



Colorado Access to Justice Commission

Meeting Minutes

May 4, 2018

Present: Jon Asher, Miko Brown (phone), Justice Melissa Hart, Justice Will Hood, Liz Krupa, Diana Poole, Molly Ryan (phone), Lauren Schmidt, Judge Tim Schutz (phone), Dave Stark, Judge Dan Taubman, Penny Wagner, Sam Walker, John Zakhem

Guests: Joanne Crebassa, Sabra Janko, Lindsay O'Brien, John Tull, Emilyn Winkelmeier

Minutes of March 16, 2018 Commission meeting were approved.

Report - Pro Bono Recognition Ceremony and Reception: Justice Hood reported on the success of the Pro Bono Recognition Ceremony and Reception, held April 19th, with an estimated 50 - 60 attendees, observing that the less formal ceremony in the atrium, as opposed to the more formal proceedings in the courtroom, appears to be a preferable format. He lauded the speakers, Colorado Attorney General Cynthia Coffman and Denver lawyer Kenzo Kawanabe. He reported that law student attendance was good, and suggested that perhaps more students should be invited in the future. He thanked the CBA for helping host the event. In response to a question, Justice Hood said that the number of firms that achieved the pro bono goal in 2017 was about the same as it was in 2016.

Update - Justice For All (JFA) Implementation Grant: Diana Poole reported on the progress being made in finalizing the terms under which Colorado will receive a \$150,000 grant from the National Center For State Courts (NCSC) to implement its Access Pilot Project in two judicial districts, one urban and one rural. Conditions of the grant include the incorporation of user centered and business process design through retention of an NCSC-approved consultant. The JFA Leadership Team is in the process of selecting a consultant and defining an appropriate scope of work

John Tull reported that the Local ATJ Committees were briefed about the Implementation Grant and the opportunity it presents during their April conference call. Judge Taubman offered to e-mail the Local ATJ Committees in the next few days to solicit their interest in having their judicial district considered for the pilot project. Diana Poole reported that the JFA Leadership Team will be looking to fill a one-year Project Coordinator position under the grant, and she asked that any suggestions as to potential candidates be directed to Kath Schoen.

Discussion – 2018 Justice Summit: Diana Poole recalled for the Commission the suggestion that was made at the conclusion of last year's Justice Summit, and enthusiastically received, that such a summit be held annually. She reported that rooms at Ralph Carr were currently being held for October 5th and

12th, in case the Commission wants to move forward with another summit in October. Discussion followed, revealing general support for the idea of an annual summit, but not as soon as October. Lauren Schmidt suggested it might be prudent to wait to begin preparation until the ATJ Coordinator position at SCAO has been filled. Judge Taubman suggested that the Commission consider holding the next summit next spring, when activities under the JFA Implementation Grant will be wrapping up. Penny Wagner was asked to release the rooms that are currently reserved, and to reserve rooms in April of 2019.

Update – Funding and related issues: Jon Asher reported that Congress ultimately appropriated \$410 million for the Legal Services Corporation (LSC) for FFY2018, which is an increase from the \$385 million for FFY2017. He reported that this would mean an additional \$300,000 for Colorado Legal Services (CLS) this year. He cautioned, however, that this appropriation is only in place through September. His concern for FFY2019 centers on the departure of Senator Richard Shelby (R-Alabama), a strong legal aid proponent, as Chair of the Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies, which deals with the LSC appropriation. Diana Poole added that an increase in funding for FFY2018 was unimaginable at this time last year. She credited the outpouring of support for LSC from all quarters of the legal community, and thanked the Commissioners for their role in that.

Diana reported that state funding for legal services through the Family Violence Justice Fund will remain unchanged. She also reported that interest rates on some COLTAF accounts are beginning to increase, which is good news, but added that it will take years of higher rates to recover its former position as a funding source for civil legal aid. In addition, the Legal Aid Foundation is beginning its fiscal-year-end fundraising drive.

Update – Survey re ATJC Structure and Operation: John Tull reported that more than 200 surveys were e-mailed to the ATJ community, and that 74 responses have been received so far. The survey results will be discussed in detail at the Commission's July meeting, along with proposed revisions to the Commission's Bylaws, which are being prepared by the Governance Committee, comprised of Fred Baumann, Loren Brown, Liz Krupa, and Rich Murray.

Report – Legal Incubator Project: Justice Hart reported on the progress being made in establishing an incubator project in Colorado. The Steering Committee is being assisted by Jessica Bednarz, who is the Director of the Chicago Bar Foundation's Justice Entrepreneurs Project. Dave Stark is currently working with Ms. Bednarz on a mission statement for Colorado's project. It is anticipated that Colorado's Project will be ready for its first group of participants in January of 2019. CU Law School is providing funding, so the first participants will be from CU. There was some discussion as to why DU Law School was supporting the project.

Report – Eviction Representation Project: Jon Asher reported on Colorado Legal Services' new eviction representation project. He provided some background information, demonstrating the need for eviction services and reported: (1) Between 2007 – 2011, there was a nationwide spike in home foreclosures; (2) As the rate of home foreclosures has decreased since 2011, there has been a corresponding increase in evictions; (3) Ninety-eight percent of defendants in county court in Colorado

are not represented, with most cases involving evictions or debt collection. Mr. Asher reported that CLS received a grant from COLTAF to fund the project, and that members of the Denver City Council have also allocated some funds from their budgets for the project. There will be three lawyers on staff: one in Denver, one in Colorado Springs, and one assigned to statewide intake. A paralegal will also be hired to help with intake. Mr. Asher further reported that CLS has applied for an American Bar Endowment grant to fund an eviction project in Durango, will be meeting next week with officials in Westminster to discuss funding for a lawyer to serve Jefferson, Adams and Broomfield counties. Kath Schoen reported that Denver, Arapahoe and Jefferson counties are all interested in programs to assist debtors. Sam Walker recommended CLS also partner with IAALS on pilot programs to serve debtors and tenants facing eviction.

Report – Navigator Manual: Justice Hood reported that Attorney Regulation Counsel Jim Coyle expressed his approval of the manual, and it may be released to the judicial districts around the state. He welcomed any additional comments or suggestions from Commissioners.

Committee Reports

Governance Committee: Diana Poole reported that the Committee is working on revisions to the Commission's Bylaws.

Courts Committee: Penny Wagner reported that Pro Se E-filing will be introduced this summer, beginning with domestic relations cases. Non-lawyers are needed to test the new e-filing system. Penny Wagner also reported that SCAO is applying for a three-year grant to create plain-language forms. More information about the grant will be available in June. Colorado currently has over 900 self-help forms. Judge Taubman reported that Sean Slagle has developed plain-language appellate forms. John Zakhem recommended reaching out to Rich Harris' law firm for assistance with the forms. Kath Schoen and Sabra Janko reported that the CBA Federal Pro Se Clinic are in the process of developing "E-Pro Se" software which will allow parties to input information to populate form pleadings.

Other Business – None.

Next meeting: The next meeting has been rescheduled for **Thursday, July 19, 2018**, in the Supreme Court Conference Room on the 4th Floor.