

Crawford County Bar Association

Pro Bono Program September 2006

Findings:

The Crawford County Bar Association finds as follows:

- Too few resources have been allocated by Northwestern Legal Services to meet the ongoing legal needs of the poor of Crawford County
- The Crawford County Bar Association has a long history of providing legal services to the poor
- The decisions of Northwestern Legal Services governing the allocation of its resources to serve the poor of Crawford County has resulted in a preponderance of need in the area of domestic relations law at a time when the number of domestic relations practitioners in the private bar has declined while areas in which private practitioners are capable of performing services are served by Northwestern Legal Service staff attorneys
- The resources of the Crawford County Bar Association are insufficient to provide for the satisfaction of all legal needs of the poor of Crawford County not addressed by Northwestern Legal Services utilizing traditional forms of representation
- The creation and implementation of a creative direct service *pro bono publico* program combining traditional forms of representation with creative alternative forms of providing legal assistance is a proper project of the Crawford County Bar Association
- Duplication of office space, equipment and staffing resources already existing among the members of the Crawford County Bar Association is to be eliminated to the greatest extent possible

Goals:

The Pro Bono Program of the Crawford County Bar Association is created to achieve the following goals:

- To continue to encourage Northwestern Legal Services to expand its services to the citizens of Crawford County and to work toward a more effective allocation of the resources of Northwestern Legal Services in aid of the poor of Crawford County
- To supplement those services Northwestern Legal Service may, from time to time, elect to provide to the poor of Crawford County through the most effective program of traditional representation and creative alternative forms for the provision of legal information and assistance possible within the resources of the Crawford County Bar Association
- To seek and to acquire all available governmental funding to assist in the design, implementation and operation of *pro bono* programs to meet the legal needs of indigent citizens of Crawford County
- To provide a central point of contact for Crawford County residents seeking legal representation
- To determine the qualification of persons seeking legal services for *pro bono* service in accord with economic and subject-matter standards approved by the Crawford County Bar Association
- To refer persons not qualified for *pro bono* service to members of the Crawford County Bar Association willing to consider representation on a private pay basis with fees at the member's regular rate or at reduced rates depending upon the needs of the referred clients.
- To refer persons qualified for *pro bono* service to the most effective *pro bono* service tool offered by the Crawford County Bar Association for their individual situations

Tools:

The Pro Bono Program of the Crawford County Bar Association will address its goals utilizing the following tools and resources:

- The Crawford County Bar Association appointed directors upon the board of Northwestern Legal Services will work to effect resolution of systemic and institutional issues that currently limit the services rendered to the poor of Crawford County through state and federally funded legal service organizations

- An ongoing recruitment of Crawford County Bar Association members with expertise and resources in the areas of need of the indigent of Crawford County in coordination with a monthly report of the operation of the program that will be combined with a *Pro Bono Minute* at each meeting of the Crawford County Bar Association at which a member will provide a report of a meaningful experience had in the provision of direct service *pro bono* representation or in operation of any of the other *pro bono* projects of the Bar. Participants in the program will be recognized and special levels of service will be honored at the December meeting of the Bar each year.
- A revitalized and updated custody mediation video seminar for persons seeking resolution of custody issues through the courts of Crawford County
- A new public education divorce clinic that will not undertake representation of any person but that will provide clear video communication of basic information concerning divorce and the procedures and forms attendant the procurement of divorce in Pennsylvania, including communication of the risks involved in undertaking divorce proceedings in the absence of traditional forms of representation
- A new public education magistrate court litigation clinic that will not undertake representation of any person but that will provide clear video communication of basic information concerning litigation in the District Magistrates' courts
- A new public education landlord-tenant litigation (private landlords) clinic that will not undertake representation of any person but that will provide clear video communication of basic information concerning the defense of landlord-tenant actions in the District Magistrates' courts
- A new public education landlord-tenant litigation (public housing) clinic that will not undertake representation of any person but that will provide clear video communication of basic information concerning the exercise of the rights of tenants in public housing.
- A new public education support clinic that will not undertake representation of any person but that will provide clear video communication of basic information concerning the rights of parties in child support proceedings.
- A new public education clinic providing clear video communication of basic information concerning simple wills, powers or attorney and advance health care directives
- Access to all video educational materials, 24 hours per day/7 days per week via the internet utilizing a new Crawford County Bar Association web site and coordination with the public libraries in the county to promote access through library computer systems for those without personal computers

- A commitment from a member (or firm of members) of the Crawford County Bar Association headquartered in Crawford County:
 - to provide all office facilities, equipment and professional, paraprofessional and clerical staff necessary to the proper operation of the program
 - to preliminarily screen applications for general legal referral and applicants for *pro bono* services
 - to schedule and provide access to the video *pro bono* components of the program
 - to provide direct service to a defined number of (or for a defined number of hours to) Crawford County indigent persons seeking legal services in the following areas:
 - Reviewing the accuracy and completeness of forms completed by such persons electing to pursue *pro se* relief in custody and divorce matters
 - Undertaking direct representation in domestic relations cases deemed not appropriate for *pro se* action
 - Undertaking direct representation in other cases deemed not appropriate for *pro se* action when other Bar Association assistance is not available
 - to refer cases not deemed appropriate for *pro se* action and not able to be directly served by the responsible bar member (or firm) to members of the Crawford County Bar Association willing to consider undertaking direct service *pro bono* in such cases
 - to refer potential clients who do not qualify for *pro bono* service to members of the Crawford County Bar Association willing to consider undertaking their matters
 - to provide a monthly report to the Crawford County Bar Association concerning the operation of the program

Implementation:

The Crawford County Bar Association Pro Bono Program will be implemented as follows:

- The proposed program will be presented (orally and in writing) to a meeting of the Crawford County Bar Association.
- After discussion and any successful amendments, the program will be subjected to a vote of the Association and:
 - if approved, implemented, as follows:
 - the Bar will reactive Crawford County Bar Association Legal Aid, Inc. to coordinate and manage the approved program
 - when and if funding for the program is committed, Crawford County Bar Association Legal Aid, Inc. will renew its 501(c)(3) federal tax exemption
 - volunteers to coordinate the production each of the proposed video projects will be solicited and once identified, will prepare a report to the bar of the time estimated to be required to complete the programs and of the costs estimated to be involved in producing the required educational materials
 - a solicitation for a member (or firm of members) to propose to undertake primary administration of the program as outlined above shall be circulated to all members of the bar and shall contain, at least:
 - a summary of the required services
 - a form of agreement between the Bar and the successful proposing member/firm that will commit the proposing member/firm to the required services and the Bar to the required funding and that will provide for the orderly and proper resolution of all open matters at the time the member/firm ceases to serve the Bar for any reason
 - a request for a statement of a fixed sum for which the responding member/firm is willing to commit to provide the requested services.
 - a request for any alternatives or suggestions the proposing attorney/firm may have to enhance the potential success for the program

- all proposals will be considered by a committee to be appointed by the President of the Bar and the successful proposal will be accepted, subject to the identification and acquisition of all necessary funding
 - once a proposal is accepted (subject to funding) the Bar will pursue all available funding and a report will be made to the Bar of any residual funding that may be required from the Bar
 - if the Bar approves implementation of the program and appropriate of the required residual funding from Bar funds, the program will be fully implemented.
 - if the Bar fails to approve implementation of the program and the appropriation of any required residual funding, the issue of *pro bono* activities will be referred to a new committee of the Bar as provided below
- if the program is not approved, the issue of possible alternative *pro bono* activities will be referred to a new committee of the Bar to undertake consideration of any alternatives that may achieve approval of the Bar