

**RESOLUTION
OF
BOARD OF DIRECTORS OF LEGAL AID OF ARKANSAS**

**In Support of Enhanced Private Attorney Involvement
With LSC-Funded Programs**

Whereas, the Legal Services Corporation and the programs it funds, including Legal Aid of Arkansas, have long recognized that the overarching values of private attorney involvement to LSC-funded programs are increased access, increased human and capital resources and increased *pro bono* commitment; and

Whereas, at its April 2007 meeting, the Board of Directors of the Legal Services Corporation adopted Resolution 2007-003 supporting and encouraging private attorney involvement and urging governing boards of LSC-funded programs to collaborate with other organizations to effectively engage lawyers in *pro bono* representation and other services that benefit low-income persons; and

Whereas, the LSC Board of Directors resolution builds upon the following national LSC initiatives:

- The October 2005 LSC report, *Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans*, which found that 50 percent of the potential clients requesting assistance from an LSC grantee were turned away for lack of resources on the part of the program;
- The *LSC Strategic Directions 2006-2010*, which calls upon LSC to increase public awareness of and support for legal services to low-income persons in order to respond appropriately to more of their legal needs;
- The *LSC Performance Criteria*, which consider, in evaluating a program's legal representation and other activities intended to benefit the low-income population in its service area, whether that program effectively integrates private attorneys into its work in order to supplement the amount and effectiveness of its representation and other services;
- The Provision for the Delivery of Legal Services Committee of the LSC Board of Directors 2006 meetings, which highlighted the potential, opportunities and challenges of private attorney involvement and determined ways in which this critical resource can be used more effectively by LSC-funded programs as a means to help close the justice gap;
- The unanimous adoption in January 2007 by LSC Board of Directors of a strategic work plan entitled *Action Plan for Private Attorney Involvement: Help Close the Justice Gap, Unleash the Power of Pro Bono*, which highlights the benefits of engaging private attorneys to help represent clients of LSC-funded programs and describes ways in which the LSC Board and staff will work to expand private attorney involvement;

- The American Bar Association’s Model Rule 6.1 and similar state bar rules note the professional responsibility of every lawyer to provide *pro bono* legal assistance to persons of limited means.

Whereas, in Arkansas:

- The 2002 *Civil Legal Needs Assessment of Low Income Households in Arkansas* found that approximately 16 percent of those surveyed could have benefited from the services of a lawyer during the previous year and that four percent were involved in a legal suit;
- The Arkansas Supreme Court adopted a proposal from the Arkansas Bar Association and its Legal Services Committee in 2003 to create the Arkansas *Pro Bono* Partnership, which links the state’s four *pro bono* entities together to develop marketing, recruitment and recognition programs designed to enhance the efficiency and effectiveness of *pro bono* activities in the state;
- The Arkansas Access to Justice Commission conducted Town Hall meetings in each Congressional District in 2006, which provided important needs information based on testimony by clients, agency staff, judges, private attorneys and the general public;
- The Arkansas Access to Justice Commission, with the support of the Arkansas Bar Association Board of Governors and subsequent promulgation by the Arkansas Supreme Court, developed changes to Arkansas Model Rule of Professional Conduct 6.1 which provide for mandatory reporting of *pro bono* hours, an aspirational goal of 50 *pro bono* hours per year and recommend that lawyers should voluntarily contribute financial support to organizations that provide legal services to persons of limited means.

Now, Therefore, Be It Resolved that the Board of Directors of Legal Aid of Arkansas, in an effort to help close the justice gap in Arkansas, supports and encourages private attorney involvement with Legal Aid of Arkansas and will endeavor to:

- Collaborate with other organizations and entities in Legal Aid of Arkansas’ 31-county service area to develop and facilitate educational efforts and demonstrate the extent of the unmet civil legal need and encourage collective responsibility within those 31 counties by both public and private entities to help meet this unmet civil legal need;
- Collaborate with other organizations and entities in Legal Aid of Arkansas’ 31-county service area to develop effective strategies for engaging lawyers in *pro bono* representation and other services that benefit low-income persons;
- Consider including in that collaboration organizations and entities such as the Arkansas Access to Justice Commission (a Commission of the Arkansas Supreme Court), Arkansas Bar Association, Baxter County Bar Association, Benton County Bar Association, Blytheville Bar Association, Boone-Newton Bar Association, Carroll County Bar Association, Clay County Bar Association, Cleburne County Bar Association, Craighead County Bar Association, Crittenden County Bar Association, Cross County Bar Association,

Greene County Bar Association, Independence County Bar Association, Jackson County Bar Association, Lawrence County Bar Association, Lee County Bar Association, Marion County Bar Association, Monroe County Bar Association, Osceola Bar Association, Phillips County Bar Association, Poinsett County Bar Association, Randolph County Bar Association, St. Francis County Bar Association, Stone County Bar Association, Tri-County Bar Association, Van Buren County Bar Association, Washington County Bar Association, Woodruff County Bar Association, FedEx Freight East, Tyson Foods, Wal-Mart Legal Department, University of Arkansas School of Law at Fayetteville and University of Arkansas Law School Legal Clinic; and

- Develop strategies that encourage *pro bono*, including creative recruitment methods and delivery models, attorney practice and continuing legal education rules and training, mentoring, support and recognition of volunteers.

Be It Further Resolved that the Board of Directors of Legal Aid of Arkansas will promote, support and encourage private attorney involvement initiatives by publicizing and recognizing private attorney involvement in the work of Legal Aid of Arkansas and by collaborating with national, state and local organizations to create opportunities for such publicity and recognition.

Adopted by the Board of Directors of Legal Aid of Arkansas on June 23, 2007

Chalk Mitchell, Board Chair