Year in Review
2015

Standing Committee on the
Delivery of Legal Services
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Delivery Committee Roster
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 2015. The Report also details information about initiatives 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

ARTICLES

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.

January

Lawyers for Equal Justice: A Plan for the Creation of a Collaborative Incubator Program for Georgia (Georgia Courts Journal, January 2015)
The Chief Justice’s Commission on Professionalism awarded the Administrative Office of the Courts with a seed grant to facilitate the creation of a collaborative incubator program for Georgia, Lawyers for Equal Justice (LEJ).

Law Schools Are (Finally) Teaching 'The Biz' Of Lawyering (Law360, January 09, 2015)
Law schools and other organizations are embracing incubators as a model for providing new lawyers business training – the movement focuses on teaching them all aspects of building a law practice, including cultivating business, keeping books, and hiring and firing.

In order to fund groups that train lawyers to create sustainable law practices providing affordable legal services, the California Commission on Access to Justice awarded grants ($185,000 total) to the: Bay Area Regional Incubator Project ($45,000); San Joaquin Valley Incubator ($50,000); Los Angeles Incubator Consortium ($45,000); and Orange County Incubator Consortium ($45,000).

To narrow the justice gap, the California Commission on Access to Justice is steering cash to “legal incubators” – programs that help graduates jump-start their careers while providing low-cost legal help. In doing so, the Commission has announced $185,000 in grants to launch three legal incubators and to support an existing incubator in Orange County.

Law school program offers a legal leg-up (Daily Pilot, January 15, 2015)
The Whittier Legal Access Program provides recent law schools graduates with office space and other resources, and matches them with low-income clients referred by the Legal Aid Society of Orange County who earn too much to qualify for free legal advice. The lawyers get clients and practice experience, and the clients get a break on the cost of legal services.
Cal Western to host international conference on legal incubators (The Daily Transcript, January 20, 2015)
California Western has been chosen to host the second annual international conference on legal incubators and residencies to take place Feb. 27-28, 2015. San Diego has been a model city for incubator development, and Bob Seibel, director of California Western’s Access to Law Initiative, has been one of the national leaders in promoting the development of legal incubators.

Incubator program launches in Harrisburg (Widener Law News, January 27, 2015)
Widener Law and the Dauphin County Bar Association have collaborated to launch a new incubator program for attorneys who want to start their own solo or small law firms. The program provides office space, networking opportunities, training sessions, mentors, and more.

February

MacArthur Foundation awards $400,000 to legal incubator (Crain's, February 26, 2015)
The MacArthur Foundation awarded a two-year, $400,000 grant to Chicago Bar Foundation’s Justice Entrepreneurs Project. In a press statement, MacArthur Foundation program officer Jeff Ubois said the project shows “great potential to develop replicable, market-based models” to address the needs of low- and moderate-income people who don't qualify for free legal aid but are priced out of the open market.

LexisNexis alliance supports law school development programs (Dayton Daily News, February 27, 2015)
To help new lawyers provide pro bono services and establish their practices, LexisNexis® Legal & Professional and the International Justice Center for Postgraduate Development (IJCPD) at Touro Law Center have announced an alliance to provide lawyers participating in incubators and residency programs with a free one-year subscription to the legal research information service, Lexis Advance®.

March

This is the first in a series of stories about the legal incubator conference in San Diego. One-hundred sixty people gathered at California Western School of Law for the second annual international conference on legal incubators and residencies, a 33 percent increase in attendance over the first gathering last spring.

Solo practitioners cite benefits of legal incubators (San Diego Source, The Daily Transcript, March 4, 2015)
This is the second in a series of stories about the legal incubator conference in San Diego. At the second annual international conference on legal incubators and residency programs, hosted by California Western, incubator lawyers highlighted the benefits that incubators provide such as camaraderie, flexibility, the ability to “genuinely help people” and the business know-how to secure clients.
Law school deans praise legal incubators (San Diego Source, The Daily Transcript, March 5, 2015)
This is the third in a series of stories about the legal incubator conference in San Diego. Law school deans at the conference discussed how the positive effects of incubators extend beyond reducing the country’s access-to-justice gap – they also allow the school to provide ongoing learning for its graduates and train and mentor new attorneys who are facing a challenging job market.

3 Ways Incubators Are Transforming the Legal Industry (Lexicata, March 5, 2015)
After attending the incubator conference at Cal Western School of Law, Lexicata discusses the obvious interest in incubators and the expectation that they will become commonplace at law schools and bar associations in the next few years. Incubators are transforming the legal industry by: (1) improving legal education; (2) enabling greater access to justice; and (3) creating a hotbed for innovation.

Judges: Legal incubators should include appellate lawyers (San Diego Source, The Daily Transcript, March 6, 2015)
This is the fourth in a series of stories about the legal incubator conference in San Diego. California state judges offered strong support for legal incubators but also encouraged the programs to expand their efforts to include training lawyers who want to serve clients of modest means at the appellate level.

Nebraska law firm Houghton Vandenack Williams to receive ABA eLawyering award (ABA News, March 9, 2016)
The ABA Law Practice Division eLawyering Task Force selected the law firm of Houghton Vandenack Williams in Omaha, Nebraska as the recipient of the 2015 James I. Keane Memorial Award for excellence in eLawyering. The award was presented during the ABA Techshow on April 16th.

Legal incubator leaders hope for international growth (San Diego Source, The Daily Transcript, March 9, 2015)
This is the last in a series of stories about the legal incubator conference in San Diego. The legal incubator movement is growing rapidly across the country, and the hope is to develop incubators abroad. At the conference, international expansion was the subject of a panel discussion. Fred Rooney started the first international legal incubator in the Dominican Republic, where participants focus on assisting victims of domestic violence and members of the LGBT community who have faced discrimination.

Incubator helps fledgling lawyers hatch their practice (North Carolina Lawyers Weekly, March 17, 2015) Subscription required
In a tough job market, starting one’s own law practice right out of law school is an attractive option. But it is also risky. Incubator’s help these new lawyers hang a shingle.
Cleveland-Marshall incubator is making convincing case (Crain's Cleveland Business, March 15, 2015)
Cleveland-Marshall College of Law’s Solo Practice Incubator reflects a growing trend of incubators in law schools established to support new grads launching their own businesses while furthering access to legal services in a community. (Pictured: Jeremy Adell, left, and Matthew Williams are 2013 Cleveland-Marshall College of Law graduates and members of the Solo Practice Incubator, photo courtesy of Crain’s).

Incubators are Taking Off (National Jurist, March 2015)
The number of incubators are growing and the success stories mounting. However, while incubators provide many helpful benefits, such as assistance in cultivating a client base, establishing a solo practice and a thriving career still takes a great deal of time and effort and the experience isn’t for everyone.

Today’s Tech: How A Solo Lawyer Uses Web-Based Technology During Mediations (Above the Law, March 26, 2015)
This article shows how lawyers across the country are using technology to deliver legal services more efficiently, effectively, and affordably, such as using online tools to collaborate with clients. While technology should not replace face-to-face contact altogether, it can (and should) supplement and enhance it.

April

Spaces: Justice Entrepreneurs Project (Chicago Lawyer, April 1, 2015)
The office space for the Chicago Bar Foundation’s Justice Entrepreneurs Project, in its design, reflects the program’s goal: Provide legal services to people who fall in the “justice gap” by earning too much to qualify for free legal representation but not enough to afford the typical attorney.

Limited scope representation helps lawyers expand practice (YOUR ABA e-news for members, April 2015)
YOUR ABA e-news for members featured M. Sue Talia in a discussion about limited scope representation. The discussion included limitations, ethical considerations, and trends that led to its demand. It also highlighted the recent ABA webinar from the Delivery Committee on unbundling, also featuring Talia.

This Daily Report article discusses how Georgia is looking at Project Rural Practice in South Dakota as a guide to address their own shortage of rural lawyers, and how legislation has been introduced in Georgia to address the issue.
Time to assess your legal health and act in your best interest (The Exchange, April 16, 2015)
The CBA’s Access to Justice Committee has developed a series of “legal health checks” to help
the general public proactively assess their legal health and identify legal problems early on. You
 can find all 12 “cards,” available on a variety of issues, on the CBA’s Equal Justice website.

May

Councilmen work with law school incubators to provide free legal aid (San Diego Source, The
Daily Transcript, May 4, 2015)
San Diego City Councilmember David Alvarez sees the potential of incubators to benefit both
those with legal needs and young lawyers. The partnership between Alvarez’s office and Center
for Solo Practitioners at Thomas Jefferson in 2013 inspired Councilmember Todd Gloria to
collaborate with the Access to Law Initiative at the California Western School of Law in his
district.

True innovation in the legal industry requires outside views and thinking, summit speakers say
(ABA Journal, May 4, 2015)
This article discusses the National Summit on Innovation in Legal Services which was co-
sponsored by the ABA Presidential Commission on the Future of Legal Services and Stanford
University School of Law.

In The Lead: Aiming to give clients, lawyers a Fair Shake
(Pittsburgh Post-Gazette, May 14, 2015)
Emily Collins funded Fair Shake Environmental Legal Services in
Pittsburgh to help underserved low- and middle-income clients
address environmental issues while training new lawyers to
build their own practices. Fair Shake is different from other
incubators in a few ways: because of its paid residency program, its
environmental focus, its multiple
regional offices and its independence from a law school or bar association. (Pictured: Emily A.
Collins, executive director and managing attorney at Fair Shake Environmental Legal Services,
center, with staff members, from left, Megan Lovett, Kate Donatelli, Ryan Hamilton, Sara
Winner and Oday Salim, photo courtesy of Pittsburgh Post-Gazette).

UMass Law Justice Bridge incubator expands to New Bedford, Taunton (SouthCoast Today,
May 13, 2015)
The UMass Law incubator Justice Bridge, originally launched in Boston, is expanding to
Taunton and New Bedford thanks to a three-year $225,000 grant from Bristol County Savings
Bank. Chief Justice of the Massachusetts Supreme Judicial Court Ralph D. Gants visited the
New Bedford office and met with UMass Law Dean Mary Lu Bilek, Justice Bridge Executive
Director Len Zandrow, UMass Trustee MarDee Xifaras, as well as Justice Bridge attorneys and mentors.

June

Law Schools Fund Firms to Train Recent Graduates (Associated Press, June 14, 2015)
A tight job market for new lawyers and a need for affordable legal representation have prompted law schools to fund incubators that train new lawyers and expand services. Critics question whether law schools just want to boost employment figures and say the incubator programs can only help a small number of graduates.

Can the Incubator Movement Help Save Legal Education? (LAW.COM, June 18, 2015)
Director of Industry Relations for Avvo, Dan Lear, discusses the increasing popularity of the incubator in light of the challenging employment outlook for recent law graduates. And while it is only a partial solution to the underemployment of young attorneys and lack of low-cost legal services for modest means clients, it will be “an integral and significant piece of a broader tapestry of solutions that pushes the profession into the 21st Century.”

Today’s Tech: A Public Interest Lawyer’s Mobile Law Practice (Above the Law, June 2015)
Web-based technology that makes it possible for lawyers to serve clients remotely and from any internet-enabled device is now affordable and easily accessible to all lawyers, not just those with deep pockets, as used to be the case.

State Bar Governors Narrowly Approve Incubator Program Funding (Daily Report, June 19, 2015)
The State Bar of Georgia's Board of Governors narrowly approved funding for a new lawyer incubator program through which up to 30 new graduates from Georgia law schools will receive mentoring, office space and other help to start small practices.

Law School Incubators Are Attacking These Two Major Problems in America (Law Street, June 20, 2015)
Law students have few options to receive training and mentoring. At the same time, many Americans cannot afford costly legal services for even basic civil court proceedings. To address these issues, law schools are running legal incubators to better train new lawyers and provide low-cost services to low-income Americans.

Rhode Island Supreme Court ruling opens door for legal help (Providence Journal, June 22, 2015)
The Rhode Island Supreme Court invited comments on the subject of its decision in which it held that an attorney may provide limited scope representation, but may not ghostwrite pleadings, motions or other written submissions for a pro se litigant unless the attorney signs the document and discloses his or her identity and the extent of the assistance.
July

The Boston College Law School, Boston University School of Law, and Northeastern University School of Law are teaming up to launch Lawyers for Affordable Justice, a practice incubator that will serve low- and modest-income clients.

The Alameda County Bar Association and the Volunteer Legal Services Corporation received a $45,000 grant from the state bar’s California Commission on Access to Justice to create the Bay Area Regional Incubator Project. The incubator will help new lawyers create their own practices dedicated to serving clients of modest means.

The University of Maryland Francis King Carey School of Law and the University of Baltimore School of Law are launching an incubator to help recent graduates launch solo practices while serving low-income clients.

August

Sen. Durbin urges pro bono work, new approaches to closing justice gap (ABA News, August 2015)
At the 2015 ABA Pro Bono Publico Awards luncheon, Senator Dick Durbin asked lawyers to “think outside of the box” when it comes to closing the civil justice gap, highlighting the Chicago Bar Foundation’s Justice Entrepreneurs Project as an example.

Gift Helps Loyola Incubator Program Expand, Provide More Community Service (Loyola Press Release, August 7, 2015)
The Loyola University New Orleans College of Law will use a new $118,500 gift from Ed and Kathy Womac of the Womac Law Firm to support and expand the Loyola Incubator Program. Because of the pro bono requirement, incubator attorneys spend a quarter of their time providing legal services to low-income and modest-means individuals who cannot otherwise afford attorneys.

Nebraska Bar Brings Lawyers to Rural Counties (The Grand Island Independent, August 14, 2015)
This article discusses the short supply of lawyers in some rural areas – for instance, 11 Nebraska counties have no lawyers and 20 counties have three or fewer – and how the Nebraska State Bar Association created the Rural Practice Initiative to do something about it and increase access to legal representation.

Get it in writing for law a la carte (The Lawyers Weekly, August 14, 2015)
When providing limited scope representation, it is important that the attorney literally spell out what he or she will or won’t do, in writing. Checklists, for example, are a good tool for indicating precisely which tasks the attorney will take on, and those for which the client will be responsible.
Pitt's School of Law to launch incubator program for recent grads (Pittsburgh Business Times, August 24, 2015)
The new Pitt Legal Services Incubator from the University of Pittsburgh School of Law will be the first of its kind in the region and just the second of its kind within the state. Beginning in January 2016, the program will select six to eight recent law graduates to participate in the two-year program which will train the graduates to develop solo or small-firm practices that provide legal services to underserved communities.

Letter from the President of New York County Lawyers' Association: Unbundling Legal Services (Metropolitan Corporate Counsel, August 27, 2015)
Frustrated by the high cost of lawyers, some have turned to online services; others have used do-it-yourself (DIY) forms available at court or legal services websites. Unbundling of services or legal services á la carte is another alternative to online services and a supplement to DIY services.

September

Barberton incubator will nurture new lawyers (Akron Beacon Journal, September 7, 2015)
A new incubator program will open in Barberton, OH, designed by the Akron Bar Association to assist solo attorneys who have been licensed for five or fewer years to establish practices in Summit County. ABA Executive Director provided that, “A large number of legal graduates who aren’t getting jobs in firms are striking it out on their own, so the bar and its leaders thought what could we do to help new professionals get the right start into the profession.”

Pitt announces the Pitt Legal Services Incubator for lawyers (NEXT Pittsburgh, September 14, 2015)
The University of Pittsburgh has announced plans to open the Pitt Legal Services Incubator in January 2016. The program will use unbundled legal services and technology to help clients that make too much money to qualify for legal aid but can’t afford a traditional lawyer. The idea is to have the lawyers use their time wisely in order to bill less and make their services more accessible. (Pictured: The Pitt Legal Services Incubator will be located in the Barco Building on campus, photo courtesy of NEXT Pittsburgh).

American Bar Association to Present Service Award to Los Angeles Superior Court Judge Allen Webster Jr. (Metropolitan News-Enterprise, September 17, 2015)
The ABA Difference Maker Award "honors an attorney living or deceased who made a significant contribution to the legal profession through service to the profession" and was
presented to the former Delivery Committee member at the GPSolo 2015 Solo & Small Firm Summit in September.

**Georgia Legal Services Program Receives $197,813 Pro Bono Innovation Grant (Legal Services Corporation, September 18, 2015)**
The Legal Services Corporation announced that the Georgia Legal Services Program will receive a 24-month $197,813 Pro Bono Innovation Fund grant to create a learning lab within the Georgia incubator, Lawyers for Equal Justice. The learning lab will coordinate pro bono opportunities for incubator lawyers, oversee and track pro bono cases and outcomes, coordinate training and mentoring of incubator attorneys with legal aid advocates and develop two toolkits on incubator pro bono best practices for law schools and legal aid programs.

**October**

**Touro's legal incubator helps grads launch practices, while filling community's needs (Newsday, October 5, 2015)**
Attorneys in the Touro Law Center’s legal incubator, the Community Justice Center of Long Island, share how the incubator helped launch their solo practices – providing the opportunity to hone their skills and an environment for camaraderie – while also filling a need in the community for lower-cost legal services.

**November**

![Image](image)

**Nonprofit Maine Community Law Center offers lower-cost legal service (Portland Press Herald, November 12, 2015)**
A new incubator has opened in Portland called the Maine Community Law Center, designed to both help people who make too much money to qualify for free legal aid but not enough to hire a lawyer at standard fees and provide “in-the-trenches” training for new lawyers. The Center’s first two lawyers will bill on a sliding fee scale. (Pictured: Elizabeth Stout, Executive Director of the Maine Community Law Center, photo courtesy of Portland Press Herald).

**Fred Rooney: Affording Legal Justice To All (Forbes, November 15, 2015)**
In 2007, Fred designed and implemented the first law firm incubator to train lawyers to create economically viable legal practices that serve the unmet needs of their communities. Fred realized that in order to offer affordable legal services, one needs a sustainable practice, and to grow a sustainable practice, certain skills are necessary. There are now over 60 incubators across the United States.

New initiatives are necessary to match unemployed lawyers with the high number of people who need affordable services. The incubator model is making a difference but has limits because of resource constraints; this is where big commercial law firms can come in. Law firms Arent law and DLA Piper are partnering with Georgetown Law to create The D.C. Affordable Law Firm (DCALF).
If you think a seeming pro se litigant has a lawyer, ask to confirm, ABA ethics opinion says (ABA Journal, November 30, 2015)
The ABA released an ethics opinion addressing the obligations of a lawyer when communicating with a person who is receiving limited-scope representation. The opinion recommends that attorneys ask pro se litigants whether they are being represented by counsel to avoid violating the “no-contact” rule. Read Formal Ethics Opinion 472 here.

December

The Shingle (ABA Student Lawyer, December 1, 2015)
The journey to solo work has become less daunting for law students: incubators reduce the financial uncertainty graduates face by providing with subsidized or free space, training on the nuts and bolts of running a solo practice—from getting clients to advertising to fee structures—mentors in the field, and more.

Can Technology Help the Middle Class Close the Justice Gap? (Jurist, December 11, 2015)
The rich can afford big law firm prices, while the poor can qualify for free or subsidized legal services. But what about those in the middle? This article discusses the potential for technology to help the middle class access legal services, such as through virtual law firms that cut out overhead costs and connecting clients with attorneys who work remotely.

Former Delivery Committee member, Bonnie Hough, has been named one of The Recorder's 2015 Innovator Awards Serial Innovators. Learn more about the Awards here and about Bonnie’s work at the California Administrative Office of the Courts here.


Stephanie Everett, a former Big Law associate who helped launch a new firm then started coaching lawyers, has been selected to be the first executive director of the Georgia’s new incubator program, Lawyer’s for Equal Justice.
Chicago incubators featured on Univision in an interview with Fred Rooney (October 13, 2015)
Fred Rooney discusses the two Chicago-based incubators – the Chicago Bar Foundation’s Justice Entrepreneurs Project and Chicago-Kent College of Law’s Solo & Small Practice Incubator – in a segment on Univision.

In Their Own Words, A Video Featuring Incubator Lawyers

In 2015, the Committee invited incubator participants to submit video clips about their experiences. A compilation video of these submissions, In Their Own Words, shows how lawyers from around the country share the benefits of incubator projects – highlighting opportunities for public service, the value of practice management training and mentor relations and the advantages of camaraderie with one another. In Their Own Words premiered at the 2015 Incubator Conference in San Diego and was then posted on the Committee’s website. Individual submissions were also posted and rotated out periodically as the “featured video.”

The National Summit on Innovation in Legal Services - Summit Video Highlights
After the Summit, which took place in early May 2015, presentation videos were made available online. The Summit was co-sponsored by the ABA Presidential Commission on the Future of Legal Services and Stanford University School of Law.

Commission on the Future of Legal Services Hearing Video - Bob Hirshon

Bob Hirshon, Special Advisor to the Delivery Committee and ABA past president, addresses the Commission on the Future of Legal Services at the 2015 Annual Meeting. There, he discusses the various ways the Delivery Committee works to increase access to justice – through self-help centers, unbundling, law firm incubators, increased engagement and alternatives to the billable hour – and urges the Commission to embrace and advance shovel-ready innovations.
January

Two Legal Incubator Programs Assist in Matching Attorneys with Clients Most Needing Legal Help (Bar Briefs, Louisiana State Bar Association, pgs. 15-16)
This article highlights the Legal Innovators for Tomorrow (LIFT) Program – a partnership between the Louisiana Civil Justice Center and the Louisiana State Bar Association, and the Loyola University College of Law Incubator Program. It details program characteristics and the impact they have on participating attorneys and the community as a whole.

February

Self-help centers could better serve consumers by helping them find lawyers, survey indicates (ABA Journal, February 2015)
Citing the Delivery Committee’s 2014 Self-Help Center Census: A National Survey, Bonnie Hough makes the case for creating a pipeline between self-help centers and lawyers. Out of the 3.7 million people estimated to be served by self-help centers, a sizable segment can afford to pay for legal services and therefore lawyers would benefit from efforts to figure out how to create an effective pipeline between the two groups.

Lessons Learned from Peacemaking: Mediation as a Healing Art (Arizona Attorney, February 2015)
As the courts become more and more backlogged, individuals are turning to mediation to resolve their disputes. This article provides the fundamentals of and prerequisites for mediation, as well as outlines the various advantages of mediation over trial and dynamics of mediation as a healing art.

Maximizing Your Recovery in Fee-Shifting Cases (Illinois Bar Journal, February 2015)
Many federal and state actions provide for attorney fee-shifting, making some cases attractive and profitable that otherwise would not be. This article provides tips for maximizing your recovery in fee-shifting cases, such as how to address fee shifting in your legal services agreement, include fee recovery in your complaint, keep good time records, and more.

Legal incubator dubbed 'Project Lemonade' gets $400K grant from MacArthur Foundation (ABA Journal, February 27, 2015)
The John D. and Catherine T. MacArthur Foundation has awarded a $400,000 grant to the Chicago Bar Foundation’s Justice Entrepreneurs Project, a legal incubator for recent law school graduates. The organizations hope to show how legal representation could be provided
throughout the country to those who don’t qualify for free legal aid but can’t afford to pay standard legal fees.

New attorneys learn resilience in incubator projects (California Bar Journal, February 2015)
An attorney in the Legal Entrepreneur Assistance Program (LEAP) shares how the incubator has given him training he couldn’t get elsewhere. The launch of three new incubator projects in California – in the San Francisco Bay Area, Los Angeles and a fourth covering rural counties in Northern California – will open the door to even more attorneys hoping to get hands-on training running a solo practice. (Pictured: Incubator Director William Tanner works with trainees Emily Hetu (left) and Aida Angelique Khamis. Photo by Hugh Hamilton, courtesy of the California Bar Journal).

March

Pathways to the future of Main Street lawyers (ABA Bar Leader, March-April 2015)
Will Hornsby, Delivery Committee Staff Counsel, sets out a path for how “Main Street” lawyers providing personal legal services to those of moderate income can “provide more services to more people more affordably and with greater personal attention and better quality than ever before” – by: 1. Advancing affordability, 2. Expanding engagement, 3. Defining the role of technology, and 4. Pivoting to position lawyers as problem-solvers.

May

Sole practitioner Seth Davidson started providing limited scope representation to help get his practice started. Here, he speaks about the benefits of unbundling and offers tips for making it work, touching upon misconceptions and the interplay with access to justice.

As I See It: It’s Time for Creative Disruption (Wisconsin Lawyer, May 2015)
This article discusses the need to find new ways to deliver legal services to those who need them – not only to close the justice gap, but also to help advance the legal profession. To do this, we must leverage technology and open our minds to innovative approaches.

June

This article defines collaborative practice and discusses its hallmarks: limited out-of-court
representation; full, complete disclosure of all information pertinent to settlement; and a team approach using trained lawyers, mental health professionals and financial specialists.

July

A judge’s view on the benefits of ‘unbundling’ (California Bar Journal, July 2015)
Los Angeles County Superior Court Judge Mark A. Juhas discusses the value of limited scope representation to both the litigant, and the court. Work done in a court is personnel-intensive; every time a litigant is able to smoothly conduct business, both the court and the litigant “win.”

BOOK REVIEW Reinventing Law Practice and Enhancing Legal Services: Where Are We Headed? (The Vermont Bar Journal, Summer 2015, pg. 44)
Professor and Associate Dean of Clinical and Experiential Programs Vermont Law School, Margaret Martin Barry, reviews the Delivery Committee’s book, Reinventing the Practice of Law, edited by Luz Herrera. About it, Barry writes, “The book provides some answers to the question law schools, law students, state bars, courts, and individual attorneys struggle to answer: how do lawyers make a living serving those who cannot afford legal representation?”

August

Collaborative law for low and modest means clients (Mass Bar Lawyers Journal, August 2015)
Collaborative law is a process whereby both parties have counsel, but should the case not resolve in the collaborative process, attorneys are disqualified from appearing in court. Recently, there has been a growing interest in collaborative law to provide low and modest means clients, through pro bono or reduced fees, greater access to legal services and the courts.

The Intersection of Innovation and the Law: How Crowdfunding and the On-Demand Economy are Changing the Legal Field (Wyoming Lawyer Magazine, August 2015, pg. 36)
Business and technological innovations are changing and shaping the legal industry. Consumer behavior – now more than ever with Uber and GrubHub and the like – demands speed and convenience. Lawyers must be open-minded and anticipate how these changes will affect how they deliver legal services.

September

How Legal Incubators are Trying to Train New Lawyers and Solve the ‘Justice Gap’ (California Lawyer, September, 2015)
Lawyers who are nervous about venturing out solo into a competitive market may have another option: legal incubators that train new lawyers and address the justice gap by helping them serve people who cannot afford to hire a lawyer. “It’s helping to solve two problems at the same time,” says Robert Pimm, director of legal services at California Lawyers for the Arts and creator of its incubator.
It's All About Documenting Scope (The Advocate of the Idaho State Bar, September 2015, pg. 42)
When providing unbundled legal serves, it is important to document the scope of representation on every new matter. This includes documenting what you are not going to do, as well as documenting that the representation has ended and the file is going to be closed.

October

New project will hire and train lawyers to serve moderate-means New Yorkers (ABA Journal, October 15, 2015)
A new incubator designed to train lawyers to provide needed legal services to people of modest means, called the Court Square Law Project, is the result of a partnership between 19 BigLaw firms, the CUNY School of Law and the New York City Bar Association. The law firms are each donating $100,000 in funding.

November

Creating a Client-Centered Practice (Illinois Bar Journal, November 2015)
In a tough legal marketplace, putting clients first and providing excellent service is a must. To better serve clients, lawyers should put themselves in the client’s shoes and think about their experiences with other service professionals, such as doctors or dentists, to consider what they do and don't like. Jim Calloway, director of the Oklahoma State Bar Management Assistance Program, thinks that if every law student had to become a client on some matter, "It would turn out a better crop of lawyers."

Virtual Law Practice: Bootstrapping a Young Lawyer's Practice (Michigan Bar Journal, November 2015)
A virtual law practice offers a viable alternative to the traditional, capital intensive law firm for young attorneys attempting to establish a reputation and client base. While there is no general consensus within the legal community defining what constitutes a virtual law practice, the common denominator is technology. This article offers the benefits and risks of a virtual law practice and some key steps in setting one up.

December

Changes in How We Practice: Limited Scope Representation is Here (Rhode Island Bar Journal November/December 2015, pg. 3)
In 2015 the Rhode Island Supreme Court issued an opinion on ghostwriting, which also noted the lack of current parameters for limited scope representation and invited comments from stakeholders. There are many instances where the ability to obtain some legal advice is better for all parties involved; the Court’s invitation to comment is an opportunity for the Bar to promote the interests of its members by helping develop the regulatory framework for providing limited scope services.
Coming soon to Asda? Canadian firm based in Walmart stores plans rapid expansion (Legal Futures, December 10, 2015)

The Canadian law firm Axess Law that runs offices inside Walmart supermarkets is expanding. What began as a traditional downtown firm opened its first office inside a Walmart in 2013. Currently, there are ten offices in Walmarts across Toronto, and there are plans to open eight more offices in Ontario next year, including in the country’s capital Ottawa. Axess Law offers flat-fee services for wills, conveyancing, non-contentious family work and immigration, including a $99 will.

Touro Law Center’s Journal of Experiential Learning (Volume I, Number 2, Fall 2015)
This issue was dedicated to incubators and included the following articles:

- Introduction: Incubator Development at Home and Abroad: Anecdotal Stories from the Trenches, Fred Rooney, Guest Editor
- Law School Based Incubators and Access to Justice - Perspectives from Deans, Patricia Salkin, Ellen Suni, Niels Schaumann and Mary Lu Bilek
- The Pro Bono Requirement in Incubator Programs: A Reflection on Structuring Pro Bono Work for Program Attorneys, Davida Finger
- Innovate, Collaborate,& Serve: Louisiana’s "LIFT" - A Legal Incubator and Accelerator Program Startup Guide, Amy Duncun
- Creating A Post-Graduate Incubator Program Through A Law School-Bar Association Partnership, Robyn L. Meadows, J. Palmer Lockard and Elizabeth G. Simcox
- A Custom Tailored Form of Post-Graduate Legal Training: The Rhode Island Center for Justice, Robert McCreanor
- Implementing Psychological Resilience Training in Law Incubators, M. Mark Heekin
- The Special Role of Career Services Professionals in the Development and Success of Law School Incubator Programs, Sumana Wolf and Erica Edwards-Oneal
February

Peer Networks for Solo Practitioners (The Lawyer Incubator Blog, February 11, 2015)
The Lawyer Incubator Blog features its first guest blogger, Briana Cummings, founder of Branch Legal in Massachusetts. Briana is a member of Starting Out Solo, Inc. (SOS), a non-profit organization and peer mentoring group for young solos.

Building Effective Mentoring Relationships (The Lawyer Incubator Blog, February 24, 2015)
One problem with maintaining mentor-mentee relationships is that many are organized around subject matter expertise. We need to find ways to create mentoring relationships based on areas such as problem-solving and self-confidence that survive changes in the mentees’ substantive focus.

March

“Oh, you’re the blogger” (The Lawyer Incubator Blog, March 8, 2015)
Jamie Roskie shares some highlights from the Incubator Conference at Cal Western, which was attended by over 150 members of the growing incubator movement. It became clear at the conference that bar associations, law firms and other entities other than law schools are getting in the incubator game, and that the incubator movement is getting more widespread attention.

Nice Development for Incubators (Richard Zorza's Access to Justice Blog, February 27, 2015)
The International Justice Center for Postgraduate Development at Touro Law Center and Lexis Nexis have announced an arrangement allowing lawyers in incubators free Lexis Advance for a year.
April

*The Low Down on Low Bono: Identifying a Need and Starting up a Nonprofit Organization* (PSJD Blog, April 20, 2015)
Niloufar Khonsari, founder of the nonprofit law firm Pangea Legal Services in California, explains how nonprofits can fill a gap in immigration and removal defense services and be sustainable: Be Entrepreneurial and Find the Gaps; Get a Mentor, Ask for Advice; Create Partnerships, Learn from Other Nonprofits; Go Low Bono, and more.

*Insights from an Incubator Participant* (The Lawyer Incubator Blog, April 20, 2015)
Guest blogger Constance Moylan, a participant in the Solo & Small Practice Incubator at Chicago-Kent College of Law, likens being a fledging solo practitioner with being a hiker on a mountain climb: “It is going to take ambition, energy, and drive to get me up to the top of the mountain – to create a self-sustaining and successful solo practice – but SSPI has filled my backpack with the tools to help me make it to the top.”

The Illinois Supreme Court issued the Order, “Illinois Supreme Court Policy On Assistance to Court Patrons by Circuit Clerks, Court Staff, Law Librarians, and Court Volunteers,” clarifying the types of assistance court staff and volunteers can offer self-represented litigants.

May

*Fair Shake Environmental Legal Services “In the Lead”* (The Lawyer Incubator Blog, May 15, 2015)
Jamie Roskie shares a recent article from the Pittsburgh Post-Gazette profiling and celebrating the accomplishments of Fair Shake Environmental Legal Services, an environmental and land use residency program based in Pittsburgh and Akron. Fair Shake combines the provision of modest means legal services to traditionally underserved clients with a residency/incubator program training young attorneys.

June

*Take the #YourFairShake Challenge* (The Lawyer Incubator Blog, June 8, 2015)
Fair Shake has expanded their access-to-justice mission to include encouraging all lawyers to engage in modest means practice. As part of this modest means push, Fair Shake is encouraging lawyers to take the #YourFairShake challenge and brainstorm creative ideas for serving the modest means clientele.

*No Ghosts In Rhode Island* (Legal Profession Blog, June 9, 2015)
The Legal Profession Blog discusses the Rhode Island Supreme Court decision holding ghostwriting improper but nonetheless vacating sanctions against three attorneys who had engaged in the practice.

*The Uberization of Legal Services* (eLawyering Blog, June 16, 2016)
The uberization of the economy and the new virtual marketplaces that connect lawyers with clients for the purchase of specific legal tasks will continue to accelerate the trend of lawyers
offering unbundled legal services. As a result, consumers will benefit through more affordable, accessible, fast and transparent legal services. However, there are some downsides, particularly for solos and small law firm practitioners.

**July**

*What are Client-Centric Legal Services? (eLawyering Blog, July 15, 2015)*

Richard Granat discusses the (then upcoming) conference in Denver, Colorado called Client-Centric Legal Services: Getting From Here to There, sponsored by the ABA Legal Access Job Corps Task Force, the ABA Standing Committee on the Delivery of Legal Services and the Institute for the Advancement of the American Legal System (IAALS). The focus of the conference is to explore new law firm business models that can enhance engagement, re-define lawyer value and pivot practitioners into 21st Century problem-solvers. (Pictured: ABA President-elect Linda Klein during her opening remarks at the Client-Centric Legal Services conference in Denver).

**August**

*Celebrating 50 Incubators, and Raising A Research and Evaluation Challenge (Richard Zorza's Access to Justice Blog, August 27, 2015)*

In light of the 50th law firm incubator being posted in the Delivery Committee's resources, Richard Zorza raises questions about the impact programs have on lawyers and access to justice. Specifically, what kinds of services and resources make a difference? Who are the clients, both when the lawyers are in the incubators and afterwards? What do the clients think of the lawyers and of the programs?

*List of Tweets About Client-Centric Legal Services Conference (Robert Richards)*

This post chronicles Tweets from attendees at the Client-Centric Legal Services conference that took place in August, such as:

- Linda Klein, @ABAesq President-elect, officially opens the National Conference on Client-Centric Legal Services.
- Georgia has 6 counties without any attorneys.
- It took 50 years for companies to develop a rollerboard suitcase. What obvious innovations are legal minds missing?
- 66% of lower/mod-income Americans have a recent situation that involves a civil justice problem -- many don't know it.
- Latent legal market: only 7% of people with justiciable legal problems get help from lawyers or legal service providers.
- About to learn how to increase the pipeline within the legal community.
- Can you be client-centric & bill hourly? Past ABA President Robert Hirshon joins us to argue, "No!"
- …and more!
September

Lawyers for Affordable Justice Incubator Opens in Boston (The Lawyer Incubator Blog, September 3, 2015)
This post welcomes Lawyers for Affordable Justice (LAJ) to the incubator scene. LAJ is a Boston-based joint effort between Northeastern University School of Law, Boston College Law School and Boston University School of Law. The project was awarded one of only three American Bar Association Catalyst Grants in 2015, which support projects “designed to improve access to underserved populations as they expand opportunities to newly-admitted lawyers.”

Why I Joined a Legal Incubator: A Post-Bar Perspective (The Lawyer Incubator Blog, September 16, 2015)
Erica Riel-Carden, an incubator participant at the Royse Law Firm Incubator, shares some insight as to why she went to law school, why she decided to open her own practice, and finally, why she joined a legal incubator to help her do so. About joining the incubator, she writes, “Incubators pick up where law schools leave off: mentoring young attorneys and helping them establish law practices. It is the perfect situation for me to get competent and ensure I could reach and retain clients.”

October

Georgia Legal Services Program Receives $197,813 Pro Bono Innovation Grant (The Lawyer Incubator Blog, October 7, 2015)
The Georgia Legal Services Program has received a 24-month $197,813 Pro Bono Innovation Fund grant from the Legal Services Corporation. The grant will go towards creating a learning lab within a nonprofit legal incubator which will coordinate pro bono opportunities for participants in the incubator, oversee and track pro bono cases and outcomes, coordinate training and mentoring of incubator attorneys with legal aid advocates and develop toolkits on incubator pro bono best practices for law schools and legal aid programs.

November

Maine Community Law Center Opens Its Doors, Gets Positive Press (The Lawyer Incubator Blog, November 13, 2015)
Jamie Roskie congratulates Elizabeth Stout for launching the Maine Community Law Center, which provides modest means services to client in appellate, business, employment, immigration, and estate planning matters, and shares recent Portland Press Herald coverage on the Center.

Forbes Profiles Fred Rooney (The Lawyer Incubator Blog, November 18, 2015)
Jamie Roskie shares the Forbes profile of Fred Rooney, and about Rooney writes, “Fred is one of the most unassuming, yet accomplished, people I know. He is generous with his time and energy, and deeply concerned with helping others. It’s always delightful to see him getting positive attention.”
December

Private Capital for Funding Law Firms Serving Low and Moderate Income Clients (eLawyering Blog, December 4, 2015)
One of the obstacles to the development of software that automates part of the legal service delivery process, resulting in lower, more affordable legal fees, is the absence of capital. Richard Granat makes the case that exceptions to rules prohibiting private capital would facilitate the development of innovative software solutions.

Two Resources on Innovation and a Chance to Vote (Richard Zorza’s Access to Justice Blog, December 23, 2015)
Richard Zorza encourages readers to vote for the Delivery Committee's Brown Select recognition, and discusses how the huge range of innovations from the nominees can be seen as both “a celebration of momentum, and a challenge to integrate, improve, and expand.” He also shares the annual report on US access to justice of ILIG, the International Legal Aid Group, writing that it “also conveys a strong sense of how much is going on.”

RESEARCH & REPORTS

Providing Civil Legal Services to Moderate Income People (Wayne Moore)
Wayne Moore makes the case that moderate income people have reasonable (and growing) access to legal information, advice and document preparation, and what they really lack is ongoing coaching – advice and document preparation while self-represented – and representation in court. The current delivery methods being utilized to meet these needs have yet to reach scale, so Moore sets out to first identify the criteria that a delivery system would have to meet in order to do so.

Report and Recommendations of the Supreme Court of Ohio Task Force on Access to Justice
A report from the Ohio Supreme Court Task Force on Access to Justice advocates for self-help centers and unbundled legal services, as well as recommends requiring an "Access to Justice Impact Statement" to accompany rule changes.

Increasing Online Engagement between the Public and the Legal Profession with Gamification (Stephanie Kimbro, Stanford Law School Center on the Legal Profession)
In this paper, former Delivery Committee Member Stephanie Kimbro seeks to identify methods of increasing online engagement between the public and the legal profession for the purpose of increasing access to justice, specifically looking at gamification as a means to increasing online engagement.

The Vermont Joint Commission on the Future of Legal services Final Reports and Recommendations of the First Year Study Committees
The Vermont Joint Commission on the Future of Legal Services released a report in which it recommends, among other initiatives, incentives for lawyers to practice in rural areas, assisting lawyers with technology and creating models of unbundling and creative fee structures.
Cases Without Counsel: New Project to Explore Experiences of Self-Representation in U.S. The Institute for the Advancement of the American Legal System (IAALS) released some preliminary results of their qualitative study that replicates the methodology of the Canadian SRL research but gathers data from counties in 4 US states – Oregon, Colorado, Massachusetts and Tennessee. The final analysis is slated to be released in 2016.

Qualitative Research Exploring Experiences and Perceptions of Unbundled Legal Services The Legal Services Board and Legal Services Consumer Panel conducted a qualitative study to explore the provision of unbundled legal services. Researchers interviewed three separate groups: consumers of limited scope services, limited scope service providers and judges. The resulting report is available from the LSCP here and the LSB here.

Incubator Bibliography In June 2015, the International Justice Center for Post-Graduate Development at Touro Law created a comprehensive Incubator Bibliography that includes relevant websites, journal and news articles, reports, book chapters, blogs and other resources.

Incubator in a Box Project The Lawyer Entrepreneur Assistance Program (LEAP), a partnership between the University of California, Irvine School of Law, Chapman University School of Law, Whittier School of Law, Western State College of Law and the Legal Aid Society of Orange County (LASOC), created the Incubator in a Box with the help of an ABA Catalyst Grant to provide new incubator programs with a complete template for getting their own program off the ground.

USEFP Fulbright Talk, "Using Incubators to Increase Access to Justice in the US and Pakistan" (February 12, 2015 6-7pm) Fred Rooney discussed how incubators in the US and Pakistan can help new lawyers create community practices to address unmet legal needs.

Practice Differently, Improve Your Client Development (February 19, 2015) The Young Lawyers Section Future of the Law Committee & the Chicago Bar Association Law Practice Management & Technology Division hosted this program to get lawyers to think outside of the box with how they offer legal services. Panelists discussed nontraditional methods of client development, including mobile outreach, alternative office settings, hybrid businesses, and
NAMATI Justice Prize (deadline for applications was February 28, 2015)
BRAC, World Justice Project and the UN Development Programme launched a prize to reward impact, sustainability and innovation in the field of legal empowerment. A prize fund of $17,000 was available for organizations and individuals putting the law in the people’s hands to tackle poverty, injustice or other social problems. Learn about the winner, Nazdeek, here.

Enhancing Social Justice Through the Development of Incubators and Residency Programs II (February 27-28, 2015)
The California Western School of Law hosted the follow-up to the April 2014 event of the same name. Attendees got the latest developments on creating and operating incubators and residency programs as well as developments on access to justice and the delivery of legal services.

Hackcess to Justice...an Access to Justice Hackathon (March 21-22, 2015)
In an effort to help Louisiana’s legal aid community, the ABA Journal and the Louisiana State Bar asked participants to create a technology-enabled solution for the numerous challenges faced by citizens who cannot afford a lawyer and the lawyers trying to serve them. Learn more about the winners, Legal Proof, ExpungeMe and Paperless App, here.

Data2j Research Roundtable on Access to Justice (Thursday, March 26)
Federal funding for civil legal services increasingly depends upon empirical evidence of program and outcome effectiveness. Likewise, private providers rely on data about consumer legal needs and engagement with lawyers. The Nelson Mullins Riley & Scarborough Center on Professionalism at the University of South Carolina School of Law hosted this research roundtable where participants discussed ways to encourage systematic research on legal services delivery.

Georgetown Iron Tech Lawyer Competition (April 22, 2015)
Iron Tech Lawyer is an annual competition held at Georgetown Law through which student teams present apps built in the school’s Technology Innovation and Law Practice practicum to a panel of judges.

From Revolution to Evolution - Digital Tools in Law Practice (April 22-23, 2015)
Sponsored by the ABA Journal and hosted by Georgetown Law, this conference examined how lawyers are creating technology-based solutions to increase the effectiveness of legal services. It opened with the Iron Tech Lawyer competition and continued with panels on technologies in litigation, digital tools in contract management, due diligence, intellectual property, cross-practice technologies, legal technology careers, access to justice and open government.

National Summit on Innovation in Legal Services (May 2-4, 2015)
The Summit, held in early May, was co-sponsored by the ABA Presidential Commission on the Future of Legal Services and Stanford University School of Law. See the related ABA Journal article here and the Summit agenda here.
Win-Win: Creating Greater Access to Lawyers and Legal Services Through Unbundling (July 31, 2015, pg. 21)
At the 2015 Annual Meeting of the National Association of Bar Executives (NABE), National Conference of Bar Presidents (NCBP) and National Conference of Bar Foundations (NCBF), attendees at this workshop learned: how their states can adopt policies that provide guidance to lawyers who unbundle; how lawyers in the private sector as well as in the nonprofit sector are advancing unbundling; and what bar associations can do to promote unbundling as a viable option through referral service panels, self-help centers and online information services.

Law a la Carte: Limited Scope Practicing for Low and Moderate Income Clients (October 14, 2015)
This live broadcast from NYC to the New York State Bar Association presented panel discussions on best practices for effectively and ethically operating limited scope pro bono programs and a limited scope law practice serving low and moderate-income individuals. Click here for materials.

Hackcess to Justice...an Access to Justice Hackathon (October 25, 2015)
This Hackcess to Justice Hackathon was presented by the ABA Journal and the North Carolina Bar Association and called upon competitors to use their legal, entrepreneurial, coding and other skills to help North Carolina’s legal aid community by creating a technology-enabled solution for the numerous challenges faced by citizens who cannot afford a lawyer and the lawyers trying to serve them. Learn more about the winners, N.C. Farmworkers’ App, Fast Track and Legal Aid Eligibility Test, here.

CLIENT-CENTRIC LEGAL SERVICES: GETTING FROM HERE TO THERE

This conference, which took place on August 14-15 in Denver, focused on pivoting practitioners into 21st Century problem-solvers by enhancing engagement and exploring better client-centric compensation methods and innovative delivery models.

The conference featured presentations and panels on such topics as: engagement and value, alternatives to hourly billing, self-representation and the role of lawyers, unbundled legal services, nonprofit law firms and community practices and technology. The conference also featured a panel discussion with the 2014 Catalyst Grant recipients, and breakout sessions during which attendees were tasked with creating shovel-ready solutions to the issues presented.

Sponsors were the ABA Legal Access Job Corps Task Force, the ABA Standing Committee on the Delivery of Legal Services and the Institute for the Advancement of the American Legal System (IAALS).
INITIATIVES AND PROGRAMS

LAW FIRM INCUBATORS
In 2015 the Committee continued to coordinate incubator programs by inviting those involved in the development or administration of an incubator to join a listserv, posting latest developments and resources online and surveying emerging programs to add to the online directory and profiles. The above articles represent the expansive news coverage incubators received in 2015 as a means to better train new lawyers to develop solo or small-firm practices and provide affordable legal services to low- and moderate-income clients. Additionally, a number of incubator programs officially launched in 2015, including:

- Lawyer Entrepreneur Assistance Program (LEAP), Santa Ana, CA (In 2015, the Legal Aid Society of Orange County partnered with the University of California, Irvine School of Law, Chapman University School of Law, Whittier School of Law, and Western State College of Law)
- Los Angeles Incubator Consortium, Los Angeles, CA (Southwestern, Pepperdine University and UCLA law schools; Los Angeles County Law Library; and five legal aid organizations: Bet Tzedek, Legal Aid Foundation of Los Angeles, Community Legal Services, Neighborhood Legal Services of Los Angeles and Public Counsel),
- Northern California Lawyer Access, Inc. (NCLA), Grass Valley, CA
- Public Interest Advocacy Clinic, CA
- RoyseLaw Community Legal Services, Palo Alto, CA (Royse Law Firm, PC)
- Incubator Program, New Orleans, LA (Loyola University New Orleans College of Law)
- Maine Community Law Center, Portland, ME
- Collaborative Community Law Initiative (CCLI), St. Paul, MN
- Incubator Residency Program, Jackson, MS (Mississippi College School of Law)
- Elon Law Legal Incubator, Greensboro, NC (Elon Law School)
- Akron Bar Association Incubator Program, Akron, OH
- Rhode Island Center for Justice, Providence, RI (Roger Williams University School of Law Fellowship)

In 2015 the Committee also invited program participants to submit video clips about their incubator experiences. A compilation video of those submissions, In Their Own Words, shows how lawyers from around the country share the benefits of incubator projects – highlighting opportunities for public service, the value of practice management training and mentor relations and the advantages of camaraderie with one another. Individual submissions were also posted and rotated out periodically as the “featured video” on the Committee’s website.
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. In 2015, the Delivery Committee worked with the ABA Center for Professional Development to create CLE webinars out of the first five chapters, which included the following programs:

**Less is More: Unbundling Legal Services and Expanding Your Practice Using Limited Scope Representation**, featuring M. Sue Talia.


**Dollars and Sense: Fee Shifting**, featuring Joel Feldman, Gerry Singsen and Michael O'Connor.

The ABA Legal Access Job Corps was established as a Presidential initiative by James R. Silkenat in 2013 with a mission to marshal the resources of underutilized lawyers to serve underserved populations. In 2014, the Task Force awarded grants ranging from $5K to $15K to seven different initiatives dedicated to achieving that mission. In 2015, the Task Force awarded catalyst grants to three additional projects designed to improve access to underserved populations as they expand opportunities to newly-admitted lawyers. The 2015 catalyst grant recipients are:
Boston College Law School (incubator-entrepreneurs program - $10,000)

Lawyers for Affordable Justice (LAJ), a joint endeavor between Boston College Law School (BCLS), Boston University School of Law (BUSL), and Northeastern University School of Law (NUSL), will establish a multifaceted consortium of newly established law practices whose mission will be to provide high quality, affordable legal services to modest-means individuals, families, and emerging enterprises in the Greater Boston area, while at the same time preparing recent graduates of those law schools to operate sustainable solo or small law films, and creating replicable, innovative means of delivering legal services through advanced technology, social media, and unbundling.

William S. Richardson School of Law (incubator serving remote communities - $22,000)

The Hawai‘i Legal Incubator (HLI) is an innovative new program developed in a partnership between the William S. Richardson School of Law at the University of Hawai‘i, legal service providers, and the Hawai‘i State Bar. HLI will support recent law graduates in developing sustainable community-oriented small law practices aimed at assisting Hawai‘i residents of low and moderate incomes. The HLI attorneys will provide legal assistance at reduced costs with emphasis on family, housing, and employment discrimination law. In turn, the HLI attorneys will receive extensive resources, support, and training from the partnering organizations.

University of Pittsburgh School of Law (incubator-innovation laboratory program - $8,000)

The School of Law proposes to launch a new legal incubator, “PLInc.” Following the basic model, PLInc will support recent graduates in their development of sustainable practices focused upon the region’s underserved communities. But unconventionally, PLInc will be- explicitly and substantively- a “laboratory” for innovation. Working in partnership with the School’s already existing Innovation Practice Institute, we will identify new and affordable means of outreach and delivery of services to the “low bono” client base. All innovations will be shared- with the incubator lawyers, the regional practicing bar, and nationally through an online database.

To learn more about the 2014 Catalyst Grant recipients, click here.

COMMISSION ON THE FUTURE OF LEGAL SERVICES

In August 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.

“...We must develop a new model to meet the needs of the underserved...”

William C. Hubbard, ABA President
THE BLUEPRINT PROJECT

In 2013, the ABA Board of Governors, through an Enterprise Fund, provided support for the Blueprint to Enhance Legal Services and Alleviate Under-Employment of Lawyers (the Blueprint Project), a coalition dedicated to improving access to legal services through changes in policies, procedures and systems designs. In 2014, the Access Challenge was launched, asking ABA entities to join effort by putting it on their agenda. In 2015, the Project expanded upon its “Ideas Page” by adding over 40 “ideas” designed to advance access to personal legal services. They are:

**Engagement**
- Include Access to Justice on the bar exam
- Require an Access Impact statement
- MCLE for Client Development
- Practice Management Advisors
- Improved pipelines
- Create Advice Bureaus
- Preventive law/legal check-ups
- Teach/practice holistic law
- Gamification

**Reallocation of Financial Resources**
- Unit pricing
- Expand and promote fee shifting
- Amend fee-shifting statutes
- Value adjustment line
- Crowdfund legal costs
- Scale court costs/filing fees
- Expand IOLTA to include business accounts of non-lawyers
- Request clients to contribute to legal aid on a matching basis

**Reallocation of Human Resources**
- Unbundling – limited scope representation
- Amend UPL statutes to create exemptions for products
- Require private sector legal service providers to inform consumers of the availability of government provided forms
- Encourage the replication of non-profit, tax exempt, sliding-scale, co-pay legal clinics
- Allow lay directors to serve on the boards of non-profit law firms
- Advance and enable networks of lawyers who have limited affiliations or are unaffiliated

- Sale of a practice with continued involvement
- Succession match-making
- Rural placement projects
- Create tax deductions to encourage employers to offer prepaid legal service plans
- Reciprocity and special admission for selected groups of lawyers
- Innovative incubator training modules
- Pro hac vice rules for transactional matters
- Meetups and Hackathons
- Outsource Paralegals
- Barter
Simplification
Automated intake
Automated document preparation
Multistate uniform forms
Process mapping
Reform service of process
Electronic reminders about tribunal appearances
Increase court conveniences
Automate court and library-based self-help centers
Conduct a consumer-centric review of laws
Outsource small claims courts to ODR

Unbundling Legal Services: Options for Clients, Courts and Counsel
In 2015, Association of Family and Conciliation Courts (AFCC) collaborated with the Institute for the Advancement of the American Legal System (IAALS) to provide resources related to unbundled legal services, or limited scope representation. The collaboration resulted in a series of guides for clients, lawyers, court leadership and non-legal professionals. Resources include: A Guide for Non-Legal Professionals, A Guide for Consumers, A Toolkit for Court Leadership and A Guide for Lawyers.

Alberta Rural and Regional Access to Justice Program
In April 2015, The Alberta Rural Development Network (ARDN), working in collaboration with the Law Society of Alberta and the Canadian Bar Association - Alberta Branch, launched a project aimed at bringing law students to rural areas to ultimately practice law. The ARDN is a not-for-profit organization working to enhance the well-being of individuals and the rural communities they live in across Alberta. Through the Law Society’s website, the ADRN solicits interested law firms and sole practitioners outside of urban settings who may be interested in hiring a student.

POLICY

COURT RULES AND ORDERS

Maryland Expands Unbundling
In 2015, the Maryland Court of Appeals amended its Rules of Procedure and Lawyers’ Rules of Professional Conduct, implementing recommendations by the Maryland Access to Justice Commission to expand limited scope representation in
Arkansas Access to Justice Commission Solicits Comments on Proposed Rule Changes on Unbundling, Pro Se Assistance

In 2015, the Arkansas Access to Justice Commission and its Self-Represented Litigant Task Force sought comments on proposed changes to their rules of civil procedure, professional conduct, and judicial conduct, as well as adoption of a new administrative order, in order to address the significant growth of self-representation in the state. The proposal included the adoption of: (1) an administrative order regarding the provision of legal information to the public by court staff, librarians, and others who have specialized knowledge of the court system or legal resources; (2) more explicit guidance on the types of accommodations judges may make to facilitate the ability of all litigants, including self-represented litigants, to be fairly heard; (3) more explicit guidance for attorneys who provide limited scope legal services; and (4) automatic termination of a limited scope engagement upon notice to the court and opposing counsel of the matter’s completion.

ETHICS OPINIONS

ABA Formal Opinion 472 (2015)

In 2015, the ABA Standing Committee on Ethics and Professional Responsibility released an ethics opinion addressing the obligations of a lawyer when communicating with a person who is receiving limited-scope representation. The Committee recommends that if the lawyer has reason to believe that an unrepresented person on the opposing side is receiving limited-scope legal services, the lawyer should begin the communication with that person by asking whether that person is or was represented by counsel for any portion of the matter so that the lawyer knows whether to proceed under ABA Model Rule 4.2 or 4.3 (to avoid violating the “no-contact” rule).

CASES


In 2015, The Rhode Island Supreme Court held that an attorney’s involvement in the preparation of pleadings for a self-represented litigant, known as ghostwriting, requires full disclosure. This decision was in response to a set of appeals from three attorneys who did not disclose their identities when they authored pleadings on behalf of pro se defendants in three different debt collection cases. The Supreme Court considered (1) whether Rule 11 of the Superior Court Rules of Civil Procedure applies to an attorney who neither signed a pleading nor entered his or her appearance in the case; and (2) whether the anonymous preparation of pleadings for self-represented litigants is permissible under the Rules of Professional Conduct. Ultimately, the Court found that an attorney "shall not assist a pro se litigant with the preparation of pleadings, motions, or other written submissions unless the attorney signs the document and discloses therein his or her identity and the nature and extent of the assistance that he or she is providing to the tribunal and to all parties to the litigation. The attorney shall also indicate on the written
document, if applicable, that his or her signature does not constitute an entry of appearance." The Court invited comments the decision to be submitted by January 15, 2016.

COMMITTEE COMMENTS

Comments to Issues on the Future of Legal Services
In response to a request for comments on an issues paper from the Commission on the Future of Legal Services, the Delivery Committee submitted a memo examining the issues of affordability and value, engagement, uses of technology, and policy and regulatory concerns. The memo sets out a detailed analysis as well as recommendations in light of the Committee’s mission to increase access to legal services for those of moderate and modest means. In closing, the memo recommends an ongoing commission charged with implementing and examining the resulting recommendations of the Commission, specifically one made up of lawyers and representatives from sectors outside of the legal profession.

Comments to Issues Paper Concerning New Categories of Legal Service Providers
The Delivery Committee also submitted a memo to the Commission on the Future of Legal Services in response to its request for comments on an issues paper concerning new categories of legal service providers. In it, the Committee “encourages the Commission to recognize the complexity of the efforts that are necessary, move well beyond a resolution advocating a controversial supply-based model, and to support and advance a goal of providing access to all people, regardless of their economic condition.”

RESOLUTIONS BEFORE THE HOUSE OF DELEGATES
After reviewing resolutions before the House of Delegates, the Delivery Committee provided support for the following resolutions, consistent with the Committee’s mission to expand access to justice for those of moderate income:

- **2015 Midyear Meeting Resolution 113** (Adopted) urging the appointment of counsel for unaccompanied children at government expense at all stages of the immigration process;
- **2015 Annual Meeting Resolution 101** (Withdrawn) urging Congress to pass legislation to restore authority in the Treasury Department to regulate non-attorney tax return preparers; and
- **2015 Annual Meeting Resolution 111** (Withdrawn) urging federal, state, tribal, and territorial courts and legislative bodies to adopt rules or enact legislation to establish a privilege for confidential communications between a client and a lawyer referral service.
The Louis M. Brown Award for Legal Access is presented annually and honors programs and projects that expand access to legal services for those of moderate income – who do not qualify for legal aid yet cannot afford traditional legal services – in ways that are exemplary and replicable.

In 2015, the Committee introduced Brown Select which gave the general public the opportunity to vote for their favorite nominee online in order to elevate the awareness of the Award and advance insights into the work of the nominees.

The Committee received 30 nominations for the Brown Award and over 3,100 people voted to determine the inaugural winner of Brown Select. The winners are discussed below. The other 2015 nominees, and as well as the winners from past years, are highlighted in the Profiles of Moderate Income Delivery Programs booklet.

(Pictured, left to right: Chris Newbold, ALPS; William T Hogan, III, Delivery Committee Chair; Dan Lear, Avvo; Ellie Krug, Call for Justice; Elizabeth Taylor, NHelp)
**2015 BROWN AWARD RECIPIENT:**

**Call for Justice, LLC**  
Call for Justice (C4J) is a Twin Cities nonprofit that collaborates with United Way 211, the state’s largest information and referral resource, to provide training on how to make better, more targeted legal referrals to available programs and legal resources. By partnering with 211, C4J is able to reach the population of people who call in for help that may not yet identify their problem as legal in nature. C4J trains United Way on specific legal topics such as landlord/tenant law and family law. Videotaped trainings are posted to C4J’s website. This model is replicable as 211s exist in almost every state, as do bar associations which can collaborate to train 211 and act as conveners to spark collaborations. In addition, C4J convenes meetings of nonprofit legal and social service providers to help them communicate better and form collaborations to serve low and moderate-income people. Finally, C4J has facilitated the creation of a low bono community law firm in collaboration with Hamline and William Mitchell law schools that will train new lawyers to serve people at 200-325% of the Federal Poverty Guidelines.

**2015 BROWN AWARD MERITORIOUS RECOGNITION RECIPIENTS:**

**ALPS Attorney Match**  
ALPS Attorney Match allows lawyers to connect via a free, secure online network to seek job opportunities, find other lawyers looking to take over existing practices, facilitate mentorships, and span geographical hurdles to bring the legal community closer together. ALPS Attorney Match was conceived in 2011 as a possible solution to the nationwide problem faced by many of ALPS’ partnering State Bars. The State Bar of South Dakota, in particular, was facing a steady decline of lawyers in rural parts of the state creating critically low access to justice for many South Dakotans. In partnership with the Bar’s Project Rural Practice initiative, ALPS first launched Attorney Match in South Dakota in early 2014. In addition to South Dakota, ALPS has officially launched Attorney Match with its state bar partners in Vermont and Virginia, and will be rolling it out in more states next year.

**Avvo Advisor**  
Avvo Advisor delivers on-demand legal advice from lawyers to consumers via a 15-minute phone call, for a fixed fee, accessible online or via an iOS app. Consumers purchase an Advisor session and select the practice area in which they need legal help – such as small business or divorce – and within 15 minutes an attorney in the area will call them back. Callers are prompted to have their documents prepared, write down their questions, and be ready to take notes before they opt to check out. Attorneys participating in Avvo Advisor then receive a text notification when a consumer in their area has purchased an Advisor session within their legal category, and have the option to claim the consumers’ session before the two parties are connected over the phone. At the end of the 15-minute session, the two parties can swap contact information if they wish to continue working together. Avvo Advisor is currently available in fifteen states.
2015 BROWN SELECT WINNER:

National Health Law Program
The National Health Law Program (NHeLP) advocates, educates, and litigates on behalf of the low-income and underserved who struggle to access affordable, quality health care. NHeLP serves people who depend on publicly funded health insurance and who seek judicial relief when their rights to coverage or services are wrongfully denied. To achieve this mission, they work through the courts, government agencies, and legal communities to deliver legal services. They maintain an active litigation docket of 10 to 15 cases, many of them federal court class action matters, and submit amicus briefs in Supreme Court and courts of appeals cases. Their litigation team works with advocates from all 50 states, responding to nearly 3,000 consultation requests every year.
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