

**Access to Justice Commission
Minutes
February 25, 2015**

The Access to Justice Commission met at the Supreme Court Building on February 26, 2015. Those attending the meeting in person, by video, or by phone were Chief Justice Jim Burke, Justice Marilyn Kite, Justice Kate Fox, Judge Rick Lavery, Judge Shelley Cundiff, Amanda Roberts, Tenille Castle, Jennifer Horvath, Angie Dorsch, Chris Jorgenson, Larry Wolfe, Walter Eggers, John Burman, Rick Martinez, Angie Dorsch, Gen Tuma, Sharon Wilkinson, Dona Playton, Dan Fleck, Stuart Day, Lily Sharpe, Ronda Munger, and Becky Craig.

Introduction:

Justice Fox, Chair of the Commission, welcomed the members and guests. She then turned the floor over to the providers for their updates.

Provider Updates:

Equal Justice Wyoming, f/k/a the Wyoming Center for Legal Aid – Angie Dorsch, Executive Director of “Equal Justice Wyoming,” formerly known as the “Wyoming Center for Legal Aid,” and Chris Jorgenson, the new *Pro Bono* Coordinator for Equal Justice Wyoming, reported the following:

- The new name, Equal Justice Wyoming (EJW), encompasses more of the projects and initiatives that the group is working on, rather than highlighting only the area of legal aid.
- EJW will release the next Request For Proposal in March, 2015. The RFP submissions for the grant cycle are due April 30, 2015.
- Since the last meeting, EJW has identified some recurring issues. They are currently working to clarify a problem that was discovered in Rule 4 of the Wyoming Rules of Civil Procedure, regarding acceptance of service, which affects the pro se packets and many of the forms that are available through EJW.
- EJW is working to create uniformity throughout the state so that forms can be created that will work in all jurisdictions. They have developed forms for guardianship of minor children actions that are available on their website. Approval of the forms by the Supreme Court is pending.
- Waiver of court fees for indigent parties in civil legal cases is an issue which EJW would like to address through adoption of a court rule that would create a uniform system in all jurisdictions. Lengthy discussion was held about the varying practices for the approval of fee waivers around the state. It was agreed that this matter needs to be discussed with the judges and the clerks to hear their concerns. The Access to Justice Commission will form a fee waiver working group to pursue this issue.

- EJW is working with the Wyoming Law Students for Equal Justice organization at the College of Law to hold *pro bono* nights. EJW is also offering CLEs around the state, providing on-line information, holding monthly webinars, and developing a forms bank and list of mentor attorneys.

Legal Aid of Wyoming – Rick Martinez, the Deputy Director of Legal Aid of Wyoming, reviewed the graphs that he provided to the Commission members:

- Rick credited the substantial increase in the number of intakes and full litigation cases that have been handled since 2011 to EJW’s assistance. The grant monies from EJW allowed Legal Aid of Wyoming to open offices in Rock Springs and Gillette in late 2013 that are each manned by an attorney.
- Rick thanked the members of the private bar, and noted that more and more practicing attorneys and retired attorneys are volunteering to take on cases.
- Legal Aid hopes to open up an office in the northwest section of the state.
- The majority of the cases that Legal Aid handles are family law cases (69%); this limits the number of other types of cases that they can take. They are working to broaden the range of case types and have had some success.
- Legal Aid now also handles tax law through an LITC grant, which is a fairly new grant. To date, they have only served a small number of clients, but the demand is increasing on a monthly basis.

- Major case types:

Custody, Visitation, Divorce, Guardianship, Other Family Law	69%
Collections, Bankruptcies and other Consumer Law Issues	12%
Landlord-Tenant/Foreclosure/Public Housing/other Housing Issues	10%
Power of Attorney/Affidavit of Survivorship/Wills/other Estate Planning	3%
Tribal Law	5%
Medicaid, SSA, Food Stamps and other Benefits	1%

- Legal Aid of Wyoming acts as the public defender on the Wind River Indian Reservation. They are allowed to handle misdemeanors in tribal court under their grants through the Legal Services Corporation.

Wyoming State Bar’s Initiatives – Sharon Wilkinson, Executive Director of the Wyoming State Bar, reported that there are currently 52 attorneys signed up for the “I’ll Do One” program. This initiative encourages attorneys to commit to take on at least one *pro bono* case for full representation. The Bar is continuing to recruit *pro bono* attorneys.

Wyoming Bar Foundation – Tenille Castle, the President of the Wyoming Bar Foundation, reported that the Foundation is moving forward with their activities, but that their granting abilities are currently low due to a shortfall in fees.

Redraft of Commission Bylaws

Justice Fox led a discussion on the proposed changes to the AJC’s Bylaws. Larry Wolfe moved and Dona Playton seconded a motion that the proposed amended Bylaws be adopted, as amended. Motion passed unanimously. The newly created position on the Commission for a member of the Wyoming Association of Circuit Court Clerks will be filled by Wendy Sutherland, Riverton Circuit Court Chief Clerk.

Commission 5 Year Plan/Working Groups

After lengthy discussion, the Commission identified four (4) working groups, their missions, chairs, and members. The groups are as follows:

Indigent Fee waiver

To consider a method for the consistent treatment of indigent fee waivers in civil cases.

Chair: Stuart Day

Members: Jenn Horvath, Angie Dorsch, Judge Lavery or his designee, Ray Macchia, Elisa Butler, Gen Tuma

Communications

To better communicate the services available and the need for increased access to justice, utilizing all available media.

Chair: Dan Fleck

Members: Angie Dorsch, Sharon Wilkinson, Dona Playton, Tim Soweke

Delivery of Legal Services

To investigate and propose methods for assisting self represented litigants.

Chair: Judge Cundiff

Members: Justice Kite, Wendy Sutherland, Chris Jorgenson

Law Improvement

To identify statutory obstacles to access to justice that the legislature could address.

Chair: Amanda Roberts

Members: Tenille Castle, Dona Playton, Walter Eggers, Larry Wolfe, Angie Dorsch, a member of the Legislature

The meeting was adjourned after discussion of possible dates for a meeting in May.