

**Montana Supreme Court  
Access to Justice Commission  
Large Conference Room, Office of the Court Administrator  
301 S. Park, Third Floor, Helena, MT  
June 8, 2018 ~ 10am-12:30pm**

Agenda

- I. Call to Order and Introductions: Justice Baker
  - a. Approval of 3/9/18 meeting minutes: Justice Baker (Tab 1)
- II. ATJC Standing Committee Reports:
  - a. Law School Partnerships: Debbie Steigerwalt (Tab 2)
- III. Legislative update and discussion: Justice Baker (Tab 3)
- IV. Harvard Law School Access to Justice Lab report: Judge Pinski (Tab 4)
- V. Equal Justice Conference report: Ann Goldes-Sheahan and Alison Paul
- VI. Access to Justice Commission Chairs report: Alison Paul
- VII. Working group on civil legal issues for DV survivors: Alison Paul
- VIII. Incubator Project: Hannah Cail (Tab 5)
- IX. ERAMP: Patty Fain
- X. Orders of Protection Checklist: Judge Carter and Patty Fain
- XI. Strategic Planning: Niki Zupanic
- XII. Public Comment and Review 2018 Meeting Dates
  - a. September 14, 2018
  - b. December 7, 2018

**Tab 1**

**Montana Supreme Court Access to Justice Commission**  
**March 9, 2018**  
**Large Conference Room, Office of the Court Administrator**  
**301 S. Park, Third Floor, Helena, MT**  
**10:00 AM – 12:00 PM**  
**Meeting Minutes**

**Commissioners Present:** Justice Beth Baker, Rep. Kim Dudik (phone), Hon. Leslie Halligan (phone), Rick Cook (phone), Kyle Nelson (phone), Alison Paul, Dean Paul Kirgis (phone), Ed Bartlett, Aimee Grmoljez, Melanie Reynolds, and Charlie Rehbein (phone).

**Commissioners Absent:** Matthew Dale, Sen. Terry Gauthier, Hon. Greg Pinski, Hon. David Carter, Hon. Winona Tanner, Dan McLean, and Georgette Boggio.

**Others Present:** Crystine Miller, Niki Zupanic, Abby St. Lawrence, Derrek Shepherd, Ann Goldes-Sheahan, Nolan Harris, Sarah McClain, John Mudd, Debbie Steigerwalt, Patty Fain, Beth McLaughlin, and Krista Partridge.

**Call to Order:** 10:05 a.m.

Justice Baker asked for comments or corrections on the December meeting minutes. There were no comments or corrections. Aimee Grmoljez moved to approve the December minutes and Alison Paul seconded the motion.

**The December minutes were adopted with no objections.**

**Self-Represented Litigants Committee Report**

Ann Goldes-Sheahan reported that the fee waiver form is final and has been published in the rules. She added that it is being used and that court personnel are generally happy with the form. She thanked Amy Hall and Stuart Segrest for their work in drafting the form and getting it approved and published. Justice Baker said that she will be presenting at an upcoming meeting of the Courts of Limited Jurisdiction and will highlight the form. Ann said that Nolan Harris, who is now the chair of the Education and Outreach Subcommittee, is working on training materials for the clerks, and that subcommittee member Sarah McClain has also worked hard on promoting the new form. Ann stated that the Forms Subcommittee is drafting procedures for the development and maintenance of court forms. Abby St. Lawrence reported that the warden at the Women's Prison mentioned that, due to limited internet access, forms that are not printable don't work for the prisoners. Nolan Harris responded that all the forms, even those that have been automated, are printable and added that he will reach out to assist the prison warden. Alison Paul said that at some point the links to the printable family law forms had dropped off the website, but that this has since been fixed. Sarah McClain said that prisoners often request forms from the State Law Library and said that she would also reach out to the prison warden.

**Law School Partnerships Committee**

Debbie Steigerwalt reported that the committee is still seeking Commissioners to become members. The last meeting of the committee was a strategic planning session and included law

school faculty and staff. She added that the next meeting of the committee will be on April 11 and that they've moved the regular meeting time to noon in order to facilitate more involvement. Debbie also reported that the Montana Justice Foundation awarded funds for the Pro Bono Incubator program and that Hannah Cail has been hired as the program coordinator. Justice Baker noted that committee member Jessica Fehr may not be able to continue on the committee due to her recent appointment as District Judge in Yellowstone County. Justice Baker said that she would follow up with Judge Fehr.

### **Policy and Resources Committee Update**

Niki Zupanic reported that the presentation to the Law and Justice Interim Committee went well and that a link to the presentation is included in the meeting materials. The goal of the one-hour presentation was to make sure that the committee members were exposed to the breadth of issues that the Access to Justice Commission is addressing. Niki added that the public forum video was used as an introduction and was well-received by the committee. She said that the members had questions about civil legal aid funding and about increasing pro bono participation. Justice Baker added that she met with Scott Sales following the hearing and plans to follow up with every member of the committee. Abby St. Lawrence said that the Billings legislators she's spoken to want to hear about the economic impact of civil legal aid funding and would like to hear directly from businesses, judges, and those who will be paying the increased fees. Justice Baker said that we haven't approached any legislators about carrying the funding bill in the next session, and Abby suggested that we should approach Sen. McDonald or Sen. Fitzpatrick. Niki stated that a working group has been created to prepare resources for the next legislative effort, including an explanation of how the money would be used, a rough outline of the budget, and guidelines on how the money would be granted. Justice Baker added that grant-making guidelines will be presented for Commission approval at the June meeting.

### **Working Group on Civil Legal Issues for Domestic Violence Survivors**

Alison Paul reported that the working group held their first in-person meeting in January and formed sub-groups to focus on specific issues: Orders of Protection, Procedural Justice, and Policy Issues. She added that the sub-groups are seeking members. The meeting materials include drafts of a grant-funded DV service-provider map and a list of organizations providing grant funded civil legal aid to DV survivors in Montana. She noted that the darker colored areas on the map indicate direct grant funded services and the lighter colors indicate services supported by Supreme Court Filing Fee funds. Alison thanked Brandi Ries, Diana Garrett and Mel Fisher for their work in getting this initiative started. Justice Baker asked if the map could include the number of full-time equivalent staff who provide civil legal aid to DV survivors. Nolan asked if the list can be used for referrals. Alison replied that the map and list are still in draft form, but the final list can definitely be used to make referrals. She asked for input on any other information that would be helpful to include. Justice Baker said that she'd like to share the map and list at the upcoming Courts of Limited Jurisdiction meeting. Alison also clarified that the dotted areas on the map indicate that more than one grant-funded service provider is active in the area.

### **Update on Congressional Meetings and NLADA Conference**

Alison Paul reported that she and MLSA Board President Andy Patten, along with MLSA Development Director Michelle Potts, met with members of Montana's Congressional delegation in Washington D.C. in conjunction with the National Legal Aid & Defender Association

(NLADA) annual meeting. She reminded the group that MLSA is strictly prohibited from lobbying and we were there to provide information and education only. Alison stated that the group received a positive reception from each office and that MLSA is in the process of visiting all of the local Congressional offices to provide information to staff on how to make referrals for constituents. Alison also said that funding for the Legal Services Corporation (LSC) is not included in the Trump Administration's 2019 budget, but that NLADA is once again organizing stakeholders across the country to demonstrate the broad, bi-partisan support for legal services funding. She added that we still don't know what the 2018 appropriation will be for LSC, but the bigger challenge will likely come in the next couple of years. Finally, Alison reported that due to reductions in funding, MLSA recently laid off two staff attorneys and two part-time office assistants. She said that a 2016 Cy pres award had sustained MLSA through stagnant and declining funding in 2017, but that MLSA will now be faced with more difficult budget and staffing decisions.

### **Pro Bono Update**

Patty Fain passed out the results of the annual pro bono survey and provided an overview of the results. She noted a significant increase in the number of attorneys reporting and the number of pro bono hours reported, but no corresponding increase in those reporting zero hours of pro bono service. She pointed out that one-third of the licensed attorneys in Montana will be retiring in the next 5 years, and that the longer an attorney has been in practice, the more likely he/she is to do pro bono service. Patty said that in light of these statistics, it will be very important to recruit newer attorneys to do pro bono service. Justice Baker said that the Court will issue a press release regarding the report and the data will be very useful in discussions with legislators. She thanked Patty, Ann, Sam Alpert, and the State Bar staff for their efforts.

### **Law School Pro Bono Program**

Dean Kirgis said that the recently established Law School Pro Bono Program has been two years in the making, and that the goal of the program is to make pro bono service a primary emphasis for law students. He added that Professor Jordan Gross was a driving force in bringing this program to fruition. The program incentivizes pro bono service by creating recognition awards for pro bono hours served during each year of law school, and law school career awards will include transcript honors notations and graduation ceremony announcements of "Pro Bono Honors". Dean Kirgis said that the next goal is to involve faculty and staff, and thus the law school has filed a petition with the Supreme Court to admit law school faculty to the State Bar of Montana for the purpose of performing pro bono service. He asked for the Commission's support for this petition. Justice Baker noted that the petition was just delivered to the Court and has not been posted for public comment yet. Dean Kirgis also reported that he has been working with the head of the paralegal program at Missoula College to develop opportunities for paralegal students at the Self Help Law Centers and elsewhere throughout the community. Dean Kirgis said that he is willing to participate and facilitate an initiative to better utilize paralegal resources across the state, but that a leader is needed to spearhead the effort. Justice Baker suggested that the Law School Partnership Committee or the Justice Initiatives Committee might be good candidates to lead this effort. Alison Paul mentioned that she and Angie Wagenhals have been thinking about this issue and would be happy to meet with Derrek Shepherd and the Law School Partnership Committee to discuss ideas.

## Strategic Planning Committee Update

Niki Zupanic thanked the members of the committee for their work on the draft of the revised Strategic Plan that was included in the meeting materials. She asked for feedback from the Commission on how to prioritize the various activities outlined in the plan, and specifically asked Commission members to decide whether the top 3-4 feasible and high-impact priority activities identified by the committee are appropriate. Aimee Grmoljez asked for more context on the statement of purpose, particularly the reference to enhancing the quality of justice. Niki replied that the broad language was meant to keep the statement of purpose succinct, but that measurements of quality could include timeliness and fairness. Justice Baker said that “quality” might not be the best word, but that it could get messy to start a long list of the attributes of quality civil legal justice. Abby St. Lawrence recommended the word “efficacy” to replace “quality” in the statement of purpose. Aimee added that our goal with the statement of purpose should be to attract and engage people with a legal background, and so we need to be clear and precise in our wording. Melanie Reynolds suggested that a list of core values could help add detail to the statement of purpose while preserving the simplicity of the statement itself.

Niki stated that the focus areas and objectives were retained from the 2013 plan, and asked if there were any suggestions for changes. Aimee commented that the focus areas and objectives seem to align well with the statement of purpose. Niki explained that the committee reviewed the strategies and activities under each focus area from the 2013 Strategic Plan, removed those that had been accomplished, and added additional items that came out of the public forum series and other state plans. The committee then pared down the list to those strategies and activities that they felt could reasonably be accomplished within the 3-year time frame of the new strategic plan. Niki noted that the strategies and activities in bold-face type in the draft plan were identified as the top priorities by the committee. Aimee asked to see the list of strategies and activities that were checked off as accomplished, and Justice Baker replied that the list will be sent out to the Commission.

Aimee noted that Item 2 under the Access focus area (*Develop and maintain mechanisms for linking Montanans who have legal problems with the programs, attorneys, and service providers who may be able to assist with their particular issues in their community*) is correctly identified as a top priority. Aimee added that she would like to see Items 3 and 4 under the Education focus area (*Facilitate partnerships with and among agencies and organizations to address the relationships between civil legal needs and non-legal needs and Coordinate with local bar associations and the State Bar Justice Initiatives Committee on recruitment and recognition of pro bono attorneys*) be changed to top priorities because they would help with the legislative funding effort by demonstrating economic impact and efficiencies. Under the Resource Development focus area, Aimee asked what joint projects have been identified for grant funding and collaboration with stakeholders. Alison Paul offered the example of the Emeritus Pro Bono Program funding application that is currently being developed by MLSA along with partners at the State Bar and Court Administrator and Montana Justice Foundation.

Niki added that the strategy leaders listed for each strategy and activity are meant as a starting point and not necessarily an assignment of responsibility. Nolan Harris suggested that MLSA should be listed as a strategy leader under Item 1 in the Access focus area (*Create a mechanism for the ongoing development, review, and updating of standardized, plain-language forms and instructions for use by self-represented litigants*). Ann Goldes-Sheahan suggested that once the

overhaul of the State Bar's Lawyer Referral Service is complete, it might be a more appropriate leader for Item 2 under the Coordination focus area (*Develop and maintain mechanisms for linking Montanans who have legal problems with the programs, attorneys, and service providers who may be able to assist with their particular issues in their community*). Justice Baker thanked Niki for leading the strategic planning process. Niki reminded the group to please email her with any additional comments or suggestions.

#### **Public Comment and Next Meeting Dates**

Justice Baker asked for public comment. There was no public comment. Justice Baker said that the next meeting will take place on June 8, and noted that morning meetings may not work well for many members of the Commission. A poll will be sent out requesting feedback on preferred meeting times. The meeting was adjourned at 11:47 a.m.

# Tab 2

Law School Partnerships Committee (LSPC)  
June 2018 Report to ATJC

1. Membership and Composition. The LSPC continues its interest in adding ATJC members and two law students to the LSPC. Please note the new email address for Judge Fehr. The current composition of the LSPC is:

Debra Steigerwalt Chair; Strategic Planning Committee Member	<a href="mailto:DSteigerwalt@mt.gov">DSteigerwalt@mt.gov</a>
Prof. Hillary Wandler Alexander Blewett III School of Law	<a href="mailto:hillary.wandler@umontana.edu">hillary.wandler@umontana.edu</a>
Hon. Leslie Halligan ATJC Committee Member; Montana State Bar President; 4th Judicial District Court Judge	<a href="mailto:LLHalligan@mt.gov">LLHalligan@mt.gov</a>
Niki Zupanic Montana Justice Foundation	<a href="mailto:nzupanic@mtjustice.org">nzupanic@mtjustice.org</a> also: Crystine Miller ( <a href="mailto:cmiller@mtjustice.org">cmiller@mtjustice.org</a> )
Patty Fain State Court Pro Bono Coordinator	<a href="mailto:PFain@mt.gov">PFain@mt.gov</a>
Jessica Walker-Keleher Exec Dir. CDRC of Missoula County	<a href="mailto:jwalker.keleher@gmail.com">jwalker.keleher@gmail.com</a> <a href="mailto:jwalker-keleher@cdrcmissoula.org">jwalker-keleher@cdrcmissoula.org</a>
Kate Ellis State Bar Trustee	<a href="mailto:kate@cplawmt.com">kate@cplawmt.com</a>
Diana Garrett Montana Legal Services	<a href="mailto:dgarrett@mtlsa.org">dgarrett@mtlsa.org</a>
Shannon Hathaway Montana Legal Justice; Member of New Lawyers Section	<a href="mailto:shannonh@montanalegaljustice.com">shannonh@montanalegaljustice.com</a>
Angie Wagenhalls Montana Legal Services	<a href="mailto:awagenha@mtlsa.org">awagenha@mtlsa.org</a>
Jessica Fehr District Judge, 13 Judicial Dist. Court	<a href="mailto:Jessica.Fehr@mt.gov">Jessica.Fehr@mt.gov</a>
Stefan Kolis Western Montana practitioner; former student member	<a href="mailto:stefankolis@gmail.com">stefankolis@gmail.com</a>

2. Last Meeting. The LSPC held its last meeting as a teleconference on April 11, 2018 and the meeting was continued to April 18, 2018 because of poor attendance. At the April 18th meeting, the LSPC reviewed the following proposed strategic activities for the LSPC over the next few years and developed action items to begin addressing the activities:

Strategies and Activities	Strategy Leader
<b>Access Objective Strategy &amp; Activity # 5</b> Evaluate and recommend policies to enable remote access to the court system, allowing litigants, legal aid, and pro bono attorneys greater access to the court system	<b>Self-Represented Litigants Committee</b> <i>Law School Partnerships Committee</i> <i>Office of Court Administrator</i>
<b>Coordination Objective Strategy &amp; Activity # 1</b> Support innovative programs among stakeholders, such as incubator programs and expanding statewide pro bono and limited scope opportunities for law students	<b>Law School Partnerships Committee</b> <i>State Pro Bono Program</i> <i>Montana Legal Services Association</i> <i>State Bar of Montana</i>

Please see the attached notes from the meeting.

3. Next Meeting. The next meeting of the LSPC will be held on Wednesday, July 11, 2018 @ noon by teleconference. Please note that this represents a change from our teleconferences in 2017, which were held at 10:00 am.
4. Projects. Please see the attached notes from the LSPC's April 18th meeting and these subsequent updates, if any:
  - a. Law School Pro Bono Coordinator Project (LSPC Members: Debra, Hillary, Patty, Angie). The law school's last Family Law Clinic of the academic year will be June 6, 2018. The law school would welcome help in recruiting other attorney volunteers who would enjoy mentoring and teaching law students at the monthly family law clinic. The law school and MTLISA have coordinated with the paralegal program to have paralegal students participate in document collection and organization at the family law clinic. Professor Wandler will continue as the Faculty Supervisor for the Law School Pro Bono Coordinator through the summer and Professor Gross anticipates returning to the supervisory position in the fall. Jane Fisher's AmeriCorps term as Law School Pro Bono Coordinator ends this August. Professors Gross and Wandler are in the process of interviewing applicants for the upcoming academic year.
  - b. Veteran's Advocacy Clinic Opportunities - (Professor Wandler, Patty Fain, and Bruce Fain). No further update.
  - c. Law School Rural Incubator Project (RIPL)- Working Group with MTLISA and Montana State Bar. (LSPC Members: Debra, Hillary, Patty, Niki, Shannon). Hannah Cail is now officially the RIPL Staff Attorney and Coordinator. The RIPL Working Group will be meeting in Missoula on Thursday, June 7th.
  - d. Landlord Tenant Subcommittee. (LSPC Members: Shannon (chair), Stefan, Patty, Angie). No further update.
  - e. Missoula Self-Help Center Subcommittee (LSPC Members: Debra, Hillary, Shannon, and Stefan). No further update.
  - f. End of Life Document Clinic Support at Law School: (LSPC Member: Stefan). No further update.
5. Developments with Respect to April 18th, 2018 Action Items:
  - a. Patty and Shannon are in the process of developing the materials that demonstrates the LSPC's functions, activities, and affiliates.

b. Debra reached out to JIC about collaboration on the proposed strategic planning activity related to leveraging technology.

c. On May 31, 2018, the Strategic Planning Committee Meeting recommended that the Law School be added as an additional strategy leader to each action item in which the LSPC was a strategy leader. The Strategic Planning Committee also recommended that the LSPC be added as an additional (non-lead) strategy leader with respect to the following proposed activities:

<b>Strategies and Activities</b>
<b>Access Objective &amp; Coordination Objective Strategy &amp; Activity # 2</b> Develop and maintain mechanisms for linking Montanans who have legal problems with the programs, attorneys, and service providers who may be able to assist with their particular issues in their community
<b>Access Objective Strategy &amp; Activity # 9</b> Support and promote pro bono attorneys providing services to low-income Montanans
<b>Access Objective Strategy &amp; Activity # 10</b> Foster models for mediation and other alternative dispute resolution services programs

# Tab 3

## **Montana Access to Justice Commission** ***Civil Legal Aid Account***

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE CIVIL LEGAL AID ACCOUNT; INCREASING FEES FOR CERTAIN FILINGS IN DISTRICT COURT; PROVIDING A STATUTORY APPROPRIATION FOR COSTS OF PROVIDING CIVIL LEGAL AID TO PERSONS OF LIMITED MEANS; AMENDING SECTIONS 3-1-702, 3-2-714, 17-7-502, 25-1-201, 25-9-506, AND 44-7-202, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Civil legal aid account.** (1) There is a civil legal aid account in the state special revenue fund. The revenue in the account must be used solely to provide legal assistance or alternative dispute resolution to persons of limited means in civil legal matters. Programs funded by the account are intended to improve court efficiency, reduce delays, and help all court users save time and money by resolving their disputes more quickly.

(2) The supreme court administrator shall establish procedures for the distribution and accountability of money in the account. To be eligible to receive funds from the account, a service provider must be a tax-exempt organization and be one of the following:

(a) A 501(c)(3) non-profit organization in operation for at least one year that ordinarily renders or finances legal services to indigent persons in civil matters or has a primary focus of coordinating volunteer or reduced-fee legal services to provide attorney representation to Montanans of limited means;

(b) A legal aid clinic of an accredited law school operating exclusively in Montana; or

(c) A court-connected mediation program attached to a district court or a justices court.

(3) Money disbursed from the account cannot be used to bring a suit against the State of Montana or other governmental entity; acquire land or buildings; provide legal advice or representation on criminal matters; support lobbying, as defined by § 5-7-102(11), MCA; or pay attorneys employed by private law firms.

(4) Money in this account is statutorily appropriated, as provided in 17-7-502, to the office of the court administrator for purposes provided in subsection (1).

**Section 2.** Section 3-1-702, MCA, is amended to read:

**3-1-702. Duties.** The court administrator is the administrative officer of the court. Under the direction of the supreme court, the court administrator shall:

(1) prepare and present judicial budget requests to the legislature, including the costs of the state-funded district court program;

(2) collect, compile, and report statistical and other data relating to the business transacted by the courts and provide the information to the legislature on request;

(3) to the extent possible, provide that current and future information technology applications are coordinated and compatible with the standards and goals of the executive branch as expressed in the state strategic information technology plan provided for in **2-17-521**;

(4) recommend to the supreme court improvements in the judiciary;

(5) administer legal assistance for indigent victims of domestic violence, as provided in **3-2-714**;

- (6) administer civil legal assistance for persons of limited means, as provided in [section 1];
- ~~(6)~~(7) administer state funding for district courts, as provided in chapter 5, part 9;
- ~~(7)~~(8) administer and report on the child abuse and neglect court diversion pilot project provided in **41-3-305**;
- ~~(8)~~(9) administer the pretrial program provided for in **3-1-708**;
- ~~(9)~~(10) administer the judicial branch personnel plan; and
- ~~(10)~~(11) perform other duties that the supreme court may assign.

**Section 3.** Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: **2-17-105**; [section 1]; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-1304; 10-4-301; [10-4-304;] 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-130; 15-70-433; 16-11-119; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-51-501; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; 53-6-148; 53-6-1304; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-321; 61-3-415; 69-3-870; 69-4-527; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-26-308; 76-13-150; 76-13-416; 76-17-103; 76-22-109; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 80-11-1006; 81-1-112; 81-1-113; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with **17-2-101** through **17-2-107**, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of **19-20-604** terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of **15-35-108** terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of **19-6-410** terminates contingently upon the death of the last recipient

eligible under **19-6-709**(2) for the supplemental benefit provided by **19-6-709**; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of **76-13-416** terminates June 30, 2019; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of **17-3-112** terminates on occurrence of contingency; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of **53-9-113** terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of **50-1-115** terminates June 30, 2021; pursuant to sec. 28, Ch. 368, L. 2015, the inclusion of **53-6-1304** terminates June 30, 2019; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of **85-25-102** is effective on occurrence of contingency; pursuant to sec. 5, Ch. 422, L. 2015, the inclusion of **17-7-215** terminates June 30, 2021; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of **22-3-116** and **22-3-117** terminates June 30, 2025; pursuant to sec. 10, Ch. 427, L. 2015, the inclusion of **37-50-209** terminates September 30, 2019; pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of **20-9-905** terminates December 31, 2023; pursuant to sec. 12, Ch. 55, L. 2017, the inclusion of **37-54-113** terminates June 30, 2023; pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of **10-3-1304** terminates September 30, 2025; pursuant to sec. 55, Ch. 151, L. 2017, the inclusion of **30-10-1004** terminates June 30, 2021; pursuant to sec. 1, Ch. 213, L. 2017, the inclusion of **90-6-331** terminates June 30, 2027; pursuant to secs. 5, 8, Ch. 284, L. 2017, the inclusion of **81-1-112**, **81-1-113**, and **81-7-106** terminates June 30, 2023; pursuant to sec. 1, Ch. 340, L. 2017, the inclusion of **22-1-327** terminates July 1, 2023, and pursuant to sec. 2, Ch. 340, L. 2017, and sec. 32, Ch. 429, L. 2017, is void for fiscal years 2018 and 2019; pursuant to sec. 31(2), Ch. 367, L. 2017, the inclusion of **10-4-301** terminates July 1, 2018, and the inclusion of **10-4-304** is effective July 1, 2018; and pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of **76-17-103** terminates June 30, 2027.)

**Section 4.** Section 25-1-201, MCA, is amended to read:

**“25-1-201. Fees of clerk of district court.** (1) The clerk of district court shall collect the following fees:

(a) at the commencement of each action or proceeding, except a petition for dissolution of marriage, from the plaintiff or petitioner, ~~\$90-170~~; for filing a complaint in intervention, from the intervenor, ~~\$80-170~~; for filing a petition for dissolution of marriage, \$170; for filing a petition for legal separation, \$150; and for filing a petition for a contested amendment of a final parenting plan, \$120;

(b) from each defendant or respondent, on appearance, ~~\$60~~ 100;

(c) on the entry of judgment, from the prevailing party, \$45;

(d) (i) except as provided in subsection (1)(d)(ii), for preparing copies of papers on file in the clerk's office in all criminal and civil proceedings, \$1 a page for the first 10 pages of each file, for each request, and 50 cents for each additional page;

(ii) for a copy of a marriage license, \$5, and for a copy of a dissolution decree, \$10;

(iii) for providing copies of papers on file in the clerk's office by facsimile, e-mail, or other electronic means in all criminal and civil proceedings, 25 cents per page;

(e) for each certificate, with seal, \$2;

(f) for oath and jurat, with seal, \$1;

(g) for a search of court records, \$2 for each name for each year searched, for a period of up to 7 years, and an additional \$1 for each name for any additional year searched;

(h) for filing and docketing a transcript of judgment or transcript of the docket from all other courts, the fee for entry of judgment provided for in subsection (1)(c);

(i) for issuing an execution or order of sale on a foreclosure of a lien, \$5;

(j) for transmission of records or files or transfer of a case to another court, \$5;

(k) for filing and entering papers received by transfer from other courts, \$10;

(l) for issuing a marriage license, \$53;

(m) on the filing of an application for informal, formal, or supervised probate or for the appointment of a personal representative or the filing of a petition for the appointment of a guardian or conservator, from the applicant or petitioner, \$70, which includes the fee for filing a will for probate;

(n) on the filing of the items required in 72-4-303 by a domiciliary foreign personal representative of the estate of a nonresident decedent, \$55;

(o) for filing a declaration of marriage without solemnization, \$53;

(p) for filing a motion for substitution of a judge, \$100;

(q) for filing a petition for adoption, \$75;

(r) for filing a pleading by facsimile or e-mail in all criminal and civil proceedings, 50 cents per page.

(2) Except as provided in subsections (3) and (5) through ~~(7)~~ (9) fees collected by the clerk of district court must be deposited in the state general fund as specified by the supreme court administrator.

(3) (a) Of the fee for filing a petition for dissolution of marriage, \$5 must be deposited in the children's trust fund account established in 52-7-102, \$19 must be deposited in the civil legal assistance for indigent victims of domestic violence account established in 3-2-714, and \$30 must be deposited in the partner and family member assault intervention and treatment fund established in 40-15-110.

(b) Of the fee for filing a petition for legal separation, \$5 must be deposited in the children's trust fund account established in 52-7-102 and \$30 must be deposited in the partner and family member assault intervention and treatment fund established in 40-15-110.

(4) If the moving party files a statement signed by the nonmoving party agreeing not to contest an amendment of a final parenting plan at the time the petition for amendment is filed, the clerk of district court may not collect from the moving party the fee for filing a petition for a contested amendment of a parenting plan under subsection (1)(a).

(5) Of the fee for filing an action or proceeding, except a petition for dissolution of marriage, \$9 must be deposited in the civil legal assistance for indigent victims of domestic violence account established in 3-2-714 and \$80 must be deposited in the state special revenue account established in [Section 1].

(6) Of the fee for filing a complaint in intervention, \$90 must be deposited in the state special revenue account established in [Section 1].

(7) Of the fee collected on appearance from each defendant or respondent, \$40 must be deposited in the state special revenue account established in [Section 1].

~~(8)~~ (8) The fees collected under subsections (1)(d), (1)(g), (1)(j), and (1)(r) must be deposited in the county district court fund. If a district court fund does not exist, the fees must be deposited in the county general fund to be used for district court operations.

~~(7)~~ (9) Of the fee for issuance of a marriage license and the fee for filing a declaration of marriage

without solemnization, \$13 must be deposited in the domestic violence intervention account established by 44-4-310, and \$10 must be deposited in the county district court. If a district court fund does not exist, the fees must be deposited in the county general fund to be used for district court operations.

~~(8)~~ (10) Any filing fees, fines, penalties, or awards collected by the district court or district court clerk not otherwise specifically allocated must be deposited in the state general fund.”

**Section 6.** Section 25-9-506, MCA, is amended to read:

“**25-9-506. Fees.** (1) Except as provided for in subsection (2), a person filing a foreign judgment shall pay to the clerk of court a fee of \$~~60~~ 100, of which \$40 must be deposited in the state special revenue account established in [Section 1].

(2) Fees for docketing, transcription, or other enforcement proceedings must be as provided for judgments of the district court.

(3) Fees collected by the clerk of district court not otherwise specifically allocated must be forwarded to the department of revenue for deposit in the state general fund.”

**Section 7.** Section 44-7-202, MCA, is amended to read:

“**44-7-202. Domestic violence intervention account -- administration by board of crime control.** (1) There is a domestic violence intervention account in the state special revenue fund in the state treasury. There must be paid into this account the designated filing fees paid under **25-1-201(7)** to the clerk of the district court. The money deposited in the account must be used for services provided under **44-7-201**.

(2) Funds deposited in the account may be expended by the Montana board of crime control, as provided for in **2-15-2306**, to fund services and activities under and payment of administrative costs of the domestic violence intervention program provided for in **44-7-201**.

**Section 8. Reporting.** The supreme court administrator shall submit a report to the Law and Justice Interim Committee on or before September 30, 2023, documenting the amount of revenue deposited in the state special revenue account established in [Section 1], the amount of funds distributed pursuant to [Section 1], and the nonprofit organizations to which funds were distributed. The report shall include a summary of the legal services provided to low income persons by organizations receiving funds under [Section 1] and information concerning the impact, if any, on court efficiencies and caseloads.

**Section 9. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 3, chapter 2, part 7, and the provisions of Title 3, chapter 2, part 7, apply to [section 1].

**Section 10. Effective date.** [This act] is effective July 1, 2019.

**Section 8. Termination.** [This act] terminates June 30, 2025.

**Draft Protocol for Administration of the  
Montana Civil Legal Aid Account**  
*Montana Access to Justice Commission*

The Access to Justice Commission's proposed legislation includes the following language:

The supreme court administrator shall establish procedures for the distribution and accountability of the money in the account. The supreme court administrator may designate nonprofit organizations that ordinarily provide or finance legal services to indigent persons in civil matters to receive or administer the distribution of the funds

**A. General Information**

The bill proposes to establish a special revenue account ("Account") funded by a portion of civil court filing fees to provide funding to civil legal aid programs for Montanans of limited means. The Account will be administered by the Office of the Court Administrator, who will review all grant applications, have decision-making authority regarding the number of grantees and the grant award amounts and will distribute the money. All nonprofit organizations awarded funds must meet all eligibility standards and criteria established by the Office of the Court Administrator in a Request for Proposals.

For the purposes of the bill, civil legal aid is legal representation or advice for people who cannot afford to pay for services of a lawyer to help them resolve a legal issue. Civil legal aid also helps people resolve their legal problems without having to go to court.

Grants should not exceed a period of longer than 12 months.

**B. Eligible Services and Objectives**

**1. Objectives:** Programs funded by the Account are intended to improve court efficiency, reduce delays, and help all court users save time and money by resolving their disputes more quickly. An additional objective is that civil legal aid will produce economic benefit to clients and their communities in the form of direct recovery to clients, cost savings, and other indirect benefits, such as child support payments to domestic violence survivors, medical benefits to people with disabilities, and financial stability to families.

**2. Eligible Services:** All disbursements from the Account are for the sole purpose of providing civil legal services to persons of limited means. Examples of eligible services include, but are not limited to: outreach; community legal education; legal advice by phone or through use of technology; supportive services for self-represented litigants; support for volunteer programs that provide civil legal aid; systems for alternative dispute resolution; representation by staff attorney programs; preparation of

legal forms and instructions; and program management and support which enables an organization to provide legal services to people of limited means, either directly or through technological means.

- 3. Ineligible Services or Activities:** Money disbursed from the Account cannot be used to:
  - a. Bring a suit against the State of Montana or other government entities;
  - b. Acquire land or buildings;
  - c. Accumulate or transfer grant funds;
  - d. Provide legal advice or representation on criminal matters;
  - e. Support lobbying, as defined by § 5-7-102(11), MCA; or
  - f. Pay attorneys employed by for-profit law firms.
  
- 4. Eligible Service Providers:** Service providers must be a tax-exempt organization and meet one of the four following criteria:
  - a. Must be a 501(c)(3) non-profit organization in operation for at least one year with a mission to provide a range of free direct legal services to Montanans living at or below the annual federal poverty level or with a primary focus of coordinating volunteer or reduced-fee legal services to provide attorney representation to Montanans of limited means;
  - b. Legal aid clinics of accredited law schools operating exclusively in Montana; or
  - c. Court-connected mediation programs attached to a district court or a justice's court.

Eligible service providers must also demonstrate the capacity to cooperate with state and local bar associations, pro bono programs, private attorneys, and other entities and organizations to increase the availability of legal services to Montanans of limited means.

### **C. Application Procedures**

Under the direction of the court administrator and pursuant to Montana Procurement Act, the Office of the Court Administrator will issue Request for Proposals (RFPs) for the award of grants from the Account. The form and content of the RFP(s) is determined by the Court Administrator, with such assistance from the Montana Supreme Court Access to Justice Commission as the court administrator may request. The evaluation criteria used by the court administrator in determining RFP awards will be contained in the RFP. Civil legal services providers will be selected by the court administrator based on review and rating of submissions by the court administrator. Service providers will be required to formalize the award through a Contract with the Court Administrator's office, as required by state law.

### **D. Administrative Procedures**

- 1. Funds Disbursements:** All funded service providers will be required to adhere to the state procurement laws, regulations and other procedures established by the Court Administrator's Office to ensure that all funds are expended in accordance with state law. The Court Administrator's Office shall require an annual accounting from each organization receiving the funds. Funds will be distributed to recipients as specified in the Contract. Account disbursements must be included in the service provider's budget process and financial reports. Account expenditure documentation must be provided

to the Court Administrator's Office as outlined in the Contract. The court administrator may request additional oral or written reports from service providers as deemed necessary.

**2. Limitations of Funds and Time:** All disbursements from the Account are contingent upon sufficient revenue credited to the Account. Unexpended or unencumbered balances in the Account at the end of the fiscal year remain in the Account to carry out the provisions contained in the Act in the next fiscal year. No grant shall be for a period longer than 12 months.

**3. Supplemental Funding:** Should additional Account monies become available, the Office of Court Administrator may call for and act on additional RFPs from eligible service providers.

## Civil Legal Aid Account Grant Application Policies and Guidelines

### **A. Application and Grant Policies**

Under the Civil Legal Aid Account Request for Proposals, the proposals must specifically address each element below.

- 1. Eligible entities and organizations:** Eligible Account recipients must be non-profit organizations or entities formed as 501(3)(c), legal aid clinics of accredited law schools operating exclusively in Montana, or court-connected mediation programs attached to a district or justice's court.
- 2. Identification of grant recipient:** The proposal must identify the entity that will receive and administer the grant funds.
- 3. Signatures:** Required signatories include the Executive Director of the applying non-profit entity.
- 4. Description of deliverables/Executive Summary:** Proposals should describe specifically the activities, projects, and programs with objectives and outcomes that will be funded under the proposal, and a time-table for those activities.
- 5. Amount requested and budget:** A descriptive budget that includes cost of personnel, consultants, travel, materials, in-kind contributions, and indirect costs together with a short narrative for each category must accompany all grant applications.
- 6. Description of approach:** The application should describe how the proposal will meet the needs outlined in The Account Priorities and Guidelines.
- 7. Length:** The application should be no more than 20 pages.

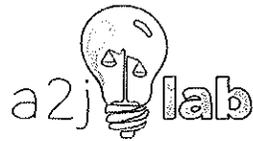
### **B. Criteria for Selection**

The court administrator will consider a variety of factors when making award decisions, including the degree to which the proposal meets the objectives outlined in the RFP, combined with priority special consideration given to proposals addressing the unmet legal needs of underserved and unserved populations or geographic locations in the following priority purpose areas:

- 1.** Persons served in locations that lack access to legal services;
- 2.** Persons who, by virtue of age, disability, or other demographic barriers, lack the ability to access or utilize legal services;
- 3.** Programs reaching broadly across the entire state, including those that use technology in helping Montanans access legal information and resources;
- 4.** Programs facilitating the ability of Montanans of modest means to find attorneys they can afford;
- 5.** Programs providing services for domestic violence survivors, including orders of protection, parenting plans, and dissolutions (if applicable);
- 6.** Alternative dispute resolution programs for high-volume self-representation cases such as family law and landlord-tenant matters;

7. Development of forms and instructional materials for court processes easily made available to and used by self-represented litigants throughout Montana;
8. Programs designed to address civil legal disputes involving monetary damages of \$12,000 or less; and
9. Programs that have shown proven success in other jurisdictions and can be tailored for application in Montana.

Tab 4



## Access to Justice Lab

With rigorous research to guide policies and decisions, the U.S. justice system can give individuals and families better access to justice.

We create and share the knowledge needed to make that change happen.

**The Problem** The portion of the U.S. justice system that deals with people is in permanent crisis. 80% of family cases have a lawyerless litigant. For individuals and families without lawyers, courts are complex, full of jargon, hard to navigate, and scary. The good news is that many proposed solutions already exist to address these and other barriers to justice. The problem is that we don't know which of those proposals make a difference.

**The Vision** We believe that the U.S. justice system can give individuals and families better access to justice if decision makers have credible evidence to guide them. This type of information—the kind that comes from randomized control trials and rigorous qualitative investigation—will allow the field to dedicate resources to the most effective interventions.

**The Method** The Access to Justice Lab advances this vision by implementing randomized field experiments to learn what works in access to justice and then generalizing results into actionable lessons. The Lab creates knowledge, constructs best practices, and trains current and future scholars and practitioners to transform the U.S. justice system. Our teams:

**Design** gold-standard, randomized studies and access-to-justice interventions.

**Implement** randomized evaluations to learn what works in access to justice.

**Share** lessons learned and best practices needed for evidence-based transformation.

**Train** current and future practitioners and scholars in research methods and results.

**The Team** Founded in 2016 within Harvard Law School, the Lab includes fulltime researchers, dozens of students, and a network of field partners working together to transform law into an evidence-based field and improve access to justice for individuals and families who can't afford lawyers.

## Evidence for Access



**2018 Access to Justice Lab Showcase  
Project Leaders**

**David Abrams**, Professor of Law, Business Economics, and Public Policy, University of Pennsylvania Law School

**Josh Ackerman**, Assistant Public Defender Essex County Public Defender's Office

**Sarah Buchanan**, Director of Social Services at the Knox County Public Defender's Community Law Office, Knox County Public Defenders

**David Colarusso**, Director of Legal Innovation and Technology Lab, Suffolk University Law School

**Andy Davies**, Director of Research, New York State Office of Indigent Legal Services

**April Faith-Slaker**, Associate Director of Research Innovations, Access to Justice Lab

**Jim Greiner**, Faculty Director, Access to Justice Lab

**Chris Griffin**, Research Director, Access to Justice Lab

**Linh Ho**, Team Member, Superior Court of California, County of Orange

**Maria Livingston**, Self-Help Services Manager/Family Law Facilitator, Superior Court of California, County of Orange

**Giza Lopes**, Senior Research Associate, New York State Office of Indigent Legal Services

**Kelly McNamara**, Managing Attorney, Legal Research and Self-Help Services, Superior Court of California, County of San Bernardino

**Avani Mehta Sood**, Assistant Professor of Law, Berkeley Law

**Hon. Gregory Pinski**, 8th Judicial District, Montana

**Erika Rickard**, Associate Director of Field Research, Access to Justice Lab

**Ilenia Sanchez-Bryson**, Chief Information Officer, Legal Services of Greater Miami

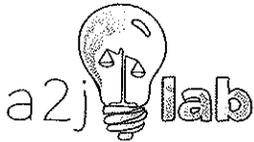
**Maya Sen**, Associate Professor, Harvard Kennedy School

**Holger Spamann**, Professor of Law, Harvard Law School

**Mark Stephens**, District Public Defender, Knox County Public Defenders

**Nash Zabid**, Court Technology Project Manager, Superior Court of California, County of Orange

**Kathy Zeiler**, Professor of Law, Boston University School of Law



## 2018 Access to Justice Lab Showcase Project Descriptions

### **Online Portal for Self-Represented Litigants (Superior Court of California, Orange and San Bernardino Counties)**

Self-help departments in two county court systems have developed or will develop online portals for self-represented litigants to access information about their active cases, obtain and fill out forms to be filed, access online educational content, sign up for workshops, and communicate directly with Self Help staff. The goals of these online portals include: reducing costs to the litigants (such as childcare, lost wages, transportation, etc.); increased access to education and information about court processes; reduction in lines at in-person Self-Help Centers; reducing staff resources; and improve adjudicatory outputs, such as timely and efficient resolution of cases, reduced failure to appear rates, and reduced number of hearings.

### **Completion Rates for Public Defender Applications (New York State Office of Indigent Legal Services)**

Among a sample of criminal defendants, persons deemed eligible for the services of a public defender (or other government funded lawyer) are provided additional information and follow-up from project researchers intended to assure they complete application materials. Goals are to improve rates of application, secure earlier applications, and incrementally to improve defender-defendant relationships overall. The effects of the intervention should be realized in the short-term in the form of improved application rates.

### **Adult Drug Court Treatment Program (Montana 8th Judicial District)**

The 8th Judicial District Adult Drug Court Program focuses on high-risk/high-need justice-involved adults, diagnosed with a substance abuse disorder. The goal of the program is to provide rehabilitative services and sanctioning to offenders with substance abuse problems. It is believed that providing this type of alternative to the typical treatment (punitive approach) reduces recidivism, decreases substance abuse, improves the wellbeing of the offenders and their families, and contributes to more positive community outcomes.

### **Legal Service Intervention in Private Landlord-Tenant Eviction Cases (Legal Services of Greater Miami)**

Legal Services of Greater Miami ("MLS") provides various levels of assistance, including full representation, brief services, and advice and counsel in such cases throughout Miami-Dade and Monroe Counties, FL. Because MLS also provides services for other types of cases, including subsidized housing, it has limited capacity for the private eviction cases. And yet, the demand for help in these private eviction cases is high, few cases go to trial, because most of the cases result in default judgments when the tenant does not deposit unpaid rent with the court. The program is designed to level the playing field between landlords and tenants, which can be especially important when landlords have legal counsel and tenants do not. The goal of the program is to provide some type of help, even if that help is in the form of materials and information, to anyone who reaches out to MLS for assistance with an eviction.

### **Client-Centered Social Work Intervention in Legal Services (Knox County Public Defender's Office)**

A social services department was created when the Knox County Community Law Office (CLO) adopted the holistic, client-centered approach in 2003. The CLO now employs seven full-time social workers who provide a range of services and serve approximately 1,300 adult and juvenile clients per year. The specific goals of the social work program include reduced recidivism and improved client functioning. The intent is to address any identified client need, legal need, or attorney need. We strive to provide public defense clients with linkage to informed, evidence-based rehabilitative programs and to provide support both during incarceration and in the community. It is unknown how long it takes for the effects of the program to be realized. A randomized study would considerably increase confidence in the causal effect of social work services.

# Tab 5

# Rural Incubator Project for Lawyers

*Empowering innovative new practitioners to provide, protect and enhance access to justice.*

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## RIPL Program Overview

### Goals

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- Increase services to low and moderate income Montanans and Tribal Members
- Increase services available in rural areas
- Empower new professionals to develop sustainable solo or small firm practices
- Innovate for the future of legal practice in Montana
- Increase pro bono services

### Partners

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#### Montana Legal Services Association

- House Staff Attorney & Coordinator
- Provide the Pro Bono Residency to RIPL Fellows with hands-on skills training
- Assist with outreach and referral of clients after residency

#### Alexander Blewett III School of Law

- Assist with promotion and recruitment for program
- Provide stipend for RIPL Fellows
- Advise on Curriculum and Practicum

#### State Bar of Montana

- Advise on Curriculum and Practicum
- Assist with promotion and recruitment for program
- Assist with RIPL Fellowship Stipend fundraising

#### Montana Justice Foundation

- Funding RIPL Staff Attorney & Coordinator salary
- Provide loan repayment assistance to RIPL Fellows

#### Mentors and Faculty

- Provide mentorship to new attorneys in solo and small firm practice management, substantive law, and career development
- Facilitate coaching groups
- Advise on Curriculum and Practicum
- Teach coursework and CLE to participants
- Assist with promotion and recruitment for program

### RIPL Fellows

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- Seek new graduates with less than 5 years of practice experience
- Possibly waive years of practice at discretion of Advisory Board
- Fellows chosen through a competitive selection process
- Seek 2-4 participants in the first year
- Requirements:
  - Fellows form and operate their own independent solo or small law firm
  - Commit to a rural community by relocating and establishing a practice there, or by providing remote services (combination of phone/video and circuit rides)
  - Commit to maintain 50% modest means clients
  - Commit to participate in RIPL through roundtables, mentorship, and CLEs
  - Provide at least 50 pro bono hours per a year as under Rule of Professional Conduct 6.1
  - Malpractice Insurance

**A Partnership between:**



**Funded by:**

- Benefits to Participants
  - Stipend to cover personal expenses during first 6 months\*
  - Business Training
  - Monthly Group and Individual Mentorship Meetings
  - MLSA Pro Bono Residency affords Fellows experience in diverse areas of law and with limited scope and poverty law
  - Referrals from MLSA, State Bar Modest Means program, Court Self-Help centers
  - Low or no-cost shared office space and equipment at MLSA Helena Office

## **Curriculum & Practicum**

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### **Business Bootcamp**

- First Month
- Training on establishing a law practice
- Training on alternate fee arrangements
- Assist participants in starting practice:
  - Create business plan
  - Assist in procuring start-up capital
  - Create business entity
  - Open accounts

### **MLSA Pro Bono Residency**

- Provide 20 hours pro bono services per week during the first year
- Intensive skills training in the delivery of legal services
  - Limited scope legal assistance
  - Substantive areas of law training
  - Client communication
  - Client representation including court appearances
  - File management and case documentation

### **Monthly CLEs**

- Free to RIPL Fellows in substantive areas, practice management, and ethics
- Offered to State Bar Members for a fee

## **Schedule**

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### **Year One**

- July – August:
  - Advertise, Recruit & Select Fellows
- September
  - Business Bootcamp
  - Establish solo practices
  - Start MLSA Pro Bono Residency
- October – August
  - Continue MLSA Pro Bono Residency
  - Bi-weekly Mentor Group Meeting
  - Monthly Mentor Individual Meeting
  - Take referred cases and build practice

### **Year Two**

- September – August (Second Year)
  - Monthly Mentor Group Meeting
  - As needed Mentor Individual Meeting
  - Monthly CLE
  - Continue to receive referrals

## **Next Steps**

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- We seek \$25,000 to \$30,000 to provide two Fellowship Stipends for first year in program
  - Ideally offer each participant \$10,000 for first 6 months, and \$5,000 for second 6 months
- Develop partnerships across Montana, including finding Mentors.