

Committee on Civil Justice UPDATE



AUGUST 2009

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The Georgia Civil Legal Needs Summit

The Committee on Civil Justice hosted the Georgia Civil Legal Needs Summit at the State Bar Headquarters in Atlanta on June 24. The summit was also brought to the Tifton and Coastal Bar offices via webinar. Approximately 80 people attended the summit, with 61 in Atlanta. Most attendees were members of the Georgia legal community, with a number of representatives from Georgia Legal Services Program at each location.

The Summit served as the roll-out of the [report drawn from the 2007/2008 Georgia Legal Needs Study](#). The report was finalized in late May, and was printed and distributed to the Committee in early June.

Committee co-chairs Anne Lewis and Teri McClure served as moderators of the program, and former Chief Justice Leah Ward Sears delivered the opening and closing remarks. The agenda included a presentation of the findings of the report, delivered by Charlie Lester, Phyllis Holmen, and Judge William Duffey; a panel discussion on current access to justice initiatives in Georgia, with panelists Judge

Brenda Weaver, Judge Mary Staley, Marty Ellin, and Mike Monahan; and a brief examination of next steps the Committee will take in fulfilling its mission.

An [Associated Press story](#) on the Summit and the Legal Needs Study appeared in multiple publications, including *USA Today*, the *Fulton County Daily Report*, the *Tifton Gazette*, and other local media outlets.

The Committee will now take this conversation to the local level, with round table discussions planned around the state. The goal is to develop ideas on a local basis as to bridging the gap to access to justice. The ideas generated will be published in an addendum to the Final Report of the Legal Needs Study. A Superior Court judge in each circuit will serve as host in each location. Dr. Kevin Baldwin, of Applied Research Services, Inc., has been contracted with to facilitate these discussions.

The kick-off in Albany, hosted by Judge Willie Lockette, drew over 20 attendees, and was featured in [The Albany Herald](#) and on the [local Fox and NBC News affiliates](#). The

Gwinnett event, hosted by Judge Michael Clark, drew almost 50 attendees.

The locations and dates for the round tables are:

- Albany, July 31**
- Gwinnett, August 7**
- Brunswick, August 21**
- Ellijay, August 28**
- Carrollton, September 4**
- Columbus, September 11**
- Augusta, September 18**
- DeKalb, September 23**
- Rome, September 25**
- Macon, October 1**
- Jefferson, October 9**

Committee members are encouraged to attend and assist in planning the round table in their area.

The Committee is appreciative for the generous assistance of State Bar President Bryan Cavan, Sharon Bryant and the State Bar Conference Center staff, Media Consultant Linton Johnson, and Graphic Designer Barry Golivesky.

Read more about the Legal Needs Summit and round table events, and download all materials and handouts, at www.gaccj.org/lns.php.



Anne Lewis welcomes attendees to the Georgia Civil Legal Needs Summit



The audience hears the findings of the 2007/2008 Georgia Legal Needs Study

Hunstein Sworn In as Chief Justice

On July 1, 2009, Carol W. Hunstein was sworn-in as the 28th Chief Justice of the Supreme Court of Georgia. An assembly of the Justices of the Supreme Court of Georgia, Judges of the Court of Appeals, trial court judges, legislators, family and friends gathered in the Supreme Court of Georgia Courtroom to witness the ceremony.

Justice Hunstein was introduced by Atlanta attorney [and Committee on Civil Justice member] Linda Klein. The oath of office was administered by former Georgia Governor Zell Miller, who appointed Chief Justice Hunstein to the Supreme Court in 1992.

Justice George H. Carley was sworn-in as Presiding Justice after an introduction by Judge Steve Jones, Superior Courts, Western Judicial Circuit. Gov. Miller, who appointed Presiding Justice Carley to the Supreme Court in 1993, administered the oath of office.

- www.georgiacourts.org

Access to Justice in the News

*Access to Justice Headlines
found at www.atjsupport.org

The **Wisconsin Access to Justice Commission** was created by order by the state Supreme Court effective June 5, 2009.

The **2009 ABA/NLADA Equal Justice Conference** was held May 13-16, 2009, in Orlando, Florida. The Access to Justice State Chairs Annual Meeting was held in conjunction with the conference, on May 16. The 2010 conference will be held in Phoenix, AZ.

The **Maine Justice Action Group** will hold its first [Access to Justice Symposium](#) on October 2, 2009.

The **Supreme Court of West Virginia** issued an order on March 17 approving IOLTA interest rate comparability, and the new rule went into effect on April 15, 2009. The **Wisconsin Supreme Court** issued an order on July 1 approving its rule change, and the new rule will go into effect on January 1, 2010.

The **South Carolina Access to Justice Commission** has created a [divorce packet for self-represented litigants](#), and as a result has created a Forms Work Group within the Commission to assist with the development of additional forms. The Commission has also produced a training video on working with self-represented litigants, for the use of judges and court personnel.

The **Tennessee Access to Justice Commission** held its first meeting on April 29. On May 26, the state's **Supreme Court** issued [an order](#) allowing licensed attorneys employed as judicial research assistants to provide certain pro bono legal services. On July 8, the Court issued an order adopting both mandatory IOLTA and interest rate comparability. Tennessee lawyers will have until January 1, 2010 to comply with the order.

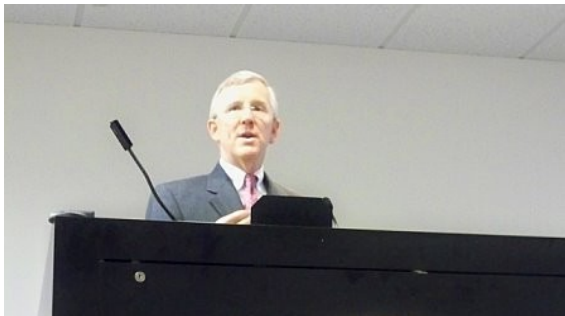
The **Minnesota State Bar Association** has passed a resolution to support a \$25 increase in the attorney registration fee to benefit civil legal services and has petitioned the state supreme court for such a change in its lawyer registration rules.

The **Supreme Court of Louisiana** announced the creation of a Pro Se Task Force to study steps that can be taken to assist such litigants, and make appropriate recommendations. The Task Force will work closely with the Louisiana State Bar Association's Access to Justice Committee.

The **Texas Access to Justice Commission** and the **Texas Access to Justice Foundation** launched a statewide campaign in June to seek *cy pres* awards to offset the drastic decline in IOLTA revenue. An award totaling \$230,160 from a lawsuit involving the Fair Labor Standards Act has already been awarded to the Commission to fund civil legal aid.

Committee News A quick look at what's been going on...

- The Committee has held **two general meetings** in 2009: March 18 and May 19. The next meeting will be announced when a date has been determined.
- On behalf of Co-Chairs Anne Lewis and Teri McClure, Project Coordinator Tracy Powell attended the **ABA Access to Justice State Chairs Meeting**, held in Orlando, FL on May 16.
- The **magistrate clerk's handbook**, *Guidelines and Instructions for Clerks Who Assist Pro Se Litigants in Georgia's Magistrate Courts*, was distributed statewide in early June. [Rule 17 of the Georgia Uniform Magistrate Court Rules](#) approves the use of this handbook by clerks in assisting *pro se* litigants, and received much praise at the July meeting of the Judicial Council of Georgia. The other classes of courts were requested to create similar rules. It is the Committee's goal to create similar handbooks for each level of court once the respective rules are approved by the Supreme Court.
- The state appropriation for the **Appalachian Judicial Circuit Family Law Information Center** was renewed, at a reduced amount, by the General Assembly for Fiscal Year 2010.
- Judge Brenda Weaver and the FLIC staff continue to provide service to self-represented litigants in Gilmer, Fannin, and Pickens counties, and the evaluation of the center will continue through the remainder of 2009.
- **Jill Radwin** made a site visit to the Appalachian Circuit FLIC on June 8, and met with the staff regarding the center's evaluation.
- Former Chief Justice **Leah Ward Sears** retired from the Supreme Court of Georgia on June 30, 2009. Presiding Justice Carol Hunstein was sworn in as Chief Justice on July 1.
- Photos from the **Georgia Civil Legal Needs Summit**, June 24, 2009:



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Committee Membership

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Judge William Duffey
Reverend Jane Fahey
Senator Seth Harp
Thomas D. Hills

Linda Klein
Representative Edward Lindsey
Judge Willie Lockette
John B. Long
Cubbedge Snow
Michael Tyler
Derek J. White

Advisory Members

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Steven Gottlieb
Sharon N. Hill
Phyllis J. Holmen
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Created in May 2005, the Committee on Civil Justice works to strengthen Georgia's civil justice system by developing, coordinating and supporting policy initiatives to expand access to the courts for poor and vulnerable Georgians.

Vision Statement

The cornerstone of our free society is a civil legal system that is available to all to address legal issues that arise in their daily lives and a judiciary that advances the fair, efficient, and impartial resolution of disputes

Mission Statement

To develop for implementation in Georgia a statewide, broad-based, publicly-known and supported, coordinated system for the poor which:

1. Provides education, advice and tools to identify and address legal issues;
2. Ensures competent legal representation when appropriate; and
3. Promotes the efficient, effective and fair resolution of legal issues and disputes

Looking Ahead, etc.

August 21 — Legal Needs Round Table Discussion	Brunswick
August 28 — Legal Needs Round Table Discussion	Ellijay
September 4 — Legal Needs Round Table Discussion	Carrollton
TBD — Committee on Civil Justice General Meeting	Atlanta

DOWNLOAD THE REPORT ON THE 2007/2008 GEORGIA LEGAL NEEDS STUDY AND OTHER RELATED MATERIALS AT WWW.GACCJ.ORG