

ACCESS TO LEGAL SERVICES

The Dale H. Harris, chair

Because of the effective participation of the members of the Access to Legal Services Committee and the encouragement, support, and sharing of expertise of the Virginia State Bar staff and leadership, several positive developments took place during the past year that were consistent with our stated mission. Thoughtfulness, energy, and a result-oriented approach pervaded the committee's efforts.

VSB President Karen A. Gould not only served as a resource, but also worked with members of the Supreme Court, attended numerous meetings, and moderated award ceremonies. She was an asset throughout this committee's efforts. The committee provided a forum for the exchange of information from many components about current efforts to provide access to legal services, to explore improved ways to expand that access, and to address vigorously the many variables, modifications, and incentives that support and promote critically important access to our justice system.

Major substantive initiatives

The committee is grateful for the VSB Council's approval of major initiatives. These include:

- Revisions to VSB Regulation 15VAC5-10-10, which covers the function and operations of Legal Aid Societies
- Adoption of "Basic Procedures for Appeal to Virginia State Bar Council from Final Determinations of the VSB Secretary-Treasurer Concerning § 54.1-3916 and/or 15VAC5-10-10"
- Proposed amendments to the Emeritus Rule of Court to broaden the types of "Approved Legal Assistance Organizations" eligible under Part 6, §IV, Paragraph 3(e) (Classes of Membership) of the *Rules of the Supreme Court of Virginia*. These amendments are pending before the Court. They would expand supervised opportunities for certain volunteer attorneys in retirement who elect limited-practice status by serving only low-income individuals or nonprofit groups that represent the low-income individuals' interests.

The University of Richmond T.C. Williams School of Law was the site for the 2007 VSB Pro Bono and Access to Justice Conference. Held May 17-18, the proceedings focused on pro bono through a best practices forum that showcased Cheryl M. Zalenski, assistant legal counsel with the American Bar Association Center for Pro Bono. The forum also featured panelists from Virginia law firms, Central Virginia Legal Aid, the Fairfax Pro Bono Program, the University of Virginia School of Law, Freddie Mac, and the VSB Young Lawyers Conference.

A continuing legal education program, "Effectively Expanding Access to the Court: Resources and Remedies," was well-received. Topics included preparing and understanding the client's case, the Chief Justice's Commission on Mental Health Law Reform, access to the courts, court alternatives, and the ethics of electronic communications in pro bono representation.

Awards and speakers

The program featured presentation of two Lewis F. Powell Jr. Pro Bono Awards and one Oliver W. Hill Law Student Pro Bono Award. John M. Oakey Jr. of Richmond was honored as an individual for extraordinary contributions he made after retiring from full-time practice as a partner at McGuireWoods. Cooperating counsel and volunteer faculty affiliated with the Mortimer Caplin Public Service Center at the University of Virginia School of Law were collectively honored for extraordinary supervisory and mentoring efforts — efforts that enabled contributions of thousands of hours of pro bono service from U.Va. law students. Maryann Nolan, a 2007 juris doctor candidate at the College of William and Mary, received the Hill Award. Mr. Hill, in his one hundredth year, attended and presented the award. The Honorable Walter S. Felton Jr., chief judge of the Court of Appeals of Virginia, was the guest speaker.

Andrew K. Block, nationally recognized legal director of the Charlottesville-based JustChildren Project at the Legal Aid Justice Center, received the Virginia Legal Aid Award in June at a luncheon held in his honor. First Lady of Virginia Anne B. Holton was the guest speaker.

Groundwork was laid for phase two of a pilot project to acknowledge, at the judicial circuit level, pro bono or court-appointed counsel who make extraordinary contributions to the Virginia justice system. Four circuits have been designated.

The committee anticipates that a new venue, Washington and Lee University School of Law, will be the site for the 2008 Pro Bono Conference.

New developments

The Access Committee has continued to consider approaches to enhance funding of civil legal services. Two new subcommittees added an emphasis on Minority and Disability Access to Legal Services and on Pro Bono Best Practices. The latter produced a Pro Bono Best Practices Forum on May 17 as noted above.

Gratitude

The committee wishes to thank all members of the Virginia State Bar and Virginia's judiciary for their interest, time, and support consistent with our mission, including "fostering support for free and reduced fee legal services with the goal of improving access to the legal system for all Virginians and for nonprofit charitable and civic groups that serve the public good."

Addendum

New committee leadership for fiscal 2008 are chair Renae Reed Patrick, a former legal aid attorney and now a visiting professor of clinical law at W&L, chair; and co-vice chairs Margaret A. Nelson, a public defender in Lynchburg, and Raymond A. Hartz, executive director of the Legal Aid Society of Eastern Virginia.