

ABA/ NLADA 2007 Equal Justice Conference

**Partnering for Success: Law Schools, Law Firms,
and Community Pro Bono Partnerships**

Presenters:

W. Warren H. Binford

Assistant Professor of Law, Director of Clinical Law Program
Willamette University College of Law
245 Winter Street S.E.
Salem, Oregon 97302
(503) 480-0281
wbinford@willamette.edu

Nelson P. Miller

Assistant Dean and Associate Professor of Law
Thomas M. Cooley Law School
111 Commerce S.W.
Grand Rapids, Michigan 49503
(616) 301-6800 ext. 6963
millerne@cooley.edu

Liz Tobin Tyler

Director of Public Service and Community Partnerships
Roger Williams University School of Law
10 Metacom Avenue
Bristol, Rhode Island 02809
(401) 254-4634
ltyler@rwu.edu

Casey Williams

3rd Year Law Student
Roger Williams University School of Law
10 Metacom Avenue
Bristol, Rhode Island 02809
zariahlyne@aol.com

Brief Description:

This session explores three collaborative models for pro bono legal services. Roger Williams University School of Law's Pro Bono Collaborative Project partners lawyers from large firms with law students and community-based organizations to address identified legal needs. Willamette University College of Law's Clinical Law Program partners with (1) Oregon Health & Sciences University to place psychiatric fellows in the clinical law office and also with (2) the Oregon Department of Justice prosecuting consumer fraud targeting immigrant populations. Thomas M. Cooley Law School's Legal Assistance Center with the Grand Rapids Bar annually serves 12,000 pro per patrons at a courthouse site with feeder mini-clinics. You should leave this session knowing how to involve law firms, the local bar, agencies, and organizations in providing pro bono legal representation and in pro per assistance.

Topical Outline:

- I. The Need for Civil Legal Pro Bono Services and In Pro Per Assistance
 - a. Pro bono
 - i. Importance of identifying unmet legal needs through partnerships with non-profit organizations
 - ii. Development of on-going relationships with the bar association and legal services
 - iii. Involvement of law students in identifying and addressing unmet legal needs
 - iv. Expanding “unmet legal need” to include administrative advocacy, community mediation, rights education and legislative advocacy
 - b. Pro per
 - i. Less often addressed
 - ii. Substantial needs

- II. Establishing the Law School Collaborative Clinic
 - a. Why collaborate?
 - i. Because “It Takes a Village”
 1. We all have limited resources
 2. We all have finite expertise
 3. Because many of us have shared, or at least overlapping, goals
 - ii. Because it makes us better
 1. Willamette’s profile before and after collaboration
 2. Law students want diverse offerings and experience
 3. We learn from others
 4. It improves our services to clients
 - iii. Because it is relatively “free”
 - b. How to collaborate?
 - i. Start networking, cold calling, and pitching
 1. Identify what you need
 2. Identify what you have to offer: free person power, and lots of it (although still never enough!)
 3. Reach an agreement, get approval, and finalize the agreement
 - ii. Develop a brief strategic plan (include transition period, delineation of responsibilities, a timeline, milestones, and assessments)
 - iii. Be ready to be flexible, disappointed, and to change (hopefully, for the better)
 - c. Law student participation through a law school pro bono program
 - i. Partnering law students with law firm attorneys for community-based pro bono projects
 1. Encourages law students to understand how pro bono can work within a law firm culture
 2. Provides law firm attorneys with resources while building a mentoring relationship around pro bono

3. Helps law students and attorneys understand community needs through relationship with community-based organization
4. Provides associates with much needed experience in supervising law students

III. Involving Non-Profit, Agency, and Other Non-Legal-Entity Partners

a. Agency partners

- i. Helps to strengthen government programs that are often inadequately funded and staffed
- ii. Provides law students with an inside view of government lawyering
- iii. May increase students' marketability through both experience with agencies and contacts made

b. Non-profit partners

- i. Helps identify legal needs in communities that may not come to the attention of traditional pro bono programs
- ii. Connects resources from large law firms to the community through partnership with non-profits serving vulnerable populations
- iii. Offers a more holistic approach to pro bono by addressing legal needs in collaboration with other services
- iv. Takes advantage of existing charitable involvement by firms (such as serving on boards) to connect firms with community-based organizations
- v. Educates and empowers staff at community-based organizations to better identify clients' legal needs and know how to address those needs

IV. Involving Law Firms and the Local Bar

a. Law firm partnerships

- i. Surveying the local bar to identify barriers to pro bono
 1. Develops understanding of why law firm lawyers do and do not take on pro bono work through traditional volunteer lawyer programs
 2. Identifies barriers in law firms – billable hours requirements, management support, lack of expertise and training, etc., and ways to address them
- ii. Development of discrete pro bono projects that address both barriers in law firms and specific needs identified by the community
- iii. Creation of three-way partnerships with law firms (law school, firm and community organizations) that bring resources to bear from each to address specific unmet legal needs
- iv. Soliciting large law firms for partnerships creates a culture of pro bono commitment to the community
- v. Facilitates inclusion of non-litigators from law firms

b. Local bar association partnerships

- i. Leadership—the need for commitment: draw on
 1. state and local bar association executive directors and boards—they influence and control technical and financial resources
 2. judges, magistrates, and referees—they influence local lawyers, county commissioners, and other supporters and contributors

3. law firm managing partners and committee chairs—they hold the lawyer and some financial resources
- ii. Mission—the need for clarity: know your aim
 1. listen to constituents—invite nonprofit service providers and patrons to events like future search and the victory of compassion
 2. needs assessment—be sure to provide a distinct service meeting an unmet need
- iii. Governance—the need for structure
 1. partner representation—be sure all partners have board seats and active board members
 2. separate 501(c)(3) entity?—find the right time to establish the program as a stand-alone
- iv. Program—the need for service: the partnership must perform
 1. location (courthouse)—choose the best available location
 2. design (form banks)—choose the best manner of service (don't reinvent wheels)
 3. staffing—it is critical to find the right people with the right combination of legal, inter-personal, and management skills
 - a. lawyers
 - b. legal assistants
 - c. volunteers
 - d. multi-lingual
- v. Funding—the need for financial support: persist in fund raising
 1. state and local bar foundation
 2. local lawyer and law firm contributions
 3. nonprofit board contributions and endowment
 4. grant funding
 - a. law school—cash, staffing, and in-kind (technology, equipment)
 - b. United Way
 - c. Local foundations
 5. public funding—county, city, and in-kind (facilities, utilities)
- vi. Management—the need for direction: manage proactively
 1. board governance
 2. mission and program assessment

V. Reaching the Pro Bono and Pro Per Client Population

- a. Barriers to service: populations are underserved for more reasons than the an inadequate supply of lawyers
 - i. Ethics—understand and respect unauthorized practice, unbundled services, and conflicts of interest issues
 - ii. Location, location, location—make it theirs, not ours
 1. Serving clients in community-based organizations where they go for other services and where trust is already established
 2. Use community-based organizations to develop captive audiences for rights education
 - iii. Service days and times
 1. are appointments necessary?

2. the walk-in clinic
3. Draw on community-based organizations' clients' schedules to reach the most people
- iv. Lawyer competency—be sure the lawyers and law students are qualified and trained in the substantive areas of law
 1. poverty law issues
 2. joint trainings of law firm associates and law students
 3. create panel of expert legal consultants as resources and trainers
- v. Cultural competency—be sure the lawyers and law students relate
 1. knowing the pro bono clientele
 2. relating to the pro bono clientele
- vi. Identification of Legal Need
 1. helping the community based organization distinguish social service from legal needs
- b. Pro bono mini-clinic model
 - i. Client sites—reach them at soup kitchens, homeless shelters, substance abuse treatment centers, and cultural centers
 - ii. Client timetable—be consistent and allow clients unscheduled times
 - iii. Client culture—promote trust, confidentiality, patience, and perseverance especially with the mentally ill client

Notes:

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