

**CONFERENCE OF CHIEF JUSTICES
CONFERENCE OF STATE COURT ADMINISTRATORS**

RESOLUTION 5

Reaffirming the Commitment to Meaningful Access to Justice for All

WHEREAS, the Conference of Chief Justices acknowledged in 2001 in Resolution 23 that the promise of equal justice is not realized for individuals and families who have no meaningful access to the justice system and that the Judicial Branch has the primary leadership responsibility to ensure access for those who face impediments they cannot surmount on their own; and

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators passed Resolution 2 in 2008 recognizing that ensuring access to justice in adversarial proceedings involving basic human needs, such as shelter, sustenance, safety, health, and child custody is one of the Conferences' highest priorities and encouraged their members to take steps to ensure that no citizen is denied access to the justice system due to the lack of resources, or any other such barrier; and

WHEREAS, significant advances in creating a continuum of meaningful and appropriate services to secure effective assistance for essential civil legal needs have been made by state courts, national organizations, state Access to Justice Commissions and other similar bodies, and state bar associations during the last decade; and

WHEREAS, these advances include, but are not limited to, expanded self-help services to litigants, new or modified court rules and processes that facilitate access, discrete task representation by counsel, increased pro bono assistance, effective use of technology, increased availability of legal aid services, enhanced language access services, and triage models to match specific needs to the appropriate level of services;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators support the aspirational goal of 100 percent access to effective assistance for essential civil legal needs and urge their members to provide leadership in achieving that goal and to work with their Access to Justice Commission or other such entities to develop a strategic plan with realistic and measurable outcomes; and

BE IT FURTHER RESOLVED that the Conferences urge the National Center for State Courts and other national organizations to develop tools and provide assistance to states in achieving the goal of 100 percent access through a continuum of meaningful and appropriate services.

Adopted as proposed by the CCJ/COSCA Access, Fairness and Public Trust Committee at the 2015 Annual Meeting.

Justice for All

Project Announcement

We are pleased to announce the Justice for All (JFA) project, supported by the Public Welfare Foundation and housed at the National Center for State Courts. The project will support efforts by the states to include all relevant stakeholders in the civil justice community in a partnership to better understand, adopt, and move toward implementation of the **Conference of Chief Justices (CCJ) and Conference of State Court Administrators (COSCA)** resolution on *Meaningful Access to Justice for All*. The project seeks to enhance states' commitment to reimagining how to work across organizational boundaries and optimize all available resources to advance access to justice for all.

The rising number of people in poverty, the increase of self-represented litigants in our state courts, and severe funding deficiencies take our civil justice system further than ever from fulfilling the promise of equal access to justice. Faced with these challenges, leaders in the bench and bar have developed an array of exciting innovations to help those who face civil legal problems. To date, however, these innovations usually have been offered piecemeal by different sectors in the states, rather than in an integrated approach that combines services across sectors to make the best use of resources for each person with an essential civil legal need.

In July 2015, CCJ and COSCA unanimously passed Resolution 5, *Reaffirming the Commitment to Meaningful Access to Justice for All*, which:

- Envisions state systems in which everyone has access to effective assistance for their essential civil legal needs through a comprehensive approach that provides a continuum of meaningful and appropriate services.
- Calls for courts, Access to Justice Commissions or other such entities, and other essential partners, including civil legal aid organizations and the bar, to work together and develop in each state a strategic plan with realistic and measurable outcomes to reach the goal of effective assistance for all; and
- Urges the National Center for State Courts and other national organizations to develop tools and provide assistance to states in achieving the goal.

In brief, **the project will** develop a state assessment/inventory and strategic action plan template and guidance materials to assist states in their planning; award grants to targeted states using an RFP process, for assistance with state assessment/strategic action planning; and provide funding for technical assistance to address specific state access needs. The project Advisory Committee will provide project oversight and approval of grants and technical assistance. All states are encouraged to mobilize their partners in the access to justice community to begin the journey to implement the Resolution. More information about the project is forthcoming, with a likely RFP target date of May 2016.

Hon. Ralph Gants
Co-Chair
Justice for All Advisory Committee

Hon. Laurie Zelon
Co-Chair
Justice for All Advisory Committee

The project Advisory Committee and its Expert Working Group (listed below) are comprised of individuals with perspectives from all components of the system. Thanks to DLA Piper, which has offered to provide certain research and technical assistance for this project on a pro bono basis. Additional philanthropic support is encouraged. Contact Shelley Spacek Miller, J.D., sspacek@ncsc.org or 757-259-1538, for project inquiries.

Justice for All Advisory Committee

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February 1, 2016



Justice for All Project

Fast Facts

Project Goals and Strategy

- The Justice for All project recognizes that *no one program or approach* alone can suffice to provide all of those in need of help for their civil legal problems with appropriate and meaningful assistance. An array of innovations have been developed by bench and bar but they usually have been offered piecemeal rather than in an integrated approach that combines services across sectors to make the best use of resources for each person.
- The project aims to encourage state efforts that include all relevant stakeholders in the civil justice community—courts, access to justice commissions, legal aid, the private bar—in a partnership to implement CCJ/COSCA Resolution 5 (Meaningful Access to Justice for All). The Resolution envisions state systems in which everyone has access to meaningful and effective assistance for their civil legal needs through a comprehensive approach that provides a continuum of meaningful and appropriate services.
- The project seeks to enhance states' commitment to reimagining how to work across organizational boundaries and optimizing all available resources to advance access to justice for all.

Project Components

- *Strategic Action Plan Guidance Materials:* An expert working group will develop guidance materials outlining and providing information about the key components of services and capabilities that states should have in place to achieve access to justice for all. The materials will contemplate a mix of services, as highlighted in the Resolution, for states to consider in their particular contexts (e.g., self-help services to litigants, new or modified court rules and processes that facilitate access, discrete task representation by counsel, pro bono assistance, effective use of technology, increased availability of legal aid services, enhanced language access services, enhanced coordination with the human services sector, and triage models to match specific needs to the appropriate level of services).

The working group will provide a template for a strategic action plan, including the basic outline for the possible plan, along with the menu of options and service alternatives for states to consider to fill the identified gaps in services in their states. The expert group will also provide a template for a state assessment/inventory to help states identify the services and capability components they do and do not have, and consider how to address

gaps in services to better meet the legal aid needs of all. Related guidance materials will be provided. Templates and guidance materials will be available for all states.

- *Strategic Action Plan Grants:* Based on a Request For Proposal (RFP), the Justice for All Advisory Committee will award grants to states, based on a set of criteria, to help them conduct a state assessment inventory and also to design a strategic action plan to achieve access to justice for all. All core stakeholders—courts, access to justice commissions, the private bar, and legal aid providers—must be willing to work in full partnership to overcome fragmentation and create an integrated approach to accomplish the goal.

Consultant-based technical assistance may be included in strategic action plan grants. The Advisory Committee will develop, and release with the RFP solicitation, a list of technical assistance providers/experts who can serve as resources for states to assist states during the *strategic action plan process*. Consultant-based technical assistance costs should be included as part of the application budget.

- *Technical Assistance Grants:* In the second year of the Project, the Advisory Committee will provide strategic action plan grantees targeted technical assistance grants to assist with implementation. The Advisory Committee will determine, after consulting with grantees, additional technical assistance areas particularly relevant to each grantee's needs. The Committee will then determine the best use of and process for obtaining the technical assistance grants. These grants may address targeted pilot implementation efforts as well as other needs that states might require and the Advisory Committee determines appropriate.

At the conclusion of the project, the expert working group will revise the guidance materials to reflect observations from grantee efforts as well as updated thinking among scholars and practitioners. Project staff will compile a repository of information around grantee efforts (e.g., award focus, implementation, outcomes) and make it available to others interested in achieving full access to justice in their states.

Grant Awards and Timeline

- The Committee will award grants to up to 10 states based on selection criteria developed by the Committee.
- Grant award amount and duration will vary from state to state, but no grant shall be for a period longer than 12 months
- While all dates will be confirmed in March, the Committee anticipates the following *tentative* timelines:

- Late May: Justice for All RFP release
 - Mid- September: RFP return deadline
 - November : Grant awarded
 - Early-mid 2017: Technical assistance funding finalized and processed
- All awardees must demonstrate a commitment to working in full partnership with all core ATJ stakeholder groups in their states throughout the process, and must commit to evaluating and reporting on their efforts, and to share any materials developed.

Additional Project Information/Inquiries

- For additional project inquiries, contact Shelley Spacek Miller at sspacek@ncsc.org or 757.259.1538.