

New York State Unified Court System

Access to Justice:

September 11-12, 2001 Albany NY

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C O N F E R E N C E

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SEPTEMBER 11-12

ALBANY

NEW YORK



A letter from Judge Juanita Bing Newton

DEAR ACCESS TO JUSTICE COLLEAGUE,

ON BEHALF OF THE NEW YORK STATE UNIFIED COURT SYSTEM, I am pleased to invite you to the first Access to Justice Conference. The purpose of the conference is to bring together members of the civil justice community, including judges, court administrators, government officials, bar leaders, academicians and advocates, to exchange ideas and develop partnerships to eliminate barriers to justice. Four areas will be addressed: strengthening the delivery of civil legal services to poor and moderate income New Yorkers; addressing the challenge of self-represented litigants; increasing the provision of pro bono services and expanding community outreach and education. The conference will focus on State issues but will also include a broader perspective, with speakers invited from national organizations and other states.

To ensure collaboration and discussion, each Administrative Judge has put together a Conference Team that represents the major stakeholders in his or her district or court. These teams will have the opportunity to meet at various times throughout the conference, including at working sessions where specific local concerns can be addressed. They also will have the opportunity to speak with their counterparts from other parts of the State as well as throughout the country to learn about relevant issues, initiatives and programs. It is anticipated that many new ideas will develop from the conference that can be brought back home for implementation.

The conference will open with a dynamic plenary session at 11:00 a.m. on Tuesday, September 11, 2001, and be followed by equally exciting workshops and keynote addresses. The assistance of our collaborators—The New York State Bar Association, the Association of the Bar of the City of New York and Fordham University School of Law—has been invaluable and demonstrates the positive results that can be achieved through teamwork.

I hope you plan to join us on September 11th and 12th in Albany. Please take some time to review this registration brochure and see why there is so much excitement about the conference. Clearly, this is a first for New York State—providing a true opportunity for all of us concerned about access to justice to come together, not only to share our expertise and ideas but also to develop concrete plans of action to ensure equal access to justice for all our citizens.

Very truly yours,

Juanita Bing Newton

CONFERENCE AGENDA-AT-A-GLANCE

Tuesday, September 11

9:00 A.M. - 11:00 A.M.

CONFERENCE REGISTRATION

11:00 A.M. - 12:15 P.M.

OPENING PLENARY SESSION

Speakers:

Hon. Juanita Bing Newton, Deputy Chief Administrative Judge for Justice Initiatives, New York State Unified Court System (Moderator)

Joseph Genova, Milbank, Tweed, Hadley & McCloy, LLP

Wilhelm Joseph, Maryland Legal Aid Bureau

Margot Lindsay, National Center for Citizen Participation in the Administration of Justice

Peggy McGarry, Center for Effective Public Policy

Kate Sampson, American Judicature Society

12:15 P.M. - 1:30 P.M.

OPENING LUNCH

KEYNOTE SPEAKER:

Hon. Jonathan Lippman, Chief Administrative Judge, New York State Unified Court System

1:45 P.M. - 3:15 P.M.

TOPICAL WORKSHOPS

Civil Legal Services: Where Do We Go From Here?

Access through Technology

Family Court Initiatives

Pro Bono: Challenges for the Future

3:30 P.M. - 5:00 P.M.

TOPICAL WORKSHOPS

Civil Legal Services: Getting the Message Out

Court Initiatives: Providing Services

Law Schools: Fostering Public Service in Future Lawyers

Communicating: Making Access Possible by Overcoming Cultural, Language and Literacy Barriers

5:10 P.M. - 6:00 P.M.

TEAM SESSIONS

7:00 P.M.

OPENING RECEPTION

DINNER

KEYNOTE SPEAKER:

Hon. Judith S. Kaye, Chief Judge, New York State Court of Appeals

Wednesday, September 12

7:00 A.M. - 8:15 A.M.

CONTINENTAL BREAKFAST

8:30 A.M. - 10:00 A.M.

TOPICAL WORKSHOPS

Self-Represented Litigants are Here to Stay

Unbundled Legal Services: Protecting Rights for Low and Middle Income Consumers

The Judiciary and Pro Bono Delivering Legal Services in Rural Communities

10:15 A.M. - 11:45 A.M.

TOPICAL WORKSHOPS

Access to Justice and Judicial Ethics

Ethical Barriers to the Delivery of Legal Services

Pro Bono Power!

12:00 P.M. - 1:15 P.M.

LUNCH

KEYNOTE SPEAKER:

Hon. Earl Johnson, Jr., California Court of Appeals, Second District and Vice Chair, California Access to Justice Commission

1:30 P.M. - 2:45 P.M.

TEAM SESSIONS

3:00 P.M. - 4:00 P.M.

CONCLUDING PLENARY SESSION

PLENARY AND WORKSHOP DESCRIPTIONS:

The roster of speakers is subject to change.

Registrants will receive an updated schedule at the conference.

Tuesday, September 11, 2001

11:00 a.m. - 12:15 p.m.

Opening Plenary

The New York State Unified Court System has focused its approach to expanding access to justice on four areas: strengthening the delivery of civil legal services; increasing the provision of pro bono services; addressing the challenge of self-represented litigants; and expanding community outreach and education efforts. A distinguished panel opens the conference by helping to frame the issues that confront the legal community.

Hon. Juanita Bing Newton, Deputy Chief Administrative Judge for Justice Initiatives, New York State Unified Court System (Moderator)

Joseph Genova, Milbank, Tweed, Hadley & McCloy, LLP, New York City

Wilhelm Joseph, Maryland Legal Aid Bureau, Baltimore, MD

Margot Lindsay, National Center for Citizen Participation in the Administration of Justice

Peggy McGarry, Center for Effective Public Policy, Washington, DC

Kate Sampson, American Judicature Society, Washington, DC

1:45 p.m. - 3:15 p.m.

A. Civil Legal Services: Where Do We Go From Here?

Reduced funding, restrictions and restructuring have changed the face of civil legal services. This panel will discuss civil legal services in New York. What is the state of funding? How do restructuring and restrictions placed on civil legal services providers impact the level and quality of services being provided? How do restructuring and

restrictions impact the courts? Where do we go from here?

John Feinblatt, Center for Court Innovation, New York City (Moderator)

Martha Bergmark, National Legal Aid and Defender Association, Washington, DC

Lorna Blake, The IOLA Fund of the State of New York, New York City

Anne Erickson, Greater Upstate Law Project, Albany, NY

David Udell, Brennan Center for Justice, New York City

Randi Youells, Legal Services Corporation, Washington, DC

B. Access through Technology

From Web sites and videos to video-conferencing, technology is making it possible to overcome geographic barriers and provide information to a wider audience. This session will address the use of technology in the courts and the legal community to respond to the needs of the public.

Richard Zorza, Zorza Consulting, New York City (Moderator)

Michael Hertz, probono.net, New York City

Bonnie Hough, Judicial Council of California Administrative Office of the Courts, San Francisco

Joseph Kelemen, Western New York Law Center, Buffalo, NY

Eric Lee, Center for Court Innovation, New York City

C. Family Court Initiatives

The increasing caseloads in Family Court involving self-represented litigants have placed a real burden on

the court. What models have been developed to assist the self-represented litigants in Family Court and ease the burden on the court?

Hon. Joseph Lauria, Family Court of the City of New York, New York City (Moderator)

Hon. W. Dennis Duggan, Albany County Family Court, Albany, NY

Stephanie Nilva, Legal Information for Families Today, New York City

Daniel Weitz, New York State Unified Court System, New York City

D. Pro Bono: Challenges for the Future

This panel will discuss the history and current status of pro bono policy in New York as well as initiatives in other states. Participants will share the approaches they have tried—successful and not so successful—and discuss ways to maximize pro bono policy initiatives.

Hon. Allan Gropper, U. S. Bankruptcy Court, S.D.N.Y., New York City (Moderator)

Gregory McConnell, American Bar Association Center for Pro Bono, Chicago

David Remondini, Indiana Supreme Court, Indianapolis

Kent Spuhler, Florida Legal Services, Tallahassee

3:30 p.m. - 5:00 p.m.

A. Civil Legal Services: Getting the Message Out

A strategy to strengthen the delivery of civil legal services, including the establishment of adequate permanent funding, needs broad-based support. The focus of this workshop

will be how to develop a message and build the necessary support.

Hon. Rolando Acosta, Harlem Community Justice Center, New York City (Moderator)

Bonnie Allen, Project for the Future of Equal Justice, Washington, DC

Alan Houseman, Center for Law and Social Policy, Washington, DC

Mauricio Vivero, Legal Services Corporation, Washington, DC

B. Court Initiatives: Providing Services

What collaborative approaches are courts taking to provide services to the public? This panel will explore various models that have been developed to address the challenge of self-represented litigants in the courts.

Hon. Francis A. Nicolai, Administrative Judge, Ninth Judicial District, New York, White Plains, NY (Moderator)

Hon. Fern Fisher-Brandveen, Administrative Judge, Civil Court of the City of New York, New York City

Bonnie Hough, Judicial Council of California, Administrative Office of the Courts, San Francisco

Frances Thompson, Idaho Court Assistance Office Project, Moscow, Idaho

Daniel Weitz, New York State Unified Court System, New York City

C. Law Schools: Fostering Public Service in Future Lawyers

Law students are a valuable resource for providing services to low and middle income litigants. Their participation in pro bono services pro-

vides them an enriching educational experience while at the same time increasing the number of clients served. Panelists will discuss how exposure to different pro bono opportunities in law school can foster future commitment and involvement.

Dean Kristin Booth Glen, City University of New York School of Law (Moderator)

Professor Elliott S. Milstein, Washington College of Law, American University, Washington DC

Professor Margaret Martin Barry, Columbus School of Law, Catholic University of America, Washington, DC

Deborah Howard, Law School Consortium Project, Brooklyn, NY

D. Communicating: Making Access Possible by Overcoming Cultural, Language and Literacy Barriers

Access should not be denied because of misunderstandings based on cultural or language differences, or a person's inability to read. This panel will examine the barriers to effective communication and discuss initiatives to ensure that information is disseminated and understood in the way it is intended.

John Greacen, Administrative Office of the New Mexico State Courts, (Moderator)

Hon. Susan Read, New York State Court of Claims, Albany, NY

Jackson Chin, Puerto Rican Legal Defense Fund, New York City

Dr. Yolande Marlow, New Jersey Judiciary Office of the Courts, Trenton, NJ

PLENARY
AND
WORKSHOP
DESCRIPTIONS
(CONTINUED)

Wednesday, September 12, 2001

8:30 a.m. - 10:00 a.m.

A. Self-Represented Litigants are Here to Stay

Self-represented litigants are using the courts in increasing numbers. How have the courts adapted to this challenge? This panel will explore the different ways courts have responded and the ethical dilemmas faced by judges and attorneys.

Kate Sampson, American Judicature Society, Washington, DC (Moderator)

Hon. Lois Bloom, United States District Court, Eastern District of New York, Brooklyn, NY

Hon. Marcy Friedman, Supreme Court of the State of New York, New York County

Professor Russell Engler, New England School of Law, Boston

Bonnie Hough, Judicial Council of California Administrative Office of the Courts, San Francisco

B. Unbundled Legal Services: Protecting Rights for Low and Middle Income Consumers

Gathering facts, advising clients, researching law, drafting documents, representing clients in court, conducting discovery, and negotiating are some of the bundled, discrete tasks attorneys perform for their clients in the full representation model. Unbundling these tasks for people who cannot afford an attorney or full representation could mean preserving rights they might otherwise forfeit. This session will address the legal needs of low and middle income consumers and challenges faced by attorneys in the unbundled environment.

Hon. Stephen Crane, Appellate Division of the Supreme Court, Second

Department and New York State Bar Association Commission on Providing Access to Legal Services for Middle Income Consumers, New York City (Moderator)

Ayn Crawley, Maryland Legal Assistance Network, Baltimore

Frank Headley, Bertine, Hufnagel, Headley, Zeltner, Drummond and Dohn, Scarsdale, NY

Will Hornsby, American Bar Association Standing Committee on Delivery of Legal Services, Chicago

C. The Judiciary and Pro Bono

What do judges think about pro bono? What can the courts do to support pro bono efforts? What are ethical and other considerations?

Thomas Maligno, Touro Law School, Huntington, NY (Moderator)

Hon. Jeanette Ogden, Buffalo City Court and Advisory Committee on Judicial Ethics, Buffalo, NY

Hon. Gayle Roberts, Family Court of the City of New York and New York State Bar Association President's Access to Justice Committee, Bronx, NY

D. Delivering Legal Services in Rural Communities

How do we address the needs of those in rural areas? Speakers will discuss the importance of targeting a community's particular needs by building relationships within the community being served and effective strategies for reaching out to both clients and advocates.

Susan Patnode, Rural Law Center of New York, Plattsburgh, NY (Moderator)

Hon. Michael M. Feeder, Kingsbury Town Court, Kingsbury, NY

Claire Parins, American Bar Association, Rural Pro Bono Project, Chicago

Tina Rasnow, Ventura County
Mobile Self-Help Legal Access Center,
California

Jim Schmidt, Farm Workers Legal
Services, Rochester, NY

10:15a.m. - 11:45 a.m.

A. Access to Justice and Judicial Ethics

Plenary session for judges to discuss the ethical issues they face on and off the bench as they seek to further access to justice. Issues to be discussed include: how proactive may a judge be in encouraging pro bono assignments and activity in the courtroom; what role can the judge play in providing access for self-represented litigants; and are there ethical limits on the judiciary's influence in the areas of strengthening the delivery of legal services and expanding community outreach and education and, if so, should there be?

Hon. Judy Harris Kluger, Criminal
Court of the City of New York
(Moderator)

Hon. Earl Johnson, Jr., California Court
of Appeals, Second District, Los
Angeles

Hon. George Marlow, Appellate
Division of the Supreme Court, First
Department and Advisory Committee
on Judicial Ethics, New York City

Michael Colodner, New York State
Unified Court System, New York City

B. Ethical Barriers to the Delivery of Legal Services

Are innovative solutions for the delivery of legal services hindered by ethical rules? This panel will discuss changes that may be necessary to keep pace with the public demand for services.

Hon. James Yates, Supreme Court of
the State of New York, New York
County (Moderator)

Professor Jona Goldschmidt, Loyola
University, Chicago

Professor Bruce Green, Fordham
University School of Law, New York
City

C. Pro Bono Power!

This panel will showcase innovative pro bono programs. Panelists from bar associations, firms, courts, etc., discuss their programs from conceptualization through implementation.

Hanna Cohn, Volunteer Legal Services
Project of Monroe County, Rochester,
NY (Moderator)

Ramonita Cordero, inMotion, New
York City

Cheryll Davis, Volunteer Attorney
Program, Civil Court of the City of
New York, New York City

Robert Elardo, Volunteer Lawyers
Project, Buffalo, NY

Laura Russell, SHIELD, Association of
the Bar of the City of New York, New
York City

CALL FOR PAPERS

We strongly encourage conference participants to write an article or essay for publication. *The Fordham Urban Law Journal* has agreed to publish papers from the conference in its February 2002 volume.

The Fordham Urban Law Journal, celebrating its 30th anniversary in 2002, publishes six books annually. Each of the Journal's books contains professional articles, essays and student notes. During the past year, the Journal was cited more than 250 times by courts, academics and the press.

The Fordham Urban Law Journal has a deep reservoir of experience in publishing conference materials. In the past seven years, the Journal has published papers from over 20 conferences and symposia including *The Future of Legal Services: Legal and Ethical Implications of the LSC Restrictions*, a 1997 conference by the Legal Aid Society.

If you would like to submit a paper or need additional information, please contact Katie Hort, Senior Articles Editor of *The Fordham Urban Law Journal* at (212) 363-6881.

General Information:

Registration Fee and Information

The Conference registration fee is as follows:

Regular Registration - \$125.00
(postmarked by July 15, 2001)

Late Registration - \$175.00
(postmarked by August 15, 2001)

This fee covers the program and materials as well as lunch and dinner on September 11th, and continental breakfast and lunch on September 12th.

Please register as soon as possible. Seating for workshops will be limited and session choices will be granted on a first-come, first-served basis. Complete the enclosed registration form and return it (along with a check or money order for your conference registration fee made **payable to the New York State Office of Court Administration**) to:

Cancellation Policy

**Olivia Dennis-Lindsey
Office of Court Administration
25 Beaver Street, Room 1128
New York, New York 10004.**

Conference registration cancellations received by OCA in writing **no later than August 10, 2001** will be refunded, subject to a \$50.00 administrative charge. After August 10th, registration fees are not refundable but registrations may be transferred.

Hotel Information

Hotel reservations must be made directly with The Desmond Hotel & Conference Center by calling 1-800-448-3500 by August 20, 2001. Conference room rates are \$114.00 single and \$124.00 double per night. Please let the reservation desk know you would like a room within the seminar block "Access to Justice" or use the I.D. Code No. 106667. A block of rooms has been reserved (including a small number of rooms for the evening of September 10) until August 20, 2001. A personal credit card will be necessary to guarantee your reservation.

Check-in at The Desmond is 4:00 p.m.; check-out is at noon. A luggage holding area is available at the hotel.

Special Needs

If you have special dietary or other needs that require attention, please note these in the appropriate space on the registration form. If you have a particular question or need information about a specific accommodation, please contact Stephanie Gorman at the Office of Court Administration at (212) 428-2524.

Contact Information

Questions about the conference (other than accommodations for special needs) should be directed to Olivia Dennis-Lindsey, Office of Court Administration, at (212) 428-2119.

Transportation:

You should make your own travel arrangements.

BY AIR:

For those flying, complimentary shuttle service from the airport is available by contacting the hotel.

BY TRAIN:

If you are traveling by Amtrak and arriving in Albany on the morning of Tuesday, September 11, 2001, the schedule is as follows:

	LEAVES:	ARRIVES:
New York City	7:15 AM	9:55 AM
Buffalo	5:00 AM	9:50 AM
Rochester	6:00 AM	9:50 AM
Syracuse	7:15 AM	9:50 AM

Amtrak does reserve the right to change scheduled trips. Please confirm all departures with Amtrak before traveling (**1-800-USA-RAIL**).

Van service will be available at the train station to shuttle conference participants arriving on the above listed trains to the hotel. Please indicate on your registration form whether you will need this service.

BY CAR:

If you are driving, the directions are as follows:

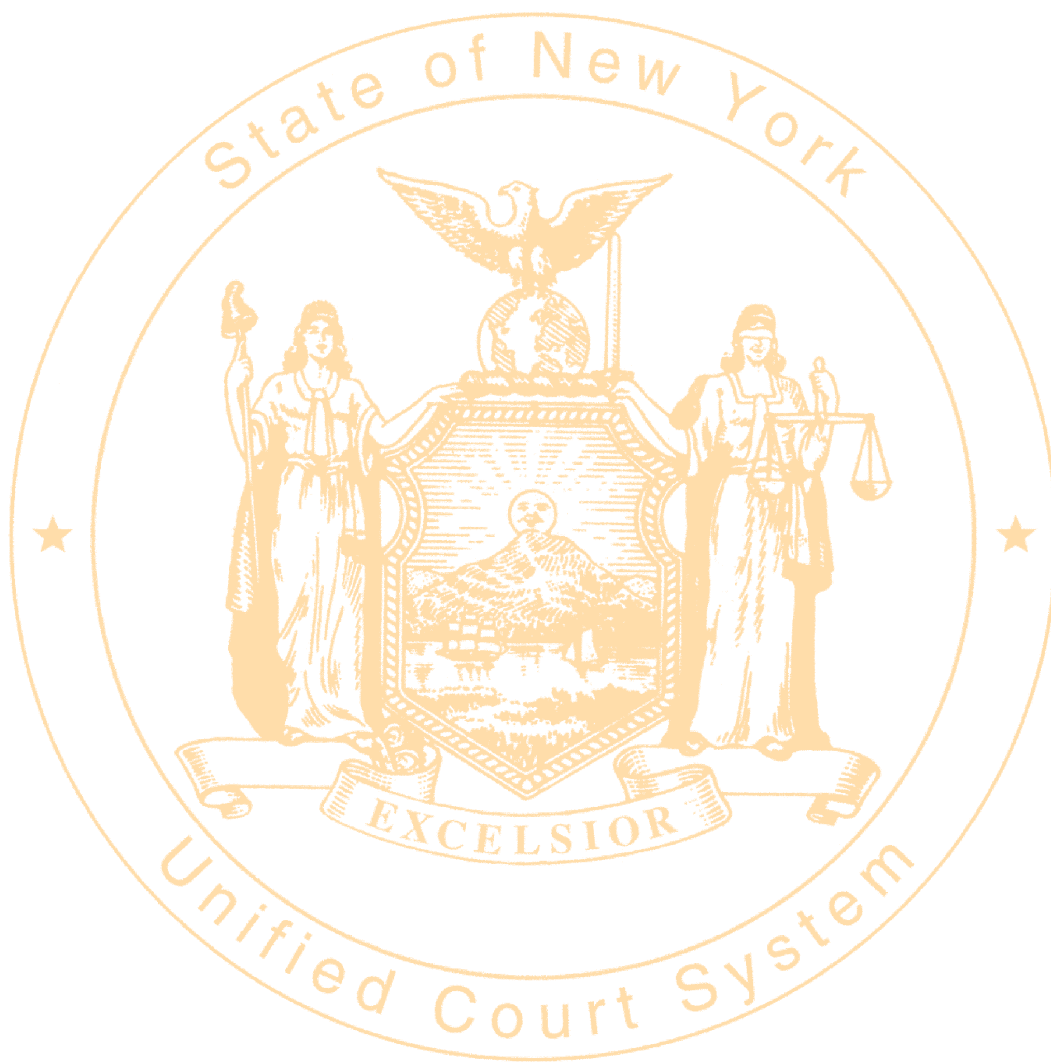
From the Albany International

Airport: Go left out of parking lot onto Airport Drive. Pass straight through two traffic lights, bear left onto Albany-Shaker Road. The Desmond is on this road on the right, less than one mile away.

From the South or West: Take New York State Thruway to Exit 24. After toll, take Adirondack Northway (I-87) North to Exit 4 - Albany Airport. At bottom of ramp turn left. At next traffic light turn left onto Albany-Shaker Road. Hotel will be on the left.

From the East: Take Massachusetts Turnpike West to Exit B1 (I-90 Albany West). Take I-90 approximately 20 miles to Adirondack Northway (I-87) North. Take Northway to Exit 4 - Albany Airport. At bottom of ramp turn left. At next traffic light turn left onto Albany-Shaker Road. Hotel will be on the left.

From the North: Take Adirondack Northway (I-87) South to Exit 4 - Albany Airport/Wolf Road. On ramp bear right. At the bottom of the ramp turn left at the traffic light to Old Wolf Road. At the next light turn right onto Albany-Shaker Road and take an immediate left into The Desmond parking lot.





Registration Form

Registration Fees:

- REGULAR REGISTRATION \$125.00**
(Postmarked by 7/15/01)
- LATE REGISTRATION \$175.00**
(Postmarked by 8/15/01)

Make check or money order payable to the Office of Court Administration and submit with this registration form.

Olivia Dennis-Lindsey
Office of Court Administration
25 Beaver Street, Room 1128
New York, NY 10004

Access to Justice Conference

SEPTEMBER 11-12, 2001 • ALBANY, NEW YORK

PLEASE PRINT YOUR NAME AND TITLE AS YOU WISH THEM TO APPEAR ON YOUR NAME BADGE:

NAME: _____

TITLE: _____

ORGANIZATION: _____

ADDRESS: _____

CITY: _____

STATE: _____ ZIP: _____

PHONE: () _____ FAX: () _____

SPECIAL DIETARY NEEDS: CHICKEN KOSHER VEGETARIAN

REQUIRE SPECIFIC AIDS OR SERVICES:
 AUDIO VISUAL MOBILE

REQUIRE TRANSPORTATION FROM TRAIN STATION (SEE PAGE 7): YES NO

Workshop Selections:

Please indicate your workshop preference for each time slot. For those participants who are Judicial District Team Members, please confer with your Team Leader prior to making your selections.

TUESDAY SEPTEMBER 11

1:45 P.M. – 3:15 P.M.

- A.
- B.
- C.
- D.

3:30 P.M. – 5:00 P.M.

- A.
- B.
- C.
- D.

WEDNESDAY SEPTEMBER 12

8:30 A.M. – 10:00 A.M.

- A.
- B.
- C.
- D.

10:15 A.M. – 11:45 A.M.

- A.
- B.
- C.



New York State
Office of Court Administration
25 Beaver Street, Room 1128
New York, NY 10004

NEW YORK STATE UNIFIED COURT SYSTEM

Access to Justice

C O N F E R E N C E SEPTEMBER 11-12 • ALBANY NEW YORK