



New at www.ATJsupport.org

September 19, 2008

New Maryland ATJ Commission. The new Maryland Access to Justice Commission, chaired by retired Court of Appeals Judge Irma Raker, will hold its first meeting in October.

Boston Bar Civil Gideon Report. The Boston Bar Association's Task Force on Expanding the Civil Right to Counsel has released *Gideon's New Trumpet: Expanding the Civil Right to Counsel in Massachusetts*. This report describes the process for such an expansion: identifying basic needs, crafting pilot projects, and moving the projects to reality. It proposes nine pilot projects in the areas of housing, family, immigration, and juvenile law.

Montana Access to Justice Hearings. The Montana Supreme Court Office of the Court Administrator, the Court's Equal Justice Task Force, and legal services organizations co-sponsored the first in a series of six statewide Access to Justice hearings on September 8. Testimony offered to the nine-member listening panel, headed by Supreme Court Justice Patricia O'Brien Cotter, focused on the lack of legal resources available to low-income people, information on programs currently available, and ways to improve access to justice.

New Mexico IOLTA and Limited Practice Rules. New Mexico's Supreme Court has adopted a new rule providing for mandatory IOLTA with comparability, to become effective January 1, 2009. With New Mexico, 23 states will have IOLTA comparability requirements. The Supreme Court has also adopted a separate rule allowing out-of-state attorneys to work in legal aid programs for two three-year terms without taking the state bar exam. The limited practice rule also allows emeritus attorneys to represent legal aid clients without maintaining active status with the state's bar.

New York Seminars on Pro Se and Plain Language. Court personnel across New York participated in plain language training sponsored by the Deputy Chief Administrative Judge for Justice Initiatives this summer. The goal was to equip key personnel to evaluate, adapt and create documents and other resources to improve readability and access. Also, the New York Unified Court System is sponsoring judicial training on evolving jurisprudence and techniques for cases involving self-represented litigants.

New York Courts and California Bar Initiatives Addressing Foreclosure Crisis. This summer, the New York State Unified Court System launched a pilot program in Queens to foster early intervention in residential foreclosures. In addition, it has established a statewide Foreclosure Conference Program to help streamline or settle residential foreclosure cases. In California, the State Bar has mobilized efforts to establish a central

repository for public resources and pro bono opportunities for foreclosure assistance. With assistance from the California Bar Foundation and State Bar staff, the Public Interest Clearinghouse is developing a foreclosure resource website for attorneys and the public.

North Carolina Bar Association Initiatives Challenging Injustice, Promoting Access. North Carolina Bar Association President Charles L. Becton has called upon each division, section, and committee of the organization to identify and respond to issues of injustice in 2008-2009, focusing on equal access to justice and law-related education. In addition, the NCBA is continuing a second year of its "4All" campaign, focusing on access to justice for low-income people.

New Executive Director for North Carolina Equal Access to Justice Commission. The North Carolina Equal Access to Justice Commission has hired an Executive Director, Jennifer Lechner. Lechner previously served as Executive Coordinator of Maine's Justice Action Group.

Initial Findings from South Carolina Statewide Hearings. At the 2008 South Carolina Judicial Conference, the South Carolina Access to Justice Commission presented initial findings from the series of regional public hearings it conducted earlier this year. The findings focused on access to justice barriers faced by low and moderate-income South Carolinians and proposed solutions. A final public hearing is scheduled for November 5, 2008 at the South Carolina Supreme Court, sitting en banc.

South Carolina Pro Se Initiatives. The South Carolina Access to Justice Commission has formed a Clerk of Court work group to assist clerks in resolving ethical questions and improving access for self-represented litigants. The work group has developed a sign for posting in clerk's offices detailing what clerks can and cannot do to assist litigants. It has also prepared a survey on ethical issues for clerk's offices across the state, and is developing a manual on working with self-represented litigants. The Commission has recently completed a standardized divorce form packet for self-represented litigants, and plans to produce several additional standardized form packets.

ABA Resolution on Best Practices for Cases with Pro Se Litigants. At its 2008 Annual Meeting, the ABA House of Delegates recommended that all jurisdictions adopt rules, guidelines and best practices for proceedings involving pro se litigants, such as the "Best Practices for Judges in the Settlement and Trial of Cases Involving Unrepresented Litigants in Housing Court" adopted by the New York County Lawyers' Association. An updated version of *Best Practices in Court-Based Programs for the Self-Represented*, prepared by the Self-Represented Litigation Network, is available at www.ATJsupport.org.

Summer ABA Judges' Journal on Access to Justice. The Summer issue of *The Judges Journal*, the publication of the ABA Judicial Division, is devoted to Access to Justice. Articles by ABA President H. Thomas Wells and Professor Gene Nichol are available free in the on-line version of the journal; others are available to Judicial Division members only. A piece by Montana Chief Justice Karla Gray and Robert Echols, "Mobilizing Judges, Lawyers, and Communities: State Access to Justice Commissions" is available at www.ATJsupport.org. The Fall issue of the journal will also be devoted to Access to Justice.

Materials from the 2008 Equal Justice Conference. Materials are now available on-line, including those from sessions on the civil right to counsel, pro bono strategies and initiatives, judicial leadership, and partnerships with law schools and law libraries.

How “Cybersquatting” Affects Legal Aid. An article in the September 2008 issue of *ABA Journal*, “Who’s Putting a Price on Free Legal Aid?” describes how private entities profit from buying up domain names similar to those used by not-for-profit legal services organizations. These entities sell advertising to private lawyer referral agencies, which, in turn, divert clients searching for free legal services to private attorneys. Researchers at the Legal Services National Technology Assistance Project found that 42 percent of LSC-funded programs had been subjected to cybersquatting through use of domain names similar to their own.

ABA Dialogue on the Future of IOLTA and Access to Justice. The Summer issue of *Dialogue* leads with a story by ABA Young Lawyers Division Membership Director Michael Pellicciotti, “Young Lawyers: The Key to IOLTA’s Future.” It also includes two stirring speeches from the 2008 Equal Justice Conference and National Meeting of State Access to Justice Chairs: D.C. Access to Justice Commission Chair Peter Edelman’s “Call to Action: Taking a Stand Against Poverty and Inequality” and New Hampshire Chief Justice John Broderick, Jr.’s “A Roadmap toward Justice.”

MIE Journal Articles On-Line. Articles from the Spring 2008 issues of the *MIE Journal* dedicated to Access to Justice are now available at www.ATJsupport.org. Articles on the roles of Access to Justice Commissions in pro bono, resource development, communications, self-represented litigants, legal needs studies, and language access are posted on the “Documents and Resources” page. Articles on Washington state’s delivery system planning, Massachusetts hearings on barriers to justice, a bar leader’s perspective on the impact of the New Mexico Access to Justice Commission, and the structure and impact of commissions in Colorado, Maine, Mississippi, Texas, and Washington, can be retrieved by clicking on the appropriate state name at the bottom of that page.

New at Selfhelpsupport.org: Leadership Modules on Self-Represented Litigation Issues. The Self-Represented Litigation Network is making available the packet of leadership materials it prepared for the 2008 Court Solutions Conference organized by the National Center for State Courts. The packet consists of 15 modules focusing on separate areas of self-represented litigation innovation, including plain language forms and instructions, case flow management, discrete task representation, limited English proficiency, working with judges, and law library services. The modules can be used as part of a traditional educational curriculum, as materials for a leadership seminar, or as a stimulant for informal discussions about leadership in innovation.

New ABA Access to Justice Staff. The ABA Resource Center for Access to Justice Initiatives welcomes new assistant staff counsel Sofia Ali-Khan, who will also help staff the ABA Commission on IOLTA. She comes to the ABA from Community Legal Services in Philadelphia, where she practiced in the areas of public benefits, language access, and community economic development.

All items are posted at www.ATJsupport.org. For additional information, contact Bob Echols, ABA Center for Access to Justice Initiatives, echols@suscom-maine.net.