

**Arizona Commission on Access to Justice  
MINUTES**

**Tuesday, February 4, 2020**

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

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

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**Present:** Judge Lawrence Winthrop (chair), Mike Baumstark, Judge Thomas Berning (*telephonic*), Judge Bruce Cohen, Judge Maria Elena Cruz, Nancy Gray-Eade (*proxy for Judge David Haws*), Anni Foster, Kevin Groman (*telephonic*), Judge Anna Huberman, Judge Joseph C. Kreamer, Maria Morlacci, Helen Purcell (*telephonic*), Dr. Kevin Ruegg, Rodolfo Sanchez (*telephonic*), Kathy Schaben, Valerie Wyatt, Anthony Young

**Absent/Excused:** Kip Anderson, Pamela Bridge, Judge Dean Christoffel, Joel England, William Knight,

**Presenters/Guests:** Dave Byers, Cathleen Cole, Chris Groninger, Alberto Rodriguez, Gretchen Hornberger,

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

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**I. REGULAR BUSINESS**

**A. Welcome and Opening Remarks**

With a quorum present, the February 4, 2020 meeting of the Arizona Commission on Access to Justice (ACAJ) was called to order by Judge Lawrence F. Winthrop, chair at 10:05 a.m. Judge Winthrop welcomed and introduced new members; Judge Bruce Cohen, Rodolfo Sanchez and Kathy Schaben. He also introduced Judge Samuel Thumma to the commission.

**B. Approval of Minutes**

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

**Motion:** Judge Joseph Kreamer moved to approve the November 13, 2019, minutes, as presented. **Seconded:** Maria Morlacci. **Vote:** Unanimous.

**II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS**

**A. Chairperson's Report**

Judge Winthrop reviewed the purpose of the commission as stated in Administrative Order 2014-83.

- Examine legal representation for moderate and low-income persons.
- Help self-represented litigants navigate the judicial process.
- To study and make recommendations on innovative ways on promoting access to justice for individuals who can't afford legal counsel, or who choose to represent themselves in civil cases.

- Evaluate best practices in Arizona and other states and to identify possible changes in court rules or practices to reduce barriers to meaningful access.
- Identify and pursue adopting best practices among legal service providers in Arizona and to consider long-term funding options for civil legal services.
- Make recommendations to assist self-represented litigants in revised court rules and practices to facilitate the efficient processing of family court and eviction cases.
- Encourage lawyers and law firms to provide pro bono services or financial support for civil legal aid for those who can't afford legal services.
- Develop an informational campaign to inform lawyers and the public about the state tax credit available for contributions to agencies that serve the working poor, including legal service agencies in Arizona.
- On December 20, 2019 the President signed U.S. Senate appropriations legislation that included \$440 million dollars to the Legal Service Corporation (LSC) to provide civil legal aid services across the country. This is a \$25 million dollar increase from last year, distribution of funds is based on census numbers which may change in the future.
- ACAJ presented its written Annual Report to the Arizona Judicial Council (AJC) in December and Judge Winthrop updated AJC on the following:
  - The revival of the Law for Arizona Libraries project,
  - AZCourtHelp statistics,
  - Completion of the eviction videos, and the new topic that the ACAJ SRL-LJC workgroup is addressing - consumer debt.
  - The 20<sup>th</sup> anniversary of the Arizona Domestic Violence Legal Assistance Project and the number of Arizonans that have benefited from the project and the Arizona Tax Credit program.
- The Domestic Violence Legal Document Preparer Pilot Project has been approved by the Arizona Supreme Court. The pilot project will allow non-lawyer lay advocates to become certified as legal document preparers and will be able provide free assistance, legal information and document preparation for victims of domestic violence under the guidance and supervision of legal aid entities.
- The Maricopa County Veteran's Stand Down Alliance held its annual event at the Veterans Memorial Coliseum. This event assists veterans and their families who are struggling with homelessness and other issues to get and stay connected to supportive resources.

**B. Update on Arizona Online Dispute Resolution Pilot Projects (ODR)**

Cathy Clarich, Caseflow Manager, AOC, briefly discussed two family superior courts that are participating in the ODR pilot (Yuma and Pinal counties), and Scottsdale municipal court is piloting misdemeanor and parking cases. Concurrently, Maricopa County is piloting its own ODR program in their courts on civil debt collection and child support enforcement cases.

- Yuma County was the first ODR pilot court in 2018. Their focus is on post-decree modifications; child visitation, parenting time and legal decision-making.
- Pinal County has a higher volume of cases and conciliation services. They have added pre-decree cases to online dispute resolution.
- Scottsdale municipal court has two case types: criminal misdemeanor pleas and disputed parking cases. An individual can request a plea by mail and the staff

will review the request and forward it to the prosecutor who'll determine if they want to offer a plea, and if so handle all the signing of the plea agreement and related documents through online dispute resolution.

Ms. Clarich noted that the pilots end March 2020, both Pinal county and Scottsdale municipal courts would like to extend the pilot. She mentioned the development of a workgroup made up of members from the AOC's standing committees to determine next steps:

- Allow participants to opt-in/opt-out.
- Mandatory for all courts to participate.
- Case types to include in ODR.
- Cost of administering the program.
- Determine the biggest needs for the courts before going statewide.

#### **C. Update on the Delivery of Legal Services Task Force**

Dave Byers, Executive Director, AOC, updated members on the status of recommendations from the Delivery of Legal Services Task Force (LSTF). He noted that two petitions have been filed on the Rules Forum for public comment.

- Petition R-20-0034 – primarily focuses on the development of a regulatory structure for regulating legal services businesses that involve nonlawyer owners, managers and decision-makers. It also proposes adopting a new nonlawyer category of limited license legal practitioner (LLLP).
- Petition R-20-0030 – would amend the Ethical Rules regarding lawyer advertising, solicitation and referral.

The petitions filed have a two-step comment period, the first comment period ends March 30, 2020, the workgroup will then respond to the comments and refile in April. The second comment closes May 26, 2020. The workgroup will again review comments received and make edits. The Supreme Court will review the petitions at the August 2020 Rules Agenda. Mr. Byers noted that the Report and Recommendations of the Delivery of Legal Services Task force along with other task force information, can be found on the task force's [webpage](#).

#### **D. Update on the Public Information and Messaging Workgroup (taken out of order)**

Aaron Nash, co-chair, updated the commission on the workgroup's efforts:

- The air conditioning legal information sheets and materials have been posted online in both English and Spanish – will promote the air conditioning information closer to summer.
- Warrants are one of the highest search topics when looking for information on the court's webpage. Info sheets and other materials are in development for this topic.
- PIM assisted with putting together the annual report this year. To obtain information for the report throughout the year, a SharePoint page has been created where members can provide their quarterly information. ACAJ members will be receiving reminder emails requesting information for the annual report.
- AOC has purchased a replica of the American Bar Association traveling exhibit on the 100<sup>th</sup> anniversary of the 19<sup>th</sup> Amendment guaranteeing women the right to vote. Justice Timmer will be presenting it at a conference and PIM is in the process of developing a calendar for use in scheduling the traveling exhibit.

- AZCourtCare.org will go live in February on the AZCourtHelp.org website as a resource for information about mental health treatment resources and options, including involuntary treatment in Arizona.

**E. Report on Revival of the Law4AZ project (taken out of order)**

Gretchen Hornberger, Law Librarian, Coconino County has been in touch with Katie Hobbs, Secretary of State, and Holly Henley, state librarian, to discuss the grant application to revive the Law4AZ project and to work out the timelines for development and training. The project is a collaboration between the Secretary of State and the state library system. The Law4AZ project sends volunteer law librarians around the state to train public librarians on how to help patrons find useful law-related information. Ms. Hornberger is taking a phased approach to the revival of Law4AZ.

- Year one is planning and measuring where the justice gap statewide is in relation to legal needs of the public and their access to legal information. Updating training to take to public libraries and train the law librarian trainers.
- Year two will focus on in-person training in the libraries where the justice gap is the greatest. Another goal in year two is to increase technological capacity of libraries to be broadcast receiving sites for the AZCourtHelp Legal Talks.

**F. Report from the Self-Represented Litigants in Limited Jurisdiction Courts Workgroup (taken out of order)**

Judge Anna Huberman reported on the following workgroup activities:

- The subsidized housing and military services videos have been completed and will be posted to the website shortly.
- Rule Petition R-19-0042 was approved on November 12, 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.
- The workgroup's next topic is Consumer Debt with new and existing subject-matter experts. The workgroup has listed several potential consumer debt topics and will narrow the list during the next workgroup meeting.

**G. Report on the AZCourtHelp.org website (taken out of order)**

Cathleen Cole stated that AZCourtHelp has been working with the Committee on Mental Health and the Justice System to develop an online presence for mental health court. The AZCourtCare.org website was created to share information about treatment resources and options in Arizona. Ms. Cole demonstrated the website and explained that it provides basic information on what to do in a crisis, forms and other resources, processes that can apply to any Arizona county, a glossary and collection of acronyms to assist individuals through the process. The direct link is [AZCourtCare.org](http://AZCourtCare.org) and there is also a link to the website on AZCourtHelp.org. Based on the success of postcards and business cards created for AZCourtHelp, Judge Winthrop suggested that cards be developed for AZCourtCare.

**H. Report from the Judicial and Attorney Engagement Workgroup**

Judge Joseph Kreamer stated the workgroup has not met but announced that his busy schedule has slowed down, and he will be scheduling a meeting soon to discuss pro bono services, judicial and attorney engagement, in-house counsel and finding volunteer opportunities for lawyers. He stated the current challenge of pro bono work for in-house

counsel and governmental attorneys is matching volunteer opportunities with their limited time and options.

**I. Report from the Intergovernmental Collaborative Workgroup**

Chris Groninger stated that the workgroup has been using fact sheets produced in conjunction with the Justice in Government Project to assist in conversations with other agencies to encourage them to integrate legal services in the other services offered by the agencies. The workgroup focused on three areas.

- Re-entry – met with the Governor’s office to talk about the benefits of integrating legal services in the Second Chance Centers to those who are receiving services to assist with employment or housing issues.
- Kinship Care/Guardianship – two webinars showcasing promising programs or services that are provided by other state’s legal aid programs to assist grandparents and family members with the guardianship issues encountered due to the opioid crisis have been presented to interested legal aid programs.
- Domestic Violence Community –successful in moving the pilot project forward and are working to create partnerships with the legal aid community, non-profit community and courts to provide legal assistance for victims. Currently seeking funding sources to assist with the work of the pilot project and expanding the Domestic Violence Legal Assistance project.

**J. Report from the Family Court Improvement Committee**

Judge Bruce Cohen, Presiding Judge, Family Department, Maricopa County Superior Court, announced that he is a member of the new AOC standing committee, Family Court Improvement Committee. He stated that the committee has met twice and outlined the tasks assigned to them in Administrative Order 2019-115:

- Make recommendations that would improve and enhance family law statutes, rules, and court processes and procedures.
- Develop and coordinate policies and strategies to improve the likelihood of child support being paid.
- Conduct the federally-mandated quadrennial Child Support Guidelines review and make recommendations on the issues raised by the 2017 Committee for the Interim Review of Child Support Guidelines.
- Identify and respond to emerging trends and issues that impact family court services.
- Advise the AOC Education Services Division on judicial officer and court staff educational needs.
- Provide advice regarding the use of online dispute resolution in family court.

Discussion on how to deal with self-represented litigants among various judges. Judge Cohen volunteered to arrange training for judges, administrative law judges and support staff on the challenges of dealing with the self-represented community and how it benefits the judges and the courts. Judge Huberman suggested checking the Commission on Judicial Conduct cases for potential participants for training.

**K. Strategic Agenda Development Session**

Judge Winthrop asked the members to review the 2019 ACAJ Annual Report, the current and the previous Strategic Agendas with a focus on access to justice. He asked members to bring strategic agenda ideas to the May 2020 meeting.

**III. OTHER BUSINESS**

**A. Good of the Order/Call to the Public**  
No members of the public were present.

**B. Next Meeting Date**  
Thursday, May 14, 2020  
10:00 a.m. to 3:00 p.m.  
State Courts Building, Room 119  
1501 W. Washington Street  
Phoenix, AZ 85007

Adjourned at 1:56 p.m.

**Arizona Commission on Access to Justice**  
**MINUTES**  
**Thursday, May 14, 2020**  
**10:00 a.m. to 12:30 p.m.**  
**Virtual Meeting**

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**Virtual attendees:** Judge Lawrence Winthrop (chair), Judge Samuel Thumma (co-chair), Mike Baumstark, Judge Thomas Berning, Judge Dean Christoffel, Judge Bruce Cohen, Judge Maria Elena Cruz, Joel England, Anni Foster, Kevin Groman, Judge David Haws, Judge Anna Huberman, William Knight, Judge Joseph C. Kreamer, Maria Morlacci, Helen Purcell, Janet Regner, Rodolfo Sanchez, Kathy Schaben, Valerie Wyatt, Anthony Young

**Absent/Excused:** Kip Anderson, Pamela Bridge

**Presenters/Guests:** Greg Hanchett, Jennifer Albright, Dave Byers, Cathleen Cole, Chris Groninger, Paul Julien, Alberto Rodriguez, Gretchen Hornberger, Alicia Moffatt

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

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**I. REGULAR BUSINESS**

**A. Welcome and Opening Remarks**

With a quorum present, the May 14, 2020 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. Judge Winthrop welcomed everyone and asked Kathy Sekardi to discuss virtual meeting etiquette. Judge Winthrop introduced the two newest members to the commission; Judge Dean Christoffel, Pima County Superior Court and Judge Sam Thumma, Court of Appeals, Division I, and newly appointed vice-chair of ACAJ.

**B. Approval of Minutes**

The draft minutes from the February 4, 2020 ACAJ meeting were presented for approval. Judge Christoffel noted that he was listed as absent from the February meeting when in fact he hadn't yet been appointed to the Commission.

**Motion:** Anthony Young moved to approve the February 4, 2020 minutes, as amended. **Seconded:** Rodolfo Sanchez. **Vote:** Unanimous.

**II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS**

**A. Chairperson's Report**

- COVID-19 pandemic hit the state and resulted in a statewide stay at-home orders for all but essential workers which lead to large scale layoffs and unemployment in the state. The AOC and Justice Brutinel worked to establish guidelines, issued administrative orders in relation to court operations and amended best practices during the pandemic. Justice Brutinel's administrative orders encourage reduced in-courthouse staffing, remote work for staff, telephonic or virtual hearings when possible and the resumption of jury trials with appropriate protective precautions in place for court staff and public visitors.

- Both federal and state governments responded with stimulus legislation and Arizona was declared eligible for federal disaster relief funds with a portion of the funds dedicated to assist with the unemployment crisis brought on by the pandemic.
- Legal Assistance Poverty – \$50 million was awarded, request was for \$150 million to address the tidal wave of low-income individuals requesting assistance due to the COVID-19 pandemic.
- Working in conjunction the Arizona State Bar, the Bar Foundation and Legal Aid entities with input from the Governor’s Office have created the Arizona Disaster Legal Information Hotline which will launch next week. The Foundation has also enhanced the existing AZLawHelp and AZCourtHelp websites to provide additional information for those seeking legal assistance.
- CISCO will partner with the State Library to install new external wireless access points to underserved rural areas to increase access to justice in these communities.
- The Pew Charitable Trust has issued a report and recommendations on potential reform measures in debt collection. Recommendations include: tracking data on debt claims, educating legislators on the current disadvantages that debtors face and the need to review court rules and procedures to ensure all parties can adequately present their case.
- The Law4AZ program was awarded a \$7,500 federal grant to revive the program through August 2021. The first phase will focus on information gathering on underserved areas, the second phase will focus on training librarians in the underserved areas and allocating resources to increase access to justice for the affected communities.

**B. Report on Office of Administrative Hearings Trainings**

Greg Hanchett, Director of the Office of Administrative Hearings, stated that the Office of Administrative Hearings was created by the legislature in 1995 to create an efficient means of providing fair, impartial and free from actual or perceived agency. The OAH has created clear and easily navigated websites which make forms accessible to pro se litigants. Staff is also trained on how to provide appropriate information to litigants, respond to phone and email inquiries. The OAH has created a script for judges to follow as part of their training and judges are required to attend annual training which includes OAH ethical standards. There is also a post-final agency decision evaluation for rejected recommended decisions and a participant evaluation and a post-decision complaint process. To access the extensive webpage of the Arizona Office of Administrative Hearings go to <https://azoah.com/index.html>

**C. Modification of Support for Incarcerated Parents**

Bruce Cohen, Presiding Family Court Judge, Maricopa County Superior Court discussed the possibility of streamlining the process for the modification of child support orders while incarcerated. Judge Cohen stated that he’d like the Commission to establish a stakeholder workgroup to create a streamlined process for incarcerated defendants to apply for IV-D services.

**Discussion:** Members expressed their support of the proposed workgroup and Judge Dean Christoffel offered to contact Pima County individuals.

**D. Update on the Delivery of Legal Services Task Force**

Jennifer Albright, AOC, updated members on the implementation plans and efforts that have been made regarding the Delivery of Legal Services recommendations. The Report and Recommendations of the Task Force along with other Task Force information, can be found at the Task Force's webpage:

<https://www.azcourts.gov/cscommittees/Legal-Services-Task-Force>.

**E. Report from Legal Service Providers re: COVID-19 efforts:**

[Southern Arizona Legal Aid \(SALA\)](#) – Anthony Young stated that SALA's offices are closed and they are working remotely to assist clients. They are working to expand the call center and are directing clients to their website. SALA applied for a COVID-19 related grant from the Arizona Community Fund to purchase cellphones, mobile hotspots and laptops for staff. Mr. Young noted that most requests for assistance were for housing and unemployment.

[Community Legal Services \(CLA\)](#) – Pam Bridge reported that CLA is providing intake services telephonically and online. CLA has undertaken a massive outreach effort to send COVID-related information to farmworkers and community partners on landlord notification, unemployment resources and stimulus checks. CLA has conducted 13 legal lunchtime webinars on a variety of topics such as; tenant rights, how to access the courts, family law and protective orders.

[DNA-People's Legal Services](#) - Rodolfo Sanchez noted DNA's service area is large because the Navajo Nation encompasses three states: Arizona, New Mexico and Utah. Mr. Sanchez shared that their employees are self-quarantining in an abundance of caution to protect the public and staff. They are working remotely and post updated information on their website regarding COVID-19 and refer clients to the AZLawHelp website. DNA applied for a COVID-19 related grant from the Arizona Community Fund to purchase cellphones, mobile hotspots and laptops for staff. Their stay-at-home order covers all three states and has been extended through June. The Hopi Nation which is located within the Navajo Nation and New Mexico have implemented strict regulations regarding travel. The Navajo Nation is currently a COVID-19 hotspot with 1 in 50 residents affected by the virus.

**Update on the Public Information and Messaging Workgroup**

Aaron Nash, co-chair, announced that the workgroup was meeting more frequently due to COVID-related issues.

- Working with courts via social media, websites and press releases to provide the community with information on how to access the courts and what courts are doing to keep the public safe.
- Developing eviction information to share with the public and the courts.
- Dissemination of COVID-19 and eviction-related information to Spanish speaking communities.
- Added two new members to the workgroup: Judge David Fuller and Jessica Fotinos.
- Compiling information from contributors for the ACAJ Annual Report.

**F. Report from the Self-Represented Litigants in Limited Jurisdiction Courts**

## **Workgroup**

Judge Anna Huberman reported on the following workgroup activities:

- Completed video and legal info sheets on evictions and air conditioning repair.
- Continue to work on Consumer Debt scripts, videos and legal info sheets.
- Consulting with Step Up to Justice regarding evictions during the pandemic.

### **G. Report on the AZCourtHelp.com website**

Cathleen Cole stated that AZCourtHelp has been working with the Committee on Mental Health and the Justice System to develop an online presence for mental health court. The AZCourtCare.org website was created to share information about treatment resources and options in Arizona. Ms. Cole demonstrated the website and explained that it provides basic information on what to do in a crisis, forms and other resources, processes that can apply to any Arizona county, a glossary and collection of acronyms to assist individuals through the process. The direct link is [AZCourtCare.org](http://AZCourtCare.org) and there is also a link to the website on AZCourtHelp.org. Based on the success of postcards and business cards created for AZCourtHelp, Judge Winthrop suggested that cards be developed for AZCourtCare.

### **H. Report from the Judicial and Attorney Engagement Workgroup**

Judge Joseph Kreamer discussed the workgroup's efforts during the COVID-19 pandemic and strategic planning focus. Joel England and Chris Groninger will report on the Arizona Disaster Legal Information Hotline.

## **III. OTHER BUSINESS**

### **A. Good of the Order/Call to the Public**

No members of the public were present.

#### **Next Meeting Date:**

Thursday, November 19, 2020

10:00 a.m. to 3:00 p.m.

State Courts Building, Room 119

1501 W. Washington Street

Phoenix, AZ 85007

Adjourned at 12:52 p.m.

**Arizona Commission on Access to Justice**  
**MINUTES**  
**Thursday, November 19, 2020**  
**9:00 a.m. to 12:15 p.m.**  
**Virtual Meeting**

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**Virtual attendees:** Judge Lawrence Winthrop (chair), Judge Samuel Thumma (vice-chair), Kip Anderson, Mike Baumstark, Judge Thomas Berning, Pam Bridge, Judge Bruce Cohen, Judge Maria Elena Cruz, Joel England, Kevin Groman, Judge Anna Huberman, William Knight, Judge Joseph C. Kreamer, Maria Morlacci, Helen Purcell, Janet Regner, Kevin Ruegg, Rodolfo Sanchez, Kathy Schaben, Valerie Wyatt, Anthony Young

**Absent/Excused:** Judge Dean Christoffel, Anni Foster

**Presenters/Guests:** Patricia Lee Refo, Professor Rebecca Sandefur, Jennifer Albright, Cathleen Cole, Chris Groninger, Amy Love, Ira Pilchen, Suzanne Porter, Carol Rose, Mark Wilson

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

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**I. REGULAR BUSINESS**

**A. Welcome and Opening Remarks**

With a quorum present, the November 19, 2020 meeting of the Arizona Commission on Access to Justice (ACAJ) was called to order by Judge Lawrence F. Winthrop, chair at 9:00 a.m. Judge Winthrop thanked outgoing commission members Judge Maria Elena Cruz, Judge Thomas Berning and Helen Purcell for their dedication, diligence and the great work that they've done for the commission since its inception. He mentioned that it's possible that Scott Bales may attend the February 4, 2021 meeting.

**B. Approval of Minutes**

The draft minutes from the May 14, 2020 ACAJ meeting were presented for approval.

**Motion:** Mike Baumstark moved to approve the May 14, 2020 minutes. **Seconded:** Kevin Ruegg. **Vote:** Unanimous.

**II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS**

**A. Report from the American Bar Association President**

Patricia Lee Refo, president, American Bar Association (ABA), expressed the ABA's commitment and support for the Arizona Commission on Access to Justice. She then outlined the work that the ABA is doing and how it intercepts with what the ACAJ has been working on:

- Regulatory Reform - at a recent meeting of the ABA House of Delegates meeting the ABA passed a resolution encouraging states to experiment with regulatory reform in their states and study the results of what various states are doing. The ABA has been gathering court officials and the Academy in the states that are deploying regulatory reform and measuring the outputs in a comparative model.
- Pandemic Relief – the ABA passed a resolution for eviction relief for both tenants and landlords. There is great concern among all affected parties on how to recover from the pandemic. The ABA is talking to Congress regarding relief measures before the moratorium expires at the end of this month and into the new administration. During ABA day in Washington next year the ABA will continue to express the need for eviction relief and to campaign for funding for the Legal Services Corporation. The need

for legal services goes beyond eviction relief to include bankruptcy, domestic violence, mental health and many other accompanying issues related to the pandemic.

- ABA Free Legal Answers – is a platform that allows income eligible users to type in a question that is routed to licensed attorneys in their state to review and agree to respond on behalf of the individual. To date more than 100,000 legal issues questions have been answered by lawyers in the state where the question originated.
- Racial Equity – a newly created consortium of 52 ABA accredited law schools to study policing practices throughout the United States. The focus of the consortium is how to improve, enhance and modernize policing practices throughout the United States. The law schools are working to identify ways that students and faculty can assist with training and other projects in their local communities to move forward with the modernization of police practices nationwide.

**Discussion:**

- What does the funding for the Legal Services Corporation look like for next year with regards to the Legal Services Corporation? Indications show that increased funding is coming from both the House and the Senate, but not at the level requested.
- How best to leverage technology in the delivery of legal services? Increasing broadband frequency in rural areas to assist those areas with access. The chair noted that Katie Hobbs and CISCO made a commitment to deliver broadband access to libraries across and particularly to Arizona’s rural areas.

**B. Understanding the Justice Gap and the Potential for Non-legal Service Providers to Help Bridge that Gap**

Rebecca Sandefur, professor, The College of Liberal Arts and Sciences, ASU Faculty Fellow, American Bar Foundation Editor, outlined what we know about the justice gap:

- There is a crisis of unrepresented litigants usually in debt, family and eviction cases.
- Courts are overwhelmed by a backlog of cases
- Crisis facing individuals without legal assistance involving their basic human needs; their livelihood, shelter and care of dependent children and adults.

Across all income levels many self-represented litigants are dealing with personal injury, employment, housing, family court and consumer debt issues. Legal issues can impact the self-represented litigants with:

- negative health outcomes,
- lost income, employment or housing
- damages relationships
- problems with alcohol or drugs

If nothing changes, Americans in mid-life can expect to deal with justice problems for over 43% of their lives. Americans aged 18-34 can expect that 21% of their lives will be overshadowed by civil justice problems.

However, there are new types of legal representation under consideration in many states such as authorized legal service providers such as licensed legal paraprofessionals. Legal paraprofessional may be licensed in a specific area of law and may advise or inform a litigant in their area of expertise. This option is best for individuals seeking legal advice or information.

Another option being discussed in a few states is alternative business structures which contemplates a law firm that differs from the standard sole proprietorship or partnership model. Alternative business structures allow non-lawyers to own law firms and share fees with attorneys. This option works well for individuals who need representation in the courtroom, or their legal issue is complex. Research has shown these options are as effective as traditional law practices and offer greater access to legal services for self-represented litigants. These services also provide greater consumer choice, services that are designed around clients, expanded access to clients and new sources of revenue and investment for businesses.

**C. Updates on Alternative Business Structures and Legal Paraprofessionals Programs**

Jennifer Albright, AOC Senior Court Policy Analyst, introduced newly hired Suzanne Porter, AOC Certification and Licensing Program Manager for the Legal Paraprofessionals program. Ms. Porter reported that the Arizona Judicial Council (AJC) approved the proposed changes to the Arizona Rules of the Supreme Court and the Arizona Rules of Evidence. The proposed changes would go into effect January 1, 2021. She stated that she is currently working with colleges to finalize the Licensed Legal Paraprofessional exam.

**Discussion:** Ms. Porter was asked how soon a Legal Paraprofessional would be seen in court? She responded it would probably be late spring or early summer. She was also asked how the courts would know an individual was a Legal Paraprofessional? Ms. Porter stated that a list of licensed Legal Paraprofessionals was being kept by the Arizona State Bar and that their Bar number would be listed on documents. She also noted that Legal Paraprofessionals were to identify themselves as such to the courts and their area of expertise.

**D. Chairperson's Report**

Judge Winthrop, chair, noted:

- At the September 2020 national ACAJ meeting a panel met to discuss the role of access to justice commissions going forward in the 2020's.
- He also participated with Karen Lash in a November national panel presentation and discussed the creation of a state level intergovernmental collaboration project.
- At the upcoming Bar convention Judge Winthrop and Judge Kreamer will discuss/present a webinar on amendments to Supreme Court Rule 38 dealing with retired lawyers and inactive lawyers, and how to encourage their help with pro bono work.
- Judge Winthrop and Judge Thumma may present the commission's goals for 2021 for discussion at the March 2021 Arizona Judicial Council meeting.

**E. Family Court Workgroup Report: Modification of Support for Incarcerated Parents**

Bruce Cohen, Presiding Family Court Judge, Maricopa County Superior Court discussed the possibility of streamlining the process for the modification of child support orders while incarcerated. He stated that he'd like the Commission to establish a stakeholder workgroup to create a streamlined process for incarcerated defendants to apply for IV-D services.

**Discussion:** Members expressed their support of the proposed workgroup and Judge Dean Christoffel offered to contact Pima County individuals.

**F. COVID 19 Eviction Actions Update**

Mike Baumstark, AOC, updated members on the issues created by the COVID-19 pandemic and outlined the various administrative orders and actions taken by the courts to provide information to the public on court procedures during the pandemic. He also stated that judicial training was being held for judicial officers to keep them up to date on the latest changes and noted that Dave Byers was hosting stakeholder meetings with landlords, attorneys, and legal assistance entities regarding rental assistance and grants assisting with rent.

**G. CARES Act Workgroup Report:**

Judge Samuel Thumma reported that the workgroup was formed to provide public awareness, education and promote access to court forms and other resources regarding eviction proceedings that may not have complied with the CARES Act. The first meeting of the workgroup was held on November 3, 2020 and the workgroup discussed various possible next steps, including the need for public education and resources, and to assist judges if relief contains provisions like the CARES Act or addresses similar issues. The next meeting of this workgroup will be in December.

**H. Update on COVID-19 Legal Information Hotline**

Joel England reported that from May 20, 2020 through October 30, 2020 the Hotline received 2,339 calls.

Top legal issues discussed:

- Housing (35%)
- Finance or money (14%)
- Employment/Unemployment (13%)

The number of calls referred for a free half hour consultation was 694 and of those calls; 120 small business owners were assisted, and 379 callers aged 60 years or older were helped with COVID-19 legal issues.

**I. Update on AZCourtHelp.org Enhancements and Use**

Cathleen Cole discussed Google Analytic results from March 2020 through October 2020. There were 280,662 new AZCourtHelp users, up 118% from the same period in 2019. There were 845,851 pageviews, up 85%.

Devices used to access AZCourtHelp:

- Desktop usage increased 33%
- Cellphone usage increased 82%
- Tablet usage increased 16%

Acquisition of Users:

- Organic searches were up 179%
- Referrals up 102%
- Social media ups 220%

Top referrals to AZCourtHelp:

- AZCourts.gov – 19,560
- AZPoint.gov – 14,105
- AZLawHelp.org – 10,115

Top pages viewed:

- Find my court – 56,539
- Electronic court records – 42,395
- Forms -29,326

Thirteen Live Chat operators handled 3,312 sessions totaling 544 hours and 7 minutes. The average length of each chat was ten minutes. The top live chat topics were orders of protection, landlord/tenant issues, traffic issues, court scheduling, and criminal matters and set aside.

**J. Update on the Public Information and Messaging Workgroup**

Aaron Nash stated that a draft of the ACAJ Annual Report will be available for review at the February 4, 2021 meeting. He noted that the timeframe covered for the annual report is calendar year from November 2019 to November 2020.

**K. Update on Justice in Government Workgroup**

Chris Groninger noted that the workgroup was working collaboratively with the Legal Assistance Hotline, AZCourts.gov and government entities on getting COVID-19 information out to all stakeholders. They're also working on a regional approach to guardianship issues, working in collaboration with VOCA agencies regarding VOCA funds, coordinating with state agencies on a Crime Victims Website and creating/maintaining partnerships with state agencies and legal assistance partners.

**L. Update from the Judicial and Attorney Engagement Workgroup**

Judge Joseph Kreamer noted that during the November 5, 2020 workgroup meeting the workgroup reviewed projects to move forward on in 2021. The three projects are:

- Judicial Web Portal – accessible to judges and directs them to *pro bono* opportunities. The judicial web portal would inform judges about educational opportunities and any *pro bono* restrictions for judges.
- Senior Lawyers- Supreme Court Rule 38 was amended which could provide *pro bono* opportunities for retired attorneys through the Arizona State Bar’s Senior Bar
- Engaging Public Attorneys – both the Arizona Attorney General’s Office and the US Attorney’s Office are agreeable to providing *pro bono* opportunities to public attorneys. However, the challenge is providing public attorneys with a direct and readily available list of *pro bono* opportunities that do not conflict with their job limitations.

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

Judge Anna Huberman reported that the workgroup is continuing its work on consumer debt videos and legal information sheets. There are three completed and translated videos completed and four more to be scripted and recorded.

**N. ABA/ATJ Chairs Presentation – Ignite Talk**

Cathleen Cole presented a talk at the national ABA/ATJ Chairs meeting on the AZCourtHelp.org and the AZCourtCare.org websites. ACAJ watched Ms. Cole’s video presentation and offered congratulations.

**III. OTHER BUSINESS**

**A. Good of the Order**

Judge Cohen stated that despite the pandemic it was gratifying to see that the commission’s work was still being accomplished and that the commission was tuned in to access to justice issues.

Helen Purcell expressed her gratitude for the opportunity to serve on the commission for the past four years and thanked Judge Winthrop and the commission.

Carol Rose, communications coordinator, State Bar of Arizona, introduced herself as the new State Bar Communications Coordinator and stated how impressed she was with today’s meeting and the work that the commission is doing.

**B. Call to the Public**

No members of the public were present.

**2021 Meeting Dates:**

February 4, 2021

May 6, 2021

November 2, 2021

Adjourned at 12:13 p.m.