

MISSISSIPPI  
**Access to Justice**  
COMMISSION

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JUSTICE *for* ALL

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## 2021 ANNUAL REPORT

Mississippi Access to Justice Commission  
Post Office Box 2168  
Jackson, Mississippi 39225  
601-960-9581  
[www.msatjc.org](http://www.msatjc.org)

## **About the Mississippi Access to Justice Commission**

The Mississippi Supreme Court created the Mississippi Access to Justice Commission (“the Commission”) on June 28, 2006, to develop a unified strategy to improve access to the civil courts for the poor. The Commission is tasked with investigating the need for civil legal services to the poor in Mississippi, and evaluating, developing and recommending policies, programs and initiatives that will assist the judiciary in meeting needs for civil legal services to the poor. The Commission was proud to celebrate its 15<sup>th</sup> year of work and efforts toward expanding access to justice in Mississippi in 2021.

## **Objectives of the Commission**

The Commission’s stated goals are to:

- Identify the current and future needs of the legal services community in providing access to justice for the poor in Mississippi;
- Develop and establish a strategic statewide plan for delivery of legal services to the poor in Mississippi;
- Develop strategies and ideas to increase resources and funding for access to justice in civil legal matters, and to make recommendations to appropriate entities to ensure that the resources and funding are applied to the areas and organizations of greatest need;
- Work to maximize the wise and efficient use of available resources, including development of local, regional and/or statewide systems that encourage the coordination of resources and funding;
- Develop and implement initiatives designed to expand civil access to justice;
- Work to reduce barriers to the justice system by addressing existing and proposed court rules, procedures, and policies that affect access to justice for poor Mississippians;
- Monitor and evaluate the effectiveness of the statewide system and service providers, and periodically evaluate the progress made in fulfilling their respective responsibilities; and
- Consider relevant topics, including available funds and budgets, expansion of resources, increased public awareness through communications and message development, pro bono matters and other related matters, and shall make recommendations as it deems.

## **Current Commission Co-Chairs and Members**

The Commission is made up of twenty-one (21) voting members and thirteen (13) *ex-officio* members. Co-Chairs are Chancery Judge Jacqueline Mask (Tupelo) and former Mississippi Bar President Rodger Wilder (Gulfport). Voting members include: Chancery Judge Margaret Alfonso, Gulfport; Supreme Court Justice Dawn Beam, Sumrall; law professor and attorney David Calder, Oxford; Court of Appeals Judge Virginia Carlton, Jackson; Itawamba County Chancery Clerk Michelle Clouse, Fulton; County Court Judge Trent Favre, Bay St. Louis; Chancery Judge Deborah Gambrell, Hattiesburg; Chancery Judge Tiffany Grove, Jackson; Law Library Director Stephen Johnson, Gulfport; law professor and attorney Shirley Kennedy; Supreme

Court Justice Leslie D. King, Greenville; attorney Lisa Ann Koon, Iuka; attorney Cynthia Lee, Jackson; attorney Julian Miller, Jackson; attorney Ammie Nguyen, Jackson; Chancery Judge Denise Owens, Jackson; Circuit Judge Lillie Blackmon Sanders, Natchez; attorney and Senator Derrick Simmons, Greenville; attorney Trena Williams, Southaven.

Non-voting *ex-officio* Commission members include: Robert “Bob” Anderson, Executive Director, Mississippi Department of Human Services; Sam Buchanan, Jr., Executive Director, Mississippi Center for Legal Services, Hattiesburg; Pat Bennett, Dean, Mississippi College School of Law, Jackson; Gayla Carpenter-Sanders, Executive Director/General Counsel, Mississippi Volunteer Lawyers Project, Jackson; Ben Cole, II, Executive Director, North Mississippi Rural Legal Services, Oxford; Susan Duncan, Dean, University of Mississippi School of Law, Oxford; Jaribu Hill, Executive Director, Mississippi Workers Center, Greenville; Beth Orlansky, Advocacy Director, Mississippi Center for Justice, Jackson; Greta Martin, Attorney, Disability Rights Mississippi, Jackson; Kristine Simpson, Director, Pro Bono Institute, University of Mississippi School of Law, Oxford; Joshua Tom, Interim Executive Director and Legal Director, American Civil Liberties Union of Mississippi, Jackson; Harry Yoste, Attorney/Director, Northcutt Legal Clinic, Gulfport; and Anna Ward Sukmann, Statewide Human Trafficking Victim Services Coordinator and Special Assistant Attorney General, Mississippi Attorney General, Gulfport.

The Executive Director of the Commission is Nicole H. McLaughlin.

### **The Commission’s Committees**

The Commission is comprised of three Committees—Delivery System, Public Awareness and Resource Development. A Strategic Planning Committee meets on occasion to assure the Commission is meeting its stated goals and objectives. The Delivery System Committee oversees the development of an expanded and improved system for providing civil legal services to low-income people. The Resource Development Committee is tasked with developing a long-term plan to increase funding to civil legal services programs. The Public Awareness Committee works to raise awareness about the scope of the need for legal services.

### **Financial Support for the Commission**

The Commission is funded through the generous support of the Mississippi Supreme Court, The Mississippi Bar, The Mississippi Bar Foundation and private donors.

### **2021 Commission Meeting Dates**

The Commission meets quarterly. In 2021, Commission meetings were held as follows: February 23, June 8, August 17 and October 26. Due to the COVID-19 pandemic, the only in-person meeting was held on June 8. At the June 8 meeting, Commissioners met with members of the judiciary and public to celebrate the Commission’s 15<sup>th</sup> anniversary of creation. All other meetings were held via Zoom Videoconference. Special presentations at the 2021 meetings included Jess Waltman, “The Basics of the Uniform Bar Exam.”

## **2022 Commission Meeting Dates**

The Commission has scheduled meetings on the following dates: January 25, May 17, August 23 and November 8, 2022.

## **ACCOMPLISHMENTS IN 2021**

Since the Commission is divided into three committees—Delivery System, Public Awareness and Resource Development—the reports on accomplishments for the past year will be provided based on the committee under which a specific program or initiative was completed.

### **DELIVERY SYSTEM**

One of the Commission's main objectives is to expand and improve the state's civil legal services delivery system. The need for quality, free legal assistance increases as poverty numbers in the state grow. The Commission worked closely with its committees, nonprofit legal service providers, bar associations and other community partners to coordinate and complete various projects, initiatives and outreach programming to reach Mississippians in need of free legal assistance in 2021.

#### **Statewide Access to Justice Month**

The Mississippi Supreme Court challenged every Chancery Court District in Mississippi to begin hosting pro se legal clinics in June 2018 and requested that the Commission help organize the clinics. The clinics were very successful across the state. Through the Initiative, 37 clinics were held and 851 people were given free legal assistance by 451 volunteer attorneys in 2018. The Supreme Court and the Commission again helped organize the clinics in 2019. The clinics were even more successful in 2019. Through the Initiative, over 1,077 Mississippians received assistance. The clinics assisted with the following types of cases: name change, divorce, child custody and support, expungements, emancipations, estate matters, domestic violence protection orders, child visitation, guardianships and adoptions.

Unfortunately, the COVID-19 pandemic caused most of the 2020 free legal clinics to cancel across the State. As the pandemic waned in 2021, several districts began organizing legal clinics again. However, the COVID numbers spiked requiring many of these legal clinics to cancel. We are hopeful that 2022 brings the ability to once again host these needed events statewide.

Even though many clinics were cancelled, the Commission was still able to assist at the following 2021 legal clinics as part of this Initiative: Union County *Pro Se* Legal Clinic (New Albany); Itawamba County *Pro Se* Legal Clinic (Fulton); Monroe County *Pro Se* Legal Clinic (Aberdeen); Lee County *Pro Se* Legal Clinic (February-Tupelo); Pontotoc County *Pro Se* Legal Clinic (Pontotoc); Prentiss County *Pro Se* Legal Clinic (Booneville); Alcorn County *Pro Se* Legal Clinic (Corinth); Tishomingo County *Pro Se* Legal Clinic (Iuka); and Lee County *Pro Se* Legal Clinic

(June-Tupelo). At these clinics, 201 clients were assisted by 142 volunteer lawyers and 53 volunteer law students from the University of Mississippi School of Law.

### Other Legal Clinics

The Commission continues to partner with many other organizations to host legal clinics across the state and virtually. Below are some of the legal clinics that the Commission co-sponsored in 2021.

- “Expungement Assistance” legal clinic held in Bolivar County on July 28, 2021. This event was co-sponsored with the Mississippi Volunteer Lawyers Project. Fifteen clients were assisted by four volunteer attorneys.
- “Eviction Pro Bono Project: Volunteer Attorney Training and CLE” held virtually on September 23, 2021. The Mississippi Access to Justice Commission co-sponsored the event with the Mississippi Volunteer Lawyers Project and several other organizations.
- “Wills for Magnolia State First Responders” held in person in October 2021. The Mississippi Access to Justice Commission co-sponsored the event with Over thirty first responder clients were assisted at this clinic. The Commission plans to co-sponsor future clinics with Wills for Magnolia State First Responders and to continue to develop and expand this partnership.
- “Domestic Abuse Protection Order Practice CLE” held virtually on November 17, 2021. The Mississippi Access to Justice Commission co-sponsored the event with the Mississippi Attorney General’s Office and the Mississippi Volunteer Lawyers Project.

### **Self-Help Video Projects**

The Mississippi Supreme Court’s Children’s Justice Commission and the Commission partnered to produce a series of self-help videos for parents involved in Youth Court cases. The videos are intended to assist individuals represented by counsel and self-represented litigants prepare for Youth Court and navigate and understand the legal system better. Rex Harsin filmed and produced the videos.

On February 5, 2021, volunteers met at the University of Mississippi School of Law Moot Courtroom to film the videos for all of the video project. The videos are being reviewed by the Mississippi Department of Child Protection Services and will be distributed in the Spring 2022. Parent Rep attorney Jennifer Morgan drafted the scripts for the following videos:

- Video 1: Introduction to Youth Court
- Video 2: Rights as a Parent
- Video 3: Responsibilities and Working Your Safety Plan
- Video 4: First Court Hearing – Shelter Hearing
- Video 5: Court Hearings

The videos will be accessible on the Commission’s website and available as a link on other provider and partner websites. Currently, the Commission has thirteen videos on the website. Adding the “Parents in Youth Court” videos will bring the video library to eighteen videos.

As more funding is available for additional videos, they will be added to the Commission’s video library.

### **2020 Justice Index Survey**

The National Center for Access to Justice (“NCAJ”) at Fordham Law School is in charge of the Justice Index Survey. The Survey ranks the 50 states, D.C. and Puerto Rico on their adoption of selected best policies for ensuring access to justice.

On May 18, 2021, the National Center for Access to Justice released the 2020 Justice Index Survey. The previous Survey was released in 2016. In 2016, Mississippi ranked 52/52 overall. The Justice Index ranks states on a 0-100 scale in five categories of access to justice policies: access to an attorney, self-representation, language access, disability access, and fines and fees (added in 2020, not included in the 2016 survey). Within the attorney access category, the Justice Index also includes a count of civil legal aid attorneys in the United States. The Index tracks 163 civil justice “best practices” as determined by NCAJ.

In the 2020 Justice Index Survey, Mississippi ranked 34 overall, a movement of eighteen spots from where it was ranked in 2016. The Commission celebrated this incredible movement and increase in access to justice at its 15<sup>th</sup> Anniversary celebration at the Mississippi Supreme Court on June 8, 2021. Mississippi Supreme Court Chief Justice Michael Randolph welcomed everyone to the event and discussed the Commission’s work and successes. Mississippi Supreme Court Justice and MSATJ Commissioner Dawn Beam recognized current and previous Commissioners and provided additional information about the Commission’s work. Co-Chairs Judge Jacqueline Mask and Rodger Wilder announced the results of the Justice Index Survey and congratulated everyone on their hard work, while encouraging additional work for the future. A reception was held after the program concluded.

The Commission will use the survey to guide future efforts and work.

## MSATJC Resources

The Commission continues to develop and expand its online and print resources. The following are resources we are able to share with other entities and organizations. Many of them are also on our website.

Parents' Rights in Youth Court Pamphlets: These pamphlets assist parents who are involved in Youth Court to better understand the process and inform them of their rights.

Evidentiary Cards: These cards provide an overview of the Mississippi Rules of Evidence and highlight the most commonly used rules. The cards also walk through how to introduce photos and documents into evidence.

MSATJC Resource Cards: The Commission created Resource Cards for clerks and librarians to hand out to patrons who need legal assistance. The cards provide links to helpful legal resources and many of the Commission's online resources.

Cans and Cannots for Court Staff and Court Patrons: These handouts inform court staff of their abilities and provides suggestions for how to assist individuals who appear for assistance and may not be represented. A companion handout is for court patrons to help them understand what court staff and clerks are able to do when assisting them and what they are prohibited from doing.

The Commission has also created a variety of Bench cards for the Judiciary and Court Staff to use. The following bench cards are on the Commission's website at the this link: <http://www.msatjc.org/judges-court-clerks-and-court-staff>

- Limited Scope Representation/Unbundling Bench Card
  - Plain English for Self-Represented Litigants
  - *In Forma Pauperis* Bench Card for Family Law Cases
  - Determining English Fluency
  - Steps to Assist SRLs to be Fairly Heard Bench Card
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## **PUBLIC AWARENESS**

Among its more significant accomplishments of the past year, the Commission was able to increase its exposure and bring more awareness to the services offered by the nonprofit legal service provider community as recommended in its stated goals.

### **Conferences and Events**

The Commission attended the following conferences and events: Southeast ATJ/Pro Bono Meetings; Presentation to UM Law Poverty Law Class; MS Judicial College Circuit Clerk Training presentation; MS Judicial College Trial and Appellate Judges' Training presentation; presentation at American Bar Association Equal Justice Conference, held virtually; MS Judicial College Municipal Court Judges' Conference presentation; Young Williams presentation on ATJ issues; MSATJC/MVLP Clear the Queue event for MS Free Legal Answers at the MS Bar Annual Meeting; UM Law Dukes Professionalism Program; MS Judicial College Municipal Court Clerks Conference; MS Bar Board of Bar Commissioners ATJ presentation; UM LAW and MWLA Meeting; Tri-County Youth Court Meeting; Mooreville High School Lawyer in the Classroom event; MSATJC/First District Chancery Court/Junior Auxiliary of Tupelo Adoption Event; and Pontotoc High School Law Class presentation.

### **POWER Act Conference**

Congress passed the Pro Bono Work to Empower and Represent Act of 2018 ("POWER Act"), Pub. L. 115-237 during the summer of 2018. The POWER Act highlights the increasing domestic violence problem and the need for attorneys to help victims on a pro bono basis. The POWER Act requires the chief judge in each federal judicial district to partner with a domestic violence service provider and a volunteer lawyer project to lead a public event that promotes pro bono legal services as a critical way to empower victims. The Northern District reached out to the Commission to partner on a project under the POWER Act in 2019. We co-hosted the conference where speakers discussed access to justice and domestic violence issues. The Northern District asked the Commission to co-host the conference again in 2020. We agreed and scheduled the 2020 event on May 15, 2020 in Tupelo. Unfortunately, a live event was not possible. Instead, the Northern District created a Domestic Violence resource page on its website. The resource page can be accessed here: <https://www.msnd.uscourts.gov/power-act-2020-virtual-event>. For 2021, a virtual event was co-sponsored by the Commission where attendees could receive four hours of continuing legal education credit. Presentations included "Navigating the Protection from Domestic Abuse Laws" by Special Assistant Attorney General Paula Broome, Mississippi Attorney General's Office; "Mandatory Child Abuse Reporting in Indian Country" by Tanya L. Phillips, Senior Staff Attorney, MS Band of Choctaw Indians' Attorney General; "Risk Assessment" by Sasha J. Lambert, Ph.D., Clinical Psychologist; and "Am I my Brother's/Sister's Keeper: A Look into Pro Bono Representation in Mississippi" by Gayla Carpenter-Sanders, Esq., Executive Director/General Counsel, Mississippi Volunteer Lawyers Project.

### **First Chancery District/Junior Auxiliary of Tupelo/MSATJC Adoption Project**

In support of adoptions in the First Chancery District, the Junior Auxiliary of Tupelo and MSATJC continues to partner to provide a new or gently used book to newly adopted children and their siblings to celebrate their special day. The books are stored in the Commission's office at the Lee County Justice Center, Tupelo. Additionally, an Adoption Celebration Event was held on November 13, 2021 in Tupelo, Mississippi. The Junior Auxiliary assisted in providing Chancellors with Save the Date invitations to hand out to adopting families for the November event. JA sponsored the event by providing refreshments, crafts, books to provide to children and also volunteered at the event along with local MDCPS adoption specialists.

As an expansion on this project, the Junior Auxiliary of Tupelo also provided 48 Comfort Bags to area MDCPS Staff for children who are removed. The infant drawstring bags included diapers, wipes, a nightlight and swaddling blanket and the youth backpacks included a fleece blanket, journal, pen, nightlight and toothbrush/toothpaste. Each bag included a handwritten note to the foster child or foster parent and a resource guide for the foster parents to get emergent assistance for food, clothes and other resources if needed.

### **Themis Law Project Pilot Program**

Identifying the need for newly admitted attorneys to remain in the State and for more youth to become interested in the profession of law, the Commission is working with Co-Chair Chancellor Jacqueline Mask and county leaders in Lee County to begin a youth legal project. We hope to get youth interested in the law as a profession and also assist them in paving the way to law school. We are working on a Summer Law Camp for entering 10<sup>th</sup>-12<sup>th</sup> graders for July 18-21, 2022 in Tupelo, MS. The camp will include interactive legal projects, observing open court, tours of courthouses and introductions to different legal careers. We hope to make this a model for use statewide for legal camps for Youth.

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## RESOURCE DEVELOPMENT

Among its many directives, the Commission was empowered to develop strategies and ideas to increase resources and funding for access to justice in civil matters. To that end, the Commission works closely with The Mississippi Bar, the Supreme Court, the state's legal services providers and others in an attempt to procure additional support for civil legal services in the state.

The Commission partners with legal aid providers to support grant applications. The Commission plans to work toward additional grants and funding increases for the state's legal services providers in 2022.

### ***Pro Hac Vice Funds***

On May 10, 2018, the Mississippi Supreme Court issued an Order providing that the Commission receive one-third of the *Pro Hac Vice* funds received from out of state attorneys. At the same time, the Supreme Court increased the *Pro Hac Vice* fee from \$200 to \$300. In doing so, the divergence of funds to the Commission did not affect the amount transferred to the Civil Legal Assistance fund. The funding increase has allowed the Commission to fund more projects and keep it more self-sufficient in the future.

### **State Justice Institute Grant**

The State Justice Institute requested applications for its Court Pandemic Response and Recovery Grant. SJI funded projects that assist state courts in their response to, and recovery from, COVID-19, with a look toward the future of court operations. The maximum grant amount was \$150,000. The Commission worked with the Mississippi Center for Justice to apply for this grant to fund a project for Justice Court in Mississippi. The project would create a variety of resources including a virtual court navigator and a series of self-help videos.

The MCJ received notification that it was awarded this grant for the Justice Court Access Program. The total grant amount is \$150,000. A new website with virtual chatbot has been created to assist individuals with issues related to Mississippi's Justice Courts. The website is <https://msjusticecourthelp.com/>. Additionally, self-help videos, forms and other resources had been created and added to the website. The Commission is grateful to MCJ for undertaking this project and looks forward to continuing to work on it in 2022.

## ACKNOWLEDGEMENTS

The Commission wishes to acknowledge the generous support it receives from the Mississippi Supreme Court, The Mississippi Bar and the Mississippi Bar Foundation. We would also like to recognize the tireless work of the state's nonprofit legal services providers. We want to acknowledge the individuals and organizations with whom we partnered in 2021 on the activities and programs discussed herein. We thank these individuals and organizations for their invaluable contributions to our successes in 2021:

Access to Justice Committee, The Mississippi Bar  
James Phipps and BeCloud, LLC  
Bill Benson, Lee County Chancery Clerk  
Judge Staci Bevell, Lee County Court Judge  
Kimela Bratton  
Bethany Clark, Esq.  
First District Chancery Bar Association  
Brett Harrison and Maverick & Mitchell, LLC  
Rex Harsin, Rex Harsin Films  
John Jopling, Esq.  
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Melissa King, Esq.  
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Neyda Martinez-Covarrubias  
Christi McCoy, Esq.  
Amelia McGowan, Esq.  
The Mississippi Bar  
The Mississippi Bar Foundation  
The Mississippi Bar, Board of Commissioners  
Mississippi College School of Law  
Mississippi Commission on Continuing Legal Education  
Mississippi Judicial College  
Mississippi Library Commission  
Mississippi Supreme Court and Mississippi Court of Appeals  
Office of General Counsel, The Mississippi Bar  
University of Mississippi School of Law  
Wills for Magnolia State First Responders  
Young Lawyers Division of The Mississippi Bar

We will build on our 2021 accomplishments—and your continued support—to further the cause of access to civil justice in Mississippi in 2022 and beyond.