RESOLUTION SUPPORTING THE ESTABLISHMENT OF A PENNSYLVANIA ACCESS TO JUSTICE COMMISSION

WHEREAS, The Allegheny County Bar Association is an organization of legal professionals committed to serving its members by: providing education, advocacy and professional services; promoting equality and diversity among its membership; fostering collegiality; advancing the public image of the profession and the highest standards of professional ethics; supporting and advocating for a fair and effective judicial system that is accessible to every individual regardless of economic status; and exercising leadership on a local, state, and national level so as to further these goals, and

WHEREAS, the Allegheny County Bar Association is one the leading metropolitan bar associations in the nation by serving at the forefront of initiatives to improve the legal system, the profession of law, and the ability of its members to serve our community; and

WHEREAS, in 1990, the members of the Allegheny County Bar Association created the Allegheny County Bar Foundation (ACBF), a public non-profit organization, which provides educational programming, promotes public awareness of the legal and judicial systems, renders legal services to low-income clients, and provides financial assistance and grants to legal related organizations; and

WHEREAS, in October 2005, the Allegheny County Bar Foundation launched its volunteer pro bono program under the newly named Pro Bono Center. The center, formerly known as the Center for Volunteer Legal Resources, is the nexus between the members of the bar association and its 34 projects and member organizations that provide direct legal services to low-income individuals. The center’s mission is to provide well-trained attorney volunteers to help meet the legal needs of the indigent in Allegheny County. Volunteer attorneys will have access to the support they need, including free or reduced fee CLE training, free online research, mentoring, and malpractice insurance for volunteer efforts, as well as volunteer opportunities through the center's projects, organizations, and new initiatives; and

WHEREAS, in 2013, Allegheny County Bar Association recognized the 50th anniversary of Gideon v. Wainwright, establishing the right to counsel for the indigent in serious criminal matters, and

WHEREAS, few such rights to counsel for the indigent have been recognized in civil matters where basic human needs such as shelter, safety, health, sustenance, and child custody are at stake, which has been the subject of ongoing work by the Public Service Committee, and

WHEREAS, national and statewide studies have documented that legal aid programs are only able to serve, at most, 20% of the legal needs of the poor, and

WHEREAS, with the assistance of a grant obtained from the American Bar Association in March, 2013, a “Civil Legal Justice Coalition” of state-wide stakeholders was created, which participated in organizing three hearings of the Pennsylvania Senate Judiciary Committee,
conducted by Committee Chair Senator Stewart J. Greenleaf, with extensive testimony on the great unmet need for civil legal representation of the indigent in Pennsylvania, and

WHEREAS, Pennsylvania Supreme Court Chief Justice Ronald D. Castille has served as honorary chair of the broad-based “Civil Legal Justice Coalition,” which has worked with many statewide partners to collaboratively explore strategies and propose recommendations to improve access to justice for the indigent in Pennsylvania, thereby laying the groundwork for a permanent statewide Access to Justice Commission, and

WHEREAS, the President-Elect of the Allegheny County Bar Association has served as one of three Chairs of the Civil Legal Justice Coalition and in October of 2013 he provided testimony to the Judiciary Committee of the Pennsylvania Senate;

WHEREAS, the Public Service Committee of the Allegheny County Bar Association adopted a Resolution in support of a right to counsel in civil legal proceedings involving certain basic human needs (“Civil Gideon”);

WHEREAS, the Public Service Committee of the Allegheny County Bar Association adopted a Resolution at its December 16, 2013 meeting expressing its support for the creation of a Pennsylvania Access to Justice Commission and its support for the written report on the Findings and Recommendations of the Civil Legal Justice Coalition along with an oral presentation to the Committee, and

WHEREAS, Access to Justice Commissions in other states have brought together the highest level of state courts, the organized bar, the public interest law community and other stakeholders to support the expansion of access to justice for low-income and disadvantaged people, and

WHEREAS, at its 2013 Annual Meeting, the American Bar Association adopted Resolution 10D, urging “the establishment of and support of Access to Justice Commissions or comparable bodies in all states and territories,” and

WHEREAS, the Conference of Chief Justices and Conference of State Court Administrators adopted a resolution on July 31, 2013, reaffirming their support of a prior resolution adopted on July 28, 2010, that set forth the aspirational goal that every state and United States territory have an active Access to Justice Commission or comparable body, and

WHEREAS, Access to Justice Commissions have now been established in 31 states and the District of Columbia, and approximately eight more states are actively considering creating Access to Justice Commissions, and

WHEREAS, in states where Access to Justice Commissions have been formed, they have had a major impact in increasing state level funding for civil legal aid; championing new funding sources for civil legal aid; developing new initiatives to increase pro bono services by attorneys; promoting collaboration and coordination among civil legal aid providers; building a commitment to pro bono and support for legal aid among law students and new lawyers; expanding support for self-represented litigants in the courts and increasing awareness among
legislators and other key decision makers, the bar, the judiciary and the general public about the legal needs of low-income and disadvantaged people and the social and economic benefits of ensuring that they do not go unmet. (See: “Examples of State Access to Justice Commissions: Creation, Structure and Accomplishments” by Robert Echols, State Support Consultant, ABA Resource Center for Access to Justice Initiatives
http://www.americanbar.org/content/dam/aba/migrated/legalservices/sclaid/atjresourcecenter/downloads/example_of_atj_mie_2008.authcheckdam.pdf ), and

NOW THEREFORE, BE IT RESOLVED that the Allegheny County Bar Association supports the work to form a Pennsylvania Access to Justice Commission that will cooperatively work with access to justice stakeholders to examine and promote initiatives designed to expand access to civil justice for the poor in Pennsylvania,

AND BE IT FURTHER RESOLVED that the Allegheny County Bar Association President or designee is authorized to communicate the Association’s position to appropriate stakeholders in the formation of a Pennsylvania Access to Justice Commission and to take any other action in furtherance of this resolution as may be appropriate and necessary.

ALLEGHENY COUNTY BAR ASSOCIATION
BOARD OF GOVERNORS
ADOPTED: JANUARY 7, 2014