

Volunteer Resource Center (VRC)

Organization: Legal Aid Society of Columbus

Category: Pro Bono

Problem/Challenge/Need: Decline in economy greatly increased the legal problems faced by the low income communities of Franklin County. At the same time, funding reductions resulted in a 40% decrease in the attorney staff at the Legal Aid Society of Columbus (LASC). LASC had a reduced ability to serve its constituents at a time when the need for civil legal services was growing. Among the staff cutbacks faced by LASC was the elimination of the Pro Bono Coordinator position.

Innovation Description: (1) Create a clearinghouse, consisting of volunteer, private sector legal resources, in order to:

- (a) recruit and train private sector attorneys,
- (b) screen cases referred by LASC,
- (c) refer clients to trained volunteer lawyers, and
- (d) monitor case progress through to conclusion.

(2) Begin by selecting one area of need that involves less complex legal issues and limited time commitment from individual practicing lawyer volunteers. The VRC chose defense of private eviction actions as its first project. Use legal aid staff to design and conduct a CLE training targeted to the selected area of practice, tape the CLE training, and make the CLE training available to volunteers. Recruit legal aid staff to be available to mentor volunteers. When the selected project is up and running, with volunteer lawyers and in-house volunteers trained and in place, add additional practice areas/projects.

(3) Institute the clearinghouse without the use of dedicated paid staff, but instead use volunteer, retired lawyers to set up the structure, to recruit private sector lawyers, to administer the program and to screen the cases for merit.

Result: The program started with two volunteer retired lawyers who brainstormed the structure of the VRC. They were given offices at LASC and complete support from the Director. They recruited ten other retired volunteer lawyers who were willing to work in the call center at LASC to screen and refer meritorious cases. The call center operates 9 a.m. to 4 p.m., Monday - Friday, with volunteers working 3 hour shifts.

Because the two lawyers whose vision it was to create the VRC were well known throughout the Columbus practicing Bar, they had access to the managing partners of most of the major law firms and used that access to recruit volunteer lawyers. A substantial database of volunteer lawyers was created. It was also soon evident that many young lawyers who had not secured employment viewed the VRC as an opportunity to get legal experience, to use their skills, to gain courtroom experience, and to add that experience to their resume. These recruits were also added to the database. In eight months of operation the database of volunteer private sector lawyers has grown to more than 110.

2011 Innovations in Civil Legal Services

During the period of February 1 – August 31 approximately 65 clients, who would have otherwise been turned away by LASC, have been represented by volunteer attorneys. The VRC has had a minimal cost impact on LASC's budget (e.g., office space, phone equipment and lines, computer equipment, office supplies, malpractice insurance).

Materials available: Brochure, Power Point Presentation, CLE Training Tape, Articles

Contact Information: Mike Renner mrenner@columbuslegalaid.org, 614-737-0147 and Bert Kram, bkram@columbuslegalaid.org, 614-737-0162

Legal Aid Society of Columbus

Volunteer Resource Center

Volunteer Lawyer Sign-Up

Name: _____

Firm/Company: _____

Address: _____

Telephone NO. (Daytime): _____

Email: _____

I am willing to represent clients in:

_____ Housing (evictions from private, non-subsidized, tenancies)

_____ Domestic (uncontested matters)

_____ Consumer (credit debt collection)

_____ Other _____

What is the VRC?

- VRC is a group of private attorneys who donate their time and legal skills to help some of those low-income individuals who would otherwise be unrepresented.
- It is a response to the economic crisis that has left a dramatic gap between the rising number of people who need legal assistance and the significantly reduced staff of legal aid lawyers.
- A program designed to bring together those in need and those who can give, in a way that is efficient, low cost and effective.
- VRC does not just provide counseling services, but handles actual court cases and provides lawyers with valuable courtroom experience.

Why Do We Need the VRC?

- Poverty rates in Central Ohio are soaring. Our declining economy has sparked an increased need for legal assistance among low-income individuals and families.
- The declining economy has also meant diminishing resources for non-profit legal organizations such as the Legal Aid Society of Columbus. These organizations now rely on volunteer lawyers like you to maintain their legal services to the poor.
- Everyone deserves equal access to the justice system, and you can help assure that by donating your time and expertise.



"The VRC is only just beginning to meet the community's needs. The potential for growth in terms of areas of law serviced and in terms of numbers of lawyers involved is significant."

— Bert Kram, Co-founder of VRC

Want to Get Involved?

The VRC's clients are not the only ones enjoying the benefits of the program. The VRC provides an opportunity for its volunteers to make a difference and enjoy the positive feeling that they are using their talents for the benefit of individuals in crisis who have no other place to turn.

To get involved, mail in the Volunteer Lawyer Sign-Up sheet to:

1108 City Park Avenue
Columbus, OH 43206

OR

Call: (614) 224-8374

OR

Email: volunteerresourcecenter@columbuslegalaid.org

OR

Go online to:

www.columbuslegalaid.org/index.php/vrc



The Legal Aid Society of Columbus is a 501 (c) (3) non-profit regional law firm dedicated to improving the lives of the poor in civil legal matters. Funding sources include: the Ohio Legal Assistance Foundation, Legal Services Corporation, United Way, Columbus Bar Foundation, The Columbus Foundation, as well as federal, state, and local governments.



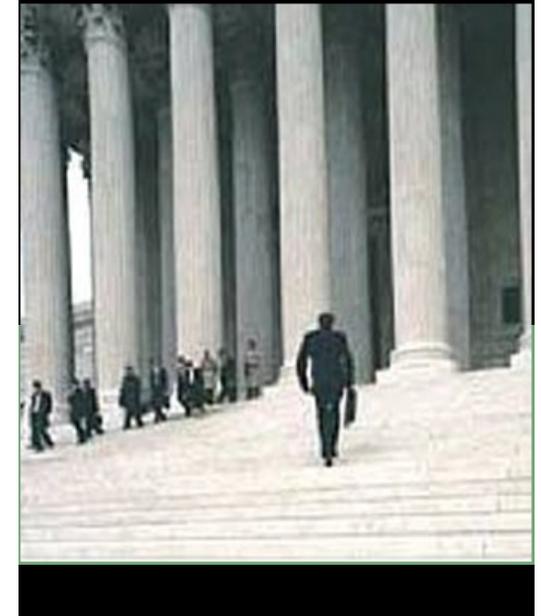
LASC

The Legal Aid Society of Columbus

VOLUNTEER RESOURCE CENTER

LASC *The Legal Aid Society of Columbus*

*Providing high quality legal
representation to low-income
individuals throughout Central Ohio*



LASC

The Legal Aid Society of Columbus

Volunteer Resource Center

*Combining Volunteer Legal Services with
Unmet Civil Legal Needs of the Poor*

- Central Ohio's poor face rising difficulty in economically stressed times.
- LASC has faced severe budget cuts and reduced the size of its legal staff.
- Significant numbers of lawyers in private firms are willing to contribute to the needs of the poor; there are many young lawyers not yet with private jobs; corporate law departments wish to make community contributions; retired lawyers are interested in serving those in need.

Legal Areas of Most Need

- Domestic
- Bankruptcy
- Landlord-Tenant (Evictions)
- Consumer Credit
- Foreclosure
- Public Benefits
- Wills and Probate
- Tax

Landlord - Tenant

LASC turns away 2000 clients/year because of lack of capacity to help and other reasons

Landlord tenant law for private housing (separate from government subsidized housing) is not difficult

Average time commitment for representation, 10-20hrs/case

Case normally over and closed within a few months, rare to have lingering issues

VRC Process

- Recruiting
- Training
- Equipping
- Screening
- Administering

Recruiting

Make oral presentation with PowerPoint and written materials

- Pro Bono Coordinators at law firms
- Contacts at corporate law departments
- CBA and law school connections to unplaced young lawyers
- Retired, licensed lawyers

Focus on attendance at April 21 training -- free CLE

What is requested?

- Willingness to help the poor
- Willingness to absorb a different, not difficult, area of law
- Come to 3.5 hour training (CLE)
 - ❖ First training, January 19
 - ❖ Second training, March 3
 - ❖ Next training, April 21
 - ❖ Subsequent trainings TBD
- Take a minimum of two eviction cases per year, completely pro bono
- Understand that some cases, not all, could take up to 20 hours of work

Training

- 3.5 Hrs, FREE, full CLE credit
- Includes cultural instruction
- Interactive discussion of hypothetical cases
 - ❖ Logistics of client interaction and interviews
 - ❖ How to spot defenses and what to do with them
 - ❖ Best practices for settlement
- Basic law and procedures

GOAL: All volunteer lawyers have the training, or second chair to a volunteer lawyer who received the training

Equipping

Volunteers will have access to:

- Hard copy and electronic forms (pleadings, entries, etc)
- Intake personal background and brief facts memo secured by VRC
- Where applicable, research memos and briefs prepared by LASC lawyers
- Consults with Legal Aid lawyers specializing in this area of law
- LASC malpractice insurance

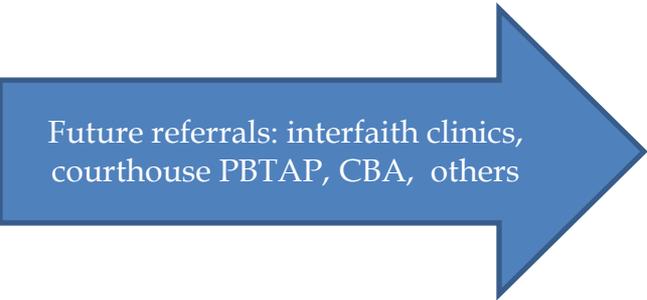
Libraries of participating firms will be encouraged to stock *Ohio Eviction and Landlord-Tenant Law (3rd ed)*, *Iskin*, a thorough guide to representing low-income tenants under Ohio law

Screening

- Continually monitor capacity of volunteer lawyer workforce as criteria for number of cases we can handle at given point of time
- Receive and evaluate info sent from LASC intake as potential clients to be referred to volunteer lawyers
- Further develop and evaluate fact pattern to identify potential clients with issues that can be advanced by legal representation

Administering

Intake/screening at LASC and its Housing Team



Volunteer Resource Center



VRC identifies volunteer lawyer



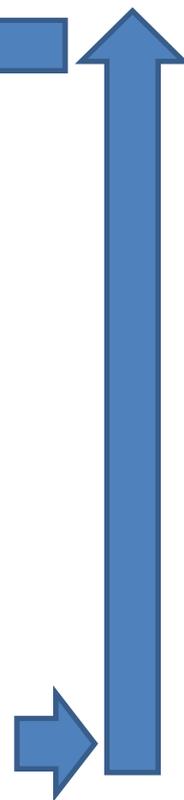
VRC packages information and transmits to volunteer lawyer



Volunteer lawyer contacts client - Provides appropriate representation



Volunteer lawyer reports back to VRC, periodically and on completion



LASC

The Legal Aid Society of Columbus

With your help

*New lawyers can gain experience
Senior lawyers can pay-it-forward
&*

*The poor can obtain
access to justice!!*

HOW MANY LAWYERS DOES IT TAKE ... ?

The most recent statistics from the U.S. Census Bureau put poverty rates in Ohio at 15.2% and Columbus at 14.8%, both figures reflecting a consistent increase each year for the past 10 years. In response to this crisis, several Columbus lawyers began to focus upon ways to expand Legal Aid services to the poor in the face of bad economic times by significantly expanding the use of volunteer lawyers.

By Samantha M. Makar

Mr. Stanley (not his real name) came to Legal Aid in March of this year recently unemployed, out of money and on the brink of losing his home. A 31-year-old man living with his wife and three children, Mr. Stanley had been making a living performing maintenance and landscaping for his landlord. He had recently discovered that his employer had been shorting him on overtime pay and had failed to send Franklin County the child support payments being withheld from his paychecks. Confused and fearful that he would find himself in legal trouble, Mr. Stanley contacted Franklin County Child and Family Services and explained his situation. FCCS warned his employer that it would investigate and take any necessary legal action. Quickly thereafter, Mr. Stanley was fired. He sought the help of an attorney, who sent a letter to the employer alleging wrongful termination as well as demanding back wages and payment to FCCS for back child support. The swift response Mr. Stanley received from his employer came in the form of an eviction notice. His attorney, being inexperienced in landlord/tenant disputes, referred Mr. Stanley to the Legal Aid Society of Columbus.

Despite his dire circumstances and the merits of his case, just a few months ago Mr. Stanley would have found that LASC was simply unable to help. Our declining economy has sparked an increased need for legal assistance among low-income individuals and families. Sadly, that decline has also meant diminishing resources for non-profit legal organizations such as LASC, which rely primarily on charitable contributions. Since the Recession began, LASC had to cut nearly 40 percent of its lawyers. As it stands today, roughly 2000 potential clients a year are turned away due to lack of resources. Among those most likely to be denied are cases like Mr. Stanley's that involve disputes between private landlords and tenants. His plight is just one instance of a rapidly growing problem in Columbus, and all of Ohio.

The most recent statistics from the U.S. Census Bureau put poverty rates in Ohio at 15.2% and Columbus at 14.8%, both figures reflecting a consistent increase each year for the past 10 years. In response to this crisis, several Columbus lawyers began to focus upon ways to expand Legal Aid services to the poor in the face of bad economic times by significantly expanding the use of volunteer lawyers.



Along came Bert Kram and Mike Renner, two retired private sector attorneys tapped by that group to take a closer look at the problem and propose ways to better meet the legal needs of Columbus's low-income community. Combining their 60 years of experience and expertise in the local community, Mike and Bert set to work compiling information on existing pro bono legal organizations and evaluating specific kinds of clients that LASC was currently unable to help. The two found that the inclination to volunteer time and services was growing among our local legal community. The goal, then, was to develop a program that brings together those in need and those who can give in a way that is efficient, low cost and effective enough to encourage and inspire involvement.

Supported by the Legal Aid Society, Bert and Mike's efforts came to fruition this year with the launching of the Volunteer Resource Center. VRC is a group of private attorneys who donate their time and legal skills to helping some of those low-income individuals who would otherwise be turned away. The program is based out of LSAC's offices and staffed by volunteer attorneys, including Bert and Mike. Currently, VRC is focused on providing legal help for those like Mr. Stanley, tenants of non-subsidized housing who are in conflict with their landlords over nonpayment of rent or other grounds for eviction. Attorneys who agree to donate their time take a short eviction class, and then are placed on VRC's referral list. VRC handles case evaluation and client intake, then refers appropriate cases to attorneys on its volunteer list.

One such attorney is Rick Brooks, a member lawyer and the Pro Bono Coordinator at the Bailey Cavalieri law firm in downtown Columbus. Mr. Brooks was contacted by LSAC about the Stanley case in March of 2011. He took on the case, ultimately helping Mr. Stanley keep his home and resolving the dispute with FCCS.

Mr. Brooks's involvement in pro bono work began back when he was a brand new lawyer starting out in Athens, Ohio. He opened a general practice and during the course of his work, had the opportunity to work with some local legal aid lawyers for the first time. "These people were smart. They were passionate. I remember thinking they could be making more money, but they just believed in

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Pro Bono Works

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what they were doing,” Mr. Brooks says of his early impressions. He soon after became a board member of the Ohio State Legal Services Association, a position he still holds. Referring to his ongoing involvement with public interest law and the lawyers that dedicate their careers to it, he notes: “I’m just continually impressed.”

For people like Mr. Stanley, the most significant hindrance in obtaining legal relief is simply a lack of resources. Programs like the VRC and the generosity of attorneys like Rick Brooks have become necessary in order to expand civil legal services and begin to meet the needs of the indigent community. However, VRC’s clients are not the only ones enjoying the benefits of this program. “We want to provide the opportunity for our volunteers to make a difference. By making a difference, they will enjoy the positive feeling that they are using their talents for the benefit of others,” explains Bert Kram. Even experienced attorneys like Mr. Brooks feel their work with VRC has been an asset to their career. “I’ve learned quite a bit,” he states. “I get a lot out of the opportunity to work in a different legal atmosphere.”

The mounting number of success stories like that of Rick Brooks and Mr. Stanley has been an encouraging beginning for the VRC. Nonetheless, Bert Kram explains, “the VRC is only just beginning to meet the community’s needs. The potential for growth in terms of areas of law serviced and in terms of numbers of lawyers involved is significant.” At the suggestion of the Columbus Bar, the VRC’s organizers will soon be expanding the program to include defense of

cases filed against consumers for unpaid commercial debt. The need for volunteer attorneys will continue to expand, as well. Mr. Kram urges everyone in the Columbus legal community to join in this collaboration and make our best effort at alleviating a very serious threat to our city: “For everyone involved there are moments that are challenges. There are some people that the VRC just cannot help. However, there are many more instances when the VRC can and does offer aid to people that need it. And that is very, very satisfying.” Columbus lawyers and legal assistants who would like information about the Volunteer Resource Center are invited to e-mail us at vrcc@columbuslegalaid.org or call (614) 737-0137.



*Samantha M. Makar,
Capital University Law School
third-year student, and summer extern at
Legal Aid Society of Columbus*



PreK and Kindergarten Open House

Wednesday, October 19

9:30-11:00 a.m.

RSVP to (614) 509-2220



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studies, even physical education. And our outstanding teachers, small class sizes, widespread offerings and inclusive culture combine to produce results unmatched in Central Ohio.

Please plan to attend our free PreK and Kindergarten Open House on Wednesday, October 19. To register, call our Admissions Office at (614) 509-2220.

www.columbusacademy.org

Medical-Legal Partnership in Mental Health

Organization: Indiana Legal Services

Category: Medical Legal Partnership

Problem/Challenge/Need: Mentally ill patients with legal problems

Innovation Description: Indiana Legal Services (“ILS”) is a leader in the emerging Indianapolis Medical Legal Partnership community. In January 2011, ILS launched a partnership with Midtown Community Mental Health Center (“Midtown”) to provide legal services to mentally ill patients and legal education to clinical staff. Mentally ill persons suffer a disproportionate amount of legal difficulties, and are often unable or unwilling to seek solutions. This project works closely with social workers and psychiatrists to identify and combat legal issues. The project attorney has successfully represented clients in landlord-tenant, government benefits, and child support cases. The Midtown project has been primarily grant-funded, and recently received a grant to fully fund the project through the end of 2013.

Materials available: Letter from MLP Partner Wishard Hospital, Wishard MLP Brochure and Summary of Notable Cases

Contact Information: Jay Chaudhary, Project Director, (317) 631-9410 ex. 2286, jay.chaudhary@ilsi.net



THE NEW
WISHARD™

ESKENAZI
HEALTH™

October 25, 2011

Midtown Community Mental Health (“Midtown”), the mental health division of Wishard Health Services (“Wishard”), provides inpatient and outpatient mental health services in Indianapolis, Indiana. Wishard operates as the safety net hospital of central Indiana and is dedicated to serving underserved populations.

Midtown and Indiana Legal Services (“ILS”) have partnered since 2009 to provide on-site legal services to Midtown patients. ILS attorney, Jay Chaudhary, launched the partnership after discovering that mental health patients have an especially difficult time proving that their mental health diagnosis meets the threshold for having a disability for purposes of qualifying for Medicaid Disability benefits. To address this unmet need, he started the Disability Law Project as a branch of Wishard’s Medical-Legal Partnership (MLP) program. Jay quickly built a strong rapport with physicians, therapists and case workers. With the support of Indiana Legal Services and Wishard, Jay created the capacity to offer a full range of poverty law services to Midtown patients.

The attached letter from Wishard’s CEO and Medical Director, Dr. Lisa Harris, and Midtown’s CEO, Margie Payne, was submitted as part of a grant proposal that could help support and sustain Jay’s MLP work with Midtown patients. The letter is an indication of how valuable this service is to an especially vulnerable patient population and it speaks to the natural alignment of legal and medical services for underserved populations.

Sincerely,

Anna Obergfell, JD

Wishard Medical-Legal Partnership Program Director



WISHARD HEALTH SERVICES | 1001 West 10th Street | Indianapolis, Indiana 46202 | 317-639-6671

July 11, 2011

Nina Mason Pulliam Charitable Trust
135 N Pennsylvania Street, Suite 1200
Indianapolis, IN 46204

To Whom It May Concern:

I am writing this letter in enthusiastic support of Indiana Legal Services' ("ILS") application for a grant from the Nina Mason Pulliam Charitable Trust to fund a Medical-Legal Partnership ("MLP") with Midtown Community Mental Health Center ("Midtown"), the mental health division of Wishard Health Services ("Wishard"). Wishard is proud to be a local leader in healthcare, and more specifically in the burgeoning Indianapolis MLP movement. Wishard values its partnership with ILS and recognizes ILS' legal aid services as an integral part of the Wishard MLP.

Midtown's philosophy of care stresses strength-based, family- and community-centered treatment. Care decisions emphasize family and patient participation, and services involve aggressive and holistic community-based treatment. Midtown clinicians place a premium on proactively addressing impediments to improved health outcomes, while also working toward patient self-sufficiency.

ILS' affiliation with the Wishard MLP to provide legal aid to mental health patients naturally aligns with Midtown's comprehensive services model. The MLP has two primary components: (1) direct legal services to patients, and (2) staff education on how legal services can be part of a patient's treatment plan. Midtown physicians and staff continue to enthusiastically embrace ILS' affiliation with the Wishard MLP. They recognize that addressing legal problems can be a necessary step in a patient's progress towards stability, better health, and ultimately, greater independence.

I have been extremely pleased with the results of ILS' MLP services at Midtown and am hopeful that the services will continue to expand. Funding from the Nina Mason Pulliam Charitable Trust would help meet the basic needs of a vulnerable patient population by building capacity for advocacy, access to justice, and improved health through legal intervention.

Thank you for your time and consideration. If you need additional information, please contact me at [REDACTED]

Sincerely,

Dr. Lisa Harris
Medical Director and CEO of Wishard Health Services

Margie Payne
CEO of Midtown Mental Health



The Wishard Medical-Legal Partnership provides help to Wishard patients when health problems need a legal remedy.

When you or one of your children gets sick or has a health problem, what do you do? You probably go to the doctor. Often, your doctor can prescribe medicine that will help you get better, but sometimes there are health problems that require legal help. The Medical-Legal Partnership (MLP) allows doctors and lawyers to work together to provide Wishard patients with services to help you and your family be happy and healthy. Ask your doctor or nurse about the MLP if you think you have a legal problem that is affecting your health.

■ Do you have problems with your housing?

- Do you have lead, mold, insect infestations or rodents?
- How about plumbing, heating or air conditioning problems?
- Do you have a working smoke detector?
- Have you been threatened with eviction or foreclosure?
- Do you need a special accommodation at your apartment because of a disability, but your landlord isn't willing to help you?

■ Are you in financial trouble?

- Can you pay for your utilities? A utility assistance program can help you.
- Have you applied for Medicaid or Disability benefits and been denied?
- Have you applied for TANF or food stamps?

■ Are you or your children in unsafe relationships?

- Have you been hit, slapped, kicked, sexually abused or stalked?
- Have you ever tried to get a protective order?
- Have you been too afraid to report a crime or domestic abuse because of your immigration status?
- If you've been a victim of violence or domestic violence, there may be visa options for you regarding your immigration status.

■ Are you trying to get child support but don't know where to start?

■ Do you want to know about guardianship?

- Do you have a child who's over 18 who can't care for him/herself and you want to continue to be the caregiver and decision maker?
- Do you have a grandchild, niece or nephew who has lost his/her parents or has been taken away from his/her parents by Child Protective Services and you want to be the child's guardian?
- Are you terminally ill and want to make guardianship plans for your children so you can plan for their future?

■ Are you frustrated with your child's development or education?

- Do you have a child who is under 36 months (three years old) who is showing signs of developmental delay? A program called First Steps can help you.
- Do you have a child with a learning or behavioral disability who needs special attention at school but isn't getting it? There are individualized education plans to help.



Ask your doctor or nurse about services at these locations:

Midtown Community Mental Health Center, 1700 N. Illinois St., Indianapolis, IN 46202

North Arlington Health Center, 2505 N. Arlington Ave., Indianapolis, IN 46218

Pecar Health Center, 6940 N. Michigan Rd., Indianapolis, IN 46268

Primary Care Center, 1002 Wishard Blvd., Indianapolis, IN 46202

Westside Health Center, 2732 W. Michigan St. Indianapolis, IN 46222



Indiana Legal Services



NOTABLE CASES

- **A.L:** Client suffered from severe bipolar disorder, but had trouble getting Medicaid Disability benefits because she could present well. THE ILS attorney got her treating psychiatrist to testify at the hearing, and client was awarded benefits.
- **D.A:** Client had a substantial child arrearage. Child support was taking \$440 out of his weekly \$732 check, and was homeless as a result. We filed for a modification and got the withholding reduced by almost 45%. The client has since obtained housing. We are working on getting it reduced further by having the child's mother apply for derivative benefits for the child.
- **L.G:** Client was referred to the MLP on a Tuesday and had an eviction damages hearing two days later. We got the hearing continued and then convinced the property manager to drop the case against the client so there will be no judgment on her record.
- **J.F:** Client had been denied Medicaid 3 times previously. Staff Attorney Janet Coney represented her and she won benefits. She is now having a Food Stamp issue and Janet is representing her in that case as well.
- **R.B.:** Client was the victim of identity theft when his checkbook was stolen last December. He received a threatening notice from a collection agency due to someone writing bad checks in his name. We called the collection company and explained the situation. They agreed to cease their collection attempts.
- **G.B.:** Client's former landlord withheld his security deposit to pay for fixing a gas leak. ILS obtained a \$15,000 judgment against the landlord for his illegal behavior.