

**MINUTES OF THE JANUARY 26, 2007,
MEETING OF THE
SUPREME COURT OF GEORGIA
EQUAL JUSTICE COMMISSION
COMMITTEE ON CIVIL JUSTICE**

The seventh meeting of the Supreme Court of Georgia Equal Justice Commission Committee on Civil Justice was held on Friday, January 26, 2007, beginning at 10:00 a.m. in Meeting Room 3 of the State Bar of Georgia Headquarters, 104 Marietta Street, Atlanta, Georgia. Marc Gary, Chair, presided.

Welcome

The Honorable Leah Sears, Chief Justice of the Supreme Court of Georgia, welcomed everyone and thanked everyone for all the work that has been done so far. She stated the Committee is truly evolving, and the Supreme Court is very proud of the Committee's efforts.

Remarks from the Chair

Mr. Gary complimented Chief Justice Sears on her State of the Judiciary speech to the Georgia General Assembly, in which she highlighted access to justice issues and the work of the Committee.

Next, Mr. Gary gave an overview of the Committee's work to date. The Committee's work began in the middle of 2006; during that year, the Committee educated itself about the challenges that the poor face in gaining access to the courts. Members devoted time to learning the issues, the services available, and the gaps in service. Toward the end of last year, the Committee heard presentations from other Access to Justice committees that highlighted the work of those committees and explained how they approached challenges in their states. The Committee established subcommittees, with Committee members volunteering to work on one of five areas. Mr. Gary said he expected the "lion's share" of the Committee's work in 2007 will occur in subcommittees; the subcommittees will examine what is happening in Georgia and outside of the state with respect to their particular subcommittee's focus.

In 2007, the Committee will identify opportunities to shift the paradigm. The subcommittees will identify priorities and make recommendations to the full Committee. Mr. Gary anticipates that by the end of 2007, the Committee will have a list of recommendations, some of which can be implemented in 2008.

Reiterating that most of this work would occur in subcommittees, Mr. Gary reminded the Committee that the full Committee will only meet four times this

year, with much of the focus of those meetings being the progress of the subcommittees.

Mr. Gary also informed the Committee about special conferences regarding access to justice issues. Karlise Grier, Judge Purdom and Mr. Gary were scheduled to attend a pro se conference in Houston, Texas in February, from which they would bring back ideas regarding concerns of the judiciary and attorneys.

In addition, the ABA's Access to Justice conference was scheduled for March in Denver, Colorado. Mr. Gary expressed the hope that several members of the Committee planned to attend and that participation in the conference would generate ideas for the subcommittees so that they could have recommendations formulated by the end of the year.

Approval of Minutes

The Committee approved the minutes of the December 4, 2007, meeting without correction.

Roll Call

Karlise Grier circulated the roll for signature. Committee members present for the meeting were: Hon. Leah Ward Sears; Marc Gary; Anne W. Lewis; Richard H. Deane, Jr.; Terence A. Dicks; Hon. William S. Duffey, Jr.; Rev. Jane Fahey; Prof. Timothy W. Floyd; Thomas D. Hills; Victor M. Lai; Charles T. Lester, Jr.; Hon. Willie B. Lockette; John B. Long; Hon. Wayne M. Purdom; Rita A. Sheffey; Cubbedge Snow, Jr.; and Michael W. Tyler. Advisory Council Members who were present for the meeting were: Martin L. Ellin; Steven Gottlieb; Sharon N. Hill; Phyllis Holmen; and Michael L. Monahan.

The signed roll is attached to the original minutes as Appendix A.

Introduction of Speakers

Vice Chair, Anne W. Lewis, thanked for their work and great attendance. She said that she looked forward to seeing the work of the Committee progress as the subcommittees generated and traded ideas and believed that the Committee would have a successful 2007.

Ms. Lewis then introduced the speakers for the morning's meeting who were as follows: Gerald R. Weber, Jr.; Eleanor Crosby-Lanier; Guy Lescault; Professor Sylvia Caley; and Michael L. Monahan. Len Horton, who was an invited speaker, was unable to attend the meeting as he unexpectedly had to attend meetings at General Assembly.

Breakout Sessions

At the conclusion of the introductions, the Committee formed breakout groups to learn about the work of the State Bar of Georgia's Access to Justice Committee ("ATJC"). The work of the ATJC led to the State Bar of Georgia's Board of Governors' recommendation to the Supreme Court that the Court form the Committee. Ms. Lewis informed the Committee that Mr. Weber, the chair of the ATJC had offered the expertise – and hands – of the members of the ATJC to assist the Committee with its work.

Delivery Coordination and Needs Assessment Subcommittee Breakout Session

Committee members and advisors who participated in the Delivery Coordination and Needs Assessment ("DCNA") breakout session were: Charles T. Lester, Subcommittee Chair; Hon. William S. Duffey, Jr.; Michael W. Tyler; John B. Long; Marc Gary; and Phyllis Holmen. Karlise Grier served as the recorder.

Gerald R. Weber, Jr. and Professor Sylvia Caley presented. Mr. Lester invited Mr. Weber to speak first. Mr. Weber began by noting that delivery coordination is an issue that ATJC began to tackle and that delivery coordination in Georgia presents several built-in hurdles. For example, each provider has its own priorities, board, distinct culture, intake system and criteria for accepting cases. Even within groups, such the Georgia providers that are funded by the federal Legal Services Corporation ("LSC"), the providers each use different income criteria when accepting cases, have different intake systems and criteria and its own public education efforts. Some of the providers are technologically "savvy"; others are not.

Mr. Weber noted that most of the providers had their own meetings, so selling the idea of participating in another meeting to discuss working together took some effort. Nevertheless, the ATJC organized two convocations to allow different providers to meet each other and begin to develop trust and relationships. Mr. Weber stated that providers may fear that by collaborating with another group, the provider would open itself up to changes that would affect its funding, resources, and activities.

According to Mr. Weber, there are some examples of collaboration. The Georgia Legal Services Program ("GLSP") and the Atlanta Legal Aid Society ("ALAS") have worked together on a new Internet case management system that is LSC-funded. In addition, both GLSP and ALAS have worked hard to try to reach economies of scale. The biggest challenge for delivery coordination is technology.

There are many potential options for delivery coordination. Mr. Weber has attended several national conferences and learned about successes in other states. New Mexico, for example, has a single intake system, run by the bar association.

The client goes to a single place and fills out a form, and that form is then sent to the appropriate legal aid organization. Mr. Long compared it to the United Way, which gathers information about various social service organizations and then sends people who contact the United Way to the right place.

Mr. Weber continued that in Georgia, the American Civil Liberties Union (“ACLU”) receives 500 requests for assistance per month. He observed that many of those requests come to the ACLU because people know the organization’s name, not because the request is related to the organization’s work. Inmates, for example, are “bounced” by someone to the ACLU, which sends them to the Southern Center for Human Rights, which then sends the inmate to a third organization.

Judge Duffey noted that, in many cases, lawyers who want to help may not know where to go. He said lawyers face the same pinball issue. He then asked Mr. Weber if it was possible to develop one organization or if the providers were so entrenched in the status quo that they would work together only nominally.

Mr. Weber thought one fairly easy path on which providers might be able to cooperate was intake. On the other hand, funding issues constituted the place where the barriers were highest. New Mexico has developed a centralized intake system even though it originally had five LSC-funded organizations and another non-LSC funded organization. The telephone, Internet and walk-in portions of the New Mexico intake system were funded primarily by the New Mexico state bar.

One of the committee members asked Mr. Weber if the ATJC had made a recommendation to establish a similar intake system in Georgia. Mr. Weber responded that there is so much to do that a larger group would need to address the issues to get the intake system “off the ground.” He stated that the ATJC was not in a position to implement a centralized intake system, which was one of the reasons the ATJC recommended that the Supreme Court form a commission.

Mr. Long said he believed a clearinghouse was needed because it appeared there was absolutely no coordination in Georgia. He suggested the DCNA consider developing an “organizational chart” that would explain how providers divide up the work and suggested that the subcommittee needed a model to use.

Ms. Holmen advised that on a prior occasion, joint committees of GLSP and ALAS looked at some of the issues involved in adopting a centralized intake system. She noted that Chicago also had some form of a centralized intake system and observed that it was a fairly sophisticated system. Some of the GLSP and ALAS staff people had gone to Washington state and Connecticut to interview the staff and other people working on intake. Some people utilized the telephone, she said, but many people still came into the local offices for intake. Ms. Holman noted that the Washington state intake system covered the whole state, with the exception of

Seattle, and their intake system was purposely designed that way. According to Ms. Holmen, the GLSP and ALAS committees had considered funding and that the technology and staffing for such a project in Georgia would have cost approximately \$ 4 million ten years ago.

Mr. Lester asked if there was really a problem that would require a great deal of administration for implementation of such a project. Mr. Gary noted that these costs are already being incurred. Mr. Lester concurred and said that some costs were being incurred absent the marketing of a centralized intake system. He suggested that if a centralized intake system were developed and implemented, then the civil legal delivery system might incur new costs. Mr. Gary said if a better-coordinated delivery system resulted in more calls, then this result was part of what the Committee hoped to accomplish. Both agreed that the DCNA subcommittee would need to consider potential additional costs, and not just existing costs, and that the subcommittee should also consider that additional costs would perhaps not necessarily be incremental in nature. Judge Duffey commented that any system, regardless of which approaches were adopted, would require some coordination.

Mr. Weber observed that it took so much time to respond to intake that the ACLU no longer provides referrals to other organizations. If an individual contacts the ACLU, and the ACLU decides not to accept the case, the ACLU will not respond to the inquiry because the ACLU does not have the time, postage, or the resources to respond to the numerous inquiries it receives.

Mr. Lester said that his firm also received numerous inquiries on a daily basis, which was a tremendous problem. Mr. Long stated that because of his participation on the Committee, he had learned about several organizations that he did not know existed. He wondered if other organizations existed (of which he was unaware) that might help other people.

Professor Caley then told the Committee about the Health Law Partnership “HeLP”) at Children’s Health Care of Atlanta (“CHOA”). HeLP is a partnership between the ALAS and Georgia State University College of Law. The purpose of the project is to use a more holistic approach to improve the health and the lives of low-income children statewide. Individuals who on Medicaid and Peachcare, as well as individuals who were uninsured, made 600,000 visits to the hospital each year – the second largest number of visits in the country. As a result, CHOA realized that a different approach was needed to reduce hospital visits and spent 1 ½ years developing a resource list to help accomplish this goal.

Professor Caley stated that Barry Zuckerman, a doctor in Boston, started the first of these medical-legal collaboratives because he was tired of “patching kids up and sending them back to the same problem.” He realized that many of his patients needed legal education about their situations to help them to resolve the underlying

problem. Professor Caley said the biggest need that the CHOA patients had was for referrals in the area of family law. Maintaining a volunteer list is a tremendous amount of work, and it was a challenge to keep volunteer lawyers engaged.

Judge Duffey asked what actions CHOA took when the staff suspected that a child was coming to the hospital because of abuse. Professor Caley responded that CHOA had created a mini-referral system to address these cases because in those instances, HeLP is often competing with other groups for a very small pool of lawyers. Judge Duffey then asked if it wouldn't be more efficient to have only one statewide referral system. Professor Caley responded that CHOA was attempting to reduce the gap between the period of time when a person received health care treatment and when the person received services for the underlying problem that gave rise to the need for treatment.

Mr. Gary asked what could you do if you get a homeless person and that person contracts pneumonia. He said he did not think that there was much you could do for that person. Professor Caley answered by asking whether homelessness is a legal issue or an advocacy issue. Judge Duffey then asked the group to suppose that a person told CHOA that he could not afford an attorney because he just got fired because he was black. Is this a legal problem with which CHOA would assist, he asked? Professor Caley responded that whatever legal matter affects the health and welfare of a child then CHOA attempts to provide a referral. She noted that if a parent did not have a source of income, preventing CHOA from releasing the child home, then it was a health-related issue.

Mr. Long then noted the spiraling nature of some of these problems. You lose your job, you lose your home in a foreclosure, you have to file for Chapter 13 bankruptcy.

Mr. Weber said 30% of the inquiries received by the ACLU were for private employment matters, a type of case the ACLU does not handle. Ms. Holmen said in Atlanta at least, people could contact the Atlanta Bar Association's Lawyer Referral Program for a referral. She said that there was not a similar referral program in the remainder of Georgia.

Judge Duffey believed that it would greatly benefit the system if pro se individuals were represented in court. Mr. Long said that simply having a chart of the groups that were providing services would help. Ms. Holmen then reminded the subcommittee about the Legalaid-Ga.org web site and that any organization that wanted to include their group's information on the web site could do so. She also said that LSC funds were used to develop the website, and that it is difficult to keep it current.

Judge Duffey observed that referrals are easier if you do it because you are paid to do it, and it is your job to match referrals. However, what about someone in Barrow County who cannot find a computer to look at a website?

Mr. Gary commented that what Mr. Weber said resonated with him. Mr. Gary understood that intake was a time-consuming process. One person can spend five hours a day trying to send a person someplace. He thought it was a good idea for a person at the ACLU to be able to tell someone to call one number and that the person at that number will find someone to help you.

Ms. Holmen commented that if you were going to use a centralized intake system, then the intake personnel would need to have the ability to determine the financial eligibility of the person and knowledge of the income criteria for each organization. She believed there was value in having multiple access points. Judge Duffey said that a centralized intake system might help extend the capacity of the civil legal delivery system because the providers could refer intake to another organization. Mr. Long commented that a centralized intake system would not cut out individual providers; he was certain that the individual providers would still get plenty of calls.

Mr. Lester said that at his firm, young associates conduct intake. The associates are instructed not to provide legal advice. Sometimes the firm gets very attractive paying cases from the “cold calls” received from the firm’s intake process.

Mr. Gary said having a centralized intake system would not necessarily displace multiple intake points, but one organization would maintain a current referral list so that when a person called about a constitutional issue, that person was referred to the ACLU. If another person called about a race discrimination matter, then that person would be given the number of the appropriate agency for assistance. Judge Duffey said a small cadre of people could keep one list up to date, and everyone could have access to the list. Professor Caley commented on the value of having one office maintain a referral list. Previously, nurses and social workers at CHOA spent a great deal of time compiling and maintaining referral lists, but now the HeLP office handles this function. The office had its first evaluations in July 2006, and the healthcare staff noticed a 60 percent increase in their own efficiency because they are no longer doing things that are outside of the scope of the practice of medicine. Over time, the HeLP office expects those numbers to improve even more.

Mr. Long commented on the use of computers and said most of the people he represented used the telephone book. There is a big electronic gap throughout the state.

Judge Duffey noted that that there is a law firm in Atlanta which does eviction work. He said that if other issues arose, the firm would attempt to recruit another

firm as a resource for other needs, but he said he did not like to offer people a referral unless he knew of a good resource.

Professor Caley also suggested intake would not always involve a person who could articulate his or her problems and receive assistance. Intake requires a vast knowledge of the law and expertise. She encouraged the Committee not to underestimate the cost of an intake system, because young and inexperienced people are not able to conduct intake. Training and legal expertise were necessary to create a successful intake system. Mr. Lester suggested that a centralized intake system was something that law firms could staff on a rotating basis with calls coming to a central telephone number that an organization could transfer to the appropriate firm. Mr. Weber said partnerships with law firms and law schools were important.

Mr. Lester said on Election Day, the Election Protection Project received 1,000 calls: having a central system to receive the calls was of tremendous value. Mr. Long said intake work might hold some interest for a retiring lawyer who has experience and knowledge of the law. Mr. Lester said there were many lawyers between ages 62 and 70, some with offices. He believed retired lawyers could be worked into a central system. Judge Duffey said central intake was not a panacea, but it would be a good start; even if the civil legal delivery system experienced a 30 % incremental increase in the service it provided, it would mean greater services to people. Professor Caley told the subcommittee that based on what she observed in her project, people were less stressed due to having one intake office. Ms. Holmen said she would get the LSC evaluation regarding hotlines so the subcommittee could look at various models and determine how the models were working out.

Mr. Gary said central intake was indeed an exciting area and asked if there were other areas ATJC considered appropriate for coordination. Mr. Weber replied that training and resource development were two other areas that “screamed out” for coordination. Mr. Lester said three or four people mentioned some component of special education at a previous Committee meeting. Trying to teach parent how to navigate the school system was another project that “cried out” for a joint effort. Professor Caley wanted to “second” that suggestion. She said that she saw a huge number of cases in which children were not in school, and no one was doing any advocacy around this issue.

Judge Duffey asked if people would want to be coordinated. How do you promote relationships? Mr. Weber answered that one solution to try is to get people to the table and ask them to spend time together. The providers each have different vantage points and need to have truly honest discussions about their concerns and fears. Mr. Weber believed that people at LSC could assist with this issue. For example, someone from LSC previously came to Georgia and conducted a series of sessions on training. Delivery coordination will not happen unless the providers

have an honest discussion about the bottom line. Providers do not want someone from outside of their organization to micromanage their organization. Mr. Long said providers are protecting turf and money. Organizations worry about someone coming from the outside and “running” their organizations.

Mr. Weber also said that if intake were coordinated, providers would see an improvement in the bottom line, but he was not certain the Committee would “get buy-in.” Judge Duffey reported about an experience he had with coordination efforts between law enforcement agencies and public health officials when there was an anthrax scare. He said initially the groups were leery of working together because the groups saw their functions as mutually exclusive. Law enforcement wanted to protect evidence while the public health officials wanted to address health concerns as quickly as possible. Nevertheless, within a day of meeting and talking together, the groups discovered that their work was not mutually exclusive, and now the groups regularly contact each other to discuss certain public health issues.

Mr. Lester said the pro bono coordinators were attempting to do a little bit of coordinating and working together to have a pro bono affair, similar to a successful event in Washington, DC. Mr. Long said this type of coordination would assist in determining where to send people. Mr. Lester stated that he did not know if it was routinely done, but that pro bono coordinators may consider sending a case to a particular firm not only because of conflict, but because of a firm’s expertise.

Mr. Long said it was embarrassing how small a number of people participate in GLSP each year. Ms. Holmen said that 400 to 500 attorneys accept a couple of cases each year, and that GLSP had approximately 1,000 attorneys signed up. Mr. Long stated he was appalled at the low number of volunteers.

At the conclusion of this discussion, Professor Caley began her presentation regarding advocacy issues related to access to justice. She said nothing had changed regarding the need for advocacy since the ATJC had completed its work. With respect to individuals who are undocumented, the situation is getting worse. According to Professor Caley, 15% of the cases that she sees involve undocumented individuals, and for this group, referral resources were a major problem. Professor Caley said that no one is looking at poverty law in a global way, and when action is not coordinated, the poverty community loses opportunities. In particular, class action lawsuits are a challenge.

Mr. Gary asked if Professor Caley envisioned a single, statewide organization that could work in a global and coordinated way to assist with advocacy issues and the areas or populations in which LSC-funded organizations cannot assist. Professor Caley said some states did this early on, but this approach presents tremendous challenges. She was not certain if providers in Georgia would work together

towards this goal. Professor Caley also noted that from time to time, class action issues involving non-documented groups arise, in which there are various difficulties.

Mr. Long said it would be difficult to get state-wide funding if the Committee indicated it wanted to assist undocumented individuals. He said this type of statement would kill funding if the Committee said it wanted to do this. Ms. Holmen suggested the Committee could adopt a statement saying it should assist everyone. Mr. Long said he believed assisting everyone was the correct thing for the Committee to do and offered his thoughts on how the Committee might help everyone. Professor Caley said the standing of group foundations may help the Committee present a united front on this issue. Mr. Lester commented when he assisted with raising money for the asylum project, he also faced this issue and he said the people working with the asylum project were trying to do more. Mr. Long wondered if the Committee needed to highlight the individuals it intended to assist.

Judge Duffey noted that the Committee needed to state clearly the groups for which it seeks to provide services. Someone commented that more and more people are in the United States illegally because this country provided free services for them. Judge Duffey sees this issue in the criminal context, in which many individuals charged with crimes are provided free legal service and expressed doubt as to the wisdom of providing free legal service in the civil justice system. The Committee needs to be honest with the public regarding the individuals to whom it recommends providing services. He said if the Committee did want to serve people who were in the country illegally, then the private sector might need to fund those services. Mr. Long and Judge Duffey had a short discussion about these issues. The session ended and the DCNA subcommittee thereafter joined the other Committee members to continue the meeting of the full Committee.

Pro Bono Subcommittee Breakout Session

Committee members and advisors who participated in the Pro Bono (“PB”) subcommittee breakout session were: Mike Monahan; Tim Floyd; and Marty Ellin.

Mr. Monahan began by giving the group some background information about the ATJC. The ATJC Private Attorney Involvement (“PAI”) working group’s efforts began in May 2002, and at that time, the ATJC attempted to include as many people as possible.

Marty Ellin, Rita Sheffey, and a few others were most involved in the PAI working group, which focused on private attorney involvement (as its name states). Currently in Georgia, there is one urban pro bono program and one large rural pro bono program. The goal is to provide civil legal aid and a range of free services for non-profit organizations and people, including education, litigation, and legal

advocacy. Both of the State's pro bono programs aim to provide good representation throughout the state. Mr. Monahan referred to a list of recommendations that the Committee members received in their packet of meeting materials and said he hoped the subcommittee could review the list and narrow it down. Mr. Monahan stated that the Georgia Rules of Professional Conduct Rule 6.1 was the touchstone for the PAI's working group recommendations, which were then listed, in no particular order.

1. Implementation of a reporting system
2. Tracking of 'Yes' answers to Pro Bono for lawyers (number of yes answers is low—out of 30,000 lawyers). The wording of the question, as well as a clarification of the term *pro bono* could be changed. Respect is an issue.
3. Educational programs on the scope of Rule 6.1
4. Menu of Service Opportunities (all of these need marketing and developing)
 - a. Free Legal Services
 - b. Reduced fee when appropriate
 - c. Mentoring and support for provider
 - d. Financial Contributions

Professor Floyd asked Mr. Monahan if he knew how many lawyers contributed pro bono hours. Mr. Monahan replied organizations track this information, but he suggested this issue was also something that perhaps should go to the Committee. Mr. Monahan then continued listing the recommendations of the PAI working group as follows:

5. Increase Support for Volunteers
 - a. Better technology and communications, and publicize the availability of training and support materials
 - b. Improve volunteer motivation (but this may be an end result as opposed to a committee project)
6. Investigate Continuing Legal Education credit for Pro Bono Services
 - a. Lots of barriers to this for financial reasons (according to Mr. Monahan)
 - b. Helping put on free or reduced CLE classes
 - c. Heighten Honor Roll awareness (acknowledge anyone who takes at least one case per year).
 - d. CLE Voucher Program (the State Bar Pro Bono project currently receives 250 vouchers from ICLE, but perhaps the State Bar Pro Bono project should get more)

Mr. Ellin noted that in other states, pro bono does not replace all of an attorney's CLE credit, but it may replace some. Professor Floyd asked if attorneys were required to take CLE to do pro bono work. Mr. Ellin replied that the Atlanta Bar Association sponsors an event called "March Madness" for pro bono and indicated that the Atlanta Bar also sponsors CLE classes at work places. Mr. Monahan continued with the recommendations as follows:

7. Encourage law firms to increase support
 - a. Allow Pro Bono to go towards billable hours requirement
 - b. Creating a Pro Bono Coordinator Position
 - c. Emphasizing training and development programs
8. Draft, publish, and shop models of pro bono with law firms, corporate counsel, and government sector lawyers. The government sector is often forgotten.

Professor Floyd asked about the culture of pro bono in Atlanta. Mr. Ellin replied he believed there was a burgeoning interest in pro bono in Atlanta. He suggested the interest perhaps stemmed from former Governor Barnes' influence or from the horrors of September 11th. In addition, Mr. Ellin commented the recent advent of the American Lawyer magazine publishing the names of firms that engaged in pro bono work may have had an effect. Mr. Ellin also noted that Atlanta firms are now offering billable hour credit for pro bono work and are considering an attorney's pro bono contributions when evaluating bonuses. Mr. Monahan agreed that he also felt the interest in pro bono work was growing. He said in small cities, publicity was a motivating factor. Mr. Ellin said sections of the State Bar are now doing pro bono work as well. He also commented that GLSP is really the only pro bono option available outside of Atlanta. In most small towns in Georgia, there is a lawyer in charge, or at least a lawyer who is well known. We should have those locals calling others. Mr. Monahan stated that there is not much talk across towns, but the Committee could look at getting something like this started.

Professor Floyd asked how the Committee could identify those lawyers. Mr. Ellin said he believed that GLSP could assist in identifying them. Mr. Monahan also spoke about the need for legal services related to hospice care in cities and suggested you could develop a program for this area in one office and then move it around to other cities. Some of the challenges identified by Mr. Monahan included the fact that in some counties there are only 10 lawyers or less, while in other counties there were no lawyers at all. In addition, in these counties, some of the lawyers are making almost nothing at all. For those lawyers, Mr. Monahan suggested a program could pay the lawyer a reduced fee for pro bono work.

Mr. Ellin asked if it were still true that in rural counties, judges made appointments in some civil cases. Professor Floyd answered he did not believe that

this was the case presently, although it may have been the case until recently. Mr. Ellin stated that Professor Caley was interested in asking judges to adopt this practice because finding referrals to assist patients with health law matters when the patients were not in the Atlanta area was much harder.

Professor Floyd then asked if there was any prohibition that prevented government sector attorneys from participating in pro bono work. Mr. Ellin stated that there was not, but said he “didn’t go after them.”

Mr. Monahan continued discussing the PAI list of recommendations as follows:

9. Referrals from Bar. Use their geographical and specialty information to match lawyers. The Bar has a great deal of data, but organizations needed to do a better job of using it.
10. Increase benefits of pro bono
 - a. Publicity
 - b. Improve directory
 - c. Probono.net is a very busy and good site
 - d. A case management site would cut work dramatically
 - e. Increase communication among programs
 - f. Educational programs for the judiciary
 - g. Increase the judiciary’s support of Pro Bono efforts
 - h. Increase Pro Bono messaging to law schools and law schools’ clinical program

Mr. Monahan also said pro bono should be more paralegal-friendly. The State Bar holds them in check, but pro bono could benefit greatly, especially as paralegals cost less. There is a range of opportunities in which paralegals could get involved, like hospices. Professor Floyd said the law schools do not do nearly enough pro bono work. He observed that in Texas, the committee created an award, and the Texas committee hopes the award will increase in stature to the point that it holds as much esteem as an academic award. Professor Floyd also indicated he had a meeting with the medical school at Mercer to discuss having law school students assist with legal services in the hospice there.

Mr. Monahan also noted that LSC planned to release a PAI plan shortly, and it was his understanding from Guy Lescault that the plan would have information from some of the work done in Georgia. Professor Floyd asked about the demographics of attorneys in Georgia. Mr. Monahan responded that there are approximately 38,000 lawyers who are members of the State Bar of Georgia and approximately 28,000 of those lawyers are “active” members of the State Bar. Mr. Monahan also noted that about 65% of Georgia’s lawyers (approximately 18,000) live in the 5 county metropolitan-Atlanta area.

Mr. Ellin commented there are approximately 1,500 attorneys who participate in the Atlanta Volunteer Lawyers Foundation program. He wondered if perhaps more lawyers did not participate because the lawyers were not litigators or because the lawyers did not know about the programs. He suggested that perhaps the programs should have newsletters to post opportunities about pro bono and to thank people who participated in pro bono. He also said it would help if judges wrote thank you letters to individuals who engaged in pro bono and if judges spoke at pro bono events because judicial attendance assisted in ensuring a better turnout. Small gestures like these make a big difference.

Pro Se and Public Education Subcommittees Breakout Session

Committee members and advisors who participated in the Pro Se and Public Education subcommittees breakout session were: Rick Deane; Victor Lai; Judge Willie Lockette; Judge Wayne Purdom, Pro Se Subcommittee Chair; Cubbedge Snow; Terence Dicks; Jane Fahey; Sharon Hill; Linda Klein; and Anne Lewis.

Ms. Eleanor (“Ellie”) Crosby-Lanier presented on behalf of the ATJC’s Client Access working group. She began her presentation by noting that she had met with a variety of social service providers and attorneys over several years. She provided the subcommittee with the “gist” of the recommendations of the Client Access working group. For example, people tend to think of information through technology as a good goal. But it should not be the final goal, as the target populations do not usually have access to the information provided through technology (websites) and if the clients do have access, they cannot identify what information is important for their situations. There is a need for pro se assistance. The pro se hotlines allow for people to speak with someone who can give assistance. Maintaining the web sites with updated and current information is also difficult, especially now that the technology grants are “drying up.”

Sharon Hill asked if Mike Monahan was the only one in charge of keeping the websites up to date. Ms. Crosby-Lanier said, “Almost.” Ms. Crosby-Lanier went over the different web sites associated with legal aid. The main problems are that people need to know how to get to the important information and how to translate their problems into what can be gained from the websites.

A study was done on the hotlines. The files of the people who called in were flagged, and they were called back 45 days after their initial call to see if they took the hotline’s recommendations. If they had not, they were asked why and what would have helped. The thing that made the biggest difference with the hotlines was if the hotline offered something in writing for the caller. The caller was more apt to follow up when they had written directions. In many cases, it did make a difference.

Other options have included streamlining processes to allow for easier access to information. The Department of Family and Children Services (“DFACS”), for example, has started a program by which people can apply for food stamps without having to go physically to the DFACS office to complete paperwork.

Cubbedge Snow asked if the same sort of approaches used in Phoenix for pro se were used anywhere in Georgia. Ms. Crosby-Lanier responded the only thing similar of which she was aware was the “Hot Docs” document assembly program run by volunteer lawyers. In addition, Arizona uses a kiosk system where it generates questions for the person seeking advice and after the person answers the questions, the correct documents are printed. Florida has also tried the kiosk because of the Cuban population. Ms. Crosby-Lanier has mediation kiosks but not the same sort as in Arizona or Florida. She recommended speaking with Paula Frederick.

Ms. Hill asked about the difference between legal advice and legal information. Ms. Crosby-Lanier explained the difference basically as legal advice being fact pattern specific and legal information being more general.

Ms. Crosby-Lanier said that according to surveys of advocates, most people do not know where to go. However, the advocates don’t want to tell everyone where to go because there are not enough people to help, they are already overwhelmed.

Terence Dicks discussed that the farther outside of the city you get, the more difficult it is to find access to help. He encouraged the subcommittees to keep this fact that in mind when it develops ideas for improving pro se assistance.

Ms. Crosby-Lanier addressed the hotlines again, stating the hotlines were favorable to rural areas, but attorneys do not always know the correct policies for the given location of the caller. She also discussed a pilot program done in a Jasper City Senior Service Center, but the center only had a dial-up Internet connection that did not work well with the websites the people were trying to access.

Ms. Hill brought up the idea that the rural area clerks may not be as busy as the ones in the city and therefore might be more willing to help.

Ms. Crosby-Lanier said that the Client Access working group had done a good job of identifying those trade-offs.

The subcommittees also discussed talking with Paula Frederick about her thoughts. Ms. Crosby-Lanier recommended going to the convention in Houston in February. She also suggested the subcommittees needed to consider ways for accessing information and keeping it updated.

Resource Development Subcommittee Breakout Session

Committee members and advisors who participated in the Resource Development subcommittee breakout session were: Chief Justice Leah Ward Sears; Rita Sheffey, Subcommittee Chair; Steve Gottlieb; and Tommy Hills. Eden Freeman served as the recorder for the meeting.

Guy Lescault presented to the subcommittee. The meeting began with an open discussion of a possible bill in the General Assembly relating to the repayment of student loans incurred from law school attendance, provided that the person benefiting from the repayment practiced in an area of public interest law for a set period of time.

Mr. Lescault started his presentation by discussing his prior participation in the State Bar of Georgia's ATJC and its Resource Action working group. Mr. Lescault named the other members of the ATJC Resource Action Group and explained the process that they used and the status of their actions at present. The Resource Action working group realized that federal funds were not always available and that state funds were needed for a long-term solution. The Resource Action working group also understood the need to look not only at resources coming into a program, but also ensuring that expenses were held down.

In 2002, the Resource Action working group formed a separate Information Technology ("IT") working group to develop IT plans for civil legal aid providers. At present, Georgia is fortunate – lawhelp.org is available as a guide for civil legal providers.

Discussion also occurred relating to possible federal legislation focusing on debt forgiveness (similar to the Georgia bill mentioned above) for law school graduates who practiced in a public interest field. Senator Durbin (D-IL) has proposed new federal legislation that focuses on debt forgiveness for prosecutors and public defenders. The Atlanta Bar Association has been asked to evaluate the proposal on the state level and the Atlanta Bar is researching possible legislative contacts.

The meeting continued with a recap of topics discussed at the last Resource Action working group meeting on June 30, 2005.

Congressional Delegation: All committee members were strongly encouraged to attend the ABA Day at the Capitol and to meet with their respective congressional delegations. This would be an excellent opportunity to explain the purpose of the Committee. Georgia is lucky because Frank Strickland is serving as the President of LSC, but legislators also need to hear from other voices.

Last year, the House and Senate had included an increase in funding for LSC; however, this increase has been waylaid by the continuing resolution on the federal budget. Last year, this could have meant an additional \$500,000 for Georgia; more than \$20 million nationwide.

As an example of congressional misunderstanding of the topic, on a visit to a Civil Legal Assistance meeting in Texas, Senator Kay Bailey Hutchison (R-TX), remarked “I did not know that there was so much interest in civil justice in Texas.”

Frank Strickland and Committee Vice Chair Anne Lewis can provide guidance to members interested in going to visit the Georgia congressional delegation. A final word of advice – don’t take congressional support for granted.

Continuing Legal Education (CLE): Resource Action working group member Phyllis Holmen planned to check on the sunset of fees for CLEs. There was discussion among the Committee of implementing a new CLE fee, or extending the existing CCLC fee. The Resource Action working group had recommended a waiver of fees for public interest attorneys.

Cy Pres Awards: Georgia was one of the first states (in 1997) to allow *Cy Pres* awards to be used for civil legal assistance. A pamphlet was to have been developed explaining the *Cy Pres* award process and distributed to litigation firms and judges. The pamphlet has yet to be developed.

Pro Hac Vice: Until recently, there was no fee imposed on a lawyer from out of state (i.e., a non-Georgia Bar member) to present a case in the State of Georgia. Two members of the Resource Action working group were working on a rule to implement this fee and have all proceeds benefit civil legal assistance. However, the Council of Superior Court Judges implemented a new rule through the Uniform Superior Court Rules that collects this fee and the proceeds benefit traditional Bar operations. This fee generates \$400,000 per year and was approved by the Supreme Court in the last year. [Note: In the first year of implementation, the Pro Hac Vice fee generated approximately \$100,000 in revenue.]

Technology: The Resource Action working group recognized that technology needs are paramount for many smaller legal assistance providers. The Committee felt that it would be appropriate to approach various law firms about making donations of used computers and peripherals to civil legal providers. In addition, the working group had proposed contacting corporate citizens in Atlanta to determine if the corporations would and could

participate in the project. Of particular note, UPS could be a provider and provide assistance by shipping the equipment to the appropriate parties.

State Funding: At the December 4, 2006, meeting of the Committee, a presentation was made on the importance of obtaining state funding for a project of this scope. The Committee needs to begin thinking about how they could obtain a direct appropriation; if there is no direct appropriation for this project, the best alternative seems to be a fee or add-on. However, given the infancy of the indigent defense project, it may not be a good time to pursue this option. It would also be good to target specific areas of interest and to document how civil legal assistance saves the state money.

Bar Foundation: At present, IOLTA funds are collected and the Bar Foundation receives the interest money from IOLTA accounts. However, interest rates vary widely and are not comparable to interest rates paid on other accounts. In Texas, a comparability rule has been enacted requiring comparable interest rates to be paid on IOLTA accounts. This generates from \$2 - \$5 million in funds for civil legal assistance. It was suggested that more Committee members become involved in this discussion and in determining ways to work on this issue.

The meeting ended with a discussion of the need to contact Atlanta foundations and determine the availability of resources. It was suggested that the Committee needed to find ways to tie the topic to children's rights or other socially acceptable topics to interest foundations that might not otherwise be interested in civil legal assistance. As a final action item, Steve Gottlieb stated that he would contact UPS to discuss the IT project.

General Meeting

The full Committee general meeting resumed after a short recess. Committee Vice Chair, Anne Lewis, introduced other guests of the Committee, including Ms. Eden Freeman and Ms. Jane Martin with the Administrative Office of the Courts ("AOC"). Ms. Lewis told the Committee that Ms. Freeman and Ms. Martin had helped the Committee to apply for a grant in the amount of \$30,000 to assist the Committee with strategic planning. Mr. Gary and Ms. Lewis then thanked Ms. Freeman and Ms. Martin for their assistance to the Committee with the grant. In addition, Ms. Lewis recognized the AOC interns, Alla Raykin and Adair Schwartz.

After completing introductions, Mr. Gary told the Committee he wanted to clarify his earlier comments regarding the Committee's timetable. He said the Chief Justice had asked him to clarify for the Committee that the subcommittees did not need to wait until the end of the year to suggest recommendations to the Committee and to begin implementing recommendations that are approved by the full

Committee. He reiterated that the end-of-the-year timeline is only a definite deadline by which subcommittees should have recommendations so that the Committee could execute its plans during the next year. Mr. Gary then asked for subcommittee reports.

Mr. Lester began by reporting on the work of the DCNA subcommittee. He said that the subcommittee had had three meetings. Currently, the subcommittee is focusing on the assessment component instead of the delivery coordination portion. He said the subcommittee has talked internally and with other outside groups, including speaking with three groups that morning, about the needs assessment portion. The subcommittee hoped to have a recommendation for the Committee prior to the next meeting. Mr. Lester stated there is a consensus among the subcommittee that some kind of scientific survey is necessary. The Committee cannot rely on other states' surveys if the Committee wants to ask policymakers to increase resources. He said the subcommittee is leaning towards an analysis of census data, an in-person survey, as opposed to a telephone survey, some type of survey of providers, courts and social service providers. He also said he hoped the survey would result in a description of the gap and an estimated cost for meeting the gap. Finally, he said that he hoped the survey could advise policymakers about the estimated benefits of meeting those costs. Mr. Lester said he and Karlise Grier would meet with a professor at Kennesaw State University early next week. The DCNA subcommittee hoped to develop a timeline for the survey and present a proposal for the survey to the Committee at a future meeting. In addition, Mr. Lester anticipated that the subcommittee would prepare a budget and begin fundraising for the survey. Mr. Lester said he planned to start with the State Bar, the Atlanta Bar, and law firms to begin soliciting contributions to finance the survey. Mr. Lester also reported on the DCNA subcommittee breakout session. He said the subcommittee had heard presentations from Gerry Weber and Sylvia Caley, which made it clear there was a need for coordination and advocacy. According to Mr. Lester, during the breakout session, the subcommittee had an extensive discussion of coordination from an intake standpoint and how the Committee might make intake a better and more efficient and effective system. Mr. Lester said the subcommittee hoped to meet at least two more times prior to the next Committee meeting, and he hoped that prior to the next meeting the subcommittee would have a more concrete proposal regarding a Request for Proposal for the legal needs survey.

Reverend Fahey suggested the subcommittee give some consideration to the survey instrument. She hoped the survey would consider issues such as: 1) where are the barriers to access and 2) how to enhance public education and awareness. Judge Duffey joked the DCNA subcommittee would accept her recommendations if she raised \$30,000 for the survey. (Laughter).

Ms. Lewis then clarified for the Committee that she and Mr. Gary, in their positions as Chairs of the Committee, were ex-officio members of all of the subcommittees.

She said that she and Mr. Gary were available to assist the subcommittees in any way that they could. She assured the Committee that she and Mr. Gary did not intend to imply they would not do any work this year because they had not signed up for any of the subcommittees. Ms. Lewis asked the chairs of each of the subcommittees to add her name and Mr. Gary's name to the distribution lists for each of the subcommittees, and she assured the chairs that she and Mr. Gary would try to attend as many of the subcommittee meetings as possible.

Before asking for the next subcommittee report, Mr. Gary asked Mr. Lester to submit a written one-page summary, regarding the legal needs survey prior to the next Committee meeting so the Committee could review it and formulate questions about the proposal prior to the meeting. Mr. Lester agreed to do so.

The Committee next heard the report of the Resource Development ("RD") subcommittee. Ms. Sheffey said earlier in the week, the RD subcommittee had had one full meeting, which was extremely productive. In addition, she said during this morning's breakout sessions, the RD subcommittee met with Guy Lescault and the Chief Justice to discuss the process in which the Committee is engaging. She thanked all the members of the subcommittee, including Charlie Lester and Tommy Hills for their work. She said the RD subcommittee wanted to "cover the waterfront" and consider everything. In particular, the RD subcommittee wanted to review current levels of funding and to determine how to expand that funding. Ms. Sheffey also said the subcommittee wanted to start contacting stakeholders from which the subcommittee needed input. The RD subcommittee would consider how to increase funding, materials, and publicity. She continued the RD subcommittee would get some insight into how to organize events and lobby about these issues. The consensus of the subcommittee, in light of the state of the criminal indigent defense system, said Ms. Sheffey, was that now was not the time for the RD subcommittee to pursue general legislative funding. She did say that the Committee might attempt to obtain some funding for a specific, targeted project, such as child support enforcement.

Ms. Sheffey continued the RD subcommittee is also considering other ways to raise funds, including state bar fees, a CLE add-on, IOLTA comparability, and any other fees that might be a possibility. Ms. Sheffey said the Chief Justice was very interested in learning more about IOLTA comparability, so she said this was also something at which the RD subcommittee was looking. Ms. Sheffey said she would talk more with Len Horton about IOLTA comparability. Loan assistance was another issue the RD subcommittee would consider. She noted that state statutes currently provide for some loan repayment, but the program has never been funded. In addition, Georgia's loan repayment statute has some problems with the funding mechanism and with the scope of the funding. She said nationally, there is some focus on this issue as well. The American Bar Association's "ABA Day" in Washington, DC was scheduled for April 18 and April 19, she said. The RD

subcommittee was considering sending some people to meet with the Georgia delegation.

Ms. Sheffey also told the Committee that one additional project was suggested that morning – technology support. She reported that someone had suggested that the Committee consider proposing a statewide system to collect computers from firms and then making them available to smaller organizations throughout the state. Law firms are always looking for places to which they can donate, she stated, and smaller organizations may need the computer equipment. She said that she believed that ALAS and GLSP could probably buy better equipment at cheaper prices, so the focus of the program would be to assist smaller organizations. Ms. Sheffey indicated that a representative of the RD subcommittee would contact a good local transportation company to see if it could interest the company in this project. If so, perhaps the company could pick-up the equipment and then store it at the State Bar until an organization that needed the equipment was found. Mr. Lester suggested that the RD subcommittee not limit the project to computers, but expand it to include office furniture and equipment.

Professor Tim Floyd reported on the Pro Bono subcommittee. He stated that the Committee's meeting materials contained recommendations for encouraging pro bono. He said the subcommittee had a lot of ideas, but noted that the subcommittee had not yet met.

After Professor Floyd completed the Pro Bono subcommittee report, Judge Purdom reported on the Pro Se subcommittee. Judge Purdom stated that as a result of his recently being released from the hospital, the Pro Se subcommittee only had its inaugural meeting this morning. He said during the meeting, the subcommittee focused on issues of personal assistance for pro se litigants. For example, the subcommittee discussed how pro se litigants might get a little bit of human help, and how pro se litigants might get assistance from the clerk's office. Clerks will provide more information to lawyers than to pro se litigants, even though the pro se litigants need it more, he said. The subcommittee hopes to obtain nationwide information regarding what information clerks can provide to pro se litigants. Judge Purdom acknowledged there were many barriers to clerks providing access to the courts for pro se litigants, including unfair and incorrect criticisms about the unauthorized practice of law. Judge Purdom also told the Committee that the subcommittee discussed that pro se litigants have a similar need for "unbundled" legal services. He said that Georgia needed standards so someone could "point to" the standards and say, "What I am doing when providing unbundled legal services is okay." The subcommittee also discussed the big current event, which is child support. He said the subcommittee understood it would need to look at this issue. Someone asked, "Should filling out child support worksheets be considered the practice of law"? Judge Lockette commented that in the context of a Temporary Protective Order situation, it may be permissible for a non-lawyer to assist a

domestic violence victim with the child support worksheets. Judge Purdom continued by observing that since child support is a big current event, it might help the Committee in getting more assistance for pro se litigants. In short, he said, the new child support guidelines may be both a challenge and an opportunity. He said he would speak with people about the Family Law Information Centers and about the Fulton County Probate Information Center. In addition, he stated that he planned to attend the pro se conference in Houston, and following the conference in Houston, the pro se subcommittee would hold another meeting.

Marty Ellin advised the Committee that the Atlanta Volunteer Lawyers Foundation runs the Family Law Information Center and the Probate Information Center and stated he would talk with Judge Purdom about those centers.

Cubbedge Snow said that he spent several years on an ABA committee on legal services and that committee looked at these issues. Mr. Snow said Will Hornsby at the ABA would be a good resource and suggested that Judge Purdom look for him at the conference to discuss these issues. In addition, Mr. Snow told Judge Purdom that he would provide him with a white paper done by the ABA on these issues in 2005.

Next, Professor Tim Floyd reported on the Public Education subcommittee. He stated the subcommittee had had one teleconference meeting. The Public Education subcommittee's work will encompass all of the Committee's work. He reminded the Committee of the comments of Deborah Hankinson at the December meeting when she spoke of Texas' goals for public education. Professor Floyd said the immediate goal for the subcommittee was organizing a continuing legal education seminar for the State Bar of Georgia, in conjunction with the Institute of Continuing Legal Education. He said that the subcommittee was prepared to go forward with the project and advised the Committee that the deadline for selecting topics and speakers for the seminar was February 23, 2007. Professor Floyd told the Committee he felt the seminar was very important, and he would do whatever was necessary to get the program together. He mentioned the time slot for the program was not ideal, but he said the subcommittee would think about ways to attract an audience. Professor Floyd also told the Committee that Karlise Grier had looked at access to justice seminars that had been done in other states and asked the Committee to also suggest topics and ideas for a seminar. The seminar needs to be interesting and interactive. Professor Floyd asked the committee members to send him an e-mail and to copy Karlise Grier, regarding any suggestions for topics and speakers. Professor Floyd also commented that at the moment the subcommittee was considering the idea of conducting a moot court on the topic of "Civil Gideon" right to counsel. He said the subcommittee would extend an invitation to the Supreme Court justices, inviting them to participate in the moot court because the justices were often in attendance at the annual meeting already. In addition, the subcommittee hoped to have another session on pro se issues because the

subcommittee could segment the three-hour seminar time block into as many as three different units.

Reverend Fahey suggested that the subcommittee call on other people to assist with the seminar to help peak their interest in the possibilities of committee work.

Mr. Snow highlighted the importance of the Committee attending the annual meeting. He said the Committee needed to have a good group of people at the meeting. Mr. Long said he liked the idea of a moot court and said that there were many crossover issues between the civil and the criminal, such as probation revocation issues, driver's license revocation hearings, and habeas. Mr. Lester suggested that the Chief Justice include in her State of the Judiciary speech to the Board of Governors and to the Bar a "sizeable portion" of information on the Committee's work. In addition, Mr. Lester suggested that Mr. Gary and Ms. Lewis make a report to the Board of Governors, updating them on the progress of the Committee. We need a "full court press," he declared.

Reverend Fahey stated that she also believed that a listening presence at the meeting was important. She noted that it was important for Committee members to be accessible to the bench and the bar so that Committee members could engage in small group discussions about the Committee's work and get reactions on what was presented.

Mr. Lester said he thought the moot court idea was a great idea because it was not the type of presentation to which people were accustomed. Judge Duffey also commented that testimonials about the need for legal services would put a human face on some of these issues. He offered the idea of a strong but short video to show the bench and bar more about the people the Committee seeks to help. Professor Floyd said that in the long run, he felt a video was the most important thing the Committee could do. Ms. Holmen commented that both GLSP and ALAS had videos that the Committee could use, if they choose to do so. Mr. Lester noted that Cliff Brashier [the Executive Director of the State Bar of Georgia] may have resources the Committee could use to start a video process. Ms. Holmen also added that the Chief Justice might sign a letter that could go out with the brochure, which members of the Bar would receive about the annual meeting. If the Committee had a moot court on the issue of mandatory pro bono followed by a vote, the seminar would have great attendance, joked Mr. Long. Mr. Gary exclaimed, "If mandatory pro bono were the topic, the Committee could charge admission for the seminar"! (Laughter).

Mr. Gary said the Committee had reached a consensus at the December meeting regarding having a meeting in conjunction with the Annual Meeting of the State Bar of Georgia. He advised the Committee that it would receive further information about the details of the meeting at a future date. In addition, he continued, he

thought it would be a good idea for the Committee to allot time in future meetings for the subcommittees to meet. He suggested that the subcommittees meet at the beginning of each Committee meeting and noted this would not supplant the need for the subcommittees to also meet (either in person or telephonically) during the time between the full Committee meetings. The consensus of the Committee was that this was a good idea, and Mr. Gary said that the Committee would build into the meeting time for this at the next meeting and indicate it on the agenda.

Mr. Gary then turned to the topic of a mission and value statement for the Committee. Mr. Gary said the Committee needed to develop a mission and value statement. He said he and Ms. Lewis would draft a mission statement to circulate to the Committee before the next meeting and that this topic would be on the agenda for the next meeting. He said he believed it was important for the Committee to determine the areas of agreement and disagreement and for the Committee to attempt to reach a consensus about the areas of disagreement. He asked the Committee members to look for this item as a second agenda item. Finally Mr. Gary said the Committee would have a formal program of some kind and asked for Committee member suggestions about program topics.

Someone suggested that Mr. Gary ask Meredith Hobbs to take him and Ms. Lewis to lunch so that she could interview them about the Committee's work. Mr. Gary commented that Ms. Hobbs always looked for opportunities to speak with people about interesting issues.

Ms. Sheffey raised a question about donations to the Committee. She asked to whom people would give money if they had an interest in supporting the Committee's work. Mr. Lester said the State Bar had a foundation that the Committee might use for this purpose, which was different from the Lawyer's Foundation. Ms. Lewis said she had given this topic some thought and suggested that using another foundation might present some challenges because the Committee was under the Supreme Court. She also offered the idea that the Committee might want to set-up its own 501(c)(3) organization. Mr. Lester noted that setting up a separate 501(c)(3) organization would take some time. Ms. Sheffey said the Committee needed to solve this problem before the Annual Meeting of the State Bar of Georgia in June. Mr. Gary said he and Ms. Lewis would work on this issue as the Committee would not want to turn people away if they wanted to support the Committee's work financially.

Mr. Snow asked why the agenda said that the locations for some meetings would be determined in the future. Mr. Gary responded that he and Ms. Lewis had given some consideration to moving the meetings around to other locations outside of Atlanta, but that the April meeting would most likely be held in Atlanta.

Professor Floyd said he would love to host a Committee meeting at Mercer.

Adjournment

There being no further business, the meeting was adjourned at approximately 1:00 p.m.

Respectfully submitted,

Karlise Y. Grier, Executive Director