



**Legal Aid of North West Texas**

**EQUAL JUSTICE VOLUNTEER PROGRAM**

**2004 ANNUAL WORK PLAN**

**ADOPTED BY THE**

**BOARD OF DIRECTORS**

**December 13, 2003**



"EQUAL JUSTICE UNDER LAW"  
*Over 50 years of civil legal aid to the low-income community in North & West Texas*



# Legal Aid of NorthWest Texas

## EQUAL JUSTICE VOLUNTEER PROGRAM

### PRO BONO LEADERSHIP TEAM

ABILENE

AMARILLO

DALLAS-DVAP

DENTON

FORT WORTH

LUBBOCK

McKINNEY

MIDLAND

ODESSA

PLAINVIEW

SAN ANGELO

WAXAHACHIE

WICHITA FALLS

Guadalupe Elizondo

Luisa Vigil

Sara Hewitt

Azma Johnson

Ellena Simmons

Nancy Mojica

Jan Kearney

Pedro Fierro

Pedro Fierro

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Tonnie Robbins

Charles Johnson

Linda Gomez

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**DIRECTOR OF PRO BONO & BAR RELATIONS**

Jesse L. Gaines

**CHIEF EXECUTIVE OFFICER**

Jonathan Vickery

**CHIEF OPERATING OFFICER**

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*“I am only one, but still I am one. I cannot do everything,  
but still I can do something.  
I will not refuse to do the something I can do.”*

*...Helen Keller*

## **INTRODUCTION**

West Texas Legal Services and Legal Services of NorthWest Texas officially merged on March 1, 2003 as Legal Aid of NorthWest Texas (LANWT) creating a non-profit law firm that covers a 114-county service area. LANWT has 13 branch offices located in Abilene, Amarillo, Dallas, Denton, Fort Worth, Lubbock, McKinney, Midland, Odessa, Plainview, San Angelo, Waxahachie, Wichita Falls and two satellite offices located in Weatherford and Gainesville. In each of LANWT's branch offices, there is a pro bono program designed as an integral part of the Staff Program in the delivery of legal aid to the indigent.

As of June 2002, the total population of LANWT's service area is 7,638,213 persons. The poverty population of the service area is 875,201, or 11.46 % of the overall population. The largest concentration of poverty population in LANWT's service area, by number of persons, is in Dallas, with 261,566 persons at or below the Federal Poverty Income Guidelines. The largest poverty population as a percentage of the overall population is in the Plainview service area, where 22.98 % of the population is at or below the poverty level.

As a result of restructuring the legal services delivery system and to provide a broad representation of key stakeholders in the pro bono effort, on November 1, 2002, LANWT created an Access to Justice Initiative Committee (ATJIC) for the purpose of creating a comprehensive marketing plan that will be utilized by the branch office pro bono programs. The committee members consist of representatives from urban and rural Bar Associations, Texas Lawyers Care and Special Services Division of the State Bar of Texas, Texas Equal Access to Justice Foundation, the Judiciary, Law Schools, IOLTA Grantees, Rural Staff Attorney and Pro Bono Coordinators.

Since LANWT recruits volunteers from various professional entities of the community, the ATJIC did not want to limit our pro bono program's name to Private Attorney Involvement. After much discussion, the ATJIC Committee unanimously selected Equal Justice Volunteers Program (EJVP) as the new name for LANWT program-wide pro bono effort. The ATJIC established sub-committees in the areas of Regional Image & Communications, Volunteer Recruitment & Retention, and Technology Enhancement. The role of our sub-committees is to assist in the development of short and long-term strategic plans that will improve support services and volunteer opportunities through our Equal Justice Volunteers Program; build collaborative partnerships that will increase client services; and expand civil legal services in a coordinated, cost-efficient manner through pro bono participation.

As a result of the ATJIC September 4, 2003 teleconference, the committee members agreed to take an active role to help craft a comprehensive 2004 Pro Bono Plan as required by the Legal Services Corporation PAI Regulations 45 CFR 1614. Committee members reviewed the local branch office work plans as submitted by the Coordinators. Telephone interviews were conducted with the pro bono coordinator, managing attorney, and a key volunteer in Amarillo, Dallas, Lubbock, San Angelo, McKinney, Plainview, Waxahachie, and the Wichita Falls branch offices. These areas reflected both urban and rural pro bono efforts with a sundry of projects that address the civil legal needs of the poor. Feedback and information collected from interviews with key stakeholders laid the foundation in developing LANWT 2004 Equal Justice Volunteer Annual Work Plan.

**LEGAL AID OF NORTHWEST TEXAS  
2004 EQUAL JUSTICE VOLUNTEER PROGRAM WORK PLAN**

*“Access to Justice through Pro Bono Opportunities”*

**MISSION**

To provide high quality, cost efficient, pro bono civil legal assistance to the indigent residing within Legal Aid of NorthWest Texas 114-county service area by recruiting private attorneys, lay advocates, and other professionals to participate in LANWT’s Equal Justice Volunteers Program (EJVP).

**EQUAL JUSTICE VOLUNTEER PROGRAM STAFFING**

LANWT’s Equal Justice Volunteer Program is managed by a Coordinator in each of its branch offices located in Abilene, Amarillo, Denton, Fort Worth, Lubbock, McKinney, Midland, Odessa, Plainview, San Angelo, Waxahachie, and Wichita Falls. The Dallas Volunteer Attorney Program (DVAP) is a joint effort with the Dallas Bar Association and is supervised by a Managing Attorney. The Director of Pro Bono & Bar Relations, under the direct supervision of the Chief Executive Officer, manages the program-wide pro bono effort to insure compliance with the Legal Service Corporation (LSC) PAI Regulations and LANWT procedures as outlined in its Operational Manual. Each branch office Managing Attorney provides daily supervision of the EJVP Coordinator and is required to approve all cases processed for closure. This procedure insures that LSC and LANWT policies, procedures, and requirements are met.

Each Coordinator is required to maintain Timekeeping Records as specified under LSC’s Regulation Part 1635.3. The Coordinators utilize the same timekeeping system as the LANWT Staff Attorneys.

**PROGRAM OVERSIGHT**

The Board of Directors oversees LANWT’s pro bono program with input from the Chief Executive Officer and the Chief Operation Officer. To ensure the participation of key stakeholders in crafting the local pro bono effort, Pro Bono Advisory Boards have been established in all of our branch office service areas with the exception of Midland, Plainview, McKinney, and Waxahachie. By the end of 2004, there will be a pro bono advisory board established in all of LANWT’s branch office locations.

The Dallas Bar Association's Community Service Fund Board provides program oversight and support to the Dallas Volunteer Attorney Program (DVAP).

### **SHORT AND LONG TERM PLANNING**

To help meet the demand for civil legal assistance in 2004, LANWT's Equal Justice Volunteer Program will engage in both short and long term planning. Short term planning in the form of an annual "program-wide" Work Plan that is required by the Legal Services Corporation (LSC). This Work Plan serves as a mechanism to maintain the current branch office pro bono efforts in the delivery of legal aid to the poor. Long term planning will consider every aspect of the pro bono program both in the current form and in the form LANWT would like to attain and will create a continuous action plan to further develop pro bono efforts.

In each branch office location, the Pro Bono Advisory Board will be recruited to examine current delivery methods to determine what does and does not work, determine the challenges faced by the pro bono program, and assess the program's strengths/weaknesses in relation to the mission, pro bono opportunities to increase client services, and support for private attorneys that participate in the EJVP.

To help develop a sense of community among the thirteen LANWT pro bono programs in 2004, the Access to Justice Initiative Committee (ATJIC) will host a Pro Bono Summit for the branch office coordinators, managing attorneys, and the ATJIC committee members on December 5, 2003. LANWT's management team will also participate in this event. The Dallas Bar Association Community Service Fund is co-sponsoring this activity. This event will lay a foundation towards the development of a strong program-wide client-centered pro bono effort.

### **2004 PROGRAM OBJECTIVES**

LANWT's program-wide objectives were developed from the local pro bono branch office work plans that focused on maintaining and enhancing pro bono services to eligible clients, volunteer recruitment/retention, and support. In 2004, LANWT's Equal Justice Volunteer Program will:

- Utilize a combination of pro bono panels, reduced fee contracts in rural areas, legal clinics, and community legal education delivery models to provide civil legal assistance to eligible individuals and families.

- Continue our existing 57 Legal Clinics that consist of 40 general legal clinics, 13 specialized clinics, and 5 pro se clinics.
- Create 5 new legal clinics: a Bankruptcy clinic in Amarillo, Pro Se Divorce clinic in Fort Worth, general legal clinics in Denton and Montague counties, and a Wills clinic in Lubbock.
- Launch a Judicial Involvement Project in McKinney under the leadership of the Honorable Curt B. Henderson-Judge, 219<sup>th</sup> Judicial District Court, to increase pro bono awareness, motivate attorneys, and recognize attorneys for their pro bono efforts.
- Conduct monthly MCLE video trainings in Abilene, Amarillo, Denton, Lubbock, McKinney, Midland, Odessa, Plainview, San Angelo, Waxahachie, and Wichita Falls by using the State Bar of Texas Professional Development videotapes provided at no cost by Texas Lawyers Care. Participating attorneys will receive “free” MCLE credits and commit to accept at least two pro bono cases.
- Continue to provide Dallas Volunteer Attorney Program’s (DVAP) complimentary monthly MCLE programs in areas of law vital to the delivery of civil legal services to the low-income community. The complimentary MCLE serves as a recruiting tool for new volunteers and a training tool for current volunteers.
- Implement a one-day SSI/SSD Seminar and a half-day Housing Law Seminar in Fort Worth. Attorneys attending the seminars will earn “free” MCLE credits as accredited by the State Bar of Texas and will be required to accept two pro bono cases. Lay advocates that attend the seminars will be required to volunteer 20 hours in the Fort Worth service area legal clinic program.
- Continue DVAP’s Judges’ Pro Bono Panel to maintain the relationship with law firm managing partners to encourage pro bono participation in targeted firms and/or open the door for DVAP to make pro bono opportunities presentations to law firm members.
- Maintain our collaborative partnerships with local bar associations and community organizations that co-sponsor our 57 legal clinics, donate space for our seminars, house our clinics, and co-sponsor our fund-raising activities. We will also seize every opportunity to create new collaborative partnerships that will increase client services.
- Continue volunteer recruitment activities that include mass mailings, attending monthly Bar Association meetings, and providing “tuition free” Professional Development Scholarships obtained from Texas Lawyers Care of the State Bar of Texas. These scholarships are granted to attorneys that agree to accept pro bono case referrals.
- Implement Pro Bono Recognition Events in collaboration with the local Bar Associations in each of our 13 branch office locations. Awards will be presented to volunteer attorneys and lay advocates who donate their time and talent providing civil legal assistance to low-income people.
- Continue DVAP’s monthly recruiting lunches that are utilized to enroll newly licensed attorneys or attorneys new to the Dallas Bar Association. This activity provides an excellent format to discuss pro bono opportunities available with DVAP.

- Establish full-time Coordinators positions for the Midland, Plainview, and Waxahachie branch office service areas. It is anticipated that these new positions will foster a concentrated effort to further enhance the pro bono efforts within these 18-county service area.

## **DESCRIPTION OF LEGAL AID DELIVERY MODELS**

LANWT's Equal Justice Volunteer Program is organized in a manner that furthers the statutory requirement of high quality, economical, and effective client-centered civil legal assistance to eligible clients. LANWT's EJVP administers several projects to help meet the demands for civil legal assistance through pro bono participation that include but are not limited to:

- Pro bono referrals,
- Reduced fee referrals in rural counties,
- General, specialized, advice, and pro se legal clinics,
- Community Legal Education Workshops and
- Hotline advice and counsel.

LANWT's Equal Justice Volunteer Program will continue to utilize these delivery models to provide legal assistance to eligible clients. Each branch office pro bono program uses a combination of these models to recruit/retain private attorneys for pro bono participation, act as presenters at seminars and community legal education workshops, perform mentoring/co-counseling services, and staff our 57 legal clinics.

### **Pro Bono Panels:**

Private Attorneys are recruited to handle at least two pro bono cases annually by attending our free substantive law seminars, monthly MCLE video trainings, and obtaining the State Bar of Texas Professional Development Scholarships that are provided by Texas Lawyers Care. These continuing legal education opportunities have proven to be an effective cost-efficient method to recruit and retain attorneys, and provide a mechanism to increase the number of pro bono case acceptances. Domestic Violence Pro Bono Panels have been established as a result of the seminars held in collaboration with our 13 crisis center partners created under the Office of Justice Program Violence Against Women grant.

Attorneys that participate on our Pro Bono Panels are not paid for their time but are reimbursed for reasonable out-of-pocket expenses and litigation costs to represent our clients. The program will continue to emphasize pro bono representation within our 114-county service area.

### **Reduced Fee Contracts:**

Cases are referred to private attorneys at a reduced fee rate of \$40.00 per hour. Generally, reduced fee cases are limited to geographic areas outside of the counties where the LANWT branch offices are located. The rationale for utilizing the reduced fee model is to increase client services in rural counties where there are limited numbers of attorneys to provide pro bono services. It is more cost efficient to “farm out” reduced fee cases in rural remote counties than to have staff attorneys spend four to five hours in travel time to represent clients. Attorneys that accept reduced fee cases also accept pro bono cases. In the counties where branch offices are located, reduced fee cases may be referred only if specialized expertise and/or support are needed or if there is a special need for client representation.

### **Legal Clinics:**

Our Community Legal Clinic Program has been a vital resource for people who need legal help but cannot afford to miss work during the regular intake hours. Likewise, our evening and Saturday clinics provide an opportunity for volunteers to perform “pro bono” services that compliment their routine work schedule.

Currently, the EJVP operates a total of 57 general, specialized, and pro se legal clinics that are located in Allen, Amarillo, Arlington, Bonham, Brownwood, Cleburne, Dallas, Fort Worth, Frisco, Gainesville, Greenville, Graham, Grapevine, Lewisville, Lubbock, McKinney, Midland, Mineral Wells, Odessa, Plano, Rockwall, San Angelo, Seminole, Sherman, Vernon, Weatherford and Wichita Falls. By December 31, 2004, we plan to open 5 new legal clinics: a Bankruptcy clinic in Amarillo, a Pro Se Divorce clinic in Fort Worth, general clinics in Denton and Sunset, and a Wills clinic in Lubbock. Attorneys are recruited to staff our clinics through live seminars, video trainings, personal contacts, and utilizing our Pro Bono Advisory Board to promote the clinic program.

Attorneys that staff the legal clinics interview applicants to determine case merit, render advice and provide brief services in matters that do not require litigation. Usually, if a case type is of interest to a volunteer attorney, he or she will accept the case pro bono pending conflict check verification. Cases that are not accepted pro bono are reviewed at LANWT Weekly Case Staffing Conference where a

determination is made to refer the case to the pro bono program for placement or, handle the case in-house if the priority guidelines are met.

We recruit lay advocates and law students to conduct the initial interview and screening at our clinics to insure that applicants meet our eligibility criteria and financial eligibility guidelines. Law students are also recruited to provide technical support to volunteer attorneys who accept pro bono referrals.

**Community Legal Education Client-Centered Workshops:**

Community Legal Education (CLE) workshops are held in low-income neighborhoods and utilized as a proactive delivery model designed to educate low-income people and public service providers regarding civil legal matters. These workshops are also used as a catalyst to educate the community regarding legal assistance that is available through the LANWT Staff and Pro Bono programs as well as services that are available through our collaborative partnerships with public service providers.

Our CLE workshops provide an opportunity for attorneys to donate their time and earn MCLE credit by acting as workshop presenters. LANWT bilingual staff attorneys and members of the local Mexican-American Bar Associations are recruited to conduct CLE workshops in Spanish in communities where there is a large low-income Spanish-speaking population.

**CASE PRIORITIES AND MANAGEMENT PROCEDURES**

Case priorities as adopted by LANWT Board of Directors are utilized by the EJVP to accept cases. Our program priorities include: government benefits, family law, landlord/tenant issues, health law, consumer and finance law, employment law, individual rights and other civil law matters. Conflict checks are made on all cases prior to acceptance in the pro bono program. Private attorneys also conduct a conflict check in their respective law firms prior to accepting a case from LANWT.

By January 2004, LANWT's management team will review and revise the current Operational Manual that describes program accountability procedures that all of our pro bono staff will be required to follow. We will continue to utilize the current Pro Bono Operational Manual that covers Recruitment

Procedures, Attorney Records Maintenance System, Case Management Procedures and Financial Management Procedures. The Operational Manual ensures that our program staff are in compliance with LSC requirements and LANWT's polices/procedures. The Director of Pro Bono & Bar Relations will continue to conduct quarterly Coordinator's meetings as an avenue to provide ongoing training, exchange ideas on how to better serve our clientele, and exchange pro bono recruitment/retention ideas for continuous program development.

**1. *Intakes and Case Acceptance:***

The EJVP client intake guidelines are the same as the LANWT Staff component. Applicants are screened for financial eligibility and interviewed by private attorney volunteers at the legal clinics. The EJVP Coordinators review clinic cases at the same time as staff cases are reviewed during the Weekly Case Staffing Conference. In the Dallas branch office, the DVAP Managing Attorney conducts the Weekly Case Staffing Conference with her staff. LANWT priorities are always used in the selection of cases. Based on available resources, a determination is made to either accept the case in-house or to refer the case to a private attorney. The EJVP Coordinator is responsible for ensuring that appropriate cases are referred to volunteer attorneys.

**2. *Case Referrals:***

When a case is accepted and referred to EJVP for placement, the Coordinator searches for an attorney to handle the case. The Coordinator matches the case type with a volunteer attorney who practices law in the area of specified legal need. Once an attorney agrees to accept a case, the Coordinator will forward the client's eligibility intake information and a summary which describes the client's legal problem. The attorney is sent a retainer agreement and an information sheet that describes LANWT's requirements for attorneys accepting a pro bono or reduced fee case.

A case acceptance letter is sent to the client with instructions to schedule an appointment with the private attorney within ten days. Included with the letter are a Client Complaint Form (that can be utilized at any point during the case progress), and a Case Acceptance Information Sheet that outlines the conditions of case acceptance through the Equal Justice Volunteer Program.

**3. Case Follow-up and Closure:**

The client is responsible for returning the retainer agreement after the initial visit with the attorney. If a retainer agreement has not been returned within ten days after a case has been accepted, the Coordinator mails a Ten-Day Notice of Case Closure that gives the client an opportunity to establish contact with the volunteer attorney. If a client does not respond within this time frame, the case is closed and a closure letter is sent to the client and private attorney.

When representation has been established by a private attorney, the Case Update Status Form is sent every 90-days until case completion. This form allows an attorney to report problems that may be associated with representing the client. When a case has been completed, attorneys must forward a copy of the final court document/correspondence. A case cannot be officially closed until the final document is received from the attorney. The Managing Attorneys are required to review, approve, and sign-off on all case closures.

The client is notified by letter that his or her case has been completed and closed. Included with this letter is a confidential Client Satisfaction Questionnaire to evaluate the services provided by the private attorney. The Coordinator is responsible for following up on any problems identified by the client. This evaluation process insures that our clients receive high quality representation from attorneys who participate in the pro bono program.

**4. Reduced Fee Payment Procedures:**

LANWT has an established financial accountability system for processing payments to attorneys who handle reduced fee cases and payment for out-of-pocket case expenditures. An encumbrance system has been established for attorney payments based upon our Reduced Fee Payment Schedule. Our Reduced Fee rate is \$40 per hour. Attorneys are required to submit monthly billing statements and are paid in accordance with the allowable case hours. If a case becomes complicated after the initial referral, the Managing Attorney and the Director of Pro Bono & Bar Relations will determine whether to increase the allocation of reduced fee hours.

Billing statements are reviewed and approved by the EJVP Coordinator, the Director of Pro Bono & Bar Relations, the Budget and Finance Director, and the Chief Executive Officer. This system

alleviates potential errors. Out-of-pocket expense statements are similarly processed. The Pro Bono/Bar Relations Director is authorized to approve all expenses or litigation costs up to \$500.00. The Chief Executive Officer must approve billings that exceed \$500.00.

LANWT maintains a separate account for the EJVP expenditures. This is in compliance with the LSC Regulations Part 1614.3(e). Currently, the average rate for private attorney fees is \$150.00 per hour, which is considerably higher than our \$40.00 per hour rate.

## **SUPPORT SERVICES**

### **LANWT Support to Volunteer Attorneys:**

The EJVP will continue to assist the volunteer attorneys in every way possible to guarantee that “high quality” legal assistance is provided to clients. LANWT provides:

- Malpractice Insurance at no cost for the duration of the client’s case,
- Sample Pleadings and forms to be used as models,
- Volunteer law student and paralegal assistance to provide technical support,
- Reimbursement of extraordinary litigation expenses and out-of-pocket expenses,
- Case maintenance and follow-up for the duration of the case and
- Time-records to track the volunteer attorney’s pro bono hours.

In the Dallas branch office, DVAP has a Staff Mentor Attorney to provide support to volunteer attorneys. DVAP also has developed a list of volunteer mentor attorneys to assist the new or inexperienced volunteer.

In each office, LANWT Staff Attorneys are available to assist private attorneys who encounter difficulty with their pro bono cases. This may be in the form of telephone consultations or co-counseling. Private attorneys also have access to the program’s resources including: Lexis research system, law library, secretarial support and usage of our copying equipment to help offset some of the costs related to pro bono representation. We provide monthly MCLE video training sessions and annual Substantive Law Seminars that help volunteer attorneys meet their annual State Bar of Texas continuing legal education requirement.

### **State Support for Volunteer Attorneys:**

LANWT will continue to utilize volunteer attorney enhancement projects available through the State Bar of Texas. Texas Lawyers Care (TLC) provides professional development videotapes to the

EJVP branch offices at no cost. These videos are used as a recruitment tool for pro bono case acceptances as well as providing an opportunity for volunteer attorneys to meet their State Bar of Texas Continuing Legal Education requirements. Texas Lawyers Care also offers “free” State Bar of Texas Professional Development Scholarships to its training conferences. This activity aids in the recruitment of local volunteer attorneys. These scholarships help attorneys meet the State Bar of Texas continuing legal education requirements. Attorneys who are awarded scholarships are required to accept pro bono cases through a State Bar of Texas recognized pro bono program.

The State Bar of Texas offers a Mentor/Mentee Program through which both the mentor and mentee can receive up to five participatory hours of CLE credit. This program will be utilized to recruit attorneys interested in accepting pro bono cases, while at the same time recruit seasoned attorneys to act as mentors. Volunteer attorneys are also eligible for self-study credits up to five participatory hours.

**LANWT Support to the E,JVP Coordinators:**

The Director of Pro Bono & Bar Relations conducts a quarterly meeting to keep Coordinators informed and updated regarding new procedures, LSC reporting requirements and new LANWT policies/procedures. The quarterly meeting also provides an opportunity to discuss new pro bono recruitment and retention ideas for providing civil legal assistance to low-income people, share learning experiences from training events that focus on enhancing skills to better serve clients, and a mechanism to obtain suggestions on specific problems that impact client services.

LANWT has a training budget for the Coordinators to attend the annual American Bar Association and National Legal Aid & Defender Association Equal Justice Pro Bono Conference. This event offers continuing education related to various trends of volunteer recruitment and retention, developing pro bono projects to increase client services, and provides an opportunity to network with pro bono professionals that manage effective volunteer programs. LANWT pays membership fees for all the coordinators to participate in the National Association of Pro Bono Professionals (NAPBPro) Organization. This organization partners with the ABA Center for Pro Bono that promotes pro bono and

supports developmental status for pro bono professionals. Since the inception of NAPBPro in 1987, LANWT has had a Coordinator elected to the NAPBPro Executive Committee.

**State Support for E,JVP Coordinators:**

LANWT encourages all of our Coordinators to attend the Texas Lawyers Care two-day training retreat that is held annually in the fall. The Coordinators' retreat is a valuable resource that aids in professional development, technical assistance with pro bono recruitment and retention efforts. Additionally, Texas Lawyers Care provides technical assistance to help in the development of local pro bono programs.

**RESOURCE DEVELOPMENT**

**A. Branch Office Access to Justice Campaigns**

In 2004, LANWT will conduct a fund-raising campaign in each of our branch office locations. Currently, we are in the process of seeking support from the majority bar associations within our service areas to co-sponsor our annual pro bono awards events. LANWT's Director of Development and the Pro Bono/Bar Relations Director will work closely with the EJVP Coordinators and the Pro Bono Advisory Boards to create an annual fund-raising event. The LANWT Board of Directors representatives in each of our service areas will be recruited to assist in the planning and implementation of the branch office Access to Justice Campaigns.

We will continue our collaborative partnerships with the Tarrant County Bar Foundation, Tarrant County Bar Association, Texas Wesleyan University School of Law, and the Fort Worth/Tarrant County Young Lawyers Association that co-sponsor the annual Fort Worth Equal Access to Justice Campaign. As of October 16, 2003, the Fort Worth Campaign has generated \$19,452 in financial donations. Proceeds from the 2003 campaign will be presented to the LANWT CEO at the annual Pro Bono Awards event held in collaboration with the Tarrant County Bar Association on December 9, 2003. The Fort Worth 2004 Equal Access to Justice Campaign "kick-off" is planned for implementation in May at the Law Day Program that is held in collaboration with the Tarrant County Bar Association.

The Dallas Volunteer Attorney Program (DVAP) is a collaborative effort between the Dallas Bar Association and Legal Aid of NorthWest Texas. The LANWT Development Director will continue to provide technical assistance to the bar leadership towards implementing the 2004 Equal Access to Justice Campaign. In 2003, the Dallas campaign netted \$364,850 in revenue. These funds were utilized to pay security services at DVAP clinics, personnel cost for five Dallas Bar Association full-time staff who are assigned to DVAP, grants for the DVAP Mentor Attorney and Managing Attorney salaries, and the DBA Community Service Fund Board recruitment costs.

Our long-term goal is to create an annual Equal Access to Justice Campaign in each of our branch office service areas by December 2005 under the leadership of the local Bar Associations and the Pro Bono Advisory Boards. The “key” to accomplishing this goal is to continue building strong partnerships within each of our 13 branch office areas.

**B. Grants:**

LANWT’s Development Director, with the assistance of the Pro Bono/Bar Relations Director, will seek grants that are compatible with our program priorities from private foundations and other potential funders on the local, state, and federal levels to enhance legal assistance to low-income people.

We will submit a grant application to the State Bar of Texas Corporate Counsel Section to seek funding to implement a “pilot project” for pro bono corporate counsel that will serve the rural communities in the Abilene and Plainview branch office areas. These two branch offices have a total of seven legal aid attorneys that serve 27 counties and have over 75,000 people living in poverty. There are approximately 262 private attorneys located within this geographical area. Families in some of these counties must travel as far as 120 miles to get to the nearest legal aid office. The pilot project will incorporate technology to recruit corporate attorneys in urban areas to provide pro bono services in rural communities. If LANWT is granted funds to implement this pilot project in 2004, we will utilize our experiences from the Abilene and Plainview corporate counsel projects to seek funding to create a similar project in other rural branch office areas.

The Amarillo Area Bar Association Executive Director and the EJVP Coordinator are in the process of identifying potential funders to submit a grant application to enhance the pro bono effort in the Amarillo service area. It is anticipated that this partnership will increase volunteer participation from the bar's membership in accepting pro bono cases as well as securing attorneys to staff the legal clinics.

#### **MARKET VALUE OF THE PROGRAM-WIDE PRO BONO EFFORT**

LANWT uses the same rate as the State Bar of Texas and the Texas IOLTA Program to determine the fair market value of attorney's donated time. We use \$150 per hour for attorneys and \$20 per hour for lay advocates to calculate the value of volunteer participation. As of September 26, 2003, private attorneys and lay advocates contributed a total of **23,580.17** volunteer hours valued at **\$3,032,847.80**. Private attorneys donated 19,701.88 hours and lay advocates donated 3,878.29 hours.

As of August 31, 2003, LANWT's Equal Justice Volunteer Program recruited a total of **364 new volunteer attorneys and 246 new lay volunteers**. By December 31, 2003, it is anticipated that there will be an increase in new attorney enrollment as well as volunteer hours.

The challenge in 2004 will be to increase attorney pro bono participation by at least twenty-five percent. We will utilize a combination of different delivery models and outreach methods as described in this work plan to increase attorney participation and pro bono representation for eligible clients. By having a different variety of delivery models to recruit and retain volunteer attorneys, our EJVP provides an opportunity for attorneys to select their level of participation that produce greater support of the pro bono effort.

As of September 27, 2003, LANWT has received a total of **\$365,350.00** in financial contributions that consist of \$500 from the Amarillo Bar Association to co-sponsor the Domestic Violence Seminar and \$364,850 from the Dallas Bar Association to fund DVAP's pro bono projects and activities. During this same period, LANWT's EJVP received a total of **\$42,124.00** in-kind contributions from 75 donors.

The total value of LANWT's thirteen branch office pro bono programs as of September 30, 2003 that includes volunteer hours, financial contributions, and in-kind donations is **\$3,440,321.80**. Our LSC

PAI Budget for 2003 is **\$652,014.00**. **The value of our pro bono program represents a significant factor in the delivery of a cost-effective program-wide pro bono effort in comparison with our allocated budget.**

## **PROGRAM COMPLIANCE**

LANWT's Equal Justice Volunteer Program is in compliance with LSC Regulation Part 1614.2 (c). A majority of LANWT's Board of Directors, including the client board members, is involved in the local branch office pro bono efforts and serves on the local Pro Bono Advisory Boards. As required by the LSC PAI Regulations, the LANWT Board of Directors approves and adopts the annual EJVP 2004 Work Plan at its December meeting.

Pursuant to the LSC's PAI Regulation Part 1614.1(e), no attorney employed in the LANWT program within the last two (2) years is currently receiving payments from the program. If a former staff attorney receives payment, it would be the same as is allowed to other attorney participants for out-of-pocket reimbursements.

As required by LSC Regulations Part 1614.4 (3) (b), a copy of our 2004 EJVP Annual Work Plan will be mailed to the local Bar Association Presidents, Access to Justice Initiative Committee Members, Pro Bono Advisory Board Representatives, and key stakeholders for comments. Recommendations as approved by the LANWT Board of Directors will be included in the adopted Work Plan.

## **LONG-TERM PLANNING**

### **A. Engaging the local Pro Bono Advisory Boards:**

The development of a long-term strategic plan is crucial to maximize the use of LANWT's resources and to successfully grow as a pro bono program. In 2004 LANWT will utilize its branch office Pro Bono Advisory Boards to assist in the development of a long-term plan that is favorable to the branch office geographic service area. Involving the local Pro Bono Advisory Boards in the long term planning process will present an opportunity for ownership of the pro bono efforts as well as create a viable network of potential resources to assist with volunteer recruitment to increase the delivery of civil legal services to low-income people.

A quarterly Coordinators' meeting will be scheduled by March 2004 to provide training on "Developing a Long-Term Plan". Technical assistance will be requested from Texas Lawyers Care to identify a trainer that can be recruited to provide pro bono assistance in conducting training on long-term planning. By June 2004, it is anticipated that each branch office will have a 5-year pro bono plan that will be submitted to key stakeholders for comments. This process will ensure that local leaders and pro bono partners are given the opportunity to have input in the development of the branch office long-term plan.

The long-term planning process is a fundamental step towards facilitating the design and development of the pro bono effort in the branch offices. This process will also enable LANWT to evaluate the program effectiveness and identify issues that need to be resolved with a view towards developing future annual work plans.

**B. Engaging local Bar Associations in the pro bono effort:**

LANWT must educate the bar about the unmet legal needs in order to broaden the scope of support and participation in pro bono efforts. A better understanding of the existing civil legal needs, Combined with information about volunteer opportunities, will help build and strengthen the local branch office pro bono effort.

As of October 2003, LANWT has 21,215 Licensed Attorneys in its service area. Of this number, there are 5,904 or 28% attorneys enrolled in LANWT's Equal Justice Volunteer Program. It is important that all majority and specialty bar associations within our service area share the responsibility of serving the legal needs of the region. It is critical that bar associations envision pro bono as an equal partner in the delivery of civil legal services.

LANWT's management team along with the Access to Justice Initiative Committee will begin a planning process of organizing a Bar Leaders Summit to be held by 2005. This activity will provide an opportunity for all bar leaders to jointly form a collaborative partnership that will strengthen pro bono efforts within LANWT's thirteen branch office service areas. Defining our area of client needs and what the bar can do to help increase support from its membership will have a significant impact in enhancing pro bono participation and meeting the legal needs of the indigent.

**C. Recruiting the Judiciary to support and promote pro bono efforts:**

In some of LANWT service areas, the local judiciary does not have a history of actively supporting pro bono efforts. The judiciary must be educated about the role judges can play in promoting pro bono participation at the local levels.

When Judge Curt Henderson interviewed the McKinney Judges, they were very receptive to being more involved in the pro bono effort. If asked, some of them would do just about anything within reason and ethics to help. In discussing judicial involvement with attorneys, they agreed that judicial involvement would increase private attorney involvement. The consensus was "...if the judges pay attention to who is doing pro bono work, so will the attorneys...."

As described in this work plan, one of our 2004 objectives is to launch a Judicial Involvement Project in McKinney to increase pro bono awareness, motivate attorneys, and recognize attorneys for their pro bono efforts. LANWT will utilize the McKinney Judicial Involvement experience as a model to establish similar projects in our other rural branch office areas.

The Dallas Volunteer Attorney Program (DVAP) has a Judges' Pro Bono Panel that works in Collaboration with its Pro Bono Activities Committee. A panel of judges target law firm managing partners to encourage pro bono participation and opens the door for DVAP to make pro bono opportunities presentations to targeted law firms. This is another judiciary pro bono model that can be used to establish a similar project in our urban areas that have a high volume of law firms.

Generally, the judiciary is in an influential position in the legal community and can play an essential role in encouraging pro bono participation. We will invite judges as guest speakers for pro bono award events, plan "free" CLE trainings that will be taught by judges in exchange for private attorneys accepting pro bono case referrals, and recruit judges to write feature articles supporting pro bono participation for publication on LANWT's web site and in the quarterly newsletter.

**D. Involving other professionals and lay volunteers in the branch office pro bono effort:**

LANWT's Equal Justice Volunteer Program, like so many pro bono programs with a dedicated staff who works as efficiently as possible but cannot keep up with the overwhelming demands, need more

staff to help monitor pro bono projects and oversee efforts of the volunteers. Due to lack of funds to hire additional staff, it is necessary to identify and recruit other professionals that can provide pro bono services. By developing a diverse range of volunteer opportunities, LANWT's EJVP can expand its capacity to meet the needs of our volunteers while at the same time increasing pro bono involvement and retention.

LANWT branch office EJVP Coordinators in collaboration with the Pro Bono and Bar Relations Director will develop a plan and implementation schedule for recruiting legal and non-legal volunteers to sponsor clinics in the different counties without the hands-on assistance from the Coordinators. Once a team of volunteers is identified, it will be necessary to provide training to ensure that they function within LANWT's policies and guidelines. The Coordinators will select no more than one or two counties per year to concentrate on building a committed volunteer team. The idea is to start small and build a strong foundation. Developing a strong core group of volunteers with emphasis on those volunteers will influence others to participate in the branch office pro bono program.

**E. Conducting outreach to the client community and to public service organizations:**

With the recent merger, there is still some confusion within the legal community and the community at large regarding LANWT's mission, purpose, and identity. There is a need to identify mechanisms that can be utilized to continuously provide information in the client community and to public service providers.

It is important to educate the client community about the availability of legal services both through the LANWT's Equal Justice Volunteer Program and the Staff Program. Potential clients must know where and how to apply for civil legal assistance. Likewise, it is equally important that public service providers are educated about LANWT's mission and services. This education establishes the program's credibility, promotes appropriate referrals between organizations, builds support among key stakeholders, and builds a foundation for collaborative partnerships. Outreach to community organizations also assists in building a strong network of public service providers and can generate a comprehensive referral system for eligible clients.

In addition to LANWT's web site, program brochures and quarterly newsletters, annual recruitment mass mailings, and community legal education outreach workshops, LANWT will partner with the joint Texas Equal Access to Justice Foundation/Texas Access to Justice Commission Communications Committee to help shape messages about legal aid within our 114-county service area. This collaboration will be accomplished with the assistance of Laura Figueroa, Communications Manager of the Texas Equal Access to Justice Foundation, who also serves on LANWT's Access to Justice Initiative Committee. This opportunity will create a continuous channel for exchange of information that will increase awareness and resources in promoting LANWT's pro bono programs.

The EJVP Coordinators will continue to seize every opportunity to participate in community fairs and events of other public service providers for the purpose of distributing LANWT literature and forging new relationships in the community.

#### **HOW PROGRAM EFFECTIVENESS WILL BE MEASURED**

LANWT's Equal Justice Volunteer Program will be measured by the objective set forth in our annual work plan, by the number of pro bono cases accepted and completed, new volunteer recruitment, and volunteer participation in our legal clinic programs and other pro bono activities. LANWT will utilize our EJVP quarterly reporting system to continuously monitor the branch office accomplishments and problems by meeting the objectives in the annual work plan.

Our project partners will be encouraged to provide an annual evaluation of our EJVP. This feedback will allow us to identify our pro bono program's strengths and weaknesses in the delivery of legal services to eligible clients.

It is equally important to measure the success of our EJVP from the client's perspective. This assessment will be accomplished by our Client Satisfaction Questionnaire that is mailed with our closing letters. Our questionnaire gives each client an opportunity to comment on services provided by the staff and volunteer attorneys. Based on the clients' responses, we will be able to effectively monitor our pro bono program to ensure that quality legal services are provided by our volunteer attorneys who accept pro bono or reduced fee referrals.

**SUMMARY:**

In 2004, the EJVP Coordinators will work aggressively to develop partnerships within the legal community to maintain and expand legal services to eligible clients. Creating collaborative partnerships to increase pro bono services improve the image of Legal Aid of NorthWest Texas and provide an opportunity for continuous pro bono recruitment efforts. It is anticipated that LANWT's EJVP will continue to grow as new efforts are made to recruit and retain volunteers to support LANWT pro bono programs.

All of our Coordinators have established a strong relationship with the local Bar Associations located within our 114-county service area. The Bar Associations support our branch offices' pro bono effort by co-sponsoring our legal clinics, serving on our Pro Bono Advisory Boards, co-sponsoring our annual Pro Bono Award events, and devoting space in the bars' newsletters and/or on their web sites for outreach and recruitment efforts.

The Access to Justice Initiative Committee will continue to provide guidance and assistance in crafting and improving LANWT's pro bono operations. It is anticipated that the ATJIC will continue to examine the effectiveness of the EJVP towards building a pro bono program that truly meets the needs of our clients and volunteers.