



Wyoming Center for Legal Aid

April 25, 2011

2011 Strategic Plan

The Wyoming Supreme Court has created a judicial branch entity known as the Wyoming Center for Legal Aid (WCLA or Center) to implement the legal services program (the “Program”) established by the Wyoming Legislature under Enrolled Act 58 2010, Wyoming Statute Sections 5-2-121 et. seq. (the Act). As required by Section 5-2-122(a)(i) this plan is developed for the creation, establishment and operation of the Program over its first year of operation, which commenced on April 19, 2011 upon adoption of the Rules establishing the WCLA by the Wyoming Supreme Court.

I. The Wyoming Center for Legal Aid

The WCLA is a judicial branch entity created by rules and regulations promulgated by the Wyoming Supreme Court under Section 5-2-122(a)(iii). The WCLA will be operated under the direction and supervision of a volunteer Board of Commissioners appointed by, and serving at the pleasure of, the Wyoming Supreme Court. The Board will be responsible for the operation of the Center and its Program including the development of program priorities, fiscal accountability systems, hiring and supervision of staff, and implementation of the statutory objectives and requirements set forth in Section 5-2-122 and the Program Rules adopted by the Supreme Court. The WCLA will be responsible for preparing and submitting budgets for the Program to the Wyoming Supreme Court for it to include in its budget requests to the Legislature for appropriations to fund the Program from the civil legal services account, as provided by Section 5-2-121(b). Audits of the Program will be conducted on no less than a biennium basis beginning July 1, 2011, and will be available for public review.

The initial members of the Board of Commissioners appointed by the Supreme Court are Mark Aronowitz, attorney with Lawyers and Advocates of Wyoming, a pro bono firm associated with the Spence Law Firm in Jackson; Patrick Day, attorney with Holland & Hart in Cheyenne; Stuart Day, attorney with Williams, Day, Porter and Neville in Casper; Ray Fleming Dinneen, Psy.D., Founder and Executive Director of CLIMB Wyoming Cheyenne; Rae Lynn Job, former teacher and legislator from Sweetwater County, currently living in Cheyenne; Leigh Anne Manlove, attorney, former Executive Director of the Wyoming Bar Foundation and press secretary for Governor Freudenthal in Cheyenne; and Christopher Reimer, attorney with Long Reimer Winegar Beppler in Jackson. This initial Board may recommend additional appointments to the Supreme Court.

The initial Board will elect its first set of officers and establish the terms of service of each initial member so that rotation of Board members on a staggered three-year basis is accomplished as contemplated by Rule 106. The Court may also appoint additional members ex-officio, and will do so initially with the appointment of Walter Eggers, Attorney with Holland & Hart from the Access to Justice Commission, and Joann Odendahl, Court Administrator.

The Board of the WCLA will hire an Executive Director to oversee the day to day operations of the Center and its Programs. The Executive Director, subject to

Board approval, will be responsible for the hiring of such additional staff as may be necessary to develop and implement the Program. The services of the Executive Director, and any staff, will be procured pursuant to Wyoming Statute Section 9-2-1026 and will be retained as at-will contract employees of the Center under terms and conditions approved by the Board and as generally provided by the rules and regulations applicable to at-will contract employees under Wyoming Statute Section 9-2-1022(a)(xi)(F), which will be consulted as non-binding guidelines for the Center.

The Board initially, and then eventually the Executive Director, will work with the Court Administrator to establish the appropriate fiscal accounts, record-keeping and administrative functions necessary for the establishment, operation and accounting needs of the Program. The Court Administrator, and then eventually with a Staff Attorney and the Executive Director, will provide the Board a financial report at least monthly, and assist the Board in preparing and submitting budget requests to the Supreme Court for appropriations to fund the Program. The Board will also work with the Court Administrator to develop a system for auditing the financial performance of the Program, as required by Section 5-2-121(c).

Funding for the Center and its Programs will be by legislative appropriation from the legal services account under Section 5-2-121(a), or from donations to the Program. Funds for the Program previously appropriated by the Legislature under Section 3 of the Act for the period July 1, 2010 through June 30, 2012 will be provided to the Program upon installation of Program accounting and fiscal management systems and upon approval of the Program's initial Strategic Plan and initial budget by the Wyoming Supreme Court. It is anticipated that initial Program accounting and fiscal management support will be provided by the Wyoming Supreme Court's current systems and staff, overseen by the Court Administrator, until independent systems can be installed.

The Program will initially be housed in existing and available office space at the Supreme Court. This will keep overhead expenses minimal until the Program is up and running, but it is anticipated that the Program will eventually be located elsewhere, preferably in state-owned facilities.

A non-profit Foundation is also being established to provide a vehicle for tax deductible donations and other fundraising efforts to support the Program.

II. Program Structure and Operational Principles

The Center will be responsible for the operation of the Program under the direction of a volunteer Board appointed by and serving at the pleasure of the Wyoming Supreme Court. The Court will retain ultimate control over the Center by Rule, budget approval, audit, and review of periodic reports of the Board. As a judicial branch entity, the Center will be under the absolute control of the State and Program funds will be disbursed only upon approval of the Board, which serves at the pleasure of the Supreme Court and will regularly be submitting budgets and program priorities to the Court for approval.

Structurally, the Program is patterned after the Wyoming State Bar, another judicial branch entity created by Court rule pursuant to statutory authority. *See, e.g.*, Wyo. Stat. § 5-2-118. Improving access to justice is a judicial function and is closely related to the supervision of the practice of law. For example, the Act requires the Court to "establish uniform standards for the delivery of civil legal services" under the Program. This makes creation of a judicial branch Center

patterned after the formation and operation of the Wyoming State Bar appropriate. However, because the Center will be expending funds appropriated by the Legislature from the legal services account, the Court will retain ultimate authority over expenditures. It is appropriate to ensure more direct supervisory control by the Court over the Center than is generally the case with the State Bar, which operates from funds generated by dues from the regulated Bar. However, the Court envisions the Center will quickly establish a staff and center of operations located and run on a daily basis independent of the Court and its facilities in Cheyenne, similar to the manner by which Wyoming State Bar operates on a daily basis independent of the Court.

The Act describes the core statutory objectives of the Program to be: (1) providing legal services to those who meet the income criteria (defined by the Act as no greater than 200% of the current federal poverty level); (2) development of an integrated system for delivery of statewide services that is coordinated with other service providers; (3) establishing a single point of entry for coordinated legal services; (4) simplifying and improving access to the Program and to basic legal services for those meeting the income criteria; (5) granting funds to eligible programs to enhance their ability to provide services; and (6) establishing uniform standards for the delivery of civil legal services. The initial goal of the Center is to determine the best way to meet these objectives, and then design and implement specific initiatives to start meeting them.

The Access to Justice Commission has met with interested parties around the state. Stakeholder input supports the core principle that the objectives of the Program can best be met, and the funds available to the Program can best be leveraged, by promoting local community involvement in both the design and the delivery of civil legal services to those meeting the income criteria. Not all communities in the State have the same need for civil legal services, and local members of each community are the persons most able to identify the need and then meet the need, and it should be the role of the Center to support and leverage those efforts. There are presently several locally-organized initiatives underway across the state to improve access to justice, and it will be the Center's goal to support and leverage those efforts rather than supplant them. The Center will serve not only to support and expand these community-based efforts, but will seek to expand successful formulas into other areas of the State by coordinating and supporting the development of more community based legal support systems.

The Center's core organizational principle will be to establish, grow and support local community-based systems rather than develop a state-wide agency within the judicial branch of government for direct delivery of legal services. This will allow the Center to remain a small organization within the judicial branch operating with minimal overhead, and allow the vast majority of available funds to be expended through grants and contracts with local and independent service providers and community leaders. The Center plans to develop a network of statewide contacts with community leaders and lawyers to permit the Center to coordinate more closely with the Wyoming State Bar for the development of additional legal service delivery systems. The goal is to have the Program's statutory objectives met through delivery of services by local community members and lawyers as much as possible and, where appropriate, have those services delivered through independent contracts with the Center.

The Center will develop uniform contractual requirements and develop and enforce uniform standards for the delivery of legal services as required by the Act. The Center anticipates increasing the amount of legal services provided primarily through independent contractor arrangements with

locally-based service providers and community leaders, and by locally organized pro bono initiatives by private lawyers and law firms supported by the Center. As experience is gained, successful and cost effective programs can be expanded into more places around the State by having the Center serve as a clearing house and support resource for new program development. The overarching goal will be to promote the creation and improve the reach and effectiveness of local community based efforts, supported by the Center rather than routinely provided by the Center directly.

III. Initial Program Targets

Pending retention of a full time Staff Attorney and Executive Director, the Center has identified the following Program targets, in no particular order, for the first year of operation.

A. Recruit and Retain Executive Director and Staff Attorney

A priority will be the hiring of an Executive Director and Staff Attorney to begin work on the design and implementation of the Center and to begin the process of developing programs to improve Access to Justice. It is anticipated that time will be spent initially creating the accounting, record keeping and fiscal control functions necessary to operate the Center, establish a phone number, office, etc. In addition, policies, programs and contractual procedures will need to be developed for the administration of grants and for the delivery of legal services. Once up and running, the Executive Director and staff's attention will turn to promoting the existence of the Center and continuing efforts already underway to canvass local community leaders around the State regarding the need for, and the existence of, local civil legal service delivery systems.

B. Design and Implement a Website for the Program

Efforts are underway to design a website for the Program which will eventually become a primary source of information about the Program, a resource for access to legal forms and service providers, and for information on Program intake and income qualification requirements. The design of the Website is in progress, and the Center website will be launched, housed and maintained in the first Program year.

C. Design Intake Applications, Grant and Income Qualification Requirements

It will be important to communicate clearly the income and subject matter restrictions applicable to the legal services the Center can provide or support. As word grows that Center funds are available, and that local community-based delivery systems are preferred, the Center anticipates it will start receiving funding requests.

The Program will need to have a set of policies governing what the Center can support financially, and those policies will largely be set by the statutory criteria and prohibitions found in Section 5-1-122. Basically, the Board will need to define what programs will be "eligible" for grants under Section 5-2-122(a)(viii). Certain types of legal services cannot be supported by the Center and there are strict income requirements applicable to persons seeking direct legal services through the Program. Board decisions on grant applications will have to be informed by written policies insuring compliance with the statutory criteria and priorities, and grant applicants will have to know what those policies will be. Eventually, direct legal services will be provided through independent

contractors engaged with the Center, and the Center will need to develop the contractual requirements and service performance criteria applicable to service providers to ensure compliance with the statutory requirements. Substantial work will need done initially to develop the policies and criteria necessary to inform both the hiring of legal services and the use of program grants to support local efforts.

The Program will also need to design intake applications and procedures for qualifying those seeking legal services supported by Center funding. This will be a critical component of the single point of entry system contemplated by the statute, and will in turn explain who may qualify for help. Programs around the state seeking to deliver services supported by the Center will need the criteria for qualification developed and explained in a manner easy to implement and eventually audit for compliance.

D. Canvass and Contact Existing Delivery Systems

The Access to Justice Commission has identified the existing legal service delivery programs in the State and the Center will need to develop a working relationship with them and explore means by which to support them and expand their delivery systems if appropriate. The AJC has also heard from several community leaders around the state about volunteer organizations in development, and those efforts will need to be identified and supported. There are other existing organizations poised to provide more services (*e.g.*, the Legal Assistants of Wyoming, the Wyoming State Bar, etc.) if Center support can be provided. The Center will need to undertake a sustained effort to identify and contact those organizations or community leaders already poised to implement more systems for the delivery of legal services, and those organizations will need to be contacted and brought into the process.

E. Contact and Coordinate with the Wyoming State Bar and the Wyoming State Bar Foundation

The Center will need to develop a strong working relationship with the Wyoming State Bar and the Wyoming State Bar Foundation. The Bar has well developed systems for communicating and coordinating with the legal services community, and the Center expects the legal community can be brought into the Program through coordination with the State Bar. The Center anticipates meeting with the State Bar to develop a plan for informing lawyers generally about the Program and its priorities, and develop ways for the State Bar and its members to promote the Program's objectives.

F. Contact and Coordinate with the University of Wyoming Law School

The University of Wyoming's law school is another excellent source of communication and Program development opportunities. The School already hosts clinics serving clients, and these can be expanded. Recent law school graduates can be recruited for the creation of legal service programs serving the income qualified with Center support.

G. Identify and Recruit Community Leaders with Knowledge of the Needs

To accomplish the Center's organizational principle of supporting and enhancing the delivery of legal services at the community level, an effort needs to be undertaken around the State to locate, identify and recruit those community leaders at the local level with direct knowledge of the legal needs of the targeted population and the most effective way to meet the needs. The Center envisions the creation of a state-wide network of local service and community providers who will be trained on the resources of the Center, its programs policies and resources, and encourage them to take leadership efforts in developing local delivery systems. During the first year of the Program's operation, the Center expects to have its Staff Attorney, Executive Director and Board members canvas the State to start developing this network, supported by local legislators and the judiciary as appropriate.

H. Develop a Network within the Judicial Districts

The Center expects that access to justice in Wyoming will be significantly enhanced with the development and use of standardized forms for basic legal services, accessible through the Center and through each courthouse in Wyoming, as well as Wyoming public libraries. Court clerks are very often the initial point of contact for persons seeking basic legal services, and the Center can support their efforts to communicate, educate and direct persons to the appropriate resources. The Center therefore anticipates sustained efforts to support and organize information, forms and resource referrals throughout Wyoming's courthouses and libraries.

I. Begin and Improve Delivery of Legal Services

The ultimate objective of the Program is increase access to basic legal services for the income qualified. It will take time to develop a network of community leaders and delivery systems, develop standardized forms, develop a network within the judicial system, etc. The Center wants to use this opportunity to avoid mistakes made in other states and explore truly innovative ideas, but there is no reason not to make immediate efforts to improve delivery of more civil legal services in the interim. During its first year, the Program will endeavor to increase the delivery of services from existing programs and begin the process of contracting for delivery of services directly through the Center.