

**Colorado Access to Justice Commission**  
**Minutes**  
**September 6, 2019**

**Commissioners Present:** Fred Baumann (ATJC Chair), Diana Poole (ATJC Vice Chair), Jon Asher, Miko Brown (phone), Dick Gast, Justice Melissa Hart, Wesley Hassler, Liz Krupa, Claire Levy, Lauren Schmidt, Judge Tim Schutz, David Stark, Judge Dan Taubman, Sam Walker.

**Commissioners Absent:** Brittany Kauffman, Richard Murray, Penny Wagner, John Zakhem.

**Guests Present:** Emy López (JFA Access Pilot Project Coordinator), Andy Rottman (Counsel to Chief Justice Coats), Jackie Marro (ATJ Coordinator at SCAO), Hanna Bustillo (Law Clerk to Justice Hart).

**Colorado/Denver Bar Association Staff Present:** Lindsey O'Brien (CBA Program Coordinator).

**Approval of Minutes**

Minutes of the July 12, 2019 Commission meeting were approved.

**Update and discussion: *JFA Access Pilot Project***

Emy López indicated that the website is nearly live and ready to launch publicly. Its current name—Colorado Resource Network—is tentative and may change in response to feedback from initial users. Emy explained that at this phase of development, there are two main concerns. First, the website's user interface needs to be "debugged," with all content properly organized and accessible. Second, the website needs to be effective in connecting its visitors with the right "end points," *i.e.*, existing community organizations, legal services, and self-help resources. These concerns will be worked out in beta testing in the coming weeks. Recently, the project staff met with the Pikes Peak Elder Abuse Coalition to discuss the online platform, and there are additional meetings scheduled in October respecting the pilots in the 4<sup>th</sup> and 12<sup>th</sup> districts. Emy expects that the website's soft launch will occur in September, and the hard launch in October. Funding for this project should last through January 2020.

**Report and discussion: *Restructuring the Commission***

Fred Baumann described the Governance Committee's recent discussions around reorganizing the ATJC and its constituent committees. These discussions arise from Colorado's Strategic Action Plan (SAP), completed pursuant to a 2017 Justice for All grant from the National Center for State Courts. Although the structure of the ATJC will remain the same through 2019, moving forward the ATJC will be reorganized in two significant senses. First, the ATJC will cease to be an informal body of stakeholders and will instead reconstitute as a formal legal entity (*e.g.*, a 501(c)(3) organization or an L.L.C.). This change will bring the ATJC more in step with how other states' access to justice entities are organized and run. Further, this change will greatly expand the ATJC's ability to support its mission through grant-writing, fundraising, and hiring a full-time staff. Second, the ATJC will reorganize its constituent committees to align more closely with the various initiatives outlined in the SAP. A draft of the "Standing

Committee and Committee Chair Expectations” has been circulated to give the commissioners a broad view of how the contours of the ATJC are projected to change. Moreover, the ATJC has applied for a \$20,000 grant through the Colorado Bar Foundation in order to hire staff to implement the foregoing changes.

During the discussion, a number of commissioners voiced concerns and suggestions respecting the ATJC’s reorganization. Fred Baumann noted that the ATJC should more carefully define its role in the community and its target populations so as not to undermine the missions or funding sources of Colorado Legal Services, COLTAF, the CBA, and other entities in the state with access-to-justice objectives. It may become necessary for the ATJC to put together memorandums of understanding to promote clarity about its relationships with these other groups. Judge Taubman also observed that the proposed Delivery Committee may encompass too much (*i.e.*, pro bono representation, alternate providers and affordable representation, local access-to-justice committees, and rural services). In response, Justice Hart pointed out that one advantage of the proposed Delivery Committee is that it considers the delivery of legal services on an interconnected continuum, not just as many alternate means of serving the same population (especially for those underserved clients living in “rural” or Greater Colorado). Finally, several commissioners wondered which stakeholders would be included in the ATJC’s activities moving forward. As it stands currently, there are non-commissioners sitting on ATJC committees whose voices may not be as prominent if the ATJC structure shifts toward greater formality. Overall, though, the commissioners were largely in agreement that a full-time staff and a more “official” presence in the community as a legal entity would greatly advance the ATJC’s mission.

### **Discussion: *Statewide Engagement***

Fred Baumann began the discussion by tracing the ATJC’s history of direct engagement with the legal community; over the years, there have been repeated cycles of either hearings or summits, followed by detailed reports on how the delivery of legal services in Colorado can be improved. The most recent of these reports is the SAP, developed in 2017 (see above). Conversation ensued over whether the ATJC should plan on organizing in 2020-21 either several hearings around the state, or a single more centralized summit, to discuss the future of the access-to-justice movement in Colorado.

On one hand, a schedule of hearings around the state would serve as an effective “listening tour,” and would not impose travel burdens or other costs on rural participants. Hearings would also capture the attention of legislators and motivate them to fund certain initiatives since the stakeholders would be statewide. On the other hand, a summit gathering would allow for a large “cross-pollination” of ideas, akin to the 2017 Justice for All Summit. A summit would also require a substantial amount of time and effort to engage speakers/panel members, to make sure that rural participants have the means to show up, and to prepare the eventual report. In any case, the commissioners were largely in agreement that the ATJC’s restructuring and

governance changes would need to be implemented in full, and the purpose or topic of the proposed gathering would need to be more fleshed out, before any serious planning on the hearings/summit occurs.

### **Committee Reports**

- **Governance Committee:** See *Restructuring the Commission* (above).
- **Resource Committee:** Claire Levy reported that the committee met on August 20 to decide whether the ATJC should ask the legislature for a general fund appropriation, or for funding that is more issue- or community-specific to test the waters first (*e.g.*, family violence, eviction defense, elder abuse, etc.) She noted that because of the upcoming election year, legislators are still determining their funding priorities. Other potential sources of funding could include AG settlement and/or custodial funds, or increasing filing fees to go into a newly-created fund.
- **Pro Bono Committee:** David Stark reported that the Succession to Service project is still underway—marketing efforts and the website buildout are in full swing, and the project is expected to launch next year. The Legal Entrepreneurs for Justice program is also going quite well—the first cohort of participants began in June, the second cohort will start in November, and the program has funding from a variety of sources (with additional grant applications pending). Meanwhile, the state’s discussion on whether/how to participate in the ABA Free Legal Answers initiative has hit a “speed bump”—the Colorado Lawyers Committee is still in discussions about it.
- **Courts Committee:** Justice Hart reported that the committee is working on applying for a grant through the State Justice Initiative. There was also mention of replicating the pro bono model in Minnesota—if an indigent client is already receiving public benefits, s/he would not have to fill out a separate application for free or reduced-cost legal assistance.
- **Local Support Committee:** Judge Taubman reported that many more local access-to-justice committees have been participating than previously; currently, the number stands at 15.

### **Other Business**

None.

**Adjourned.**