

Chief Justice Mark E. Recktenwald
Welcoming Remarks for Access to Justice Conference
William S. Richardson School of Law
June 24, 2016

Good morning and aloha, and welcome to the eighth annual Access to Justice Conference. I'd like to start by thanking the Access to Justice Commission for sponsoring this event, and acknowledging my good friend and former colleague, Commission Chair Justice Simeon Acoba, for his leadership on the Commission. I also want to thank Bob LeClair and the Hawai'i Justice Foundation, Dean Avi Soifer and the William S. Richardson School of Law, and Jodi Kimura Yi, Pat Mau-Shimizu and the Hawai'i State Bar Association for their tireless support of access to justice in Hawai'i. I also want to recognize everyone who has worked so hard to plan today's conference, including Carol Muranaka and the Commission's Committee on Education, Communications, and Conference Planning, and all of the distinguished speakers and panel members who will be participating. And I'd like to extend a personal mahalo to the women at the Women's Community Correctional Center who made these beautiful lei for the speakers today. I would also like to acknowledge Senator Suzanne Chun Oakland, who is retiring from the Senate, for her distinguished service and for joining us today. Will you please join me in acknowledging everyone who helped make this conference possible?

I would also like to extend a warm aloha to the Honorable Jonathan Lippman, former Chief Judge of the State of New York, who will present this year's keynote address. Chief Judge Lippman has been a game-changer nationally in the fight for access to justice, and we are truly fortunate to have him share his insights with us today. I'd like to thank Chief Judge Lippman and his wife, Amy, for making the long trip to be here.

This is an exciting time for the access to justice movement, both in Hawai'i and across the United States. Approximately 40 states and the District of Columbia have created Access to Justice Commissions. Most of these commissions, like ours, are relatively new. Our commission was formed in 2008, at the height of the financial crisis--without any direct government support--and has succeeded for one simple reason: we have passionate people in Hawai'i who deeply care about access to justice, and are willing to devote their time and talent to serving others. We also have great partners in the community: the Richardson Law School, the HSBA, the Hawai'i Justice Foundation, and our strong network of legal service providers, many of which are represented here today. I thank each of these providers and their dedicated attorneys and staff for all they do to seek justice on behalf of their clients.

The work we are doing here in Hawai'i is being noticed across the country. Recently, Hawai'i was ranked number 3 in the

nation by the National Center for Access to Justice's "Justice Index" for our performance in increasing ATJ for our citizens. Although we can take pride in this recognition, we have so much work left to do. There are literally thousands of people in Hawai'i who must represent themselves in civil cases in our courts each year because they cannot afford an attorney. Their cases involve fundamental human interests, from housing and health care to child custody. If their voices go unheard because they cannot effectively tell their side of the story, then we are *not* providing justice for all.

Both here in Hawai'i and on a national level, it is appropriate to ask the question: where do we go from here? How do we continue the momentum that has been developed through the work of our ATJ commissions?

Last year, the Conference of State Chief Justices adopted Resolution 5, which encouraged each state ATJ Commission to develop a strategic plan with realistic and measurable outcomes, and set an ambitious overall goal of 100% access to justice provided through a continuum of meaningful and appropriate services. To be sure, this is a lofty goal. But it is a goal that Hawai'i can achieve, if we plan carefully, build upon our successes, use technology and innovate, and bring new partners into the effort.

Fortunately, we have an opportunity to do exactly that.

The National Center for State Courts, with funding from the Public Welfare Foundation, recently announced a program that will award grants of \$50,000 to \$100,000 to states to develop strategic plans to achieve 100% access. Those states that receive planning grants can also apply for additional grants to assist with implementation of their plans.

In short, this grant process would give us the opportunity to develop a shared vision of what 100% access would look like and how to get there, and then to work together to make it a reality.

We have a very strong foundation to build upon. In 2011, our commission and the Judiciary, with the help of many community partners, opened up the first Self-Help Center in our courthouse on Kauai, where volunteer attorneys assist individuals who could not afford an attorney. Today, we have Self-Help Centers in every circuit in the state, and they have served over 12,500 people at almost no cost to the public.

We also partnered with the Legal Aid Society of Hawai'i and the Hawai'i State Bar Association to make self-help interactive court forms available online. And for those persons who might not own a computer or have access to the internet, these forms are also accessible on computers at many Hawai'i State Public Library locations. We have trained librarians across the state, and these legal materials are now available on

800 computers in 50 libraries statewide.

Another significant innovation, the Appellate Pro Bono Pilot Project, was launched last fall with the help of HSBA's appellate section, especially Rebecca Copeland. The goal of the Project is to match low- and moderate-income pro se appellate litigants, in certain eligible civil appeals, with volunteer attorneys who are willing to provide pro bono appellate representation. Last January, the Hawai'i Supreme Court held our first oral argument with volunteer appellate attorneys, and we look forward to seeing this program grow and flourish in the coming years.

In addition to innovation, we must continue to build relationships and partnerships with institutions outside of the legal field. Obviously, a huge part of our mission involves making sure that all people have meaningful access when they are in court. But just as doctors know that illness does not start in a hospital, we know that many of the barriers that prevent full access to justice arise long before litigation starts. Our work cannot begin and end in the courthouse alone. By identifying and engaging with new partners, we can bring together a myriad of resources and experiences to help meet Hawaii's access to justice needs.

A great example of this type of engagement is the Medical-Legal Partnership for Children in Hawai'i. Through a

collaboration between Richardson Law School and Kokua Kalihi Valley Comprehensive Family Services, the Partnership has fused "preventative legal care" with "preventative health care." For the low-income families who rely on Kokua Kalihi Valley, what might appear on the surface to be a medical issue (an ill child, for example), can have a legal component, such as a recent loss of housing. Since April 2009, lawyers, law students, doctors and medical residents have worked together on-site at the KKV health center to provide legal services to over 500 families in Kalihi Valley. Attorneys and law students often meet with families right in the exam rooms, while children wait for their vaccinations and booster shots. This is an exciting model, and we should look for other similar opportunities.

Indeed, one of the most important benefits of this annual conference is that it gives us the chance to hear and learn from other groups and stakeholders that care deeply about our community, but are not directly involved with the legal profession. Last year, we heard from a panel that discussed how to engage the business community in access to justice efforts. This year, we are fortunate to welcome a representative from organized labor, Richardson graduate and Local 5 Organizer Morgan Evans, who is on our first panel this morning, as well as representatives from business and health care.

Although we have a wide variety of views and

experiences represented here today, we are united by a common goal: the pursuit of meaningful justice for all of Hawaii's people. I am proud of the work we have done, I am excited for the challenges that lie ahead, and I am optimistic for a future in which "justice for all" is not just an ideal, but a reality.

Aloha and mahalo nui loa.