

Coalition for Court Access Meeting Minutes

Indiana Supreme Court Conference Room

Indianapolis, Indiana

Tuesday, February 4, 2020, 10:30 a.m.

Attending: J. Geoffrey Slaughter, chair; Jon Laramore, vice chair; Charles Dunlap, John Floreancig, Mary Fondrisi, Judy Fox, Carolyn Clay Hall, Don Lundberg, Lucinda Nord, Carl Pebworth, Catheryne Pully, Hon. Charles Todd, Mike Tolbert, Hon. Martha Wentworth, Scott Wylie

Julie Armstrong, Cynthia Baker, Kim Berry, Natalie Cawson, Monica Fennell, Kate Guerrero, Magistrate Kim Mattingly, Julie McDonald, Bob Rath, Hon. Beth Tavitas,

Justice Geoffrey Slaughter called the meeting to order at 10:30a.

Welcome to:

- Hon. Charles Todd, the newest appointee to the CCA
- Hon. Beth Tavitas, chair, CCA Self Help and Court Access work group and chair of the Court's newly formed Family Law Task Force of the Indiana Innovation Initiative
- Bob Rath, newly appointed Chief Innovation Officer of the Indiana Office of Court Services and chair of the Technology Task Force of the Indiana Innovation Initiative.
- Julie McDonald, Deputy Director, Indiana Office of Court Services. Carlton Martin recently accepted a job in Washington, D.C. at the National Law Center on Homelessness & Poverty & Julie will be supporting the CCA while Carlton's replacement is hired.
- Hon. Kimberly Mattingly, Marion County Magistrate Judge who has been providing valuable feedback to the CCA's SHACA
- Julie Armstrong, Indianapolis Bar Association
- Cynthia Baker, IU McKinney Law School
- Monica Fennell, Pro Bono Manager, Faegre Drinker and member of the CCA's Pro Bono Consolidation Committee
- Kate Guerrero, Project Director for Indiana Legal Help
- Kim Berry, Development Director, Indiana Bar Foundation
- Natalee Cawston, Intern, Indiana Bar Foundation

Meeting minutes from October 28, 2019 CCA meeting were reviewed and approved.

Indiana Innovation Initiative - Bob Rath briefed the CCA on the Technology Task Force and the Family Law Task Force of the Innovation Initiative:

- Analyze research & identify innovative strategies;
- Brainstorm ideas – they can come from anywhere – forwarded up to the Office of Judicial Administration and then sent back out to other entities, including the Coalition for Court Access
- Technology suggestions – remote appearances; Family Law Task force – expedited case management
- Initiative will perform that analysis and make recommendations to the Court in July 2021
- There are three different entities within the initiative. J. Steve David is chairing the Innovation Initiative; Bob Rath is chairing the Technology Task Force; J. Tavitias is chair of the Family Law Task Force;
- Order expressly states that the Initiative will collaborate and partner with the CCA
- Important resources include: “18 Ways that Courts Can Use Technology to Help Their Customers,” written by John Greacen. These ways include self-help websites, legal assistance portals, wizard driven forms, remote appearance by video, submitting information from mobile devices.
- Goal: propose changes in underlying rules and business processes that could support technology innovations.
- Goal: bring more consistency and accuracy to the ways the courts are reporting information on SRLs. Develop a best practice bench card for trial courts on tracking SRLs.
- The Innovation Initiative will have an email, website and paper form for submitting comments and suggestions. <https://www.in.gov/judiciary/iocs/3879.htm>

CCA Funding System Committee - Hon. Melissa May updated the CCA:

The CCA Funding System Committee is chaired by J. May, and includes Judge Felts, Don Lundberg, Carl Pebworth and Chuck Dunlap. The committee’s goal is to put together recommendations for the various civil legal aid funds to be administered under one grant-based process that includes consistent definitions, oversight and reporting standards. Compliance with the Civil Legal Aid Fund (CLAF) statute is most important for CLAF funds. There are different restrictions on the CLAF funds than for the IOLTA and Community Redevelopment Justice (CRJ) and other funds (Impact grants and cy pres). The committee sees the CLAF statutory intent to ensure that every county in Indiana receives civil legal aid funds. The committee studied and modeled its

recommendations on the Texas civil legal aid grant funding system. In Indiana, there's a standing verbal order that defines eligibility for CLAF (10 cases, from C.J. Shepard). The current CLAF opt-in form would be replaced by a grant oversight process. The recommendation includes a civil legal aid grants manager who will be in regular communication with grantees for training, application, site visits, monitoring. The goal is to collect data and use it to improve services in underserved counties. We want to be collecting data that can be used to get a better sense of what's going on a county by county level. We have heard a disconnect between judges who are looking for help with pro bono & civil legal aid, and the providers. The committee intends to present its recommendations to the CCA at its June meeting for review and discussion.

Goal: create a central repository for storing civil legal aid data so that it can be uploaded and shared effectively throughout the state.

CLAF statute defines how to calculate and distribute CLAF funds per county. Each of 92 counties gets a determined amount based on the CLAF statute. The definition of "who is providing service in a county" needs to be addressed so that we can accurately track that every county gets coverage. We want to reduce the disconnect between the people looking for help and the people providing help. We expect to meet with grantees on a more regular basis and innovate program solutions.

Most helpful when the funds are unrestricted once grantees receive them. Often an agency needs to come up with a new project to seek additional funds. We want to make sure that we're not adding restrictions that are more stringent than what already exists. CLAF money has restrictions in the statute about what a grantee can or cannot do, but the money itself can be used for whatever the grantee wants to do (raise employee salaries) vs. more restricted grants that must be spent on a specific project.

Goal: civil legal aid support throughout the state and innovate in rural and underserved counties.

CCA Pro Bono Consolidation Committee – Chuck Dunlap and Scott Wylie update the CCA on the creation of Pro Bono Indiana:

Chuck reviewed the history of the decision-making process for creating Pro Bono Indiana (PBI), a voluntary administrative consolidation to increase pro bono resources and support.

CCA formed a committee with C. Dunlap as chair, Monica Fennell, Mary Fondrisi, Mark Torma and Judge Wentworth.

As of January 1, 2020, ten of the twelve pro bono organizations are incorporated into PBI. PBI is now a \$1.7 million organization (when you put all the budgets of the 10 organizations together) and will be able to compete for national funds in a way that it hasn't in the past. The two districts that did not join (based in Fort Wayne and Columbus) and are still part of the statewide pro bono district and will be welcome to join PBI at a later date. The PBI district directors will be treated as professional employees with health benefits and liability coverage.

PBI is operating with an aggressive timeline and appreciates the continued support of the CCA and the IN Supreme Court. Some skeptical pro bono districts and board members were concerned that this was a take-over where PBI was going to take the local district funds and restrict autonomy. PBI has established clearly that each district maintains its own district financial account. Employment policies were in place on January 1, 2020 and in compliance with ADA and employment laws. PBI has done the first two payrolls and its goal is to be audit ready for 2020. PBI is working diligently to get the health insurance policy up and running and seeking economies of scale (CLE, administrative, bookkeeping, memberships, data collection, training, workers comp, insurance).

All programs were merged at midnight on December 31, 2019. There are administrative bumps and the need to strengthen compliance (employment, wage & hour). This information has been introduced to the new PBI board of directors by conference call in January 2020 – with two board members for each district and one board representative for the two districts that have not chosen to join PBI. The organization is continuing to get a grasp on what it needs to be doing to improve best practices with accounting and risk management. Goal is to administer CLAF, IOLTA, and other revenue with a lower level of overhead costs and more money going directly to legal services. Having a 2020 audit is important, as is moving all the pro bono districts onto the same data platform and case management system. PBI is now based in Evansville.

2020 Census update - Lucinda Nord updated the CCA:

The April 2020 census will track population trends that are happening across Indiana. The goal with the 2020 census is to make sure that folks are counted, and census materials are easily accessed. The most undercounted group are children birth to 4 years old. Immigrants are fearful of participating in the census process. This will be the first year where the government is pushing for online completion. Census can be done starting March 12 online and the official census date is April 1, 2020. You can go online and, also do the census from your cell phone. It's especially important for Indiana – approximately \$166 million in federal funds were estimated to have been lost in Indiana

due to undercounting. 75 of 92 counties lost child population in the last census – that has a huge impact on funding for these counties. 68 of the 92 counties are projected to lose workforce. We want to make sure that the services are available that are tied to federal funding. Consider how you can get involved in making sure that people get counted. There are groups organizing in many counties to support the census counting efforts.

ILS updates - Jon Laramore provided updates to the CCA:

LSC provides 55 – 65% of ILS funding. LSC places a lot of restrictions, and also encourages ILS to work on and comment on rules and statutes. LSC allows ILS to lobby state and local governments to get more funding for itself. The CLAF has broader prohibitions – prohibits all lobbying of any kind. ILS recently created an LLC that will receive no CLAF money and will be able to do some of the advocacy work that CLAF doesn't permit but that LSC wants ILS to do. ILS will be attending the Marion County budget hearings with its newly created subsidiary to discuss funding.

Rose v. Azar is a federal lawsuit where ILS is representing individual litigants challenging the addition of work requirements for Medicaid benefits. Litigation has been filed in U.S. District Court in Washington, D.C. Without any effort on ILS' part (no injunctive activity), the state of Indiana chose voluntarily to suspend the work requirements for Medicaid program until the litigation is over.

Indiana Bar Foundation updates - Chuck Dunlap reported:

The IBF has awarded a \$1 million grant to PBI, which will subgrant to Columbus and Fort Wayne based pro bono districts. IOLTA revenues have maintained fairly steady. IBF anticipated 2 interest rate decreases and there have already been 3.

Additional grants this year have been made with \$250,000 in funds from the Indiana Supreme Court. These funds are focused on veterans' legal services and medical legal partnerships. The grantees are doing an economic impact analysis on these grants to have more specific data to share with the legislature.

Another grant funding source, Bank of America mortgage settlement funds, were used to make a \$115,000 grant for 2020 for Indiana's mortgage foreclosure counseling/assistance project.

Chuck and Marilyn met with the Pew Charitable Trust and other national foundations in December to discuss private philanthropy's role in civil legal aid. Indiana, Illinois

and Michigan IOLTA foundations represented the civil legal aid funders at the Pew meeting. Pew is releasing a debt collection study and the foundation is considering expanding its civil legal aid lens beyond legal assistance portals and Online Dispute Resolution. Pew found it challenging to find data on SRLs in debt collection cases. They relied mostly on data collected by Texas and Utah.

J. Slaughter will be representing Indiana at the ABA Access to Justice Chairs meeting in Atlanta. The IBF will be hosting the national high school mock trial competition in Evansville on the same dates.

Communications & Technology work group - Jon Laramore reported:

The group's goals are to 1) develop a civil legal aid communications plan for the courts and the public and policy makers and funders; 2) support Indiana Legal Help to continue developing its online portal and seek funds from LSC through a Technology Innovation Grant. Current grant letter of intent is due in March and Indiana is seeking funding to continue building and maintaining the website (indianalegalhelp.org). Materials and information need to be updated regularly.

Data Collection work group - Judy Fox reported:

Work group goals include: develop a central repository for sharing Indiana data; compare the 2019 civil legal needs study data with CLAF and IOLTA data; create and share guidelines and best practices for judges and courts staff to collect useful SRL data.

Judy Fox is participating in a court watch project in small claims and eviction court– in Marion, St. Joseph, Allen and Elkhart counties so far.

Bob Callahan conducted a study of eviction courts in NYC and would like to do a similar study in Indiana, also examining the benefits of having representation in eviction matters.

Pro Bono work group - Hon. Martha Wentworth reported:

She has recently agreed to become the chair of the CCA Pro Bono Work Group. Last year there was a rule change for a pro bono publico license for retired attorneys. There was a minor revision to the rule, attached in meeting materials. Goals include helping pro bono districts coordinate better with other service providers, including law schools and bar associations. Indiana Library Federation helped launch a “Lawyers in

Libraries” project to combine space and resources in libraries with pro bono attorneys to share information and brief advice. This project overlaps with the rural work group.

Rural work group - Carl Pebworth reported:

Data management and data analysis will be critical in expanding service in rural counties. Group has been reaching out to law schools and universities to combine social scientists and lawyers to develop an inter-disciplinary approach to data collection. Goal is to get directly into the counties that are most affected. Definition of “rural” is also important - access to justice in rural counties is fundamentally different than what happens in urban counties.

In Putnam county, group is meeting with DePaw University to possibly develop a template for data collection and planning. Seeking legal and non-legal stakeholders, including academics for improving legal services in rural counties. Asset based planning has been used in central Indiana and may work for rural planning.

Self-Help and Court Access work group - Kate Guerrero reported:

Since the spring of 2019 Indiana Legal Help (ILH) has been adding vetted and CCA approved forms. These include Specialized Driving (including 2020 Traffic Amnesty program), Gender Marker, and Custody and Parenting Time. The expungement page is in process, and a subcommittee has been focused on how best to address issues in the area of guardianship—specifically kinship placements largely due to the opioid epidemic. In 2019, the website had 228,711 visitors and 1,114,965 views. ILH is being used on a daily basis by Hoosiers and we regularly receive positive feedback on its value.

Over the next 6 months, ILH plans to temporarily pause the content-building phase of the website and focus on planning for its future sustainability. The exception to adding more content will be to complete the expungement and guardianship areas of the website.

First, ILH will develop a governance structure with policies and protocols, including guidelines for quality assurance. The focus of this next phase will be to identify funding sources, additional staff resources and develop a plan to sustain the project long-term. To continue moving the ILH website forward during this planning phase, we will research and choose a guided interview and document assembly program. This will allow users to answer a series of online questions, the answers to which are populated into a packet of legal forms that are ready to be filed with the court. Investing in a

guided interview/document assembly program will increase the accuracy of the forms created and will be the focus of our 2020 LSC Technology Innovation Grant proposal.

We will continue to maintain the daily functions of the website by answering emails from customers and updating content in compliance with rule changes and other requests.

Much of what the Indiana Legal Help project is doing overlaps with the Family Law and Technology Task Force work. We'll be looking nationwide at what other jurisdictions are doing and how self-forms, guidance, and legal support are being used to triage and set cases on the right case management track. Goal is to ensure that low-income people are getting into court when they seek assistance. Ability to e-file directly from the ILH website is a longer-term goal.

Law Firm Pro Bono Leadership Initiative - Carl Pebworth reported:

The goal of this project is to further engage the private bar in pro bono. Since the March 2019 lunch hosted by J. Slaughter, Carl has been meeting with other large law firm leaders— every law firm has a different structure for pro bono. One goal is to start to meet informally amongst the law firms, sharing materials on how to approach law firm pro bono, committee structures, definitions, clinic and other checklists. Law firms don't want to be talked at – we need to approach this in a collaborative, uncompetitive way. Another goal is to assemble cross-firm teams to address specific substantive issues. This Leadership Initiative also wants to reach out to medium and small firms, with a focus on joint communications efforts to share trainings (tenant advocacy, wills, VA clinic, re-entry).

New Business

John Floreancig shared an issue that ILAS is seeing in re-entry cases. If someone has been arrested with a D felony, that case is showing up in the MyCase database and employers are seeing that felony arrest when it should not be accessible information if the case was already expunged. This is a coding issue.

Another coding issue involves emergency possessory orders, which are being coded as evictions when they are not. This harms tenants ability to find future housing and employment.

Save the Date: Friday, October 30th – CCA's annual conference at the Ivy Tech Conference Center in Indianapolis.

Minutes - Coalition for Court Access Meeting
Tuesday, June 9, 2020, 10:30 a.m. – 1:30 p.m. ET via Zoom

Attending: Emily Bryant, Chuck Dunlap, John Floreancig, Mary Fondrisi, Judy Fox, Carolyn Clay Hall, Jane Henegar, Jon Laramore, Don Lundberg, Hon. Melissa May, Lucinda Nord, Carl Pebworth, Catheryne Pully, Victor Quintanilla, Justice Slaughter (chair), Hon. Chuck Todd, Michael Tolbert, David Van Gilder, Hon. Martha Wentworth, Scott Wylie

Hon. Elizabeth Tavitias – Self-Help and Court Access work group Chair; Monica Fennell, Faegre Drinker Biddle & Reath

Staff: Kim Berry, Kate Guerrero, Kendra Key, Sarah Kidwell, Julie McDonald, Kayla O'Brien, Bob Rath, Marilyn Smith

Guests: Julie Armstrong, Chase Haller, Margaret Jones

The meeting was called to order at 10:30am. This is the first Zoom virtual Coalition meeting – please use the Zoom chat function if you have questions. The Chief Justice's statement on race and equity is included in the meeting materials.

The minutes of the February 4, 2020 Coalition meeting were reviewed and approved unanimously with the following revision: Page 9: ILS updates, 2nd paragraph, Justice Slaughter stepped out of the room and did not participate in the update on the Rose v Azar case.

Hon. Melissa May presented the Coalition's Funding System Committee recommendations, including in the meeting materials on page 13. After discussion, a motion to present these recommendations to the Indiana Supreme Court was approved, with Justice Slaughter abstaining from this vote.

Scott Wylie presented an update on the formation and launching of the newly formed Pro Bono Indiana organization. Chuck Dunlap presented a proposed revision to Rule 6.6, focused on harmonizing Rule 6.6 with the creation of Pro Bono Indiana and expanding membership on the Coalition. After discussion, a motion to present the proposal to revise Rule 6.6 was approved unanimously.

Kate Guerrero presented on updates to the Indiana Legal Help website and its mission statement. Kate thanked the Office of Judicial Administration for providing in-kind support with web development for the project.

Bob Rath updated the Coalition on the work of the Indiana Innovation Initiative, including the ongoing and proposed projects with the Coalition. A group of independent study students at Indiana University Maurer School of Law, under the supervision of Professor Angie Raymond, are participating in developing wizard driven forms and guided interviews for consumer debt collection issues. Lawrence Township Small Claims Court is launching a remote pro bono project to assist people with eviction matters. The court will deploy videoconference stations in the courthouse, with the goal of connecting litigants to pro bono attorneys offering virtual brief advice. One proposal includes developing a virtual court navigator program for offering navigation support and information (not advice) to self-represented litigants (SRLs).

Lucinda Nord briefed the Coalition on the Indiana Library's work developing remote services in libraries in response to COVID-19. Libraries have boosted their wi-fi access across the state, including in library parking lots. Additional information can be found at:

- www.ilfonline.org/page/reopen and www.ilfonline.org/pager/wi-fi-map

Libraries are helping people apply for unemployment, SNAP, TANF, and health coverage. Discussions are underway to see if there could be remote rooms in libraries to connect SRLs with virtual services. Immune-compromised people, seniors and Hoosiers in rural areas will need more remote services.

Chuck Dunlap updated the Coalition on Indiana Bar Foundation activities, including the steep decline in IOLTA revenue as a result of the interest rate adjustments.

Kendra Key presented on the Pew Charitable Trust research report on consumer debt collection in civil courts. The group discussed Prof. Judy Fox's consumer debt collection study (2012) that showed the high number of out of state debt collectors; issues with copy service rules; and challenges with undifferentiated coding of debt collection and eviction cases in small claims court. ILS proposed a rule change on service for debt collection; this rule change has not been adopted. The group discussed having a subcommittee examine the issues that litigants and judges face in consumer debt collection cases. The ISBA issued an ethics opinion on filing in improper venues to obtain default judgment:

https://cdn.ymaws.com/www.inbar.org/resource/resmgr/ethics_opinions/2019-ethics-op-1.pdf

Prof. Victor Quintanilla presented a summary of the doctoral research he is proposing to do on the experience of SRLs in remote hearings in Indiana.

Jon Laramore updated the group on the Technology Innovation Grant Letter of Intent that ILS submitted to the Legal Services Corporation to support the Indiana Legal Help project. ILS will learn in mid-June if Indiana is invited to submit a full grant proposal.

Hon. Martha Wentworth briefed the Coalition on the re-launch of the Pro Bono work group. The group will begin by developing priorities.

Marilyn Smith announced that the Coalition's annual conference will be presented via Zoom – more details to follow.

Justice Slaughter thanked the outgoing members of the Coalition for all their work and dedication since 2016: John Floreancig, Jane Henegar, Don Lundberg, and Scott Wylie. He welcomed Amy Horton, the new Executive Director of the Neighborhood Christian Legal Clinic, and the newest member of the CCA.

The meeting was adjourned at 1:15p.

Coalition for Court Access Meeting Minutes

Friday, September 18, 2020, 10:00 a.m. – 12:00 p.m. ET via Zoom

Attending: Emily Weikert Bryant, Charles Dunlap, Mary Fondrisi, Judith Fox, Carolyn Clay Hall, Jon Laramore, Hon. Melissa May, Lucinda Nord, Carl Pebworth, Catheryne Pully, Victor Quintanilla, Justice Geoffrey G. Slaughter, Stephanie Steele, Hon. Elizabeth Tavitias, Charles Todd, Michael Tolbert, David Van Gilder, Hon. Martha Wentworth

Guests: Brandon Beeler, Monica Fennell, Margaret Jones, Bob Rath

Staff: Kim Berry, Kate Guerrero, Kendra Key, Sarah Kidwell, Marilyn Smith

Justice Geoffrey Slaughter, Chair, called the meeting to order at 10:00 a.m. Eastern Time and welcomed the newest Coalition members: (1) Stephanie Steele, Corporation Counsel for the City of South Bend and the Immediate Past President of the St. Joseph County Bar Association; and (2) Hon. Elizabeth Tavitias, Third District of the Indiana Court of Appeals, and former chair of the Indiana Pro Bono Commission and board member of Indiana Legal Services.

The minutes of the June 9, 2020 meeting were approved by a unanimous vote.

Hon. Elizabeth Tavitias updated the Coalition on the work of the Indiana Innovation Initiative Family Law Task Force, which has prepared a set of recommendations to be circulated for comment in October 2020.

Bob Rath gave a summary of the pilot projects that the Coalition is working on with the Indiana Innovation Initiative and Technology Task Force, including a proposal for non-attorney court navigators, and a pilot project to provide remote pro bono advice in small claims courts, starting in Lawrence Township.

Kate Guerrero presented updates on the Indiana Legal Help project (<https://indianalegalhelp.org>). She shared that the number of individual users to the website from January 1 - August 31, 2020 is 170,694, in comparison to January 1, 2019-August 31, 2019, where we had 135,053 visitors. The most frequently accessed forms are the divorce forms, which were viewed over 13,000 times in the last 30 days. The website has added a COVID-19 response page, which is viewed around 90 times per week, and links to additional resources for housing, including the Court's app for landlord tenant facilitation. The housing and debt page is currently seeing a 60% increase in traffic. Special thanks to Indiana Legal Services, the Indiana Supreme Court and the Indiana Bar Foundation for their continued leadership for the Indiana Legal Help project. The Indiana Legal Help

project has recently received a grant from the Michigan Advocacy Program which will include a User Experience Design Audit for the website. The audit will result in a consultation and written recommendations for improvement, which will further guide its expansion.

Brandon Beeler, Director of the Housing Law Center at Indiana Legal Services and member of the Indiana Supreme Court's Landlord Tenant Taskforce, briefed the Coalition on housing eviction issues, including the national CDC eviction moratorium and state assistance for renters and landlords.

Kendra Key, Indiana Supreme Court, updated the Coalition on the Indiana Conference on Legal Education Opportunity (ICLEO) law school interns and fellows who are providing support to civil legal aid and pro bono organizations throughout Indiana.

Chuck Dunlap, Indiana Bar Foundation, announced that the Court approved the Coalition's funding system proposal. The next steps are to develop the timeline and implementation plan for the Foundation to begin administering the Civil Legal Aid Fund. The Foundation is in the process of recruiting a part time grants manager to assist in this transition.

Chuck reported that the Court approved the Coalition's proposed changes to Rule 6.6, which included the creation of the autonomous *pro bono* service provider, Pro Bono Indiana. As an independent non-profit organization, Pro Bono Indiana will have its own board of directors. After the Court approved the Coalition's Rule 6.6 revisions, staff discovered that section (a) of Rule 6.6 needed to be revised to align with the other changes being made. Specifically, the Court will no longer provide oversight in the development of annual pro bono plans. Chuck sought a motion to approve additional proposed changes to Rule 6.6, which are located on page 16 of the meeting materials. This motion was unanimously approved, with Justice Slaughter abstaining from a vote. Rule 6.6 requires the Coalition to deliver an annual report to the Court. The 2020 annual report is included in the meeting materials on page 18.

Chuck Dunlap reported on Pro Bono Indiana's (PBI) progress: PBI is organizing a CLE program, and preparing to implement a new case management system – with financial support from Indiana Legal Services - that will support the network in intake, case assignments and tracking outcomes. The PBI Board of Directors recently met for the third time this year, and the pro bono program based in Columbus is in the process of merging with PBI. The Fort Wayne program director continues to participate in bi-weekly staff meetings with PBI and has a board member on the PBI board.

Chuck Dunlap gave updates from the Resource Development work group, which reconvened in September 2020 with a focus on regaining the approximate \$700K in lost revenue that is the projected gap for calendar year 2022 as a result of the sharp decline in interest rates for the IOLTA program. These IOLTA funds have gone to support Indiana's the pro bono network.

One proposal the Coalition worked on in 2017 is an unidentified and unclaimed property rule that would permit these funds to be transferred to the IOLTA program under certain conditions. An outline of this proposal was included in the meeting materials on page 17. The work group has discussed the unidentified/unclaimed property rule with the court and is seeking the Coalition's support in pursuing this proposal further. Chuck Dunlap sought a motion to support the advancement of an unidentified/unclaimed property rule in accordance with existing laws and rules. This motion was unanimously approved, with Justice Slaughter abstaining from a vote.

Jon Laramore reported, for the Communications/Technology work group, that we are waiting to hear about the Technology Innovation Grant that Indiana Legal Services has submitted to the Legal Services Corporation to support Indiana Legal Help. The news is expected at the end of September.

Judy Fox reported, for the Data Collection work group, that the group is discussing research on consumer debt and small claims matters.

Hon. Martha Wentworth reported, for the Pro Bono work group, that the group is discussing projects including support for Pro Bono Indiana, lawyers providing pro bono assistance through libraries and other remote options, and ways to connect with more law firm and law schools for pro bono.

Carl Pebworth reported, for the Rural Legal Services work group, that work has been delayed with the pandemic and the group is reconvening to identify locations for pilot projects.

Prof. Victor Quintanilla presented an overview of his proposal for research on self-represented litigants in remote hearings in Indiana. The research proposal has been accepted by the Indiana Supreme Court and the implementation plan is being worked on next. The research team will seek the Coalition's support as the project progresses, including serving as a sounding board and reviewing materials as requested.

Marilyn Smith reminded Coalition members that they would be receiving an email to register for the Coalition for Court Access virtual fall conference on October 30, 2020. The conference is offering 4 CLE credits for \$25.

The meeting was adjourned at 11:45a.

Coalition for Court Access Meeting Minutes

Friday, November 13, 2020, 10:00 a.m. – 12:00 p.m. ET via Zoom

Members Attending: Emily Weikert Bryant, Charles Dunlap, Mary Fondrisi, Judith Fox, Carolyn Clay Hall, Amy Horton, Jon Laramore, Hon. Melissa May, Lucinda Nord, Carl Pebworth, Catheryne Pully, Victor Quintanilla, Justice Geoffrey G. Slaughter, Stephanie Steele, Hon. Elizabeth Tavitias, Charles Todd, Michael Tolbert, David Van Gilder, Hon. Martha Wentworth

Staff and Guests: Monica Fennell, Kate Guerrero, Margaret Jones, Kendra Key, Sarah Kidwell, Amanda Maier, Bob Rath, Marilyn Smith

The meeting was called to order at 10:00 a.m.

Justice Slaughter welcomed Amy Horton as a Coalition member. Amy became the Executive Director of Neighborhood Christian Legal Clinic in March 2020. She was raised in Fort Wayne and received her JD from IU Maurer School of Law. He congratulated Michael Tolbert on becoming the President of the Indiana State Bar Association.

The minutes of the September 18, 2020 meeting were unanimously approved.

Kendra Key provided an update on the October 30, 2020 Coalition for Court Access Conference review, which had 300 registrants and offered 4 CLE credits.

Kate Guerrero presented on the Indiana Legal Help project (<https://indianalegalhelp.org>) and the \$125,000 Legal Services Corporation (LSC) technology innovation grant that was awarded to Indiana Legal Services (ILS) to fund the Indiana Legal Help (ILH) project. The grant will support the development of guided interviews in the areas of expungement, name change, gender marker change, and specialized driving privileges. The grant will also allow for the creation of infographic and video instruction to help explain how to serve a form; how to ask for a confidential hearing; how to file documents; and how to search a driving and criminal record. Kate thanked the Office of Judicial Administration for funding and technical support to create seven family law apps for the Indiana Legal Help website.

Mary Fondrisi reported on the launch of Pro Bono Indiana (PBI). She thanked ILS for providing funding to PBI to support the implementation of a system wide case management program (LegalServer). Many of the pro bono districts are working on a Talk to A Lawyer CLE; and learning how to use Zoom to provide services by video remotely. She thanked Scott

Wylie for assuming the role of executive director of PBI. Mary and Amanda Maier, based in PBI's New Albany office, presented on the IN Free Legal Answers project. There was an increase of 43% in questions posed on the website in third quarter. Approximately 3,000 questions were asked to date in 2020. They are pushing to recruit more volunteer attorneys to answer questions. COVID has created a lot of family, housing and employment issues for Hoosiers.

Chase Haller, Neighborhood Christian Legal Clinic, provided an update on the Clinic's work on housing & eviction issues during COVID-19, and a new renters app they created: <https://indyrenterhelp.org/>. Chase demonstrated the app that's being used to help renters generate the cover letter and forms needed to apply for the federal eviction moratorium.

Chuck Dunlap briefed the Coalition on the work of the Resource Development group. State Senator Ron Grooms has agreed to present a bill to increase the pro bono filing fee by \$2 (to a total of \$3) and to extend the sunset by 4 years to 2026. There is also a proposal being developed to increase the cy pres residual rule (Trial Rule 23) from 25% to 50% to support civil legal assistance. The group is also revisiting its proposal for an unclaimed/unidentified property rule that would allow these funds to go directly to the IOLTA program. The work group circulated material about this rule at the September 2020 Coalition meeting and will continue working on this plan in 2021. These proposals are part of an effort to fill the gap of approximately \$700k for IOLTA pro bono funding for calendar year 2022 budget that was created by the drop in interest rates. For calendar year 2021, the Indiana Bar Foundation approved a grant of \$1 million for Pro Bono Indiana (including a subgrant to the Fort Wayne pro bono program), which represents level funding from the current year. While there are no plans to request a Civil Legal Aid Fund increase in the coming legislative budget cycle, the work group will focus on educating state legislators on the value of civil legal services.

Judy Fox provided an update from the Data Collection work group, focusing on the need to re-code small claims matters to better understand the disposition of housing and debt collection cases. One goal is to detail case coding into four categories: debt collection; landlord tenant eviction; landlord tenant other; and small claims misc. This proposal was unanimously supported by the Coalition with Justice Slaughter abstaining.

Bob Rath offered updates from the Indiana Innovation Initiative, and he provided details on the remote pro bono and online dispute resolution (ODR) pilot projects. There is now video conference equipment in the Lawrence Township small claims court for these projects. In November, three PB attorneys took part in a simulation with the court for screening clients and giving brief advice. The court is preparing for the first pilot and is collaborating with PBI on this project. The ODR pilot projects will take place in Marion, Hamilton, Allen and Lake

Counties for small claims –focusing first on debt collection. A subsequent pilot in family law courts will take place in Monroe, Marion, Stuben and Vigo counties.

Carl Pebworth provided an update from the Rural Legal Services work group. He attended a virtual conference sponsored by IU’s Center for Rural Engagement that addressed how best to deal with quality of life issues in rural counties. An LSC Forum in October featured Chief Justice Rush discussing the effects of the opioid crisis on rural communities. There is a need for an interdisciplinary approach as many of these problems are not just legal. The group is focusing on creating rural clinics; incorporating remote intake and service delivery; and partnering with libraries and law schools. They are also discussing the development of substantive presentations about re-entry, landlord tenant, family and consumer issues to educate people in general through libraries.

Carl reported that the law firm pro bono leadership project is ongoing, with a group of law firm leaders meeting to encourage more pro bono activity through their firms. One goal is to support local rural county bars to expand access to pro bono attorneys.

Catheryne Pully reported that the Indiana State Bar Association has created a task force to work on how the state bar can move the needle on issues of racial equity. One subgroup is focused on access to justice. In January 2021, state bar President Mike Tolbert will be addressing the issue of philanthropy and giving in *Res Gestae*. He encouraged the Coalition members to send him ideas for future *Res Gestae* articles.

Emily Weikart Bryant reported that Indiana’s food banks are in need of volunteers and donations. They are operating at 150% capacity and the need is increasing into the holiday season. People can find out about food bank volunteering at:
<https://www.in.gov/fssa/dfr/operation-food/volunteer/>

The meeting was adjourned at 11:50 a.m. The next meeting is scheduled for Friday, January 15, 2021 at 10:00 a.m. ET via Zoom.