

PBA IOLTA Grant 2006-07

This IOLTA Pro Bono Initiative grant proposal by the Pennsylvania Bar Association, in cooperation with Pennsylvania Legal Services and numerous local bar associations, seeks to take advantage of technological innovations that are improving the ability of pro bono lawyers to provide service to the poor across Pennsylvania to both mobilize and expand the organized pro bono efforts in every county in the Commonwealth. This grant project potentially provides every actively licensed attorney in the state with the opportunity to help increase the access to justice for the neediest among us. The technological innovations at the heart of this proposal ensures that each attorney will be able to give such service in a way that he or she feels competent to provide, supported in that effort by a network of resources and contacts. The technological tools for this initiative are PALawHelp.org and PAprobono.net, partnership efforts of the Pennsylvania Bar Association and Pennsylvania Legal Services. PALawHelp.org is the Pennsylvania site for general information about the law and the resources available to needy clients; PAprobono.net is the Pennsylvania version of an online resource for legal advocates, including pro bono and legal services attorneys, law professors and law students, and other social services advocates across the country.

This proposal builds on the 2005-06 IOLTA pro bono initiative run through the PBA's Pro Bono Office that took the virtual law clinic model created by the PBA, PLS, MidPenn Legal Services, and the Office of General Counsel for the Commonwealth of Pennsylvania and extended it across the state. Under the PBA extension of the OGC model program, potential clients are first screened by either a legal services provider or the PBA pro bono office. If the potential client qualifies financially for legal aid but is unable to receive legal services because of limited resources which keeps the provider from being able to handle all of the eligible cases, that client is referred by email or phone to the resources of PALawHelp.org. Many of these potential clients find enough information there to move forward and handle their matters *pro se*, but potential clients are also able to have their cases posted on PAprobono.net and shared with listservs maintained by the PBA Pro Bono Office. The goal for the 2005-06 initiative was to handle 1000 cases through these resources and to get 1000 lawyers to sign up for the PAprobono.net resource. This grant intends to spread that model further across the state, still utilizing PAprobono.net site as the statewide collection location to which cases will be referred once the initial screening and the follow-up calls have been placed, but increasing the number of cases handled and lawyers signed up to 5000. Local versions of the OGC model have been established to reach 10 underserved counties in geographically diverse areas of Pennsylvania during the past grant year, and the goal for 2006-07 is to reach 20 additional underserved counties, targeting those counties that the participating legal services programs deem the least involved in pro bono activities for free CLE programs that highlight both the electronic tools that are so useful in performing pro bono service and the ethical mandate of such service. 2005-06 presentations at the Conference of County Bar Leaders and the Annual Meeting of the Pennsylvania Bar Association will be reinforced through a wide variety of programs in 2006-07. Law school programs that brought the new tools to the next generation of legal services and pro bono attorneys will also be continued and extended.

The Pennsylvania Bar Association and its partners are uniquely positioned to take advantage of these technological innovations to expand pro bono service across the Commonwealth since the PBA, through its Pro Bono Office as well as its other entities, already has an established network of contacts in every corner of the state. The PBA frequently puts on programs in diverse areas of the state, such as the Traveling Pro Bono Ethics Road Show, the Malpractice Avoidance Seminars and the annual Barnstorming Program. The PBA also manages the lawyer referral program for many of the counties targeted by the Pro Bono Initiative so it has the demonstrated expertise to coordinate the communications required of this proposal. The 2006-07 grant program builds on the success of the past year's efforts.

The grant will be administered by the PBA's Pro Bono Coordinator who will report directly to the PBA Executive Director. The Pro Bono Committee for this grant will provide advice and support in meeting the project's overall goal of pulling in 5000 new volunteers during the grant year. Law student interns will be hired at the start of the grant year to work at the PBA under the direct supervision of the Administrative Assistant for the Pro Bono Office. Pennsylvania legal services programs will be invited to participate in the program by the PBA and PLS; at least one local legal services office in every corner of the state will be involved during the grant year. These local programs will screen out eligible clients with matters that cannot be handled by the program due to each programs' limited resources. Contact information (name, phone number, brief description of problem, and best time to contact) for the potential clients will be relayed to the PBA and the PBA will make sure all clients are aware of the PALawHelp.org resources. Information for posting the case on PApobono.net will also be sought at this time. The PBA will post the case on a specially assigned section of the PApobono.net web resource and use that resource, as well as listservs maintained by the PBA Pro Bono Office, to find lawyers willing to contact the potential clients and run through the protocols that have been modified from the OGC project for this effort. Once those lawyers have contacted the potential clients and interviewed them, the lawyers will reconnect with the PBA and inform whether the matter was handled over the phone, taken by the lawyer as a new pro bono case or left posted on PApobono.net so other pro bono lawyers might take the case. Procedures were developed in 2005-06 for following up each referenced matter so that as many potential clients as possible that are referred to PApobono.net are contacted by an attorney who processes that case with the result being returned to the PBA or, if no attorney takes the case, the client still has the resources of PALawHelp.org available to them. Once a case is posted on PApobono.net, there will be periodic efforts to match certain attorneys with an interest in handling such cases with the cases posted. A running scorecard of important statistics will be kept—number of potential clients interviewed by attorneys, number of such matters handled over the phone, number of new cases taken by attorneys prior to posting on PApobono.net, the number of cases posted on the site and the number of those posted that are then handled by pro bono attorneys. That scorecard will be posted on the PBA's Pro Bono Website and regularly updated.

Although PALawHelp.org has been in operation for more than two years, both it and the younger PApobono.net are still relatively new tools for expanding the reach and

effectiveness of pro bono attorneys in Pennsylvania. This grant project proposes to utilize these two tools and a partnership between the PBA, local bars and local legal services programs, to overcome many of the hurdles that keep private practice lawyers from providing pro bono service. Private attorneys interested in doing pro bono work on behalf of low-income individuals typically are discouraged by several factors. These include a time consuming learning curve in poverty law topics, and the perception that finding a suitable case and tracking down training opportunities, mentors and other support is too difficult. This proposal addresses these obstacles and makes taking on a pro bono project much more convenient by enabling attorneys to:

Provide support in a limited manner by calling a potential client already screened by a local legal service provider and working with that potential client through a protocol of questions to determine whether the potential client's needs actually constitute a case or not. If the responding pro bono attorney feels that there is an actual case, he or she next needs to determine whether it can be handled through the resources on PALawHelp.org or by the attorney's own resources over the phone. If more action is needed, the attorney then must decide to either take the case and do those further steps or prepare a summary of the matters involved so that the case and the potential client's contact information can be posted on PProbono.net for other interested pro bono attorneys.

View local pro bono opportunities in their area of interest, both from this new initiative and directly from legal services programs, and communicate with the sponsoring organization to take a case. This feature has proved to be very effective in linking interested attorneys with cases they want to take. The pro bono program of the San Francisco Bar currently places 75-80% of its overall caseload through the San Francisco website.

Download training materials, model documents, case law and other materials from the comfort of their own desks, 24 hours a day, seven days a week.

Visit the Calendar to learn about trainings in their areas, and communicate with the event's organizers by emailing directly from the site.

Use the site's Listserv and Roster tools to connect with attorneys more experienced in a particular substantive area of the law, in their community and nationally, to get answers to questions that may be beyond their area of expertise.

Review recent news to stay informed about relevant legal issues.

PALawHelp.org is completely open to the public. The home or entry page to the PProbono.net site is open to the public, while specific practice areas of the site are password-protected. Pennsylvania is currently developing a general Civil Practice Area as a starting point for launching the statewide version of the national model of Probono.net web sites. PProbono.net also provides access to national practice areas in Asylum Law, the Death Penalty, Human Rights and Self Help Support

Although it was not the primary goal of the 2005-06 grant proposal, the focused effort of promoting the electronic tools available to pro bono lawyers that occurred through this project also helped the effort to expand the number of groups committing to sponsor practice areas on the PApronono.net site. Practice Areas are hosted or supported by a number of diverse groups and organizations. Private law firms, public interest law firms, legal services organizations, bar association groups or committees, and law schools—these groups and organizations all provide support or sponsorship to practice areas where their areas of expertise fit the support role the practice area is trying to fill. The 2006-07 grant will significantly add to this effort.

Although PALawHelp.org has significant general resources and contact information throughout the site, there are various special tools available within each practice area of PApronono.net to support advocates in their representation of low-income clients:

Calendar - Listing of events in the community, such as trainings, meetings, lectures, or legal clinics. Events can be sorted by date, location or related topic. Content can be submitted by users directly from the calendar page and published subject to practice area administrator approval.

News - Listing of news stories, links of interest, and special alerts. News items can be submitted by users directly from the news page and published subject to practice area administrator approval

New Pro Bono Cases - In this area, the practice area administrator and other participating organizations can post descriptions of pro bono matters requiring volunteer assistance. Cases can be sorted by geographic location or related topic. Volunteers are able to review cases and email or call the sponsoring organization if interested.

Resource Library - This area contains resources for members, including training materials, model briefs and pleadings, case law, and other helpful information.

Roster - An alphabetical listing of all registered members of the Practice Area, and their contact information. This allows members to communicate with other advocates interested in similar issues, building a sense of community.

Listserv - Each practice area can support one or more listservs with online, searchable archives of discussion threads

Furthermore, sensitive content can be password protected on the PApronono.net site, allowing legal services programs and specialty services providers to share important information with pro bono attorneys supporting their efforts. Each of the above tools can be placed behind a password. Anyone wishing to access the password-protected content must first submit a membership application, which is reviewed by the practice area administrator before access is granted. Registered users have the option of saving their

password so they do not have to login every time they visit the Practice Area. These additional features make the site extremely effective for the partnership between the legal service and pro bono communities that is necessary to increase the access to justice for the neediest among us. Other special features which will support this grant proposal include:

Tiered Access to Content - In addition to password protection, access to content can be further controlled using the tiered access feature. Each registered member of the practice area is assigned a "member type" (e.g. legal aid staff, pro bono volunteer, law student etc). Each piece of content can be made available to all registered members, or can be restricted according to one or more member types. Tiered access allows collaboration among lawyers from different sectors while also allowing specialized or sensitive content to be restricted to a particular "member type".

Searching - The search engine executes a full text search of the site's holdings. This means the text of each document as well as relevant database fields that describe the document are searched.

Mailings - With the mailings tool, practice area administrators can employ the user-data captured on the site to email specific groups of advocates regarding new developments, new pro bono opportunities, and other information.

Content Sharing - Resources can be shared between password-protected practice areas through a new extended search tool. For example, a member of the practice area can search for materials posted within other Probono.net practice area libraries in Pennsylvania and other states. Each practice area administrator can determine which content to share with other practice areas.

Members Can Easily Submit Content - With the click of a button, members can submit library resources, news items, calendar events and pro bono opportunities for publication consideration. Once the practice area administrator approves submissions, content is published directly onto the site.

This grant proposal has the potential to do far more than bring another 5000 lawyers into the fold during the coming year. As the referral mechanism of the model program is institutionalized, thousands more attorneys should be able to find cases that are directly uploaded onto the site by legal services and specialty law programs, expanding greatly the impact of this effort.