

Serial: 133134

**IN THE SUPREME COURT OF MISSISSIPPI**

**No. 89-R-99032-SCT**

***IN RE: ESTABLISHING THE  
MISSISSIPPI ACCESS TO JUSTICE  
COMMISSION***

**EN BANC ORDER**

WHEREAS, Article 6, Section 144, of the Mississippi Constitution vests in this Court the primary responsibility for the judiciary in the State of Mississippi and the administration of, and access to, justice for all who desire to come before its courts; and

WHEREAS, the Conference of Chief Justices has adopted Resolution 23 which states that “the Judicial Branch, in our constitutional structure, shoulders primary responsibility to preserve and protect equal justice and take action to ensure access to the justice system for those who face impediments they are unable to surmount on their own” and which calls upon members of the Conference “to establish partnerships in their respective states with state and local bar organizations, legal service providers, and others to address access to justice issues”; and

WHEREAS, this Court is committed to the principle that justice should be available to all persons without regard to economic status; and

WHEREAS, this Court recognizes that a substantial number of Mississippians live at or below the federally-established poverty threshold, and face substantial barriers to the justice system; and

WHEREAS, while many organizations in Mississippi are committed to improving the delivery of legal services to the poor, no single entity is widely accepted as representative of all such organizations; and

WHEREAS, having received, reviewed and considered the recommendation by and endorsement of

the Board of Commissioners of The Mississippi Bar,  
the President of the Mississippi Bar,  
the Director of North Mississippi Legal Services,  
the Director of the Mississippi Center for Legal Services,  
the Director of the Mississippi Volunteer Lawyer's Project,  
the President of the Mississippi Center for Justice,  
the President of the Mississippi Workers Center,  
the President of the Magnolia Bar Association, and  
the Chair of the Mississippi Legal Services Foundation,

this Court has taken under advisement the establishment of a commission to assist and facilitate the various organizations involved in the delivery of legal services to the poor.

Having considered all of the above, it is

**NOW, THEREFORE ORDERED**

That the **MISSISSIPPI ACCESS TO JUSTICE COMMISSION** ("MAJC") is hereby established, effective July 1, 2006, and empowered by this Court to:

- identify the current and future needs of the legal services community in providing access to justice to the poor in Mississippi;
- develop and establish a strategic statewide plan for delivery of legal services to the poor in Mississippi;
- develop strategies and ideas to increase resources and funding for access to justice in civil legal matters, and to make recommendations to appropriate entities to ensure that the resources and funding are applied to the areas and organizations of greatest need;

- work to maximize the wise and efficient use of available resources, including development of local, regional and/or statewide systems that encourage the coordination of resources and funding;
- develop and implement initiatives designed to expand civil access to justice;
- work to reduce barriers to the justice system by addressing existing and proposed court rules, procedures, and policies that affect access to justice for poor Mississippians; and
- monitor and evaluate the effectiveness of the statewide system and services providers, and periodically evaluate the progress made in fulfilling their respective responsibilities.

The MAJC shall consider relevant topics, including available funds and budgets, expansion of resources, increased public awareness through communications and message development, pro bono matters, and other related areas, and shall make recommendations as it deems appropriate.

The Court expects that legal services providers, funding sources, and other entities involved in the administration of civil justice, including this Court, will give careful consideration to the recommendations of the MAJC.

The MAJC shall consist of: two Co-Chairs, who shall each serve three-year terms. The initial Co-Chairs of the MAJC shall be Hinds County Chancellor Denise Owens and Joy Lambert Phillips, current president of the Mississippi Bar. In addition to the Co-Chairs, the MAJC shall consist of the following twenty-one voting members whose initial terms were randomly selected:

<b><u>Commissioner</u></b>	<b><u>Term</u></b>
Justice Jess H. Dickinson	July 1, 2006 through June 30, 2007
Justice James E. Graves	July 1, 2006 through June 30, 2008
Judge Donna Barnes	July 1, 2006 through June 30, 2009
Judge Louis Guirola	July 1, 2006 through June 30, 2007
Judge Margaret Carey-McCray	July 1, 2006 through June 30, 2008
Rep. Ed Blackmon	July 1, 2006 through June 30, 2009
Sen. Gray Tollison	July 1, 2006 through June 30, 2007
Paul Hurst	July 1, 2006 through June 30, 2008
John Hairston	July 1, 2006 through June 30, 2009
Bill Bynum	July 1, 2006 through June 30, 2007
Blake Wilson	July 1, 2006 through June 30, 2008
Ricky Mathews	July 1, 2006 through June 30, 2009
Carlton Reeves	July 1, 2006 through June 30, 2007
Constance Slaughter-Harvey	July 1, 2006 through June 30, 2008
Amanda Jones	July 1, 2006 through June 30, 2009
Rev. Stan Buckley	July 1, 2006 through June 30, 2007
Rev. Hosea Hines	July 1, 2006 through June 30, 2008
Derrick Johnson	July 1, 2006 through June 30, 2009
Reuben Anderson	July 1, 2006 through June 30, 2007
Hon. Betty Fowler	July 1, 2006 through June 30, 2008
Kenneth W. Williams	July 1, 2006 through June 30, 2009

In addition to the twenty-three voting members, the MAJC shall include an Ex Officio, non-voting member designated from each of the following eight organizations:

<b><u>Organization</u></b>	<b><u>Initial Designation</u></b>
Mississippi Center for Legal Services	Sam Buchanan
North Mississippi Rural Legal Services	Ben Cole
Mississippi Volunteer Lawyers Project	Ben Piazza
Mississippi Center for Justice	Martha Bergmark
Mississippi Workers Center	Jaribu Hill
Mississippi Legal Services Foundation	Jayne Buttross
Mississippi College School of Law	Jim Rosenblatt
University of Mississippi Law School	Samuel M. Davis

In making the above appointments to the MAJC, this Court randomly selected the voting members to serve the initial one-year and two-year terms. Hereafter, all appointments to fill expired terms on the MAJC shall be for three years.

The Co-Chairs and all voting members shall be eligible for reappointment by the Court when their terms expire. Ex-officio members shall be replaced automatically by their successors in office.

The MAJC may establish its by-laws other internal operation procedures pertinent to its responsibilities and may appoint committees to assist in its work.

The MAJC shall file with the Mississippi Supreme Court and the Mississippi Bar an annual report outlining its work during the prior 12-month period and its goals for the subsequent 12-month period.

The MAJC shall immediately notify the Supreme Court of any vacancy on the MAJC in order that the Court may appoint a replacement to serve for the remainder of that term.

The MAJC shall be funded by available funds designated for Legal Services and the Mississippi Volunteer Lawyers Project, and such other funds as may be obtained by the MAJC.

**SO ORDERED**, this 28th day of June, 2006.

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/s/ James W. Smith, Jr.

**JAMES W. SMITH, JR., CHIEF JUSTICE  
FOR THE COURT**