

NC Equal Access to Justice COMMISSION

A Commission of the North Carolina Supreme Court



Presentation to the Legal Professionalism Committee of
the Commission on the Administration of Law and Justice

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Justice in Jeopardy



“Equal justice under law’ is not merely a caption on the façade of the Supreme Court building, it is perhaps the most inspiring ideal of our society. . .It is fundamental that justice should be the same, in substance and availability, without regard to economic status.”

Former United States Supreme Court Justice Lewis Powell, Jr. as President of the American Bar Association prior to his appointment

Justice in Jeopardy



In civil proceedings involving fundamental questions – e.g., divorces, child support cases, home foreclosures, bankruptcies, and landlord-tenant disputes – the number of people representing themselves in court has soared since the economy soured.

Most legal needs studies show that 80% of low-income people have no access to a lawyer when they need one in civil matters.

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- **Commission of the North Carolina Supreme Court**
- **19th Access to Justice Commission**
- **25 Commission members**

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**It is the mission of the North Carolina
Equal Access to Justice Commission to
expand access to the civil justice
system for people of low income and
modest means in North Carolina.**

Recent Projects



Recent Projects of the NCEATJC

- Advocacy for state and federal funding
- Communication campaign
- Establishment of the NC Pro Bono Resource Center

Justice in Jeopardy



How does the community provide access to justice?

- Legal aid
- Civil right to counsel
- Pro bono attorneys
- Pro se education and assistance
- Research and awareness

Pro Se Opportunities



- **Statewide action plan on self-represented litigants**
- **Court assistance offices, self-help centers, courtroom-based assistance**
 - Example: 26th Judicial Center (Mecklenburg) Self Serve Center**
- **Web sites with court information and forms; links to live assistance**
- **Training for court personnel; judicial education**
- **Evaluation and data collection**

Pro Se Opportunities



- **Triage protocols for assisting and referring unrepresented litigants**
- **Collaborations with public and law libraries**
- **Justice Corps and other programs using volunteers to help self-represented litigants**
- **Assessment of court access for self-represented, compliance with due process requirements (court self-assessment or assessment by ATJ Commission)**
- **Simplification and standardization of forms and pleadings**

Local Rules Analysis



- **12 jurisdictions surveyed for local rules that apply to child custody proceedings**
- **Jurisdictions included urban and rural, low and high poverty populations, and those with and without family court**
- **Findings**
- **Diversity of local rules (see handouts)**

Anecdote



- **Pro Bono case**
- **Pro Bono toolkit**
- **Peremptory setting request**
- **Expunction process**

NORTH CAROLINA
PRO BONO
RESOURCE CENTER

Pursuing Justice Through Service



SYLVIA NOVINSKY, DIRECTOR

NC PRO BONO RESOURCE CENTER

**A PROGRAM OF THE
NC EQUAL ACCESS TO JUSTICE COMMISSION**

Goal of NC Pro Bono Resource Center



To increase Pro Bono participation statewide



Activities



- Developing pro bono projects with existing stakeholders statewide, with an initial focus on relating projects in Wake and Mecklenburg counties to meet unmet legal needs using recent law graduates.
- Providing support for existing pro bono activities including recruitment, training and communication.

Additional Activities



- Implementing voluntary pro bono reporting and recognition statewide.
- Grant writing and other fundraising activities to advance the programmatic goals of the Center.
- Providing other services to the EATJC's Pro Bono Committee.