Happy Monday, ATJ Enthusiasts. I hope that you, too, are in one of the places experiencing sudden, unseasonably warm temperatures. It won’t last here in Chicago but I’ll take the springtime tease. Before the ATJ news, one item for your consideration:

- Much is made of the burden that the Millenial Generation shoulders, entering into a post-Great Recession economy and being expected to support healthcare and other social costs that will grow as Boomers move out of the work force. Pew’s new “Millenials in Adulthood” report provides some fascinating insight into demographic and other characteristics of Millenials between the ages of 18-33. Study and work hard, young Millenials. I need your Social Security pay-ins.

The ATJ news in very short:

- Oregon bill to fund legal aid with unclaimed class-action residuals fails
- two from Canada:
  - Legal Aid should share offices with other social services providers
  - Canadian government attorneys get more leeway to do pro bono work
- new fellowships allow legal aid leaders to learn about intersection of healthcare and law
- LSC and Obama Administration send legal aid budget proposals to Congress
▪ state funding of legal aid providers announced in IL
▪ U.N. to scrutinize U.S. civil justice gap
▪ March 4 was ATJ Day in Maine
▪ new law school clinic provides student support to self-represented litigants
▪ LSC TIG grant funding available (March 17 deadline)
▪ the “Justice Index” is launched
▪ WI high court considers judicial code change to permit better communication with self-represented parties
▪ a big conference on law-practice incubator programs (NY, April 3-4)
▪ Mass. high court considering proposal to add ATJ as a topic on state bar exam
▪ a “pro bono gap” in VA
▪ new book explores practice models to serve modest-means client communities

The summaries:

▪ 3.6.13 – in Oregon the state Senate took up, and ultimately rejected, a bill that would have directed unclaimed class-action award funds to supporting civil legal aid. In the wake of what was a contentious political battle, the Oregon State Bar president wrote a very nice op-ed, noting that the question of legal aid’s importance was not what fueled the political fires, and calling “for Oregon to seize the moment and seriously continue the funding dialogue by further examining and appreciating the vital nature of legal aid’s work…. The current system meets only 15 percent of the need for civil legal services for Oregon’s poor. This is both unjust and foolish on a policy level.” (Full op-ed in The Oregonian.)
▪ 3.5.14 – in Canada, contemplating the “co-location” of legal aid offices with other social services providers: “Co-locating community-based services provides opportunities for enhanced communication between service providers and creates a space in which families and individuals are able to efficiently attend to a number of their concerns, from getting a flu vaccine to seeking advice about debt repayment to attending parenting classes.” (Article from Slaw magazine.)
▪ 3.5.14 – Canadian Lawyer reports that some Canadian government attorneys are getting more leeway to take on pro bono cases: “Three year-long pilot schemes allowing Department of Justice lawyers to volunteer at legal clinics in British Columbia, Alberta, and Ontario have received official approval…. Under the new policy, lawyers will be [covered by malpractice insurance] to work at…three legal clinics…on specific areas of law screened by the government to minimize conflicts.” (For a look at how government lawyers in the US approach pro bono work, here’s the ABA’s resource page.)
▪ 3.5.14 – The National Center for Medical-Legal Partnership at the George Washington University School of Public Health and Health Services (NCMLP) and the National Legal Aid and Defender Association (NLADA) announced a new fellowship today designed to build healthcare expertise in the legal aid community. Twenty-four senior level staff from legal aid agencies in 21 states, the District of Columbia and Puerto Rico were selected as inaugural Fellows.” (Here’s the full announcement and a list of the first fellows in the program, which is funded by the Public Welfare Foundation.)
▪ 3.4.14 – the Legal Services Corporation and the Obama Administration send budget requests to Congress for LSC’s FY2015 appropriation. The LSC media release. The key stats:
  ▪ LSC’s FY2015 appropriation request: $486 million
- Obama Administration FY2015 appropriation request for LSC: $430 million (plus perhaps additional funding from newly proposed “Opportunity, Growth, and Security” initiative funding)

- LSC’s current (FY2014) appropriation: $365 million

- Context: “If funding had kept pace with inflation when compared to its 1995 appropriation of $400 million, LSC’s funding this year would be more than $600 million.”

- 3.4.14 – “The Illinois Equal Justice Foundation (IEJF) announced awards today of over $1.3 million in grants to 13 not-for-profit organizations providing legal representation, information, and advice to Illinoisans in legal crisis. The grants range in scope from funding for web-based legal information resources and telephone advice hotlines to mediation and full-scale litigation…. State funding for civil legal aid is appropriated through the Illinois Equal Justice Act and passed through the budget of the Attorney General.” (Full media release.)

- 3.3.14 – United Nations scrutiny of the U.S.’s civil justice gap: “The [U.S.] will be reviewed on March 13 and 14 for how it is meeting its commitments under [the International Covenant on Civil and Political Rights]. Concerned with the civil justice gap in the United States, the U.N. … has put squarely on the agenda the question of what steps this country has taken to improve legal representation in civil proceedings for litigants belonging to racial, ethnic and national minorities, and for victims of domestic violence.” (Op-ed from the National Law Journal.)

- 3.4.14 – March 4 marked “Access to Justice Day” in Maine. The Justice Action Group (JAG), which ably functions as Maine’s ATJ Commission, led activities designed to boost support for legal aid within the state legislature. JAG released “The State of Access to Justice in Maine,” a concise report offering a view of what the justice gap looks like and why it exists. JAG put together a short manual to help its ATJ Day volunteers explain legal aid’s importance to legislators. And Maine Supreme Court Justice Andrew Mead, a JAG member, wrote this op-ed on the importance of addressing the justice gap.

- 2.27.14 – a University of Buffalo Law school practicum course is focused solely on its students providing support to self-represented litigants. (U. Buffalo Reporter)

- February 2014 – the Legal Services Corporation Technology Initiative Grant (TIG) Program’s Request for Letters of Intent to Apply for 2014 Grant Funding has been issued. Deadline: March 17, 2014, 11:59pm EDT.

- 2.24.14 – meet the Justice Index! My friends at the National Center for Access to Justice at Cardozo Law (NCAJ) unveiled the “Justice Index” – an online tool which offers a data-driven breakdown of how individual states measure up in four civil access to justice categories: number of legal aid lawyers, support of self-represented litigants, support of litigants with limited English proficiency, and support of parties with disabilities. Here’s a media release and here’s National Law Journal coverage.

- 2.24.14 – this Wisconsin Law Journal article is PW-protected, but the Wisconsin Supreme Court held a hearing pursuant to its consideration of a petition by the state’s ATJ Commission to amend the judicial code with guidance on how judges may interact with self-represented litigants. Here’s the ATJ Commission’s petition with a lot of supporting documents.

- February 2014 – a conference on postgraduate law practice incubators on April 3rd and 4th, hosted by incubator guru Fred Rooney of the Touro Law International Justice Center for Post-Graduate Education. Details and registration info.

- February, 2014 – the Massachusetts ATJ Commission has proposed that “Access to Justice” be added as a topic to the state’s bar exam. The Supreme Judicial Court is now considering the proposal and is accepting public comment until March 24.

- February, 2014 – an insightful, yet sobering, look at the amount of pro bono done in Virginia, and how much more of an impact it could be having in narrowing the state’s justice gap. An analysis of available data suggests that “less than nine per cent of Virginia’s active lawyers rendered any pro bono legal services through an organized pro bono program, whether
sponsored by a legal aid society or another organization [over a recent one-year period].” The article, “Is there a Pro Bono Gap in Virginia?”, is running in the current edition of the Virginia Lawyer.

- February, 2014 – interested in serving modest-means client communities? My colleague Will Hornsby passed along word that the ABA book Reinventing the Practice of Law: Emerging Models to Enhance Affordable Legal Services has been published.

March 24

Photo: Hans Braxmeier

Happy Monday, ATJ Enthusiasts! There’s a good deal of ATJ news. Before that, three items for your consideration:

- “Low Wage Workers are Finding Poverty Harder to Escape,” from the New York Times.
- The “Betty Crocker Era in Legal Services” looks at how legal services are now delivered with more pre-packaged, modular solutions: “Using techniques from the design and process engineering fields, lawyers and technologists are taking some portions of legal processes and creating legal service components to which lawyers (or legal service consumers) can simply add their own specific circumstances, and voila! There’s your cake.”
- On a similar theme, Prof. Bill Henderson, while optimistic for the legal services industry’s future, notes that we ignore change at our peril, citing “…substantial evidence that the artisan model of lawyering — one-to-one consultative legal services that are tailored to the needs of individual clients — is breaking down as a viable service delivery model.”

Okay, the ATJ News in very, very short:
- New York Chief Judge Lippman digs in on value of pro bono reporting
- Civil right to counsel combats poverty
- Missouri AG policing a so-called “legal aid” provider
- Changes for pro bono’s place in ABA law school accreditation standards?
- Supporting Maine’s self-represented litigants
- $3.4m to be disbursed to DC’s legal aid providers
- How United Airlines’ pro bono program… took off (yes!)
- Expand the use of Veterans Treatment Courts
- “I’ll do one” pro bono initiative in Wyoming
- New ATJ Commission launches in Sooner State(!)
- Filing fee revenue to continue supporting legal aid in Connecticut(?)
- The rise of technology in the pro bono arena
- “Road to Justice” project gets rolling in Arkansas
- Washington State’s “Limited License Legal Technician” program (what a name!)
- Great 2013 pro bono figures out of Montana
- ABA’s Legal Access Job Corps has “catalyst grant” funding available
- NALP’s public interest attorney salary survey – deadline 3/28
- Expanding right to counsel in Washington State(?)

The summaries:

- 3.24.14 – New York Chief Judge Jonathan Lippman defended his push, opposed by the NY State Bar, to require lawyers to disclose pro bono service: “‘We don’t have the slightest idea of how many hours that lawyers in New York give to pro bono. We don’t know. That’s why this baby step of pro bono reporting is so basic and yet we’re meeting resistance’…” (New York Law Journal)
  - While the Chief’s above remarks came during Q&A at a Brennan Center event, he also delivered a keynote address entitled, “The Judiciary as the Leader of the ATJ Revolution.”
- 3.20.14 – An argument for a civil right to counsel as an effective tool toward preventing poverty, from John Pollock of the National Coalition for a Civil Right to Counsel. John’s also the only
person I know who lives in Alabama and works out of Baltimore. Good shellfish on either end, at least.

- 3.18.14 – “Missouri Attorney General Chris Koster filed a lawsuit on Friday against a Florida-based legal services company that allegedly misled Missourians by claiming it was affiliated with state Legal Aid offices.” (Legal News Line website)

- 3.17.14 – the body that governs the ABA’s law school accreditation standards is considering several changes to the standards, including reworking the language which presently requires schools to provide “substantial opportunities for…pro bono.” The language is not settled, but the National Law Journal reports that the concept of “substantial opportunities” may get some definition by being roughly aligned with Model Rule of Professional Conduct 6.1’s aspirational 50-hour goal. (Fourth from bottom paragraph.)

- 3.17.14 – Justice Andrew Mead highlights the increasing importance of expanding representation and self-help support services to the large number of self-represented litigants in Maine’s courts. Mead notes that limited-scope representation, community education, and promoting pro bono are important approaches. Mead is a longtime member and new chair of the Justice Action Group, which is Maine’s ATJ commission but has a special name because Mainers are always doing things their way. (Maine Sunday Telegram)

- 3.17.14 – “Twenty legal services projects across the District of Columbia will receive more than $3.4 million this year in publicly funded grants. The annual Access to Justice Grants are funded by the D.C. Council and distributed by the D.C. Bar Foundation. This year’s recipients include two new projects aimed at providing legal services to low-income workers in wards 5 and 7, as well as low-income D.C. residents with disabilities.” The $3.4m figure is a slight uptick over the 2013 number. In addition to administering these public funds, the DC Bar Foundation manages IOLTA grants to legal aid. (National Law Journal)

- 3.17.14 – a look at how United Airlines’ in-house counsel’s office grew a pro bono program, which included building ties in the Chicago legal aid community. (National Law Journal)

- 3.16.14 – making the case for expanding the number of Veterans Treatment Courts (VTCs), in Virginia and nationally. VTCs are diversionary judicial programs which establish a track for vets with mental-health, substance abuse, and related problems to work through the criminal justice system with medical, legal, and social services supports. Even though there may be a criminal component, many of veterans’ legal problems could be addressed by a civil legal aid or pro bono lawyer. (Here’s the Richmond Times-Dispatch piece, from the director of George Mason Law’s Clinic for Legal Assistance to Servicemembers and Veterans.)

- 3.15.14 – Wyoming’s ATJ community has taken several growth steps in recent years, including this: “The Wyoming State Bar announced that it will partner with the Wyoming Center for Legal Aid on an initiative called ‘I’ll Do One.’ The goal of the initiative is to encourage lawyers licensed in Wyoming to commit to at least one pro bono case.” (Casper Journal)

- 3.13.14 – great news out of the Sooner State. The Oklahoma Supreme Court has joined 30 U.S. states, the District of Columbia, and Puerto Rico in launching an Access to Justice Commission. I add, immodestly, that an ABA ATJ Expansion Grant helped spur this
development. Details: Supreme Court Order, announcement on Legal Aid Services of Oklahoma webpage, Tulsa World article.

- 3.13.14 – a Connecticut Law Tribune editorial goes to bat for a state legislative “measure to maintain $5 million in annual legal aid support from filing fee increases by eliminating the sunset provision which will otherwise automatically terminate that funding.” The proposal has the support of the state bar and the state’s four minority bar associations.

- 3.11.14 – a nice overview of the many technology-based programs and platforms – e.g. ProBono.net, LSC Technology Initiative Grants, etc. – that help pro bono advocates connect to cases and public interest law offices. (Shriver Center Brief: “Innovative Tech Projects Are Connecting Pro Bono Lawyers with Clients”)

- 3.11.14 – law students and legal aid lawyers on the move: “For the fourth year, law students and Legal Aid of Arkansas staff will travel across eastern Arkansas as part of the Road to Justice program March 24 through 27, 2014, to give legal help to clients in eastern Arkansas on the spot.” (Here’s the press release.)

- 3.10.14 – a Legal Talk Network interview segment on Washington State’s new “Limited License Legal Technician” program: “In reaction to rising legal costs and decreased access to legal services, Washington State has authorized paralegals to practice law on a limited basis through its new Limited License Legal Technician (LLLT) program.”

- March, 2013 – out of Montana, a great report on pro bono service from the Mountain State’s attorneys in 2013. Reported pro bono hours went up 10.4% over 2012. And as a personal aside: the most frightening morning rush hour I’ve experienced was driving out of Yellowstone, into southwestern Montana, and getting held up in a bison herd that was crossing the road. Bison, it turns out, are rambunctious in their waking hours and not at all intimidated by Honda Civics.

- March, 2014 – the ABA has rolled out the Legal Access Job Corps, one component of which is a “catalyst grant” project which provides small seed grants to projects intended to connect underemployed, recent law grads to under-served, low- and moderate-income client communities. Grant proposals now being accepted. Deadline: May 15.

- March, 2014 – my old colleagues at NALP are conducting a very important legal aid attorney salary survey. The survey is endorsed by LSC, NLADA, and others, and is hugely helpful to civil legal aid programs as they revisit salary scales and budgets, consider the impact of loan repayment assistance programs, and lobby for funding. Survey deadline: 3/28. Learn more, link to the survey, and spread the word.


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