

**Arizona Commission on Access to Justice
MINUTES**

Wednesday, February 13, 2019

10:00 a.m. to 2:00 p.m.

State Courts Building, 1501 W. Washington Street, Conf. Rm. 119A/B, Phoenix, AZ 85007

Present: Judge Lawrence Winthrop (chair), Kip Anderson (*telephonic*), Judge Janet Barton, Mike Baumstark, Judge Thomas Berning (*telephonic*), Pamela Bridge, Joel England, Anni Foster (*telephonic and in-person*), Kevin Groman, Judge Anna Huberman, William Knight, Judge Joseph C. Kreamer, Maria Morlacci, Helen Purcell, Janet K. Regner, Dr. Kevin Ruegg, Valerie Wyant, Anthony Young

Absent/Excused: Judge Maria Elena Cruz, Judge David Haws

Presenters/Guests: Stacy Butler, Cathleen Cole, Michele Feeney, Chris Groninger, Shawn Haught, Cheryl Kulas, Alicia Moffatt, Aaron Nash, Lara Slifko, Matt Wood

Administrative Office of the Courts (AOC) Staff: Julie Graber, Kathy Sekardi

I. REGULAR BUSINESS

A. Welcome and Opening Remarks

With a quorum present, the February 13, 2019, meeting of the Arizona Commission on Access to Justice (ACAJ) was called to order by Judge Lawrence F. Winthrop, chair at 10:04 a.m. Judge Winthrop introduced new members, William Knight, Deputy Public Defender with the Maricopa County Public Defender's Office, and Joel England, CEO/Executive Director of the State Bar of Arizona.

B. Approval of Minutes

The draft minutes from the November 14, 2018, ACAJ meeting were presented for approval.

Motion: Janet Regner moved to approve the November 14, 2018, minutes, as presented. **Seconded:** Helen Purcell. **Vote:** Unanimous.

II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

A. Chairperson's Report

Judge Winthrop reported on several access to justice topics.

- Judge Winthrop reviewed articles from the New York Times about ground-breaking work creating an app to assist tenants in New York facing eviction, and from the East Valley Tribune about court navigators from social service agencies assisting defendants in Mesa Municipal

Court. Judge Winthrop asked staff to upload articles to the Commission's webpage.

- Judge Winthrop updated members on the online dispute resolution (ODR) project, which launched to address barriers to access, such as economic challenges, geographic barriers, and psychological difficulties. ODR provides increased access, reduced costs, and information exchange. Proof of concept projects are currently being piloted in the Superior Courts in Maricopa, Pinal, and Yuma Counties in family law and civil judgment debtor cases, and in Scottsdale City Court in traffic cases and misdemeanor pleas. The pilot projects will help determine if ODR is effective with these case types and whether it is cost effective.
- Justice Brutinel will be attending the May 15, 2019, ACAJ meeting to present his strategic agenda. The first goal of the strategic agenda is to continue promoting access to justice, which includes expanding ODR projects, continuing to improve information for self-represented litigants, expanding language access services, and implementing recommendations from the Legal Services Task Force.
- Another goal relates to developing best practices in family court, which Chief Justice Bales jumpstarted with a study committee on domestic violence and mental illness in family court cases. This study committee's report includes action items that tie in with the Commission's interests, such as partnering with AZCourtHelp.org to develop resources, collaborating with Legal Talks coordinators, and providing resources for self-represented litigants (SRLs) in navigating the court system, such as court navigators and lay persons. In light of the strategic agenda, the SRL in Family Court Workgroup might return as an active ACAJ workgroup.
- Chief Justice Bales and Judge Winthrop spoke at the "Innovation for Justice" class at the University of Arizona. Judge Winthrop also made presentations to the Utah Access to Justice Commission and the Mohave County Bar Association. Other future presentations are being scheduled.
- Judge Winthrop reminded members to promote the 2018-2019 State Tax Credit and that resources and templates are available on the [Member Toolkit](#) webpage for members to make presentations to groups.
- Judge Winthrop reported that attorney, John J. Bouma, passed away. Among his many accomplishments, Mr. Bouma was a staunch advocate for delivery of *pro bono* services and a key supporter for civil legal aid in Arizona.
- Judge Winthrop noted that last month, following in Maricopa County's lead, Pima County converted its law library into an expanded resource center for SRLs.

B. Report from the Self-Represented Litigants in Limited Jurisdiction Courts Workgroup

Judge Anna Huberman reported that the workgroup continues to work on eviction Legal Info Videos and is currently finalizing the English and Spanish mobile home and RV videos. The workgroup will hold a joint meeting with the Public

Information and Messaging Workgroup to discuss a marketing push for the eviction content that has been developed. The workgroup started brainstorming about potential topics to focus on after the eviction work is completed. Pam Bridge reported using the videos in presentations and receiving positive feedback from attendees.

C. Update Step Up to Justice efforts and Innovation for Justice program

Stacy Butler, Director, Innovation for Justice, University of Arizona James E. Rogers College of Law, described the new program launched at the University of Arizona entitled Innovation for Justice, which focuses on the power and impact of innovation on the legal system and in legal education. The program teaches undergraduate and law students to think differently about problem-solving and learn a new set of skills to protect access to justice and potentially change the delivery of legal services, inform how courts engage with self-represented litigants, and train policy makers about systems-level change. The program is based on a community-engaged and project-based learning approach that uses collaborative technology, and participatory design and systems-thinking.

Ms. Butler discussed the Fall 2018 class challenge to increase housing stability for tenants in underserved communities by reducing the frequency of eviction. The challenge was done in collaboration with LabX, a legal design lab at Brigham Young University, so the problem could be seen from two jurisdictions and a solution could be built that scaled. Eviction was selected as the challenge because the statistics show evidence of a systems failure. The challenge was first tackled by students in court observations and stakeholder interviews to understand and define the problem. Then, they unpacked the community-engaged work to the classroom, brainstormed creatively, and assumptions were tested in the field. Students decided on one project that was built out into a prototype and tested it in the community. Key themes from the community-based work included miscommunications by tenants and landlords leading to evictions; landlords would be willing to work with a tenant in crisis if the tenant reached out; and lawyers and judges identified failure to document a habitability issue as a leading cause of eviction. Students came up with a web-based solution called Hello Landlord, which is a guided interview that assists tenants in writing letters that can be printed and sent out to landlords. Hello Landlord is available in English and in Spanish and is not jurisdiction specific.

Member comments:

- Judge Winthrop inquired about the cooperation received from courts in this project. Court administration willingly shared court data with the class and allowed students to observe proceedings.
- How do you envision working with the landlord community? One of the proposed projects is partnering with Step Up to Justice, which just received a grant to provide two years of tenant education workshops in the community and involving landlords as partners to offer the workshops.

- Judge Huberman supported the focus on landlords but was not encouraged because in her courtroom, she is not seeing landlords being willing to work with tenants as much as in the past. Judge Winthrop suggested that landlords may be more willing to deal with tenants at the front end rather than at the back end.
- Is Hello Landlord available online now? The website is still in development and is expected to launch in March.
- Members liked that the Innovation for Justice program was training law students to become community lawyers. Members also liked the concept of Hello Landlord because it educates tenants and engages the community.

Ms. Butler provided an update on Step Up to Justice’s efforts since its last presentation to the Commission and compared statistics from 2017 and 2018 to show the organization’s growth.

- The number of applicants assisted increased from 1,000 to 1,253
- The number of volunteer lawyers increased from 133 to 181
- The number of students increased from 9 to 11
- In 2017, Step Up to Justice provided \$1 million in free civil legal services; in 2018, the amount increased to \$1.4 million.

Step Up to Justice is focused on increasing operational efficiency because it does not receive any federal, state, or IOLTA funding. The cost per case has been decreasing from \$282 in 2017, to \$201 in 2018, and \$192 in 2019, while 90 percent of clients reported receiving “substantial benefit” and 10 percent of clients reported receiving “some benefit.” Despite no public advertising, Step Up to Justice receives between 10 and 15 applications per day from referrals from Pima County Superior Court, Southern Arizona Legal Aid, Emerge! Center Against Domestic Abuse, and the United States District Court. Step Up to Justice is not only a model with a reputation for community collaboration and excellence, it is a national model for innovating legal services as winner of the 2018 ABA Legal Rebel Award.

Member comments:

- How are volunteer attorneys recruited? Volunteer attorneys come to the organization by word of mouth about the positive volunteer experience and from the staff’s reputation for excellence in *pro bono* services.
- What type of representation do you provide? Usually, individuals are seen on-site within the office and at court clinics, but about 25 percent are through direct representation.

D. Report on Rule Petitions

Julie Graber, AOC staff, reported on two rule petitions filed.

R-19-0018: Amend Rules 5(d) and 10(a), Arizona Rules of Procedure for Eviction Actions, to require the landlord to serve additional relevant documents, such as the lease and ledger, with the complaint. Comments are due May 1, 2019.

The SRL-LJC Workgroup considered the rule petition at its last meeting, and while members agreed that the rule petition's concept was good, several had concerns about its practicality, cost and privacy issues. The workgroup's suggestion was to add language to Rule 10(c) stating that "If the tenant does not receive the lease by the initial appearance, trial may be continued at the request of either party." The Commission members further discussed the rule petition and raised similar points and concerns as the workgroup regarding its implementation.

Motion: Judge Huberman moved for the SRL-LJC Workgroup to draft a comment and circulate to Commission members for review, as discussed.

Seconded: Judge Janet Barton. **Vote:** Unanimous.

R-19-0011: Amend Rules 38 and 39 and abrogate Rule 40, Rules of the Arizona Supreme Court, to reorganize exceptions to the usual attorney admission process. Comments are due May 1, 2019.

Member comments:

- Judge Winthrop added that the rule petition has access to justice components. It would make changes to the rules governing legal service organizations. In addition, it would make changes to exceptions to allow someone not licensed in Arizona to practice, like a foreign legal consultant. There is also a new proposal that would encourage retired and inactive attorneys to provide *pro bono* services by waiving the State Bar's annual registration fee if the attorney has provided more than ten hours of *pro bono* service in the preceding 12 months.

E. Update on Public Information and Messaging Workgroup

Aaron Nash, AOC Communications Director, introduced himself as the new workgroup's co-chair. Alberto Rodriguez from the State Bar of Arizona also co-chairs the workgroup. Mr. Nash requested that members email the workgroup when events are being held to assist the workgroup with populating the master editorial calendar and to leverage exposure of events with cross-promotion. The workgroup is considering rebranding the podcasts to direct content to a specific audience by adding a moderator, so the podcast is not scripted, and adding video to place them on a YouTube channel. The podcasts would still be hosted by Justices. Based on the top searches on AZCourtHelp.org, the workgroup is looking to develop content and work product on warrants with the help of subject matter experts. The workgroup is also looking at producing a podcast for the incoming Chief Justice's next strategic agenda and finalizing an updated animated video on the state tax credit.

F. Report on the AZCourtHelp.org website

Cathleen Cole, Arizona Foundation for Legal Services & Education, reviewed the information contained in AZCourtHelp.org's second Quarterly Newsletter.

- The Live Chat feature has expanded in 2018 and is now operated by eight volunteers from various law libraries. In 2018, 700 users were assisted for a total of 7,393 minutes.
- A jury service portal has been populated that complements what the courts have produced.
- To boost AZCourtHelp.org's rankings in Google searches, focus has been placed on Search Engine Optimization (SEO).

Ms. Cole also reviewed 2018 annual Google Analytics results.

- The number of users has increased from 42,629 to 166,043, which represents an increase of 289.51 percent.
- In 2018, 49.38 percent of users used a desktop as compared to 46.01 percent for mobile phones, which highlights the need for the website to be mobile friendly.
- Social media usage increased 470.43 percent from targeted ads on Facebook and Twitter.
- The accessibility tools that were installed are being utilized.

Ms. Cole highlighted new content areas on AZCourtHelp.org that are based on the Legal Talks and the Public Information and Messaging Workgroup's podcasts.

Kathy Sekardi, AOC staff, noted that Yuma County recently redesigned its law library and has the opportunity to stream out their legal clinics in English and in Spanish. Yuma and Coconino Counties will be meeting in April to strategize so there is no duplication of information and to maximize public outreach. Coconino County also hired a new AZCourtHelp Specialist who has been busy conducting Legal Talks.

Member comments:

- Cochise County has also recently updated its law library and installed video equipment that will be used shortly to webcast a legal clinic to another county.
- The public could benefit from a Legal Talk or podcast on how to approach the clerk's window and ask questions, so the public is not nervous when conducting business at the courthouse.

G. Report from the Judicial and Attorney Engagement Workgroup (*agenda item taken out of order*)

Judge Joseph Kreamer focused his report on the workgroup's progress with judicial engagement. The workgroup is looking at developing a web portal for judges for *pro bono* community service to link up opportunities to judges and confirm to judges that they do not need to get separate approval to do these activities. The workgroup has been working with former Judge Margaret H. Downie, executive director of the Judicial Ethics Advisory Committee, to vet opportunities. Judge Kreamer praised Judge Cruz's law-related education program for high school students regarding all parts of the judicial process

because it has access to justice impact and provides direct engagement with the community. The workgroup's strategy on the best way to engage law firms and public attorneys has evolved to identifying a discrete opportunity that a law firm or agency can adopt and own like Intel ("pick one and own it").

H. Report from the Inter-Governmental Collaboration Workgroup

Judge Winthrop reported that the workgroup met on January 16, 2019 and discussed the nature and scope of its collaboration with the executive branch. One of the workgroup's focus is to identify opportunities for civil legal aid to assist state agencies serving poverty populations and to use federal funds already allocated to Arizona to fund those efforts. The workgroup is proposing to use federal funding to fund the placement of a legal aid lawyer or paralegal in each of the Second Chance Centers. At the meeting, Anni Foster identified several follow up opportunities for the workgroup, and discussed the progress of the Governor's Arizona Management System and how it can compel accountability for the project and help access to justice issues at the agency level from an administrative customer service model. The workgroup's plan is to select individuals to be liaisons between the Governor's task forces and the workgroup to better understand the task forces' goals, to determine how legal aid services can assist, and to present that information to agency representatives in their format.

Chris Groninger provided a brief update on the \$1.1 million VOCA grant that the Bar Foundation received and will be reporting on the progress at future Commission meetings. Janet Regner discussed her efforts identifying federal funds that could come to Arizona or are already here, and the pipeline of collaborative opportunities ranging from statewide to local communities.

I. Presentation regarding the Arizona Legal Center

Michele Feeney, Arizona Legal Center, provided background information regarding the Arizona Legal Center, which is a legal clinic that operates out of Arizona State University, and provides legal consults to individuals who will be acting as their own attorney. Volunteer lawyers do not represent the individuals, except in very rare instances. The legal clinic relies on 1) its law students, who volunteer and get a chance to learn skills not learned in law school; 2) its attorneys, who usually volunteer one or two afternoons per month and work directly with students; and 3) partners in the community, who send over referrals. The legal clinic is open for calls and walk-ins, Monday through Thursday, 1:00 p.m. to 3:00 p.m. There are no eligibility criteria and no limitations about practice areas. The top practice areas include family law, landlord/tenant, low-level criminal litigation, civil litigation, immigration, and employment. The legal clinic also handles *pro bono* mediations for the City of Phoenix and Maricopa County Superior Court in post-decree cases. The legal clinic's main functions are to provide service to the community, and to educate students, which includes assisting them in building relationships and learning how to work with practicing lawyers.

J. LINC Program

Shawn Haught, Law Library Resource Center Dept. Administrator, and Matt Wood, Instructional Technology Coordinator, from the Superior Court in Maricopa County, provided background information regarding the Legal Information & Navigation Clinic (LINC), which was established to address the need for greater access to justice for individuals by taking the Law Library Resource Center (LLRC) on the road, and providing services during non-court hours and at outlying locations. LINC offers free forms assistance in English and in Spanish in mostly family law and probate areas. LINC started by targeting the West Valley because this location is the closest to downtown Phoenix but the hardest to get to during work hours and parking is limited, public transportation is slow, and individuals cannot get time off work to travel. Since September, there have been five LINC events at Tolleson Public Library (weekday), Burton Barr Central Library (week-end), and Palo Verde Public Library (weekday), in which 18 hours of assistance was provided, and 119 distinct legal issues were addressed regarding family law, civil, probate, criminal, and justice court. Requests have been made to extend LINC to other libraries. Future expansion of LINC is planned in the Far North and Southwest areas, such as Wickenburg and Gila Bend, and in other city and county libraries, such as Tempe, Guadalupe, and downtown Glendale. In addition, a grant may be obtained to fund a mobile library unit with filing and payment services available by partnering with the Superior Court Clerk of Maricopa County.

Member comments:

- Judge Winthrop proposed meeting with Secretary of State, Katie Hobbs, who has supervisory jurisdiction over Arizona public libraries, and discussing statewide support for the LINC project, including the mobile LINC, getting the word out, and involving representatives from other counties.
- A member suggested using the kiosks located at some libraries for LINC.
- Could this project be replicated in rural counties? Other libraries might be able to participate remotely to access webinars and use technology solutions, such as Facetime, to assist individuals with forms.

III. OTHER BUSINESS

A. Good of the Order/Call to the Public

None present.

B. Next Meeting Date

Wednesday, May 15, 2019

10:00 a.m. to 2:00 p.m.

State Courts Building, Room 345

1501 W. Washington Street

Phoenix, AZ 85007

Adjourned at 1:42 p.m.

**Arizona Commission on Access to Justice
MINUTES**

Wednesday, May 15, 2019

10:00 a.m. to 2:00 p.m.

State Courts Building, 1501 W. Washington Street, Conf. Rm. 345A/B, Phoenix, AZ 85007

Present: Judge Lawrence Winthrop (chair), Kip Anderson, Judge Janet Barton, Mike Baumstark, Judge Thomas Berning (*telephonic*), Pamela Bridge (*telephonic*), Judge Maria Elena Cruz, Kathy Schaben (proxy for Judge David Haws), Judge Anna Huberman, William Knight, Judge Joseph C. Kreamer, Maria Morlacci, Joel England, Helen Purcell, Janet K. Regner, Dr. Kevin Ruegg, Valerie Wyant (*telephonic*), Anthony Young

Absent/Excused: Kevin Groman

Presenters/Guests: Justice Robert Brutinel, Don Bivens, Cathleen Cole, Joannie Collins, Joanne Dufour, Scott Davis, Chris Groninger, Aaron Nash, Lara Slifko

Administrative Office of the Courts (AOC) Staff: Theresa Barrett, Julie Graber

I. REGULAR BUSINESS

A. Welcome and Opening Remarks

With a quorum present, the May 15, 2019, meeting of the Arizona Commission on Access to Justice (ACAJ) was called to order by Judge Lawrence F. Winthrop, chair at 10:06 a.m.

B. Approval of Minutes

The draft minutes from the February 13, 2019, ACAJ meeting were presented for approval.

Motion: Helen Purcell moved to approve the February 13, 2019, minutes, as presented. **Seconded:** Janet Regner. **Vote:** Unanimous.

II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

A. Chairperson's Report

Judge Winthrop reported on several access to justice events, projects, and topics.

- The 2019 National Meeting of State Access to Justice Commission Chairs and the Equal Justice Conference were held on May 10 and 11 in Louisville, KY. Arizona's updated annual statement is included in the meeting packet.
- There were group discussions at the Veterans Legal Services Summit on March 26, on how to better share information and legal resources for veterans. Judge Winthrop highlighted the work of the University of Arizona's Veterans Advocacy Clinic, which assists veterans with

representation at veteran courts; and in benefit and discharge upgrade cases.

- Pinal County launched online dispute resolution for those seeking to initiate or modify a family court matter and allows parties to negotiate their case with the help of a court facilitator. This free service is available 24 hours per day.
- The Pima County Public Defender’s Office offers weekly “second chance” clinics regarding civil rights restoration, misdemeanor designation of unclassified felony convictions, and quashing warrants. Judge Winthrop referenced an article in the Yale Law Journal highlighting the potential benefit of legal aid assistance on reentry issues with the real-life example of Tarra Simmons.
- “Pima County Court Night” was held on March 26, 2019 and will be returning on October 15, 2019. There were presentations on divorce, custody, and guardianship issues from many agencies and organizations.
- Judge Winthrop highlighted updates from the Arizona Foundation for Legal Services & Education (Bar Foundation):
 - 20th anniversary of the Domestic Violence Legal Assistance Project.
 - The Arizona Department of Housing sponsored a statewide training for community action program case managers regarding landlord tenant law.
 - Innovations Awards were announced for projects that promote access to justice in unique and innovative ways: Arizona Legal Center; Maricopa County AmeriCorps Court Navigator Program; State Bar’s Find a Lawyer tool; University of Arizona Law School “Innovation for Justice” Program; Step Up for Justice; and AOC court technology projects.

B. Report from the Self-Represented Litigants in Limited Jurisdiction Courts Workgroup

Judge Anna Huberman reported that the workgroup was unable to reach a consensus regarding rule petition, R-19-0018, which would require the landlord to serve additional relevant documents, such as the lease and ledger, with the complaint. A comment was filed by Judge Winthrop, which summarizes the workgroup’s opposing viewpoints without making a final recommendation. While workgroup members agreed that the tenant is entitled to relevant information, they differed regarding how the information should be provided. Judge Huberman also reported that the first group of eviction videos have been finalized and are posted by housing type (i.e., residential, mobile home, and recreational vehicle) in English and Spanish on AZCourts.gov. The next step is marketing the eviction content to the public.

C. Report on Other Rule Petitions

Julie Graber, AOC staff, reported on rule petition, [R-19-0011](#), which would reorganize exceptions to the usual attorney admission process. One comment was

filed from the AOC's Certification and Licensing Division with concerns regarding expanding practice pending to Bar Exam applicants. Judge Winthrop added that no comments have been filed regarding part of the rule petition that would encourage retired and inactive members of the State Bar to volunteer *pro bono* services in connection with an approved legal service organization.

D. AZFLSE Report on Law-Related Educational Programs

Lara Slifko and Joannie Collins from the Bar Foundation provided some background information regarding the LawForKids.org website since launching in 1999. The interactive and dynamic website receives between 175,000 and 200,000 users per year and is always trying to evolve to reach students with mock trials, games, contests, and apps. Ms. Slifko described law-related educational programs on LawForKids.org, such as Project Citizen, which is a portfolio-based civic education program for grades 5-12 that helps teachers and students understand public policy; We The People, which simulates a congressional hearing as the culminating activity; Arizona Teen Court Association, which empowers youth in their communities to help change negative and delinquent behavior in their peers; and Arizona High School Mock Trial program, which teaches students in grades 9-12 about the law and the legal system by participating in a simulated trial. Other initiatives include the When You Turn 18 program, which is distributed to high school seniors in the form of a booklet and will be turned into an app as of June 30, 2019; Kids Voting AZ, which is a voter education program that encourages lifelong voting habits; the School Safety Program, which provides law-related education to students and staff; iCivics.org, which is a web-based education project designed to teach civics using fun games; and the Law Day Contest, in which students from grades K-12 submit coloring sheets and comic strips, and the ones with the most "Likes" win a mini iPad. Ms. Collins invited members to vote for their favorite coloring sheets during her presentation.

E. Update on the Public Information and Messaging Workgroup

Aaron Nash, AOC Communications Director, reported that the State Tax Credit video was updated, and a joint meeting took place on April 1, 2019, between the Self-Represented Litigants in Limited Jurisdiction Courts Workgroup and the Public Information and Messaging Workgroup to discuss the roll out of the new eviction content on AZCourts.gov. Members from both workgroups have been compiling contact information for interested groups and partners, and demos of the eviction content will be presented to these groups. Scott Davis, Maricopa County Justice Courts Communications Director, summarized the subgroup's eviction marketing push.

- The new eviction "hub" consists of nine residential, seven mobile home, and seven recreational vehicle (RV) Legal Info Videos and transcripts; 14 Legal Info Sheets; and FAQs, which are all available in both English and Spanish on AZCourts.gov.

- Vanity URLs were created for easy navigation (azcourts.gov/eviction and azcourts.gov/desalojo). A home button was also added to the website, so users can easily return to the eviction home page.
- The marketing push will begin May 29, 2019, and last for one week.
- A press release will go out along with a digital marketing kit with pre-made image files and text for the main social media platforms.
- Judge Huberman will serve as the spokesperson to the media.

The next workgroup meeting is scheduled for June 6, 2019. The goal will be to focus on the topic of warrants and to develop content in different formats in a similar way as eviction. Mr. Nash also asked members to continue to send events to include on the Editorial Calendar.

Member comments:

- Will the eviction content be shared with the justice courts on a statewide basis? Judge Huberman reported that courts will be able to easily add a link on their websites to the new content. There has already been a lot of interest from groups and she will be looking for some volunteers to assist with the demos.

F. Report on the AZCourtHelp.org website (*agenda item out of order*)

Cathleen Cole, Bar Foundation, reviewed eviction-related Google Analytics on AZCourtHelp.org and noted that over 15,000 forms have been downloaded by users since September 2017 and the top two eviction resources are the Legal Info Sheets on “After an Eviction Judgment” and “Mobile Home Park Evictions.” Ms. Cole also reviewed Google Analytics, Search Engine Optimization, and enhanced features and content on the entire AZCourtHelp.org site for the period from January 30, 2019 through April 29, 2019. The statistics reflect an increase in the number of users and specifically the top pages viewed relate to finding court records and forms while top searches relate to divorces, name change, and warrants. Upcoming projects include developing a portal of information on warrants; adding an eviction glossary in English and Spanish; and preparing for probate and garnishment content.

Theresa Barrett, AOC staff to the commission, reported on a recent meet-and-greet that took place to discuss and coordinate the Legal Talks with court and law library representatives from Cochise, Coconino, Maricopa, Pima, and Yuma counties. At the meeting, each county reported on ongoing efforts and a list of action items was made to better collaborate moving forward. The goal is for the group to meet on a recurrent basis to improve the services offered.

G. Report on Evictions: Politics, Policy & Possibilities public event (*agenda item out of order*)

Will Knight reported on the “Evictions: Politics, Policy & Possibilities” public event that took place on April 29, 2019, at South Mountain Community College, which focused on engaging in productive dialogue with legal experts, state

officials, advocates, journalists, and peers, and educating stakeholders about the problems surrounding eviction. Special attention was placed on the impact of mental health issues on evictions as well as eviction's disproportionate impact on special populations, such as those receiving subsidized housing, the disabled, minorities, and women. Arizona has the second highest eviction rate in the nation.

H. Report from the Legal Services Task Force

Judge Maria Elena Cruz and Don Bivens reported on the Task Force on Delivery of Legal Services, which was established by Administrative Order No. 2018-111. The charge of the task force was to further promote access to justice in the Arizona judiciary by exploring issues and improvements in delivery of legal services and identifying that certain services can be provided by non-lawyers, as well as promoting new models for lawyers to provide legal services like unbundling. Mr. Bivens shared that the task force examined adding a new tier of non-lawyers, who, with specified qualifications, could be allowed to provide limited legal services in civil proceedings in limited jurisdiction courts, family court matters, and administrative hearings. He also discussed making changes to improve access to legal services provided by certified Legal Document Preparers. The task force is formulating recommendations that will (1) modify Arizona's ethical rules regarding advertising; (2) allow recent law graduates to practice law under the supervision of an attorney after graduation but before they are admitted to the bar; and (3) remove the explicit barrier to lawyers and non-lawyers co-owning businesses that engage in the practice of law.

Member comments:

- Judge Winthrop questioned whether adding a new tier of non-lawyers would resolve the issue related to the cost of legal services. The task force is aware of the problem, but the issue is who would pay for it. Some ideas that were shared included obtaining help from the private market or from charities, or as part of a navigator program. A member suggested setting up a fee structure to meet the gap if the client worked with an approved entity and the attorney volunteered hours as part of continuing legal education.
- Did the task force consider allowing courts to hire individuals to provide legal advice, not legal representation, for court users? Judge Cruz will bring the suggestion back to the task force.

I. Preliminary Results of the 2017 Legal Needs Study

Anthony Young explained that periodic legal needs studies are conducted by legal aid providers to help set priorities and to identify gaps in service and the areas of law that need to be addressed. Mr. Young reviewed the type of data collected and the survey methods to gather the data. He shared some preliminary results on the statewide 2017 study conducted by the Arizona Bar Foundation and legal aid providers.

- 80 percent of Arizonans reported having a legal problem.
- Arizonans are going to the Internet to resolve issues.

- 64 percent were unable to obtain a private or legal aid attorney to resolve their issue.
- The highest areas of needs include: (1) family law (divorce, child support, and domestic violence); (2) housing (habitability, safety, eviction); and (3) consumer law (debt issues).
- Emerging issues include civil rights restoration, minor and adult guardianship, and elder abuse.

The data will be compiled into a report and made available to the public. For legal aid providers, there will be internal conversations about the delivery of services and case priorities.

J. Report from the Inter-Governmental Collaboration Workgroup

Janet Regner reported on a meeting with a representative from the Task Force on Recidivism and Reentry at the Governor’s Office, which focused on providing education about what legal services mean and cover. Suggestions were made about placing paralegals in Second Chance Centers and partnering with a Task Force subgroup that is made up by non-profits. Chris Groninger discussed federal funding opportunities for partnerships between state agencies and legal services providers. Maria Morlacci and Kevin Groman met with Christina Corieri from the Task Force on the Opioid Crisis at the Governor’s Office to explore how the commission could assist their efforts. Suggestions were made for Ms. Corieri and the Task Force’s chair, Dr. Cara Christ, from the Arizona Department of Health Services, to be added to the ACAJ November agenda to discuss the Task Force’s goals and how ACAJ could assist.

K. New Strategic Plan for the Arizona Supreme Court

Vice Chief Justice Robert M. Brutinel discussed his upcoming five-year strategic plan for the Arizona Supreme Court when he becomes Chief Justice on July 1, 2019. This strategic plan provides direction and charge for both the Administrative Office of the Court and the commission and sets out goals and priorities. Justice Brutinel reviewed previous strategic agendas to reaffirm important goals and to highlight previous success. Promoting access to justice will continue to be an important initiative and the commission will be charged with expanding its work to ensure equal access to justice for all Arizonans by providing more information for the public through AZCourtHelp.org and AZCourts.gov; working with the Bar Foundation and the State Bar to improve access to legal services and legal information for individuals with modest incomes; and establishing a workgroup to identify ways to simplify court processes and procedures. Other access to justice initiatives will include evaluating online dispute resolution pilot projects; implementing recommendations from the Task Force on the Delivery of Legal Services; expanding training and resources to provide support for self-represented litigants; and expanding services for limited English-proficient litigants.

III. OTHER BUSINESS

A. Good of the Order/Call to the Public

None present.

B. Next Meeting Date

Wednesday, November 13, 2019

10:00 a.m. to 2:00 p.m.

State Courts Building, Room 119

1501 W. Washington Street

Phoenix, AZ 85007

Adjourned at 1:49 p.m.

**Arizona Commission on Access to Justice
MINUTES**

Wednesday, November 13, 2019

10:00 a.m. to 2:00 p.m.

State Courts Building, 1501 W. Washington Street, Conf. Rm. 119A/B, Phoenix, AZ 85007

Present: Judge Lawrence Winthrop (chair), Kip Anderson, Pamela Bridge (*telephonic*), Judge Maria Elena Cruz, Joel England, Kevin Groman, Judge David Haws, Judge Anna Huberman, William Knight, Judge Joseph C. Kreamer, Maria Morlacci, Helen Purcell, Janet K. Regner, Alberto Rodriguez, Dr. Kevin Ruegg, Anthony Young

Absent/Excused: Judge Janet Barton, Pamela Bridge, Anni Foster

Presenters/Guests: Cathleen Cole, Chris Groninger, Pat Winthrop, Neal Singh, Dr. Cara Christ, Alicia Moffat

Administrative Office of the Courts (AOC) Staff: Theresa Barrett, Julie Graber, Sabrina Nash, Kathy Sekardi

I. REGULAR BUSINESS

A. Welcome and Opening Remarks

With a quorum present, the November 13, 2019 meeting of the Arizona Commission on Access to Justice (ACAJ) was called to order by Judge Lawrence F. Winthrop, chair at 10:07 a.m.

B. Approval of Minutes

The draft minutes from the May 15, 2019, ACAJ meeting were presented for approval.

Motion: Judge Joseph Kreamer moved to approve the May 15, 2019, minutes, as presented. **Seconded:** Judge Anna Huberman. **Vote:** Unanimous.

II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

A. Chairperson's Report

Judge Winthrop thanked and presented certificates of appreciation to the volunteers who helped the ACAJ-SRLLJC workgroup with the voice overs for the eviction videos. Volunteers recognized were: Charles Adornetto, Steve Hausser, Denise Holliday, Judge Anna Huberman, Alex Navidad, Laura Ritenour and Ana Stine. He then reported on several other items of interest.

- An op-ed article in the October 2019 issue of Arizona Attorney, authored by Chris Groninger titled "An Arizona Success Story" about the Domestic Violence Legal Assistance Project. The Project is a 20-year success story

built on the collaboration of the judiciary and the executive branches of government.

- Revival of the Law4AZ Project which is a collaborative project with the Secretary of State's office that provides training and informational materials to public librarians across the state to assist their patrons in accessing legal information. The State Librarian is assisting in distributing AZCourtHelp and Eviction materials to libraries statewide and encouraging libraries to set up volunteer legal clinics on site.
- Legal Services Corporation is the largest funder of civil to provide funding to legal aid organizations around the county to address the unmet civil legal needs of low-income Americans who receive no or inadequate professional help for a majority of their civil legal problems. LSC is federally funded and have requested an appropriation of \$593,000,00 for fiscal year 2020. The fiscal year 2020 appropriation will be determined later this year.
- AOC 2019 Rules Summary summarizes new court rules and rule amendments adopted by the Arizona Supreme Court during the August 2019 rules agenda and includes the potential impacts of the rule changes.
- LSC Opioid Task Force includes more than 30 legal aid, health care, and public health experts; judges; leaders in business and law; and other stakeholders who are focusing on strengthening the role of legal aid in responding to the opioid crisis particularly with problems related to child support and custody, child abuse and neglect, guardianship, domestic violence, housing, health benefits, and employment.
- Vitalyst Health Foundation's focus on healthy communities includes affordable housing. It is reported that 50 families a week are being added to the homeless rolls, most in unsheltered environments. Both local and federal governments are asking for increased funding to support affordable housing for low-income families and individuals and to facilitate affordable housing developments in rural and Native American communities.
- A presentation on the Commission's activities this year will be given to the Arizona Judicial Council on December 12, 2019. Draft copies of the ACAJ 2019 Annual Report will be sent to members electronically.

B. Status Report of the Governor's Task Force on the opioid crisis and discussion regarding the benefits legal aid can provide this population

Dr. Cara Christ, Director, Arizona of Health Services, reported that in June 2017 the Department of Health Services noticed that there was an increase in the number of opioid deaths which prompted the Governor to declare a state of emergency and create a task force which is populated by a variety of state agencies. The task force was tasked with writing rules for healthcare institutions, regulate the institutions, update opioid prescribing guidelines, and to make naloxone available to first responders. Dr. Christ noted she is using data provided from their website and said that the website is updated every other week with new information. In the Opioid Action Plan the task force sent to the Governor in

September there were twelve recommendations for the Governor to consider. Christina Corlieri, Governor's Office, Senior Policy Advisor, discussed the Governor's Task Force on Reentry/Recidivism and how it is also involved in the opioid crisis. Nab with individuals reentering society and the difficulties the individuals face with find jobs, affordable housing in an environment away from

C. Legal Aid Client Success

Kristin Fitzharris, Southern Arizona Legal Aid (SALA), updated members on the Volunteer Lawyers Program which provides pro bono civil legal services to low-income individuals. The program deals with families and children affected by the opioid crisis and helps people obtain consent minor guardianship in probate court. The program holds classes to education families on consent minor guardianship, interpreters to help clients file out the court forms,

Member comments:

D. Discuss legal laid federal funding and highlights from the new Vermont legal aid/opioid partnership

Karen Lash, Director, The Justice in Government Project, reported

E. Update on Arizona ODR Pilot Project

Cathy Clarich, Manager, AOC Caseflow Management Unit, stated two family courts are participating (Yuma and Pinal counties), Scottsdale municipal court is piloting misdemeanor criminal offenses during pilot. Noted benefits of online dispute resolution are, access to justice, increased communication, equal access to information, increased services, neutral space for resolution, staffed twenty-four hours a day, seven days a week.

F. Report on the AZCourtHelp.org website

Dr. Kevin Ruegg and Cathleen Cole

Member comments:

- AZCourtHelp.org and other court websites should provide links to the Legal Info Hub when it goes live.
- A member recommended exploring social media sharing to easily spread the information.

G. Update on Public Information and Messaging Workgroup

Alberto Rodriguez, co-chair,

- ACAJ annual report
- Eviction action promotion and statewide library distribution of azcourts.gov/eviction business cards

- Warrants promotion update
- AZPOINT promotion update
- LSTF unbundled services (limited scope representation) resources
- SEO discussion
- Law libraries and clerks' videos

H. Report from the Self-Represented Litigants in Limited Jurisdiction Courts Workgroup

Judge Anna Huberman reported following:

- Rule Petition [R-19-0018](#) was adopted at the August Rules Agenda. Effective January 1, 2020, the plaintiff must serve the lease and accounting ledger (for non-payment of rent cases) with the eviction complaint and summons. Eviction forms, Legal Info Sheets, videos, and process sheet are being updated.
- Forms and Legal Info Sheets were updated on August 27, 2019, to implement legislative changes regarding subsidized housing.
- A brand-new subsidized housing video has been completed and will be posted shortly. The Spanish version is being finalized.
- New Rule Petition [R-19-0042](#) was filed on November 7, 2019, on an expedited basis to update the web addresses on the Residential Eviction Procedures Information Sheet (REIS) in the Rules of Procedure for Eviction Actions.
- New web work completed:
 - New Air Conditioning Issues hub pages are now live in English and in Spanish, which will be promoted in the Spring.
 - The eviction Legal Info Sheets have been transformed into searchable webpages.
 - Legal Process Sheets (Eviction; Juvenile Set Aside) have been added as a new Legal Info Hub format.

The workgroup is wrapping up the eviction topic and its next topic is Consumer Debt with new and existing subject-matter experts. At the meeting, members brainstormed important consumer debt topics and will be setting priorities and assigning tasks at its next meeting using the same criteria and format used with the eviction content.

I. Final Report from the Delivery of Legal Services Task Force

Justice Ann Timmer, Vice Chief Justice, Arizona Supreme Court,

- Discussed the task force's efforts to make recommendations on expanding the use of court navigators and broadening the provision of allowable legal services by creating a new non-lawyer, legal professional.
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III. OTHER BUSINESS

A. Good of the Order/Call to the Public

Kevin Ruegg – Foster Care Review Board

B. Next Meeting Date

Tuesday, February 4, 2020

10:00 a.m. to 2:00 p.m.

State Courts Building, Room 119

1501 W. Washington Street

Phoenix, AZ 85007

Adjourned at 2:09 p.m.