

# Committee on Civil Justice UPDATE



JULY 2008

- **Chief Justice**  
**Leah Ward Sears**  
Ex Officio
- **Anne W. Lewis**  
Co-chair
- **Teri P. McClure**  
Co-chair
- **Jill O. Radwin**  
Executive Director
- **Tracy Powell**  
Project Coordinator
- [www.gaccj.org](http://www.gaccj.org)

## State Bar Annual Meeting: Report

On June 5, the Committee held a CLE seminar, entitled "Georgia's Civil Legal Delivery System", at the State Bar Annual Meeting. The presentation was organized into three parts: a presentation on the preliminary findings of the Legal Needs Study, from Charlie Lester and Dr. Carol Pierannunzi; a summary of the current state of Georgia's civil legal delivery system, given by Phyllis Holmen, Rita Sheffey, and Mike Monahan; and finally, a panel presentation on possible solutions for improving access to justice in Georgia. Panelists included Judge Wayne Purdom, Steve Gottlieb, Mike Monahan, Judge Brenda Weaver, and Tracy Powell. Chief Justice Sears was so generous as to begin the seminar with her opening comments, and Anne Lewis served as the moderator for the panel discussion.

There was a nice turnout of attendees and the entire program went according as planned. We received a lot of good feedback about the presentation, the Legal Needs Study, and the committee's overall mission and work. Several months of planning were involved in putting together this program, and everyone's contributions are greatly appreciated. It is safe to say that this program was a great success, and we look forward to building on it at next year's meeting.



Pictured (L-R):  
Phyllis Holmen;  
Amelia Island  
Plantation; Dr.  
Carol  
Pierannunzi

### INSIDE THIS ISSUE:

|                              |   |
|------------------------------|---|
| Domestic<br>Violence Report  | 2 |
| 10-Years of<br>State Funding | 2 |
| Legal Needs<br>Study Update  | 2 |
| Committee<br>News            | 3 |
| ATJ Headlines                | 3 |
| Looking Ahead                | 4 |

## Committee on Justice for Children seeks Partnership with CCJ on Parent Attorney Representation in Deprivation Cases

The recent case involving removal of several hundred children from their parents' homes on the Yearning for Zion Ranch in Texas shed light on the issue of parent representation in cases alleging deprivation. The Supreme Court Committee on Justice for Children (J4C) has been and remains concerned about the availability of representation for

parents in child deprivation cases, a problem especially prevalent in rural areas of the state. As this involves yet another barrier to access to justice, Michelle Barclay, Director of the Committee on Justice for Children, approached the Committee on Civil Justice, regarding possible solutions for this problem. Over the next couple of months, Tracy Powell

will be working with Ms. Barclay to explore this issue further and collaborate on ideas for a possible pilot project. Ms. Barclay will speak to the Committee at its September meeting. For more information on the Committee on Justice for Children, visit the website, at:

<http://www.gajusticeforchildren.org>

## Conference on Domestic Violence finds increase in filings, self-representation

### Report from the Wingspread Conference on Domestic Violence & Family Courts

The July 2008 issue of the *Family Court Review* featured a report from the Wingspread Conference on Domestic Violence and Family Courts held in February 2007. This conference brought together a group of family law professionals to discuss ways to improve services to families affected by domestic violence and abuse. The report identifies five main areas of conflict that pose

barriers to those attempting to work with these families, and offers analysis, discussion, and recommendations for each. One of the recurring themes in the report is the importance of differentiation and specificity between each case. Too often courts are generalizing and taking out of context each family's situation, leading to a status quo or "one-size-fits-all" approach to remedying the

violence and abuse. The reports conclusions state a 79% increase in domestic relations filings between 1984 and 2000, and in 2003, a 14% increase over the previous decade. The report also found a significant increase in the number of litigants representing themselves in court. Self-represented litigants in domestic violence cases are more likely to require court

resources, but often are not aware of their legal options and are more susceptible to further abuse because of it.

Access the article at

<http://www.blackwell-synergy.com/toc/fcre/46/3>.

*Report from the Wingspread Conference on Domestic Violence and Family Courts* Nancy Ver Steegh and Clare Dalton

## Ten Years of State Funding

### Domestic Violence Services received first State Appropriation in 1998

In 1998, the State of Georgia approved the first ever appropriation of state funds for domestic violence services. 2008 marks a decade since this important milestone, which was made possible largely by to the efforts of Linda Klein. Her steadfast dedication to securing state funding for domestic violence, both during and after her term as State Bar President, has provided

low-cost or free legal services to thousands of victims across the state, many of whom have children to protect as well. Since 1998, the state has appropriated over \$20 million for this purpose, despite budget constraints at both the state and federal levels.

Coinciding, the Georgia Legal Services Program Family Violence Project celebrates its tenth anniversary this year as well.

Over the past decade, the Family Violence Project has provided legal assistance to more than 18,000 family violence survivors. GLSP held a special reception on May 5 to honor many of its attorneys and offices for their contributions to the Project. At the May 21 meeting of the Committee, Phyllis Holmen distributed the Spring 2008 issue of the GLSP newsletter and presented a PowerPoint, both of which commemorated this anniversary.

## Legal Needs Study: The Latest

The preliminary findings of the legal needs assessment have been presented twice over the past two months—once at the May meeting, and once at the State Bar meeting. The only further development to report regarding data collection is the completion of the personal interviews with the hard-to-reach populations. The

Burruss Institute has completed the first draft of the final report, and we still expect to have the final product by the end of the summer.

Committee staff and leadership have been looking at which steps to take next in this process. Following the lead of several other states, it is planned to bring in an outside public

relations/marketing firm to help disseminate the results and conduct a public education campaign. A five-year statewide strategic plan will also be included in this package. Quotes have already been received from several firms, and the committee will be kept up-to-date as we go further in this process.

# Committee News

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

- The **Committee** met on May 21 in the first full meeting of 2008. Extensive reports on the work of the subcommittees were given by each chair and presentations were made by the Burruss Institute, GLSP, and the Pro Bono Project.
- **Victor Lai** has resigned from the committee, as he will be relocating to California at the end of July. Many thanks to Victor for all of his work with the committee and for his contributions to Atlanta's legal community. Best wishes for the future!
- The **Atlanta Bar Association** will be hosting its first annual pro bono fair, "Celebrating Service", on October 2.
- **Rita Sheffey** ran a successful campaign and was elected Treasurer of the Atlanta Bar Association. Congratulations!
- Effective July 1, the **Appalachian Circuit FLIC** received state funding and is open for service to assist self-represented litigants in Gilmer, Fannin, and Pickens Counties. Jill Radwin, Tracy Powell, and Mike Monahan made a site visit to the FLIC on Tuesday, June 24 to assist with set-up and assess what further resources and technology are needed.
- The **Daily Report's First Annual Pro Bono Awards**, held in April, produced a \$20,000 surplus, allowing for a \$10,000 contribution from the Daily Report to both Atlanta Legal Aid and the Atlanta Volunteer Lawyers Foundation.
- The date for the **next full meeting of the Committee** has been set for Friday, September 26. Official notices and agenda will be sent out as the date approaches.

## Access to Justice in the News

\*Access to Justice Headlines information/ source found at [www.atjsupport.org](http://www.atjsupport.org) & [www.probono.net](http://www.probono.net)

The **Idaho Access to Justice Commission** held its first meeting on April 14. The Commission's main objective will be to encourage law firms to provide more free legal services to those who cannot afford it.

Following the recommendation made in its 2007 Legal Needs Study, the **Supreme Court of Hawaii** announced on May 1 the creation of a formal Access to Justice Commission for the state.

In March, the **Colorado Access to Justice Commission** released a report on the findings of the ten public hearings on civil legal needs held around the state in 2007. Access the report through the [CO Bar Association website](http://CO Bar Association website).

The **Colorado Supreme Court** announced in May that the number of law firms, in-house counsel groups, and solo practitioners meeting the recommended annual goal of 50 hours of pro bono legal services per lawyer doubled in 2007.

The **Washington State Bar Association** dedicated the May issue of its newsletter entirely to the issue of access to justice. View the newsletter at the [Washington State Bar News website](http://Washington State Bar News website).

The **U.S. Senate Judiciary Committee** held a hearing on May 22 on "Closing the Justice Gap: Providing Civil Legal Assistance to Low-Income Americans." View witness testimony and watch a webcast of the hearing at [the Judiciary Committee website](http://the Judiciary Committee website).

A Judicial Council Task Force was created in May by the **California** courts with the purpose of proposing new family law rules. These rules will be aimed at assisting self-represented litigants.

The **National Center for State Courts** will host the **Court Solutions Conference** in Baltimore, MD on September 8-10. The three main topic areas to be addressed are self-represented litigation, court interpreter services, and the redesign of services for more efficient and cost-effective court operation. For details, visit [www.courtsolutions.org](http://www.courtsolutions.org).

The **New Mexico Access to Justice Commission** submitted its Annual Report to the state Supreme Court on April 21. Progress was reported across the board in its efforts to increase access to justice. Access the report through [www.atjsupport.org](http://www.atjsupport.org).

**Pro Bono Net** has been named as one of three winners of the ABA E. Smythe Gambrell Professionalism Award, an honor that recognizes projects that contribute to the promotion and understanding of professionalism among lawyers. The award particularly recognizes the work done in rural areas, made possible largely through the use of technology initiatives. Mike Monahan spoke to the benefits of the program: "Pro Bono Net's technological infrastructure and pro bono expertise have allowed us to implement several initiatives especially helpful to rural attorneys, including training webinars, chat-based interactive support and online document assembly templates." The awards presentation will take place August 8 in New York City.

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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.

Our vision

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.

Our mission

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.

**July 4** — Independence Day

**July 27 - 31** — Council of Superior Court Judges Semi-Annual Meeting  
St. Simons, GA

**September 8 - 10** — National Center for State Courts Court Solutions Conference  
Baltimore, MD

**September 26** — Committee on Civil Justice Meeting  
Atlanta, GA

**October 2** — Atlanta Bar Association Pro Bono Fair: "Celebrating Service"  
Atlanta, GA

Please submit any news or stories for the next issue to [Tracy](#)

**Best wishes for a safe and relaxing summer!**