

MEMORANDUM

To: Access to Justice Commission,
Executive Committee

From: John A. Tull

Re: Update on implementation of JFA Strategic Action Plan

Date: April 1, 2020

As promised at the March 13, 2020 Commission meeting, I'm attaching a slightly revised chart showing the status of various efforts that implement the Justice for All Strategic Action Plan.

Most of the Strategies set out in the Plan call for action by other components of the access to justice system in Colorado: the Judicial Branch, including notably various components of State Court Administrator's Office; Colorado Legal Services; the Colorado Bar Association; local Access to Justice Committees and others. As I noted in the meeting, it is gratifying to see the significant amount of work has been done to tackle many of the issues addressed by strategies in the Plan. Reports to the Access to Justice Commission during the past year and conversations with individuals implementing or overseeing implementation of various changes in the access to justice system make it clear that there continues to be an abiding institutional commitment to many of changes contemplated in the Plan.

The Chart identifies the Commission Committee with responsibility for monitoring progress to achieve the objectives for each of the strategies. To ease the process of each Committee considering the strategies in its bailiwick, I also created a separate chart that clusters the strategies according to the Committee to which it is assigned.

A Covid-19 note. In doing the original chart, I suggested a number of strategies that might be reported on in the May meeting of the Commission. Obviously, the impact of the shutdown as a result of the pandemic makes such a timetable beyond unlikely. Nevertheless, I left the timetable intact since there are so many uncertainties about any future schedule and any new suggestions would be completely arbitrary.

**JUSTICE FOR ALL COLORADO STRATEGIC ACTION PLAN
ATJC IMPLEMENTATION**

Strategy ¹	Status	Next steps for ATJC	By when	Responsible	Action to be taken?
Foundational Capacities – Design, Governance and Management					
Strategy One: Access to Justice Coordinator	Done; role continues to evolve	Continued liaison with ATJ Coordinator by ATJC and other components of the access to justice community	Ongoing	Executive Committee and other pertinent ATJC Committees	
Strategy Two: Restructure ATJC	Revised bylaws 1/11/19; Restructuring of committees; Adoption of Commissioner Expectations; Considering becoming an LLC or a 501(c)(3); 4 new CBA appointments – 1 rural, plus Ft. Collins; Adoption of Standing Committee and Chair Expectations	Decide on legal status and act; Review standing committees' charters; finalize Committees appointments; Follow-up with Committee Chairs regarding their Committee Charter, meeting schedule and focus of each Committee's work.	May meeting?	Executive Committee	

¹ **Green** – Underway; **Yellow** – Planning for future action; **Blue** – requires additional information and research

Strategy ¹	Status	Next steps for ATJC	By when	Responsible	Action to be taken?
Foundational Capacities – Resource development					
Strategy One: External communication strategy regarding access to justice needs and issues	Plan to use the communication planning process recommended by Voices for Civil Justice; State Legal Aid Interagency Roundtable – Elder law 7/12/19	Newly appointed Committee and Chair develop charter and plan for action	May meeting?	Communication Committee	
Strategy Two: Rigorous advocacy for public funding for legal aid	Eviction defense funding campaign successful - Other planning?	Committee develop charter and plan for future action	May meeting?	Resource Committee	
Strategy Three: Seek increased funding from private philanthropy	Legal Aid Foundation Private Bar Campaign Successful – 2018-2019	Identify and contact private philanthropic sources?	??	Resource Committee	
Strategy Four: Targeted law school funding	Uncertain	Follow-up with law school deans		Resource Committee	
Foundational Capacities – Technology Capacity					
Strategy One: The Colorado Legal Help Center as a central component of online services	SCAO ATJ Coordinator is managing redesign and implementation	Encourage integration with CLS and other web sources	Ongoing	Courts Committee/ATJ Coordinator	
Strategy Two: Virtual proceedings and other interactions in rural courts	Courts Committee studying virtual proceedings in civil cases, and documenting innovations in county courts	Report from the Courts Committee	May meeting?	Courts Committee	

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Strategy Three: Computer terminals in courts and self-help centers	SCAO is working on a study of all the self-help centers to determine what courts have available and what it would cost to make this move forward for courts that do not already have this resource available	Continue to monitor	Ongoing	Courts Committee	
Strategy Four: E-filing	Being piloted in 8 Judicial Districts	Continue to monitor	Ongoing	Courts Committee	
Strategy Five: Video conferencing and texting to increase communication, particularly in rural areas	Uncertain	Monitor/inquiry at next meetings of the local ATJ Committees? Video participation in ATJC Committee meetings?	??	Delivery Committee/Local Support Subcommittee	
Foundational Capacities – Community Integration and Prevention; Triage and Referral					
Strategy One: Multi-door, multi-directional points of contact	JFA Access Pilot Project – 4 th and 12 th Judicial Districts; Colorado Resource Network Access Pilot Project (APP)	Follow-up with Emy Lopez/Kath Schoen	May meeting?	Delivery Committee Access Pilot Project	
Strategy Two: Training of community partners					
Strategy Three Colorado Legal Help Center as an internal portal for access to justice community to communicate and connect	CLHC is being redesigned and transferred to a new platform.	Monitor progress/Encourage coordination with CLS, local ATJ Committees and pro bono programs	Ongoing	Courts Committee/ATJ Coordinator	

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Foundational Capacities – Judicial and Court Staff Education					
Strategy One: Training of court personnel and judicial officers	Training being discussed with judges regarding e-filing. 5 videos created by the Judicial Branch to educate staff on self-represented litigants – available SCAO’s internal employee website. .	Monitor progress	Ongoing	Courts Committee	
	(Status continued) Presentation on Writing Plain Language Orders for the Domestic Relations and Probate Institute for judges, Sherlocks and Family Court Facilitators. Contemplating educational sessions for judges regarding ethical issues with SRLs and how to best manage cases with SRLs				
Foundational Services – Broad Self-Help Informational Services					
Strategy One: Tutorials and multi-media teaching content, such as videos linked on the judicial website for use in all judicial districts	Multimedia training for judges by the SCAO; training videos for Self-Represented E-Filing on the judicial website.	Follow-up with SCAO/CLS	Upcoming meeting?	Courts Committee	
	(Status continued) SCAO Considering training videos and tutorials for the CLHC. CLS has a grant to develop a virtual tour of the courthouse.				
Strategy Two: Computer terminals in self-help centers	See above p. 2.			Courts Committee	

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Strategy Three: Expand legal information clinics – Record and catalog	Almost all the Districts host some type of free legal day events and some host more than one. Both the CLHC and CLS have clinics available statewide listed on their website	Monitor	Ongoing	Delivery Committee	
Strategy Four: Document assembly	<p>CLS has 2 operational online document assembly interviews with 2 more close to launching.</p> <p>(Status continued) CLS has 3 more being rolled out with its chatbot and six more that are in development and close to being available. Document assembly planned for CLHC, but not yet available.</p>	Report and demonstration by CLS?	Upcoming meeting?	Courts Committee	
Strategy Five: Live chat capability	Uncertain	Follow-up with SCAO ATJ Coordinator/CLS	Upcoming meeting?	Courts Committee	
Foundational Services – Plain Language Forms					
Strategy One: Translate key forms and documents into plain language	SCAO Plain Language Forms Committee. Pilot project in 1 st and 5 th JDs	Monitor	May meeting?	Courts Committee	
Foundational Services – Language Services Integration					
Strategy One: Preparation of court forms in languages other than English.	2 staff in the SCAO devoted to bilingual forms in Spanish and English	Monitor	Ongoing	Courts Committee	

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Enhancement Services – Expansion and Efficiency Improvements of Full-Service Representation					
Strategy One: Systemic advocacy	Uncertain	Follow-up with CLS, Lawyers Committee, ACLU, Towards Justice	May meeting?	Delivery Committee	
Strategy Two: Civil Right to Counsel	No action taken; Tenants Group in Boulder examining in relation to evictions. Colorado Lawyers Committee (CLC) has or is forming a task force on the issue.	Follow up with CLC re task force. Examine results of right to counsel efforts in NYC, California?	Upcoming meeting?	Delivery Committee	
Strategy Three: Collaborations	Follow-up with CLS and others regarding collaboration such as Medical-legal Partnerships	Examine partnerships with business and government agencies in other states?	??	Delivery Committee	
Strategy Four: Investment in law firms in underserved areas	No action taken			Delivery Committee	
Enhancement Services – Expansion and Efficiency Improvements of Full-Service Representation – Rural					
Strategy One: Rural Legal Development Project (RLDP) <ul style="list-style-type: none"> • <i>Initiatives to place lawyers and law students in rural areas</i> • <i>Support for lawyers and law students</i> • <i>Marketing</i> • <i>Responsiveness to local communities</i> • <i>Economic development</i> 	Modern Law Practice Initiative Committee encompasses a rural effort in its focus. No action on the specific Rural Legal Development strategies	<i>Follow-up with CLS/law schools/ SCAO ATJ Coordinator/local ATJ Committees</i>	Fall meeting?	Delivery Committee/Communications Committee/Special Subcommittee?	

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Strategy Two: Virtual Services in rural areas	CLS – LSC Pro Bono Innovation Grant Ric Morgan, Virtual Legal Clinics	Follow-up with CLS, Ric Morgan	May meeting?	Delivery Committee?	
Enhancement Services – Expansion and Efficiency of Full-Service Representation – Pro bono					
Strategy One: Campaign to increase pro bono	Succession to Service Proposal. The Legal Entrepreneurs for Justice program	Continued reports; Check with Local ATJ Committees regarding local efforts?	May meeting?	Delivery Committee/Local Support Subcommittee	
Strategy Two: Education on ethical protections for lawyers participating in legal clinics	Video created by the Denver Access to Justice Committee – (used by other JD’s, particularly rural ones?)	Follow-up regarding availability in other judicial districts	May meeting?	Delivery Committee	
Strategy Three: Pro Bono Reporting	Delivery Committee reviewing experience of states with mandatory reporting	Receive and discuss report, when appropriate	Upcoming meeting?	Delivery Committee	
Strategy Four: Web-based support for pro bono lawyers	Match.com for senior lawyers announced – Delivery Committee	Follow-up with Delivery Committee	May meeting?	Delivery Committee	
Enhancement Services – Expansion and Efficiency Improvements of Full-Service Representation – Law Schools					
Strategy One: Expanded law school clinics and initiatives	Unknown	Follow-up with law schools	May meeting?	Delivery Committee?	
Strategy Two: Law school courses on access to justice	Unknown	Follow-up with law schools	May meeting?	Delivery Committee?	
Strategy Three: Relax restrictions on student practice	No action taken	Follow-up with law schools	May meeting?	Delivery committee?	

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Enhancement Services – Unbundled (Limited Scope) Representation					
Strategy One: Continued commitment to the supporting law firms engaged in limited scope representation and practices to make representation more affordable	CBA Modern Law Practice Initiative activities	Follow-up with Modern Law Practice Initiative regarding current activities	May meeting?	Delivery Committee	
Strategy Two: Online, centralized database of lawyers	CBA - "Licensed Lawyer" on website –10,000 hits per month reported in February 2019	Monitor reports from CBA	Ongoing	Delivery Committee	
Strategy Three: Support for "incubators" to help public interest and low-cost law firms get started	Legal Entrepreneurs for Justice Project (LEJP) underway with 2 cohorts of participants in 2019	Continued support for LEJP	Ongoing	Delivery Committee	
Strategy Four: Law school courses on modern law practice	Unknown	Follow-up with law schools/MLPI	May meeting?	Delivery Committee?	
Enhancement Services – Alternate Dispute Resolution Integration					
Strategy One: Increase support for Alternative Dispute Resolution	There have been significant activities in this area. Colorado SCAO-ODR was awarded a PEW Civil Court Modernization Grant to explore the use of on-line	Seek ongoing report from Sharon Sturges, Head of Office of Dispute Resolution about project and its ATJ implications.	Upcoming Meeting?	Courts Committee	
	(Status continued) tools for alternative dispute resolution. The Project has received tentative approval from the Branch's IT Governance Committee, subject to the availability of resources.				

Strategy ¹	Status	Next steps for ATJC	By when	Responsible	Action to be taken?
Enhancement Services – Compliance assistance; Courtroom assistance services; Simplification					
Strategy One: Simplification and standardization of processes and procedures	SCAO and Courts Committee looking at simplified In Forma Pauperis Motion; 3 Judicial districts have developed their own streamlined processes	Follow-up with SCAO ATJ Coordinator	May meeting?	Courts Committee/ATJ Coordinator	
Strategy Two: Simplify the law and procedures for family law.	No action taken	Follow-up with SCAO ATJ Coordinator	??	Courts Committee	
System Completion Innovations – Role Flexibility for Other Professionals					
Strategy One: Navigator program	Project underway in 3 rd JD & continuing in the 17 th . PALS – Pilot program for non-lawyer navigators in landlord-tenant cases in rural and urban JD	Monitoring and follow-up	May meeting?	Courts Committee	