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Access to Justice Partnerships State by State



Access to Justice Support Project

A Partnership of the
American Bar Association and
National Legal Aid and Defender Association
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The SPAN Access to Justice Support Project is a joint project of the American Bar Association and the National Legal Aid and Defender Association. Launched in 1996 as the State Planning Assistance Network, the project's mission is to promote and support state-based partnerships among the bar, the courts, and legal services providers to expand access to justice.

This report prepared by Project Director Robert Echols in March 2004, based on information provided by state Access to Justice contacts. It has not been reviewed by the House of Delegates or the Board of Governors of the American Bar Association and should not be construed as representing policy of the ABA.

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Summary

Access to Justice Structures and Initiatives 2003-2004

Structures

In 2003, state-level partnerships among the bar, the courts, legal services providers, and other stakeholders to improve and expand access to civil justice continued to grow and expand around the country.

- As of early 2004, 16 states had an active Access to Justice Commission or a similar entity—a formal state-level body dedicated to expanding and improving civil legal assistance in the state, composed of appointed representatives of the bar, the judiciary, and providers. Some include other stakeholders as well: legislators, state officials, clients, business and labor leaders, and representatives of law schools, community agencies and faith-based organizations. Typically these bodies were created by state Supreme Court rule. In 1999, only five states had active entities of this type: California, Maine, Nevada, Washington, and West Virginia. These were joined by Illinois, Missouri and Montana in 1999-2000; Idaho and Texas in 2001; Arizona, Colorado and Nebraska in 2002; and Alabama, Arkansas and Vermont in 2003. *For a complete list, see pages 9-10.*
- The number of states with an Access to Justice Commission or equivalent is likely to grow by at least a half a dozen by the end of 2004. Nine states are currently considering or planning creation of an entity of this type.
- An additional 16 states have an active committee of the state bar or bar association that is charged with a broad Access to Justice function and that includes representatives of the judiciary and legal aid providers, in addition to bar leaders, or works collaboratively with these and other relevant partners. This group includes some of the best-established Access to Justice structures in the country, such as those in Delaware, Georgia, Louisiana, Michigan, Minnesota, New Mexico, and Oregon. Others have been recently created or have recently revitalized their efforts or undertaken a broader scope of activity, such as those in Mississippi, Oklahoma, Pennsylvania, Tennessee, and Wisconsin.
- In another group of states, including Florida, Maryland, Massachusetts, Ohio, and Wyoming, a state funding entity or bar foundation plays the leading role in planning and coordinating Access to Justice efforts. The boards of such entities frequently include representatives appointed by the same institutions that would appoint the members of an Access to Justice Commission, such as the state Supreme Court, the state legislature, and the state bar or bar association. In Kentucky and Tennessee, a leading Access to Justice role is played by a staffed program guided by a board with broad stakeholder representation. In New York, the statewide court system has created a special office with an Access to Justice mission.
- In some states, including Arizona, New York, North Carolina, and Ohio, a leading role in expanding access to justice is played by a statewide steering committee of the state's legal aid providers, joined by representatives of the state bar or bar association, the state bar foundation, and other key stakeholders. In addition, a number of states, including California, Florida, Minnesota, and Oregon, as well as the District of Columbia, have an active, formal consortium of legal aid programs that is deeply involved in Access to Justice efforts. Some of these provider-based groups are fully integrated with the activities of a separate Access to Justice Commission or similar body, while others collaborate on a less formal basis with state bar committees, the courts, and other partners.

- Many states have formal entities that bring together the bar, the courts, legal aid providers, and other stakeholders to further a particular approach to expanding access to justice, such as pro bono, fundraising for civil legal aid, and support for self-represented litigants. In some states, including Indiana (with its statewide, court-appointed Pro Bono Commission and network of local Pro Bono Committees) and Utah (with its statewide, unified fundraising campaign, “And Justice for All”), these entities provide a core Access to Justice structure, with other issues addressed through informal working groups involving the same partners.
- In a small number of states, the Access to Justice function is carried out effectively through an informal structure. This group includes states that have been very successful in obtaining funding for civil legal assistance, such as Connecticut, Hawaii, New Hampshire, New Jersey, and Virginia.

Whether or not a formal Access to Justice structure exists, every state in the nation has initiatives underway involving partnerships among the bar, the courts, legal services providers, and others. Many have already achieved major successes in improving and expanding access to civil justice. Others have just been launched. The following summary highlights major accomplishments in 2003 and promising new initiatives.

State Legislative Campaigns

Despite budget crises around the country, a number of states won major victories in obtaining new or increased state funding for civil legal assistance in last year’s legislative session. In addition, existing state funding remained relatively unscathed across the nation.

- New filing fee surcharges to fund civil legal aid were enacted in Missouri (expected to result in a net increase of \$1.7 million annually), New York (expected to generate up to \$6 million for civil legal aid and defender services), Pennsylvania (for an estimated \$7 million in new funding), and West Virginia (for approximately \$210,000 in new funding).
- Kentucky’s state legislature doubled existing filing fee surcharges, for a projected increase in legal aid funding of approximately \$1.3 million, while Oregon increased its surcharges for a projected increase of \$1 million.
- First-ever appropriations for legal aid were enacted in Delaware (\$200,000), Louisiana (\$300,000), Maryland (\$300,000), and Utah (\$100,000).
- Pennsylvania authorized a special one-time grant of \$1 million for general client representation, while maintaining existing state funding.
- The Texas legislature approved a bill to increase bar dues by \$65, to be split between civil legal aid and innovative indigent defense projects, for an estimated increase in civil funding of \$1.7 million annually.
- The Texas legislature also instituted a new *pro hac vice* fee (paid by out-of-state lawyers to appear in Texas courts) dedicated to civil legal aid.
- In addition to these affirmative successes, advocates in several states won major victories in opposing efforts to slash or eliminate state funding. In Massachusetts and New York, appropriated funding for civil legal aid was preserved when the two state legislatures overrode vetoes by their respective governors for all legal aid funding. In Minnesota, a broad bipartisan coalition defeated a proposed 20 percent cut in state funding.
- This year’s legislative session was kicked off with a major victory in March 2004, when the Washington state legislature passed a 2004 supplemental budget with a \$1.9 million increase in

funding for civil legal aid. Leaders in other states, including Maryland, New York, and Virginia, have launched ambitious legislative efforts for the current year.

Court and Bar Funding

Other states were successful in 2003 in increasing resources through sources of funds controlled by the courts.

- The Missouri and Mississippi Supreme Courts each instituted a new \$200 pro hac vice fee, with the funds going to legal aid.
- In Missouri, the Supreme Court also approved a \$20 bar dues increase to benefit legal services.
- The Ohio Supreme Court, which has been providing \$500,000 annually to the Ohio Legal Assistance Foundation through attorney registration fees, earmarked an additional \$310,000 in 2003 to assist with the consolidation of legal aid societies in western Ohio.

Private Bar Fundraising Campaigns

Access to Justice leaders in a growing number of states have focused on expanding resources and building support for legal aid through statewide fundraising campaigns that mobilize the private bar with lawyer-to-lawyer solicitations. Frequently they are led by major public figures or prominent bar leaders. In addition to raising new revenues, high-visibility fundraising campaigns can increase buy-in from volunteers and contributors and provide a base of support for other initiatives, as shown by well-established campaigns in states such as Delaware, Utah, and Oregon (where Governor Ted Kulongoski is an active spokesman for the Campaign for Equal Justice).

- Maine is the latest state to launch a combined, statewide private fundraising campaign. A Justice Action Group-sponsored resource development retreat in May 2003 led to the creation of the Campaign for Equal Justice, kicked off in January 2004.
- The Arizona Equal Justice Campaign, now in its third year, has raised over \$1.5 million from law firms and individual attorneys for the state's civil legal aid programs.
- The New Hampshire Bar Foundation's Campaign for Legal Services, launched in 2002 on behalf of the state's three legal aid programs, has raised \$780,000 in gifts and pledges to be paid over a three-year period.
- In its first year, Iowa Legal Aid's new annual campaign is chaired by former Governor Robert D. Ray, former U. S. Congressman Neal Smith, and a prominent Des Moines attorney. Local leadership committees are forming in each regional office service area to facilitate local fundraising.
- Legal Aid Services of Oklahoma is conducting a statewide fundraising campaign, with a goal of \$1.5 million. Past ABA President William Paul is chairing the campaign. As of March 2004, the fund drive had passed the half-way mark.
- Legal Aid of West Virginia's private bar fundraising campaign, in its second year, has raised \$640,000 in single-year gifts and three-year pledges toward a three-year goal of \$1.2 million.

In addition, successful private bar campaigns by local or regional programs are underway in many states (not discussed here because the focus of this report is on efforts associated with state-level Access to Justice structures). For examples and additional information, see the manual *Innovative Fundraising Ideas for Legal Services (2004 Edition)*, produced by the Project to Expand Resources for Legal Services (PERLS), available at www.abalegalservices.org.

Communications Building on public awareness and message research and materials developed by the Project for the Future of Equal Justice, Access to Justice leaders in a number of states have launched campaigns to educate opinion leaders, legislators, and the general public about the importance of civil legal assistance.

- The Illinois Equal Justice Illinois Campaign, a grassroots educational effort aimed at building a stronger, more stable base of funding for Illinois' legal aid system, is led by a blue ribbon committee chaired by former Governor James Thompson and former State Senator Phil Rock. (Former U.S. Senator Paul Simon served as co-chair until his untimely death in December 2003).
- The New York Unified Court System's Access to Justice Center is planning a year-long Campaign for Equal Justice, to include open houses at legal aid offices and a series of hearings to collect evidence on the need for civil legal services in New York.
- In Oregon, the fourth series of biennial legal aid open houses will take place this fall at legal aid offices and courthouses throughout the state. Speakers typically include federal judges, Members of Congress, Oregon Supreme Court justices, state legislators, and other prominent officials.
- The Texas Equal Access to Justice Foundation and the Texas Access to Justice Commission have initiated the "Justice for All Texans" campaign to increase awareness of the need for civil legal aid. Materials to date have included an op-ed piece by Texas First Lady Anita Perry and a videotape narrated by Bill Moyers, with a special lead-in by Texas Supreme Court Justice Harriet O'Neill for showings at bar events.

Pro Bono Following the lead of Florida, Indiana and Maryland, several states are implementing or exploring the creation of a formal, statewide pro bono planning structure, led or overseen by the judiciary.

- In Colorado, pursuant to the plan creating the new Access to Justice Commission, each judicial district is developing a committee to address Access to Justice issues, with a primary focus on pro bono representation. The Colorado Supreme Court is encouraging local judges to participate on the district committees.
- The Illinois Supreme Court Special Committee on Pro Bono Service was created in 2001 to evaluate the role that the Supreme Court should play in pro bono efforts in the state. The Illinois Coalition for Equal Justice and its Pro Bono Working Group recommended to the Special Committee the adoption of a comprehensive pro bono model similar to those in Florida, Indiana and Maryland. The Supreme Court is currently considering the Special Committee's report.
- The New York court system has released a two-volume report on The Future of Pro Bono in New York, calling for creation of local pro bono action committees with joint judicial-bar leadership, supported by a statewide Standing Committee on Pro Bono.
- The Wisconsin State Bar Legal Assistance Committee has developed a plan for creation of a state-level Pro Bono and local pro bono committees in each of the ten state circuit court districts, each to include a circuit court judge. The State Bar Board of Governors has approved the initial phase of the plan and provided funding for its implementation in four pilot project areas.

A number of states have recently adopted changes in court or bar rules to promote pro bono activity.

- In 2004, Nevada became the third state in the country to require annual reporting of pro bono service, following Florida (1993) and Maryland (2002). Oregon and Washington recently adopted voluntary pro bono reporting systems.
- Alaska, Idaho, Louisiana, Montana, and Washington adopted rules changes based on revised ABA Model Rule 6.1, setting an aspirational standard for pro bono service. The Michigan Supreme Court is reviewing a new standard proposed by the State Bar.

- Delaware and Wyoming changed their continuing legal education rules to allow attorneys to receive credit for performing pro bono services.

Many states have developed plans or are already engaged in major efforts to expand pro bono participation, with leadership and active support by the bar and judiciary.

- In Arizona, a statewide recruitment campaign in the spring of 2003 resulted in over 300 new volunteer attorneys. The chief justice of the state Supreme Court wrote to each attorney in the state encouraging participation in the program.
- The Arkansas Bar Association has approved the core components of the *Blueprint to Expand Volunteerism among Arkansas Lawyers* developed by the Arkansas Legal Services Partnership.
- The current president of the Florida Bar has identified increasing pro bono services for children as a top priority of his presidency. His “For the Children” initiative has already led to increased pro bono and donations.
- In Minnesota, the Legal Assistance to the Disadvantaged Committee has adopted a 10-point plan to expand pro bono participation in the state during the current bar year.
- Following the adoption of the mandatory reporting rule, the chief justice of the Nevada Supreme Court and the president of the State Bar sent a letter to all Nevada lawyers urging them to volunteer. The result was a significant increase in volunteers in the second half of 2003.
- Ohio’s new state plan identifies an ambitious set of strategies for increasing the engagement of pro bono attorneys.
- In early 2003, the Tennessee Bar Association initiated “Lawyers Care,” a major pro bono recruitment drive, with a challenge to all Tennessee attorneys from the state’s chief justice and the Association’s president to render and report pro bono legal services.
- The State Bar of Montana passed a resolution in September 2003 strongly urging all members of the State Bar to participate in organized pro bono program. The state’s chief justice has also been actively engaged in promoting increased pro bono participation.
- The California State Bar’s Standing Committee on the Delivery of Legal Services and the Legal Aid Association of California are conducting education and outreach concerning legislation enacted in 2002 requiring the state to take the pro bono work of lawyers into account when awarding contracts for legal work.
- Missouri, Texas and New York have completed data collection studies of pro bono participation by attorneys in their respective states to aid in planning new approaches to pro bono recruitment and retention.
- Many states have created new or expanded Web sites to provide resources, training and support for lawyers providing pro bono services.

For additional information and new developments on pro bono policy, see www.abaprobono.org.

Loan Repayment

Several states are exploring or developing loan repayment assistance programs for public service attorneys, including those engaged in civil legal assistance, to encourage new lawyers to enter public service work.

- In Kentucky and Nebraska, legislation is pending to establish a state-funded program.
- In 2003, the New York State Bar Association launched a loan repayment assistance program, with

an inaugural \$25,000 grant from the New York Bar Foundation.

- The State Bar of Texas has committed \$30,000 for 2004 to help fund the Texas Student Loan Repayment Assistance Program, created by the Access to Justice Commission in 2002 with private donations.

Needs Studies

Building on the ABA study released in 1994 and a group of state studies completed around the same time, close to a dozen states have launched scientific, comprehensive state legal needs studies in the past few years.

- In 2003 and early 2004, Connecticut, Massachusetts, Tennessee and Washington completed legal needs studies.
- Studies are currently underway and likely to be completed soon in Illinois and Montana.
- Indiana, Missouri, New Jersey, Oregon and Vermont completed studies in 1999-2002. All current studies and information about pending studies are available in the SPAN Access to Justice Document Library at www.ATJsupport.org.

Court Improvement and Pro Se

Most states have created some kind of formal structure to bring together the bar, the courts, legal aid providers, and others to address the challenges posed by the growing number of self-represented litigants. Some of these structures are part of a state Access to Justice entity with a broad charge. Others are on a separate, parallel track, such as a court or bar-based task force or standing committee. Some state groups are still at the planning stage, while others have already developed comprehensive state plans or have launched major initiatives.

- In California, the Judicial Council recently approved the *Statewide Action Plan for Serving Self-Represented Litigants* developed by the Task Force on Self-Represented Litigants.
- In New York, a team of judges, bar association leaders and court managers has developed a statewide plan that includes a variety of initiatives to make the courts more user-friendly and supportive of self-represented litigants. In addition, the administrative judge for each judicial district has developed a district Access To Justice Action Plan.
- Many states have implemented courthouse-based support systems for self-represented litigants, such as court assistance offices. Examples of major new initiatives include Alaska's Family Law Self-Help Center; Delaware's Self-Help Resource Center; DC's Self-Help centers at family and landlord/tenant courts; and the Eastern Montana Self-Help Law Project.
- Web sites with self-help information, downloadable court forms, on-line document assembly systems, and a variety of other innovative technology-based tools to help self-represented litigants have been launched or are under development through court-legal services provider collaborations in many states, including California, Delaware, Hawaii, Illinois, Indiana, Maine, Oregon, and Washington.
- Many states have developed new rules and simplified statewide forms and pleadings to reduce barriers for self-represented litigants.
- Several states, including Delaware, Kentucky, and Utah, are developing projects that will enable pro bono attorneys to review pleadings or provide limited advice to pro se litigants.
- Maine, Washington, and Wyoming have recently adopted new ethical rules allowing for limited representation or "unbundling" of legal services, while proposals are under consideration in a

number of other states. In California, the Access to Justice Commission's Limited Representation Committee released a "risk management" packet, containing instructional materials for clients and attorneys, sample fee agreements, checklists, and forms.

- Many states are developing training programs, manuals, or new rules clarifying how court clerks can assist self-represented litigants without providing legal advice.
- The California Commission on Access to Justice recently released a draft policy paper on *Language Barriers to Justice in California*. A number of other states have created work groups to address the problems that people with limited English proficiency face in obtaining access to the courts and the justice system as a whole.

New Programs and Statewide Collaborations

Many states have implemented or expanded partnerships to support and promote coordination and collaboration among providers in order to expand and improve services. Providers have worked with other partners to implement innovative technology-based systems for delivering legal services, statewide legal services Web sites, coordinated regional or statewide intake and advice systems, and statewide technology plans.

- In North Carolina, through the efforts of the Legal Services Planning Council and support from a foundation grant, a new statewide advocacy and training coordinator position was created and filled in 2003. The new coordinator has devised an ambitious work plan to improve communications on advocacy efforts, develop advocacy agendas, address advocacy training needs, and create resource materials.
- In Arkansas, the state's two legal aid providers have launched the Arkansas Legal Services Partnership to serve as the primary vehicle for collaboration with state-level agencies and organizations, including the State Bar, the Administrative Office of the Courts, advocacy organizations, and associations of service providers. Advocates have created a task force aimed at modifying or repealing Arkansas' criminal eviction law through litigation and judicial education.
- In Louisiana, new statewide coordinator positions in the areas of training and technology have been created and filled at the Access to Justice program, a joint effort of the Louisiana Bar Foundation, the State Bar Association, and the state's legal services providers.
- The Tennessee Alliance for Legal Services, in conjunction with the Tennessee Department of Children's Services and the National Association of Social Workers, Tennessee Chapter, has launched a new Web site providing access to some 3000 family and children's social service organizations throughout Tennessee.

Access to Justice leaders are increasingly placing a priority on developing capacities to provide a full range of services to a full range of clients, including advocacy subject to congressional restrictions on programs funded by the Legal Services Corporation.

- In Maine, the Justice Action Group successfully promoted the development of a two-year pilot project to provide civil legal services to prisoners through the University of Maine Law School's legal aid clinic, funded by a contract with the state Department of Corrections.
- In Minnesota, all the state's providers serving immigrants and refugees are working together to develop a statewide plan to improve and expand services in immigration law and immigration-related civil legal services.

- New Mexico's Law Access, a new statewide telephone intake, advice and referral program launched in 2003, is funded exclusively with state funds, to permit it to serve recent immigrants and others not eligible for assistance from LSC-funded programs.
- In Mississippi, a new state legal advocacy entity, the Mississippi Center for Justice, has already won some significant victories. The Center is working with civil rights and legal services organizations, community groups, and private lawyers to provide systematic advocacy on behalf of low-income residents of the state. In several other states, Access to Justice leaders have undertaken efforts to recreate a capacity for systemic advocacy.

State Access to Justice Structures by Type

Access to Justice Commissions or Equivalent

A state-level body dedicated to expanding and improving civil legal assistance in the state, composed of appointed representatives of the bar, the judiciary, and legal aid providers, often including other stakeholders as well, that has an independent existence apart from any single institution.

Alabama Commission on Access to Justice
Arizona Access to Justice Commission
Arkansas Access to Justice Commission
California Access to Justice Commission
Colorado Access to Justice Commission
Idaho Delivery of Legal Services Advisory Council
Illinois Coalition for Equal Justice
Maine Justice Action Group
Missouri Statewide Legal Services Commission
Montana Equal Justice Task Force
Nebraska Equal Access to Justice Committee
Nevada Access to Justice Committee
Texas Access to Justice Commission
Vermont Access to Justice Coalition
Washington State Access to Justice Board
West Virginia Legal Services for the Poor Symposium

States Considering or Planning Creation of Access to Justice Commission or Equivalent

District of Columbia (Consortium of Legal Services Providers resolution)
Georgia (Justice Builders Leadership Coalition planning process)
Massachusetts (State Planning Board for Civil Legal Services recommendation)
Minnesota (Minnesota Legal Services Planning Commission planning process)
New Mexico (State Bar Access to Justice Committee recommendation pending at Supreme Court)
New York (State Planning Steering Committee proposal)
Oklahoma (Oklahoma Bar Association exploring options)
Utah (working group with Supreme Court representation exploring options)
West Virginia (Legal Services for the Poor Symposium proposal pending at Supreme Court)

Bar-Based Committees with Broad Access to Justice Leadership Charge

A committee of the state bar, bar association, or bar foundation that is charged with a broad Access to Justice leadership function and that includes representatives of the judiciary and legal aid providers, in addition to bar leaders, or works collaboratively with these partners.

Delaware State Bar Committee on Legal Services for Low-Income People
Florida Bar Foundation Legal Assistance for the Poor Committee
State Bar of Georgia Access to Justice Committee

Louisiana State Bar Access to Justice Committee
State Bar of Michigan Standing Committee on Justice Initiatives
Minnesota State Bar Association Legal Services to the Disadvantaged Committee
Mississippi State Bar Delivery of Legal Services Committee
New Mexico State Bar Legal Services and Programs Committee
New York State Bar Association President's Committee on Access to Justice
North Dakota Joint Committee on Legal Services to the Poor
Oklahoma Bar Association Access to Justice Committee
Oregon State Bar Board of Governors Access to Justice Committee
Pennsylvania Bar Association Equal Justice for the Poor Committee
Rhode Island Bar Association Committee on Legal Services
South Carolina State Bar Access to Justice Committee
Tennessee Bar Association Access to Justice Committee
State Bar of Wisconsin Legal Assistance Committee

Other Access to Justice Entities

A state-level body playing a broad Access to Justice leadership role, with guidance from or accountability to a governing body or process that includes representatives of the bar, the judiciary, legal aid providers, and other key partners.

Kentucky Access to Justice Foundation
Maryland Legal Services Corporation
Massachusetts Legal Assistance Corporation
New York Unified Court System, Office of the Deputy Chief Administrative Judge for Justice Initiatives
Ohio Legal Assistance Foundation
Pennsylvania Legal Services
Tennessee Alliance for Legal Services

Informal/Other

Alaska
Connecticut
Hawaii
Indiana
Iowa
Kansas
New Hampshire
New Jersey
North Carolina
South Dakota
Virginia
Wyoming

Twelve Lessons from Successful State Access to Justice Efforts

While no two states are alike, and every state's Access to Justice effort must be addressed to local circumstances, some basic lessons can be discerned in the Access to Justice efforts that have been most successful around the country over the past decade.

1. *Successful Access to Justice efforts are founded upon a strong partnership among the bar, the judiciary, and legal aid providers. Law schools can also be key partners, while representatives from outside the legal community can bring new perspectives and help broaden support.*

Each of the key institutional partners – the bar, the courts, and legal aid providers – brings a particular set of strengths to the table. The bar brings its volunteer base and professional structure, including the potential for staffing Access to Justice efforts. Providers bring their direct experience with the civil legal needs of low-income people, their expertise in developing and implementing effective delivery models, and their links to low-income communities. The judiciary brings its unique credibility and rule-making authority, as well as direct experience in responding to the growing number of self-represented litigants. The full range of legal aid providers should be represented, including LSC-funded and non-LSC-funded programs and pro bono programs.

Law schools are key Access to Justice partners in a number of states. Professors and students can serve as valuable resources. Many law schools are in fact civil legal assistance providers, through their clinical programs. Building support for equal justice in the next generation of attorneys should be a part of the Access to Justice effort.

A few states with well-established structures have been very successful in bringing in more diverse partners, including legislators, government executives, and representatives of the business, labor, education, and religious communities. By successfully making the case that equal justice should not be the concern or responsibility of the legal profession alone, they have obtained access to new resources, new ideas and perspectives, and broader support for their goals. Several newer Access to Justice efforts are also involving a broad range of partners. Other states should consider broadening their membership as a long-term goal as well.

2. *Formal structures that are accountable to more than one partner can be more secure than informal structures or structures accountable to only one partner.*

Informal structures or structures that are supported solely or primarily by one partner alone may lack the ability to survive in times of adversity. A state Access to Justice Commission that is staffed by the bar but created by Supreme Court rule and made up of representatives appointed by different institutional constituencies is less likely to be vulnerable to funding or staffing cuts as the results of a change in bar leadership than is a bar Access to Justice Committee. While it may be possible to achieve a similar result by including a broad and diverse membership on a bar-based committee, entities that are accountable to a single institution are inherently more vulnerable. A bar-based effort is more likely to be secure if it receives contributions from other partners for staffing and expenses. Similarly, a provider-dominated group is less likely to win credibility and long-term support with the other partners.

3. *Judicial leadership – especially at the state Supreme Court level – greatly increases the effectiveness of Access to Justice initiatives.*

In a number of states, the Chief Justice or another state Supreme Court justice is an active leader in state Access to Justice initiatives. In several states, a justice is the co-chair or vice-chair of the state Access to Justice entity. The impact of Supreme Court leadership cannot be overstated. In addition to

raising the visibility and credibility of the Access to Justice mission as a whole, Supreme Court leadership can greatly enhance the effectiveness of efforts to increase state funding for civil legal assistance, to increase pro bono activity, and to make the courts more accessible to low-income people. Federal District Court and Court of Appeals judges, who play a leading role in several states, can be similarly effective. More broadly, the involvement of the judiciary at all levels will enhance the effectiveness of Access to Justice efforts.

4. *Individual leadership is critically important for a successful Access to Justice effort.*

Building an effective structure is not enough. Strong leadership on the part of individuals will always be necessary for an Access to Justice effort to succeed.

One person can make a difference. In many states, the leadership of a single individual has been the catalyst for the successful launch, progress, or revitalization of an Access to Justice effort.

Leaders have emerged from a variety of different institutional roles – judges, bar officers, program directors, bar or bar foundation staff, and others. But many of the most effective leaders have been volunteers with no formal responsibility in this area, who simply developed an Access to Justice vision and brought others along. An individual's institutional role is far less important than the willingness to make a commitment to do what is necessary to further Access to Justice goals.

5. *New and emerging Access to Justice leaders should be cultivated.*

Building leadership within the Access to Justice structure itself is critically important. An Access to Justice effort that initially includes all the strongest supporters of the mission may find that three or four years later, when the original leaders are ready to move on, there is no one ready to take their place. This may occur when the sense of crisis or initial excitement associated with launching the effort is waning. The result can be a moribund Access to Justice effort.

Creating clear terms of office, with rotating leadership, can help to avoid this problem, while promoting activity and accomplishment – leaders will want to ensure that there are concrete achievements during their terms of office. On the other hand, terms need to be long enough to build expertise and relationships. Three-year terms for officers have generally worked well. Longer terms are appropriate for committee members. A good mix of long-term supporters and new blood can be ideal.

As part of an Access to Justice initiative, it can be valuable to create structures and contexts in which new leaders can emerge – for example, committees and work groups, open meetings, convocations, public hearings, and the like. People who have not previously been involved in a prominent role may respond to the Access to Justice vision and come forward as leaders.

6. *Institutional commitment is necessary on the part of each of the key partners. Each partner must work to build support within its own institutional base.*

As important as individual leadership is, development of strong institutional commitments is equally important. When bar presidents or executive directors, Supreme Court justices, or legal aid program directors are providing strong leadership, depth of institutional support may not seem to be of particular importance. But when those individuals move on, the failure to have invested energy in building strong and enduring support can put the effort at risk. Especially at state and local bar associations, the foundation of most successful efforts, building a culture and history of commitment to the Access to Justice mission is an important goal.

To ensure a successful, ongoing effort, each Access to Justice partner needs to take steps to build or

maintain support for the effort within its institutional base. Bar leaders need to build support within the membership of their organizations; directors of legal aid programs, within their boards and staffs; jurists, among the judiciary and court personnel.

Individual leaders need to make clear what they are doing and why it is important. They should take as much care in crafting the message that they are sending to their own institutional base as the one they are sending to the state legislature, key decision-makers, and the public.

This challenge is especially important when an institutional partner is devoting institutional resources to Access to Justice – for example, when a bar entity takes on the burden of paying for Access to Justice staff. Making too big a commitment all at once can be risky. Leaders should be clear exactly what the resources are being used for and what they can reasonably be expected to achieve.

7. *Assessing and publicizing accomplishments is a key task.*

Assessing results and charting accomplishments is important to building support within the Access to Justice structure and the institutions that support it. Especially in a large state, it will be valuable to develop an annual plan and issue an annual assessment report.

Publicizing Access to Justice activities and accomplishments can too easily be overlooked. It's easy to assume that everyone knows everything that has been accomplished – but too often that is not the case, even within the membership of the Access to Justice group itself.

8. *Leaders should chart a compelling vision but avoid creating unreasonable expectations.*

Setting a boldly ambitious goal can be an effective way to motivate participants in a campaign. Failure to articulate a compelling vision at the outset can result in failure of buy-in, energy and commitment on the part of potential partners. At the same time, creating unreasonable expectations can be dangerous, leading to discouragement and a sense of failure when they are not fulfilled. In the messages they send to their constituents, Access to Justice leaders need to find a balance between these two competing concerns. This can be accomplished by setting reasonable interim goals while charting a bold long-term vision.

9. *An effective staff capacity is essential for a successful Access to Justice effort.*

While leadership roles can be filled by volunteers, staffing is necessary for adequate support, continuity, communications, and continued momentum.

Ideally, the staff person(s) should have Access to Justice as a sole, or at least primary, job responsibility and should report directly to the Access to Justice leadership. In practice, this will not always be possible, especially in a smaller state with few resources. Under these circumstances, it may be necessary for someone in an existing staff position to assume the Access to Justice responsibility. However, simply adding this responsibility to a staff person's existing duties is unlikely to be successful. Access to Justice groups should do whatever they can to find the resources to ensure that their efforts are staffed effectively.

Finding the right staff person can be difficult – the job requires significant interpersonal, communications, and political skills, the capacity to work effectively with a diverse group of volunteers, knowledge of the legal system and an understanding of the legal needs of low-income people. The skills, abilities, and energy level of the staff person are essential to the success of the Access to Justice effort. Above all, it is essential that the staff person have the full trust of all the institutional partners. A staff person who is viewed as primarily loyal to one institution – for example, the bar or the provider community – rather than the partnership as a whole, may not be effective.

- 10.** *Access to Justice structures should carefully consider how best to obtain meaningful input from client communities.*

Every Access to Justice structure should find a way to obtain meaningful input from client communities. There is no single model or easy method for accomplishing this goal. While some client representatives and groups have called for individual client representation on Access to Justice entities, many experienced Access to Justice leaders believe individual representation is not an effective way to obtain client input, especially in light of the increasing diversity of client communities. In their view, legal aid providers can effectively bring to the table the insights of their client board members and the findings of their periodic needs assessment processes. In addition, leaders of social service agencies or organizations working in client communities, particularly when they come from those communities themselves, can offer particularly valuable perspectives and support. Each state Access to Justice entity should carefully consider how it will ensure that client points of view are heard and considered.

- 11.** *Access to Justice structures should be open and inclusive and place a priority on developing trust among the partners.*

Just as each institutional partner has its strengths, each has its own particular institutional concerns, perspectives, and culture. Dedication to the shared goal of Equal Justice may not be enough to prevent misunderstandings from arising among the partners. There is always a danger that a “them and us” attitude may develop, which can lead to serious divisions in a state’s justice community and do lasting damage to the Access to Justice cause. Processes that are perceived as closed or exclusive can exacerbate the danger.

All the partners in a state Access to Justice effort should be aware of this potential problem and work to overcome it. To move forward effectively, all the partners need to work hard to build relationships of trust with one another. No one partner should dominate the structure or the other partners.

Ideally, all the key institutional players should be at the table when plans and decisions are made. This will ensure that all the relevant information is available and that the judgments that are made are sound. It will promote buy-in from all the parties and minimize the potential for misunderstandings or feelings of exclusion.

Particularly in larger states, it may not be possible to function effectively without creating a formal structure based on representation – the table will simply not be big enough to include all the players. Leaders should work hard to ensure that the structure is truly representative and to solicit buy-in from all the parties. Meetings should be open to all, at least as observers. While operating in this manner may create logistical difficulties, avoiding the dangers associated with a process that is perceived as exclusive or closed will be worth the extra effort involved.

- 12.** *Partners should place a priority on promoting cooperation and consensus within their own community and strive to speak with one voice in public.*

Disputes, lack of adequate communication, and failures of cooperation within partner communities can seriously damage Access to Justice efforts. Leaders must work within their own communities to avoid the negative consequences that can flow from such circumstances. While debate and dissent may be inevitable – even helpful – within a community, turf, jealousy, and unnecessary competition will divert energy and undermine the cause. Leaders should try to keep the “big picture” of Access to Justice as a whole front and center at all times. In their public statements, they should strive to speak with one voice.

Alabama

Structure

The Alabama Commission on Access to Justice was initially created as a state planning body charged with addressing the configuration of the state's LSC-funded providers. With that task completed, the Commission is preparing to become a functioning Access to Justice entity. The Commission is made up of representatives of the Alabama State Bar and local bar associations, members of the judiciary, including an Alabama Supreme Court Justice, and Board chairs of the legal aid providers existing at the time of its creation. Members of the Alabama Law Foundation and Alabama State Bar staff are currently staffing the group.

The Alabama State Bar's Access to Legal Services Committee includes representatives of legal services, sole practitioners, small and large firm pro bono volunteers, a member of the judiciary, and University of Alabama School of Law staff. The main focus of this committee is overseeing the pro bono programs in the state. It has recently expanded its efforts to include the issue of self-represented litigants.

Funding

A Fundraising Work Group of the Commission on Access to Justice is currently exploring options for resource development. Legal Services Alabama, the LSC-funded program, is developing a private bar fundraising campaign.

Access to Courts

The State Bar's Access to Legal Services Committee has created a subcommittee to study the issue of pro se litigants.

Program/Delivery

As of February 2004, Alabama has a single LSC-funded provider, Legal Services Alabama. Creation of the new statewide program was recommended by the Alabama Commission on Access to Justice.

Alaska

Structure

Alaska's Access to Civil Justice Task Force, created by the state Supreme Court and comprised of judges, bar leaders, legal services providers, representatives of the client community, and business and community leaders, completed its work with the issuance of its report in May 2000. An Implementation Task Force was appointed to oversee implementation of the recommendations contained in the report. Subsequently, the Task Force was rolled into the Supreme Court's Fairness and Access Implementation Committee, chaired by Supreme Court Justice Robert L. Eastaugh.

Pro Bono

As recommended by the Access to Civil Justice Report, in 2003 the Alaska Supreme Court adopted revised ABA Model Rule 6.1, which encourages all lawyers to provide 50 hours per year of pro bono service. To implement another recommendation, the Alaska Bar Association's Pro Bono Service Committee worked with the Department of Law to develop methods through which public sector lawyers can perform pro bono service.

In January 2004, the Alaska Bar Association Board of Governors approved adding a Pro Bono Recruitment Coordinator staff position, responsible for the recruitment and retention of pro bono lawyers, coordination among the pro bono agencies in the state, and promotion of pro bono service statewide.

Access to Courts

The Alaska Court System has implemented most of the recommendations of the Access to Civil Justice Report for which it is responsible. Foremost among its initiatives is the Family Law Self-Help Center, a statewide telephone helpline and Web site dedicated to helping self-represented people achieve a better understanding of family law procedures, increasing access to family law courts, and facilitating quicker resolution of family law matters.

Alaska Legal Services Corporation operates clinics for self-represented litigants in the areas of family law, bankruptcy, housing and probate.

Program/Delivery

A new Web site, www.AlaskaLawHelp.org, created by the Alaska Legal Services Corporation based on the Pro Bono Net template, provides extensive legal and referral information for clients.

Arizona

Structure

The Access to Justice Task Force created by the Board of Governors of the State Bar of Arizona is charged with reviewing the legal needs of low-income people in the state and the services currently available and making recommendations for improvements in the system. The Task Force includes representatives from the state's legal aid providers, the Supreme Court, the State Bar, the Arizona Foundation for Legal Services and Education, the U.S. Attorney's office, the state's law schools, and the private bar.

The Statewide Legal Services Steering Committee continues its efforts to improve and expand civil legal assistance in Arizona. The Committee is made up of representatives of the State Bar of Arizona, the Arizona Foundation for Legal Services and Education, and the state's civil legal aid programs.

Funding

The Access to Justice Task Force issued its report in October 2003. The Board of Governors of the State Bar unanimously adopted two of its recommendations: supporting the proposition that legal aid providers in the state need increased resources; and creating an Access to Justice clearinghouse and reduced fee panel for people with moderate income. The Board directed the Task Force to explore the funding proposals set out in the report in more depth and present its findings at a future meeting. The recommended proposals include surcharges on filing fees, fines, and/or document preparation fees; allocation of pro hac vice fees; enhanced bar dues with an opt-out for those providing 50 hours of pro bono work; and requesting that a portion of the proceeds of large settlements be dedicated to legal aid.

The Arizona Equal Justice Campaign, the fundraising vehicle of the Arizona Equal Justice Foundation, is now in its third year, and has raised over \$1.5 million from law firms and individual attorneys for the state's three LSC-funded civil legal aid programs, Community Legal Services, DNA Peoples Legal Services and Southern Arizona Legal Aid. The Foundation is governed by a board of directors that includes partners of the state's largest law firms, and has a committee structure that includes public attorneys, sole practitioners, corporate attorneys and members of law firms of all sizes. Contributors to the campaign are representative of all Arizona counties.

The state's \$1.2 million appropriation to civil legal assistance for victims of domestic violence appears to be secure for the present. Consequently, lobbying to support it has been low-key in 2004.

Pro Bono

The Volunteer Lawyers Program conducted its second statewide recruitment campaign in 2003. Dynamic new materials were sent to each attorney in the state, along with a cover letter from the Chief Justice of the Arizona Supreme Court, encouraging participation in the program. In addition, eight free ethics CLE sessions were conducted around the state. The campaign resulted in over 300 new volunteer attorneys.

Program/Delivery

The Statewide Legal Services Steering Committee, using LSC Technology Innovation Grants, has undertaken two technology initiatives to increase access to justice: creation of a statewide website, www.azlawhelp.org, for clients and advocates; and development of a statewide technology plan to expand access to legal services, led by a new statewide technology coordinator.

Arkansas

Structure

In December 2003, the Arkansas Supreme Court authorized creation of a permanent Access to Justice Commission, as recommended by the Access to Justice Working Group convened by the Arkansas Bar Association in 2002. The Commission consists of 15 members: five members appointed by the state Supreme Court, including one Supreme Court Justice and a representative of one of the state's law schools; five appointed by the Arkansas Bar Association, including an advocate for low-income people; three appointed by the Governor, including one legal services attorney, a representative from an agency serving low-income people, and a representative of the Chamber of Commerce; and a representative from each House of the Legislature. The Directors of the Arkansas IOLTA Foundation, law school clinics and the two legal aid programs serve ex officio.

Pro Bono

In October 2003, the Arkansas Legal Services Partnership presented the Arkansas Bar Association with a *Blueprint to Expand Volunteerism Among Arkansas Lawyers*, which lays out a flexible plan for the development of a long-term partnership to expand and recognize volunteerism among Arkansas lawyers. The plan establishes goals and identifies concrete steps that can be implemented immediately, as well as providing a menu of possibilities for sustaining the effort on an ongoing basis. The Arkansas Bar Association has approved the core components of the plan, designating the Arkansas Legal Services Partnership as contact between the Bar Association and the pro bono programs involved.

Access to Courts

The Arkansas Legal Services Partnership, in collaboration with the Administrative Office of the Courts, has initiated a pilot project creating a "virtual law office" located in courthouses in two counties to assist pro se litigants in filing a simple divorce or protective order.

Program/Delivery

In January 2003, Arkansas' two newly configured legal services providers launched the Arkansas Legal Services Partnership, a statewide programmatic collaboration intended to develop a unified statewide identity for the two programs. The Partnership serves as the primary vehicle for developing initiatives with state-level agencies and organizations, including the State Bar, the Administrative Office of the Court, advocacy groups, and associations of service providers. Educational and promotional materials are produced under the Partnership's identity.

The Partnership is coordinating a process to improve the consistency and quality of the written legal advice provided by the two programs. Existing form letters and educational materials are being reviewed and revised and new materials are being developed. Adult education experts are reviewing materials to ensure that they are usable at an eighth grade reading level. In addition, the Partnership and Arkansas Workforce Education have launched a four-county pilot program to alert legal aid staff to signs of reading and learning problems in clients. Clients who are identified as having problems will be referred to Arkansas Workforce Education for assistance.

Legal aid programs have created a task force aimed at modifying or repealing Arkansas' criminal eviction law through litigation and judicial education.

California

Structure

The California Access to Justice Commission leads the state's Access to Justice efforts. Appointments are made by the State Bar, Judicial Council, California Judges Association, Governor, Attorney General, President Pro Tem of the Senate, Speaker of the Assembly, Chamber of Commerce, Labor Federation, Council of Churches, League of Women Voters, Consumer Attorneys of California, and Council of California County Law Librarians. The Commission is staffed by the State Bar's Director for Legal Services Outreach, in close coordination with staff of the Administrative Office of the Courts.

The Legal Services Coordinating Committee, which includes representatives of the Access to Justice Commission, Judicial Council, State Bar Standing Committee on the Delivery of Legal Services, Legal Services Trust Fund Commission (IOLTA), Legal Aid Association of California, and California Clients Council, coordinates justice planning efforts to ensure that planning is ongoing and projects are implemented.

Funding

In 2005, Judicial Council will present a report to the legislature concerning the effectiveness of the work being funded by the state through the Equal Access Fund. The Council is working with the State Bar's Legal Services Trust Fund Commission, the Access to Justice Commission, and the Legal Aid Association of California to develop the necessary evaluative information.

Loan Repayment

The Legal Aid Association of California has organized a Loan Repayment Assistance Committee, charged with initiating a campaign to persuade California law schools to launch loan repayment assistance programs and creating incentives for legal services programs to create their own programs.

Pro Bono

The State Bar's Standing Committee on the Delivery of Legal Services and the Legal Aid Association of California are conducting education and outreach concerning legislation enacted in 2002 requiring the state to take the pro bono work of lawyers into account when awarding contracts for legal work.

Access to Courts

In February 2004, the Judicial Council's 20-member Task Force on Self-Represented Litigants, created at the urging of the State Bar and the Access to Justice Commission, presented its *Statewide Action Plan for Serving Self-Represented Litigants*. The plan, which has been approved by the Judicial Council, includes recommendations for making the legal system more accessible for self-represented litigants. These include creation of an attorney-supervised, staffed self-help center at every court and training for judicial officers on working with self-represented litigants.

A draft policy paper on *Language Barriers to Justice in California* has been developed by the California Commission on Access to Justice and circulated for public comment.

In 2003, the Access to Justice Commission's Limited Representation Committee released a *Risk Management* packet, containing instructional materials for clients and attorneys on limited representation ("unbundled" legal services) in family law matters. Among the documents are guides and standards on best practices, sample fee agreements, checklists, and recently approved Judicial Council forms.

New resources on the Web include the Spanish-language edition of the California Courts Online Self-Help Center (www.sucorte.ca.gov) and EZLegalFile (www.ezlegalfile.com), a document assembly program to help self-represented litigants complete necessary filings in family law, landlord/tenant, guardianship and small claims matters.

Program/Delivery

A new statewide Web site, www.Lawhelpcalifornia.org, using the ProBonoNet template, was launched in September 2003 to provide the public with easy internet access to basic legal information and legal resources.

The Legal Aid Association and the Administrative Office of the Courts jointly convened a Family Law Conference in San Francisco in 2003, to be repeated in Southern California in 2004.

Colorado

Structure

The Colorado Access to Justice Commission was created in the fall of 2002 with the approval of the Colorado Supreme Court at the request of the Colorado Bar Association. The Commission consists of 20 members, of whom 18 have been appointed: ten by the Colorado Bar Association, four by the Supreme Court, and one each by the Legal Aid Foundation of Colorado, the Colorado Lawyer Trust Account Foundation, Colorado Legal Services, and the President of the State Senate. Appointments by the Governor and the Speaker of the House have not yet been made. The Colorado Bar Association provides a staff member for the Commission.

Funding

In 2003, the Access to Justice Commission's Resource Development Committee went through a long-range planning process and selected two priority areas for its work: increasing support from Colorado's congressional delegation for funding from the Legal Services Corporation and maintaining and increasing funding for domestic violence victims from the state legislature. These initiatives were selected because they were not the focus of any other entity, despite their importance to legal services in Colorado. Both are long-term projects.

Since 1999 the state legislature has appropriated funding for civil legal assistance to domestic violence victims. From an initial level of \$250,000, the appropriation increased to \$500,000 in 2003, but its continuation is in serious jeopardy due to the state's fiscal crisis.

Pro Bono

The Access to Justice Commission's Pro Bono Committee is working with judges, attorneys and pro bono coordinators in local judicial districts to create local committees to address access to justice issues, with a primary focus on pro bono representation. Six local committees are currently up and running and the Commission expects that others will be created in the remaining areas of the state by the end of 2004. The local committees will provide annual reports to the Commission and share information and ideas with one another.

The Commission's Education Committee is exploring a variety of issues relating to pro bono, including:

- requiring a specific number of qualifying CLE hours be in substantive areas where pro bono work is especially needed
- reducing or waiving CLE fees in those areas
- expanding course offerings relevant to those areas
- crediting pro bono case hours toward meeting CLE minimum requirements (subject to limits)
- creating a "master calendar" on the Colorado Legal Services Web site to list programs and opportunities for those interested in performing pro bono work
- developing a model in-house legal department policy, to encourage in-house counsel to participate in pro bono services programs
- increasing pro bono opportunities and training for law students and faculty.

Access to Courts

The Commission's Courthouse Committee works with the Colorado Supreme Court and State Court Administrator to improve access to the courts and find ways to ease the burdens on court staff caused by substantially reduced funding for Colorado's court system. Areas of activity have included training for Family Court Facilitators, developing Web-based judicial forms and instructions, and convening a pro se summit that brought together stakeholders involved in pro se issues in the Denver Metro Area to review the resources available and discuss how unmet needs can be addressed. The Commission and the Colorado Bar Association are exploring ways to educate lawyers about the needs of pro se litigants.

Connecticut

- Structure** Connecticut does not have a formal Access to Justice entity, largely because there is an informal structure that has been in place for a long time and functions effectively. This includes a very active network of legal service providers, an active and involved Bar Foundation, strong partnership between the legal service providers and the state Bar Association, and good communication among a broad range of organizations that share a commitment to equal justice.
- Funding** Access to Justice leaders have begun to plan a long-term effort to build support for state funding for civil legal aid.
- Needs Study** To support planning and efforts to expand resources, the Connecticut Bar Foundation commissioned a new study of the legal needs of low-income people in Connecticut. Conducted by the University of Connecticut's Institute for Survey and Research, the study was completed in April 2003.
- Pro Bono** The Bar Association's Pro Bono Committee is conducting a survey of small to mid-sized firms on their pro bono practices. Other initiatives include efforts to expand the pro bono presence in the state's law schools and to increase the involvement of corporate law departments in pro bono.
- Access to Courts** A Bench-Bar Task Force charged with finding ways to accommodate the interests of self-represented litigants, the courts, and the legal profession issued its report in 2003. A new Connecticut Bar Association committee has been created to explore the issue of limited representation ("unbundled" legal services).

Delaware

Structure

The Delaware State Bar Association's Standing Committee on the Provision of Legal Services to Low-Income People (the "LIP Committee") was created in 1995 by the president of the Delaware State Bar Association at the urging of the Delaware Supreme Court. Its membership includes bar leaders, legal service attorneys, private attorneys, in-house counsel, a public defender, a government attorney, a law school professor, and a state legislator; a member of the Delaware Supreme Court serves as liaison. Its purposes are to promote collaboration among service providers; to serve as a liaison between the bar, the courts and providers; and to improve the provision of legal services to low-income people.

The Pro Se Litigation Assistance Committee is comprised of members representing all Delaware courts, legal service agencies, disciplinary counsel and Bar Association leaders.

Funding

In 2003, the Delaware General Assembly appropriated \$200,000 for civil legal aid, the first appropriation for general legal services. There has been a \$50,000 appropriation for services to the elderly for some time.

In 2003, its fifth year, the Combined Campaign for Justice, a joint fundraising campaign, raised over \$578,000. The goal set for 2004 is \$650,000. Funds from the campaign are divided among the three legal services providers in Delaware: Community Legal Aid Society, Inc., (unrestricted); Legal Services of Delaware (LSC-funded); and Delaware Volunteer Legal Services (pro bono).

Pro Bono

In an effort to recruit more pro bono volunteers, the Chief Justice of the Delaware Supreme Court conducted an optional, anonymous survey of Delaware attorneys about their pro bono services. The resulting statistical information is being used to guide the Supreme Court's efforts to promote pro bono.

A change to Delaware CLE Rule 8(d) allows attorneys to receive credit for performing pro bono services. One hour of CLE credit is allowed for every six hours of uncompensated legal services.

At the request of the Standing Committee on the Provision of Legal Services to Low-Income People, the State Bar Association has taken over from Delaware Volunteer Legal Services responsibility for a number of annual Pro Bono Awards, in order to increase their visibility and enhance their status.

Access to Courts

The Pro Se Litigation Assistance Committee helped to develop a Self-Help Resource Center, located in the new New Castle County Courthouse, to serve litigants in all of Delaware's state courts. Services include an information desk, court forms, instructions, educational materials, legal self-help books, books addressing the emotional aspects of people's cases, a list of attorneys (indicating specific practice areas, fees and other information), notary services, computers and printers, a photocopy machine, a VCR for viewing of court-related videos, and a fax machine. The Family Court operates additional Self-Help Resource Centers in two counties. The courts have also developed a Web site with an "Online How To Center" providing extensive legal information.

A subcommittee of the Pro Se Litigation Committee is developing a system to make attorneys available for 15-minute consultations with self-represented litigants prior to the filing of court documents. The attorneys will answer questions regarding filing fees and court procedures and provide brief consultations. A test panel of family law attorneys has been conducted and the project is moving forward in this area. A similar panel will be created soon for landlord/tenant cases. Free CLE will be offered to encourage attorneys who have less experience in the area to participate in the panel.

Program/Delivery

A statewide centralized intake system, Legal Help Link, was instituted in 1998 by the Standing Committee on the Provision of Legal Services to Low-Income People, in a collaborative effort with legal aid programs and Widener University School of Law. Law students and some paid staff answer the Legal Help Link lines, complete intakes, and refer clients to the appropriate agency.

District of Columbia

Structure	<p>The District of Columbia Bar, Bar Foundation, courts, and Consortium of Legal Services Providers are currently engaged in a collaborative process aimed at creating a strong, comprehensive Access to Justice structure in the District.</p> <p>The DC Bar Foundation, to mark its 25th anniversary in September 2003, issued a report on Civil Legal Services Delivery in the District of Columbia. It identifies major gaps in the civil legal aid delivery system and calls upon the legal community to develop a bold and comprehensive plan to ensure that low-income residents have access to a full range of legal services and expertise. The Foundation's Board of Directors is made up of five past presidents of the DC Bar. In addition, the Foundation has an Advisory Committee of 23 members, consisting of attorneys in private and government practice.</p> <p>The DC Consortium of Legal Services Providers, comprised of representatives from legal aid programs, non-profit organizations and law schools, has been a forum for providers to share information, engage in joint planning, and encourage collaboration for the past 15 years. In January 2004, in response to the Bar Foundation's report, the Consortium adopted a resolution asking the courts and the DC Bar to establish an Access to Justice Commission charged with increasing funding for civil legal services, removing systemic barriers to equal justice, coordinating support functions, and organizing a district-wide approach to the provision of legal services.</p> <p>The DC Bar's Pro Bono Committee oversees the Bar's active pro bono programs and undertakes efforts to encourage pro bono service by all segments of the Bar.</p> <p>The DC Courts, in a recently adopted strategic plan, made a commitment to promote the availability of legal services to court users, to develop a plan for improving services to litigants without lawyers, and to examine court-related costs to minimize the impact of economic disparities.</p>
Funding	<p>The DC Bar Foundation is charged by the DC Court of Appeals with responsibility for administering the IOLTA program. It also has an ongoing campaign to raise substantial gifts from law firms doing business in the city. In 2003, the Bar Foundation awarded a record \$1,000,000 in grants to legal services providers. Possible new funding sources, such as filing fees and government appropriations, will be explored in the coming months.</p>
Pro Bono	<p>The DC Bar's Pro Bono Partnership (PART), a network of 100 District law firms and federal agencies committed to providing pro bono legal services, sponsors regular meetings at which legal service organizations present emerging needs for pro bono services and firms exchange ideas for enhancing their pro bono activities. The Bar's Pro Bono Program, in conjunction with other partners, also operates a variety of clinics and trainings for pro bono attorneys, including an advice and referral clinic, bankruptcy clinic, community economic development pro bono project, law firm clinic, and "pro se plus" divorce clinic.</p> <p>The ProBono.net Web site, launched in 2002, continues to expand. The Bar's Pro Bono Program is the geographic host for the site, with several other legal services programs serving as hosts for particular practice areas. Numerous providers contribute content. The site is funded by the DC Bar Foundation, with administrative support donated by local law firms.</p>
Access to Courts	<p>The Courts, the Bar's Pro Bono Program, and legal aid providers have launched self-help centers at the Family and Landlord and Tenant Courts. These centers are located in the courthouse, but staffed by volunteers.</p>
Program/Delivery	<p>A new Web site, LawHelp, is being developed to provide legal information and referrals to clients in major substantive areas.</p>

Florida

Structure

The Florida Bar Foundation, founded by Florida lawyers and the Florida Supreme Court, includes in its mission a broad charge to expand and improve representation and advocacy on behalf of the poor in civil legal matters. It is governed by a 29-member board, which includes the President, President-Elect, and Immediate Past President of the Florida Bar, the President of Florida Legal Services, legal educators, representatives of the judiciary, and at-large members selected equally by the Supreme Court, the Florida Bar, and the Bar Foundation.

In 1999, the Bar Foundation and the Florida Project Directors Association launched a state planning process. The planning process and initial implementation were overseen by the State Planning Oversight Committee, which included the membership of the Bar Foundation's Legal Assistance for the Poor Committee, along with representatives from the Florida Bar's Board of Governors, the judiciary, local bar associations, the Project Directors Association, and the client community. Ongoing oversight of the plan's implementation has now been turned over to the Bar Foundation and the Project Directors Association.

Funding

In 2002, Florida's first-ever appropriation for legal services—for \$2 million—was approved by the legislature and signed by Governor Jeb Bush. The measure was the Florida Bar's top legislative priority for the year.

In 2001, the Florida Supreme Court, responding to a request by the Bar Foundation, adopted new rules designed to increase income for legal assistance through Interest on Trust Accounts. Although low interest rates since the rules were adopted have prevented the realization of the anticipated IOTA revenue increase, the rule change has enabled the basic level of IOTA revenue to be maintained.

Following a recommendation of the State Planning Group, the statewide resource development project and the statewide pro bono development project were combined and a director of the new Resource Development Team Project began work in March 2003. The resource team is working statewide with a variety of partners to improve pro bono participation, increase funding from government and private sources, and expand the general support for civil legal assistance to the poor.

Pro Bono

Florida was the first—and for almost a decade, the only—state in the country, to require annual reporting of pro bono service. The same Supreme Court rule created a system of local pro bono committees in each judicial circuit, responsible for developing plans to address unmet needs through pro bono and to promote participation in pro bono efforts. The circuit committees report to a statewide Standing Committee on Pro Bono Legal Services, appointed by the President-Elect of the Florida Bar.

The current President of the Florida Bar has identified increasing pro bono services for children as a top priority of his presidency. His “For the Children” initiative has already led to increased pro bono and donations.

Access to Courts

The Florida legislature is planning for taking full responsibility for funding the court system, as mandated by a constitutional amendment, by July 1, 2004. The legislative decisions on what are the essential court services and the appropriate level of funding for those services will have a substantial impact on access to the courts. Legislative advocacy is underway to use this as an opportunity to improve access to the courts.

Program/Delivery

As of January 2004, pursuant to the state plan approved by LSC, Florida's LSC-funded programs were reduced from 12 to seven, with several of the formerly LSC-funded programs continuing with other funding. Implementation of the plan was undertaken by eight committees: Companion Delivery; Task Forces and Umbrella Groups; Pro Bono; Regionalization; Regional Intake Pilot Projects; General State Support; Training, Technical Assistance and Technology; and Resource Development.

Georgia

Structure

The Justice Builders Leadership Coalition, launched in July 2003 at the Justice Builders Leadership Conference convened by the State Bar of Georgia's Access to Justice Committee, is developing core values, vision, and mission statements for a broad plan to expand access to civil justice in Georgia. The Coalition plans to move forward to create an Access to Justice Commission or similar entity to coordinate efforts to expand access to justice, including implementation of the recommendations of the Action Committees created at the 2002 Access to Justice Convocation. The Justice Builders Leadership Coalition includes members of the Action Committees and representatives of the state legislature, the judiciary, academia, bar associations, and the funding community. The Access to Justice Committee has created a Justice Builders Web site to enhance communication and outreach among stakeholders. The Justice Builders Coalition and the Access to Justice Committee are staffed by the Director of the Georgia State Bar Pro Bono Project, which receives funding from IOLTA and Georgia Legal Services as well as the State Bar. The Georgia Supreme Court provided funding for the Justice Builders Leadership Conference and Access to Justice Convocation.

Funding

The Coalition's Resource Development Action Committee has developed a draft report recommending development of a long-term strategy for making the cause of equal justice more compelling to leaders and potential donors and educating them about the benefits that communities derive from effective legal aid programs. The report also recommends implementation of specific, short-term strategies for increasing resources, including increased community outreach and marketing; a joint cy pres campaign; negotiation of additional state contracts, particularly for serving welfare recipients; and efforts to increase private bar and corporate support.

Pro Bono

The Coalition's Private Attorney Involvement Action Committee has developed a draft report setting out a broad range of potential initiatives for mobilizing private attorneys to expand access to justice. Specific initiatives recommended in the report include efforts to expand the effectiveness of Rule 6.1, increase support for volunteers, increase the commitment of medium and large law firms, improve communications among pro bono partners, increase judicial support for pro bono, and develop fellowships and loan repayments programs.

Access to Courts

The Coalition's Community Education and Pro Se Action Group has analyzed existing efforts and identified a need for additional court-based pro se assistance programs in the state, noting that the areas of landlord/tenant and probate are especially ripe for court-based programs because both have large numbers of unrepresented parties. The group's report emphasizes that judicial commitment and involvement will be a prerequisite to any expansion of court programs. The group also identified the need for an increased role for non-lawyers, including leaders of community groups, teachers, and clergy, in providing legal information and appropriate legal assistance to Georgia's poor.

The Coalition's Client Access Action Group has developed a series of recommendations for removing barriers to the courts for pro se litigants, non-English speakers, hearing-impaired and institutionalized persons, victims of domestic violence, and immigrants.

Program/Delivery

The Coalition's Advocacy Coordination Action Group has identified a pressing need for policy advocacy and litigation on behalf of low-income residents that the two LSC-funded programs may not undertake because of Congressional restrictions on their activities, and recommended that the full Access to Justice Committee explore the creation of a statewide advocacy center to undertake this mission.

Hawaii

- Structure** Hawaii does not have a formal Access to Justice structure. Legal services providers, the courts, and the Hawaii State Bar Association work together effectively on an informal basis.
- Funding** In 2001, providers, with support from the Hawaii State Bar Association and the state court system, succeeded in persuading the legislature to eliminate a sunset provision that would have ended funding for legal services from court filing fees.
- Pro Bono** The Legal Aid Society of Hawaii is recruiting inactive lawyers to practice through the Pro Bono Publicus Project, under which bar fees, dues and charges can be waived for persons acting exclusively as pro bono attorneys for qualified legal services providers. The project is made possible by a rule change approved by the Hawaii Supreme Court effective July 2002, originally proposed by the Hawaii State Bar Association Committee on the Delivery of Legal Services to the Public.
- The Legal Aid Society has also begun a new pro bono effort directed at recruiting lawyers to provide full representation for domestic matters and to act as guardians ad litem for children in abuse and neglect proceedings.
- Access to Courts** The Legal Aid Society of Hawaii has worked closely with the state court system on initiatives to support pro se litigants and provide information and advice in other areas. These include a self-help center, through which clients can obtain packets of self-help material on 120 common legal problems; clinics on adoption, guardianship, bankruptcy, family law, and other areas; courthouse assistance projects in housing and family law; simplification of court forms; and a multilingual Web site through which users can download court forms and access legal information.
- Program/Delivery** The Legal Aid Society of Hawaii is partnering with a variety of state agencies to serve low-income people in the state: it is the largest provider of guardian ad litem services for the state judiciary; it has secured new funding to provide holistic services to persons who have domestic violence exemptions from TANF; and it is using Title 4B funding to assist minors at risk and their families with legal services to reduce the likelihood of abuse. The Society is about to sign a contract with the state to represent children in foster care with applications and appeals for SSI. It has also received five grants from HUD, including a Fair Housing Outreach and Education grant, a Fair Housing Tester grant, a Predatory Lending grant, a Section 8 Homeownership grant, and a Housing Counseling grant.
- The Legal Aid Society of Hawaii has partnered with community organizations and social service organizations to improve access to justice for remote clients through the use of videoconferencing and the Internet. The technology also facilitates better communication and cross-training between the partner organizations.

Idaho

Structure

The Delivery of Legal Services Advisory Council was created in July 2001 by the Idaho State Bar Board of Commissioners and the Idaho Law Foundation Board of Directors as a standing committee of the two Boards. The mission of the Council is “to facilitate the development and implementation of a comprehensive, long-term plan for the coordination, delivery, and funding of legal services to low-income individuals and groups in Idaho.” The Council includes representatives from the Idaho State Bar, Idaho Law Foundation, Idaho Legal Aid Services (the LSC grantee), Idaho Volunteer Lawyers Program (the Law Foundation’s pro bono program), Idaho Supreme Court, Idaho Partners for Justice Project (joint fundraising for legal services and pro bono), Idaho Supreme Court’s Increasing Access to the Courts Committee, Court Assistance Offices, Co-Ad, Inc. (protection and advocacy), Idaho Council on Domestic Violence and Victim Assistance, and members of the Idaho State Legislature, including representatives of both parties and both chambers.

The Supreme Court’s Increasing Access to the Court Committee seeks to increase information and assistance from the courts to the public and to increase coordination of existing legal resources. It was established in 1997 by the Idaho Supreme Court. Its charge is to identify existing problems and resources associated with providing access to the court system for persons of low-income or modest means or those who choose to proceed pro se without representation, and to devise strategies and identifying technologies with which the Court, the State Bar and other entities can work together to increase access to the court system.

Pro Bono

In November 2003, the Idaho State Bar approved proposed changes to the Idaho Rules Of Professional Conduct, among them a new Rule 6.1 on pro bono service that substantially follows the ABA Model Rule, including its suggested guideline that a lawyer voluntarily provide 50 hours of pro bono service per year. The new rules are pending before the Idaho Supreme Court and may be put into effect by summer 2004.

Access to Courts

The primary work of the Increasing Access to the Court Committee has been the establishment of Court Assistance Offices, “one-stop” clearinghouses providing access to legal services and other resources for those involved in family law cases and other civil court matters, currently in place in half of Idaho’s 44 counties. Resources can also be accessed directly from the project’s Web site at www2.state.id.us/cao. The Committee continues to oversee the expansion of the Court Assistance Offices, the work of a “standardized forms” subcommittee, and the development of protocols and other means of supporting pro se litigants.

Program/Delivery

The Delivery of Legal Services Advisory Council has updated the *Directory of Idaho Legal Services*, now posted on the Court Assistance Office Web page. To evaluate how effectively they are meeting the legal needs of the state’s low-income residents, the Advisory Council’s member organizations have agreed to meet at least annually and to improve and strengthen communication through the use of technology.

Illinois

Structure

The Illinois Coalition for Equal Justice is a joint project of the Chicago Bar Association, the Illinois State Bar Association and the Chicago Bar Foundation to coordinate, support and encourage initiatives that increase access to justice in Illinois. The Coalition's members include bar leaders, legal aid representatives, judges, executive branch officials, legislators, court clerks, mediation service providers, law school faculty, funders and social service providers. The Coalition is currently staffed by the Associate Director of the Chicago Bar Foundation.

Funding

The Illinois Coalition for Equal Justice sponsors the Equal Justice Illinois Campaign, a grassroots educational effort aimed at building a stronger, more stable base of funding for Illinois' legal aid system, including an increased state appropriation for the Illinois Equal Justice Foundation. The Foundation, which administers funding appropriated pursuant to the Illinois Equal Justice Act, has received approximately \$500,000 annually in state funding since 2001, well below the level in other comparable states. It funds a continuum of strategies, ranging from information and self-help materials to full representation. The Campaign is led by a blue ribbon committee chaired by former Governor James Thompson and former State Senator Phil Rock. (Former United States Senator Paul Simon served as co-chair until his untimely death in December 2003.)

In 2002, the Illinois Supreme Court raised the state's attorney registration fee by \$42 to increase funding for the Lawyers Trust Fund, which distributes funding to civil legal aid programs.

Needs Study

The Illinois Legal Needs Study II, a comprehensive assessment of the legal needs of low-income Illinois residents, was launched in 2003 with the support of the Lawyers Trust Fund of Illinois and the Chicago and Illinois State Bar Associations and their respective foundations. Completion of the study is expected in early 2005.

Pro Bono

The Illinois Supreme Court Special Committee on Pro Bono Service was created in 2001 to evaluate the role that the Supreme Court should play in pro bono efforts in Illinois. The Illinois Coalition for Equal Justice and its Pro Bono Working Group submitted recommendations to the Special Committee suggesting that the Illinois Supreme Court adopt a comprehensive pro bono model similar to that recently created in Maryland. The Special Committee submitted its report to the Supreme Court in December 2003, where it remains under consideration.

Access to Courts

The Illinois Coalition for Equal Justice's Public Education and Pro Se Working Group is working with leaders of an electronic-filing pilot project to ensure that the needs and realities of low-income pro se litigants are taken into account. The group also plans to develop a template for a self-help center that can be replicated in varied settings, including courthouses and libraries.

Program/Delivery

The Illinois Technology Center for Law & Public Interest is a statewide collaboration between legal aid programs, funders, the private bar, and law schools, hosted by the Chicago-Kent College of Law. The Center has developed a Web site, www.illinoislawhelp.org, providing legal information and pro se assistance to the public, including forms and interactive modules to assist users in handling simple legal procedures. In March 2004, in partnership with the Cook County court clerk's office, the Center opened a self-help center in Chicago's Daley Center, where Kent law students help customers navigate the modules, forms and legal information housed on the site.

The Center has also developed www.illinoisprobono.org, serving pro bono volunteers, and www.illinoislegalaid.org, enabling legal services programs to share resources, including training and support.

Indiana

Structure

Indiana does not have a formal entity addressing a full spectrum of Access to Justice issues. However, through the annual Access to Justice Conference and ad hoc groups addressing discreet issues, the judiciary, the private bar, law schools, social service providers, court personnel, and legal services staff, board members and clients work together in partnerships to improve and expand access to justice in the state.

In 2001, the Indiana Supreme Court created the Pro Bono Commission, consisting of 21 members appointed by the Supreme Court and the Indiana Bar Foundation. The Commission oversees a structure of Pro Bono Committees in each of the state's 14 Judicial Districts, charged with developing and implementing pro bono plans to help meet the civil legal needs of low-income people in the district. Each district's pro bono effort is led by a judge appointed by the Supreme Court. The Commission is staffed by its Executive Director, funded by IOLTA and located at the Indiana State Bar Association, which also supplies additional staff support.

The Indiana Supreme Court's Pro Se Advisory Committee was created to make recommendations to the Court on how best to respond to the growing phenomenon of self-represented litigants. The committee is comprised of judicial officers, county clerks, bar representatives, legal services providers, librarians, and other community members. The Division of State Court Administration houses and administers the project with the assistance of the Counsel to the Chief Justice.

Funding

The Indiana Equal Justice Fund, Inc., is a separate not-for-profit organization established in 1995 to raise funds for legal aid through an annual attorney fundraising campaign. The Equal Justice Fund was also instrumental in the passage of an appropriation of \$1 million annually from the Indiana General Assembly, beginning in 1997.

Pro Bono

Most of the 14 local pro bono districts have hired a plan administrator to assist the efforts of judicial appointees. The implementation of district plans is funded by IOLTA, according to recommendations made by the Commission and approved by the Indiana Bar Foundation. For 2004, the Pro Bono Commission recommended that the local pro bono committees receive a total of \$391,500. In addition, the Commission authorized eight \$2,000 scholarships to enable Indiana attorneys involved in pro bono and judicial district pro bono coordinators to attend the 2004 Equal Justice Conference in Atlanta.

The Commission is marketing the pro bono movement via print, video, and the Internet, and assists the districts by providing information and forms and sponsoring continuing legal education and recognition events. These have included retreats for the plan administrators, featuring seminar presentations and statewide planning sessions, and an annual celebratory event, the Randall T. Shepard Dinner, where a pro bono award is presented in honor of the Chief Justice.

Access to Courts

The Indiana Supreme Court's Pro Se and Self Service Center Project has developed uniform, statewide pro se forms, some of which are available in Spanish, and has posted them on a Web-based Self-Service Legal Center. The pro se forms are also used at pro se clinics sponsored by Indiana Legal Services and the local pro bono committees. The Web site also includes a variety of other informational material and links to assist self-represented litigants. In addition, the Project has helped to educate trial courts and clerks about the best ways to assist self-represented clients and has initiated cooperation between the state's public libraries and county clerks. The Supreme Court's Pro Se Advisory Committee is preparing an opinion on limited scope representation and the specific issue of ghostwritten pleadings.

Iowa

- Structure** The State Planning Group, originally formed to address configuration issues, is now contemplating its role in other efforts to expand access to justice. It includes representatives of legal services providers, bar associations, the client community, other providers working with low-income Iowans, the judiciary at both the district and appellate court levels, court service personnel, volunteer lawyers projects, and law schools.
- Funding** Access to Justice leaders are focusing on expanding resources through Iowa Legal Aid's new Annual Campaign. In the first year the campaign was chaired by former Governor Robert D. Ray, former U.S. Congressman Neal Smith, and a prominent Des Moines attorney. Local leadership committees are also forming in each regional office service area to facilitate local fundraising.
- Communications** Fundraising efforts are supported by a statewide communications effort developed through the Pilot States Project, funded in part by LSC and the Project for the Future of Equal Justice, which brought the resources and skills of a public relations consultant to Iowa to assist in announcing the launching and "branding" of Iowa Legal Aid and increasing awareness on the part of state opinion leaders about the importance of civil legal aid.
- Pro Bono** The newly developed Iowa Legal Aid Web site (ILAW) will have an advocate side that will include information for volunteer lawyers, such as the Volunteer Lawyers Project Practice Manual and announcements of continuing education seminars.
- Access to Courts** The Iowa State Bar Association's Strategic Planning Committee, which included a representative from Iowa Legal Aid, issued a report addressing issues of access to the courts. The Bar Association is currently implementing various aspects of the Strategic Planning Report.
- Program/Delivery** Iowa has had a single LSC-funded program, Iowa Legal Aid, since January 2003.
- In 2003, the program launched a Web site, ILAW, using the template developed by Pro Bono Net. Located at www.iowalegalaid.org, the site includes extensive community legal education materials.

Kansas

- Structure** Kansas has no formal Access to Justice structure, although a number of initiatives involve partnerships among the major entities involved in civil legal aid: Kansas Legal Services; the Access to Justice Fund, administered by the Kansas Supreme Court; the Kansas Bar Association and its Legal Aid and Referral Committee; and the Kansas Bar Foundation, the IOLTA program.
- Funding** Since 1996, the Access to Justice Fund, administered by the Kansas Supreme Court and funded from court charges, has funded programs providing civil legal assistance, alternative dispute resolution, and pro se support services for low-income people.
- Approximately 80 percent of Kansas IOLTA grant funding supports civil legal services. In response to recent low IOLTA revenues, the Kansas Bar Foundation Board of Trustees has initiated a campaign to recruit more Fellows of the Foundation and to urge current Fellows to increase their contributions.
- Pro Bono** The Kansas Bar Association's current pro bono recruitment efforts focus on developing and sponsoring free continuing legal education programs for attorneys who agree to do pro bono work.
- Program/Delivery** Kansas Legal Services maintains a Lawyer Advice Line. Services are provided by phone, and clients pay a per-minute charge by credit card. Advice is provided by Kansas lawyers in the areas of family law, consumer law, and employment law. The advice line works in conjunction with the Kansas Bar Association's Lawyer Referral Service, which refers telephone callers to attorneys practicing in certain areas of law.
- The Bar Association also operates a Reduced Fee Program, which provides legal services at reduced cost to qualified lower-income people in certain types of cases. Administered by Kansas Legal Services, the program provides a reduced-fee option to persons whose income is 250 percent of the federal poverty guidelines or below.

Kentucky

Structure

Kentucky's Access to Justice Foundation combines some of the traditional functions of a legal services state support program, such as the provision of coordination and support for legal aid and volunteer lawyer programs in the areas of technical assistance, information coordination, and continuing legal education, with a broader Access to Justice focus, including fundraising at the state level and facilitation and evaluation of state planning activities. The Access to Justice Foundation Board of Directors is composed of private attorneys and human services providers from around the state.

In August 2001, the Foundation hosted the first of a series of discussions on making increased access to the civil justice system a reality through a Campaign for Equal Justice. The discussion, led by the Chief Justice of the Kentucky Supreme Court, highlighted key elements of Kentucky's state plan. The goal of the event was to acquaint leaders in the justice community with the state plan, review its recommendations, and discuss strategies for funding these initiatives at the state level.

Funding

Access to Justice leaders won a major victory in March 2003, when the state legislature voted to increase the state's existing filing fee surcharge to fund legal aid. The step is projected to increase funding from this source from \$1.3 million to approximately \$2.6 million annually. The victory was particularly significant in view of Kentucky's serious budget crisis.

Loan Repayment

In partnership with public defenders and Commonwealth's Attorneys, Access to Justice leaders are supporting pending legislation to provide law school student loan repayment for public interest lawyers. If enacted, the legislation will provide up to \$6,000 for full-time lawyers and up to \$3,000 for part-time lawyers.

Access to Courts

An initiative to involve pro bono lawyers in assisted pro se divorce clinics is in its third year. The pilot project, launched in 2002 in Northeastern Kentucky, focused on providing uncontested divorces for low-income residents. It involved the participation of two circuit judges, volunteer lawyers, legal services paralegals, and the clerk of the court. The model proved successful and has been adapted in Covington, Kentucky, in collaboration with the Northern Kentucky Bar Association. Future plans include replicating the model in other rural jurisdictions.

Program/Delivery

The centerpiece of the Kentucky state plan is a coordinated intake system that will serve as a gateway for clients to a full range of legal services, including counsel and advice, brief services, referral, and extended services, as well as supporting the identification and development of impact litigation and legislative advocacy. The system will ultimately link four regional intake stations through computer technology for uniform case management and coordination throughout the state. The system has been implemented as a pilot project at Kentucky Legal Aid in Western Kentucky. Kentucky has been awarded a Technology Coordinator grant from the Legal Services Corporation to engage the services of a technology specialist to assess possibilities for integrating the four intake systems and to make recommendations on options for implementation.

The Office of Kentucky Legal Services Programs, which retains the capacity for advocacy that LSC-funded programs cannot perform, has responsibility for developing and implementing the advocacy component of Kentucky's state plan. The office coordinates task forces and interacts with many community- and client-based organizations to identify emerging issues affecting low-income Kentuckians and develop advocacy strategies to address them.

Louisiana

Structure

The Louisiana Access to Justice Committee is a committee of the Louisiana State Bar Association, created in 1996 by the consolidation of its Legal Services and Volunteers in Public Service Committees. Its mission is to assist in the development of a strong, integrated statewide network for the delivery of legal services to low-income people in Louisiana. The Committee is composed of a diverse group of approximately 30 volunteers, including corporate counsel, legal service attorneys, government attorneys, representatives from the judiciary, legal educators, attorneys from large and small firms, and pro bono directors. The Committee is staffed by the Louisiana Access to Justice Program, a joint effort of the Louisiana Bar Foundation, the State Bar Association, and the state's legal services providers. Four full-time staff members provide fundraising, pro bono, technology, training and administrative support.

Funding

In the fall of 2003, Louisiana's state legislature appropriated \$300,000 for legal aid programs, the state's first-ever appropriation for this purpose.

In August 2003, the Louisiana Bar Foundation hosted a Statewide Resource Development Summit, which brought together leaders from the Louisiana Bar Foundation, Louisiana State Bar Association, Pro Bono Program, and legal services programs to discuss ongoing coordination of resource development activities. The goal of the day-long event was to set the stage for developing a comprehensive resource development plan coordinating the activities and efforts of each of these groups.

The Louisiana State Bar Association has established a Lawyers and Philanthropy Committee to promote and increase philanthropy by Louisiana attorneys. The Access to Justice Program is coordinating a project to educate attorneys and the judiciary about opportunities to support civil legal aid programs through cy pres distributions.

Loan Repayment

The Access to Justice Committee is awaiting a response from the Louisiana Supreme Court to its proposal for creation of a program to forgive loans incurred by public interest lawyers.

Pro Bono

Effective March 1, 2004, the Louisiana State Bar Association's House of Delegates has adopted a revised Rule 6.1, setting an aspirational standard of 50 hours of pro bono work per year, based on the ABA Model Rule. The Access to Justice Program collects annual data on pro bono participation, gathered through the state's voluntary pro bono reporting mechanism.

Access to Courts

The Louisiana Supreme Court Pro Se Committee is examining the status of pro se in Louisiana and developing a bench book for Louisiana judges on pro se issues.

The Access to Justice Department worked with the court rules committee to develop a uniform in *forma pauperis* format, which includes presumptive eligibility for clients of legal services programs.

Program/Delivery

The Access to Justice Committee leads Louisiana's ongoing state planning process. In 2004, the Committee will host a two-day State Justice Community Planning Conference to identify current issues and define goals in building the framework for a comprehensive Louisiana Community Justice Plan. The Committee is exploring creation of a Louisiana Justice Center to handle case types that cannot be handled by current providers and the development of a statewide referral system.

New statewide coordinator positions in the areas of training and technology were created and filled in 2003. The statewide technology coordinator provides support to the state's legal services programs and the Access to Justice Technology Committee, which is developing a comprehensive technology plan for all participating providers. The statewide training coordinator works with statewide substantive task forces and others to develop training opportunities for legal aid staff members, pro bono attorneys, and clients. In October 2003, the training coordinator helped plan and present a two-day State Justice Community Retreat offering networking and education opportunities.

Maine

- Structure** Maine's Access to Justice entity is the Justice Action Group, created in 1995 to provide leadership and coordination for the planning and delivery of civil legal assistance and to function as a public voice for the legal services community. It is chaired by U.S. First Circuit Court of Appeals Judge Kermit Lipez, with state Supreme Court Justice Howard Dana as Vice-Chair. Other members include Maine Chief Justice Leigh Saufley, representatives of the Maine Legislature, the executive branch, the Maine State Bar Association, the Maine Bar Foundation, the Maine Civil Legal Services Commission, the Maine Trial Lawyers Association, the University of Maine School of Law, and the boards of legal services providers. Provider input to the Justice Action Group comes through the Advisory Committee of Providers, consisting of staff representatives of providers, the State Bar Association, and the Bar Foundation.
- Funding** A Justice Action Group-sponsored resource development retreat in May 2003 led to the creation of the Campaign for Equal Justice, a combined fundraising campaign on behalf of all the state's legal aid providers, aimed at the legal community. The combined campaign was kicked off in January 2004. The network created by the fundraising campaign will provide the basis of a campaign to increase state funding, to be launched in late 2004.
- A Justice Action Group committee is studying the issue of participation by district attorneys and the Attorney General's office in the IOLTA program. The committee includes the state's Attorney General and a district attorney.
- Loan Repayment** The Maine Bar Foundation and legal aid providers have developed a student loan repayment program for provider employees.
- Pro Bono** The Maine Volunteer Lawyers Project celebrated its 20th Anniversary in 2004 with the referral of its 25,000th case for pro bono representation. The project marked this milestone with the publication of a report, *Celebrating 20 Years of Doing Maine Justice*, featuring client and volunteer stories and historical highlights.
- Access to Courts** The JAG's Self-Represented Litigant Task Force received the American Bar Association's 2003 Louis M. Brown Award for Legal Access. The Task Force drafted changes to Maine's ethics and civil procedure rules, designed to enable lawyers to participate in the delivery of "unbundled" services. In addition to the rule changes, the Task Force actively promotes unbundling as a method of expanding the practice of law.
- Agency Fairness** The Justice Action Group's Administrative Law Task Force, which includes representatives of the private bar, the Attorney General's office and legal aid providers, has developed training sessions on access to justice for state agency administrative staffs, reviewing current laws and procedures and suggesting best practices for customer service. The training builds on a report presented by the Task Force to incoming Governor John Baldacci in late 2002.
- Program/Delivery** Collaborative efforts among the Justice Action Group, the Maine Bar Foundation, and legal aid providers resulted in the initiation in 2003 of a two-year pilot project to provide civil legal services to prisoners through the Cumberland Legal Aid Clinic of the University of Maine School of Law, with funding through a contract with the state Department of Corrections.

Maryland

Structure

Maryland's recent Access to Justice initiatives have grown out of the collaborative efforts of the courts, the Maryland State Bar Association, local and specialty bars, the Maryland Legal Assistance Corporation, and legal aid providers, under the strong leadership of Chief Judge Robert M. Bell of the Court of Appeals. In October 2002, the Court of Appeals created a new statewide Standing Committee on Pro Bono Legal Service. Also playing a major role in expanding access to justice is the Maryland Legal Assistance Network (MLAN) Oversight Committee, chaired by Chief Judge Bell and including representatives from the judiciary, the bar, law schools, state agencies, legal services providers, and other stakeholders.

Funding

In response to a projected major reduction in IOLTA income in fiscal year 2004, Chief Judge Bell and other justice community leaders are supporting a legislative initiative to help stabilize funding by increasing the civil court filing fee surcharge for legal services first enacted in 1998, to generate approximately \$8.25 million. Maryland's filing fees are among the lowest in the country, and would remain so even with the proposed increases.

For FY 2004, Maryland's legislature appropriated \$300,000 for civil legal aid, the first time that general revenue funding has been appropriated for civil legal aid. Chief Judge Bell's budget request for the judiciary for the year included a proposed \$1.2 million for legal aid.

Pro Bono

Maryland's new pro bono rules, adopted by the Court of Appeals effective July 2002, establish a state and local structure for pro bono service delivery. The Court's statewide Standing Committee on Pro Bono Legal Service is charged with studying long-range pro bono issues, serving as a clearinghouse for materials, and developing a State Pro Bono Action Plan to be presented to the Court of Appeals by July 2005. Each county is required to create a local pro bono committee to assess the legal needs of the community and develop a strategic action plan for addressing those needs. The Standing Committee assists the local committees and will evaluate their plans.

Maryland was the second state in the nation to institute a rule requiring the annual reporting of pro bono service by attorneys, while specifying that pro bono service itself is not mandatory. The results of the first reporting year for 2002 reveal that close to 50 percent of Maryland lawyers were engaged in some type of pro bono activity.

Access to Courts

Under Chief Judge Bell's leadership, Maryland has established and funded assisted pro se programs for family matters in every circuit court in the state, and has created a pro se committee in the Maryland Judiciary to oversee future pro se services by the courts. The Administrative Office of the Courts also funds expanded legal services by various legal aid programs at courthouses and other locations to help domestic violence victims obtain protective orders, custody, support, and divorce.

On December 11, 2003, the Maryland Court of Appeals declined by a 4-3 vote to rule on a claim for a "Civil Gideon" right to counsel for low-income persons in civil matters, despite an impassioned dissent arguing that the claim "goes to the very center of the American constitutional and extra-constitutional promises equality under the law."

Program/Delivery

The Maryland Legal Assistance Network (MLAN), a project of the Maryland Legal Services Corporation developed with the support of the Open Society Institute and assistance from the state's legal aid providers and Administrative Office of the Courts, seeks to increase access to civil justice through alliances among providers, the bar, the courts and other stakeholders; to provide easy public access to existing legal resources through the use of technology and cross-program initiatives; and to expand and leverage resources to benefit low and moderate-income people seeking help from the judicial system. A comprehensive review and assessment of the project to help guide future development is scheduled for completion in May 2004.

Massachusetts

Structure

In mid-2003, after making a recommendation on reconfiguration of the state's LSC-funded programs, the Task Force on Reconfiguration was reconstituted as the State Planning Board for Civil Legal Services and went on to take a broader look at the delivery system in the state. The broadly inclusive Planning Board, chaired by former Chief Justice Herbert Wilkins, issued its final report in December of 2003. One of its recommendations was that the state's Supreme Judicial Court create a permanent state Access to Justice Commission.

Other entities currently involved in expanding access to justice include the Massachusetts Legal Assistance Corporation, which receives and distributes state funding and coordinates planning efforts; the Massachusetts Equal Justice Coalition, which focuses on supporting state funding for legal aid; the Supreme Judicial Court Standing Committee on Pro Bono Legal Services, charged with recommending ways to increase the level of pro bono participation in the state; and the Supreme Judicial Court Steering Committee on Self-Represented Litigants, charged with coordinating the judicial branch's response to the growing number of pro se litigants.

Funding

In 2003, Governor Mitt Romney's veto of all funding for the Massachusetts Legal Assistance Corporation, which funds civil legal assistance in the state, was overridden by wide margins in both houses, thanks to a major lobbying effort led by the Equal Justice Coalition. The governor's proposed budget for 2005 calls for level funding.

Needs Study

In March 2003, the Massachusetts Legal Assistance Corporation released a major study of the legal needs of low-income people in the state, the first such study in the state in 16 years. Major funding for the study was provided by a grant from the Boston Foundation.

Pro Bono

Since the adoption of a rule exhorting attorneys to provide at least 25 hours of pro bono legal services to low-income persons annually, the Massachusetts Supreme Judicial Court Standing Committee on Pro Bono Legal Services has been monitoring the level of pro bono participation, sharing information on successful efforts to boost participation, and coordinating statewide educational and support efforts.

Access to Courts

The Steering Committee on Self-Represented Litigants has begun its efforts to coordinate the judicial branch's response to the growing number of pro se litigants. Among the options it is considering is amendment of court and ethical rules to permit limited representation or "unbundling" of services.

Program/Delivery

The final report of the State Planning Board for Civil Legal Services recommended several key changes in the configuration of state- and federally-funded legal aid programs. The plan calls for four LSC-funded programs and five programs funded by the Massachusetts Legal Assistance Corporation, with all MLAC (state) funding going to the latter. Geographically, it recommends that the boundaries of the state-funded programs follow those of the LSC-funded programs (with one LSC-funded program area containing two state-funded programs). Finally, it recommends that mechanisms be adopted to ensure unified leadership for each region, possibly overlapping boards of directors. MLAC's Board of Directors endorsed the recommendations in the fall of 2003 and LSC approved the plan in March 2004. MLAC is supporting further planning and implementation, which will continue through 2004.

Michigan

- Structure** The State Bar of Michigan's new Standing Committee on Justice Initiatives continues the initiatives of the former Access to Justice Task Force and Open Justice Commission. It is supported by the Bar's Justice Initiatives Department, budgeted for 7.5 staff. The Bar's Pro Bono Involvement Committee, Legal Aid Committee, and Access to Justice Fundraising Campaign work with the Standing Committee to carry their initiatives forward. A Special Populations Workgroup continues the initiatives of the Open Justice Commission. During 2004, the Standing Committee will recommend a structure to provide optimum coordination of all justice initiatives.
- Funding** The Bar's statewide, coordinated Access to Justice Development Campaign raised nearly \$1.4 million in new cash and pledges during 2003, bringing the total amount raised since 1998 to \$4.5 million. More than \$2 million is currently held in a permanent endowment fund.
- Pro Bono** The State Bar's Pro Bono Involvement Committee continues to promote compliance with Michigan's voluntary pro bono standard, which recommends that every year each lawyer represent three clients, contribute 30 hours of service, or contribute \$300 in support of civil legal services. In 2003, the Committee successfully recommended to the Bar's Representative Assembly that the standard be changed and aligned more closely with the ABA standard, in both structure and substance. The Michigan Supreme Court will review the recommended new standard during 2004.
- The State Bar's Pro Bono Project for Domestic Violence Victims presented its second statewide training program to assist attorneys representing victims in civil proceedings. So far, close to 300 attorneys have received the training and committed to provide pro bono services to domestic violence survivors. The project won the National Association of Bar Executives and Lexis Nexis Community and Educational Outreach Award.
- The Michigan Litigation Assistance Partnership Program, which refers transactional, restricted and special needs cases to large firms and corporate law departments, closed 70 cases and opened 140 new cases in 2003.
- Access to Courts** The Standing Committee on Justice Initiatives has launched an effort to promote the development of a unified pro se system in Michigan through a two-phase initiative to gather and develop resources on pro se assistance and to help create local political partnerships that can effectively connect the materials to the community and to the courts.
- Program/Delivery** LSC-mandated program configuration changes were implemented during 2003. Michigan now has five geographical LSC-funded providers. Michigan's two main central intake providers have extended services into many more counties throughout the state.

Minnesota

Justice Structure The Legal Assistance to the Disadvantaged Committee of the Minnesota State Bar Association has 50 members representing a broad spectrum of the bar and bench, including the State Bar Association's President-Elect. It reports to the State Bar Association's Board of Governors, an 85-member group that includes representatives of 21 bar districts statewide, the four Minnesota law schools, minority and other specialized bar associations, public attorneys, and all levels of Minnesota's courts. The Legal Assistance to the Disadvantaged Committee is staffed by the State Bar Association's Access to Justice Director. The Committee works closely with the Minnesota Legal Services Coalition, which is comprised of the state's regional civil legal aid programs and other specialized providers.

The 45-member, Supreme Court-appointed Minnesota Legal Services Planning Commission was created in July 2003 to produce an updated state plan for a comprehensive, integrated civil legal services delivery system. The Commission, which sunsets on June 30, 2004, is expected to recommend creation of a new, permanent planning entity.

Funding In 2003, a broad bipartisan coalition, with strong support from the Minnesota State Bar Association, the judiciary, and the client community, was successful in opposing a proposed 20 percent cut in state legal aid funding, resulting from a \$4 billion state deficit. Legal aid programs absorbed a three percent cut, the same level as all other parts of the court system and considerably less than other government-funded programs. The coalition produced extensive materials demonstrating the benefit of legal aid to the justice system and the state.

Pro Bono The Legal Assistance to the Disadvantaged Committee has adopted a 10-point plan to expand pro bono participation in the state during the current bar year. Initiatives include establishment of pro bono committees in each judicial district, increased marketing and recognition of pro bono service, establishment of a business law pro bono project, outreach to law firms and corporate counsel, a direct appeal to attorneys, and greater support for and coordination of pro bono services.

An enhanced Web site, www.ProJusticeMN.org, jointly managed by the Bar Association and the Coalition, provides resources for pro bono lawyers and legal aid staff, including a comprehensive directory of pro bono opportunities, an extensive document library, news alerts and articles, and a calendar.

All four Minnesota law schools participate in a Law School Public Service Program, coordinated by the Minnesota Justice Foundation, through which law students are encouraged to engage in public service. Another law school initiative, Legal Scholarship for Equal Justice, integrates academics and practitioners to assess and research poverty law issues and promote collaborations to address them (see www.lsej.org).

Access to Courts Coalition and State Bar Association representatives actively participate in meetings of the Conference of Chief Judges Forms and Procedures Committee, which has been focusing on the needs of self-represented litigants. The State Bar Association's Pro Se Implementation Committee is exploring issues associated with limited representation ("unbundled" services).

Program/Delivery In 2003, the Coalition launched a new Web site for clients, www.LawHelpMN.org, providing extensive legal education materials and referral information.

With foundation funding, all providers serving immigrants and refugees in Minnesota are developing a statewide plan to improve and expand services in immigration law and immigration-related legal aid.

In early 2004, the Legal Services Corporation approved the configuration of LSC-funded programs recommended by the Minnesota Legal Services Planning Commission, retaining four regional and one Native American federally-funded programs in the state.

Mississippi

Structure

The Mississippi Bar Delivery of Legal Services Committee and the Mississippi Supreme Court convened the state's first-ever Access to Justice Summit in September 2002. More than 125 bar leaders, judges, legal aid providers, clients, and representatives of law schools and social and community agencies participated. The Summit initiated a longer-term process through which representatives of the extended state justice community are working together to develop strategies for ensuring access to justice for all in Mississippi. The Delivery of Legal Services Committee, in conjunction with the Chief Justice, has convened Action Committees to study specific delivery issues and develop goals, objectives and implementation plans for strengthening or expanding the delivery system. The Action Committees are: Community Education and Involvement; Pro Se; Private Attorney Involvement; Resource Development; Client Access; and Full Range of Services.

In response to a mandate from LSC, the current federally-funded providers convened a State Planning Body that is broadly representative of the state's justice community to develop and oversee state planning, including a proposal for program reconfiguration. The State Planning Body, which is chaired by the same individuals who serve as the officers of the Bar's Delivery of Legal Services Committee, is drawing from and building upon the work begun at the Summit. Individual members of the State Planning Body are also engaged in examining additional delivery issues through participation in Action Committees.

Funding

In March 2003, the Mississippi Supreme Court instituted a new \$200 pro hac vice fee (paid by out-of-state lawyers to appear in a Mississippi court) earmarked for the state's legal aid programs.

Access to Justice leaders are seeking legislative authorization for a \$5 civil court filing fee surcharge directed to legal aid. The legislature previously created a Civil Legal Assistance Fund, which had not been funded as of March 2004.

Pro Bono

The Private Attorney Involvement Action Committee is currently reviewing options and developing strategies for increasing pro bono service.

Access to Courts

The Pro Se Action Committee is currently reviewing options and developing strategies for responding to the needs of self-represented litigants. A pilot pro se divorce clinic serving three counties is up and running.

Program/Delivery

In February 2003, LSC approved the recommendation of the State Planning Body that Mississippi's four LSC-funded programs be reconfigured into two, beginning in 2004. The state plan also calls for increasing statewide capacities in the areas of resource development, litigation, technology and training, as well as development of a coordinated statewide telephone intake and advice system.

With support from leading members of Mississippi's legal community, a new state legal advocacy entity, the Mississippi Center for Justice, was created in 2002 to recreate a capacity for systematic advocacy on behalf of low-income residents of Mississippi.

Missouri

Structure

The Missouri Statewide Legal Services Commission was constituted jointly by the Missouri Supreme Court and the Missouri Bar in early 2000. Its charge is to assess and support the effective delivery of civil legal services to low-income Missourians. The Commission reports annually to the Chief Justice and to the President of the Missouri Bar on the effectiveness of the implementation of the *Missouri Plan for Equal Access to Justice*. The nineteen-member Commission is comprised of judges, lawyers and lay people with a commitment to legal services to the poor, including client representatives from each of the four legal services regions in Missouri. The Missouri Bar and the Missouri Legal Services Support Center provide staff support to the Commission.

Funding

In 2003, Access to Justice leaders in Missouri won a major victory with the enactment of a new filing fee surcharge to replace a state appropriation as a funding source for civil legal aid. The new fee is expected to result in a net gain of approximately \$2.5 million annually. The surcharge was recommended in a special report of the Missouri Bar Committee on Legal Services Funding, convened to analyze the immediate funding needs of the legal service community in the wake of severe budget cuts.

In 2003, the Missouri Supreme Court instituted a new \$200 pro hac vice fee (paid by out-of-state lawyers to appear in a Mississippi court) earmarked for the state's legal aid programs. The Supreme Court also approved a \$20 bar dues increase, with the funds going to legal services. Through these two initiatives, the Bar Association has contributed over \$450,000 to legal aid programs.

Needs Study

A legal needs study commissioned by the Missouri Bar and conducted by the University of Missouri was completed in 2002.

Pro Bono

Another study commissioned in 2002 by the Missouri Bar and conducted by the University of Missouri has estimated that private attorneys practicing in the state are providing an average of 42 hours of pro bono service per year. The results of the study are being used to plan for improvements in pro bono activities in the state.

Program/Delivery

In March 2004, LSC decided not to pursue a plan to reorganize its four grantees in Missouri into a single statewide entity. Instead, it will continue to fund the four independent programs that serve every county in the state. The plan to consolidate the programs had been proposed by the Statewide Legal Services Commission in November 2002.

Montana

Structure

The Montana Equal Justice Task Force was created by order of the Montana Supreme Court in August 2000 at the request of the State Bar of Montana Access to Justice Committee. The mandate from the Court includes conducting a legal needs study of low- and moderate-income Montanans, providing long-range integrated planning among the state's legal assistance providers, coordinating civil access to justice, and working to secure adequate funding for civil access to justice. The Supreme Court appointed the first nine members of the Task Force, based on the recommendations of the State Bar President. Those nine members chose an additional six persons to nominate for Court appointment to the Task Force. The Equal Justice Task Force and State Bar Access to Justice Committee are staffed by the State Bar's Equal Justice Coordinator.

The Commission on Self-Represented Litigants was appointed by the Montana Supreme Court in April 2000 and charged with recommending an action plan to the Court, considering and recommending rule and statutory changes, coordinating with existing programs, developing new pilot programs, and seeking grants to fund these activities. Its membership includes a judge, a clerk of court, a law librarian, a legal services provider, a private practitioner, and a State Bar representative.

In October 2003, the Montana Bar Association, the Access to Justice Committee and Equal Justice Task Force convened the state's third annual Equal Justice Conference, *Doing Montana Justice*, which drew over 120 participants, including Montana Chief Justice Karla M. Gray (whose engagement in Access to Justice issues is featured in the Winter 2004 issue of LSC's magazine, *Equal Justice*).

Funding

The Montana Justice Foundation (the state's IOLTA funds grantor), hit hard by low interest rates, has launched an effort to revitalize its private bar fundraising activities. The Foundation's most recent letter of solicitation has raised more than \$23,000, up from \$17,000 in 2003.

Needs Study

In 2003, the Equal Justice Task Force and the State Bar launched a legal needs study, using volunteers to conduct a survey of 1000 individuals from the identified populations or "cluster groups" that make up the low-income population of the state. Leaders hope to complete the report in 2004.

Pro Bono

In September 2003, the State Bar of Montana passed a resolution strongly urging all members of the State Bar to participate in organized pro bono programs to assist in providing legal services to those unable to pay. Chief Justice Gray has been actively engaged in promoting increased pro bono participation.

In February 2004, the Montana Supreme Court adopted comprehensive new Rules of Professional Conduct, which include the ABA model rule allowing limited representation and strengthen the provision calling for lawyers to provide at least 50 hours of pro bono service annually.

Access to Courts

With foundation funding, the Eastern Montana Self-Help Law Project will build computer workstations in at least four eastern Montana locations, at which pro se litigants will be able to access legal information and forms, complete and print legal documents, and copy and fax as needed. The Project hopes to build a statewide pro bono program through which attorneys and paralegals will provide limited advice and assistance to remote clients. The Project currently offers family law clinics throughout the region and will begin to expand into other areas of substantive law, including bankruptcy and housing. The Project is working with the Equal Justice Task Force, the Access to Justice Committee of the State Bar, and the Commission on Self-Represented Litigants to improve and expand court forms for pro se litigants.

Program/Delivery

The Montana Legal Services Association, State Bar and Equal Justice Task Force have launched www.Montanalawhelp.com, a Web site that helps low-income people find legal assistance and information, and www.MontanaProBono.net, a second site for pro bono attorneys and advocates.

Nebraska

Structure

The Nebraska Equal Access to Justice Committee was created in 2002, reconstituting the Nebraska State Planning Group, a collaborative effort of the Nebraska State Bar Association and the five providers of civil legal aid in the state: Nebraska Legal Services, the Bar Association's Volunteer Lawyers Project, the Nebraska Appleseed Foundation, the Milton R. Abrahams Legal Clinic at Creighton University, and the Civil Legal Clinic at the University of Nebraska Law College. Almost 50 stakeholders, including members of client community organizations, the state and federal judiciary, and the state legislature, have also been involved.

The Nebraska Supreme Court Committee on Pro Se Litigation, made up of judges, lawyers and legal advocates, was appointed by the Nebraska Supreme Court in September 2000 to study the extent and nature of self-representation in Nebraska's courts, identify challenges created by self-represented litigants and propose solutions to the Supreme Court to address identified problems.

Funding

In 2002, thanks to the efforts of the State Planning Group and the support of key legislators, the Nebraska Legislature increased the court filing fee surcharge from \$2 to \$5. These funds go to the Nebraska Commission on Public Advocacy, which in turn distributes it to providers of civil legal aid. It is estimated that this will increase funding for legal aid from \$750,000 to \$1,550,000.

The Equal Access to Justice Committee has determined that building the capacity of the state's legal services system through the Equal Access to Justice Campaign should be its highest priority for the immediate future. The Committee has adopted a "case statement" outlining the case for funding civil legal aid.

The Nebraska State Bar's combined appeal asks members either to accept pro bono cases or make a cash contribution to benefit the five legal service providers in the state.

Loan Repayment

Through the efforts of the Loan Repayment Committee, legislation to develop a loan repayment assistance program for attorneys working in the public sector has been developed and introduced in the state legislature.

Pro Bono

The Nebraska State Bar Association continues to encourage attorneys to fulfill their pro bono obligations. Attorneys may participate in a number of programs, including public information forums, advice-only clinics and direct representation. Clinics are offered to a number of communities where clients are primary speakers of languages other than English.

Access to Courts

In late 2002, the Nebraska Supreme Court Committee on Pro Se Litigation submitted its report and recommendations to the Supreme Court for action. The Court has directed that the Committee be permanently established to implement the recommendations in the report that have been approved thus far, including creation of a manual to assist court employees who work with self-represented litigants.

Nebraska Legal Services conducts pro se clinics in each judicial district for simple, uncontested divorces.

Program/Delivery

The Equal Access to Justice Committee has working committees aimed at developing additional local legal aid offices in critically underserved areas and expanding the language and cultural capacities of legal aid services.

Nevada

Structure

The State Bar of Nevada Access to Justice Committee is appointed by the Board of Governors of the State Bar to oversee pro bono and public service efforts in the state. It is created by Supreme Court rule and includes members of the judiciary, the President of the State Bar, members of the Bar's Board of Governors, attorneys in private and government practice, and a legal services program director.

The Nevada Supreme Court has also established the Nevada Supreme Court Council on Pro Se Assistance to assess the problems associated with self-help litigants and propose solutions. Nevada Legal Services and Clark County Legal Services both participate on the Council.

Nevada has three pro bono foundations dedicated to raising money and attorney volunteer hours for pro bono and legal services, one each for Clark County (Las Vegas) and Washoe County (Reno) and a third for the 15 rural counties. Each foundation has a Board of Trustees comprised of judges, private attorneys, legal services representatives and social service providers.

Funding

The adoption of the amended Rule 191 (see below) resulted in significant new contributions to legal aid programs in late 2003 (\$50,000 in the last two months of the year). The rule provides the local pro bono foundations with a new institutional vehicle for fundraising.

Pro Bono

In May 2003, Nevada became the third state in the country to require annual reporting of pro bono service. The new rule adopted by the Nevada Supreme Court also asks lawyers to provide either a minimum of 20 hours of free pro bono services or 60 hours of services at reduced fees annually to persons of limited means, or to contribute a minimum of \$500 yearly to organizations providing pro bono services. Report forms are provided by the State Bar with the members' fee statements. Following the adoption of the rule, the chief justice of the Nevada Supreme Court and the president of the State Bar sent a letter advising all of Nevada's lawyers that the need for legal services was intense, and asking them to volunteer. Pro bono programs experienced a significant increase in volunteers in the second half of 2003.

The Nevada Supreme Court has amended the commentary to Canon 4C(3) of its Code of Judicial Conduct, eliminating language that may have discouraged judges from assisting legal services organizations in the recruitment of attorneys to provide pro bono services. The new commentary makes it clear that recruitment by judges is permissible so long as it is not coercive or "essentially a fundraising mechanism." The local pro bono foundations have taken advantage of the rule change to approach large law firms in Las Vegas directly.

Access to Courts

In January 2004, the Supreme Court Council on Pro Se Assistance, together with the Supreme Court Commission on Law Libraries and the District Court Commission on Law Libraries, proposed standardized forms for use in joint petition divorce cases. The new forms are intended to serve the interests of pro se litigants. The Commissions and Council have petitioned the Nevada Supreme Court to approve the submitted forms for use in the district courts.

In addition, a proposed new Nevada Supreme Court Rule 44 has been approved by the Council on Pro Se Assistance and the Library Commission and is being considered in oral argument in March 2004. The proposed rule delineates the specific tasks that librarians and court clerks can take to provide access to pro se forms, instructions, court procedures and legal referral for self-represented litigants. Until now, strict rules and historical policies created practical barriers to their involvement. The Court has indicated that it will support the initiative and sponsor court personnel training.

Program/Delivery

A new statewide Web site, www.lawhelp.org/nv, based on the Pro Bono Net template, provides a range of legal educational material and forms for pro se litigants.

New Hampshire

- Structure** New Hampshire does not currently have a formal structure for collaborative efforts among the courts, the bar, and legal services providers. However, the delivery structure in the state has grown out of a state planning process that included all three institutional components, as well as other stakeholders. In addition, the New Hampshire Bar Association's Delivery of Legal Services Committee provides a forum to address a variety of issues, from court scheduling to access for the working poor.
- In 2002, the New Hampshire Supreme Court created a Task Force on Self-Represented Litigants, which includes representation from all three legal aid programs, judges and court personnel, and private attorneys.
- Funding** The New Hampshire Bar Foundation launched a joint fundraising campaign in 2002 on behalf of the LSC-funded LARC (Legal Advice and Referral), New Hampshire Legal Assistance, and the Bar Association's Pro Bono Program. As of March 2004, the Campaign for Legal Services had raised \$780,000 in gifts and pledges to be paid over a three-year period.
- Loan Repayment** A loan assistance program for legal aid attorneys, funded by the Bar Foundation, is now in its fifth year and is providing \$72,000 in assistance this fiscal year.
- Pro Bono** The New Hampshire Bar Journal devoted its December 2003 issue to the "Quest for Justice," marking the 25th anniversary of the Bar Association's Pro Bono Program
- Access to Courts** The Supreme Court Task Force on Self-Represented Litigants issued its report in January 2004, recommending a series of reforms, the first of which is that more resources be devoted to legal services for poor clients. Others include revision of ethical rules to permit limited representation, creation of case managers in every major court to evaluate cases for possible referral and meet with pro se litigants before trial, creation of an on-line self-help center and a "computer in every courthouse" project, designation of a state-wide coordinator to oversee court alternative dispute resolution systems, simplification of court rules and procedures, and written protocols for judges and court staff for managing pro se litigation.
- Program/Delivery** The three major legal aid providers work closely together. Through joint grants and step-by-step planning, they have incorporated new technology that enables them to refer clients electronically and communicate efficiently. Rather than train new staff separately at each program, they conduct joint orientation programs that introduce new employees immediately to the ethos of collaboration and provide substantive training efficiently and economically. They have created substantive task forces or working groups on housing, public benefits, child support, disability issues, and domestic violence to share expertise and information, coordinate approaches to emerging problems, and plan community education efforts. Working together and with other community organizations, the three programs have created new projects to serve elderly clients, children and adolescents, and victims of domestic violence.

New Jersey

Structure	New Jersey has no formal Access to Justice entity. Access to Justice functions have been performed effectively over the years through a coordinated effort between the New Jersey State Bar Association and Legal Services of New Jersey, which serves as a funder/fundraiser and provides state coordination and support, as well as direct representation and advocacy.
Funding	Efforts to expand funding for civil legal assistance at the state level have been highly successful. Out of a total of more than \$37 million currently dedicated to legal services in New Jersey, approximately \$14 million comes from state funding and approximately \$12 million from IOLTA (although IOLTA is declining). Approximately \$2 million comes from counties, other governmental units, and private sources. Only 13 percent of the funding of the state's LSC grantees comes from LSC.
Needs Study	A comprehensive legal needs study, the first in the state since the 1980s, was completed in 2002 by Legal Services of New Jersey's Poverty Research Institute.
Pro Bono	<p>Each of New Jersey's six regional legal aid programs program operates a separate pro bono program to assist indigent clients in their service area. These local efforts are coordinated through a statewide Pro Bono Task Force led by Legal Services of New Jersey. Legal Services of New Jersey itself operates a number of statewide "boutique" volunteer panels, which provide pro bono assistance to indigent clients and non-profit organizations in specialized areas. Substantive training is available at no cost to attorneys who participate in Immigration Asylum and Domestic Violence pro bono panels.</p> <p>To accommodate volunteers who do not wish to become involved in cases which require litigation and court appearances, Legal Services of New Jersey is in the process of developing an infrastructure to allow pro bono attorneys to participate in its statewide telephone hotline.</p>
Access to Courts	Legal Services of New Jersey has worked closely with the state court system for several years to coordinate and mutually support efforts to improve access and materials for pro se litigants. The state court system has also endorsed and co-sponsored efforts by Legal Services of New Jersey to secure grants for a pilot interactive kiosk project. Work on a demonstration initiative began in early 2003.
Program/Delivery	Effective January 2003, the Legal Services Corporation consolidated its service areas in the state, resulting in mergers that reduced the number of LSC-funded programs from 14 to six. Statewide coordination of delivery continues to be provided by Legal Services of New Jersey.

New Mexico

Structure

Efforts to expand access to civil legal assistance in New Mexico are led by the Legal Services and Programs Committee of the State Bar. Members of the Committee and its subcommittees include providers, private practitioners, lawyers in public service, clients and other interested people. The Committee is comprised of subcommittees focusing on its major areas of activity. The Planning Subcommittee's mission is to devise a model for providing comprehensive, integrated legal services in New Mexico. The Pro Bono Subcommittee serves as an advisory board for the State Bar's Lawyers Care program, a statewide pro bono and lawyer referral program.

The Committee is currently working with the Chief Justice to establish a state Access to Justice Commission under the auspices of the Supreme Court.

Funding

The five-member Civil Legal Services Commission (appointed by the governor, the Supreme Court, and the State Bar) has made its second distribution of income from the filing surcharge fee on civil cases passed by the New Mexico Legislature in 2001. For the years 2002 and 2003, the Commission awarded a total of \$2.4 million in contracts. In 2003, the Commission made an additional non-recurring award of \$1.05 million. The Commission also extended the contracts for those receiving recurring amounts for the year 2005 in the amount of \$1.2 million.

Pro Bono

In 2004, the Legal Services and Programs Committee will focus on the pro bono aspect of the delivery system to ensure that it is well integrated with the rest of the system.

In 2003, the Committee worked with the University of New Mexico Law School on initiatives to educate budding lawyers about the need for pro bono work and the satisfactions it provides. It has also provided the legal community with information about limited representation ("unbundled" legal services).

In 2002, the Committee launched a cooperative venture with another organization to provide pro bono services to undocumented persons. In addition, it published *The Don Quixote Project*, a list of all pro bono opportunities available to lawyers in New Mexico.

Access to Courts

Courts in most of the judicial districts continue to implement programs in response to the recommendation in the report of the Supreme Court Task Force on the Self-Represented. In most instances, these programs focus on providing forms and training to potential pro se litigants, although several districts, including metropolitan Albuquerque, have courthouse-based services to provide advice to self-represented litigants. In addition, New Mexico Legal Aid conducts training for self-represented litigants.

Program/Delivery

A new statewide, LSC-funded program, New Mexico Legal Aid, was formed in January 2003.

Law Access, a statewide hotline, was launched in early 2003. Law Access is funded exclusively by the Civil Legal Services Commission, to permit it to serve recent immigrants and others not eligible for assistance from LSC-funded programs.

In 2003, the Legal Services and Programs Committee focused on bringing the state's legal aid providers together to encourage cooperative partnerships and coordinated delivery. The group considered the 1998 Legal Services State Plan and agreed that it still provides an appropriate framework for achieving the goal of meaningful access to justice in New Mexico. Several meetings of the legal aid agencies funded by the Civil Legal Services Commission resulted in a joint recommendation to the Commission regarding allocation of filing fee funds. The group also agreed to create a common Web site intended to provide accurate and timely information on a wide range of legal issues of interest to low income persons. The new site is being created by New Mexico Legal Aid, using materials from several other legal services agencies.

New York

Structure

New York's State Planning Steering Committee is proceeding with plans to convert itself into a permanent Equal Justice Commission. Based on feedback from a presentation of the proposal to the State Bar and the broader legal services community at a statewide meeting in January 2004, the Steering Committee has recommended adoption of a 20-member structure that will continue to bring together all the key stakeholders. Convened by the Interest on Lawyer Account Fund (IOLA) in 1997 and originally consisting of representatives of IOLA grantees, the Steering Committee subsequently expanded to include representatives of the New York State Bar Association, the IOLA Fund, the judiciary, pro bono programs, legal aid program staff, community groups, and clients.

Within the judiciary, the Office of the Deputy Chief Administrative Judge for Justice Initiatives was created in 1999 with a mandate of expanding legal representation and making the courts more accessible. In 2001, the judiciary established the Access to Justice Center to lead and coordinate its efforts.

The New York State Bar President's Committee on Access to Justice, on which the Bar's President-Elect serves as co-chair, and the Committee on Legal Aid provide forums where statewide leaders can develop strategies to address access to justice issues.

Funding

In 2003, the state legislature agreed for the first time to set aside a portion of certain court fees to fund legal services. It is anticipated that the new Legal Services Assistance Fund will generate up to \$6 million in the coming years. Decisions have not yet been made as to how the funding will be distributed, and the legislative language leaves the fund open to both civil and criminal services. Appropriated funding for civil legal aid was preserved when the state legislature overrode a veto of all legal aid funding by the governor. Legislative leaders are pressing for a major increase in funding in 2004.

The Access to Justice Center is planning a year-long Campaign for Equal Justice to highlight the need for civil legal services programs and permanent funding. It will include one-day open houses at legal services offices and a series of hearings to collect evidence on the delivery of legal aid in New York.

Loan Repayment

In 2003, the New York State Bar Association launched a loan repayment assistance program, Student Loan Assistance for the Public Interest. The New York Bar Foundation provided an inaugural \$25,000 grant and has undertaken a fundraising campaign.

Pro Bono

The New York court system has released a two-volume report entitled *The Future of Pro Bono in New York*. Volume I surveys pro bono activity in New York in 2002 and Volume II sets out the recommendations for increasing pro bono that emerged from four Pro Bono Convocations held throughout the state in 2002.

In collaboration with the Association of the Bar of the City of New York and Pro Bono Net, the New York State Bar Association's Department of Pro Bono Affairs has developed an on-line guide to pro bono opportunities statewide. In May 2004, the State Bar Association will host a pro bono conference for law firms with 6 to 60 attorneys.

Access to Courts

A team of judges, bar association leaders and court managers has developed a statewide plan to make the courts more user-friendly and supportive of self-represented litigants. The Administrative Judge for each Judicial District has developed a district Access To Justice Action Plan.

The Court System has developed a new training program and reference manual to educate court staff about how they can provide assistance to the public without giving legal advice. The program will be integrated into all future court training. The Court System has also created www.nycourthelp.gov, a Web site that provides easy access to information about the courts in one place.

Program/Delivery

In 2002, the State Planning Steering Committee developed a comprehensive state plan for legal services, pursuant to which the upstate LSC-funded programs have been reconfigured into five, with two programs continuing to serve New York City and Long Island.

North Carolina

Structure

The Legal Services Planning Council, which has been meeting regularly since early 1999, includes representatives from all the major providers of legal services in the state, as well as client representatives, the Bar Association's Director of Public Services and Pro Bono Activities, and the Director of the North Carolina State Bar Plan for IOLTA program (*ex officio*). The mission of the Planning Council is defined as central coordination of a sustained, comprehensive, integrated, statewide system to provide the most effective legal services to people in poverty in North Carolina. Since its inception, the Planning Council has worked extensively with North Carolina bar leaders on issues relating to program configuration and delivery.

Funding

A coordinated legislative campaign led by the North Carolina Bar Association and the Planning Council resulted in a major success in September 2001, with the enactment of a system of "dedicated funding" for legal services from court costs, as a replacement for the then-current system of state funding, which was dependent on precarious annual appropriations.

The Planning Council's major focus in 2003 was on resource development and allocation. In August 2003, the Council sponsored a fundraising strategy session and training meeting for Council member organizations, including private attorney Board members. The Council is working with a fundraising consultant (who has contracted with Council member Legal Aid of North Carolina) to formulate a state resource development plan.

Pro Bono

The North Carolina Bar Association's Pro Bono Project held its annual North Carolina Pro Bono Coordinators Institute in November 2003. Pro Bono coordinators and managers from the legal services community, law firms, state and private agencies from across the state participated in this year's program. The law firm subcommittee of the Bar Association's Public Service Activities Committee led a panel discussion focusing on law firms and pro bono work.

Access to Courts

The North Carolina Bar Association Pro Se Task Force issued its report to the Association's Board of Governors in January 2004. The Task Force was comprised of volunteers representing various constituencies in the legal community, including the Administrative Office of Courts, District Court judges, trial court administrators, family law practitioners, private practitioners, and the legal services community. In response to the report, the Board of Governors approved a proposal by the Association's President to establish a standing committee on limited scope representation and pro se litigant matters.

Program/Delivery

Effective July 1, 2002, a single LSC-funded program, Legal Aid of North Carolina, Inc., serves the entire state of North Carolina.

Strategic planning and coordination among LSC and non-LSC funded providers is a principal function of the Planning Council. One of the Council's priorities has been creation of a statewide advocacy and training coordinator position at the North Carolina Justice and Community Development Center. In late 2002, the Justice Center received funding for the position from the Z. Smith Reynolds Foundation. The coordinator began work in October 2003 and has devised an ambitious work plan to improve communications on advocacy efforts, develop advocacy agendas, address advocacy training needs, and create resource materials.

The Planning Council released North Carolina's first state-wide Legal Needs Assessment Study in 2003. The study finds that a lack of legal aid and pro bono lawyers and insufficient funding leave many low-income people in the state with unmet legal needs. It warns that in order to address the needs of low-income clients adequately, legal service programs must have access to "a wide range of legal strategies," including class actions, legislative lobbying, attorney fee claims, and community education.

North Dakota

- Structure** The Joint Committee on Legal Services to the Poor of the State Bar Association of North Dakota and the North Dakota Supreme Court assesses and provides information concerning the need for civil legal services for the poor. The State Bar Association also has a Volunteer Lawyer and Lawyer Referral Committee.
- Funding** The Joint Committee is considering how best to address the difficult challenges of resource development in the state.
- Pro Bono** The Joint Committee and the Volunteer Lawyer Committee face major challenges in the area of pro bono. Due to budget constraints, the State Bar Association has been forced to reorganize its staff and reduce the days on which its volunteer and reduced fee programs can accept calls for services from the public.
- Access to Courts** The Court Services Administration Committee of the North Dakota Supreme Court has taken responsibility for making recommendations concerning support for pro se litigants and the concept of unbundled legal services. The Committee is developing pro se forms and policy concerning the provision of assistance by court clerks. The Joint Committee on Legal Services to the Poor has reviewed the existing pro se materials in North Dakota and will keep the Court Services Administration Committee of the Supreme Court updated on its findings and recommendations
- Since 1997, under the auspices of the Supreme Court, a small and well controlled pilot project in two judicial districts has utilized pro se packets for divorces in limited circumstances, targeted to lower-income persons. Both the experience of the participants and the pro se packets have been used as learning tools for future improvements. In North Dakota the most extensive use of pro se materials has been in the tribal courts and both committees are benefiting from input on the tribes' experience.
- Program/Delivery** As of January 2004, there is a single statewide LSC-funded provider in the state, Legal Assistance of North Dakota, Inc.

Ohio

Structure

The Ohio Legal Assistance Foundation serves as the state's funder and performs a broad Access to Justice function. Created in 1994 by state statute, the Foundation's Board of Trustees brings together representatives appointed by the state Supreme Court, State Attorney General, State Treasurer's Office, State Public Defender, Speaker of the House of Representatives and Senate President. Other bar leaders and citizens concerned about equal justice also serve as trustees.

State planning activity among legal aid providers is coordinated and overseen by the Ohio Planning Steering Committee, composed of representatives from legal services programs, the Ohio Legal Assistance Foundation, law schools, pro bono programs, the client community, and the organized bar.

Funding

The Ohio Supreme Court, which had been providing \$500,000 to the Ohio Legal Assistance Foundation through attorney registration fees, earmarked an additional \$310,000 in 2003 to assist with the consolidation of legal aid societies in western Ohio.

The Ohio Legal Assistance Foundation has embarked on an effort to increase funding for civil legal aid by raising the court filing fee from \$15 to \$25 on each new civil action or proceeding (except domestic relations) and from \$7 to \$10 on small claims filings. The last time filing fees were increased to benefit legal aid was in 1993.

Pro Bono

The Ohio Legal Assistance Foundation employs a statewide pro bono developer and coordinator. The recently adopted Ohio State Plan, *Moving Closer Towards Achieving a Comprehensive, Integrated Legal Services Delivery System*, adopted five strategic goals to increase the engagement of pro bono attorneys in Ohio. These include fostering a legal culture that supports and encourages pro bono; enlisting the support and influence of Ohio's judiciary; measuring attorney participation in pro bono programs; developing local pro bono programs throughout the state; and using technology to support increased collaboration with pro bono attorneys law students, and other sources of volunteer assistance.

The 2004 Ohio Bench-Bar Conference will offer a pro bono track featuring a presentation offering an overview of pro bono in Ohio. The 2004 Annual Convention of the Ohio State Bar Association will feature a CLE seminar on the role of law schools in the delivery of legal services to low-income persons and a panel discussion featuring pro bono partners from firms of various sizes across Ohio.

Access to Courts

A statewide task force on pro se and indigent litigants is now being formed by the Ohio Supreme Court. A representative from the Ohio Legal Assistance Foundation will be included.

A self-help task force was recently created pursuant to Ohio's new state plan, charged with implementation and monitoring of the plan's self-help components. It will include a subcommittee on Limited English Proficiency (LEP) or some other mechanism for addressing LEP issues through self-help materials and collaboration with the courts and other agencies. A statewide evaluation of the self-help delivery system operated by legal aid society programs in Ohio will assess the materials available, how they are used by clients, the ways in which clients obtain materials, and the receptivity of the courts to self-represented litigants.

Program/Delivery

Since 2000, the number of LSC-funded programs has gone from 14 to six.

In 2003, the State Planning Steering Committee developed a new state plan for 2004-2007, covering intake and advice systems, use of technology, self-help and prevention, staff capacities and development, engagement of pro bono attorneys, coordination of advocacy, availability of a full range of services, and a variety of other issues.

Ohio adopted statewide practice and policy guidelines in 2003, as part of its continuing effort to improve the quality, impact and effectiveness of its delivery system.

Oklahoma

- Structure** In 2003, the Oklahoma Bar Association created a new Access to Justice Committee charged with developing and implementing a plan to make access to justice a reality for all Oklahomans. The Committee, which deals with access to both criminal and civil justice, is currently chaired by the Board Chair of Legal Aid Services of Oklahoma. Its membership includes volunteer private attorneys and judges. The Oklahoma Bar Association is exploring the possibility of creating an Access to Justice Commission.
- Funding** In 1996, with the support of the bar and courts, the Oklahoma State Legislature created the Legal Services Revolving Fund and made a first-year appropriation of \$450,000 to the Fund. Funding has increased twice since then: in 1998 to \$600,000 and in 2000 to \$830,000. The funds are dedicated to family law casework, with priority to cases involving domestic abuse.
- The Oklahoma Bar Foundation, which provides the majority of its funding to Legal Aid Services of Oklahoma, is seeking mandatory IOLTA participation by all Oklahoma lawyers.
- Legal Aid Services of Oklahoma is conducting a statewide fundraising campaign, with a goal of \$1.5 million. Past ABA President William Paul is chairing the campaign. As of March 2004, the fund drive had passed the half-way mark.
- Pro Bono** The Pro Bono Subcommittee of the Access to Justice Committee is exploring ways to increase pro bono participation and expand the definition of what pro bono service can include. Specific efforts will target law students and law school personnel. The subcommittee presented a program at the Oklahoma State Judicial Conference in November 2003 on the role of the judiciary in increasing pro bono participation. It is also seeking to place articles on pro bono in special-interest bar journals.
- Access to Courts** The Legal Services Subcommittee of the Access to Justice Committee is exploring ways to provide support for the increased numbers of self-represented litigants in the courts, including development of standardized forms and training for court clerks. Particular attention is being focused on problems associated with the translation of forms and notices into Spanish. The subcommittee is formulating a survey to be distributed to the trial courts to explore and identify problems experienced by trial judges in dealing with pro se litigants.
- Legal Aid Services of Oklahoma has placed a prototype self-help kiosk in the Tulsa County Court House.
- Program/Delivery** Legal Aid Services of Oklahoma was created as a new statewide LSC-funded program at the beginning of 2002.
- Development of a centralized intake system serving the entire state is underway. Numerous stakeholders, including Legal Aid Services of Oklahoma, Oklahoma Indian Legal Services, and social services agencies, are participating in the planning process.

Oregon

Structure

Oregon has an active, broad-based Access to Justice structure based upon four entities that work collaboratively together. The Consortium of Legal Services Programs is charged with identifying the needs of the client community and developing cooperative and integrated strategies to meet them. The Oregon State Bar Board of Governors Access to Justice Committee oversees State Bar advisory committees on pro bono, modest means, affirmative action, legal services and judicial administration. The informal “Lindauer Group,” made up of representatives from the State Legislature, Governor’s Office, Attorney General, Supreme Court, Oregon State Bar, Campaign for Equal Justice, and legal services providers, has the goal of increasing state funding for legal services. The Judicial Department of Access to Justice Committee for All coordinates implementation of recommendations from the Oregon Supreme Court’s Task Forces on Racial/Ethnic Issues in the Judicial System and the Task Force on Gender Fairness.

Funding

Oregon’s Campaign for Equal Justice, organized in 1990 by a consortium of Oregon’s legal aid programs to expand funding and support for legal aid, has raised almost \$10 million from individual attorneys, foundations, and corporations. The Campaign’s annual fund campaign set a 2003 annual fundraising goal of \$750,000. In addition to the annual fund, foundation and corporate grants bring in \$100,000 to \$500,000 annually. The Campaign is led by leaders from the private bar and has developed a statewide network of volunteers who solicit contributions on a lawyer-to-lawyer basis. Oregon Governor Ted Kulongoski has been an active spokesman for the Campaign.

In August 2003, as a result of the combined efforts of the Oregon State Bar, legal services providers, and the Campaign for Equal Justice, the legislature increased the filing fees going to legal services. The increase, which will be phased in over three years, is expected to generate an additional \$1 million in 2006, bringing the overall amount going from filing fees to legal services to approximately \$4 million annually.

The Oregon Access to Justice Endowment Fund, a new corporation created in 2001 by the boards of the Campaign for Equal Justice, Oregon State Bar, and Oregon Law Foundation, has generated more than \$500,000 in current contributions and bequests.

Communications

In the fall of 2004, the fourth series of biennial legal aid open houses will take place at legal aid offices and courthouses throughout the state. Held prior to the state’s legislative session every other year, the Open Houses are aimed at educating legislators, community leaders and the general public about the importance of legal services programs in providing access to the justice system. Speakers typically include federal judges, Members of Congress, Oregon Supreme Court justices, state legislators, and other prominent officials.

Pro Bono

The Oregon State Bar has launched a voluntary pro bono reporting program. The Oregon State Bar’s New Lawyers Division sponsors a Pro Bono Challenge project to recognize the pro bono work being done by Oregon attorneys.

Access to Courts

Collaborative initiatives currently underway include the availability on-line of Supreme Court Model Family Law Forms, based on forms developed by Legal Aid Services of Oregon, as well as the Courthouse Facilitator Program, recommended by the 1999 report of the Oregon Family Law Legal Services Task Force.

Program/Delivery

LSC has requested that Oregon engage in a targeted planning effort to assess whether the present legal services structure in Oregon is the best for equitable client access across the state. In response, the State Bar, through its Legal Services Committee, has established a task force to explore the issue. With oversight by the task force, legal services providers are currently assessing the benefits and costs of reconfiguration to determine what is in the best interest of clients. The task force will make a recommendation to the State Board of Governors for submission to LSC in June 2004.

Pennsylvania

Structure

The Pennsylvania Bar Association's Delivery of Legal Services to the Public Committee includes legislators, a representative of the governor, judges, legal services staff, members of large and small law firms, and IOLTA representatives. The Committee has four subcommittees: Local Support, dedicated to increasing the number of lawyers involved in pro bono efforts; Development, charged with seeking additional funding streams for civil legal aid; Pro Bono Conference, responsible for organizing an annual event to highlight the need for pro bono involvement; and Law School, which handles a variety of issues relating to legal education, such as loan forgiveness and student internships. The Committee's efforts build on the work of the Pennsylvania Bar Association's Delivery Of Legal Services to the Needy II Task Force, which issued its final report in May 2003.

Implementation of the comprehensive state plan to create a statewide, integrated service delivery system is overseen by the Board of Directors of Pennsylvania Legal Services, which includes appointments by the Bar Association (six appointments), the Pennsylvania Project Directors (one appointment), and client groups (two appointments by the Pennsylvania Clients Council and two by the State Welfare Rights Organization), as well as two appointments by the Board itself.

Funding

July 2004 will mark the first full year of collections under the Access to Justice Act, which established a court filing fee surcharge to benefit civil legal aid. It is expected that over \$7 million of funding will be available from this source in the upcoming fiscal year. This will help offset IOLTA losses resulting from declining interest rates, as well as providing additional funding to programs, some of which will be used to support a new statewide public benefits initiative.

The final state budget for fiscal year 2003-2004 provides legal services programs with a special one-time grant of \$1 million for general client representation, in addition to core state funding of \$2.47 million and \$5 million in Title XX funding (federal money over which the state has discretion). The latter two amounts are essentially unchanged from prior years.

The Delivery of Legal Services to the Public Committee has launched an initiative to secure *cy pres* funding for civil legal aid. Educational materials, including a comprehensive manual on the doctrine, will be provided to judges and attorneys involved in cases with potential *cy pres* settlements.

Loan Repayment

The Pennsylvania Bar Association has created a Task Force on Loan Forgiveness and Repayment Assistance, with membership of the bar, the courts, the legislature, legal services, and student loan administrators.

Pro Bono

Following up on recommendations in the report of the Delivery of Legal Services II Task Force, the Pennsylvania Bar Association created a new Pro Bono Coordinator position in 2001 to help counties develop local pro bono plans and programs and to enhance existing programs. Recruitment initiatives have included local pro bono conferences and a traveling road show of continuing legal education presentations on the ethics of pro bono work. The Bar Association hosts its third annual Pro Bono Conference in conjunction with its annual meeting in May 2004. In collaboration with Pennsylvania Legal Services, the Bar Association will launch a Web site with resources for lawyers providing pro bono services, using the Pro Bono Net template.

Program/Delivery

The redesign of Pennsylvania's delivery system as called for by the updated state plan has largely been completed. The LSC-funded programs in the state have been consolidated from fifteen to eight, in six regions. Each region has developed its own plan for a full-service regional delivery system, working in cooperation with the Pennsylvania Bar Association, local bar associations, and other programs. A statewide support team housed at Pennsylvania Legal Services provides support and leadership in training, resource development, and technology. A new Web site, www.PALawHelp.org, based on the Pro Bono Net template, provides extensive legal information for clients.

Rhode Island

Structure

The Rhode Island Bar Association's Committee on Legal Services is responsible for making recommendations relating to equal access to justice for low-income people.

The Supreme Court, with the support of the Rhode Island Bar Association, created the Task Force on Affordable Legal Services to examine mechanisms to increase affordable legal services (criminal and civil) for all Rhode Island citizens and to make recommendations regarding implementation of programs to that end. The Task Force concluded its work in September 2002 with a comprehensive report outlining its recommendations. It was comprised of 40 members, including representatives of the state legislature, executive branch, attorney general, public defender, Bar Association, each level of the court system, law schools, legal aid providers, and community organizations.

Funding

The Report of the Task Force on Affordable Legal Services included more than 30 recommendations. In light of the fiscal challenges facing the state, many of them require a minimal financial commitment. However, the Task Force found that in certain areas, where lack of legal representation has significant consequences for individuals and families, the only viable solution is to commit additional state resources. Consequently, the report concluded that even in this period of fiscal restraint, providing adequate, affordable legal services to the people of the state should be a top priority.

A recommendation of the Committee on Legal Services to include a voluntary bar dues contribution to support organizations that provide legal aid is being considered by the Bar Association and the Bar Foundation.

Pro Bono

The Report of the Task Force on Affordable Legal Services made a variety of recommendations aimed at expanding pro bono participation, including active support from law firms and the courts, priority scheduling for pro bono cases, reduced fees for continuing legal education for attorneys who provide pro bono services, and creation of an "active emeritus" status allowing retired attorneys to handle pro bono cases without paying bar dues. The Task Force also recommended exploration of a mandatory pro bono requirement, possibly with an exemption through an annual contribution to Rhode Island Legal Services.

The president of the Rhode Island Bar Association is meeting with the judiciary to discuss the possibility of allowing pro bono cases to have calendar preference. The president is also actively participating in meetings of the Family Court Bench Bar to recruit additional attorneys to accept family law cases on a pro bono basis.

The Bar Association's Committee on Legal Services is exploring ways for volunteer attorneys to work with Rhode Island Legal Services on a recently proposed eviction defense program in the District Court.

The Chief Justice of the Supreme Court and president of the Bar Association will host a luncheon to recruit the ten major law firms in the state to join the Bar Association's Volunteer Lawyer Program or increase their participation.

Access to Courts

A subcommittee of the Committee on Legal Services is considering the development and implementation of assistance for pro se litigants in the Family Court.

South Carolina

- Structure** The Access to Justice Committee of the State Bar of South Carolina is charged with proposing and implementing improvements to provide better access to the justice system, especially for indigent citizens; addressing issues affecting legal services programs; reviewing, planning and coordinating alternate methods of service such as mediation, clinics, pro bono and pro se; reviewing issues affecting public defenders and their clients; and reviewing and suggesting improvements for the courts, including magistrate's courts.
- Funding** Bar support played a major role persuading the legislature in 1997 to adopt, over the Governor's veto, a filing fee add-on to support legal services programs. In 2002, the add-on resulted in an estimated \$1.6 million for civil legal aid. The Bar has a dues check-off for legal services.
- Program/Delivery** Since 2002, South Carolina has had a single statewide LSC-funded program with regional delivery systems, the South Carolina Centers for Equal Justice.

South Dakota

- Structure** The South Dakota State Bar, in conjunction with the state Supreme Court and legal services providers, made a formal commitment in 2001 to increase its activities in the areas of promoting pro bono, supporting efforts to obtain state funding, and collaborating with the judiciary on issues that affect low-income people. To support these efforts, the State Bar engaged a part-time Access to Justice coordinator.
- Funding** The South Dakota State Bar has launched a three-phase effort to increase the resources of the Bar Foundation. At the beginning of 2004, the State Bar instituted a \$75 opt-out donation to the Bar Foundation. In the spring of 2004, the State Bar will begin to solicit pledges to fund an endowment for the Foundation. Thirdly, starting this fall, the State Bar will begin a planned giving campaign for the Foundation.
- Pro Bono** The State Bar and legal aid providers are now in the second year of a successful effort to encourage South Dakota attorneys to make a commitment to take on at least one pro bono case referred from a legal services program per year. As of early 2004, several hundred such commitments had been made. The State Bar's Access to Justice coordinator has written to the presidents of the all local Bar Associations about the effort and is traveling around the state to promote it.
- Program/Delivery** The State Bar and the state's legal aid providers are working to promote efficiencies between the two programs, with the eventual goal of bringing them together under one roof and equalizing funding differences.

Tennessee

Structure

Access to Justice initiatives in Tennessee are led and coordinated by two entities working together on a collaborative basis. The Tennessee Alliance for Legal Services is a statewide non-profit organization that seeks to build partnerships to support the delivery of effective civil legal services for low-income and elderly Tennesseans. Its Board includes representatives from Tennessee bar associations, law schools, the Administrative Office of the Courts, the Supreme Court, public defenders, client communities, social services agencies, and legal aid providers.

The Tennessee Bar Association's Access to Justice Committee consists of bar leaders from private and government practice, legal aid providers, judges, court administrators, and law schools. The Committee works in collaboration with the Alliance, the courts, legal aid programs, and other organizations to further its mission of increasing pro bono participation, expanding access to the courts, and educating the bar and the public about justice issues.

In the Memphis area, the second annual Equal Justice Summit, held in October 2003, led to the formation of the United Memphis Access to Justice Committee. The Committee includes representatives from the Memphis Bar Association, Memphis Area Legal Services, Community Legal Center, University of Memphis, civil and criminal courts, Public Defender, clerks, paralegals, and a variety of other government and non-governmental service agencies. Leaders hope that the Memphis Committee will serve as a model for other Tennessee communities.

Funding

Since 2001, a bail bond surcharge has provided funding for civil legal aid programs and the support work of the Tennessee Alliance for Legal Services.

Needs Study

In March 2004, at a press conference at the Tennessee General Assembly, the Tennessee Alliance for Legal Services released a Civil Legal Needs Analysis, conducted by the University of Tennessee College of Social Work, Office of Research and Public Service. Supplemental surveys to document regional differences are scheduled for completion in the fall of 2004.

Pro Bono

In 2003, the Tennessee Bar Association initiated "Lawyers Care," a major pro bono recruitment drive, with a challenge to all Tennessee attorneys by Chief Justice Frank Drowota and the Association's President to render and report pro bono legal services. To make it easier for law firms to adopt formal pro bono policies, the Bar Association's Access to Justice Committee and Coordinator are meeting with firms around the state and providing them with model pro bono policies. The January issue of the Tennessee Bar Journal highlighted equal justice issues.

Access to Courts

The Administrative Office of the Courts hosted a Pro Se Conference in the spring of 2003, bringing together judges, court staff, bar leaders and providers to discuss barriers to pro se litigants, issues for court staff, and areas where the courts and the bar can work together to address these challenges. The conference resulted in the formation of a Working Group on Self-Represented Litigants to ascertain best practices, develop model forms, and educate the judiciary, clerks, and the private bar.

In November 2003, the Administrative Office of the Courts awarded nine grants totaling approximately \$280,000 to fund pro se programs in the family law and custody area. Recipient organizations included bar associations, legal aid office, and courts.

Program/Delivery

The Tennessee Alliance for Legal Services has launched www.TennHelp.com, a new Web site to help consumers gain access to family and children's social service organizations throughout Tennessee. The Tennessee Department of Children's Services and the National Association of Social Workers, Tennessee Chapter, worked closely with the Alliance to supply basic information and resources.

Texas

Structure

The Texas Access to Justice Commission was created by order of the Supreme Court in April 2001, as recommended by the State Bar of Texas Board of Directors. The Commission is comprised of 15 members appointed for three-year terms, including three representatives from the judiciary (one Supreme Court Justice, one judge from an urban area and one from a non-urban area), two members of the State Bar of Texas Board of Directors and one attorney member, one member of the Board of Directors of the Texas Equal Access to Justice Foundation, one member of the Board of Directors of the Texas Bar Foundation, and four representatives (staff, Board members or volunteers) of state or federally-funded legal services programs. The Commission structure also includes a state Senator, a state Representative, and the General Counsel to the Governor, as *ex-officio* members. The Commission is staffed by Texas Lawyers Care, the pro bono/legal services support department of the Texas State Bar.

Funding

In 2003, the Texas legislature approved a bill to charge a fee of \$65 to non-exempt lawyers, to be divided between civil legal aid and innovative indigent defense projects. The measure is expected to generate more than \$1.7 million annually for civil legal aid. The legislature also instituted a new pro hac vice fee (paid by a lawyer to appear in a court where he or she is not licensed) dedicated to civil legal aid. Another bill, which would have required courts consider awarding unclaimed or undistributable funds in class action cases to provide civil legal aid, was passed by the legislature but vetoed by the Governor.

The State Bar of Texas' "opt-out" format for the "Access to Justice Contribution" on its membership dues statement, adopted in 2002, resulted in donations of over \$1 million from Texas attorneys in 2003. In 2004, the dues statement will likely revert to an "opt-in" format with a suggested contribution of \$100.

Communications

The Texas Equal Access to Justice Foundation and the Texas Access to Justice Commission have initiated the "Justice for All Texans" campaign to increase awareness of the benefits of civil legal aid for Texans. The campaign incorporates a video documentary narrated by Bill Moyers and public service announcements in English and Spanish. Texas Supreme Court Justice Harriet O'Neill taped a special lead-in to the campaign video aimed at Texas attorneys, explaining the new \$65 mandatory bar fee for indigent legal services. The video will be shown at Texas Bar CLE events to provide a positive message about legal aid and the need for the fee, for a free .25 hours of ethics CLE credit. Texas First Lady Anita Perry wrote an op-ed piece supporting legal aid for victims of domestic violence, which appeared in newspapers around the state.

Loan Repayment

The State Bar of Texas is helping to fund the Texas Student Loan Repayment Assistance Program, created by the Access to Justice Commission in 2002 with private donations. The Bar has committed \$30,000 for 2004.

Pro Bono

The State Bar of Texas Legal Services to the Poor in Civil Matters Committee conducted a survey in 2003 to collect data on pro bono service by attorneys. The scientifically valid survey provides more complete and reliable data than has been collected through the current voluntary reporting system.

Access to Courts

At the request of the Texas Access to Justice Commission and the State Bar of Texas Family Law Section, the Supreme Court of Texas has created a Protective Order Task Force. Staffed and funded by the Access to Justice Commission, the task force is charged with drafting a domestic violence pro se protective order kit, as well as a plan for the statewide implementation and distribution of the kit by August of 2004.

Utah

Structure

Utah's current efforts to expand and improve access to justice for low-income people in the state grow out of a report issued in 1997 by the Utah Access to Justice Task Force, co-chaired by the Chief Justice of the Supreme Court and the President of the State Bar. The report led to the creation of And Justice For All, a unified fundraising effort for civil legal services, in 1999. And Justice for All has incorporated with the mission of serving as a resource to Utah's civil legal service providers in:

- Creating and sustaining resources to support civil legal services
- Sharing and consolidating resources so that services are delivered in a more efficient manner, enabling the agencies to serve additional clients
- Strengthening the individual agencies and the distinct roles they play in the delivery of civil legal services in Utah.

Additional Access to Justice initiatives have been undertaken by an informal working group involving the Utah State Bar, the courts, legal aid providers, and other partners. The Chief Justice of the Utah Supreme Court recently designated Justice Ronald Nehring to serve as the Court's point person on Access to Justice issues. At his request, the working group has met to develop a mission statement and identify a proposed scope of work, as the first steps in creating a more formal structure.

The University of Utah S. J. Quinney College of Law and the Utah State Bar co-sponsored the Fordham Forum in January 2004. The forum, which drew more than 100 participants, brought four national experts to Utah to discuss the need for a state plan for delivery of services and access to justice. The next day, a plenary session reviewed Utah data on needs and resources, followed by four break-out sessions addressing state planning, pro se, pro bono and law school involvement.

Funding

Access to Justice leaders achieved a major legislative success in the spring of 2003, when the state legislature approved \$100,000 in general funds annually to the Community Legal Center to provide assistance to low-income Utahns in family law and domestic violence cases. This was the first appropriation for legal aid operations from the legislature.

Since 1999, And Justice for All has raised a total of more than \$2.3 million to fund direct legal services. In 2003, the campaign raised \$386,000. In addition, the capital campaign for the Community Legal Center, which houses the four major civil legal services providers, raised \$3.4 million, including \$2.1 million from non-attorney donors.

Pro Bono

The S. J. Quinney Law School's Pro Bono Initiative continues to involve students who want to volunteer outside of clinical programs or after a clinical experience. It offers a wide variety of projects, including many with civil legal service providers. The faculty and students at the J. Reuben Clark Law School at Brigham Young University are also very active in community outreach and service projects. In particular, they have made it possible to increase services dramatically to juveniles in Ute Tribal Court.

Access to Courts

The Utah State Courts have expanded the Online Court Assistance Program (OCAP) by including additional forms for use by pro se litigants. With the support of the state Administrative Office of the Courts and an LSC Technology Innovation Grant, Utah Legal Services will launch a Web-based system to allow pro bono attorneys to review low-income pro se litigants' on-line pleadings before they are filed.

The Legal Aid Society of Salt Lake has launched a self-help program located at the largest district court in the state to assist with domestic relations issues for those who cannot be provided extended services because of limited funding. Utah Legal Services provides clinics at eight other locations throughout the state.

The Utah State Bar is currently exploring the development of a reduced fee program.

Vermont

Justice Structure The Vermont State Bar Association, Vermont Bar Foundation, Vermont Law School, Vermont Supreme Court and the state's two legal aid providers, Vermont Legal Aid and Legal Services Law Line, have jointly created the Vermont Access to Justice Coalition, made up of leaders from each of the stakeholder entities. The Coalition's objectives are: to increase public awareness of the need for civil legal aid and serve as a voice for the civil legal assistance system with members of the public, government officials, and legislators; to promote coordination among the courts, the private bar, and providers of legal services, and build partnerships with other stakeholders to expand access to justice; to encourage and increase participation by the private bar in the delivery of civil legal assistance; and to develop and implement policies and programs to increase civil legal aid services and funding.

The Access to Justice Coalition builds upon the efforts of the Vermont Committee on Equal Access to Justice for Low-Income Litigants, created in 2001 to identify the civil legal needs of low-income Vermonters and study their access to the courts and legal services. The Committee was co-chaired by Vermont Supreme Court Justice Denise Johnson and a prominent trial attorney and included members of the legislature, the dean of Vermont Law School, private attorneys, a client representative, and legal aid providers.

Funding As an initial step in building support for an effort to increase private and public funding for civil legal aid, the Spring 2004 issue of the Vermont Bar Journal highlighted Access to Justice issues.

The Coalition is leading an effort to impose a filing fee for motions by out-of-state attorneys to appear *pro hac vice* in Vermont courts. The funds would be used to support the appointment of counsel for children, persons with disabilities, and other unrepresented litigants in complex or difficult family law cases.

Needs Study In September 2001, the Vermont Committee on Equal Access to Justice for Low-Income Litigants issued a report, *Investigation of Need and Assessment of Resources*, based on a legal needs study conducted by an independent research firm.

Pro Bono As a result of discussions among the members of the Access to Justice Coalition, the Vermont Volunteer Lawyer Project invited the ABA Center for Pro Bono to conduct a peer review visit in March 2004 to aid in developing a broad plan to expand private attorney participation in providing civil legal assistance.

Efforts are underway to convince the Vermont Supreme Court to adopt an "unbundling" rule in an effort to make it easier for attorneys to accept more pro bono cases.

The mid-year meeting of the Vermont Bar Association highlighted the 20th anniversary of the Vermont Volunteer Lawyer Project. The spring 2004 issue of the *Vermont Bar Journal* focuses on pro bono and Access to Justice issues.

Access to Courts A subcommittee of the Equal Access Committee on pro se access to the courts made the following recommendations: improved pro se materials available in every court, in several languages, written in clear and comprehensive language; increased training of court personnel regarding services available to pro se litigants; identification of "court service centers" in every courthouse, with computers, printers, court forms and informational brochures and pamphlets; and improved Web-based resources for pro se litigants.

Virginia

Structure

Virginia has no formal Access to Justice structure. The Legal Services Corporation of Virginia coordinates the statewide planning efforts of Virginia's legal aid programs. The Virginia State Bar, a mandatory bar, promotes support for civil legal assistance and pro bono service through its Special Committee on Access to Legal Services. The Virginia Bar Association, a voluntary statewide bar, supports pro bono efforts involving young lawyers and law schools. Local bar associations, including the Richmond Bar Association, the Virginia Beach Bar Association, and the Fairfax Bar Foundation, also have significant Access to Justice initiatives.

Funding

In 2002, the state's court filing fee add-on benefiting legal aid programs was increased from \$2 to \$3, generating almost \$1 million in new funding. In 2004, Legal Services Corporation of Virginia is seeking an increase in its general revenue appropriation and another \$1 increase in its filing fee appropriation. Other revenue enhancements, including a possible joint fundraising campaign for legal services by the statewide bar associations, are being considered.

Pro Bono

The Virginia Bar Association, which has traditionally supported young lawyer public service contributions, has expanded its efforts to involve more experienced members in pro bono and other types of community service. It is also reaching out to law schools and other entities in an effort to develop additional resources.

The Richmond Bar Foundation sponsors a clearinghouse for nonprofits seeking pro bono legal services. This project has been successfully replicated in Northern Virginia through a joint project of the Fairfax Bar Foundation and the Virginia Bar Association Young Lawyers Division.

Virginia's Chief Justice has appointed a special statewide study committee to develop a pro bono pilot that would provide greater representation in child custody cases.

Access to Courts

A statewide Pro Se Litigation Planning Committee was created in 2001 to examine the issues confronting courts as they seek to serve pro se litigants more fairly and effectively. The Planning Committee, chaired by a Justice of the Virginia Supreme Court, completed its work and released its report, *Self-Represented Litigants in the Virginia Court System: Enhancing Access to Justice*, in the fall of 2002. A successor Pro Se Litigation Task Force is expected to be appointed in the near future.

The Supreme Court of Virginia is reviewing a proposed 2004-2006 strategic plan for the judiciary that contains a number of action items designed to increase the access and user-friendliness of the courts, both for pro se and other litigants. The Supreme Court has received a grant to develop a computer-based self-help system for protective order petitioners adapted for Virginia from the Orange County, California, I-CAN! System.

Program/Delivery

Legal Services Corporation of Virginia has been in the forefront of tying funding for programs to performance measurement goals. The statewide legal aid Web site has been significantly enhanced to provide extensive legal information for clients, as well as a site for advocates to share best practices and resource support. All grantees now participate in a statewide Web-based case management system as well as a statewide legal aid hotline providing legal information to clients in four languages, English, Spanish, Korean and Vietnamese. A broad-based coalition engaged with legal aid has helped to prepare a comprehensive on-line provider's resource guide.

Legal Services Corporation of Virginia retained the Management Information Exchange to conduct a four-part, year-long training on Leadership and Diversity during 2003-2004, with scholarships for minority and women participants.

Washington

Structure

Washington State's Access to Justice Board was created by the state Supreme Court in 1994, with the charge of expanding resources for civil legal services and coordinating their delivery. Its nine members, appointed by the Court, represent a wide range of civil legal assistance stakeholders, including the bench, the organized bar, the Legal Foundation of Washington (which administers IOLTA funds), legal services programs, private bar volunteer lawyer programs, and others with an interest in and commitment to equal justice. The Board makes regular reports to the state Supreme Court and the governing body of the State Bar on the progress of its committees and work groups on implementing the State Plan and other initiatives. The Board and its initiatives are staffed by a six-employee unit of the Washington State Bar Association.

The Equal Justice Coalition is a broad-based, bipartisan coalition of nearly 100 community leaders and 50 organizations across the state, created by the Access to Justice Board to educate legislators and the public about the importance of legal services. The Coalition advocates for resources for legal aid and volunteer lawyer programs. The effort is underwritten by the Legal Foundation of Washington and Legal Aid for Washington Fund.

Now in its ninth year, the annual Access to Justice Conference has become the keystone event for the state's equal justice community. A noteworthy feature of the conference are the skits featuring bar, judicial, and justice system leaders, which many participants believe have played a significant role in building a sense of community among equal justice stakeholders.

Funding

In November 2001, the Washington Supreme Court ordered the creation of a 19-member Civil Equal Justice Funding Task Force, chaired by a Supreme Court justice and charged with studying and recommending strategies to secure long-term, sustained, and permanent state funding for civil equal justice in Washington State. Recommendations are expected by the end of 2004.

In March 2004, the state legislature passed a 2004 supplemental operating budget that included a \$1.9 million increase in funding for civil legal aid. The increase will help preserve the current service capacity of the state's legal aid system. Legislators on both sides of the aisle, as well as Governor Gary Locke and Chief Justice Gerry Alexander, strongly advocated the increased funding.

Needs Study

In October 2003, the Civil Equal Justice Funding Task Force released a comprehensive Civil Legal Needs Study. The study played a significant role in developing support for the funding increase enacted in March 2004.

Pro Bono

In 2003, the Supreme Court of Washington amended its Rule of Professional Conduct 6.1 to make three changes: to expand the definition of pro bono services; to suggest a 30-hour pro bono contribution; and to provide for voluntary reporting of pro bono hours. As of March 2004, nearly 16 percent of Washington state attorneys had reported.

WAACO (Washington Attorneys Assisting Community Organization) was established in 2003 to provide legal services statewide to non-profit organizations.

Access to Courts

The Administrative Office of the Courts, through its Judicial Information Systems Committee, has entered into a partnership with the Access to Justice Board to engage in joint technology planning, including Web site coordination and usability testing.

Program/Delivery

The Access to Justice Board is completing its Technology Plan and Communication Plan, and is beginning the process of reviewing and revising its 1995 State Plan (last revised in 1999).

The Access to Justice community held its first Leadership Conference in 2003, with a follow-up Leadership Workshop in February 2004. The Leadership Group includes directors and regional of all the legal services, pro bono, specialty and state support providers in the state.

West Virginia

Structure

Efforts to improve and expand civil legal assistance in West Virginia have been coordinated through the West Virginia Legal Services Symposium, created by the West Virginia State Bar in 1995. Members of the Symposium include all five members of the West Virginia Supreme Court, several Circuit Court judges, two Federal District Court judges, and the President and other officers of the State Bar. Other participants in the Symposium and its numerous standing committees include legal services advocates and program Board members, government attorneys, faculty from the West Virginia College of Law, bar leaders, and representatives of the domestic violence and human services communities.

At its September 2003 meeting, the Symposium approved a proposal calling on the State Supreme Court to create a permanent West Virginia Access to Justice Commission, made up of bar leaders, representatives of the judiciary, and other stakeholders. As of March 2004, the proposal was pending before the Supreme Court.

The West Virginia Supreme Court's Task Force on Self-Represented Litigants has been in existence since 1999. It consists of members of the judiciary, government officials, community advocates and lawyers.

Funding

In 2003, the West Virginia legislature increased certain court filing fees to fund courthouse improvements and legal services for domestic violence victims. The increase is expected to yield approximately \$210,000 for legal services, in addition to a continuing annual appropriation from general revenues of \$150,000.

In late 2002, Legal Aid of West Virginia launched a major fundraising campaign aimed at the private bar, led by prominent attorneys in the state. By December 2003, the campaign had raised \$640,000 in single-year gifts and three-year pledges toward a three-year goal of \$1.2 million. A campaign video, showing the need for legal services and the breadth of the campaign's support, has been used extensively in the fundraising process.

Pro Bono

Through its Committee on Coordination and Collaboration with the Private Bar, the Symposium has sponsored a number of efforts to expand private bar involvement in legal services delivery through better recruitment, training, and support for private attorneys willing to participate in the delivery system. In concert with the West Virginia State Bar, the Symposium has launched a permanent Pro Bono Review Committee to facilitate the provision of services by volunteer lawyers.

Access to Courts

The Task Force on Self-Represented Litigants has produced a video for pro se litigants, funded by the State Justice Institute, to help them understand court and legal procedures. It has also gathered statistics about pro se cases in the court system. Currently, it is working to expand training opportunities, the utilization of brochures and other written materials, and the provision of legal resources at libraries throughout the state.

Program/Delivery

A statewide legal services Web site, based at the West Virginia College of Law, is now in operation. The interactive site includes pro bono resources and community legal education materials as well as provider information and support resources. It is part of a coordinated Web information delivery strategy involving the courts and broad range of non-traditional partners.

Wisconsin

Structure

The State Bar of Wisconsin's Legal Assistance Committee promotes the establishment and efficient maintenance of legal aid organizations and individual pro bono efforts to improve delivery of legal services to those unable to pay. In addition, the Committee reviews the administration of justice as it affects low-income persons. Finally, the Committee encourages and assists State Bar members statewide in accomplishing these goals. Members of the Committee typically include a representative from legal services programs in the state, attorneys in private practice, government attorneys, law student representatives, and non-attorneys.

Funding

The State Bar of Wisconsin is leading a long-term effort to increase state funding, now a modest \$200,000 per year. Current prospects for an increase are complicated by the state's budget deficit.

The Wisconsin Equal Justice Fund is a statewide fundraising campaign for civil legal assistance, aimed primarily at the private bar. Since its inception in 1997, it has raised more than \$1.7 million for the state's legal aid programs.

Pro Bono

The Legal Assistance Committee has developed a plan for a coordinated, statewide pro bono initiative to revitalize and reorganize pro bono efforts in Wisconsin under the auspices of the judiciary. The plan calls for the creation of pro bono committees in each of the ten state circuit court districts, responsible for assessing and addressing pro bono needs at the local level. Each will include a circuit court judge, pro bono attorneys, and representatives from local and minority bar associations, legal services programs, and the community at large. A state-level Pro Bono Commission will include the State Bar pro bono coordinator, the chair of the Legal Assistance Committee, law school administrators and students, attorneys who provide pro bono services, and representatives of the judiciary, local and specialty bar associations, and pro bono and legal services organizations. The State Bar Board of Governors has approved the initial phase of the plan and has provided funding for its implementation in four pilot project areas.

Access to Courts

LegalExplorer, a feature of the State Bar's Web site, provides answers to commonly-asked legal questions about Wisconsin law, written in easy-to-understand language. The Legal Assistance Committee's pro bono plan calls for expansion of the service to include a Web-based self-help legal assistance center.

Program/Delivery

From 2000-2002, a State Planning Group focused primarily on the configuration of the LSC-funded programs in the state. Under a reconfiguration plan approved by LSC, three of the four LSC-funded programs merged at the beginning of 2003.

Wyoming

Structure

The Wyoming State Bar Foundation, led by a Board of Directors that includes among its members the past, current and incoming Presidents of the Wyoming State Bar, a Justice of the Wyoming Supreme Court, and a circuit court judge, is playing a leading role in developing Access to Justice initiatives for the state.

The Wyoming State Bar's Legal Aid Services Committee is composed of volunteer attorneys whose work is focused on legal aid issues in Wyoming.

The Citizen's Access to Courts Committee, established by the Wyoming Supreme Court in 2001, is comprised of attorneys, judges, and clerks. Its purpose is to examine the issues of citizens' access to courts in Wyoming and to make recommendations to the Board of Judicial Policy and Administration to respond more efficiently to the needs of self-represented litigants.

Funding

For the second year, the Wyoming State Bar included a voluntary check-off on attorney license fee statements for the Wyoming State Bar Foundation's Equal Justice Campaign to fund civil legal aid. In 2003-2004, contributions totaling \$10,000 were made by nearly 400 attorneys, whose names were published on the State Bar's Web site and in its bimonthly publication, the *Wyoming Lawyer*.

The Wyoming State Bar Foundation will hold a fundraising event, a silent auction and entertainment, in conjunction with the State Bar's 2004 Annual Meeting and Judicial Conference.

Pro Bono

An amended Rule 4 of the Rules for Continuing Legal Education allows attorneys to obtain CLE credit for civil pro bono representation or mentoring pro bono work. One hour of CLE credit may be granted for every five hours of pro bono work approved by the Wyoming Pro Bono Organization, up to a maximum of three hours per year.

Access to Courts

In 2002, the Citizens' Access to Courts Committee released a group of family law pro se packets, including legal forms and instructions for completion. The forms are available for \$10 in every county in the state at the clerk of district court's offices. Packets include: divorce without children, answer to divorce without children, divorce with children, answer to divorce with children, modification to child support, and modification to child custody.

In 2002, the Wyoming Supreme Court approved a new "unbundling" rule recommended by the Citizens' Access to Courts Committee, allowing for the limited legal representation of pro se/pro bono litigants, based on the ABA Model Rule of Professional Conduct 6.5.

Other Access to Justice Resources

SPAN Access to Justice Support Project

www.ATJsupport.org

Includes:

- Downloadable version of this report
- Individual state-by-state reports, some more extensive than in the hard copy edition
- Quarterly on-line *Access to Justice Update*, with the latest information about the initiatives reported in this report, other news, and new resources (to receive notification of the posting of the latest edition, contact span@nlada.org)
- Downloadable version of *Twelve Lessons from Successful State Access to Justice Efforts*
- Access to Justice Resource Library, which includes many of the documents referred to in this report
- State contacts, resource information, and documents
- Links to technical assistance and other resources.

ABA Project to Expand Resources for Legal Services

www.abalegalservices.org

Includes the manual *Innovative Fundraising Ideas for Legal Services (2004 Edition)* and link to obtain technical assistance.

ABA Center for Pro Bono

www.abaprobono.org

Includes extensive resources on pro bono, including reports, model rules, clearinghouse library, link to technical assistance.

ABA Legal Services Division

www.abalegalservices.org

Includes topical index and links to all ABA committees and projects relating to civil legal aid and pro bono, with extensive resources.

Pro Se and Unbundling Resource Center

www.abalegalservices.org/delivery

Includes extensive resources on courthouse assistance, limited representation (“unbundling”), supported pro se, hotlines, and link to technical assistance.

LSC Resource Library

www.lri.lsc.gov

Includes extensive resources on LSC initiatives, such as technology, pro se, state planning and the state justice communities evaluation instrument.

NLADA Civil Resources

www.nlada.org/Civil

Includes news and resources on civil legal aid. Click on “LSC-funded programs” for comments on LSC initiatives.

