

**Access to Justice Commission  
Minutes  
November 2, 2020**

The Access to Justice Commission met remotely via Microsoft Teams November 2, 2020. Those attending the meeting were Justice Lynne Boomgaarden (Chair), Representative Dan Kirkbride, Judge Timothy Day, Judge Richard Lavery, Judge Paul Phillips, Stuart Day, Angie Dorsch, Walter Eggers, Lisa Finkey, Daniel Fleck, Jessica Keith, Ray Macchia, Lauren McLane, Janet Montgomery, Billie Addleman, Dona Playton, Ashley Ries, Kayla Spencer, Farrah Spencer, Mary Throne, Sharon Wilkinson, Mackenzie Williams, Ken Wallace, Jessica Wales, Laura Hoschall, Emily Soli, Grant Gergen and Lannette Cress.

1. **Welcome** - Justice Boomgaarden thanked everyone in attendance and welcomed the new Wyoming State Bar President, Billie Addleman.

2. **Needs Assessment Report and Discussion** – Walter gave the group an overview of the Needs Assessment published by Datacorp in August of 2020. Walter expressed his appreciation for the coordination between all groups that participated in the assessment and gave a special thanks to Sharon Wilkinson and the Wyoming State Bar (WSB) for their assistance in surveying and publicizing the final product. The assessment revealed family law is the greatest unmet need. Geographically the areas that stand out with disproportionate gaps and lack of representation were Campbell, Sweetwater, and Fremont counties. Walter posed the following questions: Where do we go from here? What does the Needs Assessment mean for the State of Wyoming? How should we use the assessment to springboard us into the next chapter of legal services and access to justice in the State of Wyoming?

Upon Justice Boomgaarden opening the floor for questions and comments, Professor Lauren McLane added that the needs of the Native American population on the reservation continue to be of interest to her and her students. Lauren and Ray Macchia have been collaborating with Sara Robinson to start a new program called Wind River Justice. Legal Aid Wyoming is providing the resources and some capitol to get actual representation into the tribal courts. Billie Addleman shared that it's a part of the WSB's Strategic Plan to provide ongoing efforts for access to justice. He is pleased to be a member of the Commission and is hopeful he will be able to help the Commission with its objectives. Justice Boomgaarden expressed the importance of coordination in our current gloomy financial situation; we need to leverage everyone's resources to continue to make strides.

Walter concluded by suggesting a small team be organized consisting of himself, Angie Dorsch, and other interested Commission members to meet individually with all the service providers who receive grants from Equal Justice Wyoming (EJW) to discuss what they see as their priorities from the Needs Assessment and then compile a report to use as an implementation plan to present to the Commission at its next meeting.

Additional discussion followed regarding the best way to get the Needs Assessment into the hands of the public to include the circuit and district court judges and the legislators. Judges Day and

Lavery offered to pass along the link to the Needs Assessment to their respective conferences. Representative Kirkbride suggested we provide the report to the legislature in the context of which geographic areas are identified as having the most need. Emily Soli of Governor Gordon's office offered to communicate the availability of the Needs Assessment to the Governor's staff and coordinate with the Governor's tribal liaisons on future conversations regarding the reservation.

3. **Where we are: 2020 Report** – Justice Boomgaarden briefed the group on the 2020 Report and how it relates the Commission's mission to the Needs Assessment, emphasizing the need to communicate with to all three branches of the government and explain how this is a coordinated effort. She highlighted the primary functions and the priorities of the Commission as set forth in the 2020 Report and how those functions and priorities, with direction from Angie, should guide how the Commission will support EJW's efforts.

4. **Where we are going** – Angie explained all the working groups except for the Funding work group had been wrapped up and future projects will be handled through ad hoc committees.

a. **Fee Waiver** – Wyoming is one of only a few states that does not have a statute or court rule that provides a uniform procedure to waive filing fees in civil cases. Fees were identified as one of the top barriers in the Needs Assessment. With continued financial hardships compounded by COVID-19, this is an area we need to focus on. Stuart Day has agreed to chair this committee; Donna Playton, Judge Day, and Ashley Ries volunteered to serve on the committee.

b. **Government Attorney Pro Bono** – Some government attorneys are unable to provide pro bono work based upon their supervisor's decisions and/or current policies. This committee will explore ways government attorneys can provide some level of pro bono work without using agency resources or posing a conflict of interest. Professor McLane and Mackenzie Williams volunteered to serve on this committee; Sharon Wilkinson volunteered Cathy Duncil, the Wyoming State Bar's Pro Bono Coordinator and advised that 500 of the State's 1718 bar members are government attorneys.

c. **Alternative Models for Assistance to Pro Se Litigants** – Angie gave a brief update and reported Dona Playton will continue her work on a White Paper and bring it back to the Commission once it is completed.

d. **Forms** – Based on the Needs Assessment, forms are very important but are criticized for being complicated and confusing. Input is needed on ways to uniform, simplify and automate the forms. Mary Throne reminded everyone that individuals won't be able to effectively navigate the forms if they don't even understand the process.

e. **Outreach** – Outreach is more important than ever but also more difficult than ever. The Needs Assessment showed libraries are great community partners. They are on the frontlines of answering questions and directing people to different resources. Angie is working on a presentation outlining available legal services resources to provide to our library partners and is looking for volunteers to go to the main community libraries during

the first quarter of 2021 to make that presentation. Ashley Ries and Mackenzie Williams volunteered. Please contact Angie, if you or someone you know would like to volunteer.

f. **Funding** – Walter, Angie and Stuart are the primary members of the Funding work group. They solicit other individuals to assist and organize LSC funding efforts during ABA Day. Angie gave an update on funding, where EJW is now, and what EJW needs to address going forward. The main revenue sources are steadily declining. The group is looking to add additional members to help identify alternative sources of revenue. The Funding group will communicate with the legislature concerning needs and available resources. Before the March meeting the group would like to create a strategy to communicate/educate the legislature. Justice Boomgaarden suggested one of the Commission legislative representatives be included in the strategy discussions; Emily Soli and Jessica Keith volunteered to participate.

5. **COVID-19 Update** – Angie reported the areas of the law where COVID is intensifying legal needs are the same areas where a high need already exists, such as family law. In addition, housing/eviction and debt collection issues have seen a spike. Angie anticipates the need will continue to increase as the relief funds run out. Challenges such as access to the necessary technology to join a zoom meeting and having enough minutes on their cell phone to talk to an attorney or attend a hearing by phone are among some of the most prevalent.

Justice Boomgaarden asked the Circuit and District Judges and Clerks if they had any requests the Commission could assist with relative to COVID-19. Judge Lavery expressed he is experiencing issues with ways for self-represented litigants, without Wi-Fi access, to participate in court proceedings from a remote location. He is looking into spending Cares Act funding to purchase iPads individuals can check out and possibly take to a library where they can access their Wi-Fi. Ashley Ries echoed Judge Lavery's challenge. Judge Day has been able to provide an iPad and a Wi-Fi hotspot that can broadcast to the lobby and outside for litigants who do not have access to that type of technology. Justice Boomgaarden and Lisa Finkey will continue to explore opportunities for the Commission to support these efforts.

6. **Closing Matters** – Justice Boomgaarden shared issues that other states are experiencing, including how racial injustice might relate to the mission of access to justice commissions. COVID-19, budget restraints, natural disaster (e.g. fire), and racial injustice issues may warrant additional discussion at future special or regularly scheduled Commission meetings.

a. **Upcoming events** – National Legal Aid & Defender Association (NLADA)10-13 Virtual Annual Conference (November 10-13, 2020).

b. **Next meeting** – March 22, 2021.