

Dauphin County Bar Association Nonprofit Initiative

Application for *Pro Bono* Legal Assistance

The Dauphin County Bar Association Nonprofit Initiative will refer eligible nonprofit and community-based organizations to pro bono counsel. All legal services are free of charge. However, eligible organizations are responsible for out-of-pocket expenses such as copying, postage and governmental fees. The Dauphin County Bar Association Nonprofit Initiative monitors these relationships to ensure that both parties are satisfied with the representation.

This form will be used to help us learn more about your organization and its legal needs. Include any information that might be of interest, using additional sheets if necessary. It is important that you provide as much detail and be as candid as possible so your application can be evaluated quickly and fairly. For those questions that do not apply to your organization, please write “not applicable” as your response.

Who is eligible for pro bono legal services through the Nonprofit Initiative?

The Nonprofit Initiative is designed to provide assistance to Dauphin County nonprofit organizations that meet the following criteria:

- Have a charitable or community purpose,
- Have a three-year track record of operations, and
- Need free legal assistance to avoid impairing their programs and/or help further their mission and programming.

Organizations that serve low-income communities, are involved in community economic development, or serve low-income, indigent, or disadvantaged persons will receive priority.

What services does the Nonprofit Initiative provide?

The volunteer attorneys provide pro bono legal representation on a variety of legal issues including, but not limited to

- Negotiating lease agreements;
- Contract matters (employment, construction, etc.);
- Assisting with personnel and labor relations issues;
- Providing tax advice;
- Assisting a tenant organization in development of affordable housing through handling zoning, tax, real estate & financing issues;
- Advising on corporate governance matters, charitable registration and other regulatory compliance issues;
- Reviewing loan documents;
- Preparing limited partnership agreements; and
- Undertaking legal research and writing projects.

The Nonprofit Initiative can not assist any organizations with requests for representation related to any partisan political activity or any activity that might put the Dauphin County Bar Association's tax-exempt status at risk.

While all legal services are free, clients are responsible for paying filing fees and any other out-of-pocket costs.

What happens after I submit my application to the Nonprofit Initiative?

The Nonprofit Initiative Steering Committee will review your application to define your legal needs and determine if you meet the eligibility requirements. The Nonprofit Initiative Steering Committee retains complete discretion as to which matters it accepts.

Placement may take from two to six weeks from the time your application is approved. If you have not been notified within four weeks, please contact the Nonprofit Initiative at the number listed below. If a pro bono counsel is identified, you will be informed as soon as possible and instructed to contact that attorney directly. There is no guarantee that your organization will be referred for free representation.

Please email the application (and mail any attachments that cannot be emailed) to:

Sandy Ballard, Esquire
Public Services Coordinator
Dauphin County Bar Association
213 North Front Street
Harrisburg, PA 17101
Fax: 234-4582
sandy@dcba-pa.org

If you have any questions, please contact:

Sandy Ballard, Esquire
(717) 232-7536
sandy@dcba-pa.org

**The Nonprofit Initiative
Application for *Pro Bono* Legal Assistance**

ORGANIZATION CONTACT INFORMATION

Name of Organization: _____

Address: _____

Phone Number: _____ Fax Number: _____

Web site: _____

Name of Contact Person: _____

Position/Title: _____

Work Phone: _____ Home Phone: _____

E-mail: _____

BACKGROUND OF ORGANIZATION

1. Describe the purpose and/or mission of the organization.



Please attach a copy of the mission statement, if available.

2. Please describe your organization's activities and programs, including programs that serve the low-income community. Please also describe A] the population the organization serves; B] the geographic area the organization serves; and C] the number of people the organization serves annually.



Please attach any brochures, reports, or other documents that describe your organization's activities and programs.

3. Does the organization partner or collaborate with other organizations to accomplish its goals?

_____ Yes _____ No



If so, please attach a list of those partner or collaborating organizations and describe the relationship.

4. When and why was your organization formed?

5. Is your organization incorporated in Pennsylvania or in another jurisdiction as a nonprofit corporation?

_____ Yes _____ No



Please attach a copy of the articles of incorporation and bylaws.

6. Has your organization been designated by the IRS as tax-exempt under 501(c)(3) or 501(c)(4)?

____ Yes ____ No



Please attach a copy of the IRS determination letter.

7. Is your organization registered with the Pennsylvania Department of State Bureau of Charitable Registration?

____ Yes ____ No



Please attach a copy of your charitable registration confirmation.

8. How many board members are there in the organization? _____



Please attach a list of the board members of the organization and include names, titles, addresses, phone numbers, and affiliations. For officers, please list titles as well.

9. Please indicate the number of staff persons:

____ Paid ____ Volunteer



Please attach a list of staff and their position titles.

FINANCIAL INFORMATION

10. What is your organization's annual budget? _____

11. Does your budget contain a line for legal fees? ____ Yes ____ No

If yes, please indicate the amount \$_____

12. Please explain why your organization cannot afford to pay for legal services without significantly impairing program resources.



Please include a copy of your organization's annual report or income/expense statement (with a breakdown of income sources and expenses) for the most recent fiscal year AND a complete copy of the organization's IRS Form 990 for the past 2 years.

LEGAL NEEDS

13. Describe the legal needs of your organization, in as much detail as possible.



Please attach COPIES* of all related documents, such as legal papers, contracts, letters, title documents, project proposals, etc. * KEEP ORIGINAL DOCUMENTS FOR YOUR RECORDS.

14. Are there any deadlines relating to your request for assistance? If so, please list the dates and the nature of the deadlines:

15. Have you consulted with a lawyer regarding this matter? Yes _____ No _____

If yes, name of the lawyer: _____

Is this lawyer on retainer? Yes _____ No _____

16. Does the organization have any type of insurance that would help pay for the legal help you are now seeking (such as Errors and Omission insurance?)

If so, has the organization informed its insurance carrier of the current legal problem?

17. The lawyer that may represent you will need to know about any other parties who have been involved in any litigation, contracts, or other legal issues regarding your organization, to insure that there is no conflict of interest in representing you. Therefore, please list (on separate sheet, if necessary) any parties (individuals or organizations) that are involved with your organization—currently, in the past year, or that you anticipate being involved with in the next year. If the matter on which you need legal advice involves other people, organizations, or businesses, please also list their names here. This is VERY IMPORTANT. The Nonprofit Initiative must be able to eliminate all conflicts of interest in order to refer you to a volunteer attorney.

18. Does your organization have an ongoing need for legal advice? If so, please explain what kind of legal issues the organization anticipates having in the next 12 months:

19. Prior legal representation:

- a. Has a lawyer ever worked with your organization within the past 2 years? This includes lawyers active in your organization who may have provided legal assistance to your organization. _____ Yes _____ No (If "No," please skip the rest of this question).

If so, please list:

- b. Each lawyer's name, address and phone number.

- c. Why each lawyer is no longer representing your organization in this matter?

- d. When and what work did each lawyer perform?

20. Did you pay for any of the legal services described above? _____ Yes _____ No

MISCELLANEOUS INFORMATION

21. How did you hear about the Nonprofit Initiative? (Referral from another organization, brochure, listing in a directory, etc.) Please describe:

CHECKLIST

Please include the following documents with your application. In addition, enclose any other documents that may assist the Nonprofit Initiative in assessing your application.

- _____ Copy of Mission Statement
- _____ Brochures, reports, or other documents that describe organization's activities and programs.
- _____ Articles of Incorporation
- _____ Bylaws
- _____ IRS Determination of 501(c)(3) Status
- _____ Proof of Pennsylvania Charitable Registration
- _____ List of Board members with their names, titles, addresses, phone numbers, and affiliations. Please indicate which persons are officers.
- _____ List of staff and their position titles.
- _____ List partner or collaborating organizations and description of relationship with those organizations.
- _____ Copy of Annual Report/Budget or Income/Expense Statement for most recent fiscal year
- _____ Copies of IRS Form 990
- _____ **Copies** of all documents related to the organization's specific legal problem(s)

RESPONSIBILITIES, CERTIFICATION, & AUTHORIZATION TO RELEASE INFORMATION

While every effort will be made to preserve the confidential nature of your organization's legal issues, in seeking pro bono counsel some of the descriptive material, which you have provided will need to be disclosed in order to match your organization with a lawyer.

Client Responsibilities: If your application for pro bono legal assistance is accepted for referral to an attorney through the Dauphin County Bar Association Nonprofit Initiative, your continued cooperation is critical. We ask that you:

- Remember that the attorney has volunteered to help your organization.
- Even though the services are pro bono, be mindful of the fact that time is money for you and the volunteer attorney. Use the resource wisely. Call your attorney when you must, but don't monopolize his or her time with every problem that arises. Keep meetings and discussions on track and productive.
- Be on time and prepared for meetings. Call in advance if you need to reschedule.
- Promptly return phone calls, send requested materials and keep your attorney updated on any new developments in your case. Communication is very important.
- Notify your attorney and Sandy Ballard, the Dauphin County Bar Association Public Services Coordinator, if you change your contact information.
- Get a working understanding of what issues will be addressed within what time frame by the attorney. Some aspects of your case or transaction may be driven by project time lines, make sure you and the attorney understand these time lines. If new facts develop, keep your attorney up to date.
- Be mindful of the many priorities that are competing for your pro bono attorney's attention. Try to avoid urgent requests that require the attorney to drop everything and deal with your case. Give your attorney and yourself adequate lead time to respond.
- Be forthright and disclose all relevant facts and background. The legal advice will only be as good as the quality of information that you provide. The attorney is ethically bound to keep all material communications about your organization's legal issues confidential. Compliance with additional document requests is required before the Nonprofit Initiative Steering Committee can proceed with your application.
- This attorney has only agreed to assist your organization with the current legal matter. If another legal issue arises, please contact our office. This allows us to keep track of legal matters being handled, and to avoid overwhelming our volunteers.

Application Information: The undersigned authorizes the Dauphin County Bar Association Nonprofit Initiative, its collaborating organizations and their agents and employees, to verify, disclose and make copies of any and all information provided in this Application in the course of determining eligibility and in securing a volunteer attorney. The undersigned hereby releases any

person or entity complying with this Authorization from any and all claims relating to the disclosure of any such information and documents.

Release: By submitting this application, the undersigned applicant, intending to be legally bound hereby, agrees (i) that no claim shall be brought against the Dauphin County Bar Association or its employees or representatives, relative to this application, any action taken or not taken on this application, or services provided or not provided by any referred lawyer and (ii) that the Dauphin County Bar Association has undertaken no obligations or duties to the undersigned applicant and (iii) that no attorney-client relationship shall exist until such time as a written engagement is entered with a referred lawyer.

Validity: A copy of this Authorization shall be as valid as the original.

Certification: The undersigned hereby certifies that all of the information in this application is true, correct, and complete, and the organization's board of directors has authorized the undersigned to submit this application to the Nonprofit Initiative. The applicant further agrees to notify the Nonprofit Initiative in the event of any changes to this information and understands and agrees that the Nonprofit Initiative has the right to reject any applicant or withdraw from representing a client that submits an application with inaccurate information.

The undersigned understands the Committee's decision on this application is final and accepts its determination as final. The Nonprofit Initiative, at its sole discretion, will provide feedback to an applicant whose application has been rejected. In addition, the Nonprofit Initiative retains the right to dismiss any successful applicant from the Program at any time for conduct inconsistent and/or detrimental to the purpose, goals, or success of the Program.

Signature: _____

Title: _____

Print Name: _____

Date: _____

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