

Tennessee
Access to Justice
Commission
2012
**STRATEGIC
PLAN**

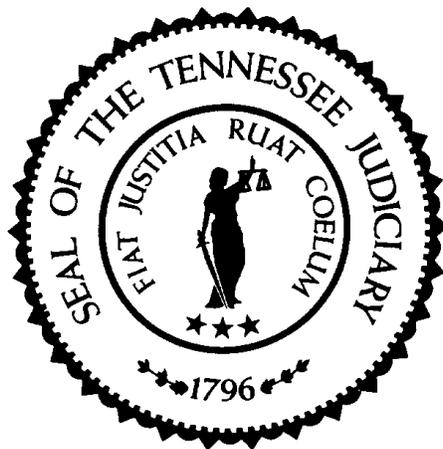


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I. Introduction

In August 2008, the Tennessee Supreme Court declared Access to Justice its number one strategic priority, and, later that year, launched its Access to Justice campaign. On April 3, 2009, the Court created the Tennessee Access to Justice Commission and charged it with developing its first strategic plan within a year and updating the plan every two years thereafter. The 2012 Plan details the progress in implementing the goals of the Commission's initial 2010 Strategic Plan. The 2012 Plan also addresses new objectives and benchmarks to address the civil legal needs crisis.

The 2010 Plan outlined how the Supreme Court began its Access to Justice Initiative and the Court's impressive efforts to carry out this initiative. During the past two years, the Court's commitment has never wavered and indeed, has intensified. The Court—as individual justices and as a whole—participates in access to justice events and meetings of the Commission and its Advisory Committee, makes prompt decisions to promote the initiative and speaks locally and nationally on this topic. The leadership and visibility of the Court has not only inspired the Commission, but also inspired and galvanized the broader access to justice community, the bar and its associations, the judiciary and the court system as a whole.

The 2010 Plan set forth four overarching goals and identified strategic ways for the Court and Commission to accomplish these goals. This 2012 Plan updates the 2010 Plan by identifying the initiatives and accomplishments of the Supreme Court and the Commission during the past two years. These accomplishments reflect the dedication and support of a broad network of lawyers, law firms, corporate legal departments, bar associations, legal service programs, judges, clerks, law schools, librarians, service providers, nonprofits, faith-based organizations and businesses to accomplish these goals.

The 2012 Plan also sets forth additional goals and initiatives that will aid and expedite the Supreme Court's dynamic and ongoing Access to Justice Campaign. In particular, the 2012 Plan focuses on the Commission's first goal, which is to involve more lawyers and law students in meeting legal needs so that the public is better served. Key to the implementation of this goal is supporting the development of a more comprehensive pro bono delivery system across the state. The 2012 Plan also addresses the necessity of further outreach and public awareness regarding access to justice resources to self-represented individuals and to the community at large.

II. Accomplishments and Highlights of the 2010 Plan.

At each quarterly meeting, the Commission reviewed the 2010 Plan (Appendix I) and received an update regarding how the Commission was proceeding towards accomplishing these goals. The most recent 2010 Strategic Plan Quarterly Update is attached to this Plan in Appendix E. As set forth in the update, the Commission met most of its goals and considered which goals were unmet and needed to be pursued for the 2012 Plan. Some of the highlights of the accomplishments of the 2010 Plan are:

A. Pro Bono Summit. The Supreme Court and the Commission sponsored a Pro Bono Summit in Nashville on January 21, 2011. All five members of the Court addressed the Summit and attended the day-long conference. Bar association officers, law firm managing partners, rural practitioners, corporate counsel, deans of Tennessee law schools, law students, legal service providers, representatives from the state libraries, and other service providers also attended the Summit, which focused on increasing pro bono service performed by Tennessee attorneys.

The Summit offered a variety of panel discussions including guidance on developing a pro bono clinic, how to increase attorney pro bono at large law firms and corporations, specific

issues that arise in rural areas, best practices for involving law students in pro bono work and ways that technology helps attorneys reach more indigent Tennesseans. All sessions were recorded and made available online. Participants completed pledge cards stating how they planned to increase pro bono in their practice, and the ATJ Coordinator followed up with participants to assist in carrying out these pledges. New ideas and partnerships were formed as a result of the Summit, including coordination among law school pro bono programs, ideas for uses of technology in the rural communities and introduction of the ATJ website, OnlineTNJustice.org and the Appellate Pro Bono Project.

B. Access to Justice Website. In November 2011, the Supreme Court launched www.JusticeForAllTN.com. The user-friendly website has an innovative and effective dual purpose of providing information both to the public and the bar. Viewers who click “legal help” can find information on how to find a lawyer, a glossary of common legal terms, links to court forms and plain language information on a variety of legal issues, including divorce, child support, housing information, healthcare, immigration, and mediation. One of the most popular tools on the site is an interactive map of Tennessee’s 95 counties where users are directed to county-specific contact information for legal aid providers, social service providers, governmental agencies and the court system. For lawyers and other website visitors who click “I can help,” the site provides information ranging from how to volunteer with a legal aid provider or a bar association to a step-by-step guide for how to develop a pro bono clinic. (Appendix H).

C. Supreme Court Rules. A key component of the 2010 Plan was working with the Supreme Court to adopt rule changes that eliminate barriers to pro bono service and pro se representation. The Court, the Access to Justice Commission, and many strategic partners have made great strides in this area. The Supreme Court has:

- Adopted Tennessee Supreme Court Rule 50A to establish an emeritus attorney licensure status allowing attorneys with inactive licenses to provide pro bono legal services through an established not-for-profit bar association, pro bono program, or legal services program;
- Adopted Tennessee Rule of Civil Procedure 72 to permit unsworn declarations made under penalty of perjury to be filed in lieu of an affidavit or sworn declaration, eliminating unnecessary barriers for persons of limited means to court system;
- Amended Tennessee Rule of Criminal Procedure 11(b)(1) to require judges to inform criminal defendants in the plea colloquy that a guilty plea may have immigration consequences;
- Adopted Tennessee Supreme Court Rule 52 to provide a process for and approve forms that are universally acceptable as legally sufficient in all Tennessee courts;
- Revised Tennessee Supreme Court Rule 9, Section 20.11 to streamline the voluntary pro bono reporting statement included in the annual Tennessee Board of Professional Responsibility attorney licensure renewal statement;
- Revised Tennessee Supreme Court Rule 41 to request court interpreters to aspire to provide pro bono interpretive services each year;
- Revised Tennessee Supreme Court Rule 42 to provide that if the court determines a participant has a limited ability to understand and communicate in English, the court should appoint an interpreter, write a summary of the court's efforts to obtain a certified or registered interpreter and determine the capabilities of the proposed non-credentialed interpreter in open court;
- Amended Tennessee Rule of Civil Procedure 5.02 to provide instruction on how to serve notice when an attorney is providing limited scope representation to an otherwise self-represented party; and
- Amended Tennessee Rule of Civil Procedure 11.01 to provide the procedures by which attorneys providing limited scope representation to an otherwise self-represented party shall notify the court of the limited scope representation and how attorneys may withdraw from the matter once the limited scope representation is complete.

D. Plain Language Forms. Pursuant to the adoption of Supreme Court Rule 52, the Court has approved plain language forms drafted at a fifth to eighth grade reading level to be used by those seeking uncontested divorces that do not involve minor children or significant marital assets. Also provided is a packet of instructions on how to complete and file the

uncontested divorce forms with the court. The forms went into effect on September 1, 2011, and have been positively received by the public, the judiciary, and attorneys. Spurred on by the Commission, the Administrative Office of the Courts (“AOC”) converted its existing Order of Protection forms into plain language and translated these forms into Spanish. The Supreme Court has also developed a second packet of plain language forms commonly used in General Sessions Court. Those forms have been submitted for public comment.

E. Commission Advisory Committees. The Commission formed seven Advisory Committees to carry out its goals, each headed by one or more Commissioners. These Advisory Committees were:

- Disability and Language Barriers
- Education/Public Awareness
- Faith-Based Initiatives
- Pro Bono
- Pro Se/Forms
- Resources
- Technology.

Each advisory committee was charged with work toward achieving the four over-arching goals outlined in the 2010 Strategic Plan. The Chairs provided quarterly progress reports to the Commission. Each committee made substantive contributions toward achieving the Commission’s goals.

1. Disability and Language Barriers. The Disability and Language Barriers Advisory Committee recommended that the AOC form an Interpreter Work Group. This group examines Supreme Court Rules to identify ways to incorporate technology, such as remote court interpreting, in order to better serve Tennesseans with limited English proficiency. Based upon the recommendation of this Advisory Committee and the Interpreter Work Group, the Commission recommended changes to Rules 41 and 42, which were adopted by the Supreme

Court. The Committee and the Commission also continue to encourage and monitor the translation of forms and ATJ website information into Spanish and other languages. The Advisory Committee assisted the AOC in developing the content regarding interpreters, immigration, and assistance for Tennesseans with disabilities for the ATJ website.

2. Education/Public Awareness. One of the most significant accomplishments of the Education/Public Awareness Advisory Committee is its development of the “Pro Bono Clinic in a Box” forms, prominently featured at both the Pro Bono Summit and the ATJ website. These forms allow a bar association or informal group of attorneys to create a pro bono advice clinic complete with informational handouts for volunteers and clients, intake sheets, and marketing and public relations information. The Advisory Committee also recommended changes to Supreme Court Rule 31 which would educate mediators on pro bono mediation opportunities and promote pro bono and reduced fee mediation services to judges and court clerks. The Commission has approved these recommendations and forwarded them to the Supreme Court’s Alternative Dispute Resolution Commission for consideration.

3. Faith-Based Initiatives. The Commission established the Faith-Based Initiatives Committee in recognition that the faith-based community is an untapped point of access for people who need help and a valuable resource for attorneys and legal professionals who are active in their faith-based organizations. The Committee began its outreach with the Tennessee and Memphis Conferences of the United Methodist Church, which already have established social justice programs. The Commission Chair, the Chief Justice, and Committee members are working with the District Superintendents of these Conferences to incorporate pro bono lawyers into congregational care, legal clinics and the church’s social justice programs. The District

Superintendents have approved the plan attached in Appendix J, and the Committee hopes that this partnership can be used as a model to reach out to other faith-based communities.

4. Pro Bono. The Pro Bono Advisory Committee was instrumental in planning and participating in the Pro Bono Summit. Through the work of this Committee, the Commission eliminated the lack of malpractice insurance for attorneys doing pro bono through organizations that do not receive federal funds from the Legal Services Corporation. The Committee was also the catalyst for many of the Commission's recommended Supreme Court Rule changes to promote and encourage more pro bono work, including the rules regarding limited scope representation and the streamlined voluntary pro bono reporting form. The Committee actively encouraged and promoted OnlineTNJustice.org and the Appellate Pro Bono Project and asked the Court to encourage more pro bono reporting by including a letter from the Chief Justice in the annual attorney renewal packet. The Committee further addressed ways in which the Court encouraged attorneys employed in the judicial branch to participate in pro bono work.

5. Pro Se/Forms. The Pro Se Representation/Forms Committee took a pro-active approach to the direct provision of legal and educational resources. The Committee recommended a process for approval by the Commission and the Supreme Court for the development of plain language forms which are legally sufficient for acceptance in all Tennessee courts. Additionally, the members of the Supreme Court, the Commission and Advisory Committee members have participated in many educational programs for judges and court clerks on the newly-developed forms and guidelines. The first approved form, which concerns "simple" uncontested divorces, was the product of a long, thoughtful process attempting to balance the need for legal representation with the reality that not every person can (or will) engage an attorney to give advice on an activity that has such important legal ramifications. The

Committee is presently developing plain language forms for use in General Sessions Court. In addition to the creation of forms, the Committee recommended guidance for court staff and judges who encounter self-represented parties. The result has been tools such as “Guidelines for Tennessee Clerks Who Assist Self-Represented Litigants” and a Bench Book for General Sessions Judges presiding over proceedings with self-represented litigants. The Bench Book was presented to the General Sessions Judges Conference in February 2012.

6. Resources. The Resource Advisory Committee focused on increasing access to justice by increasing resources. Mindful of increasingly restricted funding sources, however, the Committee’s approach was a deliberate attempt at maximizing existing monetary and nonmonetary resources. The Commission has also approved the Committee’s proposal to strengthen its relationship with the state libraries through its partnership with the Tennessee Alliance for Legal Services (“TALS”) and to create a new partnership with the Tennessee Board of Regents to use its Technology Centers across the state as self-help centers. As part of the Commission’s overall approval of the Committee’s recommendations for the 2012 Plan, the Commission approved working with existing funding providers, such as the Tennessee Bar Foundation, to emphasize components of the 2012 plan in the factors for selecting grant recipients. (Appendix L). Based on the Committee’s recommendation, the Commission has approved further study of the current IOLTA and Cy Pres Rules to determine how to maximize funding for pro bono and legal aid services.

7. Technology. The Technology Advisory Committee unveiled OnlineTNJustice.org and presented the Court’s access to justice website, JusticeForAllTN.com at the Pro Bono Summit. In response to the identified need for outreach specific to Tennessee’s rural communities, the Committee worked on using technological advances to connect rural

Tennesseans with attorneys in suburban and urban areas. Two pilot projects grew from this endeavor. The first provides automating forms frequently used by attorneys providing pro bono services through a legal services provider. The second pilot project created an online screening system for Tennesseans applying for pro bono help from the Legal Aid Society. The screening system facilitates an initial eligibility determination by sending the potential client's application to the local legal aid office. Legal Aid then connects eligible clients with a pro bono attorney. This project is particularly helpful in areas where potential clients would otherwise be forced to travel long distances to reach a Legal Aid Office, as many offices serve multiple rural counties. The Committee also analyzed the Washington State Access to Justice Technology Principles and recommended a modified version of these Technology Principles, which the Commission approved as part of its 2012 Plan. (Appendix K). Each Advisory Committee should adhere to the Technology Principles when developing new initiatives and pilot projects.

III. Summary of Recommendations of the 2012 Plan.

The first goal in the Commission's 2010 Plan was to better serve the public by involving more lawyers and law students in meeting legal needs. The Commission, working in conjunction with the Court, made significant strides. Revisions to Supreme Court Rules—particularly the limited scope representation rule—helped eliminate barriers to pro bono work. Additionally, the pledges of increased participation stemming from the Pro Bono Summit helped large law firms, corporate law firms, and solo practitioners “plug in” to pro bono service. The development of the Pro Bono Clinic in a Box and the innovative use of technology have created new ways to connect lawyers with clients. The Commission recognizes, however, that there is still much work to do.

In drafting the 2012 Plan, the Commission took a hard look at what needs to be accomplished to increase the access of Tennesseans to quality representation. The Commission recognizes that maintaining the status quo is not an option. While increasing the educational resources available to self-represented persons undoubtedly provides a useful and necessary service, the Commission's findings have underscored the importance of quality legal representation. Thus, providing quality representation to indigent Tennesseans and creating better ways to connect clients with lawyers is the primary objective of the 2012 Plan. The Commission set a goal that 50% of attorneys residing in Tennessee will provide pro bono services as defined by the Tennessee Supreme Court at an average of 50 hours per year on or before January 1, 2015.

Three years into the Access to Justice Campaign, Tennessee is becoming a model state for the delivery of pro bono legal services. The support of the Supreme Court and the established access to justice partnerships provide a solid foundation. Moving forward, the Commission will continue developing strategies to provide quality representation and access to justice and will launch new initiatives to support those strategies. Attorney education, attorney recruitment, client education, removal of barriers and lawyer-client connections will continue to be areas of special attention. However, it is equally important to develop systems to measure the impact of our programs and adjust goals accordingly.

As an initial step toward measuring the need for pro bono and the resources available, the Commission asked Access to Justice Coordinator Anne-Louise Wirthlin to compile a comprehensive report of all the pro bono activities in Tennessee. The result is "The Pro Bono Report." (Appendix G). Using the Pro Bono Report to establish a baseline for measurement in

the 2012 Plan, the Commission will annually update the report to help measure the success of its strategies and initiatives.

Alongside the primary goal of expanding pro bono services, the Commission continues to address the needs of self-represented persons. There is also continued need for the Commission to focus on removal of barriers. The Commission will continue assisting self-represented persons by recommending more plain language forms to the Supreme Court, producing a series of educational videos with legal information and developing additional training for the bench and bar. Most importantly, the Commission recognizes that it needs to do a better job of educating and enhancing public awareness, including lawyers' awareness, about the resources and opportunities available for self-represented persons and pro bono services.

IV. Goals

A. Goal 1: Fifty percent (50%) of attorneys residing in Tennessee will provide pro bono services as defined by the Tennessee Supreme Court at an average of fifty (50) hours per year on or before January 1, 2015.

1. The Pro Bono Report (Appendix G). In May 2011, ATJ Coordinator Anne-Louise Wirthlin attended the Equal Justice Conference presented by the American Bar Association Standing Committee on Pro Bono and Public Service and the National Legal Aid and Defender Association. A common theme among the participants was that there was no comprehensive knowledge of the pro bono activities in each individual state. ATJ groups are generally aware of pro bono efforts, but there is no centrally located information. As a result, there are innovative and effective efforts being applied across the country, but, without centralized data and communications, this lack of knowledge inhibits planning and coordination. The Commission

asked the ATJ Coordinator to compile a comprehensive report on the pro bono services within the state of Tennessee.

The Pro Bono Report thus provides baseline information to help the Commission better understand the conditions affecting access to justice in Tennessee and determine whether the Commission's strategies and efforts are successful. The Pro Bono Report provides a highly detailed and invaluable snapshot of the current state of pro bono in Tennessee. The report addresses the Commission's activities thus far and provides insight into areas that provide the most potential for successful access to justice initiatives by addressing (1) bar association pro bono; (2) law school pro bono; (3) pro bono from Legal Aid providers (4) attorney pro bono volunteer reporting statistics (5) 2011 pro bono month, (6) statistical summaries of www.OnlineTNjustice.org, and (7) pro bono CLE hours.

The Supreme Court defines "pro bono services" as services provided without a fee or expectation of a fee to persons of limited means or organizations that primarily address the needs of persons of limited means. Tenn. S. Ct. R. 8, RPC 6.1 (a)(1)-(2). Pro bono service can also be the delivery of legal services at a substantially reduced fee to persons of limited means. Tenn. S. Ct. R. 8, RPC 6.1 (b)(2). Attorneys can also do pro bono through the provision of legal services at no fee or at a substantially reduced fee to individuals, groups, or organizations seeking to secure or protect civil rights and liberties, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes where payment of standard legal fees would deplete the organization's resources or would be inappropriate. Tenn. S. Ct. R. 8, RPC 6.1 (b)(1). Participation in activities for improving the law, the legal system, or the legal profession is also deemed pro bono legal services by the Court. Tenn. S. Ct. R. 8, RPC 6.1 (b)(3).

The Pro Bono Report revealed that in 2009, 18.26% of attorneys licensed in Tennessee voluntarily reported pro bono service with their Board of Professional Responsibility Annual Registration Packet. That year, the average attorney reporting pro bono service donated seventy-nine hours per year. For 2010, 38.96% of all licensed attorneys voluntarily reported pro bono service averaging seventy-three hours per year. The 2010 data was broken down further to examine the reporting activity of attorneys residing in Tennessee and attorneys licensed but not residing in Tennessee. The data revealed that 6,598 of the estimated 16,391 attorneys with active licenses residing in Tennessee reported their pro bono service. Thus, in 2010, 40.25% of active licensed attorneys residing in Tennessee voluntarily reported pro bono service at an average of seventy-four hours per year, which exceeds the aspirational goal of 50 hours per year set forth in Tenn. S. Ct. R. 8, RPC 6.1. With this information in hand, the Commission set the goal that 50% of attorneys residing in Tennessee will provide pro bono services as defined by the Court on an average of 50 hours per year on or before January 1, 2015.

2. Attorney Education. Although legal advice clinics are an important aspect of pro bono, the Commission wants to emphasize the importance of a lawyer taking up representation of the individual, even if the representation is limited in scope. Practitioners quickly learn that law school does not necessarily provide adequate preparation to immediately handle many of the areas of the law that most often affect indigent Tennesseans. These areas include family law, consumer/credit issues, landlord/tenant, and benefits. It is vital and necessary to provide lawyers with the necessary skills to handle these “High Need” substantive areas of the law, particularly in specific venues, *e.g.*, general sessions, juvenile, family law and bankruptcy courts. Moving forward, a particular emphasis of the Commission will be to focus on preparing pro bono lawyers to take on the direct representation of an individual, if an initial consultation does not resolve the

legal issue. Direct representation can entail handling the entire case or providing “unbundled” legal services per an agreement with the individual.

The Commission will:

1. Develop an online curriculum on High Need areas of the law, beginning with family law and debtor/creditor issues to be available on or before November 1, 2012. Complete the curriculum by August 1, 2013. The Commission will seek to collaborate with the Tennessee Bar Association and other bar associations, legal service providers, the Tennessee Alliance for Legal Services and the groups listed below to accomplish this goal.
 - a. Law Schools: Assist in curriculum development and use the curriculum as template for symposia for law students.
 - b. The Judiciary: Use judges as teachers and instructors for the courses to increase participation and demonstrate judicial support.
 - c. Administrative Office of the Courts: Develop webcast(s) on pro bono opportunities available to lawyers and promote www.JusticeForAll.com as a method to disseminate information to lawyers. Ask the Court and other judges to participate in the webcasts.
2. Establish a marketing and public relations campaign to communicate strategies and CLE opportunities to lawyers to launch on or before October 1, 2012.
 - a. Inform lawyers that they may obtain Ethics and Professionalism CLE credit for their pro bono work.
 - b. Promote the access to justice website, www.JusticeForAllTN.com, as a method for lawyers to find out what pro bono opportunities and resources exist inside and outside their area.
3. Promote to other cities the partnership model established by Nashville law firms, the “Pillar Firm” model, whereby firms with strong commitments educate their attorneys on substantive areas of the law and take more pro bono cases in those areas.
4. By October 1, 2012, propose to the Court/CLE Commission that excess CLE funds be designated by the CLE Commission and the Supreme Court to provide for the High Needs pro bono CLE training, the promotion thereof, and other access to justice initiatives.
5. Measure and track the results of this initiative by tracking attendance and following up with attorneys who participated in the curriculum to determine if they subsequently took a pro bono case.

3. Attorney Recruitment

To increase participation so that 50% of lawyers residing in Tennessee provide an average of 50 hours of pro bono per year, the Commission must add to the existing pool of attorneys engaged in pro bono. Multiple initiatives should be utilized to recruit more lawyers. The Commission understands that there is a wide spectrum of law practices in Tennessee, ranging from solo practitioners to large law firms, and that lawyers practice in urban, suburban, and rural communities and that not every strategy is appropriate for every community.

To recruit more lawyers providing pro bono, the Commission will:

1. Promote www.JusticeForAllTN.com and www.onlineTNjustice.org to increase awareness of alternative ways to participate.
2. By December 1, 2012, provide attorneys in parts of the state with no organized pro bono program with resources such as Attorney of the Day materials to organize pro bono efforts tailored to their community.
3. Identify firms that do not have pro bono policies and request that those firms adopt a pro bono policy so that 10 additional firms adopt pro bono plans by January 1, 2013, and 5 additional firms adopt pro bono plans by June 1, 2013.
4. Combine efforts with the TBA to recruit law firms in other communities to follow the partnership model established by Nashville law firms, the “Pillar Firm” model so that the Model is adopted in at least two communities on or before January 1, 2013.
5. Convene an in person or telephone conference of law school deans, law school pro bono directors, and students together at least annually to create ways to partner to increase pro bono participation. Develop an exemplar law school pro bono policy for Tennessee law schools by December 1, 2012.
6. Develop a proposal for recognition by the Court of firms or legal departments with pro bono policies, individual attorneys, and pro bono organizations with exemplary pro bono participation. Present the proposal to the Court on or before August 1, 2012.
7. Update the Pro Bono Report annually by January 31 each year to capture pro bono work statewide and to measure success.

4. Client Education and Removal of Barriers

Providing Tennesseans with an understanding of how to access a lawyer is integral to delivering access to justice. This requires a public awareness effort to reach Tennesseans in need through partnerships with places the public commonly goes to seek help, such as libraries, faith-based organizations, courthouses and social service providers. In conjunction with educating the public, the Commission will continue its work to remove common barriers encountered in the search for a pro bono lawyer. Many of these objectives compliment the Commission's goals regarding public awareness for self-represented persons discussed in more detail in Section B.

To educate the public on the availability of pro bono services and to remove barriers to finding a pro bono lawyer, the Commission will:

1. Promote the available existing technology such as Online Tennessee Justice, Tennessee Technology Centers, www.JusticeForAllTN.com as ways to access a pro bono lawyer.
2. Provide information and resources to intake staff at legal service organizations through TALS, general sessions courts, and court clerks offices so that they can direct the public to pro bono lawyers. The AOC will supply information to judicial staff and to state and federal elected officials.
3. Explore the creation of an Access to Justice application for smart phones and tablet computers to provide clients with easily accessible information on pro bono resources in their community. Make a recommendation to the Court by November 1, 2012.
4. Make www.JusticeForAllTN.com available in languages other than English, beginning with Spanish by September 1, 2012
5. By September 1, 2012, develop guidance and instructions on the use of interactive technology such as Skype to connect clients in rural areas with pro bono lawyers in other parts of the state.

5. Connecting Lawyers With Clients

Once more lawyers are educated and recruited to take pro bono cases and the public is more aware of the existing and new resources available, the Commission's focus can shift to connecting the lawyers with the clients. The Commission has identified two primary ways that clients are currently connected with pro bono lawyers. One way is through legal aid providers federally funded by the Legal Services Corporation ("LSC providers") and the second is through non-LSC providers. A non-LSC provider describes any organization that provides pro bono legal help but that does not receive federal funding from the Legal Services Corporation. The term includes state and locally funded legal service providers, bar associations, and faith-based organizations that provide legal advice and assistance. A comprehensive pro bono infrastructure must include both LSC providers and non-LSC providers.

Currently, the only widespread pro bono system available to the public consists of the pro bono programs of the four regional LSC programs. Together, their territory covers every county in the state. Federal law requires that at least 12.5% of the federal LSC funding be allocated by the LSC organization toward private attorney involvement or pro bono lawyers. Even though Tennessee's LSC programs allocate more than the required amount toward providing pro bono services, they remain unable to provide pro bono services in every county, and Congress continues to reduce federal funding.

Because of their statewide presence, LSC programs are presently the organizations to which individuals are typically referred for pro bono assistance. Judges refer litigants to them. Notices from the state regarding help with appeal rights for denial of public assistance refer to the LSC providers. Lawyers like to be affiliated with them because of their reputation, CLE opportunities, screening, malpractice insurance, and established system for referrals.

Additionally, LSC organizations have existing, solid partnerships with non-LSC providers and the access to justice community. Even though LSC providers are unable to take certain types of cases due to federal restrictions, they are not restricted from referring those cases to other attorneys to meet client needs.

Many non-LSC organizations provide services to a select population or a specific locality and serve client populations that LSC providers cannot serve. The Commission hopes to encourage other institutions to provide pro bono services. One such example is the plan adopted by the Tennessee and Memphis Conferences of the United Methodist Church which uses the Church's existing infrastructure and commitment to social justice to partner with the Commission to recruit member lawyers to provide pro bono services. (Appendix J). The Commission has devoted much time and resources to the development of projects such as the Pro Bono Summit, Pro Bono Clinic in a Box and endorsed the creation of OnlineTNJustice (which serves clients across the state) to create more pro bono opportunities.

The Commission hopes to serve as a coordinating arm for LSC and non-LSC pro bono providers to increase pro bono opportunities, serve in a coordinating and sponsoring role for pro bono activities, resources and statistics and develop innovative ideas to provide clients greater access to justice. To accomplish this goal across the state, the Commission will seek input, support and feedback from pro bono service providers, the judiciary, the private bar, the executive branch, social service providers, faith-based institutions, public libraries and other organizations which serve Tennesseans with civil legal needs.

To connect lawyers with clients through LSC and non-LSC providers, the Commission will provide a foundation for a comprehensive system of delivery of pro bono services across the state beginning with the following steps:

1. Coordinate regular meetings with the Executive Directors and Pro Bono Directors of each of the four LSC providers and with non-LSC providers, the TBA, and TALS to determine the framework for a comprehensive approach to connect clients to available resources.
2. By November 1, 2012, develop resources for intake staff to assist them to make referrals and foster accountability when their respective agency cannot provide the client with legal help.
3. Explore the feasibility of establishing a statewide toll free information phone line which lawyers staff, and the public can access to get information on available resources throughout the state.

B. Goal 2: The Commission Will Continue Its Efforts to Assist Self-Represented Persons.

Although the Commission will focus primarily upon expanding pro bono services to indigent Tennesseans, it is inevitable that some Tennesseans will not have access to pro bono help. This means that there is a pressing need for the public to better understand the legal system. This need has been particularly noticed by judges, who indicated in response to the Commission's survey that this is an area of special significance and that educational videos could help address this need. (Appendix M—Judges Survey).

The Commission has made significant strides in making the court-system more user-friendly and removing barriers for self-represented persons. Court-approved plain language forms ensure that self-represented persons have acceptable pleadings. "Attorney of the Day" programs place lawyers in courtrooms to serve as informational sources and to provide limited representation to otherwise self-represented persons. However, there is much more work to do.

To assist self-represented individuals, the Commission will:

1. By November 1, 2012 produce a series of educational videos for self-represented parties on specific types of legal issues beginning with family law and debtor/creditor issues, general topics such as "How to Prepare for Court." By November 1, 2012, provide instructions on how to complete plain language forms.

2. By April 1, 2013, develop and recommend additional plain language forms, including expanding the divorce forms to include forms for uncontested divorces with minor children. By October 1, 2013, develop and recommend plain language forms regarding child support guidelines.
3. Foster collaboration with the Tennessee Board of Regents to use Technology Centers as a centralized self-help entity with the goal of establishing one self-help center in each Grand Division by January 1, 2013.
4. By April 1, 2013, examine and make recommendations for systemic change in the general sessions courts, specifically looking at how attorneys can be more involved in helping otherwise self-represented individuals through Attorney of the Day programs and limited scope representation
5. Create a policy clearly distinguishing between legal information and legal advice to provide guidance to court staff, clerks and attorneys assisting in self-help centers on or before September 1, 2012.
6. By March 1, 2013, expand the General Sessions Court Pro Se Bench Book project into universally acceptable instructions for all judges in cases involving self-represented parties.
7. Develop sample plain language signage for the courthouse with the assistance of court staff to be distributed by the AOC to court staff on or before September 1, 2012.

C. Goal 3: The Commission will continue to develop additional strategies to eliminate access to justice barriers.

Some of the strategies outlined above address barriers that Tennesseans face including geography, language, and literacy and disability. In order to further address disability and language barriers, the Commission will:

1. By December 1, 2012, offer Commissioner and Committee member expertise, including technological expertise, to assist the Administrative Office of the Courts with remote interpreting pilot projects, its efforts to encourage agencies to ensure the court is aware of the need for interpreters before court hearings, and educate judges, clerks, public defenders and attorneys general of Supreme Court Rule 42 requirement to use credentialed interpreters before non-credentialed interpreters.
2. By December 1, 2012, offer assistance to agencies which provide services to immigrants to provide education to immigrants on issues such as U Visas, unaccompanied immigrant youth and children in the juvenile courts, immigrants

accused of crimes, asylum, eligibility for state benefits, and immigrant issues in family court.

V. Conclusion

When developing the 2012 Plan, the Commission set out to solidify Tennessee as a national leader in the availability of pro bono legal services, in the elimination of barriers to the justice system, and in assisting the public to understand and successfully engage the justice system. To the best of the Commission's knowledge, Tennessee is the only state that has committed to comprehensively track the manner and method in which pro bono services are provided to the public and to use that data to provide accountability for the Access to Justice programs. The full support of the Supreme Court and existing collaboration among Tennessee's lawyers and its access to justice community has inspired the Commission's grand, but achievable, goal of increasing pro bono participation so that 50% of attorneys residing in Tennessee perform an average of 50 hours of pro bono service as defined by the Supreme Court per year.

The existing network of lawyers, law firms, corporate legal departments, bar associations, legal service programs, judges, clerks, law schools, librarians, service providers, nonprofits, faith-based organizations, and businesses will grow as more lawyers are educated, recruited and given the skills to help indigent Tennesseans with civil legal matters. Toward that end, the Commission will focus on promoting existing resources, growing new resources and technology, and cultivating partnerships to connect lawyers with clients to close the civil legal needs gap while simultaneously advancing projects that eliminate barriers and make the court system more user-friendly for self-represented persons. The Commission remains committed to effecting systemic change to address the unmet legal needs of the state, for Tennesseans deserve no less than full, informed and efficient Access to Justice.

Chronological Timeline with Committee Assignments

May – June 2012

July – Sept 2012

Oct – Dec 2012

August 2012

- Court recognition of pro bono. *Pro Bono.*

September 2012

- Make ATJ website available in Spanish. *AOC.*
- Develop guidelines for interactive technology. *Pro Bono.*
- Develop legal information versus legal advice policy. *Self-Represented Litigants.*
- Develop plain language signage. *Self-Represented Litigants.*

October 2012

- Launch marketing and public relations campaign for lawyers. *Public Awareness.*
- Excess CLE funds proposal. *Education.*

November 2012

- Family Law and Debtor/Creditor videos available as part of online curriculum. *Education.*
- Make recommendation for creation of access to justice smart phone app. *Public Awareness.*
- Develop resources for intake staff to assist with referrals and foster accountability. *Education.*
- Produce educational and instructional videos for self-represented litigants. *Education and Self-Represented Litigants.*

December 2012

- Provide resources to attorneys to organize pro bono programs. *Pro Bono.*
- Develop exemplar law school pro bono policy. *Pro Bono.*
- Offer expertise to assist the AOC with remote interpreting pilot projects, its efforts to promote communication with the court when an interpreter is needed, and provide education. *AOC.*
- Assist agencies which provide services to immigrants to provide education to immigrants. *Education.*

Chronological Timeline with Committee Assignments

Jan – Mar 2013

Apr – June 2013

Jul – Dec 2013

January 2013

- 10 law firms adopt pro bono policy. *Pro Bono.*
- 2 communities adopt Pillar Law Firm Model. *Pro Bono.*
- Establish self-help center in each Grand Division. *Self-Represented Litigants.*

March 2013

- Expand Pro Se Bench Book into universally acceptable instructions. *Self-Represented Litigants.*

April 2013

- Develop additional plain language forms, including expanding the divorce forms. *Self-Represented Litigants.*
- Make recommendations for systemic change in general sessions court. *Self-Represented Litigants.*

June 2013

- 5 additional firms adopt pro bono policies. *Pro Bono.*

August 2013

- Complete High Needs online curriculum. *Education.*

October 2013

- Develop plain language forms regarding child support guidelines. *Self-Represented Litigants.*

Chronological Timeline with Committee Assignments

On-Going

- Promote to other cities the Pillar Firm Model. *Public Awareness.*
- Measure and track results of attorney education initiative by tracking attendance and following up with attorneys who participated. *ATJ Coordinator.*
- Promote www.JusticeForAllTN.com and www.OnlineTNJustice.org to increase awareness of alternative ways to participate. *Public Awareness.*
- Update the Pro Bono Report annually. *ATJ Coordinator.*
- Convene an in person or telephone conference of law school deans, law school pro bono directors, and students together at least annually to create ways to partner to increase pro bono participation. *Pro Bono.*
- Promote available existing technologies such as Online Tennessee Justice, Tennessee Technology Centers, www.JusticeForAllTN.com as ways to access a pro bono lawyer. *Pro Bono.*
- Provide information and resources to intake staff at legal service organizations through TALS, general sessions courts, and court clerks offices so that they can direct the public to pro bono lawyers. AOC will supply information to judicial staff and state and federal elected officials. *Education.*
- Coordinate regular meetings with the Executive Directors and Pro Bono Directors of each of the four LSC providers and with non-LSC providers, the TBA, and TALS to determine the framework for a comprehensive approach to connect clients to available resources. *Pro Bono.*
- Explore feasibility of establishing statewide toll free information phone line which lawyers staff, and the public can access to get information on available resources throughout the state. *Pro Bono Committee.*

Appendix A:

Members of the
Tennessee
Supreme Court

The Tennessee Supreme Court



Pictured in the courtroom at the Supreme Court Building in Nashville are (seated) Chief Justice Cornelia A. Clark (standing left to right), Justice Janice M. Holder, Justice William C. Koch, Jr., Justice Gary R. Wade and Justice Sharon G. Lee.

Chief Justice Cornelia A. Clark
318 Supreme Court Building
401 Seventh Avenue North
Nashville, TN 37219-1407

Justice Janice M. Holder
50 Peabody Place, Suite 209
Memphis, TN 38103

Justice William C. Koch, Jr.
321 Supreme Court Building
401 Seventh Avenue North
Nashville, TN 37219

Justice Gary R. Wade
505 Main Street, Suite 200
Knoxville, TN 37902

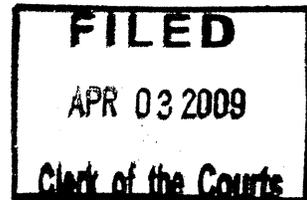
Justice Sharon G. Lee
505 Main Street, Suite 236
P.O. Box 444
Knoxville, TN 37901-444

Appendix B:

Supreme Court
Rule 50

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: ADOPTION OF RULE 50, RULES OF THE SUPREME COURT
OF TENNESSEE, ESTABLISHING THE TENNESSEE
ACCESS TO JUSTICE COMMISSION



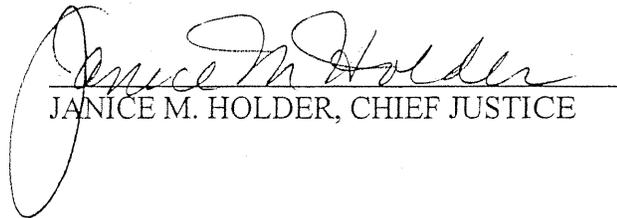
ORDER

The Court hereby adopts new Rule 50, Rules of the Supreme Court of Tennessee, establishing the Tennessee Access to Justice Commission. The new Tenn. Sup. Ct. R. 50, as set out in the attached Appendix, shall take effect as of the filing date of this order.

The Clerk shall provide a copy of this order, including the attached Appendix, to LexisNexis and to Thomson-West. In addition, this order, including the attached Appendix, shall be posted on the Tennessee Supreme Court's website.

IT IS SO ORDERED.

FOR THE COURT:



JANICE M. HOLDER, CHIEF JUSTICE

APPENDIX

RULE 50, RULES OF THE TENNESSEE SUPREME COURT

[The text of new Tenn. Sup. Ct. R. 50 is as follows:]

Rule 50. Tennessee Access to Justice Commission.

Section 1. Establishment of the Tennessee Access to Justice Commission.

1.01. The Supreme Court of Tennessee hereby establishes the Access to Justice Commission (hereinafter referred to as the "Commission").

1.02. The Commission shall consist of ten members who shall reflect, to the extent feasible, the diversity of the ethnic, gender, and geographic communities of Tennessee.

1.03. The Supreme Court shall designate one member to serve as Chair of the Commission. Commission members shall elect a Vice-Chair to serve a one-year term and who is eligible to serve a total of three years.

1.04. The initial term for each member shall be designated at the time of appointment. The Chair shall serve an initial term of three years. Three members shall be appointed for an initial term of three years; three members shall be appointed for an initial term of two years; and three members shall be appointed for an initial term of one year. Subsequent terms of all members shall be three years. No member may serve more than two successive three-year terms or more than a total of eight years consecutively. Vacancies shall be filled by appointment of the Supreme Court.

1.05. The Commission shall meet at least quarterly and at other times at the call of the Chair.

1.06. Five members of the Commission shall constitute a quorum. After a quorum is established, the Commission may act upon a majority vote of those present.

1.07. Members shall receive no compensation for their services but may be reimbursed for their travel and other necessary expenses in accordance with regulations adopted by the Judicial Branch.

1.08. A member of the Supreme Court will serve as liaison to the Commission.

1.09. The Administrative Office of the Courts shall staff the Commission.

1.10. The Supreme Court shall review the Commission every five years to determine if the Commission continues to serve the purposes for which it was created.

Section 2. Duties and Authority.

2.01. The Commission shall develop a strategic plan for improving access to justice in Tennessee that shall include education of the public concerning the need for legal representation to meet the ideal of equal justice under law, identification of the priorities to meet the need of improved access to justice, and recommendations to the Supreme Court of projects and programs the Commission determines to be necessary and appropriate for enhancing access to justice in Tennessee. The Commission shall submit a strategic plan to the Court within twelve months of the filing of this Order and shall update the strategic plan every two years thereafter.

2.02. The Commission may create advisory committees to study specific issues identified by the Commission and to make such recommendations to the Commission as the members of the advisory committees deem appropriate.

2.03. The Commission may invite non-Commission members, including representatives from other branches of government, lawyers, and members of the public, to attend meetings and to participate as members of advisory committees to help further the work of the Commission.

2.04. The Commission shall:

(a) Review the report filed with the Court by the Task Force to Study Self Represented Litigants and consider the recommendations contained therein.

(b) Encourage state and local bar associations, access to justice organizations, pro bono programs, judges, and court clerks across the state to promote and to recognize pro bono service by lawyers across the state;

(c) Encourage state and local bar associations, access to justice organizations, pro bono programs, judges, and court clerks across the state to encourage full and limited scope legal representation at reduced fees;

(d) Encourage the Alternative Dispute Resolution Commission and other groups to provide pro bono and reduced-rate mediation services to self-represented litigants and to litigants who, although represented, have modest means or who are pro bono clients;

(e) Address existing and proposed laws, rules, procedures, and polices that are barriers to access to justice for low income Tennesseans and to consider the role of community education and increased availability of technology in reducing these barriers.

(f) Develop and recommend initiatives and systemic changes to reduce barriers to access to justice and to meet the legal needs of:

(1) Persons who do not qualify for existing assistance programs by reason of their incomes but whose access to civil justice is limited by the actual or perceived cost of legal services;

(2) Persons with disabilities who do not qualify for existing assistance programs by reason of their incomes;

(3) Persons in language minorities; and

(4) Persons whose legal needs may not be met due to restrictions on representation by legal aid programs funded by the Legal Services Corporation.

(g) Promote increased understanding of the importance of access to justice and of the barriers faced by many Tennesseans in gaining effective access to the civil justice system; and

(h) Study and recommend strategies to increase resources and funding for access to justice in civil matters in Tennessee.

2.05. The Commission has no independent authority to adopt or implement recommendations.

Appendix C:
Tennessee
Access to Justice
Commission
Roster

2009-2012

Tennessee Access to Justice Commission

Chair: Margaret L. Behm (Term Expires 3/31/12)

Vice Chair: George T. Lewis, III (Term Expires 7/16/12)



Margaret L. Behm

Dodson, Parker, Behm & Capparella, PC
1310 6th Avenue North
Nashville, TN 37208
Phone: (615) 254-2291
Email: Behm@dodsonparker.com
Term: 04/03/09 - 03/31/12 (1)



Francis S. Guess

696 Nashville Pike
Gallatin, Tennessee 37066
Phone: (615) 206-0770
Email: fsguess@comcast.net
Term: 04/01/11 - 03/31/14 (2)



Douglas A. Blaze

Dean, Univ. of Tennessee College of Law
1505 W. Cumberland Avenue
Knoxville, TN 37996-1810
Phone: (865) 974-2521
Email: blaze@utk.edu
Term: 04/03/09 - 03/31/12 (1)



George T. Lewis, III, "Buck"

Baker, Donelson, Bearman, Caldwell & Berkowitz PC
165 Madison Ave., Suite 2000
Memphis, TN 38103
Phone: (901) 577-2256
Email: blewis@bakerdonelson.com
Term: 04/01/10 - 03/31/13 (2)



Kathryn Reed Edge

Miller & Martin PLLC
1200 One Nashville Place
150 Fourth Avenue, North
Nashville, TN 37219
Phone: (615) 744-8400
Email: kedge@millermartin.com
Term: 04/03/09 - 03/31/12 (1)



A. Gregory Ramos

North, Pursell, Ramos & Jameson PLC
Bank of America Plaza, Suite 1850
414 Union Street
Nashville, TN 37219
Phone: (615) 255-2555
Fax: (615) 255-0032
Email: agramos@nprjlaw.com
Term: 04/03/09 - 03/31/12 (1)

2009-2012

Tennessee Access to Justice Commission

Chair: Margaret L. Behm (Term Expires 3/31/12)

Vice Chair: George T. Lewis, III (Term Expires 7/16/12)



D. Billye Sanders

Attorney at Law
3514 Geneva Circle
Nashville, TN 37209

Phone: (615) 500-7749

Email: sanders.billye@gmail.com

Term: 04/01/10 – 03/31/13 (2)



Dr. Frank Anthony Thomas

Mississippi Boulevard Christian Church
70 N. Bellevue

Memphis, TN 38104

Phone: (901) 272-5609

Email: thomas.frank@theblvd.org

Term: 04/01/10 – 03/31/13 (2)



Maura Abeln Smith

EVP Government Affairs

General Counsel and Corporate Secretary

PepsiCo, Inc.

6400 Poplar Avenue

700 Anderson Hill Road

Purchase, NY 10577

Phone: (914) 253 3050

Email: maura.smith@pepsico.com

Term: 04/01/11 - 03/31/14 (2)



Bill Young

Solicitor General

Tennessee Attorney General's Office

P.O. Box 20207

Nashville, TN 37202

Phone: (615) 741-3226

Email: bill.young@ag.tn.gov

Term: 04/01/11 – 03/31/14(2)

Appendix D:

Timeline of
Court & Commission
Activities

Court & Commission Activities Timeline
Access to Justice Initial Timeline
2008-2012

2008:

August	Access to Justice (ATJ) declared the Supreme Court's #1 strategic priority
September	Decision made to add an ATJ Coordinator to AOC staff
October	ATJ Coordinator began work (10-15-08)
November	Planning for campaign announcement and public meetings
December	Announcement of ATJ campaign (12-05-08)

2009

January	Five public ATJ meetings held across the state
February	Planning for ATJ Commission continued
March	Rule 50 drafted and commissioners contacted Judicial involvement and leadership cultivated Passage of legislation allowing government-employed lawyers to provide pro bono legal representation in certain circumstances (3-31-09)
April	ATJ Commission announced (4-3-09) Amended Supreme Court Rules 8 and 21 to encourage pro bono work (4-3-09) Statewide Public Service Day (4-4-09) First ATJ Commission meeting (4-29-09)
May	Amended Supreme Court Rule 5 to permit judicial research assistants to perform certain types of pro bono legal representation (5-26-09) Commission Advisory Committees are formed and begin to meet
July	Amended Supreme Court Rule 43 and Rule 8, RPC 1.15 to mandate participation in the Interest on Lawyers' Trust Accounts (IOLTA) program and to require interest rate comparability (7-9-09) Second Commission meeting (7-17-09) Commission Advisory Committees continue to meet

- September Tennessee Statewide Equal Justice Conference (EJC) at which Commission Chair speaks and Chief Justice and other Commissioner conduct an ATJ community forum.
Commission Advisory Committees continue to meet
- October Third Commission meeting (10-19-09)
Commission Advisory Committees continue to meet and begin finalizing recommendations for the Commission
- December The last of the Commission Advisory Committees hold final meetings and submit recommendations for the Commission

2010

- January: Commission Strategic Planning Retreat to develop First Strategic Plan
- April: The Commission submits its first Strategic Plan to the Court.
- June: Court announces plans for Pro Bono Summit, development of new access to justice website, and unveiled the access to justice video.
Fourth Commission meeting (6-22-10)
- July: Advisory Committees are reassembled and new Faith-Based and Resources Committees created.
- September: Adopted Supreme Court 50A creating pro bono emeritus attorney status.
Endorsed Guidelines for Tennessee Court Clerks Who Assist Self-Represented Persons.
Fifth Commission meeting (9-23-10)
- December: Amended Rule of Criminal Procedure 11(b)(1) to require judges to inform criminal defendants of immigration consequences of guilty plea.
Adopted Rule of Civil Procedure 72 to permit unsworn declarations made under penalty of perjury to be filed in lieu of an affidavit or sworn declaration.
Sixth Commission meeting (12-9-10)

2011

- January: Hosted Pro Bono Summit at which all five Justices addressed and participated in the event.
Submitted petition for adoption of plain language divorce forms.
- February: First pro bono emeritus attorney approved.

- March: Commission Chair met with Legal Aid of Middle TN & the Cumberlands to discuss how to promote ATJ initiatives through the media.
- April: Secured malpractice insurance for attorneys who do pro bono a non-LSC organization through TALS.
Seventh Commission meeting (4-21-11)
Approved Disability & Language Barriers Committee recommendation for AOC to create Interpreter Work Group.
Finalized Pro Bono Clinic in a Box forms.
- May: Access to Justice Coordinator attended national Equal Justice Conference and National Meeting of ATJ Chairs.
Justice Holder led round table discussions at National Meeting of ATJ Chairs.
Commission Chair participated in presentation to Clerks Conference on Clerks Guidelines.
Coordinator made a presentation on ATJ initiative to Nashville Conflict Resolution Center.
- June: Chief Justice Clark and Commission Chair participated in Bench Bar presentation to trial judges and attorneys on ways to assist self-represented persons.
- July: Eighth Commission meeting (7-14-11)
Approved Mediator of the Day/Mediation Clinic in a Box project with emphasis on mediating with self-represented persons.
Court approved universally acceptable plain language divorce forms and enacted Supreme Court Rule 52.
- September: Court amended Rule 9, Section 20.11 to streamline the voluntary pro bono reporting form.
Commission Chair and Coordinator met with the TBA ATJ Committee to coordinate pro bono efforts.
Plain language divorce forms went into effect.
- October: Ninth Commission meeting (10-6-11)
Commission Chair and Coordinator met with Executive Directors of four LSC-funded legal aid providers.
Coordinator attended statewide Equal Justice Conference.
Access to justice website, www.justiceforalltn.com demonstrated to Commission.
Justice Holder attended National Pro Bono Summit.
- November: Access to justice website www.justiceforalltn.com launched.
Commission Chair and Co-Chair presented proposed limited scope rules to Supreme Court's Rules Commission.
- December: Court adopts proposed limited scope representation rules.

2012

- January: Commission holds Strategic Planning Retreat. Chief Justice Clark and Justice Holder attend.
Coordinator presents first Pro Bono Report.
Chief Justice, Commission Chair, and Faith-Based Committee Members make presentation to the Memphis and Tennessee Cabinets of the United Methodist Church.
- February: Bench Book for General Sessions Judges on Meeting the Needs of Self-Represented Litigants Presented to Tennessee General Sessions Judges Conference.
Tennessee and Memphis Cabinet of United Method Church approve and adopt access to justice initiative.
- March: Court submits first batch of plain language general session forms out for public comment.
Tenth Commission meeting (3-22-12)

Appendix E:
2010
Strategic Plan
Update

**TENNESSEE ACCESS TO JUSTICE COMMISSION
RECOMMENDATIONS TO THE TENNESSEE SUPREME COURT**

**Goal 1: To involve more lawyers and law students
in meeting legal needs so that the public is better served.**

Pursuant to this goal, the Court is asked to:

- A. Host a pro bono summit for representatives from law firms, bar associations, corporate legal departments, law schools, mediation groups, pro bono programs and others in the coming year which will promote
- Formation of a more comprehensive pro bono referral system across the state;
 - Exploration of the development of a plan to provide more pro bono malpractice insurance by working with bar associations for implementation as soon as possible;
 - Expanded support for pro bono and legal services staff lawyers handling specialized or complicated cases; and
 - Creation of a web based email bank entitled “TNJustice4All.com”
 - *Promoted Appellate Pro Bono Project*
 - **Completed.**
- B. Provide formal encouragement and support for expansion of pro bono in other ways, including
- Support for adoption of formal pro bono policies by all Tennessee law schools;
 - *Summit session focused on law school pro bono. Collaborating with TBA ATJ Law School Pro Bono sub-committee.*
 - *Law school deans and faculty on Advisory Committees.*
 - Support for adoption of formal pro bono policies by corporate legal departments;
 - *Summit session focused on pro bono policies in corporate legal departments.*
 - *Chief Justice Clark spoke at TBA Annual Corporate Gala in March 2011.*
 - Support for court system staff lawyers doing more pro bono work; and
 - *The Court sent open letter to attorneys employed by the judicial branch encouraging them to begin or continue their pro bono work during October 2011, Pro Bono Month. The letter included a link to the TBA website listing pro bono opportunities and encouraged attorneys to volunteer through www.JusticeForAllTN.org.*
 - Incentives to create attorney of the day programs at local courthouses and to encourage lawyers to volunteer for those programs.
 - *Information on successful attorney of the day programs and how to start a program are being developed for Justice For All website.*
- C. Adopt a Pro Bono Emeritus Rule.
- **Completed.**
 - **To date, have three approved Emeritus Attorneys.**
- D. Adopt a Limited Appearance in Court Rule that would permit limited appearances by a lawyer on behalf of a self-represented litigant who only wants or needs help with one aspect of his or her matter pending before the court.
- *Commission and the TBA submitted a joint proposal for amendments to Rules 5 and 11 of the Tennessee Rules of Civil Procedure to the Rules Commission. The Rules Commission reviewed the proposal on November 18, 2011, and approved the proposed amendments with minor modifications.*
 - *The Rules Commission submitted the proposed amendments to the Court on December 5, 2011.*

- *The Court issued an order soliciting public comments on the proposed amendments. The public comment period ended on January 5, 2011.*
- *The Court adopted the proposed amendments and sent them to the Legislature.*

E. Adopt a comment to the Pro Bono Reporting Rule to include a model pro bono policy.

- *The Court adopted the Commission's proposal to amend the pro bono reporting rule. The proposal did not include a model pro bono policy but instead asked the Court to streamline the reporting form and encourage more voluntary reporting through a series of letters to the bar.*

Goal 2: To provide greater educational opportunities and resources for policymakers, self-represented litigants, the community, lawyers, court personnel, and others.

Pursuant to this goal, the Court is asked to:

A. Approve forms recommended by the Commission as they are submitted to the Court for approval.

- *The Court adopted the plain language forms and instructions for divorces without minor children. The forms went into effect on September 1, 2011.*
- *Parenting Plan Committee working on finalizing its draft of plain language forms.*
- *Disability and Language Barriers Committee adding members to review process.*
- *A forms subcommittee continued meeting in September to review forms submitted to the Court by a group of general sessions judges. The subcommittee has finalized plain language versions of six of the forms submitted by the general sessions judges. The subcommittee asked the Commission to submit a public comment on the general sessions judges' forms to the Court asking that the Court permit the subcommittee to continue its work on the six plain language forms and put other forms into plain language.*
- *The ATJC forms subcommittee and the general sessions judges met in January to finalize the six existing plain language forms. The forms were sent to the Court for approval as universally acceptable as legally sufficient pursuant to Rule 52.*
- *The ATJC forms subcommittee and the general sessions judges will continue to work on plain language versions of 17 other general sessions forms.*
- *The child support guidelines and instructions have been put into plain language. A subcommittee will begin reviewing the guidelines and instructions to ensure that the content still correct and was not lost in translation. The subcommittee will begin its work in early 2012, as many members of the subcommittee are already involved in other forms projects for the Commission.*

B. Issue an order which directs that any form approved by the Court is universally acceptable as legally sufficient in every court in Tennessee.

- *The Court adopted Supreme Court Rule 52 which states that all forms approved by the Court must be accepted as legally sufficient if properly completed.*

Goal 3: To make the justice system more user-friendly.

Pursuant to this goal, the Court is asked to:

A. Request and approve the plan for increased use of court technology to be submitted to the Court as developed by the Court and/or Commission Technology Committee.

- *The Commission approved the Technology Committee's pilot projects to automate the client application process to receive services from legal aid. The client will complete the application online and the*

application will be sent to the local legal aid office for further screening. The goal of the project is to eliminate some of the time spent on screening pro bono clients. Legal aid can then match that client with a pro bono attorney.

- *The Commission approved a secondary project to automate the frequently used legal forms. The clients in the above scenario will be able to answer questions online and a computer program will use the responses to generate the necessary legal form. The form will then be sent to the pro bono attorney. The goal of this project is decrease the amount of time the pro bono attorney needs to create simple legal forms, hopefully encouraging more pro bono service and allowing attorneys to take on more pro bono cases.*
- *AOC Interpreter work group created.*

B. Endorse the proposed "Guidelines for Tennessee Clerks Who Assist Self-Represented Litigants."

- **Completed.**

Goal 4: To remove barriers to access to justice, including but not limited to, disability, language, literacy and geography.

Pursuant to this goal, the Court is asked to:

- A. Consider and approve revisions as submitted by the Commission to Tennessee Supreme Court Rule 42, to make explicit that it is the duty of each court to locate an interpreter when needed and to require the judge to document in written findings the efforts made to secure a certified interpreter.
- *The Court published proposed amendments to Supreme Court Rules 41 and 42 for public comment. The comment period ended on October 14, 2011, and the Court adopted amendments to the Rules on December 16, 2011.*
 - *The amended rules will go into effect on July 1, 2012.*
- B. Amend Tennessee Rule of Criminal Procedure 11(b)(1) to join twenty-four (24) other states to require judges to inform criminal defendants in the plea colloquy that a guilty plea may have immigration consequences.
- **Completed.**
 - *Sub-committee is developing education programs for bench and bar. The subcommittee chair made a presentation to at the February 2012 general sessions judges conference on this topic. The subcommittee developed materials for the general sessions judges in February and will develop additional materials to distribute to the trial judges during their June 2012 conference.*
- C. Consider and approve appropriate rule revisions as submitted by the Commission to ensure all interpreters are paid by the state.
- *AOC Interpreter work group will study this item and make recommendations to the Court.*
- D. Consider and approve revisions as submitted by the Commission to the Tennessee Rules of Civil and Criminal Procedure, Rules of Professional Conduct, and Rules of Judicial Conduct to address access issues related to disability, language, income and literacy barriers.
- *Pro Bono Committee recommendations to change Rules of Civil Procedure (limited scope).*
 - *AOC Interpreter work group will likely propose changes.*

TENNESSEE ACCESS TO JUSTICE COMMISSION PLANNED ACTIVITIES

Goal 1: To involve more lawyers and law students in meeting legal needs so that the public is better served.

Pursuant to this goal, the Commission will:

- A. Support the development of a more comprehensive pro bono referral system across the state to be encouraged by the Court, administered by the Legal Services Corporation (LSC) and non-LSC programs and bar associations, and encourage resources from sources such as the Tennessee Bar Foundation through IOLTA grants, bar associations, law firms, corporate legal departments and charitable organizations.
- *Planned the Pro Bono Summit, bringing together bar association presidents, private attorneys, corporate counsel, and representatives from LSC and non-LSC programs.*
 - *Developed process for provision of malpractice insurance for lawyers doing pro bono with non-LSC programs.*
 - *Supported launch of OnlineTNJustice and Appellate Pro Bono Pilot Project.*
 - *Conference with CLE regarding dedication of funds towards ATJ projects.*
 - *Organized and followed up with Summit participant Action Card responses.*
 - *Incorporated members of legal service providers, bar associations, multiple law firms and corporate legal departments, and various charitable organizations in its Advisory Committees.*
 - *Resources Committee established subcommittees to study and propose ways to coordinate funding resources and to identify partners to improve the provision of legal aid services.*
 - *Coordinator compiled Pro Bono Report which will be updated at least annually as new pro bono services become known and available.*
- B. Study the experience of the Nashville Bar Association (NBA) Modest Means panel to assess the feasibility of implementation of such panels in other communities across the state.
- *Pro Bono Committee studied NBA Modest Means panel and established small subcommittee to gather information on how other states address this issue.*
 - *The subcommittee report was submitted to the Commission in July 2011. The Commission reviewed the report at its strategic planning retreat and the Pro Bono Committee will monitor a possible pilot project co-sponsored by MALS and the MBA.*

Goal 2: To provide greater educational opportunities and resources for policymakers, self-represented litigants, the community, lawyers, court personnel and others.

Pursuant to this Goal, the Commission will:

- A. Create a committee to review, revise and create forms and to develop a comprehensive delivery system for all Court approved forms with sensitivity to access issues related to disability, language, income and literacy barriers.
- *Forms Committee group that reviewed the forms for divorces without children is now reviewing the plain language Parenting Plan. The group has been meeting weekly and using the Go-To-Meeting software review the form. The first draft is close to completion. The AOC will provide the form to judges, clerks, and the bar for comments.*

- *The Court adopted the plain language forms and instructions for divorces without minor children proposed by the Commission. The forms went into effect on September 1, 2011.*
- *Order of Protections forms put into plain language and translated into Spanish.*
- *Child support guidelines and related documents have been put into plain language. A subcommittee will begin its review of the forms in early 2012.*
- *The general civil forms subcommittee will continue its review of the nine forms that were previously put into plain language.*
- *A forms subcommittee continued meeting in September to review forms submitted to the Court by a group of general sessions judges. The subcommittee has finalized plain language versions of six of the forms submitted by the general sessions judges. The subcommittee asked the Commission to submit a public comment on the general sessions judges' forms to the Court asking that the Court permit the subcommittee to continue its work on the six plain language forms and put other forms into plain language.*
- *The ATJC forms subcommittee and the general sessions judges met in January to finalize the six existing plain language forms. The forms were sent to the Court for approval as universally acceptable as legally sufficient pursuant to Rule 52.*
- *The ATJC forms subcommittee and the general sessions judges will continue to work on plain language versions of 17 other general sessions forms.*
- *The plain language divorce forms are being put into Spanish and will be made available online.*
- *The forms subcommittee will recommend forms for the Commission to consider translating into plain language for its 2012 Strategic Plan.*

B. Develop and conduct a systematic education campaign to the judiciary, clerks, the bar and the public about forms.

- *When forms are approved, the AOC, with the help of Committee members, will prepare education programs for the judiciary and the clerks. The forms were emailed to all court clerks, general sessions judges, and trial judges. The forms are being made available to the above groups at their fall conferences on a CD and as hard copies.*
- *Committees will work with the TBA, local bar associations, and legal aid organizations to provide education to the bar.*
- *Committees will develop educational materials to distribute to social service providers, libraries, and other organizations that have direct contact to the public.*
- *Information on the forms will be added to the Justice For All web page and the AOC will issue press releases to inform the public. Forms will be translated to various languages and made accessible to the disabled.*

C. Collaborate to develop an on-line access to justice resource inventory and an ongoing catalogue of best practices.

- *The Justice For All launched on November 30, 2011. The website will serve as the on-line access to justice resource inventory.*
- *The Technology Committee has developed a sub-committee that is developing a catalogue of best practices based upon its review of other state and court ATJ websites.*

D. Continue to encourage the access to justice/public libraries collaboration initiated during the Commission's first year and work to develop resources to support and expand access to legal information and services across the state.

- *Various TALS staff and librarians are members of Advisory Committees to continue to foster the collaboration established during the Commission's first year.*

- *The Coordinator and the AOC Public Information Officer will both participate on the steering committee.*
 - *The Steering Committee met for the first time in January 2012 and will meet again in March 2012.*
- E. Develop effective media delivery mechanisms with a clear access to justice campaign and message branding. Develop educational materials that will include a “Pro Bono Clinic in a Box,” downloadable from websites, as well as specific education materials related to other issues, language and disability barriers, public awareness about mediation, (including community mediation), housing issues and financial literacy.
- *The Clinic in a Box sub-committee developed the administrative forms which are before the Commission. These forms are included on the Justice For All website, along with an introduction by John Blankenship.*
 - *The sub-committee will look at issue-specific clinics as new forms are approved by the Court.*
- F. Form a standing Committee on faith-based collaboration charged with holding regional meetings in the next year and with conducting education and advice clinics in 2011.
- *The Faith-Based Initiatives Committee has been actively meeting and developed a strategy to get information to religious leaders.*
 - *The Committee has determined that it will not host regional meetings but will attend and make presentations at regional and local meetings of religious leaders.*
 - *The Committee will begin its outreach by connecting with the Methodist Church, as there are a large number of Committee members who are affiliated with the Methodist Church and the Methodist Church already has social justice programs in place.*
 - *Chief Justice Clark and Linda Warren Seely met with Bishop Ben R. Chamness and made presentations to the Memphis Conference Cabinet and the Tennessee Conference Cabinet in January 2012. The Committee plans for churches and faith-based organizations to begin hosting clinics or attorney of the day programs, dispute resolution trainings, and community education programs by March 31, 2012. The Committee will evaluate and continue to grow its initiative through the end of 2012. The Committee will complete the model for use in other religious institutions by December 31, 2012.*
- G. Continue to reach out to the Tennessee General Assembly and other policymakers and determine ways to deliver targeted access to justice information to them.
- *Various Committee members and Commissioners are reaching out and establishing relationships with the legislature and other policymakers.*
 - *The Resources Committee formed a subcommittee to determine if there are legislative efforts it can endorse.*
 - *When the forms and website launch, the legislature and policymakers will receive targeted information on how these new developments can assist them to better serve their constituents.*

Goal 3: To make the justice system more user-friendly.

Pursuant to this goal, the Commission will:

- A. Create a technology committee to develop a plan for increased use of court technology for submission to the Court for approval, a plan that will include using technology for video remote interpreting, use of existing courtroom technology for video proceedings, pro bono outreach to rural areas and increased access to legal information and services.

- *The Technology Committee formed two subcommittees to develop a strategic plan: Outreach to Rural Areas and Increased Access to Legal Information.*
- *The subcommittee created to study remote interpreting has been absorbed into the AOC Interpreter Work Group.*
- *The Commission approved the Technology Committee's pilot projects to automate the client application process to receive services from legal aid. The client will complete the application online and the application will be sent to the local legal aid office for further screening. The goal of the project is to eliminate some of the time spent on screening pro bono clients. Legal aid can then match that client with a pro bono attorney.*
- *The Commission approved a secondary project to automate the frequently used legal forms. The clients in the above scenario will be able to answer questions online and a computer program will use the responses to generate the necessary legal form. The form will then be sent to the pro bono attorney. The goal of this project is decrease the amount of time the pro bono attorney needs to create simple legal forms, hopefully encouraging more pro bono service and allowing attorneys to take on more pro bono cases.*

B. Work with the Alternative Dispute Resolution Commission and other groups, including community mediation centers, to promote pro bono and reduced-rate mediation services.

- *The Education Mediation subcommittee made five recommendations to the Commission in April 2011. The Commission approved the recommendations and forwarded them to the ADR Commission. The ADR Commission will review the recommendations at its meeting in late July. This subcommittee has completed its goal and no longer meets. A number of subcommittee members have joined the Pro Bono Mediation subcommittee.*
- *Following each ADR Commission meeting, the AOC will distribute information to the clerks and all judges on the pro bono requirement contained in Rule 31 and how to locate a mediator that serves their county.*
- *The Pro Bono Mediation subcommittee developed a Mediator of the Day and Mediation Clinic proposal. The subcommittee will develop the administrative forms and marketing tools for a mediator or group of mediators to use to develop a Mediator of the Day or Mediation Clinic. The information will be part of the Justice For All website and distributed to Rule 31 mediators and judges.*

C. Develop, maintain and make available a pro se handbook for Judges.

- *The first draft of the benchbook is complete. It has been circulated to all of the general sessions judges.*
- *Judge Stokes presented the bench book to the general sessions conference in February 2012 and will ask the conference to approve the bench book.*

D. Review and suggest revisions to the Tennessee Rules of Civil and Criminal Procedure, Rules of Professional Conduct, and Code of Judicial Conduct with sensitivity to access issues related to disability, language, income and literacy barriers and submit proposed changes to the Court.

- *The Pro Bono Committee submitted proposed changes to the Rules of Civil Procedure permitting limited scope representation to the Commission. The Commission approved the proposed changes and forwarded them to the Rules Commission. The Rules Commission reviewed the proposal on November 18, 2011, and approved the Commission's proposal with minor modifications. The Rules Commission submitted the proposal to the Court. The proposal is now out for public comment.*
- *The Court approved the proposed amendments and forwarded them to the Legislature.*

- E. Review the need for policy changes in Tennessee to reduce barriers to access to justice.
 - *Ongoing activity by all Committees.*
- F. Support removal of the notary requirement on certain pleadings.
 - **Completed.**

Goal 4: To remove barriers to access to justice, including but not limited to disability, language, literacy, and geography.

Pursuant to this Goal, the Commission will:

- A. Draft and submit to the Court revisions to Supreme Court Rule 42 to make explicit that it is the duty of each court to locate an interpreter when needed and to require that the judge document in written findings the efforts made to secure a certified interpreter.
 - *The Court published the Disability and Language Barriers Committee's proposal to amend Rules 41 and 42 for public comment.*
 - *The adopted new Rules 41 and 42 in December 2011 which will go into effect on July 1, 2011.*
- B. Determine the best practices from other states for who pays interpreters in non-indigent civil cases and propose appropriate rule revisions to the Court to ensure all interpreters are paid by the state.
 - *The Commission approved the Disability and Language Barriers Committee's recommendation to create an AOC Interpreter Work Group. The Work Group has divided into subcommittees and has met three times.*
 - *This group will also focus on remote interpreting. This suggestion arose from the work of the Language Barriers sub-committee and the Remote Interpreting sub-committee. The two will be combined and additional members will be added as needed.*
- C. Develop a comprehensive plan for how to provide/fund and/or otherwise support existing and new immigration legal services for language minorities.
- D. Develop multi-lingual civil informational videos for posting on the Administrative Office of the Courts (AOC) website.
 - *The Commission is exploring a project proposed by Judge Don Ash to create informational videos that can be used statewide. The AOC will review all content to ensure that the quality of the videos are comparable to the ATJ video. Blue Ribbon monies would be used to fund this project.*
 - *Once videos are produced for the website, they will all be translated into multiple languages.*
- E. Consider development of a roster of sign language interpreters and similar service providers for inclusion on the AOC website.
 - *The Disability subcommittee is taking on this project. Information on sign language interpreters is maintained by various agencies. Information on these agencies and on sign language interpreters will be added to the Justice For All website.*
- F. Encourage the Court to support Congress lifting some or all of the Legal Service Corporation (LSC) restrictions as soon as possible.

Appendix F:
2010-2011
Members of
Advisory
Committees
&
Working Groups

2010- 2011 Members of Advisory Committees and
Working Groups Listed By Committee

Disability and Language Barriers Advisory Committee
& Working Groups:

Gregg Ramos, Chair
North, Pursell, Ramos & Jameson PLC

Fran Ansley
UT College of Law

Anna Bass
Regional Manager, Disability Law & Advocacy
Center of TN

Thomas Boehm
Director, Faith for All

Charlotte Bryson
Director, TN Voices for Children

Lillian Burch
Director, DisABILITY Resource Center

Alicia Cone
TN Council on Developmental
Disabilities

Laurie Cribb
Bridges

Rob Cruz
Certified Judicial Interpreter

Judge Steve R. Dozier
20th Judicial District

Adam Eckstein
Attorney At Law

David Esquivel
Bass, Berry & Sims and
TBA ATJ Committee Chair

Lesley D. Farmer
Director, Office for Civil Rights,
TN Department of Education

Stephen Fotopulos
Director, TN Immigrant & Refugee
Rights Coalition

David Gall
Assistant Public Defender, Knox County

Judge Phyllis B. Gardner
General Sessions, Shelby County

Lori Gonzales
Paralegal, Bart Durham

Mike Holley
Federal Public Defenders Office

Travenia A. Holden
Attorney, Holden Law Office

Seth Holliday
Eric Buchanan & Associates

Gary Housepian
Director, Legal Aid Society

Patricia Kirkpatrick
Amerigroup Corporation

Janet C. Lamb
Commission on Aging & Disability

Meg Jones
Director, Community Legal Center

Martie Lafferty
Managing Attorney, Disability Law &
Advocacy Center of TN

Claudia Avila-Lopez
Hispanic Program Coordinator
TN Disability Pathfinder

Alex MacKay
Stites & Harbison

Karla McKanders
UT College of Law

Elise McMillan
Co-Director, Vanderbilt Kennedy Center for
Excellence in Developmental Disabilities

Patrick McNally
Weatherly, McNally & Dixon

Mark Montgomery
Director, Statewide Independent Living
Council of TN

Robin Nobling
National Alliance on Mental Illness TN

Sheila Odusote
Paralegal, Disability Law & Advocacy Center
of TN

Stevie Phillips
Attorney At Law

Lisa Primm
Policy & Training Director
TN Alliance for Legal Services

Jerry Seale
Sign Language Interpreter

Jeannie Settlemyre
Sign Language Interpreter

Judge Sheridan C. Randolph
General Sessions, Bradley County

Janice Snow Rodriguez
Director, TN Foreign Language Institute

Alicia Triche
Community Legal Center

Carol Westlake
Director, TN Disability Coalition

Education Advisory Committee:

Katie Edge, Chair
Miller & Martin PLLC

Robert Baggett
Franklin County Circuit Court Clerk

Laura Bohling
Rutherford County Circuit Court Clerk

Mary Vaughn Carpenter
Library Director, Paul Meek Library

Laura Click
Public Information Officer,
Administrative Office of the Courts

Erik Cole
Director, TN Alliance for Legal Services

Ted R. Fellman
Director, TN Housing
Development Agency

Tasha French
Director, The Contributor

Chancellor Thomas R. Frierson
3rd Judicial District

Greg Gonzales
Commissioner, Department of
Financial Institutions

Chris Guthrie
Dean, Vanderbilt Law School

Michelle Hanks
Director, United Way of
Blount County

Sarah Hayman
TBA ATJ Coordinator

Judge Jeff Hollingsworth
Circuit Court, 11th Judicial District

Catherine Homra
Programs Manager
Administrative Office of the Courts

Joe Jarrett
Law Director
Knox County Government

Hayden D. Lait, Esq.
Mediation & Law Office of Hayden Lait

Tamara Losel
Director, Nashville Conflict
Resolution Center

Judge Betty Thomas Moore
General Sessions, Shelby County

Jane Pinkston
TN State Library & Archives (Retired)

Susan Orr
Oasis Center (Retired)

Leigh Ann Roberts
Papa & Roberts

Adinah Robertson
Community Education,
Legal Aid Society

Chatiqua Vaughn
Founder and CEO
Hope Restoration Ministries

Jude White
Community Foundation

Julie Womack
Cheatham County Circuit Court Clerk

Faith-Based Initiatives Advisory Committee:

Dr. Frank Anthony Thomas, Chair
Mississippi Boulevard Christian Church

Gary D. Behler
Hamilton County Juvenile Court Clerk

Sam Blaiss
Attorney at Law

Andrew Branham
Vice President, Counsel On Call

Margaret Craddock
Former Director
Memphis Inter-faith Association

Wes Edens
Icenhour & Edens

Katherine Esquivel
Asst. Public Defender

Peyton Hairston
Senior Vice President
TN Valley Authority

Judge Deborah Henderson
General Sessions, Shelby County

Harrison McIver
Director, Memphis Area legal Services

Reverend Freddie Moore
Holy Community United Methodist Church

Amy Moritz
Director
Center for Transforming Communities

Tom Negri
General Manager
Loews Vanderbilt Hotel

Jane Pinkston
TN State Library & Archives (Retired)

Dianne Polly
VP of Compliance and Community Relations
Metropolitan Inter-Faith Association

Father Ragan Schriver
Executive Director
Catholic Charities of East TN

Linda Warren Seely
Memphis Area Legal Services
Pro Bono Director

Van Davis Turner
Attorney At Law

Gail Williams
Associate Director, Community Engagement
Vanderbilt Office of Community,
Neighborhood, and Government Relations

Reverend Ralph White
Bloomfield Full Gospel Baptist Church

Pro Bono Advisory Committee:

Buck Lewis, Chair
Baker, Donelson

Judge Ross Hicks
Circuit Court, 19th Judicial District

Judge Bill Acree
Circuit Court, 27th District

Judge Jeff Hollingsworth
Circuit Court, 11th Judicial District

Heidi Barcus
London & Amburn

Laurie D. Jewitt
Attorney, Mediator,
Municipal Judge, City of Brentwood

Jim Barry
Attorney, International Paper

Maeghan Jones
Legal Aid of East TN (Chattanooga)

John Blankenship
Blankenship & Blankenship

Meg Jones
Director, Community Legal Center

Gordon Bonnyman
Director, TN Justice Center

Sue Kay
Associate Dean for Clinical Affairs
Vanderbilt University Law School

Kristal Hall Boone
Attorney, Boone Law

Jacqueline Kittrell
Director, Community Mediation Center

Larry W. Bridgesmith
Institute for Conflict Management
Lipscomb University

Harrison McIver
Director, Memphis Area legal Services

David Cook
The Hardison Law Firm, P.C.

Rachel Moses
Attorney, Legal Aid Society (Cookeville)

Jackie Dixon
Weatherly, McNally & Dixon

Allan Ramsaur
Director, TBA

Lori Gonzalez
Paralegal, Bart Durham

Linda Warren Seely
Memphis Area Legal Services
Pro Bono Director

Sarah Hayman
TBA ATJ Coordinator

Judge Wayne C. Shelton
General Sessions, Montgomery County

Wynne du Mariau Caffey
Ramsey, Elmore, Stone & Caffey

Kevin Smith
Dean, Cecil C. Humphreys School of Law

Carla Forney
Legal Aid of East TN (Johnson City)
Pro Bono Director

Lucinda Smith
Director, Nashville Pro Bono Program

Casey Gill Summar
Director, Greater Nashville Area
Volunteer Lawyers &
Professionals for the Arts

Judge Charles C. Sullivan, II
Retired

Virginia Townzen
Associate Dean, Nashville School of Law

Kathryn Tucker
West TN Legal Services Pro Bono Director

Judge Larry Warner
General Sessions, Cumberland County

Melissa Wibbens
Attorney At Law

Terry Woods
Legal Aid of East TN (Knoxville)
Pro Bono Director

Pro Se/Forms Advisory Committee:

Francis S. Guess, Chair
Senior Advisory,
Seigenthaler Public Relations

Cathy Allshouse
South East TN Legal Services

Judges Denise Andre
General Sessions, Williamson County

Charlotte Broyles
Coffee County Clerk & Master

Mike Catalano
Appellate Court Clerk

Cindy Chappell
Attorney, Dodson & Parker

Mary Cook
Monroe County Circuit Court Clerk

Judge Jane Crowley
General Sessions, Meigs County

Ted Crozier
Montgomery County Clerk and Master

Judge Geoff Emery
General Sessions, Knox County

Kevin Fowler
Legal Aid Society (Clarksville)

Chancellor Thomas R. Frierson
3rd Judicial District

Judge Phyllis B. Gardner
General Sessions, Shelby County

Barry Gold
McWilliams & Gold

Judge Nolan R. Goolsby
General Sessions, Putnam County

Irene Hallet
Attorney, Courthouse Pro Se Clinic
Community Legal Center

Sarah Hayman
TBA ATJ Coordinator

Judge Jeff Hollingsworth
Circuit Court, 11th Judicial District

Deb House
Legal Aid of East TN (Knoxville)

Kathy Jones-Terry
Hamblen County Clerk & Master

Judge Robert Lincoln
General Sessions, Washington County

Jeffrey Lawrence Levy
Corley Henard Lyle Levy & Langford

Kendra Mansur
TN Valley Authority

Penny Murhpy
Jefferson County Circuit Court Clerk

Bruce A. Ralston
Attorney At Law

Ricky Rooker
Davidson County Circuit Clerk

Laura Rule
Legal Aid of East TN

Judge Phil Smith
20th Judicial District

Brenda Sneyd
Washington County Clerk & Master

Judge Vicki Snyder
General Sessions, Henry County

Judge Dwight Stokes
General Sessions, Sevier County

Deb Yeomans
Legal Aid of East TN (Johnson City)

Resources Advisory Committee:

Maura Ablen Smith, Co-Chair
EVP Government Affairs
General Counsel and Corporate Secretary
PepsiCo, Inc.

Bill Young, Co-Chair
Solicitor General
TN Attorney General's Office

Hulet Chaney
CEO Emeritus
TN Farmers Insurance Companies

Stewart Clifton
Government Relations Consultant
TN Alliance for Legal Services

Erik Cole
Director, TN Alliance for Legal Services

Judge Patricia J. Cottrell
Court of Appeals

Waverly Crenshaw
Waller, Lansden, Dortch & Davis

Riney Green
Bass, Berry & Sims

John Morgan
Chancellor
TN Board of Regents

Senator Mark Norris
TN General Assembly

Harry P. Ogden
Chair, TN Bar Foundation Board of Trustees
Baker Donelson

Cheryl G. Rice
Egerton, McAfee, Armistead & Davis

Chris Richards
Executive Vice President, General Counsel,
And Secretary
FedEx

David Yoder
Director, Legal Aid of East TN

Technology Advisory Committee:

Doug Blaze, Co-Chair
Dean, University of TN
College of Law

D. Billye Sanders, Co-Chair
Attorney At Law

Bev Adcock
Legal Aid Society

Esther Bell
Attorney At Law

Gary D. Behler
Juvenile Court Clerk, Hamilton County

Laura Bohling
Circuit Court Clerk, Rutherford County

Michael Bressman
Vanderbilt University School of Law

Judge Thomas White Brothers
20th Judicial District

Chancellor James Butler
26th Judicial District

Trenay Bymun
TN Alliance for Legal Services

Cheryl Castle
Circuit Court Clerk, Montgomery County

Laura Click
Public Information Office
Administrative Office of the Courts

Curt M. Cobb
Bedford County Clerk & Master

John Greene
Baker Donelson

Sarah Hayman
TBA ATJ Coordinator

Deb House
Legal Aid of East TN (Knoxville)

Kevin Key
Shelby County Criminal Court Clerk

Cathy Quist
Knox County Circuit Court Clerk

Bill Ramsey
Neal & Harwell

Ann Lynn Walker
Information Systems Director
Administrative Office of the Courts

Lisa Walker
Network Services Manager
TN State Library & Archives

The Commission would to thank those listed and all of the volunteers who helped implement the 2010 Strategic Plan.

Rosters of the 2012-2013 Advisory Committee members will be made available at www.tncourts.gov.

Appendix G:

2011

Pro Bono
Report

2011 Pro Bono Report

The following report contains information and statistics on pro bono activities done by legal aid providers, bar associations, law schools, and individual attorneys in 2011, and in some instances, in 2010. This report is for the purpose of establishing a baseline measurement of all of the pro bono activities statewide.

There are seven sections:

1. Bar Association Pro Bono
2. Law School Pro Bono
3. Pro Bono from LSC-funded Legal Aid Organizations
4. Attorney Voluntary Pro Bono Reporting Statistics
5. 2011 Pro Bono Month (October)
6. Data and Outreach Summary Through 12/20/2011 on www.OnlineTNJustice.org
7. Data on CLE Credit Attorneys Received for Pro Bono Work in 2010 and 2011

Bar Association Pro Bono

The Coordinator is surveying regional and local bar association to learn about pro bono initiatives and efforts sponsored by each bar association. The bar associations were also asked to identify particular needs for more pro bono services they see in their community. The Coordinator reached out to the presidents and/or directors via email and with follow-up phone calls.

To date, there is data on sixteen bar associations. A spreadsheet detailing the current pro bono projects, future pro bono projects, and needs/comments is attached. Highlights from the survey and insights learned from the survey responses are listed below.

Information on additional bar associations will be supplemented as it is received.

Bar Association Survey Highlights:

- As expected, the bar associations in the major metropolitan areas of the state have a greater number and variety of pro bono opportunities available to the public and attorneys.
- The Nashville Pro Bono Program coordinates all of the Nashville Bar Association's pro bono initiatives. The Nashville Pro Bono Program established a project with the six largest Nashville law firms where each firm agreed to become experts in different substantive areas of the law and take referrals on their expert area. The project could be replicated in other parts of the state.
- The Knoxville Bar Association was inspired by the Pro Bono Summit to create a resource of all the pro bono opportunities in the community. This project is still in the development phase.
- Many of the rural and some suburban bar associations do not have formal pro bono programs but do work with their local legal aid office to take referrals.
- Claiborne and Cocke County Bar Associations indicated there is no real collaboration with the local legal aid office. This probably is true for other counties.
- Bar associations indicated that there is need for help with domestic and juvenile cases where people cannot afford attorneys.
- Cumberland and Robertson County Bar Associations asked for help and information on creating a more formal pro bono program.
- Washington County Bar Association does not work with the local legal aid office on its clinics and attorney of the day program because it does not want to be subject to federal restrictions.
- Washington County is developing a model to create a formal pro bono program that can be replicated in other counties. This resource will be helpful to bar associations seeking to start or improve their pro bono program.
- Bar associations are conducting community education courses in addition to providing pro bono services.

Bar Association	Current / Past Projects	Future Projects	Needs / Comments
Blount County	<ul style="list-style-type: none"> • Held a free legal clinic in August 2011. Open to the public and no income limitations. • Held a similar event in 2010. 	<ul style="list-style-type: none"> • Developing a website with information about resources for people looking for pro bono help. • The site will refer people to legal aid but will also have some local bar resources. 	<ul style="list-style-type: none"> • Huge need for pro bono services for people with domestic legal problems, especially since legal aid can only handle divorces when there is domestic violence. • President receives calls from women who cannot pay for a divorce. Need to address the provision of family law legal services for poor people. • Helpful if there was some type of resource to provide for, at a minimum, filing fees in such cases.
Bradley County	<ul style="list-style-type: none"> • Used to have Saturday legal clinic through Legal Aid of East TN. • Trying to reinstate clinic but difficult b/c legal aid office in county is closing. • Accepts cases from legal aid when legal aid sends out an email soliciting pro bono attorneys. • Sponsored a series (2-3) of free community education programs for the public. 		
Claiborne County	<ul style="list-style-type: none"> • No formal program. • The trial judges and general sessions judges contact the President as they see cases come through the system where someone needs pro bono help. • President has a list of attorneys who have offered to take pro bono cases. • Court clerks also refer people. 		<ul style="list-style-type: none"> • Overload of domestic and juvenile cases where people cannot afford to hire an attorney.
Cocke County	<ul style="list-style-type: none"> • No formal program – no real collaboration w/ closest legal aid office. 		<ul style="list-style-type: none"> • Assistance w/ court and legal fees for people in need who will

	<ul style="list-style-type: none"> • President indicated that all member attorneys do pro bono cases and regularly reduce fees for people who cannot afford standard legal fees. • President offered to conduct a divorce seminar for legal aid. 		never be able to retain an attorney.
Cumberland County	<ul style="list-style-type: none"> • Not a very active organization. • Individual attorneys do pro bono on their own due to economic necessity. • Hold round table discussions w/ CASA volunteers about how to fix or handle large amt of open cases. 	<ul style="list-style-type: none"> • Plans to create public law library with donated materials. 	<ul style="list-style-type: none"> • Wants more information/help on how to start a more formal program.
Jackson-Madison County	<ul style="list-style-type: none"> • Bar and Young Lawyers Division partner with West TN Legal Services on ongoing basis. • Organizations secured a grant to create a website to offer information to assist pro se litigants. • Co-sponsors events for Celebrate Pro Bono Month in October. • Offers 1 – 2 free CLE courses for attorneys. • Offers informational sessions for the public twice per year. • Members recently spoke to residents at two assisted living facilities about Advance Care Planning. • The Board supports and encourages members to volunteer with WTLS. 	<ul style="list-style-type: none"> • Undertaking additional initiatives is difficult due to participation numbers. 	
Kingsport	<ul style="list-style-type: none"> • Bar does not officially sponsor pro bono programs. • Members handle pro bono cases on their own and through Legal Aid of East TN. 		
Knoxville	<ul style="list-style-type: none"> • Compiled Legal Resource Guide which provides information about legal assistance available in the community. • Guide is on website and distributed at public education programs. • Sponsors 2 public education programs each 	<ul style="list-style-type: none"> • The Committee plans to compile a list of pro bono opportunities so local attorneys can find pro bono opportunities. This project came out of the Pro Bono 	<ul style="list-style-type: none"> • The Executive Director believes that the promotion regarding pro bono opportunities would be greatly enhanced if the KBA could fund printing a brochure to

	<p>year. 2011 – close to 600 people participated in Community Law School and LawTalk series.</p> <ul style="list-style-type: none"> • ATJ Committee focusing on providing assistance to non-profit community and linking non-profit organizations w/ appropriate legal representation. • Assisted with Wills for Heroes project. • The Committee encourages KBA members to attend training to become involved in Project SALUTE, a program designed to assist veterans with legal issues regarding disability and pension benefits. • Committee members participated in study groups to help implement the Supreme Court's efforts to aid pro se divorce litigants. 	Summit.	<p>market the opportunities to local attorneys.</p> <ul style="list-style-type: none"> • In addition, the KBA could use funding to cover the cost of a mailing to non-profits to market free legal assistance.
Memphis	<ul style="list-style-type: none"> • Has an established ATJ Committee. • Saturday legal clinic the second Saturday of each month. • Attorney of the Day program every Thursday afternoon. • Mediator of the day program. • Advance Directives Initiative - began in 2008 with the purpose of circulating and discussing advance directive forms with patients, regardless of financial need, and free of charge. Tennessee law and public policy favor the use of these forms (i.e. living will, power of attorney), and it is our goal to assist in educating those who need the forms and in setting up these documents for these individuals. Through the Advance Directives Initiative, hospitals and healthcare facilities in the greater Memphis area may obtain a list of attorneys willing to assist patients in need with setting up advance directives, even under emergency circumstances that may arise after normal business hours. • Pro bono training seminars. 		

	<ul style="list-style-type: none"> • Developed website, http://www.legalhelp.memphisbar.org. • Encourages members to contact Community Legal Center and Memphis Area Legal Services to take a pro bono case for direct representation. • Assists the Public Action Law Society at the law school with its Alternative Spring Break. • Conducts special legal clinics for churches when requested. 		
Montgomery County	<ul style="list-style-type: none"> • Works with the local Legal Aid of Middle TN office, specifically Kevin Fowler, and member attorneys volunteer to take pro bono cases in exchange for CLE credit or volunteer to take reduced fee cases. • Individual bar members affiliated with state bar organizations recruit other members to participate in pro bono activities such as the Young Lawyers' Division Wills For Heroes project. 		<ul style="list-style-type: none"> • The bar supports the local legal aid office and helps the local legal aid office raise funds. Any new funding should be distributed to legal aid.
Nashville	<ul style="list-style-type: none"> • All work done through Nashville Pro Bono Program. • Sponsors free legal advice clinics at which anyone can receive advice/counsel regardless of income. These include: Williamson County Legal Clinic (1st Tuesday); Second Tuesday Walk-in Clinic; Catholic Charities Clinic (3rd Friday); McHugh Legal Clinic (4th Saturday). On the 1st Tuesday, has a Debt Clinic by invitation for applicants who have sought help with bankruptcy/debt collection problems and have limited income/assets. • Several times a year provides workshops and opportunities for elderly individuals and new homeowners through Habitat to have wills, powers of attorney prepared for free. The Program screens applicants for referral to lawyers for representation. 	<ul style="list-style-type: none"> • The NPB would ideally be able to screen more individuals for help. We are currently doing intake with volunteers and expect to supplement that next year by charging current staff to do more intake. • Expand project where law firms agree to handle a substantive area of the law to include more firms and more areas of the law. • We are working with the TBA to develop a referral pool for military and National Guard service members, their families and retirees/veterans 	<ul style="list-style-type: none"> • The NPB is fortunate to have the infrastructure to manage most of what we want to do. • Our ability to expand what we do is limited by funding/personnel costs. We are making efforts to better utilize our resources.

	<ul style="list-style-type: none"> Partners with community agencies to provide legal assistance. These partners include Catholic Charities, Habitat for Humanity, YWCA, FiftyForward, St. Luke's Community Center, and Williamson County Public Library. Developed substantive area expertise with firms and a single point referral in firms. Currently we have large firms taking referrals in areas of Adoption, Private Landlord Tenant, Unemployment Benefits, Divorce (Williamson County). 	and we are coordinating with the Davidson County domestic court to train lawyers to represent individuals in divorce.	
Nashville Young Lawyers Division	<ul style="list-style-type: none"> Only pro bono initiative done on a regular basis is staff lawyers for the Homeless Experience Legal Protection (HELP) program at Room at the Inn. 		
Robertson County	<ul style="list-style-type: none"> Wills for Heroes. Individual attorneys accept pro bono cases. 		<ul style="list-style-type: none"> Willing to do more. Asked for suggestions. Indicated would be interested in a presentation to bar from ATJC.
Rutherford-Cannon County	<ul style="list-style-type: none"> Sponsor legal clinic every Thursday afternoon. Clinic is free to the public and no income limitations. Encourage members to contact Legal Aid of Middle TN to represent a pro bono client. 		
Washington County	<ul style="list-style-type: none"> Started Lawyers Helping People Committee. Bar's pro bono program is not affiliated with legal aid. Saturday clinic from 9-11. Anyone can come (no restrictions on cases or clients). Attorney of the Day – worked with judges to send attorney to pro se court days - special docket created by the judges - once a month. Have been going to general sessions one day a month, now going 2 days a month - go on heavy collection day and announce that will give free legal advice and do on-the-spot 	<ul style="list-style-type: none"> Trying to develop a model that could be replicated in other counties. 	<ul style="list-style-type: none"> Only thing would recommend - more events similar where Chief Justice Clark came and attended an open house. More media attention - focus on client stories and getting the word out on the good work that is being done. Have open houses (events). Asked legislators and lobbyists to attend. Great PR.

	<p>representation. Gives the GS judges some opportunity to have a day where if they have a pro se day, can re-set case to the pro se docket where there will be pro bono lawyers.</p> <ul style="list-style-type: none"> • Recently had judges/bar association forum where had great discussion about the program. • New project: Following a clinic, held a young lawyers mentor lunch - will do once a month - hopefully encourage young lawyers to come to clinic. 		
Williamson County	<ul style="list-style-type: none"> • The Bar utilizes its Volunteer Lawyer Program in conjunction with the Legal Aid Society for Middle Tennessee and the Nashville Pro Bono program. • The LAS provides malpractice coverage to our participating members and screens the clients for our members. • In addition, the bar provides a monthly Legal Aid clinic at the Williamson County Library which is staffed by Williamson County Bar Association attorneys. • Participating attorneys receive CLE credit and our local judges have agreed to give priority to pro bono cases which come through the program. • The support we have from LAS and the Nashville program allow us to do more than we could alone. 		

Law School Pro Bono

The Court and Commission acknowledged the importance of introducing pro bono to future attorneys while they are still in law school by devoting a session to law school pro bono work at the Pro Bono Summit in January 2011. Motivated by the session, the Tennessee Bar Association Access to Justice Committee created a subcommittee to focus on creating and encouraging pro bono opportunities for law students.

The law school subcommittee conducted a Resource Inventory which details the pro bono opportunities for students in four of the law schools in Tennessee: Duncan School of Law, University of Tennessee, University of Memphis, and Vanderbilt. The subcommittee has reached out to the Nashville School of Law and the new Belmont School of Law and will add pro bono information for those schools when it becomes available. The Resource Inventory provides details on the clinical programs offered by each school, established law student pro bono programs, informal law student pro bono opportunities, alumni pro bono opportunities, and resources and support for public interest careers. The Resource Inventory is attached.

Resource Inventory Highlights:

- Duncan School of Law
 - Duncan School of Law accepted its inaugural class in 2009 therefore it does not have as many programs and opportunities as the more established law schools.
 - Law students are required to complete 30 hours of pro bono to graduate.
 - Faculty are required to complete 20 hours of pro bono per year to be considered for tenure.
- University of Tennessee
 - Offers seven different clinical programs.
 - Has UT Pro Bono, a student-run organization to handle pro bono projects with faculty and administrative support.
 - Offers alumni pro bono opportunities supervised by the Access to Justice Coordinator with the Career Center and the Office of Development and Alumni Affairs.
 - Public interest fellowships, stipends, and loan repayment assistance.
- University of Memphis
 - Offers three different clinical programs.
 - Public Action Law Society (PALS) is the formal student pro bono program.
 - Conducts annual pro bono fair.
 - Developing a system for alumni and local attorneys to post requests for student assistants for pro bono work.
- Vanderbilt
 - Offers five different clinical programs.
 - Pro bono organizations include Vanderbilt Legal Aid Society and Law Students for Social Justice.
 - Externship programs, stipends for internships, and post-graduate stipends.
 - Loan repayment assistances.

Status of Law School Pro Bono

Tennessee law schools have very active student pro bono programs. The schools listed above provide students with administrative and faculty support for pro bono projects and programs. The Court and Commission motivated the schools to collaborate by gathering them together at

the Pro Bono Summit. The law schools are forming partnerships to connect students with pro bono opportunities during fall, spring, and summer breaks. Each law school is represented on the TBA's Access to Justice Committee. The TBA's Volunteer Attorney newsletter provides students with the opportunity to share their experiences with each other and members of the bar. Tennessee law schools are doing an excellent job of introducing law students to pro bono work and instilling in them the desire to continue to do pro bono throughout their legal careers.

**TENNESSEE BAR ASSOCIATION
ACCESS TO JUSTICE COMMITTEE
LAW SCHOOL SUBCOMMITTEE
LAW SCHOOL PRO BONO / PUBLIC INTEREST RESOURCE ASSESSMENT**

	DUNCAN SCHOOL OF LAW	UNIV. OF TENNESSEE	UNIV. OF MEMPHIS	VANDERBILT
<u>CLINICAL PROGRAMS</u>				
Current Law School Clinics	<ul style="list-style-type: none"> • None at this time. The school intends to follow an externship model initially and will have an Externship Director hired by the beginning of the fall 2011 term. 	<ul style="list-style-type: none"> • Advocacy Clinic: criminal, housing, immigration, juvenile, and unemployment cases (Prof. Ben Barton) • Business Clinic: business and transactional matters involving nonprofit and for-profit start-up businesses, including selection of legal entities (Prof. Paula Williams) • Domestic Violence Clinic: represent victims of domestic violence in obtaining and enforcing orders of protection (Donna Smith, Esq.) • Environmental Law Clinic: negotiate water rights agreements in East Tennessee (Prof. 	<ul style="list-style-type: none"> • Child and Family Litigation Clinic: child abuse and neglect, foster care, delinquency, child custody, adoption, guardianship and public benefits such as TennCare (Prof. Christina Zawisza) • Elder Law Clinic: wills, powers of attorney, consumer protection, financial exploitation, predatory lending, real property issues, grandparent adoption, health care, contracts, Social Security, SSI, Medicare and Medicaid issues (Prof. Donna Harkness) • Litigation Clinic: housing and consumer cases (Prof. Danny Schaffzin) 	<ul style="list-style-type: none"> • Appellate Litigation Clinic: indigent appeals in the Sixth Circuit, Board of Immigration Appeals, and Tennessee appellate courts (Prof. Alistair Newbern) • Civil Litigation Clinic: Social Security and education benefits cases (Prof. Alex Hurder) • Criminal Clinic: defends juvenile and adult offenders in delinquency, misdemeanor, and felony trials; represents petitioners in post-conviction proceedings (Prof. Sue Kay) • Domestic Violence Clinic: represent victims of domestic violence in obtaining orders of protection and represent children in

	DUNCAN SCHOOL OF LAW	UNIV. OF TENNESSEE	UNIV. OF MEMPHIS	VANDERBILT
		Becky Jacobs) <ul style="list-style-type: none"> • Mediation Clinic: mediation of civil and criminal cases (Prof. Becky Jacobs) • Wills Clinic: estate planning matters (Prof. Amy Hess) • Wrongful Convictions/Innocence Clinic: investigate actual innocence claims of Tennessee inmates (Prof. Dwight Aarons) 		best interest advocates proceedings (Prof. Yoli Redero) <ul style="list-style-type: none"> • Intellectual Property and the Arts Clinic: represent arts and other nonprofit organizations in transactional matters, including 501(c)(3) incorporation; trademark matters; intellectual property litigation (Prof. Michael Bressman)
Source of Clinic Cases		<ul style="list-style-type: none"> • Court appointment, referrals from legal services providers, government agencies, and previous clients, and clinic intake 	<ul style="list-style-type: none"> • Child and Family Litigation: primarily by appointment by the Juvenile Court, also by referrals from Memphis Area Legal Services • Elder Law and Litigation Clinic: referrals from Memphis Area Legal Services 	<ul style="list-style-type: none"> • Appellate Litigation Clinic: appointment by Sixth Circuit, referrals from BIA Pro Bono Project, referrals from other advocacy organizations • Civil Clinic: Legal Aid of Middle Tennessee • Criminal Clinic: court appointment • Domestic Violence Clinic: referral from DV organizations, clinic intake, court appointment • Intellectual Property and the Arts Clinic:

	DUNCAN SCHOOL OF LAW	UNIV. OF TENNESSEE	UNIV. OF MEMPHIS	VANDERBILT
				Volunteer Lawyers for the Arts, other referrals
<u>LAW STUDENT PRO BONO</u>				
Established Law Student Pro Bono Programs	<ul style="list-style-type: none"> • Students required to complete 30 hours of pro bono to graduate. • Summer 2011 is the first term that the school has had students eligible to pursue pro bono hours. • Students may select from a list of pre-approved providers that provide legal services to the indigent and/or underserved populations. 	<ul style="list-style-type: none"> • UT Pro Bono: student-run organization that handles pro bono projects with faculty and administrative support. • UT Pro Bono connects students with pro bono projects through advertisement to students and recruitment by student coordinators. 	<ul style="list-style-type: none"> • The Public Action Law Society (PALS) currently serves as the formal avenue through publication of pro bono organizations, projects, and opportunities. PALS connects students with agencies/ individuals in the community and publicizes pro bono opportunities. • PALS collects and records student volunteer hours and recommends recipients of the Rodney K. Smith Pro Bono Service Award and the Dean's Distinguished Service Awards. • PALS holds a seat at the Law School's Student Leadership Council. • Students meeting minimum requirements are eligible to wear a silver cord at graduation. 	<ul style="list-style-type: none"> • Vanderbilt Legal Aid Society • Law Students for Social Justice • Various other student organizations for particular projects related to their missions • Legal Aid Society pro bono projects are referred through the Nashville Bar Association and from other organizations and attorneys. Legal Aid Society also supports a Street Law program. • Student leaders also create projects with the support of faculty and administration.

	DUNCAN SCHOOL OF LAW	UNIV. OF TENNESSEE	UNIV. OF MEMPHIS	VANDERBILT
Informal Law Student Pro Bono Opportunities	<ul style="list-style-type: none"> Students may find their own pro bono opportunities and submit for approval to have the hours count towards graduation. 	<ul style="list-style-type: none"> Students may coordinate pro bono projects with administrative and faculty support 	<ul style="list-style-type: none"> Mentoring/advising by faculty & administrators New student open houses & orientations to introduce students to pro bono activities Annual pro bono fair 	<ul style="list-style-type: none"> Mentoring and support from faculty connected with local legal services organizations
Law Student Pro Bono Contact	<ul style="list-style-type: none"> Dean Laura Hash, laura.hash@LMU.net 	<ul style="list-style-type: none"> Kimberly Hamilton, student coordinator. Khamilt8@utk.edu 	<ul style="list-style-type: none"> Christina A. Zawisza, Professor of Clinical Law and Faculty Advisor to PALS, 901-678-5201 Atina Rizk, President of PALS atinarizk@gmail.com Estelle Winsett, Assistant Dean for Career Services, 901-678-3216 	<ul style="list-style-type: none"> Dean Susan Kay, susan.kay@vanderbilt.edu
Alumni Pro Bono Opportunities	<ul style="list-style-type: none"> No alumni at this point. 	<ul style="list-style-type: none"> Yes, as needed or requested. Supervised by the Access to Justice Coordinator with the Career Center and Office of Development and Alumni Affairs 	<ul style="list-style-type: none"> Yes, developing a system for alumni & local attorneys to post requests for student assistants with regard to pro bono work. 	<ul style="list-style-type: none"> No formal program at this time.
<u>PUBLIC INTEREST CAREERS</u>				

	DUNCAN SCHOOL OF LAW	UNIV. OF TENNESSEE	UNIV. OF MEMPHIS	VANDERBILT
Support for Students Exploring Public Interest Law Careers		<ul style="list-style-type: none"> Public interest fellowships (term and summer); loan repayment assistance; career center counseling, programming and print resources; faculty support Externship program 	<ul style="list-style-type: none"> PsLaw.net subscription Exploring Equal Justice Works for possible subscription 	<ul style="list-style-type: none"> One member of career services staff dedicated to public interest and government careers; annual public service job fair; Social Justice Program and Law Students for Social Justice; informal faculty mentoring Externship program
Public Interest Stipends		<ul style="list-style-type: none"> Law school provides stipends to students in public interest jobs during the summer and school year 		<ul style="list-style-type: none"> Stipends provided for summer internships. In 2010, 81 stipends at a total of \$276,000 provided. Post-graduate stipends to fund seven months of employment at a public interest organization. Dedicated stipends for environmental and regulatory internships
Loan Repayment Assistance		<ul style="list-style-type: none"> Yes 		<ul style="list-style-type: none"> Yes. LRAP pays 20%-50% of loan debt for graduates in public interest positions earning less than \$50,000 a year.

	DUNCAN SCHOOL OF LAW	UNIV. OF TENNESSEE	UNIV. OF MEMPHIS	VANDERBILT
Student Organizations to Support Public Interest Law Careers	<ul style="list-style-type: none"> • Environmental Law Society • Student Animal Legal Defense Fund 	<ul style="list-style-type: none"> • Environmental Law Association • International Law Society • UT Pro Bono 	<ul style="list-style-type: none"> • All student organizations support, but PALS focuses on it. 	
<u>OTHER</u>	<ul style="list-style-type: none"> • 20 hours of pro bono per year for faculty to be considered for tenure. 			

Pro Bono From LSC-Funded Legal Aid Organizations

In Tennessee, there are four legal aid providers that receive federal funding from the Legal Services Corporation: Legal Aid of East Tennessee, Legal Aid of Middle Tennessee and the Cumberlands, Memphis Area Legal Services, and West Tennessee Legal Services. The ATJC Chair and the ATJ Coordinator met with the Executive Directors of these organizations in October 2011 to begin an ongoing discussion about how the Commission and the LSC-funded legal aid providers can collaborate to increase the amount of pro bono done by Tennessee attorneys.

According to federal regulations, LSC-funded legal aid providers must use at least 12.5 percent of their LSC funds for Private Attorney Involvement (pro bono). Each of the four LSC-funded organizations has a Pro Bono Coordinator/Director. The coordinators provide a wide range of services and interact with a variety of partners to provide assistance to substantial numbers of clients. These services range from arranging classic attorney/client representation to brief service and counsel and advice. The coordinators also provide supportive services for pro bono activities such as intake, referrals to a variety of programs, the provision of CLE, malpractice coverage, arranging legal clinics, partnering with bar associations to highlight the profession's commitment to access to justice, recognition activities and numerous other activities.

General information gathered from the organizations' Directors and websites, pro bono opportunities and pro bono statistics for the four LSC-funded organizations are provided on the following pages. You will note that some providers reported their 2010 statistics while others reported their 2011 statistics. Also note the Chair's Recommendation Number One which recommends that the Commission have regular meetings with the Pro Bono Providers across the state. The first such meeting should be used to establish a baseline measurement of the pro bono work organized and attributable to the LSC-funded and non-LSC funded legal service providers.

Legal Aid of East Tennessee (LAET)

- Assisted 791 individuals through various pro bono project efforts, through October 2011
- 143 of those cases involved significant legal work
- Only 8 involved litigation or representation in front of an agency
- These cases are categorized in LAET's database by the type of case (consumer, family law, etc.) and the service provided (counsel and advice, court decision/appeals, etc.)
- Has 6 offices:
 - Chattanooga
 - 2 in Knoxville (Family Justice Center and LAET office)
 - Maryville
 - Johnson City
 - Morristown
- Hold regularly scheduled legal clinics on Saturdays, the "Saturday Bar" in Knox, Blount, Bradley and Hamilton Counties
- Have Pro Bono Directors in the Knoxville and Chattanooga offices
- Additional information provided:
 - Most cases where restrictions prohibit service are referred to the bar associations (where referral programs exist) by the receptionists. As many as 71 cases were referred from the pro bono project after some assessment by the project to the bar associations due to federal restrictions.
 - By LSC restrictions, we are not permitted to make direct referrals to individual lawyers.
 - If we refer out a person who we are not able to represent, that referral is to the local bar association. Those cases do not benefit from our malpractice insurance.
 - LAET refers to the UT Law Clinic and when LMU is ready, will refer to them.
 - Referral attempts to other legal aid organizations within our service area have generally not proven successful.
 - LSC restrictions increase the number of people who we must refer. The biggest LSC restriction is insufficient dollars to meet the need. Regulatory restrictions have an impact but their impact is numerically low.
 - One of the ongoing concerns is that the emphasis on clinics may be reducing volunteer attorney involvement in full representation.

Legal Aid of Middle Tennessee and the Cumberland (LAMT)

- Number of pro bono cases open at any time during 2010: 1,979
- Number of unduplicated clients with open pro bono cases during 2010: 1,830
- Additional information provided:
 - An additional number of records were assigned a Nashville Pro Bono Program filing number but were not opened as a case (example: legal clinic): 454
 - The number of unduplicated people who received services above: 408
 - The LSC regulations allow us to do intake and referral for applicants even when the regulations restrict representation.
 - Any applicant who calls LAMT can talk with a staff attorney for intake and the applicant can be given a referral, including referral to a pro bono attorney.
 - LSC restrictions do not impact referrals as that is specifically allowed under the regulations.
- The Nashville office has the most pro bono opportunities. People who live outside of the Nashville office's service area are instructed to call the LAMT office that serves their county to find out about pro bono opportunities.
- Has a full-time Pro Bono Director in the Nashville office
- The Nashville office sponsors five regularly-scheduled clinics in Nashville and one in Williamson County.

1. Second Tuesday Walk-in Clinic

Second Tuesday of the month at
Legal Aid Society
300 Deaderick Street in Nashville

2. McHugh Legal Clinic

Fourth Saturday of the month at
Legal Aid Society
300 Deaderick Street in Nashville

3. Catholic Charities Legal Clinic

Third Friday of the month at
Our Lady of Guadalupe
3112 Nolensville Pike in Nashville
Before you go, call Catholic Charities.

4. Senior Adult Legal Clinic

Scheduled throughout the year
at Fifty Forward Centers
and St. Luke's Community Center

5. Williamson County Legal Clinic

First Tuesday of the month at the
Public Library
1314 Columbia Avenue in Franklin

6. H.E.L.P. – Only for people who are homeless

Third Wednesday of each month
Campus for Human Development
532 8th Avenue South in Nashville

- There are eight total LAMT offices
 - Clarksville 931-552-6656
 - Covers Dickson, Cheatham, Houston, Humphreys, Montgomery, Robertson and Stewart Counties
 - Columbia 931-381-5533
 - Covers Giles, Hickman, Maury, Marshall, Lawrence, Lewis, Perry and Wayne Counties
 - Cookeville 931-528-7436
 - Covers Clay, Cumberland, DeKalb, Fentress, Jackson, Overton, Pickett, Putnam, Van Buren and White Counties
 - Gallatin 615-451-1880
 - Covers Macon, Smith, Sumner, Trousdale and Wilson Counties
 - Murfreesboro 615-890-0905
 - Covers Rutherford and Cannon Counties
 - Nashville 615-244-6610

- Covers Davidson and Williamson Counties
- Oak Ridge 865-637-0484
 - Covers Anderson, Campbell, Claiborne, Morgan, Roane, Scott and Union Counties
- Tullahoma 931-455-7000
 - Covers Bedford, Coffee, Franklin, Grundy, Lincoln, Moore and Warren Counties

Memphis Area Legal Services (MALS)

- Has 2 office locations
 - Memphis offices serve Shelby County
 - Covington office serves Fayette, Lauderdale and Tipton Counties.
- Has a full-time Pro Bono Director
- Pro Bono Opportunities:
 - **Volunteer Lawyers Project.** The longest running private attorney involvement program at MALS, the Volunteer Lawyers Project is a basic pro bono program in which attorneys enroll and agree to take a certain number of a certain type of cases. They are contacted periodically by phone, fax or e-mail and asked to accept a case for direct representation.
 - **In-house Limited Service.** Attorneys come to MALS' offices to provide advice and counsel assistance to clients. Sometimes attorneys provide advice, sometimes they provide additional screening and on other times, they are asked to actually refer a case to another attorney to handle pro bono. Paralegals and law students can also provide some of these services.
 - **Attorney of the Day Project.** Volunteer attorneys meet with litigants at the Courthouse one afternoon a week to provide help and make referrals. Every Thursday starting at 1:30 PM in room 134 of the Shelby County Courthouse, volunteer attorneys meet with walk-in clients and provide advice, counsel, referrals and sometimes extended services if needed. Paralegals and students provide supportive services at this clinic.
 - **Saturday Legal Clinic.** An outgrowth of the Attorney of the Day Project, these clinics are held the second Saturday of every month at the Ben Hooks Main Library at 3030 Poplar Avenue starting at 9:30 AM until 12:30 PM. The clinics provide the opportunity for members of the community to meet with an attorney to discuss their legal issues. The volunteer attorneys provide advice, counsel, referrals and sometimes extended services if needed. Paralegal volunteers from the Memphis Paralegal Association and law students have been key contributors to the success of the operation of this project.
 - **Atticus Finch Referral Network.** Specifically designed to facilitate faster referrals using technology, through this network law firms designate an attorney in-house to serve a 'gatekeeper' function. Every other week an e-mail is sent to the gatekeeper with a listing of available cases. The gatekeeper then forwards the request on to firm members who can select a case for pro bono representation.
 - **Advance Directives Panel.** A panel of volunteers provides legal assistance by drafting advance directives and last wills and testaments for individuals, including those with terminal illnesses or who are elderly. Law students and paralegals provide technical support to the attorneys and assist with the execution of the documents.
 - **Bankruptcy Alternatives and Pro Bono Project.** This project is a collaborative initiated in response to the increasing use of the bankruptcy courts as a number one choice for resolving consumer and debt related problems. The concept is to create a series of community education programs for members of the public to attend; to set aside some time at each program for clients to talk to volunteers about their individual problems; and for those in need of additional assistance, to provide an appropriate referral to either a pro bono consumer or bankruptcy attorney.

- **Conservatorship Panel.** A group of attorneys provide representation to persons seeking to become conservator on behalf of a family member or friend.
- **Corporate Counsel Pro Bono Initiative.** Designed to create a partnership between corporate counsel and MALS, a variety of services including those outlined above, are provided to non-for-profit agencies.
- Additional Information Provided:
 - There is not LSC regulation or policy that precludes LSC-funded firms from referring cases to private attorneys or anyone else. The restrictions cover our staff providing legal assistance as cases submitted for LSC purposes.
 - We can refer if the private attorney is willing to accept (restricted) cases but they cannot be included for reporting purposes as pro bono cases to LSC if the restrictions apply. MALS' malpractice insurance would not cover the attorney.
 - MALS refers applicants to other legal services providers, including the Community Legal Center, Tennessee Justice Center, Disability and Advocacy Center, and LSC firms in Tennessee when the subject matter is within their areas.
 - There are no restrictions that prohibit referrals. If MALS were set up for a more formal referral process, there would be some costs involved.
- 1226 cases were opened/referred to a private attorney/law student/paralegal volunteer in 2011.
- A total of 235 different attorneys took on a case in 2011. Many of the attorneys took on multiple cases.
- The rough numbers of hours donated in 2011 are:
 - Law students: 2828 hours plus 400 hours of professor time
 - Attorneys: 1130

West Tennessee Legal Services (WTLS)

- Serves Benton, Carroll, Chester, Crockett, Dyer, Decatur, Gibson, Hardeman, Hardin, Haywood, Henry, Henderson, Lake, McNairy, Madison, Obion, and Weakley counties.
- Has four offices:
 - Jackson – Main Office
 - Dyersburg
 - Huntingdon
 - Selmer
- Has one part-time Pro Bono Director/Coordinator
- Additional information provided:
 - WTLS is the only legal services provider in the 17 county LSC service area of West Tennessee.
 - There are not any other referrals available within those counties.
 - If the client is from outside our service area, we will make referrals to the appropriate service provider.
 - The LSC restrictions impact a number of potential clients because there are no other meaningful referrals in West Tennessee.
 - This lack of potential referrals disproportionately impacts on rural service areas such as West Tennessee.
 - The restrictions especially impact those with immigration or incarceration issues.
- Information will be supplemented.
- Opened 91 new pro bono cases in 2011
- Served 66 additional people through pro bono clinics

Attorney Voluntary Pro Bono Reporting Statistics

The Supreme Court adopted Supreme Court Rule 9, Section 20.11 on November 9, 2009. The Rule requests that every lawyer who is required to file an Annual Registration Statement with the Board of Professional Responsibility (“BPR”) voluntarily file a pro bono reporting statement, reporting the lawyers pro bono service and activity during the last calendar year. The Voluntary Pro Bono Reporting Form was first included in the 2010 BPR Registration Statement sent to lawyers in the beginning of 2010. The first set of data is for the 2009 calendar year.

2009 Statistics

- Approximately 20,255 lawyers with active Tennessee law licenses who were subject to the annual registration process.
- 3,698 (18.26%) of those lawyers reported 294,672 hours of pro bono working, an average of 79.68 hours per attorney.
- Breakdown of reported information:
 - 2,584 lawyers reported rendering 87,312 hours of legal services without a fee to persons of limited means (RPC 6.1(a)(1))
 - 1,187 lawyers reported rendering 35,212 hours of legal services without a fee to charitable, religious, civic, community, governmental, and educational organizations in matters that are designed primarily to address the needs of persons of limited means (RPC 6.1(a)(2))
 - 734 lawyers reported rendering 39,110 hours of legal services without fee, or at a substantially reduced fee, to individuals or organizations seeking to secure or protect civil or other specified rights (RPC 6.1(b)(1))
 - 1,016 lawyers reported rendering 83,707 hours of legal services at a substantially reduced fee to persons of limited means (RPC 6.1(b)(2))
 - 845 lawyers reported rendering 49,331 hours of participation in activities to improve the law, the legal system, or the legal profession (RPC 6.1(b)(3))
 - 1,058 (28.61%) of the 3,698 lawyers that reported pro bono activity also reported that they contributed financial support to organizations that provide legal services to persons of limited means.
- See the chart on the following page for a graphical display of the information listed above.

2009 Pro Bono Reporting Data

Number of Attorneys Reporting Voluntary Pro Bono Information

3,698

Attorney Reporting	2,584	1,187	734	1,016	845
Hours Reported	87,312	35,212	39,110	83,707	49,331

Voluntarily Contributed to Organizations that Provide Legal Services

1,058

The Voluntary Pro Bono Reporting Form was included in the 2011 BPR Registration Statement. There was an overall increase in the amount of lawyers who voluntarily reported pro bono service and the amount of hours reported.

2010 Statistics

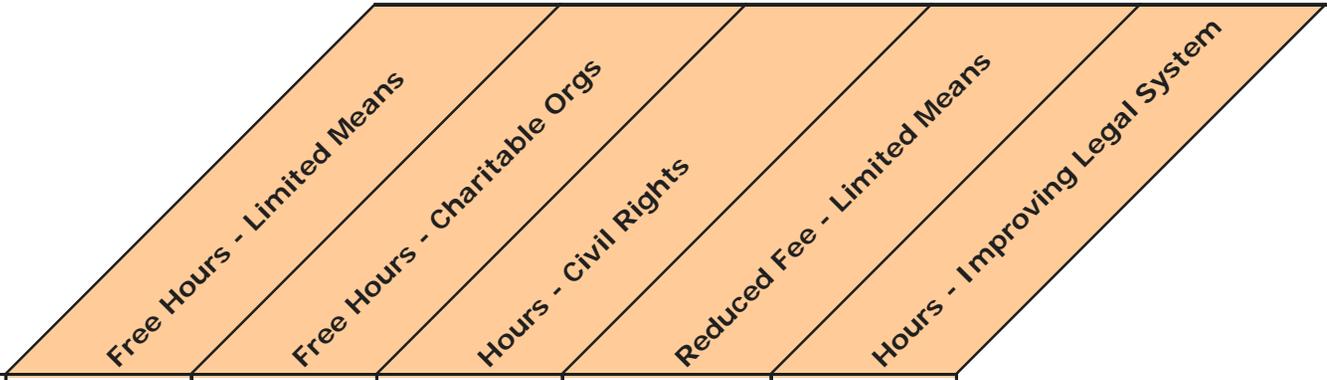
- Approximately 19,878 lawyers with active Tennessee law licenses responded to the annual registration statement.
- 7,745 (38.96%) of those lawyers reported 567,374 hours of pro bono work, an average of 73.25 hours per attorney.
- Breakdown of lawyers:
 - 6,598 (40.25%) of the estimated 16,391 lawyers with active licenses who reside in Tennessee reported pro bono information.
 - Lawyers residing in Tennessee reported 490,996 hours of pro bono work, an average of 74.41 hours per attorney
 - 213 indicated they were in-house counsel
 - 286 indicated they were government attorneys
 - 1,147 of the lawyers that reported pro bono information reside outside of Tennessee
 - 32 indicated they were in-house counsel
 - 36 indicated they were government attorneys
- Breakdown of all information reported by lawyers residing in and outside of Tennessee:
 - 5,580 lawyers reported rendering 195,655 hours of legal services without a fee to persons of limited means (RPC 6.1(a)(1))
 - 2,499 lawyers reported rendering 79,678 hours of legal services without a fee to charitable, religious, civic, community, governmental, and educational organizations in matters that are designed primarily to address the needs of persons of limited means (RPC 6.1(a)(2))
 - 1,590 lawyers reported rendering 69,102 hours of legal services without fee, or at a substantially reduced fee, to individuals or organizations seeking to secure or protect civil or other specified rights (RPC 6.1(b)(1))
 - 2,110 lawyers reported rendering 155,753 hours of legal services at a substantially reduced fee to persons of limited means (RPC 6.1(b)(2))
 - 1,872 lawyers reported rendering 67,186 hours of participation in activities to improve the law, the legal system, or the legal profession (RPC 6.1(b)(3))

- 3,684 (47.57%) of the 7,745 lawyers that reported pro bono activity also reported that they contributed financial support to organizations that provide legal services to persons of limited means.
- See the chart on the following page for a graphical display of the information listed above. Please note that the chart separates the lawyers that reported into two categories: those that reside in Tennessee and those that reside outside of Tennessee. This breakdown was not available for the 2009 data therefore I will use the total number of lawyers and hours reported for 2010 when comparing the data.

2010 Pro Bono Reporting Data

Total Number of Attorneys Reporting Voluntary Pro Bono Information

Total 7,745 **In-house** 245 **Government** 322 **Other** 7,178



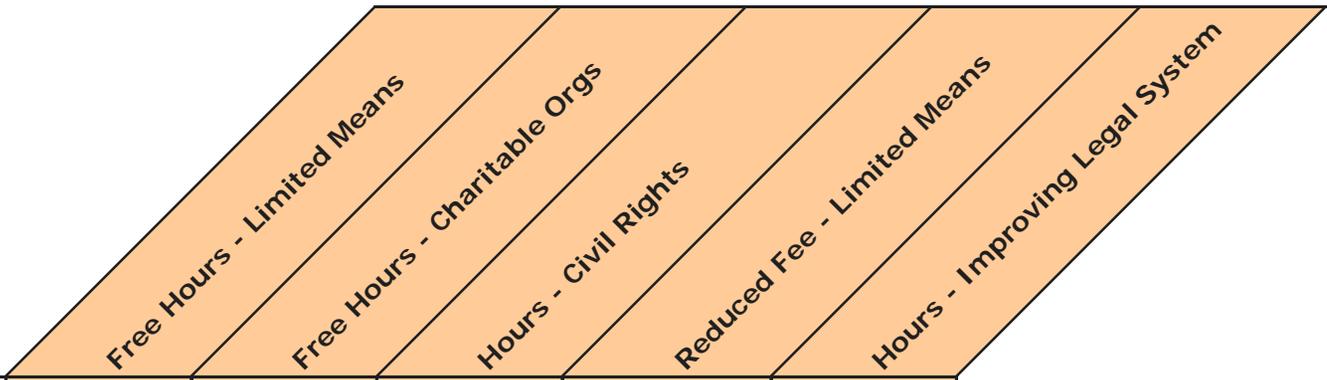
Attorney Reporting	5,580	2,499	1,590	2,110	1,872
Hours Reported	195,655	79,678	69,102	155,753	67,186

Voluntarily Contributed to Organizations that Provide Legal Services

3,684

Attorneys Residing Inside Tennessee

Total 6,598 **In-house** 213 **Government** 286 **Other** 6099



Attorney Reporting	4,834	2,131	1,355	1,919	1,602
Hours Reported	169,092	63,548	55,509	144,738	58,109

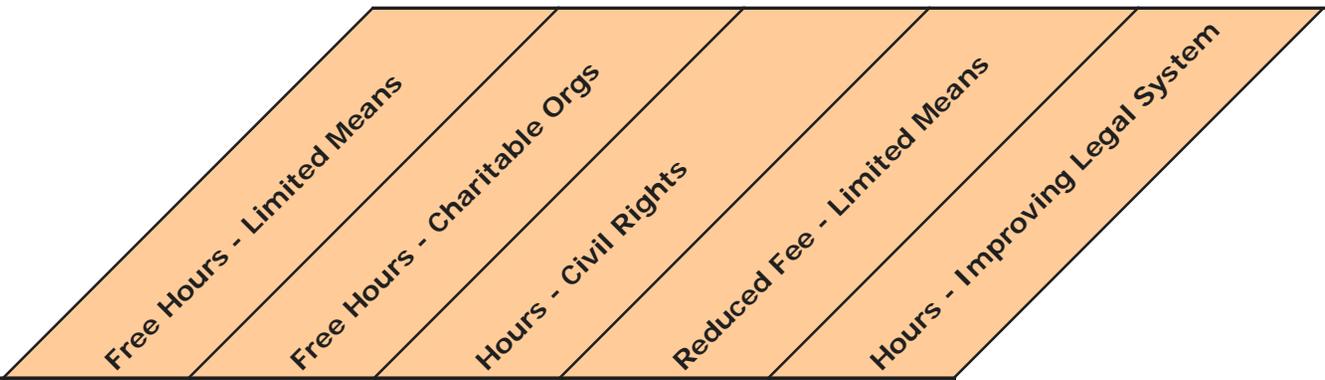
Voluntarily Contributed to Organizations that Provide Legal Services

3,202

2010 Pro Bono Reporting Data

Attorneys Residing Outside of Tennessee

Total 1,147 **In-house** 32 **Government** 36 **Other** 1,079



Attorney Reporting	746	368	235	191	270
Hours Reported	26,563	16,130	13,593	11,015	9,077

Voluntarily Contributed to Organizations that Provide Legal Services

482

Status of Pro Bono Reporting: Comparison Between 2009 and 2010

- 4,407 more lawyers voluntarily reported pro bono service and activities for 2010, representing an increase in over 100% from the 2009 data.
- In both 2009 and 2010, the highest category for both the number of lawyers and the number of hours is the provision of legal services without a fee to persons of limited means. The number of lawyers reporting in this category increased in 2010 by 115% of the number of lawyers that reported in 2009. The number of hours reported increased in 2010 by 124% of the number of hours reported in 2009.
- In both 2009 and 2010, the second highest category for the number of lawyers is the provision of legal services without a fee to charitable, religious, civic, community, governmental, and educational organizations in matters that are designed primarily to address the needs of persons of limited means. The number of lawyers reporting in this category increased in 2010 by 110% of the number of lawyers that reported in 2009.
- In both 2009 and 2010, the second highest category for the number of hours reported is the provision of legal services at a substantially reduced fee to persons of limited means. The number of hours reported in this category increased in 2010 by 86% of the number of hours reported in 2009.
- The percentage of lawyers that reported pro bono work and reported that they contributed financial support to organizations that provide legal services to persons of limited means increased in 2010.

The overall increase in the number of attorneys who voluntarily reported pro bono work is promising. The highest concentration of the number of attorneys and the number of hours is for pure pro bono work. This statistic illustrates that the efforts of the Court, the Commission, and strategic partners have helped to educate lawyers on the importance of reporting pro bono service. Hopefully the increase in reporting is due to an overall increase in the amount of pro bono work being done in Tennessee.

The Supreme Court approved the Commission's recommendation to modify Rule 9, Section 20.11 to simplify and streamline the reporting form. The 2012 BPR Registration Statement will include the modified Voluntary Pro Bono Reporting Form. The Court also approved the Commission's recommendation to include a letter in the 2012 BPR Registration Statement encouraging lawyers to report pro bono work and informing them why the Court is collecting this data. It is expectant that these efforts will increase the number of lawyers who report pro bono work and increase the number of hours reported.

It will be interesting to compare the 2011 statistics with prior years. The Court and Commission can use this data to determine which categories of pro bono are attracting the most lawyers and which categories need to be emphasized.

2011 Pro Bono Month (October)

In 2011, law schools, bar associations, and legal service providers joined together to sponsor more than 40 events across the state. The events included 22 legal advice clinics, 4 free CLE programs for lawyers willing to take a pro bono case, and 10 community education programs on topics such as simple wills, health care powers of attorney, bankruptcy, foreclosure, and landlord/tenant law. Each grand division of the state held at least one volunteer recognition program to honor the commitment and service of lawyers who provide pro bono services to the community.

2011 Statistics

- 361 volunteers participated in pro bono month events, including 247 lawyers and 114 non-lawyers (law students, paralegals, interpreters, etc.)
- 1109 Tennesseans were helped
- The 4 free CLE programs provided training to 81 lawyers who have agreed to provide pro bono service by taking on pro bono cases. Three of these programs are available online and are still free for lawyers who agree to provide pro bono.

2010 Statistics

- 452 volunteers participated in pro bono month events, including 291 lawyers and 161 non-lawyers.
- 1159 Tennesseans were helped.
- Three free CLE programs provided training to 115 lawyers who have agreed to provide pro bono service either through a clinic or by taking on pro bono cases.

Comparison: 2010 and 2011

- There were 91 fewer volunteers in 2011, representing a 20% decrease from 2010
 - There was a 15% decrease in the number of lawyer volunteers from 2010 to 2011
 - There was a 29% decrease in the number of non-lawyer volunteers from 2010 to 2011
- There were 50 fewer Tennesseans helped in 2011 than in 2010, representing a decrease of only 4%.
- While there was an additional free CLE provided in 2011, 34 fewer attorneys participated, representing a decrease of almost 30%.
- Even though the overall number of volunteers decreased by 20% in 2011, the decrease in the overall number of Tennesseans who were helped was marginal.



OnlineTNJustice.org
Free legal advice & counsel

Data & Outreach Summary Through 12/20/11
www.onlinetnjustice.org

Volunteer attorneys

- 277 attorneys approved
- 109 attorneys have answered questions
- 315 hours of work reported, translating to approximately 63 CLE credits for volunteers (every five hours of pro bono work equate to one Ethics and Professionalism credit up to a maximum of six credits per year and up to three of those may be carried over to the following year.)

Client Users

- 1126 registered (up from 759 on 10/5/11)
- Income is still the main reason users are ineligible to use the site (309 people ineligible)
- Clients thus far come from 86 of Tennessee's 95 counties. The most questions have been posted by users in Davidson Co (188), Shelby Co. (69), Rutherford Co. (61), Montgomery (66), and Anderson (39), and Knox (36).

Client Outreach

- TALS has distributed outreach/promo pieces in the following amounts since September, 2011:
 - Postcards – 1215 pieces distributed
 - Fliers – 604 pieces distributed
- Promotional materials distributed to referral sources such as the TN National Guard Family Assistance Coordinators, the Shelby County Crime Victims Center, the Jefferson County Juvenile Court, the Red Cross, Davidson County General Sessions Court, and the Veterans Administration Social Work team.
- Links from other websites have been recruited. Notable new links are:
 - Tennessee Division of Consumer Affairs - <http://tn.gov/consumer/index.shtml>
 - TN Supreme Court Access to Justice site - <http://www.tnjusticeforall.com/i-need-help/email-attorney>
 - Department of Children's Services site - <http://www.tn.gov/youth/services/partnerlinks.htm>
 - Internal links to Dept. of Children's Services and Department of Human Services caseworkers
 - Facebook and Twitter promotions by AARP-TN, legal aid societies, TN Bar Association, other non-profit partners.

Users' Questions

- 996 questions posted to date (up from 670 on 10/5/11)
- 8 unanswered questions posted currently
- The majority of the questions posted have been family law questions (454), followed by questions in the 'other' (180) and housing (124) and debt and purchases (91).

CLE Credit Attorneys Received for Pro Bono Work in 2010 and 2011

Sup. Ct. Rule 21, Section 4.07(c) permits the CLE Commission to give Ethics & Professionalism credit at the rate of one hour of credit for every five billable hours of pro bono legal representation provided through court appointment, an organized bar association program or legal services organization, or of pro bono mediation services as required by Sup. Ct. Rule 31 or the Fed Ct Mediation Programs.

Compliance Year 2010

3635.29 hrs of CLE credit given to attorneys doing pro bono work.

Compliance Year 2011

2080.93 hrs of CLE credit given to attorneys doing pro bono work (as of January 2012).

Appendix H:

www.JusticeForAllTN.com

Screen Shots

Tennessee Access To Justice - Mozilla Firefox

File Edit View History Bookmarks Tools Help

Tennessee Access To Justice

www.justiceforalltn.com

Most Visited Latest Headlines User account Tennessee...

JUSTICE FOR ALL
A TENNESSEE SUPREME COURT INITIATIVE

Legal Help I Can Help

Here To Help

This website is a project of the Tennessee Supreme Court.

The Tennessee Supreme Court hopes that everyone will get help from a lawyer for their legal questions. The best thing you can do if you have a legal problem is to talk with a lawyer. But the Court realizes that sometimes people cannot get help from a lawyer because they cannot afford one or they decide they want to represent themselves. Because of this, the Court created this website. Most of the information on this website is for people who cannot afford a lawyer and need legal help in civil cases (cases that do not have to do with a crime). You can use this website to find a lawyer to help you with all or part of your case, to find an agency to help you with your legal problems, or find information to help you understand what you need to do to represent yourself.

I've lost my job. What do I do?

NEED LEGAL HELP?

Here you can find links to other helpful websites, how to contact lawyers or other agencies in your county, forms and instruction books, ways to help yourself with your legal problem, and information on the Tennessee court system.

HOW CAN I HELP?

If you can provide services or information, legal or otherwise, to those who cannot afford an attorney or cannot afford to pay the full cost of an attorney's services, you can find information here on how you can help.

www.JusticeForAllTN.com
Legal Help Drop-down Menu

The screenshot shows a Mozilla Firefox browser window displaying the website justiceforalltn.org. The page features the logo "JUSTICE FOR ALL A TENNESSEE SUPREME COURT INITIATIVE" and a main heading "Here To Help". A large image of an elderly man is overlaid with the text "I've lost my job. What do I do?". A navigation menu is open, showing a "Legal Help" dropdown with the following items: "The Court System in Tennessee", "Understand Important Legal Terms", "How to Find a Lawyer", "Representing Yourself in Court", "Court Forms You May Need", "Find Resources in Your County", "Find Information on Many Topics", "Alternatives to Court", and "Email an Attorney".

JUSTICE FOR ALL
A TENNESSEE SUPREME COURT INITIATIVE

Here To Help

This website is a project of the Tennessee Supreme Court.

The Tennessee Supreme Court hopes that everyone will get help from a lawyer for their legal questions. The best thing you can do if you have a legal problem is to talk with a lawyer. But the Court realizes that sometimes people cannot get help from a lawyer because they cannot afford one or they decide they want to represent themselves. Because of this, the Court created this website. Most of the information on this website is for people who cannot afford a lawyer and need legal help in civil cases (cases that do not have to do with a crime). You can use this website to find a lawyer to help you with all or

**I've lost my job.
What do I do?**

Legal Help ▾

- The Court System in Tennessee
- Understand Important Legal Terms
- How to Find a Lawyer
- Representing Yourself in Court
- Court Forms You May Need
- Find Resources in Your County
- Find Information on Many Topics
- Alternatives to Court
- Email an Attorney

I Can Help ▾

NEED LI

Here you can find... websites, how to... agencies in you... instruction book... your legal probl... Tennessee cour

HOW C

If you can provid... legal or otherwis... afford an attorn... the full cost of

<http://justiceforalltn.org/legal-help>

www.JusticeForAllTN.com
I Can Help Drop-down Menu

The screenshot shows a Mozilla Firefox browser window displaying the website justiceforalltn.org. The page features the logo "JUSTICE FOR ALL A TENNESSEE SUPREME COURT INITIATIVE" and a navigation menu with "Legal Help" and "I Can Help" options. The "I Can Help" menu is open, listing various resources such as "Volunteer with Legal Aid Organizations", "Pro Bono for Retired Attorneys", "Bar Associations", "Pro Bono Clinic in a Box", "Mediators and Mediation Centers", "OnlineTNJustice", "Street Law Programs", "Resources by Location", "Access to Justice Commission", and "Justice For All Video". The main content area includes a "Here To Help" section and a large image with the text "The bank is on my house. What do I do?".

JUSTICE FOR ALL
A TENNESSEE SUPREME COURT INITIATIVE

Legal Help ▾ I Can Help ▾

- Volunteer with Legal Aid Organizations
- Pro Bono for Retired Attorneys
- Bar Associations
- Pro Bono Clinic in a Box
- Mediators and Mediation Centers
- OnlineTNJustice
- Street Law Programs
- Resources by Location
- Access to Justice Commission
- Justice For All Video

Here To Help
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The bank is on my house. What do I do?

NEED LI
Here you can find websites, how to agencies in your instruction book your legal problem Tennessee court

HOW C
If you can provide legal or otherwise afford an attorney the full cost of

http://justiceforalltn.org/can-help

www.JusticeForAllTN.com
Interactive Resource Map

Resources by Location | Tennessee Access To Justice - Mozilla Firefox

File Edit View History Bookmarks Tools Help

Resources by Location | Tennes... +

www.justiceforalltn.com/resources-location/map-view

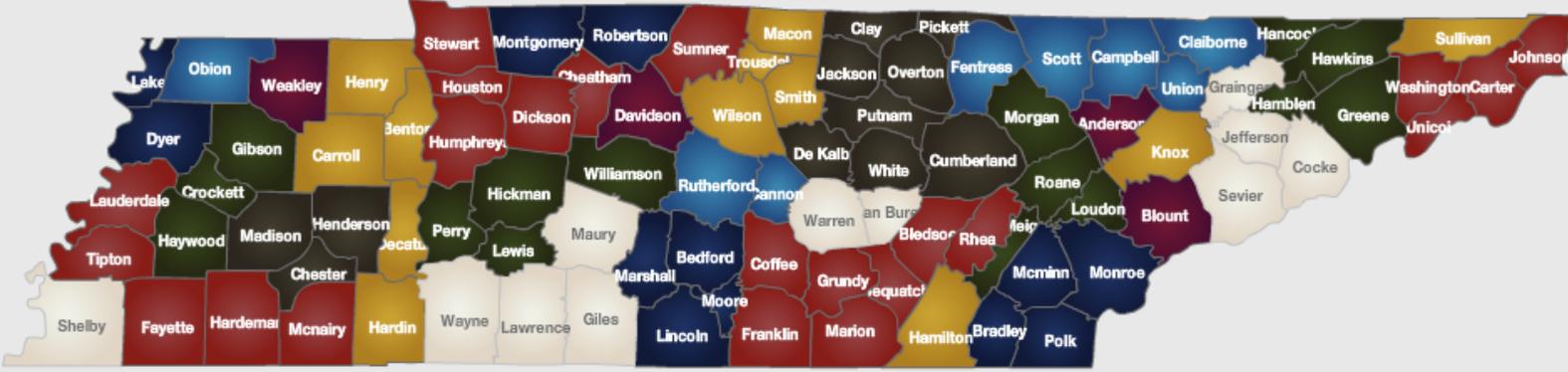
Most Visited Latest Headlines User account | Tennessee...

Home » I Can Help » Resources by Location

Resources by Location

Find resources in your county by finding your county on the map of Tennessee below. Place the cursor over your county and click. A list of resources will come up below the map.

If you know of a resource in your county that is not listed, [please send us the information](#) and we will be happy to add it to the list.



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Last updated August 2011

www.JusticeForAllTN.com
Information of Many Legal Topics

The screenshot shows a Mozilla Firefox browser window with the following details:

- Browser Title:** Topics | Tennessee Access To Justice - Mozilla Firefox
- Address Bar:** www.justiceforalltn.com/i-need-help/resources-topic
- Page Header:** JUSTICE FOR ALL A TENNESSEE SUPREME COURT INITIATIVE. Navigation: Legal Help, I Can Help.
- Left Sidebar (Legal Help):**
 - [The Court System In Tennessee](#)
 - [Understand Important Legal Terms](#)
 - [How to Find a Lawyer](#)
 - [Representing Yourself In Court](#)
 - [Court Forms You May Need](#)
 - [Find Resources In Your County](#)
 - [Find Information on Many Topics](#)
 - [Alternatives to Court](#)
 - [Email an Attorney](#)
- Left Sidebar (I Can Help):**
 - [Volunteer with Legal Aid Organizations](#)
 - [Pro Bono for Retired Attorneys](#)
 - [Bar Associations](#)
 - [Pro Bono Clinic In a Box](#)
 - [Mediators and Mediation Centers](#)
 - [OnlineTNJustice](#)
 - [Street Law Programs](#)
 - [Resources by Location](#)
 - [Access to Justice Commission](#)
 - [Justice For All Video](#)
- Main Content Area:**
 - Topics**
 - Home » Legal Help » Find Information on Many Topics
 - This page will help you find more information on many legal problems.
 - If you know about other resources not listed below, please [send us an email](#), and we will add it to the list.
 - Click on any link below:
 - Topic Buttons:** CHILD SUPPORT, DIVORCE, DISABILITIES, EMPLOYMENT, FINANCIAL INFORMATION, HEALTHCARE & PUBLIC BENEFITS, HOUSING, HOW TO FIND A LAWYER, HOW TO GET READY FOR COURT, IMMIGRATION, JUVENILE COURT, ORDERS OF PROTECTION, OTHER TOPICS, MEDIATION, VETERANS.
 - Important!** Court employees are not allowed to make referrals to lawyers, do legal research, or give legal advice.
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www.JusticeForAllTN.com
Pro Bono Clinic in a Box Forms

The screenshot shows a Mozilla Firefox browser window with the following details:

- Browser Title:** Clinic in a Box Forms | Tennessee Access To Justice - Mozilla Firefox
- Address Bar:** justiceforalltn.org/node/365
- Page Content:**
 - Legal Help:** The Court System in Tennessee, Understand Important Legal Terms, How to Find a Lawyer, Representing Yourself in Court, Court Forms You May Need, Find Resources in Your County, Find Information on Many Topics, Alternatives to Court, Email an Attorney.
 - I Can Help:** Volunteer with Legal Aid Organizations, Pro Bono for Retired Attorneys Bar Associations, Pro Bono Clinic in a Box, Mediators and Mediation Centers, OnlineTNJustice, Street Law Programs, Resources by Location, Access to Justice Commission, Justice For All Video.
 - Clinic in a Box Forms:**
 - Most of the forms are available in both Word and PDF format and serve as a guideline for starting a pro bono clinic. You may decide to modify the forms to meet the needs of your clinic.
 - You can design your clinic so clients can seek advice on any legal issue or you can choose to conduct clinics on a limited issue or issues. If you limit the issues, you should consult with an attorney who is an expert in that issue to develop forms for volunteer attorneys to use at your clinic. The Supreme Court and the Administrative Office of the Courts have forms that you can use for [certain types of divorces, the Parenting Plan, and Orders of Protection](#).
 - Form List:**

Pro Bono Clinic in a Box Instructions	PDF
Outreach Email to Attorneys	Word PDF
Outreach Flyer to Clients	Word PDF
Attorney Volunteer Sign in Sheet	Word PDF
Non-Attorney Volunteer Sign in Sheet	Word PDF
Instructions for Volunteers	Word PDF
Confidentiality Agreement	Word PDF
Instructions for Clients	Word PDF
Client Sign in Sheet	Word PDF
Client Intake Form	Word PDF
Client Participation Agreement	Word PDF
Attorney Summary Form	Word PDF
Client Satisfaction Survey	Word PDF
Sample Thank You Email to Attorneys	Word PDF
How to apply for CLE credit	PDF

Appendix I:

2010

ATJ Commission

Strategic Plan

(2010 Plan Appendices available at
<http://www.justiceforalltn.com/content/access-justice-commission>
or upon request)

Tennessee
Access to Justice
Commission
2010
STRATEGIC
PLAN

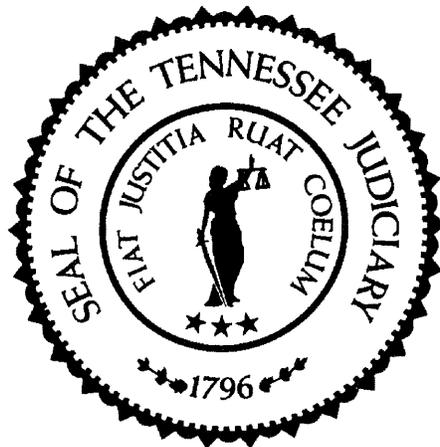


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B. Supreme Court Rule 50	
C. Commission Roster	
D. Timeline of Court and Commission Activities	
E. Members of the Commission Advisory Committees	
F. Summary of Resource Materials	

G. Attachments Related to Recommendations:

- i. Corporate Pro Bono Policy
- ii. Listing of strategies matched to unmet legal needs and vulnerable populations

H. Summary of Commission Surveys:

- i. Survey of Clerks on Pro Se Issues
- ii. Survey of Access to Justice Community

I. Additional Resources

- i. TALS map of the service providers and information
- ii. Executive Summary of 2004 Legal Needs Study

K. Additional Resources Available from the Access to Justice Coordinator

- i. Summaries of the Tennessee Supreme Court's Five Public Meetings
- ii. Summaries of the Commission's Technology Presentation on October 19, 2009
- iii. More Detailed Resource Materials
- iv. Complete 2004 Statewide Legal Needs Study
- v. Calendar of Commission and Advisory Committee Meetings

Access to Justice Commission 2010 Strategic Plan

I. INTRODUCTION

When the Supreme Court created the Tennessee Access to Justice Commission on April 3, 2009, the Court asked the Commission to develop its first strategic plan within a year. The Commission, galvanized by the legal needs crisis in Tennessee and the Supreme Court's unparalleled commitment to equal justice, adopted this plan on March 15, 2010. The extent and pace of these efforts would not have been possible had it not been for the unique environment in Tennessee--one that combines this commitment on the part of the Supreme Court with tremendous support from the broader access to the justice community, the bar and its associations, the judiciary and the court system as a whole. The Commission has developed a plan that will aid and expedite the Supreme Court's dynamic and ongoing Access to Justice campaign.

A. TENNESSEE SUPREME COURT'S ACCESS TO JUSTICE INITIATIVE

#1 Strategic Priority. The commitment of the Tennessee Supreme Court to access to justice is truly unprecedented. All five members of the Court share this commitment to promote greater and more meaningful access to justice in Tennessee. In fact, the Tennessee Supreme Court declared in August 2008 that access to justice was its number one strategic priority.

Shortly after making this declaration, the Court hired an Access to Justice Coordinator, Rebecca Rhodes, as part of its Administrative Office of the Courts (AOC) staff. To the best of the Commission's knowledge, this was the first time a state Supreme Court had committed a staff position solely to promote an access to justice initiative and to staff an Access to Justice Commission. The Court launched its access to justice campaign in December 2008 to assert a

greater leadership role in improving access to justice in Tennessee. The results of the Court's commitment in the first eighteen months are impressive.

Civil Legal Needs Gap. In its speeches and communications with the judiciary and the bar, the Court highlights the urgent and tremendous civil legal needs gap in Tennessee. The Court continues to raise awareness of this gap as documented by the Statewide Comprehensive Legal Needs Study released in 2004 by the Tennessee Alliance for Legal Services (TALS). The Legal Needs Study showed that there are nearly one million low-income Tennesseans who qualify for legal aid services. Since the study, the situation has only worsened due to difficult economic times. Through its Access to Justice campaign, the Court has worked to sound the alarm call that the 80 very dedicated legal service program attorneys in Tennessee are simply unable to assist all of the people facing critical legal needs on a daily basis. The result is an urgent civil legal needs gap which the Court is working to address and to highlight through its dynamic Access to Justice campaign.

Public Hearings. As part of its campaign to address the civil legal needs gap, the Court conducted five public meetings across the state in early 2009. Each of these meetings was held in a public library and facilitated by a member of the Supreme Court. The public meetings highlighted the pervasive legal needs gap and promoted a better understanding of the varied, precise and often complex nature of local unmet legal needs and problems in different areas of the state. The meetings also engaged a broad range of stakeholders, policymakers, and members of the public in the work necessary to find creative solutions to the legal needs crisis in Tennessee.

Court Rules. The Court has also been active implementing a number of dramatic rule changes which have been supported and/or proposed by the Tennessee Bar Association, the

Tennessee Bar Association, the Tennessee Bar Foundation, the Tennessee Lawyers' Association for Women, and the Tennessee Association for Justice to promote greater access to justice as part of its Access to Justice campaign. With these rule changes, the Court

- Revised Tennessee Supreme Court Rule 8, Rules of Professional Conduct 6.1 to add an aspirational goal of 50 pro bono hours per year for Tennessee lawyers;
- Adopted a new Tennessee Supreme Court Rule 8, Rules of Professional Conduct 6.5 permitting lawyers to provide limited scope advice;
- Created new Tennessee Rule of Civil Procedure 23.08, which allows a court to distribute residual funds remaining from class action suits to programs or funds serving pro bono legal needs. The rule specifically references that funds may be distributed to the Tennessee Voluntary Fund for Indigent Civil Representation;
- Revised Tennessee Supreme Court Rule 21, Section 4.07(c) (Continuing Legal Education (CLE)) to increase the number of hours of CLE credit that lawyers may earn for the hours of pro bono legal representation they perform from one hour of CLE credit for every eight (8) hours to one hour of CLE credit for every five (5) hours of pro bono work;
- Revised Tennessee Supreme Court Rule 5 to allow judicial research assistants to engage in some types of pro bono work;
- Revised Tennessee Supreme Court Rule 43 and Rule 8, Rules of Professional Conduct 1.15 to make participation in the Interest on Lawyers Trust Accounts (IOLTA) program mandatory and to require comparability in rates paid on IOLTA accounts;
- Revised Supreme Court Rule 7, Sec. 10.01(c) to allow attorneys authorized to practice in Tennessee as in-house counsel to provide pro bono legal services in Tennessee through an established not-for-profit bar association, pro bono program, or legal services program;
- Revised Supreme Court Rule 47, to permit lawyers admitted in another jurisdiction to provide pro bono legal services in Tennessee following a major disaster;
- Revised Rule 8, RPC 5.5, to permit attorneys admitted in another jurisdiction and performing legal work in Tennessee as defined in rule 8 RPC 5.5(d) to also provide pro bono legal services in Tennessee through an approved program; and
- Revised Tennessee Supreme Court Rule 9, Section 20.11 to request that every attorney voluntarily file a pro bono reporting statement annually with the Tennessee Board of Professional Responsibility; and
- Published a new rule for comment, Supreme Court Rule 50A, that would create an emeritus licensure status to allow those attorneys who have let their licenses become inactive to provide pro bono legal services in Tennessee through an established not-for-profit bar association, pro bono program, or legal services program.

Creation of Access to Justice Commission. As a central element of its Access to Justice campaign, on April 3, 2009, the Court announced the creation of the ten member Tennessee Access to Justice Commission (“Commission”) and adopted Rule 50, which outlined the Commission’s role, duties and deadlines. The Court charged the Commission to present a strategic plan within a year and to follow up with another plan two years later. This document is the Commission’s first strategic plan.

B. TENNESSEE ACCESS TO JUSTICE COMMISSION

Activities of the Commission. Within a month of its creation, the Commission met and formed eight Advisory Committees, each headed by a Commissioner. These Advisory Committees were as follows:

- Community and Pro Bono Mediation
- Court System
- Education
- Pro Bono and Attorney Involvement
- Pro Se
- Unmet Legal Needs Alternative Strategies
- Unmet Legal Needs Disability and Language Barriers
- Resource and Technology.

The Advisory Committees were charged with developing recommendations for the Commission’s strategic plan. Most of these Advisory Committees formed working groups resulting in some thirty groups meeting during the summer and fall of 2009. Many of those who participated in the Supreme Court public access to justice hearings, including a significant number of judges and clerks, were actively involved in the Advisory Committees.

While the Advisory Committees met, the Commission held two meetings which focused on the resources and technology available in Tennessee to address the civil legal needs gap. As a result of the support of many legal service providers, bar associations, law firms, corporate legal

departments, and other groups, an overview summary of the resources available in Tennessee was prepared for the July 17, 2009, meeting. At its technology meeting on October 19, 2009, the Commission heard from experts as to how best to address the civil legal needs crisis with the use of technology and compiled a summary of the testimony.

Other Commission activities included the survey of clerks at both the annual clerks' conferences in May and June 2009 regarding how the civil needs crisis affects their offices. Another survey of legal service providers and others in the access to justice community was conducted prior to the annual statewide Tennessee Alliance for Legal Services Equal Justice Conference in September 2009. That survey asked for a description of the systemic barriers to access to justice in Tennessee. The results of the survey were distributed for review and comment at the conference and integrated into an open panel discussion with members of the Commission and Chief Justice Janice Holder.

By December 2009, the Advisory Committees submitted their recommendations to the Commission and its staff. As the result of the hard work of these 100+ Advisory Committee members from across the state, over seventy substantive recommendations were submitted for the Commission's review. Some of the recommendations from the Advisory Committees were acted upon by the Commission and the Court before the preparation of this strategic plan. Most notably, the Commission recommended in August of 2009 that the Court adopt a pro bono reporting rule, and the Court adopted a voluntary reporting rule in November 2009. In January 2010, the Commission also recommended, with support from two different Advisory Committees, that the Court adopt a new rule that would create an emeritus licensure status to allow attorneys to provide pro bono legal services in Tennessee through an established not-for-

profit bar association, pro bono program, or legal services program. The Court published for comment a new proposed rule that would create this status in February 2010.

Strategic Planning Retreat. The Commission held a strategic planning retreat in January 2010. The Commission worked to distill the over seventy substantive recommendations from its Advisory Committees into a more streamlined series of recommendations to the Supreme Court and an outline for future Commission activities. The recommendations to the Court and the list of future Commission activities are divided under the headings of four over-arching goals which form the core of this strategic plan.

This strategic plan is truly a team effort. First and foremost, this plan could not have been developed without the leadership and hard work of the Tennessee Supreme Court, the volunteers who served on the Advisory Committees and working groups and the staff of the Administrative Office of the Courts. Most importantly, the Tennessee access to justice community, particularly the Tennessee Alliance for Legal Services (TALS), has reached out and supported the Commission in many helpful and crucial ways. State and local bar associations, law firms, corporate legal departments, public librarians, law schools, service providers and the faith community have also provided much needed support. Thus, the strategic plan was accomplished in this short time period due to the great deal of support and expertise provided throughout the state of Tennessee.

II. SUMMARY OF RECOMMENDATIONS

The Commission has adopted a two-part action plan. The first section outlines the Commission's recommendations to the Tennessee Supreme Court. The second section provides an overview of the activities the Commission intends to undertake in the coming years under the authority of Tennessee Supreme Court Rule 50. The guiding principles of each section are four over-arching goals which form the core of Commission's strategic plan.

Goal 1: To involve more lawyers and law students in meeting legal needs so that the public is better served;

Goal 2: To provide greater educational opportunities and resources for policymakers, self-represented litigants, the community, lawyers, court personnel, and others;

Goal 3: To make the justice system more user-friendly; and

Goal 4: To remove barriers to access to justice, including but not limited to disability, language, literacy, and geography.

The Commission's plan outlines both immediate steps, as well as a number of goals and objectives that will take some years to accomplish. In particular, some recommendations may be necessarily delayed for many years until funding can be secured. The timelines presented in Sections VI and VII outline the different time expectations for the recommendations. The Commission will update this 2010 strategic plan in two years pursuant to Rule 50. Thus, even if some of the more ambitious goals and objectives cannot be achieved in the next couple of years, the Commission will review its recommendations in the coming years to determine how to continue addressing Tennessee's legal needs gap and promoting greater access to justice throughout the state.

Recommendations to the Tennessee Supreme Court. The Commission has proposed systemic changes that are specifically within the Court's power to improve access to justice in Tennessee. The Commission recognizes that the Court has direct influence on lawyers, and thus

a crucial component of its strategic plan is a major focus on lawyer participation. Although the current economic climate makes resources scarce, it is important to remember that the time and expertise of lawyers are critical resources. Thus, goal one concerns the involvement of more lawyers to meet the civil needs crisis.

Certainly, lawyers should be encouraged, creatively and consistently, to do pro bono work. Pro bono programs, bar associations, law firms, corporate legal departments, law schools and other organizations across the state have made great strides toward that end. The Commission further recommends the establishment of a more comprehensive pro bono referral network across the state to match the interested and successfully recruited volunteer lawyers with pro bono opportunities.

But pro bono, of course, is not free. While lawyers do generously volunteer their time, resources are required to screen clients, to organize advice clinics, to recruit and assign more volunteers, to provide malpractice insurance coverage for the volunteers, and to orchestrate a system of regular and smooth referrals. Legal Aid organizations have such a system for every county in our state, but only certain clients are eligible for these services and more resources are needed to recruit lawyers. A more comprehensive pro bono referral system is needed not only for Legal Services Corporation (LSC) eligible clients, but also for non-LSC eligible clients.

With its rule changes in the past eighteen months, the Supreme Court has laid the foundation for more lawyer participation. For instance, the expansion of IOLTA to a mandatory program will serve as a source of increased funding as the economy recovers. This can begin to provide resources to help establish a more comprehensive pro bono referral network. The strategic plan recommends additional changes which will address the need for even more lawyer

participation. In order to bring about systemic change, the Commission recommends a pro bono referral system that will:

- Match cases and clients in need to volunteer lawyers across the state;
- Explore ways to provide malpractice insurance for pro bono lawyers in expanded pro bono settings;
- Facilitate multi-organizational support and collaboration (including LSC and non-LSC funded organizations, bar associations, mediation groups, faith-based organizations and many other service providers and organizations); and
- Use technology to provide statewide service. For example, lawyers in urban areas could provide pro bono services in underserved rural communities through email advice and video conference consultations.

Future Activities of the Access to Justice Commission. Just as the Commission is seeking to further its goals by augmenting existing structures to promote greater, more efficient and more effective pro bono efforts by lawyers, a critical component of the Commission’s activities moving forward will be to develop and foster strong collaborative relationships with state and local bar associations, the judiciary and other persons and groups committed to access to justice issues. Also critical to furthering the Commission’s goals is the ability to provide better information to the public across the state, including pro se litigants, policymakers, general social service providers and the faith-based community. This outreach would also include serving targeted groups, such as those with language barriers and disabilities, who face special barriers with access to justice. The Commission is acutely aware of the particular need to help the public obtain better information and navigate the legal system on a day-to-day basis. This means employing more and better technology to achieve effective statewide distribution of:

- General information about the court system;
- Specific educational materials; and
- Forms for use by self-represented litigants.

The enhanced use of technology such as websites, teleconferencing, video conferencing, email pro bono banks and remote access to courts could greatly benefit underserved populations, particularly in rural areas. The Commission proposes to coordinate efforts to make specific education materials and forms available to the public.

Key to the Commission's resolve in finding a highly visible and readily accessible source of public information is the Commission's collaboration with the public libraries of the state. Public libraries have a statewide infrastructure with computer access and staffs committed to the laudable goal of serving the public through access to information. Public libraries, which are already established in the minds of Tennesseans as free places open to all, can provide the delivery of access to justice information, services, and support.

The Commission's collaboration with the public libraries began as a result of the interaction among guests at the Commission's technology meeting. Similar collaborative relationships with social service providers, bar associations, the judges, the clerks, and the faith-based community can expand the network of those aware of access to justice resources and referral options. Only with the help of such groups across the state can the Commission hope to further its goals.

To ensure focused progress, some of the Commission's existing committees will remain and new committees will be established to address specific Commission goals. One new committee is the Faith-Based Collaborations Committee, which will hold regional meetings and work with the faith-based organizations to conduct education and advice clinics for the public as early as 2011.

The Commission will also separate the Resource and Technology Committee into two committees. The Resource Committee will explore new and innovative funding sources and approaches to enhance existing resources. The Technology Committee will explore and develop technology solutions, such as the offering of pro bono services to rural areas, providing widespread educational resources and enabling video-assisted courtroom interpretation. The Commission will also establish a Forms Committee, which will review existing forms and develop new ones for Supreme Court approval which will enable litigants to more readily identify and place their concerns before the courts. In so doing, the Forms Committee will pay special attention to ensure that the forms consider access-related issues such as disability, language, income and literacy.

The Commission will evaluate its progress on a quarterly basis. This review will help the Commission stay on track towards implementation of its strategic plan. This evaluation will also provide the Commission the flexibility to create new committees when specific needs are identified. With this structure, the Commission is determined to remain focused on achieving its goals.

III. TENNESSEE ACCESS TO JUSTICE COMMISSION RECOMMENDATIONS TO THE TENNESSEE SUPREME COURT

Goal 1: To involve more lawyers and law students in meeting legal needs so that the public is better served.

Pursuant to this goal, the Court is asked to:

- A. Host a pro bono summit for representatives from law firms, bar associations, corporate legal departments, law schools, mediation groups, pro bono programs and others in the coming year which will promote
 - Formation of a more comprehensive pro bono referral system across the state;
 - Exploration of the development of a plan to provide more pro bono malpractice insurance by working with bar associations for implementation as soon as possible;
 - Expanded support for pro bono and legal services staff lawyers handling specialized or complicated cases; and
 - Creation of a web based email bank entitled “TNJustice4All.com.”
- B. Provide formal encouragement and support for expansion of pro bono in other ways, including
 - Support for adoption of formal pro bono policies by all Tennessee law schools;
 - Support for adoption of formal pro bono policies by corporate legal departments;
 - Support for court system staff lawyers doing more pro bono work; and
 - Incentives to create attorney of the day programs at local courthouses and to encourage lawyers to volunteer for those programs.
- C. Adopt a Pro Bono Emeritus Rule.
- D. Adopt a Limited Appearance in Court Rule that would permit limited appearances by a lawyer on behalf of a self-represented litigant who only wants or needs help with one aspect of his or her matter pending before the court.
- E. Adopt a comment to the Pro Bono Reporting Rule to include a model pro bono policy.

Goal 2: To provide greater educational opportunities and resources for policymakers, self-represented litigants, the community, lawyers, court personnel, and others.

Pursuant to this goal, the Court is asked to:

- A. Approve forms recommended by the Commission as they are submitted to the Court for approval.

- B. Issue an order which directs that any form approved by the Court is universally acceptable as legally sufficient in every court in Tennessee.

Goal 3: To make the justice system more user-friendly.

Pursuant to this goal, the Court is asked to:

- A. Request and approve the plan for increased use of court technology to be submitted to the Court as developed by the Court and/or Commission Technology Committee.
- B. Endorse the proposed "Guidelines for Tennessee Clerks Who Assist Self-Represented Litigants."

Goal 4: To remove barriers to access to justice, including but not limited to, disability, language, literacy and geography.

Pursuant to this goal, the Court is asked to:

- A. Consider and approve revisions as submitted by the Commission to Tennessee Supreme Court Rule 42, to make explicit that it is the duty of each court to locate an interpreter when needed and to require the judge to document in written findings the efforts made to secure a certified interpreter.
- B. Amend Tennessee Rule of Criminal Procedure 11(b)(1) to join twenty-four (24) other states to require judges to inform criminal defendants in the plea colloquy that a guilty plea may have immigration consequences.
- C. Consider and approve appropriate rule revisions as submitted by the Commission to ensure all interpreters are paid by the state.
- D. Consider and approve revisions as submitted by the Commission to the Tennessee Rules of Civil and Criminal Procedure, Rules of Professional Conduct, and Rules of Judicial Conduct to address access issues related to disability, language, income and literacy barriers.

IV. TENNESSEE ACCESS TO JUSTICE COMMISSION PLANNED ACTIVITIES

As authorized under Tennessee Supreme Court Rule 50 and determined by the Commission's strategic planning process and the recommendations of its Advisory Committees, the Commission will undertake the following activities.

Goal 1: To involve more lawyers and law students in meeting legal needs so that the public is better served.

Pursuant to this goal, the Commission will:

- A. Support the development of a more comprehensive pro bono referral system across the state to be encouraged by the Court, administered by the Legal Services Corporation (LSC) and non-LSC programs and bar associations, and encourage resources from sources such as the Tennessee Bar Foundation through IOLTA grants, bar associations, law firms, corporate legal departments and charitable organizations.
- B. Study the experience of the Nashville Bar Association (NBA) Modest Means panel to assess the feasibility of implementation of such panels in other communities across the state.

Goal 2: To provide greater educational opportunities and resources for policymakers, self-represented litigants, the community, lawyers, court personnel and others.

Pursuant to this Goal, the Commission will:

- A. Create a committee to review, revise and create forms and to develop a comprehensive delivery system for all Court approved forms with sensitivity to access issues related to disability, language, income and literacy barriers.
- B. Develop and conduct a systematic education campaign to the judiciary, clerks, the bar and the public about forms.
- C. Collaborate to develop an on-line access to justice resource inventory and an ongoing catalogue of best practices.
- D. Continue to encourage the access to justice/public libraries collaboration initiated during the Commission's first year and work to develop resources to support and expand access to legal information and services across the state.

- E. Develop effective media delivery mechanisms with a clear access to justice campaign and message branding. Develop educational materials that will include a “Pro Bono Clinic in a Box,” downloadable from websites, as well as specific education materials related to other issues, language and disability barriers, public awareness about mediation, (including community mediation), housing issues and financial literacy.
- F. Form a standing Committee on faith-based collaboration charged with holding regional meetings in the next year and with conducting education and advice clinics in 2011.
- G. Continue to reach out to the Tennessee General Assembly and other policymakers and determine ways to deliver targeted access to justice information to them.

Goal 3: To make the justice system more user-friendly.

Pursuant to this goal, the Commission will:

- A. Create a technology committee to develop a plan for increased use of court technology for submission to the Court for approval, a plan that will include using technology for video remote interpreting, use of existing courtroom technology for video proceedings, pro bono outreach to rural areas and increased access to legal information and services.
- B. Work with the Alternative Dispute Resolution Commission and other groups, including community mediation centers, to promote pro bono and reduced-rate mediation services.
- C. Develop, maintain and make available a pro se handbook for Judges.
- D. Review and suggest revisions to the Tennessee Rules of Civil and Criminal Procedure, Rules of Professional Conduct, and Code of Judicial Conduct with sensitivity to access issues related to disability, language, income and literacy barriers and submit proposed changes to the Court.
- E. Review the need for policy changes in Tennessee to reduce barriers to access to justice.
- F. Support removal of the notary requirement on certain pleadings.

Goal 4: To remove barriers to access to justice, including but not limited to disability, language, literacy, and geography.

Pursuant to this Goal, the Commission will:

- A. Draft and submit to the Court revisions to Supreme Court Rule 42 to make explicit that it is the duty of each court to locate an interpreter when needed and to require that the judge document in written findings the efforts made to secure a certified interpreter.

- B. Determine the best practices from other states for who pays interpreters in non-indigent civil cases and propose appropriate rule revisions to the Court to ensure all interpreters are paid by the state.
- C. Develop a comprehensive plan for how to provide/fund and/or otherwise support existing and new immigration legal services for language minorities.
- D. Develop multi-lingual civil informational videos for posting on the Administrative Office of the Courts (AOC) website.
- E. Consider development of a roster of sign language interpreters and similar service providers for inclusion on the AOC website.
- F. Encourage the Court to support Congress lifting some or all of the Legal Service Corporation (LSC) restrictions as soon as possible.

V. CONCLUSION

The Tennessee Supreme Court's Access to Justice Commission was the twenty-fifth state Access to Justice Commission created in the past decade. Even though half the states had already formed their commissions when Tennessee's Commission was created, the Tennessee Access to Justice Commission came to existence with advantages that the commissions of other states may lack. The sustained efforts of the access to justice community in Tennessee provided the Commission with a solid foundation. The Commission learned from and harnessed the expertise, leadership and dedication that already existed in the access to justice community. Thus, the Commission was able to quickly develop meaningful collaborative relationships with the public libraries, bar associations, law schools, law firms, corporate legal departments, as well as with providers in sectors such as banking, health and housing.

Prior to the Commission's founding, Tennessee's access to justice community was already organized statewide, communicating and working with the Court and the bar associations. The Tennessee Alliance for Legal Services (TALS), the Tennessee Bar Foundation (TBF) and the Tennessee Bar Association (TBA) have demonstrated strong commitment over many years, working together through the TALS Board and the TBA Access to Justice Committee. The TALS legislative effort has been particularly impressive over the last decade, sponsoring innovative ways to provide state legislative funding for access to justice organizations. The TBA's nationally recognized *Justice 4 All* campaign, under the leadership of former TBA President and Commission Vice Chair Buck Lewis, mobilized lawyers and local bar associations across the state in a successful push to provide greater pro bono services.

Tennessee also enjoys the firm public commitment of all Supreme Court members to the Access to Justice effort. Under the leadership of Chief Justice Holder, the Court made access to

justice its number one strategic priority. Even before creating the Commission, the Supreme Court had already promulgated a number of significant access to justice related rule changes and had actively developed and supported the leadership of many already highly motivated judges and clerks around the state. In addition to creating the Commission, the Court took the step of creating a dedicated staff position to help the Commission further its objectives. Tennessee's Access to Justice Commission has benefited from its able coordinator, Rebecca Rhodes, during a time when many commissions established by other states lack full-time staffing—or any staffing whatsoever.

This plan is submitted during a time when all resources are limited, and funding is scarce. Locating and tapping into additional resources and using technology to further existing resources will be a major focus of the Commission in the next two years. Additional focus will be on the increased use of collaborative relationships, many of which do not yet exist or have not been fully realized. Some of the planned activities for the Commission will necessarily flow into areas under the control of other organizations, associations and policymakers.

The Access to Justice Commission recognizes that it does not and cannot stand alone as a single force for change in Tennessee. The Commission, as created and supervised by the Supreme Court, is part of an existing network of lawyers, law firms, corporate legal departments, bar associations, legal service programs, judges, clerks, law schools, librarians, service providers, nonprofits, faith-based organizations and businesses. Every aspect of this vast, dedicated and capable statewide network can be, and indeed must be, enlisted if systemic change is to come about to meet the unmet legal needs in this state. Tennesseans deserve no less than full, informed and efficient Access to Justice.

Appendix J:

Faith-Based Initiative with United Methodist Church

Suggested Plan for Access to Justice Initiative with The Tennessee Conference of the United Methodist Church

I. The Problem

More than 35 million Americans live below the poverty level, and another 10 million have incomes that are less than 25% higher than that level. At least 40% of these Americans have a legal problem of some kind each year. 70% of low-income Tennesseans experience some type of legal problem each year. Approximately one million Tennesseans need legal counsel and cannot afford it. But with only 75 or so Legal Aid attorneys, most of those low income individuals have limited or no access to legal counsel. They feel shut out from the legal system. They do not turn to the system for solutions because they believe the system will not help them.

II. Tennessee Access to Justice Commission

The Access to Justice Commission was created by the Supreme Court to develop a strategic plan for improving access to justice in Tennessee that includes education of the public, identification of priorities to meet the need of improved access to justice, and recommendations to the Supreme Court of projects and programs the Commission determines to be necessary and appropriate for enhancing access to justice in Tennessee. The first strategic plan was unveiled in 2010, and the Commission will present its second strategic plan in the spring of 2012. One aspect of the strategic plan is to incorporate the faith-based communities into the initiatives of the Access to Justice Commission.

III. Initiative with the Tennessee Conference of the United Methodist Church presented at the Cabinet Meeting on January 12, 2012.

Chief Justice Cornelia Clark and Tennessee Access to Justice Commission (“ATJ Commission”) Chair Margaret Behm met with the Tennessee Conference of the United Methodist Church (“TNUMC”) Cabinet to present the following initiative on January 12, 2012. The Commission requested the Cabinet consider a program which utilizes TNUMC’s present social justice programs and church initiatives and incorporate pro bono lawyers into those programs (the “Initiative”). The following suggestions for the Initiative were presented:

1. Churches will be encouraged to recruit and designate lawyers within their congregation to assist when a pro legal need arises. This lawyer would either take the case or take the responsibility to refer the person to the appropriate resource. Training will be provided to local church staff about legal problem spotting so staff can make appropriate referrals to lawyers.

2. There are many pro bono initiatives throughout the state, and the lawyers affiliated with these programs could be available for social justice initiatives of UMC. Additionally, lawyers in local congregations can be encouraged to be legal resources for UMC’s social justice initiatives. For example, lawyers have been recruited and trained to assist people who have suffered losses due to natural disasters. UMC lawyers might be encouraged to participate in this training and be available through established pro bono initiatives to work with TNUMC’s

Disaster Response and Recovery Program, with the Flood Recovery Network, or with broader UMCOR initiatives.

3. Churches would provide space in their building for legal clinics, either on a regular basis or for a particular purpose. Currently, several UMC churches host legal clinics, and the Commission and TNUMC would work to increase that number. Additionally, churches would be encouraged to set up their own initiatives, such as Justice for Our Neighbors (JFON), with assistance from the Commission.

4. Churches will receive information as to how to assist persons in gaining access to information for legal assistance through resources such as the Access to Justice website or local pro bono programs.

5. TNUMC will designate a person as the primary contact to work on this initiative.

After the presentation, the Cabinet unanimously affirmed this Initiative with the Tennessee Access to Justice Commission through the cooperative aid of attorneys and congregations. Nashville District Superintendent and Cabinet Secretary, John Collett, was designated to work with the Commission on the Initiative.

On January 25, 2012, District Superintendent John Collett and Jason Brock, Director of Church Vitality and Justice, met with Lucinda Smith, Director of the Nashville Pro Bono Program (“Pro Bono Program”) and Margaret Behm. The Pro Bono Program is affiliated with the Legal Aid Society of Middle Tennessee and the Cumberland, which covers a 48 county area in middle Tennessee similar to the counties covered by TNUMC. Attached to this proposal is the document “Connecting Individuals With Legal Help” which sets forth the type of legal matters the plan envisions will be addressed by this Initiative. The Initiative and a proposed timetable were discussed. Out of these discussions arose this proposed strategic plan to be presented to the Cabinet for discussion, any proposed modifications and approval.

IV. Role of District Superintendent

As part of the Initiative, the District Superintendent is asked to announce and promote the Initiative in his or her district as follows:

1. Request each pastor to ask an attorney or attorneys in their congregation to serve as a resource in the event a pastor needs to refer someone for legal advice. Ask the attorney to assume responsibility for finding a lawyer in the event the lawyer is unable to help.
2. Find at least one attorney, preferable two to three attorneys in each District, who will service as leaders and recruiters for lawyers to be available to assist congregations in the event the pastor is unable to find an attorney from within the pastor’s congregation. These lawyers will also receive assistance in finding lawyers from the Pro Bono Program.

3. Attend a District Superintendent meeting with the District leadership attorney team in which the Initiative is discussed and promoted. Training will be provided to local church staff about legal problem spotting so staff can make appropriate referrals to lawyers. (See attached Connecting Individuals With Legal Help).
4. Attend the annual Tennessee Conference meeting lunch in June 2012 with Chief Justice Clark and the District's leadership attorney team, if any of them can be present, and encourage pastors and attendees from each District to attend. In addition to a speech from the Chief Justice, Access to Justice resources will be disseminated and the Initiative promoted. Chief Justice Clark's attendance is confirmed.
5. Continue to promote this Initiative in the District throughout the year, periodically reporting in Cabinet meetings regarding progress and concerns so that the Initiative can more efficiently meet the needs of the congregations. Simple forms will be developed to assist tracking and monitoring efforts to determine if an impact is made, types of cases handled and number of people served.

V. Suggested Timetable.

January 2012 Chief Justice Cornelia Clark and Margaret Behm meet with the Tennessee Conference Cabinet. Follow-up meetings are held with Cabinet Secretary John Collett and other proponents of the Initiative.

February 2012 Proposal for the Initiative is drafted and reviewed by the proponents. Proposal then submitted to the Cabinet for discussion and approval. Goals are set.

February, March and April 2012 District Superintendents recruit their designated volunteer attorneys for their leadership team.

April 2012 Meeting with District Superintendents and their leadership attorney team to discuss Initiative and goals. Access to Justice materials are disseminated and training provided.

June 11, 2012 Lunch with Chief Justice Clark, District Superintendents, volunteer attorneys, pastors and other conference attendees to kick off Initiative. Chief Justice Clark's attendance is confirmed.

Periodic updates June 2012 to June 2013. Periodic updates as determined by the Conference to monitor and provide assistance regarding Initiative with a one year summary provided to the Cabinet prior to the June 2013 annual conference.

VI. Conclusion.

This Initiative contains many different aspects and each congregation may choose to focus its efforts in one or more directions. With TNUMC's awareness of the importance of its social justice programs, this Initiative will complement and provide congregations with tools to make sure that persons can access justice.

Appendix K:

Access to Justice
Commission
Technology
Principles

Tennessee Access to Justice Commission Technology Principles

An Initiative of the Tennessee Access to Justice Commission

Adapted from the
Washington State Access to Justice Technology Principles
<http://www.courts.wa.gov/jis/?fa=jis.display&theFile=accessToJusticeTechnology>

PREAMBLE

The use of technologies in the Tennessee court system must protect and advance the fundamental right of equal access to justice. Technology should avoid creating or increasing barriers to access and reduce or remove existing barriers to access to justice, including but not limited to disability, language, literacy, and geography.

Further, access to justice requires a just process, which includes, among other things, timeliness and affordability. A just process also has “transparency,” which means that the system allows the public to see not just the outside but through to the inside of the justice system, its rules and standards, procedures and processes, and its other operational characteristics and patterns so as to evaluate all aspects of its operations, particularly its fairness, effectiveness, and efficiency.

Therefore, these Access to Justice Technology Principles state the governing values and principles which shall guide the use of technology by the Tennessee Access to Justice Commission and its Advisory Committees.

Comment. *The Tennessee Supreme Court has recognized the legal needs crisis in Tennessee and declared that access to justice is its number one strategic priority. The Court created the Access to Justice Commission pursuant to Supreme Court Rule 50 to help carry out its access to justice initiative. From an understanding that technology can affect access to justice, these Access to Justice Technology Principles are intended to provide general statements of broad applicability and a foundation for resolving specific issues as they arise. The various parts of this document should be read as a whole.*

These Principles do not mandate new expenditures. Rather, they require that the Access to Justice Commission and its Advisory Committees take certain steps whenever technology that may affect access to justice is planned or implemented, avoid reducing access, and, whenever possible, use technology to enhance access to justice.

SCOPE

The Access to Justice Technology Principles apply to the Access to Justice Commission and its advisory committees. The Commission encourages the Supreme Court and all Tennessee courts, all clerks of court and court administrators, and all other persons or parts of the Tennessee justice system to review the Principles and consider formally adopting them. The Principles can serve as a guide for all other actors in the Tennessee justice system.

“Other actors in the Tennessee justice system” means all governmental and non-governmental bodies engaged in formal dispute resolution or rulemaking and all persons and entities that may represent, assist, or provide information to persons who come before such bodies.

“Technology” includes all electronic means of communication and transmission and all mechanisms and means used for the production, storage, retrieval, aggregation, transmission, communication, dissemination, interpretation, presentation, or application of information.

Comment. *This language is intended to make clear that the Access to Justice Technology Principles are mandatory only for the Access to Justice Commission and its advisory committees. It is, however, hoped and urged that these Principles and their values will be applied and used widely throughout the entire justice system. The definition of the word “technology” is meant to be inclusive rather than exclusive.*

1. EQUAL ACCESS TO THE JUSTICE SYSTEM

Equal justice under the law requires access to the justice system. Technology should enhance equal access to the court system and the opportunity for equal participation in the court system. New technology or changes in the use of current technology must not become a barrier to access or participation.

Comment. *This Principle combines promotion of access to justice through technology with a recognition of the “first, do no harm” precept. The intent is promote the use of technology to increase access to the court system through innovation and experimentation while maintaining focus on feasible projects that do not negatively impact access to the court system.*

2. TECHNOLOGY AND JUST RESULTS

The overriding objective of the justice system is a just result achieved through a just process by impartial and well-informed decision makers. The Commission and its Advisory Committees shall propose and approve of the use of and advance technology to achieve that objective and shall reject, minimize, or modify any use that reduces the likelihood of achieving that objective.

Comment. *The reference to a “just process” reaffirms that a just process is integral to a just result. The reference to “well-informed decision makers” is to emphasize the potential role of technology in gathering, organizing, and presenting information in order that the decision maker receives the optimal amount and quality of information so that the possibility of a just result is maximized.*

3. OPENNESS AND PRIVACY

The justice system has the dual responsibility of being open to the public and protecting personal privacy. Its technology should be designed and used to meet both responsibilities.

Technology use may create or magnify conflict between values of openness and personal privacy. In such circumstances, decision makers must engage in a careful balancing process, considering both values and their underlying purposes, and should maximize beneficial effects while minimizing detrimental effects.

Comment. *This Principle underlines that the values of openness and privacy are not necessarily in conflict, particularly when technology is designed and used in a way that is crafted to best protect and, whenever possible, enhance each value. However, when a conflict is unavoidable, it is essential to consider the technology’s effects on both privacy and openness. The Principle requires that decision makers engage in a balancing process which carefully considers both values and their underlying rationales and objectives.*

4. ASSURING A NEUTRAL FORUM IN DISPUTE RESOLUTION

The existence of a neutral, accessible, and transparent forum for dispute resolution is fundamental to the Tennessee justice system. Developments in technology may generate alternative dispute resolution systems that do not have these characteristics, but which, nevertheless, attract users who seek the advantages of available technology. Participants and actors in the Tennessee justice system shall use all appropriate means to ensure the existence of neutral, accessible, and transparent forums which are compatible with new technologies.

Comment. *This Principle underlines the importance of applying the basic values and requirements of the justice system and all the Access to Justice Technology Principles to dispute resolution, while clarifying that there is no change to governing law. This Principle is not intended in any way to discourage the accessibility and use of mediation, in which the confidentiality of the proceeding and statements and discussions may assist the parties in reaching a settlement; provided that the parties maintain access to a neutral and transparent forum in the event a settlement is not reached.*

5. MAXIMIZING PUBLIC AWARENESS AND USE

Access to justice requires that the public have available understandable information about the justice system, its resources, and means of access. The Commission and its advisory committees should promote ongoing public knowledge and understanding of the tools afforded by technology to access justice by developing and disseminating information and materials as broadly as possible in forms and by means that can reach the largest possible number and variety of people.

Comment. *This Principle expressly recognizes that the primary responsibility of assuring public awareness and understanding of the justice system lies with the justice system itself. As stated in the Comment to the Preamble, none of these Access to Justice Technology Principles, including this one, mandates new expenditures. At the same time, however, planners and decision makers must demonstrate sensitivity to the needs, capacities, and where appropriate, limitations of prospective users of the justice system.*

Communicating the tools of access to the public should be done by whatever means is effective. The means may be as many and varied as people's imaginations and the characteristics of the broad population to be reached.

6. BEST PRACTICES

To ensure implementation of the Access to Justice Technology Principles, those governed by these principles shall utilize "best practices" procedures or standards. Other actors in the justice system are encouraged to utilize or be guided by such best practices procedures or standards.

The best practices shall guide the use of technology so as to protect and enhance access to justice and promote equality of access and fairness. Best practices shall also provide for an effective, regular means of evaluation of the use of technology in light of all the values and objectives of these Principles.

Comment. *This Principle is intended to provide guidance to ensure that the broad values and approaches articulated elsewhere in these Access to Justice Technology Principles are implemented to the fullest extent possible in the daily reality of the justice system and the people served by the justice system. The intent is that high quality practical tools and resources be available for consideration, use, evaluation, and improvement of technologies in all parts of the justice system. These Access to Justice Technology Principles as a whole are intended to encourage progress, innovation, and experimentation with the objective of increasing meaningful access to quality justice for all. With these goals in mind, the development and adoption of statewide models for best practices is strongly encouraged.*

Appendix L:

Resources Advisory Committee Recommendations Adopted by The Commission

ATJC 2012 Strategic Plan

Resources Advisory Committee Recommendations

Summary of Recommendations

- 1) Combine existing resources and new resources to help carry out the Court's Strategic Plan.
 - 2) For a work group to study Section 23.08 of the Rules of Civil Procedure (Cy Pres) to determine whether the Rule should be modified so that a certain percentage of residuals go to organizations which give legal assistance to the poor.
 - 3) Form a work group to study Supreme Court Rule 43 (IOLTA) to determine if the Rule should be modified so that funds generated from lawyers' escrow accounts go solely to organizations that provide legal assistance to the poor.
 - 4) Work with the Tennessee Bar Association to establish a working committee composed of lawyers, and representatives of the Tennessee Board of Regents and the Tennessee Hospital Association (and other health care organizations) to assess and implement using the Tennessee Board of Regents Technology Centers/community colleges and healthcare facilities as access points to connect pro bono lawyers with those in need of legal aid services.
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Recommendation Details

1) Advocate for and Encourage Resources to Carry Out Strategic Plan

Description: The Resources Committee will reach out to existing grant and resource providers and educate them on the Court's Strategic Plan. The Committee will encourage the providers to use the Strategic Plan as a factor in determining grant recipients. The goal of this project is to have a unified approach across the state for providing funding and other resources to agencies or groups that provide legal assistance to the poor. The Resources Committee will develop a process by which to distribute new funds that become available to the Commission to help carry out the Court's Strategic Plan.

Entity: Initially, the Committee members will carry out the recommendation. The Committee may draw in other volunteers if they have existing relationships with grant providers. As a grant or resource provider agrees to use the Strategic Plan in their decision making, they may be asked to help expand the network of providers.

Resources: Volunteer and staff time to prepare educational materials and content for presentations and to make presentations to various grant and resource providers.

Technology: Power Point and other tools to develop presentations; possible database of grants/resources available and/or provided statewide.

Timeline: The Commission has already approved this course of action. The 2012 Strategic Plan has to be completed and approved by the Court before the Committee can begin “marketing” it to grant and resource providers therefore the Committee will begin meeting with grant and resource providers in the spring of 2012.

2) Study Cy Pres Rule

Description: The Commission will assemble a work group to examine modifying Section 23.08 of the Rules of Civil Procedure (Cy Pres). Issues the group should consider include but are not limited to: modifying the rule so that a certain percentage of residuals go to organizations which give legal assistance to the poor, the role of the judiciary in the distribution of cy pres funds and how to encourage this role, and review other states’ rules and the success these states have had in generating funds. The Commission must determine whether the work group will report to the Resources Committee or directly to the Commission and determine who will be appointed to the work group. Educational materials will need to be developed should the work group decide to propose amendments to the Rule and the Court adopt the proposed amendments.

Entities: AOC (staff), Commission, members of the judiciary, the TBA, and TALS.

Resources: Staff and volunteer time including preparation for meetings, meetings, and follow-up from meetings. Development of educational materials.

Technology: Video and teleconference equipment to conduct meetings. Distribution of educational materials via email. Posting of educational materials online.

Timeline: Since the Cy Pres Rule is found in the Rules of Civil Procedure, any proposed modifications would have to be approved by the Rules Commission. The Committee proposes that the work group finalize its recommendations in time for the ATJ Commission to submit the recommendations to the Rules Commission to be included in the rules package for 2013.

3) Study IOLTA Rule

Description: The Commission will assemble a work group to examine modifying Supreme Court Rule 43 (IOLTA). The method in which IOLTA funds are distributed has not been reviewed in the last 26 years. The work group will determine if the Rule

should be modified so that funds generated from lawyers' escrow accounts go solely to organizations that provide legal assistance to the poor. Currently, approximately 75% of IOLTA funds are distributed to organizations that provide legal assistance to the poor. The Committee believes that the national trend is to distribute around 90% of IOLTA funds to organizations that provide legal assistance to the poor. The Commission must determine whether the work group will report to the Resources Committee or directly to the Commission and determine who will be appointed to the work group. Educational materials will need to be developed should the work group decide to propose amendments to the Rule and the Court adopt the proposed amendments.

Entities: AOC (staff), Commission, members of the Tennessee Bar Foundation, the TBA, and TALS.

Resources: Staff and volunteer time including preparation for meetings, meetings, and follow-up from meetings. Development of educational materials.

Technology: Video and teleconference equipment to conduct meetings. Distribution of educational materials via email. Posting of educational materials online.

Timeline: The work group can begin work as soon as the Commission appoints the members. The Committee proposes that the work group have a final proposal by September 1, 2012.

4) Establish Committee to Assess and Implement Using TN Board of Regents and TN Hospital Association's Existing Resources

Description: The Committee will work with the TBA's ATJ Committee and other interested sections and committees to create a working committee composed of lawyers, and representatives of the TN Board of Regents and the TN Hospital Association (and other healthcare organizations) to assess and implement using the TN Board of Regents Technology Centers/community colleges and healthcare facilities as access points to connect pro bono lawyers with those in need of legal aid services. These facilities can be used as a point of contact to provide legal clinics or other legal services to those in need in these communities. The working committee would enable these connections to be established, develop an implementation plan and oversee the results of these partnerships.

Entities: Committee, TBA, TN Board of Regents, TN Hospital Association

Resources: Public/private facilities in local communities. Legal aid provider, bar association, or similar entity to sponsor/staff events. Marketing materials for events. Volunteer attorneys and paralegals.

Technology: The use of the technology centers make it possible to hold remote clinics. Clients could go to their closest technology center or community college and be

connected with an attorney in one of the four major metropolitan areas of the state. Video conferencing equipment and/or software, computer access, and internet access are necessary to sponsor a remote clinic.

Timeline: The committee will be formed in the first quarter of 2012 and the first events/clinics will be held in October 2012, in conjunction with Celebrate Pro Bono Month.

Appendix M:

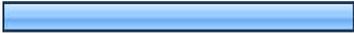
Excerpt of Trial Judges' Survey On Self-Represented Litigants and Pro Bono Needs

1. Please select your judicial district.

28 judges responded as follows:

1 st District	<u>0</u>	11 th District	<u>3</u>	21 st District	<u>1</u>
2 nd District	<u>1</u>	12 th District	<u>0</u>	22 nd District	<u>2</u>
3 rd District	<u>1</u>	13 th District	<u>0</u>	23 rd District	<u>0</u>
4 th District	<u>2</u>	14 th District	<u>0</u>	24 th District	<u>0</u>
5 th District	<u>1</u>	15 th District	<u>0</u>	25 th District	<u>1</u>
6 th District	<u>0</u>	16 th District	<u>0</u>	26 th District	<u>2</u>
7 th District	<u>0</u>	17 th District	<u>1</u>	27 th District	<u>0</u>
8 th District	<u>0</u>	18 th District	<u>0</u>	28 th District	<u>1</u>
9 th District	<u>0</u>	19 th District	<u>1</u>	29 th District	<u>0</u>
10 th District	<u>1</u>	20 th District	<u>5</u>	30 th District	<u>5</u>
				31 st District	<u>0</u>

2. Please select the option(s) below that best describes your district. You may select more than one.

Judges were allowed to choose more than option.		Response Percent	Response Count
Urban		63.0%	17
Suburban		14.8%	4
Rural		51.9%	14
answered question			27
skipped question			1

3. What ideas do you have for ways the Access to Justice Commission can assist you with your pro se litigant docket?

- Explain to litigants "approved by" lines need signatures and they need to specify accounts and vehicles to be divided even if they know who gets what. Please address procedures for incarcerated litigants.
- Need more lawyer volunteers.
- I would like to see more pro bono activity in divorce cases with children in a clinic or "legal aid" type setting. I would like to be more efficient in dealing with these litigants on a day-to-day basis.
- Have forms available which include instructions on how to obtain access to have their case/matter docketed before the court.
- Help with divorce cases.
- The pre-prepared form will help a lot. Hints on dress code would help.
- Prepare short videos to be shown in courtrooms giving an outline of expectations - prior to hearings. For example - in order of protection cases.
- Attorneys that volunteer a day and could assist pro se litigants.
- Offer training on do's and don'ts.
- If the rules and guidelines as to the extent that judges and clerks can assist a pro se litigant could be relaxed, we might really be able to provide a better service.
- Need a booklet and video explaining general civil process, terminology, etc. Need same information for specific areas, landlord/tenant, consumer protection, lemon law, etc.
- Produce informational videos that can be aired regularly on the public access channel. Include caption with websites where viewers can search for forms and answers to frequently asked questions.
- Make use of law school clinics/law students with pro se uncontested divorces, orders of protection.
- Good pro se forms. Assist Bar Associations in setting up a legal clinic in the districts to assist pro se litigants in filling out forms seeking relief and giving guidance on what they need in preparation for hearing.
- Provide documents promoting the pro bono resources available.

4. Would informational videos on particular areas of the law such as landlord/tenant, debtor/creditor, orders of protection, child support, and family law that could be played for pro se litigants prior to a hearing be useful in your district?

		Response Percent	Response Count
Yes		100.0%	21
No		0.0%	0
answered question			21
skipped question			7

5. If yes, what particular areas of the law would be most helpful?

- Family law and orders of protection and maybe child support videos would help.
- Tax liens; proper way to file tax appeals to administrative agency/comm.
- Especially, orders of protection are 90% pro se. Family law is 25% pro se.
- Conservatorship cases
- Child support
- Domestic; probate (simple); landlord/tenant; consumer protection; open accounts

6. In what areas of the law do you see a need for more pro bono lawyers in your district?

- Appeals from Gen. Sess. Ct.
- Parenting plans for orders of protection
- Domestic relations; bankruptcy
- Divorce and conservatorship
- ID divorces
- Debtor-creditor
- Child support - visitation issues - custody changes
- Landlord/tenant, automobile accident

7. What is the most effective way that pro se litigants are being served in your district?

- Lawyer volunteers to help pro se litigants.
- Use of forms for orders of protection and divorce from Southeast Tennessee Legal Services.
- Saturday legal clinics and bar association pro bono panel.
- Bar association attorney of the day program.
- Clerks referring pro se litigants to other resources
- Pro se divorce seminar
- Chancery court has website with forms for divorce. Clerk's office has forms for post divorce issues.
- I try to explain, in easy terms, what the court is doing.

8. What is the most effective pro bono program in your district?

- Lawyers who take cases pro bono
- Legal services
- Bar pro bono programs
- Lawyer of the day and legal clinics
- Community Legal Center
- Nashville bar pro bono and large law firm volunteers
- Legal Aid of East Tennessee divorce forms
- West Tennessee Legal Services
- Legal Aid of Middle Tennessee and the Cumberlands

9. Please provide the ATJ Commission with suggestions or comments below:

- ATJ is best focused on the bar.
- Many litigants cannot afford an attorney. This is a huge problem in domestic cases. Usually these litigants have a low education and cannot properly fill out forms. Legal services does not have the resources to help them.
- Bring the big time “advertiser” into the fold.
- Work on consolidating information for pro se litigants.