

# Agenda

## Utah Judicial Council's Standing Committee on Resources for Self-represented Parties

January 9, 2019  
12:00 to 2:00 p.m.

Administrative Office of the Courts  
Scott M. Matheson Courthouse  
450 South State Street  
Executive Dining Room

Welcome and approval of minutes	Tab 1	Judge Barry Lawrence, Chair
Introduction of new members; farewell to departing members		Judge Barry Lawrence
Discussion with the Arizona Judicial Branch on its access to justice initiatives	Tab 2	Arizona Court of Appeals Judge Lawrence F. Winthrop
Finalizing memorandum of understanding with A2J Committee	Tab 3	Judge Barry Lawrence, Nancy Sylvester, Nick Stiles
Subcommittee updates <ul style="list-style-type: none"><li>• Education</li><li>• Outreach</li><li>• Rural Services</li><li>• Self-Help Center/Non-lawyer Assistance/Court Updates Subcommittee</li></ul>	Tab 4	<ul style="list-style-type: none"><li>• Judge Lawrence to update on legal outreach</li><li>• Shawn Newell and Sue Crismon to update on community outreach efforts</li><li>• Susan Griffith to update on local/virtual clinics</li><li>• Nathanael Player, Jessica Van Buren, and Nancy Sylvester to update on court initiatives and rules</li></ul>
Discussion on self-represented litigants and dressing for court, childcare, and cell phone use	Tab 5	Amy Hernandez
Other Business		All

### [Committee Web Page](#)

**2019 Meeting Schedule:** Matheson Courthouse, 12:00 to 2:00 p.m. unless otherwise stated: **February 28, May 3, June 28, September 6, November 1, January 3, 2020**

Tab 1

**Utah Judicial Council's Standing Committee on  
Resources for Self-Represented Parties Meeting Minutes**

Matheson Courthouse  
Council Room, N31  
October 12, 2018  
12 PM – 2 PM

Members	In attendance	Excused	Via phone conference
Judge Suchada Bazzelle	X		
Lisa Collins		X	
Sue Crismon	X		
Jacob Kent		X	
Monica Fjeldsted		X	
Leslie Francis			X
Carol Frank		X	
Susan Griffith		X	
Carl Hernandez	X		
Judge Catherine Hoskins	X		
Judge Barry Lawrence - Chair	X		
Kara Mann (ex officio)	X		
Christopher Martinez		X	
Shawn Newell	X		
Nathanael Player	X		
Judge Brook Sessions	X		
Charles Stormont		X	
Virginia Sudbury	X		
Judge Doug Thomas	X		
Jessica Van Buren	X		
Guests	In attendance	Excused	Via phone conference
Amy Sorenson	X		
Nick Stiles	X		
Staff	In attendance	Excused	Via phone conference
Minhvan Brimhall	X		
Michael Drechsel	X		
Nancy Sylvester		X	

(1) Welcome and approval of minutes

Judge Lawrence opened and welcomed everyone to the meeting. The Committee noted that the August 10, 2018 minutes list Judge Lawrence as “chairman.” The committee voted to change “chairman” to “chairperson.” With the change, Jessica Van Buren made a motion to approve the minutes. Sue Crismon seconded the motion. The minutes were approved unanimously.

(2) Introduction of new members

Judge Lawrence welcomed two new members to the committee: Juvenile Court Judge, Suchada Bazelle, and community member, Shawn Newell.

(3) Coordination with Access to Justice Committee and local pro bono committees

Amy Sorenson has been tasked to head the Access to Justice Committee along with Retired Justice Christine Durham. Nick Stiles is the Bar’s Access to Justice Director. Nathanael Player has been asked to a member of the committee. Mr. Stiles and Nancy Sylvester created a memorandum of understanding for the committee. The memorandum states that role and responsibility for the committee members and members of the State Bar.

Ms. Sorensen provided a brief explanation of the creation of the Access to Justice Committee and its role within the community and providing community resources. The committee will have more community member involvement and key players will form a subcommittee, focus on legislative advocacy, educational information, and making resources available.

Ms. Sorensen expressed appreciation for those willing to participate in the upcoming summit and is looking forward to a day of learning and meaningful discussion on how to better provide information and resources to the community.

Judge Lawrence would like the Self-Represented Parties Committee to review its role in providing assistance to community partners in getting the word out on the services that are available. This committee is not to the forum to address policy issues, but rather to coordinate between the court and community partners. How does this group get the word out to the people? How does it educate the community before they make a decision that affects them legally?

The committee discussed various ideas and options in “getting the word” out to the communities. The upcoming summit is a good place to start and will help provide a guideline for all community, civic, and religious leaders on the different resources available. The committee discussed that the person giving out

the information needs to be a credible person. Those within the community are the best option for getting the word out on what resources are available.

Judge Thomas expressed the need to begin to take action. This committee has had multiple discussions on this topic, and has shared multiple ideas on how to move forward and now is the time to move forward and actually get things done. Judge Thomas would like to focus on practical ideas and practical resources. The Self-Help Center is a big part of the work that has been completed by this community. He said we should be getting people to utilize the center and the resources available. Judge Thomas would like to see the committee focus on one or two things, focus on those things, and move forward in getting those things accomplished. Judge Thomas would like to see work get started in the rural areas.

Mr. Player stated that TLC clinics are open and will be expanding to rural areas. The clinic will allow for clients to access service in other areas in a virtual manner. Judge Thomas expressed that the virtual clinic is a great idea but how do people out in the rural areas know about it? How will they be reached?

The committee discussed additional ideas such as radio advertisements, ads in the newspaper; providing a list of resources in all areas of the state at courthouses and libraries.

Judge Lawrence stated that part of the difficulties is the focus of this committee. The committee originated as a means to create and set up the Self Help Center. The center is now fully active and running at full capacity. How does this committee forward now? Where should this committee turn its focus?

(4) Access to Justice Summit: October 23, 2018

Nick Stiles discussed the upcoming Access to Justice Summit that will be held on Tuesday, October 23, 2018. The purpose of the summit is to gather members from different organizations throughout the state for discussion and presentations on resources to better help people in the community and through non-profit organizations. There are many resources throughout the state, however, not everyone knows about what each organization does and how they provide services. Amy Sorenson will open and welcome attendees to the summit. Former Justice Christine Durham will speak, as well as Senator Neiderhouser, who will speak on legislative advocacy. Information from the summit will be available after the summit to anyone who wishes to but is unable to attend. The hope is that the summit will be an annual event. Mr. Stiles invites anyone to attend who wishes to.

(5) Subcommittee Updates – Committee Members

a. Education (outreach to law schools)

Judge Lawrence provided an update from the Education Subcommittee. The group is continuing to educate attorney throughout the state, as well as to law students at Brigham Young University and the University of Utah. The group will be speaking at the Fall Forum on pro bono issues.

The group's current project is to work on eviction calendars. Salt Lake County has a large eviction calendar and will be moving to a debt collection calendar. They will have volunteer attorneys to staff the calendar for litigants who do not have an attorney. This will allow for debt collection and eviction cases to be heard.

The group is also looking at the ten days summons rule. Judge Lawrence has been working with Kirk Cullimore and Charles Stormont in getting better notices on summons and getting all parties served and involved.

b. Outreach (community)

The Community Outreach Subcommittee has met and is discussing opportunities to get into the communities and be more involved in the outreach process. They discussed placing more of a personal touch in their connection with the community and being more transparent.

Mr. Newell would like to have a list of the Self-Represented Parties committee members to be able to provide notices of upcoming events where committee members will have an opportunity to participate.

Mr. Newell will be speaking on radio station KRCL about services available and how the community is able to access resources. Mr. Newell will be making the same presentation on news station channel 4. Mr. Newell will be the person getting out to share this information within the community and invite anyone wanting to participate to do so.

The group will be at an event on October 18 where they will have a table with handouts and additional resource information and a table banner. The group will continue to coordinate funding, and they will continue outreach at libraries, banks, and barber shops. The group will provide the larger committee a list of upcoming event dates.

Judge Lawrence asked that Mr. Player and Mr. Stiles provide a handout that can be shared at these events with information about the Self-Help Center and

Access to Justice resources. Judge Lawrence also asked that any events needing volunteers be sent out to the committee.

c. Rural Services (local/virtual clinics)

The Rural Services group briefly met. Sue Griffith was unable to attend the committee meeting but provided an email of items they are working on:

“I did send an email to my rural committee in follow up to your question last month about what our committee considers to be the top priority.

We originally came up with these ideas as potential projects:

A. Needs assessment

B. Debt Collection (Vernal was the site originally suggested, but Carol responded that the judges were not supportive).

C. Virtual Clinic (Richfield might be the first location)

D. Supporting Live Clinics or Justice Bus type programs

E. Domestic Violence Shelter Clinics (TLC is spearheading this)

F. Bookmobile concept

Four members of the committee responded. Awarding 3 points for a #1 ranking, 2 points for a #2 ranking and, 1 point for a #3 ranking the priorities are:

C. Virtual Clinic and E. Domestic Violence Shelter Clinics tied for first place.

The next highest was D. Supporting Live Clinics or Justice Bus type programs.”

Mr. Player provided additional information regarding the virtual clinic. The clinic will provide a good resource for those in rural areas in that they are able to see what services and attorneys are available and when they are able to access those services.

Judge Thomas would like an attorney more readily available by phone or video for defendants to reach someone sooner, and information out to the rural areas sooner than later.

Judge Lawrence will have Sue connect with Judge Thomas about parameters and what is they can do. Judge Lawrence will have Sue discuss at the next meeting the two areas their group has determined to be the most important: the virtual clinic and domestic violence shelter clinics. Judge Lawrence stated that the senior section of the Bar has been approved and will be getting online to help in pro bono cases. Judge Lawrence is hopeful that Kelly Williams will be added to the

committee and hopeful that retiring attorney will be a big help in addressing people's legal needs.

d. Self-Help Center / Non-lawyer Assistance / Court Updates  
/Subcommittee (SHC funding, etc.)

Mr. Player reported that many defendants are still not showing up at hearings. Many of these people are getting text messages or emails and some people are not getting notices at all. The group is looking at other means to get notices out and asked the committee to share any ideas they may have.

The committee discussed that people move often so they have inconsistent addresses; although a majority of them do continue to keep their phones. Texting is a good option in getting notices out to people and should continue to be a work in progress. Jessica Van Buren stated that many forms are now available in multiple languages and people can access those forms online or at the Self-Help Center.

Ms. Sorensen encouraged the committee to continue reach out to the Access to Justice Group for additional ideas or resources. The partnership between the Self-Represented Parties Committee and the Access to Justice Group is great in building relationships between the courts and the communities.

(6) Other Business

The next committee meeting is scheduled for December 14. Judge Lawrence is unable to attend that day. The committee agreed to move the meeting to the following week on December 21.

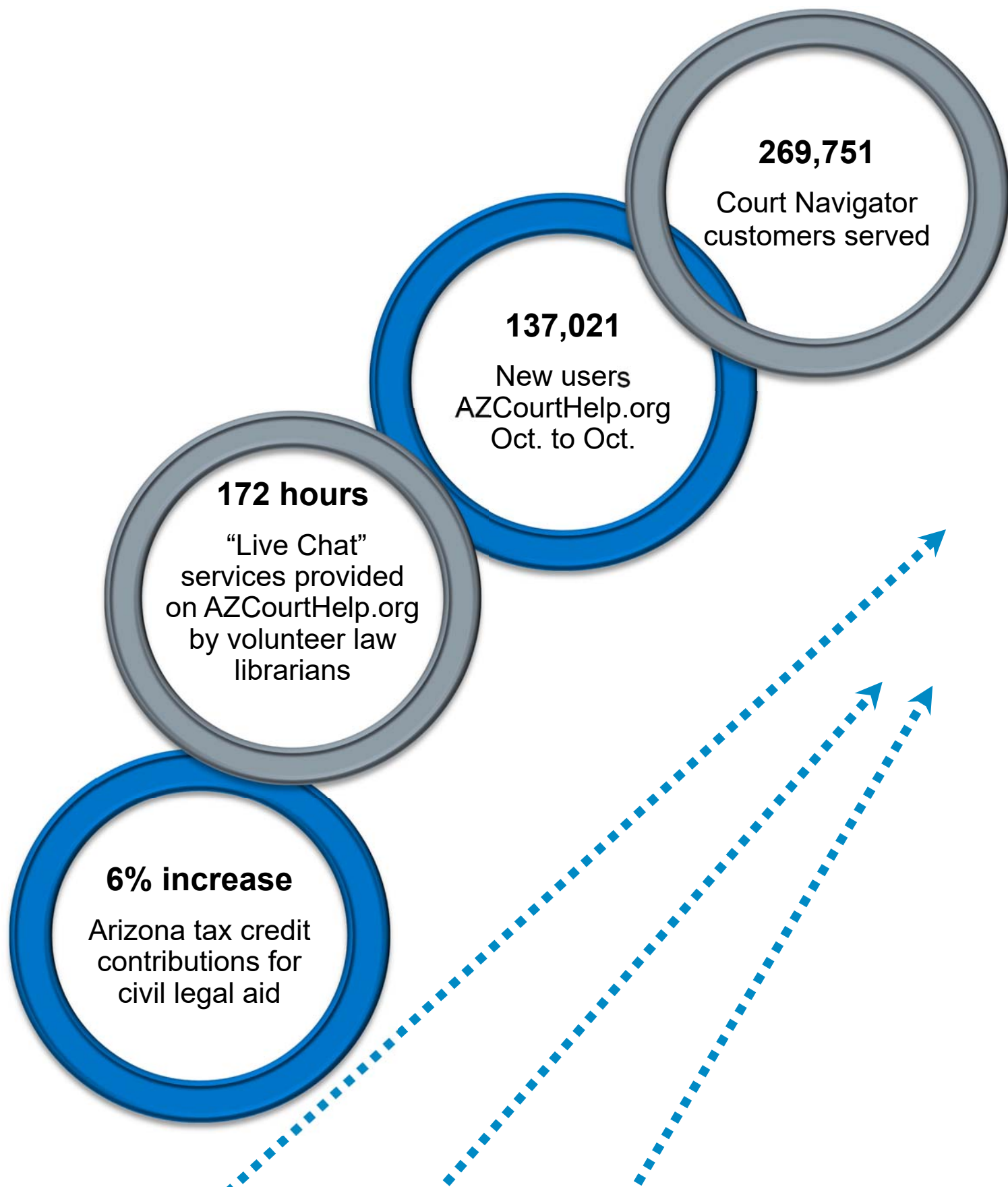
There being no further business, the meeting adjourned.



# Tab 2



# Arizona Commission on Access to Justice 2018 Annual Report



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# Arizona Commission on Access to Justice

## 2018 Annual Report

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***“Many people cannot afford or choose not to obtain legal representation in court proceedings. Consequently, the courts must be prepared to assist self-represented individuals in understanding court processes and legal procedures.”***

Chief Justice Scott Bales

*Advancing Justice Together: Courts & Communities*

*2014-2019 Strategic Agenda*

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*Chief Justice Scott Bales*



*Judge Lawrence F. Winthrop, Chair*

## Comments from the Chair

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Ensuring every citizen's right to meaningful access to our court system is not only a critical responsibility of the judicial branch of government but is also one shared by the Executive and Legislative branches of government, the business community, our faith-based organizations, and every community in our state.

Protecting meaningful access to our court system means recognizing and removing barriers. Those barriers can be as obvious as physical challenges for people with disabilities. The location of the courthouse can create distance and transportation challenges.

Communication barriers exist for the thousands of Arizonans for whom English is a second language and are made worse by court forms and instructions that are not easily understood and completed by the average individual. Barriers are also driven by economics and an inability – both real and perceived – to hire a lawyer. The poverty rate in the United States, per the latest data, has dropped to 12.3 per cent, the lowest it has been since the economic recession several years ago. The poverty rate in Arizona, although lower than in recent years, is still two-plus percentage points higher than the national average. Finding lawyers, particularly in areas outside of Phoenix and Tucson, remains problematic. The availability of civil legal aid services is outstripped by population growth and the expanding need for legal help involving housing, employment, medical care and consumer issues, and funding for legal aid remains a contentious political issue in Congress.

We can't guarantee that every person facing a civil legal problem will have access to a lawyer. We can, however, help that person connect with a volunteer lawyer and if a lawyer is not available, we can demystify the court process, and help that person navigate the judicial system.

In 2014, the Arizona Supreme Court formalized its commitment to improving access to justice with the creation of the Arizona Commission on Access to Justice. I invite you to take a look at the Commission's website, <https://www.azcourts.gov/cscommittees/Arizona-Commission-on-Access-to-Justice>, which contains a lot of information about Arizona-specific access to justice issues and provides links to our prior annual reports.

We continue to work on eliminating or reducing these barriers. A lot of progress has been made in providing accessible, useful legal information to the public; the value, content and use of the Arizona's legal information resource center, [AZCourtHelp](#), continues to grow every day. The court navigator program launched in Maricopa County Superior Court assists over 100,000 people each year, and we hope to see similar programs launched in other Arizona counties over the coming years. The availability of accessing on-line dispute resolution – overcoming barriers of work obligations, child care, distance and transportation – will become a reality in 2019 with the launch of pilot programs in multiple jurisdictions and will greatly increase the number of individuals able to actively participate in their court case. Finally, we are collaborating with the Executive Branch to provide legal assistance in the new Second Chance Centers and to expand legal help for those who are victims of domestic violence, for veterans and for victims of the opioid crisis.

## Major Accomplishments to Date



### Court Navigator Program

In the third year of the Maricopa County Superior Court's Providing Access to Court Services (PACS)/AmeriCorps navigator program, 54 undergraduate students from Arizona State University, Northern Arizona University, Grand Canyon University, and several community colleges in Maricopa County, are trained and serve as AmeriCorps Navigators in the Law Library Resource Center ("LLRC").

The volunteers serve in the court's four valley locations, as well as the Coconino County Superior Court. The students, supervised by court staff, assist self-represented litigants with several types of legal problems, such as family law issues (divorce, legal decision-making and parenting time, and child support issues), probate, civil, and criminal matters.



*National AmeriCorps Director, Chester Spellman, visits the Court Navigator Program in the Superior Court in Maricopa County on December 11, 2017. Visit was co-hosted by Judges Dean Fink and David Gass.*



## How are the PACS/AmeriCorps volunteers helping the court?

The student navigators take the time to escort self-represented litigants to the proper courtroom, assist people who need to complete court forms and help them find applicable legal information. Also, many of the volunteers are bi-lingual, adding another level of customer service for non-English speaking litigants.



*Court Navigators sworn in by Judge David Gass*



*Karen Korematsu, Founder and Executive Director of the Fred T. Korematsu Institute, visits the Court Navigator Program.*

The Law Library Resource Center also partners with the ASU Arizona Legal Center to provide court customers with 15 minutes of free on-site legal advice from volunteer attorneys two days per week.

In the last 12 months, AmeriCorps Navigators have assisted more than 100,000 self-represented litigants.

### Just the Numbers

#### Year 1

January 11, 2016 through August 31, 2016

68,095 customers assisted  
1,636 customers escorted  
12,025 hours served

#### Year 2

September 1, 2016 through August 31, 2017

101,446 customers assisted  
1,297 customers escorted  
19,660 hours served

#### Year 3

September 1, 2017 through August 31, 2018

100,210 customers assisted  
809 customers escorted  
19,741 hours served

#### Total to date

January 11, 2016 through August 31, 2018

269,751 customers assisted  
3,742 customers escorted  
51,426 hours served



## Statewide Virtual Legal Resource Center

Since the virtual resource center's launch in January 2017, AZCourtHelp.org has assisted over 115,000 individuals to find court-related legal help. Resource information for AZCourtHelp.org is gathered from the 15 Arizona counties through in-person meetings, organized committees, and ongoing collaborations with state and local entities. Cathleen Cole, AZCourtHelp.org Content Manager at the Arizona Foundation for Legal Services and Education (AZFLSE), along with others, maintains the site daily, adding and editing materials that have been curated. The core features of the site are:

- Legal information for 35 topic areas
- A legal glossary with 672 entries
- Fillable superior court forms for self-represented litigants in both English and Spanish
- ADA and language compliance through the use of an audio component that reads text in English and 54 other languages, high contrast imaging for those with color blindness, text resizing, font alteration for those with dyslexia, image captions, and Google translate features
- A map component with 384 detailed court, probation, police, Motor Vehicle Department, and Division of Child Support Services (DCSS) locations
- A live chat program that is virtually staffed by eight law librarians in different counties
- An online user survey in English and Spanish that allows for continued input and feedback on the site's functionality and content
- Notification of "Legal Talks" information and logistics for the public and volunteers



*Functionality on a variety of platforms—cell phones, tablets, and personal computers*



AZFLSE also makes use of **Google Analytics** reports that provide a great deal of information and insight about how the site is being accessed and what content is being viewed. The reports reflect the numbers of people who are conducting organic searches, the number of referrals from other websites, top languages used, top cities visiting the website, specific pages viewed, and whether the website was accessed by desktop, mobile devices, or tablets. These reports are carefully studied and analyzed to enhance the delivery of useful information. (See [\*Marketing Bytes...and Sites, Apps and Other Digital Properties\*](#) for information regarding specific reports and information captured.)

Month	Organic Search	Referral	Direct	Google Ad	Social Media
December 2017	3,644 (54%)	1,882 (28%)	1,043 (15%)	205 (3%)	16 (>1%)
January 2018	5,582 (55%)	2,504 (25%)	1,518 (15%)	447 (4%)	139 (1%)
February 2018	6,106 (61%)	2,286 (23%)	1,247 (13%)	339 (3%)	14 (>1%)
March 2018	7,002 (52%)	2,393 (18%)	1,889 (14%)	857 (6%)	1,373 (10%)
April 2018	8,335 (60%)	2,377 (17%)	1,645 (12%)	1,054 (8%)	463 (3%)

*This Google Analytics User Acquisition Table tracks users by the acquisition source: organically, by a referral from another webpage, direct, through a Google ad, or through social media. From "Marketing Bytes...and Sites, Apps & Other Digital Properties."*

Since the beginning of the July 1, 2017 grant cycle Google Analytics reports the following data for AZCourtHelp.org website:

- 129,901 sessions by 107,488 unique users
- Over 348,622 pages were viewed, averaging 3.09 pages per user
- Top languages used: English, Spanish, and French
- Top cities visiting: Phoenix (12,464), Tucson (2,846), and Los Angeles (3,616)
- Accessed on: desktops (51,414), mobile devices (50,630), and tablets (5,538)
- Highest number of referrals were from AZLawHelp.org (11,749), AZCourts.gov (7,713), and courts.Yavapai.us (1,610)

Another valuable addition to the existing eviction topic section on AZCourtHelp.org is a series of short "Legal Info Videos" in English and Spanish that cover specific legal issues such as:



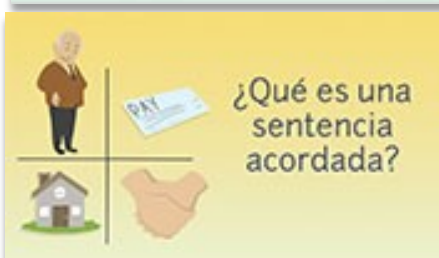
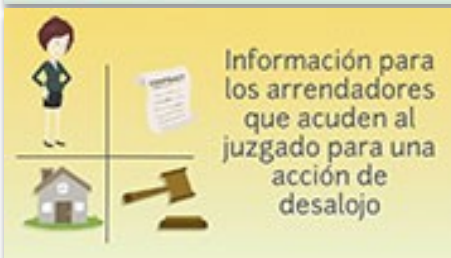
*"How do I get my deposit back?"*

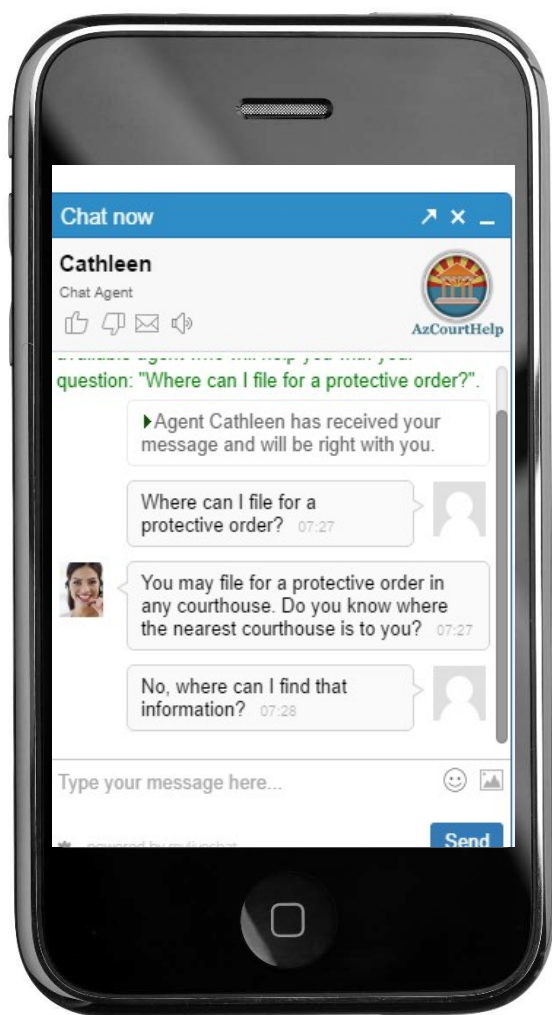
*"Requesting continuances in eviction action"*

*"What is a stipulated judgment?"*

*"What can a tenant do? My landlord is not following the lease"*

The video series addresses legal information regarding residential, mobile homes, and recreational vehicles. The videos are also co-located on the Legal Info Hub on [www.azcourts.gov](http://www.azcourts.gov) website.





One of the most valuable features offered through the AZCourtHelp.org website is the **“Live Chat”** function. When a law librarian is available, the blue chat tab will appear in the bottom of the screen. Users are asked to provide name, email address, language spoken, and their question. The only required field is the language preferred in which to receive services.

For the period of January 2, 2018 through September 30, 2018 a total of 604 chat sessions were conducted, averaging 10 minutes each chat, for a total of 6,090 minutes or 101.5 hours. Since February 1, 2017 volunteer law librarians have participated in 922 sessions for a total number of 172 hours. In addition to English, chat services have been provided in Spanish, Chinese, and Urdu.

*“Being a chat agent for azcourthelp.org has allowed me to assist many individuals throughout the state. I routinely receive feedback of appreciation for the service. AZCourtHelp.org is a wonderful tool to ensure access to justice.”*

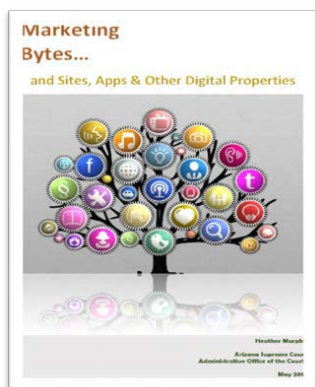
*~Lori A. Linn, Law Librarian, Mojave Superior Court/County Training Coordinator*

The Arizona Commission on Access to Justice thanks and recognizes the following law librarians that volunteer time in their very busy schedules to assist Arizona’s self-represented litigants.

Gretchen Hornberger	Coconino Superior Court Law Library
Shawn Friend	Maricopa Superior Court Law Library
Bryan Hohnen	Maricopa Superior Court Law Library
Valerie Lerma	Maricopa Superior Court Law Library
Jackie Traher	Maricopa Superior Court Law Library
Jon Voight	Maricopa Superior Court Law Library
Lori Lynn	Mohave Superior Court Law Library
Shannon Munoz	Yavapai Superior Court Law Library
Craig Robinson	Yavapai Superior Court Law Library







## A Case Study of AZCourtHelp.org

AZCourtHelp.org was launched to the public in January 2017 as the technology connection between the court user and a powerhouse menu of court resources. Heather Murphy, former Administrative Office of the Courts Public Information Officer and Chair of the ACAJ Public Information and Messaging Workgroup, authored a white paper that outlined how traditional and digital marketing concepts were combined to maximize the awareness of the AZCourtHelp.org website and other emerging technology products used to increase access to justice. The paper presented a case study of AzCourtHelp.org, which demonstrated how to move from marketing concepts to implementing a successful combined traditional and marketing campaign. [Marketing Bytes...and Sites, Apps & Other Digital Properties](#)

The Time Frames table below is an example of just one of the detailed reports from the case study.

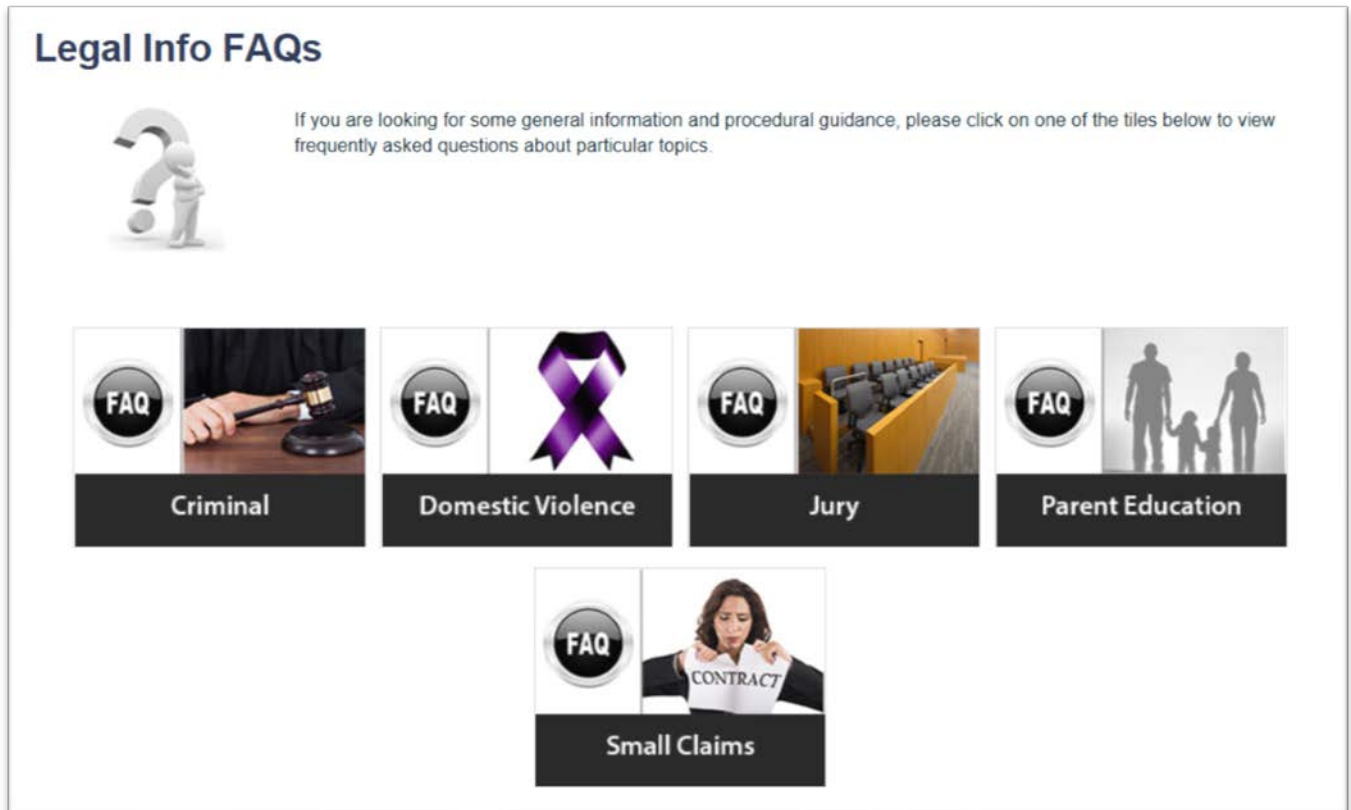
The Time Frames table indicates overall use reflecting that users, new users, and sessions on the site doubled from December to the end of April; that the largest increase in new users per day was from December to January; and there was a total of **51,837 new users** during this five-month period.

Time Frames	Users	Avg Per day users	New Users	Avg Per day new users	Sessions	Avg Per day sessions
Dec 1 - Dec 31, 2017	6,796	219	6,452	208	7,835	253
Jan 1 - Jan 31, 2018	10,107	326	9,720	314	11,773	380
Feb 1 - Feb 28, 2018	9,879	353	9,527	340	11,437	408
Mar 1 - Mar 31, 2018	13,237	427	12,866	415	15,558	502
April 1- April 30, 2018	13,685	456	13,272	442	15,875	529

Fig. 1. Time Frames Table

## Q & R Handbook - Update

To assist all court staff in assisting self-represented litigants, the Commission published an updated “Question and Response” Handbook, available in both electronic and printable format. This information has now been incorporated into the “Frequently Asked Questions” (FAQ) feature on the AZCourtHelp.org website and on azcourts.gov. The information in the Handbook has been placed into 38 categories on the websites, totaling 483 questions. The categories that have been expanded upon or added on the azcourts.gov website include: criminal, domestic violence, jury service, parent education, and small claims in both English and Spanish. To date users have viewed over 64,000 pages in the FAQ section.



*“Frequently Asked Questions” topics listed on the AzCourts.gov webpage.*

## **NEW! -Yuma County Law Library Self-Represented Services**

Coconino County Law Library served as the first physical hub for the Virtual Legal Resource Center, which offers “Legal Talks” on such subjects as “Divorce 101” in both English and Spanish. Recently the Yuma County Law Library completed a re-design of a dedicated space that better serves self-represented litigants. The project was a collaborative effort with the Arizona Administrative Office of the Courts and the Arizona Foundation for Legal Information and Services and Education to join Coconino County and serve as a hub for expanded services for self-represented litigants through legal clinics and informational talks.



*Top photo: The Yuma County Law Library space prior to repurposing as a space to benefit self-represented litigants.*



*Bottom photo: The Yuma County Law Library space starts to get a make-over.*





*The Yuma County Law Library Self-Represented Litigant Services sparkles with a modern room, A/V equipment, and the ability to offer self-represented litigants real-time Spanish translation for clinics.*



*Yuma County Law Library Self-Represented Litigant Services is the recipient of the 2018 Strategic Agenda Awards for "Improving Court Processes to Better Serve the Public." From left to right: Chief Justice Scott Bales, Danae Figueroa, Law Library Manager; (back row) Presiding Judge David Haws; Kathy Schaeven, Court Administrator and Judge Roger Nelson.*

## Recognizing *Pro Bono* Service and Access to Justice

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For the last several years, the Governor has proclaimed April as [Access to Justice Month](#) in Arizona. Last year, one issue of the “[Arizona Attorney](#)” magazine, published by the State Bar of Arizona and distributed to 20,000-plus Arizona attorneys, featured a cover article honoring *pro bono* volunteers and highlighting the importance of Access to Justice.



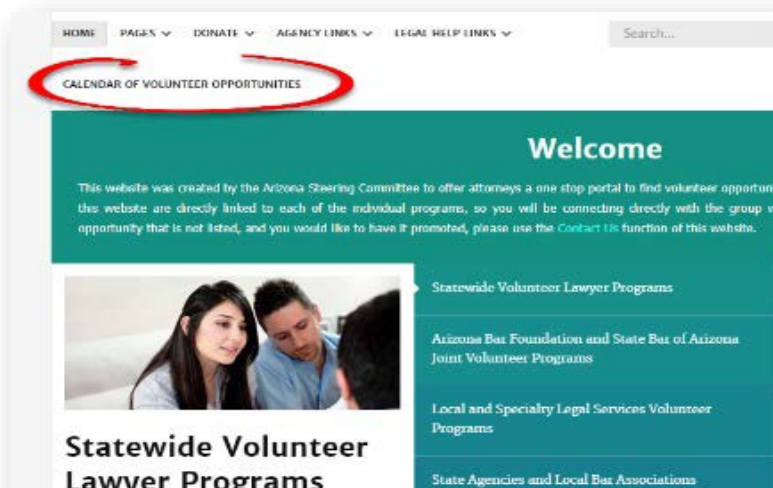
## *Pro Bono* Opportunities Portal – Update

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The Arizona Foundation for Legal Services & Education has created an online portal (<http://probono.azbf.org/>) for lawyers that identifies *pro bono* opportunities around the state. In collaboration with various partners, the site is being enhanced to increase accessibility for date-specific opportunities. This feature will allow a user to match a *pro bono* opportunity with their personal calendar to take advantage of specific events, such as the “We the People” competition that occurs every January.

The involvement of the *Pro Bono* Network, a recently formed group of legal service organizations using volunteer lawyers, has increased the list of agencies through which attorneys can meet the Ethical Rule 6.1 50-hour *pro bono* aspirational goal. Some of the new qualifying agencies include the Arizona Center for Disability Law, Christian Legal Aid, and Step Up to Justice. In the first nine months of 2018, 1,065 individuals have used the portal website.

*Access to the calendar is located on the main page entitled Calendar of Volunteer Opportunities.*



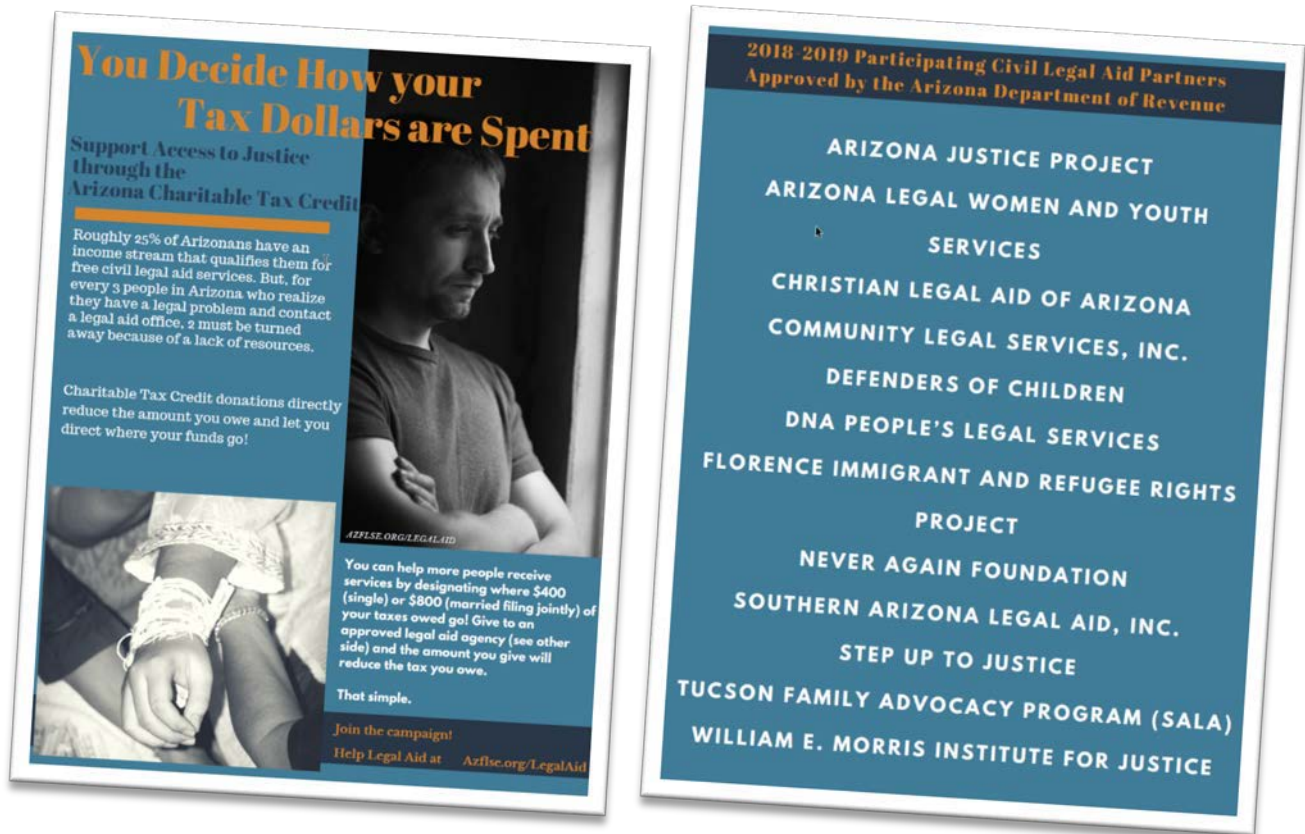


## Arizona State Tax Credit Funding Support

Since 2014, the Commission has encouraged and promoted the use of the Arizona Tax Credit qualifying donations to non-profit charitable organizations that provide legal assistance to the poor. In 2016 the total rose to \$263,018, representing a greater than 400 percent increase since 2014. In 2017, that number increased again, to a total of \$277,282, representing a six percent increase over last year's donations.

Two new agencies were added to the list of non-profit civil legal aid partners that are approved by the Arizona Department of Revenue: Arizona Justice Project and Never Again Foundation.

In the Fifty-Second Legislature, Second Regular Session 2016, ([SB1216](#)) this program was expanded to allow a state tax credit up to \$400 for a single individual or a head of household and \$800 for a married couple filing a joint return.



2018 State Tax Credit Flyer representing 12 Civil Legal Aid Partners

## Current and Anticipated Initiatives in 2018-2019

### Webpage Improvements and Development of “Legal Info Sheets”

Through its Self-Represented Litigants in Limited Jurisdiction Courts Work Group (SRL-LJC), the Commission will continue to develop informational videos for self-represented litigants in housing-related litigation. These videos are located on the [azcourts.gov](http://azcourts.gov) and [AZCourtHelp.org](http://AZCourtHelp.org) websites. Additionally, based on SRL-LJC recommendations, the [azcourts.gov](http://azcourts.gov) webpage has been enhanced to improve the self-represented litigant’s experience using the eviction action section of the site.

**Legal Info Sheets: Landlord/Tenant Disputes & Eviction**

**NOTICES**

- Non-Payment of Rent
- Material Breach 5-day Notice
- Material Breach 10-day Notice
- Material Breach Immediate

**GENERAL INFORMATION**

- After an Eviction Judgment
- Arizona Residential Landlord Tenant Act
- Claims Against your Landlord
- Landlord's Obligations
- Mobile Home Park Evictions
- Rules of Procedure for Eviction Actions (RPEA)
- Section 8 Housing
- Tenant's Obligations

**Non-Payment of Rent**

The following does not apply to mobile home park evictions, recreational vehicle park evictions, and certain residential housing. Before a landlord can evict a tenant for non-payment of rent, the landlord must first give the tenant a written notice to pay the rent or face eviction. There are different rules and laws that may be applicable to your situation, but there are common rules and laws that apply to most evictions.

A.R.S. means Arizona Revised Statutes and R.P.E.A. means Rules of Procedure for Eviction Actions.

- 1. NOTICE**
  - Your landlord must give you written notice that your rent is unpaid and that your rental agreement will terminate if you do not pay it in 5 days. [A.R.S. § 12-1101](#)
  - In a notice for non-payment of rent, landlord cannot file the eviction until 5 days after the first day of the notice.
  - If you do not receive a written notice and a chance to pay the rent and late fees, or the notice does not comply with the law or was not properly served, the court must dismiss the eviction action. [A.R.S. § 12-1102](#)
- 2. SERVICE**
  - Generally, an eviction action summons and complaint must be served in one of two ways:
    - 1) personally served on you, or
    - 2) posted in an obvious place and mailed to you by certified mail. [A.R.S. § 12-1103](#)
- 3. ANSWER**
  - If you receive a written summons or complaint in person, you must file an answer with the court within 10 days of the date you were served. If the court sets a trial date, you must be present to file a written answer. [A.R.S. § 12-1104](#)
  - If you cannot attend the trial, you must file for a continuance application in order to not pay the fee when you file. [http://www.azcourts.gov/courtinfo](#)
- 4. REINSTATING THE RENTAL AGREEMENT**
  - If you receive a written summons or complaint, the rental agreement will be reinstated if you pay all past due rent, late fees that appear in a written rental agreement, attorney fees, and court costs before judgment is entered. [A.R.S. § 12-1105](#)

Arizona Supreme Court  
Legal Info Sheet: Eviction Actions: Non-Payment of Rent - 1  
AZC LAD124-00017

**Section 8 Housing**

The following applies to housing choice vouchers ("Section 8 vouchers"). Before a landlord can evict a tenant for non-payment of rent, the landlord must first give the tenant a written notice to pay the rent or face eviction. There are different rules and laws that may be applicable to your situation, but there are common rules and laws that apply to most evictions.

A.R.S. means Arizona Revised Statutes and R.P.E.A. means Rules of Procedure for Eviction Actions.

- 1. TENANT'S PORTION OF THE RENT**
  - A landlord may not demand more than the tenant's portion of the rent as determined by Section 8. [A.R.S. § 12-1101](#)
- 2. SECTION 8'S PORTION OF THE RENT**
  - If a landlord is serving a notice to pay the rent, you must pay the tenant's portion of the rent. If you do not pay the tenant's portion of the rent, the landlord may evict you. [A.R.S. § 12-1102](#)
  - If a landlord is serving a notice to pay the rent, you must pay the tenant's portion of the rent. If you do not pay the tenant's portion of the rent, the landlord may evict you. [A.R.S. § 12-1102](#)
- 3. HOUSING QUALITY STANDARDS (HQS)**
  - HQS inspections and inspections conducted by Section 8 to ensure the unit meets housing quality standards and to verify. [A.R.S. § 12-1103](#)
  - Annually, Section 8 is required to conduct an HQS inspection of the landlord's unit. If the unit does not meet the HQS standards, the landlord must correct the unit. [A.R.S. § 12-1104](#)
  - If the unit does not meet the HQS standards, the landlord must correct the unit. [A.R.S. § 12-1104](#)
  - If the unit does not meet the HQS standards, the landlord must correct the unit. [A.R.S. § 12-1104](#)

Arizona Supreme Court  
Legal Info Sheet: Eviction Actions: Section 8  
Information Sheet  
1  
AZC LAD124-00017

People can now easily access the specific eviction topic by clicking on user-friendly, self-explanatory tiles. Each tile corresponds to a “Legal Info Sheet” that explains the process and procedure in plain language for a variety of housing notices and issues.

## Redesign of the Arizona Judicial Branch's Self-Service Center

A new redesigned Self-Service Center is now available in both English and Spanish on the Arizona Judicial Branch's website to assist self-represented litigants and other users. The web addresses, however, have not changed. The English Self-Service Center is located at <https://www.azcourts.gov/selfservicecenter> and the Spanish Self-Service Center is located at <http://www.azcourts.gov/elcentrodeautoservicio>

This redesign is a major website update intended to help self-represented individuals navigate the courts. The Self-Service Centers feature updated and expanded content organized with tiles, or buttons, to navigate easily throughout the website. The easy-to-use format is designed to help the public access and learn about courts and court processes.

The new English Self-Service Center landing page features six tiles dividing the content between Locations, Topics, Forms & Instructions, eFiling Information, and Resources, with a tile for the Spanish Self-Service Center.

Existing topic pages were enhanced,

and new topic pages were created for appeals, domestic violence, eviction, garnishment, small claims, tax law, and traffic law. Forms pages were also expanded in areas of civil, criminal, eviction, family law, and small claims. Hub pages were developed to educate the public about eFiling, jury service, and victims.

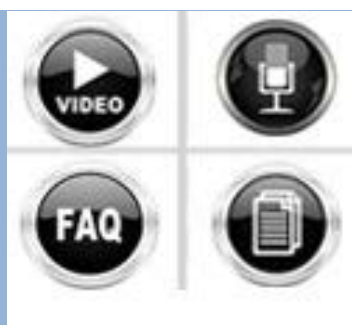
Forms pages were expanded, and new topic pages were created for appeals, civil, criminal, domestic violence, eviction, family law, garnishment, probate, small claims, tax law, and traffic law. The Spanish Self-Service Center also includes hub pages for eFiling, jury service, and victims. In collaboration with Maricopa County Superior Court, over 400 forms in English and 400 forms in Spanish have been developed that are generic in nature and may be accepted by courts statewide. In collaboration with the AOC's language access coordinator, 78 topic and forms pages were translated to date into Spanish, as well as numerous AOC forms and instructions, FAQs, and other resources.



*Special attention was taken to create a separate Spanish Self-Service Center that mirrors the English Self-Service Center and continues to grow. The Spanish Self-Service Center features the same six tiles on the landing page as the English Self-Service Center.*

## NEW! - Legal Info Hub

The commission's workgroups have developed many legal resources for self-represented litigants to improve access to justice. This content was created in different formats and is already available on individual topic webpages like eviction actions and domestic violence.



Legal Info Podcasts  
Legal Info Videos  
Legal Info Sheets  
Legal Info FAQs.

With the concept spreading to other committees, a new Legal Info Hub was created as the central repository for the Arizona Supreme Court's Legal Info Podcasts, Legal Info Videos, Legal Info Sheets, and Legal Info FAQs. The hub will go live on December 1, 2018 and complements the redesign of the Arizona Judicial Branch's Self-Service Center, which was recently launched in both English and Spanish. The Legal Info Videos, Legal Info Sheets, and Legal Info FAQs have been translated into Spanish. Legal Info Podcasts were transcribed and translated into Spanish.







## Continue to Support and Promote Adequate Legal Aid Funding

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The Legal Service Corporation (LSC) was created by Congress in 1974 to provide uniform standards and federal funding for legal aid agencies in each state. 2019 budget recommendations from the White House/Office of Management and Budget propose eliminating all federal funding for civil legal aid. Arizona's current share of LSC funding ranges from \$11 to 13 million and constitutes approximately 70 percent of the total funding that allows these already-overtaxed entities to provide legal services to Arizona's poverty population. Elimination of federal funding would seriously disrupt an already-fragile legal aid system in Arizona and would jeopardize meaningful access to justice for well over 20 percent of Arizona's citizens. National court and legal organizations and national business organizations are publicly united in opposition to any cuts to federal funding for legal aid. Meetings with our elected federal representatives thus far have been encouraging in that they all recognize the importance of civil legal aid and the value such services provide to people across Arizona. Completion of the 2019 budget process has stalled; however, as a result of the outreach described above, the President on September 28 signed H.R. 6157 (P.L. 115-245) that provides full-year funding for the Departments of Defense, Health and Human Services, and Education. The bill also includes a continuing resolution to ensure that the entire federal government will be funded through December 7, 2018. This includes maintaining LSC funding at its current level of \$410 million. The Commission, with the approval of the Supreme Court, will continue to raise public awareness and advocate for maintaining or increasing federal funding for legal aid services.



## "Justice in Government" Project – Update

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With the approval of the Governor's office, Arizona is participating in a pilot project bringing together the various state agencies that provide services to our poverty population, sharing information and best practices and, through accessing existing and potential state, federal or foundation block grants, looking for ways to add civil legal aid services to the menu of services these agencies provide to their constituents. Statistical data indicate that, when legal services are provided, the affected agency's mission is advanced. In that regard, a collaborative project with the Department of Economic Security, the Bar Foundation, the domestic violence shelters across the state and Arizona's legal aid agencies has been providing legal services to victims of domestic violence across Arizona through volunteer lawyers and lay legal advocates. Through September of 2018, the Domestic Violence Legal Assistance Project (DVLAP) provided direct legal assistance and lay legal advocacy to 6,043 victims of domestic violence and their families. Additionally, 2,719 victims received assistance in self-help clinics and workshops. Volunteer lawyers donated 2,268 hours of time to victims, with a donation value in excess of half a million dollars. And DVLAP staff reached 53,464 members of the general public in community-based presentations and provided civil legal education specific to domestic violence issues.

In October, the Arizona Bar Foundation was awarded a two year, \$ 1.1 million federal VOCA Vision 21 grant to improve technology services for all Arizona victims of crime, including victims of domestic violence, elder abuse and consumer fraud. Sub-grantees for this award will include Community Legal Services, DNA Peoples Legal Services, Southern Arizona Legal Aid and the Arizona Coalition to End Sexual and Domestic Violence.

Legal assistance is the biggest factor in successful reentry into the community, in removing barriers to employment and in preventing recidivism, and the Commission continues to work with the Governor's task force on reentry and recidivism to ensure that civil legal services are available to participants in the new Second Chance Centers.

In May, Arizona representatives made a presentation on the Justice in Government project to a national meeting of state supreme court justices and access to justice commission chairs and staff. Future collaborative projects may include providing legal assistance to veterans and to victims of the opioid crisis and looking at steps to improve meaningful participation in agency administrative hearings for self-represented litigants.



## Online Dispute Resolution-Update

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As facilitated by the Commission, the Administrative Office of the Courts continues to study the viability of an online dispute resolution option for self-represented litigants.

Based on information initially provided by the Commission, the Administrative Office of the Courts is currently conducting a Proof of Concept Pilot in multiple courts to determine whether Online Dispute Resolution (ODR) could be viable in helping to resolve cases in Arizona courts. The technology platform allows litigants to provide and receive information and actively negotiate their civil legal dispute through an on-line resource without having to leave work or their home to travel to a courthouse. Pilot courts in Yuma and Pinal counties will be addressing family law cases with the use of court mediators regarding requests to modify child support, parenting-time, and legal decision-making matters. (Administrative Order No. [2018-78](#)) If parties reach an agreement, the confirming documents can be executed using electronic signatures, and electronically filed with the court. A recent administrative order was issued that eliminates the need in this application for such agreements to be notarized. If approved, this administrative change will go into effect in January 2019.

Scottsdale Municipal Court is also preparing to pilot an ODR program that can accept plea documents from the city prosecutor and defendant for the purpose of facilitating telephonic pleas for misdemeanor cases.

In July, the Maricopa County Superior Court launched the Accountability and Enforcement Court (ACE). This court will supervise a separate ODR pilot for family and civil cases. Additionally, Maricopa County Superior Court is launching an on-line platform to allow parties to remotely resolve credit card debt cases under \$50,000.

The Maricopa County projects should be implemented by the end of September 2018 with the three pilots from the Administrative Office of the Courts to launch shortly thereafter. Future plans include creating a statewide Request for Quotes, which will allow courts to independently select and purchase the on-line dispute resolution product that best meet their specific business needs.

## Corporate Counsel Pro Bono Initiative

We continue to work with the Arizona Chapter of the Association of Corporate Counsel, in conjunction with its In-House Counsel Pro Bono Commission (IHCPBC). The IHCPBC, chaired by Kevin Groman, was developed to increase *pro bono* participation of corporate counsel and their outside law firms. To date, these efforts have resulted in corporate counsel partnering with schools and colleges to improve the pipeline of future lawyers, helping to represent immigrant children and refugees, assisting veterans with startup businesses as a part of their Phoenix based incubator, and serving first responders through the Wills for Heroes program. Many of the legal departments at Arizona based companies are becoming more actively engaged in *pro bono* efforts. For example, Pinnacle West's legal department created a clinic in partnership with Wills for Heroes. This clinic for the past 12 months has helped 105 veterans and their spouses, prepared more than 315 legal documents, logged over 513 volunteer hours and 238 *pro bono* hours. Intel's corporate law department regularly staffs a debt counseling clinic for low income residents. Other clinics are staffed with volunteers from the Salt River Project, APS, Blue Cross/Blue Shield and USAA Insurance legal departments.



*Pinnacle West Clinic Team*



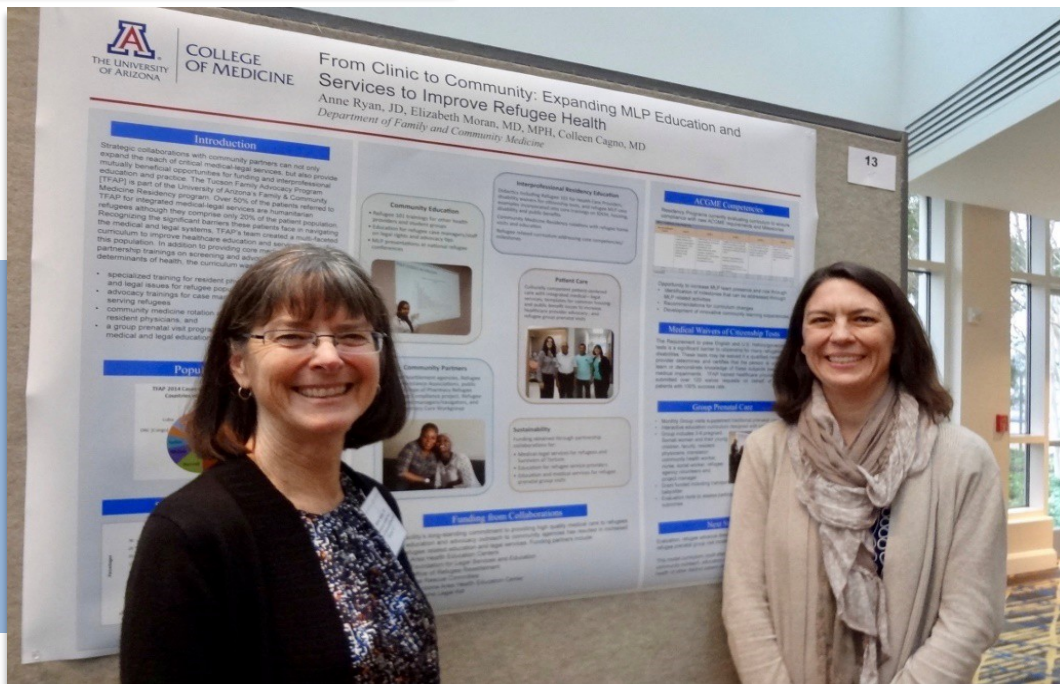
## Promote Medical Legal Partnerships

The Tucson Family Advocacy Program (TFAP) is a multidisciplinary partnership of medical and legal providers in the University of Arizona (UA) Department of Family and Community Medicine working together to improve patient health. Part of the UA Family Medicine's Residency Programs, TFAP teaches healthcare providers about legal barriers to patient health and how they can become more effective advocates for their patients. TFAP also provides free legal assistance to referred low-income patients in areas affecting health including access to health care, public benefits, disability related matters, and advance care planning. More than half of referred patients in 2017 had physical or behavioral health disabilities or arrived in the United States with humanitarian refugee status. By combining the unique strengths of multiple professions, TFAP helps vulnerable patients obtain the medical and legal services they need to prevent or resolve crises that undermine health.



*Left: Suzanne Teeple, J.D., Charity Reynolds, M.D., and Daniel Dickman, M.D.*

*Below: Ann M. Ryan, Esq. Assistant Professor, University of Arizona Department of Family and Community Medicine and Director of Tucson Family Advocacy Program, and Jessie Petit, MD, IBCLC, Residency Program Director, University of Arizona Family Medicine Residency Program and Medical Director Tucson Family Advocacy Program.*





## Grant Funding for Civil Legal Assistance for Crime Victims

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The U.S. Department of Justice's Office for Victims of Crime created the *VISION 21: Transforming Victim Services* initiative in 2013 to expand the vision and impact of services to victims of crime. As well as holistic recommendations and a comprehensive examination of the crime victims field, the Vision 21 initiative is a funding resource for efforts to increase crime victim access to support, services, and justice. In September 2018, the Office for Victims of Crime awarded the Arizona Foundation for Legal Services & Education, a two-year, \$1.1 million *Vision 21: Advancing the Use of Technology to Assist Crime Victims* grant to develop and implement technology to expand and enhance access to civil legal information and resources for Arizona victims of crime. The Foundation will use a statewide network of stakeholder collaboration to develop and review content and the technology resource created will be replicable to other jurisdictions. The collaboration and technology solution will establish an online portal to support a virtual statewide crime victim self-help center, provide an online civil legal assistance resource center, offer information specific to crime victim services and service providers, increase awareness and visibility of services to crime victims, and promote new and existing opportunities for the legal community to work with and assist crime victims.

## Speaking Engagements, Interviews and Access to Justice Presentations September 2017- June 2018

<b>Date</b>	<b>Engagement</b>	<b>City</b>
09/17/2017	Presentation on Access to Justice to faith-based community, Faith Lutheran Church	Phoenix
10/10/2017	ATJ Presentation to Superior Court Presiding Judges	Flagstaff
10/11/2017	ATJ Presentation to Arizona Judicial Council	Flagstaff
10/19/2017	ATJ Presentation to Phoenix Soroptimists	Phoenix
11/06/2017	ATJ Presentation to Arizona Corporate Counsel Group and its Pro Bono Commission	Tempe
12/15/2017	ATJ Presentation – Snell & Wilmer law firm	Phoenix
01/04/2018	Update on ATJ Commission Projects to Arizona Corporate Counsel and its In-House Pro Bono Commission	Phoenix
01/24/2018	ATJ Presentation to Phoenix Combined Inns of Court	Phoenix
01/26/2018	ATJ Presentation – Jennings Strouss law firm	Phoenix
02/16/2018	ATJ Presentation – AZ Association of Counties	Phoenix
03/01/2018	ATJ Presentation – Phoenix Foreign Relations Group	Phoenix
03/23/2018	ATJ Presentation to Phoenix Rotary Club	Phoenix
03/27/2018	ATJ Presentation to Pima County Bar Association	Tucson
03/28/2018	ATJ Presentation to Arizona Women Lawyers' Association	Phoenix
03/29/2018	Presentation to Governor's Task Force on Reentry and Recidivism	Phoenix
04/10-04/12 2018	Meetings with all Arizona Congressional representatives and staff members regarding ATJ and civil legal aid issues	Washington, D.C.
04/13/2018	ATJ Presentation at SBA Leadership Conference	Phoenix
04/18/2018	ATJ Presentation – O'Connor Institute Board of Directors	Phoenix
04/27/2018	ATJ Presentation to Yavapai County Bar Association	Prescott
05/01/2018	Law Day ATJ Presentation at Cochise County Courthouse	Bisbee
05/11/2018	Presentation to representatives of Arizona, Hawaii, Wisconsin, California, Mississippi and South Carolina on Arizona ATJ efforts and developing Justice in Government project	San Diego
05/12/2018	Presentation on Arizona's Justice in Government project at National ATJ Chairs Meeting	San Diego
06/27/2018	ATJ Presentation – State Bar Convention	Chandler

## Commission Work Groups

### **Public Information and Messaging**

**Co-chair Heather Murphy**

**Co-chair Rick DeBruhl**

#### **Workgroup Goals**

- Create and manage a media plan
- Publicize ATJ issues and opportunities, and Commission initiatives and recommendations
- Monitor and assist in enhancing AZCourtHelp.org information
- Promote state tax credit
- Design and develop ACAJ annual report

#### **Members**

Kip Anderson  
Cari M. Gerchick  
Michael Jeanes  
Helen Purcell  
Judge Lawrence Winthrop  
Alberto Rodriguez  
Aaron Nash

### **Self-Represented Litigants in Limited Jurisdiction Courts**

**Chair Judge Anna Huberman**

#### **Workgroup Goals**

- Continue work on eviction-related issues
- Consideration of a “navigator” project in the Maricopa County consolidated justice courts concerning housing and debt collection cases
- Script and produce eviction-related informational videos and other resources

#### **Members**

Judge Janet Barton  
Mike Baumstark  
Judge Thomas Berning  
Pamela Bridge  
Paul Julien  
Anthony Young

## Judicial and Attorney Engagement

Chair Judge Joseph Kreamer

### Workgroup Goals

- Create, coordinate, and sponsor CLE programs for private and public attorneys regarding *pro bono* opportunities
- Evaluate potential for coordinating statewide legal service triage programs
- Make recommendations on engaging retired lawyers and judges in *pro bono* clinics and projects

### Members

Judge Thomas Berning  
Pamela Bridge  
Dan Christensen  
Judge Maria Elena Cruz  
Pat Gerrich  
Kevin Groman  
Cheryl Kulas  
John Phelps  
Dr. Kevin Ruegg  
Lara Slifko

## Intergovernmental Collaboration

Chair Judge Lawrence Winthrop

### Workgroup Goals

- Participate in “Justice in Government,” a four-state pilot project to encourage inter-governmental collaboration, including enhancing opportunities for legal assistance for agency constituents
- Promote best practices and sponsor training for hearing officers concerning dealing with self-represented litigants
- Develop a strategy for engaging appropriate legislative leaders on access to justice issues and opportunities

### Members

Judge Janet Barton  
Judge Sean Breardcliffe  
Beth Broeker  
Christina Corieri  
Anni Foster  
Kevin Groman  
Chris Groninger  
Maria Morlacci  
Helen Purcell  
Janet Regner  
Dr. Kevin Ruegg

## Commission Membership

**Honorable Lawrence F. Winthrop**  
Chair  
Arizona Court of Appeals, Div. 1

**Mr. Kip Anderson**  
Court Administrator  
Superior Court in Mohave County

**Honorable Janet Barton**  
Presiding Judge  
Superior Court in Maricopa County

**Mr. Mike Baumstark**  
Deputy Director  
Administrative Office of the Courts

**Honorable Thomas Berning**  
Municipal Court Judge  
Tucson City Court

**Ms. Pamela Bridge, Esq.**  
Attorney  
Community Legal Services, Inc.

**Ms. Millie Cisneros, Esq.**  
Attorney  
Federal Public Defender's Office

**Honorable Maria Elena Cruz**  
Arizona Court of Appeals, Div. 1

**Ms. Anni L. Foster, Esq.**  
General Counsel Office  
of the Governor

**Mr. Kevin Groman, Esq.**  
Attorney

**Honorable David M. Haws**  
Presiding Judge  
Superior Court in Yuma County

**Honorable Anna Huberman**  
Justice of the Peace  
Maricopa County Justice Courts

**Honorable Joseph C. Kreamer**  
Judge  
Superior Court in Maricopa County

**Ms. Maria Morlacci, Esq.**  
Attorney  
Assistant Attorney General

**Mr. John Phelps, Esq.**  
Attorney  
State Bar of Arizona

**Ms. Helen Purcell**  
Member of the Public

**Ms. Janet K. Regner**  
Director  
Coconino County Community Services

**Dr. Kevin Ruegg**  
Executive Director  
Arizona Foundation for Legal Services & Education

**Honorable Valerie Wyant**  
Clerk of Court  
Superior Court in Coconino County

**Mr. Anthony Young, Esq.**  
Attorney  
Southern Arizona Legal Aid

## Administrative Office of the Courts

**Kathy Sekardi**

Senior Court Policy Analyst  
Court Services Division

**Julie Graber**

Court Policy Analyst  
Court Services Division

**Theresa Barrett**

Manager, Court Programs Unit  
Court Services Division



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## Commission on Access to Justice 2018 Annual Report

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November 2018

This publication can be provided in an alternative format or other assistance may be provided upon request by a qualified individual with a disability under the provisions of The Americans with Disabilities Act.



# Tab 3

**Memorandum of Understanding between the Judicial Council’s Standing Committee on Resources for Self-represented Parties (SRP Committee), the Access to Justice Coordinating Committee (A2J Committee) of the Utah State Bar, and the Pro Bono Commission of the Utah State Bar (collectively, committees).**

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- (1) WHEREAS, under Code of Judicial Administration Rule 3-115, the SRP Committee is charged with studying the needs of self-represented parties within the Utah State Courts, and proposing policy recommendations concerning those needs to the Judicial Council.
- (2) WHEREAS, as part of that charge, the SRP Committee shall:
  - (a) provide leadership to identify the needs of self-represented parties and to secure and coordinate resources to meet those needs;
  - (b) assess available services and forms for self-represented parties and gaps in those services and forms;
  - (c) ensure that court programs for self-represented litigants are integrated into statewide and community planning for legal services to low-income and middle-income individuals;
  - (d) recommend measures to the Judicial Council, the State Bar and other appropriate institutions for improving how the legal system serves self-represented parties; and
  - (e) develop an action plan for the management of cases involving self-represented parties.
- (3) WHEREAS, the following positions make up the SRP Committee:
  - (a) two district court judges,
  - (b) one juvenile court judge,
  - (c) two justice court judges,
  - (d) three clerks of court – one from an appellate court, one from an urban district and one from a rural district –
  - (e) one member of the Online Court Assistance Committee,
  - (f) one representative from the Self-Help Center,
  - (g) one representative from the Utah State Bar,
  - (h) two representatives from legal service organizations that serve low-income clients,
  - (i) one private attorney experienced in providing services to self-represented parties,
  - (j) two law school representatives,
  - (k) the state law librarian, and
  - (l) two community representatives.
- (4) WHEREAS, the SRP Committee has created four subcommittees to address the committees charge, which are:

- (a) Education: Educate and interact with members of the Bar and bench, including law schools.
  - (b) Outreach: Educate and interact with the community in furtherance of access to justice issues.
  - (c) Rural Service: Educate and interact with the community in furtherance of access to justice issues unique to rural communities.
  - (d) Self-Help Center/Non-lawyer Assistance/Court Updates: Manage and provide updates on internal judicial and administrative issues such as self-help, forms, rules, etc.
- (5) WHEREAS, the SRP Committee has engaged in the following projects:
- (a) Creating and supporting the Self-Help Center;
  - (b) Assisting the Bar in crafting and vetting [licensedlawyer.org](http://licensedlawyer.org);
  - (c) Drafting and recommending court forms;
  - (d) Recommending rule changes, including redrafting the Law Student Practice Rule and exploring the repeal of the 10-day summons rule;
  - (e) Exploring programs such as court navigators, McKenzie friends, Lawyer of the Day, Courthouse Steps, and pro se e-filing;
  - (f) Assisting in the creation and sustainability of pro se court calendars;
  - (g) Educating the courts and community on the availability of remote access, particularly in rural areas, as well as other resources for self-represented parties;
  - (h) Presenting to law schools on pro bono service opportunities during pre- and post-graduation;
  - (i) Supporting the efforts of committee members and community partners to bring more legal services to rural areas and throughout the state; and
  - (j) Offering input to study committees, including the Domestic Case Process Improvements Subcommittee.
- (6) WHEREAS, as part of the A2J Committee's charge, the A2J Committee will provide leadership for Access to Justice programs and efforts throughout Utah.
- (7) WHEREAS, as part of that charge, the A2J Committee shall
- (a) Ensure greater communication and collaboration among various legal service providers to the under-served populations in the state.
  - (b) Coordinate the Bar's efforts with those of the Utah courts, legal non-profits and community groups and other bar organizations to address judicial, administrative, educations, and consumer-oriented issues and improve the overall level of access to justice in Utah.

- (c) Assist in prioritizing needs and resources and work to eliminate barriers faced by low income and disadvantaged individuals in Utah, including those with disabilities, ethnic and racial minorities, rural residents and the elderly.
- (8) WHEREAS, the following members make up the A2J Committee
- (a) Two co-chairs selected by the president and executive director of the Utah State Bar.
  - (b) A chair or representative of the pro bono commission
  - (c) One or more representatives of the And Justice For All agencies
  - (d) A representative from the Modest Means Committee
  - (e) A representative from the former Affordable Attorneys for All Task Force
  - (f) One or more representatives of church or community organizations and/or of family foundations
  - (g) The Utah Bar Foundation Executive Director
  - (h) The Utah State Bar's Access to Justice Director
  - (i) A member of the Utah Legislature
  - (j) A representative of the Licensed Paralegal Practitioner Perspective.
  - (k) Any additional member the chairs deem necessary.
- (9) WHEREAS, the A2J Committee has created three subcommittees to address the A2J Committee's charge, which are:
- (a) Service Provider Support: Manage the Annual Summit, and support fundraising in the form of legislative lobbying, increased CLE fees, and exploring grant opportunities.
  - (b) Education, Information, and Outreach: Staff a dedicated liaison to the Self Represented Parties Committee, oversee updates to the State Bar's website, create public education initiatives, and explore potential resource guide opportunities.
  - (c) Initiatives: Consider new ideas for clinic, pro bono education, and new programming
- (10) WHEREAS, The A2J Committee will focus projects on the coordination of all Access to Justice initiatives including those from the Pro Bono Commission and the Self-Represented Parties Committee. Additionally, the A2J Committee will continue to develop and annual Access to Justice Summit each October to further this goal.
- (11) WHEREAS, by a Resolution of the Utah Judicial Council the Pro Bono Commission recognizes that equal justice for all is fundamental to our system of government and the promise of equal justice under the law may not be realized for individuals and families who have no meaningful access to the justice system because they are unable to pay for legal services, and this de facto denial of equal justice has an adverse impact on these

individuals, families, and society as a whole, and works to erode public trust and confidence in our system of justice.

- (12) WHEREAS, as part of that charge, the Pro Bono Commission shall seek to increase pro bono legal services throughout the state of Utah by creating District Pro Bono Committees in Utah's eight Judicial Districts that will assist in providing pro bono service at a local level. The Pro Bono Commission shall urge law firms, corporate law departments, and governmental law offices to adopt pro bono policies and procedures to engage all lawyers in pro bono service that will increase access to equal justice, as well as monitor existing programs for efficacy and success.
- (13) WHEREAS, The following positions make up the Pro Bono Commission
- (a) The Commission shall be chaired by two Utah judges
  - (b) The Commission shall include the Utah State Bar's Access to Justice Director
  - (c) The Commission shall include the Utah State Court's Self-Help Center Director
  - (d) The Commission shall include various judges and commissioners
  - (e) The Commission shall include members of the private bar
  - (f) The Commission shall include members of non-profits
  - (g) The Commission shall include various attorneys not in private practice
- (14) WHEREAS, the Pro Bono Commission has created four subcommittees to address the committees charge, which are
- (a) Recruitment: Mission to actively recruit attorneys to participate in pro bono work. This includes organizing commission members to connect with law firms, promote pro bono at the bar events, and develop strategies to encourage more attorneys to participate in pro bono service.
  - (b) Awards: Mission to collect t nominations for existing awards and to seek out new awards that members of our pro bono community could be nominated for.  
Non-Profit Integration: Mission to work with legal and non-legal non-profit organizations to expand knowledge of and access to pro bono legal services.
  - (c) Rules: Mission to monitor any changes that may affect pro bono and report the status of those rules to the Commission
  - (d) Signature Projects: Mission to work with our community partners to ensure the current signature projects are maintained and to create more projects to serve other needs in our state.
- (15) WHEREAS, The Pro Bono Commission serves as the governing body of pro bono efforts throughout Utah, the Commission will continue to monitor existing efforts while also creating new programs when necessary.

(16) WHEREAS, the SRP Committee, the A2J Committee, and the Pro Bono Commission desire to coordinate and not duplicate efforts.

(17) NOW THEREFORE BE IT RESOLVED that each committee through its chair or designee shall update the other committees monthly on its efforts and projects, or as often as the other committees meet.

_____	Sign here ►	_____
Date		SRP Committee Chair
_____	Sign here ►	_____
Date		A2J Committee Co-Chair
_____		_____
Date		A2J Committee Co-Chair
_____	Sign here ►	_____
Date		Pro Bono Commission Co-Chair
_____		_____
Date		Pro Bono Commission Co-Chair

# Judiciary and Bar Committee Overlap Snapshot

Page 1

Committee	Judicial Council's Standing Committee on Resources for Self-represented Parties	Pro Bono Commission	Access to Justice Committee
Reports to	Judicial Council	Bar Commission	Bar Commission
Rules or formation documents	CJA Rules 1-205 and 3-115	Resolution of the Utah Judicial Council	Charge to Standing Committee
Charge	<p>(1) The committee shall study the needs of self-represented parties within the Utah State Courts, and propose policy recommendations concerning those needs to the Judicial Council.</p> <p>(2) Duties of the committee. The committee shall:</p> <p>(2)(A) provide leadership to identify the needs of self-represented parties and to secure and coordinate resources to meet those needs;</p> <p>(2)(B) assess available services and forms for self-represented parties and gaps in those services and forms;</p> <p>(2)(C) ensure that court programs for self-represented litigants are integrated into statewide and community planning for legal services to low-income and middle-income individuals;</p> <p>(2)(D) recommend measures to the Judicial Council, the State Bar and other appropriate institutions for improving how the legal system serves self-represented parties; and</p> <p>(2)(E) develop an action plan for the management of cases involving self-represented parties.</p>	<p>WHEREAS, equal justice for all is fundamental to our system of government; and</p> <p>WHEREAS, the promise of equal justice under the law may not be realized for individuals and families who have no meaningful access to the justice system because they are unable to pay for legal services; and</p> <p>WHEREAS, this de facto denial of equal justice has an adverse impact on these individuals, families, and society as a whole, and works to erode public trust and confidence in our system of justice; and</p> <p>WHEREAS, the Utah State Bar seeks to increase pro bono legal services throughout the state of Utah by establishing the Utah Pro Bono Commission, a Utah State Bar program that includes District Pro Bono Committees in Utah's eight Judicial Districts that will assist in providing pro bono service at a local level;</p> <p>NOW THEREFORE BE IT RESOLVED, pursuant to Rule 2-201 of the Utah Rules of Judicial Administration, that the Utah Judicial Council endorses the Utah State Bar's creation of a Pro Bono Commission and urges law firms, corporate law departments, and governmental law offices</p>	<p>To provide leadership for Access to Justice programs and efforts throughout Utah To ensure greater communication and collaboration among various legal service providers to the under-served populations in the state. To coordinate the Bar's efforts with those of the Utah courts, legal non-profits and community groups and other bar organizations to address judicial, administrative, educational, and consumer-oriented issues and improve the overall level of access to justice in Utah. To assist in prioritizing needs and resources and work to eliminate barriers faced by low income and disadvantaged individuals in Utah, including those with disabilities, ethnic and racial minorities, rural residents and the elderly.</p>



**Judiciary and Bar Committee Overlap Snapshot**  
**Page 2**

<b>Committee</b>	<b>Judicial Council's Standing Committee on Resources for Self-represented Parties</b>	<b>Pro Bono Commission</b>	<b>Access to Justice Committee</b>
<b>Committee membership</b>	2 district court judges, 1 juvenile court judge, 2 justice court judges, 3 clerks of court – 1 from an appellate court, 1 from an urban district and 1 from a rural district – 1 member of the Online Court Assistance Committee, 1 representative from the Self-Help Center, 1 representative from the Utah State Bar, 1 representatives from legal service organizations that serve low-income clients, 1 private attorney experienced in providing services to self-represented parties, 2 law school representatives, the state law librarian, and 2 community representatives.	Chairs - two judges, general membership is made up of government and private members of the bar, commissioners, and judges. No set standards for numbers of each.	Chairs of the Pro Bono Commission One of more representatives of the And Justice for All agencies Initially, a representative from the former Modest Means Committee Initially, a representative from the former Affordable Attorneys for All Task Force One or more representatives of church and community organizations and/or family foundations The Utah Bar Foundation Exectutive Director The Director of the Utah Court's Self Help Center Chair of the Court's Self - Represented Parties Committee A member of the Utah legislature Someone to represent the Licensed Paralegal Practitioner perspective.

**Judiciary and Bar Committee Overlap Snapshot**  
**Page 3**

Committee	Judicial Council's Standing Committee on Resources for Self-represented Parties	Pro Bono Commission	Access to Justice Committee
<b>Subcommittees</b>	<p><u>Education</u>: Educate and interact with members of the Bar and bench, including law schools.</p> <p><u>Outreach</u>: Educate and interact with the community in furtherance of access to justice issues</p> <p><u>Rural Services</u>: Educate and interact with the community in furtherance of access to justice issues unique to rural communities.</p> <p><u>Self-Help Center/Non-lawyer Assistance/Court Updates</u>: Manage and provide updates on internal judicial and administrative issues such as self-help, forms, rules, etc.</p>	<p><u>Recruitment</u>: Mission to actively recruit attorneys to participate in pro bono work. This includes organizing commission members to connect with law firms, promote pro bono at the bar events, and develop strategies to encourage more attorneys to participate in pro bono service.</p> <p><u>Awards</u>: Mission to collect nominations for existing awards and to seek out new awards that members of our pro bono community could be nominated for.</p> <p><u>Non-Profit Integration</u>: Mission to work with legal and non legal non-profit organizations to expand knowledge of and access to pro bono legal services.</p> <p><u>Rules</u>: Mission to monitor any changes that may affect pro bono and report the status of those rules to the Commission</p> <p><u>Signature Projects</u>: Mission to work with our community partners to ensure the current signature projects are maintained and to create more projects to serve other needs in our state.</p> <p>*The Pro Bono Commission also oversees each of the eight Judicial District Pro Bono Committees.</p>	<p><u>Service Provider Support</u>: Manage the Annual Summit, and support fundraising in the form of legislative lobbying, increased CLE fees, and exploring grant opportunities.</p> <p><u>Education, Information, and Outreach</u>: Staff a dedicated liaison to the Self Represented Parties Committee, oversee updates to the State Bar's website, create public education initiatives, and explore potential resource guide opportunities.</p> <p><u>Initiatives</u>: Consider new ideas for clinic, pro bono education, and new programming.</p>

# Judiciary and Bar Committee Overlap Snapshot

Page 4

Committee	Judicial Council's Standing Committee on Resources for Self-represented Parties	Pro Bono Commission	Access to Justice Committee
<p><b>Projects</b></p>	<p>The Self-Help Center; Assisting the Bar in crafting and vetting licensedlawyer.org; Drafting and recommending court forms; Recommending rule changes, including redrafting the Law Student Practice Rule and exploring the repeal of the 10-day summons rule; Exploring programs such as court navigators, McKenzie friends, Lawyer of the Day, Courthouse Steps, and pro se e-filing; Assisting in the creation and sustainability of pro se court calendars; Educating the courts and community on the availability of remote access, particularly in rural areas, as well as other resources for self-represented parties; Presenting to law schools on pro bono service opportunities during pre- and post-graduation; Supporting the efforts of committee members and community partners to bring more legal services to rural areas and throughout the state; and Offering input to study committees, including the Domestic Case Process Improvements Subcommittee.</p>	<p>Signature Projects, Monitoring efforts of District Pro Bono Committees, statewide pro bono initiatives.</p>	<p>The Access to Justice Coordinating Committee is relatively new and has been focused on developing an understanding of the issues. The Committee has also been working to implement the first Access to Justice Summit which will take place October 23rd, 2018.</p>

# Tab 4



Nancy Sylvester

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## Outreach Subcommittee

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Shawn Newell <To: Nancy Sylvester

Thu, Dec 20, 2018 at 7:11 AM

Cc: Sue Crismon, Virginia Sudbury, Nathanael Player

Nancy,  
The rest of the committee may have more to offer.  
Shawn

Shawn Newell  
Vice President of Business Development  
Industrial Supply Company  
[1635 South 300 west](#)  
[Salt Lake City, Ut 84115](#)

Begin forwarded message:

**From:** Shawn Newell  
**Date:** December 20, 2018 at 3:05:55 AM MST  
**To:**  
**Subject:** Self-represented parties

Nancy,

The outreach committee has been moving forward in our discussions and mapping of what and how to reach individuals in our various communities. Here are some of the steps we have made:

1. We have contacted a number of entities including the Utah Non-profit association, The ME4U Coalition, the Salt Lake And Ogden Branches of the NAACP, Slug magazine and The Pete Suazo Center. In addition we have acquired a list of all of the civic groups in Salts Lake City. Our Gail here is to place information in their publications that will reach our target audience.
2. Nathanael has scripted the content for a brochure that we will share with groups through participation at their specific events. When we are not able to physically attend events, we plan on gaining permission to have the literature distributed by the individual contacts, in a manner they feel is appropriate.
3. We are continuing our discussions on the development of a script that can be employed by all members of the committee, when making in-person presentations about the legal services available to individuals.
4. We are also discussing how to reach the larger audience in an effective and timely way. Here I have made arrangements to have a contingent speak on radio shows, podcast and the news. I have contacts that are ready to assist us in the facilitation of these activities.

Overall, we are making progress. Upon the completion of the handout we will be able to more aggressively pursue our prescribed goals.  
Shawn

**Nancy Sylvester**

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## Rural Subcommittee

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**Susan Griffith**

Mon, Dec 10, 2018 at 3:54 PM

To: Nancy Sylvester

I only have one new thing to report from the rural committee and it is awesome news:

TLC has been awarded a grant from the UBF (using their one-time Bank of America money) to develop clinics in rural communities. We plan to work with regional bar associations and local agencies that serve low-income populations. TLC will arrange the location, do the advertising, recruit local attorneys together with their local bar association, and recruit attorneys from the Wasatch front to act as back-up at the clinics by being available to meet with clients virtually.

Have a Merry Christmas!

Susan

Susan

[Quoted text hidden]

--

*Susan Griffith*

Professor Susan Griffith

Adjunct Faculty

Director of the Family Law Clinic

J. Reuben Clark Law School

491 JRCB

Brigham Young University

Provo, Utah 84602





Nancy Sylvester

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## Self-Represented Parties Committee

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**Nathanael Player**

Mon, Nov 26, 2018 at 6:34 PM

To: Nancy Sylvester

Cc: sbazzelle, Shane Bahr

Hi Judge Bazzelle,

My apologies for the delay in responding to this inquiry. I don't have the exact answers to your questions, but hopefully the information I have to share will be helpful. The first attachment has data from 2012 to 2016 in some tabs and then an update for FY 2017 - it should give you the flavor for unrepresented filings. Also attached are numbers for FY 2018. Numbers in terms of filings have been trending downward for the past few years, but have gone up slightly in all the biggest *pro* areas (debt collection, divorce and eviction - in that order, with the numbers in debt collection overwhelming the other areas significantly) in FY 2018.

For FY 2018, at the Self-Help Center, the breakdown of inquiries by district is as follows:

1st - 2.7%  
2nd - 13.3%  
3rd - 35.1%  
4th - 8.6%  
5th - 4.7%  
6th - 1.4%  
7th - 1.4%  
8th - 1.3%  
Unknown - 24.9%  
Out of state - 6.1  
Out of US - .4%

When I compare this data to populations by district, I think we are relatively low on inquiries from the 1st compared to the 5th and from the 4th compared to the 2nd (1st and 5th both have roughly a population of 200K and 4th and 2nd have roughly 600K). This could be because of the availability of legal clinics or other resources.

The Self-Help Center is a virtual center - our services are available via phone, text and email. We provide some help at *pro se* calendars held by commissioners at the Matheson courthouse (we support volunteer attorneys by printing the relevant documents from the docket, brief the attorneys on the cases and draft orders for the parties). Aside from the *pro se* calendars, we do not provide services in-person.

In FY 2018, 51% of our services were delivered by phone, 27.3% by email, 17.4% by text, and 4.1% through help at a *pro se* calendar. I note that when I prepared my budget request to the Judicial Council in August I found that our phone call volume had grown by about 7% on average since 2013, but our call answer rate had gone down about 8% on average, meanwhile our text inquiry and response rate had grown by about 32% on average while and our email inquiry/response rate had grown about 22% on average. We average about 100 contacts per day across all three channels. One additional note - about 6% of our inquiries are from Spanish speakers. Statewide, about 11% of Utahns are Spanish speakers, so we are about 5% below where I would expect us to be.

The most common feedback I hear from people who contact us is that they have a hard time getting through to us. I hear this also when I visit other courts. We miss an average of 4-5 calls for every one we are able to answer. People also want to know why we are closed on Fridays and why we are not open from 9-5. We are closed on Fridays because we are not funded to be open on Fridays. We are not open 9-5 because we do not have the staffing for this (the ABA recommends only 4 hours on a legal helpline per day, but we are pushing it at 6 hours per day - we would have to significantly increase our staff to be able to be open from 9-5).

The calendars I am familiar with in district court for *pro se* litigants are:

- Consolidated *pro se* family law calendars - organized in partnership with the Legal Aid Society where volunteer attorneys help unrepresented parties. They are held at least twice a month by commissioners in the 3rd district, once a month by commissioners in the 2nd district and once a quarter by commissioners in the 4th district. There are efforts underway to expand this to the 1st district, the 5th district and to have the 4th district hold their calendars more regularly.

- Consolidated *pro se* debt collection calendars - similar model for debt collection cases. This occurs weekly at Matheson for unrepresented defendants in debt collection matters. It also occurs in Bountiful, but I am not sure of the frequency. There is an effort to expand these calendars to Provo. At Matheson there are also weekly eviction calendars with a similar function. I am not aware of these occurring anywhere else.

I will leave your #9 to Shane. I do note that the Utah State Bar does try to place some appellate cases for *pro bono* representation if the case raises important issues.

You might also be interested to see this data on placement of cases statewide from the Utah State Bar Pro Bono Commission for Oct - Nov 20, 2018:

	1st	2nd	3rd	4th	5th	6th	7th	8th
<b>Placed Oct - Nov</b>	1	12	3	1	1	0	1	2
<b>Awaiting Placement</b>	4	7	13	8	15	0	6	3

Perhaps this information does not make your wishes come true, but I hope it proves at least somewhat illuminating. You are welcome to contact me if you questions about this data or if this information generates other inquiries.

Kind regards,

np

On Tue, Nov 6, 2018 at 12:36 PM Nancy Sylvester wrote:

[Quoted text hidden]

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Nathanael Player  
Director, Self-Help Center  
Utah State Courts

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## 2 attachments



**2012 - 2016 Numbers on filings, defaults, pro se, OCAP.xlsx**  
57K



**FY18 Self Represented Ligitants Case Filings.xlsx**  
11K

- [Glass Ceiling Report](#)
- [Global 20](#)
- [Law360 400](#)
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# Senior Service: How Retired Attys Are Battling The Justice Gap

By **Matt Fair** | December 2, 2018, 8:02 PM EST



Retired GlaxoSmithKline associate general counsel Don Parman stands outside the courtroom in Philadelphia City Hall where he volunteers providing legal aid. Pennsylvania is hoping a new program attracts more attorneys like Parman to legal aid work.

After three decades as an in-house attorney for [GlaxoSmithKline](#), Donald Paman was no stranger to complex legal work, but the job hadn't exactly prepared him for this: a 90-year-old widow fighting to stay in her West Philadelphia home after falling behind on a loan she and her late husband had taken out to repair a leaky roof.

The couple kept up with the loan payments as long as they were both alive, but when her husband died the woman saw her Social Security income slashed and she found herself under water in a different and more dire way, according to Parman.

After about four months of negotiation with the lender's counsel, Parman said he managed to strike a deal to spread the remaining loan payments.

"There was so much gratitude and relief on her part that it made me feel as good as anything I'd done for GSK," he said.

Parman had taken on the case in 2009 as a volunteer with Philadelphia VIP, a pro bono provider of legal aid that GSK's in-house attorneys had started partnering with before his retirement as a vice president and associate general counsel a decade ago. After giving up his full-time job, Parman decided to double down on his commitment to the group.

"I found my work as GSK very rewarding, and a lot of that was because I was doing a lot of complicated transactions and there's a lot of satisfaction in problem solving," said the 68-year-old Parman, who has handled more than 100 cases over the course of his work with the group. "Now there's a real satisfaction in seeing the direct impact you can have on people's lives in this pro bono work."

Following the lead of more than 40 other states, the Pennsylvania judiciary is hoping to push more practitioners like Parman into post-retirement pro bono work with the adoption of a new rule reducing licensing fees and easing continuing legal education requirements for attorneys who agree to pair with legal aid providers.

The program speaks to a broader recognition by bar groups and legal aid providers of the role retired attorneys can play in filling the justice gap. And the need is there: in Pennsylvania alone, only an estimated 60 percent of applicants to legal aid programs receive sufficient resources to resolve their cases.

"They are a great help," said Sam Milkes, the executive director of the Pennsylvania Legal Aid Network. "If a retired lawyer handles two cases or three cases or five cases in a year for us, those are people who would not have gotten help otherwise."

At the beginning of May, the [Pennsylvania Supreme Court](#) gave its blessing to the newly created rule allowing attorneys who are on retired status to apply for a newly created “emeritus” designation that would see them partner with an eligible legal aid organization.

In return for their commitment to providing pro bono services, emeritus attorneys would be able to renew their licenses for an annual fee of \$35, rather than the usual \$225 for active attorneys or \$100 for inactive attorneys. They are also on the hook for four fewer hours of continuing legal education.

Pennsylvania’s rule follows the general contours of the 42 other states that have adopted rules to encourage pro bono practice by retired attorneys: reduced or waived dues and continuing legal education requirements.

The rules in the various states with emeritus programs also generally require attorneys to link up with a certified legal services program, rather than offering pro bono services individually, so they can receive coverage under the group’s malpractice insurance.

Currently, only seven states — Indiana, Louisiana, Michigan, Missouri, Nebraska, Oklahoma and Rhode Island — have no rules on the books regarding pro bono practice for retired or inactive attorneys.

David Godfrey, who heads the [American Bar Association](#)’s commission on law and aging, said he’d seen a significant spike in the number of states adopting rules to encourage pro bono practice by emeritus attorneys in the eight years since he started tracking such programs.

“There’s been a recognition of the ongoing and problem growing need for pro bono volunteers, and a recognition of the significant number of attorneys who are reaching the point in life where they’re going to retire,” he said.

Pennsylvania is still waiting for the program to bear fruit, but based on participation figures from other states, it could be only a matter of time before attorneys begin taking advantage of the program.

In Utah, where an emeritus attorney rule has been on the books since 1996, the ABA reported nearly 650 participants as of 2015. In Arizona, meanwhile, which was another early adopter of an emeritus attorney program, there were just over 900 licensed participants as of 2014.

Even those who have adopted emeritus attorney rules more recently have seen substantial participation figures: a little over 2,000 have signed up under the program that New York began offering in 2010.

“The need is overwhelming, but fortunately the bar is responding,” said Fern Schair, who serves as co-chair of the council that oversees New York’s emeritus attorney program.

Milkes, whose organization provides administrative oversight and facilitates funding to legal aid programs covering different regions of Pennsylvania, said that retired attorneys had already been playing valuable roles in providing legal service to low-income clients even before Pennsylvania's rule took effect.

"I certainly know retired attorneys who are doing this, and ... the more people we have doing that, the more it builds up and counts," he said.

One such attorney is Steve Krone, 74, who formally retired from his job as a staff attorney with MidPenn Legal Services, a Harrisburg-based legal aid group, at the end of 2012 but who has continued to take cases as a volunteer.

"My wife couldn't stand me around the house, and in order to avoid a lot of extra lawn work, I said what the heck," he said.

While Krone has officially remained an active attorney since retiring, he said he planned on applying for emeritus status next year.

Krone said his volunteer work, which he picked up after a four decade tenure with MidPenn, focuses primarily on landlord-tenant disputes for clients receiving federal housing subsidies.

"There is so much of life, including the lives of poor people, that depends upon different regulations and different laws, and if they don't have the financial ability to find out where they stand legally then that's a substantial part of our system that they can't participate in," he said.

Part of the challenge, however, is transitioning attorneys who may have very specific specialties to handling the sorts of problems typically handled by legal aid groups.

Lauren Ascher, a supervising attorney with Philadelphia VIP who oversees the group's volunteers, said that her organization put a lot resources towards volunteer training.

That training, Schair said, had helped to show some legal aid groups, some of which were skeptical about courting retirees as volunteers, the value of having experienced older attorneys among their ranks.

"It's changed so much that now we get requests from some of these same organizations saying that we'd like an experienced lawyer to help us do this or do that," she said.

*Matt Fair is a senior reporter at Law360. [Follow him](#) on [Twitter](#). Editing by Brian Baresch.*

*Have a story idea for Access to Justice? Reach us at [accesstojustice@law360.com](mailto:accesstojustice@law360.com).*