

2010 CALIFORNIA PRO BONO CONFERENCE

The California Endowment Conference Center

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“Cultivating Future Pro Bono Leaders: Projects that Incorporate Law Schools & Students”

The following are descriptions of the featured programs in today's session however we know there are other highly effective and equally replicable projects across the state. These descriptions are intended to represent a sampling and will help us begin the conversation about how to create and maintain programs that will encourage and enable law students to engage in pro bono while in school, continue in their legal careers and ultimately serve as pro bono leaders.

Homeless Legal Services Program

Orrick Herrington & Sutcliffe, Bar Association of San Francisco Volunteer Legal Services & the University of California Hastings College of Law

In San Francisco, a partnership involving the law firm of Orrick, Herrington & Sutcliffe, the University of California Hastings College of the Law, and Volunteer Legal Services of the Bar Association of San Francisco is working with homeless men and women to overcome barriers to housing, jobs and benefits.

Each week, students from Hastings' Homeless Legal Services group join with an Orrick attorney to volunteer at a drop-in clinic at the St. Vincent de Paul homeless shelter, which is the city's largest homeless shelter and also serves as a 24-hour drop-in center for people who are homeless. The clinic is staffed by a VLSP attorney who provides guidance and serves as a resource on poverty law issues. The cost of this attorney is paid by Orrick.

The clinic focuses on clearing outstanding criminal warrants. These warrants typically have prevented clients from qualifying for affordable housing and government benefits, and in many cases also barred them from eligibility for employment. An outstanding warrant, which is often for some minor misdemeanor 5 or 10 years in the past, thus can make a client's temporary homelessness become permanent.

Warrants can frequently be cleared simply by pulling together letters of support and proof of changed circumstances – but the effort must be coordinated with the local Public Defender and the criminal court. Often, judges are willing to set the warrant aside if the defendant shows that he or she has been working to turn their lives around, and has not committed other crimes. The task is an excellent one for pro bono attorneys and students to work on together, since it involves writing letters, calling courts, public defenders and district attorney's offices to collect information, gathering evidence, and doing online research.

Intake is done at the shelter, but much of the follow-up work is directed by the attorney, but performed largely by the law student(s) offsite. Communication regarding the cases is

done through email and phone. The VLSP attorney is a resource both during the clinic and during the balance of the week, while the volunteer attorneys and students work on their cases. The fact that the clinic is located at the shelter and drop in center means that even if we lose track of a client, they know where they can find us again.

At intake, matters other than warrants are identified and, with the assistance of the VLSP attorney, a referral to an appropriate legal services organization is made. Occasionally there are very simple matters other than warrants that the Orrick attorney may decide to take on.

Project Best Practices:

- Developing a retainer agreement that is clear about the limited scope of the services to be provided
- Coordinated training of law students and volunteer attorneys
- Interviewing skills
- Substantive law
- Difference between legal assistance and legal advice
- Effective collaboration with partners
- Understanding the parameters of what a law student can do
- Central record-keeping
- Malpractice insurance coverage for the volunteers
- Having a legal services attorney to present to identify issues and provide guidance in handling the cases
- Limiting the scope of the clinic to a single issue so that we could meaningfully train the volunteers (This also assumes being disciplined about not taking on other matters or, worse, dispensing advice on the fly in areas not covered by the training)
- Targeted referral sheets for common problems
- Clear communication between all parties
- Clarity that students, while they are very energetic and enthusiastic, cannot make decisions or structural modifications without participation of the attorneys
- Having at least one person responsible for ensuring that the clinic adheres to its priorities and focus
- Having a student leader to serve as the point person for overall communication and recruitment
- Having an attorney in the law firm who serves as a champion of the project

U-Visa Collaboration

Snell & Wilmer, Public Law Center & UC Irvine School of Law

In Orange County, the Public Law Center (“PLC”) and UCI Law are collaborating with the law firm of Snell & Wilmer to provide representation to victims of crime, who are seeking U-Visas. PLC thought that U-Visa work would be meaningful and educational for law students but the organization could only directly supervise a few students. PLC suggested that attorneys from Snell & Wilmer might be willing to supervise students, based on strong working relationship with Deb Mallgrave, a Snell & Wilmer associate who had won an award for her significant contributions providing U-Visa representation through PLC. Deb had previously mentored associates at the firm regarding these cases, and also assisted

with U-Visa work done by the firm's summer associates.

Deb received approval from Snell & Wilmer's management to participate in the collaboration. She then recruited three associates to work on the project. Six UCI Law students were assigned to the project, and they attended a PLC training event. Three pairs of students each worked with one attorney with overall supervision by Deb. The students worked throughout the spring semester (2010) on the project, and a few of the cases extended into the summer and even the fall. Snell focused on providing small tasks to the law students, and setting guidelines for submission of each task.

The project was a success in that more law students could be involved than would have been if PLC had been supervising directly, which meant that more clients were served. The students and attorneys also had the opportunity to connect for purposes of mentoring, recruiting and networking.

This program could be replicated and the following are some general recommendations:

- It is important to focus on projects such as U-Visas, which are a good fit for law students due to the limited time commitment involved
- It is helpful if the law firm has experience in the specific area of law and experience in working with law students on such discrete projects
- Law firms are more open to getting involved in pro bono collaborations with law schools if an "umbrella" organization such as PLC is involved to provide training, advice, and malpractice insurance coverage

Foster Caregivers Advocacy Program

Manatt, Phelps & Phillips, LLP, Alliance for Children's Rights & UC Irvine School of Law

In Los Angeles, The Foster Caregiver Advocacy Program will utilize UCI Law students who will be supervised by attorneys from Manatt, Phelps & Phillips, LLP in collaboration with the Alliance for Children's Rights.

The Alliance for Children's Rights operates a specialized Public Benefits/Children's Court Advocacy program that works with children who have been abused, traumatized, or abandoned by their parents, causing them to be placed in foster care. Foster caregivers often can become overwhelmed with these children's special needs.

UCI Law students and Manatt attorneys will team-up to seek appropriate funding and services for these children on a pro bono basis, so that caregivers can access critical supports like physical therapy, counseling or medical aides. Securing these resources often means the difference between permanent, secure homes and struggling, unstable ones.

Casework will involve significant client contact, oral and written advocacy, and the possibility of advocating on behalf of the caregiver at an administrative hearing. Advocacy at administrative hearings does not require that a student be certified, and therefore students may be able to provide oral advocacy before the Administrative Law Judge.

Justice Bus Trips

Public Interest Clearinghouse & Various Rural Legal Services Programs in California

Why Rural Pro Bono:

The lack of legal resources for low-income rural Californians is alarming. For rural low-income people, finding legal help is extremely difficult, and rural legal organizations are overtaxed and under-funded. The Justice Bus™ Project directly addresses this urgent need for legal services by taking urban law students and lawyers to rural areas to work at legal clinics. The Project also offers ongoing support to rural programs through the Rural Education and Access to the Law (REAL) Research Service.

Justice Bus™ Trips Overview:

Through the Justice Bus™ Project, the Public Interest Clearinghouse (PIC) collaborates with local attorneys and court-based programs to design legal clinics that meet the specific, relevant, and immediate needs of rural communities. Under the supervision of local pro bono and staff attorneys, trip participants assist clients by conducting legal intake, assisting with legal documents, and providing self-help education.

Prior to each trip, PIC works with rural programs to identify the clients to serve and topics to cover. PIC staff then coordinates trip logistics as well as the substantive legal training for trip participants. PIC staff also provides skills-based training and education about rural access to justice issues. Justice Bus™ clinics have covered a wide variety of legal issues from naturalization to expungement and senior law to bankruptcy. PIC outreaches to clients and volunteers through fliers, press releases, and social media.

REAL Research Service:

To provide ongoing assistance for rural clients, PIC created the REAL Research Service, which connects rural legal services programs to the research efforts of urban law students. PIC staff outreaches to programs and law students, coordinates research projects, and monitors students' work. After the research project is complete, PIC staff hosts a conference call for the legal services attorney to ask questions and give feedback to the students and for the students to have contact with the organization. Long-term projects, about 10-15 hours, are best for law students to work on over the course of a couple months. Large, multi-question research projects are easily divided up between several researchers. The research service is not intended for quick, time-limited research projects. Additionally, projects are best placed at the beginning of each semester, and are not placed during law school winter break. During the summer, PIC coordinates research projects with law firm summer associates.

Project Outcomes:

The Justice Bus™ Project has served clients throughout rural California. Since 2007, the Project has helped provide legal assistance to over 1,000 rural clients and their families. Through this Project, rural programs can reach clients in remote areas, offer services on legal topics that are in demand or seldom covered, and introduce their work to the next generation of attorneys. Likewise, law student and attorney volunteers gain substantive

and skills-based training, legal experience, and awareness about the need for legal help in rural areas.

Law Student Pro Bono Project

Public Interest Clearinghouse, Golden Gate University, University of the Pacific, McGeorge, and University of San Francisco Schools of Law

The Law Student Pro Bono Project ("Project") connects law students at Golden Gate University, University of the Pacific, McGeorge, and University of San Francisco Schools of Law with short-term and long-term volunteer projects at legal aid agencies and court-based programs in the San Francisco and Sacramento areas. The Project seeks to further students' interaction with legal services, to instill an interest in public interest law, and to leverage law students to advance justice in their communities. Student projects include: client intake/interviewing, legal research and writing, legislative advocacy, policy analysis, case investigation, and courtroom observation.

The pro bono opportunities available are intended to be flexible and varied to provide students with options to fit their busy schedules. As such, most projects require less than ten hours of work per week, and there are also many one-day projects, which are the most popular amongst the law students.

The Project is coordinated by an Equal Justice Works AmeriCorps Legal Fellow at Public Interest Clearinghouse. The Fellow recruits law students through orientation events, student group meetings, listservs, and on-campus office hours. In addition to advertising opportunities around campus, the Fellow also sends out a weekly email newsletter that highlights upcoming pro bono opportunities and social justice events in the area. The Fellow also coordinates substantive and skills-based trainings for law students, and often creates volunteer schedules for partner organizations. To ensure that each placement is the best experience for students and partner agencies, the Fellow also conducts site visits of participating pro bono organizations and checks-in with students and supervising attorneys on a regular basis. The Fellow also advertises legal clinics and other free legal services as needed by the partner agencies, including drafting press releases and newspaper ads and creating flyers and posting them in the community.

For the 2009-2010 academic school year, the Project engaged over 300 law students in pro bono work, and these students served over 3,083 clients, totaling 6,460 hours of pro bono work.