



LSC 2007 Action Plan for Private Attorney Involvement

Help Close the Justice Gap, Unleash the Power of Pro Bono

I. INTRODUCTION

This document details the Proposed LSC Private Attorney Involvement Action Plan for 2007 ("Plan"). The Plan is the next step in implementing the work of the Provisions Committee in 2006.

In keeping with the LSC mission of promoting equal access to justice, the LSC Provisions Committee focused its 2006 committee meetings on examining private attorney involvement with LSC-funded programs. The Committee sought to highlight the potential, opportunities and challenges of private attorney involvement and to determine ways in which this critical resource can be used more effectively by LSC-funded programs as a means to help close the justice gap.

During the 2006 Provisions Committee presentations, the overarching values of private attorney involvement to LSC-funded programs were noted: increasing access, increasing human and capital resources and increasing pro bono commitment. The activities in the Plan are grounded in these overarching values.

In addition to these values, the Plan builds on the following observations that were made during those presentations:

- All attorneys are servants of the community and have a fundamental duty to help provide legal services to those who cannot afford them;
- LSC Board can and should take a leadership role and use LSC's national voice to encourage a culture of private attorney involvement as an effective tool for providing legal services to more persons in need – the very core of what legal service programs are in communities to do;
- Pro bono delivery is the source of some of the most creative and beneficial work that is happening. However, a significant number of pro bono programs are still doing what they did in 1981 when the private attorney involvement requirement began and it is time for a renewed focus on creative delivery;
- It is of vital importance to acknowledge and celebrate the involvement of private attorneys in the delivery of legal services; and
- The increased reliance on and access to information technology continues to change how individual lawyers, LSC-funded programs and clients obtain access to and receive and deliver legal services.

In a preliminary report in October 2006, it was noted that LSC's developing Plan had roles for the LSC Board and LSC staff. Also included are ideas and strategies for engaging the courts and the law schools in working with LSC and its programs on private attorney involvement.

The Plan also is guided by the LSC Board-adopted Strategic Directions 2006-2010 and is a component part of a larger overall LSC work plan designed to achieve the goals delineated in the Strategic Directions in support of the LSC mission.

Strategic Directions

There are several areas of Strategic Directions 2006-2010 that provide guidance to the development and implementation of the PAI Action Plan for 2007.

Goal 1: Increase public awareness of and support for civil legal services to low-income persons in order to respond appropriately to more of their legal needs.

Objective 1: Increase access to and expand ways of providing assistance.

Strategies:

- *Encourage expanded pro bono activities and contributions.*

Private attorneys provide most of the pro bono services that are offered to low-income people, and LSC will work with grantees and bar associations to expand the provision of pro bono services.

Objective 2: As the principal leader in the legal services/access to justice community, strengthen collaborations and strategic partnerships.

Strategies:

- **With judicial organizations**

At the state and federal levels, judicial organizations can be effective advocates for ensuring equal access to justice. Through organizations such as the Center for State Courts, the Conference of Chief Justices of State Supreme Courts, the Judicial Conference of the United States, LSC can help raise awareness of the need for programs and funding to assist the poor in obtaining access to justice. Over the next five years, LSC will increase its engagement with judicial organizations.

- **With law schools and clinics**

Law schools and clinics are significant sources of legal assistance in some areas. More can be done to encourage law professors and students to support the delivery of legal aid to the poor.

- **With private attorneys, bar associations, and corporate legal counsels**

Organizations representing attorneys are very effective advocates on equal justice issues. LSC will continue to work with such organizations to build support for more resources dedicated to legal assistance to low-income people.

- **With state equal justice communities**

In many states, statewide organizations have been formed to promote equal access to justice. LSC will work over the next five years to assist in establishing equal access to justice commissions or other similar entities where they do not exist and to support the ongoing efforts of existing commissions.

Additionally, the Plan complements the provisions of the LSC Performance Criteria, revised in 2006, specifically:

Performance Area Three: *“Effectiveness of legal representation and other program activities intended to benefit the low-income population in its service area.”*

Criterion 2, Performance Area Three: *“The program effectively integrates private attorneys in its work in order to supplement the amount and effectiveness of its representation and other services and achieve its goals and objectives.”*

II. ACTION PLAN

Applying the LSC Strategic Directions and revised LSC Performance Criteria as sources of guidance, the following strategies in the Plan will be continued and/or implemented in 2007:

LSC Board of Directors

- Will continue its practice, begun in 2006, when holding Board meetings outside of Washington, DC to recognize and celebrate local attorneys who have made significant contributions to the host LSC-funded program’s private attorney involvement project.
- Will adopt at its April 29, 2007 Board meeting, resolutions in support of private attorney involvement that can be sent by the Board to LSC grantee Board Chairs as examples to be replicated with their local and state bar associations.
- Will attend their local and state bar associations meetings, share the importance of private attorney involvement with LSC grantees, and make presentations of these private attorney involvement resolutions.
- Will form a Joint Committee with the ABA Pro Bono Committee to explore the creation of a National Pro Bono Day as a means of highlighting private attorney contributions to civil legal aid and honoring outstanding private attorney participants.
- Will explore the development of a “pilot project” to enlist law school faculty professors on sabbatical leave who would provide their legal skills, substantive expertise, and research abilities to LSC management on a variety of civil legal aid delivery issues.

LSC Staff

- Will issue by June 30, 2007 a private attorney involvement Program Letter. This Program Letter will provide guidance to LSC’s grantees on suggested approaches to more fully utilize the critical resources offered by expanded opportunities for private attorney involvement in the delivery of legal services. Similar to the LSC program letter issued in 2004 on Limited English Proficiency, this program letter might offer guidance and examples on topics such as:
 - Creation of innovative pro bono delivery models using private attorneys to address the full range of legal needs in the grantee service area to include pro bono panels, legal clinics, advice and referral consultations, hotlines, rotation programs to assign law firm staff to legal service programs and signature projects.
 - Effective identification and recruitment methods for all private attorney resources in grantee service areas to include bar associations, corporate law departments, government attorneys and law schools.

- Innovative collaborations with law schools and law students which might include access to sources for legal research, website content development, alumni projects and a range of support for private attorneys engaged in the delivery of civil legal aid.
- Written private attorney involvement plan development that includes effective training and provision of administrative support for private attorneys such as form pleadings, practice manuals, cost coverage, malpractice insurance and research.
- Effective and efficient use of technology for referral, research and support.
- A range of successful, innovative and visible ways to recognize volunteer attorneys.
- In grantee program visits, will continue to apply the indicators of effective private attorney involvement as detailed in the revised LSC Performance Criteria and will explore with the ABA Center for Pro Bono the sharing and development of staff training tools on private attorney involvement evaluation and resource development.
- Will continue to provide technical assistance with the enhancement and redesign of the LSC Resource Library (LRI) to include a specific site on private attorney involvement that offers:
 - examples of the critical elements of written private attorney involvement plans
 - methods to address challenges to effective private attorney involvement
 - examples of successful private attorney involvement projects and activities
- Will collaborate with the following organizations to expand and promote private attorney involvement opportunities for grantee programs:
 - ABA Center for Pro Bono staff to expand the role of law schools and law students in the delivery of legal services.
 - ABA Pro Bono Committee staff to explore opportunities for national funding of an honorarium for the ABA to recognize a LSC grantee for its private attorney involvement efforts.
 - MIE Journal Editorial Committee to publish a Special Feature on the private attorney involvement Program Letter.
- Will partner with other organizations and entities to attend conferences and make presentations on private attorney involvement.
 - ABA/NLADA Equal Justice Conference, panel presentations March 21-24, 2007, Denver, CO.
 - ABA/ NLADA Access to Justice Conference, presentation, March 24, 2007, Denver, CO.
 - National Association for Law Placement Conference, (NALP) Presentation, April 2007, Keystone, CO.
 - NLADA Annual Conference, presentation, November 14-17, 2007, Tuscon, AZ.
 - Other organizations as identified such as, the Conference of Chief Justices of State Supreme Courts.

- Will publicize private attorney involvement using its own communication tools (LSC website, Equal Justice Magazine, LSC Updates.)
- Will explore web-based training capabilities to reach grantee programs on enhanced PAI opportunities.

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