

# ARKANSAS PRO BONO PARTNERSHIP BLUEPRINT AND IMPRINT

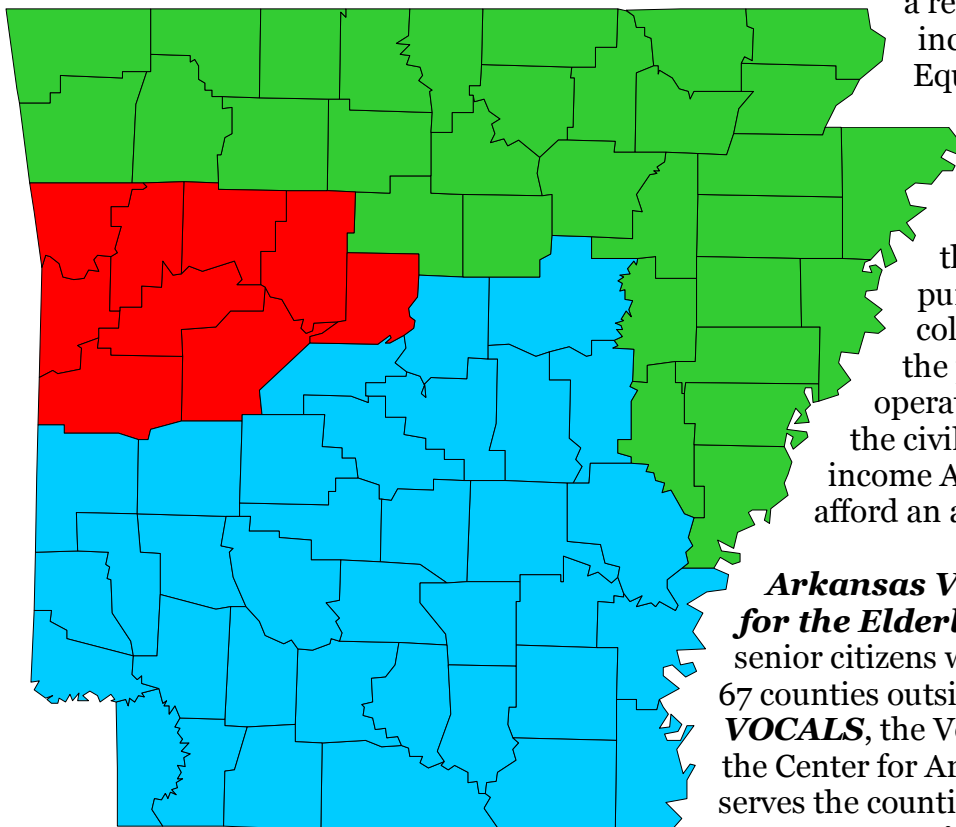
This is a history of the movement to consolidate and coordinate pro bono activities throughout the state of Arkansas beginning in 2003. This update of February 2007 provides an assessment of the partnership's impact on pro bono efforts in the state since its creation.

**The Partnership proposal was presented to the Arkansas Bar Association on October 8, 2003**

The Arkansas Pro Bono Partnership invites the Arkansas Bar Association and local bar associations to work together in a long-term initiative to expand and recognize volunteerism among Arkansas lawyers. This Blueprint lays out a flexible plan for the development of the partnership over time. The first section describes the Arkansas Pro Bono Partnership and highlights its current needs. The next section lays out goals and identifies concrete steps that can be implemented, as well as a menu of possibilities aimed at sustaining the effort on an ongoing basis.

## The Arkansas Pro Bono Partnership

Legal Aid of Arkansas and the Center for Arkansas Legal Services collaborated in 2002 to create the Arkansas Legal Services Partnership. The Arkansas Pro Bono Partnership,



a related partnership, includes VOCALS, the Equal Access to Justice Panel, River Valley Volunteer Attorney Project, and Arkansas Volunteer Lawyers for the Elderly (AVLE). The purpose of these two collaborations is to enable the partners to integrate operations that better meets the civil legal needs of low-income Arkansans who cannot afford an attorney.

**Arkansas Volunteer Lawyers for the Elderly (AVLE)** matches senior citizens with volunteer lawyers in 67 counties outside of central Arkansas. **VOCALS**, the Volunteer Organization of the Center for Arkansas Legal Services, serves the counties in blue. **Equal Access to Justice Panel** serves the

counties in green. The **River Valley Volunteer Attorney Project** serves the counties in red.

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## Unmet Legal Needs

Equal justice hinges on *all* Arkansans being empowered to make their case in a court of law, not only in criminal cases, but in civil matters as well. Most often people retain an attorney to make their case for them. Across the nation, however, a growing number of litigants now choose to represent themselves in civil matters. While the reasons vary, most represent themselves because they cannot afford an attorney. When people with limited income and education face a legal adversary, whether an abusive husband, a corporation or government agency, without representation due to the inability to afford an attorney, *equal justice under the law* can quickly become an unfulfilled promise.

While there are no comprehensive studies of the unmet civil legal needs of limited-income Arkansans, the U.S. Census information and case data from Arkansas' two legal services providers suggest the unmet need is substantial.

- Some 16% of Arkansans live below the federal poverty level, compared to 12.4% nationally. In nine Delta counties, more than 25% of the population lives in poverty. One-quarter of Arkansas adults lack a high school diploma, compared to 20% nationwide.
- Just 21% of the 12,588 cases that Arkansas' two legal services providers completed in 2002 received full representation, while 71% were given advice and counsel. Another 8% received brief services. Although advice met the needs of some, a significant number would have benefited from full representation. An additional 3,022 cases were pending at the end of the year.
- In addition to completed cases, Arkansas' legal services providers had to reject 4,858 cases in 2002 due to conflicts and other factors. This number does not include more than 3,000 individuals who call but for whom no case is opened.
- Demand for civil legal services for the poor is increasing at a time when funding for legal services providers is decreasing. Arkansas' legal services programs completed seven percent more cases in 2002 than in 2001. Requests for assistance are expected to accelerate in 2003 because of the declining economy. At the same time, staff reductions, required due to a 20% drop in funding to Arkansas' legal services providers, will make it difficult to maintain the current level of services.
- Despite the growing need, the number of cases handled on a pro bono basis remained unchanged from 2001 to 2002.

Expanding pro bono volunteerism is an important strategy to address the unmet civil legal needs of low-income Arkansans unable to afford an attorney. While Arkansas lawyers have a long history of effective volunteerism, more can be done. Expanding and recognizing volunteerism will not only benefit low-income Arkansans but will also bring positive recognition to the profession as a whole.

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## **The Blueprint for Expanding Pro Bono Volunteerism**

The Arkansas Pro Bono Partnership invites the Arkansas Bar Association and local bar associations to work together in a long-term initiative with the following goals:

- Expand pro bono volunteerism to more effectively address the unmet civil legal needs of low-income Arkansans who cannot afford an attorney
- Strengthen systems to more effectively match the legal needs of low-income Arkansans to the interests and expertise of volunteers
- Expand statewide tools and practices to make it easier for lawyers to accept and complete pro bono cases
- Recognize volunteers who exemplify a commitment to equal justice and the aspirational goals of the profession
- Call attention to the selfless volunteerism of Arkansas lawyers to elevate the public reputation of the profession overall.

## **The Bar Association and the Arkansas Supreme Court Commitment to Pro Bono**

### **1. Expanding Volunteerism -- Established a statewide identity so prospective volunteers see that they are part of a larger movement -- The Arkansas Pro Bono Partnership**

The Arkansas Pro Bono Partnership is a collaboration of VOCALS, the Equal Access to Justice Panel, the River Valley Volunteer Attorney Project, and Arkansas Volunteer Lawyers for the Elderly (AVLE).

The organizational names and logos of participating groups will be shown on all brochures, letterhead and other materials produced.

A coordinated communications strategy will be implemented to achieve the goals of the new initiative. Prospective volunteers will be able to enlist through four mechanisms: by calling a toll free statewide telephone number, via the statewide website, by contacting the individual programs directly and by signing up at the Arkansas Bar Association's annual meeting each year.

Arkansas lawyers can also volunteer online at [www.arkansaslegalservices.org](http://www.arkansaslegalservices.org)

The Arkansas Bar Association will prominently link on its website to the pro bono page of [www.arkansaslegalservices.org](http://www.arkansaslegalservices.org).

The Arkansas Pro Bono Partnership will participate in the Arkansas Bar Association's Annual Meeting and continue to provide prominent exhibit space to promote volunteerism each year.

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## 2. Strengthening Systems To Match Needs and Volunteers

*A. Refer more cases of the types that volunteer attorneys want.*

The statewide Pro Bono packet includes a “Volunteer Application Form.” This form will give volunteers an opportunity to express the types of cases they are willing to take, the types of cases they will not take, and their preferred method of referral (e.g., telephone, fax, e-mail).

*B. Explore ways to increase the number of volunteers willing to provide representation in family law cases.*

Utilize the American Bar Association Center for Pro Bono research report, *The Impact of Family Law Cases on Pro Bono Programs* to structure systems to match supply and demand in family law cases.

## 3. Expanding Statewide Tools and Practices

Pro bono attorneys are given access to a password-protected area of the website where legal forms and pleadings make volunteers’ work easier.

## 4. Recognize Volunteerism

The Arkansas Pro Bono Partnership annually produces a statewide list of volunteers who accept cases or contribute funds to legal aid programs. This list is printed as an insert in the Winter edition of the *Arkansas Lawyer*. This list is also posted on the pro bono page of [www.arkansaslegalservices.org](http://www.arkansaslegalservices.org), which will be linked to the Arkansas Bar Association website.

The Arkansas Pro Bono Partnership provides a monthly e-mail newsletter that lists available cases. This client case availability e-mail usually matches a volunteer attorney to each case within hours of its publication.

The Arkansas Pro Bono Partnership in conjunction with the Arkansas Bar Association and the Arkansas Bar Foundation has established the Equal Justice Award presented at the Arkansas Bar Association Annual Meeting. The award recognizes an individual for his or her exceptional commitment to equal justice through pro bono volunteer service.

## 5. Planning for Sustained Efforts

The Director of the Arkansas Legal Services Partnership will serve as the single point of contact for the Arkansas Pro Bono Partnership and will continue the work of consolidating and coordinating pro bono efforts throughout the state.

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## **Pro Bono Partnership Accomplishments – 2004 – 2007**

The Partnership has produced for insertion in the Winter Edition of *The Arkansas Lawyer* a 12 – 14 page listing of pro bono volunteers and contributors each year since 2004. Changes have been made annually to enhance the impact of the insert including the addition of pictures and brief narratives about the top volunteer in each of the Partnership programs.

The Partnership has a prominent location at the Annual Bar Meeting to present information [including hands-on education about the website for pro bono volunteers], materials, opportunities for registration, and gifts for current pro bono volunteers. In conjunction with the Arkansas Access to Justice Commission, pro bono was a component of a 2 hour ethics CLE at the June bar meeting.

A monthly E-Newsletter allows pro bono volunteers around the state to view client cases available to them. The volunteer electronically selects the case and the information is immediately conveyed to the sponsoring pro bono program coordinator for development.

The Partnership has revised and printed new materials with a consistent theme of how pro bono helps “Forge the Road to Civil Justice.” These materials are more informative, easier to work with, and provide the relevant information to recruit, educate and retain a growing number of volunteers.

Initial steps have been taken to provide a consistent set of pro bono reports statewide to facilitate the management of volunteer activities. Requirements to report all successful monetary awards in Social Security, Supplemental Security Income and other cases will provide outside stakeholders with valuable information regarding the economic impact of legal aid on the state.

Through support of the Arkansas Access to Justice Commission the Partnership has seen the rules governing pro bono activities change. The Commission recommended and the Bar and Supreme Court have approved changes to Model Rule 6.1. The new rule includes an aspirational goal of 50 hours per year and clarifies the types of clients and cases that meet the pro bono professional obligation.

## **Pro Bono Partnership Next Steps**

The Partnership will examine in 2007 the current status of pro bono volunteering in Arkansas and compare that with recommendations from the American Bar Association’s August 2005 study, *Supporting Justice: A Report on the Pro Bono Work of America’s Lawyers*. In coordination with the Access to Justice Commission the Partnership can greatly expand the positive impact pro bono has on access to civil justice in Arkansas.