HELENA — The Montana Supreme Court, Office of the Court Administrator announced a partnership today with access to justice entities in sponsoring an Access to Justice Forum Series in six locations across Montana. The first Forum is scheduled in Great Falls on September 8, 2008 from 4 – 6 p.m. in the Great Falls Public Library Cordingley Room. The Forum Series is part of an on-going effort in expanding access and eliminating barriers to the civil justice system for low and moderate income Montanans. The Forums bring together community programs and access to justice leaders to continue the discussion of the legal, social and ethical issues that bear upon accessing the legal system and impact our Montana communities.

The Great Falls Forum is comprised of a distinguished Listening Panel, including Supreme Court Justice Patricia O’Brien Cotter and District Court Judge Kenneth R. Neill. Also represented on the panel will be co-sponsors from the Supreme Court’s Equal Justice Task Force, Commission on Self-Represented Litigants, the State Bar’s Access to Justice Committee, Montana Legal Services Association, local community and government leaders and Montana Legislators. Speakers include representatives from legal, social and service providers which serve clients who often face challenges in accessing the civil legal system. The Listening Panel will also hear from citizens who have received assistance in gaining access to our legal system. A brief period of public comment will conclude the scheduled speaker segment.

In 2005 access to justice entities commissioned the Montana Comprehensive Legal Needs Study to examine the legal needs of Montanans living in poverty. The conclusion: there is a substantial unmet need for civil legal services resulting in a profound impact on those without the opportunity to address those
legal needs. Significant steps have been taken to address those needs through creation of programs aimed at providing legal assistance to Montanans living in poverty. The Forum Series will highlight some of these programs.

More than 131,000 Montanans live at or below the poverty level and tens of thousands are barely above the poverty line. Many Montanans living below or just above the poverty line experience substantive civil legal problems ranging from employment and housing to family law issues. While not all of these legal problems are not unique to the poor others are exacerbated by poverty, such as livable housing. The legal problems of the low income Montanans most often involve essential human needs like food, shelter and healthcare. According to the Legal Needs Study, a low income household is more likely to have a legal need, and much less likely that such a household will receive meaningful legal access and assistance for that need.

“The purpose of the Access to Justice Forum is to highlight the civil legal needs of Montanans living in poverty and to demonstrate we care,” said Patty Fain, the Supreme Court’s Pro Bono Coordinator. “We’re making progress,” she added, “but there is so much more we need to do.”
PANEL, SPEAKER AND AUDIENCE CHOICES

Listening Panel:
- Legislators (multiple parties)
- District Court Judge(s)
- Court of Limited Jurisdiction Judge
- Committee/Task Force/Commission Chairs
- Local and State Bar Officers/State Trustee
- Montana Justice Foundation Board Member
- Mayor
- County Commissioner
- Member of Community Action Board/Committee
- Local Newspaper Publisher/Editor
- Governor/Governor Staff
- U.S. Representative (Senator, Representative)

Speakers/Witness
- Montana Legal Services (Klaus Sitte will arrange)
- Montana Legal Services Client (Klaus Sitte will arrange)
- Other Service Provider Client/Recipient
- Pro Bono Attorney
- Local District Court Judge
- Local Court of Limited Jurisdiction Judge
- Court Staff
- Supreme Court A2J Program Directors/Administrators/Coordinators
- Local Program Service Providers
  - Domestic Violence Shelters
  - Programs for Disabled with specific legal needs
  - Programs for Elderly with specific legal needs
  - Mediation Programs
  - Mini-Grant and MJF Recipients
- Local Programs/Providers feeding in and out of the ATJ Programs
- Legislators
- Others with Access to Justice base in operation or interest

Audience:
- Local Media (Press release/media packet to be produced)
- Lawyers
- Court personnel
- Local and State Agencies
- Local Non-Profits
- Business Community
- People seeking services
- Legal Service providers
- Local Educational Institutions (Students)
- Local Educational Institutions (Staff, Board, Principals)
- State/Local Bar Leaders
- Legislators
- Local Law Enforcement
Montana’s access to justice community (See Sponsors below) is sponsoring a series of Access to Justice forum discussions across the state of Montana (See Forum description below.) Invitations to speak will be extended to representatives from the private bar and non-profit organizations that provide legal and other services to the poor, to people who have been helped by these services, to bar leaders, advocates for the disabled and victims of domestic violence, the judiciary and community leaders and legislators. These speakers have intimate knowledge of the importance of access to the justice system and such we expect they will share successes, challenges, the remarkable advances in the access to justice movement and alas, the stark inequalities that continue to exist.

The speakers will present to a Listening Panel (See potential panel members below) and are permitted to ask questions of the speakers and discuss the presentations. There will be a period of public comment at the conclusion of the forum if time permits. Those wishing to comment must submit a comment card and time will be limited to two minutes per speaker. The forum will not address legal assistance in criminal matters.

In 2005, the Montana State Bar in conjunction with the Access to Justice Committee and the Equal Justice Task Force conducted a Legal Needs Study. The purpose of the Study was to examine the legal needs of low incomes households in Montana. The conclusion: there is huge unmet need for civil legal services resulting in a profound impact on those who do not have the opportunity to address those unmet legal needs. We do not discount the great strides achieved in this arena in recent history. However, we must share this valuable information to anyone who will listen – especially those who have the power to help. In turn, we share this information with one another in order to learn where we all might fit in. We can use the Study as a framework for the work yet to be done. Think of the Legal Needs Study as Phase I – identifying the magnitude and complexity of the problem. We are in the midst of Phase II – improving the solution. This is best achieved through a collective effort of anyone and everyone who can offer assistance – those who are acutely familiar with the issues, those who are just learning and those who do not know one even exists. The Access to Justice Forums will bring the full span of these players into a single room for a single purpose. To learn more about access to justice for our poor and subjugated in Montana and to continue to move forward toward the ultimate goal: justice for all.

The series of forums will move around the state in six different locations beginning in Great Falls in September and concluding in Helena in December, just prior to the Legislative session. We all have the unique opportunity to be both listener and speaker – teacher and learner.
## MONTANA ACCESS TO JUSTICE FORUMS

| **Statewide Sponsors** | *Equal Justice Task Force*  
| | *Supreme Court Commission on Self-Represented Litigants*  
| | *State Bar Access to Justice Committee*  
| | *Montana Justice Foundation*  
| | *University of Montana School of Law*  
| | *Supreme Court Pro Bono Program*  
| | *Supreme Court Self-Help Program*  
| **Forum Description** | *Speakers/Witnesses by Invitation Only*  
| | *Listening Panel by Invitation Only*  
| | *Five (5) locations across the State of Montana (Dates Pending)*  
| | 1. Great Falls  
| | 2. Butte  
| | 3. Billings  
| | 4. Kalispell  
| | 5. Bozeman  
| | 6. Helena  
| **Listening Panel Members** | *Committee Chairs/Task Force/Commission Chairs or members*  
| | *Supreme Court Justice*  
| | *Local Judge (DCT, COLJ)*  
| | *Montana State Legislators (contested/uncontested)*  
| | *Local Bar Leader/Trustees*  
| | *Local Government Officials*  
| | *Governor/Staff*  
| | *Montana Justice Foundation representative*  
| | *Community Leaders*  
| **Witnesses** | *Service Providers*  
| | – Montana Legal Services  
| | – Clients/recipients of services (including disabled.)  
| | – Local service providers/Programs with specific legal needs  
| | – Other providers feeding in and out of ATJ programs  
| | *Local Judge*  
| | *Local Program administrator/coordinator*  
| | *Pro Bono Attorneys/Coordinator*  
| | *Self-Help Law Program Staff/Administrator*  
| | *Recipient of Services*  
| **Audience** | *Local Media (Press release/media packet to be produced)*  
| | *Lawyers*  
| | *Court personnel*  
| | *Local and State Agencies*  
| | *Local Non-Profits*  
| | *Business Community*  
| | *People seeking services*  
| | *Legal Service providers*  
| | *Local Educational Institutions (Students)*  
| | *Local Educational Institutions (Staff, Board, Principals)*  
| | *State/Local Bar Leaders*  
| **Logistics** | *Forums will last two (2) hours – 1.5 hr. presentation/.5 hr. question period*  
| | *Questions permitted by panel*  
| | *Questions/comments from the audience if time permits*  
| | *Location: Public Library*
“Access to Justice” refers to improving and expanding access and eliminating barriers to our civil justice system (the network of courts and legal processes that enforce, restore or protect private and personal rights) for low and moderate income people to ensure that our justice system is truly available to all.

More than 131,000 Montanans (about 15%) live at or below the poverty level. Tens of thousands more exist barely above the poverty line. Many of these vulnerable citizens have acute legal needs. Unfortunately, the security and services of our legal system are lost to most living in poverty only because they are poor. Unmet legal needs contribute to the cycle of poverty.

Access to Justice is not just a legal problem, it is a community problem. This forum brings together community programs and access to justice leaders to continue the discussion of the legal, social and ethical issues that bear upon accessing our legal system – and specifically how they impact your community. Unmet legal needs of your citizens can affect many areas of life and so too the programs and service they utilize. Indeed, a community problem requires a community solution.

Why should you attend? Your attendance may be connected to involvement in community programs/organizations or perhaps with government or legal related professions and services. Maybe you or someone you know is one of low-income Montanans who face barriers in accessing our legal system. We hope you are someone who will want to be part of a bigger plan in meeting the needs for civil legal services to the poor in Montana. You will learn about how access to justice impacts you, your community and your organization.

The Forum format includes presentation of information from speakers to a Listening Panel. Speakers include legal, social and program service providers together with recipients of services and volunteers your community. The Listening Panel is comprised of Supreme Court Justice Patricia O’Brien Cotter, 8th District Court Judge Kenneth R. Neill, representatives from the Supreme Court’s Equal Justice Task Force, the State Bar’s Access to Justice Committee, the Supreme Court’s Commission on Self-Represented Litigants, local community and government leaders and representatives from the Montana Legislature. There will be a period of public comment following presentations. Those wishing to speak are asked to complete a comment card. Time constraints require us to limit public comment to two or three minutes per speaker. Questions: Call Patty Fain, Statewide Pro Bono Coordinator at 406.794.7824 or e-mail at pfain@mt.gov.
LISTENING PANEL OVERVIEW
Members of the Listening Panel for the Access to Justice Forum Series will be unique to each of the site locations. Listening Panels are comprised of some or all of the following:

*Committee Chairs/Task Force/Commission Chairs or members
*Supreme Court Justice
*Local Judge (District Court and Courts of Limited Jurisdiction)
*Montana State Legislators (contested/uncontested from both parties)
*Local Bar Leader/Trustees
*Local Government Officials
*Governor/Staff
*Montana Justice Foundation representative
*Community Leaders were selected because they
*Board Members of Service Providers or Non-Profit Organizations

As a Listening Panel member, you will be asked to listen carefully to the testimony of speakers. You are encouraged to ask questions that will help you, other panel members, speakers and the audience to assess the current state in addressing the civil legal needs of Montanan’s vulnerable populations. We hope you will also use your knowledge, skills and positions to share your observations and perhaps to advance the access to justice movement in Montana.

Within a day or two of your participation, you will be forwarded by e-mail (hard copy available upon request) a questionnaire about your experience, observations, compliments, criticisms and suggestions. Allocation of responses to Panel Members will be held in the strictest confidence but comments will be shared with the various access to justice entities. A report will be compiled after the completion of the Forum Series (to be held over the fall months 2008 in Great Falls, Butte, Bozeman, Billings, Kalispell and Helena incorporating the information gleaned from the questionnaire responses.

SPEAKER/WITNESS GUIDELINES
Do your speakers know what the term “Access to Justice” means?

“Access to Justice” refers to improving and expanding access and eliminating barriers to our civil justice system (the network of courts and legal processes that enforce, restore or protect private and personal rights) for low and moderate income people to ensure that our justice system is truly available to all.

When considering whether to speaker or when choosing speakers, here are some simple guidelines to keep in mind:

• We have 1.5 hours for speaker testimony & questions from panel.
• Comments are limited to approximately 4-5 minutes with time for questions from Listening Panel.
• Comments should be shaped according to the occasion and subject – Access to Justice issues (see above) related to the speakers affiliation.
• Familiarity with the issues and ability to answer questions accordingly.
• Speakers should know their audience. This information is contained in the Introduction and Logistics.
• Language of comments should keep in mind not all panel members will be knowledgeable about the details of the access to justice issues.
• Deliver the information in a way the panel/audience can relate to.
• Speakers should be encouraged not to read from a script.
• Ability to follow the time constraints (to preserve Q & A time)
Potential Questions for the Panelists to ask of the witnesses

1. What % of people who apply for your services are turned away?

2. Of those what is the % that is ineligible for your services?

3. Are some categorically turned away? Why?

4. What are some of the ramifications for those turned away (e.g. does it affect housing, public welfare, employment?)

5. Many Montanans who are above the poverty/service eligibility level still have major financial needs – How do you/we serve those people?

6. The State Legislature approved approx $500,000 for the biennium for a self-help law program. How has that $ effected your program?

7. How critical an issue are the salaries of the staff involved in these service organizations? What is the average case load of one of your staff (advocate/attorney/social worker)

8. How are language barriers addressed?

9. What is the average retainer for legal representation for a divorce in this county?

10. How many people that your organization serves end up in court without an attorney?

11. How do those turned away proceed pro se? Are there forms? Checklists? Any assistance? What more is needed?

12. How do we make the judicial system more accessible?

13. How do we make the judicial process more understandable?

14. How have technological advances influenced how you do business or how you serve your clientele? What else could we do in this arena?

15. Are Montana’s laws adequate to protect Montana consumers? Are they consumer friendly? How could laws be changed to better meet the needs of the public they intend to help?

16. How have new federal bankruptcy laws effected the people you serve? Have you seen an impact in foreclosures? Bankruptcy due to medical bills?

17. How does the legal community help your organization? Do all lawyers participate? How could that be improved upon? What are the incentives for lawyers to volunteer their time?
18. What about other non-lawyer volunteers – how many volunteers and hours contributed? Can the value of volunteers and/or pro bono attorney time be calculated?

19. Are there enough shelters in MT for victims of DV?

20. What are some of the ramifications if these women don’t receive legal assistance?

21. How are orders of protection typically handled? What could be done to improve this?

22. Indians make up approximately 6-8% of Montana’s population yet they seem to be over-represented in the some service populations such as foster care, prisons, etc. How does your organization deal with this and what more can be done to address the needs of Indians on and off-reservation?

23. Have other states’ best practices been investigated? What might work well in Montana? What kind of price tag does it have?

24. Has anyone done an analysis of the cost to the public down the line when adequate civil legal aid is not available? i.e. welfare, shelter, lack of education, prison?

25. What about legislative advocacy? Who is doing what – whether for substantive statutory changes or for funding?

26. In a perfect world what would you like to see happen (realistically) to improve the access to justice for your fellow Montanans?

27. What is the primary point you want this audience to take away from the forum?

NOTES:
FORUM SERIES SPEAKERS BY LOCATION

**Great Falls: (September 8, 2008)**

Klaus Sitte, Executive Director, Montana Legal Services Association  
Robin Pepion, Legal Services Client  
Deb Kottel, Consumer Credit Counseling  
Les Stevenson, Opportunities Incorporated  
Susan Gobbs, People’s Law Center  
Angela Hansen, Voices of Hope  
Jason Holden-Cascade County Law Clinic  
Fausto Turrin – Life Cycles  
Patricia Maki, Montana United Indian Assn.  
Lanny Allen, CASA-CAN Attorney  
Kendra Nickel, Law Library and Pro Se Resources  
Bernadette Franks-Ongoy, Disability Rights Montana  
Dr. Michelle Maloney, Center for Mental Health  
Amy Sings In The Timber, Montana Justice Foundation  
Travis Cushman, Volunteer pro bono attorney  
Jill Martinez, YWCA Mercy Home  
Gary Zadick, Volunteer Pro Bono Attorney  
John McCrea, Aging Services/Legal Developer

**Butte: (October 5, 2008)**

Ellen Donahue, Montana Legal Services Association  
Legal Services Client  
Jolene Bach, Consumer Credit Counseling  
Tonya Gerathy, Safe Space  
Mike Sinclair, People’s Law Center  
Deborah Anspach, Montana Family Advocacy Program  
Mike Clague, Deputy County Attorney, Pro Bono Program “creator”  
Marijo MacDonald, Butt Pro Bono Program Coordinator  
Patricia Maki, Montana United Indian Assn.  
Dave Fenchak, CASA-CAN Attorney  
Kendra Nickel, Law Library and Pro Se Resources  
Bernadette Franks-Ongoy, Disability Rights Montana  
Amy Sings In The Timber, Montana Justice Foundation  
Melbert Eagle Featherrs, Exec. Director, North American Indian Alliance  
Ann Shea, Volunteer Pro Bono Attorney  
John McCrea, Aging Services/Legal Developer
Bozeman (October 23, 2008)

Jason Armstrong, Butte Pro Se/Pro Bono Program
Hon. Holly Brown, Family Justice Coordinating Council
Dr. Chris Hahn, Constructive Agreement L.L.C., Researcher
Phyllis Bock, Student Legal Services Attorney, Montana State Univ.
Connie Campbell, Exec. Dir., Community Mediation Center
Robyn Pfahl, Community Mediation Center Family Mediation Program
Jolene Bach, Communications Director, Consumer Credit Counseling
Joanne Fowler, Exec. Dir., Hearts & Homes Family Resource Network
Deborah Anspach, Attorney, Montana Family Advocacy Program
Anita Nybo, Bozeman Program Director, GAL/CASA
Kendra Nickel, VISTA, Law Library Resources
John McCrea, Legal Services Developer, Senior & Long Term Care
Amy Sings in the Timber, Exec. Dir., Montana Justice Foundation
Lonnie Browning, Program Admin., SCt Self-Help Law Program
Bernadette Franks-Ongoy, Exec. Dir., Disability Rights MT
Emily Tofte, MSW, Exec. Dir., Network Against Sexual & Domestic Abuse.
Jan Berry, Attorney, Montana Legal Services Association
Christina Volpe, Citizen & Montana Legal Services Client

Billings (November 15, 2008):

Maria Beltran, Montana Legal Services Association
Tom Lynaugh, Yellowstone Area Bar Family Law Project
Donna Hernandez, Comm. Social Worker, Prevention of Elder Abuse
John McCrea, Legal Service Developer Program – Aging Services
Deborah Anspach, Montana Family Advocacy Program.
Dr. Tom James, Assoc. Dir., Montana Family Medicine Residency
Jolene Bach, Communications Director, Consumer Credit Counseling
Erin Matthews, YWCA
Judy Williams, MSU-B Student Legal Services
Gary Connelley, Crowley Law Firm Pro Bono Program
Libby Artley, Executive Dir., Nat’l Alliance for Menally Ill
Barbara Sample, Executive Director, Family Support Network
Roxanne Rogers, Peoples Law Center
Amy Sings in the Timber, Exec. Dir., Montana Justice Foundation
Rodd Svee, Executive Director, Tumbleweed
Patt Leikam, Facilitator, Self-Help Law Center
Kalispell (November 20, 2008)

Patty Fain, Statewide Pro Bono Coordinator, MT Supreme Court  
Ed Higgins, Montana Legal Services Association  
Susan Christofferson, The Nurturing Center  
John McCrea, Legal Service Developer Program – Aging Services  
Don Murray, Crowley Law Firm  
Lil Dupree, Northwest Montana Human Resources  
Jolene Bach, Communications Director, Consumer Credit Counseling  
Deb Knaff, Violence Free Crisis Line  
Jamie Campbell, CASA  
Bernie Franks-Ongoy, Exec. Dir. Disability Rights Montana  
Debra Upton, People’s Law Center  
Sherry Stevens Wulf, United Way  
Amy Sings In The Timber, Exec. Dir., Montana Justice Foundation  
Pam Haglund, Exec. Director, Literacy Volunteers and Advocates  
Sue Kunda, Ombudsman, Area Agency on Aging  
Kandee Satterlee, Flathead Co. Self-Help Center

Helena (December 2, 2008)

Amy Hall, Montana Legal Services Association  
Suzanne Bessette, Helena Pro Bono Program  
Bill Collins, CASA for Kids  
Jolene Bach, Communications Director, Consumer Credit Counseling  
Matt Kuntz, Exec. Dir., Nat’l Alliance on Mental Illness (NAMI)  
Dave Miller, God’s Love Homeless Shelter  
Susan Gobbs, People’s Law Center  
Lonnie Browning, MT Supreme Court Self-Help Law Program  
John McCrea, Legal Service Developer Program – Aging Services  
Amy Sings In The Timber, Exec. Dir., Montana Justice Foundation  
Office of Veterans Affairs  
Joe LaFountain, Helena Indian Alliance  
Bernie Franks-Ongoy, Executive Director, Disability Rights Montana  
Holly Kaleczyc, Exec. Dir., Friendship House  
Nancy Sweeney, District Court Clerk, 1st Judicial District