

A Hidden Treasure: Involving Law Students in the Delivery of Legal Services

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Brief Description:

Involving law students in the delivery of pro bono legal services can expand services to clients and expose students to the need for pro bono. This workshop will highlight the benefits of partnering with law schools and will examine different models which integrate law students into the delivery of legal services. Through a facilitated discussion, participants will identify strategies for tackling some of the challenges of working with this population and will learn effective practices to recruit, train and supervise law students.

Topical Outline:

- I. Overview of the Pro Bono Legal Corps (PBLC)
 - a. Program Description
 - i. The PBLC is an Equal Justice Works AmeriCorps-funded program, which places attorneys at pro bono and legal aid organizations to promote public service among law students and at law schools.
 - b. Mission
 - i. The PBLC seeks to build a commitment to pro bono service at law schools and among future lawyers by:
 1. expanding law student and school involvement in the delivery of critically needed legal services; and
 2. raising awareness of public interest issues at law schools.
 - c. Scope – participating organizations
 - i. 22 AmeriCorps attorneys
 - ii. Located at 11 host sites around the country, spanning 7 different states (OH, CA, IL, NY, MN, PA, FL)
 - iii. Plans to expand the program to additional sites in 2006
 - d. PBLC attorneys' roles & responsibilities
 - i. To collaborate with community legal aid providers and law schools in developing quality pro bono opportunities and programs.
 - ii. To recruit and train law students to volunteer with the pro bono projects.
 - iii. To provide ongoing management and coordination of the pro bono projects and volunteers.

- II. Overview of Pro Bono Service Models Involving Law Students
 - a. Community Legal Clinics – Advice And Referral
 - i. Example: *Public Law Center’s Community Legal Clinics*
 1. Run weekly clinics that serve the homeless population at the Fullerton and Santa Ana Armories.
 2. Clinics are staffed by law students and volunteer attorneys, recruited and trained by the PBLC member.
 3. Students conduct the initial intake, then pass off the cases to volunteer attorneys for advice and referral.
 - ii. Other practice areas/legal issues easily addressed with community clinics:
 1. Worker’s rights clinics
 2. Tenant’s rights clinics
 - b. Targeted Direct Service (with Attorney Supervision)
 - i. Example: *Public Counsel’s Adoption Project*
 1. Students prepare adoption petitions for children languishing in the foster care system.
 2. PBLC attorney identifies the cases and trains students how to prepare the petitions.
 3. Students then work directly with clients to prepare their adoption petitions for filing, file them in court, and ultimately represent the family at a hearing before a judge to finalize the adoption.
 - ii. Other practice areas/legal issues that are amenable to direct service representation by students:
 1. Public Benefits/Social Security (SSI)
 2. Bankruptcy
 3. Criminal Record Expungement
 - c. Community Education & Outreach
 - i. Creation of materials for distribution
 1. Preparation of Brochures/Flyers (i.e., How to file for a Due Process Hearing, What to Do if Your Benefits are Cut Off, etc.)
 2. Preparation of Training Manuals (i.e., *Public Law Center’s Manual on Licensing Child Care Providers*)
 - ii. Know your rights presentations
 1. Example: *Legal Aid Foundation of Los Angeles*
 - a. Students are recruited and trained to conduct “know your rights presentations” focusing on the employment rights of low-wage workers
 - b. PBLC attorney identifies the sites and coordinates the training
 - c. Conducted a total of 11 presentations attended by 530 people just last year
 2. Other possible practice areas suitable for know your rights presentations:
 - a. Landlord/Tenant – Housing
 - b. Public Benefits

- c. Special Education Law
- d. Legal Helplines/Intake
 - i. Example: *Three Rivers Legal Services, Legal Helpline*
 - 1. Students trained to staff a Helpline that serves clients from five different rural counties in Florida.
 - 2. Students conduct initial phone intake (recording the information a case management system) and then PBLC attorneys refer the cases to staff attorneys for follow-up
 - ii. This model is particularly well-suited to rural areas that are challenged by attempting to provide legal services to a wide geographic area.
- e. Creation of Pro Se Materials & Pro Se Clinics
 - i. Examples: *Legal Assistance Foundation of Metropolitan Chicago & Three Rivers Legal Services*
 - 1. Pro Se Divorce Clinic
 - a. Students can help to create the forms; and
 - b. Then are then trained to assist clients in filling them out and explain the court process
 - ii. Other possible practice areas easily addressed with pro se clinics:
 - 1. Domestic Violence
 - 2. Landlord/Tenant – Housing
- f. Translation Services
 - i. Example: *Legal Assistance of Western New York*
 - 1. Spanish Translation and Interpretation Assistance Team
 - a. Recruits students to provide translation and interpretation assistance to legal service providers.
 - ii. This model is also well-suited to rural areas since students can provide these services from afar so long as documents can be emailed or faxed or they can be conferenced into meetings, phone calls, etc.
- g. Research Assistance
 - i. Example: *Legal Assistance of Western New York*
 - 1. Volunteer Research Assistance Team (VRAT)
 - a. Recruits students to conduct research projects for public interest law firms
 - ii. This model is also well-suited to rural areas since students can provide these services from afar so long as documents can be emailed or faxed and they can reach the office by telephone/email for guidance and consultation.
- h. One-to-one attorney match
 - i. Example: *Volunteer Lawyers Network & Public Interest Clearinghouse*
 - 1. PBLC attorney:
 - a. Identifies agencies in need of student help
 - b. Places student to work with an individual attorney on a particular case; or
 - c. Pairs a law student with a graduate of the law school.

III. Three Rivers Legal Services, Inc. Clinical Models

a. Program description

- i. TRLS 25 plus years
- ii. Fall 2003 AmeriCorps grant that provided for the hiring of two-full time attorneys to develop clinic programs in legal areas of pressing need in the Gainesville office.
- iii. The first clinic, Landlord/Tenant, began in Spring 2004 with 23 students
- iv. In Summer 2004, the volunteer programs expanded to 4 clinics.
- v. In Fall 2004, volunteer opportunities grew to 7 clinics. AmeriCorps attorneys joined the Jacksonville office, telephone helpline.
- vi. In 2004 more than 100 UF law students volunteered in the TRLS clinic programs and provided legal assistance to over 600 clients. Student received no academic credit or monetary compensation for their service.

b. Clinic overviews

- i. **Housing (Landlord/Tenant) Clinic**
 1. Legal Topic: landlord/tenant and mortgage law
 2. Logistics: night clinic, held weekly, 6-8 students
 3. Duties: interviewing clients, and drafting memoranda and client advice letters.
- ii. **Elder Law Clinic**
 1. Legal Topic: estate planning, social security, consumer debt
 2. Logistics: held weekly at senior meal sites, 8-12 students, travel involved
 3. Duties: interviewing clients, draft memoranda and client contact letters.
- iii. **Consumer Debt Clinic**
 1. Legal Topic: repossession, garnishment, foreclosure, and fair debt collection practices.
 2. Logistics: held monthly at community centers, 4-6 students, travel involved
 3. Duties: public speaking, interviewing clients and draft memoranda
- iv. **Domestic Violence Clinic**
 1. Legal Topic: Domestic violence, divorce, child support
 2. Logistics: 3-4 presentations per semester, 6 students
 3. Duties: volunteers received training from a Domestic Violence shelter director and attended protective injunction hearings and then made presentations to local groups (such as college sororities) to encourage community awareness about cycle of domestic violence and the legal remedies.
- v. **Race and Education Clinic**
 1. Legal Topic: Education Law

2. Logistics: held 1-2 times per semester, 10 students
3. Duties: legal research and conduct training sessions for the parents/child advocates.
- vi. **Job Corps Clinic**
 1. Legal Topic: general credit and debt advice, employment, family law and criminal background records.
 2. Logistics: held monthly at the local Job Corps campus, 5 students
 3. Duties: public speaking, interviewing clients and draft memoranda
- vii. **Advanced Health Care Directives Clinic**
 1. Legal Topic: living wills, health care surrogates, do not resuscitate orders, powers of attorney, and simple wills.
 2. Logistics: held weekly at a local senior meal site, 8-12 students
 3. Duties: public speaking, interviewing clients and draft memoranda
- viii. **Medical/Law Clinic**
 1. Legal Topic: general areas related to poverty law
 2. Logistics: held 2-4 times per semester at local community sites, 6 students
 3. Duties: interviewing clients and draft memoranda
- ix. **Family Law Winter Break Clinic**
 1. Legal Topic: Domestic violence, divorce, child support
 2. Logistics: 1 week clinic held during winter break, 2 students
 3. Duties: interviewing clients and draft memoranda
- x. **Spring Break Clinic**
 1. Legal Topic: general areas related to poverty law
 2. Logistics: 1 week clinic held during spring break, 3 students
 3. Duties: interviewing clients and draft memoranda
- c. Discussion of TRLS clinic programs: Strengths and Weaknesses

IV. Volunteer Lawyers Program (VLP) of Arizona – Law Student Advocate Program

- a. Overview of four VLP clinics
- b. Role of student coordinators, law school faculty, and VLP volunteer attorneys
- c. Student recruitment
- d. Student recognition
 - i. Monthly and annual awards
 - ii. Spring & fall luncheons
- e. Student website

- V. Strategies to Address Challenges of Working with Law Students
 - a. Challenges
 - i. Time & Timing
 - 1. Individual law school commitment to pro bono
 - 2. Evening students and class conflicts
 - 3. 1L's – law school guidelines regarding extra-curricular involvement
 - ii. Skills/ Expertise
 - b. Strategic Considerations
 - 1. Short-term projects coinciding with semester
 - 2. Evening hours (class schedule conflicts)
 - 3. Breaking legal representation into smaller components
 - 4. Non-competitive model
 - 5. Location of clinics and training
 - 6. Use of volunteer attorneys
 - c. Effective Recruitment Strategies
 - i. Law school publications
 - ii. Posters and Flyers
 - iii. Personalized organizational invitations
 - iv. Word-of-Mouth
 - v. The Pitch: “These volunteer clinics supplement the law school experience and help law students gain practical hands on legal skills in a non-competitive environment in which they gain in-depth exposure to legal issues affecting the poor.”
 - d. Building Long-Term Partnerships with Law Schools
 - i. Law school faculty representatives, community service board, and student coordinators
 - ii. Maintaining a presence at the law school
 - e. Effective Training and Quality Supervision
 - i. Unauthorized practice of law
 - ii. Student duties – skill and expertise
 - iii. Use of volunteer attorneys
 - iv. Volunteer Management
 - 1. Paperwork
 - a. Volunteer information sheet
 - b. Pre-volunteer survey
 - c. Time log
 - d. Confidentiality Agreement
 - e. Post-Volunteer survey
 - f. Optional law school Pro-Bono Certificate forms
 - g. Special Grant-related forms (i.e. Title III grant)
 - 2. Policies
 - a. Absentee Policy
 - b. Florida Board of Bar Examiners: Reference Policy

Bibliography & Website Links:

1. American Association of Law Schools, Learning to Serve
<http://www.aals.org/probono/report2.html#1students>
2. ABA, Directory of Law School Public Interest and Pro Bono Programs
<http://www.abanet.org/legalservices/probono/lawschools/>
3. Equal Justice Works = <http://www.equaljusticeworks.org>
4. Legal Aid Foundation of Los Angeles = <http://www.lafla.org>
5. Legal Assistance Foundation of Metropolitan Chicago = <http://www.lafchicago.org>
6. Legal Assistance of Western New York = <http://www.lafl.org>
7. Public Interest Clearinghouse = <http://www.pic.org>
8. Public Law Center = <http://www.publiclawcenter.org>
9. Public Counsel = <http://www.publiccounsel.org>
10. Three Rivers Legal Services = <http://www.trls.org>
11. Volunteer Lawyers Network = <http://www.hcba.org>
12. Volunteer Lawyers Program of Arizona's Student Website:
<http://www.vlparizona.org/LawStudents.htm>