Family Court Project

CREATING A SELF-REPRESENTED LITIGANT CLINIC HANDBOOK

Vanderburgh County
Pro Se Litigant Clinic

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Family Court Project
Creating a Self-Represented Litigant Clinic Handbook
Section 1 – Why Offer Such a Service?

- Introduction: Why Create a Self Represented Clinic?
- History of Vanderburgh County Clinic
• **Introduction: Why Create a Self-Represented Litigant Clinic**

It would be difficult to argue that all litigants needing to use court services aren't better off being represented by an attorney in their matter. That being said, domestic relations courts throughout Indiana are faced with the reality that many litigants cannot afford an attorney and our cash-strapped legal services system cannot provide pro bono help to every eligible litigant. In some courts, pro se litigants represent more than half of the caseload - many poorly equipped to understand basic court procedures, evidence rules, or filing requirements. This often results in clogged calendars, multiple hearings without conclusion for the self-represented litigant, and long delays even for represented litigants with whom they share a court. Clinical programs designed to help self-represented litigants properly complete pleading forms, understand basic filing procedures, or utilize alternative resolutions services do not solve these problems, but they can help reduce them.

This handbook provides a blueprint for creating a clinic that assists low income, self-represented litigants. The needs of your local bench and bar will dictate what portions can be duplicated or modified, what portions aren't needed, and what additional services not done in our sample clinic may be needed.

• **History of the Vanderburgh County Family Court Project**

Vanderburgh County's Family Court Project began in January of 2008, offering a twice-monthly clinic for self-represented litigants in the Vanderburgh County Courthouse. Clinic operations are housed in the Court's law library and all services are coordinated by the Volunteer Lawyer Program of Southwestern Indiana. Since its inception, the Project has utilized the efforts of legal services attorneys and pro bono volunteers to assist pro se litigants in the selection and completion of Supreme Court approved pleading forms. The project has also offered no cost mediation and family counseling services and coordination of matters in which families are involved in multiple court cases. Eligibility is limited to Vanderburgh County residents who live at or below 125% (up to 200% in limited cases) of the federal poverty line and who do not own substantial property. During its first year, referrals were limited to bench officers and their clerk's office. In its second year, the Project expanded the number of appointments available at each clinic and opened referrals to Indiana Legal Services, the Legal Aid Society of Evansville, and area domestic violence shelters. At the beginning of its third year, the Project added referrals to the community's new Parenting Time Center to its services. The Project also began sending forms, instructions, and Clinic information to applicants of Indiana Legal Services and the Legal Aid Society of Evansville who face conflicts of interest. As opposed to receiving a stark denial letter, these applicants now at least receive forms and information to allow them to move forward pro se. Each year, between 85 and 100 unique litigants are assisted by the clinic and its related services.

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1 The Vanderburgh County Courts and the Volunteer Lawyer Program of Southwestern Indiana, who jointly operate the sample clinic subject of this handbook, acknowledge the kind support of Judge Elizabeth Tavitas and the Lake County Superior Court for allowing the use of so many of their materials to serve as the basis for the information contained here.
Family Court Project
Creating a Self-Represented Litigant Clinic Handbook
Section 2 – Before You Get Started: Program Development Steps

- Introduction: Getting Started
- Sample Development Steps
• **Introduction: Getting Started**

Like most legal services programs or problem solving courts, starting a self-represented litigant clinic requires you to identify the problems you wish to address and then create an appropriate response. The steps outlined below are suggestions based upon the development of the sample clinic outlined in this handbook. Depending upon your specific needs, you may not need to complete all of these steps or you may need to add additional ones.

• **Development Steps**

1. **Obtain support and approval from your local bench – especially any judicial officer who hears family law cases.** Although the ethics rules allowing for self-represented clinics and the related court forms have long been approved by the Indiana Supreme Court, your judicial officers may not be universally familiar with them or this newer model of legal services. Your court may also have local rules or traditions that were not built into the approved pro se forms. For these reasons, and to ensure that all constituents of your court are on board with such services, getting strong support and approval from your local bench is imperative. *Judicial officers from counties which already have programs can be very persuasive in support of clinical programming. Almost all find that clinics improve judicial efficiency, reduce delays, and provide judges a referral location for litigants before them who are hopelessly lost.*

2. **Obtain the support and approval from your local bar association – especially any relevant family law section or committee.** A common stumbling block for clinical programs is the perception that providing free services might cut into the business of local attorneys. Judges don’t want to be perceived as doing this and attorneys are often concerned about such. Who in the world would pay a lawyer for their divorce when they can just do it pro se using forms? The old adage that the person who represents himself has a fool for a client still holds some truth even with good forms, however. While these concerns will vary depending upon the circumstances in your county, they are legitimate and need to be addressed. Some clinics, such as the one in Vanderburgh County, address this concern by setting financial and asset eligibility requirements at a level below which one could not compensate an attorney. Other clinics limit services to a specific client base that everyone can agree deserves the service, such as victims of domestic violence or the elderly. Regardless, your local circumstances will have to be considered to set these limitations.

3. **Determine a structure that will allow your Clinic to operate consistent with Conduct Rule 6.5 – operated by the Court or an appropriate nonprofit.** To use volunteer attorneys, a clinic must be run by a nonprofit organization or a court. Courts often partner with nonprofit groups, such as legal services agencies, law school clinics, or pro bono programs to operate clinical programs. Depending upon the resources available, utilizing these nonprofits can often allow services at costs less then having

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1 Details on all things Family Court Project related, including tools for your clinic and other information, can be found at [www.in.gov/judiciary/family-court](http://www.in.gov/judiciary/family-court).
government employees operate a clinic. These partners often also have associated liability insurance and other infrastructure already in place to provide legal services, where courts may not. Counties with nearby law schools should absolutely investigate the option of collaboration.

4. Secure the appropriate staffing and other administrative resources necessary to operate the Clinic. Many of the state’s existing clinical programs were created and funded by local bar associations (think Talk to a Lawyer clinics and hotlines) or legal services agencies. In recent years, law school clinical programming has expanded greatly but those programs often find it difficult to operate year round without break. The Courts have promoted clinical development in recent years through the Family Court Project, which can also provide seed funding for clinics. Obtaining funding for professional staffing is imperative for on-going clinical services, whether or not volunteer attorneys or law students also participate. While the budget for such a clinical program can be relatively low (such as for the clinic in Vanderburgh County), you do need professional staff to oversee the delivery of the chosen legal services. Section 9 of this handbook features a development letter you can modify to seek funding support.

5. Secure the physical space and equipment necessary to operate the Clinic. At minimum, you will need a common waiting area, a private room or area to complete intake, and two or more additional private rooms or areas for actual litigant services. This space is adequate for a small clinic serving six to eight litigants over a two to three hour period. You can adjust space needs by increasing or decreasing the number of litigants served or by spacing appointments at different intervals. Court locations are ideal, but that is not necessary. Most of the new court form packages, as well as other needed services such as child support calculator software, are now available on-line so access to multiple computers with printing capabilities is ideal. Laptops and printers with wireless access can address a location without the required hardware.

6. Solicit partners to assist in the services your Clinic decides to undertake. If your clinic is going to offer additional services, such as access to family counseling, mediation, or parenting time coordination, the referral and payment arrangements for those services must be made in advance. Your court may have vendor and other rules that you will need to follow to establish and monitor these services.

7. Solicit volunteers to assist in the staffing of your Clinic – both attorneys and paralegals depending upon how you structure your services. Attorneys with family law experience are the most sought after pro bono volunteers in the state because of the huge need in their practice area. Especially as a clinic begins services, it is important to have experienced volunteers working with litigants. That being said, the court forms used are easy to learn and almost any attorney from almost any practice area can be trained as a clinic volunteer. Clinics are an excellent volunteer recruitment tool to reach attorneys in practice areas where court appearance are rare (and therefore the willingness to accept litigated cases is low). Also, don’t forget that paralegals and law students can be used to complete intake forms or assist volunteer attorneys with data input.
8. **Establish who may refer litigants to your Clinic and coordinate appropriate referral mechanisms.** There are a variety of ways to control access to clinic services to ensure that you have the resources necessary to serve litigants appropriately. In Vanderburgh County, the Clinic initially limited referrals only to bench officers and the clerk’s office. Only when we were sure that we had capacity to serve more litigants, did we open referral opportunities to legal services agencies and shelters. The Clinic also uses an appointment system to limit the number of litigants each session. Establishing a plan for referrals before services begin can allow you to increase or decrease demand based upon capacity.

9. **After commencing services, modify as needed to meet your County’s specific needs.** Good planning is essential to success, but flexibility is just as important to long-term sustainability. See Section 8 for problem solving tips.
Family Court Project
Creating a Self-Represented Litigant Clinic Handbook
Section 3 – Ethics of Attorney Participation and Pro Se Form Usage

- Article on Clinic and Discreet Task Representation Ethics
- Volunteer Attorney Participation Policies
- Form Usage and Limitation Policies
Introduction: Article on Clinic and Discreet Task Representation Ethics

When using or recruiting volunteer attorneys and paralegals to staff pro se clinics, it is not unusual to confront skepticism about where such limited service is allowed under Indiana ethics rules or whether such service will result in a conflict checking quagmire. Luckily, our courts have amended our ethics rules to specifically allow clinical services in certain controlled environments. Immediately below is an article that was prepared to address those attorney concerns and explain the relevant ethics rules. The article is published as part of the annual ICLEF Applied Professionalism Conference and is used here with their permission.

Pro Bono 2011: Ethics Issues, Clinics, and New Delivery Models

Introduction

Indiana is a deliberative place. We aren’t known for being on the cutting edge and change is something that we look at with a skeptical eye. It is rare that we jump in the pool first, typically waiting until others have tested the waters. Indiana was the last state in the nation to adopt a system of using interest on lawyer trust accounts (commonly referred to as IOLTA) to help fund the provision of legal services to low income residents. Our system, which went into effect in 1998, primarily funds pro bono programs in the state.¹ Similarly, we have been cautious in our development of self-help services and clinical programs to address the needs of those for whom the legal aid and pro bono system just can’t fully serve.

That being said, what Indiana lacked in speed it more than made up with quality program development. Sometimes being last means one can actually be the best, taking the lessons learned in other jurisdictions and ensuring that best practices are employed. There is now a funded pro bono delivery system in every jurisdiction of Indiana. Pro Bono Plan Administrators working with the state’s Pro Bono Commission, work to implement locally-developed pro bono plans to serve low income Hoosiers. Many of these programs work closely with other agencies in the delivery system, such as Indiana Legal Services, to maximize representation of the poor.²

Even with these strong programs and partnerships, our legal services delivery system is not able to meet the legal needs of every low income litigant - not to mention the needs of the near-poor who aren’t served through the pro bono or legal aid system. This gap has increased rapidly in the past year as IOLTA funds decreased due to low interest rates from the Great Recession and its aftermath. In recent years, law school clinics, legal services programs, courts, and each of our pro bono programs have worked to create new delivery models that attempt to meet the needs of clients who can’t otherwise be served through direct representation. These litigants often have to navigate the system alone without these services, and, while not ideal, these self-help services do address part of the litigants’ needs. They also assist the courts by increasing judicial efficiency and by ensuring more accurate and better prepared pleadings and

¹ Historical information on the development of IOLTA programs throughout the country and historical data on Indiana’s IOLTA program can be found at www.nlada.org
² Information on pro bono services in Indiana, including information on each of Indiana’s pro bono programs can be found at www.in.gov/judiciary/probono.
legal documents. Court-based clinics, law school clinics, and the encouragement of discrete task or limited scope representation have complemented the efforts of courtroom attorneys in increasing access to justice.

Professional Conduct Rule 6.5

Indiana wasn’t the first to undertake such efforts, but the state did ensure that our Rules of Professional Conduct facilitated these new models. Specifically, the courts adopted Rule 6.5 to make it easier for attorneys to provide limited scope and brief advice services at both court-based and nonprofit clinics (often run by law schools or pro bono programs). Perhaps the best known is our annual Talk to a Lawyer program offered each Martin Luther King Day throughout the state. Dozens of other clinics occur each month, some assisting pro se litigants with court forms and others providing guidance on specific subject matters. In all environments, participating volunteer attorneys can provide the service without having to do full conflict of interest checks. Rule 6.5, which is excerpted below, allows a pro bono attorney in these controlled environments to provide legal information or services to unrepresented litigants unless she specifically recognizes that she or a member of her firm has a conflict. The commentary provided with the rules, provide guidance to both attorneys and program developers to ensure these limited scope services are offered in an appropriate manner and that litigants understand the limited nature of the legal relationship.

Professional Conduct Rule 1.2

Further guidance on providing services in these new environments is contained in Rule 1.2, specifically in subsection c, which along with the rule’s commentary specifically allow limited scope services. This method of providing legal services, often times referred to as unbundling, has been a hot topic in legal services for years. Since the framework of the profession’s conduct rules has always been based upon a full representational model, carving out these specific exceptions to allow limited scope services has been instrumental in allowing clinics, hotlines, and other self-help services to join the other tools available to the poor in obtaining legal help. Attorneys participating in such programs should familiarize themselves with these rules and their commentary and participate only with reputable programs who follow the prescribed procedures for offering such.

Conclusion

By adopting new delivery methods and opening new avenues of service, facilitated by the ethics rules discussed above, Indiana continues to increase access to justice for the most vulnerable residents of the state. For information on volunteering in your home jurisdiction, and

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3 In 2009, Indiana undertook an extensive survey of the legal needs of low income Hoosiers. The executive summary of that report can be found at http://www.indianajustice.org/Home/PublicWeb/LN%20Exec.
4 Detailed information on pro se assistance programs and limited scope representation can be found at http://www.abanet.org/legalservices/delivery/delunbund.html.
for what innovative programs are offered in your community, contact your local Pro Bono Plan Administrator.\footnote{Information on pro bono efforts in Indiana, including a list of local Plan Administrators, can be found at www.in.gov/judiciary/probono.}

Rules Noted Above With Commentary\footnote{Indiana's Rules of Professional Conduct can be found in their entirety at http://www.state.in.us/judiciary/rules/prof_conduct/index.html.}

**Rule 6.5. Nonprofit and Court-Annexed Limited Legal Services Programs**

(a) A lawyer who, under the auspices of a program sponsored by a nonprofit organization or court, provides short-term limited legal services to a client without expectation by either the lawyer or the client that the lawyer will provide continuing representation in the matter:

1. is subject to Rules 1.7 and 1.9(a) only if the lawyer knows that the representation of the client involves a conflict of interest; and

2. is subject to Rule 1.10 only if the lawyer knows that another lawyer associated with the lawyer in a law firm is disqualified by Rule 1.7 or 1.9(a) with respect to the matter.

(b) Except as provided in paragraph (a)(2), Rule 1.10 is inapplicable to a representation governed by this Rule.


**Comment**

[1] Legal services organizations, courts and various nonprofit organizations have established programs through which lawyers provide short-term limited legal services — such as advice or the completion of legal forms — that will assist persons to address their legal problems without further representation by a lawyer. In these programs, such as legal-advice hotlines, advice-only clinics or pro se counseling programs, a client-lawyer relationship is established, but there is no expectation that the lawyer's representation of the client will continue beyond the limited consultation. Such programs are normally operated under circumstances in which it is not feasible for a lawyer to systematically screen for conflicts of interest as is generally required before undertaking a representation. See, e.g., Rules 1.7, 1.9 and 1.10.

[2] A lawyer who provides short-term limited legal services pursuant to this Rule must secure the client's informed consent to the limited scope of the representation. See Rule 1.2(c). If a short-term limited representation would not be reasonable under the circumstances, the lawyer may offer advice to the client but must also advise the client of the need for further assistance of counsel. Except as provided in this Rule, the Rules of Professional Conduct, including Rules 1.6 and 1.9(c), are applicable to the limited representation.
[3] Because a lawyer who is representing a client in the circumstances addressed by this Rule ordinarily is not able to check systematically for conflicts of interest, paragraph (a) requires compliance with Rules 1.7 or 1.9(a) only if the lawyer knows that the representation presents a conflict of interest for the lawyer, and with Rule 1.10 only if the lawyer knows that another lawyer in the lawyer's firm is disqualified by Rules 1.7 or 1.9(a) in the matter.

[4] Because the limited nature of the services significantly reduces the risk of conflicts of interest with other matters being handled by the lawyer's firm, paragraph (b) provides that Rule 1.10 is inapplicable to a representation governed by this Rule except as provided by paragraph (a)(2). Paragraph (a)(2) requires the participating lawyer to comply with Rule 1.10 when the lawyer knows that the lawyer's firm is disqualified by Rules 1.7 or 1.9(a). By virtue of paragraph (b), however, a lawyer's participation in a short-term limited legal services program will not preclude the lawyer's firm from undertaking or continuing the representation of a client with interests adverse to a client being represented under the program's auspices. Nor will the personal disqualification of a lawyer participating in the program be imputed to other lawyers participating in the program.

[5] If, after commencing a short-term limited representation in accordance with this Rule, a lawyer undertakes to represent the client in the matter on an ongoing basis, Rules 1.7, 1.9(a) and 1.10 become applicable.


Rule 1.2

**Rule 1.2. Scope of Representation and Allocation of Authority Between Client and Lawyer**

(a) Subject to paragraphs (c) and (d), a lawyer shall abide by a client's decisions concerning the objectives of representation and, as required by Rule 1.4, shall consult with the client as to the means by which they are to be pursued. A lawyer may take such action on behalf of the client as is impliedly authorized to carry out the representation. A lawyer shall abide by a client's decision whether to settle a matter. In a criminal case, the lawyer shall abide by the client's decision, after consultation with the lawyer, as to a plea to be entered, whether to waive jury trial and whether the client will testify.

(b) A lawyer's representation of a client, including representation by appointment, does not constitute an endorsement of the client's political, economic, social or moral views or activities.

(c) A lawyer may limit the scope and objectives of the representation if the limitation is reasonable under the circumstances and the client gives informed consent.

(d) A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent, but a lawyer may discuss the legal consequences of any
proposed course of conduct with a client and may counsel or assist a client to make a good faith effort to determine the validity, scope, meaning or application of the law.


Comment

Allocation of Authority between Client and Lawyer

[1] Paragraph (a) confers upon the client the ultimate authority to determine the purposes to be served by legal representation, within the limits imposed by law and the lawyer's professional obligations. The decisions specified in paragraph (a), such as whether to settle a civil matter, must also be made by the client. See Rule 1.4(a)(1) for the lawyer's duty to communicate with the client about such decisions. With respect to the means by which the client's objectives are to be pursued, the lawyer shall consult with the client as required by Rule 1.4(a)(2) and may take such action as is impliedly authorized to carry out the representation.

[2] On occasion, however, a lawyer and a client may disagree about the means to be used to accomplish the client's objectives. Clients normally defer to the special knowledge and skill of their lawyer with respect to the means to be used to accomplish their objectives, particularly with respect to technical, legal and tactical matters. Conversely, lawyers usually defer to the client regarding such questions as the expense to be incurred and concerns for third persons who might be adversely affected. Because of the varied nature of the matters about which a lawyer and client might disagree and because the actions in question may implicate the interests of a tribunal or other persons, this Rule does not prescribe how such disagreements are to be resolved. Other law, however, may be applicable and should be consulted by the lawyer. The lawyer should also consult with the client and seek a mutually acceptable resolution of the disagreement. If such efforts are unavailing and the lawyer has a fundamental disagreement with the client, the lawyer may withdraw from the representation. See Rule 1.16(b)(4). Conversely, the client may resolve the disagreement by discharging the lawyer. See Rule 1.16(a)(3).

[3] At the outset of a representation, the client may authorize the lawyer to take specific action on the client's behalf without further consultation. Absent a material change in circumstances and subject to Rule 1.4, a lawyer may rely on such an advance authorization. The client may, however, revoke such authority at any time.

[4] In a case in which the client appears to be suffering diminished capacity, the lawyer's duty to abide by the client's decisions is to be guided by reference to Rule 1.14.

Independence from Client's Views or Activities

[5] Legal representation should not be denied to people who are unable to afford legal services or whose cause is controversial or the subject of popular disapproval. By the same token, representing a client does not constitute approval of the client's views or activities.
Agreements Limiting Scope of Representation

[6] The scope of services to be provided by a lawyer may be limited by agreement with the client or by the terms under which the lawyer's services are made available to the client. When a lawyer has been retained by an insurer to represent an insured, for example, the representation may be limited to matters related to the insurance coverage. A limited representation may be appropriate because the client has limited objectives for the representation. In addition, the terms upon which representation is undertaken may exclude specific means that might otherwise be used to accomplish the client's objectives. Such limitations may exclude actions that the client thinks are too costly or that the lawyer regards as repugnant, unethical, or imprudent.

[7] Although this Rule affords the lawyer and client substantial latitude to limit the representation, the limitation must be reasonable under the circumstances. If, for example, a client's objective is limited to securing general information about the law the client needs in order to handle a common and typically uncomplicated legal problem, the lawyer and client may agree that the lawyer's services will be limited to a brief telephone consultation. Such a limitation, however, would not be reasonable if the time allotted was not sufficient to yield advice upon which the client could rely. Although an agreement for a limited representation does not exempt a lawyer from the duty to provide competent representation, the limitation is a factor to be considered when determining the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation. See Rule 1.1.


Criminal, Fraudulent and Prohibited Transactions

[9] Paragraph (d) prohibits a lawyer from knowingly counseling or assisting a client to commit a crime or fraud. This prohibition, however, does not preclude the lawyer from giving an honest opinion about the actual consequences that appear likely to result from a client's conduct. Nor does the fact that a client uses advice in a course of action that is criminal or fraudulent of itself make a lawyer a party to the course of action. There is a critical distinction between presenting an analysis of legal aspects of questionable conduct and recommending the means by which a crime or fraud might be committed with impunity.

[10] When the client's course of action has already begun and is continuing, the lawyer's responsibility is especially delicate. The lawyer is required to avoid assisting the client, for example, by drafting or delivering documents that the lawyer knows are fraudulent or by suggesting how the wrongdoing might be concealed. A lawyer may not continue assisting a client in conduct that the lawyer originally supposed was legally proper but then discovers is criminal or fraudulent. The lawyer must, therefore, withdraw from the representation of the client in the matter. See Rule 1.16(a). In some cases, withdrawal alone might be insufficient. It may be necessary for the lawyer to give notice of the fact of withdrawal and to disaffirm any opinion, document, affirmation or the like. See Rule 4.1.
[11] Where the client is a fiduciary, the lawyer may be charged with special obligations in dealings with a beneficiary.

[12] Paragraph (d) applies whether or not the defrauded party is a party to the transaction. Hence, a lawyer must not participate in a transaction to effectuate criminal or fraudulent avoidance of tax liability. Paragraph (d) does not preclude undertaking a criminal defense incident to a general retainer for legal services to a lawful enterprise. The last clause of paragraph (d) recognizes that determining the validity or interpretation of a statute or regulation may require a course of action involving disobedience of the statute or regulation or of the interpretation placed upon it by governmental authorities.

[13] If a lawyer comes to know or reasonably should know that a client expects assistance not permitted by the Rules of Professional Conduct or other law or if the lawyer intends to act contrary to the client's instructions, the lawyer must consult with the client regarding the limitations on the lawyer's conduct. See Rule 1.4(a)(5).

Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

Information for Volunteer Attorneys

Thank you for your willingness to participate in the Family Law Clinic for Self-Represented Litigants. This partnership between the Courts and the Volunteer Lawyer Program of Southwestern Indiana is designed to improve Court access and efficiency, while reducing unnecessary continuances for pro se litigants unfamiliar with the Courts.

• **IMPORTANT CONFLICT OF INTEREST INFORMATION:** Rule 6.5 of the Indiana Rules of Professional Conduct was recently enacted to provide guidance to attorneys who provide assistance in Court-based self-help Clinics. In a nutshell, the rule indicates that an attorney participating in a clinic operated by the Court or certain nonprofit legal providers like VLP is not subject to conflict of interest rules unless:
  -- the attorney is personally aware that such service involves a conflict of interest; or,
  -- the attorney knows that another attorney in the attorney’s law firm is disqualified.
See Rule 6.5 for more detail and substantial commentary should you have questions.

• Services provided by the Clinic are limited to assistance in the completion of certain Court forms and guidance on the proper filing and administration of such. The Clinic is not designed to provide legal advice and no attorney/client relationship exists except as defined by Rule 6.5. If you feel the participant needs additional legal advice, feel free to provide the Legal Resource Options flier. If you would like to take the matter as a pro bono case, please inform VLP staff so the participant can be routed through the appropriate intake process. Clinic volunteers cannot accept the participant’s matter directly through the Clinic and may not accept participants as paying clients under any circumstances.

• Because the Clinic is part of the Supreme Court’s Family Court Project, participants should only be provided forms approved by the Supreme Court and available through the judiciary’s website. Please do not bring any of your own forms or provide materials not approved in advance by the Clinic.

• Please remember that participants have little income and may be quite frustrated with their matter and life situation. Some participants may have limited literacy skills or face other barriers that they may inform you about. Take care in providing direction and instruction in lay language to ensure that the participant understands you and your guidance.

• Your service through the Clinic is covered by the liability coverage provided by the Volunteer Lawyer Program of Southwestern Indiana.

• Your time spent assisting participants will be added to your pro bono hours at VLP.

Thank you for your service.
Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

IMPORTANT NOTICE: The attached forms were created by the Indiana Courts to assist individuals without an attorney to complete certain legal actions in the family courts. You should closely read the instructions, including the information on their limited uses, before you file your case with the Court. Although the forms are accepted in Vanderburgh County, individual judges and courtrooms may require other materials to complete your case. You must also follow each court’s rules and are subject to all other court requirements.

Volunteers with the Family Law Clinic cannot provide you with legal advice and cannot represent you in Court. Volunteers are provided to assist you in the completion of the blanks in each of the attached forms and to provide legal and procedural information regarding their completion and filing.

It is always better to be represented by an attorney when you go to court. If you can obtain the resources to hire an attorney, please ask the volunteer for information on the Evansville Bar Association’s Lawyer Referral Service.
Family Court Project
Creating a Self-Represented Litigant Clinic Handbook
Section 4 – Program Design and Anticipated Outcomes

• Program Design
  -- Purpose & Goals
  -- Subject Matter
  -- Client Eligibility
  -- Clinic Operation
  -- Client Service Process
  -- Risk Management and Ethics Concerns

• Anticipated Outcomes
  -- Improved Efficiency
  -- Increased Case Knowledge
  -- Increased ADR Services
  -- Improved Social Support
  -- Increased Completed Matters
  -- Improved Opinion of the Courts
• Program Design

The information following deals with the program design for the sample clinic in Vanderburgh County. Obviously, the design of any other clinic will differ based upon the unique or specific needs of your county.

1. Purpose & Goals

Purpose: The Vanderburgh County Self-Represented Litigant Clinic (hereafter “Clinic”) was designed to assist pro se litigants utilizing the Family Court to do so more efficiently and with greater success through a partnership between the Vanderburgh County Superior Court, the Vanderburgh County Circuit Court and its public Law Library, the Volunteer Lawyer Program of Southwestern Indiana, and volunteers from the Evansville Bar Association.

Goals: By providing the services described below, the Clinic improves outcomes, both legal and through social support, for all members of affected families. The services conserve court resources and focus legal aid and pro bono representational services on those clients who are unable to complete their matter on their own without attorney representational assistance.

Methodology: To accomplish the goals listed above, the Clinic offers twice-monthly self help clinics at the Vanderburgh County Courthouse. The Clinic provides brief advice and counsel from volunteer attorneys, assistance in completion of Supreme Court-approved forms and pleadings, guidance to self-help resources, and referrals to appropriate mediation¹, family counseling, parenting time coordination, and other social services. The Clinic also provides coordination of information regarding multiple-case families to assist bench officers. Volunteer Clinic attorneys do not represent clients in court, but can refer matters needing legal representation into the existing legal services system or through the Evansville Bar Association Lawyer Referral Service depending upon the resources available to the family.

2. Legal Subject Matters

Like most court systems, the greatest unmet need for client services in Vanderburgh County is in domestic relations matters. Therefore, the Clinic focuses on family law matters involving the custody or care of minor children (both divorces and non-marital custody matters) and cases involving domestic violence, with special attention being given to multiple-case families. This focus assists the local court deal with the cessation of custody modification services by Indiana Legal Services and allows the Clinic to control client volume by limiting referrals to one area of law. The Clinic also assists with non-custodial family law matters as demand allows, as well as assistance to guardians of minors facing reporting or other court requirements pro se.

3. Client Eligibility

In order to ensure that only those pro se litigants without the ability to hire an attorney are able to access these services, the Clinic limits services to pro se litigants living in households at

¹ Funding for mediation and other ADR services vary depending upon policies adopted by your Court.
or below 125% of the federal poverty line (up to 200% in defined circumstances). This represents the highest level of service availability through Indiana Legal Services (reserved for clients of certain needs-based governmental benefits) and other organizations funded by the federal Legal Services Corporation. This is also the highest level used locally by the Volunteer Lawyer Program of Southwestern Indiana and the Legal Aid Society of Evansville. As noted in Section 2, these income levels are well below the funding level necessary to compensate a private attorney in a metropolitan area such as Evansville but may need to be adjusted in other counties.

In addition to income limitations, clients are subject to asset limitations, jurisdictional restrictions, and other program rules consistent with federal legal services guidelines. Program participant are limited to Vanderburgh County residents with matters properly under consideration in Vanderburgh County courts. All of these eligibility requirements were reviewed by the Board of the Evansville Bar Association and the Vanderburgh County bench, both of whom expressed support for these additional volunteer services before they began. This pre-approval was a vital step to ensure support for these services.

4. Clinic Operation

The Clinic operates from the second floor of the Vanderburgh County Courthouse, which is centrally located in Evansville just two blocks from the city’s primary public transportation terminal. Intake services are provided in a small conference room in the public Law Library. A neighboring attorney conference room and a private area of the Library are used for conferences with volunteer attorneys. A minimum of two volunteer attorneys assist Clinic staff at each Clinic. Additional attorney conference rooms are available in the facility to allow for expansion of the Clinic’s services. Laptops are utilized to serve clients in addition to hard copy versions of individual forms and pleadings.

5. Client Service Process

Pro se clients were initially referred from within the court system, from members of the bench and the Court Clerk’s office. Once sufficient capacity was established, referrals were opened to Indiana Legal Services and the Legal Aid Society of Evansville, allowing them to refer matters that they are unable to take due to conflicts or case service priority. The Clinic now also accepts referrals from our local domestic violence shelters and from the United Way 211 Referral Program.

Clients go through an initial intake screening. If financially and geographically eligible, clients are screened for any additional related cases — of any type — pending or recently decided in Vanderburgh County Court or any other jurisdiction involving the family. A form developed specifically for the Clinic is used to provide docket information about any related matters in the Vanderburgh County Court system and client-related information about matters existing outside of Vanderburgh County to the relevant judge.

The client is also screened at this time for any potential threat of domestic violence, abuse within the family, or other factors that would benefit from additional social services. Mediation
services, parenting time coordination, family counseling, and social service referrals are discussed at this point to determine if such is appropriate.

Clients are then assisted by volunteer attorneys who provide guidance designed to assist in the successful completion of their pending family law matter. They assist in the completion of forms, provide guidance on procedural issues such as process service and filing requirements, and help clients identify additional legal services that they might use to assist their family.

In matters in which mediation or other assistance is appropriate, Clinic staff continue to work with clients as needed through their pending matter, using a limited case management system designed to ensure compliance with court deadlines and attendance at appropriate hearings to further improve case efficiency. Mediation assistance for low income clients was a new service for the Vanderburgh County Courts when the Clinic began service and has been viewed very positively since its institution.

6. **Risk Management and Ethics Concerns**

As noted in Section 3 in greater detail, Rule 6.5 of the Indiana Rules of Professional Conduct provides specific guidance on ethics concerns for court-based clinical assistance. VLP maintains malpractice coverage for its staff and each of its volunteer attorneys providing services to eligible clients through the National Legal Aid and Defender's Association.

- **Anticipated Outcomes**

1. **Improved Case Efficiency and Reduced Need for Judicial Continuances**

   By providing guidance and instruction to pro se clients, necessary paperwork is better prepared and clients have a clearer idea about notice requirements and other case related deadlines. These improvements in filings allow bench officers to complete matters in a more efficient manner reducing the use of the court’s valuable time.

2. **Increased Bench Officer Knowledge of Multiple-Case Concerns**

   As part of the intake process, Clinic staff attempts to gather information on any legal matter, past or present, which might affect the pro se litigant’s family. Knowledge of pending eviction proceedings, CHINS matters in other jurisdictions, and other related issues can assist bench officers in making decisions regarding families in crisis. This process is even more important in border counties where matters across state lines may not be available to bench officers through existing electronic databases.

3. **Increased Access to ADR Services**

   Vanderburgh County presently does not have a fee-supported ADR/Mediation program. The Clinic provides up to 50 hours of reduced fee mediation assistance, complimented by additional hours of pro bono mediation help each year, which allows the Courts to direct pro se
litigants who are good candidates for mediation into such services. This is the only ADR service available to low income litigants in Vanderburgh County.\textsuperscript{2}

4. **Improved Social Support for Families in Crisis**

    Presently, bench officers and court personnel are limited on how they can assist clients facing challenges outside of their legal matter, especially when there is no representational attorney to work with. The Clinic provides client evaluation and referrals to area social services, including domestic violence assistance, mental health counseling, and addiction treatment. Up to 50 hours of family crisis counseling and parenting time coordination (supplemented by pro bono services) is available through referral from the Clinic. By utilizing a limited case management model, the Clinic assists clients to keep appointments and court deadlines, which further improves the efficiency of the Courts.

5. **Increased Number of Matters Completed Through Judgment**

    While there presently is no research on the subject, anecdotal evidence would suggest that many cases that are filed by litigants on a pro se basis are never completed because the litigant hits procedural barriers in a matter. Not knowing how to serve an opposing party by publication, how to deal with a small pension, or what to do when someone files for bankruptcy, may leave a legitimate family law matter in limbo, sometimes forever. Assistance from the Clinic reduces the number of matters that are left unfinished.

6. **Improved Litigant Opinion of the Courts and Bar**

    By providing this limited assistance to consumers of the Vanderburgh County Courts, pro se litigants leave the system with an improved opinion of how the Court served their needs.

\textsuperscript{2} Counties with a formal ADR program will have different rules regarding the operation of mediation and other ADR services.
Family Court Project
Creating a Self-Represented Litigant Clinic Handbook
Section 5 – Project Forms

- Clinic Promotional Flier
- Clinic Door Sign
- Client Intake Form
- Client Service Agreement
- Multiple Case Bench Report
- Client Flier Regarding Legal Assistance Options
- Mediation Referral Form and Invoice
- Family Counseling Referral Form and Invoice
- Parenting Time Center Referral Form and Invoice
- Social Service Referral Form
- ILS/Legal Aid Conflict Record Form
- Sample Data Collection Report Form
Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

DO YOU NEED HELP PICKING THE RIGHT LEGAL FORMS?
ARE YOU HAVING TROUBLE GETTING YOUR CASE FINISHED?
ARE YOU NOT ABLE TO AFFORD TO HIRE AN ATTORNEY?

You may be able to get help from the Family Court Clinic. If you believe you might qualify after reading the information on this flier, call 812.402.6303 for an appointment. YOU MUST HAVE AN APPOINTMENT IN ADVANCE TO ATTEND A CLINIC DATE.

<table>
<thead>
<tr>
<th>Clinic Dates for 2011:</th>
<th>January 14th &amp; 28th</th>
<th>July 8th &amp; 22nd</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>February 11th &amp; 25th</td>
<td>August 12th &amp; 26th</td>
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<tr>
<td></td>
<td>March 11th &amp; 25th</td>
<td>September 9th &amp; 23rd</td>
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<td>April 8th</td>
<td>October 14th &amp; 28th</td>
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<td>May 13th &amp; 27th</td>
<td>November 11th</td>
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<tr>
<td></td>
<td>June 10th &amp; 24th</td>
<td>December 9th</td>
</tr>
</tbody>
</table>

Clinic Hours for 2011: 2:00 p.m. to 4:00 p.m. (Appointment Needed)

Clinic Location: Vanderburgh County William H. Miller Law Library (Room 207)

Services Offered:
- Assistance in selection and completion of Court forms:
  - Petition for Dissolution of Marriage (Divorce)
  - Petition for Contempt for Violation of Existing Orders
  - Petition for Modification of Support and/or Custody
  - Emancipation of a Minor
  - Child Support Worksheet/Parenting Time Issues
- Referral to no/low cost Mediation Services (if appropriate)
- Referral to no/low cost Family Counseling (if appropriate)
- Referral to social services

Eligibility Requirements: Clinic participants must meet strict financial eligibility standards established by the federal government (live at or below 200% of the federal poverty line) and not have liquid assets or own substantial property. Participants must also be Vanderburgh County residents with a Vanderburgh County case.

Background: The Family Law Clinic is funded by the Indiana State Supreme Court and its Family Court Pilot Project. The Clinic is under the supervision of Judge Mary Margaret Lloyd, of the Vanderburgh County Superior Court. Services are provided in partnership with the Volunteer Lawyer Program of Southwestern Indiana and volunteers from the Evansville Bar Association.
It is always better to have a lawyer when you go to Court. Before using the services of the Family Law Clinic, you may want to contact the agencies below to see if you qualify for legal help. Both organizations serve Vanderburgh County.

**Indiana Legal Services**
Indiana Legal Services provides representation and advice in family law, consumer law, senior law, housing issues and public benefits. Intakes for assistance applications are taken on Tuesdays from 11:00 a.m. to 1:00 p.m. and Wednesdays from 9:00 a.m. to 11:00 a.m.

**Location**: 2425 US Highway 41 North, Suite 401 in Evansville  
**Telephone**: 800.852.3477 or 812.426.1295  
**Office Hours**: 8:00 a.m. to 4:30 p.m. Monday through Friday  
[www.indianajustice.org](http://www.indianajustice.org)

**Legal Aid Society of Evansville**
The Legal Aid Society is funded by the City of Evansville, Vanderburgh County, and the United Way. The Legal Aid Society provides assistance in most areas of civil law. Low-income residents may visit their offices in the Civic Center in Evansville during business hours to apply for assistance. Residents may also apply by telephone from 8:00 a.m. to 11:30 a.m. on weekdays.

**Location**: Civic Center in Downtown Evansville  
**Telephone**: 812.435.5173  
**Office Hours**: 8:00 a.m. to 4:30 p.m. Monday through Friday  
[www.vanderburhgov.org/LAS](http://www.vanderburhgov.org/LAS)

If you **CAN** afford to hire an attorney, but don’t know where to find a professional who provides family law services, contact:

**Evansville Bar Association’s Lawyer Referral Service**  
812.426.1712 or you can request a referral on-line at [www.evvbar.org](http://www.evvbar.org)

*Domestic Violence Notice: If the safety of you or your children is in danger, call 911 for help or 211 to seek the assistance of a local domestic violence organization.*

**FOR INFORMATION ON ELIGIBILITY OR TO SCHEDULE AN APPOINTMENT WITH THE FAMILY COURT CLINIC, PLEASE CALL 812.402.6303. ONLY PARTICIPANTS WITH APPOINTMENTS IN ADVANCE CAN BE SERVED AT THE CLINIC. SERVICES ARE PROVIDED BY TRAINED VOLUNTEERS AND ARE FREE OF CHARGE TO QUALIFIED PARTICIPANTS. REFERRALS TO LOW/NO COST MEDIATION, FAMILY COUNSELING, AND OTHER SOCIAL SERVICES MAY ALSO BE AVAILABLE.**
Vanderburgh County Courts & Volunteer Lawyer Program of Southwestern Indiana: Family Law Clinic for Self-Represented Litigants

Clinic Dates for 2011:

January 14th & 28th  
February 11th & 25th  
March 11th & 25th  
April 8th  
May 13th & 27th  
June 10th & 24th  
July 8th & 22nd  
August 12th & 26th  
September 9th & 23rd  
October 14th & 28th  
November 11th  
December 9th

Clinic Hours/Location: 2:00 p.m. to 4:00 p.m. (Appointment Needed)/Vanderburgh County William H. Miller Law Library

Services Offered:

- Assistance in selection and completion of Court forms:
  - Petition for Dissolution of Marriage (Divorce)
  - Petition for Contempt for Violation of Existing Orders
  - Petition for Modification of Support and/or Custody
  - Emancipation of a Minor
  - Child Support Worksheet/Parenting Time Issues
- Referral to no/low cost Mediation Services (if appropriate)
- Referral to no/low cost Family Counseling (if appropriate)
- Referral to no/low cost Parenting Time Coordination (if appropriate)
  - Referral to appropriate social services agencies

Eligibility Requirements: Clinic participants must meet strict financial eligibility standards established by the federal government and not own substantial property.

To schedule an appointment: 812.402.6303
Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

Intake Date:
Intake By:

Participant Name:
Any Prior Names:
Address:
City/State/Zip:
Telephone:
E-Mail:

Date of Birth:
Gender:
Female
Male
Race:
Please circle: African-American  Asian/Pacific Islander
Caucasian  Hispanic  Native American  Multi-Racial
Other: ______________________

Marital Status:
Married
Unmarried
Divorced
How Long?:

Pregnant?:
Yes
No

Disabled?:
Yes
No

How Long in IN?:
In County?

Referred By:
Judge
Legal Aid Society
VLP
Clerk’s Office
Indiana Legal Services
Other?
Income:
Income from Work:

Public Benefits:

Child Support:

Food Stamps:

Other Income:

Total Monthly Income:

Assets:
Bank Account Balance:
Vehicle(s) Value:
Other Liquid Assets:
Residence: 

Monthly Housing Cost:

Additional Household Members:
Name:
Relationship:
Age:
Race:
Monthly Income:
Income Source:

Name:
Relationship:
Age:
Race:
Monthly Income:
Income Source:
Name:
Relationship:
Age:
Race:
Monthly Income:
Income Source:

Name:
Relationship:
Age:
Race:
Monthly Income:
Income Source:

Name:
Relationship:
Age:
Race:
Monthly Income:
Income Source:

Household Size:
Monthly Income:

Qualifies?

☐ No   (Stop Interview and Provide Direction to Self-Help Resources)

☐ Yes   (Continue Interview)

Type of Matter:

☐ Petition for Legal Separation
☐ Petition for Dissolution of Marriage
☐ Information for Contempt for Visitation
☐ Modification of Child Support
☐ Modification of Visitation
☐ Emancipation of a Minor
☐ Request for Wage Withholding Order
☐ Guardianship Report
Description of Facts:

Are Any of the Litigants Involved in ANY other Court Case?

☐ No

☐ Yes

If so, please list Matter and Court Location:

1.

2.

Any Indication of DV?:

☐ Yes (Stop Interview/Provide DV Resources/Send to Volunteer Attorney)

☐ No (Continue Interview)

Interest in Mediation?:

☐ No (Stop Interview and Send to Volunteer Attorney)

☐ Yes (Continue Interview)

Interest in Counseling?:

☐ No (Stop Interview and Send to Volunteer Attorney)

☐ Yes (Continue Interview)

Interested in Parenting Time Coordination?

☐ No (Stop Interview and Send to Volunteer Attorney)

☐ Yes (Continue Interview)
Case Disposition:

☐ Participant Not Eligible

☐ Participant Eligible:

☐ Assisted in Form Selection

☐ Assisted in Form Completion

☐ Petition for Legal Separation
☐ Petition for Dissolution without Children
☐ Petition for Dissolution with Children
☐ Petition for Modification of Support
☐ Petition for Modification of Custody
☐ Petition for Emancipation of Minor
☐ Guardianship Report

☐ Referred for Mediation

☐ Referred for Family Counseling

☐ Referred for Social Services

Agency:  
Agency:  
Agency:

Date Matter Closed:
Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

Service Agreement

The Family Law Clinic for Self-Represented Litigants (the "Clinic") helps low-income people with certain types of family law or guardianship cases before a Vanderburgh County Court. Clinic participants must meet strict financial eligibility standards set by the federal government and not own substantial property. The Clinic helps in the selection and completion of Court forms and, when appropriate, provides referrals for low-cost mediation, family counseling, parenting time coordination, and other social services. In addition to meeting the eligibility standards, Clinic participants must initial the acknowledgments below:

1. **The Clinic Provides Information & Referrals Only**
I understand that the Clinic volunteers, staff, and Court personnel can only provide me with general information and service referrals. I further understand that Clinic volunteers, staff, and Court personnel may provide information to any other qualified person, including the other party or parties in my case. The Clinic is neutral and does not represent any specific party.

   Initial: __________

2. **The Clinic Will Not Be Your Lawyer**
I understand that the Clinic volunteers, staff, and Court personnel cannot serve as my lawyer and that no one associated with the Clinic represents me or any of my interests in my case. The attorney-client relationship between the Clinic and me will only exist during the short period of brief service I receive from the Clinic. I understand that no one from the Clinic will go with me to Court. I understand that any information that I may get is not a substitute for legal advice and that it is always good to hire a lawyer before going forward on my own.

   Initial: __________

3. **The Clinic Cannot Offer Complete Confidentiality or Conflict Protection**
I understand that what I say to the Clinic volunteers, staff, and Court personnel is not confidential in the same way it might be in other legal settings. While my information
will be kept in confidence by any volunteer attorney, I understand that I have to get my own attorney if I want personalized advice or to have a confidential conversation.

Initial: __________

4. **The Clinic Is Not Responsible For the Outcome of Your Case**
I understand that the Clinic volunteers, staff, or Court personnel are not responsible for the outcome of my case and that I will be representing myself in the matter. I agree not to hold the Clinic volunteers, staff, or Court personnel liable for any outcome of my case or its completion.

Initial: __________

I have read and reviewed this Clinic Service Agreement and I understand and agree to the terms that are listed. All of my questions about the Clinic’s services have been answered to my satisfaction.

Clinic Participant Name: ____________________________

Signature: ____________________________ Date: __________

Intake Interviewer: ____________________________

///

End of Document.
Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

Multiple Case Family Bench Report

Clinic Participant Name:
Clinic Matter Type:
Clinic Intake Date:

Are there any other legal matters involving the Participant or the Participants family?

☐ No (No further information needed.)
☐ Yes

☐ Cases Presently Pending:

Please Describe:
Court Location:   ☐ Vanderburgh County
☐ Other   Please Indicate Court Location:

Please Describe:
Court Location:   ☐ Vanderburgh County
☐ Other   Please Indicate Court Location:

Please Describe:
Court Location:   ☐ Vanderburgh County
☐ Other   Please Indicate Court Location:

☐ Past Cases with Judgments:

Please Describe:
Court Location:   ☐ Vanderburgh County
☐ Other   Please Indicate Court Location:

Please Describe:
Court Location:   ☐ Vanderburgh County
☐ Other   Please Indicate Court Location:

Please Describe:
Court Location:   ☐ Vanderburgh County
☐ Other   Please Indicate Court Location:

☐ Potential Cases Pending:
Please Describe:

Court Location:  
☐ Vanderburgh County
☐ Other  Please Indicate Court Location:

Release Statement: If there are cases listed above, may the Clinic provide information about the case(s) to the judge handling your present case and/or to the professionals (mediator/counselor/social service provider) that the Clinic refers you to for additional services? While the judge in your case can obtain information about previous judgments involving you, and perhaps other family members involved in your present case, the Clinic cannot provide this information to others without your expressed permission. The Clinic will only provide this information to the Court or other professionals assisting with your matter.

I have read the Release Statement above and authorize the Clinic to release the information contained in this form dealing with any present, past, or pending cases involving my family, to the Court, the judge in my case, or to any professional assisting in this case only.

Participant Name:
Participant Signature: __________________________
Date: ________________
Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

Legal Assistance Options

While the Clinic can assist you in the selection and completion of certain Court forms and provide limited referrals for other types of assistance, the Clinic will not be providing legal advice or assistance or representing you in Court. It is always best to have an attorney represent you in a legal matter. If you **CAN afford** to hire an attorney, you should contact:

**Evansville Bar Association’s Lawyer Referral Service**
812.426.1712 or you can request a referral on-line at [www.evvbar.org](http://www.evvbar.org)

If you feel you **CANNOT afford** an attorney, the agencies listed below may be able to help you based upon certain income and/or asset limits. Please feel free to contact:

**Indiana Legal Services**
Service Area: Daviess, Dubois, Gibson, Knox, Martin, Perry, Pike, Posey, Spencer, **Vanderburgh**, and Warrick Counties. Indiana Legal Services provides representation and advice in family law, consumer law, senior law, housing issues and public benefits. Intakes for assistance applications are taken on Tuesdays from 11:00 a.m. to 1:00 p.m. and Wednesdays from 9:00 a.m. to 11:00 a.m.

**Location:** 2425 US Highway 41 North, Suite 401 in Evansville  
**Telephone:** 800.852.3477 or 812.426.1295  
**Office Hours:** 8:00 a.m. to 4:30 p.m. Monday through Friday  
[www.indianajustice.org](http://www.indianajustice.org)

**Legal Aid Society of Evansville**
Service Area: Vanderburgh County Residents Only. The Legal Aid Society is a non-profit law firm funded by the City of Evansville, Vanderburgh County, and the United Way of Southwestern Indiana. The Legal Aid Society provides assistance in most areas of civil law. Low-income residents may visit their offices in the Civic Center in Evansville during business hours to apply for assistance. Residents may also apply by telephone from 8:00 a.m. to 11:30 a.m. on weekdays.

**Location:** Civic Center in Downtown Evansville  
**Telephone:** 812.435.5173  
**Office Hours:** 8:00 a.m. to 4:30 p.m. Monday through Friday  
[www.vanderburghgov.org/LAS](http://www.vanderburghgov.org/LAS)
Vanderburgh County Courts & Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

MEDIATION REFERRAL

To: ____________________________________________
Mediator

From: Scott Wylie

Re: ____________________________________________
Participant Name

______________________________________________
Participant Cause Number (if any)

______________________________________________
Participant Address (Safe? □ Yes □ No)

______________________________________________
Participant Phone Number (Safe? □ Yes □ No)

______________________________________________
Adverse Party

Date: ________________________________, 2011

The above-referenced party has completed an intake with the Family Law Clinic in regards to a pending family law matter. During that intake, or at the suggestion of a relevant judicial officer, the participant has indicated a willingness to pursue a mediated solution to part or all of their pending matter.

The Clinic is referring this matter to you for mediation services. If you are able to schedule a mediation session, VLP will pay $75.00 per hour for your services with a minimum payment of $150.00. If you will need more than five (5) hours to complete the mediation (or determine that mediation will not result in an agreement), please contact Scott Wylie (812.434.4886 or rswylie@courthouse.com) in advance of incurring any charges beyond such. A billing form follows for your use.
Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

MEDIATION INVOICE

To: Scott Wylie, Plan Administrator
    Volunteer Lawyer Program of Southwestern Indiana

From: ______________________________________
    Clinic Mediator

Re: ______________________________________
    Clinic Participant

_________________________________________
    Cause Number (if any)

Date: ____________________________, 2011

I participate in the Family Law Clinic for Self-Represented Litigants as a no/low cost mediator. I certify that I provided mediation services to the above-referenced Clinic Participant as noted below:

Date(s) of Service: ____________________________________________________________

Nature of Service: ___________________________________________________________

__________________________________________________________________________

Outcome: ________________________________________________________________

__________________________________________________________________________

Please attach any agreement achieved as part of your mediation.

☐ Pro Bono Service   Number of Hours: _____

☐ Reduced Fee Service   _____ Hours @ $75.00 = $ ______________

__________________________________________________________________________

Mediator Signature
Vanderburgh County Courts  
& Volunteer Lawyer Program of Southwestern Indiana  

Family Law Clinic for Self-Represented Litigants  

FAMILY COUNSELING REFERRAL  

To: Lampion Center  

From: Scott Wylie  

Re:  

Participant Name  

Participant Cause Number (if any)  

Participant Address (Safe? □ Yes □ No)  

Participant Phone Number (Safe? □ Yes □ No)  

Adverse Party  

Date: ________________, 2011  

The above-referenced party has completed an intake with the Family Law Clinic in regards to a pending family law matter. During that intake, or at the suggestion of a relevant judicial officer, the participant has indicated a willingness to pursue family and/or individual counseling to assist with their pending matter.  

The Clinic is referring this matter to you for counseling services. If you are able to schedule a counseling session(s), VLP will pay $50.00 per hour for your services with a minimum payment of $100.00. VLP will pay for up to five (5) hours counseling at this rate. If you will need more than five (5) hours to complete appropriate counseling, please contact Scott Wylie (812.402.6303 or vlpwyli@sige.com.net) in advance of incurring any charges beyond such. A billing form follows for your use.
Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

FAMILY COUNSELING INVOICE

To: Scott Wylie, Plan Administrator
    Volunteer Lawyer Program of Southwestern Indiana

From: Lampion Center

Re: ____________________________
    Clinic Participant

_______________________________
    Cause Number (if any)

Date: ____________________________, 2011

I participate in the Family Law Clinic for Self-Represented Litigants as a no/low cost family counselor. I certify that I provided counseling services to the above-referenced Clinic Participant as noted below:

Date(s) of Service: _______________________________________

Nature of Service: _______________________________________

Outcome: ________________________________________________

☐ Pro Bono Service Number of Hours: _____

☐ Reduced Fee Service _____ Hours @ $50.00 = $ _____________

________________________________________
Counselor and/or Lampion Official Signature
Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

PARENTING TIME COORDINATION REFERRAL

To: Parenting Time Center

From: Scott Wylie

Re: ___________________________________________

Participant Name

___________________________________________

Participant Cause Number (if any)

___________________________________________

Participant Address (Safe? □ Yes □ No)

___________________________________________

Participant Phone Number (Safe? □ Yes □ No)

___________________________________________

Adverse Party

Date: __________________________, 2011

The above-referenced party has completed an intake with the Family Law Clinic in regards to a pending family law matter. During that intake, or at the suggestion of a relevant judicial officer, the participant has indicated a willingness to pursue family and/or individual counseling to assist with their pending matter.

The Clinic is referring this matter to you for counseling services. If you are able to schedule a counseling session(s), VLP will pay $75.00 per session for your services. VLP will pay for up to five (5) sessions at this rate. If you will need more than five (5) sessions to complete appropriate counseling, please contact Scott Wylie (812.402.6303 or vlpwylie@sigecom.net) in advance of incurring any charges beyond such. A billing form follows for your use. This payment will be in addition to any fee you may be able to collect from the adverse party in the matter.
Vanderburgh County Courts & Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

FAMILY COUNSELING INVOICE

To: Scott Wylie, Plan Administrator
Volunteer Lawyer Program of Southwestern Indiana

From: Parenting Time Center/Lampion Center

Re: Clinic Participant

________________________________________
Cause Number (if any)

Date: ________________________________ 2011

I participate in the Family Law Clinic for Self-Represented Litigants as a no/low cost family counselor. I certify that I provided counseling services to the above-referenced Clinic Participant as noted below:

Date(s) of Service: _______________________________________________________________

Nature of Service: _______________________________________________________________

Outcome: _________________________________________________________________________

☐ Pro Bono Service  Number of Hours: ____

☐ Reduced Fee Service  _____ Sessions @ $75.00 = $ ________________

________________________________________
Parenting Time Center Signature
To: 
Agency Name

From: Scott Wylie

Re: 
Participant Name

Participant Cause Number (if any)

Participant Address (Safe? □ Yes □ No)

Participant Phone Number (Safe? □ Yes □ No)

Adverse Party

Date: ____________________________, 2011

The above-referenced party has completed an intake with the Family Law Clinic in regards to a pending family law matter. During that intake, or at the suggestion of a relevant judicial officer, it was determined that the participant/family might benefit from additional social services, such as those provided by your agency. We have provided the participant with information on your services and ask that you provide the participant with any help deemed appropriate.

Agency: ____________________________
Address: ____________________________

Intake Number: ____________________________
Type of Service: ____________________________
Vanderburgh County Courts & Volunteer Lawyer Program of Southwestern Indiana

Family Law Clinic for Self-Represented Litigants

Conflict Client Assistance Form
(Please complete as much as possible based on intake information)

- [ ] ILS Conflict
- [ ] Legal Aid Conflict

Last Name:
First Name:
Middle Initial:
Address:

Number of Adults:
Number of Children:

Case Type:
- [ ] Divorce with Kids
- [ ] Divorce without Kids
- [ ] Modification of Child Support
- [ ] Modification of Custody
- [ ] I/C for Support
- [ ] I/C for Custody
- [ ] Child Support Worksheet
- [ ] Name Change
- [ ] Emancipation
- [ ] Guardianship Matter
- [ ] Other

Forms & Instructions:
- [ ] Yes
- [ ] No
- [ ] Other (Please Describe)

Any Identifiable Social Factors?
- [ ] Low Income
- [ ] Other __________________ (Substance Abuse, Mental Health, Parental Conflict, Domestic Violence, Juvenile Delinquency, Child Neglect, Incarceration, Single Parent Household, Education, Child Behavior, Guardianship, CHINS, or Housing)
Family Court Project
Creating a Self-Represented Litigant Clinic Handbook
Section 6 – Job Descriptions

- Plan Administrator/Family Court Project Coordinator Position Statement
- Family Court Project Intern Position Statement
- Sample Intern Time Record
Volunteer Lawyer Program
of Southwestern Indiana, Inc.

Position Statement

<table>
<thead>
<tr>
<th>Position: Plan Administrator (Urban)</th>
<th>Reports To: VLP Board of Directors</th>
</tr>
</thead>
<tbody>
<tr>
<td>Status: Exempt Part-Time 60% FTE</td>
<td>Education: Juris Doctor Degree Required</td>
</tr>
<tr>
<td>Licensing: Admission to the Indiana Bar in Good Standing</td>
<td>Experience: 3 to 5 years of Pro Bono Program management preferred</td>
</tr>
</tbody>
</table>

Incumbent serves as the primary administrator for the organization’s two urban counties, Vanderburgh and Warrick, with responsibilities to serve low income clients through the coordination of attorney pro bono efforts. This position also serves as the Family Court Project coordinator.

Position Summary

Under the direction of the Board of Directors, the Plan Administrator (Urban) provides direct client services by administering the Volunteer Lawyer Program and recruiting pro bono attorneys. Specific duties include, but are not limited to, implementation and oversight of the District 13 Plan; formulation and monitoring of approved policies and procedures; collection and compilation of data and reports; management of the organization’s resources; and, reporting to and advising the Board of Directors of the Volunteer Lawyer Program in respect to all phases of its mission, goals, and responsibilities.

Specific Duties

In order to achieve the performance standards established by the Board of Directors, the Plan Administrator (Urban) shall have the following duties:

1. Meets regularly with members of the bench in both Vanderburgh and Warrick counties to formulate plans to expand volunteer attorney participation.

2. Cultivates attorney contacts in Vanderburgh and Warrick counties, coordinating with county managers or representatives as necessary, to expand volunteer attorney participation.

3. Maintains on-going contact with volunteer attorneys throughout their volunteer experience.

4. Places cases referred to the program through personal contact with volunteer attorneys.

5. Attends local, state, and national conferences and CLE programs, as well as coordinates CLE programs specifically for VLP volunteer attorneys, to further develop professional relationships with area attorneys.
6. Attends bar association and other relevant law-related group meetings in Vanderburgh and Warrick counties.

7. Coordinates service events, such as phone and live walk-in Talk to a Lawyer sessions or court-based clinics, in Vanderburgh and Warrick counties.

8. Develops pro bono opportunities for volunteer attorneys in Vanderburgh and Warrick counties.

9. Serves as the primary program developer for VLP, working to create programs that expand attorney volunteer opportunities and client services.

10. Maintains familiarity with relevant court procedures in Vanderburgh and Warrick counties and works to assist volunteer attorneys to comply with such.

11. Maintains familiarity with local social service providers assisting area low income clients and works in partnership with them.

12. Maintains regular contact with the VLP office to ensure prompt responses to communications with clients and volunteer attorneys.

13. Publicizes and promotes VLP programs specifically, and pro bono efforts generally, to the public, social service and other agencies, attorneys, members of the bench, the media, and the broader community.

14. Partners with VLP’s funders and colleague organizations, including the Evansville Bar Association, the Evansville Bar Foundation, the Legal Aid Society of Evansville, and Indiana Legal Services.

15. Complies with all relevant laws, regulations, and funder-imposed restrictions and guidelines.

16. Maintains familiarity with all of the position duties of the Plan Administrator (Rural) in order to serve as back-up for that position. These include client services for the counties other than Vanderburgh and Warrick in District 13, volunteer attorney and bench relations in those counties, as well as the majority of the office reporting and administration duties.

17. Performs all duties with the intent to increase the number of volunteer attorneys, pro bono hours provided to clients, and case placements.

18. Completes other duties as assigned by the Board of Directors.

19. Per the outline of the Family Court Project, performs the duties necessary to accomplish that project’s activities per grant terms outlined by the Court.
Job Requirements

In addition to being a licensed attorney admitted to practice in the State of Indiana, the incumbent shall have knowledge of and ability to apply relevant laws and regulations affecting residents of Vanderburgh and Warrick counties facing civil legal needs. The incumbent shall have the ability to deal with clients, volunteer attorneys, bench officers, other staff members, and the public with tact and courtesy, and will represent the best interests of the Volunteer Lawyer Program and its constituents at all times. Experience managing legal services or pro bono programs is highly desired.

Working Conditions

The incumbent will be working in a typical legal services office environment, with regular contact with low income clients, volunteer attorneys, bench officers, and the public. Due to the nature of legal practice, the position requires the use of independent judgment and may be stressful at times.

Last Updated: March 2010
Volunteer Lawyer Program of Southwestern Indiana, Inc.

Position Statement

<table>
<thead>
<tr>
<th>Position: Pro Se Clinic Intern</th>
<th>Reports To: VLP Plan Administrator(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Status: Part-Time 25% FTE Hourly/Ten (10) hours per week on average.</td>
<td>Education: High School Degree Required; Some College Preferred, with preference for pre-law or social work course work.</td>
</tr>
<tr>
<td>Licensing: None Required</td>
<td>Experience: Work in the nonprofit or social services field preferred, but not required.</td>
</tr>
</tbody>
</table>

Incumbent serves as the primary administrative staff person for the Pro Se Family Law Clinic operated by the Volunteer Lawyer Program of Southwestern Indiana in partnership with the Vanderburgh County Courts.

Position Summary

Under the direction of VLP’s Plan Administrator(s), the Intern assists in the operation of the Family Law Clinic for Pro Se Litigants. Specific duties include, but are not limited to, conducting client intake, assisting in the case management of Clinic participant’s matters, providing appropriate referrals for mediation assistance, family counseling, parenting time coordination, and other social services, and interacting with Court personnel.

Specific Duties

In order to achieve the performance standards established by the Board of Directors, the Pro Se Clinic Intern shall have the following duties, always under the direct supervision of a Plan Administrator:

1. Develops an understanding of providing legal information to low income participants in a Court-based clinical environment.

2. Attends twice monthly Clinic sessions.

3. Assists VLP staff and volunteer attorneys at each Clinic session as requested.

4. At each Clinic session, provides assistance with participant intake by completing established intake forms and providing other information as Clinic protocols call for.

5. Assembles participant files and distributes information per Clinic protocols to appropriate Court personnel or partner referral agency.
6. Assists in the coordination of any post-Clinic services for participants, including low/no cost mediation, low/no cost family counseling, or other appropriate social service referrals.

7. Maintains contact with Clinic participants referred for post-Clinic services to assist them in keeping appointments, arranging transportation, or other needed steps to ensure participation.

8. Develops familiarity with relevant court procedures in Vanderburgh County.

9. Develops familiarity with VLP’s pro bono mediators, partner counseling agencies, and other local social service providers assisting area low income clients and works in partnership with them.

10. Complies with all relevant laws, regulations, and funder-imposed restrictions and guidelines under the direction of the Plan Administrator(s).

11. Completes other duties as assigned by Plan Administrator(s) and/or the Board of Directors.

Job Requirements

The incumbent shall possess the skills to develop a knowledge of and ability to apply relevant protocols necessary to serve Clinic participants. These include the ability to understand and complete basic legal forms, as well as interview and evaluate Clinic participants for possible services. The incumbent shall have the ability to deal with clients, volunteer attorneys, bench officers, other staff members, and the public with tact and courtesy, and will represent the best interests of the Volunteer Lawyer Program of Southwestern Indiana, the Vanderburgh County Courts, and their constituents at all times. Experience or course work in social work or pre-law preparation is highly desired.

Working Conditions

The incumbent will be working in two primary environments. The first is a typical legal services office environment, with regular contact with low income clients, volunteer attorneys, bench officers, and the public. The second will be in the Court facility during Clinic sessions where the environment is similar but it is necessary to access the facility through security. Due to the nature of the services provided and the often dire position of participants, the position may be stressful at times.

Last Updated: December 5, 2010
Vanderburgh County Courts  
& Volunteer Lawyer Program of Southwestern Indiana  

Family Law Clinic for Self-Represented Litigants

Intern Time Record

Name: ____________________________________________

Signature: ________________________________________

Date: ____________________________________________

Month: _________________, 2011

<table>
<thead>
<tr>
<th>Date</th>
<th>In</th>
<th>Out</th>
<th>In</th>
<th>Out</th>
<th>Hours/Minutes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>17</td>
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<td>3</td>
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<td>16</td>
<td>31</td>
<td></td>
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</tr>
</tbody>
</table>

Total Hours/Minutes for Period: ___________________
Family Court Project
Creating a Self-Represented Litigant Clinic Handbook
Section 7 – Sample Budget

- One Year Sample Budget for Sample Clinic
Sample Budget

The budget listed below supports the operation of the clinic described throughout this handbook. Because the program is run as a partnership between the Vanderburgh County Courts and the Volunteer Lawyer Program of Southwestern Indiana, there are a variety of cost savings included that might not be available in other counties. Use this as a guideline only.

Vanderburgh County Courts
& Volunteer Lawyer Program of Southwestern Indiana

Family Law Project Clinic for Self-Represented Litigants
2011 Budget

<table>
<thead>
<tr>
<th>Expense Category</th>
<th>Amount</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family Court Coordinator</td>
<td>7,500.00</td>
<td>Provides 250 hours of attorney time to supervise clinic services at $30.00 per hour.</td>
</tr>
<tr>
<td>Family Court Coordinator Benefits</td>
<td>750.00</td>
<td>Provides for a portion of related taxes and benefits/balance provided in-kind by VLP.</td>
</tr>
<tr>
<td>Clinic Intern</td>
<td>3,000.00</td>
<td>Provides up to 300 hours of intern staffing at $10.00 per hour. Required taxes provided in-kind by VLP.</td>
</tr>
<tr>
<td><strong>Total Personnel Costs</strong></td>
<td><strong>11,250.00</strong></td>
<td></td>
</tr>
<tr>
<td>Rent/Space Usage</td>
<td>In-Kind</td>
<td>Provided by VLP and the Courts</td>
</tr>
<tr>
<td>Utilities</td>
<td>In-Kind</td>
<td>Provided by VLP and the Courts</td>
</tr>
<tr>
<td>Equipment</td>
<td>500.00</td>
<td>To support Internet connections and computer related needs (may be much higher if equipment is needed to start program).</td>
</tr>
<tr>
<td>Office Supplies</td>
<td>500.00</td>
<td>Provided by VLP</td>
</tr>
<tr>
<td>Telephone</td>
<td>In-Kind</td>
<td>Relatively high number needed to support participation in statewide meetings.</td>
</tr>
<tr>
<td>Training</td>
<td>In-Kind</td>
<td>VLP provides any required CLE.</td>
</tr>
<tr>
<td>Postage</td>
<td>100.00</td>
<td>To support mailing of form packages, etc., to litigants.</td>
</tr>
<tr>
<td>Copying and Printing</td>
<td>500.00</td>
<td>Can be reduced by using web-based forms only.</td>
</tr>
<tr>
<td>Dues &amp; Fees</td>
<td>In-Kind</td>
<td>Provided by VLP as needed.</td>
</tr>
<tr>
<td>Mediation</td>
<td>3,500.00</td>
<td>Supplemented by pro bono mediation services through VLP. This sum pays for approximately 47 hours of mediation at $75.00 an hour.</td>
</tr>
<tr>
<td>Counseling and Parenting Time</td>
<td>2,500.00</td>
<td>Supplemented by pro bono counseling and parenting time coordination. This sum pays</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Professional Liability Insurance</td>
<td>In-Kind Provided by VLP through its Legal Aid and Defender Association pro bono coverage.</td>
<td></td>
</tr>
<tr>
<td>Total Non-Personnel Costs</td>
<td>8,800.00</td>
<td></td>
</tr>
<tr>
<td>Total Annual Project Budget</td>
<td>20,050.00</td>
<td></td>
</tr>
</tbody>
</table>

As you can see from the budget above, working with an existing legal services program like the Volunteer Lawyer Program of Southwestern Indiana, which shared the Court's mission of serving low income litigants, allows the Clinic to operate at a relatively low cost. Per litigant costs hover right at $200 per family, with that sum providing access to all of the services noted.

Costs in initial start-up years will typically be higher if there is a need to purchase computer equipment or other related items. Programs in counties with established ADR programs will not face costs associated with mediation or other types of services. Again, local needs and resources will dictate program structure and costs. Partnering with nonprofit groups definitely helps keep costs low.
Family Court Project
Creating a Self-Represented Litigant Clinic Handbook
Section 8 – Problem Solving

• Questions and Answers
Questions and Answers

1. **I scheduled six clients for today’s clinic and only one came. What’s up?** Low income litigants often face a variety of problems in making appointments and dealing with legal problems. They may not have transportation, may suddenly be called in to work, or lose child care at the last minute. Low income litigants may not have Outlook Calendars, PDAs, etc. to help organize their lives, so clear scheduling and confirmation calls can go a long way to increasing appointment compliance. Your location, the weather, and other issues can affect attendance as well. Over time, you will be able to predict and plan accordingly.

2. **I scheduled six clients for today’s clinic and nine came. What’s up?** Unlike the busy lives of attorneys, who schedule appointments on the hour and half-hour in advance, some litigants may just show up at your clinic even without an appointment. You want to establish a clear policy on walk-in litigants. Whatever you decide – to accommodate such if possible or to schedule walk-ins for future clinic dates – will quickly get out amongst the low income community and will drive whether you regularly have walk-ins or not.

3. **Far fewer (or far more) clients than I scheduled attended today and my volunteer attorneys felt under (or over) utilized. What should I tell them?** Like all volunteers, your pro bono attorneys and paralegals want to feel useful during their service. They are also typically giving up billable time to attend the clinic. Be very clear – especially during the early months of your clinic – that their service is valuable regardless of attendance. Just like the fire department, you want to have sufficient resources available even if they aren’t used. Bring brochures that could use editing, envelopes that need stuffing, or other work that your volunteers can help with if you aren’t busy. Volunteers rarely complain about being too busy, and in fact often feel very valued when they are able to help with what seems to be an overwhelming need.

4. **It was clear barely into the intake that one of our clients was not an appropriate candidate to represent herself. What should I do?** People are poor for many reasons and sometimes their specific personal limitations do not make them good candidates for self-representation. Clear mental illness, substantial language barriers, and other concerns can make self-representation inappropriate. This is one of the reasons professional staff supervision of clinics is so important. Volunteers should be encouraged to talk to staff to deal with such concerns.

5. **The client I was helping kept begging me to attend her hearing with her. She seemed sincerely desperate. What should I do?** It is so very important to do a clear intake with each litigant, specifically detailing the limits of clinic service. Litigants are using your clinic because they cannot obtain counsel and so they may very well seem quite desperate. Volunteers need to understand that their job is to help the litigant represent themselves. If they do need or wish to pursue representation, the litigant needs to be referred to an appropriate source.
6. The client I was helping was just in court last week and wants to file a modification already. What should I do? Litigants often don’t understand the procedural nature of court actions and many have had a negative interaction with the court because they did not know how to properly get their story or evidence before the judicial officer. Therefore, many litigants want to immediately re-litigate the same matter, appeal a decision, or take other actions that aren’t strategically smart or appropriate. Guidance from an attorney volunteer can sometimes help a client deal with these issues in a more positive way, but sometimes that isn’t the case.

7. During my conversation with the client, it became clear to me that she has a problem with an abusive husband. What should I do? Even the best intake worker or volunteer may not catch all the services a litigant might need. Your volunteers should be encouraged to bring staff back into client consultations if additional needs are discovered so that appropriate referrals can be made.

8. Our Clinic is in a very conservative county and court personnel and local residents have expressed concern that we are merely giving more to people who should take care of their own needs. What do I say? Services to low income litigants often face criticism as being a poor expenditure of public funds or the court’s time. That being said, such services improve judicial efficiency, help judges rule on properly provided evidence, and reduce the use of court services. All of these outcomes allow paying litigants and their attorneys quicker access to hearing dates and other court services. In the end, for a very small expenditure, usually less than $200 per case, both the court and private litigants can save substantial time and resources.
Family Court Project
Creating a Self-Represented Litigant Clinic Handbook
Section 9 – Sample Grant Application

- Two Page Grant Request Letter
SAMPLE GRANT REQUEST LETTER

August 26, 2011

Jane Doe, Executive Director
County Community Foundation
1234 Oak Street
Your Town, Indiana 47777

Re: Proposed Legal Service Clinic for Your County

Dear Ms. Doe,

On behalf of the Your County Superior Court and the Your Town Pro Bono Program, please accept this letter as a request for $10,000 to support our proposed legal services clinic for low income Your County residents who need to use our courts because of family law or domestic violence needs.

Statement of Need – Presently, over half of the family law litigants using the Your County Courts do not have the financial ability to pay for an attorney. Our local legal services agency cannot meet the need, with only one attorney for every ten thousand poor residents in our area. The Clinic discussed below is designed to help these residents deal with their family law problem, aid families in need, and provide protection when needed.

Purpose & Goals -- The Your County Self-Represented Litigant Clinic (hereafter “Clinic”) is designed to assist self-represented litigants to use the Family Court efficiently and with greater success through a partnership between the Your County Superior Court and the Your Town Pro Bono Program. By providing the services described below, the Clinic will improve outcomes, both legal and through social support, for all members of affected families. The services will conserve court resources and focus legal aid and pro bono representational services on those clients who are unable to complete their matter on their own without attorney representational assistance.

Methodology -- To accomplish the goals listed above, the Clinic will offer twice-monthly self help clinics at the Your County Courthouse. The Clinic will provide brief advice and counsel from volunteer attorneys, assistance in completion of court-approved forms and pleadings, guidance to self-help resources, and referrals to appropriate mediation, family counseling, parenting time coordination, and other social services.

Client Population and Eligibility -- In order to ensure that only those litigants without the ability to hire an attorney are able to access these services, the Clinic will limit services to households at or below 200% of the federal poverty line. In addition to income limitations, clients will be subject to asset limitations, jurisdictional restrictions, and other program rules consistent with area legal services guidelines. Program participant will be limited to Your County residents with matters properly under consideration in Your County courts.

Logistics -- The Clinic will operate from the Your County Courthouse, which is centrally located in Your Town just two blocks from the city’s primary public transportation terminal. We will use a small conference room and two attorney meeting rooms to conduct services. This space has already been approved by the Court and sufficient technology exists in the location to accomplish services.
Client Service Process – Litigants will be referred by judges, the court clerk, local domestic violence shelters, and our Your County Legal Aid office. After an initial intake screening, volunteer attorneys will assist litigants select and complete the appropriate court forms and will give guidance on their filing and court process. Clinic staff will provide referrals to other services needed by the family, including no cost mediation, family counseling, or parenting time coordination. All services are designed to assist the litigant navigate the court if necessary and avoid court if possible.

Anticipated Outcomes

1. **Improved Court Efficiency and Reduced Need for Judicial Continuances** -- By providing guidance to litigants, necessary paperwork will be better prepared and clients will have a clearer idea about notice requirements and other case related deadlines. These improvements in filings will allow judges to complete matters in a more efficient manner reducing the use of the court’s valuable time.

2. **Increased Bench Officer Knowledge of Multiple-Case Concerns** -- As part of the intake process, the Clinic will gather information on any legal matter which might affect the litigant’s family. Knowledge of a pending eviction case, child abuse matters, and other related issues can assist judges in making decisions regarding families in crisis. This process is more important in border counties where matters across state lines may not be available to judges through existing electronic databases.

3. **Improved Social Support for Families in Crisis** -- Presently, judges and court personnel are limited in how they can assist clients facing challenges outside of their legal matter, especially when there is no attorney to work with. The Clinic will provide client evaluation and referrals to area social services, including domestic violence assistance, mental health counseling, and addiction treatment. By utilizing a limited case management model, the Clinic will assist clients to keep appointments and court deadlines, which will further improve the efficiency of the Courts.

4. **Increased Number of Matters Completed Through Judgment** – Research on self-represented litigants suggest that many cases that are filed by litigants on a pro se basis are never completed because the litigant hits procedural barriers in a matter. Not knowing how to serve an opposing party by publication, how to deal with a small pension, or what to do when someone files for bankruptcy, may leave a perfectly legitimate family law matter in limbo, sometimes forever. Assistance from the Clinic will reduce the number of matters that are left unfinished.

5. **Improved Litigant Opinion of the Courts and Bar** -- By providing this limited assistance to consumers of the Your County Courts, pro se litigants will leave the system with an improved opinion of how the Court served their needs.

   We hope that you will consider the value of our proposed clinic, both to the litigants it will serve as well as the tax payers it will benefit through improved court services and efficiencies. We look forward to providing a full grant application at your request.

Sincerely,

Your County Clinic Committee