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From the President

Access to Justice in Tennessee — A Brief Update

by: Charles K. Grant



Equal justice under the law remains one of our most enduring aspirations and most elusive goals. The number of people in need of legal help is daunting. According to the last comprehensive study done in 2003, approximately 1 million Tennesseans were in need of civil legal services but lacked the resources to pay for them.¹ This number takes into account not only those living below the poverty level but those who are above it who cannot afford a lawyer. According to the 2000 census, Tennessee had a poverty population of over 700,000, which grew to approximately 1,100,000 by the time of the 2010 census. While the Legal Aid Society of Middle Tennessee and the other legal aid societies and public interest law firms in Tennessee are doing an amazing job given the limited resources available, much more is needed.

Thanks to the leadership of the Tennessee Supreme Court and the work of the Access to Justice Commission,² more creative resources are in place, and more people are getting the legal help they need. On April 3, 2009, the Court created the Tennessee Access to Justice Commission and charged it with developing biennial strategic plans to expand legal services throughout the state. Since then, through the work of the Commission and the Court, the access to justice community has seen greater support from a broader network of lawyers, law firms, corporate legal departments, bar associations, legal service programs, judges, clerks, law schools, librarians, service providers, nonprofits, faith-based organizations, and a wide variety of other entities to accomplish these goals. During the past few years, several additional important and exciting developments have taken place in the form of an increase in the number of lawyers providing pro bono services, the advent of Online Tennessee Justice, and the creation of 1-888-aLEGALz (1-888-253-4259).

One of the early goals of the Commission's strategic planning involved ways to increase the percentage of Tennessee attorneys who provide pro bono services. Over the last five years, the number of lawyers reporting pro bono hours has increased from 22% to 47%—an astonishing outcome over such a short period of time. In the Nashville Bar Association's Pro Bono program alone, we have seen strong gains in lawyer participation:

Year	Total cases	Lawyers
2009	2,204	716
2010	2,322 ³	723
2011	2,307	810
2012	2,589	818
2013	2,883	931

As more opportunities to serve unfold, that number likely will continue to increase.

Another important goal of the Commission was the establishment of a statewide pro bono referral network. Enter Online Tennessee Justice (OTJ) (<http://www.onlinetn-justice.org/>), the nation's first interactive pro bono website. OTJ, a joint project of the Tennessee Alliance for Legal Services (TALS) and the Tennessee Bar Association, is being managed by TALS. OTJ is a web-based pro bono clinic for low-income Tennesseans who might otherwise fall through the cracks in receiving legal assistance. Using a web-based email platform, qualifying users can post questions about their civil legal needs and receive basic legal information and advice from attorneys. The website is easy to use and is convenient for both volunteer attorneys and low-income clients and users.

The system screens clients for eligibility and, if qualified, allows them to post a question to a private messaging system. The questions are answered by private attorneys volunteering their time. The latest OTJ Service Report reveals that as of January 2014 over 5600 clients have been served by over 350 lawyers.

The impact of the OTJ model is being experienced beyond Tennessee's borders. South Carolina and Indiana have launched their own online justice sites using OTJ software which was provided to them *for free*. Four additional states have requested the software licensure and a number of other states are considering it.

With a grant from the Court (from late fees paid by lawyers to the Commission on Continuing Legal Education) and a \$75,000 grant from International Paper Corporation, 1-888-aLEGALz (<http://www.justiceforalltn.com/legal-help/1-888-alegalz>) was launched in collaboration with TALS. This is Tennessee's first statewide toll-free legal resource helpline. The hotline is staffed by Tim Hughes, an alumnus of Memphis Area Legal Services, and is housed at TALS's offices. Callers can receive basic legal advice or, when more than basic or limited-scope advice is needed, Tim can connect the caller to the resources available.

Your help is needed. If you want to contribute pro bono legal service and do not know where to begin, please contact Lucinda Smith, Executive Director of the Volunteer Lawyers Program at the Legal Society of Middle Tennessee, 300 Deaderick Street, Nashville, TN (615) 780-7127 or email her at lsmith@las.org.

Additional programs are underway. You can learn about them when the Tennessee Supreme Court, in conjunction with the National Judicial College, presents an access to justice program (and reception), which will address the Court's initiatives and their implementation in Tennessee. The program will be held on March 31, 2014 from 4 p.m. to 5:30 p.m. at Baker Donelson's Special Events Center, 211 Commerce Street, Nashville, TN. A reception follows from 5:30 p.m. to 7 p.m. For more details on the program or to reserve a seat, contact Matt Sweeney (msweeney@bakerdonelson.com; (615) 726-5774). ■



(Endnotes)

¹ Tennessee Alliance for Legal Services, *Report from the Statewide Comprehensive Legal Needs Survey for 2003* (Jan. 2004), available at <http://www.tals.org/statewide-comprehensive-legal-needs-survey-2003-full-report>.

² The member of the Access to Justice Commission are as follows: Chair, George "Buck" T. Lewis (Memphis); Vice Chair, Douglas A. Blaze (Knoxville); Gail Vaughn Ashworth (Nashville); Marcia "Marcy" Meredith Eason (Chattanooga); David R. Esquivel (Nashville); J. Houston Gordon (Covington); Francis S. Guess (Gallatin); Sharon R. Ryan (Memphis); D. Billye Sanders (Nashville); and Anthony Alan Seaton (Johnson City). Justice Janice M. Holder serves as the liaison from the Tennessee Supreme Court.

³ In 2010, in addition to the 2,322 cases opened, the Nashville Pro Bono Program provided help to 555 victims of the May flood.

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Each day, we work hard to help people and businesses in our community. The NBA has a wide variety of services and programs that can help lawyers work smarter, stay informed and keep connected with fellow attorneys. From sole practitioners to the largest firms, from legal aid attorneys to those in private practice, the NBA supports all of us so we can better serve our clients and the justice system.

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WE are the Bar. And together, we shape the future of the legal profession.



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