

Minutes of the Committee on Resources for Self-represented Parties

June 14, 2013

Approved 9/26/2014

Members Present

Judge John Baxter, Chair, Lisa Collins, Mary Jane Ciccarello, Carol Frank, Russ Minas, Stewart Ralphs, Jessica Van Buren

Members Excused

Fred Anderson, Emily Chiang, David Dominguez, Judge Michael DiReda, Robert Jeffs, Judge Scott Johansen, Jose Lazaro, Shauna O'Neil, Barbara Procarione, Virginia Sudbury, Judge Douglas Thomas,

Staff

Wogai Mohmand, Jason Ralston, Tim Shea

Guests

Judge Royal Hansen, Robert Rice

(1) Approval of minutes.

The minutes of February 8, 2013 were approved as prepared.

(2) Pro Bono and Modest Means Programs

Judge Hansen and Mr. Rice described the pro bono program of the Utah State Bar. Judge Hansen described an adoption case in which lawyers made available through the program were able to help the parties resolve the case. Without this program the parties would not have had lawyers, and he compared that to juvenile court where the parties would have automatically had appointed counsel.

Mr. Rice described the pro bono commission and the "Lend a Learned Hand" video that recruits lawyers to volunteer for the program. He expressed appreciation for all of the support the Bar has received from the Judicial Council and the local courts.

Mr. Rice said there are eight district committees, one for each of the judicial districts, made up of lawyers and judges. He said that the district committees help organize the program around local needs. The Bar staff works to find a volunteer lawyer after the client has qualified for one. Currently the Bar is relying on Utah Legal Services to income-qualify the client and to be sure that a pro bono lawyer is what the client needs. ULS is the only provider at the moment, and the commission would like to add other nonprofit entities to perform that service.

Mr. Rice said that about 700 lawyers have volunteered during this first year of operation and the program has placed about 150 clients.

Judge Hansen said that the commission is working on the procedures for referrals from judges. The plan at the moment is to refer the client to the self help center. Ms. Van Buren said that the self help center will interview the client to try to match the person with appropriate services and that it will be a great help to

be able to include pro bono representation among those services. Ms. Ciccarello said judges could start referring clients right away because the center is already helping these clients. The pro bono program is simply an additional resource for the center to offer.

Ms. Ciccarello expressed concern that Utah Legal Services has to screen out too many people who would otherwise qualify for pro bono counsel because their charter requires them to do so. She said the self help center responds to everyone who contacts them. She said the center will not income-qualify a client, but that the center often has information indicating whether the client will qualify for the pro bono program. The center will also evaluate whether a pro bono lawyer will be able to help the client.

Mr. Rice said that the program is not yet capable of managing requests directly from the public. Mr. Ralphs said that his and other entities act as conduits to the program.

Judge Hansen said that awareness of the program among the judges is mixed. Mr. Hansen said that they should be in a position to market the program more broadly to the judges within a few months.

(3) On-line Court Assistance Program

Mr. Ralston described the features of the new OCAP application and answered the committee's questions.