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Letter from the Chair

Dear Friends,

On behalf of the Access to Justice Board, I am elated to present the Board’s 2021 Annual Report. Last year, we reported that the triple pandemic of COVID-19, racism and poverty cast a glaring light on the long-standing differences between those who have and those who have not. Despite the vaccination, a reckoning with racism, and increased funding for anti-poverty work, we remain in the triple pandemic.

Our response to all of these challenges went beyond sloganeering. The Board was inspired by the Washington Supreme Court’s June 4, 2020, powerful anti-racism statement as a clarion Call to Action to the Alliance for Equal Justice to rededicate our commitment to race equity and to work shoulder-to-shoulder with Black, Indigenous and other Communities of Color (BIPOC) most harmed by racism. We challenged ourselves and the broader access to justice community to look to the communities who are furthest from power and directly impacted by the justice system for their guidance and direction.

We established a statewide Community Advisory Panel (CAP) made up of community-based leaders who have lived experiences of injustice and are engaged in equity and anti-racism work. CAP has helped keep the Board’s work grounded in the reality of those impacted by systemic oppression. They will continue to help us hold ourselves accountable to dismantling the siloing of our law and justice system (civil, juvenile, criminal, and child welfare systems), which has historically harmed BIPOC communities.

“Crisis and Reckoning: A Call to Dismantle Unjust Systems” was the theme for our 21st Access to Justice Conference, which took place virtually on August 11-13, 2021. Through the partnership of CAP and a dedicated planning committee, we met our goals of offering the most accessible and inclusive conference to date and creating a space that was community-informed and led. We prioritized hearing the voices of those with lived experience of injustice and made sure to compensate them fairly.

The Board and the Alliance members made tremendous inroads at our annual lobby day in Olympia. We had more funding for the poor and better policy out of this legislative year than at any other time, including lifting restrictions on state-funded aid to serve undocumented communities.

Our Volunteer Lawyer Programs are providing an invaluable service implementing much of the eviction right to counsel program created by the legislature and responding to the growing needs that the pandemic has created. Currently, our Delivery System Committee is working on a project to map the civil legal needs and services across the state, which will provide valuable metrics on resource needs.

The COVID-19 pandemic has also influenced how we think about accessibility and equity. As access to justice needs have grown this year, we created the COVID-19 Legal Needs Checklist to help people self-identify legal needs and direct them to legal resources. We shared this easy-to-navigate form, available in 31 languages, with providers and community partners across the state to share with the client communities they work with. The ATJ Technology Committee continues to look at the ways technology can both improve access and create barriers, particularly through the lens of the ATJ Technology Principles and a recently updated working ATJ Technology Justice Plan.

As the ATJ Board works to partner with the Alliance for Equal Justice to advance equity and justice in our community, we know that we also have internal work to ensure that we are walking our talk on equity and inclusion. We continue to look inward and find ways to grow in our equity commitments as a Board and as individuals.

Francis Adewale, Chair
Access to Justice Board
Centering the Voices of Those Most Impacted by Oppression: Access to Justice Board Community Advisory Panel

**THE WHY:** Since its inception, the Access to Justice Board has embraced its role as a public leader and convener for the equity and justice community. In recent years, the ATJ Board has stayed responsive to client communities experiencing poverty, racism, and other forms of oppression. By centering racial equity in the 2018-present State Plan, and by issuing a **powerful racial justice statement** on the heels of uprisings spurred by the murder of George Floyd and countless others, the ATJ Board acknowledged the imperative to “address barriers that continue to prevent communities of color from accessing meaningful relief within the civil justice system” and “examine ways that our legal systems often overlap and reverberate in ways that amplify harm for communities of color.” In its statement, the ATJ Board committed to convening the Alliance for Equal Justice to develop a racial justice action plan. Keeping itself accountable to taking the lead from Black, Indigenous and People of Color, the Board held off on convening the Alliance and sought out the leadership and voices of the community who have been most impacted by systemic racism first.

**OVERVIEW:** With the support and leadership of JustLead Washington, the Community Advisory Panel (CAP) was formed to provide expertise, perspective, and guidance on how to most equitably pursue right relationships with our most impacted communities. In the fall of 2020, a core group of community leaders met and identified several strategies for how to proceed toward authentically engaging and eventually integrating community members in the core as aspects of the Access to Justice Board’s work. Since that initial meeting this core group of community advisors has met regularly to discuss the local impact of the criminal legal system on communities and to draft a series of unbreakable commitments that systems partners must begin to make in order to authentically pursue the right relationship with our state’s most impacted communities.

“It was great to have panels with people who had been directly impacted; very powerful. This should be a model for future conferences.”

2021 ATJ Conference Attendee

**IMPACT FOR ATJ BOARD:** From their first meeting, the Community Advisors were explicit that the people who are closest to the impact should be engaged from the onset of processes and decisions, not just as additional perspectives to consider once strategies or ideas have been developed. This feedback has served as a pivotal message that the ATJ Board has internalized throughout this past year.

The CAP was integral to the Access to Justice Conference planning and participation as they helped ensure the intentional integration of community voices, participation, and leadership in the conference. For the first time ever admission was free and community presenters were compensated. And overall, the conference planning committee’s intentionality around centering community voice was received as powerful.

“Hearing from leaders in the legal system who work for justice for all in combination with leaders of groups with lived experience of injustice was very effective. I was especially impressed with the wisdom and guidance provided by some of the lived experience presenters.”

2021 ATJ Conference Attendee
Walking our Race Equity Talk: The Access to Justice Board’s Internal Equity Work

Committed to delivering on the race equity goal in the State Plan for the Coordinated Delivery of Civil Legal Aid to Low-Income People and advancing the Washington Race Equity & Justice Initiative (“REJI”) commitments, the Access to Justice Board has been working to hold itself accountable to communities most impacted by structural, institutional, and interpersonal racism. Part of this work includes ensuring that the Board walks its race equity talk through its own internal culture and operations.

The Board set out in its 2020-2022 Priorities a goal to “promote systemic and internal race equity practices, working toward a vision that race or color does not determine the availability and quality of services, fairness of outcomes, or opportunities for communities and individuals” and outlined several implementation strategies to achieve the goal. The strategies include providing tools for board members to do their own individual, personal race equity work and reflection, reviewing existing and new policies through a race-equity lens, and reviewing best practices for establishing and engaging community partners in genuine, open dialogue on race equity and encouraging their feedback on the Board’s work and its potential impact.

The Board approved its own internal race equity work plan for 2022. The plan outlines ambitious goals in three main areas: 1) board diversity and inclusion; 2) board culture, policies and communications; and 3) accountability to communities experiencing oppression.

To advance membership diversity, the Board convened a workgroup to update the job description of a Board member to include a demonstrated commitment to race equity and expanded its recruitment efforts to people from communities who have lived experience of structural and system oppression. The Board aims to expand its recruitment efforts by continuing to strengthen its relationships with marginalized communities.

The Board has been working to create an inclusive space at its board meetings by keeping its community agreements at the forefront and sending out evaluations after every board meeting to gauge whether board members feel they have a voice. The Board has also embedded race equity in its decision-making framework, asking how each decision the Board makes advances race equity and impacts communities of color. Further, the Board has been engaged in self and other-awareness over facilitated board retreats and plans to continue to work over this next year on personal and collective race equity work.

Finally, the Board has been working to hold itself accountable to people closest to experiencing injustice though its work to form a Community Advisory Panel and inviting smaller legal aid organizations who are BIPOC-led and working to advance race equity. Recognizing that the internal race equity work is a marathon and not a sprint, the Board remains committed to the State Plan, the REJI Commitments and its own Call to Action.

### ATJ Board Internal Race Equity Work Plan Goals for 2022

| 1 | board diversity and inclusion |
| 2 | board culture, policies and communications |
| 3 | accountability to communities experiencing oppression |
The 2021 Access to Justice Conference took place during a historic period for our nation and the access to justice community. The theme of this year’s conference, "Crisis and Reckoning: A Call to Dismantle Unjust Systems" reflects this critical moment. The COVID-19 crisis and the national reckoning with systemic racism have both laid bare and deepened systemic inequities. Against the backdrop of these crises and the Washington State Supreme Court’s call to root out systemic racism in the justice system, the conference planning committee recognized that the conference must center the perspectives of impacted communities, particularly people of color accessing Washington’s legal system.

Centering community was a hallmark of the conference, from its program to its participants. With the support of generous sponsors, including the Legal Foundation of Washington and Office of Civil Legal Aid, the conference planning committee was able to financially compensate people presenting from their lived experience and offer free registration for community members and low-cost registration for attorneys seeking CLE credits. This, coupled with targeted outreach to community-based advocates, resulted in the highest-ever number of registrants and the greatest degree of community participation in any ATJ conference. Nearly half of the sessions were offered by non-legal community advocates, including sessions from the Black Prisoner’s Caucus, Civil Survival, NAACP Youth Council, and the ATJ Community Advisory Panel.

"Laser like focus on developing accountability to and partnerships with those communities most harmed by structural racism, who know best what must change, and who can leverage our law & justice system knowledge and access to effectuate that change."

2021 ATJ Conference Attendee

Gabriel Galanda, a member of the Round Valley Indian Tribes of California, opens the conference with a land acknowledgment, including a discussion on how we can promote and respect indigenous rights.

“It was a comprehensive overview of the impacts of discrimination embedded in our policies, laws and institution, with presentations by those with lived experience—very powerful.”

2021 ATJ Conference Attendee

CRISIS AND RECKONING: A Call to Dismantle Unjust Systems
The conference itself, despite being held virtually, offered a powerful opportunity to build community and accountability to impacted people and movements. The conference reinforced several messages critical to our work in these times: that our work as legal advocates must be in solidarity with and accountable to those communities most harmed by systemic oppression, that we must dismantle silos of legal practice, and call each other in to the hard work of dismantling oppression in our systems and organizations.

The success of this conference was made possible by the community who was willing to share their lived experience, the dedication and hard work of the conference planning committee including its co-chairs, Jaime Cuevas, Jr. and Vanessa Hernandez, and the partnership and support from the Washington State Bar Association and Foundation staff.

Many of the recorded conference sessions are available free to the public on the ATJ Board’s YouTube page at https://www.youtube.com/channel/UC_kfyopU7JBYLQanPSDPZaQ/playlists.

The Monroe Black Prisoners Caucus leads the conference in a plenary conversation about the school to prison pipeline and their experience with reentry and reintegration into the community.

“Actually exceeded my expectation for the first virtual conference and real engagement of community voices.”

2021 ATJ Conference Attendee

2021 ATJ CONFERENCE
BY THE NUMBERS:

<table>
<thead>
<tr>
<th>1st Ever</th>
<th>Virtual Access to Justice Conference</th>
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<tr>
<td><strong>A record breaking 781</strong></td>
<td>Conference Registrations</td>
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<td><strong>4,686</strong></td>
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<td><strong>Over half of the 126 presenters</strong></td>
<td>Shared From Their Lived Experience</td>
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<tr>
<td><strong>93% of evaluation respondents</strong></td>
<td>Would Recommend This Conference to Their Colleagues and Communities</td>
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Addressing the Growing Legal Needs from COVID-19

In 2020, the ATJ Board established a COVID-19 Response Work Group. The purpose of the work group was to communicate with Alliance providers and other task forces addressing COVID-19 issues to identify community needs and systemic issues, and to generate creative solutions to these problems. The work group learned that pandemic-related issues are numerous and intertwined. Housing stability, job loss and unemployment, access to healthcare and education, and increased domestic violence and sexual assault were all issues exacerbated by COVID-19. It also became clear that the pandemic is impossible to separate from the racial reckoning the nation is facing regarding systemic racial inequality, illustrated by the disproportionate impact of COVID-19 on Black, Indigenous, and People of Color (BIPOC) communities.

Recognizing that civil legal needs are swiftly growing, the COVID-19 Response Work Group created a COVID-19 Legal Needs Checklist. The checklist can be shared electronically or printed and distributed in hard copies and can be used by people living anywhere in the state. Our goal was to create an easy-to-navigate form that would help people identify problems where they could benefit from the assistance of a lawyer, and could be utilized by members of our community who don’t have ready access to technology. The form includes a list of resources where people can seek legal assistance that best fits their issue and location. We are distributing this form out to social service providers and community organizations that are providing direct services to people in need.

The COVID-19 legal needs checklist, available in 31 languages, can be found online at: http://allianceforequaljustice.org/for-the-alliance/covid19resources/

It is apparent that the health and economic impacts of the pandemic will be long lasting so we believe this will continue to be a valuable resource for people even as we continue to try and keep the virus under control. The services provided by Alliance organizations will be more important than ever as our communities navigate toward recovery and adjust to the “new normal” of post-pandemic times.
Ensuring Undocumented People Receive Access to Justice

In the spring of 2020, the Access to Justice Board’s Delivery System Committee launched a subcommittee to examine the civil legal needs of undocumented immigrants, including the growing impact of the COVID-19 pandemic on access to justice. The subcommittee met regularly and conducted broad stakeholder outreach with service providers and immigrant rights advocates such as the Washington Immigrant Solidarity Network. In August 2020, the ATJ Board adopted the Delivery System Committee’s findings and recommendations on equitable legal aid access for undocumented communities. The first portion of findings focuses on the importance of increasing resources dedicated to serving undocumented communities. One primary recommendation calls out the critical goal of removing immigration status-based restrictions on state legal aid funding. The subcommittee provided key leadership in highlighting this recommendation, which triggered a groundswell of effort in the 2021 legislative session to change the Office of Civil Legal Aid (OCLA) statute (RCW 2.53.030(5)(g)). The passing of HB 1072, which removed the provision in OCLA’s statute that denied access to state-funded legal aid services on the basis of immigration status, was a historical moment that all involved should be deeply proud of.

While the restriction was lifted, no money was appropriated to directly serve undocumented people. Undocumented people are included in time-limited COVID emergency funding, but no new money was provided for this population. It is imperative to create mechanisms to ensure that services reach undocumented people by tracking data. We must ensure that funds are allocated to serve this community who continues to be overlooked. It is not good enough to remove the restrictions without ensuring that the change is implemented through evidence-based measurements.

The subcommittee is reconvening to address these concerns and other next steps on how to ensure that undocumented people can access civil legal aid. Funding is very much central to true access to justice. The findings and recommendations provided by the subcommittee are still alive and there is much more work to do. The ATJ Board remains committed to addressing the civil legal needs of undocumented communities.

Brenda Rodriguez Lopez, Executive Director of the Washington Immigrant Solidarity Network (WAISN), explains the critical importance of serving undocumented communities during the ATJ Awards Ceremony. WAISN received the 2021 Access to Justice Community Leadership Award.
Over the last 16 years, the legal community in Washington State has created the Access to Justice Technology Principles (original one in 2004 and revised version in 2020) and a corresponding Access to Justice Technology Plan. The last fundamental revision to the Access to Justice Technology Plan occurred in 2006. Technology has changed dramatically since then and the possibilities offered by technology in terms of access to justice have fundamentally shifted in the intervening years. Following the approval of the revised Access to Justice Technology Principles in 2020, the ATJ Board’s Technology Committee drafted a revised Access to Justice Technology Plan to identify current priority access to justice technology issues. The goal is for the Plan to be used by any group identifying priorities for improving technology use, and the ATJ Technology Committee will develop specific projects based on the plan.

The Technology Plan outlines the various kinds of barriers to accessing the justice system. While some of the barriers pre-date the technological issues, such as the difficulty conducting legal research for those who are unfamiliar with the books or the databases, each technological advance by the justice system possibly augments the “digital divide,” where those who have technology can benefit, and those without are left further and further behind.

Further, the Technology Plan points out ways to overcome barriers. Educating client communities when an issue has a legal remedy, demonstrating how to find and pay for legal assistance, using simple technological fixes (text and email notifications, social media presence), and optimization for cell phones could go a long way to bridging the divide. The Plan also includes references to disaster planning in the pandemic, and consideration of the future of online algorithms that will be used to resolve problems without human involvement. Lastly, the Plan reminds us that access to justice is a fundamental right, and that technology should enable, not hinder, the exercise of that right.
Over this last year, the Access to Justice Board's Delivery System Committee has been working to survey the legal aid needs and legal aid services across Washington State. They created a work group called the Washington Legal Aid Mapping Project (WaLAMP), which is led by Michael Terasaki, of the Pro Bono Council and Will Livesley O'Neill of the Equal Justice Coalition.

WaLAMP collected details on the “inventory” of legal aid services currently offered in each county and collected demographics of clients served in each county. By placing the data on a map of the state and overlaying census and other income data, we are gaining new and valuable insights into the legal needs of Washingtonians who experience poverty. Preliminary work has already provided fascinating new information, and a full report is expected by the end of 2021.

While the initial phase of WaLAMP covers only the data from 2020, WaLAMP is being set up as an evergreen project where new annual data can be updated each year for more current insights into legal aid services and needs.

WaLAMP users can explore an interactive map to see county specific demographic and service details.
A Transformational Year for the Pro Bono Council

Pro Bono Council Growth and Recognition

The mission of the Statewide Pro Bono Council is to further access to justice by supporting and advocating on behalf of the Volunteer Lawyer Programs (VLPs) in Washington State. As we enter the second year of the COVID-19 Pandemic, VLPs are continuing to capitalize on the efficient and scalable volunteer model while simultaneously bringing in dozens of new staff attorneys to the legal aid system under the new eviction “Right to Counsel” and other programs.

“...the only area that experienced staffing increases. Many VLPs were also awarded local, county, and other nonprofit funding to extend outreach and increase staffed services in domestic violence, family law, and non-eviction housing issues.

Program Growth

Volunteer lawyer programs across the state grew significantly in staff over the last year to include additional staff attorneys as well as additional outreach staff to help penetrate hard to reach communities and to bridge the communications gap that emerged in the wake of COVID restrictions. As the natural home for much of the eviction right to counsel program, created this year by Senate Bill 5160, VLPs across the state have added more than 45 attorneys and support staff in total to prepare for court assigned eviction cases involving nonpayment of rent. While eviction defense has continued to be a focus, it wasn’t the only area that experienced staffing increases.

Reflections from Michael Terasaki, Pro Bono Council Manager

My tenure staffing the Pro Bono Council began in early 2020, just after the dawn of the COVID-19 pandemic. As a result, I’ve had the privilege of getting to know the 16 program directors of the Pro Bono Council and the many cooperating participants of the Access to Justice Community via Zoom (as opposed to in person). When COVID restrictions finally relax, I look forward to finally meeting many of my coworkers in person. For now, it will continue to be my privilege to be able to support all the independent nonprofits of volunteer lawyer programs, and I remain in constant awe and admiration of the frontline volunteer attorneys, VLP staff, program directors and coordinators, and others who dedicate every working hour to inch us ever closer to equity and justice for all.

Sincerely,
Michael Terasaki
Yakima Volunteer Attorney Services grew to include staff attorney and outreach staff.

Chelan-Douglas Count Volunteer Attorney Services Executive Director Eloise Barshes receiving the bar association President’s Award “in recognition of your excellence in facilitating civil legal aid in Chelan and Douglas counties and in promoting access to justice in our community”.

Skagit Legal Aid director Andy Dugan tables at the county fair.

### PRO BONO SERVICE NUMBERS

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The Equal Justice Coalition Leads on Public Investments

**STATE FUNDING**
During an unprecedented legislative session, where state lawmakers conducted all business virtually and developed a biennial budget to address the COVID-19 crisis, the Equal Justice Coalition effectively advocated to increase funding for front-line civil legal aid programs.

The Washington Legislature fully funded the Office of Civil Legal Aid (OCLA) proposal, as reflected in Governor Inslee’s budget, to invest $11M over the next two years to maintain and expand on the emergency COVID-related legal services OCLA funded at the beginning of the pandemic. This investment means that legal aid programs in the Alliance for Equal Justice will continue to provide client services around housing security, unemployment benefits, protection from domestic violence, and other legal needs exacerbated by COVID-19.

The EJC rallied the legal aid network, including Alliance program providers, Access to Justice Board members, volunteers, and community partners, to raise their voices in support of this critical funding. In February, EJC advocates held virtual meetings with dozens of legislators from across the state, including most members of the House Appropriations and Senate Ways & Means Committees who oversee the budget, during the first all-remote Equal Justice Lobby Days. By explaining the budget proposal and providing on-the-ground updates on how legal aid programs have served clients impacted by COVID-19, advocates helped ensure that full funding was granted.

**FEDERAL FUNDING**
For the second year in a row, the EJC organized virtual advocacy in support of increased federal funding for the Legal Services Corporation (LSC) instead of the usual trip to Washington, D.C. to lobby our state’s Congressional delegation. Prominent legal advocates, including Washington Supreme Court Chief Justice Steven C. González and Washington State Bar Association president Kyle Sciuchetti, met with members of Congress including Rep. Jaime Herrera Beutler, Rep. Rick Larsen, and Rep. Adam Smith in support of LSC’s annual budget request and increased emergency investment in legal aid programs.

Washington’s Congressional members are strongly supportive of civil legal aid and have helped champion LSC’s recent budget increases and the inclusion of the agency in the CARES Act in 2020, more than $1 million of which went to Northwest Justice Project (NJP), Washington’s sole recipient of federal legal services funds.

While this year’s federal emergency relief packages have not included dedicated funds for LSC, both President Biden’s budget and the House of Representatives’ appropriation proposal set aside $600 million for legal aid in 2022, which would represent a 29% increase in federal investment and a significant boost to LSC’s approximately $7M annual grant to NJP. The bipartisan support for legal aid in Congress, including among Washington’s delegation, should help preserve this increase in the final budget.

**LOCAL FUNDING**
The EJC has worked throughout the pandemic with the network of Alliance partners in King County to secure the allocation of local emergency funding. Last year, the King County Council dedicated $1M from its CARES Act resources to legal aid programs.

Building on that effort, local programs continued to meet virtually with County Council members and County staff to push for additional increases to meet the spike in client needs. The Council’s biennial budget maintained key funding for civil legal aid, and after extensive EJC advocacy, the County Council allocated an additional $2M for programs in their supplemental emergency budget in July.

These public investments reflect our state leadership’s commitment to access to justice, and recognize that civil legal aid will continue to play a key role in making sure our state’s response to and recovery from the pandemic are fair and equitable.
Leadership

2020-2021 ATJ Board Members

Francis Adewale, Chair
Esperanza Borboa
Judge Laura T. Bradley
Hon. Frederick P. Corbit
Hon. David S. Keenan

Lindy Laurence
Michelle Lucas
Salvador A. Mungia
Mirya Muñoz-Roach
Terry J. Price

Staff

Diana Singleton
Chief Equity and Justice Officer

Bonnie M. Sterken
Equity and Justice Specialist

Acknowledgements

The Access to Justice Board would not be able to accomplish its work without the dedication and support of its many committee volunteers.

The Board is grateful to the support and guidance of its standing committees over the past year.

Committees and Chairs

Access to Justice Conference Planning Committee:
Jaime Cuevas, Jr. and Vanessa Hernandez

Delivery System Committee:
Francis Adewale and Merf Ehman

Equal Justice Coalition:
Kirsten Barron

Pro Bono Council:
Eloise Barshes and Elizabeth Fitzgearld

Rules Committee:
Hon. David Keenan and Chris Durban

Technology Committee:
Terry Price and Jordan Couch