

**Item 2      Approval of an Access Policy for Low- and Moderate-Income Persons  
(Action Required)**

The ability of many of California's low- and moderate-income residents to effectively participate in the justice system is limited by economic barriers, including lack of access to legal assistance, inability to pay court fees, and lack of access to technology. Rules, forms, programs, and legislative proposals adopted by the council have the potential to impede access for low- and moderate-income persons.

The California Commission on Access to Justice, which includes members appointed by the Chief Justice, has requested that the Judicial Council adopt a policy that seeks to identify and address existing barriers as well as to prevent actions, rules, standards, and forms adopted by the council from creating additional barriers to participation by low- and moderate-income litigants. The Access and Fairness Advisory Committee also supports the policy.

*Council action:*

The Judicial Council adopts a policy on access to the court system for low- and moderate-income persons as recommended by the California Commission on Access to Justice, as follows:

1. When establishing or revising court rules, standards, or forms, or when considering positions on proposed legislation, the Judicial Council's advisory committees should expressly consider the impact of the proposed action on low- and moderate-income litigants and address that impact in the report to the council. Staff should ensure that comments on these proposals would be sought from groups and entities representing or advocating for litigants who face economic and other barriers to the effective use of the judicial system. A list of such entities will be maintained and updated on an annual basis by the Administrative Office of the Courts.
2. Council advisory committees will begin a process to solicit comments from the legal services community to identify issues and concerns regarding existing rules, standards, and forms, with comment from the groups and entities included on the AOC list maintained as directed in the preceding paragraph, to determine the extent to which any of these create economic barriers to access. The advisory committees will determine the extent to which new rules, standards, or forms would affirmatively increase access. Thereafter, each committee will, as part of its annual plan, review new projects and proposals using the same standards.

3. The Center for Judicial Education and Research will attempt to ensure that economic access issues are included in the curriculum development process and integrated into substantive courses as appropriate in education for judges, court administrators, and staff.
4. Attorneys with knowledge of low- and moderate-income issues will be encouraged to apply for membership on council advisory committees and task forces.
5. AOC staff will provide a copy of this policy, and may provide technical assistance to the extent that resources allow, to local courts to help them develop and maintain their own procedures for evaluating local practices consistent with the goals and mechanisms set forth in paragraph 1.
6. To assist the implementation of this policy, the AOC will develop and disseminate to the council, its committees, and trial court presiding judges information concerning successful practices, rules, standards, and forms developed by courts to improve economic access.
7. The liaison between the council's Access and Fairness Advisory Committee and the California Commission on Access to Justice will be continued to coordinate work and information on appropriate issues of fairness and access.