ACCESS TO JUSTICE, GOOD GOVERNMENT AND DEMOCRACY

Appleseed is a Network of 18 public interest justice Centers in the United States and Mexico. The Network focuses on a variety of social, economic, and legal justice issues, bringing a non-partisan evidence-based approach to evaluating problems. Appleseed, working with stakeholders across the spectrum, uses its findings to propose and advocate practical, achievable solutions. This document summarizes Appleseed’s primary work in this area.

OVERVIEW OF TOPIC AREA

Appleseed advocates to make our justice system better, stronger, fairer, and more accessible to everyone. Our work has focused on ensuring that judicial systems are fair and effective, legislatures are representative, as well as open and responsive to the public, and executive agencies are transparent and accountable. Appleseed Centers have worked to advance voting rights, improve judicial performance, protect fair courts, ensure people in both civil and criminal proceedings have access to resources and information, and protect funding for the courts.

COLLABORATIVE NETWORK ACTIVITIES

The Appleseed Network Access to Justice Working Group is currently developing criteria to measure judicial effectiveness in a fair and transparent way in order to both protect judicial independence and hold judges accountable for upholding the law. The Group is also examining states that offer Continuing Legal Education credits in exchange for pro bono work to determine the effectiveness of those programs and working with Northwestern Law students to research court reporting/recording issues in Texas, Kansas, Missouri, and New York.

SELECT CURRENT PROJECTS

LANGUAGE ACCESS IN THE COURTS

Louisiana Appleseed worked with pro bono attorneys from Phelps Dunbar and the Louisiana Access to Justice Commission’s Language Access Subcommittee to update a 2011 research memo/white paper regarding providing equal access to the justice system, regardless of limited English proficiency. Staff from Louisiana Appleseed presented the white paper to the full Commission and continues to work with the subcommittee regarding a plan for outreach and advocacy.

IMPROVING JURY DIVERSITY

As part of the Washington State Minority and Justice Commission’s Jury Diversity Task Force, in the summer of 2018 Washington Appleseed completed a detailed research project on the question of whether expanding source lists results in more diverse juries. Court clerks and administrators in twelve states that have expanded their jury source lists beyond motor-voter were interviewed to see if they saw less homogeneous juries as a result. While some states have indeed expanded their source lists with the aim of increasing diversity, most states have not rigorously examined the demographic makeup of their jury pools. Washington Appleseed delivered their research to the Task Force at the end of July 2018 and will continue to follow up with this work.
**VOTING RIGHTS**
On November 5, 2018, DC Appleseed, with the assistance of pro bono attorneys from Harris Wiltshire & Grannis, filed a new complaint with the U.S. District Court for the District of Columbia alleging that the continued denial of full congressional voting rights to DC residents is unconstitutional.

**PROTECTING TENANTS FACING EVICTION**
The Illinois Supreme Court has mandated that by the end of 2018, eviction courts in Cook County must have court recording equipment installed and functioning. This policy is a successful result of a three year effort led by Chicago Appleseed in collaboration with legal and community organizations. This reform will allow tenants to appeal their evictions with pro bono assistance and will provide a more respectful court environment, particularly for tenants facing eviction.

**EXPANDING ACCESS TO RESOURCES FOR PRO SE LITIGANTS**
In 2018, Massachusetts Appleseed published a detailed report titled "Cell Phones in the Courthouse: An Access to Justice Perspective." The report showed that there are currently 56 Trial Court facilities across Massachusetts with active cell phone bans. It also showed that bans are extremely burdensome to unrepresented litigants and have a harmful effect on access to justice in the state. In the future, Massachusetts Appleseed will share their preliminary findings with others around the state and attempt to identify solutions to this problem.

**SELECT PRIOR WORK**

**2016**
Together with the Kansans for Fair Courts coalition, Kansas Appleseed defended the independence of the state's judicial system AMD defeated proposed legislation that would have ended merit selection of justices in Kansas. Kansas Appleseed also provided tens of thousands of Kansas voters with independent information and professional evaluations leading up to the 2016 judicial retention elections.

**2015**
Washington Appleseed conducted research to identify potential causes for the under-representation of Latinos in Washington State juries including source lists that may fail to include eligible persons, low response rates for jury questionnaires among Latino potential jurors, language barriers, the possibility of loss of employment while serving on a jury, unavailability of child care, and peremptory challenges to excuse potential Latino jurors. Based on this research, Washington Appleseed convened a forum attended by judges, nationally recognized subject-matter experts, and other interested stakeholders to encourage a more strategic, scientific approach to detailing the extent of barriers and identify tactical solutions that change outcomes.

**2015**
Chief Judge of the Circuit Court Timothy C. Evans issued a General Administrative Order in response to a Chicago Appleseed investigation that uncovered a practice where judges were denying defendants a public defender without the required indigence hearing.

**2013**
Texas Appleseed and the Texas Defender Service, with the assistance of Locke Lord LLP, published a report highlighting uneven discovery practices in Texas. This report was used to help pass the Michael Morton Act, which took effect in January 2014, and overhauled Texas law governing criminal discovery, requiring broader disclosure of information to the defense. Texas Appleseed continues to monitor the implementation of the law across the state.