

2024 Commission Report

IOWA ACCESS TO JUSTICE 

**The Iowa Access to Justice
Commission serves Iowans
by promoting and advancing
innovative strategies
for ensuring equal access
to justice.**

*The mission of the Iowa Access to Justice
Commission is to find solutions that will best serve
Iowans who may encounter barriers to or difficulties
with fully accessing Iowa's civil justice system.*

Members of the Commission

Members of the Iowa Access to Justice Commission

Twenty-six Iowans, whom the Chief Justice of the Iowa Supreme Court has appointed, serve as members of the Commission. Commission members represent a broad spectrum of professional perspectives, including corporate attorneys and officers, court personnel, judges, legal aid attorneys, the Iowa legislature, the medical profession, private practice attorneys, school professionals, service providers, and university professors.

Iowa Supreme Court Justice Matthew McDermott serves as chair of the Commission, and former Iowa Legal Aid Deputy Director Shelley Witcher serves as vice-chair of the Commission. Melvin Shaw, the ISBA president-elect served this past year as liaison to the Commission. Timothy Eckley, Assistant Counsel to the Chief Justice, serves as secretary to the Commission. ⚖️

Members

Susan Barta, Sioux City
 Paul Berchenbriter, Cedar Rapids
 Maria Brownell, Des Moines
 Melissa Cano-Zelaya, Des Moines
 Kristin Esche, Johnston
 Anthony Farrell, Des Moines
 Katie Hall, Ames
 Kim Hess, Clinton
 Kristi Holzer, Norwalk
 Brynne Howard, Des Moines
 Erin Lain, Des Moines
 Daniel Mart, Keokuk
 Justice Matthew McDermott, Chair, Des Moines
 Judge Stephen Owen, Nevada
 Kevin Patrick, Des Moines
 Angela Reier, Muscatine
 Judge Dustria Relph, Corydon
 Melvin Shaw, Coralville
 Carrie Slagle, Cedar Rapids
 Chantelle Smith, Des Moines
 Megan Srinivas, Des Moines
 Jennifer Tibbets, Marion
 Elizabeth Van Arkel, Des Moines
 Carissa Vogel, Iowa City
 Michael Wells, Hamburg
 Shelley Witcher, Vice-Chair, Council Bluffs

Providing equal justice under the law requires a legal system that is accessible to everyone. The Iowa Access to Justice Commission works to build awareness of the civil legal system and to identify barriers Iowans often face when accessing our courts. Barriers include financial, technological, and cultural obstacles. The Commission works to find ways to break through those barriers.



Commission Values Statement

Change agent

We motivate change, acting with vision and boldness to break down barriers that prevent access to the civil justice system.

Education

We identify barriers and promote solutions impacting access.

Collaboration

We respect all viewpoints and value the diverse perspectives and experiences of our Commission members, partners, and stakeholders, recognizing that all persons should have a voice and deserve to be heard.

Equality of access

We promote equal access to civil justice for all.

Leadership

We act as the voice of equal access to civil justice for all and hold ourselves accountable by measuring progress through established benchmarks.

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This 2024 Iowa Access to Justice Commission Report highlights the Iowa Access to Justice Commission’s (Commission) eighth year of work towards improving the civil justice climate in the State of Iowa.

The Iowa Supreme Court established the Commission in 2016 upon the recommendation of The Iowa State Bar Association (ISBA) to help address the unmet civil legal needs of Iowans. In the order establishing the Commission, former Iowa Supreme Court Chief Justice Mark Cady wrote:

The bedrock principle of our court system is that justice should be accessible to all persons. There are, however, longstanding and entrenched barriers to access to justice for too many Iowans. Iowa courts are seeing an increasing number of self-represented litigants Iowa must do more to assure meaningful and informed access to justice for all persons.

Chief Justice Cady’s words ring true this day as clearly as they did eight years ago. The number of self-represented litigants continues to grow. Many challenges remain in building comprehensive access to justice. Iowa, like most other states, has more to do

to assure meaningful and informed access to justice for all persons.

The Justice Index

There are many ways to measure access to civil justice. One can debate methodologies and areas of focus, but thorough and objective research provides important comparative findings. The National Center for Access to Justice at Fordham Law School maintains the *Justice Index*, “an online,

data intensive, ranking system . . . that ranks the 50 states, the District of Columbia, and Puerto Rico on the degree to which they have adopted certain best policies for access to justice.” The comprehensive report is available here: [Justice Index | NCAJ](#).

The Justice Index provides in-depth analysis of each state in six categories: consumer debt, attorney

access, language access, fines and fees, self-representation, and disability access.

The Justice Index scores states on a 0 to 100 scale. Iowa’s overall ranking is 21st, with an overall score of 38.86 out of 100. Twenty states scored higher, and thirty-one states scored lower than Iowa. Not bad but a score well below 50 is hardly a passing grade. Iowa scored well below its neighbors Minnesota, Illinois, and Wisconsin, but well ahead

The number of self-represented litigants continues to grow. Many challenges remain in building comprehensive access to

Access to Civil Justice in Iowa



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of Nebraska, Missouri, and South Dakota.

Iowa's best score is for language access at 46.54 (25th overall) and disability access at 40.00 (19th overall).

Iowa self-represented litigant numbers

Stakeholders in the Iowa civil court system have long known that the percentage of cases involving parties without attorney representation are increasing and adding strain to limited court resources.

For 2023, the numbers are staggering: 79% of civil legal matters in Iowa courts, excluding small claims, involve at least one self-represented litigant. For small claims, 98% of cases involve at least one unrepresented party. To see how common it is for Iowans to confront legal matters without the advantage of legal representation in common civil matters, see *Appendix A*.

For 2023, the numbers are staggering: 79% of civil legal matters in Iowa courts, excluding small claims, involve at least one self-represented litigant.

Low-income Iowans

Iowa Legal Aid reports that low-income Iowans on average have four unmet legal needs. Older, rural, and disaster-surviving low-income Iowans are particularly affected by access to justice problems. This is often true even at income levels above the poverty line as these vulnerabilities compound barriers to justice. These populations confront

technological deficiencies, location challenges, limited access to resources, and specialized legal issues.

The rural practice dilemma

Iowa lags well behind the national average in attorneys per-capita. Nationwide, there are on average 3.9 attorneys for every 1,000 residents. In 2023, Iowa averaged 2.3 attorneys for every 1,000 residents. Eighteen of Iowa's ninety-nine counties have between one and five attorneys working full time in private practice. Appendix B to this report provides a color-coded-by-county breakdown of numbers of attorneys practicing full time.

As the Commission's Rural Access Work Group notes, however, access to justice is measured by more than just the number of attorneys available within a reasonable distance. If none of the attorneys in the area practice family law, for example, the justice gap for people needing that specialty widens. And many rural areas with relatively higher attorney numbers may, or may

not, have attorneys that handle common agricultural law matters. No matter how robust an area's legal aid and pro bono practice, legal representation, even for people and small businesses with the means and willingness to pay, can pose a challenge.

Aside from economic barriers that may be more profound in rural areas, technology barriers, limited access to

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health and social services that often compound legal needs, and specialized legal needs, all factor in.

Allied legal professionals

The Institute for the Advancement of the American Legal System (IAALS) has been studying limited licensure of nonattorneys and other changes to legal practice regulation around the country that might enhance access to justice.

IAALS has coined the phrase “allied legal professionals” to encapsulate the variety of titles for qualified people entering this practice field. A growing number of states are implementing or exploring these programs in various forms to address representation shortfalls of legal aid and pro bono services.

IAALS reports that six states have programs with attorney supervision and ten have programs that do not involve attorney supervision. The primary practice areas are family law, landlord and tenant, and consumer debt.

The roles and responsibilities of allied legal professionals vary from program to program but may include providing legal advice, preparing and filing limited legal documents, reviewing documents with the client, communicating with the opposing party, and representing clients at mediations, settlement conferences, and depositions. Common benefits of

the programs include lower costs for clients and competent work product.

Education and regulatory requirements also vary by program and state. Education requirements can include a paralegal degree or certificate, a bachelor’s or associate degree, or a Master of Legal Services. Some programs include trust accounts, malpractice insurance, or client security funds. IAALS has found that programs are both variously supported or not supported

Common benefits of the programs include lower costs for clients and competent work product.

by attorneys, bar associations, and state supreme courts.

It is a

burgeoning field, and states and supreme courts are tailoring programs to suit stakeholder and constituent needs.

Unbundling or limited scope services

In 2007, the Iowa Supreme Court adopted rule 1.423 of the Iowa Rules of Civil Procedure allowing limited scope or unbundled legal representation. Limited legal representation is indeed limited in Iowa; with a very few exceptions, Iowa attorneys are not widely engaged in the practice. Limited scope representation—when at the client’s direction, an attorney provides representation for discreet tasks in a legal proceeding—can be an effective access to justice tool that caters the representation to a level the client can

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afford and avoids the pitfalls of a one-size-fits-all approach. It saves self-represented litigants money while providing professional representation when truly needed. It also contributes to more efficient and fair court processes.

Litigants navigating the court system without legal representation are not always without the means to pay. One estimate provides that 60% of self-represented litigants could afford to pay for some level of legal representation.

More widespread limited representation practice could be highly effective in addressing the justice gap in rural areas.

The judicial branch, bar associations, and judges could better encourage attorneys to explore incorporating limited scope representation into their practices or pro bono efforts.

Fines and fees presentation

The burden of criminal fines and civil court fees is creating intractable access to justice barriers across the United States. Court debt drives civil legal problems and contributes to housing and food insecurity, unemployment, and crushing unpaid private debt for those least able to address life changing issues.

The Fines and Fees Justice Center (FFJC) estimates that one in three Americans have been directly impacted by fines or fees related to traffic, criminal, juvenile, or municipal court in the past ten years. Of those, 98%

reported that court debt affected their daily lives, 99% of parents had to cut back on at least one essential daily need, and 27% reported housing hardships. The FFJC estimates that 17 million U.S. households with children likely experienced shortfalls in food, housing, healthcare, or other essentials because the parent had to pay court debt.

Iowa has come under criticism in this area. In addressing the Commission in June this year, Lisa Foster, Co-Executive Director of the FFJC, stated that no other state charges defendants more for court appointed counsel than Iowa does. Yet, in 2012, only 4.2% of indigent defense fees were collected in Iowa. In 2022, the collection rate was just 2%.

According to the FFJC, in 1998, court debt owed to the State of Iowa totaled \$150,000,000; in 2021 the figure had climbed to almost \$900,000,000. Many of those responsible for payment will not pay or never be able to satisfy the debt.

Driver's license suspension is a common punishment for unpaid fines

In 1998, court debt owed to the State of Iowa totaled \$150,000,000; in 2021 the figure climbed to almost \$900,000,000.

and fees. Over 113,000 Iowans have their driver's licenses suspended for unpaid court debt and child support. According to the FFJC, people whose

Access to Civil Justice in Iowa



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licenses are suspended on average lose \$12,700 per year in income.

Foster also reported that Iowa ranks fifth overall in U.S. incarceration rates per capita with 53,000 residents under some form of criminal supervision. Iowa ranks fourth overall in U.S. jail admission rates and 6th overall in prison admission rates per capita. The FFJC contends that unpaid court debt limits expungement and other life enhancing opportunities for already disadvantaged populations.

The FFJC recommends that Iowa (1) eliminate driver's license suspensions, juvenile fees, and indigent counsel fees; (2) change Iowa's recent presumption that defendants have an ability to pay to an *inability* to pay with mandated hearings to determine ability to pay at sentencing; and (3) develop clear standards for assessing fines and fees to alleviate disparities in the outcome of cases.

The Iowa State Bar Association

In August 2015, the Iowa Supreme Court asked The Iowa State Bar Association (ISBA) to evaluate whether an access to justice commission should be established in Iowa, like commissions formed at the time in 39 other states and the District of Columbia, Puerto Rico, and the Virgin Islands. The ISBA formed a study group that recommended that the ISBA Board of Governors adopt a resolution supporting establishment of an access to justice commission in Iowa, which the board of governors unanimously

approved. Since its founding, the Commission has worked closely with the ISBA, which provides generous support to the Commission including with financial assistance and use of conference facilities for Commission meetings. The ISBA president-elect serves a rotating one-year liaison membership on the Commission. ⚖️

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Supreme Court Review of 2023 Report



Justice McDermott presented the 2023 Iowa Access to Justice Commission Report to the Iowa Supreme Court during the court's 2023 administrative term meetings in August.

The court considered the Community Courts Work Group report and accepted the Commission's conclusion that there does not seem to be a need for court proceedings to be held outside of regular court hours or locations and agreed that the work group should be discontinued.

The supreme court was extremely interested in the Commission's recommendations from the Court Navigators Work Group. The supreme court moved forward with a court navigator pilot project in Clinton County by appointing a judicial branch task force that includes members from state court administration with judicial branch personnel potentially helping to implement the pilot project.

The supreme court appreciated the impressive progress of the Libraries Work Group and the People's Law Library of Iowa website project—a project combining efforts of the State Library of Iowa and the University of Iowa Law Library. The link to this outstanding tool for Iowans navigating the legal system is here: [Home :: Iowa People's Law Library \(peopleslawiowa.org\)](https://www.peopleslawiowa.org). The website continues to expand to additional subject areas.

The supreme court actively discussed the Limited Licensure Work Group report. The work group has been monitoring developments in this area in other states. The court recommended that the Commission continue monitoring the ongoing development of these programs and results from other states.

In the 2023 Commission report, the Rural Access Work Group recommended that the supreme court engage with stakeholders to explore the possibility of a rural practice incentive program. Such a program would contain an overt access to justice component with metrics to measure success. The work group has been carefully considering the growing problem of a lack of attorneys in rural areas, reflected in part by the low numbers of contract attorneys providing indigent criminal defense services. The court determined not to directly pursue such a program at this time, but it was open to potential rural practice incentive programs that the Legislature might take up. ⚖️

Commission Meetings



The Commission held its regular quarterly meetings featuring educational programs, work group breakout sessions, and Commission-wide discussions. For its educational programming, the Commission gained approval for four hours of attorney CLE credit.

First quarterly meeting

The Commission held its first 2023–2024 quarterly meeting on September 21, 2023, at the Iowa Judicial Branch Building. Chair of the Commission, Justice Matthew McDermott, opened the meeting with a welcome and introductions of Commission members.

Josh Gaul, Managing Attorney at Iowa Legal Aid, presented “Iowa Legal Aid’s Special Projects to Help Older Iowans and Disaster Survivors,” including discussion of Iowa Legal Aid’s special projects to address access to justice barriers with the Legal Hotline for Older Iowans, Derecho Projects, and the Legal Justice Project for Older Iowans.

Justice McDermott discussed the supreme court’s consideration of the Commission’s 2023 Report. The Commission agreed to sunset the Community Courts Work Group, consistent with the court’s recommendation.

Tim Eckley provided an update on the upcoming Cady Day of Service on October 20.

Commission member Paul Berchenbriter discussed the Volunteer

Lawyers Project and highlighted pro bono activities during Pro Bono Month.

Commission work groups provided updates on their work and outlook for the coming year: Court Navigators, Rural Access, Corporate Involvement, Community Outreach, Veterans, and Libraries Work Groups.

The meeting concluded with recognition of outgoing Commission members.

Second quarterly meeting

The Commission held its second quarterly meeting December 1, 2023, via Zoom. Michael Houlberg, Director of Special Projects for the Institute for the Advancement of the American Legal System, presented “Allied Legal Professionals: A National Movement of New Legal Service Providers.” The presentation surveyed the current status of limited licensure projects across the country.

Each of the Commission work groups provided updates on the progress of their various efforts.

Third quarterly meeting

The next Commission meeting was March 1, 2024, in person at the Iowa Judicial Branch Building. Tim Eckley presented judicial branch data on pro se litigants in Iowa cases and the numbers of attorneys in private practice in rural areas. Attorneys Amy Skogerson and Andrea McGinn from The Law Shop discussed how attorney law practices can benefit from limited scope or unbundled services with a

Commission Meetings

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positive impact on access to justice in rural areas.

Commission work groups met in breakout sessions and each group reported on its progress.

Fourth quarterly meeting

The June 7, 2024 Commission meeting was held in-person at the ISBA headquarters. As discussed above, Lisa Foster, Co-Director of the Fines and Fees Justice Center presented a “Fines and Fees Primer,” focusing on conditions in Iowa and efforts to address court debt problems that have worked across the country. Caitlin Jarzen, Iowa Judicial Branch Director of Governmental Affairs, provided an update on the 2024 Iowa Legislature’s session, with a special focus on legislation addressing court administration and access to justice issues.

Following breakout sessions, each Commission work group presented its final 2023–2024 reports for Commission approval.

The Commission approved all work group reports, which are discussed in more detail in these pages. 

The Commission has scheduled its quarterly meetings for the 2024–2025 year for the following dates and locations:

- Friday, September 20, 2024, in person at the Judicial Branch Building
- Friday, December 6, 2024, via remote technology
- Friday, March 7, 2025, in person at the Judicial Branch Building
- Friday, June 6, 2025, in person at the ISBA headquarters

Executive Committee

The Executive Committee oversees the Commission’s general operation, progress, and long-term goals. The Executive Committee comprises no less than five and no more than seven Commission members, including the chair and vice-chair of the Commission. The Executive Committee also includes the ISBA president-elect as liaison to the Commission. Other Executive Committee members, including current and past members of the Commission, must be familiar with the Commission’s structure, history, and activities. The Executive Committee holds regular monthly meetings. ⚖️

Executive Committee Members

Justice Matthew McDermott, Commission Chair
Judge Dustria Relph
Melvin Shaw
Megan Srinivas
Mike Wells
Shelley Witcher, Commission Vice-Chair

I. Community Outreach Overview

The focus of the Access to Community Outreach Work Group is to provide recommendations to the Iowa Supreme Court to improve outreach to reduce barriers to accessing the court system. During 2023-2024, the Community Outreach Work Group, met approximately monthly and conducted a goal-setting process. After internal strategic planning discussions, the work group set its goals to conduct research and provide feedback regarding barriers that impede access to legal information and resources in Iowa.

II. Update from 2023 Commission Report

1. Guiding principles framework

The work group reviewed other states' access to justice commissions' outreach plans. Through this review and discussion, a work plan and a guiding principles framework were born. The work group uses this framework of equity and fairness to assess each barrier and any potential recommendation to the court. When assessing the Iowa Judicial Branch's programs, services, materials, and outreach efforts, the work group considers common barriers

The work group uses this framework of equity and fairness to assess each barrier and any potential recommendation to the court.

to access, including language, rurality, age, race, ethnicity, gender, victimization, disability, poverty, housing stability, transportation, and veteran status.

2. Court user participation

A key takeaway from the review of other access to justice commission outreach reports is to have court users participate in the process of improving the system. Asking users what they need for improvement is vital for improving access. While work group members, as court users themselves, interact with the courts in many different ways and have their own unique view of barriers and limitations, they may not know about all of the judicial branch's initiatives and processes. Learning more about the judicial branch's processes used for analyzing, testing, and improving systems was a vital first step before making recommendations for improvement.

3. Current judicial branch outreach

The work group met with State Court Administrator Bob Gast to discuss the judicial branch's current public outreach initiatives. The group discussed reinvigorating outreach regarding judicial branch programs and services, including improving search engine optimization (e.g., to find the court forms), promotion (e.g., radio ads about court forms in other languages), and educating service providers about court resources and forms.

Community Outreach

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The work group, utilizing the framework and work plan it developed, drafted a list of questions, information, and potential recommendations for the judicial branch. These fell into the following areas: website analytics, EDMS docket, court forms, clerks and other courthouse staff, general access to court proceedings, and physical accessibility. The work group then met again with Bob Gast regarding its questions and requested data.

III. Looking Forward

In the next Commission year, the work group will use the data provided by the State Court Administrator to develop recommendations to the supreme court. Potential recommendations include:

- Conducting listening sessions with court users, including service providers, on a variety of topics, including needed forms, remote hearings, and language access, with an emphasis on self-represented litigants.
- Conducting a separate study of judges, judicial personnel, and clerks of court to give a complete picture of the barriers and needs of the courthouse.
- Promoting court initiatives through search engine optimization and website end-user experience improvements.

IV. Recommendations to Iowa Supreme Court

The Community Outreach Work Group does not currently have recommendations for the supreme court. The work group will continue researching and developing its recommendations during the next session, with the goal of working with the judicial branch to reduce barriers for court users and enhance effective communication with Iowans. ⚖️

Community Outreach Work Group Members

Anthony Allen
 Kimberly Baxter
 Melissa Cano-Zelaya
 Glennay Jundt
 Leslie Kilgannon
 Chantelle Smith
 Jennifer Tibbetts
 Virginia Sipes
 Shelley Witcher, chair

The work group discussed reinvigorating outreach regarding judicial branch programs and services and educating service providers about court resources and forms.

I. Corporate Involvement Overview

The Corporate Involvement Work Group comprises members of the corporate legal community, pro bono legal community, and business community. The work group has three current objectives:

- Educate Iowa corporate counsel, business leaders, and industry groups on access to justice issues and how and why to promote access to justice solutions in Iowa.
- Engage business lawyers in pro bono and other access to justice initiatives and track engagement metrics.
- Advocate for access to justice by creating awareness and prioritization among legislative, judicial, nonprofit, and industry groups regarding resources for improving access to justice.

II. Update from 2023 Commission Report

1. Strategic vision

The work group focused on a strategic vision over the last year.

2. Additional work group members

The work group is actively seeking additional members, including searching for corporate leaders in Iowa, and not just attorneys.

3. Accredited CLE presentations

The work group leveraged its relationship with the Iowa Chapter of the Association for Corporate Counsel (ACC) to provide accredited CLE

presentations on pro bono representation for corporate attorneys.

The work group also drafted template communications for introducing the Commission and the work group to local business organizations.

III. Looking Forward

Attorney education will remain a foundational activity for the Corporate Involvement Work Group.

Meaningful changes in access to justice will require assistance from outside the legal community. The work group's best approach to engage business and industry leaders is the development of a business case to explain both the need and the benefit to businesses in engaging in access to justice efforts. The preliminary outline follows:

Meaningful change in access to justice will require assistance from outside the legal community.

Why should business organizations invest time, resources, and money into access to justice efforts?

- Investing in access to justice will drive a more stable workforce, increase the available talent pool, decrease friction between employers and employees, improve talent diversity, and reduce strain on social resources.
- A stable workforce and community position Iowa as an attractive

Corporate Involvement

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- location for workforce and industry.
- How these programs impact business workforces (positives, negatives) and how adequately funding and supporting existing programs will provide benefits within their own workforce as well as for all Iowans.
- What skill sets can business organizations contribute?
Successful communication of the opportunity will require support from local business leadership, as well as skills from across a business enterprise, including project management, marketing and communications, data and analytics, IT resources, project management, and human resources.
- How access to justice initiatives align with current corporate DEI/ ESG/Volunteerism efforts and including how to recognize employee contributions for their work.
- Develop an employer toolkit.

Corporate Involvement Work Group Members

Paul Berchenbriter
Issac Bracher
Maria Brownell
Kristin Esche, co-chair
Anthony Farrell
Kristi Holzer, co-chair
Kevin Patrick

Investing in access to justice will drive a more stable workforce, increase the available talent pool, decrease friction between employers and employees, improve talent diversity, and reduce strain on social resources.

IV. Recommendations to Iowa Supreme Court

The work group does not have any recommendations for the supreme court for this report. ¶

I. Court Navigators Overview

In early 2022, the Commission requested that the Court Navigator Work Group explore the potential for a court navigator program in Iowa to assist self-represented litigants with court-related matters.

Many states throughout the nation utilize court navigators. Court

navigators are typically nonattorneys trained to answer questions and provide legal information to guide or assist self-represented litigants through the judicial process. Court

navigator programs help self-represented litigants overcome many barriers to justice. They also benefit clerk’s office staff by relieving them of common time-consuming and resource intensive tasks assisting self-represented litigants. Nonattorney court navigators do not provide legal advice.

Based upon its research and feedback from clerks of court throughout Iowa, the work group determined that the judicial branch should develop a court navigator program in Iowa and submitted a proposal for a pilot program to the supreme court in August 2022.

The work group knows from studying other pilot programs that a successful navigator program requires a dedicated point person to provide consistent training, oversight, coordination, and quality control.

The supreme court established the Iowa Judicial Branch Court Navigators Pilot Project Task Force in February 2024. The court charged the task force with implementing a court navigators pilot project for Iowa with an initial location in Clinton County on or before March 1, 2025. The task force includes members of the work group along with additional members from the judicial branch. Molly Weber, Counsel to the State Court Administrator, is chair of the task force. Tim Eckley is member *ex officio*.

II. Update from the 2023 Commission Report

The Court Navigators Task Force

The appointment of the Iowa Judicial Branch Court Navigators Pilot Project Task Force advanced the work group’s objectives listed in the 2023 report. Since the filing of the supreme court order the task force has met and created three committees to research and make plans for the pilot program. The three committees are:

- *Navigator committee:* Assigned to recruit volunteers for the pilot program and develop frameworks for volunteer supervision and accountability. Members are Judge Mark Cleve, Brian Farrell, Kim Hess, and Judge Stephanie Rattenborg.
- *Training committee:* Tasked with designing training plans for volunteer navigators. The committee will establish qualifications and requirements

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for navigator volunteers and interview protocols. Members are Danny Davis, Magistrate Leah Patton, Judge Dustria Relph, Celeste Robbins, Kelly Ruhnke, and Virginia Sipes.

- *Technology:* Will research technological needs for the court navigator program. The committee will review equipment currently available at the site and determine additional equipment that is needed. The committee will establish data collection engagement metrics for the pilot program. Members are Judge Jennifer Bailey, Diana Ronk, Virginia Sipes, and Jennifer Webster.

Both the overall task force and separate committees have been meeting regularly since the court established the task force.

III. Looking Forward

The task force's main objective is to get an in-person navigator pilot program established in Clinton County and then a remote navigator pilot program started in Marion County. The February 12, 2024 supreme court order establishing the task force charges it to establish "an operational program on or before March 1, 2025."

The task force and each of its committees continue to meet regularly in building out the pilot program.

IV. Recommendations to Iowa Supreme Court

The Court Navigator Work Group recommends that the supreme court continue its support of the court navigator pilot program with the following steps:

- (1) Identifying and appointing an individual (perhaps in state court administration) to serve as a point person for the pilot program or in the alternative identifying who should appoint this person. The work group knows from studying other pilot programs that a successful navigator program requires a dedicated point person to provide consistent training, oversight, coordination, and quality control.

If more court navigator sites result from a successful pilot program, a statewide person overseeing the comprehensive program will be necessary. Individual navigator sites will require a local liaison to provide onsite supervision. This would likely be a minimal time commitment for the pilot phase but would require a more significant role if the pilot program is scaled up statewide. The task force considers appointment of an individual with oversight responsibilities to be a critical step in advancing a successful pilot program.

- (2) Recognize that it will be necessary to utilize some level of court resources to establish and

Court Navigators



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maintain the pilot program and additional navigator sites.

(3) Ensure judicial branch personnel will be assigned to manage and take over this project.

(4) Promote the court navigator program at speaking opportunities to build judicial branch buy-in and encourage participation by the public and potential navigators.

(5) Consider accepting requests to briefly address potential navigators as they are recruited and trained to create enthusiasm for the program. ⚖️

Court Navigators Work Group Members

Elizabeth Van Arkel
Anthony Farrell
Brian Farrell
Kim Hess, co-chair
Brynne Howard
Leslie Kilgannon
Judge Kevin McKeever
Daniel Mart
Carol Phillips
Judge Dustria Relph, co-chair
Virginia Sipes

The Iowa Judicial Branch Court Navigators Pilot Project Task Force Members

Mark Cleve, Senior Judge, 7th Judicial District
Danny Davis, District Court Administrator, 7th Judicial District
Timothy Eckley, Assistant Counsel to the Chief Justice, *ex officio*
Kim Hess, Clerk of District Court, Clinton and Jackson counties (retired)
Brian Farrell, University of Iowa College of Law Associate Professor of Instruction
Dustria Relph, Judge, 5th Judicial District
Celeste Robbins, Clinton County Resource Center Director
Diana Ronk, Business Analyst, Judicial Branch IT
Kelly Ruhnke, Clerk of District Court, Marion County
Virginia Sipes, Innovation and Community Outreach Director, Iowa State Bar Association
Molly Weber, Legal Counsel to State Court Administrator, Task Force Chair
Jennifer Webster, Assistant District Court Administrator, 5th Judicial District
Stephanie Rattenborg, Judge, 1st Judicial District

Libraries

I. Libraries Overview

The Commission established the Libraries Work Group in 2019, recognizing the unique yet ubiquitous role public libraries play in Iowans’ access to information across the state. Iowa boasts 544 public libraries from its smallest towns to its biggest cities. Many Iowans, especially those who encounter access to justice barriers, rely on the information resources and internet access that libraries provide. As the number of people without legal representation increases, disadvantaged communities across the state rely on libraries for assistance with legal information, which makes libraries natural partners of the civil legal justice community.

[D]isadvantaged communities across the state rely on libraries for assistance with legal information.

The work group met eight times during the year, communicated by email in between meetings, and collaborated with the State Library of Iowa, The Iowa State Bar Association, Iowa Legal Aid, and the University of Iowa Law Library in the ongoing effort to improve Iowans’ access to justice.

II. Update from the 2023 Commission Report

1. The People’s Law Library

The work group continues to give feedback for the maintenance and development of the People’s Law Library of Iowa website, now in its second year. The website currently covers nine

areas: consumer law, family law, housing law, guardianships and conservatorships, abuse of older persons and dependent adults, life planning, public benefits, veterans’ law, and work law. The website continues to be part of the State Library’s Five-Year Strategic Plan, with designated goals, objectives, activities, outcomes, and

measurements monitored by the Institute for Museum and Library Services, the federal agency providing funding to the State Library of Iowa for this project under the Library Services and Technology Act.

Professor Amy Koopman, Assistant Director for Scholarly Communications & Innovation at the University of Iowa Law Library, assisted work group members in presenting a session on the People’s Law Library at the Iowa Library Association’s annual conference in Dubuque on October 13, 2023. The work group also presented an overview of the site to Iowa librarians at a virtual “Lunch with the State Library” program on November 2nd. Another virtual presentation introduced the website to the Dickinson County libraries during their in-service day on December 6th. The work group continues to advise the State Library of Iowa on website promotions, news releases, radio and television spots, digital templates for bookmarks, signs, and other materials that libraries and courthouses can download and print and distribute to

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the public, as well as desktop and laptop computer icon images and links to the website for public libraries and district courts to install on home pages of public-access computers.

The People’s Law Library experienced steady growth of website traffic throughout the first year. Since October 2023, the site has averaged more than 7,400 visits per month, demonstrating the need for Iowans to be connected to trustworthy and reliable information as they navigate the complexities of the legal system. Users typically find the site through search engines, libraries, or by reference from partner organizations, including U.S. Senator Charles Grassley’s office in Washington, D.C. The senator praised the People’s Law Library to State Librarian Michael Scott when he visited with the senator in March 2024. The State Library press release announcing the new “Work Law” content of the People’s Law Library included the following quote from Senator Grassley: “Iowans who contact my office seek information on a number of topics. They deserve thorough, accurate responses. The People’s Law Library is a helpful resource my staff refers Iowans to, so that they get the answers they’re looking for.”

The State Library’s law librarian has also seen a 42% increase in reference questions, hearing from more than 1,500 members of the public, librarians, attorneys, and others. The growth is primarily attributed to the People’s Law Library visitors and the

convenient “Ask A Librarian” button that appears on nearly every page of the website.

2. “Ask a Lawyer” pilot project

The work group is devising a thoughtful and robust plan to engage libraries and lawyers in meeting community needs for legal services with an “Ask A Lawyer” pilot project in October to mark the 2024 Cady Day of Service and the American Bar Association’s National Celebration of Pro Bono Week. Work group members met with and have been inspired by Iowa Legal Aid’s Josh Gaul and his disaster preparedness and recovery workshops, which the work group hopes will be featured programming in public libraries during October.

3. Limited scope legal advice clinics

The work group also studied Louisiana’s decade-long award-winning “Lawyers in Libraries” access to justice initiative, which places volunteer attorneys in public libraries across the state to provide free limited-scope legal advice clinics to the public. The project is a collaboration between the Louisiana State Bar Association, the Louisiana State Library, and the Louisiana Library Association. The two Access to Justice Projects Counsels from the Louisiana State Bar Association met with the work group on January 25th to explain their program and answer detailed logistics questions about how to adapt their program to Iowa. Louisiana, also a largely rural state, has many of the same access to

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justice issues as Iowa. On April 1st, the work group met with representatives from The Iowa State Bar Association and Iowa Legal Aid to discuss collaborating on such a project.

III. Looking Forward

The work group will pursue three primary initiatives. Each initiative will advance access to justice by providing additional resources to Iowans seeking legal information. The target audience is all Iowans, especially low- and moderate-income people with legal problems. The strategy involves collaboration between legal programming providers using approaches that are proven to effectively and efficiently reach people seeking reliable legal information. The timeframe is ongoing throughout the year. Success will be measured by increased participation in and greater use of the services promoted. The State Library of Iowa will provide the necessary resources and bear the costs associated with these projects.

1. Help train court navigators

Members of the work group, including staff from the State Library of Iowa and the University of Iowa Law Library have volunteered to be part of the team that trains the new court navigators, particularly in how the law is structured and how to help the public use reliable online legal

The strategy involves collaboration with the judicial branch to supplement the training already planned for court navigators.

information resources and access to justice tools.

By increasing court navigators' understanding of the law and the many online resources designed to assist self-represented litigants, this initiative advances the access to justice for everyone participating in Iowa's court system, especially low- and moderate-income people without representation. The strategy involves collaborating with the judicial branch to supplement the training already planned for court navigators. The timeframe is ongoing as the courts train navigators and success will be measured by the positive evaluations and feedback provided by the court navigators and other trainers. The University of Iowa Law Library and the State Library of Iowa will provide the necessary resources and bear the costs associated with this initiative.

2. Promote significant state and national law-related observances

Iowa's public libraries consistently respond enthusiastically to law-related programming ideas. The work group will create a process for identifying significant state and national law-related observances, such as Domestic Violence Awareness Month or Older Iowans/Older Americans Month as well as existing programs to mark them, along with suggestions for local activities tailored to libraries.

The State Library of Iowa will then promote programming ideas to Iowa's

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544 public libraries in advance wo that they may seek partnerships with legal programming providers, social service agencies, nonprofit organizations, and community subject matter experts.

3. Continue established initiatives

The work group will continue to promote legal resources available to Iowans, such as the People’s Law Library of Iowa website. The work group will continue developing the limited scope legal advice clinics pilot project.

IV. Recommendations to Iowa Supreme Court

The work group has no specific recommendations for the Iowa Supreme Court’s consideration at this time, except for the court to continue its support of the Libraries Work Group and the Commission’s efforts. ⚖️

Libraries Work Group Members

- Mandy Easter, co-chair
- Kim Hess
- Dan Mart, co-chair
- Judge Dustria Relph
- Virginia Sipes
- Carrie Slagle
- Carissa Vogel

Senator Grassley stated: “Iowans who contact my office seek information on a number of topics. They deserve thorough, accurate responses. The People’s Law Library is a helpful resource my staff refers Iowans to, so that they get the answers they’re looking for.”

Limited Licensure

I. Limited Licensure Overview

In the 2022 Commission report, the Limited Licensure Work Group recommended that the supreme court establish a task force to pursue development of a limited licensure pilot proposal in Iowa. The recommendation was based on the work group’s review of how limited licensure of nonattorneys to legal practice regulation might enhance access to justice in Iowa based on the group’s examination of experiences of Arizona, Minnesota, Utah, Washington, and the UK, consultation with leaders in those states that have implemented regulatory changes, review of proposals and literature in the area, and an attempted determination of existing needs and forms of delivery of legal services in Iowa.

The work group’s conclusions and recommendations were further aided by pro bono

research students conducted at the University of Iowa College of Law through its Citizen Lawyer Program. The students prepared three memoranda, which included a 2020 survey of limited licensure developments nationwide, a 2021 update on more recent developments in the limited licensure arena, and a

State supreme courts continue to review the data collected from their initial forays into alternative legal service provider regulation.

2022 mapping of Iowa Court Rules that may be potentially involved in limited licensure.

In 2022, the work group concluded that “next steps” should be taken toward development of a limited license pilot program in Iowa. The work group, however, was not prepared to propose specifics given the limits of its mandate and membership. Therefore, the work group recommended the Iowa Supreme Court take steps to establish a task force, not for the court to commit to adoption of a specific program but rather to facilitate development of a proposal that would inform all stakeholders in the near future.

II. Update from the 2023 Commission Report

In its 2023 report, the work group highlighted regulatory changes in a variety of states as well as publications from think-tanks studying potential regulatory changes in this area. As the supreme court continues to monitor the legal regulatory environment, the work group has taken a wait and see approach that includes continued monitoring of the limited licensure landscape.

III. Looking Forward

Substantively, little has changed from the work group’s 2023 report. The work group continues to follow and monitor reports regarding limited licensure of other professionals around

Limited Licensure

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the country. State supreme courts continue to review the data collected from their initial forays into alternative legal service provider regulation. The work group expects to gain additional data on this subject in advance of any succeeding report.

Increased attention has been paid to the recent rise of artificial intelligence and the potential for it to broadly supplement or assist in delivering legal services. It is too early to determine how the legal industry will use this advancement as a whole or how individual states could regulate its use as a model for the delivery of legal services. The work group, however, will add this to its monitoring activities.

IV. Recommendations to Iowa Supreme Court

The Limited Licensure Work Group recommends that it continue to monitor development of limited licensure programs in other states with a focus on the suitability, or compatibility, of a program to the climate for innovation in Iowa. ⚖️

Limited Licensure Work Group Members

Bill Boyd
Brian Farrell
Kyle Fry
Erin Lain
Bob Oberbillig
Carol Phillips, co-chair
Anjie Shutts, co-chair
Bruce Walker

Rural Access

I. Rural Access Overview

The Rural Access Work Group held six meetings via Zoom in the last year and met during quarterly Commission meetings, with supplemental communication via email. Work group members met with State Rep. Brian Lohse on March 12 to discuss rural attorney recruitment, and the work group co-chairs, Judge Dustria Relph and Brian Farrell, joined the March 19 meeting of The Iowa State Bar Association’s Rural Practice Committee. Work group members monitored developments in Iowa and other jurisdictions and participated in relevant conferences.

II. Update from the 2023 Commission Report

The work group identified four primary objectives in its 2023 report.

1. Support development of a court navigator pilot program

The work group remains supportive of a court navigator program and was pleased by the supreme court’s appointment of the Court Navigators Task Force to establish a pilot project in Clinton County.

2. Explore development of a rural attorney recruitment program tailored to address access to justice concerns

The work group’s 2023 report provided in part the following background on this issue:

There has been a recognized decline in the number of rural practitioners in Iowa and other states over the past two decades. At the same time, unique factors such as geography and population can exacerbate the justice gap in rural areas. While the work group urges caution not to conflate these two phenomena—access to justice means more than access to attorneys, and an attorney might not be the only or best access to justice intervention in a particular situation—there is relationship between the two. . . .

Limited research and anecdotal information suggest a complex web of factors contributes to the rural attorney shortage and the challenges in recruiting law students to rural practice

This year, the work group continued its discussion and engaged with stakeholders regarding the feasibility of an overtly access to justice focused rural attorney recruitment program in Iowa while continuing to assess existing programs and monitor developments in other jurisdictions. Work group co-chair Brian Farrell attended a symposium at the University of South Dakota in September in conjunction with the 10th anniversary of that state’s rural attorney recruitment program, and the work group followed efforts in Wyoming to lay the foundation for a similar program.

In its 2023 report, the work group observed that existing recruitment

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programs have not been specifically designed to address access to justice concerns. It noted that while the South Dakota program “has had some success in recruiting attorneys and is often viewed as an access to justice initiative, there is not an explicit mechanism to ensure that these new attorneys are addressing civil access to justice needs, particularly of underserved populations.” Recognizing that a program exclusively focused on access to justice might not be realistic, the work group supported a “comprehensive rural attorney recruitment and incentive program [that] could address multiple concerns by increasing rural attorney numbers while also including requirements and metrics to maximize the access to justice impact.”

The work group’s efforts this year focused initially on exploring the feasibility of utilizing existing frameworks such as shared operational funding arrangements for schools to provide support for access to justice-focused rural attorneys. Members conducted research and spoke with stakeholders to gauge the value of pursuing this possibility.

The work group also examined ways to better illuminate the realities of rural

The work group also examined ways to better illuminate the realities of rural access to justice in Iowa beyond simple reference to attorneys per county.

access to justice in Iowa beyond simple reference to attorneys per county. It reviewed a report from the University of Wyoming College of Law’s Rural Law Center titled “[The Need for Rural Attorneys in Eight Wyoming Counties](#),” which attempted to “clarify how many attorneys are actually available to provide legal services to rural residents” given the fact that many attorneys with active licenses included in “attorneys per county” data are not actually available to provide legal services to residents for various reasons. After consulting with Commission leadership, the work group used the Wyoming report as a model to undertake its own survey of attorneys in Iowa Judicial District 5B to get a better sense of how many active attorneys are truly available to assist residents. The work group felt that this data could inform any efforts toward development of a rural attorney recruitment program. Student volunteers from the University of Iowa College of Law worked with the work group co-chairs to procure a list of attorneys, develop questions based on the Wyoming example, and conduct telephone interviews. These calls were largely conducted in April; responses were not yet compiled at the writing of this report.

In February, the work group learned from The Iowa State Bar Association that State Rep. Brian Lohse was introducing a bill ([HF 2407](#)) to create a rural attorney recruitment assistance program to be administered by the judicial branch. The work group reviewed the bill and, after consulting

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with Commission leadership, expressed a willingness to talk with Rep. Lohse and provide input on the proposal. Members of the work group met with Rep. Lohse on March 12 to offer their expertise and to share the work group’s view that such a program could be intentionally crafted to address access to justice needs. An amended and renumbered bill ([HF 2689](#)) moved administration of the program to the Department of Education and contained a provision requiring that an attorney participating in the program “become a contract attorney with the office of the state public defender and agree to participate in volunteer lawyer project through nonprofit organizations providing crucial legal assistance to low-income and vulnerable Iowans.” The work group celebrates the reference to access to justice in the amended bill, although this language was broad and did not contain metrics to assess compliance. The General Assembly did not approve the bill, but the work group anticipates resubmission of the bill or some variation of the bill in the 2025 legislative session. The work group urges that continued discussion of rural attorney recruitment includes intentional access to justice considerations.

3. Continued consideration of a limited licensure for legal practitioner program

The work group monitored developments in other jurisdictions via reports from the Limited Licensure Work Group and a presentation from the Institute for the Advancement of the

American Legal System to the full Commission. The presentation demonstrated the continued growth of allied legal professional programs nationally and provided new insights on their impact. The work group continued to discuss the efficacy of allied legal professional programs given their potential positive impact on rural access to justice concerns.

4. Effective leveraging of technology to improve access to justice in rural communities

The work group reviewed the report of the Iowa Supreme Court’s Remote Proceedings Task Force and monitored the subsequent promulgation of the Iowa Rules of Remote Proceedings in Chapter 15 of the Iowa Court Rules. The court rules provide standards for use of remote proceedings in criminal, civil, family law, and juvenile cases.

III. Looking Forward

The work group’s primary objectives for the coming year include the following:

1. Continue working toward a rural attorney recruitment program tailored to access to justice concerns

The work group will continue to monitor developments and scholarship on recruitment programs. It plans to process and analyze the results of its survey of attorneys in Judicial District 5B this summer. The work group and its members will continue engaging with legislators and bar leaders to educate them about the value of any recruitment program including an explicit access to justice goal, clear

Rural Access

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requirements for attorneys availing of the program, and metrics to gauge the program’s impact.

2. Continued consideration of a limited licensure for legal practitioner program.

The work group will continue to liaise with the Limited Licensure Work Group to monitor developments nationally and seek additional data on the efficacy of existing programs and their impact on access to justice in the rural context. The work group notes scholarship suggesting that the easiest way to add a legal professional to a new community is to educate and train a person who hails from that community. A faster and less expensive pathway to licensing new legal services providers could particularly benefit underserved rural communities.

3. Continued engagement with the ISBA’s Rural Practice Committee and other actors to emphasize access to justice in rural practice conversations

The work group co-chairs participated in one of the ISBA’s Rural Practice Committee’s regular meetings to foster better communication with others working on rural legal issues and will continue to consult with that group and others.

IV. Recommendations to Iowa Supreme Court

The work group’s recommendations to the supreme court are as follows:

1. Rural attorney recruitment program

The work group recommends the court continue to engage with stakeholders exploring an attorney recruitment program to ensure that any such program includes explicit access to justice goals, clear requirements for attorneys availing of the program, and metrics to gauge the impact of the program.

The work group urges that continued discussion of rural attorney recruitment include intentional access to justice considerations.

2. Allied legal professionals

The work group recommends the court actively monitor the development of allied legal professional programs nationally and examine their potential impact on rural access to justice, encourage other stakeholders such as the state bar to do the same, and renew consideration of a pilot program in Iowa. ⚖️

Rural Access Work Group Members

- Brian Farrell, co-chair
- Phil Garland
- Katie Hall
- Dan Mart
- Judge Dustria Relph, co-chair
- Melvin Shaw
- Megan Srinivas
- Bruce Walker
- Michael Wells

Veterans

I. Veterans Overview

The Veterans Work Group, meeting online and in person, continues its work identifying the primary unmet legal needs of Iowa’s veterans, identifying gaps in legal services and resources and the dissemination of information about them, and supporting the provision of legal services to veterans in need.

According to the Iowa Department of Veterans Affairs (IDVA), there are approximately 182,000 veterans in Iowa, or 5.8% of the state’s population. Most Iowa veterans are over the age of 55. Their median household income is \$61,000, while 6% live in poverty. Eighty percent of veterans own their own home with a quarter living in rural areas. Twenty-two percent report one or more “major problems” in their homes. On the national level, there has been a 25% decrease in the veteran population over the past two decades and by 2040, it is estimated that less than 3% of the U.S. population will be veterans.

II. Update from the 2023 Commission Report

1. Mission and strategy

In early 2023, the work group began reviewing its mission and strategy. The objectives of the work group remain largely the same, though with slight change: (1) identify the veterans struggling to access legal services; (2) identify legal service options available to veterans; (3) encourage efforts to provide legal services to veterans; and (4) support the connection of veterans to available legal services. The work

group continued its review and work on its objectives, which included discussions with IDVA, veteran services offices (VSOs), VA accredited attorneys, private attorneys serving veterans, the ISBA and ABA, the University of Iowa Law School, veterans, and others who serve and support veterans.

Over this past reporting year, the work group also consulted with partners including IDVA, local VSOs, VA accredited attorneys, private attorneys serving veterans (including attorney Kristina Stanger, retired from the Iowa Army National Guard), the ISBA, and the ABA, in addition to U.S. Senator Ernst’s special assistant of veterans and military affairs, and U.S. Magistrate Judge William Kelly, who also serves as Staff Judge Advocate in the Army National Guard. The work group also enlisted the assistance of two law students from the University of Iowa College of Law to provide information about existing Iowa Legal Aid and legal clinic programs serving veterans in Iowa and across the country.

2. Areas of greatest needs for veterans

Based on past interactions and available information, the work group has determined that outside of benefits and discharge issues, the areas of greatest need for veterans are eviction and foreclosure, driver license restoration, child support, and outstanding warrants and fines. These have consistently been identified by legal service providers and those who work with veterans as areas of need in

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addition to employment, debt, and consumer matters. There is no systematic tracking of unmet veterans' legal needs and little data in general about the legal needs of veterans as a group. It is possible that information and outreach is more prevalent or easily accessed in these identified areas so that they naturally rise to the top. Or it may be that the effects of these issues and the legal proceedings that accompany them are more difficult to avoid. Importantly, while the legal issues with which veterans are most often seeking assistance are identifiable, it is less clear what, if any, barriers to access exist that are specific to veterans compared to the general population. There may be systemic issues impacting veterans and nonveterans alike; it is simply not clear at this point.

3. Overlap with other work groups

Additionally, there is considerable overlap with the issues other work groups are addressing, including those considering rural issues and outreach efforts. Veterans, like those who have not served, may experience mental health issues that significantly contribute to their legal problems or to the ongoing or escalating nature of these problems. Mental health issues may make it more difficult for them, like others, to ask for help. Also, many Iowa veterans are older and may access services or need to access services differently. With a quarter of veterans living in rural areas, the shortage of attorneys in rural areas is an issue. The work group has brought these matters

to the attention of and has discussed with the Community Outreach Work Group potential opportunities for collaboration and has been monitoring the work of the Rural Access Work Group.

4. Outreach to veterans' stakeholder groups

Considering the many established programs serving veterans and the access to legal services and other resources veterans are entitled to, the work group has been reaching out to agencies and organizations to better understand what gaps exist and to determine what support, if any, the

[O]utside of benefits and discharge issues, the areas of greatest need for veterans are eviction and foreclosure, driver license restoration, child support, and outstanding warrants and fines.

Commission can provide. Veterans are unique in that they can access county-level VSOs and there are programs, including the ABA and ISBA Free Legal Answers, which directly serve veterans. As a result of these conversations, the work group has gathered information about the numbers of veterans being served, the types of assistance being sought, and the gaps that exist. The work group has confirmed that not only are veterans likely unaware of available resources from these agencies and organizations, the very agencies and

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organizations upon which they rely may not be fully aware of the legal issues and available resources of their constituents.

As a result of the work group's engagement with agencies, organizations, and individuals working in this space, there is now greater discussion taking place and certainly more awareness. Most notably, the work group has spoken with the Commandant of the IDVA and other staff members and is set to appear at an upcoming Iowa Commission on Veterans Affairs meeting to discuss the group's work and engage the Commission and IDVA in further discussion. The work group has also contacted a staff Judge Advocate General (JAG) who has expressed an interest in working with the Commission to identify current and retired JAG attorneys who can provide pro bono legal assistance to veterans, bolstering the services made available through Iowa Legal Aid, the ISBA and ABA, volunteer attorneys, and others.

III. Looking forward

1. Identify the veterans struggling to access legal services

The work group will continue to work with our partners, including IDVA and the VSOs, to better identify veterans who face challenges accessing legal assistance. The work group was invited to attend a meeting of the Iowa Commission on Veterans Affairs to discuss the Commission's work and the work group anticipates that greater

collaboration with IDVA staff and the VSOs will result. The work group will continue discussions with VSOs on how best to communicate or support the communication of these efforts to their staff and to the veterans they serve.

The work group will also continue to collaborate with legal service providers and the ISBA and ABA to track reported needs and identify areas in which access to and awareness of resources can be improved. Further, the work group will continue discussions with the judicial branch and other agencies and organizations to identify opportunities for gathering additional data regarding access to the legal system and any barriers to access.

Lastly, the work group will continue its internal discussions regarding applicable underlying systemic issues that may be impacting the ability of veterans to access the legal system. The work group will further consider whether these efforts should expand to include all who serve or have served including those actively serving, separated, or retired, and members of the Iowa National Guard and the Reserves.

2. Identify legal service options available to veterans

The work group has reviewed legal service options and collected a nearly complete inventory of those resources. The work group can share the inventory with veteran and service provider partners regarding gaps and strengths in the system.

Veterans

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3. Encourage efforts to provide legal services to veterans

The work group, with its veteran and service provider partners, will continue to encourage and support volunteer efforts including, potentially, the creation of a network of JAG attorneys to provide volunteer legal services across the state. The work group will engage volunteer-based programs to encourage development of new or more robust programs.

4. Support the connection of veterans to available legal services

The work group will explore opportunities for collaboration with the Community Outreach and Rural Access Work Groups. The Community Outreach Work Group is ideally positioned to identify systemic access issues that similarly affect both veterans and nonveterans. Together, the work groups can identify ways to assist agencies and organizations that provide support to veterans. This should also help identify how the judicial branch can better support access to the court system and its resources for veterans.

Collaboration with the Rural Access Work Group is essential as well. Given that a quarter of veterans live in rural areas of the state, the work group will collaborate with the Rural Access Work Group to find ways in which veteran-support agencies and organizations can alleviate access issues for veterans and, potentially, nonveterans as well.

The work group will continue discussions with the ISBA and ABA and other volunteer programs to explore ways in which the Commission can support their work on behalf of veterans. The continued development of relationships with IDVA and the VSOs along with a potential new JAG-based component are aimed at increasing support for existing programs serving veterans and solidly establishing connections between veterans and those programs.

IV. Recommendations to Iowa Supreme Court

The work group does not have specific recommendations for the court. For this next year the work group will continue its work gathering information and leading discussions so that: (1) the Commission is educating others on access to justice issues and supporting those who are serving veterans in need; and (2) the Commission is positioned to make recommendations for effective systemic change, which will enhance access to justice for veterans. ⚖️

Veterans Work Group Members

Elizabeth Van Arkel, co-chair
 Susan Barta
 Daphney Daniel
 Phil Garland
 Judge Kevin McKeever
 Judge Stephen Owen
 Chantelle Smith, co-chair

Recommendations

The Commission highlights certain efforts and activities for the next year.

Community Outreach Work Group

- The work group will continue researching and developing its recommendations during the next session, with the goal of working with the judicial branch to reduce barriers for court users and enhance effective communication with Iowans.

Corporate Involvement Work Group

- The work group will educate Iowa corporate counsel, business leaders, and industry groups on access to justice issues and how and why to promote access to justice solutions in Iowa.

Court Navigators Work Group

- The work group recommends the supreme court appoint a judicial branch employee to serve as a point person for the Court Navigators Pilot Project to assure consistent coordination and quality control of the project.

Libraries Work Group

- The work group will continue assisting development of the People’s Law Library of Iowa, plan and conduct limited scope legal advice clinics, and continue promotion of established initiatives.

Limited Licensure Work Group


- The work group will continue monitoring limited licensure, or

allied legal professional, developments across the country and continue to update the supreme court on such developments.

Rural Access Work Group

- The work group recommends that the court continue to engage with stakeholders exploring an attorney recruitment program to ensure that any such program includes explicit access to justice goals, clear requirements for attorneys availing of the program, and metrics to gauge the impact of the program.
- The work group recommends that the court actively monitor the development of allied legal professional programs nationally and examine their potential impact on rural access to justice, encourage other stakeholders such as the state bar to do the same, and renew consideration of a pilot program in Iowa.

Veterans Work Group

- The work group will explore opportunities for collaboration with other Commission work groups to identify systemic access to justice issues that similarly affect both veterans and nonveterans. 

Conclusion

The Iowa Access to Justice

Commission’s eighth annual report describes its continued work to remove persistent barriers to civil justice that many individuals in Iowa continue to confront. Multi-faceted obstacles, including financial limitations, lack of legal awareness, and systemic inequalities, impede the fair and equitable administration of justice.

By fostering collaboration among legal professionals, policymakers, and community organizations, the Commission, judicial branch, and service providers can develop innovative strategies to ensure that justice is accessible to all Iowans, regardless of their socio-economic status.

Access to justice stakeholders and court systems across the country have recognized that Americans struggling with barriers to the court system include not only those living below the poverty line but many people in the middle class who can pay for some but not all of the representation necessary to address their legal needs. The Commission’s Corporate Involvement Work Group has garnered significantly increased corporate attorney interest in pro bono practices in part by informing business leaders that many of their own employees would struggle to afford to hire an attorney to assist with a legal problem.

The practice of unbundling or limited scope representation, where an attorney provides assistance for discreet parts of a case, could play a

larger role in addressing the justice gap and barriers to access to justice. But there is a need for many more attorneys to embrace the practice.

The Iowa Rules of Civil Procedure and the Rules of Professional Conduct have specifically allowed limited scope representation since 2007, and occasionally, judges and others sometimes make statements supporting the practice. But perhaps it is time to speak more (and more forcefully) to promote its potential benefits for attorneys and clients alike.

The Commission explored this term the impact of court fines and fees and their impact on participants in the justice system. The financial burdens from court debt disproportionately affect low-income people and can lead to severe limitations—financial and otherwise—in the lives of those already confronting challenging circumstances. Often, new problems associated with unpaid court debt are unrelated to the original underlying legal problem from which the fine or fee originated. Many jurisdictions have begun addressing these burdens and implemented policies to alleviate many of their destructive consequences.

The Iowa Judicial Branch Court Navigators Pilot Project Task Force is working towards its goal of establishing a program by March 1, 2025. The task force will need continued supreme court and judicial branch support to achieve this ambitious goal. ⚖️

Appendices

Appendix A is a full-page chart showing numbers and percentages of self-represented litigants in the different civil case categories for the calendar year 2023 in Iowa.

Appendix B is a color-coded-by-county map of Iowa showing numbers of attorneys in full-time practice in each Iowa county.

Iowa Statewide SRL Data 2023

Appendix A

| Case type total | Total | Attny for both parties | Attny for both % | Plaintiff SRL | Plaintiff SRL % | Defendant SRL | Defendant SRL % | Both party SRL | Both party SRL % | At least one SRL | At least one SRL |
|--------------------|--------------|------------------------|------------------|---------------|-----------------|---------------|-----------------|----------------|------------------|------------------|------------------|
| Divorce | 9354 | 2833 | 30% | 163 | 2% | 3317 | 35% | 3041 | 33% | 6521 | 70% |
| Civil Infraction | 6740 | 163 | 2% | 11 | 0% | 5749 | 85% | 817 | 12% | 6577 | 98% |
| Civil | 2286 | 444 | 19% | 132 | 6% | 900 | 39% | 810 | 35% | 1842 | 81% |
| Domestic Abuse | 5660 | 528 | 9% | 598 | 11% | 284 | 5% | 4250 | 75% | 5132 | 91% |
| Domestic Relations | 6661 | 789 | 12% | 197 | 3% | 906 | 14% | 4769 | 72% | 5872 | 88% |
| Elder Abuse | 270 | 8 | 3% | 31 | 11% | 10 | 4% | 221 | 82% | 262 | 97% |
| Civil Equity | 4496 | 2197 | 49% | 21 | 0% | 2257 | 50% | 21 | 0% | 2299 | 51% |
| Civil Law | 12125 | 3203 | 26% | 53 | 0% | 8761 | 72% | 108 | 1% | 8922 | 74% |
| Lien | 319 | 0 | 0% | 2 | 1% | 1 | 0% | 316 | 99% | 319 | 100% |
| Post Conviction | 760 | 447 | 59% | 257 | 34% | 31 | 4% | 25 | 3% | 313 | 41% |
| Sexual Abuse | 360 | 46 | 13% | 55 | 15% | 28 | 8% | 231 | 64% | 314 | 87% |
| Seized Property | 1398 | 21 | 2% | 53 | 4% | 251 | 18% | 1073 | 77% | 1377 | 98% |
| Total Cases | 50429 | 10679 | 21% | 1573 | 3% | 22495 | 45% | 15682 | 31% | 39750 | 79% |

| Case type total | Total | Attny for both parties | Attny for both % | Plaintiff SRL | Plaintiff SRL % | Defendant SRL | Defendant SRL % | Both party SRL | Both party SRL % | At least one SRL | At least one SRL |
|-----------------|-------|------------------------|------------------|---------------|-----------------|---------------|-----------------|----------------|------------------|------------------|------------------|
| Small Claim | 75496 | 1803 | 2% | 953 | 1% | 46095 | 61% | 26645 | 35% | 73693 | 98% |

Number of Private Practice Attorneys in Iowa by County

Appendix B

