to the congressional delegation during their meetings. Walter also shared a website where individuals can note their support for LSC funding: www.defendlegalaid.com. Congress has passed a fiscal year 2018 ominous funding bill with an increase of approximately \$25 million in LSC funding.

ii. EJW Foundation – Walter noted that the Equal Justice Foundation is separate from Equal Justice Wyoming. Its mission is to promote fundraising and education across the state to support legal services, in particular Equal Justice Wyoming. Walter announced Kristen Schlattmann, Leah Schwartz and Sue Coombs are new board members. In December the foundation granted \$90,000 to Wyoming Legal Aid, University of Wyoming Clinics, Children's Law Center, and Teton County Access to Justice Center. The foundation also administers the Bank of America Settlement Fund, which has received one-time funding of \$850,000. The foundation distributed \$190,000 of those funds to University of Wyoming Clinics and Wyoming Legal Aid. The foundation is working on additional fundraising activities such as promoting the banks that are giving the highest IOLTA rates. Kristen Schlattmann coordinated the Liberty Day presentations made to 5th graders around the state on March 16th.

iii. Public Service Loan Forgiveness Program – Walter reported this program has been in existence since 2007 and is in jeopardy of being eliminated. The program offers educational debt forgiveness to individuals who remain in public service positions for ten years. The working group will make this issue a part of their presentation to the congressional delegation when they attend the ABA Day in Washington.

d. Law Improvement Working Group (LIWG). Amanda Roberts reported on the legislative session, the bills that passed, and the bills that need additional work for passage during

the next session. The working group will coordinate with legislators to get these items on the interim topics list.

e. Tribal Working Group (TWG). Justice Fox welcomed Judge Terri Smith. Judge Smith updated the Commission on the new Wind River Tribal Court. The new court was created after the elimination of the two previous tribal courts. The combined court serves all tribal members on the reservation in criminal and civil matters. The civil division also serves anyone who lives on the reservation regardless if they are tribal member or not. The staff of three judges and nineteen staff members hope to better serve the population. The Tribal Court will need assistance with GAL's and family law matters. Stuart Day also updated the Commission on the work that is being done to find volunteers to be on the TWG. Stuart, Angie and representatives of EJW will ultimately meet with Judge Smith and her court to learn about their needs and identify some of the ways EJW, EJW Foundation and LAW can assist.

f. Working Groups Meeting Schedules and Membership. Justice Fox announced now is a good time for members to ask to be on a different working group, ask to be removed from the Commission, and make recommendations for new members. Justice Boomgaarden will take input from members. Justice Fox encouraged the working groups to schedule regular meetings moving forward.

4. Future Action Items. Justice Boomgaarden introduced her judicial assistant, Lannette Cress. Lannette will be providing administrative assistance to the Commission. Justice Boomgaarden and Lannette will be setting up meetings with all the working group leaders, EJW and LAW to get acquainted. Justice Boomgaarden echoed Justice Fox's encouragement to schedule regular meetings.

a. The next AJC meeting will be November 5, 2018.