

CONFERENCE OF CHIEF JUSTICES

CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 13

Reaffirming Commitment to Access to Justice Leadership and Expressing Appreciation for Access to Justice Progress and Collaboration

WHEREAS, equal justice is fundamental to the American system of government under law; and

WHEREAS, the Conference of Chief Justices (CCJ) and the Conference of State Court Administrators (COSCA) have historically been committed to the fundamental principle of fair access to justice for all in civil matters; and

WHEREAS, ensuring access to justice in proceedings involving basic human needs, such as shelter, sustenance, safety, health or child custody, remains one of the Conferences' highest priorities; and

WHEREAS, CCJ and COSCA have previously adopted joint resolutions recognizing that a fundamental requirement of access to justice is access to the courts; and

WHEREAS, such resolutions include:

1. Resolution 23, Leadership to Promote Equal Justice, adopted in 2001, acknowledging that judicial leadership and commitment are essential to ensuring equal access to the justice system and to the achievement through nationwide effort of equal justice for all, and encouraging individual members in their respective states to establish partnerships with state and local bar organizations, legal service providers, and others to: remove impediments to access to the justice system, including physical, economic, psychological and language barriers; develop viable and effective plans to establish or increase public funding and support for civil legal services for individuals and families who have no meaningful access to the justice system; and expand the types of assistance available to self-represented litigants, including exploring the role of non-attorneys; and
2. Resolution 2, In Support of Efforts to Increase Access to Justice, adopted in 2008, encouraging the members of the conferences in each state and territory to continue to take steps to ensure that no citizen is denied access to the justice system by reason of lack of resources, or any other such barrier, and urging their members to take a leadership role in their respective jurisdictions to prevent denials of access to justice; and

3. Resolution 8, In Support of Access to Justice Commissions, adopted in 2010, noting that state access to justice commissions have achieved remarkable results and have been recognized as one of the most important justice-related developments in the past decade, and supporting the aspirational goal that every state and United States territory have an active access to justice commission or comparable body; and

WHEREAS, the number of states and territories with access to justice commissions has increased to 28, and numerous states and territories are planning or considering the creation of new access to justice commissions; and

WHEREAS, these and other efforts involving leadership on the part of the courts, in partnership with the bar, legal aid providers, and other stakeholders, are helping to secure access to justice for civil litigants; and

WHEREAS, the Public Welfare Foundation has provided major grants to the National Center for State Courts (NCSC) and the American Bar Association (ABA) to promote court leadership on access to justice and to support and expand the access to justice commission movement, along with other grants to support civil legal aid; and

WHEREAS, with the encouragement of the Public Welfare Foundation, the NCSC and the ABA are collaborating in their efforts to expand access to civil justice and successfully coordinating resources and technical assistance; and

WHEREAS, the Kresge Foundation has also made a major grant to the ABA to expand its support for access to justice commissions, along with other grants to support civil legal aid; and

WHEREAS, these initiatives are strengthening the momentum in promoting access to justice for civil litigants;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators:

1. Express their continuing support for the leadership roles that members are playing in their respective jurisdictions, in partnership with other stakeholders, in promoting access to justice, and commend them for the progress resulting therefrom; and
2. Reaffirm their support for the aspirational goal that every state and United States territory have an active access to justice commission or comparable body; and
3. Commend the Public Welfare Foundation, the Kresge Foundation, the National Center for State Courts, and the American Bar Association, for their collaborative efforts to expand access to justice for civil litigants across the country.

Adopted as proposed by the CCJ/COSCA Access, Fairness and Public Trust Committee at the 2013 Annual Meeting on July 31, 2013.