

American Bar Association Center for Pro Bono
Outline of Materials for Indiana Peer Consulting Visit
August 28, 1999

Examples and Brief Descriptions of Pro Bono Delivery Models
(Alphabetical by category)

INTRODUCTION

The following is a categorical description of several pro bono models developed by organizations across the country. The examples chosen highlight traditional pro bono delivery models, or, in a few examples, illuminate innovations and partnerships that are noteworthy. This is not intended to be a comprehensive list of models or examples, but rather a brief overview of pro bono delivery.

I. CLINICS

An onsite, in-person clinic is a session at which volunteer lawyers provide legal advice to eligible clients. Clinics may take a variety of forms, from a class or lecture format led by a volunteer attorney to individual consultations with volunteer attorneys. Client issues may be addressed by specific area of law, such as family law, or a multitude of areas may be covered. Clients may be required to call the sponsor organization in advance for screening or walk-ins may be welcome. The structure of the clinic is flexible and can be tailored to fit the goals of the sponsor(s).

Brief Advice Clinics
Knoxville Legal Aid Society, Inc.
Contact Person: John A. Bell 423/525-3425

The Knoxville (TN) Legal Aid Society operates a Saturday Bar advice clinic. The clinic takes place twice each month on Saturday mornings, from 9:00 a.m. until noon at Knoxville Legal Aid Society's offices. Volunteer attorneys are available to give basic legal advice to clients. The Legal Aid Society has found that the nature of the operation encourages participation by attorneys who are not available for case referrals (government attorneys, public defenders, and corporate counsel).

Neighborhood Legal Clinics
King County Bar Association
Contact Person: Sherri Anderson 206/624-9365

The Young Lawyer's Division of the King County Bar Association sponsors a Neighborhood Legal Clinics Program in conjunction with numerous other organizations, including specialty bars, churches, domestic violence programs, and senior centers. There are eighteen

different Neighborhood Legal Clinics, which cover general issues of law including divorce, child custody and support, real estate, landlord/tenant, debtor/creditor problems, car accidents, and probate. Clinics are generally open one night per week. Each clinic has an Attorney Coordinator responsible for scheduling volunteers and general management of the clinic. Volunteer attorneys staff the clinics and provide basic legal information to the clients as well as referrals when necessary.

Law Firm Rotation Clinics

Bar Association of the District of Columbia

Contact Person: Maureen Thornton Syracuse 202/737-4700 x290

The Public Services Activities Corporation (PSAC) is the pro bono arm of the District of Columbia Bar. Among other programs, PSAC operates a Law Firm Rotation clinic that matches clients with volunteers from D.C.'s largest law firms. PSAC recruited twenty-four (24) law firms to provide teams that participate in the program. Participating firms commit to providing representation to all clients with meritorious cases interviewed during their team's shift (an average of 15 persons each session). Teams provide assistance with matters involving landlord/tenant, public benefits, custody, consumer, personal injury defense, and wage claim issues. PSAC hosts the clinic every other Wednesday night in its offices.

II. COURT-BASED

Court-based pro bono programs are located in a courthouse and may involve participation of court personnel in screening clients or administrative tasks. A common goal of court-based programs is the provision of legal assistance and advice to pro se litigants.

Chicago (IL) Bar Association/Chicago Bar Foundation

Contact Person: Linda Rio 312/554-1206

The Chicago Bar Association and Chicago Bar Foundation, in conjunction with the Circuit Court of Cook County, have established several programs to educate pro se litigants and provide them with advice and assistance. Volunteer attorneys assist litigants in filling out pleadings and provide legal assistance in three areas: guardianship, civil orders of protection, and post-divorce matters. Bar and Foundation staff, along with court personnel, supervise and support the three programs. For example, Juvenile Court Probation officers manage the court's guardianship desk Monday through Thursday. The officers interview and screen applications and assist petitioners in beginning the form completion process. The officers schedule eligible clients to meet with a volunteer attorney. The attorneys assist litigants in completing the required forms, explain filing and court procedures, and counsel clients on their responsibilities as guardians.

Albuquerque Bar Association Courthouse Booth Project
Contact Number: 505/256-0417

The Volunteer Lawyers Office of the Albuquerque Bar Association operates the Courthouse Booth Project. One staff person runs the program. Volunteer lawyers donate time to help low-income persons represent themselves in Family Law or Domestic Relations cases by answering general questions about court proceedings and the law, providing blank pleadings, and providing information about name change proceedings. The Courthouse Booth is located in the county courthouse's domestic violence court and is open Tuesdays and Thursdays from 9:00 - 11:30 am and 1:30 - 4:00 p.m.

III. RESOURCE MATERIALS

A number of organizations in an area or region may provide legal and other assistance to low-income persons. A directory that may be used to direct clients to the appropriate agency for his or her needs assists both the client community and the service agencies.

YLD Section of the Chicago (IL) Bar Association
Contact Person: Linda Rio 312/554-1206

The YLD produces the "Where to Go for Legal Assistance in Chicago" directory, which lists the phone numbers and addresses of free and low-cost legal service providers in the Chicago area. The directory includes organizations that provide assistance with finding a lawyer in the Chicago area, free or low-cost legal service providers, and government services. This directory is sent to anyone who calls needing a pro bono attorney and is left in libraries and legal services offices in the area.

Consumer Law Desk Reference Guide
Saginaw County Bar Association
Contact Person: Rae Ann Hall 517/755-4465

The Saginaw County Bar Association (SCBA) Pro Bono Committee developed a consumer reference guide, providing basic information about the civil legal process, steps clients can take to preserve their rights, legal referral information, and sample letters and forms to use to resolve legal issues in consumer law, home ownership issues, and landlord/tenant law. The reference guide is designed for use by non-legal and social service organizations. Volunteer attorneys, including local corporate attorneys, authored each section. The judiciary, low-income persons, and advocacy groups assisted in designing, reviewing, and editing the guide. In addition to distributing the guide to local agencies, the SCBA is considering making it available on the web, and has made it available to other organizations as a model project.

IV. INTAKE AND REFERRAL

This traditional pro bono model is the process of matching a client with a volunteer lawyer who provides direct representation in a lawsuit or other legal matter for no charge. Intake is the process that includes initial contact with the client, obtaining basic information, screening for eligibility under applicable guidelines, and possibly screening for merit. Referral is the second part of the process that includes matching a volunteer attorney to the client's legal issue. Initial screening and referral of clients to volunteers may be done through a legal services office, a bar association, or other agency.

Philadelphia Volunteers for the Indigent program (VIP)
Contact Person: Margaret DeMarteleire (215) 523-9550

The majority of referrals to Philadelphia VIP are from Community Legal Services, Inc. (CLS), and are received by means of a referral from and supporting documents from CLS. Some referrals come from private attorneys; the majority of these are referred to CLS, although VIP will do occasional intake screening. The Managing Attorney reviews each referral for eligibility and merit. Qualified clients are entered into the computer system and assigned to a VIP casehandler, who finds a volunteer attorney to accept the case. Volunteer attorneys represent clients in domestic, consumer, estate, immigration, probate, real estate, Supplemental Security Income, special education, school discipline, tax, and tort defense matters, among others. The VIP casehandler is then a liaison between the volunteer and the managing attorney for such issues as requests for payments of fees or mentoring. The case handler also prepares the final closing documentation for case closure when the attorney has completed representation.

V. HOTLINES

Hotlines generally refer to a system of providing brief legal services or intake through a telephone network. Hotlines may be prerecorded messages that are developed and regularly updated by volunteer attorneys on discrete topics of law and can be accessed through a touch-tone menu. Alternatively, volunteer attorneys may staff hotlines, for example: clients may leave a message on voice mail and receive legal assistance from a volunteer at a later time. Clients also may directly access a volunteer for immediate advice. Hotline models using direct access to volunteers may screen clients for eligibility upon initial contact.

Single Topic, Call-Back Model
Pine Tree Legal Assistance Helpline, Portland, ME
Contact Person: Nan Heald, 207/774-4753

The Helpline assists low-income clients involved in family law litigation without representation. The Helpline obtains its referrals primarily from

the Volunteer Lawyers Project and from Pine Tree Legal Assistance. The Helpline service is designed to assist litigants who have already acquired the necessary pleadings and forms for a court action and require assistance either with form completion or other problems associated with self-representation. Client issues are generally in the areas of service of process, mediation, drafting agreements and preparation for hearings. Helpline volunteers come to the offices of the Volunteer Lawyers Project on Wednesday evenings, from 5:30-8:00 p.m. Volunteers call clients who have contacted the Helpline and have been told to expect a call during the evening. Volunteers include lawyers, paralegals, law students and other community volunteers. Training is provided and on-site supervision is available.

Multiple Topic, Call-Back Model
YLD Section of the Virginia Bar Association
Contact Person: Breck Arrington 804/644/0041

The Young Lawyers Division of the Virginia Bar Association and six legal aid societies co-sponsor pro bono hotlines in six regional areas of Virginia. Volunteer lawyers call clients who had telephoned the previous day with questions in the areas of consumer, domestic, employment or housing law. The hotlines provide brief advice to approximately 60% of the eligible clients and schedule appointments for the remaining clients with the legal aid societies. The hotlines operate from one to four times a week out of the legal aid society offices. The VBA recruits, trains, and manages the participation regionally and a hotline committee manages each region's hotline efforts. The regional chairs meet annually with the VBA for planning and collaboration purposes.

VI. PRO SE

Pro bono assistance to pro se litigants may take the form of clinics or court-based projects, as described above. Pro bono attorneys may also provide discrete, or "unbundled," legal services to litigants for one portion of a multi-faceted legal matter.

King County Bar Association
Contact Person: Sherri Anderson 206/624-9365

The King County Bar Association (KCBA) sponsors the Self-Help Plus program which assists clients in filing and representing him or her self in a family law action. A managing attorney, who provides legal advice throughout the process if needed, as well as a paralegal and part-time law clerks, staff the program. Client applications are screened by the KCBA staff for eligibility. Volunteer attorneys staff classes at which clients are instructed in basic legal issues, procedures, and completion of forms in divorce cases

*Domestic Violence Clinics, Salt Lake County and Davis County, Utah
Contact Person: Toby Brown, 801/297-7027*

Domestic Violence clinics are held in two counties. One is co-sponsored by the Legal Aid Society, the Delivery of Legal Services Committee of the Utah State Bar, Utah Legal Services, and the Third District Court. The other is sponsored by the Victims of Crime Assistance Program. Both clinics offer representation to *pro se* plaintiffs seeking protection from an abusive domestic situation at protective order hearings. Volunteer attorneys enter an appearance on behalf of the *pro se* litigant for the initial hearing only. Volunteers are advised that each hearing requires approximately three hours; time commitment among volunteers varies. Volunteers receive a two-hour training, information manuals and assistance from staff attorneys at the Legal Aid Society and Utah Legal Services. Volunteers also receive professional liability insurance coverage.

*Saginaw County Bar Association
Contact Person: Rae Ann Hall 517/755-4465*

The Saginaw County Bar Association (SCBA), Legal Services of Eastern Michigan (LSEM), and the Saginaw County District Court present a monthly clinic on small claims. The clinic uses videotape to demonstrate the small claims hearing. An outline, which follows the format of the videotape, is given to volunteer attorneys one week in advance of the clinic date. The outline leads the volunteer attorney through the presentation, step by step. LSEM, the SCBA, and/or the district court provide on-site supervision of volunteers. Methods of making the videotape available to the public, such as through libraries and video stores are being considered.

VII. LAW SCHOOLS

Pro bono opportunities for students are available at most law schools, although generally not as a formal aspect of law school education. An increasing number of law schools, however, are incorporating pro bono service into the structure of the school and/or the curriculum. Engaging law students in pro bono taps into a vast resource for delivering legal services to the indigent as well as providing practical experience to students.

*Voluntary Pro Bono, In-house Referral System
University of North Carolina Pro Bono Program
Contact Person: Sylvia Novinsky, 919/962-7813*

The University of North Carolina Pro Bono Program provides volunteer opportunities for students to assist attorneys who do not charge for their legal services, either on a general or individual case basis, or those providing services at significantly reduced cost. This includes volunteer

attorneys as well as legal services organizations. Students who have completed the first semester of their first year are able to volunteer to assist in a variety of legal matters, including wills, power of attorney, tax return preparation, client intake, Guardian ad Litem, and domestic violence. Many of the attorney participants are located in rural areas. To offset this, the law school provides a dedicated fax and phone line as well as an e-mail account, allowing students to communicate with supervising attorneys at no expense to the student or the attorney. Students completing 75 hours of pro bono service receive a certificate from the North Carolina Bar Association and UNC Law School.

Voluntary Pro Bono, In-house Referral System
Duke University School of Law Pro Bono Project
Contact Person: Brenda Berlin, 919/613-7000

Duke set a goal for every student to undertake 30 hours of pro bono throughout law school. To facilitate pro bono work by students, the school established a list of local referrals, in addition to drawing from a nationwide on-line referral list developed by Pro Bono Students America, a national organization dedicated to encouraging and facilitating pro bono work by law students. Students are referred to outside law-related and non-law-related organizations, where their work is supervised by the organizations' staff and attorneys. Additionally, the Project assists student-organized pro bono projects inside the school. Duke's Director of Pro Bono administers the program, assists students with local placements, and publishes a newsletter.

Voluntary Pro Bono, Collaboration
Minnesota Justice Foundation
Contact Person: Susan Curry, 612/625-0777

The Minnesota Justice Foundation (MJF) is a non-profit agency that administers the Law School Public Service Program, a collaborative project of the MJF, the state bar association, and the three law schools in Minnesota (Hamline University School of Law, University of Minnesota Law School, William Mitchell College of Law). Every student at the participating schools is urged to perform 50 hours of pro bono service throughout law school. MJF pairs law students with volunteer attorneys and public interest organizations serving low-income or disadvantaged people. Students work with lawyers on all phases of cases from client interviews, investigation, writing and research to drafting and trial proceedings.

VIII. RURAL DELIVERY

Delivery of legal assistance to low-income persons in rural areas presents additional challenges that urban areas may not encounter. Those in need of assistance often face barriers such as a lack of transportation or telephone. Local

attorneys may be few in number, and conflicts of interest may diminish the availability of legal representation. These challenges can be overcome through many of the models described above, such as centrally located telephone hotlines or clinics, as well as other creative methods, such as the following models:

Rutland County Pro Se Clinic
Vermont Volunteer Lawyers Project
Contact Person: Angele Court, 802/863-7153

The Vermont Volunteer Lawyers Project operates a clinic for pro se litigants in family law cases, with assistance from the court clerk and the county bar president. The clinic was originated to provide the greatest assistance in family law matters with a limited number of qualified volunteer attorneys. Clinics take place one or two times per month, depending upon demand. The court clerk notifies pro se litigants of the clinic and makes appointments if the litigant wishes to participate. Volunteer attorneys staff the clinic to explain the court proceedings, the role of the judge, answer litigants' questions, and provide information regarding applicable law. Volunteer attorneys refer litigants to the Vermont Volunteer Lawyers Project or the Vermont Bar Association Lawyer Referral Service when necessary and appropriate.

Emergency Advice Clinic
West Tennessee Legal Services, Inc.
Contact Person: Linda Seeley, 901/426-0616

After a tornado devastated part of West Tennessee Legal Services' service area, pro bono attorneys created an advice clinic to address the legal issues of the victims. Attorneys traveled to a local church where they advised clients on issues including landlord/tenant law, obtaining benefits from FEMA, making and appealing insurance claims, and dealing with contractors.

Direct Representation
Legal Services of Southern Piedmont, Inc. and First Union Corporation
Contact Person: Laurie Earls-Cahoon, 704/786-4145

First Union Corporation, a large banking institution on the East Coast with headquarters in Charlotte, has partnered with the Legal Services of Southern Piedmont, Concord office to provide pro bono representation in unemployment benefit matters. The Legal Services program performs intake and screens clients for eligibility, then refers unemployment benefits cases to the First Union attorneys for representation. First Union attorneys travel from their Charlotte, N.C. office to Concord to meet with clients. Attorneys have also met clients at their homes. Attorneys represent the clients at locally held unemployment hearings. Training and support is available to volunteer attorneys.

*National Service Legal Corps - Project Independence
Rural Legal Services of Tennessee
Contact Organization: National Association for Public Interest Law,
202/466-3686*

The National Service Legal Corps (NSLC) comprises teams of attorneys, social workers, paralegals and educators working at legal services sites nationwide on innovative projects in the areas of domestic violence and housing and homelessness. Coordinated by a partnership between the National Association for Public Interest Law, the Legal Services Corporation and 13 local legal services providers, the NSLC is a member of AmeriCorps, the landmark national service initiative. Project Independence provides a team of two attorneys and two community educators provide legal assistance to domestic violence victims in Tennessee's Appalachian coal fields. The team conducts community education presentations on issues that affect victims' independence and safety, and conducts "legal check-ups" for low-income families to help them avoid and identify problems. Members facilitate local domestic violence task forces and work with supporting agencies, prosecutors and law enforcement. They also provide training to and build coalitions with shelters, sexual assault crisis centers and other service providers.

See also Brief Advice Clinics, Knoxville Legal Aid Society (I); Single Topic, Call-Back Model Hotline, Pine Tree Legal Assistance Helpline (V); Multiple Topic Call-back Model Hotline, YLD Section of the Virginia Bar Association (V); Voluntary Pro Bono, In-house Referral System, University of North Carolina Pro Bono Program (VI)

IX. NONPROFIT REPRESENTATION

*General Counsel Program (Ongoing representation of nonprofits)
Bar Association of Metropolitan St. Louis (MO)
Contact Person: George M. Von Stamwitz 314/621-5070*

The Bar's Pro Bono Committee created the General Counsel Project, which is designed to provide pro bono opportunities to transactional attorneys. The Committee recruited 12 law firms to provide ongoing representation to nonprofit entities that serve indigent individuals, including shelters, soup kitchens, and community development organizations. The Project locates and recruits clients through the local United Way database. The Committee plans to seek a grant to fund a half-time position to administer and expand the program.