

Montana Access to Justice Commission

Strategic Plan

2019-2020

adopted 12/7/18

Statement of Purpose

The purpose of the Montana Access to Justice Commission is to develop, coordinate, and implement initiatives to expand access to and enhance the quality of justice in civil legal matters.

Core Values

As members of the Montana Access to Justice Commission, we believe:

Access

- Access to justice depends on the availability of affordable legal information and services, including assistance and representation when needed.
- Barriers to access to justice must be prevented, removed, or reduced.
- Court users should have access to justice through full participation in the judicial process, regardless of their socio-economic status, English language proficiency, cultural background, legal representation status, or other circumstances.

Coordination

- A coordinated and comprehensive statewide system for delivering legal services must be maintained.
- The justice system must collaborate with other persons, professions, and organizations to meet the legal and law-related needs of the public.

Education

- Public legal education must be provided to create and sustain an informed and empowered public and to build broad support for access to justice.
- Public awareness of the importance of civil legal services is needed to expand justice.

Resource Development

- Access to justice requires adequate funding, resources, and support.
- Adequate and sustained public and private funding, resources, and support must be provided to assure access to justice for low-and moderate income and other vulnerable persons.

Access

Objective Statement	Strategies and Activities	Strategy Leader <i>And Partners</i>
Develop and advocate for adequate support and resources for people to have their legal issues fully resolved in a fair, timely, and appropriate manner	1. Create a mechanism for the ongoing development, review, and updating of standardized, plain-language forms and instructions for use by self-represented litigants	Self-Represented Litigants Committee <i>Court Help Program</i> <i>Montana Legal Services Association</i>
	2. 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 <i>(see also under Coordination)</i>	Self-Represented Litigants Committee <i>Education and Outreach Committee</i> <i>Montana Legal Services Association,</i>

		<i>Justice for Montanans AmeriCorps Program</i> <i>Court Help Program</i> <i>State Pro Bono Program</i> <i>State Bar of Montana</i> <i>Justice Initiatives Committee</i>
	<p>3. Create a statewide inventory of the resources, materials, and support available to self-represented litigants and develop a mechanism for updating the inventory on a regular basis</p>	<p>Self-Represented Litigants Committee</p> <p><i>Court Help Program</i></p>
	<p>4. Research and make recommendations to streamline and simplify court procedures, rules, and processes in areas of law with a high volume of self-represented litigants</p>	<p>Policy and Resources Committee</p>

	<p>5. 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</p>	<p>Self-Represented Litigants Committee</p> <p><i>Law School Partnerships Committee</i></p> <p><i>Office of Court Administrator</i></p>
	<p>6. Identify and address gaps in existing training materials for judges, clerks of court, and court staff, update existing materials, and develop new materials as needed</p>	<p>Self-Represented Litigants Committee</p> <p><i>Office of Court Administrator</i></p> <p><i>State Law Library</i></p> <p><i>State Pro Bono Program</i></p>

	<p>7. Develop new strategies for disseminating training materials with judges, clerks of court, and court staff, and provide new opportunities to engage judges, clerks of court, and court staff about access to justice issues</p>	<p>Self-Represented Litigants Committee</p> <p><i>Office of Court Administrator</i></p> <p><i>State Pro Bono Program</i></p> <p><i>State Law Library</i></p>
	<p>8. Monitor and support the Court Help Program to provide services to pro se litigants across the state</p>	<p>Self-Represented Litigants Committee</p>
	<p>9. Support and promote pro bono attorneys providing services to low-income Montanans</p>	<p>State Pro Bono Program</p> <p><i>Montana Legal Services Association</i></p> <p><i>State Bar of Montana</i></p> <p><i>Justice Initiatives Committee</i></p>

		<i>Alexander Blewett III School of Law</i>
	10. Foster models for mediation and other alternative dispute resolution services programs	State Pro Bono Program <i>Montana Legal Services Association</i> <i>Justice Initiatives Committee</i> <i>Alexander Blewett III School of Law</i>
	11. Encourage attorneys to provide limited scope representation through model materials, training, and a referral system	State Bar of Montana Justice Initiatives Committee <i>Montana Legal Services Association</i> <i>State Pro Bono Program</i>

	12. Increase judicial understanding and support of limited scope representation	Self-Represented Litigants Committee
	13. Promote and support statewide implementation and utilization of the State Bar of Montana’s modest means program	State Bar of Montana <i>Justice Initiatives Committee</i> <i>State Pro Bono Program</i> <i>Montana Legal Services Association</i>
	14. Revisit the gaps and barriers study and recommend strategies for legal aid providers, courts, and other entities to adopt in response	Self-Represented Litigants Committee <i>State Pro Bono Program</i> <i>Montana Legal Services Association</i> <i>Justice Initiatives Committee</i>

Coordination

Objective Statement	Strategies and Activities	Strategy Leader
<p>Coordinate legal assistance providers, the law school, the bar, and other entities to foster an effective and efficient statewide, integrated civil legal services delivery system that addresses the relationships between civil legal needs and non-legal issues</p>	<p>1. Support innovative programs among other stakeholders, such as incubator programs and expanding statewide pro bono and limited scope opportunities for law students</p>	<p>Law School Partnerships Committee</p> <p><i>State Pro Bono Program</i></p> <p><i>Montana Legal Services Association</i></p> <p><i>State Bar of Montana</i></p> <p><i>Justice Initiatives Committee</i></p> <p><i>Alexander Blewett III School of Law</i></p>

	<p>2. 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</p> <p><i>(see also under Access)</i></p>	<p>Self-Represented Litigants Committee</p> <p><i>Education and Outreach Committee</i></p> <p><i>Montana Legal Services Association, Justice for Montanans AmeriCorps Program</i></p> <p><i>Court Help Program</i></p> <p><i>State Law Library</i></p> <p><i>State Pro Bono Program</i></p> <p><i>State Bar of Montana</i></p> <p><i>Justice Initiatives Committee</i></p> <p><i>Alexander Blewett III School of Law</i></p>
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	<p>3. Facilitate partnerships with and among agencies and organizations to address the relationships between civil legal needs and non-legal needs</p>	<p>Education and Outreach Committee Policy and Resources Committee</p>
	<p>4. Coordinate with local bar associations and the State Bar Justice Initiatives Committee on recruitment and recognition of pro bono attorneys</p>	<p>State Bar of Montana Justice Initiatives Committee <i>State Pro Bono Program</i></p>

Education

Objective Statement	Strategies and Activities	Strategy Leader
<p>Increase support for improving access to justice, recognizing the value of a strong, adequately-funded civil legal services delivery system, and addressing the relationships between civil legal needs and non-legal issues</p>	<p>1. Create a library of educational materials promoting access to justice programs, with up-to-date and relevant statistics and information, and develop a mechanism for regularly updating and disseminating those materials on a variety of platforms</p>	<p>Education and Outreach Committee <i>Office of Court Administrator</i> <i>State Law Library</i></p>
	<p>2. Develop and seek publication of news articles, opinion-editorials, and informational pieces on the importance and economic impact of legal aid, pro bono service, and access to justice</p>	<p>Education and Outreach Committee <i>Montana Legal Services Association</i> <i>State Bar of Montana</i></p>

		<i>Montana Justice Foundation</i> <i>State Law Library</i>
	3. Promote better understanding of the relationships between civil legal needs and non-legal needs	Education and Outreach Committee
	4. Expand upon the Court Help Program legislative audit findings to show the importance of civil legal assistance to court efficiency	Education and Outreach Committee <i>Office of Court Administrator</i> <i>State Law Library</i>

Resource Development

Objective Statement	Strategies and Activities	Strategy Leader
<p>Resource Development: Secure adequate, sustainable funding to create and maintain an effective continuum of services for resolving civil legal problems, both in and out of court, and to increase the capacity and infrastructure available to support those services</p>	<p>1. Advocate to the legislature for civil legal aid funding</p>	<p>Policy and Resources Committee</p>
	<p>2. Seek grant funding for Commission activities and staff and collaborate with other stakeholders to secure funding for joint projects</p>	<p>Policy and Resources Committee</p> <p><i>Montana Justice Foundation</i></p> <p><i>Montana Legal Services Association</i></p> <p><i>Office of Court Administrator</i></p>

	<p>3. Advocate for support from the Montana congressional delegation for funding for Legal Services Corporation and other access to justice programs</p>	<p>Policy and Resources Committee <i>State Bar of Montana</i></p>
	<p>4. Examine the potential for increasing <i>pro hac vice</i> fees and dedicating the proceeds to legal aid providers</p>	<p>Policy and Resources Committee <i>State Bar of Montana</i></p>
	<p>5. Increase <i>cy pres</i> awards to access to justice organizations</p>	<p>Policy and Resources Committee <i>Montana Justice Foundation</i> <i>Montana Legal Services Association</i> <i>State Bar of Montana</i></p>