

Class Action Filed Against High-cost Lenders Targeting Military Personnel

A class of consumers has filed a lawsuit in the United States District Court in Washington, D.C., against a high-rate lender that targets military employees, *Brenda Robinson, and others v. Service Five Investments, and others*. The class action claims that the lenders have engaged in massive deception in advertising and issuing short term loans to military personnel.

The suit alleges that the actions of the defendants over a period of years violate the Truth-in-Lending Act, the Racketeering Influenced and Corrupt Organizations Act and state laws regarding usury, consumer protection and unfair trade practices. The plaintiffs are asking the court to order repayment to all such borrowers of loans overcharged them, additional damages, and orders to stop this business from continuing to operate in a manner that abuses military workers.

For further information, plaintiffs are represented by David Rubinstein, (540) 373-0558 and Samuel McTyre, Law Office of Samuel McTyre, and Phillip Robinson and Robert Ludwig, Ludwig and Robinson, P.L.L.C. in Washington, D.C.

Ombudsman Program Educates Employers about USERRA

The Virginia Committee for Employer Support of the Guard and Reserve operates a volunteer ombudsman program under the auspices of the office of the United States assistant secretary of defense.

Attorney George R. Aldhizer, Jr., (galdhize@wawlaw.com) of Harrisonburg, is available to answer questions about the program's goals, which include educating employers about the Uniformed Services Employment and Reemployment Rights Act, USERRA, and mediating disagreements under the Act.

The Special Committee on Access to Legal Services invites you to mark your calendar for the

12th Annual VSB Pro Bono Conference

Thursday, May 16, 2002

The College of William & Mary School of Law, Williamsburg

Look for details in future issues of the *Virginia Lawyer* and *Virginia Lawyer Register*.

CALL FOR NOMINATIONS

2002 LEWIS F. POWELL, JR., PRO BONO AWARD

The Lewis F. Powell, Jr., Pro Bono Award was established by the Special Committee on Access to Legal Services of the Virginia State Bar to honor those attorneys and attorney groups that have made outstanding pro bono contributions. The Access Committee annually reviews all nominations and decides upon the recipient. **The deadline for receipt of nominations is January 11, 2002.** The award, a framed, limited edition print of the painting "Patrick Henry Arguing the Parson's Cause," will be presented at a ceremony during the Twelfth Annual Pro Bono Conference.

CRITERIA

The recipient of the award must meet one or more of the following criteria:

- ◆ Demonstrated dedication to the development and delivery of pro bono legal services in the Commonwealth of Virginia;
- ◆ Contributed significantly toward the development of innovative approaches to the delivery of volunteer legal services;
- ◆ Participated in an activity that resulted in satisfying previously unmet needs for legal services or in extending services to underserved segments of the population;
- ◆ Successfully handled pro bono cases that favorably affected the provision of other services to the poor in Virginia;
- ◆ Successfully supported legislation that contributed substantially to providing legal services to the poor; or
- ◆ Devoted significant time to furthering the delivery of legal services to the poor in Virginia by handling pro bono matters or providing training or recruiting volunteer attorneys for pro bono programs.

The nominee must be a member of the Virginia State Bar or an organization or group comprised of such persons. Persons whose livelihood is derived from delivering legal services to the poor are not eligible. Please submit your nomination, describing how the nominee meets the above criteria, in writing to the Virginia State Bar Access to Legal Services Committee, c/o Maureen Petrini, 707 East Main Street, Suite 1500, Richmond, Virginia 23219 by **January 11, 2002.** (There is no official entry form to complete.) Please be sure to include your name, the name and address of the nominee, and phone numbers with your nomination. For more information, please contact **Maureen Petrini, Access to Legal Services Director, (804) 775-0522,** or visit <http://www.vsb.org/probono/powell.pdf>

Volunteer

Advocate in the U.S. Court of Appeals for Veterans Claims

Two-thirds of all veterans appealing their cases to the new U.S. Court of Appeals for Veterans Claims in Washington, D.C., cannot afford a lawyer. In each case, the government is represented by a lawyer. The Veterans Consortium Pro Bono Program is seeking volunteer attorneys to accept one case in return for free training, a comprehensive veterans law manual, pre-screened cases and ongoing access to veterans law experts as mentoring attorneys. An all-day veterans law training was held at the D.C. Bar on November 30, 2001. An at-home videotape is available in limited circumstances. Mark your calendars for the next training, scheduled for April 26, 2002. CLE credits are available and malpractice coverage is provided for those not already covered. Court-awarded fees are possible in some cases. Call the Veterans Consortium at (202) 265-8305, extension 126, for registration details, or extension 109, for general outreach and education information.

VSF Partners with ABA LAMP

The VSB is partnering with the American Bar Association's Standing Committee on Legal Assistance for Military Personnel (LAMP) to prepare "stand-by" lists of experienced attorneys willing to accept case referrals on civil matters from military base legal assistance offices. Should the base legal offices have an overflow of cases involving national guard troops and reservists under mobilization and their immediate family members, they will contact the state bar for names of attorneys in local communities who are willing to accept pro bono referrals. Information about the project in general and the types of cases that might be expected to arise can be accessed on-line at www.vsb.org/probono. Click on "Public Service Options—Standby List for National Guard and Reserve Troop Referrals" listed under *Pro Bono Opportunities*.

VSF/VBA Young Lawyers Emergency Legal Services (ELS) Program

The VSB Web site describes volunteer opportunities and training events for lawyers interested in helping primary victims of natural disasters or other catastrophes. Working with the ABA and FEMA, the Young Lawyers maintain a list of attorneys trained in disaster assistance who remain on stand-by notice until they are activated for a critical incident in their locality or contacted about the availability of additional training. Volunteers assist clients with civil legal needs in a number of ways including: intake and referral, brief advice and, occasionally, limited representation. View the bar's home page, www.vsb.org, or pro bono page, www.vsb.org/probono, for details.

Help Legal Aid in Northern Virginia Reach Secondary Victims of 9/11 Events

Legal Services of Northern Virginia and Rappahannock Legal Services are public interest law firms that assist low-income elderly, unemployed, disabled and other vulnerable clients residing in Arlington, Fairfax,

Alexandria, Fredericksburg and neighboring communities. As a result of the September 11 attacks, the programs anticipate increases in needy clients around the holidays. Northern Virginia expects to see the already substantial layoffs of minimum-wage earners at Reagan National Airport, area hotels, restaurants and other businesses become even more pronounced. Legal needs are likely to involve defenses to evictions and foreclosures; unemployment insurance eligibility questions; access to health care; and claims for medical benefits. For more information about the needs of these "secondary victims," and available institutional support for pro bono attorneys, such as legal malpractice insurance, see www.iscv.org or <http://legalaidhelp.org>. The "Nine Eleven Legal Team" may also be reached at (703) 534-4343 at Legal Services of Northern Virginia.

Public Service Resources

FEMA's Integrated Emergency Management Course (IEMC)

The Federal Emergency Management Agency (FEMA) sponsors Integrated Emergency Management Courses (IEMC) throughout the year through its Emergency Management Institute (EMI). The 4 ½ day exercise-based training activities place public officials and emergency personnel in realistic crises within structured learning environments. The participation of a city or county attorney can be quite important to each of these courses. Training sessions use the team approach to build awareness and skills useful in developing and implementing phased policies, plans and procedures that protect life and property through applications of sound emergency management principles.

Participants may elect the on-site approach, tailored in advance with local government officials, for a specific geographic location. They can opt independently for the more generic approach at the Mt. Weather Emergency Assistance Center campus in Bluemont, Virginia, (Loudoun County, near the West Virginia border) or at the National Emergency Training Center (NETC) campus in Emmitsburg, Maryland. Because the training centers for the generic courses are close to Virginia, lawyers may want to inquire about short-notice vacancies that might arise due to cancellations. Aside from local government lawyers, and legal aid directors with service areas covering regions at risk, members of the judiciary in high risk locales may want to inquire about participation opportunities. For further information about the program, please contact the Virginia Department of Emergency Management at (804) 897-6559 or the IEMC Program staff at (301) 447-1381. Details are also available on-line at http://www.fema.gov/emi/iemc_01.htm.

Training Opportunities for Pro Bono Attorneys

The VSB Web site routinely posts updated information on training opportunities across the state for attorneys taking pro bono and nominal fee cases at www.vsb.org/probono.

PRO BONO Opportunities

Muslim Women Lawyers for Human Rights

If friends, neighbors and clients are concerned about unwarranted prejudice and discrimination toward Muslims in your community, you may want to suggest Karamah, Muslim Women Lawyers for Human Rights, as a source of education and support. Founded in 1993 as a charitable and educational organization, Karamah is committed to research, education and advocacy. It focuses on Muslim women and human rights in Islam in both the domestic and global contexts. In recognition of their efforts, members of Karamah's board of directors were invited by the White House to several cultural and advisory functions. Write to Muslim Women Lawyers for Human Rights, 9502 B Lee Highway, Fairfax, VA 22031 or phone/fax Karamah at (703) 691-8887. Information is also available online at <http://www.karamah.org>.

Trial Lawyers Care Initiative

Virginia Trial Lawyers are participating with sister chapters in the largest pro bono effort ever undertaken. The initiative, Trial Lawyers Care, Inc., is a new nonprofit corporation providing free legal services to eligible victims of the September 11 terrorists attacks who elect to make claims under the September 11 Victim Compensation Fund established by Congress. Information about the Association of Trial Lawyers of America (ATLA) program is available at www.911LawHelp.org or from (888) 780-8637; [en Espanol (888)780-8682]. Volunteer attorneys will help clients assess damages, prepare necessary fund documents and offer guidance through the claims process. Experienced trial lawyers may volunteer on the Web site noted above.

Memorializing Others via End of Year Donations under 6.1(c): Disaster relief goes beyond those directly affected by the horrors of September 11.

The economic ramifications of those events, particularly for those in the service sector (hotel/restaurant, retail, transportation, to name a few), are only beginning to be felt. Even as Americans give with unprecedented generosity to 9/11 aid funds, contributions to organizations not directly benefitting the victims have decreased dramatically this fall. In addition, the IOLTA rate of return has fallen as interest rates have dropped, reducing another funding source for certain of the legal aid providers. RPC 6.1(c), Voluntary Pro Bono Publico Service, acknowledges that financial support of programs providing direct delivery of legal services to the indigent can fulfill your public service responsibilities. Please consider contributing to the legal services provider of your choice in honor of victims of the 9/11 attacks.

Medical/Health Care Issue Training for Guardians Ad Litem

Standards promulgated by the Judicial Council of Virginia Governing the Qualification of Guardians Ad Litem for Incapacitated Adults (effective January 1, 2002) and for Children permit lawyers to seek continuing education credit for relevant Medical Grand Rounds lectures (continuing medical education courses) at Virginia and neighboring-state teaching

and research hospitals. Whether lawyers serve as a GAL for children and/or for incapacitated persons, it is likely that regional teaching hospitals will, from time to time, have audience vacancies in the continuing education seminars they offer health care professionals. Lectures are often free to the legal community. They vary in length and often bridge the lunch hour for the sake of convenience.

Topics rotate and include emerging medical issues in the indigent and minimum wage populations. GALs should assure that the lecture topic for which continuing education credit will be sought is relevant to the area of law in which they represent an incapacitated person or a child. Seminars range from discussions on elder abuse and other geriatric concerns to mental health, post-traumatic stress disorder and domestic violence. Upon submission of agendas and proof of attendance, programs may qualify for GAL continuing education credit from the office of the executive secretary, Supreme Court of Virginia. Attorneys can access more information about Medical Grand Rounds course schedules or contacts and the location of the teaching hospitals in Virginia, Washington and neighboring states from www.aamc.org/teachinghospitals.htm. Lelia Hopper in the office of the executive secretary is available to answer questions about receiving credit toward GAL requalification. She can be reached in Richmond at (804) 786-6455. Information about the GAL standards can be accessed at www.courts.state.va.us by clicking on "Publications" on this home page.

Coalition to Sponsor Providers' Directory

The Virginia Pro Bono Coordinator's Network (PBCN), is partnering with the legal services community and others to complete an on-line "Providers Directory of Legal Services, Pro Bono and Community-based Programs." Project developers are interested in listing law-related nonprofit groups. They also will list attorneys, through a password protected portal, as mentors for other lawyers in transactional and litigation matters or as pro bono counsel or co-counsel in complex cases. Practice areas where the need for help from experienced members of the private bar is especially acute include: bankruptcy and debtor/creditor; civil, elder, and disability rights; employment; consumer; economic development; environmental; family law, including domestic violence; federal litigation; habeas corpus; health care; housing, foreclosure, and landlord/tenant; immigration; social security; tax; and, wills and advance directives. If you or your firm would like to be listed or simply learn more about the project, please e-mail Paralegal Specialist Lori Thompson at lthompson@justice.com.

Visit the Pro Bono page on the VSB Web site for
pro bono training and opportunities listed at
www.vsb.org/probono/.