

DIALOGUE

Fall 2011
VOL. 15, NO. 2

News and Perspectives from the ABA Division for Legal Services

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Pro Bono

Social Media and Pro Bono: An Essential for Program Success **By Adrienne Packard, Staff Attorney, ABA Center for Pro Bono**

Online social media has achieved a permanent place in modern society. What started out as a fun activity for young people has blossomed into a mainstream tool used not only for social interaction but also business networking and marketing. Use of social media extends across nationalities and age brackets and should be considered regardless of a program's constituency. [Read more...](#)

From the Chair... **By Larry McDevitt**

How many times – how many years – have we sat through a thoughtful, well-intentioned speech by yet another leader of our profession as he or she instructs, cajoles, encourages, and admonishes us about our responsibilities in pro bono – as if this were news to us? [Read more...](#)

2011 ABA Pro Bono Publico Award Recipients **By Jamie Hochman-Herz, Assistant Committee Counsel, ABA Standing Committee on Pro Bono and Public Service**

The ABA Pro Bono Publico Award is presented each year by the Standing Committee on Pro Bono and Public Service to honor individual lawyers, law firms, law schools, government attorney offices, corporate law departments and other institutions in the legal profession that have enhanced the human dignity of others by improving or delivering volunteer legal services to the poor. [Read more...](#)

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Reaching Out to the Nation's Veterans **By Susan Updike, Assistant Staff Counsel, ABA Commission on Interest on Lawyers' Trust Accounts**

Veterans are among the neediest populations in the US and are plagued by a host of legal issues. Programs throughout the country funded by IOLTA have stepped in the gap to provide services and rally the legal community to help returning service men and women. [Read more...](#)

From the Chair... **By Lora J. Livingston**

Even when interest rates and IOLTA income are at historic lows and projections for the future remain pessimistic, it is a privilege to work with a community that rallies together to advance equal access to justice. [Read more...](#)

Grantee Spotlight: TeamChild® In Washington State: Ensuring At-Risk Youth Have An Opportunity to Succeed **By Steve Eppler-Epstein**

Young people often come to the juvenile justice system with a host of serious issues that contribute to criminal or other problem behavior. While their involvement in the juvenile justice system may lead some to believe

that they are 'bad kids,' many of these youth are marginalized because of poverty, disability, abuse and neglect. [Read more...](#)

News and Notes

The Commission on IOLTA welcomes new members **Susan M. Erlichman, John Gunn, P. Arley Harrel, Penina Kessler Lieber** and **Arnold C. Macdonald** for the 2011-2012 bar year. [Read more...](#)

LRIS

Coping with the Recession: How LRIS Programs are Weathering the Economic Storm By Carole Conn

Three years after the economic crash and the start of the Great Recession, economic instability still reigns. For the middle and working class individuals who are the mainstay clientele of Lawyer Referral and Information Services nationwide, the economic downturn is reflected back to us daily in their calls and emails. [Read more...](#)

From the Chair... By Sheldon Warren

When I walked into the office of my local Bar's LRIS for the first time to do volunteer client intake, I never suspected that lawyer referral would become a career long commitment or, more appropriately, passion. [Read more...](#)

What Does The "Perspectives On Finding Personal Legal Services" Study Mean For Your LRIS? By George D. Wolff

In this interview, Maureen O'Connor, Assistant Dean of Student Affairs and Instructor at the School of Business Administration at Portland State University, discusses a recent study released by the American Bar Association's Standing Committee on the Delivery of Legal Services in February 2011, "Perspectives on Finding Personal Legal Services." [Read more...](#)

LAMP

Youth in Military Families: An Invisible At-Risk Population By Justice Bobbe J. Bridge (ret.), Merina Bigley, and Hathaway Burden

The ABA Standing Committee on Legal Assistance for Military Personnel (LAMP) has begun convening periodic Roundtable events at locations around the country, bringing together area stakeholders to identify and discuss the civil legal needs of military members and their families in the community, and to coordinate efforts to meet those needs. [Read more...](#)

From the Chair... By David G. Ehrhart, Brig Gen, USAF (Ret.)

It is my pleasure to be taking up the position of Chair of the Standing Committee on Legal Assistance for Military Personnel (LAMP) during this 2011-12 bar year. [Read more...](#)

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Minnesota Chapter of the Federal Bar Association Receives 2011 Harrison Tweed Award

The Minnesota Chapter of the Federal Bar Association received the 2011 Harrison Tweed Award during the American Bar Association Annual Meeting in Toronto. Created in 1956, this award is given annually by the ABA Standing Committee on Legal Aid and Indigent Defendants and the National

Legal Aid and Defender Association. [Read more...](#)

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Pro Bono Feature

Pro Bono

Social Media and Pro Bono: An Essential for Program Success

Social Media
and Pro Bono

By Adrienne Packard, Staff Attorney, ABA Center for Pro Bono

From the Chair

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Online social media has achieved a permanent place in modern society. What started out as a fun activity for young people has blossomed into a mainstream tool used not only for social interaction but also business networking and marketing. Use of social media extends across nationalities and age brackets and should be considered regardless of a program's constituency.

IOLTA

For pro bono programs with limited financial and staff resources, social media is a great new tool. Today websites are necessary to establish an impression of stability and credibility both to potential volunteers and potential clients. Websites alone, however, do not provide the optimal opportunity to reach the legal community. As Lisa A. Bowen, *pro bono shareholder at Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.*, stated "...websites are, in general, kind of dry and rather static. There is important information, but not much excitement. Once you have visited a website for a law firm, business, or pro bono program, you are not likely to return often."¹

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Social media can be best summarized as web based, mobile technology used to communicate through interactive dialogue. Typically this is facilitated through sites such as [Facebook](#), [Twitter](#), [YouTube](#) and [LinkedIn](#). Social media allows a pro bono provider to connect with the community in a way that can be more effective and is, for the most part, free to the program. Although there are numerous ways in which social media can be beneficial to pro bono, we will focus on five areas where social media can assist in supporting or strengthening a program: marketing, recruitment, fundraising, intelligence gathering and extending accolades.

Marketing

The most beneficial use of social media for a pro bono program is the opportunity to market to a large audience at virtually no cost. Pro bono managers can alert current volunteers, potential volunteers and even potential clients of upcoming events in an interactive and immediate way.

Effective marketing can also be achieved through interactive participation from community members. Facebook, Foursquare and Scvngr allow individuals to "check in" when they are at a location, such as an office, program or clinic. This creates an opportunity for followers or fans to serve as extended marketers by promoting a pro bono program or project to all of their friends.

By providing up to date information and maintaining meaningful conversation with members of the pro bono community, programs build a rapport from which endless marketing opportunities can arise. It is important to keep in mind, however, that people do not want to be talked at; they prefer to be talked to and to be heard in return. Programs who use social media solely to push information can find that people quickly stop listening. Social media is highly interactive and to be effective, a program should post regularly about what is happening in the pro bono community, ask questions and respond to feedback. If followers do not feel they are

being engaged they are less likely to revisit a Facebook page, Twitter feed or other social site. As Kivi Miller² puts it, a program should avoid one way broadcasting and should instead view social media like a party where one can mix, mingle and socialize. Once a program has established a two-way relationship with fans and followers, they have access to a large base of individuals who will assist with publicizing a pro bono program's core activities, such as recruitment and fundraising.

Recruitment

Pro bono programs can connect with potential volunteers both directly and indirectly through websites like Facebook and Twitter. By tweeting,³ posting, and blogging, programs regularly inform followers of what is happening within the program. A relationship develops in which individuals interested in volunteering or those who support a particular program's goals hear first hand what is happening within the program. According to Kivi Miller, social media fans want to go behind the scenes of an organization. By tweeting and posting up to date information programs provide an opportunity to feel a part of the program and its activities.

Pro bono managers are also able to post or tweet "help needed" information which informs viewers about opportunities to become involved. The [ABA Military Pro Bono Project](#) regularly uses Facebook to post available pro bono cases with a brief description of the issues involved. This lets potential volunteers stay abreast of pro bono opportunities and shows the community as a whole the type of work accomplished through the program.

Lastly, social media can assist in recruitment efforts by facilitating easy and accessible training opportunities. By offering webinars and video training tools, a program is able to provide convenient access to information that volunteers can use to gain the knowledge necessary to successfully handle a pro bono case. If opportunities for training are more convenient for volunteers it can be significantly easier to encourage participation and ease the "fear of the unknown" many volunteers associate with pro bono work.

Accolades

Social media also provides a free and convenient opportunity to highlight the accomplishments of the volunteer attorneys who have given their time and skill in a manner worthy of recognition as well as those of the program itself. Many pro bono programs list attorney volunteers in bar association or other publications, highlighting the achievements an attorney made in a pro bono client's life. Making these same announcements through social media sites is another way to inform individuals about the achievements of a pro bono program as well as encourage the continued support of current volunteers. As an example, Kids in Need of Defense (KIND) recently highlighted the attorneys of the month on Twitter and provided a link to the full article about the case handled. This multi-faceted promotion of both the attorneys and the work accomplished through the volunteer relationship is attractive to readers and to attorneys considering becoming future volunteers. Additionally, KIND drove traffic from Twitter to the organization's website, where readers can access additional information about the organization. By providing accolades to pro bono attorneys, programs support their recruitment efforts in a way that is genuine and effective.

Another manner in which pro bono programs use social media to offer accolades is by highlighting successful cases handled. These announcements, although similar to those highlighting attorneys, focus more on the impact of pro bono representation. On the ABA Military Pro Bono Project's Facebook page there are "Success Story" notes posted to the wall that highlight the outcomes of cases handled through the program. By posting a note a program has more room to fully discuss the details of the case which is important in perpetuating the forwarding of information by members of a pro bono program's social media community. Links to the note can then be circulated via Twitter and other social media outlets.

As Logan Smalley, founder and co-president of the Darius Goes West Foundation stated: "You have to stimulate an emotional incentive for people – so they feel a sense of pride and joy when they forward your

organization's story to their friends." This can be accomplished by highlighting both the accomplishments of the organization as a whole and giving a meaningful account of how clients' lives have been affected.

Fundraising

A growing trend is to use social media to enhance pre-existing campaigns or, increasingly, to create fundraising campaigns. Many organizations use social media to promote traditional fundraising such as raffles, 5K walk/runs or fundraising galas. The use of free social media posts, tweets and blogging provides a quick and far reaching means of informing the public about upcoming events. Additionally, social media encourages event participants to spread the word in a way that is fun and inviting.

Programs can also use social media to direct followers to the donation section of the program's web page. According to Blackbaud, a nonprofit technology solutions company, "Twitter users increased their fundraising goals at least three times and raised nearly ten times more than those who did not use Twitter. In fact, Twitter is the only method in which the average fundraiser consistently beats his or her goal. Adding Twitter to any other effort increases the likelihood of donation."

There are also opportunities to use social media to raise funds directly. The Red Cross and other organizations have successfully solicited donations through Twitter and mobile phone campaigns. Other organizations have used Twitter and Facebook to garner support for Chase Community giving and other competitive funding.

Social media fundraising provides a safe, easy and instant mechanism to donate funds. It is not only a viable option for pro bono programs but one that must be seriously considered in these tough economic times.

Intelligence Gathering

Finally, social media can be an effective tool in gathering information from the public. A program can get feedback every day by simply paying close attention to what the community is discussing. The hot topic of the day or the complaints and concerns of community members become visible just by following what is being said. When speaking of the benefits of Twitter, Marc A. Pitman, of fundraisingcoach.com, states that by reading tweets from followers "[y]ou can form your very own ["listening post"](#) and hear what others are saying about the issues that affect your mission. This can help you [generate ideas](#) and tell your story better."

Additionally, programs can get instant feedback from fans through polls and insightful questions. Polls are short and simple to use and can aid in determining the type of cases volunteers are interested in working on, the areas of training volunteer attorneys would like made available or the aspects of an organization's volunteer program in need of improvement.

Blog posts also provide an opportunity for information gathering. Readers are able to leave comments and discuss amongst themselves their thoughts on a particular issue highlighted through a program's blog. For example, the Standing Committee on Pro Bono and Public Service is using a blog to hold a [national conversation on pro bono](#) by periodically posting questions and inviting readers to respond in the comments.

Conclusion

With proper use, social media can highlight the fun side of pro bono and give the community a stake in the success of the program. Such a feeling is likely to lead to increased participation, improved retention and a greater commitment to ensuring the goals of the program are met successfully. It is important for every pro bono provider to recognize the great potential of social media and to capitalize on this free medium. Pitman sums it up best when he states: "Social media sites allow you to extend conversations with donors, build stronger relationships between them and your organization, listen to what others are saying about your cause or your organization, and meet colleagues for training and for real-time help. *And it's free.*" (emphasis added).

1 See complete blog post at <http://thebeye.probonoinst.org/2011/06/08/guest-blog-social-media-and-pro-bono/>. Lisa A. Borden also writes for the firm's pro bono blog at [One Good Turn](#).

2 Kivi Miller is president of [NonprofitMarketingGuide.com](#) and the author of *"The Nonprofit Marketing Guide: High-Impact, Low-Cost Ways to Build Support for Your Good Cause"* (Jossey-Bass, 2010)

3 A tweet is a post or a status update on Twitter, a microblogging website.

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Pro Bono

By Larry McDevitt

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From the Chair

ON PREACHING TO THE CHOIR

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How many times – how many years – have we sat through a thoughtful, well-intentioned speech by yet another leader of our profession as he or she instructs, cajoles, encourages, and admonishes us about our responsibilities in pro bono – as if this were news to us? We try to listen, but our minds wander and we see many of our colleagues engrossed in a computer, Blackberry, crossword, Sudoku, or catching a few zzzzs. We're jealous. It's not that the subject isn't important or that it's not worth repeating. It's just that we've heard the message – if not the speech – so often that we know what's coming. Listening again is, at best, a challenge. Unfortunately, that is often the result of preaching to the choir.

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So the challenge becomes: 1) Is there a new pro bono message? 2) How do we get the message to those not in the choir? and 3) How do we transmit the message in such a way that those in the choir will listen and those not in the choir will join?

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The ABA Standing Committee on Pro Bono and Public Service hosted The National Pro Bono Summit in Washington, DC on October 24-25, 2011. The choir was there. Our hope is that through this event new messages will be developed, that we will find more effective ways to transmit them to, and beyond, the choir, and that the messages will renew the enthusiasm of the choir and spark such interest in non-choir members that they will join the choir – the ranks of pro bono lawyers who fight injustice on behalf of those in need.

I look forward to sharing with you the results of the Summit and working with the legal community to effect necessary changes at cultural, institutional, and individual levels as we work to bring new energy and vision to the pro bono legal services delivery system.

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2011 ABA Pro Bono Publico Award Recipients

*By Jamie Hochman-Herz, Assistant Committee Counsel,
ABA Standing Committee on Pro Bono and Public Service*

The ABA Pro Bono Publico Award is presented each year by the Standing Committee on Pro Bono and Public Service to honor individual lawyers, law firms, law schools, government attorney offices, corporate law departments and other institutions in the legal profession that have enhanced the human dignity of others by improving or delivering volunteer legal services to the poor.

On August 8, 2011, five recipients of the ABA Pro Bono Publico Award were honored at the Pro Bono Publico Awards Assembly Luncheon held during the ABA Annual Meeting in Toronto, Canada. In this issue, we highlight how the individual recipients became involved in pro bono and the contributions they have made to serve the poor throughout their professional lives.

Elena Park

For nearly ten years, Elena Park has provided pro bono legal counsel and representation to the indigent on complex immigration matters including work authorization, visa processing, asylum, cancellation of deportation, paths to legalization and raids by Immigration and Customs Enforcement officials. She regularly devotes over 200 hours of pro bono time a year to her pro bono immigration practice. As an active member of her firm's Pro Bono Committee and program, she has worked with Hebrew Immigrant Aid Society (HIAS), the Philadelphia Bar Association's Volunteers for the Indigent Project (VIP), and the ACLU.

Park has been driven by the desire to assist the arguably most impoverished, most needy, and least accepted segment of our population -- undocumented aliens. Her fight has been not only to assist in securing legal status in the United States, but also to help develop and support the immigration rights advocacy infrastructure in her community. To that end, she has volunteered a considerable amount of time teaching, educating, mentoring, lobbying and supporting pro bono agencies that help indigent clients on immigration matters.

Park has obtained legal status for clients in extremely difficult cases that no one else was willing to take on. Her efforts have been recognized by the Pennsylvania Bar Foundation (Pro Bono Award 2011), Pennsylvania Bar Association (Pro Bono Award 2007 and 2010, Contribution to the Legal Community 2010) and the media (Legal Intelligencer 2007, Thomas Reuters Dec 2008). She traces her devotion to helping the indigent in immigration matters from her own personal background. A child of Korean immigrants, her parents came to this country with virtually nothing and struggled to make ends meet. Nevertheless, they instilled in her a strong work ethic, a drive for professional excellence, and the desire to help those in need. Park takes great personal and professional satisfaction in helping the needy from around the world achieve the American dream.

Henry Callaway

In 1989, Henry Callaway was appointed to the Mobile Bar Association's (MBA) Pro Bono Committee. In 1996, he became its president, a post he would hold for seven of the next twelve years. During that time period, he

transformed the Mobile Volunteer Lawyer's Project (MVLP). In 1995, the program had 325 participating attorneys; by 2007, the figure had soared above 600. The number of cases referred out to attorneys for action also more than doubled, to 800.

In growing the MVLP, Callaway developed several innovative strategies to raise money and increase visibility. First, he spearheaded the MVLP's change from a committee of the MBA to a 501(c)(3) corporation. He then oversaw the development of a more structured annual private bar campaign touting the tax advantages of giving as well as the needs of the organization and the population it serves. He presided over the MVLP's successful application to become a United Way member agency, which generated tens of thousands of dollars of additional revenue.

Callaway persuaded his firm – Mobile's largest -- to achieve and maintain 100% participation on the MVLP panel. He developed an intentional and sustained media campaign to promote the MVLP. He also oversaw the creation of a promotional DVD, wrote copy for television and radio public service announcements, and drove around the county identifying promising billboard sites to advertise MVLP services. He also created posters for buses, social service agencies and public schools.

On the state level, Callaway spearheaded the development of user-friendly forms for unrepresented citizens in many areas of the law such as family law and consumer matters. He heads a state bar committee which is working to revise Alabama's court rules to allow lawyers to represent low- and middle-income clients on a limited scope, low-fee basis. Callaway also worked with Birmingham's bar leaders to help that city revitalize its volunteer lawyers program and currently chairs the state's Access to Justice Commission. As a result of the depth and breadth of his work, Callaway was named Alabama's 2010 volunteer lawyer of the year.

Honorable Jay Zainey

In 2004, U.S. District Court Judge Jay Zainey founded H.E.L.P. (Homeless Experience Legal Protection) to provide pro bono legal services to the homeless community in New Orleans. Working with a local shelter, H.E.L.P. establishes a regularly scheduled clinic to offer free legal services to homeless individuals, provided by volunteer attorneys from firms around the city. As a result of the first program's success, and the commitment of Judge Zainey to promote the model, H.E.L.P. has since expanded to 19 other cities. Judge Zainey personally traveled to each city to start these programs, met with the staff of the homeless shelters and with the volunteer lawyers, and provided free CLE seminars to the volunteer lawyers so that they could be effective legal advocates.

As a result of the H.E.L.P. Program, hundreds of lawyers have volunteered their time and talents throughout the year on a weekly rotating basis at homeless shelters to serve the homeless. Over 450 attorneys currently participate in the program across the country. In addition to his legal advocacy efforts for the homeless, Judge Zainey drives around the city of New Orleans on a regular basis with an ice-chest full of cold bottled waters, fruit drinks and granola bars to track down homeless individuals in order to offer them refreshments or a bite to eat.

Judge Zainey has a strong commitment to pro bono. As President of the Louisiana Bar Association he directed his leadership towards the expansion of private attorney involvement in pro bono to support access to justice. Judge Zainey also created the first State Bar Association Committee in the nation to provide legal referral services for the disabled and created the Community Involvement Committee – the first state bar association committee of its kind in the country. He is the recipient of numerous awards for his pro bono efforts and his work on behalf of the homeless. He currently is an officer of the Pro Bono Project of New Orleans.

Beyond his pro bono initiatives, Judge Zainey has initiated a number of initiatives in New Orleans geared toward improving the community. One project -- SOLACE – is a program in which lawyers and other members of the legal community can actively reach out and assist each other in times of personal need or loss. He has also created social service programs to assist

the less fortunate. According to Judge Zainey's son, he is a man who lives for others, not himself. He describes how on his father's desk is a taped hand-written note that reads "We are responsible to each other." Judge Zainey has spent his professional and personal life aspiring to this ideal.

O'Melveny & Myers LLP

Since the 1930s, O'Melveny has been at the forefront of a growing pro bono movement in Los Angeles. The firm was one of the first to charter a formal pro bono committee, and in 2006, launched its formal Pro Bono Initiative, solidifying the firm's commitment to pro bono. In 2010, attorneys at O'Melveny and Myers devoted more than 83,000 hours of legal representation to pro bono matters, averaging approximately 120 hours per lawyer. This represented approximately 6.7% of the firm's billable output and involved 75% of the firm's lawyers. In the past year, more than 61% of the firm's attorneys reported doing more than 20 hours of pro bono work. The firm also requires new attorneys to participate in at least one pro bono case in their first year at the firm.

The firm has worked with a large number of pro bono organizations on cases in a multitude of areas. The firm has represented food stamp applicants and recipients leading to a three-year Consent Decree establishing guidelines and deadlines with which Orange County, California Social Services Agency must comply. The firm has also worked with Bet Tzedek, trying to verdict the first case under a new California statute designed to protect victims of human trafficking. The firm's lawyers also assisted Bet Tzedek with obtaining the recovery of substantial reparations from the German government for thousands of Holocaust survivors.

O'Melveny has partnered with Harvard and UCLA Law Schools to provide clinics to students in the area of appellate practice for indigent clients. The firm has also worked on immigration cases for a number of organizations, and has written an extensive training manual to teach pro bono attorneys how to represent detained immigrants in bond hearings, enabling these clients to escape the uncertainty of indefinite detention and to rejoin their families. The firm has worked on cases to promote gay rights, to facilitate adoption proceedings, and to promote the civil rights of prisoners, as well as many other areas of law. The firm has devoted thousands of hours each year to local prosecutors' offices where budget constraints make it impossible for these offices to protect public safety concerns without assistance. O'Melveny also actively involves its corporate clients in participating in its important pro bono work.

Paul Weiss

Paul Weiss has a long history of pro bono work. In 2010, approximately 65% of Paul, Weiss's attorneys performed 54,984 hours of pro bono work, representing approximately 5.5% of the firm's total hours. The firm is one of only five firms that has been on the American Lawyer's A-List for pro bono work from the beginning. In 2010, the firm moved up the A-List significantly, to number six, largely due to a 50 percent increase in pro bono hours in 2009.

The scope of the firm's pro bono work is extensive. Since 2009, the firm has represented clients as part of the City Bar Justice Center of New York's Immigrant Women & Children Project. The firm has also represented immigrant victims of domestic violent crimes and individuals seeking refuge from persecution from their countries of origin.

Paul Weiss also has made a substantial commitment to achieve justice in other areas. For example, the firm, along with other partners, founded a series of Veterans' Legal Clinics in October 2007 to provide free legal advice to metropolitan area military veterans. Paul Weiss also partnered with the Equal Justice Initiative in Montgomery, Alabama to provide post-conviction representation to those who have received capital sentences in Alabama. In addition, the firm has devoted significant legal resources to Human Rights First, the Brennan Center for Justice and other groups on important impact matters on such issues as voting rights, same-sex marriage and the right to appointed counsel.

In 2010 alone, the firm and its individual lawyers were honored by The Legal Aid Society of New York City, Immigration Equality, Sanctuary for Families, the New York State Bar Association, DC Appleseed and the City Bar Justice Center for the breadth and scope of its pro bono work.

Special Recognition: Kathleen Hopkins

The Standing Committee on Pro Bono and Public Service presented a special Pro Bono Award to Kathleen Hopkins in recognition of her longstanding service to the Pro Bono Committee and her efforts to expand pro bono across the country.

Attorney Hopkins has been passionate about her involvement with the Pro Bono Committee and about the value of the Committee's work to the legal profession and the ABA. She has served two terms on the Committee as a member and has subsequently found her way back to the Committee as a liaison from the Business Law Section, the ABA Board and, most recently, the General Practice, Small Firm and Solo Practice Division.

Champions are driven by something beyond the desire to win. Kathleen Hopkins is a "champion" of the Pro Bono Committee through her commitment and her steadfast support of the Committee's mission. She has been an advocate for the Committee as the center of pro bono activity within the ABA, finding ways to bring the Committee's expertise to enhance the pro bono work of a number of other ABA entities. Her vision, leadership and enthusiasm have resulted in the development of innovative projects and new ways of maximizing ABA resources. Some examples of the impact she has had include:

- brokering a partnership between the Pro Bono Committee and the Business Law Section under which the Section's Business Law Pro Bono Project was housed under the auspices of the Committee;
- actively promoting the Committee's National Celebration of Pro Bono within her state and local community, and working to develop Celebration partnerships;
- promoting the Pro Bono Committee to the ABA Journal as a resource for stories relating to the public service of America's lawyers; and
- leading an effort to connect the Pro Bono Committee, the Commission on Immigration and the Kids in Need of Defense (KIND) project with the GP Solo and Small Firm Division.

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Reaching Out to the Nation's Veterans

IOLTA

By Susan Updike, Assistant Staff Counsel, ABA Commission on Interest on Lawyers' Trust Accounts

Reaching Out to the Nation's Veterans

Veterans are among the neediest populations in the US and are plagued by a host of legal issues. Programs throughout the country funded by IOLTA have stepped in the gap to provide services and rally the legal community to help returning service men and women. Even with limited revenue, IOLTA programs have dedicated funding to veterans' projects in several states to provide legal assistance.

From the Chair

Grantee Spotlight

The Need

News and Notes

There are 23.7 million veterans in the United States, equaling 10.4% of all Americans.¹ Many of these individuals lack basic necessities, such as shelter, food and health care. Factors such as the present economy, physical disability, substance abuse and mental illness have left many veterans with dire needs.

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Housing is an issue that many of these men and women face; more than 150,000 veterans are homeless on any given night.² One quarter of all homeless people in the US are veterans which is nearly twice the rate of homelessness in the general public. Additionally, 1.5 million veterans in America are considered at risk of homelessness. Not only do risk factors include poverty and lack of adequate supportive services, legal problems serve as obstacles to stable housing, as well.

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Veterans are entitled to benefits, but many have trouble obtaining them. 801,881 claims are pending today at the Department of Veterans Affairs (VA), 37,405 more than at the start of 2011. Over 464,963 of those claims have been pending for more than 125 days.³ Some veterans' claims take as long as ten years to reach a conclusion.⁴ However, statistics show that a veteran represented by an attorney receives up to \$6,225 more per year in entitlements than a veteran without representation.⁵

Disability benefits are equally cumbersome to obtain for the 5.5 million veterans with disabilities⁶. The VA takes an average of four and a half years to process veterans' disability benefits claims and appeals. The VA estimates that veterans currently seeking disability benefits wait an average of nearly six months for an initial decision on their claims.⁷

In order to begin to meet the legal needs of the nation's veterans, IOLTA programs have dedicated funds to providing help with veterans' issues. With IOLTA dollars, projects and legal services in many states are able to offer different approaches to reach out and provide much needed legal assistance to veterans. Highlighted below is a sampling of these veterans programs.

South Carolina

South Carolina is home to the Charleston Air Force Base, Shaw Air Force Base in Sumter, and Fort Jackson in Columbia, known as the Army's largest initial entry training center in the US. These bases create a significant military presence in their cities, including many under served veterans. In

order to assist the large military population, the South Carolina Bar Foundation uses IOLTA funds to support several projects to reach out to veterans and assist them in obtaining benefits and services to meet their needs.

The South Carolina Legal Services' (SCLS) Public Benefits Task Force recognized the needs of veterans and hired a lead veteran's benefit attorney. A veteran himself, this lawyer was able to recognize the unique legal problems of veterans that are often unknown to attorneys with no military experience. He was then able to explore approaches to specifically address those issues. Though that lawyer has been called to serve in Iraq, SCLS continues to focus on veterans.

Eleven SCLS attorneys have been certified by the VA to handle VA benefits cases. In an effort to support these lawyers, staff have created a "brief bank" which houses briefs, memoranda of law, and demand letters used in public benefits/ income maintenance and employment cases. In order to allow lawyers from all SCLS offices access to the information regardless of their location or area of expertise, the brief bank is housed on the staff portal of the SCLS website.

To further reach out to veterans, SCLS staff from the Columbia and Charleston offices attend Stand Down events [8](#) throughout the year. There staff provide immediate assistance through consultation. They also provide brochures which address legal issues such as veterans' benefits and appeals, understanding the VA claim process, and requesting copies of military records. Stand Downs also offer an opportunity to promote the availability of SCLS resources for more extensive legal problems.

SCLS also partners with several national organizations that serve veterans. The public benefits task force and the Columbia office work with "Fast Forward", a non-profit training center that prepares veterans for technology jobs. This collaboration is primarily focused on homeless female veterans to assist them in addressing their housing and employment needs. In addition, SCLS works with Project Salute which is a mobile law office created by the University Of Michigan Mercy School Of Law. In these mobile offices, law students and lawyers provide assistance to veterans in obtaining VA benefits. They travel to various cities throughout the country, Columbia, Sumter and Charleston being frequent stops. When they arrive, Project Salute volunteers provide veterans and SCLS clients with workshops on obtaining VA benefits and SCLS staff take local referrals.

Massachusetts

The Massachusetts Bar Foundation, which administers IOLTA, provides funding for the Massachusetts Bar Association's Veteran's Pro Bono Initiative, which began in 2007. This initiative offers three programs that reach out to veterans. The Veterans' Dial-A-Lawyer Program offers veterans opportunities to speak with an attorney for free brief advice on any legal issue. While the Dial-A-Lawyer program is offered weekly to the greater community, twice annually it is offered exclusively to veterans. The Veterans' Benefits Appeal Pro Bono Program provides training for pro bono lawyers enabling them to obtain certification to represent veterans before the VA. These certified volunteers are then able to take cases from the project's intake line. Finally, in the Veterans' Visiting Lawyers Program, pro bono attorneys travel to veterans' service agencies to provide brief assistance with legal issues.

IOLTA also funds Shelter Legal Services (SLS) in Massachusetts. In this program, law students and volunteer lawyers partner to conduct legal clinics at local shelters and agencies serving veterans. SLS reaches out to those who are homeless by going to shelters and service agencies that veterans are likely to seek. Though these shelters do not exclusively serve veterans, many of their clients are veterans due to the disproportionate number of homeless in this population. Here lawyers and law students work together, but each has distinct roles. The pro bono lawyers provide brief counsel at the clinics; they also accept referrals in their area of specialization and mentor law school students. The law students receive training from SLS staff then meet with clients for initial interviews; they then work with an on-site supervising attorney to provide legal assistance.

Texas

In Houston, Dallas and Austin volunteer lawyers have been enlisted to participate in the Veterans Legal Initiative (VLI), which receives IOLTA funding from the Texas Access to Justice Foundation. In this program, attorneys conduct legal clinics to provide assistance to low income veterans on a variety of legal issues, including but not limited to VA entitlements. Like SLS in Massachusetts, these pro bono lawyers reach out to veterans by traveling to sites where services are offered and veterans reside. The clinics are held every Friday afternoon at the VA Medical Center and regularly at two other permanent residences for veterans.

At the clinics, volunteer attorneys provide legal advice and intake for veterans on various issues. Lawyers advise on topics ranging from obtaining VA entitlements to family law, landlord/tenant, estate planning, probate, and disability. If a case qualifies for pro bono representation, VLI volunteers assist the veteran in retaining the appropriate pro bono attorney. In addition to counseling individuals, these lawyers make group presentations at each clinic site. These presentations are designed to raise awareness on topics relevant to veterans; lawyers have addressed issues such as identity theft, disability, bankruptcy and creditor's rights, elder law, estate planning and family law.

Maryland

The Maryland Legal Services Corporation provides IOLTA funding to the Homeless Persons Representation Project, which initiated the Veterans' Benefits Project (VBP). According to the Homeless Persons Representation Project, Maryland has one of the lowest levels of compensation to veterans for their service and one of the highest numbers of homeless veterans.⁹ The VBP was created in response to these statistics and to date is the only project in Maryland dedicated to using legal services to reduce homelessness among veterans. Having a small staff, the project enlisted volunteer attorneys to assist the greatest number of veterans possible. The staff offered trainings in matters concerning VA entitlements, disability compensation and pension benefits. The project found that representation in benefits cases was crucial because compensation through VA entitlements often provided enough income to cover the cost of housing.

In 2009, the project expanded and partnered with the Military Law Committee of the Maryland State Bar Association, the Pro Bono Resource Center and the University of Maryland School of Law to become a state-wide direct service project. That year, this group held its first conference addressing veterans' issues and the role of public interest and volunteer lawyers in providing critical assistance. In 2009, there was a 10% decrease in the number of homeless veterans in Maryland.¹⁰

Colorado

The Colorado Lawyer Trust Account Foundation grants 80% of IOLTA revenue to Colorado Legal Services (CLS), which specifically reaches out to veterans. Veterans are able to obtain "live help" via the CLS website.¹¹ Online legal assistance is offered on Wednesdays throughout the month of September specifically for veterans, service members and their families. Veterans simply click on the "live help for veterans" icon to initiate an online chat with staff attorneys. Staff then take information and assesses the legal issues. They provide brief counsel and determine whether a case would benefit from additional assistance, which is provided if necessary. Because live help is limited to specific days and times, CLS avails resources to veterans during off hours through their website.¹² The site offers links to pages specifically geared toward veterans and military personnel issues which are accessible at all times.

Conclusion

There is no question that veterans are in need of legal assistance. Many are at risk for homelessness and lack basic human needs. The help of a lawyer has proven to be of exponential value in obtaining VA benefits. To address the need, IOLTA funded projects are casting a wide net to offer legal

assistance to the nation's veterans. Initiating different approaches throughout the county, these projects work toward providing veterans with entitlements and legal assistance in order to help meet their needs and offer a higher quality of life.

1 U.S. Census Bureau, The 2008 Statistical Abstract: 2008 Edition, <http://www.census.gov/compendia/statab/2008/2008edition.html>.

2 National Coalition for Homeless Veterans, September 2011, <http://www.nchv.org/background.cfm#questions>

3 United States Department of Veterans Affairs, Monday morning Workload Reports, March 14 2011, <http://www.vba.va.gov/REPORTS/mmwr/index.asp>

4 National Law Journal, Veterans for Common Sense v. Nicholson 07-3758 N.D.-Calf; National Law Journal, law.com 9/26/07, <http://www.law.com/jsp/nlj/index.jsp>.

5 National Law Journal, VA Inspector General Report, 2005,: National Law Journal/law.com, 9/26/07, <http://www.law.com/jsp/nlj/index.jsp>.

6 U.S. Census Bureau, 2009 American Community Survey, http://www.census.gov/newsroom/releases/archives/facts_for_features_special_editions/cb10-ff21.html.

7 San Francisco Chronicle, Open Forum: Justice Delayed is Justice Denied by Michael Serota, posted June 1, 2010, http://www.sfgate.com/cgi-bin/blogs/opinionshp/detail?entry_id=64633.

8 Grassroots, community-based intervention program where homeless veterans are brought together at a single location for one to three days and are provided access to the community resources needed to begin addressing their individual problems and rebuilding their lives. National Coalition for Homeless Veterans, September, 2011, <http://www.nchv.org/standdown.cfm>.

9 Homeless Persons Representation Project, Inc., http://www.hprplaw.org/index.php?option=com_k2&view=item&layout=item&id=35&Itemid=53

10 National Alliance to End Homelessness, Veterans Map and Look Up Table, 2008, <http://www.endhomelessness.org/content/article/detail/2801> and Veteran Homelessness: A Supplemental Report to the 2009 Annual Homeless Assessment Report to Congress, U.S. Department of House and Urban Development and the U.S. Department of Veterans Affairs, <http://www.hudhre.info/documents/2009AHARVeteransReport.pdf> p. 63.

11 <http://coloradolegalservices.org/co/homepage.html>

12 <http://coloradolegalservices.org/co/homepage.html>

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From the Chair...

By Lora Livingston

Commission on Interest on Lawyers' Trust Accounts

Even when interest rates and IOLTA income are at historic lows and projections for the future remain pessimistic, it is a privilege to work with a community that rallies together to advance equal access to justice. In the back drop of this difficult economy, the Joint Meetings Committee of the Commission and NAIP produced excellent workshops this summer in Toronto, Canada. Many from the IOLTA community devoted scarce financial resources and time to attend. Not only did participants span the breadth of the United States, but many Canadian provinces, as well. It was a privilege to have an opportunity to network and tap into the knowledge and insight of so many of our Canadian counterparts. I am grateful for their participation and hope they will continue to attend in the future.

This year the Meetings Committee provided exceptional sessions of substantive teaching, as well as, opportunities to harness that information and collaborate. As in previous summer workshops, the sessions provided comprehensive training on germane topics with notable speakers. The topics ranged from interest rate forecasting, to strategic planning, to obtaining legislative funding. An impressive line up of speakers and panelists included Chief Justice Nathan Hecht of the Texas Supreme Court; Avery Schenfeld, a prominent Canadian economist; along with directors and trustees of U.S and Canadian IOLTA programs. In addition, multiple opportunities were provided for attendees to discuss the present economic landscape, share experiences and exchange ideas. These discussions began with the Trustees' and Newer Staff Breakfasts; the dialogues continued in break out sessions for IOLTA directors and staff. In these groups, participants were given a chance to learn from each other and to consider creative avenues of revenue enhancement and programming. It is my hope that attendees will continue the discourse and help each other move IOLTA forward.

Sadly, in Toronto we said to good-bye to five exceptional members of the Commission whose terms have expired, Ainslee Ferdie, Michael Gunn, Judge Maureen Kelly, Kathy McLeroy and Linda Rexer. Each of these members provided leadership, guidance and vision and made valuable contributions to the ongoing work of the Commission. In the wake of their departure, we are fortunate to welcome five new members this fall, Susan Erlichman, John Gunn, Arley Harrel, Penina Lieber and Arnie McDonald. These members bring a wealth of experience and a fresh perspective to the Commission; I look forward to working with each of them. You can read more about each in IOLTA News and Notes.

The winter of 2012 will bring another opportunity for the IOLTA community to gather, learn and inspire one another. Please mark your calendars for the 2012 Winter IOLTA Workshops to be held February 2-3 in conjunction with the [ABA Mid-Year Meeting](#) in New Orleans. Because funding for programs that provide equal access to justice becomes increasingly important in these times of economic hardship, it is imperative that the IOLTA community rallies together to help the most vulnerable population in our country. To that end, I look forward to seeing you in New Orleans.

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Grantee Spotlight: TeamChild® In Washington State: Ensuring At-Risk Youth Have An Opportunity to Succeed

By Kalila Jackson-Spieker

Young people often come to the juvenile justice system with a host of serious issues that contribute to criminal or other problem behavior. While their involvement in the juvenile justice system may lead some to believe that they are 'bad kids,' many of these youth are marginalized because of poverty, disability, abuse and neglect. Imagine being a teenager drawn into the criminal justice system in large part because of circumstances beyond your control or understanding. For example, Michael suffered from severe developmental disabilities making him easily misled by his peers into getting in trouble with the police. Personal care hours from the Division of Developmental Disabilities (DDD) allowed his family to hire an aid to support and watch out for Michael. They were devastated when he was no longer eligible for DDD services. Enrique had been provided special education services to help him with his academic and behavior disabilities. When he switched schools, his new district did not provide him with those services. He began to fail his classes and act out; the school expelled him on allegations of theft. Ashley was in severe conflict with her adoptive parents. At age 14, she was bouncing between the psychiatric hospital, the Crisis Residential Center, and the youth shelter. She faced several criminal charges incurred while she was on the streets and was found in contempt of a court order in her At Risk Youth case.

Getting to the Root of the Problem

Stories like those of Michael, Enrique, and Ashley are common in the juvenile justice system. Decades of juvenile delinquency research have chronicled the relationships between juvenile delinquency, gang activity, trauma, school engagement, unsafe living situations, mental health needs and drug/alcohol abuse. For example, researchers estimate that between 50-75% of incarcerated youth have diagnosable mental health disorders.¹ Many children have experienced school failure, truancy and discipline. Some have substance abuse problems. Others may feel alienated from their families or consistently experience conflict in their home. These issues are at the root of their behavior and ultimate involvement in the juvenile justice system.² As a result, while juveniles are punished for their conduct, the fundamental causes of their behavior often go unaddressed.

TeamChild is a nonprofit civil legal aid agency that intervenes at a critical point in a child's life to address the underlying causes of delinquency. Although the youths described above were facing different challenges, what they have in common is that they were referred to TeamChild when their situations became dire. TeamChild was built on the simple premise that many youth can be diverted from delinquency and violence if their basic needs are met. "We were the brainchild of public defenders and civil legal services attorneys," says Statewide Training and Advocacy Coordinator Jeannie Nist. "Young people were coming to court over and over again with the same problems. No one was dealing with their underlying needs. Judges were frustrated by seeing the same kids again and again."

TeamChild was founded in 1995 in response to that gap, and today it

exclusively serves young people who are involved in or at high risk of involvement in the juvenile justice system. Its mission is to provide free civil legal advocacy and community education to help these youth secure the education, healthcare, housing and other support they need to achieve positive outcomes in their lives. TeamChild clients are generally between the ages of 12-18 and come from low-income households. The program has five offices across Washington and serves about a thousand youths a year. TeamChild receives a mix of funding, including public sources such as the state and county, private foundations and a \$340,000 annual grant from the Legal Foundation of Washington, which administrates IOLTA funds in Washington. Adaptations of TeamChild's model have been established in legal aid and defender programs in other parts of the country, including Florida, Kentucky, and Connecticut.

The Unique Role of Civil Legal Advocacy

While many services are legally mandated by federal and state laws (including special education programs and Medicaid funded health care), it is common for court-involved children to encounter barriers in accessing them. These barriers can be associated with inadequate communication and discrimination based on a child's juvenile record. Public defenders and other advocates for youth often recognize the barriers their clients face, but do not have the resources to address them. TeamChild is able to complement public defense and other advocacy by providing holistic legal representation in multiple systems. Staff Attorney Rosemarie Thurman says of her work, "I think that the role of the TeamChild attorney is to advocate for the youth by looking at all possible options to resolving the issues. Whether that be enforcing their rights, exploring alternatives, seeking services or anything else that the youth feels will help resolve the current problem and make them more successful."

TeamChild advocates in a number of different ways, depending on the needs of the child. Staff attorneys work with children who are out of school and in danger of dropping out. Lawyers help the child understand and exercise his right to return to school, often through readmission meetings and school discipline hearings. TeamChild attorneys help children with disabilities navigate the special education system in order to obtain evaluations and services. If a child is struggling because she is not receiving adequate support from her community mental health agency, TeamChild will advocate for the quality and level of services that are medically necessary. Attorneys obtain evaluations that lead to outpatient or inpatient treatment, establish eligibility for health or financial benefits, or challenge a denial of service. If a youth is struggling because of conflict in the home, TeamChild can assist him in securing alternative living arrangements through placement negotiations with family members or through court-authorized placement.

Executive Director Anne Lee summarizes the unique skills civil legal aid attorneys bring to representation of court-involved youth as, "We have the knowledge and tools to hold systems accountable and offer solutions to help them change their way of doing business to ensure that children are getting their critical needs met."

Partnership with Public Defenders

A critical part of TeamChild's holistic representation of court-involved youth is its partnership with their juvenile public defenders. Rosemarie says of this partnership, "If we can help a youth locate housing and they avoid long term incarceration, or have their case dismissed, it reduces the public defender's workload and helps them achieve positive outcomes for youth." By securing their rights to community supports, TeamChild helps young people stay connected to their families and communities and gives courts viable alternatives to incarceration. A 2007 survey of public defenders who worked regularly with TeamChild found that a majority of interviewees believed that program involvement in a case almost always led to better access to and attainment of services, particularly educational services.³ Many also felt that TeamChild involvement impacted charging, and influenced judicial decision-making, leading ultimately to more positive dispositions.⁴ The positive benefits extend not just to individual cases, but to the whole criminal justice system. An evaluation comparing TeamChild

clients with a comparison group found that a dollar spent on TeamChild services yields \$2.23 in criminal justice system savings.⁵ In less than 6 months, TeamChild program costs are paid back by the criminal justice savings produced by the program.⁶

The Broader Impact of our Work

In addition to legal representation, TeamChild provides extensive community outreach and legal education. As part of the outreach and education, TeamChild recently developed a training for attorneys to obtain critical information from the education and court systems when representing youth facing adult charges. They recruited and trained a panel of volunteer lawyers to help youth who have been suspended or expelled get back into school. They partnered with the Juvenile Rehabilitation Administration to provide training to juvenile justice professionals working with youth transitioning out of long-term incarceration. In addition, TeamChild coordinated know-your-rights workshops for young women in a juvenile detention center.

Breaking the Cycle

Because of TeamChild's advocacy, the stories of Michael, Enrique, and Ashley have hopeful endings. After Michael was denied DDD eligibility despite no change in his condition, his TeamChild attorney successfully challenged the denial. In fact, the state reversed its decision, reinstated Michael's services, and re-evaluated his needs, which ultimately resulted in additional personal care hours. TeamChild successfully advocated for Enrique's expulsion to be lifted and for the school to start providing him with special education services. Enrique is now enrolled and attending school with the supports he needs. TeamChild helped Ashley secure a safe and stable foster home, which allowed her to get off the streets and engage in services that support reunification with her adoptive family. All of these teenagers now have a second chance at leaving the justice system behind and successfully transitioning from adolescence to productive and healthy adulthood.

¹ *Youth with Mental Health Disorders in the Juvenile Justice System: Results from a Multi-State Prevalence Study*. Published by National Center for Mental Health and Juvenile Justice, June 2006 Research and Program Brief (Jennie L. Shufelt, MS and Joseph J. Cocozza, Ph.D)

² Decades of juvenile delinquency prevention research have been shaped by J. David Hawkins and Richard Catalano's framework which established that risk and protective factors across individual, family, peer, school and community domains determine problem behaviors such as substance abuse, violence, delinquency, teen pregnancy and dropping out of school. Hawkins and Catalano's framework for reducing risk factors and improving protective factors assumes that children will have access to services that directly address their needs. Youth are referred to TeamChild, however, because they do not have full access to services and in fact experience significant barriers created by their circumstances and the systems designed to serve them

³ TeamChild 2007 Final Evaluation - Reported to Washington Governor's Juvenile Justice Advisory Committee August 2007 (Deborah Feldman)

⁴ Ibid.

⁵ The Federal Byrne Grant Youth Violence Prevention and Intervention Program Cross-Site Evaluation 2003-2004 Executive Summary (Ernst Stromsdorfer /Rainier Research Associates)

⁶ Ibid.

Kalila Jackson-Spieker graduated from the University of Washington with a degree in International Studies & Human Rights. Volunteer work with the ACLU while in school led to her interest in the civil legal rights of youth, and she has worked as program support staff for TeamChild in its Seattle office since May 2010.

For more information about TeamChild, please visit <http://teamchild.org/>

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News and Notes

The Commission on IOLTA welcomes new members **Susan M. Erlichman, John Gunn, P. Arley Harrel, Penina Kessler Lieber** and **Arnold C. Macdonald** for the 2011-2012 bar year.



Susan M. Erlichman is executive director of the Maryland Legal Services Corporation, a position she has held since 2003. Since 2008, she has served as Chair of the Access & Delivery of Legal Services Committee of the Maryland Access to Justice Commission. Ms. Erlichman is also a former chair of the Maryland State Bar Association's Delivery of Legal Services Section. In addition, she is a past president of the National Association of IOLTA Programs where she continues to be an active member. Ms. Erlichman has been the recipient of numerous awards for her service and contribution to the equal access to justice community, including the 2010 Legal Services Leadership Award from the Maryland Pro Bono Resource Center.



Mr. Gunn is an attorney and Vice President of The Gunn Law Firm, P.C. in St. Louis, MO. His primary areas of practice are probate, estate planning and business formation. An active member of the bar, Mr. Gunn has served on The Missouri Bar Board of Governors and as an officer of The Missouri Bar Young Lawyers' Section Council. He is a member of the Bar Association of Metropolitan St. Louis Board of Governors and is its delegate to the ABA House of Delegates. He currently serves as Vice President of The Lawyers Association of St. Louis. In addition, Mr. Gunn is a member of the Executive of the Legal Services of Eastern Missouri's Friends of Legal Services Committee, established to raise awareness among young professionals of the plight of the unrepresented poor in the area.



Mr. Harrel is a member of the Seattle office of the Williams Kastner Law Firm. His practice emphasizes civil litigation and trial, as well as, real estate and commercial advice. From 2000 to 2006, he chaired the firm's Litigation Department and then from 2006 to 2008 he chaired the Business Litigation Practice Group. In 2010, Mr. Harrel was recognized by Seattle Met magazine as a "Top Lawyer" in commercial litigation. This honor was given to him based upon Martindale-Hubbell's ranking of those practitioners in King County who have been judged by their peers to have earned the highest peer review rating available. An active member of the ABA, he serves as co-chair to the ABA Litigation Section's Employment and Labor Relations Committee and has served as member of the ABA Standing Committee on Paralegals.



Ms. Lieber practices in the area of nonprofit and tax-exempt law in the Pittsburgh office of Obermayer, Rebmann, Maxwell & Hippell, LLP. She has been a member of the Pennsylvania IOLTA Board and recently was appointed as its chair. She is also a member of the Disciplinary Board of the Supreme Court of Pennsylvania. In addition, Ms. Lieber serves as Secretary of the Pennsylvania Bar Association, Secretary of the Pennsylvania Bar Institute and the Pennsylvania State Chair for the American Bar Foundation. She is an adjunct

Professor at the University of Pittsburgh School of Law and has published three books on nonprofit legal issues. Ms. Lieber has been a featured speaker at many international, national and state conferences on the charitable sector.



Mr. Macdonald is a shareholder of Bernstein Shur and a member of the firm's business law, construction and real estate practice groups. He is listed in *Best Lawyers in America* for his work in corporate and construction law. From 2002 through 2010, Mr. Macdonald served as a Director of the Maine Bar Foundation (MBF), and in 2009, he served as president. While serving on the MBF Board, Mr. Macdonald was a moving force in successfully advocating for revisions to Maine's IOLTA rule to require all lawyers to participate in IOLTA and to include IOLTA rate comparability, both of which are strategies to increase IOLTA income. In addition, he was chair of Maine's Volunteer Lawyers' Project Advisory Board, and regularly accepts pro bono cases. Mr. Macdonald was also the Maine Bar Foundation's Delegate to the Maine's Justice Access Group.

New IOLTA Director in Kansas



Kelsey Schrempp joined the Kansas Bar Association in August of 2005. She was recently promoted within the organization to Public Services Manager where she manages all aspects of IOLTA. Prior to her promotion, she was the Coordinator of Executive Administration. Kelsey is a graduate of Washburn University where she received her Bachelor of Applied Science in Human Services with an emphasis in Youth Services.

Winter 2012 IOLTA Workshops

The winter 2012 IOLTA Workshops will be held on Thursday and Friday, February 2nd and 3rd at the New Orleans Marriott in conjunction with the ABA Midyear Meeting. The workshop sessions will address many timely topics and the two days of programming will provide opportunities for IOLTA staff and trustees to share ideas and network. For more information and registration, please visit <http://ambar.org/Midyear>.

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LRIS Feature

Pro Bono

Coping with the Recession: How LRIS Programs are Weathering the Economic Storm

IOLTA

By Carole Conn

LRIS

How LRIS Programs are Weathering the Economic Storm

From the Chair

"Perspectives On Finding Personal Legal Services" Study - Discussion with Maureen O'Connor

Three years after the economic crash and the start of the Great Recession, economic instability still reigns. For the middle and working class individuals who are the mainstay clientele of Lawyer Referral and Information Services nationwide, the economic downturn is reflected back to us daily in their calls and emails. The stories of hardship otherwise generalized in news reports as percentage points of unemployment, homes foreclosed upon, bankruptcies filed, jobs lost, businesses closed, and evictions carried out, are unmistakably made real in the unadulterated detail of someone's personal life. Along with the increased frequency of distressed and desperate callers has come an increased demand for empathy, patience and professionalism on the part of the LRIS referral counselor.

Compounding these pressures are the funding cuts to legal aid offices nationwide, with additional funding cuts possible in 2012. As between a rock and a hard place, LRIS modest means programs are increasingly caught between assisting an ever-shrinking middle class and responding to an ever-growing underclass.

Meanwhile, meaningful access to the courts is crumbling across the United States. Effective, timely access to justice is impaired in over half of the states in the union because of budgetary cuts to the courts, hiring freezes, employee furloughs, lay-offs, pay freezes, and pay cuts. The ABA's Task Force on the Preservation of the Justice System describes the effects of the budget cutbacks to the courts in an August 2011 report entitled, "[Crisis in the Courts: Defining the Problem](#)" which includes the breakdown of effects in the chart below:

EFFECTS OF BUDGET CUTS ON STATE COURTS

States delaying filling judicial vacancies	26
States freezing or reducing judicial or staff salaries	31
States furloughing staff	16
States furloughing judges	9
States laying off employees	14
States raising filing fees or fines	22
States curtailing hours or workdays	14

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SOURCE:

ABA Task Force on Preservation of the Justice System. Figures cover the past two years.

Reductions in the number of hours that court facilities are open, drastic staffing cuts, mounting backlogs and delays will place increased financial pressures on attorneys who cannot resolve cases quickly, and by extension, LRIS programs will experience delays in collecting percentage fee revenue from these cases.

The conflating factors of the recession, fewer free legal service programs, and court cut backs and delays are mounting pressure on LRIS programs. The question becomes: How much can Lawyer Referral programs absorb while balancing their core public service mission with revenue generation? And how do LRIS programs avoid the perception of being a low-bono program?

I sought out information from 6 other notable LRIS programs to better understand the effect of the recession and how these programs are coping. Those LRIS programs include: the Milwaukee Bar LRIS, Austin Bar LRIS, Brooklyn Bar LRIS, Philadelphia Bar LRIS, Oregon State Bar LRIS and the New York City Bar LRIS. As a general trend since 2008, calls are either steady or down, referrals have greatly decreased and modest means referrals have wildly increased. In response, some are emphasizing outreach as broadly and as attractively as they can do it; others are exploring the use and improvement of their modest means programs; and lastly, one program offers tips for "best practices" in these trying times.

Milwaukee LRIS Director Britt Wegner reports they have just decided to completely re-do their website "with new software to both look more professional and enable web users to automatically get a referral on their own," as opposed to calling. "If we are going to continue to refer our panel attorneys to people who are able to pay private attorney fees, we have to look the part and be as 'user-friendly' as possible."

Similarly, **Austin LRIS Director Jeannie Rollo** explains: "We have recorded new radio messages and shot new television ads to update the look and hopefully attract new legal consumers. We are also increasing our grassroots outreach by participating in community events and finding more distribution centers for our brochures, bookmarks, and bags."

At the **San Francisco LRIS**, our coping strategy has been two-fold: 1) Personalize the LRIS experience for the legal consumer as much as possible by being as visible as possible *to* the community and *in* the community, and; 2) Enhance outreach. In the past year, we have collaborated with city offices, city council members, small business merchant associations, the San Francisco Unified School District, Veteran's groups, minority groups and community organizations to present at resource fairs, workshops, and clinics. We have also developed panel specialty areas such as ADA Compliance for Small Business and our newly launched Military Assistance Program. Soon we will initiate "LRIS Law and Learn" educational clinics, where intake for prospective clients will occur after a panel lawyer presents an overview of a specific area of law.

We are enhancing the search engine optimization of our website and its content – adding an LRIS program video, podcasts in multiple languages, Spanish television clips, articles, success stories, and 'live chat' capability with website visitors -- to increase traffic to our website while continuing to personalize the experience of our program.

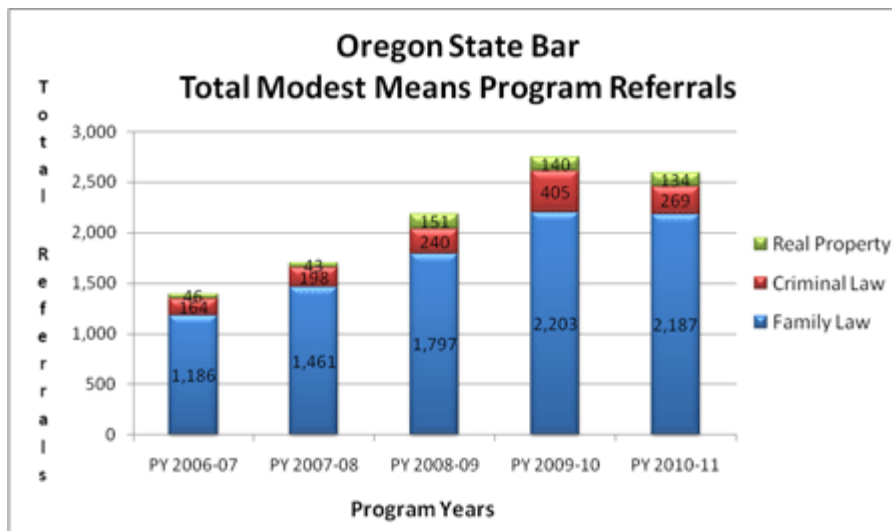
Others like LRIS programs at the Oregon State Bar and Philadelphia Bar Association are exploring the effects on their modest means programs.

Oregon State Bar LRIS Administrator George Wolff explains:

"From 2007 to 2011 we have seen a 64% increase in Criminal Law referrals, an 84% increase in Family Law referrals, and a 191% increase in Real Property (Landlord-Tenant and Foreclosure) referrals. We also have seen a decrease in calls of about 8% when comparing our 2009 and 2010 Program Years. And, it appears that we are on track for another 1% drop from that

for 2011.

It would appear that some folks are self-censuring their impulse to call or receive a referral when they know that they have no funds to pay for a lawyer. And, although we have no statistics on this, our general experience is that those that do call have less ability to pay for a lawyer as compared to years past."



Brooklyn Bar Association LRIS Director Roseann Hiebert reported: "[While] the number of referrals is down 10%, the number of calls referred to pro bono services is up by the same percentage. Bankruptcy calls jumped 32% from 2008-2010, then jumped an additional 24% from June 2010 to May 2011. Foreclosure defense referrals jumped 107% during those same time frames. But, calls have remained steady at 18,000 per year."

After realizing the increased demands being placed on their Modest Mean Program, **Philadelphia LRIS Director Charlie Klitch** revamped it entirely with the goal to "streamline the intake process, improve the quality and accuracy of referrals, manage the expectations of potential clients and serve a broader segment of the community." To do so, he increased the income eligibility guidelines from 200% to 250% of the Federal Poverty Guidelines, and improved the screening process by developing a separate form for each of the 20 practice fields covered by the Modest Means Program. As a result, the detailed descriptions have brought greater clarity to both the intake worker and the client about what services will be provided by the attorney, thereby improving the overall attorney-client relationship.

In closing, **Association of the Bar of New York City LRIS Executive Director Allen Charne** offered the following "best practices" tips for LRIS programs to manage clients and maximize referrals in these trying times:

1. Be honest with the callers. If you cannot help them, tell them so. Say it gently, even apologetically, but become available for calls that are potential referrals.
2. Make sure that your staff knows what legal services are available, and what their hours are, so calls can be referred elsewhere when appropriate.
3. Meet with panel members and explore setting up Unbundled Legal Service panels, particularly for matrimonial/family law, consumer, and other civil matters involving less than \$40,000, or whatever amount your panel members suggest is appropriate for your community.
4. Discuss with panel members whether they are willing to consider alternatives to hourly billing.
5. During non-business hours or when there is no staff available to answer phones, have a message directing callers to your internet referral site and/or to leave a voice mail message.
6. Send letters/emails to clients with closed matters suggesting that if they

were pleased with your service to let family, co-workers and friends know about you. If they have suggestions on how to improve ask them to write or email you.

7. Avoid drastic, short-sighted, cost-cutting reactions, such as layoffs or switching to automated-only referral systems. One of the biggest advantages that we have is an interested staff willing to listen to callers and help direct them to an appropriate lawyer. Even internet referral systems provide the best service when knowledgeable staff triages and directs the referrals.

Carole Conn is LRIS Director of Public Service Programs at the Bar Association of San Francisco.

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From the Chair...

By Sheldon Warren

Standing Committee on Lawyer Referral and Information Service

When I walked into the office of my local Bar's LRIS for the first time to do volunteer client intake, I never suspected that lawyer referral would become a career long commitment or, more appropriately, passion. I certainly had no idea that 27+ years later I would have the great honor to be asked to serve as the Chair of the ABA's LRIS Standing Committee.

With my term as Chair having now come to an end, I can honestly say that I have never been more challenged, nor more professionally fulfilled, than I have during the last three years. This is due in large part because I have had the opportunity to work personally with so many of you, whether at an annual LRIS Workshop, during a PAR visit, or at a public hearing or other event involving the LRIS community. For this I am deeply grateful and can only offer my sincerest thanks for your generosity of time and effort.

I know there are some who say that the lawyer referral "model" is outdated and has no place in a world of Google ads and social media. My response to that is that those folks simply don't understand what public service lawyer referral means. They don't understand that a model that is concerned, first and foremost, about the consumer and ensuring that the consumer accesses the resource they need -- be that an attorney or some social service agency -- can never be outdated. They also don't understand that a business model that is designed to ensure that if a consumer does need an attorney s/he will be referred to someone with objectively verifiable experience in the area of need -- as opposed to someone who simply "bought" a zip code -- is even more important in an environment where there is a lot of noise but very little real information. It is for these reasons I couldn't be more optimistic about the future of lawyer referral and why I look forward to working with you all for many years to come.

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How LRIS Programs are Weathering the Economic Storm

In this interview, Maureen O'Connor, Assistant Dean of Student Affairs and Instructor at the School of Business Administration at Portland State University, discusses a recent study released by the American Bar Association's Standing Committee on the Delivery of Legal Services in February 2011, "[Perspectives on Finding Personal Legal Services.](#)" Using the study as a jumping off point for a discussion of all things LRIS, Maureen elaborates on the marketing concepts introduced in her presentation at the 2010 ABA LRIS National Workshop. Don't miss this informative and thorough discussion! [Read the full interview.](#)

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Pro Bono

Youth in Military Families: An Invisible At-Risk Population

IOLTA

By Justice Bobbe J. Bridge (ret.), Merina Bigley, and Hathaway Burden

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From the Chair

The ABA Standing Committee on Legal Assistance for Military Personnel (LAMP) has begun convening periodic Roundtable events at locations around the country, bringing together area stakeholders to identify and discuss the civil legal needs of military members and their families in the community, and to coordinate efforts to meet those needs. In July 2011 the ABA LAMP and the Washington State Bar Association LAMP held a "Roundtable on Meeting the Legal Needs of Military Families and Youth," at which the Seattle-based Center for Children and Youth Justice gave a presentation on the unique legal needs of at-risk military youth. This article briefly covers the topic as it was addressed at the Roundtable.

SCLAID

The Center for Children and Youth Justice (CCYJ) is a Seattle-based nonprofit that advances justice for and enhances the lives of children and youth through juvenile justice, child welfare, and related systems reform. In 2009, then ABA President Karen Mathis called on communities nationwide to host "Roundtable" discussions and engage stakeholders on topics related to at-risk youth. Under the leadership of retired Washington State Supreme Court Justice Bobbe Bridge, CCYJ's Founding President and CEO, CCYJ responded to President Mathis' call to action and identified military youth as the focal population for its roundtables.

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In identifying military youth as the target population, CCYJ acknowledged the resilience of military youth but recognized that they are a potentially at-risk and often an invisible population. Washington State is home to over 65,000 Active Duty, Reserve and National Guard personnel from all branches of the military. The military lifestyle, more often than not, requires that youth cope with frequent relocation and persistent separation from deployed parents. The nearly 35,000 school-age military youth in Washington, like their peers across other states, face realities of modern conflict and the ever-increasing spans of time that they are without the guidance of significant family members.

To date, CCYJ has convened two roundtable sessions with an interdisciplinary and inter-jurisdictional group of stakeholders interested in crafting a collaborative, integrated response to the specific needs of these young people. Participants have included high ranking military servicemen and women, executive level representatives from philanthropic foundations, leaders from state government, judicial officers, direct service providers and state legislators. The goals of the first two roundtables were to:

1. Gain a better understanding of the challenges posed to youth of military families who are at-risk of entering the juvenile justice or foster care systems;
2. Develop processes to keep information on military youth, and programmatic/policy responses specific to their needs, updated and available;
3. Identify gaps in services to military youth (e.g. the children of Guard, Reserve and veteran families); and
4. Establish a long-term communications network.

Stakeholders at both roundtables recognized the unique needs of the

population. Anecdotally, participants understood that teens in military families face many of the same stressors as their civilian counterparts and typically commit the same juvenile status offenses (e.g. truancy, curfew violation and underage drinking). These offenses are behavioral risk factors that can lead to delinquency, criminal misconduct, and entry into the juvenile justice system. While we are seeing an increase in military youth who are exhibiting these risk factors, we concurrently see that military families are facing an increasing prevalence of domestic violence, drug and alcohol abuse and mental illness. And what we know from our work with other populations is that these conditions lead to more children entering the child welfare and foster care systems.

The recent acquisition of data on school-age military youth has confirmed roundtable participants' assumptions that military youth exhibit risk factors for systems involvement. Data from the Washington State Office of Public Instruction (OSPI) shows that a greater percentage of school-age military youth exhibit risk factors that are known precursors for systems involvement, or significant psychological distress, than their civilian counterparts. Some examples are:

Alcohol Use. Research strongly suggests that early experimentation with alcohol can create a "gateway drug" dynamic. Youth who experiment with alcohol are at a higher risk for seeking out harder substances over time. According to 2010 OSPI survey data, military youth in the 10th grade were 4.2% more likely to consume alcohol than their non-military peers.

Attempted Suicide. Attempted suicide is a common indicator for depression, and is often a significant sign for other mental health complications. Roughly 3.1% more youth from military families reported attempting suicide at least once on the OSPI survey compared to non-military youth in 2010. Similar to the rates for alcohol use, the largest statistical variance is seen amongst 10th graders.

Poor Academic Performance. For purposes of the OSPI survey, poor academic performance was defined as having the majority of grades at either a C-point or below during a particular term. In 2010, over 35% of high school seniors from military families reported either failing or on the verge of failing academically. Poor academic performance or a general disinterest in school activities can be an early indicator for depression as well as other behavioral issues. This is particularly true for an increased rate of truancy, which can lead to an increase in the overall rate of delinquency. A recent study by the Rand Corporation matched soldiers' deployment records with their children's academic achievement and, on average, found lower scores among military children whose parents were cumulatively deployed for 19 months or more since 2001.

Physical Violence. Fighting is associated with anger and underlying psychological concerns, and is a strong precursor for violent behavior in adulthood. Military youth consistently reported higher rates of engaging in physical violence than civilian youth across all grade levels. Moreover, 8th graders that reported having either one or both parents actively deployed were 40.05% more likely to get in a physical fight at school than a non-deployed military youth. With such a significant increase in the rate of physical violence, there is a strong likelihood that, absent targeted interventions, this population would exhibit an increased rate of criminal misconduct and juvenile offenses.

Carrying a Weapon. In order to assess a student's perceived sense of safety, the OSPI survey included a series of questions that pertained to carrying a weapon to school specifically for the purpose of self-protection. For grades 8, 10 and 12, the OSPI data identified military youth to be 6% more likely to

carry a weapon to school for protection out of perceived fear of threat.

The OSPI survey confirms the experiences shared by the CCYJ Roundtable participants and demonstrates the correlation between military youth and risk factors for systems involvement. We face challenges in understanding the current paradigm that is leading military youth to become more at-risk. While anecdotal evidence shows that there are patterns amongst school-age military youth's entry into the juvenile justice or child welfare systems, there is no empirical data to validate these observations. Data that better identifies where and how many youth are entering the juvenile justice and child welfare systems would allow the development of a system and community response that meets the needs of military youth.

Next Steps to Helping Military Youth

Research has shown that youth who have a supportive family, regardless of civilian or military affiliation, more easily overcome negative experiences. Families who receive enhanced services feel supported and, in turn, tend to experience less deployment related stress overall.

Since November of 2010, CCYJ has been working with roundtable participants to identify and outline the target population with the help of the OSPI survey data as well as other credible sources; to collaborate with the American Bar Association and WSBA's Legal Assistance for Military Personnel (LAMP) Committee to brainstorm potential improvements to service referral system; to pursue multi-system and interdisciplinary training opportunities; to secure funding for continued program development; and to continue to network and strengthen existing regional collaborations.

Primarily, CCYJ's goal is to impact systems reform in a way that either prevents or deters military youth from entering the juvenile justice and child welfare systems. There is still a great deal of data to uncover and networking to be done in order to achieve this goal. However, by focusing on statistics for this particular population of at-risk youth, we hope to have a much higher success rate in connecting them with the appropriate services and necessary resources to effect change. On a local, state and national level, our community has an obligation to military youth. They have sacrificed their parental guidance at crucial developmental stages in their lives, so that their parent(s) may serve and safeguard ours. With system professionals working together, military and civilian partnerships and community engagement, these young people will no longer be invisible.

For more information on at-risk military youth and the work of the Center for Children and Youth Justice, visit www.ccyj.org

Bobbe J. Bridge is the founding president and CEO of the Center for Children and Youth Justice, a nonprofit organization to help reform Washington State's child welfare and juvenile justice systems. She is also chair of the Washington State Supreme Court Commission on Children in Foster Care.

Merina Bigley volunteers for the Center for Children and Youth Justice working to improve services for military youth. She also worked as an Advocate at King County Court Appointed Special Advocates Program.

Hathaway Burden is Projects Assistant at the Center for Children and Youth Justice bringing with her experience in advocacy, family court issues, and international social justice. She also worked with the ABA Rule of Law Initiative and the World Justice Project.

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From the Chair...

By David G. Ehrhart, Brig Gen, USAF (Ret.)

Standing Committee on Legal Assistance for Military Personnel

It is my pleasure to be taking up the position of Chair of the Standing Committee on Legal Assistance for Military Personnel (LAMP) during this 2011-12 bar year. I am honored to be serving in this capacity and to have the opportunity to carry on the outstanding work of our immediate past-chair, Admiral Don Guter. I look forward to working with our highly visible, highly active committee and its members, as well as with other standing committees and entities within the ABA, to improve access to—and the quality of—legal assistance provided to the members of the armed forces and their families, and to further enhance the legal protections for those who serve in our military through policy and legislative advocacy.

First, let me welcome our three other new members this year. Army Major General (retired) Kenneth Gray, who is currently the Vice President for Student Affairs at West Virginia University and is well known and respected in the JAG community. Next is U.S. Army Colonel (retired) Bryan Spencer, who has a long history with the LAMP Committee and other ABA entities, and who is extremely involved in work to deliver legal services to military personnel and veterans as Director of the State Bar of Texas's LAMP Committee. Finally we welcome Cynthia Valentin, an exceptionally accomplished retired Marine Corps Colonel, who is currently serving as legal counsel to the National Women's Marine Association. I have no doubt that adding these diverse and talented members to our already impressive committee membership will result in great work in this new bar year.

I am happy to report in this column on the success of one of the last items of business under Admiral Guter's tenure. At the 2011 ABA Annual Meeting in Toronto the House of Delegates passed Resolution 120. The LAMP Committee prepared this resolution seeking to improve and strengthen the federal Uniformed Services Employment and Reemployment Rights Act (USERRA). Over the course of the last year, LAMP had been developing proposed amendments to the Act to better protect service members returning to civilian employment following overseas deployments. The Committee's work culminated in a Resolution and Report presented to the House of Delegates, advocating for Congressional action to amend the Act by:

- adding provisions to require employers to provide certain reasonable accommodations for returning veterans with combat injuries that may not manifest themselves until after a return to work;
- providing authority for the award of comprehensive attorney's fees, costs, and damages to redress violations of the Act;
- making unenforceable any clause of any agreement between an employer and an employee that requires arbitration of a dispute under the Act; and
- authorizing the U.S. Department of Labor to initiate investigation and prosecution of appropriate claims to address patterns and practices of USERRA violations rising to the level of a nationally-compelling interest.

Now that the House has approved the Resolution, and the Committee has

begun work with the Governmental Affairs Office to move the Resolution's recommendations forward. We are grateful for the support and cosponsorship we received from the Standing Committee on Armed Forces Law, the General Practice, Solo, and Small Firm Division, the Young Lawyers Division, the Standing Committee on the Delivery of Legal Services, and the Diversity Caucus. I would like to particularly commend current LAMP member, General Gill Beck, and former member Captain Charlotte Wise, for all of their excellent work in preparing the research and report that became the basis for this Resolution.

Finally, I would like to report on the winners of the LAMP Distinguished Service Awards for 2010. These award winners were selected by the Committee at our March 2011 meeting, but the *Dialogue* publication schedule has not allowed us the opportunity to announce them here until this issue. So we are pleased to acknowledge our Group Award winners:

- the 355th Fighter Wing, Davis-Monthan Air Force Base, AZ;
- the North Carolina National Guard Legal Assistance Program, Raleigh, NC;
- the Reserve Judge Advocate Command Support Section (RJACSS), Legal Service Support Section, Marine Forces Reserve; and
- the Naval Legal Service Office Mid-Atlantic.



Distinguished Service Award presentation to Naval Legal Service Office Mid-Atlantic. Pictured (L to R): Rear Admiral Nanette M. DeRenzi, Deputy Judge Advocate General; Captain Dwain Alexander, II, ABA LAMP Committee Member; Captain Michael T. Palmer, Commanding Officer, Naval Legal Service Office Mid-Atlantic.

We also recognize our Individual Award winners:

- Mr. Brian Novak, Chief of Legal Assistance Division and Tax Center Manager, 502 Air Base Group, Office of the Staff Judge Advocate, Joint Base San Antonio, Fort Sam Houston, TX;
- Mr. Charles P. "Chuck" Koutras, Legal Assistance Attorney, US Army South, Office of the Staff Judge Advocate, Fort Sam Houston, TX; and
- Lieutenant Matthew Cox, JAGC, USN, Naval Legal Service Office Pacific (Pearl Harbor, Hawaii).

The Committee has been arranging award presentations around the country involving our members and military leadership, and it continues to be our privilege to highlight the incredible achievements in the area of legal assistance by all of the winners and nominees for the Distinguished Service Award.

In closing, as a frequent attendee of LAMP committee meetings as the Commandant of the Air Force JAG School, it is a privilege to continue to have the opportunity to serve our nation's service men and women through the LAMP Committee as it carries out its mission to support the civil legal needs of military members, and I look forward to reporting on our successes in this arena in future issues of *Dialogue*.

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Minnesota Chapter of the Federal Bar Association Receives 2011 Harrison Tweed Award

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The Minnesota Chapter of the Federal Bar Association received the 2011 Harrison Tweed Award during the American Bar Association Annual Meeting in Toronto. Created in 1956, this award is given annually by the ABA Standing Committee on Legal Aid and Indigent Defendants and the National Legal Aid and Defender Association.

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It recognizes the extraordinary achievements of U.S. state and local bar associations that develop or significantly expand projects or programs to increase access to civil legal services for poor persons or criminal defense services for indigents.

[SCLAID](#)

**2011 Harrison
Tweed Award**

The Minnesota Chapter was specifically recognized for its Pro Se Project, which is a collaboration between the U.S. District Court and the Minnesota Chapter. Federal judges refer civil pro se litigants to the Project for an opportunity to consult with private attorneys about their cases and often, those attorneys become *pro bono* counsel for the litigants. Volunteer attorneys receive pro bono CLE credits for their time spent on Project cases. While there are no strict income guidelines for the Project, during its two years of operation the majority of project clients have been low income individuals.

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The Project also engages law students to assist *pro bono* attorneys. These volunteer positions give students the opportunity to experience "real world" legal practice and make important contacts while providing valuable assistance to volunteer attorneys and the individuals they are serving. The student volunteers have been instrumental in helping to place challenging Project cases because of the law students' ability and willingness to perform research, draft briefs, and assist with time consuming components of cases that may otherwise preclude a volunteer attorney from accepting the referral.

The Project has placed cases in a wide range of areas including employment discrimination, civil rights and consumer matters. Recently, the Project has focused on increasing the level of assistance in Social Security disability appeals. To this end, it has sponsored events to train volunteer lawyers to handle these cases. The training has been a collaboration among the Project, private law firms, and members of the federal bench, all of whom have provided panelists for the training events.

Pro se litigants pose a special challenge to the court system because they require more time and attention than litigants represented by counsel. They also pose a challenge to our sense of fundamental fairness, as a *pro se* litigant is most often at a severe disadvantage when the opposing party has counsel. The Minnesota Chapter of the Federal Bar Association's *Pro Se* Project has made justice more accessible to those litigants by providing advice, focusing their claims or defenses, and guiding their cases through the court system.

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