

Tennessee
Access to Justice
Commission
2016
STRATEGIC
PLAN

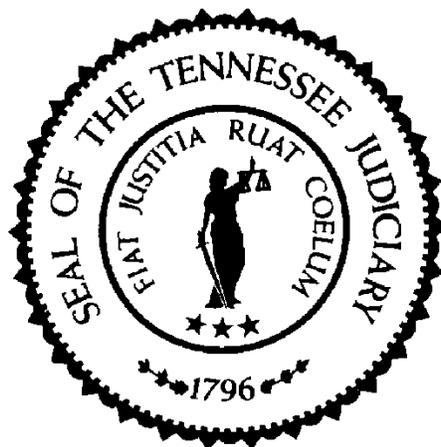


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I. Introduction

The Tennessee Supreme Court (the “Court”) declared Access to Justice its number one strategic priority in August 2008 and officially launched its Access to Justice Initiative (the “Initiative”) later that year. As an integral part of the Initiative the Court created the Access to Justice Commission (the “Commission”) in 2009. The Court adopted Supreme Court Rule 50 (“Rule 50”) to provide the Commission with guidance and authority to develop a strategic plan for improving access to justice in Tennessee. The strategic plan should educate the public on the need for legal representation to meet the ideal of equal justice under the law, identify the priorities to meet the need of improved access to justice, and include recommendations to the Court for projects and programs the Commission determines to be necessary and appropriate for enhancing access to justice in Tennessee. The Commission must update the strategic plan every two years.

This 2016 Strategic Plan outlines the history and successes of prior strategic plans and details the Commission’s vision for the next two years. The Commission is now entering a new phase in its existence. It has identified and addressed immediate needs and now must position itself as an integral and coordinating part of the access to justice culture in Tennessee. The Commission is very mindful that its success is directly attributed to the Court’s unwavering commitment to increasing access to justice for Tennessee’s most vulnerable citizens. The Court as a whole – and each individual Justice – continuously demonstrates the importance of access to justice through presentations and speeches both locally and nationally, participation in meetings and training events, and strong encouragement of those involved in access to justice, including the Commission and all of its access to justice partners. Tennessee remains one of very few states to have the entire Supreme Court dedicated to improving meaningful access to the court system and the Commission thanks the Court for its steadfast support.

II. Overview of the Commission's 2010 and 2012 Strategic Plans

A. 2010 Strategic Plan. The Commission submitted its first strategic plan to the Court in 2010. The Commission focused on Rule 50 directives to craft this Plan. Specifically, it set four goals:

- 1) Involve more lawyers and law students in meeting legal needs so that the public is better served;
- 2) Provide greater educational opportunities and resources for policymakers, self-represented litigants, the community, lawyers, court personnel, and others;
- 3) Make the justice system more user-friendly;
- 4) Remove barriers to access to justice including but not limited to disability, language, literacy, and geography.

As the Commission navigated through its first years, these four goals served as its guide. The Commission built upon the Court's proactive approach to eliminating the barriers for attorneys to perform pro bono work, and a statewide Pro Bono Summit was held in 2011. The Pro Bono Summit brought together judges, court clerks, law school faculty and staff, private attorneys, legal aid attorneys, librarians, faith leaders, social service providers, and a wide range of other stakeholders. The attendees participated in specialized break-out sessions, discussing and developing initiatives to increase pro bono for their respective communities.

The Commission unveiled some of its initiatives at the Pro Bono Summit including the Pro Bono Clinic in a Box project, that has all the forms and guidance an organization would need to start a free legal advice clinic. The free online civil legal advice website, www.OnlineTNJustice.org, a collaboration between the Tennessee Bar Association, the Tennessee Alliance for Legal Services and the Commission, was debuted, and attendees were able to sign up as volunteers on the site. An entire plenary session was devoted to how

technology can be used to make it easier for the public to get legal information and legal help. The Court unveiled its stand-alone website, www.JusticeForAllTN.com, and illustrated an interactive map feature that allows users to click on a county to find contact information for legal and social services in their area.

Also addressed by the Commission was the growing number of Tennesseans who must represent themselves because they can't afford an attorney for civil legal issues, some precluded from getting help through a local legal aid office. The Commission developed a packet of plain language forms written in a fifth to eighth grade reading level for uncontested divorces when the spouses do not have any minor children, have no real property, and no retirement accounts.¹ This project was a response to multiple surveys from court clerks and legal aid lawyers who identified the huge need for family law resources. The Court adopted Supreme Court Rule 52 ("Rule 52") to approve plain language forms as universally acceptable as legally sufficient in all Tennessee counties. The Commission created additional plain language forms commonly used in general sessions court, as general sessions judges and the court clerks reported the majority of litigants in that court are self-represented.²

To assist the front line profession in helping self-represented litigants, the Commission put forth Guidelines for Tennessee Court Clerks Who Assist Self-Represented Persons (the "Guidelines")³. Various court clerks participated in this project, and the Tennessee Court Clerks Association readily adopted the Guidelines. Under the leadership of a general sessions judge committed to aiding self-represented litigants, the Commission drafted a bench book directed to

¹ The plain language divorce forms for uncontested divorces when there are no minor children are available at <http://www.justiceforalltn.org/resource/court-approved-divorce-forms-no-minor-children> and <http://www.tncourts.gov/node/622453>.

² The plain language general sessions forms are available at <http://www.justiceforalltn.com/i-need-help/forms> and <https://www.tncourts.gov/node/1436225>.

³ The Guidelines are available at <http://www.justiceforalltn.com/i-can-help/resources-and-guidelines> and <http://www.tncourts.gov/courts/court-clerks/clerks-manuals-reporting>.

give those who could not afford a civil attorney a better understanding of the court process: Meeting the Challenges of Self-Represented Litigants (the “Bench Book”)⁴ with corresponding supplemental local rules. The Tennessee General Sessions Judges Conference approved the Bench Book and supplemental rules which are both written in plain language. The Guidelines and Bench Book are made available on the Administrative Office of the Courts’ website and are routinely distributed to the court clerks and general sessions judges at their training events.

B. 2012 Strategic Plan. When the Commission met to craft its 2012 Strategic Plan, it determined that the primary objectives of the 2012 Strategic Plan were to provide quality representation to indigent Tennesseans, and create better ways to connect clients with a lawyer for civil needs. It focused on the first goal of the 2010 Strategic Plan as the first step in meeting the primary objectives, to better serve the public by involving more lawyers and law students in meeting legal needs. The Commission decided to quantify this goal, on or before January 1, 2015, as 50% of licensed attorneys residing in Tennessee would provide pro bono services as defined by the Court at an average of 50 hours per year. This goal would be measured by attorneys who voluntarily report their pro bono work when they renew their attorney license with the Board of Professional Responsibility.

At the writing of this Plan, 41.56% of Tennessee attorneys reported in 2015 that they provided 568,170 hours of pro bono service in 2014, at an average of 74.61 hours per reporting attorney.⁵ The percentage of Tennessee attorneys reporting pro bono work is up slightly, by .5%, from last year. The highest percentage rate that the Commission has tracked was 47.20% of Tennessee attorneys reporting pro bono work in 2012. Since 2011, when the Commission began

⁴ The Bench Book is available at <http://www.tncourts.gov/administration/judicial-resources/forms-documents/other-forms-resources>.

⁵ Attorney pro bono reporting data is available in the 2015 Pro Bono Report attached as Appendix XX. Pro Bono Reports from prior years are available at <http://www.tncourts.gov/programs/access-justice>.

tracking the amount of pro bono work reported by Tennessee attorneys, the percentage of reporting attorneys has been greater than 40%.

Recruiting new lawyers to do pro bono work was paramount to expanding the scope of free legal services available to low income Tennesseans. The 2003 Legal Needs Study⁶ showed that there were over one million Tennesseans who qualified for free legal assistance. At that time, there were only roughly 80 lawyers employed at legal aid organizations in Tennessee funded by the Legal Services Corporation. There was no way that these 80 lawyers could meet the stated need. The Commission outlined objectives in the 2012 Strategic Plan that were either met or surpassed. The number of law firms that adopted pro bono policies increased by 15 with two additional firms in the process of adopting pro bono policies at the close of the 2012 Strategic Plan. Pillar Law Firm models were launched in Memphis and Knoxville, and Chattanooga was in the process of launching its model. The Pillar Law Firm model is one through which firms commit to accept pro bono cases on a specific legal issue referred from the local legal aid office. The legal aid office trains the firms' lawyers on that specific legal issue. The Commission assisted the TBA in planning of the first Law School Pro Bono & Public Interest Conference at Belmont College of Law in January 2013. One noteworthy result of this Conference is the law schools have partnered together on Alternative Spring Break projects to provide on-going legal representation to low income Tennesseans. The TBA now sponsors this annual meeting, while the Commission remains a strong supporter and participant.

The Commission's Pro Bono Advisory Committee proposed a pro bono recognition program, *Attorneys for Justice*, whereby individual attorneys who do 50 or more hours of pro bono service in a calendar year are recognized by the Court. The Court also recognizes law offices with an average of 50 hours or pro bono work per attorney in a calendar year. To

⁶ The 2003 Legal Needs Study is available at <http://justiceforalltn.org/i-can-help/resources-and-guidelines>.

encourage more law students to become involved in doing pro bono work, the proposal also included a recognition program for them, *Law Students for Justice*. Law students who provide 50 or more hours of pro bono work during their law school career are recognized. Each attorney or law student who is recognized receives certificate signed by all of the Justices on the Court. He or she also receives an electronic version of the recognition seal that may be used on their website, letterhead, and other marketing material. Lastly, the Court recognizes the attorneys, law offices, and law students at regional events to celebrate their pro bono efforts and encourage their peers to participate.

Next the Commission focused on how to educate the newly-recruited attorneys. Based on the 2003 Legal Needs Study, the Commission determined that family law and debtor/creditor issues are High Needs areas of law, as low income Tennesseans frequently experience problems in these issues. The Commission set out to create an online curriculum on High Needs areas of law for pro bono attorneys to familiarize themselves with these subjects if they are outside of their day-to-day practice. The videos are available to attorneys free of charge. Currently there are over ten videos available on the access to justice website and the Commission continues to add to the curriculum.⁷ The Commission emphasized the Pillar Law Firm model as another way to educate pro bono attorneys on High Needs areas of law

The Commission officially indicated its intent to propose to the Commission on Continuing Legal Education and Specialization (the “CLE Commission”) that excess CLE funds be designated by the CLE Commission and the Court to provide for development and promotion of the High Needs CLE training and the other access to justice initiatives. The cost to develop the curriculum ended up being very nominal due to the generosity of the Tennessee Bar Association. The TBA provided its production studio and services free of charge for some of the

⁷ The attorney education videos are available at <http://www.justiceforalltn.com/videos>.

videos. Other videos are recordings of live training sessions sponsored by the Commission which have proven to be a very successful method to both recruit and train new pro bono lawyers.

The Commission made two requests to the CLE Commission for specific access to justice initiatives. The first was to hire a Pro Bono Coordinator to cultivate, monitor, and report new pro bono initiatives. The Faith-Based Initiatives Advisory Committee identified the need for statewide pro bono coordination during the formation of its partnership with the United Methodist Church. Many of the pastors indicated that pro bono resources are scarce, particularly in rural areas of the state. They also indicated that face-to-face interaction is key to securing commitment by potential partners. These specific needs could not be met by the Access to Justice Coordinator alone. While the need for the position was identified by the Faith-Based Initiatives Committee, the position is not limited to faith-based projects. The Pro Bono Coordinator works with non-religious institutions to develop new pro bono programs. The Pro Bono Coordinator maintains a statewide directory of pro bono and legal service programs⁸ and uses that database to identify pockets of the state where pro bono resources are lacking.

The CLE Commission's commitment to access to justice enabled the Commission to create the Tennessee Faith & Justice Alliance (the "TFJA").⁹ The TFJA is an alliance of faith-based groups in Tennessee who commit to providing legal assistance to their congregations and communities. The goal is to attract attorneys who are not currently involved in pro bono work and to connect them with low income Tennesseans in need of legal services. The assumption behind the program is that people in need will go to their houses of worship for help. Some of the collaborative projects created by the TFJA are training sessions for clergy to help them identify legal issues when listening to their parishioners, using a Referral Model designed to pair

⁸ The statewide pro bono and legal service programs is available at <http://www.justiceforalltn.com/resource/legal-clinics-tennessee>.

⁹ Additional information on the TFJA is available at <http://www.justiceforalltn.com/i-can-help/faith-based-initiative>.

volunteer lawyers with congregants in need, establishing inter-faith free legal advice clinics, and providing community education.

The second request the Commission made to the CLE Commission addresses the Commission's emphasis on connecting people in need with pro bono lawyers and other legal services. As part of the 2012 Strategic Plan, the Commission explored the feasibility of establishing a statewide toll free information phone line, staffed by lawyers, which the public could access for information on available resources. The Chair of the Commission and the ATJ Coordinator attended numerous training sessions providing information on similar information lines and consulted with many access to justice stakeholders at the local, state, and national level. After much review, the Commission determined that TALS was the most appropriate entity to host the information line, 1-888-aLEGALz, and TALS welcomed this addition to its programming. The CLE Commission funded the information line attorney beginning in January 2013 and continues to support the position. TALS re-branded the information line with the help of the Commission's Public Awareness Advisory Committee in 2015 to Help4TN. In January 2016, just three years after its launch, 1-844-Help4TN helped its 10,000th caller.

While the 2012 Strategic Plan had a primary focus to increase the amount of pro bono work provided across the state, the Commission recognized inevitably that some Tennesseans will not have access to pro bono help. Therefore it did include projects designed to assist self-represented litigants. The Commission produced a series of educational videos for self-represented litigants on specific legal issues and the court process in general.¹⁰ Throughout its existence, the Commission has surveyed court clerks, judges, and others who frequently encounter self-represented litigants. The majority of survey respondents express the need for guidance and resources to provide service effectively to self-represented litigants. The

¹⁰ The videos for self-represented litigants are available at <http://www.justiceforalltn.com/videos>.

Commission developed a policy clearly defining legal information and legal advice.¹¹ This policy guides court staff, clerks, and others who regularly assist people who represent themselves in legal matters. The Commission created additional guidance for court clerks and staff for signage to help self-represented litigants navigate the courthouse.¹² Plain language forms and instructional resources continue to be one of the Commission's priorities to assist self-represented litigants.

III. Accomplishments and Highlights of the 2014 Strategic Plan.

The 2014 Strategic Plan set forth additional goals and initiatives to aid and expedite the Court's dynamic and ongoing Access to Justice campaign. The Commission continued its focus on its first goal: to involve more lawyers and law students in meeting legal needs the better serve the public. Key to implementation of this goal is a more comprehensive pro bono delivery system across the state; which has taken shape through the establishment of 1-888-aLEGALz, now 1-844-Help4TN, and the publication of the annual pro bono report. The 2014 Strategic Plan also addressed the necessity for further public outreach and for enhanced awareness of existing access to justice resources for self-represented individuals and the community at large. Finally, the 2014 Plan addressed the Commission's commitment to careful measurement of the effectiveness of initiatives, including collaborative efforts to assist stakeholders in aiming resources to the programs that most directly address the critical needs of our citizens.

A. Assess Legal Needs. The Commission and other access to justice stakeholders rely on statistics detailing the civil legal needs of low income Tennesseans. Prior to the 2014 Strategic Plan, the most-recent legal needs study was conducted in 2003. In order for the

¹¹ The General Guidelines Distinguishing Legal Information from Legal Advice are available at <http://www.justiceforalltn.com/i-can-help/resources-and-guidelines>.

¹² The Tips to Help Self-Represented Litigants Navigate the Courthouse are available at <http://www.justiceforalltn.com/i-can-help/resources-and-guidelines>.

Commission and its partners to refine existing programs and launch new initiatives that will impact the most Tennesseans in the most profound way, the Commission sought funding to update the statewide legal needs assessment. The Ansley Fund of the Frist Foundation provided a generous grant, and a new legal needs study was released in 2014 in collaboration with TALS and the TBA.¹³ The Commission used this study to develop this strategic plan, and each Advisory Committee has used the data to prioritize initiatives and address need.

B. Disseminate Information and Increase Use of Existing Resources. The Commission believed that many of the existing resources, such as www.OnlineTNJustice.org and the toll free legal information line, 1-844-Help4TN, were underutilized. It declared in the 2014 Strategic Plan that it would re-populate a stand-alone Public Awareness Committee to focus on two crucial fronts. The first was to make the public aware of existing resources and the second was to insure lawyers are aware of opportunities to provide pro bono services.

The Public Awareness Committee is credited with recommending that aLEGALz be re-branded so that the name resonates with the general public. aLEGALz became Help4TN. It further recommended that a website be re-branded or created with the same name to reach the public through the internet. TALS re-branded its Legal Information for Tennesseans website to www.Help4TN.org. The website is a portal to direct users to the appropriate resources. The Public Awareness Committee, with the help of ATJ Commissioner Tony Seaton, created a public service announcement featuring Justice Cornelia A. Clark. The PSA informs the public of the website, and provides a brief description of the information available on the site. The PSA is already airing in areas around the state.

The Commission set a specific goal to increase referrals by LSC-funded organizations to the legal information hotline by 10% per year. Impetus for the goal was recognition that the

¹³ The 2014 Legal Needs Study is available at <http://www.justiceforalltn.com/i-can-help/resources-and-guidelines>.

hotline can help people by providing limited legal advice or referring them to another resource when legal aid cannot take their case. The Help4TN phone line collects some data from users. Legal aid is consistently in the top two referral sources. A sample of 509 callers from 2015 indicates that 30% of users heard about the helpline from legal aid, 25% from court clerks, 11% from private attorneys, 7% from an agency, and 7% from the internet.

A second specific goal set by the Commission was to drive a 10% increase in use of existing resources. Re-branding the helpline and the legal information website to Help4TN were both actions taken to help meet this goal. The website, www.Help4TN.org, was added to www.KidCentraltn.com, a one-stop shop for families to connect with important information and resources. The Governor's Children's Cabinet, led by Gov. Bill Haslam and First Lady Crissy Haslam, developed the website. TALS created flyers with information for both the Help4TN helpline and website, which were distributed to court clerks, general sessions judges, and legal aid and social workers.¹⁴ The Education Advisory Committee developed a poster for the court clerks to post with the Help4TN helpline and website information.¹⁵ The poster also included the websites www.OnlineTNJustice.org and www.JusticeForAllTN.com. Due to these efforts, the Help4TN helpline usage increased by 25%. The usage of www.OnlineTNJustice.org increased as well. The number of users increased by 35%, the number of return users increased by 22%, and the number of attorney volunteers increased by 10%.

C. Attorney Education. The Commission emphasized its goal to increase the amount of pro bono work carried out by attorneys by creating training opportunities for volunteer attorneys. Specifically, a goal was set for five new attorney education videos as part of a core curriculum; a protocol was developed to handle production of time-sensitive videos. The

¹⁴ The informational flyer is available at <http://www.tals.org/sites/tals.org/files/HELP4TN.org%20Poster.pdf>.

¹⁵ The poster for the clerks is available at <http://www.justiceforalltn.org/sites/default/files/Clerks%20Poster%20-%20Oct%202016%208.5%20x%2011.pdf>.

protocol was finalized and approved in September 2014. The Commission exceeded the goal of creating five new core attorney education videos. There are now ten attorney education videos available on www.JusticeForAllTN.com. Subjects include immigration, expungement, healthcare, general sessions cases, family law, debt collection, and landlord/tenant issues.

In addition, the Commission identified the need to communicate directly to Tennessee lawyers to inform them of needs, available resources, pro bono volunteer opportunities, and Court recognition programs. The first Access to Justice Update was sent out in July 2014. It provided information on the newly-adopted Supreme Court pro bono recognition program, the legal helpline, and links to various pro bono opportunities. The second Update was distributed in July 2015. It included information on applying to be recognized as an *Attorney for Justice* and notified the bar that the name of the helpline had been changed to Help4TN.

D. Target the Needs of Rural Tennesseans. The legal needs of rural Tennesseans was a strategic focus of the 2014 Strategic Plan. In 2013, the AOC hosted an intern seeking a master's degree in social work. The intern conducted a study targeted at learning the unique needs of Tennesseans living in rural areas. The study, *Understanding the Unmet Need: A Study of the Tennessee Rural Population's Access to Legal Assistance*¹⁶, underscored that rural Tennesseans have difficulty getting to legal services due to lack of transportation, gas money, medical issues, childcare and unfamiliarity with areas where clinics are held. To address some of these obstacles, the Commission set an ambitious goal to establish a functioning, regularly scheduled pro bono legal advice clinic in every judicial district. When the 2014 Strategic Plan went into effect, about a third of the thirty-three judicial districts were without recurring legal advice clinics. Now there are only five judicial districts without a recurring legal clinic. The remaining districts are located in West Tennessee where resources are very scarce.

¹⁶ This Study is available at <http://www.justiceforalltn.org/i-can-help/resources-and-guidelines>.

E. Tennessee Faith and Justice Alliance (TFJA) and Faith-Based Initiative. The Commission hosted the first-ever statewide gathering of faith-based organizations and pro bono lawyers with a common interest in assisting Tennesseans with civil legal problems on April 7, 2014, at Lipscomb University in Nashville, TN. Almost 100 people came together to listen to nationally renowned speakers on partnerships between the faith-based community and the legal community. Break out groups worked to develop ways to collaborate on new projects to serve their communities. Over twenty new attorney and non-attorney volunteers were recruited to join the TFJA at the Summit.

Key to a successful faith-based program is to have a champion from within the organization to promote the program, recruit volunteers, and make sure that the initiative is functioning properly. The Commission devoted staff resources to identifying champions and to organizations with a well-functioning champion in place. The TFJA provides a template for establishing an initiative and trains the champions. Through this process, the Commission added 20 new functioning faith-based programs to the TFJA.

With an ABA Innovation Grant the Commission received in 2013, the Commission developed a faith-based prototype for legal outreach to faith organizations to be replicated throughout the state. The Innovation Grant focused on two projects targeted at increasing faith-based pro bono programs in rural areas, expanding the referral model piloted by the Tennessee Conference of the United Methodist Church and the TFJA, creating a new faith-based clinic in a rural county. The referral model served as the prototype for future opportunities. The Commission now has a Referral Model training packet and training packets for volunteer attorneys in all three grand divisions.¹⁷

¹⁷ The Referral Model and training packets for volunteers are available at <http://www.justiceforalltn.org/i-can-help/faith-based-initiative>.

F. Established Access to Justice Fund. The 2014 Strategic Plan included a goal that the Commission recommend to the Court required pro bono reporting. The Commission petitioned the Court in November 2014 to amend Supreme Court Rule 9 to provide for mandatory pro bono reporting. The petition focused on the Commission's goal of measuring its effectiveness, which would go hand-in-hand with the Legal Needs Study to assist the Commission in matching low income Tennesseans with civil legal needs to the appropriate pro bono program. The petition included an additional request to provide attorneys with the option to voluntarily donate to a fund to support access to justice programs (the "Access to Justice Fund") when they renewed their legal license with the Board of Professional Responsibility. Ultimately the Court approved the establishment of the Access to Justice Fund but declined to adopt mandatory pro bono reporting. Beginning on July 1, 2015, attorneys were able to voluntarily contribute to the Access to Justice Fund. By June 1, 2016, over \$75,000 had been donated. The first distributions were made in June 2016 to organizations that provide direct civil legal services to low income Tennesseans.

G. Automated Court Forms. The Commission noted that despite all of the many successful existing and planned pro bono initiatives there still is a segment of low income Tennesseans who must represent themselves in legal matters. Therefore the Commission declared that plain language forms shall continue to be an important resource. The Commission went a step further, declared it would make a recommendation to the Court on the viability of an automated court form program in Tennessee and whether to move forward to adopt such program. The "do-it-yourself" program, similar to "TurboTax®" would ask the self-represented litigants a series of questions and use the answers to populate the necessary forms. The Commission determined that TALS is the proper agency to host this program and provided seed

money to automate the Supreme Court-approved plain language divorce forms for uncontested divorces when there is no property, no retirement, and no minor children. This project is in the pilot process and will be released to the general public in 2016.

H. Increase Pro Bono Mediation. Part of the Commission’s charge in Rule 50 is to encourage the Alternative Dispute Resolution Commission (the “ADR Commission”) and other groups to provide pro bono and reduced-rate mediation services to self-represented litigants, and to litigants with modest means. In 2014, the Commission created a Mediation Advisory Committee to work with the ADR Commission and facilitate initiatives of its own. The Chair of the Mediation Advisory Committee serves as a liaison with the ADR Commission and has assisted the ADR Commission to form a pro bono mediation subcommittee of its own. The Committee worked to replicate the mediator of the day program and launched a successful program in Madison County. The Committee is planning a pilot project with Vanderbilt Medical Center to use mediation to assist patients with outstanding medical bills.

I. Pro Bono Recognition. For the first time, the Commission assisted the Court in hosting public recognition events in Memphis, Nashville, and Knoxville in October of 2014. The events provided the Court with the opportunity to publicly recognize the *Attorneys for Justice* and *Law Students for Justice*. The event in Nashville was successful due to the partnership with the Commission and Belmont University College of Law, where the event was held. Building upon this success, the Commission partnered with local organizations for all of the regional events in 2015, including maintaining its partnership with Belmont for the Nashville event. In Memphis, the Commission partnered with the Memphis Bar Association and in Johnson City, it partnered with Legal Aid of East Tennessee.

In 2014, 264 attorneys were recognized as *Attorneys for Justice* for providing more than 50 hours of pro bono work in the prior calendar year. Ninety-five law students were recognized as *Law Students for Justice* for doing over 50 hours of pro bono work during their law school careers. The number of recognition recipients increased in 2015. Three hundred and seventy-eight attorneys were recognized as *Attorneys for Justice* and 117 law students were recognized as *Law Students for Justice*. The Commission publicized the recognition program through coordinated outreach to attorneys through state and local bar associations and through a direct emailing. Partnering with local groups also boosted the number of attorneys recognized as the local organization provided members with information on application for recognition. All of the public recognition events were very positively received and publicized.

J. Data Collection and Management. The 2014 Strategic Plan contained an essential focus not as present in the prior plans, to collect data and feedback on the Commission's initiatives and projects. In 2014, the Commission had been in existence for five years and was to measure its success for the first time. The Commission set out to determine which of its programs were successful and should be replicated, which ones needed to be improved, and which ones should be discontinued to redirect valuable resources.

The Pro Bono Advisory Committee developed a clinic provider survey to collect information from the providers regarding the number of attorney and non-attorney volunteers at each clinic and the number of clients seen.¹⁸ The survey sought information on the types of legal issues handled, and what advice was given to the clients. A similar survey was designed for TFJA members with the Referral Model pro bono program to obtain information from the volunteer attorneys on the types of services the provided.¹⁹ The information gathered from the

¹⁸ The clinic provider survey is available at <http://justiceforalltn.org/node/365>.

¹⁹ TFJA member surveys are available at <http://justiceforalltn.org/i-can-help/faith-based-initiative>.

clinic providers and the TFJA members was incorporated into the annual Pro Bono Report. Other sections have been added to the Pro Bono Report. The 2015 Pro Bono Report now contains charts and graphs to illustrate the data contained therein. The 2015 Pro Bono Report marks a departure from the previous pro bono report formats. The goal of the new format is to encourage access to justice stakeholders to be able to use the statistics in the report when making strategic decisions and to provide the general public with a better understanding of the pro bono work being done in Tennessee.

IV. The Commission's Strategic Vision

When the Commission met to discuss developing its 2016 Strategic Plan, many new Commission members joined the group for the first time. The Commission recognized it is entering a new phase in its existence and it seeks to honor the legacy of service of preceding members by continuing the momentum of successful initiatives. After seven years, the Commission is no longer new to the access to justice community in Tennessee. It is recognized for its initiatives; it has become an integral part of the access to justice culture. This Plan will guide the Commission in its developing role, to position itself as a statewide "think tank." Its focus is to enhance existing initiatives and create new opportunities in Tennessee, and to serve as a national repository on access to justice resources. Drawing from the Commission's first strategic plan, the Commission will further its role as the statewide coordinating arm for communications on legal aid, pro bono, and self-represented litigant resources.

The Commission sees several opportunities in continuing its work: to gain understanding of the many pro bono and self-represented litigant initiatives throughout Tennessee, to better identify and leverage potential collaborations, to develop educational materials, to replicate initiatives in underserved areas, and to reach the general public on available resources for civil legal help. To achieve this goal, the Commission will rely upon the demonstrated support of the

Court, and access to justice partners. The Commission will continue its good relationships with the TBA, TALS, judges, court clerks and court staff, mediators, the LSC-funded and non-LSC-funded legal aid providers, faith-based organizations, law schools, and social service providers. Members of these groups and other key players will be represented on the Commission's Advisory Committees.

V. Summary of Recommendations for the 2016-2018 Strategic Plan.

A. Disseminate Information About Existing Resources. The Commission believes that despite its efforts and those of other access to justice partners, there remains a large segment of the general public unaware of the existing resources for help with their civil legal needs. Four primary avenues exist for people to get legal information and legal help:

- 1) <https://tn.freelegalanswers.org> (previously www.OnlineTNJustice.org),²⁰
- 2) www.JusticeForAllTN.com,
- 3) www.Help4TN.org, and
- 4) 1-844-Help4TN.

Yet the 2014 Legal Needs Study showed that people with civil legal problems are unaware of these resources. Therefore the Commission has determined that public awareness of the existing resources will continue to be a priority over the next two years. The website, www.Help4TN.org, will serve as the primary point of entry for low income Tennesseans to access civil legal help.

The Commission determined that it must actively disseminate printed materials in a more purposeful way across the state. To date, most of the Commission's efforts to share information with the general public have focused on providing printed materials to groups, including court clerks, judges, bar associations, legal aid providers and pro bono programs, with the request that

²⁰ Online Tennessee Justice changed its name to Tennessee Free Legal Answers in August 2016 when the American Bar Association launched ABA Free Legal Answers. ABA Free Legal Answers is a national program based off the Online Tennessee Justice website.

those groups pass on the information to members of the public. While this strategy was sufficient when the four statewide resources were under development, it did not include a mechanism to direct information to low income Tennesseans who are not yet involved in the legal system. The 2014 Legal Needs Study shows that many low income Tennesseans never sought any type of legal help because they didn't think it was worth their time and their civil legal problem is part of their everyday life. The Commission discussed how to get printed materials on available legal resources into the hands of those who are not yet in the court system and would not otherwise actively seek help.

The Commission determined to broaden its current strategy to include other existing programs as portals to provide civil legal information to the public. Organizations such as the Boys and Girls Clubs and the Red Cross will be given information that can be distributed to the public on how to find legal help. Businesses with heavy foot traffic such as barber shops and laundry mats will be provided with a posters or printed material that patrons can view while waiting or take with them. The Commission believes that casting a wider net on locations where materials on civil legal help are readily available will reach people who have a problem but are not yet in the court system. The expanded strategy will also reach those who do not currently have a civil legal problem and provide them with information on how to get help if they experience one in the future.

Goal:	Identify portals/access points to reach low income Tennesseans and develop and distribute printed materials to those locations.
Deadline:	March 2017
Responsibility:	Education Committee

The Commission will continue to provide information to existing pro bono legal advice clinics and programs and TFJA events. In addition to working through the point person for each initiative, the Commission will identify community leaders and equip them with printed materials for dissemination to their colleagues and the general public. The TFJA sponsors numerous public education events each year, therefore it does reach members of the public who are not yet in the court system. The Commission will be more focused on content of the printed materials that it creates for distribution at these events.

Goal:	Develop and have available printed resources at every clinic and TFJA event throughout the state.
Deadline:	March 2017
Responsibility:	Education Committee

Both www.tn.freelegalanswers.org and 1-844-Help4TN have a mechanism for measuring use of each resource and to track how the user learned of the resource. The Commission will rely upon the expertise of the TALS staff for periodic reports on these programs. The Commission will use Google analytics to gain insight into the number of visits, the links clicked, and the documents downloaded for both the www.JusticeForAllTN.com and the www.Help4TN.org websites. The Commission will track the frequency viability the public service announcement is aired and the viewing area to determine its impact on the use of these resources. When the automatic forms are released, there will be a built-in mechanism to track the number of times the divorce packet is generated.

Goal:	Increase use of existing resources by 10%
Deadline:	March 2017
Responsibility:	Public Awareness Committee

B. Assume Role of Statewide Coordinator to Create a Communications Plan Encompassing Civil Legal Aid, Pro Bono and Access to Justice Stakeholders. In addition to the general public not being aware of existing resources, the Commission believes there are legal professionals who can help low income Tennesseans who are unaware of the volunteer opportunities and resources are available to them. Social service providers, state and local agencies, and other groups with direct access to Tennessee’s most vulnerable population generally are aware of their local legal aid office, but may not know of other state resources that provide help with civil legal problems. Further, there is a general lack of knowledge and understanding about civil legal aid and how helping someone who can’t afford a lawyer have a better experience in the legal system can positively impact the local community.

Voices for Civil Justice (“Voices”) is a national communications initiative that uses the awareness-raising power of the media to spotlight the critical role of civil legal aid in assuring fairness for all in the judicial system. It provides messaging guidance and other communication tools to advocates. Members of the Commission have been working with Voices staff since 2013 to help increase public awareness for the civil legal aid community in Tennessee. While there have been many successful public awareness campaigns throughout Tennessee, Voices noted the lack of a coordinated communications plan encompassing all of the state and regional access to justice stakeholders. Due to the recognized strength and breadth of the Tennessee access to justice community, Voices has agreed to assist the Commission facilitate a statewide communications plan with legal aid and access to justice programs. Representatives from all stakeholders will be involved in this endeavor.

Goal:	Develop statewide communications plan with legal aid and access to justice programs.
Deadline:	March 2017
Responsibility:	Public Awareness Committee

The Commission noted during its planning retreat that a number of its Advisory Committees had struggled with how to publicize new initiatives and achievements. During the discussion, the Commission determined that these committees should be able to draw from the public relations experts on the Public Awareness Committee to assist outreach efforts. The Public Awareness Committee and the AOC Staff will formalize a system for other Advisory Committees on guidance from the Public Awareness Committee to promote new programs, recruit volunteers, and highlight successes.

Goal:	Integrate with other Committees to disseminate information on other Committees' projects and initiatives using multiple methods of communication.
Deadline:	On-Going
Responsibility:	Public Awareness Committee & AOC Staff

In addition, the Commission will continue to communicate regularly with the four legal service providers funded by the Legal Services Corporation ("LSC") and non-LSC legal services providers, the TBA, TALS, and other stakeholders.

Goal:	Hold quarterly conference calls with stakeholders
Deadline:	On-Going
Responsibility:	Commission Chair and AOC Staff

C. Target Legal Needs of Low Income Tennesseans in Rural Areas. One of the goals in the 2014 Strategic Plan which will carry over into this Plan is the Commission’s objective of having at least one recurring pro bono legal advice clinic in each judicial district in Tennessee. Currently, there are clinics in 26 of the 31 judicial districts. Most of the districts without clinics are located in the most rural and poorest sections of the state. The Commission will meet with members of the local bar associations, the judiciary, and other community leaders in each district to assist in developing a clinic model best suited to the needs of each community. The Commission will also explore using technology to infuse additional volunteers into these underserved areas with very little existing resources. Much time will also be devoted to maintain the standing civil legal advice clinics which the Commission has already assisted in developing. The Commission will develop best practices, update existing materials, and develop new training sessions for clinic providers.

Goal:	Continue and sustain clinic expansion project of having at least one recurring pro bono legal advice clinic in each judicial district.
Deadline:	March 2018
Responsibility:	Pro Bono Committee

The TFJA is uniquely aligned to learn of and implement new programs to reach low income Tennesseans in rural communities. While legal resources may be scarce in rural communities, there is not a shortage of faith-based institutions. Oftentimes the faith-based institution serves as one of the main places where people go to socialize, learn about new resources, and get help. The TFJA will steer its efforts and AOC staff towards rural parts of the state where there are no or very little pro bono opportunities. Similarly, the TFJA will work to

incorporate faiths other than Christianity into its network to better assist all low income Tennesseans, regardless of their faith.

Goal:	Recruit/implement 25 new TFJA projects with an emphasis on reaching rural and/or other beliefs or denominations.
Deadline:	March 2018
Responsibility:	Faith-Based Initiatives Committee

D. Utilize Technology to Inform and Connect the Public with Resources.

Multiple Advisory Committees recommended the Commission incorporate technology as one means to connect the public with the necessary resources. An example of a successful initiative was launched in Marshall County in 2015 by Judge Lee Bussart, General Sessions Judge. Judge Bussart worked with the Marshall County Bar Association to introduce a “help button” system: a laptop with a database of answers to common legal questions in the court clerk’s office on May 1, 2015, during Marshall County’s observance of Law Day. The laptop has court approved legal forms and directory of local lawyers with area of specialty. The laptop is in “kiosk mode” so that it can only be used for its intended purpose and not for things such as surfing the internet. TALS assisted with the development of this project. The Marshall County Bar Association was recognized by the American Bar Association for the “help button” system in providing the Most Innovative Law Day Program.

This type initiative allows court clerks, who are not able to provide legal advice, to refer someone with questions to a resource can be accessed immediately to provide answers and guidance on how to proceed in Court. It is a relatively inexpensive initiative. Other states have similar court kiosks in place in various courts. The Commission will examine the results from the

first year of the Marshall County “help button” and best practices from other states to add court kiosks to other courts in Tennessee.

Goal:	Create and implement plan to have 10 new court kiosks in different types of locations across the state.
Deadline:	March 2018
Responsibility:	Education Committee

The Commission will expand its collection of videos for self-represented litigants available at www.JusticeForAllTN.com. The videos will cover substantive areas of law and court procedures. The Commission will examine new production technology to enable it to create videos quickly and facilitate editing in the future. Similarly, the Commission will add videos for volunteer lawyers on high needs areas of law to prepare them to help low income Tennesseans.

Goal:	Continue to create educational videos for volunteer lawyers and self-represented litigants.
Deadline:	On-going with a minimum of three new videos per year.
Responsibility:	Education Committee

E. Improve Self-Represented Litigants’ Experience in the Court System. In 2014, the Access to Justice Coordinator learned about an upcoming study being conducted by the Institute for the Advancement of the American Legal System (IAALS) at the University of Denver. This study focused on the experience of self-represented litigants in family law cases. With the Commission’s approval, the ATJ Coordinator facilitated use of Davidson County Tennessee as one of four jurisdictions included in the study. The study was released in June 2016 in two parts: *Cases Without Counsel: Research on Experiences of Self-Representation in U.S.*

Family Court and Cases Without Counsel: Our Recommendations After Listening to the Litigants. The *Cases Without Counsel* reports indicate there is a very real justice gap within the United States; it builds upon numerous existing studies on the experience of the self-represented litigant. The Commission will use the findings in the reports and other studies to develop initiatives designed to help those who must represent themselves because they cannot afford a lawyer. Further, the Commission will examine existing rules and procedures that adversely impact self-represented litigants and make recommendations for modification.

Goal:	Create recommendations for changes in certain laws and procedures that adversely impact low income Tennesseans, specifically self-represented litigants.
Deadline:	On-Going
Responsibility:	Self-Represented Litigants Committee; Commission

The Commission determined that continued development of court forms written in plain language, a 5th to 8th grade reading level, is one of the necessary components of its strategy to help self-represented litigants. Having access to free court forms approved by the Supreme Court as universally acceptable and legally sufficient is an important first step in helping self-represented litigants understand their underlying legal issue and the court process. The Commission will create additional plain language forms for use in general sessions court, as it has been reported by general sessions judges in Tennessee that approximately 90% of the litigants in those courtrooms are not represented by a lawyer. The Commission will also develop forms on specific areas of law directed to issues low income Tennesseans frequently experience for use in other types of courts. The forms will include written instructions on how to complete them.

Once the Supreme Court approves new forms, the Commission will produce videos on how to complete the forms which will be made available on www.JusticeForAllTN.com and the AOC website. The forms will be made available in multiple formats, including a fillable PDF format so users can type in information. The Commission will also create samples of completed forms for self-represented litigants to use as they fill them out. Lastly, the Commission will monitor the automated forms project and encourage and support future automation of Supreme Court approved forms.

Goal:	Emphasize and expand plain language forms as one of the primary tools for self-represented litigants to understand the court system. Create guidance on how to complete forms.
Deadline:	One packet or group of forms per calendar year.
Responsibility:	Self-Represented Litigants Committee

Much of the Commission's success in developing resources for self-represented litigants is owed to members of the judiciary and court system. When the Commission formed the Self-Represented Litigants Committee, it learned that there were many judges at all levels and court clerks who had identified the growing number of self-represented litigants and the need for more resources to serve them. Judge Dwight Stokes, General Sessions Judge in Sevier County, Judge Don Ashe, now a Senior Judge, and Chancellor Jimmy Butler, Judge in Madison County had already been active by having special dockets for self-represented litigants, creating and playing a video on the court process, that self-represented litigants could view while they waited for court to begin, and setting up a website with court forms and information. The Commission recognized that these champions were making great strides to level the playing field for self-represented litigants and has partnered with each on many projects. The Commission will

educate the judiciary and court staff on how to improve the experience for self-represented litigants in the Tennessee court system while simultaneously decreasing the strain self-represented litigants can have on court staff's time and case management.

Goal:	Encourage and train judges to implement programs such as special dockets for self-represented litigants. Create special section of ATJ website for resources for judges.
Deadline:	On-going; Add one new resource to website quarterly.
Responsibility:	Self-Represented Litigants Committee

F. Promote and Increase Pro Bono. The Commission stated as a 2012 Strategic Plan focus to provide effective pro bono representation to low income Tennesseans. The Commission emphasizes its commitment to this objective. The 2012 Plan included a goal for at least 50% of Tennessee attorneys reporting, an average of 50 hours of pro bono work per reporting attorney. Since the Supreme Court implemented voluntary pro bono reporting, the percentage of Tennessee attorneys has not risen yet to 50%. The highest percentage reported for pro bono work performed in 2011 and reported in 2012, when it reached 47.20%. The percentage has maintained above 40% for the past five years.

The Commission will rely upon and enhance existing mechanisms to increase the amount of pro bono work being provided and the amount of pro bono work being reported. It will purposefully promote the *Attorneys for Justice* and *Law Students for Justice* recognition programs through local bar associations, law schools, and legal aid providers. The Commission will propose to increase the number of public recognition events to include additional locations. The Commission understands that many lawyers are not aware of the many ways that pro bono

work can be performed pursuant to Supreme Court Rule 8, Section 6.1. Therefore the Commission will educate lawyers on the types of work that qualify for recognition.

Goal:	Increase the number of lawyers being recognized as <i>Attorneys for Justice</i> by 10%.
Deadline:	December 2017.
Responsibility:	Pro Bono Committee.

Since the Commission’s previous efforts to increase the number of law offices with pro bono policies was a success and there were a handful of offices that were in the process of adopting the policy in 2014, the Commission will revisit that goal. Increasing the number of law firms with pro bono policies should create a new pool of volunteer lawyers.²¹

Goal:	Increase the number of law firms with pro bono policies by 10.
Deadline:	December 2017
Responsibility:	Pro Bono Committee.

The Pillar Law Firm Model has been successful in helping law firms streamline pro bono work and create a sustainable partnership with the legal aid providers in their areas. Many of the firms report that their lawyers enjoy specializing in a particular legal issue. The lawyers are able to overcome concerns about helping someone in a field of law in which they do not routinely practice. Recognition of the need for re-entry legal assistance, including getting public criminal records expunged, has risen over the past 12 months. The Commission will work with existing Pillar Law Firms and help recruit new firms to address this need. Expungement and other barriers to integration into the community should fit within the Pillar Law Firm Model because

²¹ The most recent list of law firms with pro bono policies is available at <http://www.tba.org/resource/tennessee-law-firms-adopt-pro-bono-policies>.

they do not usually involve on-going representation and, while related to an underlying criminal matter, are procedural in nature. For example, most of the need in expungement matters surrounds accurately completing the expungement forms and filing them with the appropriate court. The AOC has created an Expungement Workgroup which will also assist in developing expungement forms and resources.²²

Goal:	Use existing resources, such as Pillar Law Firms, and create new ones to address growing need for re-entry legal services, including expungement resources and assistance. Have 3 Pillar Law Firms handling re-entry legal matters, one in each grand division.
Deadline:	December 2017
Responsibility:	Pro Bono Committee & AOC

G. Increase the Use of Pro Bono Mediation. The Mediation Advisory Committee developed and adopted a Mediator of the Day initiative through which mediators are on call during a special docket to mediate cases when there is at least one self-represented party. This model can and has been implemented through community mediation centers, by bar associations, or by a group of attorneys and/or Supreme Court Rule 31 Mediators.²³ The Mediator of the Day program can modified to serve different types of locations (urban, suburban, rural) and different types of courts. It is a cost-effective method to help self-represented litigants achieve an outcome in a process where they are heard and decide the result.

During its strategic planning retreat, the Commission decided its Mediator Advisory Committee would be folded into the Self-Represented Litigants Committee, as mediators are in a

²² The AOC has created a web page dedicated to expungement, <https://www.tncourts.gov/expungements>.

²³ Supreme Court Rule 31 requires that Rule 31 mediators be available to do three pro bono mediations per year. Supreme Court Rule 31 is available at <https://www.tncourts.gov/rules/supreme-court/31>.

unique position to understand some of the obstacles faced by self-represented litigants in the court system. The Commission believes that mediators' expertise in dealing with self-represented litigants will inform others on the Self-Represented Litigants Committee and add value to that Committee's projects. The volunteers on the original Mediation Advisory Committee will continue to meet as a group to expand the Mediator of the Day program. The former Chair of the Mediation Advisory Committee will now serve as Chair of the Self-Represented Litigants Committee to ensure that mediation will continue to be a primary focus.

Goal:	Expand Mediator of the Day program to 10 new counties/types of court.
Deadline:	March 2018
Responsibility:	Self-Represented Litigants Committee

The Commission will strengthen its partnership with the Alternative Dispute Resolution Commission to educate mediators, the judiciary, and the public on pro bono mediation and increase pro bono mediation opportunities.²⁴ The Chair of the Self-Represented Litigants Committee will serve as a liaison to a newly-formed ADR Commission Pro Bono Committee. One possible initiative that will be explored is creating a way for the Supreme Court to recognize Rule 31 Mediators for their pro bono work.

Goal:	Concentrate efforts on collaborating with ADR Commission by serving on its Pro Bono Committee.
Deadline:	On-Going
Responsibility:	Self-Represented Litigants Committee

²⁴ Information on the Supreme Court Alternative Dispute Resolution is available at <https://www.tncourts.gov/programs/mediation/commission-members>.

A specific initiative begun in 2015 and which the Commission will spotlight in this Strategic Plan is a pilot project with Vanderbilt Medical Center (“VMC”), where mediation will be used to resolve issues with outstanding medical bills. The Committee Chair and ATJ Coordinator met with VMC staff to begin planning the project. The Commission will recruit and train volunteer mediators to conduct mass mediations and assist in the logistical planning for the project. The Commission will compile a toolkit and best practices to replicate the program in other parts of the state.

Goal:	Funnel resources to mediation pilot project with Vanderbilt Medical Center to use alternative dispute resolution to resolve medical bill disputes with patients.
Deadline:	Hold first mediation session with VMC by January 2017. Expand to another part of the state by March 2018.
Responsibility:	Self-Represented Litigants Committee

H. Spotlight and Address the Need for Increased Pro Bono and Resources for Family Law. Since the Commission was created, there has been a huge need for pro bono lawyers and resources for low income Tennesseans with family law issues. During the Commission’s first years, it surveyed court clerks, judges, and legal aid lawyers seeking their input on the most pressing legal needs for low income Tennesseans. Family law matters such as divorce, custody, child support, visitation, and similar matters were consistently on the list of the top five needs. The data collected by www.tn.freelegalanswers.org and 1-844-Help4TN show that family law matters are among the most frequently asked questions. The IAALS self-represented litigants study shows how disruptive family law cases are for self-represented litigants.

The Commission has previously set family law as one of its priorities. In the 2014 Strategic Plan, it set a goal of recruiting five new Pillar Law Firms to take family law cases and five existing Pillar Law Firms to handle family law cases in addition to the cases they currently take. Despite all of its best efforts, the Commission learned that the Pillar Law Firm Model is most successful when legal matters can be more easily concluded than are family law matters. Pillar Law Firms do handle some family law matters through limited scope representation such as child support or visitation issues but do not normally take on full representation of the entire case. In the 2012 Strategic Plan, the Commission created an online curriculum on high needs areas of the law which included videos on family law cases. It also developed plain language resources for people with child support issues.

While there has been some success with these family law initiatives, the Commission realizes that to truly make impact in the legal needs gap that exists for low income Tennesseans in family law matters, it must mobilize and determine how to recruit and train lawyers who will provide pro bono family law services to low income Tennesseans differently than how they are currently being provided. The Pro Bono Committee created a family law subcommittee in 2014 to help with the goals in the 2014 Strategic Plan. That subcommittee will now become a stand-alone Advisory Committee, separate from any of the Commission's other Advisory Committees and new members will be added. This marks a turning point, as this is the first Advisory Committee devoted to a substantive area of law.

The first objective for this new Family Law Advisory Committee will be to obtain an understanding of the existing resources and programs that are available for low income Tennesseans and self-represented litigants with family law issues. The Committee will conduct targeted outreach to the judiciary, court staff, the private bar, legal aid lawyers, social service

providers, faith groups, and other stakeholders to gather a full picture of existing family law services.

Goal:	Conduct a statewide survey of programs/areas of the state that have resources for lawyers and self-represented litigants on family law.
Deadline:	May 2017
Responsibility:	Family Law Committee

The Committee will compile the information it learns in its first year and create a clearing house on family law resources in Tennessee. The Commission will create a plan on how to leverage existing resources. Further, based on the Committees report, the Commission will determine what new types of resources are need to meet the needs of low income Tennesseans with family law cases and develop those resources.

Goal:	Implement plan on how to best use existing family law resources. Identify new family law resources that are needed and create those resources.
Deadline:	March 2018
Responsibility:	Family Law Committee

Part of developing the Family Law Advisory Committee and new resources will be to identify lawyers willing to invest in new ways of providing pro bono work. The Committee will work with newly admitted lawyers seeking to build practices and examine how technology can provide better pro bono services to those with family law issues who can't afford a lawyer. The Commission will reach out to the TBA to learn from its Evolving Legal Markets initiative.²⁵ The

²⁵ Information on the TBA Special Committee on Evolving Legal Markets is available at <http://www.tba.org/committee/special-committee-on-evolving-legal-markets>.

Commission envisions that the entire access to justice community must come together to raise this issue to the appropriate level of importance and build upon each other's expertise to create a new delivery system for pro bono work in family law cases.

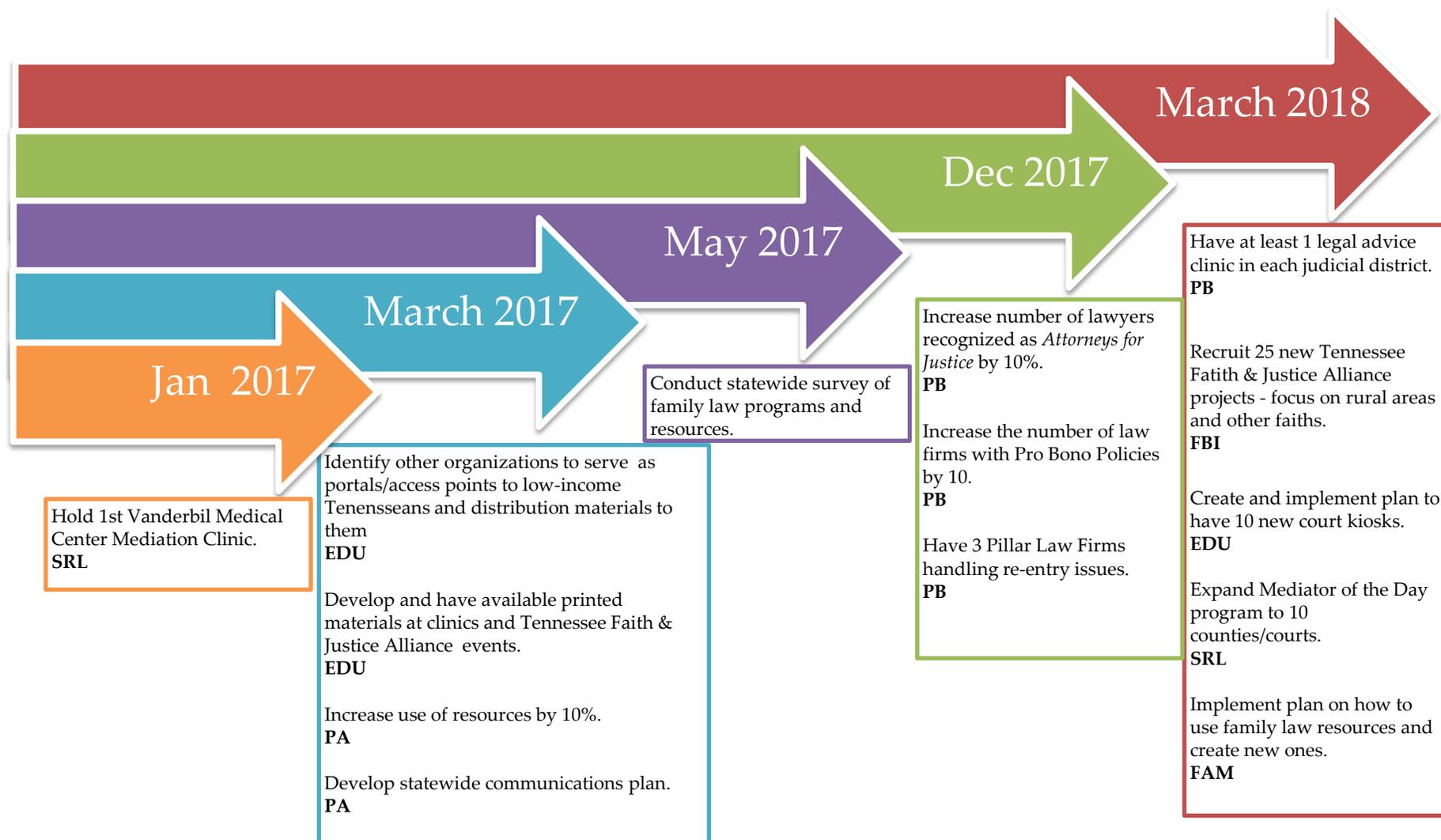
Goal:	Proactively search for and invest in the training of lawyers who are willing to do pro bono differently, with a focus on family law.
Deadline:	On-Going
Responsibility:	Family Law Committee

VI. Conclusion

Dynamics of a changing legal environment can be challenging. The Commission appreciates that the Tennessee Supreme Court wisely directed it to accomplish improved access to justice by providing broad guidance to address four major focuses. This allows the Commission to provide meaningful and sustainable initiatives in essential areas of need continuously. Since its inception, the Commission has recognized it must be sensitive to challenges and opportunities as it adopts priorities and recommends initiatives in response to growing needs. This 2016 Strategic Plan outlines the Commission's priorities for the next two years. The Commission will review this Plan quarterly to gauge its viability and measure its successes. The Commission looks forward to working under the continued positive leadership of the Tennessee Supreme Court, advancing Tennessee as one of the access to justice leaders in the United States. Further, the Commission looks for opportunities to collaborate with its access to justice allies to better serve Tennessee's vulnerable population.

2016 ATJC Strategic Plan

Timeline of Activities



Abbreviations:

EDU = Education Committee

FAM = Family Law Committee

FBI = Faith-Based Initiatives Committee

PA = Public Awareness Committee

PB = Pro Bono Committee

SRL = Self-Represented Litigants Committee

2016 ATJC Strategic Plan

On-Going Activities

On-Going

Integrate with other Committees to disseminate information.

PA & AOC Staff

Hold quarterly conference calls with stakeholders.

ATJC Chair & AOC Staff

Create 3 new attorney education and/or self-represented litigants videos per year.

EDU

Recommendations for changes in laws and procedures that adversely impact low income Tennesseans.

SRL

Expand plain language forms - develop 1 packet per year.

SRL

Create page on ATJ website for judges with resources on handling self-represented litigants.

SRL

Collaborate with Alternative Dispute Resolution Commission.

SRL

Search and invest in training lawyers who are willing to do family law pro bono work in a different way.

FAM

Abbreviations:

EDU = Education Committee

FAM = Family Law Committee

FBI = Faith-Based Initiatives Committee

PA = Public Awareness Committee

PB = Pro Bono Committee

SRL = Self-Represented Litigants Committee

Appendix A:

Members of the
Tennessee
Supreme Court

The Tennessee Supreme Court



Pictured in the courtroom at the Supreme Court Building in Nashville are (seated) Chief Justice Jeffrey S. Bivins, (standing left to right), Justice Holly Kirby, Justice Cornelia A. Clark, Justice Sharon G. Lee, and Justice Roger A. Page.

Chief Justice Jeffrey S. Bivins
Supreme Court Building, Suite 321
401 7th Avenue North
Nashville, TN 379219

Justice Sharon G. Lee
505 Main Street, Suite 236
P.O. Box 444
Knoxville, TN 37901

Justice Holly Kirby
100 Peabody Place
Memphis, TN 38103

Justice Roger A. Page
#6 Highway 45 Bypass
P.O. Box 909 (38302-0909)
Jackson, TN 38301

Justice Cornelia A. Clark
318 Supreme Court Building
401 Seventh Avenue North
Nashville, TN 37219

Appendix B:

Supreme Court
Rule 50

Rule 50. Tennessee Access to Justice Commission.

Section 1. Establishment of the Tennessee Access to Justice Commission.

1.01. The Supreme Court of Tennessee hereby establishes the Access to Justice Commission (hereinafter referred to as the "Commission").

1.02. The Commission shall consist of ten members who shall reflect, to the extent feasible, the diversity of the ethnic, gender, and geographic communities of Tennessee.

1.03. The Supreme Court shall designate one member to serve as Chair of the Commission. Commission members shall elect a Vice-Chair to serve a one-year term and who is eligible to serve a total of three years.

1.04. The initial term for each member shall be designated at the time of appointment. The Chair shall serve an initial term of three years. Three members shall be appointed for an initial term of three years; three members shall be appointed for an initial term of two years; and three members shall be appointed for an initial term of one year. Subsequent terms of all members shall be three years. No member may serve more than two successive three-year terms or more than a total of eight years consecutively. Vacancies shall be filled by appointment of the Supreme Court.

1.05. The Commission shall meet at least quarterly and at other times at the call of the Chair.

1.06. Five members of the Commission shall constitute a quorum. After a quorum is established, the Commission may act upon a majority vote of those present.

1.07. Members shall receive no compensation for their services but may be reimbursed for their travel and other necessary expenses in accordance with regulations adopted by the Judicial Branch.

1.08. A member of the Supreme Court will serve as liaison to the Commission.

1.09. The Administrative Office of the Courts shall staff the Commission.

1.10. The Supreme Court shall review the Commission every five years to determine if the Commission continues to serve the purposes for which it was created.

Section 2. Duties and Authority.

2.01. The Commission shall develop a strategic plan for improving access to justice in Tennessee that shall include education of the public concerning the need for legal representation to meet the ideal of equal justice under law, identification of the priorities to meet the need of improved access to justice, and recommendations to the Supreme Court of projects and programs the Commission determines to be necessary and appropriate for enhancing access to justice in

Tennessee. The Commission shall submit a strategic plan to the Court within twelve months of the filing of this Order and shall update the strategic plan every two years thereafter.

2.02. The Commission may create advisory committees to study specific issues identified by the Commission and to make such recommendations to the Commission as the members of the advisory committees deem appropriate.

2.03. The Commission may invite non-Commission members, including representatives from other branches of government, lawyers, and members of the public, to attend meetings and to participate as members of advisory committees to help further the work of the Commission.

2.04. The Commission shall:

(a) Review the report filed with the Court by the Task Force to Study Self Represented Litigants and consider the recommendations contained therein.

(b) Encourage state and local bar associations, access to justice organizations, pro bono programs, judges, and court clerks across the state to promote and to recognize pro bono service by lawyers across the state;

(c) Encourage state and local bar associations, access to justice organizations, pro bono programs, judges, and court clerks across the state to encourage full and limited scope legal representation at reduced fees;

(d) Encourage the Alternative Dispute Resolution Commission and other groups to provide pro bono and reduced-rate mediation services to self-represented litigants and to litigants who, although represented, have modest means or who are pro bono clients;

(e) Address existing and proposed laws, rules, procedures, and policies that are barriers to access to justice for low income Tennesseans and to consider the role of community education and increased availability of technology in reducing these barriers.

(f) Develop and recommend initiatives and systemic changes to reduce barriers to access to justice and to meet the legal needs of:

(1) Persons who do not qualify for existing assistance programs by reason of their incomes but whose access to civil justice is limited by the actual or perceived cost of legal services;

(2) Persons with disabilities who do not qualify for existing assistance programs by reason of their incomes;

(3) Persons in language minorities; and

(4) Persons whose legal needs may not be met due to restrictions on representation by legal aid programs funded by the Legal Services Corporation.

(g) Promote increased understanding of the importance of access to justice and of the barriers faced by many Tennesseans in gaining effective access to the civil justice system; and

(h) Study and recommend strategies to increase resources and funding for access to justice in civil matters in Tennessee.

2.05. The Commission has no independent authority to adopt or implement recommendations.

[Rule 50 added by Order April 3, 2009]

Appendix C:
Tennessee
Access to Justice
Commission
Roster

April 2016
Tennessee Access to Justice Commission
Chair: Marcia (Marcy) M. Eason (Term Expires 3/31/18)
Vice Chair: Vacant (Term Expires 3/31/17)



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Appendix D:

2010

ATJ Commission
Strategic Plan

Tennessee
Access to Justice
Commission
2010
STRATEGIC
PLAN

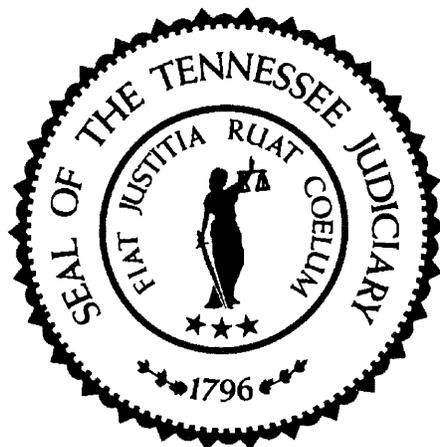


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Access to Justice Commission 2010 Strategic Plan

I. INTRODUCTION

When the Supreme Court created the Tennessee Access to Justice Commission on April 3, 2009, the Court asked the Commission to develop its first strategic plan within a year. The Commission, galvanized by the legal needs crisis in Tennessee and the Supreme Court's unparalleled commitment to equal justice, adopted this plan on March 15, 2010. The extent and pace of these efforts would not have been possible had it not been for the unique environment in Tennessee--one that combines this commitment on the part of the Supreme Court with tremendous support from the broader access to the justice community, the bar and its associations, the judiciary and the court system as a whole. The Commission has developed a plan that will aid and expedite the Supreme Court's dynamic and ongoing Access to Justice campaign.

A. TENNESSEE SUPREME COURT'S ACCESS TO JUSTICE INITIATIVE

#1 Strategic Priority. The commitment of the Tennessee Supreme Court to access to justice is truly unprecedented. All five members of the Court share this commitment to promote greater and more meaningful access to justice in Tennessee. In fact, the Tennessee Supreme Court declared in August 2008 that access to justice was its number one strategic priority.

Shortly after making this declaration, the Court hired an Access to Justice Coordinator, Rebecca Rhodes, as part of its Administrative Office of the Courts (AOC) staff. To the best of the Commission's knowledge, this was the first time a state Supreme Court had committed a staff position solely to promote an access to justice initiative and to staff an Access to Justice Commission. The Court launched its access to justice campaign in December 2008 to assert a

greater leadership role in improving access to justice in Tennessee. The results of the Court's commitment in the first eighteen months are impressive.

Civil Legal Needs Gap. In its speeches and communications with the judiciary and the bar, the Court highlights the urgent and tremendous civil legal needs gap in Tennessee. The Court continues to raise awareness of this gap as documented by the Statewide Comprehensive Legal Needs Study released in 2004 by the Tennessee Alliance for Legal Services (TALS). The Legal Needs Study showed that there are nearly one million low-income Tennesseans who qualify for legal aid services. Since the study, the situation has only worsened due to difficult economic times. Through its Access to Justice campaign, the Court has worked to sound the alarm call that the 80 very dedicated legal service program attorneys in Tennessee are simply unable to assist all of the people facing critical legal needs on a daily basis. The result is an urgent civil legal needs gap which the Court is working to address and to highlight through its dynamic Access to Justice campaign.

Public Hearings. As part of its campaign to address the civil legal needs gap, the Court conducted five public meetings across the state in early 2009. Each of these meetings was held in a public library and facilitated by a member of the Supreme Court. The public meetings highlighted the pervasive legal needs gap and promoted a better understanding of the varied, precise and often complex nature of local unmet legal needs and problems in different areas of the state. The meetings also engaged a broad range of stakeholders, policymakers, and members of the public in the work necessary to find creative solutions to the legal needs crisis in Tennessee.

Court Rules. The Court has also been active implementing a number of dramatic rule changes which have been supported and/or proposed by the Tennessee Bar Association, the

Tennessee Bar Foundation, the Tennessee Lawyers' Association for Women, and the Tennessee Association for Justice to promote greater access to justice as part of its Access to Justice campaign. With these rule changes, the Court

- Revised Tennessee Supreme Court Rule 8, Rules of Professional Conduct 6.1 to add an aspirational goal of 50 pro bono hours per year for Tennessee lawyers;
- Adopted a new Tennessee Supreme Court Rule 8, Rules of Professional Conduct 6.5 permitting lawyers to provide limited scope advice;
- Created new Tennessee Rule of Civil Procedure 23.08, which allows a court to distribute residual funds remaining from class action suits to programs or funds serving pro bono legal needs. The rule specifically references that funds may be distributed to the Tennessee Voluntary Fund for Indigent Civil Representation;
- Revised Tennessee Supreme Court Rule 21, Section 4.07(c) (Continuing Legal Education (CLE)) to increase the number of hours of CLE credit that lawyers may earn for the hours of pro bono legal representation they perform from one hour of CLE credit for every eight (8) hours to one hour of CLE credit for every five (5) hours of pro bono work;
- Revised Tennessee Supreme Court Rule 5 to allow judicial research assistants to engage in some types of pro bono work;
- Revised Tennessee Supreme Court Rule 43 and Rule 8, Rules of Professional Conduct 1.15 to make participation in the Interest on Lawyers Trust Accounts (IOLTA) program mandatory and to require comparability in rates paid on IOLTA accounts;
- Amended the rules governing multi-jurisdictional practice, Tennessee Supreme Court Rule 7, section 10.01 (c) and Rule 8, Rules of Professional Conduct 5.5, to permit lawyers admitted in another jurisdiction to provide pro bono legal services in Tennessee following a major disaster and to allow attorneys authorized to practice in Tennessee as in-house counsel under Rule 5.5 to provide pro bono legal services in Tennessee through an established not-for-profit bar association, pro bono program, or legal services program;
- Revised Tennessee Supreme Court Rule 9, Section 20.11 to request that every attorney voluntarily file a pro bono reporting statement annually with the Tennessee Board of Professional Responsibility; and
- Published a new rule for comment, Supreme Court Rule 50A, that would create an emeritus licensure status to allow those attorneys who have let their licenses become inactive to provide pro bono legal services in Tennessee through an established not-for-profit bar association, pro bono program, or legal services program.

Creation of Access to Justice Commission. As a central element of its Access to Justice campaign, on April 3, 2009, the Court announced the creation of the ten member Tennessee Access to Justice Commission (“Commission”) and adopted Rule 50, which outlined the Commission’s role, duties and deadlines. The Court charged the Commission to present a strategic plan within a year and to follow up with another plan two years later. This document is the Commission’s first strategic plan.

B. TENNESSEE ACCESS TO JUSTICE COMMISSION

Activities of the Commission. Within a month of its creation, the Commission met and formed eight Advisory Committees, each headed by a Commissioner. These Advisory Committees were as follows:

- Community and Pro Bono Mediation
- Court System
- Education
- Pro Bono and Attorney Involvement
- Pro Se
- Unmet Legal Needs Alternative Strategies
- Unmet Legal Needs Disability and Language Barriers
- Resource and Technology.

The Advisory Committees were charged with developing recommendations for the Commission’s strategic plan. Most of these Advisory Committees formed working groups resulting in some thirty groups meeting during the summer and fall of 2009. Many of those who participated in the Supreme Court public access to justice hearings, including a significant number of judges and clerks, were actively involved in the Advisory Committees.

While the Advisory Committees met, the Commission held two meetings which focused on the resources and technology available in Tennessee to address the civil legal needs gap. As a result of the support of many legal service providers, bar associations, law firms, corporate legal

departments, and other groups, an overview summary of the resources available in Tennessee was prepared for the July 17, 2009, meeting. At its technology meeting on October 19, 2009, the Commission heard from experts as to how best to address the civil legal needs crisis with the use of technology and compiled a summary of the testimony.

Other Commission activities included the survey of clerks at both the annual clerks' conferences in May and June 2009 regarding how the civil needs crisis affects their offices. Another survey of legal service providers and others in the access to justice community was conducted prior to the annual statewide Tennessee Alliance for Legal Services Equal Justice Conference in September 2009. That survey asked for a description of the systemic barriers to access to justice in Tennessee. The results of the survey were distributed for review and comment at the conference and integrated into an open panel discussion with members of the Commission and Chief Justice Janice Holder.

By December 2009, the Advisory Committees submitted their recommendations to the Commission and its staff. As the result of the hard work of these 100+ Advisory Committee members from across the state, over seventy substantive recommendations were submitted for the Commission's review. Some of the recommendations from the Advisory Committees were acted upon by the Commission and the Court before the preparation of this strategic plan. Most notably, the Commission recommended in August of 2009 that the Court adopt a pro bono reporting rule, and the Court adopted a voluntary reporting rule in November 2009. In January 2010, the Commission also recommended, with support from two different Advisory Committees, that the Court adopt a new rule that would create an emeritus licensure status to allow attorneys to provide pro bono legal services in Tennessee through an established not-for-

profit bar association, pro bono program, or legal services program. The Court published for comment a new proposed rule that would create this status in February 2010.

Strategic Planning Retreat. The Commission held a strategic planning retreat in January 2010. The Commission worked to distill the over seventy substantive recommendations from its Advisory Committees into a more streamlined series of recommendations to the Supreme Court and an outline for future Commission activities. The recommendations to the Court and the list of future Commission activities are divided under the headings of four over-arching goals which form the core of this strategic plan.

This strategic plan is truly a team effort. First and foremost, this plan could not have been developed without the leadership and hard work of the Tennessee Supreme Court, the volunteers who served on the Advisory Committees and working groups and the staff of the Administrative Office of the Courts. Most importantly, the Tennessee access to justice community, particularly the Tennessee Alliance for Legal Services (TALS), has reached out and supported the Commission in many helpful and crucial ways. State and local bar associations, law firms, corporate legal departments, public librarians, law schools, service providers and the faith community have also provided much needed support. Thus, the strategic plan was accomplished in this short time period due to the great deal of support and expertise provided throughout the state of Tennessee.

II. SUMMARY OF RECOMMENDATIONS

The Commission has adopted a two-part action plan. The first section outlines the Commission's recommendations to the Tennessee Supreme Court. The second section provides an overview of the activities the Commission intends to undertake in the coming years under the authority of Tennessee Supreme Court Rule 50. The guiding principles of each section are four over-arching goals which form the core of Commission's strategic plan.

Goal 1: To involve more lawyers and law students in meeting legal needs so that the public is better served;

Goal 2: To provide greater educational opportunities and resources for policymakers, self-represented litigants, the community, lawyers, court personnel, and others;

Goal 3: To make the justice system more user-friendly; and

Goal 4: To remove barriers to access to justice, including but not limited to disability, language, literacy, and geography.

The Commission's plan outlines both immediate steps, as well as a number of goals and objectives that will take some years to accomplish. In particular, some recommendations may be necessarily delayed for many years until funding can be secured. The timelines presented in Sections VI and VII outline the different time expectations for the recommendations. The Commission will update this 2010 strategic plan in two years pursuant to Rule 50. Thus, even if some of the more ambitious goals and objectives cannot be achieved in the next couple of years, the Commission will review its recommendations in the coming years to determine how to continue addressing Tennessee's legal needs gap and promoting greater access to justice throughout the state.

Recommendations to the Tennessee Supreme Court. The Commission has proposed systemic changes that are specifically within the Court's power to improve access to justice in Tennessee. The Commission recognizes that the Court has direct influence on lawyers, and thus

a crucial component of its strategic plan is a major focus on lawyer participation. Although the current economic climate makes resources scarce, it is important to remember that the time and expertise of lawyers are critical resources. Thus, goal one concerns the involvement of more lawyers to meet the civil needs crisis.

Certainly, lawyers should be encouraged, creatively and consistently, to do pro bono work. Pro bono programs, bar associations, law firms, corporate legal departments, law schools and other organizations across the state have made great strides toward that end. The Commission further recommends the establishment of a more comprehensive pro bono referral network across the state to match the interested and successfully recruited volunteer lawyers with pro bono opportunities.

But pro bono, of course, is not free. While lawyers do generously volunteer their time, resources are required to screen clients, to organize advice clinics, to recruit and assign more volunteers, to provide malpractice insurance coverage for the volunteers, and to orchestrate a system of regular and smooth referrals. Legal Aid organizations have such a system for every county in our state, but only certain clients are eligible for these services and more resources are needed to recruit lawyers. A more comprehensive pro bono referral system is needed not only for Legal Services Corporation (LSC) eligible clients, but also for non-LSC eligible clients.

With its rule changes in the past eighteen months, the Supreme Court has laid the foundation for more lawyer participation. For instance, the expansion of IOLTA to a mandatory program will serve as a source of increased funding as the economy recovers. This can begin to provide resources to help establish a more comprehensive pro bono referral network. The strategic plan recommends additional changes which will address the need for even more lawyer

participation. In order to bring about systemic change, the Commission recommends a pro bono referral system that will:

- Match cases and clients in need to volunteer lawyers across the state;
- Explore ways to provide malpractice insurance for pro bono lawyers in expanded pro bono settings;
- Facilitate multi-organizational support and collaboration (including LSC and non-LSC funded organizations, bar associations, mediation groups, faith-based organizations and many other service providers and organizations); and
- Use technology to provide statewide service. For example, lawyers in urban areas could provide pro bono services in underserved rural communities through email advice and video conference consultations.

Future Activities of the Access to Justice Commission. Just as the Commission is seeking to further its goals by augmenting existing structures to promote greater, more efficient and more effective pro bono efforts by lawyers, a critical component of the Commission’s activities moving forward will be to develop and foster strong collaborative relationships with state and local bar associations, the judiciary and other persons and groups committed to access to justice issues. Also critical to furthering the Commission’s goals is the ability to provide better information to the public across the state, including pro se litigants, policymakers, general social service providers and the faith-based community. This outreach would also include serving targeted groups, such as those with language barriers and disabilities, who face special barriers with access to justice. The Commission is acutely aware of the particular need to help the public obtain better information and navigate the legal system on a day-to-day basis. This means employing more and better technology to achieve effective statewide distribution of:

- General information about the court system;
- Specific educational materials; and
- Forms for use by self-represented litigants.

The enhanced use of technology such as websites, teleconferencing, video conferencing, email pro bono banks and remote access to courts could greatly benefit underserved populations, particularly in rural areas. The Commission proposes to coordinate efforts to make specific education materials and forms available to the public.

Key to the Commission's resolve in finding a highly visible and readily accessible source of public information is the Commission's collaboration with the public libraries of the state. Public libraries have a statewide infrastructure with computer access and staffs committed to the laudable goal of serving the public through access to information. Public libraries, which are already established in the minds of Tennesseans as free places open to all, can provide the delivery of access to justice information, services, and support.

The Commission's collaboration with the public libraries began as a result of the interaction among guests at the Commission's technology meeting. Similar collaborative relationships with social service providers, bar associations, the judges, the clerks, and the faith-based community can expand the network of those aware of access to justice resources and referral options. Only with the help of such groups across the state can the Commission hope to further its goals.

To ensure focused progress, some of the Commission's existing committees will remain and new committees will be established to address specific Commission goals. One new committee is the Faith-Based Collaborations Committee, which will hold regional meetings and work with the faith-based organizations to conduct education and advice clinics for the public as early as 2011.

The Commission will also separate the Resource and Technology Committee into two committees. The Resource Committee will explore new and innovative funding sources and approaches to enhance existing resources. The Technology Committee will explore and develop technology solutions, such as the offering of pro bono services to rural areas, providing widespread educational resources and enabling video-assisted courtroom interpretation. The Commission will also establish a Forms Committee, which will review existing forms and develop new ones for Supreme Court approval which will enable litigants to more readily identify and place their concerns before the courts. In so doing, the Forms Committee will pay special attention to ensure that the forms consider access-related issues such as disability, language, income and literacy.

The Commission will evaluate its progress on a quarterly basis. This review will help the Commission stay on track towards implementation of its strategic plan. This evaluation will also provide the Commission the flexibility to create new committees when specific needs are identified. With this structure, the Commission is determined to remain focused on achieving its goals.

III. TENNESSEE ACCESS TO JUSTICE COMMISSION RECOMMENDATIONS TO THE TENNESSEE SUPREME COURT

Goal 1: To involve more lawyers and law students in meeting legal needs so that the public is better served.

Pursuant to this goal, the Court is asked to:

- A. Host a pro bono summit for representatives from law firms, bar associations, corporate legal departments, law schools, mediation groups, pro bono programs and others in the coming year which will promote
 - Formation of a more comprehensive pro bono referral system across the state;
 - Exploration of the development of a plan to provide more pro bono malpractice insurance by working with bar associations for implementation as soon as possible;
 - Expanded support for pro bono and legal services staff lawyers handling specialized or complicated cases; and
 - Creation of a web based email bank entitled “TNJustice4All.com.”
- B. Provide formal encouragement and support for expansion of pro bono in other ways, including
 - Support for adoption of formal pro bono policies by all Tennessee law schools;
 - Support for adoption of formal pro bono policies by corporate legal departments;
 - Support for court system staff lawyers doing more pro bono work; and
 - Incentives to create attorney of the day programs at local courthouses and to encourage lawyers to volunteer for those programs.
- C. Adopt a Pro Bono Emeritus Rule.
- D. Adopt a Limited Appearance in Court Rule that would permit limited appearances by a lawyer on behalf of a self-represented litigant who only wants or needs help with one aspect of his or her matter pending before the court.
- E. Adopt a comment to the Pro Bono Reporting Rule to include a model pro bono policy.

Goal 2: To provide greater educational opportunities and resources for policymakers, self-represented litigants, the community, lawyers, court personnel, and others.

Pursuant to this goal, the Court is asked to:

- A. Approve forms recommended by the Commission as they are submitted to the Court for approval.

- B. Issue an order which directs that any form approved by the Court is universally acceptable as legally sufficient in every court in Tennessee.

Goal 3: To make the justice system more user-friendly.

Pursuant to this goal, the Court is asked to:

- A. Request and approve the plan for increased use of court technology to be submitted to the Court as developed by the Court and/or Commission Technology Committee.
- B. Endorse the proposed "Guidelines for Tennessee Clerks Who Assist Self-Represented Litigants."

Goal 4: To remove barriers to access to justice, including but not limited to, disability, language, literacy and geography.

Pursuant to this goal, the Court is asked to:

- A. Consider and approve revisions as submitted by the Commission to Tennessee Supreme Court Rule 42, to make explicit that it is the duty of each court to locate an interpreter when needed and to require the judge to document in written findings the efforts made to secure a certified interpreter.
- B. Amend Tennessee Rule of Criminal Procedure 11(b)(1) to join twenty-four (24) other states to require judges to inform criminal defendants in the plea colloquy that a guilty plea may have immigration consequences.
- C. Consider and approve appropriate rule revisions as submitted by the Commission to ensure all interpreters are paid by the state.
- D. Consider and approve revisions as submitted by the Commission to the Tennessee Rules of Civil and Criminal Procedure, Rules of Professional Conduct, and Rules of Judicial Conduct to address access issues related to disability, language, income and literacy barriers.

IV. TENNESSEE ACCESS TO JUSTICE COMMISSION PLANNED ACTIVITIES

As authorized under Tennessee Supreme Court Rule 50 and determined by the Commission's strategic planning process and the recommendations of its Advisory Committees, the Commission will undertake the following activities.

Goal 1: To involve more lawyers and law students in meeting legal needs so that the public is better served.

Pursuant to this goal, the Commission will:

- A. Support the development of a more comprehensive pro bono referral system across the state to be encouraged by the Court, administered by the Legal Services Corporation (LSC) and non-LSC programs and bar associations, and encourage resources from sources such as the Tennessee Bar Foundation through IOLTA grants, bar associations, law firms, corporate legal departments and charitable organizations.
- B. Study the experience of the Nashville Bar Association (NBA) Modest Means panel to assess the feasibility of implementation of such panels in other communities across the state.

Goal 2: To provide greater educational opportunities and resources for policymakers, self-represented litigants, the community, lawyers, court personnel and others.

Pursuant to this Goal, the Commission will:

- A. Create a committee to review, revise and create forms and to develop a comprehensive delivery system for all Court approved forms with sensitivity to access issues related to disability, language, income and literacy barriers.
- B. Develop and conduct a systematic education campaign to the judiciary, clerks, the bar and the public about forms.
- C. Collaborate to develop an on-line access to justice resource inventory and an ongoing catalogue of best practices.
- D. Continue to encourage the access to justice/public libraries collaboration initiated during the Commission's first year and work to develop resources to support and expand access to legal information and services across the state.

- E. Develop effective media delivery mechanisms with a clear access to justice campaign and message branding. Develop educational materials that will include a “Pro Bono Clinic in a Box,” downloadable from websites, as well as specific education materials related to other issues, language and disability barriers, public awareness about mediation, (including community mediation), housing issues and financial literacy.
- F. Form a standing Committee on faith-based collaboration charged with holding regional meetings in the next year and with conducting education and advice clinics in 2011.
- G. Continue to reach out to the Tennessee General Assembly and other policymakers and determine ways to deliver targeted access to justice information to them.

Goal 3: To make the justice system more user-friendly.

Pursuant to this goal, the Commission will:

- A. Create a technology committee to develop a plan for increased use of court technology for submission to the Court for approval, a plan that will include using technology for video remote interpreting, use of existing courtroom technology for video proceedings, pro bono outreach to rural areas and increased access to legal information and services.
- B. Work with the Alternative Dispute Resolution Commission and other groups, including community mediation centers, to promote pro bono and reduced-rate mediation services.
- C. Develop, maintain and make available a pro se handbook for Judges.
- D. Review and suggest revisions to the Tennessee Rules of Civil and Criminal Procedure, Rules of Professional Conduct, and Code of Judicial Conduct with sensitivity to access issues related to disability, language, income and literacy barriers and submit proposed changes to the Court.
- E. Review the need for policy changes in Tennessee to reduce barriers to access to justice.
- F. Support removal of the notary requirement on certain pleadings.

Goal 4: To remove barriers to access to justice, including but not limited to disability, language, literacy, and geography.

Pursuant to this Goal, the Commission will:

- A. Draft and submit to the Court revisions to Supreme Court Rule 42 to make explicit that it is the duty of each court to locate an interpreter when needed and to require that the judge document in written findings the efforts made to secure a certified interpreter.

- B. Determine the best practices from other states for who pays interpreters in non-indigent civil cases and propose appropriate rule revisions to the Court to ensure all interpreters are paid by the state.
- C. Develop a comprehensive plan for how to provide/fund and/or otherwise support existing and new immigration legal services for language minorities.
- D. Develop multi-lingual civil informational videos for posting on the Administrative Office of the Courts (AOC) website.
- E. Consider development of a roster of sign language interpreters and similar service providers for inclusion on the AOC website.
- F. Encourage the Court to support Congress lifting some or all of the Legal Service Corporation (LSC) restrictions as soon as possible.

V. CONCLUSION

The Tennessee Supreme Court's Access to Justice Commission was the twenty-fifth state Access to Justice Commission created in the past decade. Even though half the states had already formed their commissions when Tennessee's Commission was created, the Tennessee Access to Justice Commission came to existence with advantages that the commissions of other states may lack. The sustained efforts of the access to justice community in Tennessee provided the Commission with a solid foundation. The Commission learned from and harnessed the expertise, leadership and dedication that already existed in the access to justice community. Thus, the Commission was able to quickly develop meaningful collaborative relationships with the public libraries, bar associations, law schools, law firms, corporate legal departments, as well as with providers in sectors such as banking, health and housing.

Prior to the Commission's founding, Tennessee's access to justice community was already organized statewide, communicating and working with the Court and the bar associations. The Tennessee Alliance for Legal Services (TALS), the Tennessee Bar Foundation (TBF) and the Tennessee Bar Association (TBA) have demonstrated strong commitment over many years, working together through the TALS Board and the TBA Access to Justice Committee. The TALS legislative effort has been particularly impressive over the last decade, sponsoring innovative ways to provide state legislative funding for access to justice organizations. The TBA's nationally recognized *Justice 4 All* campaign, under the leadership of former TBA President and Commission Vice Chair Buck Lewis, mobilized lawyers and local bar associations across the state in a successful push to provide greater pro bono services.

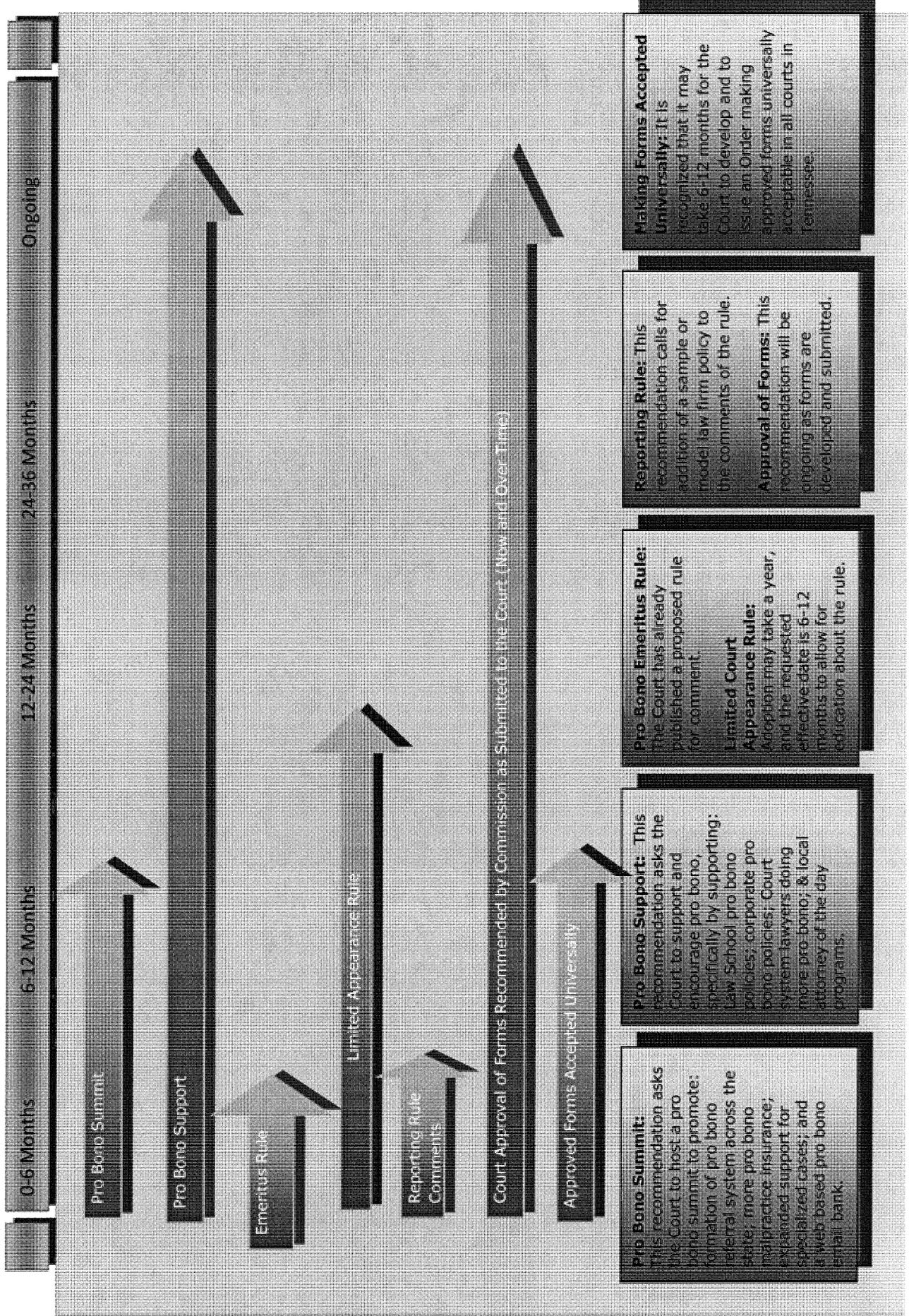
Tennessee also enjoys the firm public commitment of all Supreme Court members to the Access to Justice effort. Under the leadership of Chief Justice Holder, the Court made access to

justice its number one strategic priority. Even before creating the Commission, the Supreme Court had already promulgated a number of significant access to justice related rule changes and had actively developed and supported the leadership of many already highly motivated judges and clerks around the state. In addition to creating the Commission, the Court took the step of creating a dedicated staff position to help the Commission further its objectives. Tennessee's Access to Justice Commission has benefited from its able coordinator, Rebecca Rhodes, during a time when many commissions established by other states lack full-time staffing—or any staffing whatsoever.

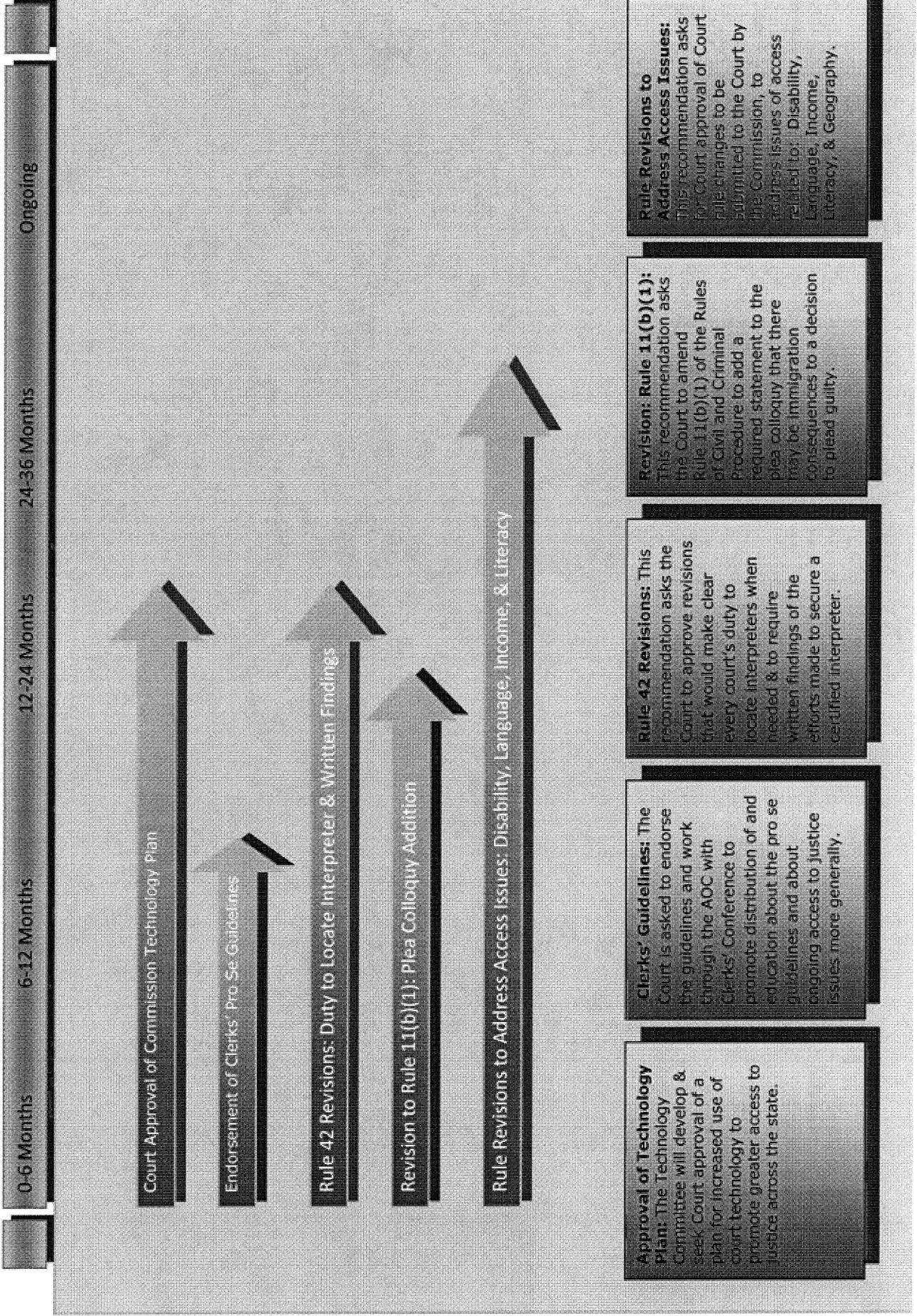
This plan is submitted during a time when all resources are limited, and funding is scarce. Locating and tapping into additional resources and using technology to further existing resources will be a major focus of the Commission in the next two years. Additional focus will be on the increased use of collaborative relationships, many of which do not yet exist or have not been fully realized. Some of the planned activities for the Commission will necessarily flow into areas under the control of other organizations, associations and policymakers.

The Access to Justice Commission recognizes that it does not and cannot stand alone as a single force for change in Tennessee. The Commission, as created and supervised by the Supreme Court, is part of an existing network of lawyers, law firms, corporate legal departments, bar associations, legal service programs, judges, clerks, law schools, librarians, service providers, nonprofits, faith-based organizations and businesses. Every aspect of this vast, dedicated and capable statewide network can be, and indeed must be, enlisted if systemic change is to come about to meet the unmet legal needs in this state. Tennesseans deserve no less than full, informed and efficient Access to Justice.

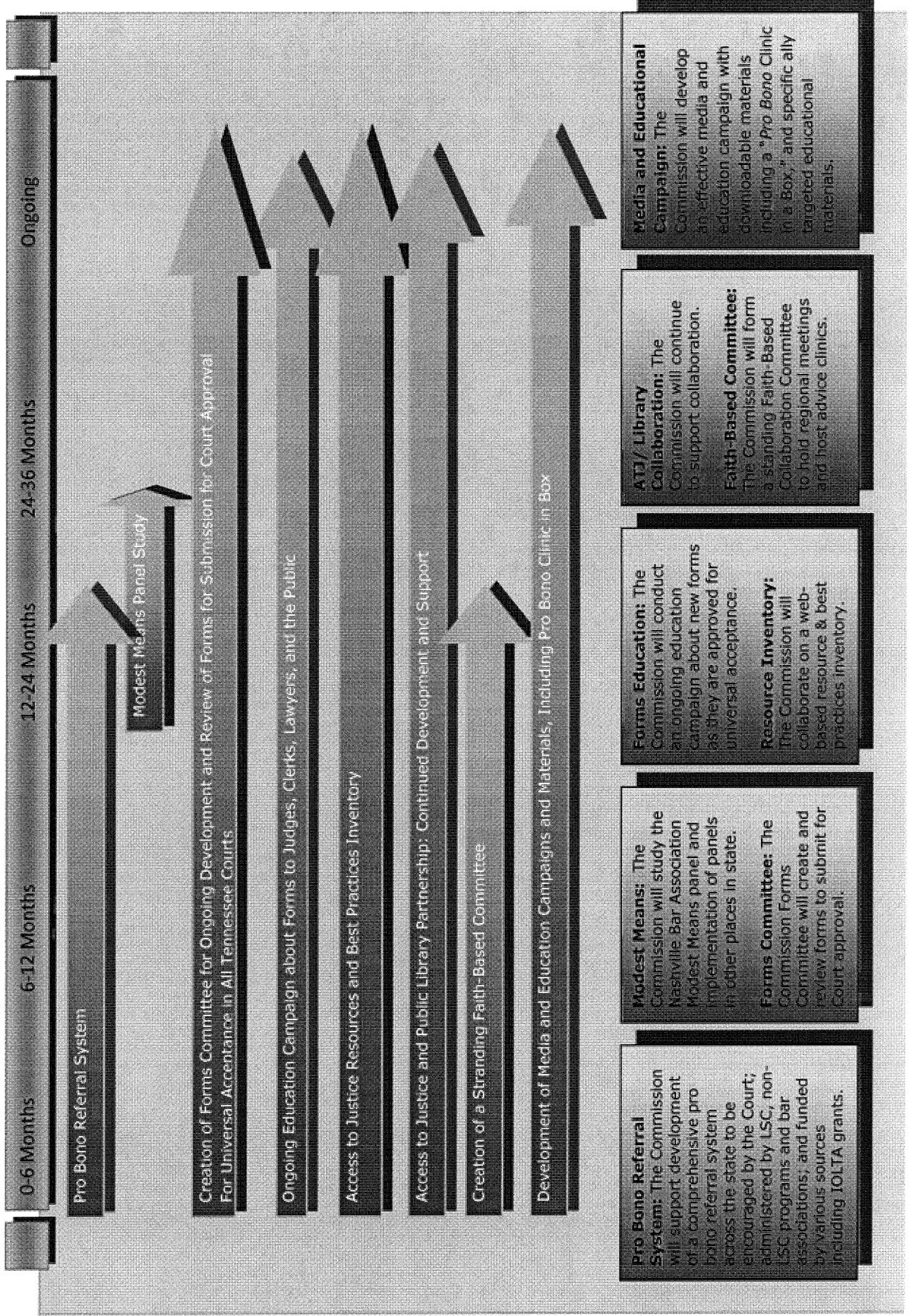
Section VI Suggested Timeline I Access to Justice Commission Recommendations to the Supreme Court



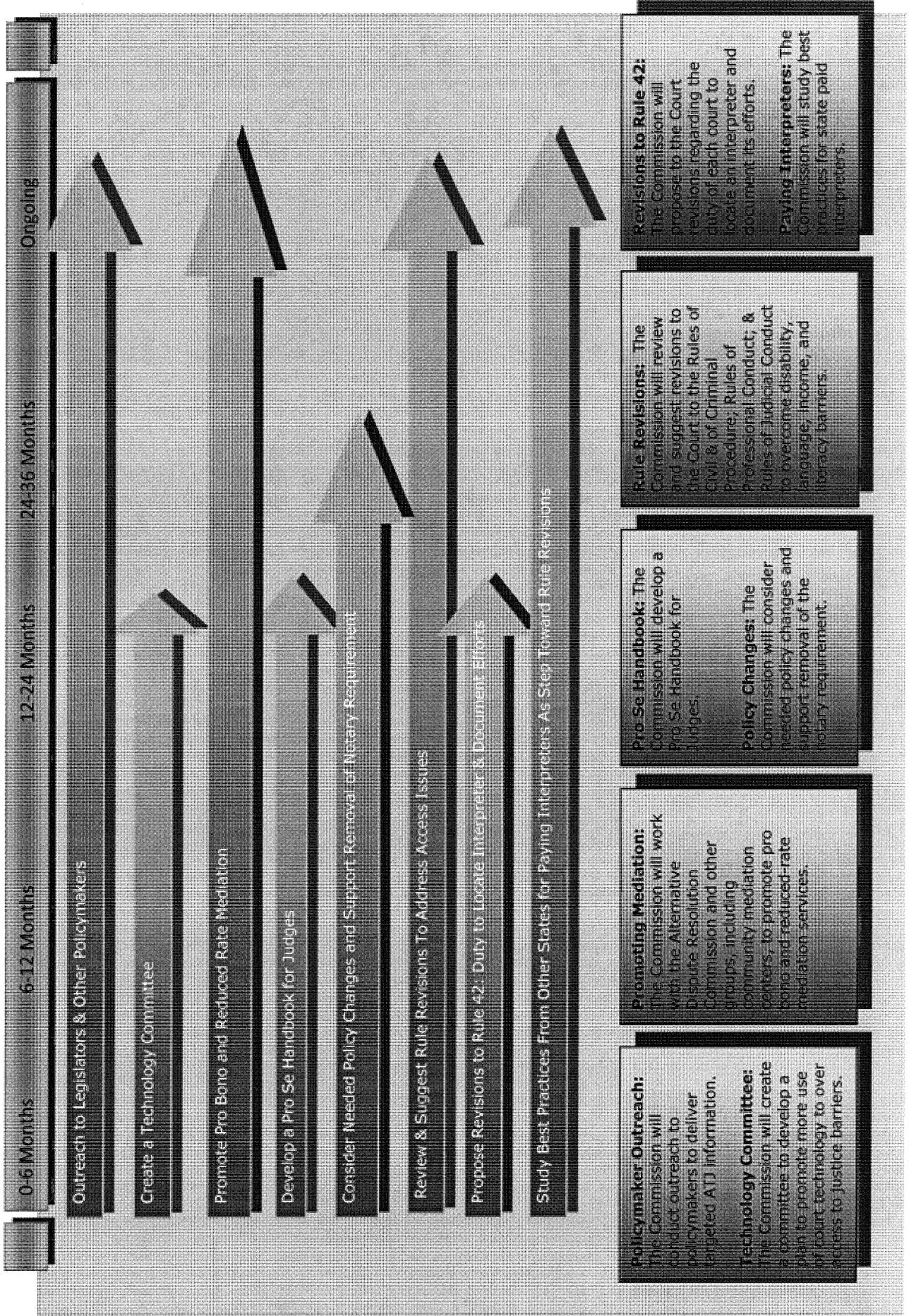
Section VI Suggested Timeline II Access to Justice Commission Recommendations to the Supreme Court



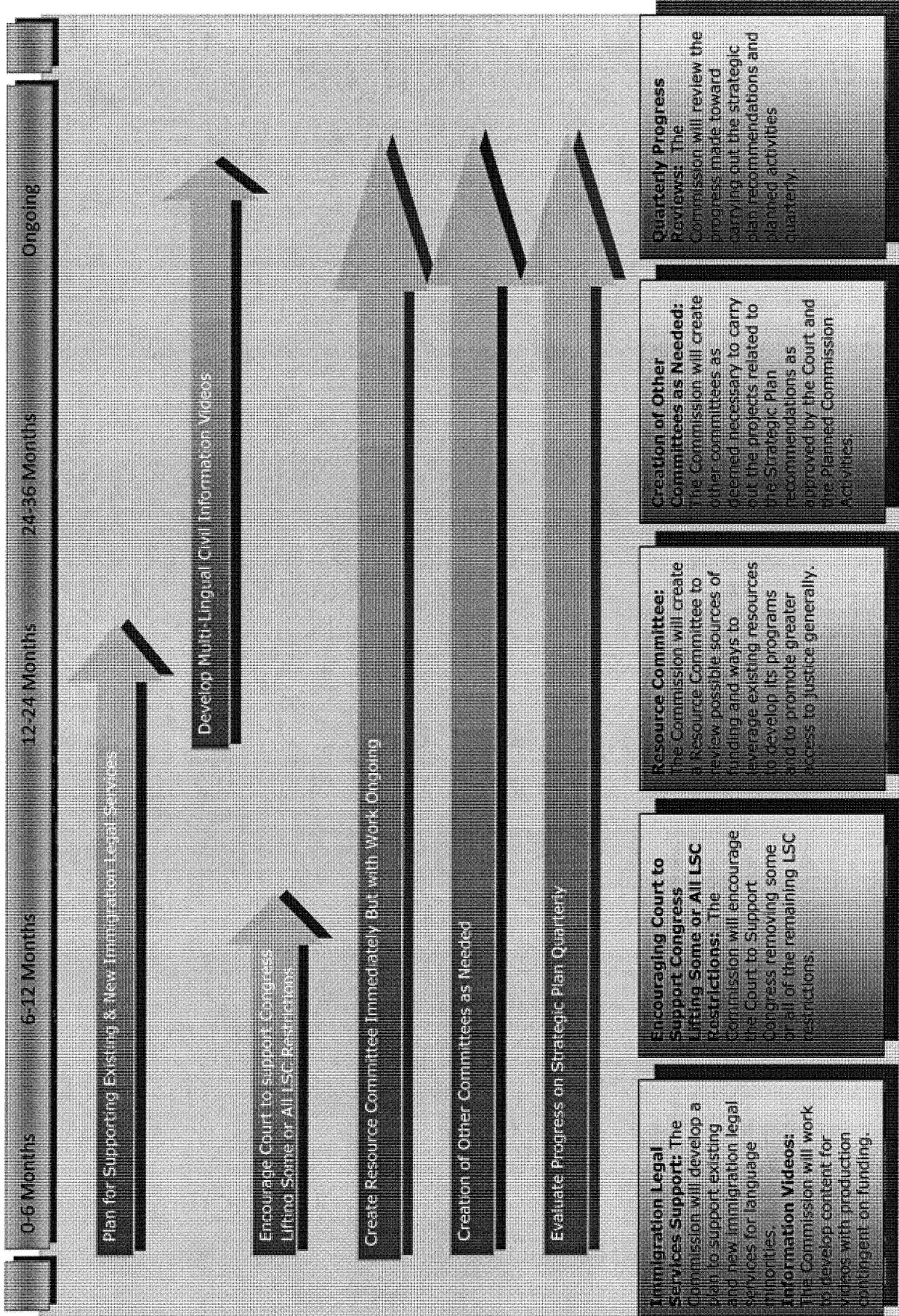
Section VII Timeline I Access to Justice Commission Planned Activities



Section VII Timeline II Access to Justice Commission Planned Activities



Timeline III Access to Justice Commission Planned Activities



Appendix E:

Supreme Court
Rule 52

Rule 52. Forms Approved for Use in Tennessee Courts.

Section 1.01. Purpose. The Tennessee judicial system should be accessible to all litigants including those unable to pay for the assistance of counsel. As one means of increasing access to the Tennessee judicial system, the Court is providing greater resources for self-represented litigants, lawyers, and court personnel by approving forms that shall be universally acceptable as legally sufficient in all Tennessee courts. It is not the intent of this rule to mandate the use of court-approved forms; rather, the intent is to ensure that court-approved forms are accepted for filing by all Tennessee courts when litigants or attorneys choose to use them.

Section 1.02. Definitions.

(a) “Court-approved forms” means any and all forms adopted by the Tennessee Supreme Court pursuant to this rule.

(b) “Universally acceptable as legally sufficient” means that Tennessee courts must accept for filing any court-approved forms submitted by a litigant or litigant’s attorney, subject to the limitation stated in section 1.04.

Section 1.03. Use of Court-Approved Forms. Any form approved by the Supreme Court pursuant to this rule shall be deemed universally acceptable as legally sufficient for filing in the Tennessee courts. The foregoing sentence, however, does not limit the court’s authority to adjudicate the legal efficacy of the contents of the filing under the applicable rules of procedure and any other pertinent law. Litigants and attorneys are encouraged to use court-approved forms; however, the use of court-approved forms is not mandatory.

Section 1.04. Alteration of Court-Approved Forms. If a court-approved form is altered beyond mere completion of the form, the altered form shall no longer be considered a court-approved form or universally acceptable as legally sufficient as those terms are used in this rule. If a court-approved form is altered beyond mere completion of the form, the words “Approved by the Tennessee Supreme Court” shall be removed from the altered form.

Section 1.05. Updating Court-Approved Forms. The Administrative Office of the Courts shall be responsible for maintaining and updating court-approved forms. Additionally, court-approved forms shall be posted on the website of the Tennessee State Courts as “Tenn. Sup. Ct. R. 52 Court-Approved Forms”.

Adopted by order filed July 27, 2011

Appendix F:

2012

ATJ Commission
Strategic Plan

Tennessee
Access to Justice
Commission
2012
**STRATEGIC
PLAN**

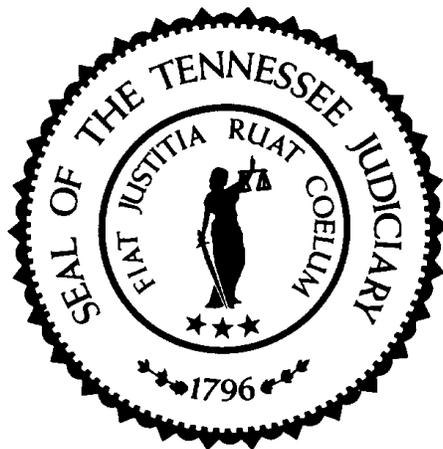


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I. Introduction

In August 2008, the Tennessee Supreme Court declared Access to Justice its number one strategic priority, and, later that year, launched its Access to Justice campaign. On April 3, 2009, the Court created the Tennessee Access to Justice Commission and charged it with developing its first strategic plan within a year and updating the plan every two years thereafter. The 2012 Plan details the progress in implementing the goals of the Commission's initial 2010 Strategic Plan. The 2012 Plan also addresses new objectives and benchmarks to address the civil legal needs crisis.

The 2010 Plan outlined how the Supreme Court began its Access to Justice Initiative and the Court's impressive efforts to carry out this initiative. During the past two years, the Court's commitment has never wavered and indeed, has intensified. The Court—as individual justices and as a whole—participates in access to justice events and meetings of the Commission and its Advisory Committee, makes prompt decisions to promote the initiative and speaks locally and nationally on this topic. The leadership and visibility of the Court has not only inspired the Commission, but also inspired and galvanized the broader access to justice community, the bar and its associations, the judiciary and the court system as a whole.

The 2010 Plan set forth four overarching goals and identified strategic ways for the Court and Commission to accomplish these goals. This 2012 Plan updates the 2010 Plan by identifying the initiatives and accomplishments of the Supreme Court and the Commission during the past two years. These accomplishments reflect the dedication and support of a broad network of lawyers, law firms, corporate legal departments, bar associations, legal service programs, judges, clerks, law schools, librarians, service providers, nonprofits, faith-based organizations and businesses to accomplish these goals.

The 2012 Plan also sets forth additional goals and initiatives that will aid and expedite the Supreme Court's dynamic and ongoing Access to Justice Campaign. In particular, the 2012 Plan focuses on the Commission's first goal, which is to involve more lawyers and law students in meeting legal needs so that the public is better served. Key to the implementation of this goal is supporting the development of a more comprehensive pro bono delivery system across the state. The 2012 Plan also addresses the necessity of further outreach and public awareness regarding access to justice resources to self-represented individuals and to the community at large.

II. Accomplishments and Highlights of the 2010 Plan.

At each quarterly meeting, the Commission reviewed the 2010 Plan (Appendix I) and received an update regarding how the Commission was proceeding towards accomplishing these goals. The most recent 2010 Strategic Plan Quarterly Update is attached to this Plan in Appendix E. As set forth in the update, the Commission met most of its goals and considered which goals were unmet and needed to be pursued for the 2012 Plan. Some of the highlights of the accomplishments of the 2010 Plan are:

A. Pro Bono Summit. The Supreme Court and the Commission sponsored a Pro Bono Summit in Nashville on January 21, 2011. All five members of the Court addressed the Summit and attended the day-long conference. Bar association officers, law firm managing partners, rural practitioners, corporate counsel, deans of Tennessee law schools, law students, legal service providers, representatives from the state libraries, and other service providers also attended the Summit, which focused on increasing pro bono service performed by Tennessee attorneys.

The Summit offered a variety of panel discussions including guidance on developing a pro bono clinic, how to increase attorney pro bono at large law firms and corporations, specific

issues that arise in rural areas, best practices for involving law students in pro bono work and ways that technology helps attorneys reach more indigent Tennesseans. All sessions were recorded and made available online. Participants completed pledge cards stating how they planned to increase pro bono in their practice, and the ATJ Coordinator followed up with participants to assist in carrying out these pledges. New ideas and partnerships were formed as a result of the Summit, including coordination among law school pro bono programs, ideas for uses of technology in the rural communities and introduction of the ATJ website, OnlineTNJustice.org and the Appellate Pro Bono Project.

B. Access to Justice Website. In November 2011, the Supreme Court launched www.JusticeForAllTN.com. The user-friendly website has an innovative and effective dual purpose of providing information both to the public and the bar. Viewers who click “legal help” can find information on how to find a lawyer, a glossary of common legal terms, links to court forms and plain language information on a variety of legal issues, including divorce, child support, housing information, healthcare, immigration, and mediation. One of the most popular tools on the site is an interactive map of Tennessee’s 95 counties where users are directed to county-specific contact information for legal aid providers, social service providers, governmental agencies and the court system. For lawyers and other website visitors who click “I can help,” the site provides information ranging from how to volunteer with a legal aid provider or a bar association to a step-by-step guide for how to develop a pro bono clinic. (Appendix H).

C. Supreme Court Rules. A key component of the 2010 Plan was working with the Supreme Court to adopt rule changes that eliminate barriers to pro bono service and pro se representation. The Court, the Access to Justice Commission, and many strategic partners have made great strides in this area. The Supreme Court has:

- Adopted Tennessee Supreme Court Rule 50A to establish an emeritus attorney licensure status allowing attorneys with inactive licenses to provide pro bono legal services through an established not-for-profit bar association, pro bono program, or legal services program;
- Adopted Tennessee Rule of Civil Procedure 72 to permit unsworn declarations made under penalty of perjury to be filed in lieu of an affidavit or sworn declaration, eliminating unnecessary barriers for persons of limited means to court system;
- Amended Tennessee Rule of Criminal Procedure 11(b)(1) to require judges to inform criminal defendants in the plea colloquy that a guilty plea may have immigration consequences;
- Adopted Tennessee Supreme Court Rule 52 to provide a process for and approve forms that are universally acceptable as legally sufficient in all Tennessee courts;
- Revised Tennessee Supreme Court Rule 9, Section 20.11 to streamline the voluntary pro bono reporting statement included in the annual Tennessee Board of Professional Responsibility attorney licensure renewal statement;
- Revised Tennessee Supreme Court Rule 41 to request court interpreters to aspire to provide pro bono interpretive services each year;
- Revised Tennessee Supreme Court Rule 42 to provide that if the court determines a participant has a limited ability to understand and communicate in English, the court should appoint an interpreter, write a summary of the court's efforts to obtain a certified or registered interpreter and determine the capabilities of the proposed non-credentialed interpreter in open court;
- Amended Tennessee Rule of Civil Procedure 5.02 to provide instruction on how to serve notice when an attorney is providing limited scope representation to an otherwise self-represented party; and
- Amended Tennessee Rule of Civil Procedure 11.01 to provide the procedures by which attorneys providing limited scope representation to an otherwise self-represented party shall notify the court of the limited scope representation and how attorneys may withdraw from the matter once the limited scope representation is complete.

D. Plain Language Forms. Pursuant to the adoption of Supreme Court Rule 52, the Court has approved plain language forms drafted at a fifth to eighth grade reading level to be used by those seeking uncontested divorces that do not involve minor children or significant marital assets. Also provided is a packet of instructions on how to complete and file the

uncontested divorce forms with the court. The forms went into effect on September 1, 2011, and have been positively received by the public, the judiciary, and attorneys. Spurred on by the Commission, the Administrative Office of the Courts (“AOC”) converted its existing Order of Protection forms into plain language and translated these forms into Spanish. The Supreme Court has also developed a second packet of plain language forms commonly used in General Sessions Court. Those forms have been submitted for public comment.

E. Commission Advisory Committees. The Commission formed seven Advisory Committees to carry out its goals, each headed by one or more Commissioners. These Advisory Committees were:

- Disability and Language Barriers
- Education/Public Awareness
- Faith-Based Initiatives
- Pro Bono
- Pro Se/Forms
- Resources
- Technology.

Each advisory committee was charged with work toward achieving the four over-arching goals outlined in the 2010 Strategic Plan. The Chairs provided quarterly progress reports to the Commission. Each committee made substantive contributions toward achieving the Commission’s goals.

1. Disability and Language Barriers. The Disability and Language Barriers Advisory Committee recommended that the AOC form an Interpreter Work Group. This group examines Supreme Court Rules to identify ways to incorporate technology, such as remote court interpreting, in order to better serve Tennesseans with limited English proficiency. Based upon the recommendation of this Advisory Committee and the Interpreter Work Group, the Commission recommended changes to Rules 41 and 42, which were adopted by the Supreme

Court. The Committee and the Commission also continue to encourage and monitor the translation of forms and ATJ website information into Spanish and other languages. The Advisory Committee assisted the AOC in developing the content regarding interpreters, immigration, and assistance for Tennesseans with disabilities for the ATJ website.

2. Education/Public Awareness. One of the most significant accomplishments of the Education/Public Awareness Advisory Committee is its development of the “Pro Bono Clinic in a Box” forms, prominently featured at both the Pro Bono Summit and the ATJ website. These forms allow a bar association or informal group of attorneys to create a pro bono advice clinic complete with informational handouts for volunteers and clients, intake sheets, and marketing and public relations information. The Advisory Committee also recommended changes to Supreme Court Rule 31 which would educate mediators on pro bono mediation opportunities and promote pro bono and reduced fee mediation services to judges and court clerks. The Commission has approved these recommendations and forwarded them to the Supreme Court’s Alternative Dispute Resolution Commission for consideration.

3. Faith-Based Initiatives. The Commission established the Faith-Based Initiatives Committee in recognition that the faith-based community is an untapped point of access for people who need help and a valuable resource for attorneys and legal professionals who are active in their faith-based organizations. The Committee began its outreach with the Tennessee and Memphis Conferences of the United Methodist Church, which already have established social justice programs. The Commission Chair, the Chief Justice, and Committee members are working with the District Superintendents of these Conferences to incorporate pro bono lawyers into congregational care, legal clinics and the church’s social justice programs. The District

Superintendents have approved the plan attached in Appendix J, and the Committee hopes that this partnership can be used as a model to reach out to other faith-based communities.

4. Pro Bono. The Pro Bono Advisory Committee was instrumental in planning and participating in the Pro Bono Summit. Through the work of this Committee, the Commission eliminated the lack of malpractice insurance for attorneys doing pro bono through organizations that do not receive federal funds from the Legal Services Corporation. The Committee was also the catalyst for many of the Commission's recommended Supreme Court Rule changes to promote and encourage more pro bono work, including the rules regarding limited scope representation and the streamlined voluntary pro bono reporting form. The Committee actively encouraged and promoted OnlineTNJustice.org and the Appellate Pro Bono Project and asked the Court to encourage more pro bono reporting by including a letter from the Chief Justice in the annual attorney renewal packet. The Committee further addressed ways in which the Court encouraged attorneys employed in the judicial branch to participate in pro bono work.

5. Pro Se/Forms. The Pro Se Representation/Forms Committee took a pro-active approach to the direct provision of legal and educational resources. The Committee recommended a process for approval by the Commission and the Supreme Court for the development of plain language forms which are legally sufficient for acceptance in all Tennessee courts. Additionally, the members of the Supreme Court, the Commission and Advisory Committee members have participated in many educational programs for judges and court clerks on the newly-developed forms and guidelines. The first approved form, which concerns "simple" uncontested divorces, was the product of a long, thoughtful process attempting to balance the need for legal representation with the reality that not every person can (or will) engage an attorney to give advice on an activity that has such important legal ramifications. The

Committee is presently developing plain language forms for use in General Sessions Court. In addition to the creation of forms, the Committee recommended guidance for court staff and judges who encounter self-represented parties. The result has been tools such as “Guidelines for Tennessee Clerks Who Assist Self-Represented Litigants” and a Bench Book for General Sessions Judges presiding over proceedings with self-represented litigants. The Bench Book was presented to the General Sessions Judges Conference in February 2012.

6. Resources. The Resource Advisory Committee focused on increasing access to justice by increasing resources. Mindful of increasingly restricted funding sources, however, the Committee’s approach was a deliberate attempt at maximizing existing monetary and nonmonetary resources. The Commission has also approved the Committee’s proposal to strengthen its relationship with the state libraries through its partnership with the Tennessee Alliance for Legal Services (“TALS”) and to create a new partnership with the Tennessee Board of Regents to use its Technology Centers across the state as self-help centers. As part of the Commission’s overall approval of the Committee’s recommendations for the 2012 Plan, the Commission approved working with existing funding providers, such as the Tennessee Bar Foundation, to emphasize components of the 2012 plan in the factors for selecting grant recipients. (Appendix L). Based on the Committee’s recommendation, the Commission has approved further study of the current IOLTA and Cy Pres Rules to determine how to maximize funding for pro bono and legal aid services.

7. Technology. The Technology Advisory Committee unveiled OnlineTNJustice.org and presented the Court’s access to justice website, JusticeForAllTN.com at the Pro Bono Summit. In response to the identified need for outreach specific to Tennessee’s rural communities, the Committee worked on using technological advances to connect rural

Tennesseans with attorneys in suburban and urban areas. Two pilot projects grew from this endeavor. The first provides automating forms frequently used by attorneys providing pro bono services through a legal services provider. The second pilot project created an online screening system for Tennesseans applying for pro bono help from the Legal Aid Society. The screening system facilitates an initial eligibility determination by sending the potential client's application to the local legal aid office. Legal Aid then connects eligible clients with a pro bono attorney. This project is particularly helpful in areas where potential clients would otherwise be forced to travel long distances to reach a Legal Aid Office, as many offices serve multiple rural counties. The Committee also analyzed the Washington State Access to Justice Technology Principles and recommended a modified version of these Technology Principles, which the Commission approved as part of its 2012 Plan. (Appendix K). Each Advisory Committee should adhere to the Technology Principles when developing new initiatives and pilot projects.

III. Summary of Recommendations of the 2012 Plan.

The first goal in the Commission's 2010 Plan was to better serve the public by involving more lawyers and law students in meeting legal needs. The Commission, working in conjunction with the Court, made significant strides. Revisions to Supreme Court Rules—particularly the limited scope representation rule—helped eliminate barriers to pro bono work. Additionally, the pledges of increased participation stemming from the Pro Bono Summit helped large law firms, corporate law firms, and solo practitioners “plug in” to pro bono service. The development of the Pro Bono Clinic in a Box and the innovative use of technology have created new ways to connect lawyers with clients. The Commission recognizes, however, that there is still much work to do.

In drafting the 2012 Plan, the Commission took a hard look at what needs to be accomplished to increase the access of Tennesseans to quality representation. The Commission recognizes that maintaining the status quo is not an option. While increasing the educational resources available to self-represented persons undoubtedly provides a useful and necessary service, the Commission's findings have underscored the importance of quality legal representation. Thus, providing quality representation to indigent Tennesseans and creating better ways to connect clients with lawyers is the primary objective of the 2012 Plan. The Commission set a goal that 50% of attorneys residing in Tennessee will provide pro bono services as defined by the Tennessee Supreme Court at an average of 50 hours per year on or before January 1, 2015.

Three years into the Access to Justice Campaign, Tennessee is becoming a model state for the delivery of pro bono legal services. The support of the Supreme Court and the established access to justice partnerships provide a solid foundation. Moving forward, the Commission will continue developing strategies to provide quality representation and access to justice and will launch new initiatives to support those strategies. Attorney education, attorney recruitment, client education, removal of barriers and lawyer-client connections will continue to be areas of special attention. However, it is equally important to develop systems to measure the impact of our programs and adjust goals accordingly.

As an initial step toward measuring the need for pro bono and the resources available, the Commission asked Access to Justice Coordinator Anne-Louise Wirthlin to compile a comprehensive report of all the pro bono activities in Tennessee. The result is "The Pro Bono Report." (Appendix G). Using the Pro Bono Report to establish a baseline for measurement in

the 2012 Plan, the Commission will annually update the report to help measure the success of its strategies and initiatives.

Alongside the primary goal of expanding pro bono services, the Commission continues to address the needs of self-represented persons. There is also continued need for the Commission to focus on removal of barriers. The Commission will continue assisting self-represented persons by recommending more plain language forms to the Supreme Court, producing a series of educational videos with legal information and developing additional training for the bench and bar. Most importantly, the Commission recognizes that it needs to do a better job of educating and enhancing public awareness, including lawyers' awareness, about the resources and opportunities available for self-represented persons and pro bono services.

IV. Goals

A. Goal 1: Fifty percent (50%) of attorneys residing in Tennessee will provide pro bono services as defined by the Tennessee Supreme Court at an average of fifty (50) hours per year on or before January 1, 2015.

1. The Pro Bono Report (Appendix G). In May 2011, ATJ Coordinator Anne-Louise Wirthlin attended the Equal Justice Conference presented by the American Bar Association Standing Committee on Pro Bono and Public Service and the National Legal Aid and Defender Association. A common theme among the participants was that there was no comprehensive knowledge of the pro bono activities in each individual state. ATJ groups are generally aware of pro bono efforts, but there is no centrally located information. As a result, there are innovative and effective efforts being applied across the country, but, without centralized data and communications, this lack of knowledge inhibits planning and coordination. The Commission

asked the ATJ Coordinator to compile a comprehensive report on the pro bono services within the state of Tennessee.

The Pro Bono Report thus provides baseline information to help the Commission better understand the conditions affecting access to justice in Tennessee and determine whether the Commission's strategies and efforts are successful. The Pro Bono Report provides a highly detailed and invaluable snapshot of the current state of pro bono in Tennessee. The report addresses the Commission's activities thus far and provides insight into areas that provide the most potential for successful access to justice initiatives by addressing (1) bar association pro bono; (2) law school pro bono; (3) pro bono from Legal Aid providers (4) attorney pro bono volunteer reporting statistics (5) 2011 pro bono month, (6) statistical summaries of www.OnlineTNjustice.org, and (7) pro bono CLE hours.

The Supreme Court defines "pro bono services" as services provided without a fee or expectation of a fee to persons of limited means or organizations that primarily address the needs of persons of limited means. Tenn. S. Ct. R. 8, RPC 6.1 (a)(1)-(2). Pro bono service can also be the delivery of legal services at a substantially reduced fee to persons of limited means. Tenn. S. Ct. R. 8, RPC 6.1 (b)(2). Attorneys can also do pro bono through the provision of legal services at no fee or at a substantially reduced fee to individuals, groups, or organizations seeking to secure or protect civil rights and liberties, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes where payment of standard legal fees would deplete the organization's resources or would be inappropriate. Tenn. S. Ct. R. 8, RPC 6.1 (b)(1). Participation in activities for improving the law, the legal system, or the legal profession is also deemed pro bono legal services by the Court. Tenn. S. Ct. R. 8, RPC 6.1 (b)(3).

The Pro Bono Report revealed that in 2009, 18.26% of attorneys licensed in Tennessee voluntarily reported pro bono service with their Board of Professional Responsibility Annual Registration Packet. That year, the average attorney reporting pro bono service donated seventy-nine hours per year. For 2010, 38.96% of all licensed attorneys voluntarily reported pro bono service averaging seventy-three hours per year. The 2010 data was broken down further to examine the reporting activity of attorneys residing in Tennessee and attorneys licensed but not residing in Tennessee. The data revealed that 6,598 of the estimated 16,391 attorneys with active licenses residing in Tennessee reported their pro bono service. Thus, in 2010, 40.25% of active licensed attorneys residing in Tennessee voluntarily reported pro bono service at an average of seventy-four hours per year, which exceeds the aspirational goal of 50 hours per year set forth in Tenn. S. Ct. R. 8, RPC 6.1. With this information in hand, the Commission set the goal that 50% of attorneys residing in Tennessee will provide pro bono services as defined by the Court on an average of 50 hours per year on or before January 1, 2015.

2. Attorney Education. Although legal advice clinics are an important aspect of pro bono, the Commission wants to emphasize the importance of a lawyer taking up representation of the individual, even if the representation is limited in scope. Practitioners quickly learn that law school does not necessarily provide adequate preparation to immediately handle many of the areas of the law that most often affect indigent Tennesseans. These areas include family law, consumer/credit issues, landlord/tenant, and benefits. It is vital and necessary to provide lawyers with the necessary skills to handle these “High Need” substantive areas of the law, particularly in specific venues, *e.g.*, general sessions, juvenile, family law and bankruptcy courts. Moving forward, a particular emphasis of the Commission will be to focus on preparing pro bono lawyers to take on the direct representation of an individual, if an initial consultation does not resolve the

legal issue. Direct representation can entail handling the entire case or providing “unbundled” legal services per an agreement with the individual.

The Commission will:

1. Develop an online curriculum on High Need areas of the law, beginning with family law and debtor/creditor issues to be available on or before November 1, 2012. Complete the curriculum by August 1, 2013. The Commission will seek to collaborate with the Tennessee Bar Association and other bar associations, legal service providers, the Tennessee Alliance for Legal Services and the groups listed below to accomplish this goal.
 - a. Law Schools: Assist in curriculum development and use the curriculum as template for symposia for law students.
 - b. The Judiciary: Use judges as teachers and instructors for the courses to increase participation and demonstrate judicial support.
 - c. Administrative Office of the Courts: Develop webcast(s) on pro bono opportunities available to lawyers and promote www.JusticeForAll.com as a method to disseminate information to lawyers. Ask the Court and other judges to participate in the webcasts.
2. Establish a marketing and public relations campaign to communicate strategies and CLE opportunities to lawyers to launch on or before October 1, 2012.
 - a. Inform lawyers that they may obtain Ethics and Professionalism CLE credit for their pro bono work.
 - b. Promote the access to justice website, www.JusticeForAllTN.com, as a method for lawyers to find out what pro bono opportunities and resources exist inside and outside their area.
3. Promote to other cities the partnership model established by Nashville law firms, the “Pillar Firm” model, whereby firms with strong commitments educate their attorneys on substantive areas of the law and take more pro bono cases in those areas.
4. By October 1, 2012, propose to the Court/CLE Commission that excess CLE funds be designated by the CLE Commission and the Supreme Court to provide for the High Needs pro bono CLE training, the promotion thereof, and other access to justice initiatives.
5. Measure and track the results of this initiative by tracking attendance and following up with attorneys who participated in the curriculum to determine if they subsequently took a pro bono case.

3. Attorney Recruitment

To increase participation so that 50% of lawyers residing in Tennessee provide an average of 50 hours of pro bono per year, the Commission must add to the existing pool of attorneys engaged in pro bono. Multiple initiatives should be utilized to recruit more lawyers. The Commission understands that there is a wide spectrum of law practices in Tennessee, ranging from solo practitioners to large law firms, and that lawyers practice in urban, suburban, and rural communities and that not every strategy is appropriate for every community.

To recruit more lawyers providing pro bono, the Commission will:

1. Promote www.JusticeForAllTN.com and www.onlineTNjustice.org to increase awareness of alternative ways to participate.
2. By December 1, 2012, provide attorneys in parts of the state with no organized pro bono program with resources such as Attorney of the Day materials to organize pro bono efforts tailored to their community.
3. Identify firms that do not have pro bono policies and request that those firms adopt a pro bono policy so that 10 additional firms adopt pro bono plans by January 1, 2013, and 5 additional forms adopt pro bono plans by June 1, 2013.
4. Combine efforts with the TBA to recruit law firms in other communities to follow the partnership model established by Nashville law firms, the “Pillar Firm” model so that the Model is adopted in at least two communities on or before January 1, 2013.
5. Convene an in person or telephone conference of law school deans, law school pro bono directors, and students together at least annually to create ways to partner to increase pro bono participation. Develop an exemplar law school bono policy for Tennessee law schools by December 1, 2012.
6. Develop a proposal for recognition by the Court of firms or legal departments with pro bono policies, individual attorneys, and pro bono organizations with exemplary pro bono participation. Present the proposal to the Court on or before August 1, 2012.
7. Update the Pro Bono Report annually by January 31 each year to capture pro bono work statewide and to measure success.

4. Client Education and Removal of Barriers

Providing Tennesseans with an understanding of how to access a lawyer is integral to delivering access to justice. This requires a public awareness effort to reach Tennesseans in need through partnerships with places the public commonly goes to seek help, such as libraries, faith-based organizations, courthouses and social service providers. In conjunction with educating the public, the Commission will continue its work to remove common barriers encountered in the search for a pro bono lawyer. Many of these objectives compliment the Commission's goals regarding public awareness for self-represented persons discussed in more detail in Section B.

To educate the public on the availability of pro bono services and to remove barriers to finding a pro bono lawyer, the Commission will:

1. Promote the available existing technology such as Online Tennessee Justice, Tennessee Technology Centers, www.JusticeForAllTN.com as ways to access a pro bono lawyer.
2. Provide information and resources to intake staff at legal service organizations through TALS, general sessions courts, and court clerks offices so that they can direct the public to pro bono lawyers. The AOC will supply information to judicial staff and to state and federal elected officials.
3. Explore the creation of an Access to Justice application for smart phones and tablet computers to provide clients with easily accessible information on pro bono resources in their community. Make a recommendation to the Court by November 1, 2012.
4. Make www.JusticeForAllTN.com available in languages other than English, beginning with Spanish by September 1, 2012
5. By September 1, 2012, develop guidance and instructions on the use of interactive technology such as Skype to connect clients in rural areas with pro bono lawyers in other parts of the state.

5. Connecting Lawyers With Clients

Once more lawyers are educated and recruited to take pro bono cases and the public is more aware of the existing and new resources available, the Commission's focus can shift to connecting the lawyers with the clients. The Commission has identified two primary ways that clients are currently connected with pro bono lawyers. One way is through legal aid providers federally funded by the Legal Services Corporation ("LSC providers") and the second is through non-LSC providers. A non-LSC provider describes any organization that provides pro bono legal help but that does not receive federal funding from the Legal Services Corporation. The term includes state and locally funded legal service providers, bar associations, and faith-based organizations that provide legal advice and assistance. A comprehensive pro bono infrastructure must include both LSC providers and non-LSC providers.

Currently, the only widespread pro bono system available to the public consists of the pro bono programs of the four regional LSC programs. Together, their territory covers every county in the state. Federal law requires that at least 12.5% of the federal LSC funding be allocated by the LSC organization toward private attorney involvement or pro bono lawyers. Even though Tennessee's LSC programs allocate more than the required amount toward providing pro bono services, they remain unable to provide pro bono services in every county, and Congress continues to reduce federal funding.

Because of their statewide presence, LSC programs are presently the organizations to which individuals are typically referred for pro bono assistance. Judges refer litigants to them. Notices from the state regarding help with appeal rights for denial of public assistance refer to the LSC providers. Lawyers like to be affiliated with them because of their reputation, CLE opportunities, screening, malpractice insurance, and established system for referrals.

Additionally, LSC organizations have existing, solid partnerships with non-LSC providers and the access to justice community. Even though LSC providers are unable to take certain types of cases due to federal restrictions, they are not restricted from referring those cases to other attorneys to meet client needs.

Many non-LSC organizations provide services to a select population or a specific locality and serve client populations that LSC providers cannot serve. The Commission hopes to encourage other institutions to provide pro bono services. One such example is the plan adopted by the Tennessee and Memphis Conferences of the United Methodist Church which uses the Church's existing infrastructure and commitment to social justice to partner with the Commission to recruit member lawyers to provide pro bono services. (Appendix J). The Commission has devoted much time and resources to the development of projects such as the Pro Bono Summit, Pro Bono Clinic in a Box and endorsed the creation of OnlineTNJustice (which serves clients across the state) to create more pro bono opportunities.

The Commission hopes to serve as a coordinating arm for LSC and non-LSC pro bono providers to increase pro bono opportunities, serve in a coordinating and sponsoring role for pro bono activities, resources and statistics and develop innovative ideas to provide clients greater access to justice. To accomplish this goal across the state, the Commission will seek input, support and feedback from pro bono service providers, the judiciary, the private bar, the executive branch, social service providers, faith-based institutions, public libraries and other organizations which serve Tennesseans with civil legal needs.

To connect lawyers with clients through LSC and non-LSC providers, the Commission will provide a foundation for a comprehensive system of delivery of pro bono services across the state beginning with the following steps:

1. Coordinate regular meetings with the Executive Directors and Pro Bono Directors of each of the four LSC providers and with non-LSC providers, the TBA, and TALS to determine the framework for a comprehensive approach to connect clients to available resources.
2. By November 1, 2012, develop resources for intake staff to assist them to make referrals and foster accountability when their respective agency cannot provide the client with legal help.
3. Explore the feasibility of establishing a statewide toll free information phone line which lawyers staff, and the public can access to get information on available resources throughout the state.

B. Goal 2: The Commission Will Continue Its Efforts to Assist Self-Represented Persons.

Although the Commission will focus primarily upon expanding pro bono services to indigent Tennesseans, it is inevitable that some Tennesseans will not have access to pro bono help. This means that there is a pressing need for the public to better understand the legal system. This need has been particularly noticed by judges, who indicated in response to the Commission's survey that this is an area of special significance and that educational videos could help address this need. (Appendix M—Judges Survey).

The Commission has made significant strides in making the court-system more user-friendly and removing barriers for self-represented persons. Court-approved plain language forms ensure that self-represented persons have acceptable pleadings. "Attorney of the Day" programs place lawyers in courtrooms to serve as informational sources and to provide limited representation to otherwise self-represented persons. However, there is much more work to do.

To assist self-represented individuals, the Commission will:

1. By November 1, 2012 produce a series of educational videos for self-represented parties on specific types of legal issues beginning with family law and debtor/creditor issues, general topics such as "How to Prepare for Court." By November 1, 2012, provide instructions on how to complete plain language forms.

2. By April 1, 2013, develop and recommend additional plain language forms, including expanding the divorce forms to include forms for uncontested divorces with minor children. By October 1, 2013, develop and recommend plain language forms regarding child support guidelines.
3. Foster collaboration with the Tennessee Board of Regents to use Technology Centers as a centralized self-help entity with the goal of establishing one self-help center in each Grand Division by January 1, 2013.
4. By April 1, 2013, examine and make recommendations for systemic change in the general sessions courts, specifically looking at how attorneys can be more involved in helping otherwise self-represented individuals through Attorney of the Day programs and limited scope representation
5. Create a policy clearly distinguishing between legal information and legal advice to provide guidance to court staff, clerks and attorneys assisting in self-help centers on or before September 1, 2012.
6. By March 1, 2013, expand the General Sessions Court Pro Se Bench Book project into universally acceptable instructions for all judges in cases involving self-represented parties.
7. Develop sample plain language signage for the courthouse with the assistance of court staff to be distributed by the AOC to court staff on or before September 1, 2012.

C. Goal 3: The Commission will continue to develop additional strategies to eliminate access to justice barriers.

Some of the strategies outlined above address barriers that Tennesseans face including geography, language, and literacy and disability. In order to further address disability and language barriers, the Commission will:

1. By December 1, 2012, offer Commissioner and Committee member expertise, including technological expertise, to assist the Administrative Office of the Courts with remote interpreting pilot projects, its efforts to encourage agencies to ensure the court is aware of the need for interpreters before court hearings, and educate judges, clerks, public defenders and attorneys general of Supreme Court Rule 42 requirement to use credentialed interpreters before non-credentialed interpreters.
2. By December 1, 2012, offer assistance to agencies which provide services to immigrants to provide education to immigrants on issues such as U Visas, unaccompanied immigrant youth and children in the juvenile courts, immigrants

accused of crimes, asylum, eligibility for state benefits, and immigrant issues in family court.

V. Conclusion

When developing the 2012 Plan, the Commission set out to solidify Tennessee as a national leader in the availability of pro bono legal services, in the elimination of barriers to the justice system, and in assisting the public to understand and successfully engage the justice system. To the best of the Commission's knowledge, Tennessee is the only state that has committed to comprehensively track the manner and method in which pro bono services are provided to the public and to use that data to provide accountability for the Access to Justice programs. The full support of the Supreme Court and existing collaboration among Tennessee's lawyers and its access to justice community has inspired the Commission's grand, but achievable, goal of increasing pro bono participation so that 50% of attorneys residing in Tennessee perform an average of 50 hours of pro bono service as defined by the Supreme Court per year.

The existing network of lawyers, law firms, corporate legal departments, bar associations, legal service programs, judges, clerks, law schools, librarians, service providers, nonprofits, faith-based organizations, and businesses will grow as more lawyers are educated, recruited and given the skills to help indigent Tennesseans with civil legal matters. Toward that end, the Commission will focus on promoting existing resources, growing new resources and technology, and cultivating partnerships to connect lawyers with clients to close the civil legal needs gap while simultaneously advancing projects that eliminate barriers and make the court system more user-friendly for self-represented persons. The Commission remains committed to effecting systemic change to address the unmet legal needs of the state, for Tennesseans deserve no less than full, informed and efficient Access to Justice.

Chronological Timeline with Committee Assignments

May – June 2012

July – Sept 2012

Oct – Dec 2012

August 2012

- Court recognition of pro bono. *Pro Bono.*

September 2012

- Make ATJ website available in Spanish. *AOC.*
- Develop guidelines for interactive technology. *Pro Bono.*
- Develop legal information versus legal advice policy. *Self-Represented Litigants.*
- Develop plain language signage. *Self-Represented Litigants.*

October 2012

- Launch marketing and public relations campaign for lawyers. *Public Awareness.*
- Excess CLE funds proposal. *Education.*

November 2012

- Family Law and Debtor/Creditor videos available as part of online curriculum. *Education.*
- Make recommendation for creation of access to justice smart phone app. *Public Awareness.*
- Develop resources for intake staff to assist with referrals and foster accountability. *Education.*
- Produce educational and instructional videos for self-represented litigants. *Education and Self-Represented Litigants.*

December 2012

- Provide resources to attorneys to organize pro bono programs. *Pro Bono.*
- Develop exemplar law school pro bono policy. *Pro Bono.*
- Offer expertise to assist the AOC with remote interpreting pilot projects, its efforts to promote communication with the court when an interpreter is needed, and provide education. *AOC.*
- Assist agencies which provide services to immigrants to provide education to immigrants. *Education.*

Chronological Timeline with Committee Assignments

Jan – Mar 2013

Apr – June 2013

Jul – Dec 2013

January 2013

- 10 law firms adopt pro bono policy. *Pro Bono.*
- 2 communities adopt Pillar Law Firm Model. *Pro Bono.*
- Establish self-help center in each Grand Division. *Self-Represented Litigants.*

March 2013

- Expand Pro Se Bench Book into universally acceptable instructions. *Self-Represented Litigants.*

April 2013

- Develop additional plain language forms, including expanding the divorce forms. *Self-Represented Litigants.*
- Make recommendations for systemic change in general sessions court. *Self-Represented Litigants.*

June 2013

- 5 additional firms adopt pro bono policies. *Pro Bono.*

August 2013

- Complete High Needs online curriculum. *Education.*

October 2013

- Develop plain language forms regarding child support guidelines. *Self-Represented Litigants.*

Chronological Timeline with Committee Assignments

On-Going

- Promote to other cities the Pillar Firm Model. *Public Awareness.*
- Measure and track results of attorney education initiative by tracking attendance and following up with attorneys who participated. *ATJ Coordinator.*
- Promote www.JusticeForAllTN.com and www.OnlineTNJustice.org to increase awareness of alternative ways to participate. *Public Awareness.*
- Update the Pro Bono Report annually. *ATJ Coordinator.*
- Convene an in person or telephone conference of law school deans, law school pro bono directors, and students together at least annually to create ways to partner to increase pro bono participation. *Pro Bono.*
- Promote available existing technologies such as Online Tennessee Justice, Tennessee Technology Centers, www.JusticeForAllTN.com as ways to access a pro bono lawyer. *Pro Bono.*
- Provide information and resources to intake staff at legal service organizations through TALS, general sessions courts, and court clerks offices so that they can direct the public to pro bono lawyers. AOC will supply information to judicial staff and state and federal elected officials. *Education.*
- Coordinate regular meetings with the Executive Directors and Pro Bono Directors of each of the four LSC providers and with non-LSC providers, the TBA, and TALS to determine the framework for a comprehensive approach to connect clients to available resources. *Pro Bono.*
- Explore feasibility of establishing statewide toll free information phone line which lawyers staff, and the public can access to get information on available resources throughout the state. *Pro Bono Committee.*

Appendix G:

2016

Attorney for Justice

Seal



ATTORNEY FOR JUSTICE



TENNESSEE
SUPREME COURT

PRO BONO SERVICE AWARD
2016



Appendix H:

2016

*Law Student
for Justice*

Seal



LAW STUDENT FOR JUSTICE



TENNESSEE
SUPREME COURT

PRO BONO SERVICE AWARD
2016



Appendix I:
2014
Strategic Plan

Tennessee
Access to Justice
Commission
2014
STRATEGIC
PLAN

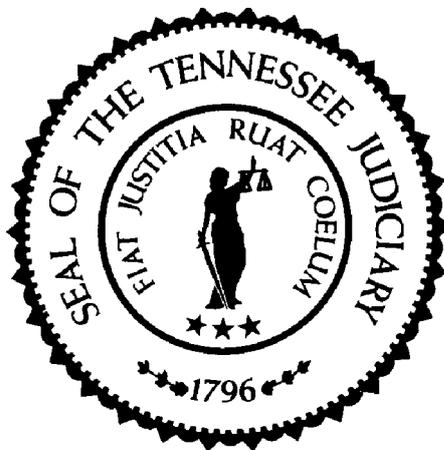


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I. Introduction

In August 2008, the Tennessee Supreme Court declared Access to Justice its number-one strategic priority. Later that year, the Court launched its Access to Justice campaign. On April 3, 2009, the Court created the Tennessee Access to Justice Commission and charged it with developing its first strategic plan within the first year and updating the plan every two years thereafter. This 2014 Plan details the progress made in implementing the goals of the Commission's 2012 Strategic Plan and proposes new objectives and benchmarks to address civil legal needs in the upcoming two years.

The Commission's first strategic plan submitted in 2010 outlined how the Supreme Court began its Access to Justice Initiative and the Court's impressive efforts to carry out this initiative. During the past five years, the Court's commitment has never wavered. The Court—as individual justices and as a whole—participates in access to justice events and in meetings of the Commission and its Advisory Committees¹. The Court also makes prompt decisions to promote Access to Justice, and members of the Court speak locally and nationally on this topic. The leadership and visibility of the Court has inspired not only the Commission, but also the broader access to justice community, the bar and its associations, and the court system as a whole. The accomplishments of the past five years reflect the dedication and support of a broad network of lawyers, law firms, corporate legal departments, bar associations, legal service programs, judges, clerks, law schools, librarians, service providers, nonprofits, faith-based organizations, and a wide variety of other entities to accomplish these goals.²

This 2014 Strategic Plan also sets forth additional goals and initiatives to aid and expedite the Supreme Court's dynamic and ongoing Access to Justice campaign. In particular,

¹ Advisory Committees are broad based and diverse committees in topical areas upon which stakeholders and persons with expertise serve.

² The Commission would be remiss if it did not recognize and thank Justice Janice Holder for serving as the Court's liaison to the Commission since its inception.

the 2014 Plan focuses on the Commission's first goal, which is to involve more lawyers and law students in meeting legal needs so that the public is better served. Key to the implementation of this goal is a more comprehensive pro bono delivery system across the state, which has taken shape through the establishment of 1-888-aLEGALz and the publication of the annual pro bono report. This 2014 Plan also addresses the necessity of further public outreach and awareness of existing access to justice resources for self-represented individuals and the community at large. Finally, the 2014 Plan addresses the Commission's commitment to careful measurement of the effectiveness of our collaborative efforts in order to assist stakeholders in directing resources to the programs that most effectively address the critical needs of our citizens.

II. Accomplishments and Highlights of the 2012 Strategic Plan.

At each quarterly meeting, the Commission reviewed the 2012 Plan (Appendix H) and received an update from each Committee chair regarding the Commission's success in accomplishing these goals. The Commission and its collaborative partners have met or exceeded most of the goals set in the 2012 Plan.

A. Attorneys Performing Pro Bono Legal Services. One of the overarching goals of the 2012 Plan was to increase the number of attorneys who reside in Tennessee and provide pro bono services. As of the date of this report, this number represents 44.31% of all Tennessee attorneys, an increase of 26.05 % since 2010. The average amount of hours performed by those attorneys is an astounding 74.13 hours per year, far greater than the national average.

B. The Pro Bono Report. As the Commission recognized in 2012, a common theme among participants in the national Access to Justice Community is that there is little comprehensive information regarding the pro bono activities in each individual state. The Commission has continued to devote significant resources, primarily staff resources, to create

the Pro Bono report so that the Court, bar associations, law schools, direct service providers, and other stakeholders can use the report as a resource.

C. Creation of 1-888-aLEGALz. Another important goal in the 2012 Plan was the establishment of a statewide pro bono referral network. At the time of the 2012 Plan, Online Tennessee Justice, the nation's first interactive pro bono website, was already in service. This website provides limited scope advice to eligible clients across Tennessee and provides lawyers with the opportunity to provide pro bono services whenever and wherever they can access a computer or mobile device. The Commission learned early in 2012 that other states had successfully launched statewide toll-free numbers to answer legal questions from clients and to connect available resources with clients who needed help.

With a grant from the Court (from CLE late fees paid by lawyers to the Commission on Continuing Legal Education and a \$75,000 grant from International Paper Corporation), 1-888-aLEGALz was launched in collaboration with the Tennessee Alliance for Legal Services. This is Tennessee's first statewide, toll-free, legal-resource helpline. The hotline is staffed by Tim Hughes, an alumnus of Memphis Area Legal Services, and is housed at the Tennessee Alliance for Legal Services offices. This helpline can provide basic legal advice to callers or when more than basic or limited scope advice is needed, Tim Hughes can direct the client to available resources. The launch of 1-888-aLEGALz is another important and meaningful stride towards establishing a statewide referral network for pro bono services in Tennessee. Together, Online Tennessee Justice and aLEGALz provide important access to legal information and legal advice for all Tennesseans. The latest periodic reports for 1-888-aLEGALz and Online Tennessee Justice are attached hereto as Appendix J.

D. Education of Volunteer Lawyers and Self-Represented Litigants. The 2012 Plan recognized that education for self-represented litigants as well as for attorneys willing to provide pro bono services is a critical element if Tennessee is to succeed in

involving more lawyers and providing more services where the needs are the greatest. To that end, the Commission developed an online curriculum in high-needs areas of the law beginning with family law. The Commission also assisted in coordinating development of pro bono initiatives in law schools and involved the judiciary by asking judges to participate in online webcasts.

E. Marketing and Public Relations. Pursuant to the 2012 Plan, the Commission recommended that the Court establish a Supreme Court recognition program. This Court-recognition initiative began in the first quarter of 2014 and honors lawyers who perform 50 hours of pro bono work per year. Law students who perform 50 hours of pro bono work while in law school will be honored as Volunteers for Justice upon graduation. Law offices that average 50 hours of pro bono work per lawyer will be recognized also. The Court has created and registered a trademarked seal for use by law students and lawyers on résumés, website listings, and other materials disseminated to the public relating to those lawyers or law offices. An image of the seal is attached as Appendix K. The Court will hold a series of regional events beginning in July 2014 to honor these lawyers, law students, and law offices.

F. The Pillar Law Firm Initiative. Building on the partnership model established by Nashville law firms and the Legal Aid Society of Middle Tennessee and the Cumberlands, the Commission facilitated the launch of Pillar Law Firm programs in Memphis, Knoxville, and Chattanooga. Pursuant to the Pillar Law Firm model, firms with strong commitments to pro bono educate their attorneys on substantive areas of the law and take more pro bono cases in those substantive areas. This model allows the firms to develop special expertise across levels of seniority, organize groups topically within their firms, and create client teams to work on their pro bono assignments.

G. Faith-Based Initiatives and Facilitating the Creation of New Pro Bono Clinics. In February 2013, the Court and Commission launched the Tennessee Faith &

Justice Alliance ("TFJA"), an alliance of faith-based groups in Tennessee created to align needs seen at the local church level with possible legal resources that are nearby, perhaps in the same congregation, and committed to providing legal resources to their congregations and communities. The notion is to connect with people in need in a place where they already go to seek help with a problem, which is quite often their place of worship. The TFJA also provides opportunities to help to attorneys who have not otherwise participated in organized pro bono but are motivated to serve their church through a pro bono program. The Commission has partnered with the Tennessee Alliance for Legal Services to provide malpractice insurance to participating attorneys.

The Tennessee Conference of the United Methodist Church ("UMC") served as the location of the initiative's pilot project, which was designed to pair an attorney with a place of worship. When a leader or clergy member of that congregation learns of a member's legal need, that leader can refer the person to a local attorney who has volunteered to serve as a resource for that congregation. That attorney in turn will provide the legal advice needed or make connections with other resources that can provide necessary services.

The UMC model is just one way to offer services. The flexibility of the TFJA program allows communities to design programs to meet their local needs. For example, Cross Point Church in Nashville organized legal teams that partner with addiction rehabilitation organizations. The legal teams work with program graduates to deal with outstanding legal issues that may impede the graduates' success after their rehabilitation. The legal teams are composed of church member attorneys and law students. The law students complete client intake, conduct legal research, and draft motions, while the attorneys oversee their work. If a court appearance is required to remedy the situation, the attorneys represent the client in court.

The clinic started at Lipscomb University, a Christian institution, is another example.

The Lipscomb Institute for Law, Justice & Society recruited alumni attorneys to serve at bi-monthly, free, walk-in legal clinics.

H. Assistance to Self-Represented Litigants. The Commission has produced a series of educational videos for self-represented litigants. It has developed and recommended plain-language forms for self-represented litigants and has expanded the available divorce forms to include forms for the uncontested divorce of parties with minor children. It has also developed plain-language resources regarding child support guidelines.

Working with the General Sessions Judges Conference, the Commission has examined and made recommendations to increase attorney involvement in helping otherwise self-represented individuals through Attorney-of-the-Day programs and other limited-scope representation initiatives in the General Sessions courts.

Also, in collaboration with the Tennessee General Sessions Judges Conference, a General Sessions court pro se bench book, “Meeting the Challenges of Self-Represented Litigants,” has been created and circulated and is now being used as a model for the creation of a Circuit and Chancery Court Pro Se Bench Book.³ Supplemental Guidelines for self-represented litigants were also created in conjunction with the Bench Book.

In collaboration with the Board of Professional Responsibility, the Commission recommended and the Court adopted a policy distinguishing between legal information and legal advice that continues to provide guidance to court staff, clerks, and attorneys.

The Commission has developed plain-language signage for courthouses and distributed it to courts across the state.

The Court has also made the Access to Justice website and the Supplemental Guidelines referenced above available in Spanish.

³ The Commission wishes to thank the Honorable Dwight Stokes and all the members of the General Sessions Judges Conference for their great work in this area.

I. Recruitment of Additional Lawyers and Law Students for Pro Bono

Work. The 2012 Plan included a goal of increasing the number of law firms and legal departments with formal pro bono policies. The Commission, through its pro bono committee and in collaboration with the Tennessee Bar Association, has surpassed its goal of increasing by 15 the number of law firms and legal departments that have adopted pro bono policies. Seventeen additional law firms and legal departments have adopted formal pro bono policies.

The Commission convened a telephone conference of law school deans and law school pro bono directors in the fall of 2012 and participated in statewide law school conferences in January and September of 2013 to increase pro bono participation among law students and law faculty. Members of the Court attended all three events. The Commission has also convened four quarterly telephone conferences with legal services entities and non-legal services direct providers to discuss issues affecting the legal services community and to coordinate the Commission's efforts with these providers.

III. The Commission's Strategic Vision.

At this point in the Commission's history, the Court, the Commission, and all of the collaborative partners in the access to justice community can be rightfully proud of what has been accomplished in these past five years⁴. State and local bar associations, legal service providers, non-legal service providers, law schools, faith-based organizations, libraries, and persons and entities too numerous to name have established an extensive mosaic of resources that serves as a strong foundation from which to build. The Commission's challenge and the challenge of the cause of equal access to justice generally, are to create and improve upon programs and processes that will allow Tennessee to sustain its momentum.

⁴ The National Center for Access to Justice at Cardozo Law School's Justice Index, found at <http://www.justiceindex.org>, is a model for improving the quality of justice through the use of performance measurement. The web-based system gathers and presents data showing the extent to which each of our 50-state justice systems succeeds in assuring access to all. Tennessee scored in the top 10.

To that end, our overarching strategic goal remains to increase access to justice for all citizens of Tennessee by engaging more Tennessee lawyers in the provision of pro bono services. With a growing population in poverty and shrinking financial resources, however, our goals must now involve measurement of the effectiveness of our efforts.

The Commission is no longer satisfied simply to propose new rules or to launch new programs. The Commission commits to measure the impact that our work is having on the lives of Tennesseans. This disciplined approach will allow us to place emphasis on the programs that have been the most effective, to discontinue spending resources on programs that have not been effective, and to use new technologies and the new information that we gather to leverage existing programs and launch new programs where the need is the greatest. In the Commission's judgment, the next stage in the evolution of the Court's work, and in fact, the cause of equal justice in general, is to strive toward making the most profound difference possible in the lives of Tennesseans with the human, financial, and technological resources available to us.

The Commission also recognizes there will continue to be instances when a person cannot afford the cost of a traditional lawyer, does not have access to pro bono resources, and will be required to represent themselves in court. The Commission commits to developing additional resources directed towards low-income Tennesseans who must navigate the court system without the benefit of counsel. In addition, existing resources available for self-represented litigants will be a component of the Commission's public-awareness efforts going forward.

IV. Summary of Recommendations for the 2014-2016 Strategic Plan.

A. Assess Legal Needs. The last state-wide legal needs study done in Tennessee was published in 2004 and utilized data collected in 2003. In order for the Commission and its collaborative partners to refine existing programs and launch new initiatives that will

impact the most Tennesseans in the most profound way, the Commission believes that it is now time to reassess legal needs in Tennessee. From the working poor to the homeless, we need a more recent and accurate snapshot of the types of needs that now exist, the Tennesseans who have the most profound need for legal services, and the location of those needs throughout our state.

Thanks to a generous grant from the Ansley Fund of the Frist Foundation and in collaboration with the Tennessee Alliance for Legal Services and the Tennessee Bar Association, a new legal needs study has been undertaken. This legal needs study will be performed by the University of Tennessee School of Social Work, which conducted the study published in 2004. This new study will give us reliable and current information that we can use across the spectrum of programs and initiatives to triage our efforts and direct our resources in the most effective way.⁵ We expect that this survey will be available for distribution in the third quarter of 2014. See Appendix K for a description of the legal needs study.

Goal:	Receive and Disseminate New Study
Deadline:	October 1, 2014
Responsibility:	Commission Chair and Commissioners, Staff

B. Disseminate Information About Existing Resources. The Commission has created videos for volunteer attorneys and for the public. The Tennessee Bar Association and the Tennessee Alliance for Legal Services have collaborated to launch www.OnlineTNJustice.com, the nation's first interactive, pro bono website. The Tennessee Alliance for Legal Services, with financial assistance from International Paper and the Court and with the assistance of the Tennessee Bar Association, has launched 1-888-aLEGALz, a legal advice and information toll-free line. In the Commission's judgment, however, many of

⁵ A recent economic impact study done in our neighboring state of North Carolina showed that civil access to justice programs resulted in \$18,024,411 of direct benefit, \$13,893,362 of indirect estimated impact, \$16,857,503 in cost savings, and a total economic impact of \$48,775,327 in the state. We expect to also complete an economic impact study in Tennessee by the end of 2014.

these resources, and others, are underutilized. Public awareness of the available resources, therefore, deserves careful attention over the next two years.

One step, for example, will be the creation of a poster to be displayed in clerks' offices and other locations informing the public of available resources. This poster will include a Quantum Point Contact ("QPC") code that smart phone users can scan to receive more information. The Commission will also target centers of community contact such as laundry mats, health clinics, and public transportation and will send a monthly email to social agencies. The Commission will also utilize social media to disseminate information and to explore the use of public service announcements on radio and television.

Goal:	See a 10% annual increase in the use of existing resources
Deadline:	April 1, 2015
Responsibility:	Education Committee and Public Awareness

The Commission will establish five attorney-education core videos and will focus its promotional efforts on them. The videos will include a survey asking the lawyer to indicate the degree to which he believes the videos both encouraged and prepared him to address the core issues.

Goal:	Create five new core videos and surveys
Deadline:	January 1, 2015
Responsibility:	Education Committee

The Commission will establish a process for quickly creating videos on time-sensitive issues that impact the client population such as the Affordable Care Act in 2013. This expedited process will provide for the creation of a video and/or webcast within two weeks of recognition of the need for the video. These videos will also include a survey similar to those that accompany the core videos for attorneys to complete.

Goal:	Create protocol to handle production of time-sensitive videos
Deadline:	July 1, 2014
Responsibility:	Education Committee

In addition, the Commission will continue to communicate regularly with the four legal services providers funded by the Legal Service Corporation (“LSC”) and non-LSC legal service providers, the Tennessee Bar Association, the Tennessee Alliance for Legal Services, and other stakeholders.

Goal:	Hold quarterly conference calls with stakeholders
Deadline:	On-going
Responsibility:	Commission Chair and AOC Staff

C. Establish Direct Communication Channels with Volunteers. In the Commission's judgment, the Court itself should have the capability of direct emailing to attorneys through the Commission or other channels. The Tennessee Bar Association, utilizing its award winning member service, *TBA Today*, has been a most generous partner in helping the Court and Commission inform Tennessee lawyers about access to justice developments. Likewise, the Board of Professional Responsibility has been a full partner in helping the Court and the Commission communicate with lawyers with regard to access to justice issues. The Commission places tremendous value on these collaborative relationships; however, the Commission believes that it should also have its own process for emailing Tennessee lawyers to inform them of needs, available resources, pro bono volunteer opportunities, and Court recognition programs. To that end, the Commission will, with the Court's permission, obtain the information it needs to send its own emails to Tennessee lawyers.

Goal:	Create a direct channel of communication for the Commission
Deadline:	October 1, 2014
Responsibility:	AOC Staff

D. Recommend a Pro Bono Reporting Requirement to the Court. Just as more information and new information are needed regarding the legal needs of Tennessee citizens, more information is necessary to evaluate the pro bono services being rendered and

the volunteers providing those services. In recent years, the number of Tennessee lawyers reporting their pro bono hours has risen from 18% to more than 44%. At times, that number has been as high as 48%, extremely close to the goal stated in the 2012 Strategic Plan of having 50% of Tennessee attorneys voluntarily providing pro bono services. However, even if 50% of Tennessee attorneys report providing pro bono services, this information still presents an incomplete picture of how much pro bono is being performed and who is volunteering. Although the Commission is unanimously against mandatory pro bono and strongly in favor of maintaining the confidentiality of each individual attorney's pro bono information, the Commission has, since its inception, believed that the Court should require attorneys to report their pro bono hours with their annual registration.

Reporting pro bono does not require record keeping and certainly will not involve after-the-fact audits. Requiring attorneys to estimate their pro bono hours has never been, as some have claimed, a gateway to requiring that attorneys perform pro bono services. Reports by individual lawyers should be kept confidential unless confidentiality is waived by the lawyer so that the Court may recognize those lawyers who have provided pro bono services. Just as it is important to understand the legal needs in Tennessee, it is important to understand how much pro bono service is being rendered and by whom. This information is invaluable with respect to planning and triaging initiatives, legislative policy, and grant applications, to name a few. Reporting estimated, pro bono hours should take most lawyers less than one minute to note on their annual registration form. (The Commission will explore the feasibility of reporting directly to the Commission rather than through the BPR.)

Goal:	Make a recommendation to the Court for Required Pro Bono Reporting
Deadline:	May 1, 2014
Responsibility:	Commission Chair

E. Target the Needs of Tennesseans in the Area of Family Law. All of the providers in the field and all of the volunteers at the clinics, as well as the data captured through Online Tennessee Justice and 1-888-aLEGALz, indicate that Tennessee's most profound need is in the area of family law. For example, there are few resources for low income Tennesseans with custody issues and few options for a spouse that does not control the marital assets to afford the traditional cost of hiring a lawyer. In keeping with the Commission's commitment to place emphasis where it can best impact the lives of Tennesseans, the Commission will target family law by steering existing Pillar Law Firms to family law cases and recruiting additional Pillar Law Firms who will handle family law cases. The Commission will also assist LSC providers create and expand existing divorce clinics, update and promote existing and upcoming plain language divorce forms, create new plain language family law forms, recruit more mediators to perform pro bono family mediations, promote the use of the limited scope representation rule in family law cases.

Goal:	Recruit five new Pillar Law Firms to take family law cases; have five existing Pillar Law Firms take family law cases in addition to the cases they currently take; and encourage each Pillar Law Firm to close 10 family law cases per quarter
Deadline:	On-going function
Responsibility:	Pro Bono Committee

F. Target The Needs Of Rural Tennesseans. While family law is the topical area on which the Commission commits to focus, the Commission also believes that the legal needs of Tennesseans living in rural areas should be a strategic focus. The Commission commits to establishing new clinics in rural judicial districts. The Commission will also use new technologies to meet the needs of Tennesseans living in rural areas where few or no volunteer attorneys are available. Our ultimate goal is to have either an in-person clinic or a remote clinic using mobile devices occur periodically and reliably in every judicial district.

Goal:	Have a functioning, regularly scheduled pro bono clinic in every judicial district
Deadline:	March 31, 2016
Responsibility:	Pro Bono Committee

G. Hold a Tennessee Faith and Justice Summit. The Commission will host the first-ever statewide gathering of faith-based organizations and pro bono lawyers with a common interest in assisting Tennesseans with civil legal problems. The Summit will highlight the Tennessee Faith and Justice Alliance. This Summit will be used as a way to refine the processes and training, evaluate the interests in existing entities, and recruit new entities for the initiative.

Goal:	Recruit 20 new individual attorney and non-attorney volunteers; have one new project in each grand division as a direct result of the Summit
Deadline:	Recruitment complete by May 1, 2014; new projects up and running by May 1, 2015
Responsibility:	Faith-Based Committee

H. Expand and Enhance the Effectiveness of the Faith-based Initiative and the Tennessee Faith and Justice Alliance. The Commission's role with respect to the faith-based initiative and the Tennessee Faith and Justice Alliance should be one of recruiting, incubation, training, and monitoring. In the Commission's judgment, the key to an effective faith-based program is to have champions within organizations who will promote the program, recruit volunteers, and make sure that the initiative is functioning properly. It is impossible for the Commission staff to perform that role for faith-based entities and simultaneously expand the number of programs serving Tennesseans and the number of Tennesseans who are served.

Accordingly, the Commission has decided to direct staff resources to those entities with a well-functioning champion in place. Our staff can provide a template for establishing

an initiative and help train the original champion or champions within each entity. Our staff should then move on to recruiting the next entity and assisting them with launching their programs. In keeping with this strategic plan's theme of carefully marshaling resources to have the most profound effect on the largest number of Tennesseans, our role should be to recruit receptive new entities and train the champions within those entities. This approach should be effective immediately and should be ongoing throughout the term of this strategic plan.

Goal:	To have 20 new functioning faith-based programs
Deadline:	March 31, 2016
Responsibility:	Faith-Based Committee and AOC Staff

I. Use the American Bar Association (“ABA”) Innovation Grant to Promote Rural Faith-Based Projects. In keeping with the Commission's focus on meeting the needs of rural Tennesseans, the Commission is committed to meeting the requirements of our ABA Innovation Grant by having two rural projects up and running by May 2014. The two projects are expanding the referral model piloted by the Tennessee Conference of the United Methodist Church under the TFJA and creating a new faith-based clinic in a rural county. Under the grant, the Commission is charged with developing a model to assist in the replication of this project. The pilot project adopted by the Tennessee Conference of the United Methodist Church will serve as the prototype for the model. The pilot project has been in existence for a year, and the Commission will modify the pilot project so that it can be applied universally and will develop best practices for adopting the model.

Goal:	Develop a faith-based prototype for faith-based legal outreach to be replicated throughout the state
Deadline:	May 31, 2014
Responsibility:	Faith-Based Committee and AOC Staff

J. Continue to Develop And Monitor the Use of Plain Language Forms. Plain language forms for self-represented litigants are important. The Commission commits to

measuring the effectiveness of these forms by monitoring the number of times a form is viewed or downloaded from the Administrative Office of the Court website or the Access to Justice website. The Commission will also work with the State Court Clerks Association of Tennessee to survey court clerks on the usage and effectiveness of plain-language forms.

Goal:	Establish and implement processes for monitoring use of forms and create and distribute surveys
Deadline:	December 1, 2014
Responsibility:	Self-Represented Litigants Committee and AOC staff

The Commission will produce three new core videos for self-represented litigants to add to the existing video inventory. In addition, as new plain language forms are developed, the Commission will develop written instructions and video instructions on how to complete the plain language forms.

Goal:	Create three new core videos and streamline the process for developing written instructions and video instructions on how to complete plain language forms
Deadline:	December 1, 2014
Responsibility:	Education and Self-Represented Litigants Committee

The Commission also believes that automated, court-approved forms would be effective for self-represented litigants. Similar to "TurboTax®," the do-it-yourself-program would ask the self-represented litigants a series of questions and uses the answers to populate the necessary forms. The Commission will research other states and entities using similar programs to assist self-represented litigants in completing forms and make a recommendation to the Court based on its findings.

Goal:	Make a recommendation to the Court on the viability of an automated court form program in Tennessee and whether to move forward in adopting such a program
Deadline:	January 1, 2015
Responsibility:	Self-Represented Litigants Committee

K. Provide For Additional Pro Bono Mediation. Supreme Court Rule 50, Section 2.04(d), states,

The Commission shall encourage the Alternative Dispute Resolution Commission and other groups to provide pro bono and reduced-rate mediation services to self-represented litigants, and to litigants who, although represented, have modest means or who are pro bono clients.

Tennessee is fortunate to have pro bono mediation centers and pro bono mediator-of-the-day programs in some communities. The ATJ Commission will work with the ADR Commission to increase the number of pro bono mediators providing pro bono mediations. The Commission chair will also create a mediation committee that will work to replicate mediator of the day programs, pro bono mediation centers in more judicial districts, and connect individual mediators in rural areas with opportunities to do pro bono mediation, specifically in family law matters.

Goal:	Launch three new pro bono mediation programs/opportunities and increase the number of individual mediators doing pro bono mediation by 10%.
Deadline:	March 31, 2015
Responsibility:	New Mediation Committee

L. Continue to Support Law Student Involvement in Pro Bono Work. The Commission will continue to work with the six law schools in the state to encourage and promote opportunities for law students to do pro bono work. Whenever possible, the Commission will use law students to further the projects outlined in this Plan. The Commission will carry on its partnership with the law schools and TBA ATJ Committee and facilitate annual meetings of law school Deans, faculty, and students to emphasize the importance of doing pro bono work while in law school. The Commission will also promote and assist the Court in its law student pro bono recognition program, Law Students For Justice.

Goal:	Organize an annual summit of law school Deans, faculty, and students.
Deadline:	December 31, 2014.
Responsibility:	Pro Bono Committee and AOC Staff.

M. Make The Public Aware of Existing Resources. As in many states, one of the challenges faced by our Commission and the access to justice community generally is the connection of resources to need. Some resources, of course, are fully utilized at this time. For example, 1-888-aLEGALz is being utilized to the fullest capacity of the existing staff and volunteers. Based on the number of volunteers signed up for Online Tennessee Justice, however, it could be more fully utilized if the public were more aware of it. In addition, the Commission has received reports of limited scope clinics with very low lawyer-to-client ratios. The Commission has also observed that there are Pillar Law Firms in some cities that are not receiving as many case assignments as they could handle. Finally, as of January 2014, there are more than 65 law firms and legal departments that have adopted formal pro bono plans or policies. The Commission has observed that some of these firms are fully utilizing their plans and are being called upon to provide pro bono services pursuant to their plan's structure. Other legal departments and firms with pro bono plans, however, are not being fully utilized or are not being utilized at all.

The Commission will recruit a full complement of lawyers and non-lawyers with public awareness skills and/or public relations backgrounds to the Public Awareness Committee. The committee will operate on two fronts: the first is to make the public aware of existing resources; and the second is to make sure lawyers are aware of opportunities to provide pro bono services, are trained to provide those services, and are recognized by the Court for volunteering their time and expertise.

Goal:	Repopulate Public Awareness Committee
Deadline:	May 1, 2014
Responsibility:	Commission Chair

As an initial matter, the Commission will focus on successful implementation of the Court's recognition program through its Attorney For Justice and Volunteer For Justice recognition programs for lawyers, law offices, and law students. The Commission will hold lawyer and law student recognition events for the first time in October 2014.

Goal:	Hold recognition events in each Grand Division of the state
Deadline:	October 31, 2014
Responsibility:	Public Awareness Committee and AOC Staff

The Commission relies heavily upon LSC and non-LSC direct service providers to refer clients to clinics, to Online Tennessee Justice, and to 1-888-aLEGALz. The Commission will continue to stress the importance of referrals to LSC and non-LSC directors, private attorney law coordinators and intake personnel.

Goal:	Increase LSC referrals to Online Tennessee Justice and aLEGALz by 10% per year
Deadline:	March 31, 2015
Responsibility:	Public Awareness Committee

The Commission will explore the feasibility of a periodic radio talk show on WFSK in Nashville that would promote available resources and provide legal information to the public.

Goal:	Launch effective radio programming
Deadline:	January 1, 2015
Responsibility:	Public Awareness Committee

The Commission will also create public service announcements for radio and/or television and will work through lawyers and law firms that advertise heavily on radio or television to attempt to place them with media outlets.

Goal:	Create and air public service announcements
Deadline:	December 1, 2014
Responsibility:	Public Awareness Committee

The Commission will explore the feasibility of placing strategically located billboards

across the state, either paid for by donors or donated by advertising companies (modeled after the successful billboard campaign in North Carolina in 2007).

Goal:	Find billboard donor and create billboards
Deadline:	July 1, 2015
Responsibility:	Public Awareness Committee

N. Data Management. A focus of this Strategic Plan will be to capture data that with respect to the legal needs of Tennesseans, the opportunities to recruit additional pro bono volunteers, and the effectiveness of the pro bono services being provided measures the extent to which we are impacting the lives of our fellow Tennesseans in a positive way. Some data collection is already taking place through the Commission’s strategic partners such as pro bono clinic providers and the Tennessee Alliance for Legal Services with aLEGALz and Online Tennessee Justice. The Commission will gather existing data and develop a universal data-collection tool for clinic providers and pro bono programs to submit to the Commission. Other initiatives such as Pillar Law Firms, pro bono policy adoption, and usage of plain language forms have not reported data or the Commission has not collected the data. The Commission will begin to collect data on these types of initiatives. To the extent possible, the Commission will work with its partners to develop a universal instrument to survey clients on their satisfaction with the pro bono assistance they received. To enable the Commission and its partners to determine where to focus resources and how to move forward to provide low income Tennesseans access to the judicial system, the Commission will develop a data-management system, which will be a central repository for these data.

Goal:	Develop universal measurement tool for clinic providers and pro bono programs, implement tool, collect existing data for other sources, and develop data management system.
Deadline:	Develop measurement tool by June 2, 2014; Implementation and collection by October 1, 2014; Develop data management system by April 1, 2015
Responsibility:	AOC Staff

V. Conclusion

As with the 2012 Strategic Plan, this new Plan is ambitious and will require hard work and continuous focus by the Commission and, as always, our volunteers and collaboration partners. Nevertheless, the Commission is mindful that access to justice is the Court's primary strategic priority and the needs of our fellow citizens will never abate. We approach this plan, and the work it represents, therefore with a strong sense of urgency. Our fellow Tennesseans deserve no less.

Chronological Timeline of All Activities

April 2014 – December 2014

Recommendation for Required Pro Bono Reporting. **Chair.**

Recruit 20 new TFJA Volunteers. **Faith-Based Committee.**

Develop faith-based prototype. **Faith-Based Committee.**

Repopulate Public Awareness Committee. **Chair.**

Develop universal measurement tool for clinics. **Pro Bono & Faith-Based Committees.**

Create protocol to produce time-sensitive videos. **Education Committee.**

Receive and disseminate Legal Needs Study. **ATJ Commission and AOC Staff.**

Create direct communication channel between ATJC and attorneys licensed in TN. **AOC Staff.**

Host Supreme Court Pro Bono Recognition Program public events. **Public Awareness Committee & AOC Staff.**

Implement universal measurement tool and collect data. **Pro Bono & Faith-Based Committees; AOC Staff.**

Establish and implement processes for monitoring use of plain language forms and survey court clerks on usage. **Self-Represented Litigants Committee & AOC Staff.**

Create 3 new core videos for self-represented litigants and streamline processes for developing written and video instructions on how to complete the forms. **Education & Self-Represented Litigants Committees.**

Organize annual pro bono summit of law school Deans, faculty, and students. **Pro Bono Committee & AOC Staff.**

Create and air public service announcements. **Public Awareness Committee.**

Chronological Timeline of All Activities

January 2015 – June 2015

Create 5 new attorney core videos & surveys. **Education Committee.**

Recommendation on viability of automated forms. **Self-Represented Litigants Committee.**

Launch effective radio programming. **Public Awareness Committee.**

Launch 3 new pro bono mediation programs & increase number of mediators doing pro bono by 10%. **Mediation Committee.**

Increase LSC referrals to Online TN Justice & aLEGALz by 10% per year. **Public Awareness Committee.**

See 10% annual increase in use of existing ATJ resources. **Education & Public Awareness Committees.**

Develop data management system. **AOCStaff.**

Establish a new TFJA project in each grand division. **Faith-Based Committee.**

Chronological Timeline of All Activities

July 2015 – March 2016

On-Going

Secure billboard donor and created billboards. **Public Awareness Committee.**

Have a functioning, regularly scheduled pro bono legal clinic in every judicial district. **Pro Bono Committee.**

Establish 20 new functioning faith-based programs. **Faith-Based Committee & AOC Staff.**

Hold quarterly conference calls with access to justice stakeholders. **Commission Chair & AOC Staff.**

Recruit 5 new Pillar Law Firms to take Family Law cases; Have 5 Existing Pillar Law Firms take Family Law cases in addition to the cases they currently take; Encourage each Pillar Law Firm to close 10 Family Law cases per quarter. **Pro Bono Committee.**

Appendix J:

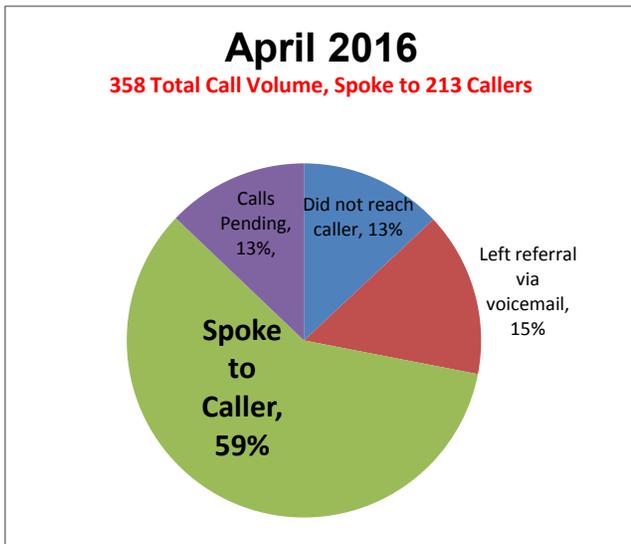
Reports from
1-844-Help4TN
and

<https://TN.FreeLegalAnswers.org>

HELP4TN Service Report

April 2016

HELP4TN Calls	This Month	Top 5 Referrals	Total Referred
Call Volume	358	Government Agencies	49
Provided advice, information & referrals	213	Legal Aid Programs (including booklets & clinics)	48
Left referral on caller's voicemail	53	Online Tennessee Justice & Help4TN.org	42
Unable to reach caller	46	Legal Services Providers (non-LSC)	21
Calls pending	46	Bar Associations' Lawyer Referral Services	16



Client Story

A woman called the helpline after nearly \$5,000 was taken from her bank account by a creditor. While her only source of income is social security disability, her son's student loans and grants were also placed in her bank account. The helpline attorney advised the caller and then transferred her to her local legal aid program where an attorney agreed to take her case and is working to get the money released back to her account.

Use by Area	This Month	Legal Issues	This Month
Top 10 Counties	46%	Top 10 Issues	62%
Davidson	15%	Landlord/Tenant	15%
Montgomery	8%	Divorce	12%
Knox	6%	Child Custody	10%
Shelby	4%	Child Support	4%
Rutherford	3%	Debt collection	4%
Hamilton	2%	Fee Generating	4%
Sumner	2%	Criminal	4%
Washington	2%	Order of Protection	3%
Johnson	2%	Probate	3%
Tipton	2%	Contract Disputes	3%
All Other Counties	54%	All Other Issues	38%

Notes:

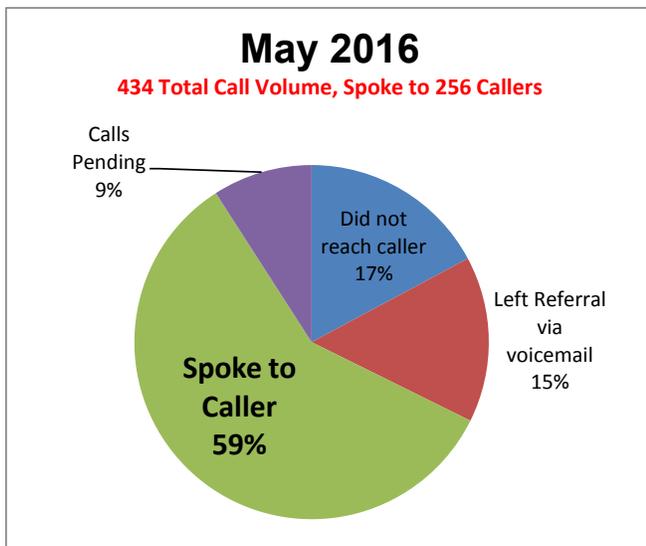
Per the AOC's request, we are tracking the number of expungement calls each month.

There were four expungement calls in April.

HELP4TN Service Report

May 2016

HELP4TN Calls	This Month	Top 5 Referrals	Total Referred
Call Volume	434	Legal Aid Programs (including booklets & clinics)	68
Provided advice, information & referrals	256	Online Tennessee Justice & Help4TN.org	67
Left referral on caller's voicemail	65	Government Agencies	59
Unable to reach caller	76	Bar Associations' Lawyer Referral Services	17
Calls pending	37	Legal Services Providers (non-LSC)	14



Help4TN.org

The legal aid state support site and helpline companion, Help4TN.org, has seen recent updates that include links for lawyers interested in providing pro bono work through the four LSC-funded legal aid programs and onlinetnjustice.org. There are also new links for mediation and the Supreme Court's faith based initiative. The search features have been updated to allow users to more easily find their local legal aid program. Through its advisory council and outreach efforts, Help4TN is building a coalition with librarians and 211 operations across the state so Tennesseans can find the legal and social services they need.

Use by Area	This Month	Legal Issues	This Month
Top 10 Counties	44%	Top 10 Issues	65%
Davidson	12%	Landlord/Tenant	14%
Montgomery	8%	Child Custody	12%
Knox	6%	Divorce	12%
Shelby	4%	Debt collection	5%
Sumner	3%	Probate	4%
Washington	3%	Fee Generating	4%
Hamilton	2%	Employment	4%
Carter	2%	Criminal	4%
Blount	2%	Consumer Fraud	3%
Roane	2%	Child Support	3%
All Other Counties	56%	All Other Issues	35%

Notes:

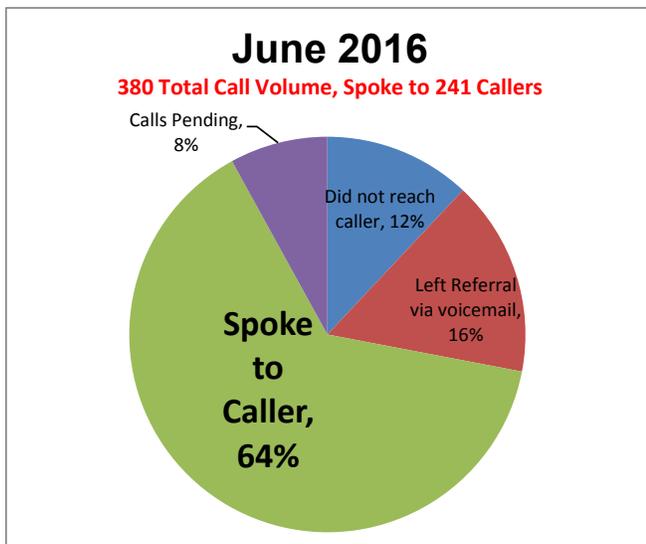
Per the AOC's request, we are tracking the number of expungement calls each month.

There were five expungement calls in May.

HELP4TN Service Report

June 2016

HELP4TN Calls	This Month	Top 5 Referrals	Total Referred
Call Volume	380	Online Tennessee Justice & Help4TN.org	71
Provided advice, information & referrals	241	Government Agencies	55
Left referral on caller's voicemail	61	Legal Aid Programs (including booklets & clinics)	52
Unable to reach caller	46	Legal Services Providers (non-LSC)	22
Calls pending	32	Bar Associations' Lawyer Referral Services	15



Client Story

A helpline caller was facing a claw back claim from the Social Security Administration relating to overpayment of social security disability benefits. We referred the caller to OnlineTnJustice.org for advice and advised him to call legal aid if the issue remained unresolved. The helpline attorney followed up with the caller to check in on the outcome, and the caller reported that his issue was successfully resolved by our referral to onlineTnJustice.org. An OTJ volunteer who had recently handled a similar case took the question and was able to coach the client through the process, empowering him to resolve the issue and saving legal aid's resources.

Use by Area	This Month	Legal Issues	This Month
Top 10 Counties	44%	Top 10 Issues	64%
Davidson	13%	Landlord/Tenant	18%
Knox	8%	Child Custody	12%
Montgomery	7%	Divorce	10%
Shelby	4%	Fee Generating	5%
Wilson	3%	Debt collection	5%
Washington	2%	Child Support	3%
Roane	2%	Employment	3%
Hamilton	2%	Criminal	3%
Blount	2%	Visitation	3%
Sumner	1%	Order of Protection	2%
All Other Counties	56%	All Other Issues	36%

Notes:

Per the AOC's request, we are tracking the number of expungement calls each month.

There were four expungement calls in June.



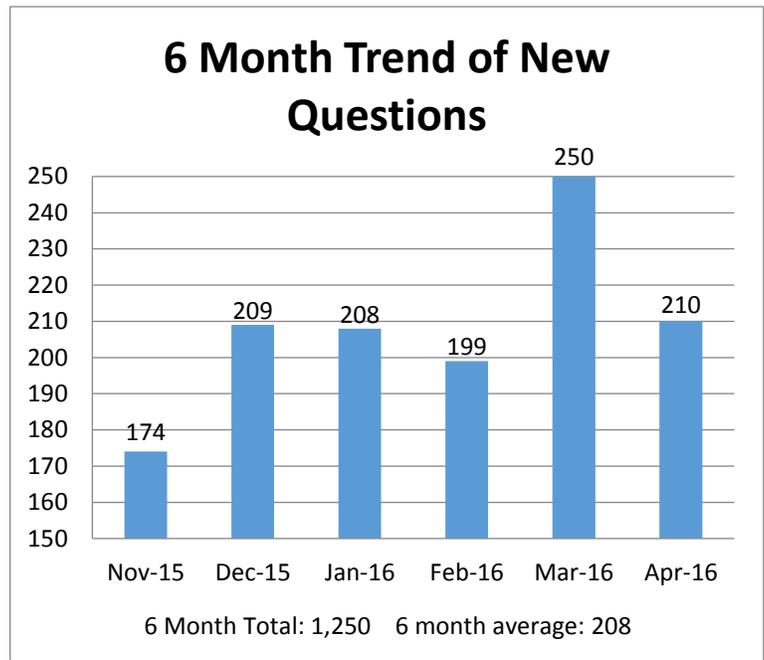
Online Tennessee Justice Service Report

As of 04/30/2016

ATTORNEYS	This Month	Last Month
Total Volunteer Attorneys	516	505*
Have Answered Questions	322	310
50+ questions answered	32	32
10+ questions answered	67	63
< 9 questions answered	223	215

CLIENTS	This Month	Last Month
Total Client Accounts	12,134	12,011
1 Question Asked	9,334	9,229
2+ Questions Asked	849	846
Ineligible Applicants	5,272	5,167
Ineligible by income/assets	3,763	3,688

QUESTIONS BY TOP 14 CATEGORIES	Total Asked	% of Total
Questions Asked Per Category	11,336	100%
Family or Divorce	5,312	47%
Housing or Property	1,774	16%
Debt and Purchases	1,495	13%
Work	616	5%
Inheriting Property	258	2%
Health Care	180	2%
Benefits	169	1%
General Civil Procedure	145	1%
Natural Disaster	125	1%
Personal Injury	109	1%
Expungement	91	1%
School or Juvenile	81	1%
Seniors	50	<1%
Immigration or Citizenship	34	<1%



Percent of Use by Area	% of Total
Top 10 Counties	57%
Davidson	16%
Shelby	10%
Montgomery	7%
Rutherford	6%
Knox	6%
Hamilton	4%
Anderson	3%
Sumner	2%
Sullivan	2%
Blount	2%
All Other Counties	43%

Online TN Justice Updates

- On April 14, 2016, Online TN Justice celebrated its 5 year anniversary. One volunteer celebrated by donating \$500 to national version of the site, \$100 for every year of service!
- 100% of the 11 new volunteers who joined in April answered a question in their first month of volunteering.

Online Justice Model Adoption

- About 40 states have confirmed they will be joining the national site when it launches in 2016.
- Buck Lewis and Samantha Sanchez will demonstrate the client and attorney roles of the new ABA Legal Answers site at the Equal Justice Conference in Chicago in May.

Notes:

*Total attorney count fluctuates as attorneys licensure status changes. **The "Other" category is comprised of questions that do not fit into another category or questions that were answered by an attorney before the administrator could assign the question to the appropriate category. Criminal questions asked are not included in the category count, as they are not answered via Online TN Justice.

Appendix K:

July 2014 Access
to Justice Update
&
July 2015 Access
to Justice Update

Access to Justice Quarterly Update

The Supreme Court declared Access to Justice its number one strategic priority in 2008. In 2009, the Court appointed the Access to Justice Commission and directed it to develop a strategic plan and update the plan every two years. The ATJ Commission is now operating under its third strategic plan that encompasses 2014 – 2015. As part of its plan, the ATJ Commission identified the need to directly communicate with Tennessee attorneys. This is the first such communication, and the ATJ Commission will continue to update Tennessee attorneys on newsworthy events in the ATJ community.

- Supreme Court Pro Bono Recognition Program.

The Supreme Court launched a program to recognize pro bono service by individual attorneys, law firms, and law students. Attorneys can be recognized if they provided 50 or more hours of pro bono service in 2013. Law firms can be recognized if the firm averaged 50 or more hours of pro bono service per attorney in 2013. The Court will hold public recognition events in October for attorneys, law firms, and law students. Attorneys who wish to be recognized must report their pro bono hours when they renew their BPR registration. During the first year of recognition, attorneys can also apply to be recognized for their pro bono service by completing the application found [here](#) and returning it to the ATJ Coordinator at the Administrative Office of the Courts. Law firms can apply by completing and returning the application found [here](#). For more information, go to the [ATJ page](#) on the AOC website. **The deadline to apply by application is June 30, 2014.**

- Looking for pro bono opportunities?

There are many ways you can provide pro bono service, from taking a case through your local legal aid provider and volunteering at a pro bono legal clinic to answering questions online at your convenience. Please refer to Supreme Court Rule 8, Section 6.1, which provides a definition of pro bono service eligible for recognition. The ATJ Initiative website, www.JusticeForAllTN.com, lists the contact information for all of the legal aid providers and all of the pro bono legal clinics across the state. Online Tennessee Justice is an online legal clinic where you can respond to legal questions posted on the website. Go to www.OnlineTNJustice.org for more information and to register.

- 1-888-aLEGALz.

The ATJ Commission helped launch aLEGALz, a toll free, statewide legal information hotline, in January 2013. Users call the hotline and an attorney returns their calls and provides information concerning legal resources in their areas. This resource is available to all Tennesseans, regardless of their income. It's a great place to send people when you're not able to represent them. Please see the [Tennessee Alliance for Legal Services website](#) for more information.

July 2015 ATJ Update

[Campaign Preview](#)

[HTML Source](#)

[Plain-Text Email](#)

[Details](#)



JUSTICE FOR ALL A TENNESSEE SUPREME COURT INITIATIVE

ATJ Initiative Update

July 2015

The Supreme Court declared Access to Justice its number one strategic priority in 2008. In 2009, the Court appointed the Access to Justice Commission and directed it to develop a strategic plan and update the plan every two years. The ATJ Commission is now operating under its third strategic plan that encompasses 2014 - 2015. As part of its plan, the ATJ Commission identified the need to periodically communicate updates directly with Tennessee attorneys.

Supreme Court Pro Bono Recognition Program



Attorneys who did 50 or more hours of pro bono work in the previous calendar year may apply to be recognized as a 2015 Attorney for Justice directly on the [AOC website](#). The application deadline is July 31, 2015. Attorneys may also apply for recognition by reporting their pro bono work when they renew their license with BPR. Law offices are eligible to be recognized for pro bono work done by their attorneys by submitting an application [directly to the AOC](#).

Optional Donation to ATJ Programs on Annual BPR Registration Form

Tennessee Supreme Court Rule 9 was recently modified to provide attorneys an opportunity to make a financial donation to access to justice programs. The annual registration form that must be submitted to the BPR contains a section that allows attorneys to make the optional donation. The Rule went into effect on July 1, 2015. More information is available [here](#).

Statewide, Toll-Free Legal Helpline Has New Name

The state-wide, toll-free, legal helpline, 1-888-aLEGALz, has a new name and number. The new name is Help4TN and the the new number is 1-844-Help4TN (1-844-435-7486). The helpline was launched in January 2013 and is housed at the Tennessee Alliance for Legal Services. More information is available [here](#).



Appendix L:

Supreme Court
Rule 9, Section 10

Supreme Court Rule 9. Disciplinary Enforcement

Section 10. Periodic Assessment of Attorneys

10.1. Every attorney admitted to practice before the Court, except those exempt under Section 10.3 (b) and (c), shall, on or before the first day of their birth month, file with the Board at its central office an annual registration statement, on a form prescribed by the Board, setting forth the attorney's current residence, office, and email addresses, and such other information as the Board may direct. The attorney's residence address, cellular telephone number, home telephone number, and personal non-government issued e-mail address are confidential and not public records. If, however, (1) the attorney failed to provide an office address, office telephone number, or office e-mail address; or (2) the attorney listed the residence address, cellular telephone number or home telephone number, or personal non-government issued e-mail address as the attorney's office address, office telephone number, or office e-mail address respectively, then the attorney's nonpublic information of the same category shall no longer be subject to the protection afforded under this Rule. The attorney may designate the primary or preferred address for receipt of correspondence from the Board. In addition to such annual statement, every attorney shall file with the Board as necessary a supplemental statement of any change in information previously submitted within thirty days of such change.

10.2. (a) Every attorney admitted to practice before the Court, except those exempt under Section 10.3, shall pay to the Board on or before the first day of the attorney's birth month an annual fee.

(b) All funds collected hereunder shall be deposited by the Board with the State Treasurer; all such funds, including earnings on investments and all interest and proceeds from said funds, if any, are deemed to be, and shall be designated as, funds belonging solely to the Board. Withdrawals from those funds shall be made by the Board only for the purpose of defraying the costs of disciplinary administration and enforcement of this Rule, and for such other related purposes as the Court may from time to time authorize or direct.

(c) The annual fee for each attorney shall be One Hundred Seventy Dollars (\$170), consisting of a One Hundred Forty Dollar (\$140) Board of Professional Responsibility annual registration fee, a Ten Dollar (\$10) annual fee due under Tenn. Sup. Ct. R. 25, Section 2.01(a) (Tennessee Lawyers' Fund for Client Protection), and a Twenty Dollar (\$20) annual fee due under Tenn. Sup. Ct. R. 33.01C (Tennessee Lawyer Assistance Program), and shall be payable on or before the first day of the attorney's birth month, and a like sum each year thereafter until otherwise ordered by the Court.

(d) In connection with the payment of the annual fee, every attorney shall have the opportunity to make a financial contribution to support access-to-justice programs. Funds raised through optional contributions will be distributed to access-to-justice programs which provide direct legal services to low income Tennesseans.

10.3. There shall be exempted from the application of this rule:

(a) Attorneys who serve as a justice, judge, or magistrate judge of a court of the United States of America or who serve in any federal office in which the attorney is prohibited by federal law from engaging in the practice of law.

(b) Retired attorneys.

(c) Attorneys on temporary duty with the armed forces.

(d) Faculty members of Tennessee law schools who do not practice law.

(e) Attorneys not engaged in the practice of law in Tennessee. The term “the practice of law” shall be defined as any service rendered involving legal knowledge or legal advice, whether of representation, counsel, or advocacy, in or out of court, rendered in respect to the rights, duties, regulations, liabilities, or business relations of one requiring the services. It shall encompass all public and private positions in which the attorney may be called upon to examine the law or pass upon the legal effect of any act, document, or law.

10.4. Within thirty days of the receipt of a statement or supplement thereto filed by an attorney in accordance with the provisions of Section 10.1, the Board, acting through Disciplinary Counsel, shall acknowledge receipt thereof, on a form prescribed by the Court in order to enable the attorney on request to demonstrate compliance with the requirements of Sections 10.1 and 10.2

10.5. The Board monthly shall compile lists of attorneys who have failed to timely file the annual registration statement required by Section 10.1 or have failed to timely pay the annual registration fee required by Section 10.2. The Board shall send to each attorney listed thereon an Annual Registration Fee/Statement Delinquency Notice (the “Notice”). The Notice shall state that the attorney has failed to timely file the annual registration statement required by Tenn. Sup. Ct. R. 9, Section 10.1, or has failed to timely pay the annual registration fee required by Tenn. Sup. Ct. R. 9, Section 10.2, and that the attorney’s license therefore is subject to suspension pursuant to Tenn. Sup. Ct. R. 9, Section 10.6. The Notice shall be sent to the attorney by a form of United States mail providing delivery confirmation, at the primary or preferred address shown in the attorney’s most recent registration statement filed pursuant to Section 10.1 or at the attorney’s last known address, and at the email address shown in the attorney’s most recent registration statement filed pursuant to Section 10.1 or at the attorney’s last known email address.

10.6. (a) Each attorney to whom a Notice is sent pursuant to Section 10.5 shall file with the Board within thirty days of the date of mailing of the Notice an affidavit or declaration under penalty of perjury with supporting documentation demonstrating that the attorney has paid the annual registration fee or has filed the annual registration statement, and has paid a delinquent compliance fee of One Hundred Dollars (\$100.00) to defray the Board’s costs in issuing the Notice; or, alternatively, demonstrating that the Notice was sent to the attorney in error, the attorney having timely paid the annual registration fee or having timely filed the annual

registration statement. For purposes of this provision, the date of mailing shall be deemed to be the postmark date.

(b) Within thirty days of the expiration of the time for an attorney to respond to the Notice pursuant to Subsection (a) hereof, the Chief Disciplinary Counsel shall submit to the Court a proposed Suspension Order. The proposed Suspension Order shall list all attorneys who were sent the Notice and who failed to respond; failed to demonstrate to the satisfaction of the Board that they had paid the delinquent annual registration fee or had filed the delinquent annual registration statement, and had paid the One Hundred Dollar (\$100.00) delinquent compliance fee; or, failed to demonstrate to the satisfaction of the Board that the Notice had been sent in error. The proposed Suspension Order shall provide that the license to practice law of each attorney listed therein shall be suspended upon the Court's filing of the Order and that the license of each attorney listed therein shall remain suspended until the attorney pays the delinquent annual registration fee or files the delinquent annual registration statement, and pays the One Hundred Dollar (\$100.00) delinquent compliance fee and a separate reinstatement fee of Two Hundred Dollars (\$200.00), and is reinstated pursuant to Subsection (d).

(c) Upon the Court's review and approval of the proposed Suspension Order, the Court will file the Order summarily suspending the license to practice law of each attorney listed in the Order. The suspension shall remain in effect until the attorney pays the delinquent registration fees or files the delinquent registration statement, and pays the One Hundred Dollar (\$100.00) delinquent compliance fee and the Two Hundred Dollar (\$200.00) reinstatement fee, and until the attorney is reinstated pursuant to Subsection (d). An attorney who fails to resolve the suspension within thirty days of the Court's filing of the Suspension Order shall comply with the requirements of Section 28.

(d) Reinstatement following a suspension pursuant to Subsection (c) shall require an order of the Court but shall not require a reinstatement proceeding pursuant to Section 30.4, unless ordered by the Court.

(1) An attorney suspended by the Court pursuant to Subsection (c) who wishes to be reinstated and who has remained suspended for one year or less before the filing of a petition for reinstatement shall file with the Board a petition for reinstatement of the attorney's license to practice law demonstrating that the attorney has paid all delinquent annual registration fees or has filed the delinquent registration statement, and has paid the One Hundred Dollar (\$100.00) delinquent compliance fee and the Two Hundred Dollar (\$200.00) reinstatement fee; or, alternatively, demonstrating that the Suspension Order was entered in error as to the attorney. If the petition is satisfactory to the Board and if the attorney otherwise is eligible for reinstatement, the Board, or the Chief Disciplinary Counsel acting on its behalf, shall promptly submit to the Court a proposed Reinstatement Order. The proposed Reinstatement Order shall provide that the attorney's reinstatement is effective as of the date of the attorney's payment of all delinquent registration fees or the date of the attorney's filing of the delinquent registration statement, and the attorney's payment of the One Hundred Dollar (\$100.00) delinquent compliance fee and the Two Hundred Dollar (\$200.00) reinstatement fee; or, alternatively, as of the date of entry of the Suspension Order if that Order was entered in error. An attorney resolves a suspension within

thirty days for purposes of Section 10.6(c) if a proposed Reinstatement Order has been submitted to the Court within thirty days of the Court's filing of the Suspension Order.

(2) An attorney suspended by the Court pursuant to Subsection (c) who wishes to be reinstated and who has remained suspended for more than one year before the filing of a petition for reinstatement shall file with the Court a petition for reinstatement of the attorney's license to practice law demonstrating that the attorney has paid all delinquent annual registration fees or has filed the delinquent registration statement, and has paid the One Hundred Dollar (\$100.00) delinquent compliance fee and the Two Hundred Dollar (\$200.00) reinstatement fee; or, alternatively, demonstrating that the Suspension Order was entered in error as to the attorney. The petitioner shall serve a copy of the petition upon Disciplinary Counsel, who shall investigate the matter and file an answer to the petition within thirty days. The Court shall review the record and determine whether to grant or deny the petition for reinstatement. If the Court grants the petition, the Reinstatement Order shall provide that the attorney's reinstatement is effective as of the date of the attorney's payment of all delinquent registration fees or the date of the attorney's filing of the delinquent registration statement, and the attorney's payment of the One Hundred Dollar (\$100.00) delinquent compliance fee and the Two Hundred Dollar (\$200.00) reinstatement fee; or, alternatively, as of the date of entry of the Suspension Order if that Order was entered in error.

10.7. (a) An attorney who claims an exemption under Section 10.3 (a), (b), (d), or (e) shall file with the Board an application to assume inactive status and discontinue the practice of law in this state. In support of the application, the attorney shall file an affidavit or declaration under penalty of perjury stating that the attorney is not delinquent in paying the privilege tax imposed on attorneys by Tenn. Code Ann. § 67-4-1702, is not delinquent in meeting any of the reporting requirements imposed by Rules 9, 21, and 43, is not delinquent in the payment of any fees imposed by those rules, and is not delinquent in meeting the continuing legal education requirements imposed by Rule 21. The Board shall approve the application if the attorney qualifies to assume inactive status under Section 10.3 and is not delinquent in meeting any of the obligations set out in the preceding sentence. If it appears to the Board that the applicant is delinquent in meeting any of those obligations, the Board shall notify the applicant of the delinquency and shall deny the application unless, within ninety days after the date of the Board's notice, the applicant demonstrates to the Board's satisfaction that the delinquency has been resolved. Upon the date of the Board's written approval of the application, the attorney shall no longer be eligible to practice law in Tennessee. The Board shall act promptly on applications to assume inactive status and shall notify the applicant in writing of the Board's action. If the Board denies an application to assume inactive status, the applicant may request the Court's administrative review by filing in the Nashville office of the Clerk of the Supreme Court a Petition for Review within thirty days of the Board's denial. The Court's review, if any, shall be conducted on the application, the supporting affidavit or declaration under penalty of perjury, and any other materials relied upon by the Board in reaching its decision.

(b) An attorney who assumes inactive status under an exemption granted by Section 10.3(a), (d), or (e) shall pay to the Board, on or before the first day of the attorney's birth month, an annual inactive-status fee in an amount equal to one half of the total annual fee set forth in Section 10.2(c) for each year the attorney remains inactive. Inactive attorneys who fail to timely

pay the annual inactive fee and submit the registration form prescribed by the Board will be mailed a Delinquency Notice and will be subject to delinquent compliance fees and suspension as provided in Sections 10.5 and 10.6.

(c) An attorney who assumes inactive status under the exemption granted by Section 10.3 (e) and who is licensed to practice law in another jurisdiction shall not be eligible to provide any legal services in Tennessee pursuant to Tenn. Sup. Ct. R. 8, RPC 5.5(c) or (d).

10.8. (a) Upon the Board's written approval of an application to assume inactive status, the attorney shall be removed from the roll of those classified as active until and unless the attorney requests and is granted reinstatement to the active rolls.

(b) Reinstatement following inactive status, other than reinstatement from disability inactive status pursuant to Section 27.7, which has continued for five years or less before the filing of a petition for reinstatement to active status shall not require an order of the Court or a reinstatement proceeding pursuant to Section 30.4. The attorney shall file with the Board a petition for reinstatement to active status. Reinstatement shall be granted unless the attorney is subject to an outstanding order of suspension or disbarment, upon the payment of any assessment in effect for the year the request is made and any arrears accumulated prior to transfer to inactive status.

(c) Reinstatement following inactive status, other than reinstatement from disability inactive status pursuant to Section 27.7, which has continued for more than five years before the filing of a petition for reinstatement to active status shall require an order of the Court but shall not require a reinstatement proceeding pursuant to Section 30.4, unless ordered by the Court. The attorney shall file with the Court a petition for reinstatement to active status. The petitioner shall serve a copy of the petition upon Disciplinary Counsel, who shall investigate the matter and file an answer to the petition within thirty days. The Court shall review the record and determine whether to grant or deny the petition for reinstatement. If the Court grants the petition, the Reinstatement Order shall provide that the attorney's reinstatement is effective as of the date of the attorney's payment of any assessment in effect for the year the request is made and any arrears accumulated prior to transfer to inactive status.

10.9. The courts of this State are charged with the responsibility of insuring that no disbarred, suspended, or inactive attorney be permitted to file any document, paper or pleading or otherwise practice therein.

10.10. (a) Every attorney who is required by Section 10.1 to file an annual registration statement with the Board is requested to also file a pro bono reporting statement, reporting the extent of the attorney's pro bono legal services and activities during the previous calendar year. The pro bono reporting statement shall be in substantially the format provided in Appendix A hereto, and shall be provided to the attorney by the Board with the attorney's annual registration statement.

(b) In reporting the extent of the attorney's pro bono legal services and activities, the attorney is requested to state whether or not the attorney made any voluntary financial

contributions pursuant to RPC 6.1(c), but the attorney need not disclose the amount of any such contributions.

(c) The Board may promulgate such forms, policies and procedures as may be necessary to implement this Section.

(d) The individual information provided by attorneys in the pro bono reporting statements filed pursuant to this Section shall be confidential and shall not be a public record, unless the attorney waives confidentiality on the reporting statement solely to be considered for recognition by the Tennessee Supreme Court for pro bono work the attorney completed in the previous calendar year. The Board shall not release any individual information contained in such statements, except as directed in writing by the Court or as required by law. The Board, however, may compile statistical data derived from the statements, which data shall not identify any individual attorney, and may release any such compilations to the public.

Appendix M:

2015

Pro Bono Report



The 2015 Tennessee Pro Bono Report

Introduction

The Tennessee Supreme Court declared access to justice its number one strategic priority in 2008, thereby launching its Access to Justice Initiative. The Court appointed an Access to Justice Commission and made the Commission responsible for developing a strategic plan for educating the public about the legal needs crisis, identifying priorities for improving access to justice, and recommending projects and programs to enhance access to justice.

Beginning in 2011, the Commission decided to compile pro bono work that aids low-income Tennesseans on an annual basis. Tennesseans have responded to the civil legal needs gap by donating time, talent, and treasure to pro bono services, programs, and projects.

This report highlights 2015 pro bono initiatives according to the following parameters:

- The 2015 Tennessee Pro Bono Report contains information and statistics on pro bono work done by individual attorneys in 2014 and reported in 2015, as voluntarily submitted on the Tennessee Board of Professional Responsibility's Annual Registration Statement required by active attorneys on or before the first day of the attorney's birth month.
- The 2015 Tennessee Pro Bono Report contains information about and statistics on pro bono activities of legal aid providers, bar associations, law schools, mediation centers, and other organizations regarding work performed in 2015.

Questions regarding this report may be addressed to:

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Definitions

The following definitions apply to the breakdown of the reporting groups:

- “Tennessee Attorneys” - all attorneys licensed to practice law in Tennessee whose primary address is in Tennessee
- “Tennessee Government Attorneys” - all attorneys licensed to practice law in Tennessee and employed by a government agency whose primary address is in Tennessee
- “Tennessee In-House Counsel” - all attorneys licensed to practice law in Tennessee, employed as in-house counsel and whose primary address is in Tennessee

Pursuant to the Access to Justice Commission’s 2012 Strategic Plan, the Access to Justice Commission is focused on pro bono work that aids low-income Tennesseans. The 2015 statistics reflect pro bono work performed by attorneys in 2014 and reported during the 2015 annual registration period. Pursuant to Supreme Court Rule 8, Section 6.1, the 2015 reporting form asked for feedback from attorneys in four categories of pro bono service:

- Legal services without a fee or at a substantially reduced fee to persons of limited means;
- Legal services without a fee to non-profit organizations serving persons of limited means;
- Legal services to groups and organizations at a reduced fee when payment of standard fees would create a financial hardship; and
- Legal services to improve the law, the legal system, or the legal profession.

Attorney Voluntary Pro Bono Reporting Statistics

Pursuant to Supreme Court Rule 9, Section 10, every attorney who is required to file an Annual Registration Statement with the Board of Professional Responsibility (“BPR”) is requested to voluntarily file a statement reporting the attorney’s pro bono service and activity during the last calendar year. The first Voluntary Pro Bono Reporting Form was included in the 2010 BPR Registration Statement and reported data for the 2009 calendar year.

The Tennessee Supreme Court approved a change in BPR Registration procedures to require renewals on the first day of each attorney’s birth month. Under this new procedure, pro bono reporting data for the previous calendar year is not available until all reporting for that calendar year has been received. The Access to Justice

Commission has acquired pro bono reporting data for pro bono work reported in six calendar years, 2010 to 2015.

For individual attorney hours submitted to the BPR, the data is labeled to correspond with the year the pro bono work was reported (“Reporting Year”), not the year the pro bono work was performed. For example, the pro bono work reported in 2015 and completed in 2014 will be labeled as the 2015 Voluntary Pro Bono Reporting Statistics.

- In 2015, 41.56% of Tennessee Attorneys reported that they provided 568,170 hours of pro bono service in 2014.
- In addition to providing pro bono services, 3,442 (18.79%) of Tennessee Attorneys reported voluntary contributions of financial support to organizations providing legal services to persons of limited means.

Pro Bono Hours Reported by Tennessee Attorneys

As of December 31, 2015, Tennessee Attorneys, which includes 175 in-house counsel and 237 government attorneys, reported 568,170 hours of pro bono, averaging 74.61 hours per reporting attorney.

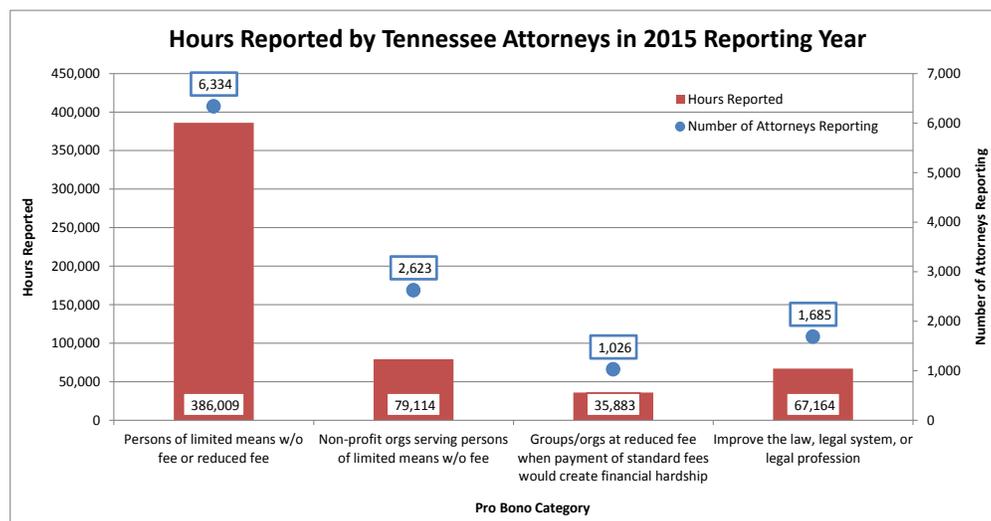
The number and percentage of active Tennessee attorneys who did and did not report pro bono hours follows:

Active TN Attorneys who did Report	7,615
	41.56%
Active TN Attorneys who did not Report	10,707
	58.44%
Total TN Active Attorneys	18,322
	100.00%

The table below shows a comparison of data reported by Tennessee attorneys for the 2011 through 2015 Reporting Years.

Category	2011 Data	2012 Data	2013 Data	2014 Data	2015 Data
Total number of Tennessee Attorneys subject to annual registration process	16,391	17,352	17,527	17,980	18,322
Total number of Tennessee Attorneys who reported pro bono	6,598	8,190	7,767	7,374	7,615
Percentage of Tennessee Attorneys who reported pro bono	40.25%	47.20%	44.31%	41.01%	41.56%
Total number of pro bono hours reported by Tennessee Attorneys	490,996	689,845	575,760	578,644	568,170
Average number of hours per reporting Tennessee Attorney	74.41	84.23	74.13	78.47	74.61

Tennessee Attorneys reported the following pro bono hours during the 2015 Reporting Year:



The table below shows a breakdown of the number of Tennessee attorneys reporting per pro bono category for the 2015 Reporting Year:

Pro Bono Category	Number of Attorneys Reporting*	Total Number of Reported Hours	Average Hours per Reporting Attorney	Percent of Total Hours Reported
Legal services to persons of limited means without a fee or at a substantially reduced fee	6,334	386,009	60.94	67.94%
Legal services to non-profit organizations serving persons of limited means without a fee	2,623	79,114	30.16	13.92%
Legal services to groups and organizations at a reduced fee when payment of standard fees would create a financial hardship	1,026	35,883	34.97	6.32%
Legal services to improve the law, the legal system, or the legal profession	1,685	67,164	39.86	11.82%

*The total of this column will be greater than the total number of attorneys reporting pro bono work because attorneys can report pro bono service in multiple categories.

The table below shows a comparison of Tennessee attorneys reporting and hours reported from 2012 through 2015 Reporting Years:

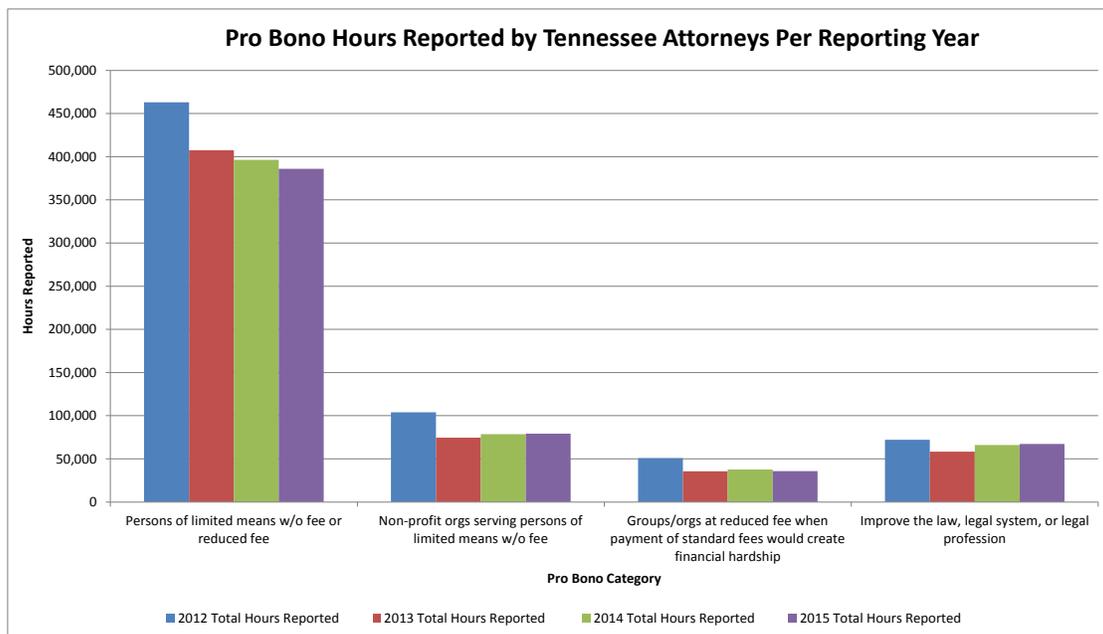
Hours Reported by TN Attorneys Per Reporting Year	Persons of limited means w/o fee or reduced fee	Non-profit orgs serving persons of limited means w/o fee	Groups/orgs at reduced fee when payment of standard fees would create financial hardship	Improve the law, legal system, or legal profession	Total for All Categories
2012 Total Hours Reported	462,939	103,970	50,787	72,149	689,845
2013 Total Hours Reported	407,486	74,478	35,521	58,275	575,760
2014 Total Hours Reported	396,239	78,619	37,717	66,069	578,644
2015 Total Hours Reported	386,009	79,114	35,883	67,164	568,170

Pro Bono Hours Reported by Tennessee Government Attorneys

Beginning with the 2012 Reporting Year, the BPR was requested to break down the data reported by Government Attorneys, In-House Counsel, and Other Attorneys. A comparison of the number of hours reported by Tennessee government attorneys from 2012 to 2015 Reporting Years is shown below:

Reporting Year	Total number of Tennessee Government Attorneys Reporting Pro Bono Hours	Total Number of Hours Reported by Tennessee Government Attorneys	Average Number of Hours per Tennessee Government Attorney
2012	269	12,446	46.27
2013	241	9,557	39.66
2014	236	11,896	50.41
2015	237	12,284	51.83

The chart below shows a comparison of hours reported by Tennessee Attorneys for each pro bono category for 2012-2015 Reporting Years.



The table below shows a comparison of the percentage of hours reported by Tennessee Attorneys for each pro bono category for 2012 through 2015 Reporting Years.

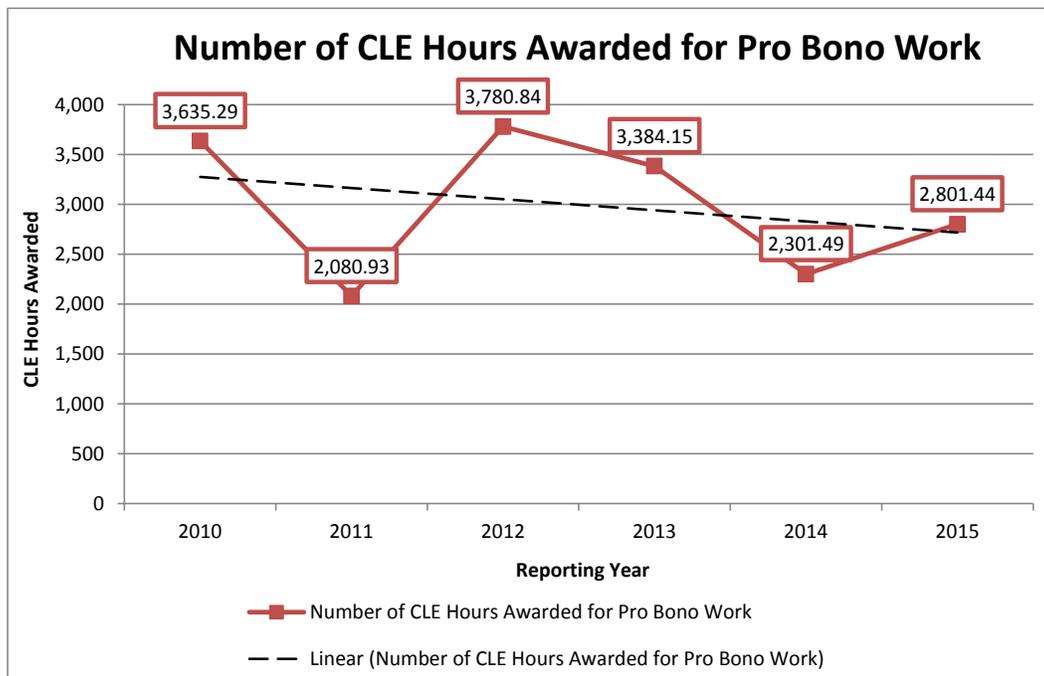
Percentage of Hours Reported by TN Attorneys Per Reporting Year	Persons of limited means w/o fee or reduced fee	Non-profit orgs serving persons of limited means w/o fee	Groups/orgs at reduced fee when payment of standard fees would create financial hardship	Improve the law, legal system, or legal profession
2012 Total Hours Reported	67.11%	15.07%	7.36%	10.46%
2013 Total Hours Reported	70.77%	12.94%	6.17%	10.12%
2014 Total Hours Reported	68.48%	13.59%	6.52%	11.42%
2015 Total Hours Reported	67.94%	13.92%	6.32%	11.82%

Continuing Legal Education (“CLE”) Credit Received by Attorneys for Pro Bono Work in 2015

Supreme Court Rule 21, Section 4.07(c) permits the Continuing Legal Education (“CLE”) Commission to give Ethics & Professionalism credit at the rate of one hour of CLE credit for every five billable hours of pro bono legal representation provided through court appointment or an organized bar association program or legal services organization, or of pro bono mediation services as required by Supreme Court Rule 31 or the Federal Court Mediation Programs.

As of May 6, 2016, the CLE Commission has posted 2,801.44 hours of CLE credit awarded in the 2015 Reporting Year to attorneys for pro bono work.

A trend of the number of CLE Hours awarded for pro bono work for the 2010 – 2015 Reporting Years follows:



Survey Responses

Using www.surveymonkey.com, the Access to Justice and Pro Bono Coordinators surveyed the following about their pro bono initiatives and efforts: Bar Associations, LSC-Funded Legal Service Providers, Non-LSC Funded Legal Service Providers, Pro Bono Legal Clinics, Law Schools, Law Firms, Tennessee Faith and Justice Alliance members, mediators.

Bar Associations

To date, seven responses have been received from bar associations. Highlights and insights obtained from some of the survey responses are listed below.

- Two bar associations indicated that 25% of their members participated in pro bono activities.
- Three bar associations indicated that 50% of their members participated in pro bono activities.
- One bar association indicated that 75% of its members participated in pro bono activities.
- One bar associations indicated that 99-100% of their members participated in pro bono activities.

Several bar associations noted specific pro bono initiatives:

- Chattanooga Bar Association: members serve as the volunteer attorneys for the Chattanooga office of Legal Aid of East Tennessee.
- Cheatham, Hickman, and White County Bar Associations: indicated that attorneys handle appointed matters or accept referrals from their local legal aid offices or take other cases on a pro bono basis as the need arises.
- Greene County Bar Association: hosts free legal advice clinics quarterly with approximately 20 clients at each. Greene County Bar Association also indicated it participates in Pro Se days and provides Uncontested Divorce Assistance.
- Knoxville Bar Association: held a clinic through the faith-based initiative in conjunction with LAET's Saturday Bar. KBA also reported the Law Talk and Community Law School programs each had 300+ in attendance.
- Memphis Bar Association: served approximately 1,500 clients through its pro bono programs, such as Monthly Saturday Legal Clinic; weekly Attorney of the Day program; monthly Veterans' Clinic; Alternative Spring Break with University of Memphis Law School; Project Homeless Connect; and legal clinic at a jail.

Legal Service Providers – Legal Services Corporation (“LSC”)-Funded

In Tennessee, there are four legal aid providers that receive federal funding from the Legal Services Corporation (“LSC”): Legal Aid of East Tennessee, Legal Aid Society of Middle Tennessee and the Cumberland, Memphis Area Legal Services, and West Tennessee Legal Services. The Access to Justice Commission Chair holds quarterly conference calls with the executive directors to discuss how the Access to Justice Commission and the LSC-funded legal aid providers can collaborate to increase pro bono assistance provided by Tennessee attorneys.

Below are highlights gathered from the LSC-Funded Providers on 2015 projects:

- Legal Aid of East Tennessee (LAET): LAET’s Chattanooga office reported 266 pro bono volunteer attorneys provided assistance in 2015.
 - The Chattanooga office of Legal Aid of East Tennessee expanded pro bono advice clinics in Bradley County, in partnership with the Bradley County Bar Association, and began targeted efforts to increase will-writing and brief services clinics, such as planning clinics to write wills for Habitat for Humanity homeowners.
- Legal Aid Society of Middle Tennessee and the Cumberland (LASMTC): LASMTC is the largest LSC-funded organization in Tennessee. It provided pro bono assistance to 2,530 clients in 2015.
 - In 2015, the Volunteer Lawyers Program undertook a partnership with Metro Nashville Public Schools to provide free legal help to families with children.
 - LASMTC Low Income Taxpayer Clinic is supported by a comprehensive approach from approximately 80 attorneys, enrolled agents, certified public accounts, and volunteer tax preparers.
- Memphis Area Legal Services (MALS): MALS reports 324 pro bono volunteers served 1,319 clients through pro bono programs in 2015. MALS hosts six recurring legal clinics each month.
 - MALS is working to establish a legal clinic with a local church through Tennessee Supreme Court’s Access to Justice Faith-Based Initiative.
- West Tennessee Legal Services (WTLS): WTLS reports serving 99 clients through pro bono programs in 2015.
 - WTLS organizes a monthly free legal clinic at a local food bank. In 2015, WTLS also offered a free legal clinic at a library in a rural county.

In addition to the four LSC-funded Tennessee providers, there is an additional LSC-funded provider that serves Tennessee as well as five other states.

- Southern Migrant Legal Services (SMLS): provides free legal services to migrant and seasonal farm workers on employment-related matters. SMLS is a project of Texas RioGrande Legal Aid, and the Nashville office serves the following states: Alabama, Arkansas, Kentucky, Louisiana, Mississippi, and Tennessee. SMLS' staff attorneys served 200 clients in 2015.

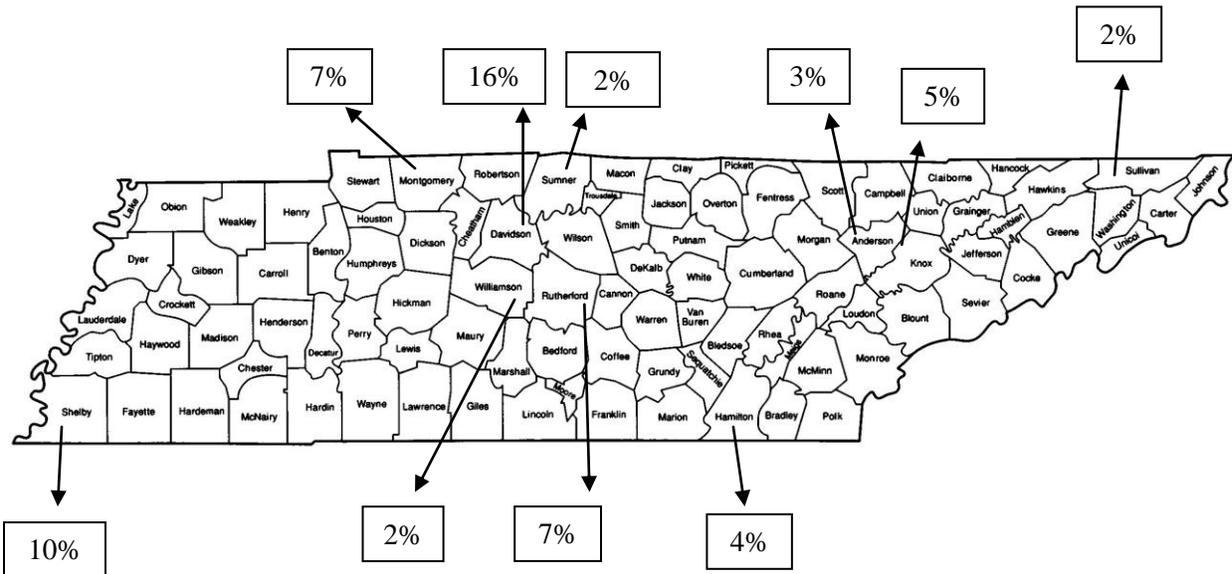
Legal Service Providers – Non-LSC-Funded

In Tennessee, there are many legal service providers that do not receive funding from the Legal Services Corporation. These non-LSC-funded organizations can serve segments of the population and handle legal matters that LSC-funded providers cannot. Non-LSC-funded organizations do not have to follow federal income guidelines to determine if a person is eligible to receive legal services.

The Commission has gathered data from the following Non-LSC-Funded Providers and included pro bono successes below.

- Southeast Tennessee Legal Services: Currently funded to focus on domestic violence and some consumer issues and handle pro bono matters on an as-needed basis.
 - The primary pro bono project is Friends of the Court in Bradley County. A “Friend of the Court” attorney does not provide legal advice to litigants. Instead, the attorney’s function is to help the court’s administration of these hearings by discussing with the litigants in the courtroom, before they appear before the judge, whether or not they can agree as to the need to continue the restraints, or the desire to dismiss them.
- Tennessee Justice for Our Neighbors: had approximately 150 pro bono attorneys who provided assistance to 300 clients.
- Tennessee Alliance for Legal Services (TALS): provided help to a total of 6,477 Tennessee citizens, including 2,614 via OnlineTNJustice and 3,863 via 1-844-HELP4TN phone helpline. TALS and the Tennessee Bar Association, with support from the Tennessee ATJ Commission, have developed an online legal resource that allows those who qualify to email their legal questions to a central website. (www.OnlineTNJustice.org). These questions are then answered by volunteer attorneys. This pro bono service allows citizens, especially in rural parts of the state, to receive convenient assistance for free.
 - For 2015, volunteer attorneys reported 897.80 pro bono hours which equates to 179.56 credit hours for CLE purposes.

- Data for the lifetime of the program (April 14, 2011, through December 31, 2015) includes:
 - A total of 488 Tennessee volunteer attorneys have actively registered with the site since it launched.
 - Of the 488 who have actively registered, 301 have answered at least one question.
 - 207 volunteer attorneys (68.77%) have answered 9 questions or less; 62 volunteer attorneys (20.60%) have answered between 10 and 49 questions; and 32 volunteer attorneys (10.63%) have answered 50 or more questions.
 - The top ten counties (by percentage of questions asked) are identified below for a total of 58%. All other counties made up 42% of questions.



Pro Bono Legal Advice Clinics

The Commission maintains a list of clinics across the state which is available online on the access to justice website, www.justiceforalltn.com. The 2014 Pro Bono Report is the first time that the Commission sought information from clinic providers as a stand-alone category so this is the second reporting year to collect data. Some of the clinic providers fall into other report categories such as Bar Associations, Law Schools, and LSC-Funded Legal Service Providers.

To date, the clinic providers who responded to the Pro Bono Legal Advice Clinic survey or submitted the Pro Bono Initiative Coordinator Summary are:

Clinic Name:	Sponsoring Organization:
Entertainment Law Clinic	Arts & Business Council (Volunteer Lawyers & Professionals for the Arts program)
Coffee County Legal Clinic	Coffee County Bar Association
Fellowship Bible Church Clinic	Fellowship Bible Church (TFJA)
Kingsport Bar Association and LAET	KBA, Legal Aid of East TN (LAET), and TBA Young Lawyers Division
LAET Clinics for Southeast	Legal Aid of East Tennessee (LAET)
Multiple Clinics	Legal Aid of East TN (LAET)
3rd Saturday Free Legal Clinic	Legal Aid Society (LASMTC)
Multiple Clinics	Legal Aid Society (LASMTC)
Putnam, Cumberland, and Overton County Clinics	Legal Aid Society (LASMTC) , Upper Cumberland Young Lawyers Association, Cumberland Bar Association
Lipscomb Clinic	Lipscomb University's Institute for Law, Justice and Society and St. James Missionary Baptist Church (TFJA)
Salvation Army Pro Bono Clinic	Salvation Army (TFJA)
PATH	Southeast Tennessee Legal Services
Elder Law Clinic	University of Memphis School of Law
Business Clinic	University of Tennessee College of Law
UT Immigration Clinic	University of Tennessee, College of Law
Washington County Legal Clinic	Washington County Bar Association

Highlights from Clinic Providers include:

- These 16 pro bono legal advice clinics report serving over 3,000 clients.
- In late 2015, LASMTC established a Medical Legal Partnership with Mercy Community Healthcare in Williamson County. One activity of the MLP was a legal clinic to provide outreach through Mercy to clients in rural counties south of Williamson served by Mercy. LASMTC will continue to work with the Williamson County Bar to expand this clinic to reach low income clients.
- The University of Memphis School of Law's Elder Law Clinic has collaborated with the graduate School of Social Work seeking to provide increased access to elders with health related legal issues.
- The Washington County Bar Association consistently submitted the Pro Bono Initiative Coordinator Summary following each clinic and reported serving a total of 294 clients in 2015.
- The Tennessee Faith and Justice Alliance (TFJA) expanded to support and encourage faith-based groups in Tennessee to provide legal resources to their congregations and communities. The TFJA program is open to all faiths and geographic areas of the state and is flexible to meet the needs of a particular community.

Law School Pro Bono

In its 2012 Strategic Plan, the Access to Justice Commission acknowledged the importance of introducing pro bono services to future attorneys while they are still in law school. The Access to Justice Commission committed to convening meetings with law school Deans, law school pro bono directors and faculty, and law students at least annually to increase the participation of law students in pro bono activities and discuss issues specific to pro bono work done by law students. The meeting was held at the Nashville School of Law in October 2015.

At the 2014 Law School Pro Bono Summit, the OnlineTNJustice virtual clinic program was introduced. By summer 2015, all six Tennessee law schools participated in at least one clinic. A virtual legal advice clinic is similar to a regular legal clinic, but instead of clients traveling to a destination to ask for legal advice, the client asks over the internet. Students get to network with attorneys and take on genuine issues under the supervision of a licensed Tennessee attorney.

To date, five law schools have submitted responses to the survey and highlights include:

- Belmont University College of Law: reports 40% of students and 75% of faculty participate in pro bono.
 - Current programs include: Field placement program to place students with pro bono organizations, alternative winter and spring breaks through Justice for Our Neighbors, and second Tuesday clinics with the Legal Aid Society for Middle Tennessee and the Cumberland.
 - Future Program Plans: Partnering with Tennessee Justice Center so students can represent TennCare recipients who have been denied services in administrative hearings. The school is exploring partnerships with the CARA Family Detention Pro Bono Project and AWAKE Tennessee on a truancy intervention project.
- Nashville School of Law: reports 22% of students participated in pro bono activities during 2015. Students who participate in school-sponsored pro bono activities receive a letter from the Dean.
 - Current Programs include: Wills Clinic for Middle Tennessee Habitat for Humanity and Juvenile Court Clinic for Davidson County.
 - Future Program Plans: Nashville School of Law plans to expand both the Wills Clinic for FiftyForward, Inc. and the Juvenile Court Clinic.
- The University of Memphis Cecil C. Humphreys School of Law: All students must do a minimum of 40 hours of pro bono service in order to graduate. Students are encouraged to do more than 40 hours, and awards are given for service substantially beyond the requirement.

- Current Programs include: Memphis Area Legal Services, Community Legal Center, Memphis Immigration Advocates, Foster Care Review Board, CASA, Bridges, Project Homeless Connect, University diversity efforts, and Alternative Spring Break which provides different tracks for student to focus their pro bono efforts for a week. Students also volunteered in many public interest organizations.
- Future Program Plans: The school has a new clinic partnership scheduled where students go to the clients in an underserved area of the city to assist in legal matters. The student-run Public Action Law Society is also expanding work with expungements and restoration of rights in cooperation with Just City.
- University of Tennessee College of Law: reports 43% of students participated in pro bono activities during 2015. The UT pro bono policy also encourages participation through graduation recognition for those that participate in pro bono activities during their time at the law school.
 - Current Programs include: Animal Law, Debt Clinic, Homeless Project, Legal Advice Clinic/Saturday Bar (Knoxville, Oak Ridge, and Maryville), Street Law (Austin East and Pond Gap Elementary), Volunteer Income Tax Assistance, Vols for Vets, CASA's Volunteers, and Expungement Project. Students also volunteered in many public interest organizations and alternative spring break projects.
 - Future Program Plans: University of Tennessee College of Law plans to expand Juvenile and family law projects in the near future. UT also strives to respond to student interests and emergent opportunities in the pro bono arena.
- Vanderbilt Law School: Students may voluntarily commit to performing at least 75 hours of service (50 of which must be law-related pro bono service) prior to graduation through the school's pro bono pledge system. Students who completed the pro bono pledge are recognized at an awards ceremony each spring. Vanderbilt is in the process of formalizing and centralizing systems for monitoring students' pro bono engagement.
 - Current Programs include: Street Law Shade Tree Medical Legal Partnership, The Re-Entry Entrepreneurship Project, Tennessee Justice for Our Neighbors clinics, TIRRC naturalization clinics, and Tennesseans for Alternatives to the Death Penalty.
 - Future Program Plans: Vanderbilt is exploring other possible community legal education and medical legal partnership collaborations in Middle Tennessee.

Law Offices with Pro Bono Policies, Pillar Law Firms, and *Attorney for Justice* Law Offices

The Access to Justice and Pro Bono Coordinators surveyed law offices with pro bono policies, Pillar Law Firms, and offices recognized as *Attorneys for Justice* on their pro bono efforts for the 2015 calendar year.

Seventeen law firms with offices in the following locations: Brentwood, Chattanooga, Columbia, Huntington, Jackson, Knoxville, Madison, Memphis, and Nashville reported the following:

Number of Attorneys Employed	980
Number of Attorneys Participating in Pro Bono Activities	700
Approximate Number of Pro Bono Clients Served	1,400
Approximate Number of Hours Given to Pro Bono Efforts	47,000

Mediators

In Tennessee, there are non-profit mediation centers that provide pro bono mediation services to low-income residents across the state, known as Community Mediation Centers, as well as individuals who serve as Supreme Court Rule 31 Mediators.

The AOC administers two state-funded grants related to mediation. The first is the Victim Offender Mediation Program (VORP). The Tennessee General Assembly established VORP in 1993 to provide funding support for the state's earliest non-profit mediation centers. The second is the Parent Education and Mediation Fund (PEMF) established pursuant to Supreme Court Rule 38 and T.C.A. §6-6-413. The AOC distributes these funds to grantees to provide education and mediation for indigent parents involved in absolute divorce, legal separation, annulment, or separate maintenance proceedings, and any other custody matters.

The Access to Justice and Pro Bono Coordinators surveyed current VORP and PEMF grantees to obtain additional information on their pro bono efforts in 2015.

- Community Mediation Centers (CMCs): CMCs partner with local courts to provide a range of free or low-cost (sliding scale) mediations to those who are most vulnerable in the court system - namely, self-represented litigants. The AOC supports these centers through limited grant funding designed to increase low-income Tennesseans' access to mediation services.

To date, the following mediation center providers have responded to the survey: Community Mediation Center; Community Reconciliation, Inc.; First Judicial District Court Clinic; Juvenile Court of Memphis and Shelby County; Mid-South Mediation Services; and Nashville Conflict Resolution Center. These agencies reported serving approximately 3,700 clients through mediation in 2015. Over 80.00% of these clients were served through volunteer mediators.

- Community Mediation Center: reports providing training, supervision, and mentorship to all volunteer mediators. Community Mediation Center also delivers educational presentations, serves on court improvement committees, and administers a never-married parenting class in Juvenile Court.
- Community Reconciliation, Inc.: operates VORP that works with the Hamilton County Juvenile Court. Any organization can request assistance, and every case will be reviewed for feasibility at intake.
- First Judicial District Court Clinic: focuses on family evaluation, collection of records, and mediations when necessary.
- Juvenile Court of Memphis and Shelby County: mediation appointments limited to certain custody/visitation issues.
- Mid-South Mediation Services: provides mediation services and several conflict management classes as specified in the mediation contracts.
- Nashville Conflict Resolution Center (NCRC): programs focus on parenting stability, housing security, and ending the prison pipeline. NCRC's offers free mediation services that bring immediate and lasting change to people's lives. NCRC also provides conflict resolution education and training for volunteer mediators and community partners.
- Supreme Court Rule 31 Mediator Pro Bono: This is a system where litigants, courts, and attorneys can locate qualified alternative dispute resolution mediators and other neutrals and enlist their assistance in resolving matters pending before courts of record. The Rule provides required credentials and training for mediators who wish to be listed as a Supreme Court Rule 31 Mediator. Rule 31 Mediators are required to file a report after each mediation. The below comes from the reports filed by Rule 31 Mediators.
 - *For purposes of this report, Court-Ordered Pro Bono, Pro Bono, Reduced Fee, and Supreme Court Rule 38 Fee Types will be considered "Pro Bono".*
 - Supreme Court Rule 38 sets forth the qualifications and processes for the appointment, compensation, and payment of the reasonable expenses of alternative dispute resolution neutrals and education providers serving indigent parents involved in absolute divorce, legal separation, annulment, or separate maintenance proceedings, and any other custody matters. It provides for the distribution of moneys in the Divorcing Parent Education and Mediation Fund established and funded under Title 36, Chapter 6, Part 4 of the Tennessee Code Annotated.

- The number and percentage of mediations by Fee Type are below:

Fee Type	Number of Mediations	Percentage of Mediations
Court Costs	16	0.30%
Court-Ordered Pro Bono	19	0.35%
Pro Bono	370	6.88%
Reduced Fee	223	4.15%
Standard	4,676	86.96%
Supreme Court Rule 38	73	1.36%
Grand Total	5,377	100.00%

- For the Pro Bono Fee Types, the disputes involved are as follows:

Fee Type/Dispute Type	Number	Percentage
Court-Ordered Pro Bono		
Domestic Relations - Child Custody/Visitation Only	13	68.42%
Landlord/Tenant	3	15.79%
Real Property	2	10.53%
Other	1	5.26%
	19	0.35% of Grand Total
Pro Bono		
Domestic Relations - Child Custody/Visitation Only	138	37.30%
Landlord/Tenant	86	23.24%
Other	84	22.70%
Contract/Debt/Specific Performance	17	4.59%
Domestic Relations - Divorce with Children	16	4.32%
Damages/Torts Other Than Personal Injury	7	1.89%
Real Property	7	1.89%
Domestic Relations - Post Divorce Issue	6	1.62%
Domestic Relations - Divorce without Children	4	1.08%
Domestic Relations - Child Support Only	2	0.54%
Juvenile Appeal	1	0.27%
Personal Injury	1	0.27%
Probate/Trust	1	0.27%
	370	6.88% of Grand Total
Reduced Fee		
Domestic Relations - Child Custody/Visitation Only	98	43.95%
Domestic Relations - Divorce with Children	64	28.70%
Domestic Relations - Divorce without Children	23	10.31%
Domestic Relations - Post Divorce Issue	21	9.42%
Other	13	5.83%
Legitimation/Paternity	2	0.90%
Contract/Debt/Specific Performance	1	0.45%
Real Property	1	0.45%
	223	4.15% of Grand Total
Supreme Court Rule 38		
Domestic Relations - Child Custody/Visitation Only	56	76.71%
Domestic Relations - Divorce with Children	7	9.59%
Domestic Relations - Post Divorce Issue	5	6.85%
Other	3	4.11%
Domestic Relations - Divorce without Children	2	2.74%
	73	1.36% of Grand Total

- The chart below shows the number and percentage of mediations for each Pro Bono Fee Type by District:

FEE TYPE BY DISTRICT	COURT-ORDERED PRO BONO		PRO BONO		REDUCED FEE		SUPREME COURT RULE 38	
	Number	Percentage	Number	Percentage	Number	Percentage	Number	Percentage
	Pre-Suit	-	-	9	2.43%	18	8.07%	-
District 1	-	-	14	3.78%	7	3.14%	5	6.85%
District 2	-	-	2	0.54%	7	3.14%	-	-
District 3	-	-	2	0.54%	-	-	1	1.37%
District 4	-	-	1	0.27%	2	0.90%	-	-
District 5	1	5.26%	-	-	2	0.90%	2	2.74%
District 6	-	-	15	4.05%	2	0.90%	-	-
District 7	-	-	1	0.27%	-	-	-	-
District 8	-	-	-	-	1	0.45%	-	-
District 9	1	5.26%	4	1.08%	19	8.52%	10	13.70%
District 10	-	-	-	-	-	-	-	-
District 11	-	-	4	1.08%	6	2.69%	-	-
District 12	-	-	40	10.81%	1	0.45%	-	-
District 13	-	-	-	-	3	1.35%	5	6.85%
District 14	-	-	-	-	1	0.45%	-	-
District 15	-	-	-	-	-	-	-	-
District 16	-	-	-	-	4	1.79%	-	-
District 17	-	-	7	1.89%	1	0.45%	1	1.37%
District 18	-	-	-	-	1	0.45%	-	-
District 19	-	-	-	-	1	0.45%	-	-
District 20	12	63.16%	231	62.43%	23	10.31%	1	1.37%
District 21	-	-	3	0.81%	11	4.93%	-	-
District 22	-	-	5	1.35%	11	4.93%	-	-
District 23	-	-	-	-	1	0.45%	-	-
District 24	-	-	-	-	-	-	-	-
District 25	-	-	1	0.27%	15	6.73%	3	4.11%
District 26	-	-	7	1.89%	-	-	-	-
District 27	-	-	-	-	-	-	-	-
District 28	-	-	-	-	-	-	-	-
District 29	-	-	1	0.27%	1	0.45%	-	-
District 30	5	26.32%	23	6.22%	85	38.12%	44	60.27%
District 31	-	-	-	-	-	-	1	1.37%
Sub-Total	19	100.00%	370	100.00%	223	100.00%	73	100.00%

- Rule 31 Mediators report the most pro bono in District 20 with 267 mediations provided across all pro bono mediation categories.
- Districts 10, 15, 24, 27, and 28 did not report any type of pro bono mediation.

Recognition

Thanks to the generosity of so many, Access to Justice has become a reality for many low-income Tennesseans and the following have received recognition.

- In 2015, the Supreme Court recognized 377 attorneys as *Attorneys for Justice*. Each attorney provided 50 or more hours of pro bono service in the 2014 calendar year.
 - The attorneys who were recognized reported a total of over 53,700 hours of pro bono service provided during 2014.
 - Thirty-six attorneys each reported providing 300 hours or more hours of pro bono service in the 2014 calendar year.
- Two law firms submitted an application for recognition directly to the AOC and were recognized as *Attorneys for Justice* for pro bono work done by their attorneys. These offices provided an average of 50 or more hours per attorney during the 2014 calendar year.
- In 2015, 117 *Law Students for Justice* were recognized for performing 50 or more hours of pro bono legal work over the course of their law school careers.

This pro bono report demonstrates the variety of pro bono initiatives and documents the great work of our access to justice partners. The Commission urges attorneys to continue to track and report the many activities in which they have provided pro bono representation or services per Supreme Court Rule 8, Section 6.1.

Conclusion

Tennessee attorneys reported 568,170 hours of pro bono legal services in Reporting Year 2015. Using a standard hourly rate of \$200.00, the value of these services is estimated to be \$113,634,000.

The Tennessee Supreme Court Access to Justice Commission is proud to highlight the extensive pro bono efforts of organizations, attorneys, and law students in this annual report.

Appendix N:

Map of Judicial Districts with Legal Clinics

Appendix O:

Supreme Court Rule 8, Section 6.1

Supreme Court Rule 8. Rules of Professional Conduct.

CHAPTER 6

PUBLIC SERVICE

RULE 6.1: PRO BONO PUBLICO SERVICE

A lawyer should aspire to render at least 50 hours of pro bono publico legal services per year. In fulfilling this responsibility, the lawyer should:

- (a) provide a substantial portion of such services without fee or expectation of fee to:
 - (1) persons of limited means; or
 - (2) charitable, religious, civic, community, governmental, and educational organizations in matters that are designed primarily to address the needs of persons of limited means; and
- (b) provide any additional services through:
 - (1) delivery of legal services at no fee or at a substantially reduced fee to individuals, groups, or organizations seeking to secure or protect civil rights, civil liberties, or public rights, or charitable religious, civic, community, governmental, and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate;
 - (2) delivery of legal services at a substantially reduced fee to persons of limited means; or
 - (3) participation in activities for improving the law, the legal system, or the legal profession.
- (c) In addition to providing pro bono publico legal services, a lawyer should voluntarily contribute financial support to organizations that provide legal services to persons of limited means.

Comment

[1] Every lawyer, regardless of professional prominence or professional work load, has a responsibility to provide legal services to those unable to pay, and personal involvement in the problems of the disadvantaged can be one of the most rewarding experiences in the life of a lawyer. This Rule urges all lawyers to provide a minimum of 50 hours of pro bono service annually. It is recognized that in some years a lawyer may render greater or fewer hours than the annual standard specified. Services can be performed in civil matters or in criminal or quasi-criminal matters for which there is no government obligation to provide funds for legal representation, such as post-conviction death penalty appeals.

[2] Paragraphs (a)(1) and (a)(2) recognize the critical need for legal services that exists among persons of limited means by providing that a substantial majority of the legal services rendered annually to the disadvantaged be furnished without fee or expectation of fee. Legal services under these paragraphs consist of a full range of activities, including individual and class

representation, the provision of legal advice, legislative lobbying, administrative rule making, and the provision of free training or mentoring to those who represent persons of limited means. The variety of these activities should facilitate participation by government lawyers, even when restrictions exist on their engaging in the outside practice of law.

[3] Persons eligible for legal services under paragraphs (a)(1) and (a)(2) include those who qualify financially for participation in programs funded by the Legal Services Corporation and those whose incomes and financial resources are slightly above the guidelines utilized by such programs but, nevertheless, cannot afford counsel. Legal services can be rendered to individuals or to organizations such as homeless shelters, abused women's centers, and food pantries that serve those of limited means. The term "governmental organizations" includes, but is not limited to, public protection programs and sections of governmental or public sector agencies.

[4] Because service must be provided without fee or expectation of fee, the intent of the lawyer to render free legal services is essential for the work performed to fall within the meaning of paragraphs (a)(1) and (a)(2). Accordingly, services rendered cannot be considered pro bono if an anticipated fee is uncollected, but the award of statutory attorneys' fees in a case originally accepted as pro bono would not disqualify such services from inclusion under this paragraph. Lawyers who do receive fees in such cases are encouraged to contribute an appropriate portion of such fees to organizations or projects that benefit persons of limited means. In some cases, a fee paid by the government to an appointed lawyer will be so low relative to what would have been a reasonable fee for the amount and quality of work performed – as in post-conviction death penalty cases – that the lawyer should be credited for the purpose of this Rule as having rendered the services without fee. This would also be the case when a lawyer is appointed as counsel in a criminal matter, the fee paid the lawyer is capped at a certain amount, and the lawyer expends significant time working on the case after the capped amount has been exceeded.

[5] While it is possible for a lawyer to fulfill the annual responsibility to perform pro bono services exclusively through activities described in paragraph (a), the commitment can also be met in a variety of ways as set forth in paragraph (b). Constitutional, statutory, or regulatory restrictions may prohibit or impede government and public sector lawyers and judges from performing the pro bono services outlined in paragraphs (a), (b)(1), and (b)(2). Accordingly, where those restrictions apply, government and public sector lawyers and judges may fulfill their pro bono responsibility by performing services outlined in paragraphs (b)(3) and (c).

[6] Paragraph (b)(1) includes the provision of certain types of legal services to those whose incomes and financial resources place them above limited means. It also permits the pro bono lawyer to accept a substantially reduced fee for services. Examples of the types of issues that may be addressed under this paragraph include First Amendment claims, Title VII claims, and environmental protection claims. Additionally, a wide range of organizations may be represented, including social service, medical research, cultural, and religious groups.

[7] Paragraph (b)(2) covers instances in which lawyers agree to and receive a modest fee for furnishing legal services to persons of limited means. Participation in judicare programs and acceptance of court appointments in which the fee is substantially below a lawyer's usual rate are encouraged under this paragraph.

[8] Paragraph (b)(3) recognizes the value of lawyers engaging in activities that improve the law, the legal system, or the legal profession. A few examples of the many activities that fall within this paragraph are serving on bar association committees; serving on boards of pro bono or legal services programs; taking part in Law Day activities; acting as a continuing legal education instructor; serving as a mediator or an arbitrator; and engaging in legislative lobbying to improve the law, the legal system, or the profession.

[9] Because the provision of pro bono services is a professional responsibility, it is the individual ethical commitment of each lawyer. Nevertheless, there may be times when it is not feasible for a lawyer to engage in pro bono services. At such times a lawyer may discharge the pro bono responsibility by providing financial support to organizations providing free legal services to persons of limited means. Such financial support should be reasonably equivalent to the value of the hours of service that would have otherwise been provided. In addition, at times it may be more feasible to satisfy the pro bono responsibility collectively, as by a firm's aggregate pro bono activities.

[10] Because the efforts of individual lawyers are not enough to meet the need for free legal services that exists among persons of limited means, the government and the profession have instituted additional programs to provide those services. Every lawyer should financially support such programs, in addition to either providing direct pro bono services or making financial contributions when pro bono service is not feasible.

[11] Law firms should act reasonably to enable and encourage all lawyers in the firm to provide the pro bono legal services called for by this Rule.

[12] Because this Rule states an aspiration rather than a mandatory ethical duty, it is not intended to be enforced through disciplinary process.

DEFINITIONAL CROSS-REFERENCE

"Substantial" and "substantially" *See* RPC 1.0(1)