



ACCESS TO JUSTICE

REPORT TO LEGISLATURE

NOVEMBER 2010

INDIGENT CIVIL LEGAL SERVICES PROGRAM

REPORT TO THE WYOMING LEGISLATURE

JOINT APPROPRIATIONS INTERIM COMMITTEE &

JOINT JUDICIARY INTERIM COMMITTEE

Report Required by W.S. §5-2-122(a)(i) (2010)

Submitted by:

The Wyoming Supreme Court
Marilyn S. Kite, Chief Justice

and

The Wyoming Access to Justice Commission
E. James Burke, Justice, Wyoming Supreme Court
Chairman

NOVEMBER 1, 2010

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Statutory Requirement

The 2010 Wyoming Legislature passed Original House Bill 61, Chapter 109 Wyoming Session Laws 2010. The bill was signed into law by Governor Freudenthal on March 11, 2010, in a ceremony in the Rotunda of the State Capitol. The law creates the Indigent Civil Legal Services Program. It directs the Wyoming Supreme Court to establish a statewide program to serve the civil legal needs of the indigent and provides for a funding mechanism through the imposition of a \$10 fee on all civil and criminal cases filed in the State. The Law was effective July 1, 2010.

The Law requires a report to be filed with the Legislature by November 1, 2010.

5-2-122. Indigent civil legal services program created; purposes.

(a) An indigent civil legal services program is created to be operated in accordance with the following:

(i) The supreme court shall develop a comprehensive plan for funding a statewide program of civil legal services to the indigent from the account. By November 1, 2010 and again by May 1, 2011, the court shall submit to the joint appropriations interim committee and the joint judiciary interim committee reports on the plan of operation for the program;

Introduction

For two years a group of volunteers, all of whom have other full time jobs, have worked with extraordinary diligence to devise, and now implement, a statewide civil legal program for the poor. In passing Chapter 109, the Legislature accomplished a rare undertaking, creating and funding a new program whose objectives are to provide poor and underprivileged Wyoming citizens with access to the courts to protect their legal rights and to thereby preserve the rule of law in our society and enhance the operations of the entire civil justice system. The Legislature did this in order to give full meaning to the constitutional protections that direct that the courts shall be open to all citizens.

A vibrant and uniformly available statewide program helps to demonstrate that we are a nation of laws, and that all citizens can count on the rule of law to protect their lives and property. The statewide program will not guarantee outcomes, nor protect people against their own folly, but it will help to guarantee that the court system will not have barriers because individuals cannot afford the cost to participate. All of society will benefit from this far sighted legislation.

The work that led up to the passage of Chapter 109 is described in the White Paper published by the Access to Justice Commission on December 14, 2009.¹ The current report describes the work of the Wyoming Supreme Court and the Commission following the enactment of Chapter 109. Creating a brand new, statewide, efficient program is a remarkably complex undertaking, especially when it is being done without paid staff and before financial resources are available. But, we are not complaining, rather observing the complexity of the effort and the opportunities it presents to truly improve the lives of many people in need. The architects of this undertaking, including the Legislature, recognize the significant responsibilities that the new law commands. The Court and the Commission are committed to fulfilling the intent of the Legislature with regard to the scope and limitations of the legislation. Our goal is to create nothing less than a program that will be a model for the nation.

Status as of November 1, 2010

As of November 1, 2010, the statewide program is on the threshold of commencing operations. Here is a brief list of what has been accomplished to date:

1. Funds for the program began to be collected by the County Clerks on July 1, 2010. Prior to that date the Supreme Court administrative offices sent instructions to the County Clerks regarding the new fee and how it should be collected and remitted. The County Clerks have done an excellent job implementing the fee and the Supreme Court is overseeing compliance with the law. To date about \$150,000 has been collected. We anticipate that the fee will generate about \$125,000 per month. The Supreme Court is charged by Chapter 109 with administering the financial aspects of the collection and distribution of the funds and the law provides for strict financial audits and oversight of the program.

As of November 1, 2010 \$950 of the fees collected have been spent by the program. However, the program is about to incur expenses for an Executive Director search and to obtain office space, acquire office supplies and equipment and to hire other staff.

2. The operational structure of the statewide program has been defined. As required by Chapter 109, the Supreme Court will oversee the operations and administer the funds as they are collected by the County Clerks. The program will be operated by the Wyoming Center for Legal Aid, Inc., (“WCLA” or “the Center”), a non-profit corporation, described below. The Center will utilize the funds received by the Supreme Court, be responsible to the Supreme Court and the Legislature for the operation of the program, and be responsible to all of the clients, the providers of services, and the interest groups that are involved in the statewide effort. The Commission will continue in its role of providing monitoring and advice to the Court and the Center. Neither the Supreme Court nor the Commission will have direct responsibilities for the day-to-day operations of the programs.

3. The Center has been formed as a public charity under Section 501(c)(3) of the Internal Revenue Code. The IRS has issued its letter acknowledging the 501(c)(3) status of the

¹ The White Paper is available on the Wyoming Supreme Court’s web site under the Access to Justice tab. Please see: <http://www.courts.state.wy.us/AJC.aspx>

corporation. Articles of Incorporation were prepared and filed with the Wyoming Secretary of State, and an initial set of By-Laws has been adopted.

4. As required by Chapter 109, the Wyoming Supreme Court has drafted rules setting forth the organization and operation of the statewide program. These rules have been circulated for public comment, and will be revised if necessary, and adopted by the Court. They include adoption of the eligibility standards (income no greater than 200% of federal poverty guidelines) and the directives and limitations contained in Chapter 109.

5. The operational rules for the Board of Directors of the Center have also been drafted by the Commission. They are ready for public comment and will be adopted in final form by the Supreme Court.

6. The Supreme Court and the Commission are seeking a diverse membership for the Board of Directors of the Center. Advertisements seeking expressions of interest from prospective Board members have been circulated to the Wyoming State Bar, select interest groups, such as the Agriculture industry, and the general public. Members of the Supreme Court and the Commission are reviewing expressions of interest and the Board will be in place and operational by December 2010.

7. The Supreme Court and the Commission have developed a draft job description for an Executive Director (attached). A search for the Executive Director will be the first priority of the new Board of the Center.

8. The Access to Justice Commission has met five times since the law was enacted. Minutes of the meetings of the Commission are included in this report. The Commission has worked hand in hand with the Supreme Court to develop the program and establish the structure for the operations.

9. The Commission held a day long planning conference in Casper on July 23, 2010. The discussion was led by Jim Bamberger, the director of the statewide program in the State of Washington and a nationally recognized expert in the operation of programs to serve the legal needs of the indigent. He contributed his time and expertise without compensation. Mr. Bamberger continues to consult with the Supreme Court and the Commission and will be available to the Board of the Center. The agenda for the conference and other materials are attached.

10. A public meeting was held on October 28, 2010 in Cheyenne. The purpose of the public meeting was to solicit the public's views about the proposed operation of the program, the draft rules that have been developed by the Supreme Court and the Commission, and to get public input about the direction and priorities of the statewide program. Participation in the meeting was enhanced by video conferencing throughout the state. A record of the meeting is being prepared.

11. The Commission and the Supreme Court have adopted a set of Core Values. These values are derived from the American Bar Association's Statement of Principles of a State System for the Delivery of Legal Aid to the Indigent which were adopted by the Commission in the White Paper.

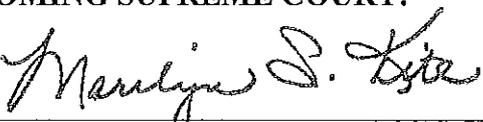
12. The Supreme Court, the Commission, the University of Wyoming College of Law and members of the State Bar have been working on the establishment of a single web site as a resource for the statewide program and all existing providers. Much progress has been made on developing content for the site.

13. The Supreme Court has directed the establishment of a committee of the Bar to organize the participation of lawyers to provide pro bono civil legal services in all communities in Wyoming. District Court Judge Mike Davis in Cheyenne and Evanston attorney Rick Lavery are heading this effort.

Members of the Supreme Court and the Commission would be glad to meet with the members of the Joint Interim Appropriations and Judiciary Committees to discuss this report and the program and to answer any questions that the Committees or staffs may have.

The program is required to submit a further report to the Legislature on May 1, 2011.

WYOMING SUPREME COURT:

By: 
Chief Justice Marilyn S. Kite

Dated: October 27, 2010

ACCESS TO JUSTICE COMMISSION:

By: 
Justice E. James Burke, Chair

Dated: October 27, 2010

APPENDICES

APPENDIX A

**Access to Justice Commission
Minutes
March 11, 2010**

The Access to Justice Commission met at the Supreme Court Building on March 11, 2010. Those attending in person were Justice Jim Burke, Larry Wolfe, Dona Playton, Denise Burke, Sleeter Dover, Leigh Anne Manlove, Rennie Polidora, Representative Mary Throne, Senator Tony Ross, Chief Justice Bart Voigt, Joann Odendahl, Ronda Munger and Becky Craig; those attending by video were Justice Marilyn Kite, Judge Timothy Day, Dan Fleck and Mark Aronowitz; and those attending by conference call were Amanda Roberts and Rick Lavery.

Opening Remarks

Justice Burke opened the meeting by summarizing the work that the Commission has done to this point and the successful passage of the Legal Services Funding Bill.

Wyoming State Bar Update

Sleeter Dover, Executive Director of the Wyoming State Bar, discussed the work that the Pro Se Pro Bono Task Force has been conducting. The Board will consider the Task Force's recommendations at their April meeting. Their recommendations have included the opinion that a group of attorneys, or the Task Force itself, should review, revise and automate the pro se forms. Additional grant monies are available for the revision of forms, and application would have to be made. They have also recommended that the pro bono rules be revised to reflect whether or not reporting should be mandatory, but it is felt that, if mandatory, a penalty should not be imposed. They have also decided that an emeritus status should be established in the Commission's Bylaws, as there are senior attorneys who would like to be involved. The Idaho rules and regulations are being reviewed as a model. They recommend maximizing the use of technology. There is \$37,000 available through the Legal Services Corporation (LSC) for establishing a website, and the Program could access those monies since it is not required that it be a provider who uses the funds. A website currently exists (Wyominglawhelp.org) which could be adapted for the program, and there is no monthly fee for its use. Sleeter will be drafting a memo containing the Task Force's recommendations prior to the April meeting and will send a copy to the Commission.

Justice Burke commended the Wyoming State Bar for the position that it took on the Legal Services Funding Bill, stating that they showed real leadership.

Service Provider Update

Dona Playton, Assistant Faculty Supervisor for the UW Legal Services Programs, explained that the clinics at the Law School are successfully processing cases. The Wyoming Coalition, consisting of two attorneys and a paralegal, has been covering the state. Their funds have been cut substantially, however, the balance from their grant's last cycle carried over, allowing them to keep the paralegal position through May, 2011. They currently

have cases going on in eleven counties, and have been seeing many more contested cases that are progressing to trial. Since there are no funds available to conduct depositions, interrogatories are being used instead. Most of the judges are allowing counsel to appear by phone or to partner with other attorneys who donate their time. There are also no funds available for expert witnesses, and some judges are ordering GAL's and having the defendants pay the fees. Clients are having to pay the filing fees, service fees, court reporter fees, fees for medical and courts records, i.e. most of the fees other than attorney fees.

Larry Wolfe advised that there will be a Legal Aid of Wyoming meeting in Denver on March 29, 2010, for the purpose of reviewing the progress made to date. The Board is in need of more members as it presently only consists of five people. There are 27 attorney volunteers at this time. Julie Hernandez is currently handling all of the legal services for Cheyenne. An intake process has been established and clients are being seen.

Discussion was held on the law school component needing to be analyzed and incorporated into the AJC Program. While John Burman's clinic is paid for through law school funds, the IOLTA grant funds have been very helpful for Dona's clinic, which handles more of the domestic violence cases than Burman's clinic handles. The grad assistantship has taken a large hit due to the cut in funding from the University. The student directors' funding could possibly be helped by the AJC. Denise Burke noted that the law students now need to do a 20 hour "return of service" component which can be accomplished in many ways, and that possibly the AJC internship could be a permanent slot. Two areas where additional clinics are needed is in legislation and elders and wills. Discussion was held on another student assistant position being created if there is an interest, however, students are not presently required to participate in a clinic. Credit hour requirements are currently being re-evaluated in the curriculum.

Message from Chief Justice Voigt

Chief Justice Voigt spoke of the number of lawyers, themselves, that might not be able to afford representation, due, in part, to the fact that the rules of discovery have gotten so expensive and cumbersome. He noted that mediation and arbitration seem to be used more since they are cheaper than taking cases to court, and private juries or retired judges are being utilized in order to save money. The process needs to be fixed so that the increased availability of attorneys will work with the system. He suggested that possibly limited discovery rules could be established for cases below a certain level, and that there is a need to look at amending the Rules of Civil Procedure so that the courts can expedite the entire process; his hope being that this can be handled through a court rule rather than by creation of a statute. It was suggested by the group that this could be a topic for the Joint Judiciary Interim Committee or the Permanent Rules Advisory Committee. Chief Justice Voigt commended the Legislature for the work they did on the Bill and for trusting the people involved in creating the program.

Justice Burke thanked Chief Justice Voigt for referring favorably to the Legal Services Bill and the AJC in his State of the Judiciary Statement.

Executive Branch Report

Leigh Anne Manlove provided an update on the work in the Governor's Office. She told the AJC that the signing ceremony was set for that afternoon, and that the Governor was likely to give the bill sponsors and the AJC an opportunity to make public comment. The AJC also discussed the letter that the Governor received from the Wyoming Tea Party. Justice Burke asked Leigh Anne to be sure to thank the Governor for his support on HB61.

Wyoming State Bar Foundation Update

Stuart Day provided an update on the work of the State Bar Foundation. Stuart reasserted the Foundation's willingness to participate in the interim or permanently as the non-profit organization for the civil legal services program. Stuart told the AJC that the Foundation's work has been on hold, waiting to see what role it will play in this new program. He also reported that First Interstate Bank has increased the interest that the Foundation receives for IOLTA funds, and he offered that some of those funds could possibly be used to hire the point person or executive director in the interim. Justice Burke complimented Stuart on his work and stated how fortunate the AJC has been to have him involved as President of the Foundation during the passage of this historic legislation.

Next Steps

Larry Wolfe distributed his outline of issues that need to be considered. The funds will begin accruing on July 1, 2010. The Resource Development Working Group and Delivery System Working Group were successful, and new working groups now need to be established, i.e. a Law School Working Group and a Technology Working Group. The Technology Working Group could be under the umbrella of the Law School or the Commission and could handle development of the website, social media links and automated forms. There is currently \$30,000 available for the website through Legal Aid of Wyoming. The program needs to be organized as if it was a business, with a specific fund and a strategy on how to use money from outside sources. The funds that have accrued at the end of July, 2010 will go to Court Services and will then be deposited with the State Treasurer by approximately August 12, 2010. There may be enough funds in the account in September, 2010 to pay for an Executive Director. The first report to the Legislature is due by November, 2010, and should contain an outline of the programs that are in place and should detail how much has been collected to date. An August or September board meeting will be needed. The program can spend up to 3 million during the biennium, with any excess monies to remain in the fund. Larry detailed a chart showing an interim plan:

/	/	/	/	/	/
Technology	Law School	Rules	Stakeholder	Organization	Administration
a) website			Meetings	Non-profit	Staffing
b) revise pro se forms				formed	Hiring
c) social media				Board	Auditing
					Reporting
					Fiscal Control
					Granting Requirements

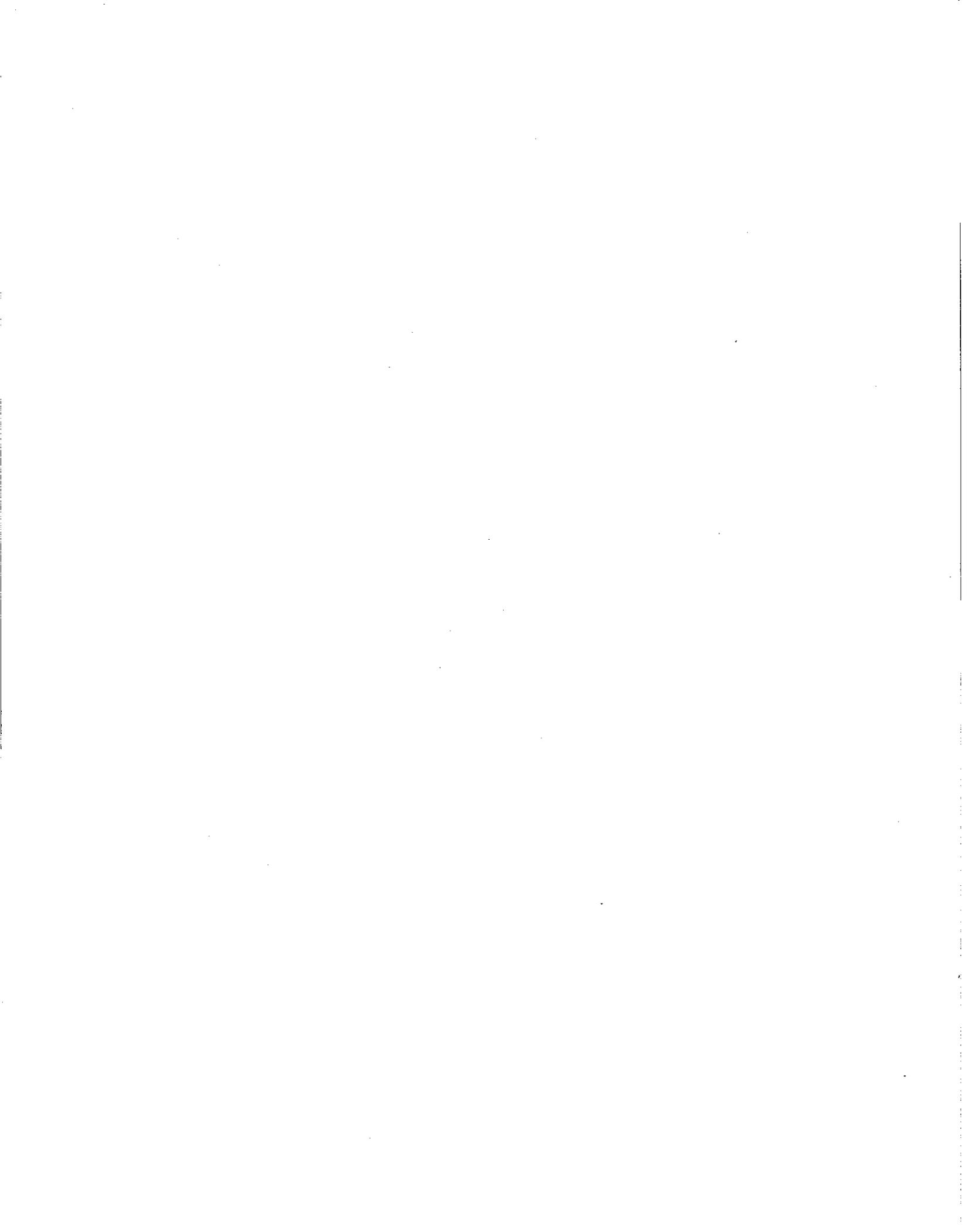
A Stakeholder Meeting will need to be scheduled, however, that may not be possible until staff and funding are in place. Legislators and attorneys should be invited to the meeting.

Justice Burke spoke about the need for there to be a legal services provider in every district, and that the different coalitions or entities will hopefully not be overlapping and working on the same cases. He recommended that the attorneys be hired as contract attorneys and not on an hourly basis. Other providers that already exist should be an integral part of the access to justice program, but with the AJC being the coordinator and facilitator.

A determination needs to be made on whether to set up a new non-profit or whether to utilize the Wyoming Bar Foundation. Lengthy discussion was held on this matter.

Stuart Day called the question. Senator Tony Ross moved and Sleeter Dover seconded a motion to form a new non-profit entity rather than using the Wyoming Bar Foundation. The vote was ultimately tabled and a telephone conference will be scheduled at a future date.

Meeting adjourned.



Access to Justice Commission
Minutes
May 6, 2010

The Access to Justice Commission met at the Supreme Court Building on May 6, 2010. Those attending the meeting in person were Justice Jim Burke, Larry Wolfe, Stuart Day, Joann Odendahl, and Becky Craig; those attending by phone were Justice Marilyn Kite, Ronda Munger, Walter Eggers, Bill Hiser, Dan Fleck, Judge Wesley Roberts, Judge John St. Clair, Dona Playton, Sleeter Dover, Tim Day, and Rennie Polidora.

Opening Remarks

Justice Burke opened the meeting by commenting that the Commission needs to strive to keep the forward momentum going on this project. He will be attending the Equal Access Conference in Arizona on May 15th, which is scheduled to have many topics on the agenda that are relevant to the AJC. Justice Kite received notification of the Commission's reporting requirements, the first report being due on November 11, 2010. She feels that this is a reminder of the accountability that the Commission has to the Legislature.

Non-Profit Entity

Justice Burke spoke of the need for the structure of the AJC to be established, and that the tenor of the March 11, 2010 meeting was that a new independent non-profit entity be formed. Discussion was held. Judge Roberts moved and Justice Kite seconded a motion to form a new non-profit entity. Motion carried. Stuart Day abstained from voting.

Name of Non-Profit Entity

Larry Wolfe met with Chris Reimer in Jackson recently, and Chris has the documents prepared for a new non-profit organization. A name for the non-profit entity will need to be decided on soon. Members of the Commission are to let Becky Craig know of any proposed names, which will then be circulated by email to all members.

Rules, Regulations and Priorities Committee/Non-Profit Structure Committee

The Rules, Regulations and Priorities Committee, consisting of Walter Eggers, Rick Lavery, Scott Skavdahl, Ronda Munger and Leigh Anne Manlove met in April. Walter Eggers reported that a stakeholders' meeting has been set for August 4, 2010 at the Wyoming Oil & Gas Conservation Commission from 6:30 – 8:30 p.m. A name and address database has been prepared from the list of people who attended the meetings last summer. A save-the-date type of reminder will be sent out soon, with a formal invitation to be sent 2-3 weeks before the meeting. Discussion was held on whether or not the APA would be followed in conducting the stakeholders' meeting. Justice Burke will research this at the Equal Access Conference. It was stressed that the main area of focus at the stakeholders' meeting should be on how to provide service needs. The Rules, Regulations and Priorities Committee group is currently researching the Federal LSC Bylaws and hopes to have a proposed set of draft rules prepared before the next meeting. Justice Burke would like the new rules to be more streamlined and flexible than the Federal LSC Rules.

The Non-Profit Structure Committee consists of Justice Kite, Joann Odendahl, Larry Wolfe, and Chris Reimer. Joann Odendahl reported that the Circuit Court Clerks have been notified of the addition of the Civil Legal Services Fee to the bond schedule; the Administration Staff is working on updating the bond schedule/statute tables; and the accounts have been set up with the Auditor's Office. Ronda Munger will be meeting with the District Court Clerks on June 15th & 16th, and will cover these changes with them, as well. Larry Wolfe has prepared a letter to the Federal District Court to request that \$12,000 of the remaining funds being held by the Bar Foundation be used to hire Rennie Polidora, with the remaining \$10,000 balance being used to support the stakeholders' meeting. It will be necessary to enter into an agreement with the Law School in order to hire Rennie for the summer months.

Website Development

Justice Kite reminded the Commission that it promised the Legislature that a website and pro se forms would be a critical part of the program.

Stuart Day reported that there are federal monies that are available for development of pro se forms and for a website, but that there may be a deadline of the end of the year for their availability. The Bar Foundation would be willing to receive the funds, which could then be held until a decision is made on who will host the website. Dona Playton explained that she is involved with revamping of the wyominglawhelp.org website; possibly the AJC could hook in through this website, and then it would just be a matter of developing the content. The Bar Foundation would be willing to oversee this project. Law students could be hired for research and to further develop and update the website as needed.

Sleeter Dover reported that the Board of Directors of the State Bar gave approval to the Ad Hoc Family Law Committee to update the divorce forms that are available online. Dona Playton pointed out that it is the LSC grantee that services this website, however, they would prefer that someone else receive the federal monies and develop it because of time constraints.

Justice Burke asked Stuart Day and Dona Playton to take on the task of development of the website and the forms, with close assistance from Sleeter Dover and the Wyoming State Bar. Sleeter, Stuart and Dona will meet in Cheyenne on May 19, at 10:30 a.m. at the State Bar Office.

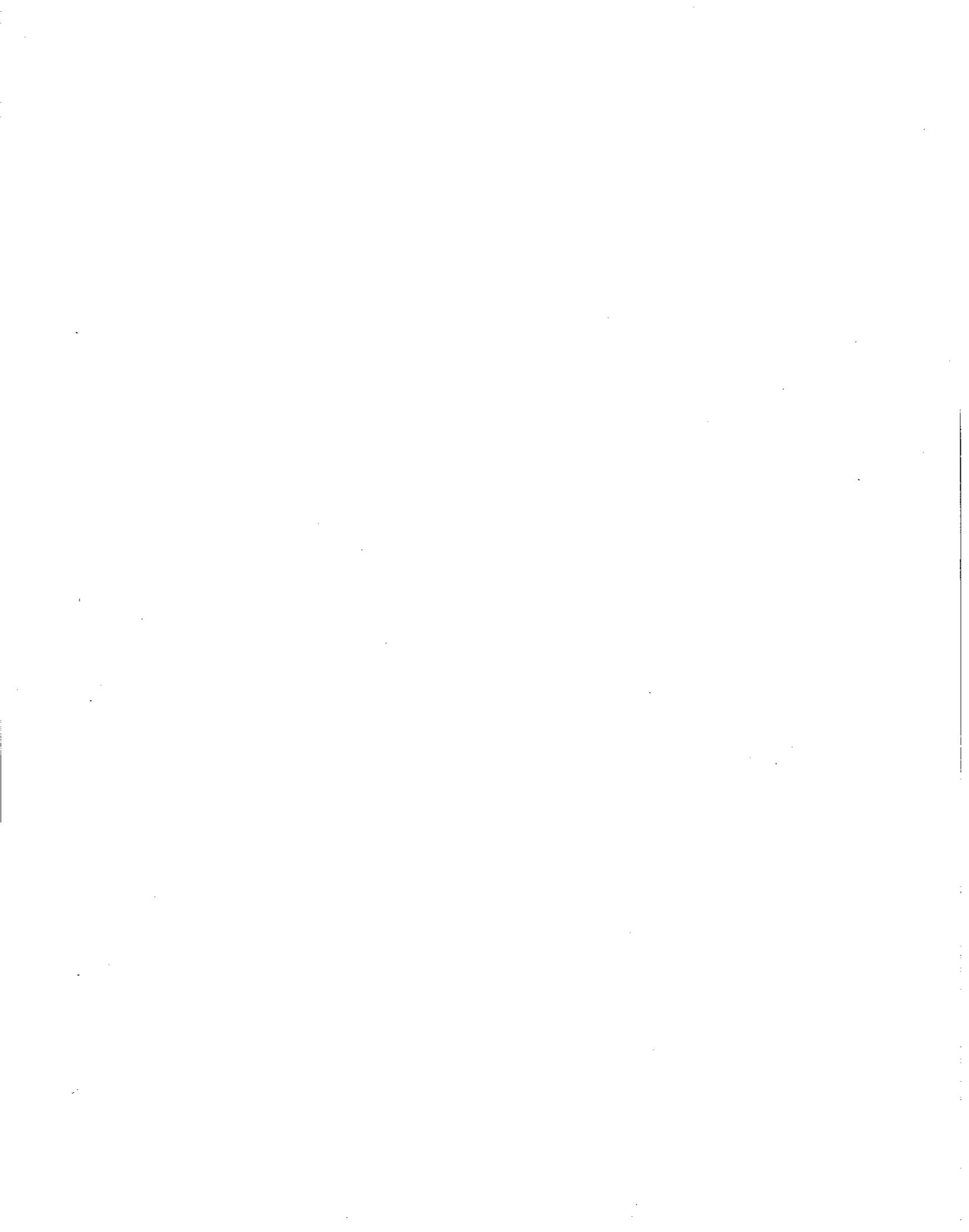
Other Matters

The Governor is tentatively scheduled to speak at the AJC luncheon at the State Bar Meeting in September. Sleeter has asked the Governor to put an emphasis on attorney involvement, other than just in the courtroom.

Judge Roberts assured the Commission that legal services are up and running in Fremont County, and that in his experience in a recent case, it worked wonderfully.

The next meeting is scheduled for May 27, 2010.

Meeting adjourned at 1:05 p.m.



Access to Justice Commission
Meeting Minutes
May 27, 2010

The Access to Justice Commission had a conference call at noon on May 27, 2010. Those who participated were Justice Jim Burke, Justice Marilyn Kite, Judge Scott Skavdahl, Judge Wesley Roberts, Judge Timothy Day, Walter Eggers, Gen Tuma, Amanda Roberts, Stuart Day, Rick Lavery, Ronda Munger, Becky Craig, Leigh Anne Manlove, Bill Hiser, Laura Pontius (sitting in for Dona Playton) and Rennie Polidora.

Opening Remarks

Justice Burke opened the meeting.

Equal Justice Works Conference

Justice Burke attended this conference in Arizona in mid-May. Two recommendations he received at the conference from other attendees were that 1) the new “organization” in Wyoming really needs to get an Executive Director on board as soon as possible, and 2) the Commission should wait before having a Stakeholder’s meeting. Justice Burke asked Stuart Day to share what he learned at the conference.

Stuart discussed his conversations with a State Law Librarian from Montana that he met and said that she would be very helpful in the future. She is willing to help and advise coordination between the new organization and state libraries in order to reach more potential clients.

Status of Non-Profit Development

Justice Kite is working with Chris Reimer on setting up the non-profit. Currently the sub-committee has no immediate needs. The group will be meeting again in early June.

Website Update

Stuart is working with Dona Playton to update the website created by probono.net in conjunction with LSC. The remaining grant money awarded by LSC is approximately \$30,000. LSC is okay with the AJC/ Bar Foundation having the money which has been “held” by Montana for more than a year while waiting to be used. Stuart mentioned whether or not the committee should consider starting fresh and creating an entirely new website, perhaps not related to probono.net.

Leigh Anne Manlove added that probono.net is a unique entity because it specifically works with LSC and legal service providers in every state.

Rennie’s Role

Justice Burke discussed the hiring of Rennie Polidora for the summer to help the Commission and sub-committees with any tasks they have or that come up. Her employment will be funded by using a portion of the money given by the Federal Courts.

Rennie is aware that she will have to answer to several “bosses” and will prioritize assignments as they come in. Her contact information will be shared with the sub-committees so they can

correspond directly with her. It would also be helpful for the sub-committees to “cc” Rennie when they correspond with each other so she will be aware of each group’s status and progress.

Stakeholder Meeting

Based on the information Justice Burke received at the conference in Arizona, he wanted to know 1) if AJC should still be planning on having the meeting, and 2) if so, what should be the focus of the meeting.

Walter Eggers still believed that the Commission should have a stakeholder’s meeting in Casper in August. He agreed that the content and focus of the meeting should be specific. Walter also wants to get feedback from stakeholders regarding what services should be priorities.

Justice Kite agreed that the AJC still should hold the stakeholder’s meeting, but she had two considerations: 1) consider expanding the time allotted, maybe from 4-8 p.m., and avoid having it on a weekend, 2) be specific with the agenda, maybe having a few “options” that will guide the discussion as opposed to an open forum.

Rick Lavery reminded everyone that this is an election year so AJC should be prepared for candidates who want to be involved or express their opinions regarding HB61.

Name of Non-Profit

Finally, the conference call shifted to a discussion of what the name of the new organization should be. So far there have been some submissions but no decision has been made.

Bill Hiser felt that the name should reflect the fact that this organization will be providing legal services for the indigent. Therefore, words like “aid” and “assistance” are useful.

Ronda Munger presented “Wyoming Center for Legal Aid” because it accurately reflects the low-income facet as well as the single point of entry.

No decisions were made but a list of possibilities will be circulated.

Meeting adjourned at 1:00.



Access to Justice Commission
Friday July 23, 2010, Casper

The Wyoming Access to Justice Commission held a meeting on July 23, 2010, in Casper, Wyoming. Those who attended in person were: Chief Justice Marilyn Kite, Justice Jim Burke, Judge Wesley Roberts, Larry Wolfe, Walter Eggers, Denise Burke, Dona Playton, Dan Fleck, Ronda Munger, Joann Odendahl, Amanda Roberts, Stuart Day, Gen Tuma, Tammy Hudson, Amanda Brodie, Amy Smith, Jim Bamberger and Rennie Polidora. Those who attended by phone were: Ray Macchia and Rick Lavery.

Meeting officially began at 10:00 a.m.

Justice Burke opened the meeting and had everyone around the room introduce themselves because there were several "guests" who are not members of the Commission. The primary purpose of the meeting was to have a work session, facilitated by Jim Bamberger of the Washington Office of Civil Legal Aid, in which the role of the newly founded Wyoming Center for Legal Aid would be discussed in relation to the existing current civil legal service providers in the state.

Discussion of the Statement of Core Values for the WY Access to Justice Commission

The group divided into four small working groups to review, discuss and amend a draft statement of the core values that will guide future decisions made by the Commission as it establishes its statewide delivery system for providing civil legal services to the poor. After about thirty minutes the large group re-convened to compare suggested changes.

There was much discussion among everyone, but the overall consensus was that the statement of core values needs to be Wyoming-focused and reflect the uniqueness of the state's geography and population demographics. The first five statements in the draft were thought to be more philosophical and general, while the last five statements were more specific and detailed.

Jim Bamberger commented that these are not merely philosophical statements, rather they are benchmarks in which the Commission will test itself over and over again in the future. Without the expectations created by the core values, the process for creating a statewide system will be done on an ad hoc basis.

There was some confusion as to whether these are core values for the ATJ Commission or the new Wyoming Center for Legal Aid. It was clarified that these are statements that will create the foundation for the Commission because it will address all Wyoming citizens and the various barriers that impede access to justice, not just economic. The Wyoming Center for Legal Aid and House Bill 61 focus on indigent citizens and their need for access to justice; however, the long-term mission of the Commission will be broader in scope.

There was some discussion as to whether or not we even need to establish a statement of core values. Judge Roberts summed up the debate by saying that "we are creating the conscience of the Commission" because the values are what the Commission will return to over and over again when making important decisions in the future.

A subcommittee was created to revise the draft statement based on each group's suggestions. The subcommittee members are Judge Roberts, Walter Eggers, Dan Fleck, Dona Playton and Rennie Polidora.

Continuum of Civil Legal Aid Services

To have a statewide, comprehensive delivery system it is essential to include all the "players" that provide civil legal services throughout the state. A totality of the needs must be presented; for example, 50% of low-income people do not know they have a legal problem and they do not know their rights.

The group discussed whether or not other players in the state have to accept the Commission's statement of core values and whether or not they have to participate in the statewide system. The argument is that once being part of the system becomes a "culture of expectation" from the Supreme Court then the lone players will not succeed.

There was the suggestion that players who want access to state funds should have to agree to the core values and be a part of the statewide system. The consequence to this would be enforcing the rule. No decision was made as to whether or not the Commission should affirmatively express that civil legal service providers agree to accept the core values.

Next there was a brief overview of what current providers are doing in Wyoming.

Ray Macchia from Legal Aid of Wyoming (the LSC provider) discussed how his budget of \$780,000 is used. He has four offices: Cheyenne, Lander, Casper and the Wind River Indian Reservation. Most of his cases are domestic issues such as divorce, custody and working with child support services. He has some landlord/tenant cases. Through his Senior Grant from LSC he is able to help with Elder Law issues and there are no financial requirements for Seniors. He estimates that he has helped about 800 people through letters and correspondence. About 5% of his cases require direct legal representation.

One significant barrier that Ray has dealt with is the fact that tribal members prefer meeting face to face, as opposed to going through the central intake phone system.

Dona Playton presented information on the two UW Legal Clinics (Legal Services & DV). Under Rule 12, third-year law students can represent indigent clients.

Cases handled by the Legal Services Clinic include GAL work, parent representation, social security, immigration, divorce, post-decree modifications and appeals. It is difficult to have many cases that are geographically far away.

The DV Clinic works closely with the WY Coalition and Domestic Violence and Sexual Assault (Coalition) and has the same income guidelines as the Legal Services Clinic. However, the DV Clinic will not disqualify a potential client just because the perpetrator makes too much money. Most of these cases are contested child custody, civil sexual assault, dating violence and stalking. The DV Clinic is seeing an increase in immigration cases related to VAWA, U-Visas and trafficking. Students working in the DV Clinic go to the Women's Prison and talk to inmates about child support enforcement, guardianship and divorce issues.

Amy Smith and Amanda Brodie discussed their work as attorneys with the Coalition. They primarily provide direct legal representation because of the types of cases they accept. Each case they handle takes a lot of time. They try to divide the state into geographical regions and coordinate with the DV Clinic so there is less overlap. Most of the referrals received by both the DV Clinic and the Coalition come from local agencies (SAFE House, etc.).

Jim Bamberger commented that the Coalition and the DV Clinic have already set up a mini-system for meeting the needs of one segment of the population through coordination.

Dan Fleck briefly discussed some of the pro bono work that attorneys do at his law firm in Jackson. They primarily take on worker's compensation, employment rights, prisoner rights and civil rights cases. If the case generates a fee then the money is put back into the pro bono fund.

There was a brief reference to other services such as the *Guardians ad Litem* program, Grandparents' Rights through AARP (Ray handles quite a few of those cases). Tammy Hudson from Child Support Services says grandparents seeking visitation and guardianships can go through her agency. Ray said that through his "Senior Grant" they can help fraud victims, as well as set up guardianships.

Ray's organization also helps individuals fill out *pro se* packets.

Limitations on the use of Federal Legal Services funds

Jim Bamberger wanted to make sure that when we discuss the roles of the new non-profit in conjunction with the LSC provider it is important to keep in mind that there are a lot of federal restrictions tied to those funds.

Private Attorney Involvement

There was a brief discussion on the reality of contracting with private attorneys. Most agreed that such an arrangement is uncontrollable and inefficient.

Ray said that in Cheyenne they have a Private Attorney Involvement (PAI) Coordinator. They pay their private, contract attorneys \$70/hour.

Jim Bamberger reminded everyone that LSC-funded providers have to spend 12 ½% of their money on private attorney involvement. However, some organizations have been more creative than spending the funds outright towards PAI. For example, many states use their 12 ½% to train and recruit pro bono attorneys.

Dona agreed that it is important to be creative in the use of pro bono attorneys.

Leigh Anne viewed the PAI Coordinator more as a case manager since the 12 ½% is essentially paying someone to do oversight (in the examples given by Jim).

Queen for a Day Exercise

Because we were short on time, the Commission did not have an opportunity to "create" the ideal statewide program, as had been planned. Instead, Jim Bamberger asked the Commission

to look back at the legislation (HB 61) and the White Paper to review what the expectations are for this system, and attempt to envision how that system would look.

What the Wyoming Center for Legal Aid should do

Walter suggested that with the time constraints the discussion move towards that the functions of the "Center" should be. Everyone agreed.

Dona began with an update on the website, which has three components: 1) providing legal information on certain topics. The UW College of Law could have students add content (for class credit) and then attorneys would volunteer to review the information for accuracy. There is a licensing fee of \$6,000 to use the probono.net platform, and it comes with training. A website coordinator would have to be hired at least part-time; 2) there is an advocate resource platform. This is where attorneys can be matched with clients/issues. There could also be a library linked to the platform for attorneys/advocates to use; 3) other stakeholders/agencies can link to the platform, such as Legal Aid of WY. A lot of technical assistance and training come with probono.net. It also works with *pro se* forms. Montana has a LiveChat component. There are people willing to help us get the website updated, but we need to put together a proposal. There is \$36,000 remaining from TIG (Technology Initiative Grant) funds that were awarded to the former LSC-provider in WY. The money has been held by federal LSC with the hopes that WY would eventually be able to use it.

Justice Burke wondered if the hoops we have to jump through are worth \$36,000. How long before we give up on LSC?

Chief Justice Kite and Ronda said that there is money available at the Supreme Court that could be used for the website so we should just use that.

Jim Bamberger suggested maybe we should go ahead and pass on the TIG funds, but decide where to house the coordinator.

Chief Justice Kite said the website should go to the Center.

Dona said the website committee had been working with Sleeter's *pro se/pro bono* group to review what they are doing.

Stuart said the ATJ website committee is trying to avoid having duplicate websites.

Justice Burke said that time is of the essence. The Commission supports the efforts of the website committee but it is frustrating.

Gen Tuma commented that a website and effective *pro se* packets will be huge for clients.

Jim Bamberger said that there was a directive from Chief Justice Kite that the Center would take over the website.

Dean Burke asked permission for Dona and Stuart to set priorities.

All approved.

Board of Directors

Chief Justice Kite wanted to discuss the composition of the Board of Directors for the Wyoming Center for Legal Aid.

Jim Bamberger suggested: four (4) appointed by the Supreme Court: one (1) client representative, two (2) former judges, and one (1) representative from the WY Bar Foundation; four (4) former legislators; one (1) appointment by the Governor (preferably a non-lawyer); two (2) attorneys recommended by the Bar Association; and one (1) tribal representative.

Leigh Anne asked what are the expectations of the Board?

All agreed that it would be more realistic to have two (2) legislators instead of four (4).

Jim Bamberger acknowledged that part of the problem with choosing a Board is not knowing what the role of the non-profit would be.

Chief Justice Kite said we would need a Board with business management skills.

Jim Bamberger said that regardless who is on the Board, each person needs to be committed to the mission of the Center.

Justice Burke asked how do you guarantee if someone is committed to the mission?

Jim Bamberger suggested that maybe rather than having people appointed, you ask for informed recommendations. Maybe the Executive Branch should not be involved in Board selection/creation.

Justice Burke said he would prefer that the Supreme Court (or ATJC) hand-pick the members of the Board.

Jim Bamberger suggested that maybe because of politics and state funds, the ATJC probably doesn't want the Executive Branch involved. Perhaps the court can make appointments and the legislators can make recommendations.

Tammy Hudson felt that it would be very hard to find a client representative based on past experiences with similar situations.

Jim Bamberger has had a different experience in Washington with client representatives.

Judge Roberts suggested that maybe the Board does not have to have a specific number of members. We could make it more flexible, for example, by requiring no less than five (5) but no more than nine (9) or eleven (11). He felt we needed first to resolve the role of the Center and the Commission, but that a minimum of five (5) should be appointed by the Commission.

Jim Bamberger asked where are we going to place the "accountability" people? In most states ATJ Commissions are political bodies. Can the Center be a provider AND fulfill the accountability function?

Role of Executive Director

There was a brief discussion on the Executive Director. Several mentioned they liked the ad that had been circulated by NW Texas Legal Aid. The job description needs to be clear. Salary needs to be decided and it is important to look outside the state for potential candidates.

Dona thought the decision on whether the Center will have in-house attorneys on staff will have a big impact on the job description for the Executive Director.

Summary

Jim Bamberger said that based on the discussion of the day it looked like the Center would be a "hybrid"- running the website, have some onsite attorneys, award grants to current providers and provide state support with training, etc.

Leigh Anne emphasized the importance of having good data. We need a clear understanding of what information to track from the beginning. There also needs to be consistency between agencies.

Jim Bamberger said that one piece of the equation to really consider is the location of the phone intake system. He can't understand why we would use unrestricted funds (as opposed to LSC funds) to run a phone intake system.

Justice Burke said he felt like a lot of issues had not been resolved. Functions that have been identified: 1) where to house the website administrator or content coordinator; 2) how to provide direct representation- the Center will either hire attorneys or contract.

Jim Bamberger said that if it were him, he would have in-house attorneys.

Justice Burke asked if the Center could give grants to the DV Clinic?

Jim Bamberger said absolutely. It is the best way to use existing providers.

Judge Roberts asked if we did have a grant application, would it be the Commission's responsibility to create standards, expectations, etc.?

Answer: the by-laws of the Center have to be in line with the expectations of the Commission.

In sum, the following is a description of the various roles that the Center may do:

1. Provide limited direct representation
2. Coordinate with existing providers
3. Create new providers
4. Provide a single point of entry (hasn't been decided)
5. Provide accountability/monitoring

6. Intake
7. Training/Advocacy
8. Oversight

Meeting adjourned at 3:00 p.m.



**Access to Justice Commission
Meeting Minutes
August 26, 2010**

The Access to Justice Commission held a conference call at noon on August 26, 2010. Those who participated were Justice Jim Burke, Chief Justice Marilyn Kite, Judge Scott Skavdahl, Judge Timothy Day, Senator Tony Ross, Walter Eggers, Larry Wolfe, Stuart Day, Rick Lavery, Leigh Anne Manlove, Bill Hiser, Sleeter Dover, Dona Playton, Denise Burke, Rennie Polidora, Joann Odendahl, Ronda Munger and Becky Craig.

Opening Remarks

Justice Burke opened the meeting.

The AJC Statement of Core Values, the Center's Rules and Regulations, the Center's Board of Directors Operational Rules, the Commission's Role, and spreadsheet.

Walter Eggers addressed the drafts of the AJC's Statement of Core Values, the Wyoming Center for Legal Aid Rules & Regulations, the Wyoming Center for Legal Aid Board of Directors Operational Rules, the Role of the Justice Commission, and a spreadsheet. He reviewed several typographical changes and changes to the location of certain paragraphs in the AJC's Statement of Core Values. Discussion was held on the wording and intent of various paragraphs, with several additional changes being made to the document. Ronda Munger moved and Denise Burke seconded a motion to adopt the Statement of Core Values for the Wyoming Access to Justice Commission as amended and proposed. Motion carried unanimously.

The Wyoming Center for Legal Aid Rules & Regulations were discussed next, with several changes being made, and the decision being reached that a written agreement/mou should be entered into between the Wyoming Supreme Court and the Wyoming Center for Legal Aid. Joann will research the issue of benefits for the Center; Dona will review the website and grant sections as to how they relate to the LSC's rules and other rules; and Bill will review the paragraph having to do with the Center establishing the standards for attorneys. There will be a separate section added that deals with the Center's abilities and criteria for entering into contracts and grants. Larry will draft language for this that will tie into the scope of the legislation.

The Wyoming Center for Legal Aid Board of Directors Operational Rules were reviewed. The makeup of the Board and number of board members was discussed. It was suggested that the Supreme Court appoint the Center's initial board members, with the Board subsequently making recommendations to the Court for future members. Walter will also work on revising Section 13 regarding Indemnification and Section 15 regarding Confidentiality.

The document titled "Role of the Access to Justice Commission" was reviewed and several revisions will be made to reflect changes that were made in the other documents.

Access to Judge Luncheon at State Bar Meeting

The Governor will be unable to be the luncheon speaker at the program. A speaker will be arranged in-house, the video will be shown, a report given on the Commission's status and a statement made on where we need to go from here.

Stakeholder Meeting

The public meeting in Casper will be held sometime during the last week in September or the first week in October. The Commission will have the draft Rules for the Board and the Center ready for that meeting.

Meeting Adjourned at 1:20 p.m.

APPENDIX B

WYOMING CENTER FOR LEGAL AID
RULES & REGULATIONS

CHAPTER 1

General Provisions

Section 1. Authority.

(a) These Rules are promulgated by the Wyoming Supreme Court pursuant to 2010 Wyoming Session Laws Chapter 109, §§ 1-4 (“Wyoming Indigent Civil Legal Services Act”), enacted during the 2010 Legislative Budget Session (Wyo. Stat. Ann. §§ 2-2-401, 5-2-121 through 5-2-122, 5-2-202, 5-2-205 through 5-2-206, 5-6-108, 5-6-204, 5-6-303, 5-9-135, 5-9-144, 6-10-102 through 6-10-103), and under the authority of the Wyoming Supreme Court.

(b) The Wyoming Center for Legal Aid (“Center”) is not a Wyoming state agency and these Rules are not promulgated under or subject to the Wyoming Administrative Procedure Act, Wyo. Stat. Ann. §§ 16-3-101 *et seq.*

Section 2. Citation.

Citation to these Rules shall be “Wyoming Center for Legal Aid Rules and Regulations,” or simply “Center Rules.”

Section 3. Purpose and applicability.

(a) The purpose of the Center is to fulfill the requirements and expectations of the Wyoming Legislature, described in the Wyoming Indigent Civil Legal Services Act, particularly Wyo. Stat. Ann. § 5-2-122.

(b) The Center may issue manuals, bulletins, or other documentation interpreting the provisions of these Rules. All manuals, bulletins and other documentation shall be consistent with and reflect the policies contained in these Rules, and the Wyoming Indigent Civil Legal Services Act. Any such manuals, bulletins and other documentation shall be interpreted in favor of these Rules and the Wyoming Indigent Civil Legal Services Act.

Section 4. Non-profit corporation.

(a) The Center is organized under the laws of the State of Wyoming for a purpose other than the conduct of a business for profit.

(b) The Center's business and affairs shall be conducted in accordance with the Wyoming Nonprofit Corporation Act, Wyo. Stat. §§ 17-19-101 *et seq.*, as it may be from time to time amended. Except as specifically limited by these Rules, the Center, its Board of Directors and officers shall have all of the rights and powers conferred upon them by the Wyoming Nonprofit Corporation Act in connection with the governance and conduct of the affairs of the Center.

Section 5. Program implementation.

The Center shall fully implement the intent of the Wyoming Legislature in enacting the Wyoming Indigent Civil Legal Services Act. As Funding for the Center may be available only as funds are provided by the Wyoming Legislature, the Center shall be administered to fully utilize authorized funds. The Wyoming Supreme Court is the final authority in administering, auditing, and operating the Center.

Section 6. General provisions.

(a) Except as otherwise specified, the terminology used in these Rules is the standard terminology and has the standard meaning used in all legal settings and contexts.

(b) Unless otherwise specified, the incorporation by reference of any external standard is intended to be the incorporation of that standard as it is in effect on the effective date of these Rules.

Section 7. Definitions.

The following definitions shall apply in the interpretation and enforcement of these Rules. Where the context in which words are used in these Rules indicates that such is the intent, words in the singular number shall include plural and vice versa. Throughout these Rules, gender pronouns are used interchangeably, except where context dictates otherwise.

(a) "Board." Means the Board of Directors of the Center.

(b) "Caseload." Refers to the amount or number of open cases a Center Attorney is currently maintaining and working.

(c) "Center Attorney." Means an attorney employed by the Center, whether the employment is full-time or part-time.

(d) "Compensation." Means money or other recompense given directly for the services of a Center Attorney, provided and performed under these Rules and the Wyoming Indigent Civil Legal Services Act.

(e) "Contract." Means the contract between an individual attorney and the Center, whereby the individual attorney promises to provide civil legal services to clients, pursuant to these Rules and the Wyoming Indigent Civil Legal Services Act, and the contract itself, in exchange for certain Compensation to be paid by the Center.

(f) "Contractor." Means any person who enters into a Contract with the Center.

(g) "Executive Director." Refers to the Center Director.

(h) "Full-time." Refers to a one hundred percent (100%), full-time Contract or employment. "Full-time" means the Center Attorney is obligated to expend all of his work-time exclusively for the Center, and may not be employed with or contracted by another employer or entity.

(i) "Funding." State funds appropriated by the Wyoming Legislature to the Wyoming Supreme Court and available to pay for Center services. Funding does not include other funds available now or in the future to the Center that are not designated and appropriated for Center services.

(j) "Indigent." For purposes of these Rules, the term "indigent" means individuals whose total household income does not exceed two hundred percent (200%) of the current federal poverty level, as determined and published annually in the Federal Register by the U.S. Department of Health and Human Services;

(k) "Part-time." Refers to less than a Full-time Contract or Full-time employment with the Center. Any Contract or employment whereby the Contractor is not obligated to exclusively and entirely perform her services only for the Center. Part-time does not necessarily mean half-time. The Contract between the Contractor and Center defines and determines its duration and quantity of hours to be worked.

(l) "Rules." Unless the context requires otherwise, "Rules" means these rules and regulations of the Center, of which this chapter is a part.

Section 8. Policy.

(a) The Center shall follow the requirements of the Wyoming Indigent Civil Legal Services Act.

(b) The following excerpts from the American Bar Association's "Principles of a State System for the Delivery of Civil Legal Aid" are the policy guidelines of the Center. Wyoming's civil legal aid system will achieve the direction of the Wyoming Indigent Civil Legal Services Act if it:

- (i) **Provides services to the indigent and vulnerable populations in Wyoming.** The state's system for the delivery of civil legal aid provides services to indigent people and others who face financial or other barriers to access to justice.
- (ii) **Provides a full range of services in all forums.** A full range of services includes information about legal rights and responsibilities; options for services; outreach and community legal education; legal advice and brief services; support and assistance for individuals capable of representing themselves; representation in negotiation and alternative dispute resolution; transactional assistance; representation in administrative and judicial proceedings; and extended representation in complex litigation and on systemic issues.
- (iii) **Provides services of high quality in an effective and cost efficient manner.** Wyoming's system provides indigent persons and others who cannot afford counsel with high quality civil legal aid services to meet their legal needs. All providers in the state comply with standards of practice and ethics. Attorney and Staff Compensation and Caseload are reasonable to enable the provision of uniformly high quality, effective and productive services. All individuals participating in providing, supporting or managing civil legal aid receive ongoing training and participate in professional and leadership development activities.
- (iv) **Provides services in sufficient quantity to meet the need by seeking and making the most effective use of financial, volunteer, and in-kind resources dedicated to those services.** Wyoming's system has available the resources to provide the quantity of services necessary to meet the legal needs of the indigent and other vulnerable populations who cannot afford counsel in the state. To do so, the system maximizes services by effectively developing, leveraging and utilizing all potential financial, volunteer and in-kind resources.

- (v) **Fully engages all entities and individuals involved in the provision of those services.** Wyoming's system for the delivery of civil legal aid fully engages in the delivery of civil legal aid services all those who are involved in the provision of law-related services, including legal aid providers, private attorneys (working pro bono or for compensation), court personnel, law school clinics, human services agencies, paralegals, lay advocates and other public and private individuals and entities that provide legal services to Indigent and other vulnerable people who cannot afford counsel in the state.
- (vi) **Makes services fully accessible and uniformly available throughout the state.** The ability of Indigent and vulnerable people to obtain civil legal assistance consistent with these principles does not depend on where that person resides in the state.
- (vii) **Engages with clients and populations eligible for civil legal aid services in planning and in obtaining meaningful information about their legal needs, and treats clients, applicants and those receiving services with dignity and respect.** Wyoming's system, including all those involved in delivering services and providing support, treats clients and others who receive civil legal services with dignity and respect.
- (viii) **Engages and involves the judiciary and court personnel in reforming their rules, procedures and services to expand and facilitate access to justice.**
- (ix) **Is supported by an organized bar and judiciary that is providing leadership and participating with legal aid providers, law schools, the executive and legislative branches of government, the private sector and other appropriate stakeholders in ongoing and coordinated efforts to support and facilitate access to justice for all.**
- (x) **Engages in statewide planning and oversight of the system for the delivery of civil legal aid to coordinate and support the delivery of services and to achieve the principles set forth above.** Wyoming's system for the delivery of legal aid develops and maintains the capacity to plan and oversee its civil legal assistance delivery system so that the principles set forth above are achieved. Planning and oversight should be open and inclusive. Participants work together in a coordinated and collaborative manner to provide

a full range of high-quality services efficiently and in a manner that maximizes available resources and eliminates barriers to access.

Section 9. Center priorities.

(a) Consistent with and subject to Wyo. Stat. Ann. § 5-2-122(a)(iii)(A), the Center sets the following priorities for the management and operation of the Center.

(b) The Center shall endeavor to represent clients in the following non-exclusive list of cases:

(i) Cases in which an Indigent individual is a defendant in a lawsuit;

(ii) Cases in which an Indigent individual is seeking to enforce a court order;

(iii) Cases involving domestic relations and family law;

(iv) Matters involving general legal advice to Indigent individuals; and

(v) All other civil cases for Indigent clients that are consistent with the Wyoming Indigent Civil Legal Services Act.

(c) The Center shall not provide legal services or representation in cases involving:

(i) Claims seeking tort damages;

(ii) Criminal defense;

(iii) Claims against public agencies or political subdivisions, where those claims seek to change or overturn existing rules, regulations or policies (this prohibition shall not limit the Center's ability to represent Indigent individuals who are seeking benefits that may be owed to them by public entities or agencies).

Section 10. Eligibility standards for Center clients.

(a) The Center shall only provide civil legal services to individuals whose total household income does not exceed two hundred percent (200%) of the current federal poverty level, as determined and published annually in the Federal Register by the U.S. Department of Health and Human Services.

(b) The Center shall develop an intake questionnaire or form, to be completed by all prospective clients, that will require those prospective clients to describe their annual income.

Section 11. Board purpose and administration.

(a) The purpose of the Board is to ensure that the Center fulfills its statutory mandate and provides exemplary legal services throughout the State of Wyoming. In order to meet these requirements, the Board shall: (i) oversee the Center's operations; (ii) ensure that the Center complies with its enacting statutes and these Rules; (iii) act as a liaison between the Wyoming Supreme Court and the Center; and (iv) act as a liaison between all stakeholders and the Center.

(b) To govern the Board's operations, the Board shall propose operational rules to the Wyoming Supreme Court. If approved by the Supreme Court, the Board shall comply with the operational rules.

(c) The Board's operational rules are incorporated herein by reference and shall be interpreted consistently with these Rules.

Section 12. Center administration.

(a) The Center shall provide necessary administrative support and supervisory oversight of civil legal services in Wyoming. Consistent with and subject to Wyo. Stat. Ann. § 5-2-122(a)(iii), the Center shall be operated and administered in coordination with other publicly or privately funded programs providing civil legal services to the Indigent. The Center shall coordinate with the Wyoming State Bar and other entities on private attorney involvement, pro bono civil legal services and educational programs.

(b) The Center shall establish or coordinate a statewide single point of entry for Indigent civil legal services, or establish other operations that allow for simplified and easily available access to the Center and its programs.

(c) The Center shall require any attorney who seeks to Contract with or be employed by the Center for legal representation of clients to meet the standards for attorneys established by the Center.

(d) The Center shall set standard fee schedules for attorneys who provide civil legal services.

(e) The Center shall establish written standards for Center Attorneys that will ensure that the work of all Center Attorneys is cost-effective and designed to best achieve the efficient administration of justice for all parties involved within the State of Wyoming. This subsection shall not prohibit Center Attorneys from representing

Indigent individuals who are seeking benefits that may be owed to them by State of Wyoming entities or agencies, see Section 9(c)(iii), supra.

(f) The Center will develop a case management system to track and keep records of all cases handled by the Center.

(g) The Center shall maintain a list of qualified attorneys with whom it has contracted.

(h) The Center shall establish protocols to determine and resolve conflicts of interest.

(i) The Center may negotiate and enter into Contracts or memoranda of understanding with any individual or entity as necessary or convenient to facilitate the Center's duties and to adequately and sufficiently maintain, operate and administer the Center. The Center and Board shall establish written criteria for entering into Contracts.

(j) The Center Director shall evaluate, on a yearly basis, each Full-time Center Attorney, Part-time Center Attorney, and Contractor. As part of the evaluation process, the Center Director may seek the opinion of judges before whom the Attorneys and Contractors regularly appear, and may also seek the opinion of any other stakeholders the Center may identify. Said evaluations will be considered when renewing Contracts, evaluating attorneys, and determining Compensation each year.

Section 13. Annual Budget.

The Center shall draft and adopt an annual budget request for its operations. The Center's fiscal year shall track the fiscal biennium (July 1 through June 30) and the Center's budget shall be kept on an accrual basis. The Center shall provide the budget request to the Board and the Wyoming Supreme Court for approval on or before July 1 of the year prior to the budget year.

Section 14. Funding.

The State Legislature has appropriated funds to the Wyoming Supreme Court each biennium for administration and operation of the Center. This appropriation shall only be expended for the purpose of the Center described in the Wyoming Indigent Civil Legal Services Act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose. A request for this appropriation shall be included in the Center's standard annual budget requests to the Board and the Wyoming Supreme Court.

Section 15. Annual Report.

The Center shall prepare and submit an annual report of operations to the Board and Wyoming Supreme Court on or before July 31 of each year. The report will describe

the Center's operations in detail. The report shall include, but shall not be limited to, a description of: (a) the number of cases handled by the Center; (b) the number and Compensation to all Center Attorneys and Contractors; (c) the amount of all other monies expended by the Center during the year; and (d) any other information requested by the Wyoming Supreme Court or Board. The annual report will also summarize the types of cases handled by the Center and shall identify the number of each type of case handled by the Center.

Section 16. Website.

The Center shall establish and maintain, or coordinate the establishment and maintenance of a website which shall include, but shall not be limited to the following information: (a) detailed contact information for the Center and all civil legal service providers in the State of Wyoming; (b) key documents including the Wyoming Indigent Civil Legal Services Act and these Rules; (c) a schedule of the meetings of the Board; and (d) any other information requested by the Wyoming Supreme Court or the Board.

Section 17. Grants.

(a) Pursuant to Wyo. Stat. § 5-2-122(a)(viii), the Center may grant funds to existing eligible programs to assist in providing civil legal services in Wyoming. The Funding shall be consistent with the Wyoming Indigent Civil Legal Services Act, and may be used to enhance the civil legal services that existing programs are providing. Before making such a grant, the Board must approve the grant by an affirmative vote of a majority of Board members. The Executive Director may recommend grant expenditures to the Board for approval.

(b) Pursuant to Wyo. Stat. § 5-2-122(a)(ix), the Center may receive grants and donations from outside parties. Any such grant or donation must be deposited into an account separate from the Indigent Civil Legal Services Account created by Wyo. Stat. § 5-2-121, and that separate account shall be administered by the Center and Board.

(c) The Center and Board shall establish written criteria for making grants and for receiving grants and donations.

Section 18. Audits.

The Center shall comply with all audits conducted or directed by the Wyoming Supreme Court under Wyo. Stat. § 5-2-121(c). The Center shall respond to any inquiry made by the Wyoming Supreme Court, Wyoming Legislature or legislative committee, or by the Board.

Section 19. Executive Director.

(a) The Executive Director shall manage the affairs, direct

the work and employees of the Center, subject to, and in accordance with, the directions of the Board, and shall be authorized to incur expenses in accordance with the approved budget, or as directed by the Board.

(b) The Executive Director shall attend all meetings of the Board unless otherwise directed by the Board.

(c) The Executive Director shall from time to time make reports of the work and affairs of the Center to the Board.

(d) The job description of the Executive Director is incorporated herein by reference.

Section 20. Full-time Center Attorneys.

(a) No Full-time Center Attorney shall engage in private practice of law, except to complete business pending at time of his/her employment or Contract. A Full-time Center Attorney shall devote his/her full-time to performing Center services as directed by the Center's Executive Director. Nothing in this section shall prohibit a Full-time Center Attorney from providing legal services to or representing immediate family members or the Attorney herself or himself.

(b) The Center shall provide malpractice insurance to all Full-time Center Attorneys.

Section 21. Conveyance and encumbrance of property by the Center.

The conveyance or encumbrance of all or any part of the property of the Center may be authorized by resolution of the Board.

Section 22. Confidentiality.

All information provided on a confidential basis to the Center, Center Attorneys and/or the Center's staff may be kept confidential by the Center. Center Attorneys will comply with all ethical rules governing Wyoming attorneys, including all confidentiality rules.

Section 23. Other legal protections or sanctions.

The protections provided by these Rules do not exclude any protection or sanction that the law otherwise provides.

Section 24. Amendments.

The Wyoming Supreme Court may amend these Rules. The Board may recommend an amendment to the Supreme Court, so long as two-thirds of the Board's members vote in favor of the recommendation.

Section 25. Interpretation of Rules.

(a) The order in which the provisions of the chapters of these Rules appear is not to be construed to mean that any one provision is more or less important than any other provision.

(b) The text of the chapters of these Rules shall control the titles of its various provisions.

Section 26. Superseding effect.

The chapters and sections of these Rules supersede all prior rules or policy statements issued by the Center, which may be inconsistent with the chapters of these Rules.

Section 27. Severability.

If any portion of the chapters of these Rules is found to be invalid or unenforceable, the remainder shall continue in full force and effect.

APPENDIX C

**ARTICLES OF INCORPORATION
for
WYOMING CENTER FOR LEGAL AID**

a Wyoming Domestic Nonprofit Corporation

The undersigned desiring to form a Non-Profit Corporation under the Wyoming Nonprofit Corporation Act WYO. STAT. § 17-19-101 *et seq.*, does hereby certify:

**ARTICLE I
NAME**

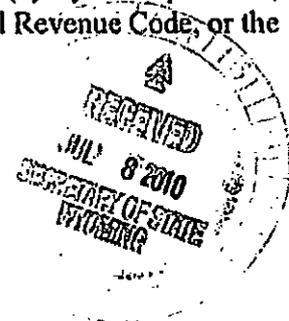
The name of this nonprofit corporation shall be Wyoming Center for Legal Aid.

**ARTICLE II
DURATION**

The period of duration of this nonprofit corporation shall be perpetual.

**ARTICLE III
PURPOSES AND POWERS**

This corporation is a public benefit corporation. Said corporation is organized exclusively for charitable purposes as set forth in section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code. The specific charitable purpose of the corporation is to provide necessary support of the poor (as set forth in Treas. Reg. §1.501(c)(3)-1(d)(2), or any successor provision) by operating a statewide program to provide civil legal services to indigent individuals within the state of Wyoming. No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in this article. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.



**ARTICLE IV
REGULATION OF INTERNAL AFFAIRS**

Provisions relative to the regulation of the internal affairs of Wyoming Center for Legal Aid not inconsistent with the laws of the State of Wyoming shall be generally set forth in the Bylaws of Wyoming Center for Legal Aid, but it is specifically provided as follows:

- A. Control of the affairs of the corporation shall be exercised by a Board of Directors. At all times there shall not be less than three (3) directors;
- B. The Board of Directors shall have the power to make, alter, amend or repeal the Bylaws by a vote of two-thirds of the members of the Board of Directors.

**ARTICLE V
DISTRIBUTION OF ASSETS UPON DISSOLUTION**

This corporation may be dissolved pursuant to applicable law. When a certified copy of a resolution of dissolution is filed with the Office of the Wyoming Secretary of State the directors shall proceed to wind up the affairs of the corporation, pay all debts legally owed and distribute its remaining assets exclusively for the purposes of the corporation in such manner, or for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose, as the board of directors shall determine. All such assets not disposed of shall be disposed of by the District Court of the First Judicial District of the State of Wyoming, in and for Laramie County, exclusively for such purpose or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purpose.

**ARTICLE VI
INITIAL REGISTERED OFFICE AND AGENT**

The name and address of the initial registered agent and registered office is:

Frontier Registered Agency Services LLC
2120 Carey Avenue
Cheyenne, WY 82001

**ARTICLE VII
MEMBERSHIP**

The corporation will not issue capital shares and will have no class of members.

**ARTICLE VIII
INCORPORATOR**

The name and address of the incorporator of this corporation is:

Frontier Registered Agency Services LLC
2120 Carey Avenue
Cheyenne, WY 82001

IN WITNESS WHEREOF, the undersigned incorporator has hereto affixed its signature on July 8, 2010.

FRONTIER REGISTERED AGENCY SERVICES LLC, Incorporator

BY: *Kace Sanders*
Kace E. Sanders, Manager

STATE OF WYOMING)
)
COUNTY OF TETON)

On July 8, 2010, before me personally appeared Kace E. Sanders, who being first duly sworn by me upon her oath, deposed and acknowledged that she had read the contents of the foregoing Articles of Organization and further acknowledged that the facts alleged therein are true and correct. Witness my hand and official seal. My commission expires: 9/21/2010.

Ashley M. Lewark
NOTARY PUBLIC



APPENDIX D

**BY-LAWS OF
WYOMING CENTER FOR LEGAL AID**

**ARTICLE I
OFFICES**

Wyoming Center for Legal Aid (hereinafter, the "corporation") shall maintain in the state of Wyoming a registered office, and a registered agent whose office is identical with the registered office, as required by the Wyoming Nonprofit Corporation Act. The registered office may be, but need not be, identical with the principal office in the state of Wyoming and the address of the registered office may be changed from time to time by the board of directors. The corporation may have other offices, either within or outside of the state of Wyoming as the board of directors may determine or as the affairs of the corporation may require.

**ARTICLE II
BOARD OF DIRECTORS**

Section 1. General Powers. The affairs of the corporation shall be managed by its board of directors. Directors shall be residents of the state of Wyoming.

Section 2. Number, Tenure and Qualifications. The number of directors shall in all events be not less than three, and shall initially be comprised of the following:

- a. Lawrence J. Wolfe;
- b. Walter F. Eggers, III; and
- c. Stuart R. Day.

The number of directors may be expanded by action of two-thirds of the members of the board of directors. Each director shall hold office until the next annual meeting of directors and until his or her successor shall have been elected and qualified.

Section 3. Regular Meetings. A regular annual meeting of the board of directors shall be called a minimum of thirty (30) days in advance by the President. The board of directors may provide by resolution the time and place, either within or outside of the state of Wyoming for the holding of additional regular meetings of the board without other notice than the resolution.

Section 4. Special Meetings. Special meetings of the board of directors may be called by or at the request of the president or any two directors. The persons authorized to call special meetings of the board may fix any place, either within or outside of the state of Wyoming, as the place for holding any special meeting of the board called by them.

Section 5. Notice. Notice of any special meeting of the board of directors shall be given at least twenty one (21) days previously by written notice delivered personally or sent by mail or email to each director at the director's address as shown by the records of the corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage prepaid. If sent by email, it shall be deemed to be delivered when the recipient acknowledges receipt by responding to the email. Any director may waive notice of any meeting. The attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or

special meeting of the board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these bylaws.

Section 6. Quorum. A majority of the board of directors shall constitute a quorum for the transaction of business at any meeting of the board, but if less than a majority of the directors are present at the meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

Section 7. Manner of Acting. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors, unless the act of a greater number is required by law or by these bylaws.

Section 8. Vacancies. Any vacancy occurring in the board of directors and any directorship to be filled by reason of an increase in the number of directors, shall be filled by action of two-thirds of the members of the board of directors. A director elected to fill a vacancy shall be elected for the unexpired term of the director's predecessor in office.

Section 9. Compensation. Directors as such shall not receive any set salaries for their services, but by resolution of the board of directors a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the board; but nothing contained here shall be construed to preclude any director from serving the corporation in any other capacity and receiving compensation.

Section 10. Informal Action by Directors. Any action required by law to be taken at a meeting of directors, or any action which may be taken at a meeting of directors, may be taken without a meeting if a consent in writing, setting out the action so taken, shall be signed by the requisite number of directors required to approve any such action.

Section 11. Removal of Director. Any director can be removed from the board of directors by the by action of two-thirds of the members of the board of directors with or without cause. The remaining members of the board after such removal shall immediately appoint a successor so that at all times there are at least three (3) directors of the corporation.

ARTICLE III OFFICERS

Section 1. Officers. The officers of the corporation shall be a president, a secretary, a treasurer and such other officers as may be elected in accordance with the provisions of this article. The board of directors may elect or appoint the other officers, including one or more vice-presidents and assistant secretaries and one or more assistant treasurers, as it shall deem desirable, to have the authority and perform the duties prescribed by the board of directors. Any two or more offices may be held by the same person.

Section 2. Election and Term of Office. The officers of the corporations shall be elected annually by the board of directors at the regular annual meeting of the board of directors. If the election of officers shall not be held at such meeting, it shall be held as soon thereafter as is convenient. New offices may be created and filled at any meeting of the board of directors. Each officer shall hold office until the officer's successor shall have been elected and shall have qualified.

Section 3. Removal. Any officer elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the best interest of the corporation would be served by the officer's removal, but such removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Section 4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the board of directors for the unexpired portion of the term.

Section 5. President. The president shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He or she shall preside at all meetings of the board of directors. He or she may sign, alone or with the secretary or any other proper officer of the corporation authorized by the board of directors, any deeds, mortgages, bonds, contracts, or other instruments which the board of directors has authorized to be executed, except in cases where the signing and execution shall be expressly delegated by the board of directors or by these bylaws or by statute to some other officer or agent of the corporation; and in general he or she shall perform all duties incident to the office of president and such other duties as may be prescribed by the board of directors.

Section 6. Vice-President. In the absence of the president or in event of the president's inability or refusal to act, the vice-president (or in the event there be more than one vice-president, the vice-presidents in the order of their election) shall perform the duties of the president and when so acting, shall have all the powers of and be subject to all the restrictions upon the president. Any vice-president shall perform such other duties as may be assigned to the vice-president by the president or by the board of directors.

Section 7. Treasurer. If required by the board of directors, the treasurer shall give a bond for the faithful discharge of the treasurer's duties in such sum and with such surety as the board of directors shall determine. He or she shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for moneys due and payable to the corporation from any source, and deposit all such moneys in the name of the corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of Article V of these bylaws; and in general perform all the duties incident to the office of treasurer and such other duties as may be assigned to the treasurer by the president or by the board of directors.

Section 8. Secretary. The secretary shall keep the minutes of the meetings of the board of directors in books provided for that purpose; see that all notices are given in accordance with the provisions of these bylaws or as required by law; be custodian of the corporate records and of any seal of the corporation and see that any such seal of the corporation is affixed to all necessary documents, the execution of which on behalf of the corporation under its seal is authorized in accordance with the provisions of these bylaws; keep a register of the post office address of each member which shall be furnished to the secretary by that member; and in general perform all duties incident to the office of secretary and such other duties as may be assigned by the president or by the board of directors.

Section 9. Assistant Treasurers and Assistant Secretaries. If required by the board of directors, the assistant treasurers shall give bonds for the faithful discharge of their duties in such sums and with such sureties as the board of directors shall determine. The assistant treasurers and assistant secretaries, in general, shall perform the duties assigned to them by the treasurer or the secretary or by the president or the board of directors.

ARTICLE IV COMMITTEES

Section 1. Committees of Directors. The board of directors, by resolution adopted by a majority of the directors in office, may designate and appoint one or more committees, each of which shall consist of two or more directors, which committees, to the extent provided in the resolution, shall have and exercise the authority of the board of directors in the management of the corporation; provided, however, that no such committee shall have the authority of the board of directors in reference to amending, altering or repealing the bylaws; electing, appointing or removing any member of any such committee or any director or officer of the corporation; amending the articles of incorporation; adopting a plan of merger or adopting a plan of consolidation with another corporation; authorizing the sale, lease, exchange or mortgage of all or substantially all of the property and assets of the corporation; authorizing the voluntary dissolution of the corporation or revoking proceedings therefor; adopting a plan for the distribution of the assets of the corporation; or amending, altering or repealing any resolution of the board of directors which by its terms provides that it shall not be amended, altered or repealed by the committee. The appointment of any such committee and the delegation of authority shall not operate to relieve the board of directors of any responsibility imposed upon it by law.

Section 2. Other Committees. Other committees not having and exercising the authority of the board of directors in the management of the corporation may be designated by a resolution adopted by a majority of the directors present at a meeting at which a quorum is present. Except as otherwise provided in the resolution, the president of the corporation shall appoint the members of the committees. Any member may be removed by the persons authorized to appoint such member whenever in their judgment the best interests of the corporation shall be served by the removal.

Section 3. Term of Office. Each member of a committee shall continue as a member until the next annual meeting of the directors of the corporation and until the member's successor is appointed, unless the committee shall be terminated sooner, or unless the member be removed from the committee, or unless the member shall cease to qualify as a member of the committee.

Section 4. Chair. One member of each committee shall be appointed chair by the persons authorized to appoint the members of the committee.

Section 5. Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

Section 6. Quorum. Unless otherwise provided in the resolution of the board of directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

Section 7. Rules. Each committee may adopt rules for its own government not inconsistent with these bylaws or with rules adopted by the board of directors.

**ARTICLE V
CONTRACTS, CHECKS, DEPOSITS AND FUNDS**

Section 1. Contracts. The board of directors may authorize any officer or officers, agent or agents of the corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances.

Section 2. Checks, Drafts, etc. All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation, shall be signed by those officers or agents of the corporation and in a manner as shall be determined by resolution of the board of directors. In the absence of this determination by the board of directors, the instruments shall be signed by the treasurer or an assistant treasurer and countersigned by the president or a vice-president of the corporation.

Section 3. Deposits. All funds of the corporation shall be deposited to the credit of the corporation in the banks, trust companies or other depositories as the board of directors may select.

Section 4. Gifts. The board of directors may accept on behalf of the corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the corporation.

**ARTICLE VI
BOOKS AND RECORDS**

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its board of directors and committees having any of the authority of the board of directors, and shall keep at the registered or principal office a record giving the names and addresses of the directors entitled to vote. All books and records of the corporation may be inspected by any director, or his agent or attorney for any proper purpose at any reasonable time.

**ARTICLE VII
FISCAL YEAR**

The fiscal year of the corporation shall begin on the first day of January and end on the last day of December in each year.

**ARTICLES VIII
SEAL**

The board of directors may provide a corporate seal, but need not do so, which shall be in the form of a circle and shall have inscribed the name of the corporation and the words "Corporate Seal, Wyoming."

**ARTICLE IX
WAIVER OF NOTICE**

Whenever any notice is required to be given under the provisions of the Wyoming Nonprofit Corporation Act or under the provisions of the articles of incorporation or the bylaws of the corporation, a waiver in writing signed by the persons entitled to the notice, whether before or after the time stated there, shall be deemed equivalent to the giving of notice.

**ARTICLE X
AMENDMENTS TO BYLAWS**

These bylaws may be altered, amended or repealed and new bylaws may be adopted by an action of not less than two-thirds of the directors present at any regular meeting or at any special meeting, if at least twenty one (21) days' written notice is given of intention to alter, amend or repeal or to adopt new bylaws at the meeting.

APPENDIX E

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **AUG 26 2010**

WYOMING CENTER FOR LEGAL AID
C/O CHRISTOPHER M REIMER
PO BOX 3070
JACKSON, WY 83001

Employer Identification Number:
27-3029906
DLN:
17053200333040
Contact Person:
GARY MUTHERT ID# 31518
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
July 13, 2010
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

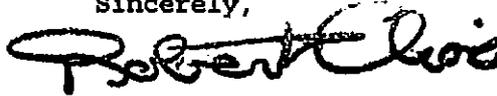
Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947 (DO/CG)

WYOMING CENTER FOR LEGAL AID

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in black ink that reads "Robert Choi". The signature is written in a cursive style with a large, looping initial "R".

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosure: Publication 4221-PC

Letter 947 (DO/CG)

APPENDIX F

WYOMING CENTER FOR LEGAL AID

BOARD OF DIRECTORS

Operational Rules

Section 1. Authority

(a) These Operational Rules (“Rules”) of the Board of Directors (“Board”) of the Wyoming Center for Legal Aid (“Center”) are promulgated by the Wyoming Supreme Court pursuant to 2010 Wyoming Session Laws Chapter 109, §§ 1-4 (“Wyoming Indigent Civil Legal Services Act”), enacted during the 2010 Legislative Budget Session (Wyo. Stat. Ann. §§ 2-2-401, 5-2-121 through 5-2-122, 5-2-202, 5-2-205 through 5-2-206, 5-6-108, 5-6-204, 5-6-303, 5-9-135, 5-9-144, 6-10-102 through 6-10-103), and under the authority of the Wyoming Supreme Court.

(b) The Board and Center are not Wyoming state agencies and these Rules are not promulgated under or subject to the Wyoming Administrative Procedure Act, Wyo. Stat. Ann. §§ 16-3-101 *et seq.*

Section 2. Purpose and Applicability

(a) The purpose of the Center is to fulfill the requirements and expectations of the Wyoming Legislature, described in the Wyoming Indigent Civil Legal Services Act, particularly Wyo. Stat. Ann. § 5-2-122.

(b) The purpose of the Board is to ensure that the Center fulfills its statutory mandate and provides exemplary legal services throughout the State of Wyoming. In order to meet these requirements, the Board shall: (i) oversee the Center’s operations; (ii) ensure that the Center complies with its enacting statutes and the Wyoming Center for Legal Aid Rules and Regulations (“Center Rules”); (iii) act as a liaison between the Wyoming Supreme Court and the Center; and (iv) act as a liaison between all stakeholders and the Center.

(c) The Center Rules are incorporated herein by reference.

Section 3. Citation

Citation to these Rules shall be "Rules of the Board of the Wyoming Center for Legal Aid," or simply "WCLA Board Rules."

Section 4. General Provisions

The Board shall oversee and manage the business, property and affairs of the Center. The Board shall have the power to initiate and approve the Center's programs and activities; have custody and management of land, buildings, equipment, securities and all other properties of the Center; approve the annual budget of the Center and transmit that budget to the Wyoming Supreme Court; raise and disburse funds; make contracts; appoint and employ the Executive Director of the Center; fix the compensation of all employees and contractors of the Center; and perform all other duties and shall have other powers as may be necessary to carry out the statutory purpose of the Center.

Section 5. Board Composition and Selection

(a) The Board shall consist of not more than sixteen (16) members and not less than seven (7) members.

(b) The Wyoming Supreme Court shall select the members of the Board. In selecting Board members, the Supreme Court shall attempt to appoint representatives of diverse interests and geographic locations, who work in a variety of occupations and have knowledge of the issues that the Board will confront. After the initial Board members are selected by the Supreme Court, the Board shall thereafter make recommendations to the Court for new Board members, but those recommendations shall not be binding upon the Court.

(c) If the total number of Board members falls below the minimum of seven (7) members, the Supreme Court shall appoint a sufficient number of replacements to meet the seven-member requirement within thirty (30) days of the vacancy.

Section 6. Term

Each Board member shall be appointed by the Wyoming Supreme Court for a term of three (3) years. After the expiration of a Board member's initial three (3) year term, the Board member may serve a second three year term by appointment of the Wyoming Supreme Court. The Board members' terms shall be staggered. In addition to the powers conferred upon it by these Rules, the Board may exercise all such other powers as are permitted by applicable law.

Section 7. Board Member Duties

Members of the Board will be expected to be active in furthering the purposes of the Center by contributing time to the work of the Center, the Board, and the Board's committees, by participating in the operations and activities of the Board and Center.

Section 8. Board Meetings

(a) Frequency

(i) Regular meetings of the Board shall be held monthly at such places and times as the Board shall designate, and may be held by telephone or video conference.

(ii) An annual meeting of the Board shall be held in May of each year, or such other time as the Board may determine. Each year, the Board or the Board Chair shall fix the specific date, time and place of the annual meeting. Proper notice of the annual meeting shall be given to each director and to the public at least ten (10) days before the meeting.

(iii) Special meetings may be held at the call of the Chair of the Board, or by of twenty-five percent (25%) of the members of the Board, providing a notice of the time and purpose of the meeting is given to each Board member and to the public ten (10) days before the date of the meeting, which shall state the purpose of the meeting.

(b) Attendance and Quorum

One third of the Board members holding office on the Board shall constitute a quorum at any meeting of the Board of Directors, provided that a majority of those present at any meeting may take an adjournment from time to time until a quorum shall be present.

(c) Manner of Action and Voting

Unless otherwise provided by statute or these Rules, a majority vote of the directors present shall be sufficient for the transaction of all business at any meeting of the Board, provided a quorum is present.

Section 9. Board Officers

(a) Chair

(i) Selection

The Board shall elect a Chair of the Board. It is presumed that the Chair-elect shall become the Chair, but the Board must hold an election to determine the Chair.

(ii) Term

The Chair shall serve for a term of two (2) years.

(iii) Duties

The Chair of the Board shall preside at all meetings of the Board; shall appoint the members of all Board committees; shall sign such papers as may be required by the office, or may be directed by the Board; shall make such reports and recommendations to the Board and to the members of the Center at any regular or special meetings, concerning the work and affairs of the Center as in the Chair's judgment may be necessary for their information and guidance; may require such reports from other Board members as in the Chair's judgment are necessary, and shall perform such other duties as may be incidental to the office.

(b) Chair-elect

(i) Section

The Board shall elect a Chair-elect of the Board.

(ii) Term

The Chair-elect shall serve for a term of two (2) years.

(iii) Duties

The Chair-elect shall perform the duties of the Chair in case of the Chair's resignation or inability to act. The Chair-elect shall perform other duties as directed by the Chair.

(c) Other officers

Other officers designated by the Board shall perform such duties as may be required of them by the Chair.

Section 10. Removal from Office

(a) Any officer or director may be removed from office as a result of failure to the duties of said office or for conduct detrimental to the best interest of the Center or Board.

(b) Removal must follow the following procedures:

(i) A petition stating the charge shall be filed with the Chair and signed by two-thirds of the Board.

(ii) The Chair shall notify each Board member at least ten (10) days before the question will be placed on a meeting agenda.

(iii) The petitioners shall present their case first, said officer or director shall be heard second, and the vote shall be taken third. Two-thirds of those voting shall be necessary to remove said officer or director from office.

(c) Should said officer be the Chair, the Chair-elect shall preside during the removal proceedings. No removal shall be placed more than once on the same evidence.

Section 11. Committees

(a) Executive Committee

The Executive Committee of the Board shall consist of the Chair, the Chair-elect, and two other Board members elected by the Board at the annual meeting.

The Executive Committee may meet, but shall not be required to meet, in months when there is no regularly scheduled meeting of the Board and shall meet upon call of the Chair or any two members of the Executive Committee. Fifty percent (50%) of the members of the Executive Committee shall constitute a quorum at any meeting of the Executive Committee and a majority vote of those present shall be sufficient for the transaction of business provided that a quorum is present. Notice of each meeting of the Executive Committee, together with the agenda for the meeting shall be given to each member of the Executive Committee at least three (3) days prior to the meeting.

(b) Other Committees

The Chair may name any other Committees as she or he sees fit. The Chair and Chair-elect shall be ex-officio members of all committees of the Board.

Section 12. Records, Reports and Audits

(a) The Board shall keep records of all Board meetings and committee meetings.

(b) The Board shall prepare any report required by the Wyoming Supreme Court and the Wyoming Legislature or any legislative committees.

(c) The Board shall comply with any audit conducted pursuant to Wyo. Stat. § 5-2-121(c).

Section 13. Indemnification.

Any person who was or is a party or who was or is threatened to be made a party to any threatened, pending, or completed action, suit or proceeding, whether civil, criminal, administrative, or otherwise and whether formal or informal, by reason of the fact that such person is or was a director or officer of the Center, or (while serving as a director or officer of the Center) is or was a trustee, director, officer or employee of another organization or enterprise at the request of the Center, shall be indemnified by the Center to the fullest extent now or hereafter permitted by or as provided under Wyoming law. This indemnification will only apply if the person's actions which gave rise to the threatened, pending, or completed action, suit or proceeding occurred as part of the person's duties as a director or officer of the Center.

Section 14. Contracts

The Board has authority to make contracts on behalf of and in the name of the Center.

Section 15. Confidentiality

All information provided on a confidential basis to the Board, the Center, Center Attorneys and/or the Center's staff may be kept confidential by the Board.

Section 16. Amendments

The Wyoming Supreme Court may amend these Rules. The Board may recommend an amendment to the Supreme Court, so long as two-thirds of the Board's members vote in favor of the recommendation.

Section 17. Interpretation of Rules

The order in which the provisions of the chapters of these Rules appear is not to be construed to mean that any one provision is more or less important than any other provision.

The text of the chapters of these Rules shall control the titles of its various provisions.

Section 18. Superseding Effect

The chapters and sections of these Rules supersede all prior rules or policy statements issued by the Center, which may be inconsistent with the chapters of these Rules.

Section 19. Severability

If any portion of the chapters of these Rules is found to be invalid or unenforceable, the remainder shall continue in full force and effect.

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APPENDIX G

THE WYOMING CENTER FOR LEGAL AID

IS SEEKING MEMBERS FOR ITS

INITIAL BOARD OF DIRECTORS

Earlier this year, the Wyoming Legislature enacted the **Indigent Legal Services Act**, which established and funded Wyoming's first statewide and state-funded indigent legal services program. Governor Freudenthal signed the bill on March 11, 2010.

The Wyoming Center for Legal Aid (WCLA) is a newly-incorporated non-profit organization formed in response to the Indigent Legal Services Act. WCLA's primary function is to develop and coordinate a statewide delivery system for civil legal services for indigent residents throughout Wyoming. WCLA has a projected annual budget of \$1-1.5 million and its role in the statewide delivery system will evolve and grow over time. Initially, WCLA may: (1) provide legal services and refer callers to other providers around the state; (2) organize a centralized intake system; and (3) award grants to current providers to increase their service capacities.

- PROFILE OF THE IDEAL BOARD MEMBER -

We are seeking experienced and diverse leaders who are passionate about providing exceptional statewide legal services to the people of Wyoming. WCLA's first Board will consist of lawyers and non-lawyers dedicated to organizing and providing a strategic vision to the WCLA. The ideal Board Member will be:

- Passionate about WCLA's mission as described in the Indigent Legal Services Act
- Committed to understanding poverty and working with low-income people
- Creative and willing to fully engage in the strategic planning necessary to make WCLA a dynamic and effective organization
- Able to ensure WCLA's fiscal and operational strength by maintaining existing resources while developing new resources
- Capable of developing effective relationships between and among the Board, WCLA's Executive Director, WCLA staff, the Wyoming Supreme Court, the Access to Justice Commission and—above all—WCLA's clients
- Able to expand WCLA's reach to Wyoming's rural areas by working with local leaders around the state
- Willing to actively participate in Board Member orientation and training
- A problem-solver with the ability to make the most efficient use of limited resources in order to serve the legal needs of as many clients as possible
- Respectful of individuals of diverse backgrounds

If you have questions about this volunteer Board position, please contact Ronda Munger (307-777-7590) or Walter Eggers (307-778-4208) with the Access to Justice Commission. Please send written expressions of interest in this position to:

Ronda Munger ▪ Wyoming Supreme Court ▪ 2301 Capitol Ave. ▪ Cheyenne, WY 82002

APPENDIX H

Wyoming Center for Legal Aid

Job Title:

Executive Director

Job Location:

Cheyenne, Wyoming

Organization Information:

Wyoming Center for Legal Aid is a non-profit program created by the Wyoming Supreme Court to create a centralized intake system and coordinate a statewide delivery system for civil legal services for indigent residents in Wyoming. WCLA is funded with state appropriations and has a projected biennial income of \$2.5-3 million. As a newly incorporated non-profit organization, WCLA's role in the statewide delivery system will evolve and grow over time. The primary function of WCLA is creating a centralized intake system so there is one, single-point of entry for indigent residents. In-house attorneys will either provide legal advice or refer callers to existing civil legal service providers around the state. WCLA will also allocate grants to current providers in order to increase their service capacities. WCLA will also contract with private attorneys as needed.

Job Description:

The Executive Director is responsible for programmatic, personnel, administrative and financial matters of WCLA. A positive working relationship with the Board of Directors is essential to the success of WCLA. Duties of the Executive Director include:

- Hiring professional staff and necessary support staff
- Contract with private attorneys and manage those accounts
- Review grant applications from existing providers in the state
- Coordinate and collaborate with existing providers on an on-going basis
- Be responsible for providing training opportunities to ensure the WCLA provides competent legal services while staying up-to-date on current issues in the civil legal services arena
- Participate in fundraising, grant writing and grant reporting
- Provide quarterly reports to the Board of Directors
- Act as chief representative of the agency in public relations matters
- Direct overall operation of the program in compliance with the policies and guidelines established by the Board of Directors

Requirements:

- Candidates must be admitted to practice law in Wyoming or be eligible for timely admission.
- Budget, personnel and administrative experience in a non-profit organization
- Demonstrated commitment to understanding realities of poverty and working with low-income people
- Be creative and possess problem-solving abilities to make the most efficient use of limited resources in order to serve the legal needs of as many clients as possible
- Excellent writing and communication skills

- Ability to work respectfully with individuals of diverse backgrounds

To Apply:

Applications should include:

- Letter of Interest
- Resume
- Writing sample
- List of three references

Please submit applications to:
Wyoming Center for Legal Aid
ADDRESS
Cheyenne, WY

Submission Deadline:

There are a few places that the Executive Director position should be posted. First, we should advertise through Management Information Exchange (MIE) which caters to civil legal service providers. We would need to become a member, but the Center should join regardless because of MIE's resources. Other websites that should be included are: PSLawNet, NLADA, and the ABA (all are free). We may also choose to pay for some advertising in specific directories within the region.

APPENDIX I

- Invitation -

You are invited to attend a

Public Meeting

hosted by the Wyoming Access to Justice Commission on
October 28, 2010, to discuss formation of the newly-incorporated

Wyoming Center for Legal Aid

a non-profit organization created in response to the Indigent
Legal Services Act enacted by the Wyoming Legislature and
signed by the Governor on March 11, 2010.

The meeting will be held in the Courtroom of the

Wyoming Supreme Court
2310 Capitol Ave., Cheyenne
from 4:30 – 6:30 p.m.
on Thursday, October 28, 2010

If you are available to attend,
please contact Ronda Munger
or Walter Eggers with the
Access to Justice
Commission. We will send you
discussion materials in
advance of the meeting.

→

Ronda's phone number is
307-777-7590 and her e-mail
address is:
rmunger@courts.state.wy.us

→

Walter's phone number is
307-778-4208 and his e-mail address
is: weggers@hollandhart.com

PARTICIPATE BY VIDEO: We are planning to provide a videoconference
link to the public meeting from courtrooms in Casper, Jackson, Lander
and Rawlins. Please let us know as soon as possible if you would like
to attend by videoconference from one of those locations.

APPENDIX J

WYOMING ACCESS TO JUSTICE COMMISSION

STATEMENT OF CORE VALUES

Established by Order of the Wyoming Supreme Court, the Wyoming Access to Justice Commission (WAJC) is responsible for designing and overseeing a comprehensive integrated state civil legal aid delivery system. In order to accomplish our work, we must first declare the values that form the foundation of our efforts. To this end, we adopt the following core values to guide our efforts in designing and implementing a new system for civil legal aid delivery in Wyoming that will enable us to accomplish our mission to promote fair and equal access to civil justice in Wyoming:

1. **Grounded in the Just Rule of Law.** Because law forms the foundation of all civil relationships in our democratic society, all residents of the state of Wyoming should have a meaningful ability to know of, understand, assert, enforce and defend important rights and prerogatives, and sufficient information to understand and abide by their corresponding civil legal duties and obligations.
2. **Equal Justice for All.** Wyoming's justice system is founded on the principle of equal justice for all. In order for the civil justice system in the state of Wyoming to function effectively, it must be open to and accessible by all who need its protection. It must also be responsive to the unique diversity of our geography, economies and population. Geographic location, income, wealth, social status, age, disability, or considerations not germane to an individual's specific legal situation should not define the measure of a person's ability to meaningfully access and secure appropriate protection within Wyoming's civil justice system.
3. **Protection of Existing Rights.** Access to justice is a bedrock principle of enlightened self-government, one that originates from the notion that all power is inherent in the people, who share equal political and civil rights, and that justice shall be administered "for every person ... without sale, denial or delay." Wyo. Const. art. 1, §§ 1, 3 and 8.

4. **Legal Assistance Essential to Securing Justice.** Effective legal assistance is often necessary to enable individuals with legal problems to meaningfully assert and defend important civil legal rights and prerogatives; and the lack of legal assistance not only results in the effective denial of the meaningful ability to participate in important civil legal proceedings, but often the denial of justice itself.
5. **The Need for a Statewide Legal Aid System.** All low income people in Wyoming should have access to legal assistance and, where necessary, effective legal representation with respect to civil legal matters that affect important personal, family, social, cultural and economic interests. A statewide civil legal aid system is needed to ensure that such assistance and representation is meaningfully available, consistent with the justice needs of clients and low income communities, including consideration of economy and efficiency and these values. The civil legal aid system in Wyoming should be integrated and highly coordinated, using all potential resources in the most strategic manner, consistent with the overall goals and objectives of the civil legal aid system as defined by the WAJC. The organized bar throughout the state should be included as a full partner in the effort to meet the unmet civil legal needs of low income people.
6. **Full Continuum of Civil Legal Aid Delivery Capacities.** The statewide legal aid system should provide for a full continuum of civil legal aid delivery capacities so that those in need of assistance can access the right type and quality of help they need, whether it be information and advice, self-help assistance, brief assistance and limited purpose help, or full and extended legal representation in trial and appellate courts and other forums where rights and prerogatives are defined, regulated and adjudicated.
7. **Client-Centered Priorities.** Because there are insufficient resources to meet all legal needs, it will continue to be necessary to prioritize areas of legal need for which legal help is most needed. Low income people and communities must be actively involved in defining areas of priority and focus for the delivery of civil legal aid in Wyoming.

8. **Accountability.** The civil legal aid system must be effective and economical in the delivery of necessary legal assistance and representation, and must be accountable to the clients and client communities in need of civil legal help, the justice system and the people of the state of Wyoming who, through the Legislature, provide substantial public funding to underwrite the civil legal aid system. The WAJC should be responsive to all stakeholders in the state.

9. **Wyoming's civil justice system should be effective, efficient, and accessible to all Wyoming citizens.** The WAJC will research and make recommendations for improving the efficiency and accessibility of the civil justice system.

