



BAY AREA LEGAL AID

PRO BONO

Private Attorney Involvement Plan 2017- 2018

Bay Area Legal Aid (“BayLegal”) is the largest provider of free civil legal assistance to the poor in the San Francisco Bay Area; serving the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo and Santa Clara. BayLegal practices in five main priority areas:

- 1) **Domestic Violence and Sexual Assault Prevention:** Assisting domestic violence survivors escape the violence and create a safe and stable environment for themselves and their families through **Family Law, Restraining Order, and Immigration** assistance.
- 2) **Housing Preservation:** Assist clients to access and preserve safe affordable housing free of discrimination, with specific focus on **Eviction defense and Fair Housing**.
- 3) **Consumer Protection:** Assist clients to obtain economic self-sufficiency and avoid predatory lending and abusive collection practices.
- 4) **Access to Health Care:** Assist clients to obtain healthcare services from county and state programs.
- 5) **Economic Security:** Assisting clients secure public benefits and eliminate the barriers to employment and self-sufficiency.

BayLegal recognizes that involving *pro bono* attorneys and volunteers in the provision of legal assistance to eligible clients is vital to achieving its mission. In addition, as a recipient of Legal Services Corporation (LSC) funds, BayLegal is required to adopt a Private Attorney Involvement (PAI) Plan to guide its *pro bono* activities. BayLegal’s 2017-2018 Plan promotes BayLegal’s mission and enhances the level and effectiveness of the legal assistance it provides to eligible clients.

Working closely with BayLegal attorneys, bar associations, legal services and *pro bono* programs, BayLegal’s Director of External Affairs and Pro Bono and Pro Bono Counsel oversee the implementation of the PAI Plan described below, including recruitment and training, project management and development, and reporting and compliance to ensure that BayLegal’s *pro bono* activities compliment and expand new and existing *pro bono* efforts throughout the Bay Area. BayLegal has worked hard to create and maintain an efficient and effective *pro bono* program and therefore our PAI Plan remains substantially the same.

The nature of the activities and cases, as well as their scope and duration, depend on the *pro bono* resources available in particular communities, and the most pressing client needs. In each of the activities described below, BayLegal, often in partnership with other providers and/or bar associations, provides primary malpractice insurance, CLE training (including manuals and sample materials), mentorship and technical assistance:

Family Law Pro Bono Advocacy Program (Contra Costa and Alameda County):

BayLegal recruits and coordinates a panel of attorneys who represent clients in family law cases on a *pro bono* basis. Volunteer attorneys accept cases on a limited scope (i.e. limited hearings or limited issues) and/or full scope basis. BayLegal staff and volunteers screen clients for eligibility and determine that the cases are appropriate for *pro bono* representation.

- To recruit and support the panel, BayLegal collaborates with The Justice & Diversity

Center (JDC) of The Bar Association of San Francisco, and Practicing Law Institute to create a webinar series based upon BayLegal's multi-week family law training course. Each panel participant receives an extensive *BayLegal Family Law - The Basics Manual* which includes overview of substantive law, dissolution procedure and sample pleadings.

- Upon placement, BayLegal provides ongoing mentorship throughout the *pro bono* assistance. The Pro Bono Department works with BayLegal staff attorneys to provide individual mentorship.

Pro Bono Immigration Advocacy for Immigrant Survivors of Crime and Violence Program: BayLegal recruits and trains *pro bono* attorneys to represent clients in Violence Against Women Act Self-Petition and U Nonimmigrant Status Petition actions. BayLegal staff and volunteers screen clients for eligibility and determine whether the case is appropriate for *pro bono* representation. Upon placement, BayLegal provides ongoing mentorship throughout the *pro bono* assistance. BayLegal provides MCLE training for local law firms and attorneys on immigration practice, domestic violence and working with low-income immigrant communities. Each participant receives a manual and supportive materials and a BayLegal attorney is available for technical assistance throughout the duration of the case. Additionally all *pro bono* attorneys are eligible to have access to an online U Forum, coordinated by Immigrant Legal Resource Center (ILRC), a statewide support center, which includes recorded webinar trainings, information about upcoming events and trainings, a forum for discussion and to ask questions.

Domestic Violence Collaborative Project (San Mateo County): In partnership with the Legal Aid Society of San Mateo County (LASSM) and Community Overcoming Relationship Abuse (CORA), low-income domestic violence survivors (who received *pro per* assistance from BayLegal's Domestic Violence Restraining Order Clinic) are placed with *pro bono* attorneys who represent them at their restraining order hearing. The collaborating agencies recruit most of the attorneys from local law firms, provide CLE training, and provide ongoing mentorship throughout the limited scope representation. Participants also receive a practice manual and sample pleadings. Local experienced family law attorneys are also recruited to assist with mentorship.

Limited Scope Domestic Violence Restraining Order Representation (Alameda and Contra Costa): BayLegal places low-income domestic violence survivors (who received *pro per* assistance from BayLegal's Domestic Violence Restraining Order Clinic) with *pro bono* attorneys who represent them at their restraining order hearing. BayLegal recruits attorneys, provides CLE training, and provide ongoing mentorship throughout the limited scope representation. Participants also receive a practice manual and sample pleadings. Local experienced family law attorneys are also recruited to assist with mentorship.

Veterans Pro Bono Project: BayLegal is committed to providing wraparound services to veterans in our community. The Veterans Project provides legal services to qualified veterans in myriad issues, including veterans' benefits, discharge upgrades, welfare and disability benefits, housing preservation, consumer issues, and health care access. Volunteers co-counsel with BayLegal staff specifically on advocating for discharge upgrades to ensure access to benefits through the Veterans Administration.

Youth Justice Pro Bono Project: BayLegal's Youth Justice Project (YJP) is an innovative regional project providing comprehensive advocacy to poor youth with disabilities and

mental health needs. The YJP provides a range of legal representation and assistance with a specific focus on ensuring access to essential public benefits, special education services, housing, and health care services. BayLegal is working with local law firms to recruit *pro bono* attorneys to represent disadvantaged youth seeking benefits and educational opportunities for which they are entitled. BayLegal conducts the initial assessment to: determine eligibility; identify the legal issues and needed services; determine whether appropriate for placement with a volunteer, and provides training and ongoing mentorship.

The YJP has also undertaken larger, systemic projects involving *pro bono* attorneys and other professionals to develop handbooks and manuals for working with youth, including the drafting of a Homeless Youth handbook and development of the accompanying online portal which will assist both youth and service providers statewide in identifying legal needs and resources available to this vulnerable population.

SSI Pro Bono Advocacy Project: BayLegal recruits and trains *pro bono* attorneys to represent clients in appealing the denial of SSI benefits. BayLegal staff and volunteers screen clients for eligibility and determine whether the case is appropriate for *pro bono* representation. Upon placement, BayLegal provides ongoing mentorship and technical assistance throughout the *pro bono* representation. BayLegal provides MCLE training for local law firms and attorneys on SSI law, procedure and practice. Each participant receives supportive materials and a BayLegal attorney is available for technical assistance throughout the duration of the case.

Co-counseling: BayLegal attorneys co-counsel with *pro bono* attorneys to represent eligible clients in affirmative and high impact cases, particularly where a co-counseling relationship will enhance the proper handling of the case.

Clinics: BayLegal runs several pro se clinics throughout the Bay Area as set out below. BayLegal Staff and Volunteers assist self-represented litigants prepare pleadings and understand the legal process. Clinics include:

- **Debtors' Rights Clinics** (Alameda, Contra Costa, Napa and Santa Clara, San Mateo counties): BayLegal Staff and Volunteers assist with preparing answers and asserting defenses to third party debt collection (junk debt buyer) lawsuits; protect exempt income from garnishment; prepare discovery; and stop debt collection harassment.
- **Housing Law Clinics** (Contra Costa County – Martinez, Pittsburg and Richmond Superior Courts): The Housing Law clinic is designed for low income individuals who cannot afford attorneys and have difficulty accessing other self help resources. BayLegal Staff and Volunteers assist litigants prepare pro per pleadings and understand the eviction process.
- **Domestic Violence Restraining Order Clinics** (Contra Costa and San Mateo counties): BayLegal Staff and Volunteers assist participants with pro per pleadings to obtain a Domestic Violence Temporary Restraining Order and understand the process.

In-House Volunteers: BayLegal routinely has volunteers, including private attorneys, law students, law graduates and paralegals volunteering in our regional offices providing a range of legal assistance, including research, preparation of pleadings and advocacy letters, and representation, to eligible clients under the supervision of BayLegal attorneys.

Technical Legal Advice/Consultation to and from Private Attorneys: BayLegal attorneys often provide technical assistance and advice to *pro bono* attorneys serving eligible clients within BayLegal's priority areas. From time to time, BayLegal attorneys also outreach to private attorneys for technical legal advice and consultation.

Providing and Receiving Training to and from Volunteer Attorneys: Private attorneys train BayLegal staff and participating *pro bono* attorneys on matters related to serving LSC eligible clients. Additionally, BayLegal staff has written and edited training manuals in each of BayLegal's practice areas used by *pro bono* attorneys and has served as trainers at *pro bono* conferences.

Complex Case Placement: Through LSC's Pro Bono Innovation Fund, BayLegal will develop the infrastructure to resolve more legal issues at the systems level through engagement of *pro bono* attorneys and their law firms in high-impact, complex litigation. BayLegal's *pro bono* staff is focusing on increasing the level of engagement and building broader and deeper relationships with law firm partners to connect them to higher profile litigation to meet their expressed desires to work on more complex and far-reaching issues for low-income communities.

Conclusion: BayLegal continues to work with bar associations, other legal services providers, *pro bono* programs, law schools, private attorneys and law firms to improve and increase the *pro bono* services available to serve the low income communities of the Bay Area.