

ACCESS TO CIVIL JUSTICE: MEETING THE NEED IN TENNESSEE

*Planning for Improved Access to Civil Justice
for Low-Income Tennesseans*

1998

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INTRODUCTION

This report summarizes a planning process that has taken place among the eight federally-funded providers of civil legal services in Tennessee, other providers in the state, and the institutions that fund and work with them. The goal of the process is to increase collaboration among providers of civil legal assistance and to improve and expand services to clients. It is designed to stimulate further discussion among staff, boards, clients, community leaders, and related institutions.

Although Tennessee's civil legal services providers have been engaged in collaborative planning for many years, we prepared this document in a few months, in response to a request from the Legal Services Corporation. It is a 'snapshot' of the system that provides legal assistance to low-income Tennesseans in civil cases. The leadership of the Tennessee Bar Association, its Task Force on Civil Access to Justice, and its Pro Bono Committee provided crucial assistance in the planning process.

We are now ready to begin more important tasks – to inform a broader audience of the current status and future needs of civil legal services in Tennessee, and to develop methods and partnerships for improving and expanding the services we provide to clients.

The goals and timetables set forth in each topic are aspirational. Given the small staff at the Tennessee Association of Legal Services, and the demands for service that clients place on all providers, the legal services community can spend only a fixed amount of time on this process. It will not be possible to meet the goals within the times suggested, and not all of the goals themselves, unless we significantly expand resources devoted to this process.

Planning for the delivery of civil legal assistance across the state is a continuing process. We will continue to meet with organizations and interested persons to discuss this plan and how to implement it. In the meantime, we would welcome your comments. We particularly need advice about priorities for the coming months and years.

This planning process is based on the principle that *justice is everybody's business*. Through the ideas and efforts of hundreds of people, it will enhance the delivery of civil legal services to low-income Tennesseans, and it will increase access to justice. We welcome your assistance.

GLOSSARY OF FREQUENTLY USED ACRONYMS

*For service areas of providers designated with “ * ” see map (loose insert).*

AOC	Administrative Office of the Courts. This office administers the state court system and plans for its improvement and future needs, including judicial education plans.
CLE	Continuing Legal Education. Each Tennessee lawyer is required to receive 15 hours of CLE per year, including three (3) hours on Ethics or Professionalism.
IOLTA	Interest on Lawyer Trust Accounts. Funds that are produced by IOLTA are dispensed to service providers in Tennessee through the Tennessee Bar Foundation.
KLAS*	Knoxville Legal Aid Society. Incorporated in 1982, serving 4 counties.
LASMT*	Legal Services of Middle Tennessee. Incorporated in 1969, serving 14 counties.
LSC	Legal Services Corporation. Agency formed by Congress in the Legal Services Corporation Act of 1974 to administer a national grant program for civil legal aid.
LSOSCT*	Legal Services of South Central Tennessee. Chartered in 1979, serving 15 counties.
LSUET*	Legal Services of Upper East Tennessee. Established in 1976, serving 12 counties.
MALS*	Memphis Area Legal Services. Incorporated in 1970, serving 4 counties.
RLST*	Rural Legal Services of Tennessee. Incorporated in 1974, serving 19 counties.
STLS*	Southeast Tennessee Legal Services. Incorporated in 1963, serving 10 counties.
TALS	Tennessee Association of Legal Services. State support center for legal services providers, established in 1976.
TBA	Tennessee Bar Association. Statewide voluntary membership organization for attorneys, established in 1881. Enrollment: 7,500.
TJC	Tennessee Justice Center. Established in 1996. Statewide legislative and administrative advocacy and impact litigation. Receives no federal or state funding.
WTLS*	West Tennessee Legal Services. Incorporated in 1977, serving 17 counties.

DESCRIPTION OF TENNESSEE'S STATE PLANNING PROCESS

- April 14 Informed selected members of the Tennessee Bar Association Task Force on Civil Access to Justice of Legal Services Corporation Program Letter 98-1 (requiring documentation of state planning process).
- May 7 Initial discussion draft prepared for TALS Board Meeting.
- May 11 Meeting of TALS Board of Directors (includes all legal services organization executive directors) to discuss state planning process.
- May 20-26 Collection of data from legal services organizations for use at state planning conference, including funding sources, number of attorneys, intake procedures, technology level, and other information vital to the planning process.
- May 20 Letter to Tennessee Bar Association Task Force on Civil Access to Justice requesting feedback on the proposed process outlined by the TALS Board, including proposed conference date, initial list of invitees, and Program Letter 98-1.
- June 5 Completed initial list of invitees based on feedback from Task Force members. Sent State Planning invitation letter with discussion topics and fax-back form for R.S.V.P. *See invitation letter next page.*
- June 8 Confirmed attendance and sent State Planning Discussion Draft to respondents.
- June 25 State Planning Meeting, Nashville. *See Agenda (pp. 7-8), List of Organizations Represented (p. 9), and Summary of Presentations (p. 10).*
- July 8 Opportunity to Comment letter sent to all persons on invitation list (90), whether or not they attended the meeting. Attachments included Draft Report of State Planning Meeting with Synopsis of Presentations, Abstract of Individual Comments of Participants, and Potential Planning Steps. *See Opportunity to Comment (p. 11).*
- August 4 First draft of state planning document sent to executive directors.
- August 10 First draft reviewed by legal services organizations' executive directors at TALS Board Meeting.
- August 21 Final draft sent to legal services organizations' executive directors for final edit.
- Aug-Sept. Produced Final Report for distribution to mailing list and other evolving lists.

(Invitation Letter)

June 5, 1998

FIELD(1)

FIELD(2)

It is ironic that in the most litigious nation in the world, most poor people do not have access to the courts. Tennessee is no exception to this national misfortune. Limited funding and other restrictions have placed the state's indigent population in serious jeopardy. As resources shrink, we must ensure that they are used effectively and efficiently to represent the critical civil legal needs of Tennessee's low income families.

The state's providers of civil legal aid and the Tennessee Bar Association's Task Force on Civil Access to Justice are engaged in a statewide analysis of unmet legal needs and the delivery system for civil legal aid. This process will be most effective if we can enlist the support and collective wisdom of all of the stakeholders in the Tennessee civil justice system.

We invite you to assist us by attending our State Planning Meeting on June 25, 1998, in Ballroom 4 of the Crowne Plaza in Nashville. We anticipate that the meeting will be attended by approximately 45 people and will last from 9:00 a.m. until 4:00 p.m.. A "working" buffet lunch will be provided. Before the meeting you will receive planning materials and a draft agenda. We have attached a list of discussion topics that will be included in the meeting. . If you cannot attend the full day, please consider coming for as much of the meeting as possible. Our last meeting (Winter, 1997) was well-attended by many leaders in the civil justice system, including renowned members of Tennessee's bench and bar.

Please use the attached form to let us know if you can come. We know that daylong meetings can be a serious imposition on professional schedules. Nevertheless, the compelling problem of unmet civil legal need demands our best effort. Your support and suggestions are indispensable at this critical juncture. Please consider joining us on June 25.

Yours sincerely,

Tim Watson

PLANNING FOR CIVIL ACCESS TO JUSTICE

AGENDA

Welcome and Opening Comments 9:00

Meeting Moderator - *Dave Yoder, TALS Board Chair; Executive Director, Knoxville Legal Aid Society*

I. The Crisis in Civil Access to Justice 9:05

Profile of Legal Services in Tennessee: Structure, Client Population, Unmet Civil Legal Needs - *Tim Watson, Executive Director, Tennessee Association of Legal Services (TALS)*

A Brief History of Legal Services and Recent Developments - *Neil McBride, Executive Director, Rural Legal Services of Tennessee*

Developments in Other States - *Harrison McIver, Executive Director, Project Advisory Group, Washington, D.C.; Incoming Executive Director, Memphis Area Legal Services*

The Tennessee Justice Center - *Gordon Bonnyman, Executive Director*

II. Access to Justice and the Tennessee Bar 9:40

Tennessee Bar Association - *Allan Ramsaur, Deputy Executive Director*

TBA Task Force on Civil Access to Justice - *Harris Gilbert, Chair*

TBA Pro Bono Task Force - *Linda Seely, Pro Bono Coordinator, West Tennessee Legal Services*

Tennessee Bar Foundation - *Barri Bernstein, Executive Director*

III. Planning for Improved Civil Access to Justice in Tennessee 10:15

Guiding Principles for State Planning - *Ashley Wiltshire, Legal Aid Society of Middle Tennessee*

CONFERENCE AGENDA - PAGE 2

Discussion of State Plan Components - *Dave Yoder*, Moderator:

(A) Engagement of Pro Bono Attorneys **10:20**

(B) Development of Additional Resources **11:15**

(*BUFFET LUNCH - DISCUSSION CONTINUES* 11:30)

(C) Configuration of a Comprehensive, Integrated Statewide Delivery System **1:00**

(D) Other Issues in the Delivery of Legal Services **2:00**

- *Intake and the Provision of Advice and Brief Services.*
- *Effective Use of Technology.*
- *Increased Access to Self-help and Prevention Information.*
- *Capacities for Training and Access to Information and Expert Assistance.*

IV. Toward More Access to Civil Justice in Tennessee **3:00**

Allan Ramsaur will summarize the meeting and lead a discussion with several bar leaders who will join the meeting by telephone.

Schedule Draft Report and Comment Period. Planning for Future Planning.
Concluding Remarks. *Dave Yoder*.

Adjourn **4:00**

**ORGANIZATIONS REPRESENTED
AT TENNESSEE STATE PLANNING CONFERENCE**

Administrative Office of the Courts - Assistant Director
Chattanooga Bar Association - President-elect
Knoxville Bar Association - President-elect
Legal Services Projects - Board Members (2)
Legal Services Projects - Client Board Members (2)
Nashville Bar Association - Executive Director
Nashville Pro Bono, Inc. - President
Nashville Pro Bono - Coordinator
Project for the Future of Equal Justice (3)
State Senator
TALS - Director and Staff
TALS Legislative Monitor
TN Bar Association - Deputy Executive Director
TN Bar Association - Vice President
TN Bar Association Pro Bono Committee
TN Bar Association Task Force on Civil Access to Justice (2)
TN Bar Foundation - Executive Director
TN Commission on Aging - Director and Supervisor of Elder Rights
TN Commission on Children and Youth - Director
TN Health Care Campaign - Director
TN Justice Center - Director
TN Protection and Advocacy - Staff Attorney
University of Tennessee College of Law

Unable to Attend:

Corporate Counsel
Selected Appellate and Trial Judges
Other Law Schools
Office of Criminal Justice Programs
Religious Community Representatives
Tennessee Conference on Social Welfare

SUMMARY OF PRESENTATIONS AT STATE PLANNING MEETING

Over 750,000 people in Tennessee live below the poverty level. Twenty-five percent of them are children. About 80% of the legal needs of this population are not being met. The eight legal services organizations have already done a good job of diversifying funding, but more funding in even greater diversity will be necessary if legal services organizations are to continue effective work. Some states have made radical changes in their statewide configuration and delivery systems as a response to cut-backs and restrictions on the use of Legal Services Corporation funds. The Tennessee Justice Center, which receives no LSC funds or state funding, was formed to continue certain kinds of work, including class actions and legislative advocacy on behalf of clients, which can no longer be performed by the recipients of LSC funds.

The Tennessee Bar Association has become increasingly involved in promoting access to justice for Tennesseans. The TBA plans to hire a full-time Access to Justice Coordinator whose responsibilities will include statewide pro bono development, continuing legal education coordination, arbitration programs, fee dispute matters and other programs. An *Access to Justice* page will be added to the TBA website. Two important TBA resources are the TBA Pro Bono Committee and the TBA Task Force on Civil Access to Justice, which was created in 1997.

A separate organization known as the Tennessee Bar *Foundation* directs the majority of its funds to direct legal assistance for low income persons. The Foundation will continue with business as usual despite a recent Supreme Court decision threatening IOLTA (Interest on Lawyer Trust Accounts) funds.

Justice is everybody's business. We must find new resources and also make the best possible use of current resources. Guide-words for planners to keep in mind are *integrated, coordinated, comprehensive, collaborative, efficient, and innovative.*

TO: ALL ADVOCATES INTERESTED IN STATE PLANNING
FROM: TIM WATSON
DATE: JULY 8, 1998
RE: DRAFT REPORT AND OPPORTUNITY FOR COMMENT

**OPPORTUNITY FOR COMMENT:
PLANNING FOR THE DELIVERY OF LEGAL SERVICES**

Attached is a Draft Report of the June 25 State Planning Meeting, which many of you attended. The Draft Report is a combination of the original Discussion Draft, comments of participants at the meeting, and suggested steps and times for their completion.

As part of the state planning process, we urge you to review the Draft Report, suggest any steps, and make any comments that will assist us in the statewide plan to deliver legal services to Tennessee's low income families.

Although all comments on the delivery of legal services are always welcome, in order to comply with a deadline of the Legal Services Corporation, we must limit this comment period to ten days. Therefore, we need to *receive* your comments by July 20.

Please view this document as a planning tool. Be advised that the potential steps to be taken and times for their completion will not necessarily remain in their current form. In some cases they may be omitted altogether or changed significantly, and new ones will doubtless appear in the final planning document.

Your time and your comments are important to the state planning process, and your commitment to equal access to justice makes a tremendous difference in the lives of thousands. We look forward to hearing from you.

TW/j

(Attachment Omitted)

PLANNING TOPICS

I. INTAKE AND THE PROVISION OF ADVICE AND BRIEF SERVICES

A. Strengths and Weaknesses of the Current Approach.

Tennessee's 77 legal aid attorneys serve 75,000 or more financially eligible clients. Studies by the American Bar Association, TALS, and others suggest that at least half that eligible population will have legal problems each year. Tennessee's attorneys close 21,000 cases a year. Because Congress and others do not expect legal aid organizations to be able to handle everything that comes in their doors, they are required to set priorities and focus on their communities' most serious problems. It is a significant strength of the national legal services system that a program in Memphis and one in the Appalachian coal fields have the local independence to set priorities appropriate to their communities.

Intake. Intake in the eight legal aid organizations occurs locally, as a component of local priority setting. In almost every case, the process is carried out by designated intake personnel. The intake process routinely generates the mailing of community education materials in packets appropriate to the problem presented by the client. Each legal aid organization has computerized entry of intake.

In some instances, intake may occur in locations such as senior centers and area development offices. In such instances, computerized entry of the intake will be delayed, and, perhaps, the distribution of community education materials as well.

Three of the eight legal aid organizations already have regional or statewide toll-free lines to facilitate client access in rural areas. Several executive directors are working with the Tennessee Commission on Aging and related entities to establish a Statewide Elder Law Hotline to be housed in a legal aid office. Grant funds have already been requested from the Administration on Aging for this purpose.¹ Applications for these resources are competitive and the outcome of the request is uncertain. In any event, the Elder Law Hotline Committee will continue to pursue resources for the project. The establishment of a statewide hotline, even if in a limited area of the law, will supply the delivery system and analysts with important baseline information concerning procedure, cost, and effectiveness.

¹ Just as this report was completed, we were informed that the hotline has been funded by the Administration on Aging.

Some legal services organizations have adopted innovative ways to improve the distribution of benefit throughout their service areas. They use outreach workers, set county-based goals for intake, focus major activities on remote counties, and use more flexible standards for intake.

A traditional weakness of intake is that outlying areas tend to be less served. Counties lacking proximity to a major urban center are particularly vulnerable in this context, and the vast majority of Tennessee's 95 counties fall within this class. Advocacy that affects the activities of public and private institutions and the writing and distribution of community education materials are two of several ways that LSC-funded programs can benefit remote communities even when clients do not come to an office. Class actions brought by Tennessee's non-LSC funded Tennessee Justice Center in the areas of health access and benefits are also valuable tools in meeting the needs of low-income Tennesseans in outlying areas.

Advice and brief service. Most legal aid organizations employ 10 or fewer lawyers. The intake workers in each organization are familiar with the types of cases the organization handles. Most organizations offer clients a mix of telephone, on-site, and off-site intake.

The intake workers also are familiar with the degree of specialization of the attorneys in different aspects of legal aid case work. In rare instances where the problem presented by the client requires a degree of specialization not found in the organization, the advocates in the Tennessee legal services community are quite familiar with the degree of expertise of advocates in neighboring organizations and the Tennessee Justice Center. The bimonthly newsletter of the state support center, the Tennessee Association of Legal Services (TALS), regularly highlights changes in the law and current cases. TALS has also provided the legal services organizations with a statewide directory of legal services experts in the various areas of poverty law. This directory needs to be updated. The state's legal services advocates are personally familiar with one another through work on task forces and attendance at the TALS Annual Meeting and other training events.

In five of the organizations, all advocates have direct e-mail capability, which is now being used to exchange important case information and documents. These advocates are learning to use the capabilities of e-mail and the Internet for rapid consultations in order to make speedy case evaluations and advise the client.

Referrals. Intake workers regularly receive calls from persons who are not eligible for legal services owing to income or resources, or because the case is fee-generating or falls within some other restricted category. Since funding is always limited, intake workers must also

handle persons who are eligible but cannot be served because of priorities and resources, even if the legal matter is a priority. The workers then attempt to locate pro bono assistance through the pro bono coordinator in the organization, or determine the availability of a contract attorney, or make a referral to a private attorney or lawyer referral service. The knowledge of the intake and pro bono coordinators concerning the availability of local resources and services, practices, and attorneys is a critical factor in both the efficiency and the effectiveness of this referral process. In many instances, intake workers are used in specialized practice sections and use their long-term experience to efficiently evaluate and route cases.

Legal services organizations evaluate calls from other service areas to determine whether or not jurisdiction of the legal issue lies within their geographical boundaries. Referrals to other organizations are routinely made in these instances. Referrals from other organizations are freely accepted. However, clients may not receive representation when priorities vary from organization to organization. Priorities are community based and therefore some variation is to be expected. For a variety of reasons, sometimes legal services organizations assist clients from outside their service areas.

B. Goals to Strengthen and Expand Services to Clients:

Increase awareness of legal services workers concerning the statewide availability of expertise within legal services.

Improve communication about priorities and intake policies among all providers of civil legal services within the state.

Determine whether a hotline, either statewide or regional, would be an effective and efficient method of intake referral, advice, and brief service.

Improve access for people in counties without offices.

Increase legal services workers' awareness of the Tennessee Justice Center and increase access to the TJC for referral of appropriate cases.

C. Major Steps and Timetable:

TALS should update the staff resources directory. **Time: 6 Months.**

The legal services organizations should develop Principles of Intake and Referral which will make referrals among organizations more efficient. These principles should also address procedures for fee-generating cases, restricted cases, and for ineligible clients. Intake workers should be made more aware of the possibility of a referral to the Tennessee Justice Center when the legal issue presented is subject to an LSC restriction but falls within TJC parameters. **Time: 24 Months.**

Legal services organizations should develop a protocol for the sharing of best practices on certain types of intake and delivery, such as the use of dedicated health law lines. **Time: 18 Months.**

The legal services organizations should conduct a statewide survey of private attorneys who have accepted referrals from legal services offices to determine how the pro bono referral process can be improved. Each local legal aid organization shall be responsible for this goal. **Individual organization survey results due: 12 months. Consolidated report due: 18 Months.**

Organizations should exchange techniques and consider new ways to increase access for people in counties without offices. Study methods and proposals of other states, including Washington and Florida, for increasing access for people in counties without offices. **Report within 12 Months.**

The legal services organizations should seek additional funding sources, perhaps through a foundation, for the statewide Elder Law Hotline proposed by the Tennessee Commission on Aging. The organizations will continue to work with the Commission and related entities to achieve this goal. **Ongoing.**

Locate additional funding sources to expand the types and number of cases that the Tennessee Justice Center can accept and to increase awareness of the TJC throughout the state. **12 Months.**

Establish a statewide protocol for the treatment of hearing or speaking impaired and non-English speaking applicants for legal assistance, including intake, referrals, and translator-interpreter assistance. **24 Months.**

II. EFFECTIVE USE OF TECHNOLOGY.

A. Strengths and Weaknesses of the Current Approach.

Each of the eight legal aid organizations has computerized case management and financial systems. In seven of the eight organizations, all advocates have computers. In five of the organizations, all advocates have direct access to the Internet. All organizations have e-mail and Internet access capability from at least one computer. Advocates are learning to use e-mail and the Internet to exchange information and documents.

One deficiency is the current state of the TALS Resource Catalog, which needs to be accessible on-line by legal aid advocates and others in the civil justice system, including pro bono and other private attorneys.

Another weakness in the state's technology is the lack of uniformity in case management systems, hardware, and other software. There is little consultation between the organizations regarding technological purchases and compatibility. TALS has assisted somewhat in this role, but resources are limited. Legal services organizations are on different cycles for purchasing and upgrading case management systems.

TALS often includes technology issues on the agenda of its annual state meetings. Although TALS has continued to provide as much technological advice to the organizations as its resources will allow, statewide technology planning at the present time is limited.

TALS is working with the leadership of the Tennessee Bar Association to establish an Access to Justice Page at the TBA website, which could provide information to advocates across the state concerning legal aid, technology, and resources. It could also be used to allow anyone with Internet capability to access the TALS Resource Catalog for pleadings, decisions, community education material, and demographic information.

B. Goals to Strengthen and Expand Services to Clients:

Provide a computer 'on the desk' of each case handler in Tennessee.

Establish universal e-mail.

Encourage the availability of off-site intake centers with phone, fax, and other communication technology.

Completely network each legal services organization.

Make legal services resources, including community education information, self-help materials, and the statewide Resource Catalog available to all clients, advocates, and service organizations.

Use developing communication technology to enhance access by clients generally, and to enhance access by those clients who are communication-impaired.

C. Major Steps and Timetable:

Continue to work with the Tennessee Bar Association to establish an Access to Justice Page at the TBA website. This page could include entries from the TALS Resource Catalog, which will be available to anyone with Internet access. The page could also contain information concerning statewide expertise, task forces, and referral panels. **Time: 9 Months.**

Continue to offer training to executive directors and staff on innovative uses of technology. **Ongoing.**

Develop a state technology plan and budget for startup, annual maintenance, and update costs for technology statewide. **18 Months.**

Obtain and use teleconferencing capacity to improve efficiency. **This technique has been tried by legal services programs at least twice in recent history. The facilities are still somewhat sparse and inaccessible. The matter should be taken up in earnest in another two years.**

Locate or reallocate resources for a statewide technology coordinator who can work to establish systems compatibility, give purchasing advice, and provide technical support and training. **Time: 24 Months.**

Locate additional funding, possibly through a corporation or foundation, for equipment purchases. **Time: 24 Months.**

III. INCREASED ACCESS TO SELF-HELP AND PREVENTION INFORMATION

A. Strengths and Weaknesses of the Current Approach.

All of the organizations have community education capability and produce a plethora of material. Programs often share this material through direct mailing to one another, publication in the TALS newsletter, and placement in the TALS Resource Catalog. LASMT has an outstanding community education program. It makes disks and photo-ready copies of all its material available to all legal services organizations. Its expertise is a source of strength for legal services in Tennessee. Despite this sharing, there is much duplication of effort.

Much of the material focuses on describing legal rights and possible remedies. Prevention is emphasized in some materials such as housing and bankruptcy pamphlets, and in handouts dealing with elder issues, such as abuse and estate recovery. Self-help material is currently limited to very simple matters, such as obtaining a slow-pay order in a collections case. *One problem that we experience in Tennessee regarding self-help by clients is the lack of acceptance of pro se representation in the courts, the bar, and clerks offices.*

TALS has produced several publications that emphasize self-help and preventive issues: *Fair Housing Outreach and Advocacy Manual* and brochure, *Preventing Elder Abuse* booklet, and *Protecting Tennessee's Vulnerable Adults*. A newspaper format publication on Medicare produced jointly by TALS and LASMT is recognized as one of the outstanding publications of its kind in the nation.

The Tennessee legal services community has a Community Education Task Force that meets at the annual meeting and reports on community education activities in the state. This task force needs to have more frequent meetings and more reliable ways to implement recommendations. It has asked TALS for assistance in these matters.

As the immigrant population in Tennessee increases, there will be an increasing need for community education materials in different languages. Some Spanish translations have already taken place through the efforts of the migrant program at Legal Services of Upper East Tennessee and of a bilingual volunteer attorney at RLST.

There have been some sporadic attempts to produce community education videos. These fledgling efforts need technical support and should be intensified.

TALS has produced two computerized benefits screening programs, which have had some success. Computer Assisted Benefits Screening (CABS) and Benefits Education for Senior

Tennesseans (BEST). However, there is some difficulty in keeping the benefit thresholds updated, and the programs themselves are now outmoded.

One area for improvement is the current lack of community education materials concerning Alternative Dispute Resolution for clients in areas where it is available. The Administrative Office of the Courts now has a designated ADR staffer for the purpose of educating the public about this new procedure and promoting its use.

B. Goals to Strengthen and Expand Services to Clients:

Identify developing needs for community education publications.

Use developing technology to increase access to self-help and preventive information.

Improve statewide sharing of community education materials.

Increase access to self-help and preventive information by non-English speaking people.

Promote acceptance of self-help in the civil justice system.

C. Major Steps and Timetable:

Establish a community education library, which will be accessible by anyone with Internet capability, on the Internet at the TBA website's Access to Justice page. This service will have to be achieved through a cooperative effort with the TBA. **Time: 9 Months. Time for substantial completion of library: 24 Months.**

Assist the Community Education Task Force to hold more frequent meetings and to implement its recommendations. Ask the Task Force to outline a campaign for use of the radio and of video tape on one or two important issues. **Time: 6 Months.**

Work with the Administrative Office of the Courts' ADR staffer to develop consumer materials concerning ADR. **Ongoing.**

Work with the Administrative Office of the Courts, the TBA, the Judicial Conference, the Clerks Association, and the Supreme Court to increase acceptance of self-help in the civil justice system. Establish a statewide committee composed of these entities to study the

problem and access information from other states that have had success with increasing acceptance of self-help. **Time: 12 Months.**

Locate funding, **(Time: 30 Months)** perhaps from a corporation or foundation, for:

- more translations of community education material into other languages;
- a possible re-programming of extant computerized self-help software;
- development of new video material.

Seek corporation or foundation funding for a statewide community education coordinator and project. **Ongoing.**

Work with client groups and other agencies—abuse shelters, senior centers, family resource centers, health advocates—to determine their priorities for self-help materials. **Ongoing.**

Locate and compile list of bilingual advocates and place on website. **9 Months.**

Establish a statewide protocol for locating and offering translation-interpreter services for non-English speaking people. **18 Months.**

Enlist the assistance of the TBA to canvass likely law firms to develop bilingual community education and self-help materials, possibly as a pro bono project. **12 Months.**

IV. CAPACITIES FOR TRAINING AND ACCESS TO INFORMATION AND EXPERT ASSISTANCE.

A. Strengths and Weaknesses of the Current Approach.

The TALS staff, which has attended courses in training design, has offered considerable training opportunities for legal aid advocates across the state during each year, including the three-day annual meeting, regional legislative updates, and spot trainings during the year on emerging developments in health access and benefit issues. The Annual Meeting typically provides a full year's worth of CLE (15 hours) all on poverty law issues. All three TALS attorneys are frequent speakers at CLE events. TALS events receive very high marks in evaluations.

In conjunction with the legal services offices, the TBA Pro Bono Committee annually conducts regional training events in Tennessee to encourage pro bono involvement and to inform pro bono attorneys of legal issues affecting low income families. Attorneys attending

these regional training events are eligible to receive CLE credit if they agree to accept one pro bono case during the year. The events are also attended by legal aid advocates. In the recent past, these events were coordinated by the Tennessee Association of Legal Services. These annual training events also generate a bound volume of recent developments in poverty law or of basic poverty law legal issues. The attorneys in the eight legal aid organizations are actively involved as organizers and trainers in these events and as writers of the publications.

Each of the organizations also hosts local CLE events at nominal or no cost, usually in exchange for pro bono casework. These events address a variety of issues important to both legal aid and the private bar. Staff from other organizations regularly attend.

Local organizations have a history of cooperation on training. In 1997, law clerks from the Knoxville Legal Aid Society participated in RLST's orientation on TennCare and Medicare. In 1996, clerks and paralegals from three legal services organizations joined this training. Knoxville Legal Aid Society has produced trainings on domestic violence and victims' compensation that have been attended by other legal services organizations.

In addition to providing training for legal services advocates, staff of local organizations also assist in the training of staff of public and private organizations that provide services to the state's indigent families.

TALS produces several publications for the benefit of advocates: *Sixth Circuit Social Security Manual*, *Landlord Tenant Guide*, *Unemployment Manual*, *Fair Housing Outreach and Advocacy Manual*, and booklets on abuse of the elderly and vulnerable adults.

With two part-time legislative monitors, TALS follows changes in the law affecting the practice of the state's legal advocates and reports these changes to the field programs.

The organizations often request discrete training events in specific areas of law, but TALS lacks the resources to provide as much training as the advocates desire.

Another weakness is the lack of coordination with the private bar on the training needs of attorneys interested in handling legal services cases, on either a compensated or pro bono basis.

There is a considerable amount of mentoring between the private bar and the legal aid offices across the state. Many private attorneys call upon the local expertise provided by legal aid attorneys in several substantive areas, especially in consumer, benefits, and health access issues. Likewise, private attorneys provide a ready resource in many locales for advice on various issues, such as personal injury and transactional law.

B. Goals to Strengthen and Expand Services to Eligible Clients:

Increase the private bar's awareness and use of the expertise of legal aid advocates.

Increase the private bar's awareness of training opportunities at legal aid events.

Develop methods for improving and promoting the flow of expertise in both directions between the private bar and the legal aid community.

Increase the use of co-counseling between the private bar and legal services attorneys.

Increase the amount of joint training of the private bar, legal services advocates, and related advocacy groups.

Increase the use of Task Forces for addressing systemic issues.

Increase the amount of collaboration with advocacy groups with interests related to the goals of legal services organizations, such as the Tennessee Nonprofit Association and the Tennessee Disability Coalition.

C. Major Steps and Timetable:

Work to enhance funding for coordination of the TBA's pro bono training events. **Assist TBA.**

Increase coordination with the Tennessee Bar Association on the training needs of pro bono and contract attorneys. Survey private attorneys regarding their needs and their knowledge of selected issues affecting low income families. **Time: 18 Months.**

Make use of the proposed Access to Justice page at the TBA website to announce legal services training events to the private bar. **Time: 12 Months.**

Develop a mentoring program that will increase the flow of expertise in both directions between the private bar and the legal aid community. **Time: 12-18 Months.**

Produce a statewide training event for the development and improvement of skills of the support staffs legal services organizations. **Time: 18 Months.**

Develop a statewide training agenda for non-LSC advocacy groups. **Time: 18 Months.**

V. ENGAGEMENT OF PRO BONO ATTORNEYS

A. Strengths and Weaknesses of the Current Approach.

The eight legal aid organizations in Tennessee and the Tennessee Bar Association Pro Bono Committee work together in many ways to foster pro bono casework. The result is that 2,269 members of the bar are enrolled in organized pro bono programs in Tennessee.

The TBA annually recognizes a Pro Bono Attorney of the Year. Through its quarterly newsletter, *Volunteer*, its Pro Bono Committee recognizes and encourages statewide pro bono participation and keeps the pro bono community informed of current events and emergent issues affecting pro bono practice. Legal services attorneys are actively involved in the production of this publication.

Each of the legal aid organizations spends a substantial portion of its budget on local pro bono activities. Each organization has a designated pro bono coordinator.

In conjunction with the legal services offices, the TBA Pro Bono Committee annually conducts regional training events in Tennessee to encourage pro bono involvement and to inform pro bono attorneys of legal issues affecting low income families. Attorneys attending these regional training events are eligible to receive CLE credit if they agree to accept one pro bono case during the year. In the recent past, these events were coordinated by the Tennessee Association of Legal Services. These annual training events also generate a bound volume of recent developments in poverty law or of basic poverty law legal issues. The attorneys in the eight legal aid organizations are actively involved as organizers and trainers in these events and as writers of the publications. Local organizations also host CLE events at nominal cost in exchange for pro bono casework.

Tennessee has been a significant beneficiary of pro bono assistance through the American Bar Association's Litigation Assistance Partnership Project (LAPP).

There are several areas for improvement:

Pro bono involvement is weak in some of Tennessee's rural areas.

Pro bono activities are focused on family law and suffer from a lack of breadth; more diverse pro bono activities need to be encouraged, involving such fields as immigration and transactional law.

There is significant variation in the levels of pro bono participation. Overall, the pro bono effort needs dedicated, continuous coordination, and more encouragement from local and state judicial leaders. Leadership at the state level could strengthen local efforts.

The regional pro bono training events could be improved with increased funding for a training coordinator to produce them.

The statewide eligible population would benefit from increased pro bono assistance to the Tennessee Justice Center.

Greater recognition and integration of the efforts of the state's law schools in the delivery of civil legal assistance would enhance access to justice for the client population.

B. Goals to Strengthen and Expand Services to Eligible Clients:

Continue to provide low-cost or free CLE training for pro bono attorneys and increase the number of joint training events for the private bar, legal services advocates, and related advocacy groups.

Increase the number of pro bono attorneys, as well as the types of cases that they handle.

Increase the use of the expertise of the Tennessee Justice Center and increase coordination between private bar pro bono and the TJC.

Increase the number and use of pro bono attorneys in rural areas.

Improve involvement of large firms and their resources in major pro bono efforts.

Continue to develop incentives for initial pro bono involvement and recognition of participation.

Increase the use of private attorneys as pro bono co-counsel on legal services cases.

Increase recognition and involvement of law schools in the delivery system.

C. Major Steps and Timetable:

Reinvigorate the regional pro bono training events with increased funding and coordination, rural emphasis, and inclusion of speciality areas such as immigration and transactional law.

The legal services organizations will coordinate with TBA's new Access to Justice Coordinator and the TBA Pro Bono Committee for accomplishment of this goal.

Encourage adoption of ABA Model Rule 6.1 calling for an aspirational goal of fifty pro bono hours per attorney per year. **Assist TBA. Two years.**

Encourage the establishment of a Pro Bono Coordinator position in the Tennessee Bar Association. **Accomplished.**

Provide on-line promotion of, and support for, pro bono activities with a pro bono sub-page at the proposed "Access to Justice" page at the TBA website. **Time: 12 Months.**

Request the Commission on CLE to approve CLE credit for pro bono activities. **Endorsement Letter from the Board of Directors from each legal aid organization in concert with similar action by Pro Bono Committee. Time: 6 months.**

Develop a plan for encouraging more pro bono activities in rural areas:

- a. Study methods used in other states to expand pro bono representation in rural areas and search for funding to implement recommended changes. **12 Months.**
- b. Work with the Tennessee Bar Association to encourage rural pro bono representation through special incentives such as recognition, CLE waivers, and CLE credits. **See above.**

Amend Supreme Court Rules to permit attorneys licensed in other states to practice as pro bono counsel or as paid staff with legal services office. **30 Months. Consult/assist TBA.**

Encourage large firms to provide “loaned lawyers” on a pro bono basis to assist with legal services efforts. **Assist TBA as needed.**

Encourage large firms to hire in-house pro bono counsel. **Assist TBA as needed.**

Target corporate and government counsel and law schools for increased pro bono activity, using a peer-to-peer approach, i.e., government counsel approaches government counsel about pro bono involvement. **Assist TBA as needed.**

Develop a pro bono referral panel for special problems such as immigration and transactional issues. **Assist TBA as needed.**

On the preceding three items, consult with the ABA and TBA about best approaches. **12-18 Months.**

Increase the use of the expertise of the Tennessee Justice Center and increase coordination between private bar pro bono and the TJC. **Ongoing.**

Seek the support of the Tennessee Supreme Court in encouraging pro bono involvement. **Ongoing. Assist TBA as needed.**

Convene a meeting of the law schools’ legal clinics to discuss methods for enhancing their involvement in the civil legal assistance delivery system and to reach a statewide accord for case referrals. **12 Months.**

VI. DEVELOPMENT OF ADDITIONAL RESOURCES

A. Strengths and Weaknesses of the Current Approach.

Tennessee legal aid organizations have done a tremendous job of obtaining funding from various sources. *See Funding Chart, page 34.* Some organizations have more than thirty funding sources. Roughly 60% of the funding for legal services organizations comes from the federal government through grants from the Legal Services Corporation. The remainder is derived from several sources, the most significant of which is state funding through court

filing fees, which accounts for approximately \$1.5 million, or approximately 15% of the aggregate state legal services budget. The remaining sources include: Funding from the Tennessee Bar Foundation - 7%; Tennessee Commission on Aging - 6%; United Ways - 3%. Other funders include Housing and Urban Development and the Administrative Office of the Courts.

Funding by the Tennessee Bar Foundation may eventually be modified in view of a recent United States Supreme Court decision that may limit the development of IOLTA (Interest on Lawyers Trust Accounts) funds or how they are spent. In addition to funding approximately 7% of the collective budget of Tennessee legal services organizations, the Bar Foundation provides substantial funding for the Tennessee Justice Center. The TJC was formed to meet client needs that could no longer be met by federally funded organizations after the passage of certain federal restrictions. These restrictions prevent traditional legal services organizations from providing comprehensive representation for clients, such as class actions, legislative advocacy, and welfare reform.

Approximately 5% of the total funds for legal aid are raised through local private bar fund-raising campaigns. These campaigns primarily benefit the four organizations with substantial urban centers: Nashville, Memphis, Chattanooga, and Knoxville.

The Tennessee Association of Legal Services disseminates information about possible funding opportunities to the legal services organizations through faxes and its newsletter. Additionally, each organization receives funding information from various sources, including the National Legal Aid and Defender Association. Each of the organizations raises funds through various specifically funded grant activities, including Fair Housing grants, VOCA (Victims of Crime Act), and VAWA (Violence Against Women Act).

Increasingly, funding for legal aid is being discussed by the Tennessee Bar Association, which recently consulted with a specialist in state funding activities for legal aid. Several possible approaches were discussed, some of which are incorporated here in.

A significant strength in the Tennessee movement for access to justice is the committed leadership of the Tennessee Bar Association and the private attorneys who have spearheaded the efforts of the TBA's Task Force on Access to Justice and the Pro Bono Committee. These private attorneys have dedicated enormous amounts of time and energy to the issue of civil access to justice.

B. Goals to Strengthen and Expand Services to Eligible Clients:

Improve public relations for legal aid in Tennessee.

Coordinate development of funding and delivery of services at a statewide level.

Develop funding opportunities through private foundations and corporations for discrete projects.

Obtain increased public funding.

Promote a comprehensive state funding strategy that will include all forms of advocacy.

C. Major Steps and Timetables:

Develop strategies through increased use of fund-raising consultants. **Assist TBA as needed.**

Establish a statewide Fund-raising or Development Coordinator position. **24 Months.**

Execute a coordinated drive for more funding for civil legal aid through the Tennessee General Assembly, enlisting the active support of all major players in the Bar. **Immediate.**

Seek the support of the Supreme Court, the Administrative Office of the Courts, state and federal judges, and the Tennessee Bar Association to alert judges to the possibility of *cypres* distributions to legal aid agencies and the Tennessee Justice Center. **6 Months.**

Improve the public relations of legal aid as follows:

- (a) Develop general talking points and fact sheets for educating the public about unmet legal needs of low-income families and the reason they are turned away by legal aid organizations. **In progress. Time: 9 months.**
- (b) Consider hiring a public relations firm for a statewide effort to improve the image of legal aid and to educate the public that civil justice is everyone's responsibility. **Consult with TBA.**
- (c) Organizations should recruit private attorneys to lecture to attorneys and other groups about the importance of civil legal aid. **Ongoing.**
- (d) Ask Community Education Task Force to develop community education piece on the economic benefits to the community (and the

business community) of certain types of legal services representation.

Time: 12 months.

- (e) Target non-bar community leaders (large statewide private corporations and Chambers of Commerce) through local legal aid organizations and bar leaders for the purpose of informing the public about the need for legal aid. **Ongoing.**

Seek foundation funding for a defined statewide advocacy activity, such as domestic violence assistance, or for a statewide PR campaign explaining the value of legal aid in the justice system, possibly with TV spots. **Ongoing.**

Develop a funding strategy that can offer clients access to representation on cases that LSC-funded organizations are currently restricted from handling. **Ongoing.**

VII. CONFIGURATION OF A COMPREHENSIVE, INTEGRATED STATEWIDE DELIVERY SYSTEM

A. Strengths and Weaknesses of the Current Approach.

The Tennessee delivery system as a whole is remarkably well integrated and comprehensive.

Tennessee is approximately 500 miles long and 120 miles wide. It is an extremely rural state with four widely separated major urban centers. The demographics of these urban centers vary significantly. The demographics of the rural areas also vary between the delta counties of West Tennessee, the hills of the Middle Valley, the coal fields of the Cumberland Plateau, and the mountains of Upper East Tennessee.

The state is experiencing the formation of recognizable communities of immigrants, one of which is long lasting and several of which are emergent. Fortunately, Legal Services of Upper East Tennessee has a long-standing migrant program focused on the needs of the predominantly Hispanic migrant population in the area. All of the state's legal services organizations have benefitted from the expertise acquired in migrant worker legal issues by the LSUET migrant program.

The legal aid organizations are an integral part of the state's bar activities. Many of the executive directors and staff members of the legal services organizations are members of bar groups such as the TBA's Task Force on Civil Justice and its Pro Bono Committee, as well

as other state task forces and commissions dealing with various professional issues, including racial and gender discrimination in the legal environment and judicial reform.

Advocates in the legal aid organizations are in constant contact with one another. Much of their familiarity comes from attendance at the TALS Annual Meeting, other legal aid meetings, and task force meetings. They have directories of the legal aid advocates in the twenty-one offices in Tennessee and are beginning to use e-mail and the Internet to converse about issues and to exchange documents. As a result of this integration and familiarity, the advocates have historically co-counseled and coordinated litigation activities on important issues.

The four executive directors in East Tennessee have held a full day meeting and continue to communicate on how they can improve coordination of their operation and service to clients. They carefully explored the pros and cons of consolidation, and requested technical assistance from the Legal Services Corporation on how to assess its cost and benefits. (For budgetary reasons, LSC could not offer such assistance.) As an outgrowth of this effort, the Knoxville Legal Aid Society recently convened a regional housing task force, and the legal services organizations are exchanging information on regional issues arising out of the administration of statewide programs such as TennCare and Families First. They are also exchanging administrative expertise on the software they share to handle case management (three of four have the same system) and accounting (all four have the Solomon system).

The eight federally funded legal services organizations in Tennessee have a long tradition of working together on complex litigation. Virtually every major federal court action in the state involves counsel from more than one legal services organization and clients from throughout the state. This tradition continues on complex matters that are unrestricted.

In recognition of the value of inter-program advocacy and cooperation, the Tennessee executive directors in 1997 began to give an annual award (The B. Riney Green Award) to advocates engaged in outstanding cooperative advocacy among legal services organizations. In 1997, the award went to lawyers in three organizations who gained millions of dollars in payments to the most vulnerable people in the state – children receiving social security benefits who were in state custody – because the state had illegally appropriated their funds. Such cooperation continues regularly among the state’s experienced advocates, community education specialists, trainers, and support staffs.

Inter-organization cooperation includes formal cooperative agreements to deliver services to clients. In 1996, Rural Legal Services and the Legal Aid Society of Middle Tennessee jointly administered a program funded by an ABA “mini-grant” to train clients and advocates about Tennessee’s sweeping welfare reform program.

In 1992, West Tennessee Legal Services secured statewide funding from HUD to conduct fair housing outreach with the cooperation of all eight federally funded legal services organizations. In 1997, this program expanded to include fair housing enforcement.

Since 1993, TALS has administered a program through which the eight federally funded legal services organizations implemented the Health Care Financing Administration's Information, Counseling and Assistance program for Medicare recipients and senior citizens. Tennessee is the only state in the nation in which legal services organizations exclusively conduct the ICA program. This distinction is a testimony to the effectiveness of the legal services organizations' integrated delivery system.

In 1998, Rural Legal Services of Tennessee and West Tennessee Legal Services jointly arranged funding from the Tennessee Commission on Children and Youth to conduct a pilot project to improve representation of children charged with delinquency. This project has improved pro bono services available to such children, strengthened resources within two legal services organizations at different ends of the state, and established a model for future funding in this growing field of federal and state attention.

Also in 1998, TALS established a cooperative arrangement under which five legal services organizations will receive funding from the Administrative Office of the Courts to improve representation of families who face Dependency and Neglect charges in juvenile court. Again, this innovative project will bring in new resources to the legal services organizations, offer a model for statewide funding, and improve delivery of pro bono and reduced-fee services.

These cooperative efforts have a long history in Tennessee. In the 1970's RLST received special funding to train legal services organizations throughout the region to address the unique legal issues that face low-income residents who receive electric power from the Tennessee Valley Authority. In the 1980's, RLST was one of the handful of legal services organizations throughout the country that received special funding to implement the Zebley decision that brought millions of dollars in benefits to low-income, disabled children. As a result, Tennessee had one of the highest approval rates for child disability applications in the nation.

The organizations are also weighing plans for a statewide program under the U.S. Department of Justice's Domestic Violence Civil Legal Assistance grants program.

The history of regional and statewide efforts, under ICA, juvenile justice, fair housing and other programs, makes Tennessee an attractive candidate for national funders and major foundations. Tennessee's legal services organizations are absolutely committed to continuing this history of cooperation for the benefit of their clients.

Tennessee Association of Legal Services (TALS). Much of the coordinated activity of the eight legal aid organizations occurs through the state support center, the Tennessee Association of Legal Services (TALS). The board of TALS is composed of the executive directors of the eight legal services organizations plus the director of the Tennessee Justice Center and two other advocates with a demonstrated interest in civil access to justice. The board members meet at least quarterly and exchange “best practices,” plan responses to developments affecting their clients, and exchange ideas about fund-raising and other issues. They also involve other agencies in Board Meetings, including the Tennessee Bar Association, Tennessee Bar Foundation, and state agencies such as the Tennessee Commission on Aging.

TALS offers various support and coordinating activities:

Through its bimonthly newsletter (viTALS), it shares information with the legal services organizations and TJC concerning technology, case law, active cases, training opportunities, health access issues, elder law issues, and legislative developments.

TALS maintains a resource catalogue, which contains thousands of entries including pleadings, demographic data, community education material, and court decisions.

TALS provides training for the eight organizations at its Annual Meeting and at smaller events across the state during the year, including a Legislative Update and, usually, an update on emergent public benefits and health issues. The TALS Annual Meeting typically guarantees each advocate the required yearly number of CLE hours (15).

TALS employs two part-time legislative monitors who report on legislative activities and provide training updates to legal aid agencies statewide, usually in two or three regional events. These monitors also advocate in the General Assembly for increased funding for legal services providers.

Tennessee Justice Center (TJC). Despite several restrictions that have been placed on basic legal services activities, which directly affect the ability of legal services lawyers to engage in certain kinds of client representation, clients have access to attorneys who can file class actions and address systemic issues in the legislature through the Tennessee Justice Center. The TJC receives no Legal Services Corporation or state funding. It is funded almost exclusively by the Tennessee Bar Foundation and private foundation resources. The TJC plays a highly visible and important role in statewide activities, including the training sessions and updates at the Annual Meeting. The presence of the TJC permits the use of the word “comprehensive” as a descriptor for the Tennessee delivery system.

A clear area for improvement is in the use of statewide task forces. Due to lack of resources, the previous statewide activities of task forces in specific legal areas have fallen by the

wayside. The task forces need to be reinvigorated. We should involve more private attorneys in the task forces, if possible.

The eight Tennessee legal services organizations have discussed the possibility and impact of reconfiguration, including consolidation of one or more programs. These organizations are a collaborative body and function as a state system. *See Map (loose insert)*. They have accomplished the most significant benefits of consolidation through their formal and informal cooperation, and through their joint efforts of advocacy, training, and communication. With the prospect of legislative funding looking better than in recent years, it may be beneficial to build on the successes and local connections of the current organizations. Nevertheless, Tennessee's legal services organizations will continue to weigh the benefits of the current collaborative strategy against the dividends that might be derived through a reconfiguration. They will continue to evaluate methods objectively to sustain and enhance the efficient, effective, and comprehensive representation of Tennessee's low-income families.

B. Goals to Strengthen and Expand Services to Eligible Clients:

Improve coordination of resource development.

Eliminate duplication of work in community education efforts through improved coordination and use of the Community Education Task Force.

Continue cooperative advocacy efforts and enhance them with revitalization of task forces.

C. Major Steps and Timetables:

The most immediate needs for statewide coordination (especially if from TALS) are for community education material coordination, statewide funding and resource development coordination, coordination with the TBA on website issues, and inter-organization technology compatibility and support. The legal services organizations should address this need after determining the role(s) that will be played in these areas by the Access to Justice Coordinator position at the TBA, as well as other positions that are being filled there. **Time: 48 Months.**

Reestablish regular task force meetings, including other civil legal services providers, in critical areas of practice. **6 Months.**

Work with the Tennessee Bar Association to establish an "Access to Justice" page on the TBA website, which will be accessible by the public, pro bono attorneys, legal aid attorneys, private attorneys, and others. Ideally the website will include the TALS Resource Catalog

in a new user-friendly format, community education materials, information concerning legal aid generally in the state, and information concerning the state's pro bono program. The TBA has committed to this idea. **Time: 9 months.**

Route all materials, including community education materials, through the website to avoid duplication of effort. **Time: 18 Months.**

Funding Chart (p. 34) and State Map (loose insert) are not available electronically but have been mailed in hard copy.