

New Mexico's Low-Cost Solution for Pro Bono Service

By Phillip Long

In today's "fiscally responsible" times, ambitious young lawyers often have big dreams but small budgets. The State Bar of New Mexico Young Lawyers Division has made a big impact on a shoestring budget for those who cannot afford legal services. Since 1991, the New Mexico YLD has operated the Homeless Legal Clinic, which offers enriching, valuable services to volunteer attorneys and to the homeless and working poor in Santa Fe, Albuquerque, and Las Cruces, New Mexico. By partnering with other organizations, the New Mexico YLD is able to keep costs down while providing its clients with extensive legal resources they would not otherwise be able to afford.

Designed to Serve the Homeless and Working Poor

The clinics are open once a week for approximately two hours and are generally "partnered" with other organizations that serve the homeless and working poor. For example, the Albuquerque clinic uses office space provided by Albuquerque Healthcare for the Homeless, a nonprofit organization that provides health care, counseling, case management, and other services. By sharing space, the clinic is conveniently located for its target clients. The clinic has only basic equipment: a telephone, computer with Internet access, printer, fax, office supplies, and resource materials that address specific issues that the typical client faces. Some of this equipment is provided by the partnered organization.

The legal issues that arise during the clinic tend to be basic legal questions related to administrative law, student loans, preparation of pleadings for pro se litigants, employment issues, Social Security disability and benefits assistance, creditor disputes, landlord-tenant issues, and general "street law" questions. The program's design offers these clients a wealth of resources on these issues because attorneys are available for in-person meetings, for "on call" specialized questions, and for further representation for more complicated matters.

Offering Different Levels of Attorney Participation

Within this structure, the clinics offer attorneys three ways to get involved, which provides flexibility for the attorneys while also providing the clients more extensive service.

First, attorneys can staff the clinic on Friday mornings, meeting with an average of three to four clients each session. Generally, eight or nine volunteers staff a clinic. Volunteers often work two clinic dates every three or four months.

These volunteers provide direct services to clients and receive the most direct benefits. Although initial guidance is available from "senior" staff, these volunteers are largely autonomous and must interview clients, document legal issues and actions taken or anticipated, communicate with adverse parties to find solutions, and possibly represent the client even further—either alone or in collaboration with other clinic volunteers or "information referral source" attorneys. The volunteer attorneys get actively involved in cases, following and tracking progress. Further, the same attorney can stay with a particular client—there are no prohibitions on the amount of time a client can see an attorney. Through this freedom, young attorneys develop many of the core skills needed in providing services to clients.

Second, attorneys can serve as an "information referral source" to assist in-person attorneys with client questions in specific legal areas. These attorneys devote less time to the project, being "on call" when a technical question arises.

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Finally, attorneys can serve as a referral attorney. They can take on cases that are too complicated to resolve during the in-clinic meeting. These volunteers make appearances in proceedings for clients and can get extensively involved with the case.

Through these three levels of participation, attorneys can volunteer based on the amount of time they have available, while the client receives the benefit of different levels of service.

Keeping Costs Down

The unique part of the clinic is how costs are kept low. All funding comes from the New Mexico Bar YLD. Each clinic gets approximately \$1,000 per year, mostly spent on computers. Much of the remaining needs are donated by other organizations: the State Bar of New Mexico provides malpractice coverage and partner organizations bear the costs of office space and other overhead. Through this careful planning, each volunteer attorney is able to serve an average of three-to-four clients per session in each of the three clinics.

Through the clinic, the homeless and working poor in New Mexico receive extensive, no-cost legal services and advocacy while volunteer attorneys get the opportunity to choose their level of participation. By partnering with other organizations that service these populations, and having the State Bar provide malpractice insurance, the New Mexico YLD is able to provide extensive legal services at a low cost to those who need it.

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