



Colorado Access to Justice Commission

July 10, 2009 Meeting

Minutes

Present: Fred Baumann, Diana Poole, Hon. Gale Miller, Charles Garcia, Justice Greg Hobbs, Ilene Bloom, Magistrate Simon Mole, John Zakhem, Magistrate Betty Strobel

Telephone: Hon. William Alexander, Jim Peters, Hon. Angie Arkin

Guests: Meredith McBurney, Kathleen Schoen

- 1. Minutes approved:** The minutes of the May 1, 2009 meeting were approved.
- 2. Access to Justice Messaging:** Meredith McBurney gave a presentation on the Legal Aid Communications Evolution – See handout. The target audiences include opinion leaders, donors and potential donors, and policy makers. Key message from original study was that legal aid makes a difference in individual lives. Since the original study, there has been increased sophistication. The key messages have changed to include that legal aid makes difference in individual lives, that every person has the right to equal access to justice and that legal aid is a good investment. A successful communications strategy is comprehensive and includes hard copy, video/web, and all forms of personal communications.
- 3. NLADA Conference:** Jon Asher reported on the NLADA conference to take place in Denver on November 18-21, 2009. The conference includes plenary sessions, training for public defenders, juvenile law topics, civil legal services, substantive delivery issues. The Legal Services Corporation (“LSC”) conducts sessions on current LSC issues which focus more on substantive areas for providers although pro bono lawyers, program board members and criminal defense lawyers can attend. The Host Committee will be responsible for raising money for reception and for scholarships for attendees. There is a separate committee responsible for the conference. Fred indicates he hopes the Commission can participate as much as possible.
- 4. LSC Telephone Conference:** An LSC telephone conference focused on pro bono delivery issues will be taking place. Fred asked Justice Hobbs to participate if possible.
- 5. Supreme Court’s proposed comment to judicial conduct rule 2.2:** Comment 4 states that it is not a violation of this Rule for a judge to make reasonable accommodations to ensure pro se litigants the opportunity to have their matters fairly

heard. 2.6 comment 2 is unique to CO and should be particularly helpful to trial and other judges. There is a hearing on 10/22/09 regarding the proposal. It is important for the Commission to submit written comments and appear at hearing in support of proposals. It will also be useful for the trial court judges on the Commission to weigh in. Hon. Gale Miller indicated that there are concerns about the proposal as written. Some of the judges may file comments with the Supreme Court. The concerns include: 1) whether the rule can be read as authorizing or requiring judges to excuse pro se litigants from the rules; 2) whether the comment could be construed as creating bases for appeal (ex. judge did not help me enough or the judge helped too much). Fred proposed that the Courthouse Committee work on proposed written comments and determine who is available to attend the hearing. Hon. Angie Arkin volunteered to work on the matter. Comments are due by Thursday, October 1, 2009.

6. Access to Justice Conference: There is still a question as to whether we will go forward with the conference. Fred is meeting with DU next week. DU will probably make space available. Kath Schoen is surveying people to see who is interested. The committee will make a final decision within next few weeks.

7. Equal Justice Conference: All of the attendees returned with a lot of useful information.

8. Committee Reports

- a. **Courthouse** – Magistrate Simon Mole reported that the Adams County local committee raised \$8000 from the race organized in memory of Sean May. Adams County is organizing a self-help center modeled after Douglas County's.
- b. **Public Information-** Charles Garcia reported that the committee awarded two BarBri scholarships. Thanks to Molly French from CLS for her assistance with the scholarship process. The individuals leading the development of the pilot mentor program met with CU and DU representatives. Charley also mentioned that the CBA Economic Task Force will be presenting free pro bono CLEs which will be on webinar and available to judges.
- c. **Resource Development-** The Resource Committee is focused on developing a plan to communicate effectively concerning the importance of legal aid because next year's state budget looks bleak and the increased appropriation for legal aid may be at risk. The committee is also interested in assisting with fundraising for the potential Access to Justice conference.
- d. **Supreme Court Pro Bono Initiative Committee** – Justice Hobbs discussed that the committee should figure out how to communicate to firms that paralegal hours should count towards firm average.

Next meeting: September 11, 2009 at the Colorado Supreme Court