



# *Colorado Access to Justice Commission*

## *Meeting Minutes*

March 16, 2018

Present: Jon Asher, Fred Baumann, Loren Brown (phone), Miko Brown (phone), Judge Adam Espinosa (phone), Justice Melissa Hart, Justice Will Hood, Claire Levy, Diana Poole, Molly Ryan (phone), Lauren Schmidt, Judge Tim Schutz, Dave Stark, Judge Dan Taubman

Guests: Joanne Crebassa, Toni-Anne Dasent, Josh Junevicius, Andy Rottman, John Tull, Greg Martin

***Minutes of January 5, 2018 Commission meeting were approved.***

***Update - Justice For All (JFA) Implementation Award:*** Fred Baumann reported that, subject to certain conditions that still need to be fleshed out, Colorado has been awarded a grant in the amount of \$150,000 for its proposed Access Pilot Project, which calls for implementing a number of interrelated initiatives and strategies drawn from the JFA Strategic Plan in two judicial districts, one urban and one rural. John Tull explained the conditions, which include incorporating user design and business process analysis through retention of an approved business process consultant. Fred reported that the JFA Leadership Team is moving forward with John's help to get more information and to finalize the terms of the grant.

There was a lengthy discussion as to how the two judicial districts should be selected, various criteria, and whether there should be some sort of an application process. It was decided that some expression of interest by interested judicial districts would be both helpful and appropriate. Justice Hood and John Tull volunteered to create a summary of the project and a request for expressions of interest, which Judge Taubman could then share with the Local ATJ Committees at their next meeting on April 4<sup>th</sup>.

***Presentation: ABA Free Legal Answers:*** Tali Albuquerk, Program Administrator, and George "Buck" Lewis, Chair of the ABA Standing Committee on Pro Bono and Public Service, joined the meeting by telephone to give a presentation about ABA Free Legal Answers (FLA). Materials regarding the program were provided prior to the meeting. Ms. Albuquerk described the program as "virtual pro bono legal clinics," and said it was currently operating in 42 states. Mr. Lewis described the history of the program since its launch in 2010, and explained the program in more detail. In response to questions from the Commissioners, Mr. Lewis provided additional information, including the following: (1) FLA programs are typically operated by Bar Associations, in collaboration with Legal Services entities and law schools; (2) There would be a more significant time commitment to launch the program, followed by the need for an administrator to spend 5 - 7 hours per week administering the program ; (3) Income-qualified clients first self-select topics, and responding volunteer lawyers are able to work with clients to determine the nature of legal issues; (4) Volunteer lawyers choose which questions they feel competent to answer; (5) Volunteer lawyers can

choose to continue to represent clients off-line as long as it's done pro bono (although this is negotiable), but they are no longer covered by the program's malpractice insurance; (6) Potential conflicts of Interest issues would be governed by Colorado's limited scope conflicts rule; and, (7) The website includes a feedback feature to measure client satisfaction.

After Ms. Albuquerk and Mr. Lewis concluded their presentation and left the meeting, a discussion ensued. There was some interest in the program, but there were also concerns raised regarding funding, staffing, duplication, and the ability to understand a client's problem and give meaningful legal advice without ever talking to them. Greg Martin reported that in other states, particularly those with voluntary Bar Associations, the program has not been successful. Lauren Schmidt, Justice Hart and Judge Taubman volunteered to investigate the program further and return to the Commission with a recommendation.

**Update: Funding and related issues:** Fred Baumann reported that Congress passed another short-term Continuing Resolution (CR) to continue the present level of funding for the Legal Services Corporation. He added that the CR will expire on March 23<sup>rd</sup>, and it is still unknown how things will play out. He further reported that at the state level, funding appears to be on track for the new ATJ Coordinator position. Diana Poole reported that the Federal Reserve is expected to raise its target rate again on March 21<sup>st</sup>, which will hopefully be reflected in an increase in interest rates on COLTAF accounts.

**Update – Navigator Pilot Program:** Justice Hood reported that a draft manual has been prepared, which he will circulate to the Commission, and to Jim Coyle at Attorney Regulation, for feedback.

**Update - Colorado Legal Help Center:** Andy Rottman handed out samples of the cards that are being distributed to Sherlocks, other Court staff and librarians across the state to publicize the Colorado Legal Help Center.

#### **Committee Reports:**

**Resource Committee:** Claire Levy requested that funding for the Family Violence Justice Fund be discussed at the next meeting.

#### **Other Business –**

**Denver Immigrant Legal Services Fund:** Lauren Schmidt reported that a press conference will be held on Monday, March 19, 2018 to announce the launch of the Denver Immigrant Legal Services Fund, which will have about \$370,000 available to provide legal representation to Dreamers and other qualified individuals facing removal proceedings.

**Pro Bono Panel, 4<sup>th</sup> J.D.** – Judge Schutz reported that 30 attorneys have signed up for the 4<sup>th</sup> Judicial District's Pro Bono Panel.

**Online Survey:** John Tull reported that he is creating an online survey on how the Commission may improve. This will be sent to current Commissioners.

***Pro Bono Recognition Reception:*** Justice Hood reported that the reception is scheduled for April 19, 2018, at 5:00 p.m., in the atrium of Ralph L. Carr Justice Center.

**Next meeting: May 4, 2018,** Court of Appeals Conference Room, 3<sup>rd</sup> Floor.