

April 2016 Arizona Access to Justice Commission Report

Overview of Arizona Access to Justice Commission

In August of 2014 through a Judicial Administrative Order, Arizona Supreme Court Chief Justice Scott Bales established the Arizona Commission on Access to Justice. This Commission, as the order states, follows the Judiciary's Strategic Agenda, Advancing Justice Together, with Goal 1, stating: "Arizonans look to our courts to protect their rights and to resolve disputes fairly and efficiently. To serve these ends, Arizona's judicial branch must work to ensure that all individuals have effective access to justice. This goal is advanced not only by examining legal representation for moderate and low income persons, but also by helping self-represented litigants and others navigate the judicial process."

The Commission is chaired by Hon. Lawrence Winthrop, Arizona Appellate Court Division I, and consists of 17 standing members with Ad hoc members and work group members assigned and serving as the needs demand. The purpose of the Commission is to study and make recommendations on innovative ways of promoting access to justice for individuals who cannot afford legal counsel or who choose to represent themselves in civil cases. The Commission evaluates best practices within Arizona and in other states, identifies possible changes in court rules or practices to reduce barriers to access, identifies and encourages the adoption of best practices among legal service providers, and considers potential long-term funding options. The Commission's work and priorities are set by the Chief Justice in consultation with the Chair of the Commission. The initial work of the Commission is to examine and make recommendations on the following: a) Assisting self-represented litigants and revising court rules and practices to facilitate access and the efficient processing of family court and eviction cases b) Encouraging lawyers and law firms to provide pro bono services or financial support for civil legal aid for those who cannot afford counsel. c) Developing an information campaign to inform lawyers and other citizens about the state tax credit for contributions to agencies that serve the working poor, including legal services agencies in Arizona.

Major Accomplishments to Date

Court Navigator Program: With support of the Commission, Maricopa County Superior Court received a three-year AmeriCorps grant to have 38 AmeriCorps members (students) in the Law Library Resource Center to assist self-represented litigants gain access to justice by helping them find legal information, walking self-represented litigants to the filing counter, and completing and filing forms.

Court Q & R Handbook: Completion of an up-to-date "Question and Response" Handbook (electronic and printable options) for court staff across the state to be used as a resource in serving self-represented litigants. The handbook includes: "Resources" such as links to web pages and reference materials; a new section was added for fee waivers and deferrals; a new section was added that outlines the Arizona court system; a new section was added that defines legal information versus legal advice; and, inclusion of a list of things court personnel can and cannot do when helping court customers.

Pro bono & Access to Justice Promotion: Governor proclaimed April as Access to Justice Month in Arizona. With this proclamation, the "Arizona Attorney" magazine, published by the State Bar of Arizona and distributed to 20,000 Arizona attorneys, was dedicated to pro bono volunteers and the importance of Access to Justice. Here is a link to the issue online: <http://www.azattorneymag-digital.com/azattorneymag/201604?pg=1#pg1>

Pro bono Portal: Developed a central hub website for pro bono opportunities: <http://probono.azbf.org/>
The portal is currently averaging 462 unique users a month.

Funding Support: Increased the designation to legal aid organizations of Arizona tax credit donations: in 2014, the promotion netted \$55,000 in donations to participating legal aid programs and in 2015, the total rose to \$132,000.

Arizona State Tax Credit: Developed a video that is used in presentations promoting the use of the Arizona Tax Credit donations to support legal aid.

Current Initiatives

- (a) Partnership with public libraries: Law4AZ project; public librarians and public libraries are now sources of legal information for their patrons; can assist in accessing community resources, legal information and forms, and hosting volunteer law clinics
- (b) Virtual legal information website being created by AOC, the Commission, the Bar Foundation, and in partnership with Coconino County, providing “one stop shopping” in terms of access to court forms, informational and how to videos, links to legal aid and other community resources, webinars and, hopefully, on-line legal clinics. The idea is for these resources to be accessed remotely, on line, from a home, office or personal computer or tablet or via smart phone.
- (c) Working with Arizona Corporate Counsel to develop pro bono programs and targeted opportunities/marketing to increase participation of corporate counsel attorneys.

Planned Initiatives

- (a) Working to provide uniformity in family court forms and in housing-related forms.
- (b) Creating simplified instructions for using and completing court forms.
- (c) Increase availability of non-lawyer advocates for victims of domestic violence.
- (d) Providing specific training to judges and court staff about dealing with self-represented litigants; a similar program under planning for government lawyers dealing with self-represented litigants.