The materials contained herein represent the opinions of the authors and editors and should not be construed to be those of either the American Bar Association or the Standing Committee on the Delivery of Legal Services unless adopted pursuant to the bylaws of the Association. Nothing contained herein is to be considered as the rendering of legal advice for specific cases, and readers are responsible for obtaining such advice from their own legal counsel. These materials and any forms and agreements herein are intended for educational and informational purposes only.
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Message from the Chair

The mission of the ABA Standing Committee on the Delivery of Legal Services is to expand access to legal services to those of moderate incomes – those who have too many assets to qualify for legal aid or pro bono services, yet lack the resources to pay for full traditional legal services.

The Committee provides resources to the organized bar, non-profit organizations, the judiciary, practitioners and law schools to advance this mission. This Year in Review is among those resources. It is designed to help stakeholders broaden their understandings of the issues, identify others who are working in parallel paths and facilitate the conversations about increased avenues of access to legal services for those just beyond the poor.

The Report annotates articles from the legal press, bar publications and reports. It provides information about court rules, orders, guidelines and ethics opinions that were adopted in 2014. The Report also details information about policies supported by the Standing Committee and models promoted through the ABA Louis M. Brown Award for Legal Access. While the work of the Committee is presented, the Report highlights the work of many entities at all levels that share a dedication to improving access to justice through a wider conversation, policy decisions and programmatic advances. For further reference, the resources provided by the Committee are at www.americanbar.org/delivery.

The Committee anticipates and hopes the material in this Report will encourage and better enable those from every corner of the justice system to further justice for all.

William T. Hogan, III
Chair
OUTREACH

Through the Delivery Committee website, which is routinely updated with articles, reports, ethics opinions, events and more, the Committee encourages the ABA, other bar associations and legal groups to actively respond to the unmet legal needs for those of moderate income.

ARTICLES

January

Training New Lawyers to Start Affordable Law Firms (Businessweek.com)
A look at the Chicago Bar Foundation’s Justice Entrepreneurs Project, an incubator for young lawyers who want to run their own practices, featuring quotes from the executive director of the CBF and insight from one of the incubator participants.

What Do You Get When You Mix a Lawyer With an Incubator? (Grid Business)
By supplying young attorneys with mentorship, space and training opportunities, the Chicago Bar Foundation’s Justice Entrepreneurs Project hopes to create opportunities for recent law school graduates as well as encourage inventive and new models to address working and middle-class clients.

March

Rutgers-Newark law school starts unique fellowship offering low-cost legal help (N.J.com)
Rutgers School of Law-Newark announces the launch of its Associates Fellowship Program, a residency program designed to ease graduates into the legal profession.

Maine Voices: No justice when cost leaves middle class without legal representation (Portland Press Herald)
This article calls for reform in Maine's family courts to address the exclusion of the middle class from access to justice and the resulting high number of self-represented litigants.

Self lawyering made easier by new rule, attorneys say (Greenwich Time)
A new pilot program in Connecticut allows limited scope representation in divorce and family proceedings, allowing the self-represented to hire attorneys for only specific parts of their cases. In the first 6 weeks of operation, attorneys filed limited representation appearances in 56 cases.

April

Contract Lawyer May ‘Ghostwrite’ Pleading Without Notice to Court, Opposing Counsel (Bloomberg BNA)
Coverage of the opinion from the Orange County Bar Association’s ethics committee finding that a lawyer may use another contract lawyer or out-of-state lawyer to ghostwrite court documents without having to disclose that assistance to the court.
Touro incubator gives new lawyers a leg up (Long Island Business News) (Subscription required)
Touro Law Center has created a Hauppauge-based incubator designed to give new lawyers the ability to create their own economically viable solo practice.

May

Environmental legal services incubator/residency program debuts in Pittsburgh (Pittsburgh Business Times)
News on the launch of Fair Shake Environmental Legal Services, an incubator offering environmental legal services for modest means clients in Pennsylvania and Ohio.

Environmental firm Fair Shake aims to help clients of modest means (Pittsburgh Post-Gazette)
Fair Shake Environmental Legal Services, a new “environmental justice incubator,” addresses the environmental and community health needs of moderate-income clients in Pennsylvania and Ohio.

June

Project aims to aid small law firms (Rutland Herald)
The Vermont Law School and the Vermont Bar Association team up to launch the Lawyer Incubator Pilot Project, a project to help new lawyers establish law practices in underserved areas of Vermont.

July

Widener Law, Dauphin County Bar Association starting law firm incubator program (The Patriot-News)
Widener Law and the Dauphin County Bar Association in Harrisburg Pennsylvania announce plans to launch an incubator program for new lawyers looking to start a solo practice or small law firm.

Monterey College of Law to help young lawyers go solo—if they give back to the community (Monterey County Weekly)
Monterey Law announces the launch of its New Solo Practitioner Incubator, designed to support alumni with the business aspects of starting a practice and help underserved populations through low-cost representation.

(Loyola University New Orleans) College of Law creates incubator for solo practice lawyers (Loyola Press Release)
With the help of an ABA Legal Access Job Corp “Catalyst Grant,” Loyola University New Orleans College announces plans to launch the Loyola Incubator Program—an intensive, year-long program to equip recent graduates with the skills and know-how to address the legal needs of poor or moderate-income individuals.

UMass School of Law Launches Justice Bridge to connect new graduates with mentors and clients who have unmet legal needs (UMass Press Release)
The UMass School of Law announces the launch of "Justice Bridge," a legal incubator designed to provide quality legal representation to clients who cannot afford traditional market rates, while
supporting recent UMass Law graduates who wish to develop solo, small firm or public interest practices.

August

**UMass Dartmouth launches a legal incubator in Financial District (Boston Business Journal)**
The BBJ covers the launch of the new legal incubator to help lawyers launch their careers, Justice Bridge from UMass School of law, and includes information on their sliding-scale fees.

**Cleveland-Marshall College of Law helps graduates transition to solo practice (Akron Legal News)**
The job market is dismal for new attorneys, resulting in more young attorneys going solo. To give these lawyers an advantage and assist graduates in building law practices, Cleveland-Marshall Law launched the Solo Practice Incubator.

September

**Legal Clinic Polishes Non-lawyers' Civil Suits (LA Times)**
Posted in the “Great Reads” section, this article depicts an average day in one LA courthouse clinic, and the stories of 15 individuals who visited the clinic that day who are navigating the legal system alone. In a district where the number of pro se litigants has doubled in recent years, clinic volunteers are there to guide visitors through the legal process, or just lend an ear when it matters most.

**College of Law is recipient of major anonymous gift (Loyola Press Release)**
A $150,000 gift to the Loyola University New Orleans College of Law will support the Loyola Incubator Program, an intensive, year-long mentorship and skills program training the next wave of solo practice lawyers to address the legal needs of the poor.

December

**Unbundling – a necessity for consumers or risk to professional standards? (Legal Futures)**
A study by the Legal Services Board (LSB) and Legal Services Consumer Panel in the UK will look at the potential benefits and risks of unbundling legal services.

**Wayne Law launches independent, apprentice-model law firm (Wayne State University News and Announcements)**
Wayne State University Law School announces its launch of their legal incubator, Wayne Alumni Law Group, to help new attorneys move forward and assist Detroit entrepreneurs with growing their businesses to be part of the city’s economic comeback.

**VIDEO AND AUDIO**

**Chicago Incubator Reinventing the Legal Field (WTTW’s Chicago Tonight)**
Chicago Tonight’s Carol Marin interviews Bob Glaves, Executive Director of the Chicago Bar Foundation, and Katrice Hall, program participant, about the Chicago-based legal incubator Justice Entrepreneurs Project.
How Nora Endzel and others are broadening accessibility to justice (*Chicago Tribune’s Blue Sky Innovation*)
In this video interview, Justice Entrepreneurs Project attorney Nora Endzel explains how the incubator participants offer alternative models such as unbundling and flat fees to better serve clients of moderate income.

Program Helps Lawyers Set Up Shop In Underserved Areas (*Vermont Public Radio*)
NPR features the Vermont Lawyer Incubator Pilot Project in this audio interview, with insight from participants and quotes from the Vermont Bar’s Association Mary Ashcroft and Vermont Law School’s Margaret Barry.

Executive Suite 8/31/2014: UMass Law; OpportunitySpace (*WPRI.com*)
In this WPRI video segment, Dean of the University of Massachusetts School of Law, Mary Lu Bilek, discusses the new legal incubator at UMass called Justice Bridge.

Be the Change (*ABA Legal Access Job Corps*)
The video “Be the Change” shows innovations that apply the resources of new lawyers to expand access.

How do you provide client hand-holding if you run a virtual firm? (*ABA Journal*)
Three ABA Journal Legal Rebels explain how it’s possible to provide individual attention to clients in a virtual firm setting. The podcast, transcript included, features current Committee member Stephanie Kimbro as well as former Committee member Fred Rooney.

BAR JOURNAL ARTICLES

March

Chicago Bar Foundation program helps new lawyers, and moderate-income clients (*ABA Bar Leader*)
Bar Leader discusses how the CBF’s legal incubator, the Justice Entrepreneur’s Project, is designed to both meet the legal needs for people of moderate means and help new lawyers start a practice focused on moderate-income clients.

April

Lawyers’ definitions of virtual practice vary, but not when it comes to finding success (*ABA Journal*)
Experienced virtual lawyers offer their insight on virtual practices; defining the concept, offering advice for a successful virtual firm, and warning of potential concerns.

Supreme Court Expands Limited Scope Representation Rules, Gives Lawyers More Guidance (*WISBAR News*)
This article reports on the Wisconsin Supreme Court’s adoption of a petition to expand upon its limited scope representation rules; the resulting amendments offer necessary safeguards and guidance to attorneys providing limited scope services in Wisconsin.
Why judges should embrace limited scope representation (*ISBA Bench and Bar*)
In this newsletter, Illinois Appellate Justice Michael B. Hyman explains why he offers his support for unbundling, and why other judges should too.

May

**Incubator workshop shines spotlight on need for affordable legal aid (*California Bar Journal*)**
The first regional meeting of the California Commission on Access to Justice’s Modest Means Incubator Project brought together representatives of legal aid foundations, MCLE providers, law schools and bar associations, to learn about incubator programs helping to bridge the justice gap – and to brainstorm ideas for starting others.

**Rural Lawyers Tout Big Possibilities in Small Towns (*Oklahoma Bar Journal*)**
This feature story discusses the growing shortage of legal help in rural communities in Oklahoma; and the value of working as an attorney in a small town.

June

**The Door to a Virtual Law Practice Is Always Open: And the Proper Use of Technology Can Keep It That Way (*Florida Bar Journal*)**
This bar journal article discusses the many benefits and risks of embracing new technology and operating a virtual law practice.

July

**Low Bono: Serving Those with Real Needs but Limited Means (*WSBA NWLawyer*)**
This article discusses the developments in the growing low bono movement, such as the creation of legal incubators and residency programs and low bono sections in bar associations.

**Unbundled Legal Services: A Revolution Whose Time Has Come (*The Arkansas Lawyer*)**
This article explains why technology, affordability, supply and demand, and a growing DIY movement will all contribute to the growing popularity of unbundling.

August

**Legal self-help centers are 'vibrant and effective,' survey says; can unbundled services play role? (*ABA Journal*)**
Following the release of the Delivery Committee’s Self-help Center Census, the ABA Journal discusses the report’s findings and the potential to link visitors of self-help centers with providers of unbundled legal services. Access the Census [here](#).

October

**BRIEFS FOR THE BRIEF WRITER: Ghostwriting a scary, gray area (*Wisconsin Law Journal*)**
This article discusses the unsettled question of whether a lawyer should have to disclose ghostwriting to the court.
Alternative Billing Comes to Main Street *(Illinois Bar Journal)*
The IL Bar Journal discusses how more and more consumer and small business attorneys are seeing the benefits to client-friendly pricing such as flat-fee and other non-hourly billing strategies.

November

This article discusses how the new limited scope representation rules to take effect in Wisconsin in 2015 will affect appearances, ghostwriting, and communications.

**BLOGS AND COMMENTARY**

February

*Virtual Law Practice: Balancing Fun with Legal Nuance in Game Design*
Stephanie Kimbro discusses the creation of an educational game that will engage players on an emotional level to help them think about real-world legal issues.

Blog Posts Featuring *Reinventing the Practice of Law*

*Massachusetts Supreme Judicial Court Formally Asks for Comments on Proposed Rule To Include ATJ on Bar Exam*
In his Access to Justice Blog, Richard Zorza discusses the idea of putting ATJ issues on the bar exam and provides the proposed list of topics to be added.

March

*Richard Zorza on Incubator Conference and Incubator Role in Legal Profession*
Richard Zorza discusses the conference, *Enhancing Social Justice Through The Development of Incubators & Residency Programs*, and how incubators can "recast the role of the legal profession."

May

*Massachusetts Adds Access to Justice Topic to Bar Exam – Ideas on Implications*
Richard Zorza discusses how the proposal by the Massachusetts Access to Justice Commission to add a new “access to justice” topic to the state’s bar exam has been approved and will go into effect in 2016. The goal is to better prepare graduates to represent persons of low and moderate means in order to help them address the justice gap and build more successful practices in the current legal market.
California Shows Potential of Commissions with Assist to Incubators
Richard Zorza discusses how the California Access to Justice Commission has taken the lead in moving forward incubators throughout the state.

August

A2J Author Launches All New Platform Today
In his blog, LawSites, Robert Ambrogi discusses the launch of the new web-based version of A2J Author.

UMass Law’s ‘Justice Bridge’ Pairs New Lawyers with Needy Clients
Robert Ambrogi discusses the launch of the legal incubator, Justice Bridge.

Unbundle your services, reinvent your billing model
This Access to Justice in Canada Blog post explains how unbundling is a good alternative to the billable hour.

Guest Blogger Katherine Alteneder on Self-Help Services
Katherine Alteneder of the Self-Represented Litigation Network discusses the Self-Help Center Census and suggests ways to expand self-help services on Zorza's Access to Justice blog.

October

Minnesota Supreme Court Takes Important Step Reversing Attorney Misconduct Admonition in Unbundled Case
Richard Zorza discusses how the Court excused an attorney's absence from hearings because of a limited scope agreement.

November

What is a law firm incubator?
Jamie Baker Roskie, board member of Fair Shake Environmental Legal Services, debuts her new blog dedicated to legal incubator programs with this post.

December

Wayne Moore’s Comments to the ABA on the Future of Legal Services for Moderate Income People
Richard Zorza shares Wayne Moore's comments to the new ABA Commission, as well as some of his own, on providing legal services to those of moderate income.
An Analysis of Rules that Enable Lawyers to Serve Self-Represented Litigants (Updated Unbundling White Paper)

“An Analysis of Rules that Enable Lawyers to Serve Self-Represented Litigants,” as well as the appendices with a collection of those rules, was originally presented in 2005 from the Delivery Committee when lawyers were reluctant to provide unbundled services because of limited clarity in the rules governing ethics and procedure. The White Paper enabled policy-makers in various states to have an overview of the issues and templates for addressing each one. The Committee updated the Paper in 2009 with the addition of several state rules and has now incorporated changes since then into this 2014 version. The changes reflect substantial policy shifts among several states that have been responsive toward the need to improve access to affordable legal services.

Self-Help Center Census: A National Survey

Court-sponsored self-help centers began helping self-represented people in Arizona in the early 1990s. Today approximately 500 centers serve nearly 3.7 million people annually in courthouses and libraries across the country. In 2014 the Delivery Committee released a report of these centers with details on staffing, funding, types of services that are provided and the nature of the centers’ customers.

Accessing Justice in the Contemporary USA: Finding from the Community Needs and Services Study

In 2014, Rebecca Sandefur and the American Bar Foundation released the results of their Community Needs and Services Study (CNSS), a study on the civil justice experiences of a middle-sized American city. The 18-month study found that 66% reported having at least one problem involving a civil legal aspect, but only 22% reported seeking outside assistance. Interestingly, cost concerns only factored into 17% of the cases where respondents did not seek assistance for their civil justice situation from third parties such as lawyers – a bigger problem was not understanding that their situation was even legal in nature.

Dialog on Making Affordable Legal Services Available to Individuals of Modest Means in the District of Columbia: A Summary Report

This 2014 report summarizes the discussion from the November 7, 2013 DC Bar meeting at which attendees discussed ways to match un- and under-employed attorneys with those of modest means in need of legal services.

EVENTS

February

Legal Access Job Corps Holds Open Forum at ABA Midyear Meeting

The Task Force, an ABA Presidential Initiative to advance innovations that marshal the resources of lawyers to expand access to legal services, held an open forum at the 2014 ABA Midyear Meeting; those in attendance offered input on programs aimed at alleviating problems
associated with the lack of access to justice, discussing models such as rural support programs and legal incubators.

March

**Chicago Bar Association CLE: Expand Your Practice With a La Carte Legal Services - Part 2**
Speakers at this CBA program discussed how lawyers are adding limited scope services to their practices and offered advice on how to market and price services, frame engagement agreements and withdrawal notices, and more.

**University of South Dakota School of Law Rural Practice Symposium**
Attendees of this event discussed the rapidly declining number of attorneys in rural areas across the nation, South Dakota’s novel approach to the problem, and ways to promote rural practice both locally and nationally.

April

**1st Regional Meeting: Modest Means Incubator Projects in California**
Hosted by the California Commission on Access to Justice, this meeting focused on creating legal incubators to address the modest means justice gap; attendees were able to meet and collaborate with key stakeholders as well as learn about funding opportunities.

**Enhancing Social Justice Through The Development of Incubators & Residency Programs**
Touro Law School hosted this conference which addressed the opportunities and challenges institutions face in the conceptualization, design and implementation of successful incubators and residency programs.

**Georgetown Iron Tech Lawyer Competition**
Iron Tech Lawyer is a competition held at Georgetown Law, where student teams show off apps built in the school’s Technology Innovation and Law Practice practicum. On April 23, 2014, Georgetown held their fourth Iron Tech Lawyer Competition. For this “Access to Justice Edition,” the award went to the **Unemployment Benefits Hearing Coach** app which provides guidance on how to prepare for a hearing and assists claimants and employers in understanding their rights.

**Self-Represented Litigation Network Pre-Conference**
This pre-conference session, which was held just before the **Equal Justice Conference**, focused on SRLN developments and initiatives, among other topics.

May

**You’re LAR Certified; So, Now What?**
This Boston Bar Association event featured Stephanie Kimbro who discussed limited assistance representation, including marketing, search engine optimization, establishing a brand, and best practices for minimizing ethics and malpractice issues.
Expanding Your Practice With Limited Scope Representation - Brown Bag Session
This ABA Solo, Small Firm and General Practice Division event featured M. Sue Talia, a nationally recognized expert on limited scope representation.

June

2nd Regional Meeting: Modest Means Incubator Projects in Los Angeles
The California Commission on Access to Justice hosted its 2nd regional meeting for the Modest Means Incubator Project on Tuesday, June 10 at the State Bar of California Office in Los Angeles.

August

Hackcess to Justice 2014
Presented by the ABA Journal and partners such as Suffolk Law School, this was a two-day, judged hackathon where attendees were challenged to devise a technology-enabled solution to improve access to justice.

Blueprint Project Program at Annual Meeting
This program was held to educate attendees on the Project and engage them in a discussion about its mission to create changes in policies and procedures that could make legal services more affordable and accessible.

September

Ethics of Unbundling Legal Services
ALPS hosted a webinar on September 20, 2014, featuring Stephanie Kimbro, who provided an intro to unbundling and an overview of different unbundling methods, as well as spoke on competent representation, ethics opinions, case studies, best practices and more.

December

Georgetown Iron Tech Lawyer Competition
Iron Tech Lawyer is a competition held at Georgetown Law, where student teams show off apps built in the school’s Technology Innovation and Law Practice practicum. On December 3rd, Georgetown held their fifth Iron Tech Lawyer Competition – the “Administrative Agency Edition.”

INITIATIVES AND PROGRAMS

Incubator Resources
The Committee continued to survey law school incubator/residency programs, adding to the online directory and creating profiles of established programs. Like last year, a number of incubator/residency programs were launched in 2014, including:

- Access to Justice Incubator (Maurice A. Deane School of Law at Hofstra University)
- ASU Alumni Law Group (Arizona State University, Sandra Day O’Connor College of Law)
• **Associates Fellowship Program** (Rutgers School of Law – Newark Center for Law and Justice)
• **Cleveland-Marshall Solo Practice Incubator** (Cleveland-Marshall College of Law, Cleveland State University)
• **Fair Shake Environmental Legal Services**
• **Justice Bridge – Legal Residency and Incubator Program** (University of Massachusetts School of Law)
• **Legal Innovators for Tomorrow (LIFT) Fellowship Program** (Louisiana Civil Justice Center)
• **Low Bono Incubator Program** (Seattle University School of Law)
• **Modest Means Incubator Program** (California Lawyers for the Arts)
• **The New Solo Practitioner Incubator** (Monterey College of Law)
• **Vermont Lawyer Incubator Pilot Project** (The Vermont Bar Association and Vermont Law School)
• **Wayne Alumni Law Group** (Wayne State University Law School)

Reinventing the Practice of Law

In 2014 the Committee released the book, *Reinventing the Practice of Law: Emerging Models to Enhance Affordable Legal Services*, edited by Professor Luz Herrera. *Reinventing* explores ways in which lawyers can change their practices to make things better - for themselves, their clients and their neighborhoods. The book encourages lawyers to step out of the mold and consider how they can create better practices when providing personal legal services. During the course of the year, *Reinventing* was made available in print, eBook, and by individual chapter. A website was created to help the public navigate the various options as well as learn more about the subject matter of the chapters. *Reinventing* includes the following chapters:

• Chapter 1 - Limited Scope Representation, by M Sue Tali
• Chapter 2 - The Lawyer as Collaborative and Preventive Peacemaker, by Forrest S. Mosten
• Chapter 3 - The Client-Centered Practice: Innovative Outreach and Niche Markets, by Will Hornsby
• Chapter 4 - Serving Clients of Moderate Means with Online Legal Services, by Stephanie Kimbro and Richard Granat
• Chapter 5 - Dollars and Sense: Fee Shifting, by Gerry Singsen, Joel Feldman, Michael A. O’Connor, and Kyle Dandele
• Chapter 6 - A New Legal Service Hybrid: Increasing Access to Justice Through a Network of Low Bono Attorneys, by Brenda Bratton Blom and Phillip Robinson
• Chapter 7 - Incubating Law Firms to Enhance Social Justice and Launch Pads: Law Graduates Providing Access to Justice, by Fred P. Rooney and Judge Fern Fisher
• Chapter 8 - Co-Pay Clinics: An Option for Affordable Legal Services, by Tracy Loynachan and April Faith-Slaker

Because the subject matter of the book is particularly beneficial to solo practitioners and small firms, the Committee reached out to state bar associations with upcoming solo and small firm conferences to explore ways to make it accessible to conference attendees. Seven states as well ABA GIPSolo promoted the book at their 2014 solo and small firm conferences by providing flyers with conference materials, using the book as a raffle prize, or displaying it on publication tables. Furthermore, roughly 25 deans and professors requested review copies of the book, and
Jeanne Charn from Suffolk Law and Harvard Law made *Reinventing* part of the required course materials for over 80 students. The hope is that more of those who requested review copies will begin to integrate the book into their 2015 courses.

**Enterprise Fund: Blueprint to Enhance Legal Services and Alleviate Under-Employment of Lawyers**

In 2013, the ABA Board of Governors funded the Blueprint to Enhance Legal Services and Alleviate Under-Employment of Lawyers (the Blueprint Project). A coalition of ABA entities created the Blueprint Project to explore changes in policies and procedures that could make legal services more affordable and accessible. In 2014, the Access Challenge was launched, asking ABA entities to join effort by putting it on their agenda, leading a discussion to generate ideas or creating a committee to explore policy changes and procedural improvements. The Project asked that contributions be submitted through the Project’s website, which will house discussions and show their progress from ideas to policy changes.

**ABA Legal Access Job Corps Catalyst Grants**

In 2014, grants ranging from $5K to $15K were available for initiatives from bar associations, courts, law schools or other groups that marshal the resources of underutilized lawyers to serve underserved populations. The following projects were awarded grants:

- **Legal Aid of Arkansas** ($15,000) to fund fellowships for newly admitted lawyers who will serve under the direction of a legal aid lawyer representing clients in rural areas for one year. After the initial year, the fellows will transition to a modest means panel serving people with incomes between 125% and 250% of the federal poverty guidelines for an additional two years.
- **Nebraska State Bar** ($15,000) in collaboration with the University of Nebraska College of Law and Creighton University School of Law, to operate a project to enhance access to lawyers in rural areas by, among other things, facilitating summer clerkships for law students who will be placed with rural law firms, gaining practice experience and a sense of life in less populated areas.
- **University of Detroit Mercy School of Law** ($15,000) to launch the Solo and Small Firm Incubator Program, which will provide a supportive environment for select new law graduates who are committed to beginning a solo or small firm practice, and also demonstrate a commitment to serving low and moderate income individuals.
- **Vermont Bar Association** ($15,000) to launch the Solo and Small Firm Incubator Program, providing a supportive environment for select new law graduates who are committed to beginning a solo or small firm practice, and also demonstrate a commitment to serving low and moderate income individuals.
- **Loyola Law School – New Orleans** ($15,000) to launch an incubator program for new graduates, who have an interest in social justice, resources including instruction, mentoring, case referral and peer feedback.
- **Legal Aid Society of Orange County** ($15,000) with the University of California School of Law to develop the Incubator in a Box project, a comprehensive program that will provide a step-by-step resource to implement a regional incubator program.
- **Oakland County (Michigan) Bar Association** ($5,400) which has collaborated with the Legal Aid and Defenders Association and the Family Law Assistance Project to create the OCBP Pro Bono Mentor Match Program. The grant funding will allow the collaborators to expand into the areas of immigration and foreclosure.
Commission on the Future of Legal Services
In 2014, ABA President William C. Hubbard created the Commission on the Future of Legal Services, an initiative to inspire innovation, leverage technology, encourage new models for regulating legal services and educating tomorrow’s legal professionals, and foster the development of financially viable models for delivering legal services that meet the public’s needs.

POLICY

COURT RULES AND ORDERS

DC Expands Unbundling Rules
In 2014, the Superior Court of the District of Columbia issued Administrative Order 14-10, permitting paid and pro bono limited scope representation in the Civil, Probate and Tax Divisions, the Family Court, and the Domestic Violence Unit and providing additional guidelines on matters such as termination of representation and service.

Wisconsin Supreme Court Expands Unbundling Rules
In 2014, the Wisconsin Supreme Court unanimously adopted a petition to expand upon its limited scope representation rules; the resulting amendments offer necessary safeguards and guidance to attorneys providing limited scope services in Wisconsin.

Proposed Expansion of Maryland’s Unbundling Rules
The One Hundred Eighty-Sixth Report of the Standing Committee on Rules of Practice and Procedure was transmitted to the Maryland Court of Appeals in October, 2014. The Report contained proposed amendments from the Maryland Access to Justice Commission that would expand the state’s limited scope representation rules.

ETHICS OPINIONS

Orange County Bar Association Formal Opinion 2014-1 (Ghostwriting by Contract Lawyers and Out-of-State Lawyers)
In this 2014 opinion, the Orange County Bar Association’s ethics committee found that a lawyer may use another contract lawyer or out-of-state lawyer to ghostwrite court documents without having to disclose that assistance to the court.

CASES

In re Petition for Disciplinary Action Against A.B., a Minnesota Attorney, Panel Case No. 35121
Because of a limited scope agreement with the client, the Minnesota Supreme Court reversed a disciplinary panel’s finding that an attorney violated the state’s rules of professional conduct for failing to appear.
RECOMMENDATIONS TO THE HOUSE OF DELEGATES

After reviewing recommendations before the House of Delegates, the Delivery Committee co-sponsored the following resolutions, consistent with the Committee’s mission to expand access to justice for those of moderate income:

- A resolution brought by the Legal Access Job Corps Task Force which urges all bar associations and foundations, courts, law schools, legal aid organizations and law firms to create and advance initiatives that marshal the resources of newly-admitted lawyers to meet the unmet legal needs of underserved populations in sustainable ways.
- A resolution brought by the Standing Committee on Legal Aid and Indigent Defendants to oppose a proposal to cap forgiveness of student loans for lawyers who provide public service.
- A resolution brought by the Law Practice Division to expand the type of programming that would qualify for mandatory continuing legal education credit to include practice management issues.

MODELS

Louis M. Brown Award for Legal Access

The Louis M. Brown Award for Legal Access honors programs and projects dedicated to matching the unmet legal needs of the middle class and those of moderate incomes with lawyers who provide affordable legal information, services and representation.

The Louis M. Brown Award for Legal Access is presented annually to projects, programs and law firms that have made creative contributions to the delivery of legal services in ways that are exemplary and replicable. In 2014, the Delivery Committee chose four programs for the Award as well as an individual lifetime achievement recipient – those recipients are discussed below. The other 2014 nominees, and as well as the winners from past years, are highlighted in the Profiles of Moderate Income Delivery Programs booklet.

2014 Brown Award Recipient:

State Bar of South Dakota
Project Rural Practice

Responding to the startling decline in the availability of attorneys living in rural and reservation communities in South Dakota, the State Bar of South Dakota founded Project Rural Practice (PRP) with the goal to increase the number of lawyers practicing in these places. PRP operates a website that connects rural South Dakota communities and rural lawyers with job-seeking lawyers interested in the lifestyle and challenges of rural practice. To promote rural practice with law students, PRP established a partnership with the University of South Dakota Law School as well as requested a grant to finance law student internships in rural offices over the next five years. Additionally, PRP is partnering with the Attorneys Liability Protection Society (ALPS) to connect rural attorneys with other attorneys.
To further advance its mission, PRP put forward a resolution that passed unanimously before the ABA’s House of Delegates in support of its rural legal services mission nationwide. It also lobbied successfully for legislation that created the country’s first attorney incentive program for rural practitioners. The Resolution and Report can be found at http://sdrurallawyer.com/aba-resolution-report/.

2014 Brown Award Meritorious Recognition Recipients:

**Eviction Defense Network**

The Eviction Defense Network (EDN) was designed to close the access to justice gap for the 70,000 households that face eviction each year in Los Angeles County. EDN provides full representation to those facing eviction based on ability to pay by offering sliding scale fees ranging from $400-$1200 to handle the entire case up to and including a jury trial, when necessary. EDN encourages collaboration among the private bar and non-profit agencies. In 2013, an estimated 2,200 tenants received free representation and a total of 7,000 received assistance using EDN’s social entrepreneurial model. EDN has launched a campaign to close the access to justice gap for tenants facing eviction in LA County by 2024.

**Health Care Rights Initiative**

The Health Care Rights Initiative (HCRI) provides advocacy and education services to patients with employer-based health insurance. HCRI has developed a patient advocacy model that breaks advocacy into component parts, encouraging patients and loved ones to engage in elements of health care advocacy where a law license is not required. Based out of a legal incubator, HCRI utilizes the community lawyers in the incubator to represent patients on a sliding scale while providing them with CLE training and support. HCRI has exported their model to pro bono legal projects at multiple law schools and has integrated their advocacy model into their cancer care certification program. HCRI also connects community lawyers with outside health policy projects to augment their training and generate additional income.

**Sustainable Economies Law Center**

**Resilient Communities Legal Café**

In February 2013, the Sustainable Economies Law Center (SELC) launched the Resilient Communities Legal Café. SELC offers weekly donation-based legal consultations and workshops in the welcoming environment of a café. In 2013, SELC hosted 33 Legal Cafés, offered 25 workshops, and provided advice and transactional legal services to over 132 projects vital to local economic development. SELC assists clients with issues such as entity formation, document drafting, zoning permits, health permits, securities compliance, and employment law compliance. The Café further serves as a classroom, providing training to lawyers to meet the unique legal needs of clients working toward community resilience. An average of five law students and lawyers attend the Café each week for the purpose of building practical skills, assisting with intake, and observing.
legal advice. In order to facilitate replication, SELC is drafting a “Guide to Starting a Resilient Communities Legal Cafe.”

**Lifetime Achievement Award**

Three times in the 20 years of the Brown Award, the Committee has given individual recognition by way of a lifetime achievement award. This year, the Committee, for the fourth time, bestowed this honor to Richard Zorza.

Richard Zorza is an author, an advocate, a thought-leader and a doer. As the creator and coordinator of the national Self-Represented Litigants Network, Richard has reached out and brought together an array of stakeholders who share the denominator of advancing access to justice for those who may otherwise be denied their day in court. He has fostered the emergence and growth of unbundled legal services, self-help desks and judicial inquiry within a system of neutrality.

Since the 1990s, he has been a catalyst for discussion, analysis and scrutiny of our system of justice and the way it treats those who turn to it for relief. He has written books and articles on technology, the courts and, of course, access to justice. More recently, Richard blogs, at [www.accesstojustice.net](http://www.accesstojustice.net), on a constantly expanding range of insightful developments and issues.

When leading a discussion at forums such as the ABA/NLADA Equal Justice Conference, Richard will often predicate a topic by saying, “This may be a crazy idea, but…” He is rarely deterred from exploring those “crazy ideas” and at the end of the day they are rarely “crazy.” They are more likely innovative and creative ideas that need to be shared.

Ironically, those for whom Richard advocates – the self-represented – will never know of his efforts on their behalf. We know and, as he shares the spirit of Lou Brown, we are honored to recognize him for his lifetime of achievement.

**RESEARCH**

**Self-Help Center Census: A National Survey**
Court-sponsored self-help centers began helping self-represented people in Arizona in the early 1990s. Today approximately 500 centers serve nearly 3.7 million people annually in courthouses and libraries across the country. In 2014 the Delivery Committee released a report of these centers with details on staffing, funding, types of services that are provided and the nature of the centers’ customers.

**Accessing Justice in the Contemporary USA: Finding from the Community Needs and Services Study**
In 2014, Rebecca Sandefur and the American Bar Foundation released the results of their Community Needs and Services Study (CNSS), a study on the civil justice experiences of a middle-sized American city. The 18-month study found that 66% reported having at least one problem involving a civil legal aspect, but only 22% reported seeking outside assistance. Interestingly, cost concerns only factored into 17% of the cases where respondents did not seek
assistance for their civil justice situation from third parties such as lawyers – a bigger problem was not understanding that their situation was even legal in nature.

Consumer Impact Report
In 2014, the Legal Services Consumer Panel released the third edition of their Consumer Impact Report, which uses consumer research and statistical data from a range of sources to assess legal services reforms from a consumer perspective. The report is designed to provide an overview of the progress of the reforms, shape future priorities, and identify issues which the Panel or others might investigate further.
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