

Webinars Spread the Word on Pro Bono

by Karl Doss

Since I joined the Virginia State Bar staff in August 2013, the Special Committee on Access to Legal Services and I have largely focused our work on increasing the number of private attorneys engaged in pro bono.

Over the past few months, I have spoken with nearly 100 people about Virginia's access to justice needs and what the VSB should be doing to increase participation in pro bono legal services. These discussions included

- legal aid project directors;
- directors of independent legal services providers;
- attorneys at firms of all sizes that have a proven track record of pro bono work;
- leaders of state, local, and specialty bar associations;
- law school pro bono/civil law clinical directors, and
- access to justice commission leaders in other states.

These discussions have been very enlightening. One consistent theme of these conversations is that free CLE programs can help to spread information about critical issues such as the “justice gap,” the difference between the level of legal assistance available and the level needed to meet the legal needs of the poor. Only 20 percent of the legal needs of Virginia's indigent people are being served by legal aid and legal services organizations.¹ Free CLE programs also serve as powerful recruitment tools for pro bono attorneys.

The discussions also informed me that there is significant activity in Virginia to engage and train pro bono attorneys, but there is little or no coordination or information sharing about these training opportunities. I shared these findings with my supervisors at the VSB and with the Access to Legal Services Committee. My recommenda-

tions for addressing these issues ultimately became the impetus for developing and implementing a webinar-based pro bono training program.

The curriculum development process included representatives from

- the VSB;
- licensed and independent legal aid and legal services programs;
- pro bono directors from law firms;
- corporate counsel;
- members of the private bar;
- law schools, and
- state, local, and specialty bar organizations and foundations.

We agreed that the webinars would provide “nuts and bolts” training on substantive and procedural law on matters that are often encountered by indigent people in Virginia as well as ethics for lawyers who provide pro bono services. Webinars also provide information on where and how to find cases, resources, and mentorship when lawyers represent pro bono clients. The webinars are often co-sponsored by legal services and non-profit organizations

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that specialize in or provide services to clients facing issues that are the subject of the webinar. These organizations help with recruiting faculty, creating and distributing training materials, and marketing these seminars. Attorneys who attend the webinars earn at least one hour of MCLE credit at no cost in exchange for certifying that they will

provide at least one hour of pro bono work for each hour of MCLE credit earned, or take on at least one pro bono case to conclusion over the course of the next twelve months. Alternatively, attorneys could make a financial contribution to a legal aid or pro bono legal services organization.

Strategic and coordinated training of pro bono lawyers has proven successful in other jurisdictions. In fact, I found the training partnership between the Legal Aid Society of New York City and several major New York law firms to be a particularly impressive model for our training program. However, unlike that program, the VSB program is a statewide effort involving input and support from a variety of stake-holders beyond legal aid and big law firms. Further, our seminars are delivered via webinars, and recordings are available at any time on the VSB website's Pro Bono/Access to Legal Services pages.

The VSB Access to Legal Services Committee has assigned a subcommittee, which has met twice, to explore the establishment of a Pro Bono Consortium that would develop a broader strategy for recruiting, training, mentoring, supporting, and recognizing pro bono lawyers. This consortium idea is very much a work in progress. However, on a much smaller scale, the Access Committee has already begun to put the consortium concept into action through our pro bono webinars.

In 2013, the VSB conducted two free webinars about pro bono. The first, *An Introduction to Pro Bono: We Can All Do Something*, was held in October and the second, *Pro Bono: What's In It for Me? How Private Attorneys Can Do Well by Doing Good*, was held in December. These webinars offered information about the ethical rules concerning pro

bono, the need for pro bono, the professional and personal benefits of pro bono, and how and where to find pro bono opportunities. The Access Committee worked with attorneys from legal aid offices; large, medium and small law firms; solo practitioners; and bar organizations from across Virginia to develop curricula that would hopefully resonate with attorneys regardless of the region where they work, their practice area, or size of their firm or practice. It was also critical that our faculty reflected this diversity of professional perspective and experiences. The attendees earned two hours of MCLE credits for the two programs, including one hour of ethics.

For 2014, the VSB has developed additional free webinars for pro bono lawyers. On March 26, 2014, the Access to Legal Services Committee and Legal Information Network for Cancer (LINC) began a five-part webinar series, *Meeting the Legal Needs of Individuals Facing Serious Illness through Pro Bono*.

- *Part 1 – Introduction and Opportunities* was held on March 26;
- *Part 2 – Relief from Creditors* on April 23;
- *Part 3 – Medicare, Medicaid, and the ACA* on May 15;
- *Part 4 – Social Security Benefits* on June 19;
- *Part 5a – Housing Law (Landlord-Tenant)* on July 23;
- *Part 5b – Housing Law (Foreclosure)* (Date TBD).

This webinar series, which offers nine hours of MCLE credit, consists of basic presentations on substantive law in matters that individuals with serious illness, and their families, frequently face.

Like the previous webinars, we sought input from a variety of sources to develop a curriculum that offers information about pro bono opportunities through a variety of providers, such as legal aid, Medical Legal Partnerships, and independent legal services organizations, as well as about the types of cases and service areas they cover. However,

Editor's note

In recognition of the American Bar Association's National Pro Bono Celebration on October 19–24, the October issue of *Virginia Lawyer* will be dedicated to access to legal services for all Virginians.

We will offer the views of Supreme Court of Virginia Chief Justice Cynthia D. Kinser; Justice S. Bernard Goodwyn; Legal Services Corporation President James J. Sandman; John E. Whitfield, executive director of Blue Ridge Legal Services; Mark D. Braley, executive director of the Legal Services Corporation of Virginia; and others.

We hope to provide insight into the "justice gap," the vast unmet legal needs of the poor, and to suggest some solutions to the problem.

unlike the 2013 webinars, we asked registrants to agree to accept a pro bono referral from a legal aid office or pro bono legal services provider or make a financial contribution to legal aid or legal services organization that provides pro bono representation to people facing serious illness. The VSB and LINC also offered to help attendees connect with pro bono providers in their jurisdictions.

Additionally, VSB collaborated with the Virginia Department of Aging and Rehabilitative Services and the Virginia Poverty Law Center to offer a free webinar, *Pro Bono and Elder Law: End of Life Planning*, on May 23. This webinar covered estate planning, simple wills, powers of attorney, and advanced medical directives. Attendees again were asked to volunteer assistance or financial contributions to legal service organizations that represent elderly clients.

To date, about 300 attorneys have attended these webinars and feedback has been overwhelmingly positive. In the fall, the access committee will follow-up with attendees on whether they have followed through with their pro bono commitment. The committee is also working with the Virginia Poverty Law Center and Good Samaritan Advocates to develop a pro bono webinar series on representing survivors of domestic violence. In addition, the committee has partnered with Sands Anderson PC and the Pro Bono Clearinghouse of The Greater Richmond Bar Association to develop a webinar series on board gover-

nance. Both webinar series will be offered in the fall and winter.

Each of these webinars, as a stand-alone program, provides basic, useful information to attendees, who are encouraged to seek out additional training on the subject matter. Attorneys attending the entire series will not only meet their annual MCLE requirement but also be better equipped to provide assistance on a variety of legal issues to Virginians who are unable to afford counsel. Ideally, the VSB, and the consortium, when it is established, will continue offering more programs that provide coordinated, issue- and need-based training in a strategic manner; connect volunteer lawyers directly with organizations providing pro bono representation on these issues; and help provide support and incentives for the attorneys handling these cases.

1. Suyes, Joanna and Whitfield, John, "Is There a Pro Bono Gap in Virginia?" *Virginia Lawyer*, Feb. 2014, Vol. 62, pp 46–49.



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