February 10

Happy Monday, ATJ enthusiasts! It’s been delightful to see so many of you at the ABA Midyear Conference here in Chicago. Chicago. February. Coldest winter in three decades. What’s not to love?

Is there any Spring down there? (Credit: NBC Chicago)

Before the ATJ news, one item for your consideration:

- Several years after the Great Recession, state governments confront budget surpluses: “In a year when three dozen governors are up for election, unexpectedly robust revenues from taxes and other sources are filling most state coffers, creating surpluses not seen in years and prompting statehouse battles over what to do with the money. After so many years of sluggish revenues, layoffs and draconian service cuts, governors and legislators are eager to use the newfound money to cut taxes, restore spending or, in some cases, pay down debts or replenish rainy-day funds for future recessions. But though revenues are improving, lawmakers are likely to find that there is not enough to pay for everything they want to do, experts say.” (New York Times)

The ATJ news in very, very short:

- the need to boost legal aid funding in New Mexico
- LSC announces FY 2014 grant allocations
- What an “ATJ hackathon” is and why you should pay attention
- Georgia high court’s new Chief Justice highlights civil justice gap
- ATJ solutions in Canada may begin with self-help support
- Ohio’s first law-practice incubator
- NY state bar continues its opposition to pro bono practice rule changes
- NC’s ATJ Commission releases report on legal aid’s economic benefits
- Immigrant Justice Corps launching in NYC with $1.3m foundation gift
- TX ATJ Foundation hits the big 3-0
- NC legal aid groups are part of successful Medicaid expansion push
- News from the ABA’s Legal Access Job Corps
- In MA, big push from bar, court, and legal aid to boost the latter’s state appropriation
- Speaking of MA, highlighting the return on investment in civil legal aid
- PA Bar’s Board of Governors endorses the creation of an ATJ Commission
- AZ practice rule change will permit some CLE credit for pro bono service

The summaries:

- 2.8.14 – from an *Albuquerque Journal* op-ed: “This [resource shortage hitting legal aid in New Mexico] has also seriously impaired fundamental values of our democracy. A recent review provided by New Mexico Legal Aid shows that the funds available to New Mexico’s legal aid organizations from all sources, federal, state and private combined, have decreased 27.3 percent since 2009. In 2013, this resulted in an estimated 10,000 New Mexicans either being turned away or being deprived of needed more complete relief from legal aid services.”

- 2.7.14 - the *Legal Services Corporation* announced its FY 2014 grantee allocation amounts. As was well covered in January, the recent federal budget agreement offered a 7% boost to LSC’s overall Congressional appropriation. For great details and breakdowns of the current funding picture and some historical context on LSC funding, see this page on LSC’s site.

- 2.5.14 – The ABA Journal and Suffolk University Law School are planning…a “hackathon” in conjunction with the ABA Annual Meeting this Aug. 7-12 in Boston [which seems likely to be focused on ATJ issues]…. Lawyers and law students will work alongside developers and graphic designers in teams. Each team will work to plan and develop a Web application or mobile app over the course of the hackathon. [T]he participants and our panel of experts will rate each of the teams’ work, and a winning team will be chosen…. If you have a problem you think we should tackle, or a data set that we can work with, please take this quick survey here and share your ideas. (*ABA Journal*)

- 2.5.14 -“The chief justice of Georgia’s Supreme Court says it remains too difficult for low-income people to access the courts. ‘Georgia’s judicial system is sound and strong for those who can afford a lawyer,’ said Chief Justice Hugh Thompson. ‘Too many Georgians can’t afford legal representation and too many go without civil legal services’.” (*Story from WABE radio*)

- 2.5.14 – as access-to-justice stakeholders in Canada, with the Supreme Court’s engagement, explore broadly-based solutions to expand ATJ, offering more support to self-represented litigants is atop the list. And Supreme Court Justice Thomas Cromwell notes the importance of
being able to untangle the intertwined legal and non-legal problems which many people face as s
first step towards addressing those problems. (Toronto Star.)

2.4.14 – the Cleveland Marshall College of Law is launching Ohio’s first postgrad practice
incubator: “Incoming occupants will be provided with low-cost resources, including office
space, office amenities and business services. Through a partnership with the Cleveland
Metropolitan Bar Association, reduced-cost health and liability insurance and vendor discounts
will also be available to the practitioners. Beyond the monetary advantages, occupants will
benefit from substantial guidance in the practical management of their firms and the handling of
their cases…. The incubator will also have a designated coordinator who will be available as a
resource, and will hold regular workshops to discuss management and related matters.” (Here’s
the full announcement.)

2.3.14 – “The New York State Bar Association will retain private counsel to explore whether the state’s requirement that all lawyers disclose the hours and money they contribute to pro bono can be undone through legislation or litigation. On a day when opposition to the mandatory reporting rule was evident during an extended discussion by the state bar’s House of Delegates, President David Schraver said Friday his group would also cooperate with local bar associations to coordinate anti-disclosure efforts and encourage lawyers to write to Chief Judge Jonathan Lippman opposing the rule.” (The Chief has delayed implementation of the public disclosure.) It’s worth reading this New York Law Journal report because NYSBA also is debating whether the state’s pro bono rule should increase the aspirational goal of 20 annual pro bono hour per lawyer to 50.

February, 2014 – great stuff from NC’s Equal ATJ Commission (and friends): “A report from the UNC Center on Poverty, Work and Opportunity and the NC Equal Access to Justice Commission finds the work of legal services providers across the state generated $48,775,276 in economic impact in 2012. For more information, read the full report and executive summary.”

February, 2014 – the ABA’s Legal Access Job Corps launches a nifty video, “Be the Change,” to highlight not just the need, but the potential in addressing the legal aid job market’s [edited] softness by empowering law students and grads to connect with under-served client communities.

1.30.14 – In NYC, the newly launching Immigrant Justice Corps will benefit from a $1.3m Robin Hood Foundation gift, which will help IJC hire 25 fellows to provide free representation to people who are poor and facing immigration/deportation proceedings. (New York Law Journal.) More about IJC, from their website: “The IJC recruits talented lawyers and college graduates from around the country and partners them with New York City’s leading non-profit legal services providers and community-based organizations to offer a broad range of immigration assistance including naturalization, deportation defense, and affirmative applications for asylum seekers, juveniles, and victims of crime, domestic violence or human trafficking.”

1.30.14 – big congrats to the Texas Access to Justice Foundation, which turned 30. It will soon see its car insurance payments go down and will start thinking of a crazy Saturday night as involving more sushi and less sake.

1.28.14 – in North Carolina, a coalition of nonprofits, including the legal aid community has resulted in an astounding sign-up number for the Affordable Care Act’s Medicaid expansion. (Op-ed from the News & Observer.) My friends at the NC Equal Access to Justice Commission note that Pisgah Legal Services, Legal Aid of NC, Legal Services of the Southern Piedmont, and Disability Rights NC all have enrollment projects.

Lots of coverage around efforts to boost Massachusetts’ funding of the state’s legal aid system, and the need for that funding. The Massachusetts Legal Assistance Corporation (MLAC) has been coordinating much of the effort, which takes physical form in the “Walk to the Hill” march.

1.31.14 – Hundreds of attorneys descended on Beacon Hill…to lobby for increased state funding for civil legal aid programs…. The governor’s proposed budget, announced last week, would allot $13 million to legal aid. Those
assembled at the Statehouse...were lobbying to increase the amount to $17 million.” (South Coast Today.)

- 1.30.14 – an AP piece notes that Supreme Judicial Court Chief Justice Roderick Ireland is one of the chief backers of the campaign to boost funding.
- 1.30.14 – WGBH focuses on why more state funding is needed: IOLTA funding has been decimated. In “2008 [IOLTA funding produced] about $17 million.... [T]hat same source of funding will bring in an estimated $2.8 million in fiscal 2014.”
- 1.27.14 – for those scoring at home, the Governor’s $14 million recommended appropriation is a slight increase on current approp. of $13 million. (Boston Business Journal.)

- 1.27.14 – speaking of Massachusetts, a piece from Mass. Legal Assistance Corporation ED Lonnie Powers on the economic benefits of a healthy legal aid infrastructure: “Securing equal justice for our most vulnerable residents not only helps them remain stable and independent, it also substantially benefits the state financially in at least two significant ways. First, it saves the state millions in avoided benefits and social services.... Second, legal aid advocacy also brings in significant federal revenue.” The Huffington Post piece offers data and examples of this return on investment.
- January, 2014 – “[D]uring the 2014 Midyear Meeting, the Pennsylvania Bar Association Board of Governors unanimously approved the resolution supporting the establishment of a Pennsylvania Access to Justice Commission. The resolution next goes to the PBA House of Delegates for review and final approval in May 2014. Read the resolution and background material.” (Here’s the announcement, atop this page.)
- January, 2014 – a practice rule change in Arizona will permit attorneys to accrue some CLE credit for performing pro bono work. (Short version: one hour of CLE per 5 hours of pro bono service.) Here’s an Arizona Attorney article, and here’s the amended practice rule.
February 24

Happy Monday, ATJ Enthusiasts! Before the ATJ news, let’s visit the intersection of law and technology. This intersection has been on the map for years, and many innovative ideas have emerged from it. But I wonder if we’re living through a period of renewal in legal technology innovation – who the innovators are, what kinds of products they create, and who can benefit from these products. And I wonder how legal aid can be both a participant and beneficiary.

Legal industry observer Bob Ambrogi, who joined last week’s LegalTech conference and the smaller scale (and scrappier) Reinvent Law meeting, observes: “We have transformed from a time when legal technology was a product driven by large corporations to a time when it is an idea driven by a desire to make things simpler and smarter. Yes, every entrepreneur is motivated in part by the hope of getting rich quick. But that hope is helping to drive a new generation of creative thinking, a new generation of entrepreneurial lawyers and developers who believe they can improve the way law is practiced and delivered.”

Also last week, an *L.A. Times* article focused on new legal technologies “bringing legal advice and documents to the masses.” The article notes that: “The demand for legal services from low- to middle-income earners who are priced out of expensive attorneys is an estimated $45 billion ‘latent’ market, experts say. Once ignored by the legal industry, they are now targeted by a growing number of start-ups eager to roll out innovations designed to win over tech-savvy young people.”

There is opportunity here for the ATJ community. Of course many tech entrepreneurs want to make a buck, but entrepreneurship is about change just as much as it’s about money. Socially conscious entrepreneurs are out there, seeking opportunities to channel their creativity and expertise toward empowering communities. In fact they’ve even thought up new business models to do it. So the task for the ATJ community is to think critically about:

- How innovative technologies can empower legal-aid advocates and client communities;
Who can bring the expertise to make technology innovation and implementation happen.

To be sure, technology leaders are already active in the ATJ community, and there is also small-scale innovation at work. We will rely on these people in the ATJ community not just to continue innovating, but also, I think, to connect us with fresh ideas and actors from outside our community.

Okay, the ATJ news, in very, very short:

- New info clearinghouse on state consideration of pre-admission pro bono requirements
- In MN, the 2-1-1 info line is successfully connecting people with legal resources
- CT law channeling filing fee proceeds to legal aid will sunset if no action taken
- With legal aid struggling, a call for a civil right to counsel in Ohio
- Q&A with GA Supreme Court Justice on knocking down language access barriers in the courts
- Q&A with director of Justice Entrepreneurs Project – Chicago’s new law-practice incubator
- Two from up north:
  - Pro bono itself will not narrow the Canadian justice gap
  - Ontario pilot program will fund unrepresented litigants’ use of mediation system
- Two from New York. The Chief Judge is rolling out new ATJ initiatives:
  - 3Ls can spend their spring semester with a for-credit pro bono placement
  - Pilot “Court Navigator” program provides non-lawyer help to self-represented litigants
- 20% uptick in voluntary pro bono reporting in Ohio
- New CO ATJ Commission report assesses legal needs, prescribes solutions
- National Coalition for Civil Right to Counsel’s February newsletter
- Legal Services Corporation’s February newsletter
- New website to support pro bono counsel and program managers

The summaries:

- 2.24.14 – the ABA Standing Committee on Pro Bono has rolled out a resource webpage containing the latest news and links as states are considering some version of the “50-hour Rule” which New York implemented, requiring pro bono service as a condition for getting a law license.
- 2.20.14 – In Minnesota, a partnership that uses the United Way’s 2-1-1 information line to connect people with legal resources: “In 2012, United Way partnered with a newly formed nonprofit called Call for Justice, whose mission is to more efficiently connect low-income Minnesotans to an expanded array of legal resources…. Within months, legal resources that were previously overlooked were receiving numerous calls. The most dramatic measure so far,
Krug said, was an 800-percent increase in referrals to LawHelpMN.org, a web-based resource site for Legal Aid.” (Star-Tribune.)

- 2.19.14 – a Connecticut Law Tribune editorial supports extending a law that now channels some state court filing fee proceeds to the legal aid community, whose IOLTA revenue stream fell from a $20m high in 2007 to less than $1m in 2012.

- 2.19.14 – looking at legal aid office closures and decreased funding, an Ohio attorney calls for action: “Expand funding for Legal Aid offices so that the indigent get a level playing field when it comes to high-stakes such as shelter, sustenance, safety, health or child custody.” The piece notes the ABA’s civil right to counsel resolution and explores Civil Gideon activity in other states. (Columbus Dispatch.)

- 2.19.14 – a good Q&A between a legal aid language access specialist and Georgia Supreme Court Justice Harold Melton on the importance of courts making language access strides and the need for all stakeholders to work together in knocking down barriers. (Daily Report.)

- 2.18.14 – the incubator’s caretaker – an interview with Taylor Hammond, director of Chicago’s Justice Entrepreneurs Project: Developed by the Chicago Bar Foundation, the JEP is an incubator that trains young lawyers who want to start socially-minded practices and connects them with people who need reduced-fee legal services. Participants spend six months working pro bono through a legal aid organization placement…. The following 12 months are spent in business development training.” (Chicago Reporter.)

- 2.18.14 – news from the Canucks:
  - here’s a thought-provoking piece from Dr. Julie Macfarlane of Canada’s National Self Represented Litigants Project about the limitations of pro bono services in narrowing the justice gap, and how the concept of pro bono itself should be evolving to more effectively meet legal needs.
  - “Under a new pilot aimed at reducing unrepresented family litigants and improving outcomes, Legal Aid Ontario (LAO) will cover the cost of a family lawyer to support clients who choose mediation and to transform those agreements into legally-binding documents.” (Announcement from LAO.)

- 2.12.14 – New York Chief Judge Jonathan Lippman’s 2014 State of the Judiciary speech was forward-looking, containing two attention-getting proposals to narrow the justice gap:
  - the proposed Pro Bono Scholars program would allow second-semester (Spring) 3Ls to do concentrated bar prep, sit for the February bar exam, and spend the semester’s remaining weeks in a pro bono service placement (with an accompanying academic component administered by their law school). We did a detailed breakdown of the proposal. Here’s New York Times and NY Law Journal coverage. Here’s a statement of support from the NYC Bar.
  - the second proposal involves “the launch of a pilot project of [non-lawyer] Court Navigators to help unrepresented litigants in Housing Court cases in Brooklyn and consumer debt cases in the Bronx and Brooklyn.” (Richard Zorza of the Self Represented Litigation Network weighs in.)

- 2.7.14 – an ~20% uptick in voluntary pro bono reporting in Ohio: “In a procedure described as ‘practically painless,’ nearly 1,800 Ohio attorneys have accepted the Supreme Court of Ohio’s invitation to report their pro bono work and financial contributions to organizations providing civil legal services to those of limited means during 2013. ‘We are very pleased by the number of attorneys who have already chosen to participate in voluntary pro bono reporting,’ said Jane Taylor, Ohio Legal Assistance Foundation director for pro bono and communications. ‘About 300 more attorneys have reported than had reported at the same time last year’.” (Story from the Akron Legal News.)

February, 2014 – this new Colorado ATJ Commission report includes findings based on statewide fact-gathering hearings to assess legal needs, as well as recommendations about shoring up the legal aid delivery system. The report gets specific on recommendations to boost
funding, from an increased legislative appropriation to court- and practice-rule changes that would generate revenue for legal aid.

- February, 2014 – the National Coalition for a Civil Right to Counsel’s February newsletter includes an update on Civil Gideon developments and possibilities in state legislatures and courts.
- February, 2014 – this month’s “LSC Updates” edition covers a recent LSC board meeting in Texas, LSC funding news, and legal aid technology developments.
- February 2014 – “the Association of Pro Bono Counsel (APBCo) and Pro Bono Net created http://www.probonocounsel.org for pro bono counsel, pro bono partners, pro bono coordinators, pro bono committee chairs and other individuals who manage, coordinate and are involved with the day-to-day operations of a law firm or a corporation pro bono practice.”

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