

MISSISSIPPI
Access to Justice
COMMISSION

JUSTICE *for* ALL

2022 ANNUAL REPORT

Mississippi Access to Justice Commission
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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 16th year of work and efforts toward expanding access to justice in Mississippi in 2022.

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 fourteen (14) *ex-officio* members. Co-Chairs are Chancery Judge Jacqueline Mask (Tupelo) and former Mississippi Bar President Rodger Wilder (Gulfport). Voting members include: 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; attorney David Kent Haadsma, II, Tupelo; Assistant US Attorney, Kimberly Hampton, Northern District of MS, Oxford; 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 Julian Miller, Jackson; attorney Ammie Nguyen, Jackson; Chancery Judge Denise Owens, Jackson; Circuit Judge Lillie Blackmon Sanders, Natchez; attorney and retired Jackson County Youth Court Judge Sharon Sigalas, Gautier; and 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; John Anderson, Interim 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; Harya Tarekegn, Advocacy and Policy 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; McKenna Raney-Gray, Staff Attorney, American Civil Liberties Union of Mississippi, Jackson; Seth Shannon, Director and attorney, Mission First Legal Aid Office, Jackson; Harry Yoste, Attorney/Director, Northcutt Legal Clinic, Gulfport; and Anna Ward, 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.

2022 Commission Meeting Dates

The Commission meets quarterly. In 2022, Commission meetings were held as follows: January 25, May 17, August 23 and November 15. Due to the COVID-19 pandemic, the January 25 meeting was held via Zoom videoconference. All other meetings were held in person at the Gartin Justice Building in Jackson, Mississippi. Special presentations at the 2022 meetings

included Deenie Miller, Language Access Coordinator, Administrative Office of Courts, “Language Access Issues”; Max Meyers, Director of Consumer Protection, Mississippi Center for Justice, “Consumer Protection Projects and Update”; attorney and Commissioner Ammie Nguyen, “Self-Represented Litigant Issues and Annual Survey Update”; and roundtable discussions regarding access to justice issues and the status of access to justice in Mississippi.

2023 Commission Meeting Dates

The Commission has scheduled meetings on the following dates: January 24, April 18, August 15 and October 24, 2023.

ACCOMPLISHMENTS IN 2022

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 2022.

Legal Clinic Initiative

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 and caused this initiative to lose momentum since the beginning of the pandemic. Despite the issues created by the pandemic, the Commission assisted in sponsoring or co-sponsoring the following legal clinics:

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 (October-Tupelo). At these clinics, 207 clients were assisted by 146 volunteer lawyers and 53 volunteer law students from the University of Mississippi School of Law.

We also partnered with the Mississippi Center for Justice on the following legal clinics: Expungements and Wills/Estates Clinic in Jackson; Expungement Clinic in Indianola, Sunflower County.

We partnered with the Wills for Magnolia State First Responders Association to provide a Wills Clinic for first responders in Jackson. Ten attorneys assisted 35 first responders with their estate issues. We are excited to have continued this partnership in 2022 and hope to expand it with additional clinics in 2023.

We are hopeful that 2023 brings the ability to once again host these needed events at a statewide level.

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.

The series includes the following videos:

Video 1: Rights as a Parent

Video 2: Responsibilities and Working Your Safety Plan

Video 3: First Court Hearing – Shelter Hearing

Video 4: Court Hearings

The videos are accessible on the Commission's website and available as a link on other provider and partner websites. We created a tab on the website for all Youth Court resources. It can be accessed at this link: <http://www.msatjc.org/youth-court>. In addition to the videos, we added other valuable resources and links to partner websites.

As more funding is available for additional videos, they will be added to the Commission's video library located here: <http://www.msatjc.org/self-help-videos>.

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 accomplishment and movement and continues to use the survey to guide future efforts and work. For 2022, the Commission focused on Language Access issues and Disability Access issues while continuing to expand resources for self-represented litigants.

The Commission partnered with the AOC’s newly hired Language Access Coordinator to translate the Justice Court Civil Forms into Spanish. We are exploring other ways to assist in expanding access where language may be an issue for litigants.

To assist with disability access issues, the Commission and Disability Rights MS collaborated to create a Manual for courts to use in providing access to Mississippi's disabled population. A "survey" is provided so courts can determine how well they are providing access and learn ways they can expand access. We have provided presentations on disability issues and the Manual at the MS Judicial College’s conferences and will continue to do so in 2023 as invited.

2022 Curtis E. Coker Access to Justice Award

The Commission was honored to receive the 2022 Curtis E. Coker Access to Justice Award from the Mississippi Volunteer Lawyers Project. The Coker Award has been presented to an individual, law firm or other organization that has provided or helped to provide consistent, outstanding pro bono legal services. The main purpose of the Award is to foster awareness of the need for the involvement of the private bar in delivering legal services to the poor. The Award is named in honor of former Mississippi Bar President Curtis E. Coker, a leading advocate in the cause of making legal services available to all without regard to need. The Coker Award is MVLP's highest distinction bestowed upon an organization. ED McLaughlin accepted the award on behalf of the Commission at MVLP's 2022 Pro Bono Reception on October 25.

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. This resource complements our series of self-help videos for parents involved in the Youth Court process.

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.

Domestic Abuse Protection Order Forms: Through a partnership with the Mississippi Attorney General's Office, we were able to convert the Domestic Abuse Protection Order forms into fillable PDFs and also able to create an online interview packet for them. This will assist victims in easily completing the paperwork for protection orders. We also created a list of Frequently Asked Questions to assist those accessing the forms.

Courthouse Standards & Best Practices for Providing Access to All Manual: The Commission and Disability Rights MS collaborated to create a Manual for courts to use in providing access to Mississippi's disabled population. There is also a "survey" so courts can determine how well they are providing access and reveal ways they can expand access.

Default Judgment Resource Cards: This resource card explains what a Default Judgment is, how to avoid Default Judgments and what to do if one is entered against them. This resource is especially useful for Justice Court.

Eviction Resource Card: This resource cards assists those facing evictions with information about Landlord/Tenant Laws in MS and provides resources for assistance.

Child Custody Options in MS: This resource assists those self-represented litigants in custody actions determine which custody option may be best for their family. This is a valuable

resource for Chancellors and Chancery Clerks to hand out to self-represented litigants in divorce and custody actions.

All of these resources are available on the Commission's website or are available in print by contacting the Executive Director. 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 this link: <http://www.msatic.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; participation in HOPE Advisory Council Meetings; participation in Parent Representation Task Force Meetings; participation in MS Commission on Children's Justice Meetings; American Bar Association Center on Children and the Law Access to Justice Conference; MS Judicial College Trial and Appellate Judges, Court Administrators and Court Reporters Spring and Fall Conference presentations; MS Judicial College Trial and Appellate Judges' Training presentation; MS Judicial College Justice Court Clerks' Conference presentation; Butler Snow virtual 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 Youth Court Judges and Referees Conference; MS Bar Board of Bar Commissioners ATJ presentation; MSATJC/First District Chancery Court Adoption Celebration Event; MS Attorney General Office DAPO Training CLE; and MS Judicial College New Judges Orientation and Conference.

POWER Act Conferences

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.

We anticipated the 2022 event to be held in person. However, circumstances related to COVID and beyond our control once again forced this into being a virtual event. Nevertheless, it allowed attendees who might not have otherwise been able to participate in a live, in-person event. The event included opening remarks from Chief Judge Debra M. Brown and the following presentations: “Victimology Resources” Dr. Patricia Ann Davenport, LSW; “I am my Brother’s Keeper” Gayla Carpenter-Sanders, Esq., Executive Director/General Counsel, Mississippi Volunteer Lawyers Project; “Cultural Diversity” Takiva Bell, Executive Director, SAFE, Inc.; “Crime Victims’ Bill of Rights, Crime Victim Compensation Program, and other AGO Crime Victim Resources” Teri D. Gleason, Director, Bureau of Victim Assistance, Mississippi Office of the Attorney General; “Representing Survivors” Christi McCoy, North Mississippi Rural Legal Services.

We look forward to partnering on this and other events with the U.S. District Courts of Mississippi.

First Chancery District/MSATJC Adoption Celebration Project

In support of adoptions in the First Chancery District, the judges and MSATJC continue 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 12, 2022 in Tupelo, Mississippi. Chancellors provided Save the Date invitations to adopting families throughout the year for the November event. Adopting families were able to have a morning with Santa and Mrs. Claus for cookies, crafts and pictures.

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 collaborated with Co-Chair Chancellor Jacqueline Mask and county leaders in Lee County to begin a youth legal project. The hope was to get youth interested in the law as a profession and also assist them in paving the way to law school. We hosted a Summer Law Camp for entering 10th-12th graders on July 18-21, 2022 in Tupelo, MS. Over twenty participants attended the camp. The camp included interactive legal projects, observing open court, tours of courthouse offices and introductions to different legal careers. The camp concluded with a Mock Trial held by the attendees. The camp was so successful that we have already scheduled the 2023 event for the week of June 12. We hope this becomes a model for use statewide for legal camps for youth.

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 2023.

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.

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 2022 on the activities and programs discussed herein. We thank these individuals and organizations for their invaluable contributions to our successes in 2022:

Access to Justice Committee, The Mississippi Bar
James Phipps and BeCloud, LLC
Bill Benson, Lee County Chancery Clerk
Kimela Bratton
First District Chancery Bar Association
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Judge Carlyn Hicks, Hinds County Youth Court
John Jopling, Esq.
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Mississippi College School of Law
Mississippi Commission on Continuing Legal Education
Mississippi Judicial College
Mississippi Library Commission
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Office of General Counsel, The Mississippi Bar
University of Mississippi School of Law
Anna Ward, Esq., Special Assistant Attorney General, MS AGO
D. Jeremy Whitmire, Clerk of Mississippi Appellate Courts
Wills for Magnolia State First Responders
Russell Woods and Casey Family Programs

We will build on our 2022 accomplishments—and your continued support—to further the cause of access to civil justice in Mississippi in 2023 and beyond.