

MISSISSIPPI
Access to Justice
COMMISSION

JUSTICE *for* ALL

2018 ANNUAL REPORT

Mississippi Access to Justice Commission
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About the Mississippi Access to Justice Commission

The Mississippi Supreme Court created the Mississippi Access to Justice Commission (“the Commission”) on June 28, 2006, to develop a unified strategy to improve access to the civil courts for the poor. The Commission is tasked with investigating the need for civil legal services to the poor in Mississippi, and evaluating, developing and recommending policies, programs and initiatives that will assist the judiciary in meeting needs for civil legal services to the poor.

Objectives of the Commission

The Commission’s stated goals are to:

- Identify the current and future needs of the legal services community in providing access to justice for the poor in Mississippi;
- Develop and establish a strategic statewide plan for delivery of legal services to the poor in Mississippi;
- Develop strategies and ideas to increase resources and funding for access to justice in civil legal matters, and to make recommendations to appropriate entities to ensure that the resources and funding are applied to the areas and organizations of greatest need;
- Work to maximize the wise and efficient use of available resources, including development of local, regional and/or statewide systems that encourage the coordination of resources and funding;
- Develop and implement initiatives designed to expand civil access to justice;
- Work to reduce barriers to the justice system by addressing existing and proposed court rules, procedures, and policies that affect access to justice for poor Mississippians;
- Monitor and evaluate the effectiveness of the statewide system and service providers, and periodically evaluate the progress made in fulfilling their respective responsibilities; and
- Consider relevant topics, including available funds and budgets, expansion of resources, increased public awareness through communications and message development, pro bono matters and other related matters, and shall make recommendations as it deems.

Current Commission Co-Chairs and Members

The Commission is made up of twenty-one (21) voting members and fifteen (15) *ex-officio* members. Co-Chairs are Chancery Judge Jacqueline Mask (Tupelo) and former Mississippi Bar President Rodger Wilder (Gulfport). Voting members include: Chancery Judge Margaret Alfonso, Gulfport; attorney Kacey Bailey, Meridian; Representative David Baria, Bay St. Louis; Supreme Court Justice Dawn Beam, Sumrall; law professor and attorney David Calder, Oxford; Court of Appeals Judge Virginia Carlton, Jackson; attorney Kathryn Dickerson Clay, Waynesboro; Itawamba County Chancery Clerk Michelle Clouse, Fulton; attorney Beau Cole, Jackson; Circuit Court Judge Lisa Dodson, Gulfport; attorney Max Edwards, Pontotoc; Chancery Judge Deborah Gambrell, Hattiesburg; attorney Patti Gandy, Ridgeland; law librarian Faith Garbin, Pascagoula; Supreme Court Justice Leslie D. King, Greenville; Chancery Judge Denise Owens, Jackson;

attorney Charliene Roemer, Biloxi; Circuit Judge Lillie Blackmon Sanders, Natchez; attorney Trena Williams, Southaven.

Non-voting *ex-officio* commission members include: Sam Buchanan, Executive Director, Mississippi Center for Legal Services, Hattiesburg; Pat Bennett, Dean, Mississippi College School of Law, Jackson; Gayla Carpenter-Sanders, Executive Director/General Counsel, Mississippi Volunteer Lawyers Project, Jackson; Tucker Carrington, Associate Dean for Clinical Programs, University of Mississippi School of Law, Oxford; Ben Cole, Executive Director, North Mississippi Rural Legal Services, Oxford; Susan Duncan Dean, University of Mississippi School of Law, Oxford; Carlyn Hicks, Director, Mission First Legal Aid Office, Jackson; Jaribu Hill, Executive Director, Mississippi Workers Center, Greenville; Lyndsy Irwin, Director of Child Support Enforcement, Mississippi Department of Human Services, Jackson; Beth Orlansky, Advocacy Director, Mississippi Center for Justice, Jackson; Jody Owens II, Managing Attorney, Southern Poverty Law Center, Jackson; Catie Marie Martin, Attorney, Disability Rights Mississippi, Jackson; Jennifer Riley-Collins, Executive Director, American Civil Liberties Union of Mississippi, Jackson; Harry Yoste, Attorney/Director, Northcutt Legal Clinic, Gulfport; and Bridgette Wiggins, Director, Consumer Protection Division, Mississippi Attorney General, Jackson.

The Executive Director of the Commission is Nicole H. McLaughlin.

Commission Committees

The Commission is comprised of three Committees—Delivery System, Public Awareness and Resource Development—and two Subcommittees—Faith-Based Initiatives and Medical-Legal Partnership. A Strategic Planning Committee meets on occasion to assure the Commission is meeting its stated goals and objectives. The Delivery System Committee oversees the development of an expanded and improved system for providing civil legal services to low-income people. The Resource Development Committee is tasked with developing a long-term plan to increase funding to civil legal services programs. The Public Awareness Committee works to raise awareness about the scope of the need for legal services. The Faith-Based Initiatives Subcommittee seeks to foster partnerships between the legal and religious communities in Mississippi to help expand access to justice to the state’s poor. Finally, the Medical-Legal Partnership Subcommittee was formed to explore ways the legal and health care communities can work together to reach more Mississippians in need of assistance.

Financial Support for the Commission

The Commission is funded through the generous support of the Mississippi Supreme Court, The Mississippi Bar, The Mississippi Bar Foundation and private donors.

2018 Commission Meeting Dates

The Commission meets quarterly. In 2018, Commission meetings were held as follows: March 6, June 5, September 4 and December 4. Guest presenters at the 2018 meetings included James

Phipps, BeCloud, who presented a draft of the new MSATJC website and Charles Lee and Sam Reese, Mississippi Center for Justice, who presented on the “MCJ’s Justice Court Navigator Program.”

ACCOMPLISHMENTS IN 2018

Since the Commission is divided into three committees—Delivery System, Public Awareness and Resource Development—the reports on accomplishments for the past year will be provided based on the committee under which a specific program or initiative was completed.

DELIVERY SYSTEM

One of the Commission’s main objectives is to expand and improve the state’s civil legal services delivery system. The need for quality, free legal assistance increases as poverty numbers in the state grow. The Commission worked closely with its committees, nonprofit legal service providers, bar associations and other community partners to coordinate and complete various projects, initiatives and outreach programming to reach Mississippians in need of legal free assistance in 2018.

Statewide Access to Justice Month

The Mississippi Supreme Court challenged every Chancery Court District in Mississippi to host a pro se legal clinic in June 2018 and requested that the Commission help organize the clinics. To celebrate the clinics and the twelfth birthday of the Commission, the Mississippi Legislature recognized June as Access to Justice Month. The Commission helped plan and coordinate the clinics and co-sponsored many of the clinics. The clinics were very successful across the state. Through the Initiative, 37 clinics were held and 851 people were given free legal assistance by 451 volunteer attorneys. Below is a chart with the results of the Initiative.

<u>Statewide Pro Se Family Law Clinic Initiative</u>			
<u>Clinic</u>	<u>Participants</u>	<u>Volunteer Attorneys</u>	<u>Hours Provided</u>
District 1-Union	30	16	36
District 1-Lee (June)	68	32	87.5
District 1-Alcorn	45	14	48
District 1-Itawamba	13	8	23
District 1-Monroe	44	20	35.5
District 1-Prentiss	49	15	45
District 1-Tishomingo	16	9	27
District 1-Pontotoc	30	20	38.5
District 1-Lee (November)	63	39	84
District 2-Scott (MVLP)	8	8	24

District 4-Amite, Franklin, Pike, Walthall	9	18	99.5
District 5-Hinds (7/27/18)	52	21	84
District 5-Hinds (7/20/18 MVLP guardianship clinic)	15	6	18
District 6-Neshoba/Kemper (MVLP)	7	7	28
District 6-Attala/Carroll	9	3	14
District 6-Choctaw/Winston (MVLP)	21	7	28
District 7-Bolivar	55	8	40
District 7-Coahoma, Quitman, Tunica	31	9	39
District 7-Leflore, Tallahatchie (MVLP)	30	6	42
District 8-Harrison/MVLP (April 3)	12	14	
District 8-Harrison (June)	25	8	24
District 9-Vicksburg	37	13	45
District 10-Forrest	6	4	10
District 10-Marion	3	7	13.5
District 10-Perry	1	11	11
District 11-Madison (MVLP)	9	14	30
District 12-Lauderdale/MVLP	5	9	36
District 13-Simpson (MVLP)	24	9	38.5
District 14-Lowndes	24	13	39
District 15-Lincoln	17	9	36
District 15-Copiah	7	8	32
District 16-George	9	12	36
District 16-Jackson	9	12	36
District 17-Adams	16	8	21
District 18-Lafayette (MVLP)	16	11	38.5
District 20-Rankin (January)	12	10	40
District 20-Rankin (June)	24	13	39.2
<u>TOTAL:</u>	<u>851</u>	<u>451</u>	<u>1366.7</u>

In preparation for the Initiative, the Supreme Court created a webpage listing all of the clinics throughout the state. After the Initiative, the Supreme Court agreed to keep the webpage active as a resource for self-represented litigants and for entities hosting free legal clinics. The list of free legal clinics can be found at: <https://courts.ms.gov/Legal/CivilLegal.php>.

The Commission volunteered at the following legal clinics as part of this Initiative: Union County *Pro Se* Legal Clinic (New Albany); Warren County *Pro Se* Clinic (Vicksburg); Adams County *Pro Se* Clinic (Natchez); Itawamba County *Pro Se* Legal Clinic (Fulton); Lee County *Pro Se* Legal Clinic (June-Tupelo); Monroe County *Pro Se* Legal Clinic (Aberdeen); Pontotoc County *Pro Se* Legal Clinic (Pontotoc); Tishomingo County *Pro Se* Legal Clinic (Iuka); and Lee County *Pro Se* Legal Clinic (November-Tupelo).

Family Law Self-Help Video Project

The Mississippi Department of Human Services, the Commission and the University of Mississippi School of Law have partnered to produce a series of self-help videos. The videos are intended to assist individuals represented by counsel and self-represented litigants prepare for court and navigate the legal system. Members of the Family Law Section of The Mississippi Bar have agreed to draft many of the scripts needed for the project. The Commission's Delivery System Committee will draft the remaining scripts. Filming is anticipated to begin in Spring 2019. The Commission anticipates that the videos will be available for distribution by Summer 2019. As more funding is available for this project, additional videos will be added to the video library.

Local Access to Justice Initiatives

1. Veteran's Clinic

The Commission partnered with the Mississippi Legal Professionals Association to host a Veteran's Legal Clinic to celebrate Veteran's Day 2018 in Hattiesburg. Many veterans received free legal assistance for issues ranging from wills and powers of attorney to general civil matters. The Commission plans to partner with other organizations to expand free legal clinics in 2019.

2. Free Legal Clinics Community Lunch Meetings

The Commission joined local bar associations in Northeast Mississippi and Commission Co-Chair Chancery Judge Jacqueline Mask in hosting eight community luncheon meetings to discuss the free legal clinics in the area and access to justice generally. The meetings were held in the following counties: Alcorn, Itawamba, Lee, Monroe, Prentiss, Pontotoc, Tishomingo and Union. Over 200 school superintendents, local government officials, law enforcement staff, court staff, school counselors, social workers, DHS staff, nonprofit and religious leaders attended the luncheons.

3. Special General Guardianship Forms and Pilot Program

It was brought to the Commission's attention at a Community Meeting in Itawamba County that Itawamba has a large child homeless population. Once the children were placed in homes, the Itawamba Schools were having issues enrolling the children in schools. Most were not placed in homes with their parents. The Commission worked with Judge Mask and the First Judicial Chancery District to create a packet of easy to fill-in forms for Special General Guardianships to enroll children in school. The Commission will be a resource to distribute these forms when needed. The Commission plans to number the forms to track how many are filed and the number of cases completed. The

Commission will work to add these forms to its website and to expand this program in 2019.

PUBLIC AWARENESS

Among its more significant accomplishments of the past year, the Commission was able to increase its exposure and bring more awareness to the services offered by the nonprofit legal service provider community as recommended in its stated goals.

Speaking Engagements

The Commission gave presentations to the following groups and/or at the following events: The Mississippi Bar's Leadership Forum (Jackson); the Court Administrators Spring Conference "Access to Justice and Self-Represented Litigant Issues" (Biloxi); the Trial and Appellate Judges Spring Conference "Access to Justice *Pro Se* Legal Clinic Initiative" (Bay St. Louis); Lee County Bar Association Monthly Meeting (Tupelo); SuperTalk Good Things Radio Interview to promote June Legal Clinics (Jackson); WTVA Noon Show Interview to promote June Legal Clinics (Saltillo); The Mississippi Bar's "CLE on the Road" events (Laurel, Greenwood and Southaven); Mississippi Department of Corrections' 2018 Re-Entry Symposium (Jackson); Lee County School District Counselors Meeting (Tupelo); Pontotoc County School District Counselors Meeting (Pontotoc); Tishomingo County School District Counselors Meeting (Iuka); and the MS Trial and Appellate Judges' Conference for Staff Attorneys (Jackson).

Bar Convention CLE

Also in July, the Commission sponsored "Overcoming Barriers to Access to Justice in State and Federal Courts" at the Annual Meeting of The Mississippi Bar in Sandestin, Florida. The CLE featured the following judges in a roundtable discussion of access to justice issues in state and federal courts in Mississippi: Justice Dawn Beam, Mississippi Supreme Court; Judge Carlton Reeves, U.S. District Court; Judge Joseph Kilgore, Chancery Court; and Judge Andrew Howorth, Circuit Court. The speakers discussed issues concerning self-represented litigants in their respective courts and ideas or programs that we could use in Mississippi to help provide better access to our courts.

Dixie Regional Library System

On October 5, the Commission presented to the librarians and staff of the Dixie Regional Library System. The presentation included: the definition of civil legal aid, free online legal forms, MS Free Legal Answers, free legal clinics, expungement resources in Mississippi and the Commission's work toward a mobile app for self-represented litigants. The Commission hopes to expand its partnerships with and presentations to library systems in the coming year.

Newsletters, Website, Social Media

The Commission published an electronic newsletter two times in 2018 and posted periodic announcements in The Mississippi Bar's "Bar Briefs" weekly newsletter. The Commission's newsletter, "What's New(s) in Access to Justice" is available on its website. The Commission increased traffic to its webpage and its presence on social media in 2018.

As a specially funded project for 2018, the Commission re-developed its website to include resources by legal topic and added many court forms that are often requested. The Commission reorganized the website to make it more user-friendly and easier to navigate. Also, a directory of Mississippi Courts and Clerks was added as a resource for the public.

RESOURCE DEVELOPMENT

Among its many directives, the Commission was empowered to develop strategies and ideas to increase resources and funding for access to justice in civil matters. To that end, the Commission has worked closely with The Mississippi Bar, the Supreme Court, the state's legal services providers and others to procure additional support for civil legal services in the state.

In 2018, the Commission explored and researched additional funding options. The Commission plans to work toward several increases for the state's legal service providers in 2019.

Pro Hac Vice Funds

On May 10, 2018, the Mississippi Supreme Court issued an Order providing that the Commission receive one-third of the *Pro Hac Vice* funds received from out of state attorneys. At the same time, the Supreme Court increased the *Pro Hac Vice* fee from \$200 to \$300. In doing so, the divergence of funds to the Commission will not affect the amount transferred to the Civil Legal Assistance fund. The funding increase will allow the Commission to fund more projects and keep it more self-sufficient in the future.

SPECIAL PROJECT

Justice Index Working Groups

In response to the National Center for Access to Justice's 2016 Justice Index's which ranked Mississippi as 50th in providing access to justice, the Commission formed five working groups in 2017 to address several issues where Mississippi falls short when compared with other states with respect to providing access to civil justice. The working groups have been tasked with addressing the following:

- *Working Group #1:* Work with the Mississippi Judicial College and the Self-Represented Litigant Network to develop a judicial education program with training on how to ensure that self-represented litigants are fairly heard and prepare a desk reference manual for judges.

Group #1 Members continue to work toward their goals of creating a judicial education program and desk reference manual for judges.

- *Working Group #2:* Work with state courts to designate court staff members (other than judges) to take specified steps to assist self-represented litigants. Develop resources and training materials for court staff designees.

Group #2 Members have developed handouts for Court Staff and Court Patrons to inform them on what court employees and clerks can and cannot do to assist self-represented litigants. The Commission approved the handouts at the December 2018 meeting. The Commission has started distributing the handout to clerks across the state.

- *Working Group #3:* Work with the Mississippi Supreme Court and Administrative Office of Courts to designate a place on the state judiciary website to explain: (1) that civil filing fees can be waived if person meets a designated financial eligibility standard; (2) where self-represented litigants can access court-approved legal forms; (3) how and who to contact to request an accommodation because of a disability; (4) how and who to contact to file a disability access complaint.

Working Group #3 has been able to get a tab for “Legal Help” added to the Supreme Court’s website. The tab includes a link to the Commission’s website and lists information and links to assist in waiving civil filing fees if person meets a designated financial eligibility standard. The Supreme Court added a link on its website to the Commission’s list of forms. This Group will work toward a Disability Accommodation Policy and Plan in 2019.

- *Working Group #4:* Examine the unauthorized practice of law statutes related to the distribution of legal forms by court clerks and others. Determine whether legislation or court rules could facilitate greater access to free legal forms.

Group #4 Members continue to work toward their goals of providing greater access to free legal forms in Mississippi.

- *Working Group #5:* Work with the Administrative Office of Courts to develop a language access plan to ensure that in areas in which a significant number of people speak languages other than English, clerk counter staff has resources available to assist with communication. Research how Mississippi might prohibit courts from charging deaf or hearing-impaired people from paying for sign language interpreters.

Working Group #5 presented a Language Access Plan at the December 2018 meeting. It was approved by the Commission. Certain forms for requesting a court interpreter will be drafted

to include in the Plan. With the help of volunteers, the Commission was able to get several of its flyers translated into Vietnamese. A volunteer is working on translating the flyers into Spanish as well. The Commission will distribute the Vietnamese and Spanish flyers throughout the State and will seek volunteers to translate them into other languages in 2019.

ACKNOWLEDGEMENTS

The Commission wishes to acknowledge the generous support it receives from the Mississippi Supreme Court, The Mississippi Bar and the Mississippi Bar Foundation. We would also like to recognize the tireless work of the state's nonprofit legal services providers. We want to acknowledge the individuals and organizations with whom we partnered in 2018 on the activities and programs discussed herein. We thank these individuals and organizations for their invaluable contributions to our successes in 2018:

Access to Justice Committee, The Mississippi Bar
BeCloud
Anita Campbell
Bradley Arant Boult Cummings LLP
Butler Snow LLP
Capital Area Bar Association
Family Law Section, The Mississippi Bar
First District Chancery Bar Association
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Military Assistance Committee, The Mississippi Bar
The Mississippi Bar
The Mississippi Bar Foundation
Mississippi Board of Bar Commissioners
Mississippi College School of Law
Mississippi Judicial College
Mississippi Legal Professionals Association
Mississippi Library Commission
Mississippi Rural Health Association
Mississippi Supreme Court
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Office of General Counsel, The Mississippi Bar
Tom Ortega
Reba Peden
Prentiss County Bar Association
Union County Bar Association
University of Mississippi School of Law
Young Lawyers Division of The Mississippi Bar

We will build on our 2018 accomplishments—and your continued support—to further the cause of access to civil justice in Mississippi in 2019 and beyond.