

July Board Report from Senior Litigation and Advocacy Counsel

"First, you make the thing to make the thing." – My friend, Ed.

Not long after I got into woodworking a couple of years ago, my maker friend Ed, responded to a text I sent about jigs by saying, "First, you make the thing to make the thing." A **woodworking jig** is "a type of custom-made tool used to control the location and/or motion of parts or other tools. A jig's primary purpose is to provide repeatability, accuracy, and interchangeability in the manufacturing of products."

This is all to say that 10 months into my role as Senior Litigation and Advocacy Counsel, I feel like I am building jigs for KEJC's legal work. From task forces to the new statewide listserv to my first trip through the legislature to the legal work committee to hiring Allison and Betsy and our new Food Justice Fellow, we are making the things to make the things. More on our jig-making below the discussion of cash bail.

For Discussion: Cash Bail

The movement to end cash bail in Kentucky is growing. **The Bail Project** has a vibrant office in Louisville, the assistant jailer at the Jefferson County Detention Center is vocally opposed to cash bail, the Kentucky Center for Economic Policy has **just released a report** showing how arbitrarily judges deploy cash bail across the Commonwealth, and the already-organized criminal justice reform movement seems to have incorporated cash bail into its agenda.

I would like KEJC to support and work on this issue. There are others already leading the effort, but cash bail intersects with KEJC's work and the work of LSC organizations in at least two ways that merits our time and attention: eviction and workers' rights. When people are incarcerated and can't post bail (even for a few days), they lose income, potentially lose their jobs, and these disruptions put them at risk of eviction. (This is in addition to the more basic racial and economic justice issues surrounding the practice of requiring presumed-innocent-people to pay money before they can be free prior to trial.)

I am not suggesting that KEJC play anything but a supporting role in this effort, but I do believe that we can play an important supporting role in the fight to end cash bail.

Making Jigs

Legal Work Committee

- File sharing platform
- Case Acceptance/Case Management/Supervision Policies
- Case Management Software training
- Retainer Agreements
- Timekeeping Policies/Software
- Litigation Advisory Committee

Listsers

- Launched new statewide listserv!
- Additional listsers
 - Workers' Rights
 - Consumer Law

Brief Bank

Addison immediately responded on the new listserv with a recommendation that we pair the listserv with a statewide brief bank. This was already near the top of my list because I believe a useful, up-to-date statewide brief bank with dramatically expand our ability to serve our clients quickly and with the strongest arguments on persistent and emerging legal issues.

I am making progress on finding a document management system that we can deploy as a statewide brief bank. I believe [SeedDMS](#) fulfills my functionality criteria. My criteria for this system are:

- no/low-cost
- scale across multiple organizations
- secure, individual logins
- tags/keyword search
- full text search

Litigation Update

Medicaid Waiver Litigation

Fully briefed at the Court of Appeals (District of Columbia) with oral arguments before October.

Disenfranchisement of People with Felonies in their Past

Fully briefed on the Commonwealth's Motion to Dismiss. Waiting for decision from the federal court.

UK Healthcare/Department of Revenue Collecting Medical Debt

The Kentucky Supreme Court heard oral arguments on this case (we wrote an amicus) in June.