

THE 2002-2003 ANNUAL REPORT OF THE ACCESS TO JUSTICE TASK FORCE

The Task Force's Role

The Access to Justice Task Force (Task Force) was created in 1996 and reflects the State Bar of Michigan's continued commitment to the principle of equal justice for all of the State's citizens. The varied work of the Task Force focuses on the effective delivery of civil legal services throughout the State, with a particular emphasis on delivery of services to the poor. The Michigan Plan 2000, which both the SBM and Task Force helped to create, has provided a framework for delivery of legal services in Michigan. One of the Plan's most significant functions is to assist with the building of interconnections among legal service providers, courts and community organizations. One of the primary goals of the Task Force is to help strengthen those interconnections by facilitating project development and information sharing among the various stakeholders.

Through the Task Force network, the State Bar of Michigan (SBM), its staff, legal service providers, the Michigan State Bar Foundation and many volunteers have come together as a unified equal justice community dedicated to serving the underserved.

The stated purpose of the ATJ Task Force is

“to promote the effective delivery of high-quality legal services to all Michigan residents, especially low-income people. The August 1, 2001 Strategic Plan adopted by the State Bar of Michigan requires the Bar to strengthen the future of Access to Justice through increased attention to external as well as internal delivery systems. The Strategic Plan also affirms the Bar's commitment to continue support for one of its primary goals of improving access to justice for all citizens in Michigan.”

The Task Force structure was altered during 2002 to broaden the qualifications of the Chairperson, and to expand membership to include associate members. Total composition during 2002-2003 included 18 members and 3 associate members. State Bar of Michigan Access to Justice staff support activities of the Task Force.

2002-2003 Task Force Activities

The Task Force is required to meet at least four times during each bar year. To date, the Task Force has met three times. Meetings were held in Lansing on November 19, 2002, February 18, 2003 and April 29, 2003. A fourth meeting is scheduled for June 10, 2003 and a fifth meeting is anticipated. Two meetings have included joint sessions held with the Open Justice Commission (OJC).

During the year, some of the main Task Force activities included:

Justice Initiatives Coalition: The Task Force partnered with OJC through the Justice Initiatives Coalition (JIC) to identify common areas of interest and join efforts in those areas identified as important to the mission of both entities.

The primary purpose of the Coalition is to explore joint projects that could be undertaken in pursuit of shared goals and new synergies. This exploration process has resulted in the inclusion of “voices” and perspectives not traditionally utilized by the Task Force. These include the Michigan Protection and Advocacy, Prison Legal Services and the Public Defender Citizens Task Force.

Through a series of meetings supported by detailed written reports, the JIC identified *pro se* as an area of priority. The reports analyzed the projects along several threads—including interest, identification of stakeholders, stakeholder impact, and groundwork already laid for specific projects. Upon considering the report, it was the recommendation of the JIC that development of coordinated *pro se* initiatives be a primary area of focus for the immediate future.

Pro Bono: The Pro Bono Involvement Committee (PBIC) has been very active again this past year, and the Task Force was instrumental in recruiting a new PBIC member from the Michigan Attorney General’s Office, which the Committee hopes to partner with in the future. Through PBIC, the Task Force continues to support the work of the Michigan Litigation Assistance Partnership Program (MI-LAPP), which provides large firms and corporate law departments with pro bono cases that are similar to the cases routinely handled by that firm or department. Issues include complicated appeals, pension matters, real estate litigation, tax litigation, as well as advice to non-profit organizations dedicated to serving the poor. The PBIC has also continued to review applications from organizations that seek designation as pro bono eligible. Additionally, this PBIC remains committed to publicly acknowledging the contribution of services from the State’s pro bono lawyers. This year, PBIC agreed to add acknowledgment of financial contributions as part of its formal pro bono acknowledgement program.

A separate Annual Report from the Pro Bono Involvement Committee is available from the State Bar of Michigan.

Technology: The Legal Services Computer Committee continued its leadership in the planning of technology for legal aid providers in the State, and the State Bar provided some staff support for that work. A primary focus of the Committee has been to identify and pilot new case management software. PIKA is an open-source application that was developed specifically for Legal Services-funded programs. It is being well received by those programs that are in the pilot project, and others are planning to move toward implementing PIKA. Training for use of PIKA included a day long, in-person information session that was recorded, digitized, and will soon be available.

The statewide probono.net website continued to be developed through the Michigan Poverty Law Program. It includes a pro se site that provides, among other things, comprehensive support for people who are eligible to claim the Earned Income Tax Credit.

Both the Task Force and the State Bar remain involved in the establishment of 2-1-1 call centers, which help individuals find the appropriate human service and community service organizations within their particular region. The primary goal of these centers is to provide callers with information and eligibility requirements with respect to the agencies and the services each provides. The statewide coordinator of Michigan's 2-1-1 initiative is a new member of the Task Force.

Statewide Development Campaign: The SBM's Access To Justice Campaign conducted the fifth year of an Access to Justice fundraising campaign during 2002. The ATJ Campaign raised nearly \$700,000 in cash and pledges during the calendar year. Since its inception in 1998, the Campaign has raised over \$3 million for the purpose of improving avenues to justice, via the provision of civil legal services, for low-income people. Donors have placed more than 50% of total gifts in endowment funds to help provide long-term stable funding for legal aid services. Even so, a higher percentage went to program operations during calendar year 2002, a result encouraged by the Campaign in light of the loss of federal funding in Michigan caused by the shifts of poverty populations nationwide. In 2002, The Michigan State Bar Foundation distributed \$422,325 in contributions designated by donors to specific programs. In addition, the Foundation made its second round of grants from the ATJ Fund, with some \$45,000 awarded to programs that applied for funds for five projects that improved outreach and civil legal services to the poor in Michigan. These projects included assisting needy elderly in accessing food assistance; training and supporting pro bono attorneys to help low-income families with educational matters affecting school age children; translating legal educational materials for non-English speaking clients and persons affected by family violence or child abuse; upgrading computer equipment to support a domestic violence pro bono program; and enhancing services for clients and advocates in tax and housing matters.

Leadership for the Campaign is planning a successful campaign for the upcoming year.

LSC Advocacy Steering Committee: The Task Force revived its participation in the American Bar Association's Law Day activities. On April 30, 2003, five representatives of the State Bar met with eight Michigan legislators in Washington, DC to inform them of the need for legal services in Michigan, and to encourage their votes in support of the ABA positions on increased Legal Services Corporation funding that could bring over \$10 million in federal funding to Michigan.

State Planning Body: The Task Force continued to receive reports from the State Planning Body regarding the reconfiguration of legal service programs in Michigan. The reconfiguration process is nearly finalized and planning for the future is underway.

New Initiatives

15th Annual National Consortium on Racial and Ethnic Fairness in the Courts, and the First Annual Michigan Consortium on Racial and Ethnic Fairness in the Legal System. The Task Force presented three workshops at this Michigan conference hosted by the Open Justice Commission. Task Force facilitators addressed “Delivery of Legal Services for Special Populations,” “Anticipating and Addressing Racial and Ethnic Barriers in Pro Se Programs,” and “The Law School Experience: Why Race Matters” through panel presentations and written materials by experts in their respective fields.

E-filing Comments: In conjunction with the ATJ Committee of the Open Justice Commission, the Task Force submitted comments to the Supreme Court on the proposed e-filing standards regarding how those standards might impact special populations.

Ethics Rules Comments: The Task Force has reviewed proposed changes to Michigan’s Rules of Professional Conduct regarding pro bono service and client confidentiality, and will submit comments to the Representative Assembly for its September meeting regarding the proposed changes.

State Bar Policy on Committee Policy Positions: The Task Force will submit comments to the State Bar’s Board of Commissioners regarding the appropriate procedures to be undertaken by State Bar Sections or Committees wishing to take public positions on matters of public policy within the Section’s or Committee’s purview.

Conclusion

The Access to Justice Task Force has continued to convene stakeholders, as well as provide volunteer leadership and support staff to guide the delivery of civil legal services to the poor in Michigan. The mission of the Task Force is the continued strengthening of these delivery systems, a mission facilitated by the now formalized partnership with the Open Justice Commission. As a result of that partnership, as well as the State Bar’s commitment to ATJ, the Task Force supports programs that serve as the main access points for underserved populations like the poor, immigrants, the prison population, the elderly, the young, and victims of domestic violence.

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