

**Access to Justice Commission
Minutes
May 20, 2015**

The Access to Justice Commission met at the Supreme Court Building on May 20, 2015. Those attending the meeting in person, by video, or by phone were Chief Justice Jim Burke, Justice Marilyn Kite, Justice Kate Fox, Judge Tim Day, Amanda Roberts, Tenille Castle, Jennifer Horvath, Angie Dorsch, John Burman, Rick Martinez, Gen Tuma, Dona Playton, Dan Fleck, Stuart Day, Brad Bonner, Lily Sharpe, Ronda Munger, and Becky Craig.

Welcome and Introduction:

Justice Fox, Chair of the Commission, welcomed the members and guests. She commented that the working groups have been able to accomplish a great deal, however, they are in need of additional assistance. Justice Fox recommended that a nominating committee should be formed to recruit additional people for the working groups. The nominating committee will consist of Justice Fox, Justice Kite, Stuart Day, and Tenille Castle. Discussion was held about the recruiting process, possible candidates, and the need to get more people from outside the legal and judicial community involved in the process. Justice Fox then turned the floor over to the working groups for their updates.

Working Group Updates:

Indigent Fee Waiver – Stuart Day explained that this working group has been charged with promoting a uniform system for the waiver of fees and costs in divorce cases involving indigent parties. Lengthy discussion was held on this topic. Justice Fox will check with the American Bar Association Resource Center to see if they can provide information on what other states are doing on this issue. The matter will be put on the Board of Judicial Policy and Administration’s June meeting agenda.

Communications – Dan Fleck reported that the Communications Working Group is developing new information that will detail the different initiatives and groups that assist access to justice clients. He advised that Angie Dorsch provided the information to the Supreme Court for incorporation into the Access to Justice Commission’s web page. A pamphlet is also being created for distribution to various offices around the state. Angie reported that the working group updated the legal resource pamphlet that is available to the public at the courthouses. The pamphlet supplies information about the available legal service programs and providers.

Justice Fox commented that “Voices for Civil Justice,” a national communications hub for civil legal aid, is a great source for information and talking points. She commented that there needs to be more communication and outreach taking place to ensure that the general public understands

why there is a critical need for the work of the Access to Justice Commission, Equal Justice Wyoming, and Legal Aid of Wyoming. Discussion was held about preparing public service announcements and creating a video that highlights people who have been helped by the Access to Justice Commission over the past five years. Dan will do the groundwork for the public service announcements. Also discussed was the creation of a presentation in a box and handouts to enable people to give outreach presentations to their community leadership groups. Chief Justice Burke stressed the importance and effectiveness of having personal contact with these groups. Dan informed the commission that Justice Fox and Angie Dorsch attended the National Legal Justice Conference and brought back a summary of the initiatives that are taking place across the country.

Delivery of Legal Services – Tenille Castle reported that this working group discussed Limited Scope Representation/Unbundling of Services, the Court Facilitator Project, and Pro Se Resource Day at their April 29th meeting. She indicated that Chris Jorgenson is conducting a survey of the courts to learn if limited scope representation is being utilized. She also indicated that the working group will support and provide assistance with the promotion of limited scope representation to attorneys. Tenille advised that Pam Gagel, a consultant who has worked with the Colorado judicial system, attended their meeting and led an informative discussion about the initiatives and programs that she has assisted with concerning the delivery of services in Colorado. Tenille advised that the Colorado Courts provide “Self-Represented Litigant Coordinators” who staff self help centers that are available in their courthouses. A similar type of program is being researched for the Wyoming judiciary. Tenille indicated that they also discussed holding a pro se resource day, which is a day for self-represented litigants to receive guidance to help them through the final steps of their cases. Participants are required to register for the event so that attorneys can be assigned to the cases. The parties can receive assistance filling out paperwork, assistance with mediation, and the availability of a judge for hearings, if needed. It was pointed out that this would be a great opportunity for the courts to clear cases off their docket. Tenille noted that Judge Fenn and Judge Cundiff plan to hold a pro se resource day as a pilot project, and that it will hopefully be rolled out to the rest of the state in the near future. Discussion was held on this topic. It was suggested that a survey be taken of the people who attend the pro se resource day to see if they feel they were actually helped by participating in the event.

Law Improvement – Amanda Roberts reported that this group held their initial meeting on March 30th to discuss their priorities. She advised that the biggest and most time-sensitive matter that the group addressed was HB 137, which dealt with the issue of joint legal custody. Angie attended the first interim committee hearings on the bill on April 14-15th. She reported that HB 137 has an access to justice component since these cases are usually ones where there are no long-term solutions, and statistically, they require the parties to go back to court for re-evaluation. She noted that the bill also poses problems for victims of domestic violence. Amanda reported that the committee ultimately tabled the bill. Amanda pointed out that in addition to the child custody portion of the bill, the other component is the child support issue for joint custody. She advised that the working group will work with child support enforcement to propose ideas and provide input on what would work best for Wyoming families as to joint custody. Amanda pointed out that the opportunity arose to put together a panel for the State Bar

Meeting and to present CLE on some of these topics. Angie, Tori, Dona, and Amanda will be the panelists. They hope to educate people on the Affordable Care Act and how it impacts child support and medical support orders and decrees. It will also touch on the child support issues in HB 137. Through all of the discussions, they learned that the Family Law section of the Wyoming State Bar is looking at potential revisions to Title 20 and is also concerned about HB 137. The working group hopes to be able to coordinate efforts and get everyone on the same page. Farrah Spencer, DaNece Day, and Tori Kricken have been asked to be members of the working group. A district judge and a legislative representative are still needed as members.

Angie advised that two additional procedural barriers to access to justice have been identified. The first is mandatory mediation and mandatory GAL appointments in custody cases. She commented that these are good idea when you look at them standing alone, but not when they become a barrier to finishing a case. The second issue concerns funding for court appointment of counsel in termination of parental rights and family violence protection cases. At this time there are no funds available to courts to make these appointments. The working group will look at best practices and how to allocate funds for these discretionary purposes. It was pointed out that it is a struggle to find people who are trained in mediation and GAL work. Justice Fox will contact the State Bar to see if there are any sections of the Bar that can be utilized for these purposes.

The meeting was adjourned.