

TENNESSEE
SUPREME COURT
ACCESS TO JUSTICE
COMMISSION

———— 2018-2022 ————

STRATEGIC PLAN
2020 Update

JUSTICE
FOR
ALL

A Tennessee Supreme
Court Initiative

Executive Summary

The Tennessee Supreme Court Access to Justice Commission (the “ATJ Commission”) operates under the guidance of Tennessee Supreme Court Rule 50 which requires it to develop new strategic priorities every two years. This document is the ATJ Commission’s sixth strategic plan. It outlines new projects, ideas, and programs that carry forward the Commission’s vision to provide collaborative leadership to create solutions and resources that address and eliminate barriers to justice for all.

The ATJ Commission will continue to support and boost effective and thriving projects and initiatives, such as the Tennessee Faith and Justice Alliance, #Help4TNDay, Pro Bono and Faith Days, Pro Bono Recognition, Plain Language Forms, ATJ Fund Distributions, the Justice For All website, and other long-standing programs. It will also continue to elevate the work and successes of its equal justice community partners.

Process

The ATJ Commission engaged in a strategic planning process in the spring of 2018. In January of 2020 the Commission reviewed and updated the plan. The process included surveying key stakeholders, and a daylong planning session with current and incoming commissioners. Questions identified that needed to be address were:

- How to make our work sustainable and growing?
- How do we ensure attorneys understand the need for legal services?
- How are we measuring success?
- What can/can't people do on their own?
- How to build user-centered solutions?
- How to get input from judges?
- How to understand our opposition?
- How to track and measure?

Identify and Eliminate Barriers to Racial and Ethnic Fairness

The ATJ Commission held a special meeting in June 2020 to discuss its role in response to events in Tennessee and begin conversations about racism in the justice system and the importance of assuring the public of the judiciary's commitment to access, fairness, and justice for all. Subsequently, the Tennessee Supreme Court issued a statement declaring that racism still exists and has no place in our society. The Tennessee Supreme Court tapped the ATJ Commission to lead the search for and advise the Court about how to accomplish change in areas of education and training, our judicial environment, and court policies and procedures that in any way lead to racial bias.

The ATJ Commission's mission calls upon it to provide collaborative leadership to create solutions and resources to ensure access to justice FOR ALL. Now is the time for the ATJ Commission to hold itself accountable to its mission. Going forward, the ATJ Commission will address issues of racism and disparate impact on racial and ethnic minorities head on. The ATJ Commission's initial action steps are set out below and existing programs, projects, and initiatives will be reviewed and modified accordingly.

- Develop live virtual training on implicit bias, racial injustice, poverty, and related topics for the entire judiciary that will be held quarterly beginning in the Fall of 2020. All participants in the judicial system will be invited to participate in these training events.
- Modify Committee Workshop event for October 2020 to focus on racial injustice, include an implicit bias training, and a possible poverty simulation. All members of the Commission will participate in this training in some form.
- Develop and host Virtual Town Halls to bring together local judges, court clerks, court personnel, lawyers, advocates, faith leaders, and community members to discuss racial injustice and develop action steps to address these issues and initiate change and trust. The ATJ Commission's Pro Bono and Faith-Based Initiatives Committees will spearhead this work.
- Use the expertise of the ATJ Commission's Public Awareness Committee to vet and create publicity around issues of racial injustice. Potential initiatives include a series highlighting black and brown leaders in Tennessee's judicial and legal system, access to justice landscape, and communities and faith organizations. The Committee's work will include social media and traditional content.

As the Tennessee Supreme Court stated, "Change is needed and only can happen through listening, as well as valuing and respecting a myriad of voices with different perspectives and views." The ATJ Commission will adopt this role as set out by the Court to ensure that the people of Tennessee receive equal protection of its laws.

Surveys

The ATJ Commission distributed a survey to its key stakeholders and network. Fifty individuals responded and included members of the ATJ Commission, Judges, Lawyers, Social Workers, Educators, Non Profits, Court Personnel, Community Leaders, Mediators, Advocates, and Government Agencies. The survey had six questions which are below with the common themes of responses.

1. What is the highest value that the ATJ Commission can provide to the Equal Justice community in 2020 and beyond?
Themes: Lead/coordinate, legal advice, influence policy and legislation, promoting and supporting need and gaps (underserved, low income, rural, etc.), landlord/tenant, funding
2. What are 2-3 top strengths of the ATJ Commission as an organization?
Themes: Supreme Court leadership, reputation, visibility/promotion/education on issue, people (staff and members), network of legal professionals, forms
3. What are 2-3 weaknesses of the ATJ Commission as an organization?
Themes: Rural support, communication, public awareness, not prioritizing mediation, pace, lack of resources/funding, diversity, focus - mission/vision
4. What do you see as the key accomplishments of the ATJ Commission over the past few years?
Themes: connections and relationships with partners, awareness, events and programs - innovative solutions, online resources, supporting pro bono
5. What challenges will the ATJ Commission face over the next few years?
Themes: Keeping volunteers engaged, funding, increased demand, new generation of lawyers, individual/tenant issues, addressing rural needs, political influences, technology changes
6. Where should the ATJ Commission focus its efforts to be most effective over the next 2-3 years?
Themes: partnerships and relationships, education, online services/technology

Review

The ATJ Commission reviewed the responses and determined its role set out in 2018 remains relevant; to Facilitate, Education, Communicate, Remove Barriers, Develop Resources, Advocate, and Connect.

The Group looked at key accomplishments, changes and learnings over the past 2 years.

| Accomplishments | Changes | Learnings |
|--|---|--|
| <ul style="list-style-type: none"> • Technology: virtual clinics and kiosks - online efforts • Continue to focus on utilizing law school clinical programs to encourage pro bono service • TFJA outreach model (going to faith leaders in-person) • Event outreach - Help4TNDay, Faith and Justice Summit • Obtaining and using existing resources • Better awareness of problems of acceptance • Retaining/expanding volunteers • State-level and big picture coordination and collaboration between all stakeholders • Brand and reputation trust increased • Greater Bar involvement in pro bono • Staff driven results • Leadership of TN Supreme Court • Nationwide reputation • Innovative events/projects | <ul style="list-style-type: none"> • Recognition of mediators • Forms • Attention to changes in technology • Early education and channeling law students' commitment to ATJ • ATJ "Brand" expanding • Collaboration with "other" partners • Young lawyers are different and engaging them • Societal changes (example: opioid crisis) • Leveraging ability to influence judges and clerks • Expand community outreach through personal communication • More staff/improved website/marketing • Lessons learned used to provide direction • People/organization seeking physical engagement | <ul style="list-style-type: none"> • Define what we do/our role in ATJ ecosystem • People don't think we are diverse • Contact for participants and opportunities to serve • Need to promote office pro bono initiatives for firms • Need to serve people who may not be able to physically come to a clinic • Extent of need for legal clinics in rural areas • Increase awareness of ATJ and problems • Rural, re-entry, recovery, refugee • Consider and distinguish assistance in civil and criminal issues • Partners urging commission to assist with funding for legal services providers • Need better "intel" • Better buy-in before launch • Who speaks for those the ATJ services? • Need to evaluate the experiences of those served • Gaps in outreach |

Plan

| Goals | Impact |
|---|--|
| Build and Equip the Network | |
| <ul style="list-style-type: none"> • Establish communication networks with rural bar associations and community organizations, specifically including organizations developed for racial and ethnic minorities • Create system to allow targeted rural, black, and minority communities to meet underserved needs • Enlist local champions in all types of communities | <ul style="list-style-type: none"> • Targeted and engaged communities of resistance • Engaged communities in need (with a priority on rural areas and racial and ethnic minorities) |
| Build and Refine Support Services | |
| <ul style="list-style-type: none"> • Expand reach and identify issues • Bring juvenile and specialty Courts/Clerks to the table • Bring new and diverse voices to the table while keeping active voices engaged • Bring different types of professionals to the table | <ul style="list-style-type: none"> • Greater acceptance of use forms for self-represented litigants • Meaningful use of technology • Use of kiosks and assistance from clerks • Expanded relationship with faith leaders and community leaders • Meaningful use of court navigators |
| Develop Mechanism to Measure Effectiveness | |
| <ul style="list-style-type: none"> • Identify data that is needed/helpful, specifically data on race, ethnic minorities, and poverty • Access needed expertise | <ul style="list-style-type: none"> • Use of valid data to evaluate current programs and shape future programming • Data-driven decisions • Identify future needs with data |
| Capture and Promote Brand | |
| <ul style="list-style-type: none"> • Define our lane (using our website and other tools) • PSAs | <ul style="list-style-type: none"> • Better recognition of ATJ Commission and its work across Tennessee • Support our partners as separate brands |
| Build the Process for Funding | |
| <ul style="list-style-type: none"> • Define ATJ Commission's role and devise strategy for funding | <ul style="list-style-type: none"> • Financial security • Justice Bus |

Summary

The ATJ Commission learned valuable insights from the survey responses, one of which is that it must expand and improve its outreach to all members of the equal justice ecosystem in Tennessee. The ATJ Commission will address this by fine-tuning and sharing its story and role as one of leaders in the access to justice community. The 2020 Updated Strategic Plan focuses on bringing new voices into the ATJ Commission's work. Further, it recognizes that the ATJ Commission be responsive to identified needs of the Tennessee legal community and the general public, especially in rural and under served areas. The ATJ Commission identified the increased need for timely and relevant data to make informed decisions on developing and triaging resources. By working towards the goals outlined in this Plan, the ATJ Commission will continue and strengthen its mission, to address and eliminate barriers to access to justice for all.

The ATJ Commission wants to publicly acknowledge and thank Liz Allen Fey and her team at Lead. Think. Do. for facilitating the ATJ Commission's strategic planning exercise. The guidance and expertise of Ms. Fey and her team have proven instrumental in the ATJ Commission's ability to prioritize and plan for the upcoming two years. The ATJ Commission would also like to thank its many partners, committee members, task force members, and all those who volunteer their time and experience to help bring meaningful access to justice to Tennesseans.