

# **Central California Legal Services, Inc.**

**#805060**

## **2017 PAI Plan**

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Voluntary Legal Services Program



**2017 PRIVATE ATTORNEY INVOLVEMENT PLAN  
CENTRAL CALIFORNIA LEGAL SERVICES, INC.**

The Voluntary Legal Services Program (VLSP) of Central California Legal Services, Inc. (CCLS) submits plan for the involvement of private attorneys in the delivery of legal services to low-income persons in the CCLS service area, as required by 45 C.F.R et seq. The legal needs of eligible clients and the relative importance of those needs, have been taken into account in this plan. The 2017 Private Attorney Involvement Plan is within the Board-adopted priorities of CCLS. The plan replaces all prior plans from CCLS. This plan (“PAI Plan”) demonstrates that our resources will continue to be committed to maintaining the current PAI program and expanding services within the geographic service area.

CCLS has new executive leadership and is engaged in a community needs assessment as part of program-wide strategic planning. It is anticipated that the results of these efforts will refocus CCLS program priorities, and thereby PAI activities, for the 2018 PAI Plan.

I. The PAI Plan will be submitted to the Legal Services Corporation (LSC). Note: the PAI Plan includes activities selected based upon responses from the client community, CCLS Board of Directors, and the private bar.

II. Plan Elements:

A. Paul Carter Mullen, Esq. continues as the VLSP Supervising Attorney. Mr. Mullen has been in practice for 16 years, most of which has been with CCLS. He has extensive experience supervising the VLSP, including pro bono case placement and oversight, managing legal clinics, volunteer recruitment, recognition, and training.

B. VLSP Pro Bono Staff includes a part-time staff attorney and bilingual (Spanish) Administrative Assistant/Secretary. The VLSP receives support from other CCLS staff and departments, including Information Technology (IT), Executive Director, Fiscal Services, and Development Department. VLSP staff is funded in part by LSC funds and also by other resources, including IOLTA and EAF, administered by the State Bar Office of Legal Services.

C. The Program’s previous PAI plan was submitted to local bar associations in the service area, including the Fresno County Bar Association’s Pro Bono Services Section, and to the Access to Justice Coalition (e.g. Superior Court, specialty bar associations, community partners). These organizations support VLSP’s mission by recruiting volunteers, promoting events, and recognizing volunteers for their efforts.

## D. Partnerships and Collaborations

### 1. OneJustice

VLSP maintains a close working relationship with OneJustice, including frequent participation with their “Justice Bus” trips that bring urban law students to volunteer at rural legal clinics in the CCLS service area. In addition to serving immediate client legal needs, Justice Bus trips encourage law students to continue volunteering throughout their legal career. These trips bring resources and awareness from outside the Valley, generating local interest in pro bono projects. It is anticipated that Justice Bus trips will continue in 2017. OneJustice is also a partner in VLSP’s Fresno Veterans’ Center Legal Clinic.

OneJustice annually conducts Executive Fellowship training for executive directors and supervisors in legal service organizations. CCLS uses this resource to train its senior management. In 2016 the VLSP Supervising Attorney successfully completed the OneJustice Executive Fellowship Certificate in Nonprofit Management.

### 2. Legal Aid at Work

Legal Aid at Work (formerly Legal Aid Society - Employment Law Center) is a partner with VLSP on two important monthly legal clinics. The Workers’ Rights Clinic (WRC) and the Fresno Veterans’ Center Legal Clinic. The WRC has, for the past 5 years, provided legal information and self-help options to workers on employment law issues including: harassment, retaliation, wage and hour claims, and wrongful termination. The Fresno Veterans’ Center Legal Clinic (established in 2015) provides legal information and assistance to veterans and active military on multiple legal issues.

These projects with Legal Aid at Work will continue throughout 2017, which includes approximately 20 clinic sessions combined.

### 3. Morrison & Foerster LLP / Kirkland & Ellis LLP

In an effort to bring pro bono law firm resources into the Central San Joaquin Valley, CCLS has developed pro bono mentor relationships with global law firms from outside of our service area. The goal is to reach beyond our limited resources by engaging mega-law firms from major urban areas (e.g. San Francisco, Los Angeles) to assist CCLS expand its capacity to litigate cases with pro bono assistance.

In the late fall 2015, CCLS signed a memorandum of understanding with Morrison & Foerster LLP. In 2016, CCLS entered into a similar memorandum of understanding with Kirkland & Ellis LLP, which will also participate in the pro bono project.

This new project allows Morrison & Foerster LLP and Kirkland & Ellis LLP attorneys to advise and mentor (on a pro bono basis) CCLS staff attorneys on designated CCLS cases.

In 2017 VLSP and the Director of Advocacy and Litigation have implemented a new process for

identifying CCLS cases for designation and placement with these law firms. This includes assessing cases for pro bono referral during weekly case review and pre-screening (e.g. legal issues, conflicts) to facilitate placement.

4. Mexican Consulate in Fresno

The Mexican Consulate in Fresno continues to be a valued community partner with CCLS/VLSP on many projects, including providing Spanish language interpreters and assisting with community outreach and education for the Workers' Rights Clinic, and other projects.

In 2017, it is anticipated that the Mexican Consulate will continue its participation in the Workers' Rights Clinic with at least two of the clinic's monthly sessions hosted by the Consulate at its offices in Fresno.

5. Fresno County Superior Court

The Fresno County Superior Court continues as a partner with CCLS on two Equal Access Partnership Grants; the first involves unlawful detainer pro-per assistance for tenants and landlords, the second is pro-per assistance for those seeking guardianship of a minor. Both of these projects are staffed (in part) by VLSP volunteers with appropriate supervision by the VLSP Supervising Attorney and/or CCLS staff attorneys. In 2017 it is anticipated that both court clinics will achieve the goals established under the grant.

CCLS/VLSP also works closely with the Fresno County Superior Court through the Access to Justice Coalition (AJC) and other local government agencies and community organizations. In 2017, VLSP continues to participate in the AJC to seek outside resources and private bar volunteers to support VLSP pro bono programs.

6. Marjaree Mason Center & Fresno County Women Lawyers (Project First Step)

Project First Step (PFS) is a special project of VLSP and the following partner organizations: Marjaree Mason Center (shelter/counseling services), Fresno County Women Lawyers, and the Fresno County Bar Association's Pro Bono Services Section. PFS facilitates case placement and litigation support to volunteer attorneys who provide domestic violence victims with pro bono legal representation at their hearing to obtain a permanent restraining order of protection (and other relief available under the Domestic Violence Prevention Act). PFS also actively recruits prospective volunteer attorneys and conducts training for them twice annually. Fresno County Superior Court Judges regularly participate in conducting the new volunteer attorney training.

In 2017, VLSP will continue to staff PFS and place cases with volunteer attorneys, conduct ongoing recruitment and training sessions for new volunteers in partnership with local judges.

## 7. Collaborations with Law Schools and Universities

VLSP collaborates with regional and local law schools, colleges and universities to assist staff with current volunteer projects and cultivate the next generation of pro bono attorneys. In 2017, VLSP is engaged in all of the following:

- San Joaquin College of Law (SJCL) - law clerks from SJCL regularly volunteer with VLSP for individual law clerk positions in addition to helping staff the Fresno Superior Court Housing Clinic (2 days per week).
- University of California Merced - VLSP remains engaged with the student legal clinic on the UC Merced campus, which the students operate in conjunction with Merced area volunteer attorneys. In 2016 VLSP conducted training for UC Merced students so they could volunteer at senior legal clinics, Justice Bus events, and in the CCLS Merced office.
- Fresno City College Paralegal Studies Program - graduating students have a 300 hour internship requirement to receive their paralegal certificate. VLSP is fortunate to have a well-established internship program that offers students experience with litigation case support and clinical work. Annually, about 10-12 students, each donating 300+ hours, participate in the program providing between 3,000 and 3,600 volunteer hours, a significant contribution.
- Other California Law Schools (Justice Bus) - as mentioned above VLSP participates in several Justice Bus trips each year with volunteer law students from law schools throughout northern and southern California. Recent law schools participating include: Hastings, McGeorge, UC Irvine, and Golden Gate School of Law.

### III. Program Activities:

#### A. Pro Se Litigant Clinics

##### 1. Workers' Rights Clinic

The Workers' Rights Clinic (WRC) discussed above provides legal information and legal self-help options to workers on employment law issues encountered in the workplace. Volunteer attorneys provide a detailed informational packet (English or Spanish) and explain to the workers their legal options, including filing complaints with government agencies (e.g. Labor Commissioner, California Department of Fair Employment and Housing).

In 2015 the clinic was expanded using video conference technology to link all three CCLS offices. In 2016, approximately 30 members of the private bar and other volunteers assisted over 155 workers through the clinic project.

In 2017, over 30 clinic sessions are scheduled (11 combined monthly clinics at the three locations); the Mexican Consulate in Fresno will host at least 2 of these monthly clinics.

## 2. Conservatorship Clinic

Families in need of a conservatorship obtain legal information and pro per assistance completing forms, at the monthly conservatorship clinic (CCLS Fresno). This clinic is conducted in collaboration with the Fresno County Public Law Library where volunteers assist staff with the clinic sessions and provide self-help assistance with court forms. This clinic format was recently re-structured to continue the conservatorship work after a grant funded in partnership with the Fresno Superior Court ended in 2015.

The 2017 project goal is to continue to provide conservatorship services in Fresno County consisting of 12 monthly self-help clinics.

## 3. Fresno Court Housing Clinic

In 2015, CCLS began an Equal Access Fund (EAF) Partnership Grant with the Fresno Superior Court to create and operate a housing clinic at the courthouse for self-represented litigants. Volunteers are a key component in maintaining adequate staffing for the clinic. Volunteer law clerks and paralegal students are recruited and trained (by CCLS supervising and staff attorneys) on procedural and substantive aspects of the project. Volunteer training materials were developed for this purpose, including a training manual and Power Point presentation, in addition to effectively utilizing existing available training materials.

In 2016 the project exceeded the grant goals: Over 547 self-represented litigants sought services through the project with 490 self-represented litigants receiving services. Over 758 informational packets were distributed including Judicial Council forms and self-help legal information materials (available in English and Spanish). [Note: all litigants seeking services were offered appropriate referrals to other legal services including community partners.]

In 2017, the project goal is to conduct 200 clinic sessions and serve 350 court litigants (through December 31, 2017).

## 4. Veterans' Legal Clinics

In 2015, VLSP implemented a new monthly legal clinic for veterans in conjunction with OneJustice and Legal Aid at Work (formerly the Legal Aid Society - Employment Law Center). The clinics are held at the Fresno Veteran's Center (U.S. Department of Veteran's Affairs). VLSP volunteer attorneys, local law students, and Justice Bus law student volunteers assisted in providing services to veterans. Topics included housing, employment rights, and expungement of criminal records (new issue). Recruitment of new volunteers was targeted to area law firms and a permanent clinic schedule was developed and implemented.

The project goal for 2016 was achieved, which included continuing monthly clinic sessions, developing a revised legal topic schedule, finalizing a formal MOU with the Fresno Vet Center, and continuing recruitment of volunteers.

The expungement of criminal records and military discharge upgrades are two services in

demand among veterans. In 2017, CCLS will begin offering regular expungement clinics for veterans, staffed by volunteer attorneys and interns, in partnership with the Vet Center.

The 2017 project goal includes continuing the clinic while undertaking an evaluation of the legal services and delivery methods to maximize pro bono attorney services for veterans.

The Annual Fresno County Veterans Employment Commission's Central Valley Stand Down Clinic is another critical service provided for veterans. VLSP recruits attorneys to assist armed services veterans with their legal needs. VLSP proudly participates in this event annually at the VFW Post 8900 in Fresno, California.

The VLSP civil legal clinic is held on the first day of the Stand Down, where volunteers provide free legal advice on a variety of civil legal issues, including public benefits, housing, family law, consumer debt, and estate planning. The second day consists of general intake and outreach. Although Stand Down is an annual event, VLSP participates in monthly Stand Down meetings regarding ongoing opportunities throughout the year for our volunteers to serve the veterans in our community.

In conjunction with the Stand Down event, VLSP also participates in the Stand UP outreach event for women veterans. In 2017, the goal is to continue VLSP participation in both of these annual veterans' events and increase clinic participation by volunteer attorneys.

#### B. Limited Scope Representation

**Project First Step** (PFS), as discussed above (Partnerships and Collaborations), provides attorney representation to domestic violence victims at their hearing to obtain a permanent order of protection against their abuser. Cases are placed by VLSP staff for limited scope representation by volunteer attorneys for clients in court. Training for new volunteers is hosted by a local pro bono law firm. A local Superior Court Judge who hears felony domestic violence cases, a CCLS family law staff attorney, and victim advocates from a local shelter, conduct the new volunteer attorney training.

In 2016 VLSP continued its efforts to expand PFS beyond Fresno County, including Mariposa and Tulare Counties. VLSP did offer legal training to victim advocates in outlying counties and developed relationships with organizations in those areas. VLSP has continued to maintain a relationship with Mountain Crisis Services in Mariposa, including training, answering staff legal questions, and exploring the use of video technology for client intake and interviews.

The 2017 project goal is to continue volunteer recruitment and case placement, including placing at least one case with each new volunteer attorney. Efforts to expand this project beyond Fresno County remains limited due to limited staff resources.

**Tenant Defense Clinic:** In 2017, CCLS has recruited and is training members of the private bar to undertake limited scope representation of tenants in unlawful detainer matters. Specifically, these lawyers will provide advice to clients with meritorious defenses who are referred from the Fresno Court Housing Clinic, and will appear with clients in unlawful detainer

matters in the Fresno County Superior Court. CCLS has also begun recruitment of attorneys in Tulare County to undertake a similar project, which will be tailored to the Tulare County Superior Court's procedures for handling unlawful detainer matters.

### C. Estate Planning Clinics

Seniors and others needing simple estate planning legal advice and documents (e.g. California Statutory Wills, Durable Power of Attorney, and Advanced Health Care Directives) in Fresno County may receive these services at several clinics offered through VLSP. These clinics include: Fresno law firm Lang, Richert & Patch (quarterly, Fresno); San Joaquin College of Law Senior Law Day (annual, Clovis); Fresno Veterans' Center Legal Clinic (monthly, Fresno); and various joint clinics with the Justice Bus. In addition to clinics, select volunteer attorneys are available to respond to urgent estate planning (e.g. hospice care, home visits) and some small estate probate matters (on a limited scope basis).

In 2015 VLSP began a pilot legal clinic in Porterville (southern rural Tulare County) at the local Community Services & Employment Training (CSET) Senior Center with the assistance of local attorneys who have volunteered in response to a targeted recruitment campaign for Tulare County. Although a modest beginning, all volunteer participants have supported future clinics. The goal for 2016 was to service this rural area with greater frequency, perhaps on a quarterly basis.

In April 2016, VLSP launched a new estate planning clinic in Merced, expanding services in Merced County through the pro bono efforts of local attorneys and law students. The first clinic was held on Saturday, April 9, 2016 at the CCLS office in Merced. Clients received estate planning information and were able to have legal documents drafted (and notarized, as applicable), including California Statutory Wills, Power of Attorney, and Advanced Healthcare Directive documents. Joining VLSP on the launch of this new clinic were Justice Bus law students from McGeorge School of Law. Clinics were held in Merced quarterly throughout 2016. VLSP successfully recruited new volunteer attorneys for the Merced clinic through the Merced Bar Association (including bar officers). In October 2016, VLSP and other CCLS teams conducted a community education seminar at a senior housing mobile home park in Gustine; topics included estate planning, health care, and elder abuse.

In 2017 the project goal is to continue quarterly Merced senior legal clinics with local pro bono attorneys. Clinic sessions may include presentations on other legal issues, including elder abuse and consumer protection issues.

### D. Other Referrals for Direct Representation

The VLSP accepts direct referrals from other CCLS substantive law teams, including the Legal Advice Line. VLSP refers these cases to volunteer attorneys; they may include consumer or family law cases, landlord/tenant cases, probate matters, elder abuse/fraud and others. In 2017 the goal is to increase the number of co-counseling and pro bono mentoring opportunities for CCLS staff attorneys (focusing on those licensed less than three years).

#### IV. General Operational Plan

##### A. Staffing

As set out in “Plan Elements” Section II A and B, the VLSP is staffed by a full-time supervising attorney, a part-time staff attorney, and a bilingual (Spanish) administrative assistant/secretary, with support from other CCLS departments. Increased use of technology in the delivery of legal services generally, and at clinics, requires increased contracted information and technology services from outside sources.

Each pro se clinic is supervised by the VLSP Supervising Attorney, and/or other CCLS staff attorney(s). The clinics are supported by volunteer attorneys, law clerks, and paralegals who were recruited by VLSP.

The VLSP Supervising Attorney oversees daily operations and handles all direct representation referrals to volunteer attorneys. The Supervising Attorney also offers mentoring and guidance on cases, follows upon the cases (at minimum quarterly) and maintains all records in association with those referrals.

##### B. Case Intake, Follow-Up and Evaluation

###### 1. Client Intake

Client eligibility and intake for VLSP is conducted primarily by the CCLS Legal Advice Line (for cases opened and then transferred to VLSP) or directly by VLSP (e.g., pro bono clinic cases, private bar referrals). After transfer to VLSP, the Supervising Attorney reviews the case and makes a case placement referral to a volunteer attorney with appropriate follow up. Clients seeking services through legal clinics are scheduled for the next available pro bono clinic. Time sensitive cases (e.g. domestic violence restraining orders) are reviewed and placed immediately. Other civil matters are generally placed within two weeks (subject to volunteer availability).

###### 2. Follow-Up and Evaluation

VLSP staff uses case management software (i.e., Kemps) to help place new pro bono cases with volunteers, track case status and services provided, and document case outcomes and pro bono hours. Critical calendar dates are entered into the case management program, including follow-up “tickler” dates to track case status. Review of open pro bono cases is conducted periodically throughout the year to monitor the quality of the legal services and the timely processing and closing of cases.

Depending on the nature of the case, the experience level of the volunteer attorney, and extent of the pro bono representation (e.g. extended litigation, co-counsel, or limited scope), the VLSP Supervising Attorney may have more frequent contact with the volunteer. Interim reports may be requested of pro bono attorney on extended litigation cases. The Supervising Attorney also provides mentoring and support for volunteers as needed. Case closure reports are requested and obtained from pro bono attorneys at the conclusion of their representation, which includes a

summary of the legal issue(s) and work performed, case outcome(s), and total pro bono hours.

Client satisfaction surveys are provided to clients at the conclusion of their receipt of pro bono legal services, including direct representation and individuals who received legal information at advice-only or self-help clinics. These surveys are collected and reviewed by VLSP for program evaluation purposes, including quality control, and enhancement of client services. In 2017 VLSP will include opportunities for volunteers to evaluate their pro bono experience for program improvement.

#### C. Recruitment and Training of Volunteers

Strategies to expand the available pool of volunteer attorneys include extensive outreach with the local bar associations and at other specialty bar sections and subsections. Recruitment of attorneys occurs year-round through various meetings and speaking engagements to the private bar, service clubs, and one-on-one efforts. Volunteer attorneys receive an information packet that contains policies on intake procedures and necessary research, cultural information and case support information.

VLSP conducts and/or hosts numerous free training opportunities, most of which are linked to specific volunteer projects to encourage recruitment and ensure the delivery of quality legal services. Some of these trainings include: employment law (Worker's Rights Clinic); effective representation of domestic violence victims (Project First Step); simple estate planning documents (Senior Will Clinics); housing rights and unlawful detainer process (Fresno Court Housing Clinic, and Tenant Defense Clinic); and, expungement and clearing of criminal records (Veteran's Legal Clinic).

#### D. Recognition and Retention of Existing Volunteer Attorneys

Recognition and retention activities include public and individual recognition for volunteers. For example, the Pro Bono Services Section of the FCBA presents pro bono awards at the annual Law Day luncheon.

Volunteers including pro bono attorneys who donate a minimum of 50 hours annually are eligible to receive the State Bar of California Wiley W. Manuel Pro Bono Service Certificate.

In addition, other efforts to retain volunteer attorneys include providing ongoing case management and litigation support, free training and MCLE credits, responding to volunteer needs and concerns, providing multiple types of volunteer opportunities to accommodate volunteer availability, and volunteer recognition (above).

#### E. Community Partnerships and Outreach

VLSP interacts with the legal and client communities in many important ways, including outreach and fostering partnerships with community organizations.

Community outreach and education by VLSP includes: educational presentations to seniors, tenants, and student groups; participation in local bar association events, including Law Day; events sponsored by the Mexican Consulate in Fresno; Veteran's Stand Down/Up annual events; Westcare, a residential treatment and case management program; speaking and training engagements with local bar associations.

The VLSP Supervising Attorney is highly involved in the legal communities within the geographic service area, including: membership in the local bar associations and participation in minority/specialty bar events; and publication of articles in the Fresno County Bar Association's monthly Bar Bulletin newsletter. These articles promote pro bono projects, new volunteer training opportunities, and recognize volunteers.

VLSP enjoys a number of strategic partnerships including those with the local bar associations in our service area, the State Bar of California Pro Bono Practices Program, the battered women's shelter, the annual Homeless Veterans' Stand Down, the Family Law Facilitator's Office, the Fresno County Public Law Library, and the Fresno County Bar Association Pro Bono Services, Family Law and Probate Sections. The project also coordinates efforts with OneJustice and the Legal Aid Association of California, and with the Legal Aid Society - Employment Law Center. Volunteer attorneys and law students have assisted in the annual seniors clinics at San Joaquin College of Law at which simple wills, advance health care directives, and powers of attorney are prepared for senior clients.

#### F. Budget

To implement this plan, the 2017 PAI budget projects the expenditure of at least 12.5 percent (\$402,853) of the estimated 2017 basic field grant award. It includes staff time devoted to PAI activities and other related expenses attributable to the PAI components. In 2016 CCLS was granted a partial waiver of its 2016 PAI expenditure requirement.