

In-House Counsel Pro Bono Forum

Sponsored by the
Massachusetts Access to Justice Commission
Honorable Ralph D. Gants and David W. Rosenberg, Co-Chairs

Agenda

Arrival and Greeting

Honorable Ralph D. Gants – Justice, Massachusetts Supreme Judicial Court

Panel Presentations

The Value of Corporate Counsel Participation in Pro Bono

Marc Gary - Executive Vice President and General Counsel, Fidelity Investments

Esther Lardent - President and Chief Executive Officer, Pro Bono Institute

How to Start and Sustain an In-House Pro Bono Program

Kathleen McGrath - Senior Corporate Counsel, Liberty Mutual

William O'Brien - Pro Bono Chair, Association of Corporate Counsel – Northeast Chapter

Eve Runyon - Director, Corporate Pro Bono (a joint project of the Association of Corporate Counsel and the Pro Bono Institute)

Dorothy Varon - Assistant Vice President and Counsel, Massachusetts Mutual Life Insurance Company

Closing Remarks

Honorable Dina Fein – Special Advisor for Access to Justice Initiatives in the Trial Court; First Justice, Housing Court, Western Division

Reception and Pro Bono Fair

Master of Ceremonies

Susan Finegan – Pro Bono Partner, Mintz Levin Cohn Ferris Glovsky & Popeo PC

PRO BONO FAIR PARTICIPANTS

ECONOMIC JUSTICE PROJECT

Contact: Jessica Sommer
Program Director
617-988-0605

JSommer@lawyerscom.org

Description:

The Economic Justice Project provides pro bono legal assistance to entrepreneurs starting or operating businesses in under-served communities in Greater Boston and Eastern Massachusetts in order to contribute to the economic growth of low-income communities of color by helping individuals achieve economic self-sufficiency and develop sustainable community-based businesses.

Pro Bono Legal Work:

The Economic Justice Project provides opportunities for in-house counsel to participate in:

- **Business Legal Workshops:** Legal workshops that cover the range of legal issues entrepreneurs face as they start new businesses or grow existing ones. Past workshop topics have included (1) Entity Formation, (2) Borrowing Money for your Business, and (3) Business Law Contracts.
- **Business Legal Clinics:** An entrepreneur may meet one-on-one with an experienced business attorney to seek guidance on legal issues that arise in the formation and/or operation of a business.
- **Pro Bono Representation:** Entrepreneurs in need of ongoing legal assistance are matched with experienced business attorneys who will provide their services free of charge.

LAWYERS CLEARINGHOUSE

Contact: Maribeth Perry
Executive Director
617-778-1980

MPerry@lawyesclearinghouse.org

Description:

The Lawyers Clearinghouse provides pro bono legal services to nonprofit organizations, groups seeking nonprofit status and guests of area homeless shelters in order to promote the development of affordable housing, reduce homelessness and strengthen communities by providing pro bono legal services to nonprofit organizations and to individuals who are homeless or at risk of becoming homeless. The Lawyers Clearinghouse offers lawyers meaningful and rewarding pro bono opportunities and also provides educational programs for nonprofit organizations and lawyers.

Pro Bono Legal Work:

The Lawyers Clearinghouse provides opportunities for in-house counsel to participate in:

- **Legal Assessment Programs:** Review of non-profit organizations' corporate governance, insurance policies, data security compliance, contracts, employment law, intellectual property and real estate issues. Corporate legal departments would have the opportunity to work in tandem with law firms that perform the corporate governance reviews in cases where the nonprofit might benefit from the added scrutiny in the areas specified above. Lawyers Clearinghouse plans to offer a lawyer training on the corporate governance part of the Legal Assessment program in the near future.

- **Homeless Clinics:** Prospective pro bono clients meet with attorneys and legal assistants at local homeless shelters to discuss the issues they are facing such as housing SSDI / SSI administrative benefits, bankruptcy or immigration issues.

LEGAL ADVOCACY & RESOURCE CENTER, INC.

Contact: Rosa Previdi
Executive Director
617-603-1716
RPrevidi@gbls.org

Description:

Legal Advocacy & Resource Center, Inc. (LARC) is a hotline which provides legal advice and referrals for low-income Massachusetts residents with civil legal issues. LARC is staffed by attorneys, paralegals, law students and volunteers. LARC also does intakes for Greater Boston Legal Services, Volunteer Lawyers Project, MetroWest Legal Services and Community Legal Services and Counseling Center.

Pro Bono Legal Work:

Legal Advocacy & Resource Center (LARC) provides opportunities for in-house counsel to participate in:

- **LARC Consumer and Bankruptcy Helpline:** Calling clients who have left messages. Volunteers are trained by LARC on Policies and Procedures and the substantive area of the law on which they will advise clients.
- **Elder Helpline:** Calling clients who have left messages and providing advice on advance directives, consumer and housing matters. Volunteers are trained by LARC on Policies and Procedures and the substantive area of the law on which they will advise clients.
- **Employment Panel:** Calling clients who have been screened by LARC staff and who need advice on Employment issues. Calls can be done from the lawyer's office and take place once a month.

LEGAL ASSISTANCE CORPORATION OF CENTRAL MASSACHUSETTS

Contact: Valerie Zolezzi-Wyndham
Director of Training and Professional Development
508-523-3718
VZolezzi-Wyndham@laccm.org

Description:

Legal Assistance Corporation of Central Massachusetts (LACCM) is the state-funded civil legal aid program for Central Massachusetts. LACCM provides free civil legal assistance to low-income and elderly residents of Worcester County. LACCM specializes in elder law, government benefits, eviction defense, humanitarian immigration law, housing and employment discrimination and family law matters affecting domestic violence victims.

Pro Bono Legal Work:

Legal Assistance Corporation of Central Massachusetts provides opportunities for in-house counsel to participate in:

- **Family Advocates of Central Massachusetts:** A medical-legal partnership serving Worcester County families through coordinated legal and medical advocacy. A wide range of pro bono opportunities are available in probate court, housing court and before state and federal agencies. Assignments can be transactional or litigation focused.

Opportunities are immediately available in uncontested guardianship cases involving severely disabled youths and in naturalization cases for disabled individuals.

- **Zarrow Homeless Advocacy Project:** Provide legal assistance to individuals and families in Worcester County who are homeless or at-risk of homelessness. Volunteer attorneys are needed for outreach at homeless shelters and for pro bono cases, including public benefits, CORI problems, family law matters, immigration and bankruptcy.

MASSACHUSETTS JUSTICE PROJECT

Contact: Gordon Shaw
Executive Director
413-322-7422
GShaw@majp.org

Description:

The Massachusetts Justice Project is a federally funded legal services program serving central and Western Massachusetts, including Worcester, Hampden, Hampshire, Berkshire, and Franklin Counties. MJP also operates Volunteer Lawyers Service, the largest pro bono program in the service area.

Pro Bono Legal Work:

The Massachusetts Justice Project (MJP) provides opportunities for in-house counsel to participate in:

- **Lawyer for the Day / LAR Projects:** In Worcester and Hampden (Springfield) sessions of the Housing Court.
- **Debtors Assistance Project in Worcester District Court:** This project is modeled after VLP's project currently operating in the Boston Municipal Court at which lawyers file limited appearances on behalf of defendants in the small claims session whose incomes are exempt from collection or have defenses to debt collection action.
- **MJP's Volunteer Lawyer Service:** Attorneys assist referrals of clients seeking full or limited representation in family cases, eviction defense, foreclosure prevention and bankruptcy. There are also opportunities in special education and small estate planning.

MASSACHUSETTS LAW REFORM INSTITUTE

Contact: Georgia D. Katsoulomitis
Executive Director
617-357-0700 ext. 314
GKatsoulomitis@mlri.org

Description:

The Massachusetts Law Reform Institute is a statewide non-profit legal services organization whose mission is to advance economic, racial and social justice through legal action, education and public policy advocacy. MLRI specializes in large-scale legal initiatives and systemic reforms that address the root causes of poverty, remove barriers to opportunity, promote economic stability and create a path to self-sufficiency for low-income individuals and families. In addition to advancing positive reforms, it also challenges initiatives that harm low-income and vulnerable populations. For over 40 years, MLRI has been the backbone of the Massachusetts civil legal aid system and is considered one of the premier poverty law advocacy and support centers in the country. MLRI advocacy issue areas include: housing, health care, immigration, racial equity, child welfare, family law, domestic violence, public benefits, employment, elder law and court reform.

Pro Bono Legal Work:

MLRI provides opportunities for in-house counsel to participate in:

- **Health Care Affordability:** Working with state officials to maintain current standards of affordability in the Commonwealth Care program, preventing an increase in monthly premium and co-payment costs for families and protecting uninsured individuals with no affordable health insurance options from tax penalties.
- **Fighting Homelessness:** Bringing roughly 2,000 vacant public housing units back on-line for an estimated 17,000 individuals in Massachusetts who are without housing on any given night.
- **Reducing Childhood Hunger:** Working with state officials to improve inter-agency coordination and eliminate administrative barriers to ensure that all eligible children are able to benefit from the free school lunch program.

MEDICAL-LEGAL PARTNERSHIP: BOSTON

Contact: JoHanna Flacks
Pro Bono Director
617-414-3649
JoHanna.Flacks@bmc.org

Description:

The Medical-Legal Partnership aims to disrupt the link between poverty and health disparities for low-income patients at 7 healthcare institutions in Boston by (a) providing direct legal services to patients referred by their healthcare providers, with a focus on preventative law; (2) training healthcare providers to identify potential legal problems and build provider capacity to problem-solve; and (3) public policy advocacy throughout Greater Boston.

Pro Bono Legal Work:

The Medical-Legal Partnership provides opportunities for in-house counsel to participate in:

- **Developing educational materials:** these materials will be used by clinicians regarding their patients' affordable phone services rights.
- **Cases:** Agreeing to take a certain number of cases in a given subject matter during a set time period (e.g. immigration/naturalization cases each summer/fall and each winter/spring).
- **Leading a public policy initiative:** Leading an initiative (e.g. a campaign to reform special infant formula regulations that make it hard for low-income patients to get healthy nutrition for their vulnerable babies in a timely manner).

METROWEST LEGAL SERVICES

Contact: Cheryl Palmieri
Pro Bono Coordinator
508-620-1830
CPalmieri@mwlegal.org

Description:

The mission of MetroWest Legal Services is to provide advocacy to protect and advance the rights of the poor, elderly, disabled or otherwise disenfranchised people and assist them in obtaining legal, social and economic justice. Their practice areas include family law, housing, homeless advocacy, government benefits, education, elder law, health care access, childhood care and immigration, primarily in Middlesex and Norfolk County.

Pro Bono Legal Work:

The MetroWest Legal Services provides opportunities for in-house counsel to participate in:

- **Lawyer for the Day:** Assist walk-in clients with family law issues from 9 a.m. to 1 p.m. at the Middlesex Probate & Family court session in Marlborough.
- **Full Representation:** Represent a client from start to finish in a family law, bankruptcy, or special education case. MetroWest Legal Services offers training in substantive areas so that every volunteer attorney has the knowledge base to assist their clients. Upcoming trainings will be held in Family Law on June 15, 22 and 29th. We also have a Ch. 7 Bankruptcy training being held on June 21.
- **Short Term Projects:** Volunteer a block of time as needed to screen and give advice to clients in bankruptcy and family law, draft wills, health care proxies and powers of attorney or assist clients at summary process hearings, loan modifications and restraining order hearings.

NEIGHBORHOOD LEGAL SERVICES

Contact: Sheila Casey
Executive Director
781-244-1414
SCasey@nlsma.org

Description:

Neighborhood Legal Services provides free civil legal services to low income and elderly clients in Essex and Northern Middlesex Counties.

Pro Bono Legal Work:

Neighborhood Legal Services provides opportunities for in-house counsel to participate in:

- **Family Law Helpline:** Answer calls from up to six clients and give approximately 15 minutes of telephonic advice on a variety of family law questions.
- **Mediation Project in the Northeast Housing Court:** The Mediation program is run every Tuesday in Lynn, Wednesday in Salem, and Thursday in Lawrence. Attorneys are trained in landlord / tenant law and then represent low income litigants in mediation. The obligation is for one day although many attorneys volunteer weekly or monthly.
- **Pro Se Classes:** NLP offers classes for handling simple, uncontested divorces and on consumer debt.

POLITICAL ASYLUM / IMMIGRATION REPRESENTATION PROJECT

Contact: Sarah Ignatius
Executive Director
617-742-9385
Signatius@pairproject.org

Description:

The Political Asylum / Immigration Representation Project (PAIR) is the leading provider of pro bono immigration legal services to asylum-seekers and immigrants unjustly detained in Massachusetts. Overall, PAIR has a 95% successful outcome in its asylum cases.

Pro Bono Legal Work:

The Political Asylum / Immigration Representation Project (PAIR) provides opportunities for in-house counsel to participate in:

- **Asylum / Withholding of Removal / Convention against Torture Relief:** Assist applicants for asylum, withholding of removal, and/or CAT relief, including preparation of expert affidavits, lay witness declarations and a “country conditions” packet documenting human rights conditions in the applicant’s home country.

Time Commitment: 60-80 hours.

- **Know Your Rights Presentations:** Conduct 20 minute “Know Your Rights” presentations in English and Spanish to immigration detainees and perform initial consultations for three or four detainees. PAIR will provide all the necessary forms and the script, and an expert PAIR mentor will accompany volunteer attorneys at the detention center. *Time Commitment: 4 hours.*
- **Bond Representation:** Representing detainees during a bond hearing. During this limited representation at the Immigration Court, the attorney presents evidence about the detainee’s eligibility for bond, including that he or she is not a flight risk and that he or she is not a danger to the community. The attorney will need to meet with the detained client at least once before the bond hearing. *Time Commitment: 10-15 hours.*
- **Refugee Adjustment:** Assist refugees who have criminal convictions to demonstrate humanitarian reasons that they should not be deported. *Time Commitment: 60-80 hours.*
- **Cancellation of Removal:** Assist applicants in Cancellation of Removal hearings. *Time Commitment: 60-80 hours.*

SOUTH COASTAL COUNTIES LEGAL SERVICES, INC., Contact: **Richard McMahon**
Executive Director
774-488-5950
RMcMahon@sccls.org

NEW CENTER FOR LEGAL ADVOCACY, INC. Contact: **Julie O’Hanley**
Private Attorney Coordinator (NCLA)
johanley@ncla.net

Description:

South Coastal Counties Legal Services, Inc. & New Center for Legal Advocacy, Inc. (soon to merge into one legal aid program) provide free civil legal assistance to poor and low income individuals by delivering high quality legal services and community advocacy in Barnstable, Bristol, Dukes, Nantucket and Plymouth Counties (and Avon and Stoughton in Norfolk County).

Pro Bono Legal Work:

The South Coastal Counties Legal Services & New Center for Legal Advocacy, Inc. provides opportunities for in-house counsel to participate in:

- **Consumer Debt Management Clinics:** Provide counsel and advice to pro se litigants in a group setting with a focus on bankruptcy and other consumer law areas.
- **Family Law Workshops:** Provide limited counsel and advice to pro se litigants in either group settings or individually with a focus on individuals with cases pending in Probate & Family Court.
- **Law Firm Counseling Project:** Provide counsel and advice to pro se litigants through appointments in person or by telephone. Areas of law typically include housing, family law, consumer and elder issues.

VICTIM RIGHTS LAW CENTER

Contact: Stacy Malone
Executive Director
617-399-6720 ext. 20
SMalone@victimrights.com

Description:

The Victim Rights Law Center is the first nonprofit law center in the country to provide free civil legal services to victims of rape and sexual assault in the areas of privacy, safety, immigration, housing, education, employment and financial compensation. The VRLC provides directly legal services in Massachusetts and training and support to legal advocates and attorneys nationally.

Pro Bono Legal Work:

The Victim Rights Law Center provides opportunities for in-house counsel to:

- **Direct Legal Representation:** Provide direct legal representation to a victim of rape or sexual assault, including representation to secure a victim a protection order, to protect a victim's privileged and confidential mental health, medical and educational records and to secure or maintain a victim's immigration status.
- **Legal Advice:** Provide legal advice to the organization by reviewing contracts with community partners or updating chapters in the VRLC's Massachusetts manual.
- **Amicus Brief Work:** Work on cutting edge amicus briefs.

VOLUNTEER LAWYERS FOR THE ARTS

Dan Crocker
Associate Director, Legal Services
617-350-7600
Dan@artsandbusinesscouncil.org

Description:

The mission of the Volunteer Lawyers for the Arts, a program of the Arts and Business Council, is to assist artists and arts organizations with their legal needs throughout Massachusetts.

Pro Bono Legal Work:

Volunteer Lawyers for the Arts offers opportunities for in-house counsel to:

- **Contract Review:** Draft and/or review various contracts and licensing agreements, including work-for-hire agreements and copyright licensing.
- **Webinar Presentation:** Present a webinar on topics including copyright, insurance, contract, legal entity structure, etc.
- **General Assistance:** Assist artists with various legal matters, such as estate planning, bankruptcy, employment law, corporate law, etc.

VOLUNTEER LAWYERS PROJECT

Contact: Lynn Girton
Chief Counsel
617-423-0648 ext. 132
LGirton@vlpnet.org

Description:

The Volunteer Lawyers Project is a legal services organization with a pro bono focus that serves clients throughout greater Boston.

Pro Bono Legal Work:

The Volunteer Lawyers Project provides opportunities for in-house counsel to participate in:

- **Lawyer of the Day:** Assist in several courthouses in the following subjects: consumer / credit; family; landlord / tenant; and guardianship.
- **Individual Representation:** Assist individuals with various matters, including consumer / credit; family; landlord / tenant; guardianship; unemployment; bankruptcy and home ownership.

WOMEN’S BAR FOUNDATION

Contact: Rachel Biscardi
Director, Family Law Project for Battered Women
617-973-6666 ext. 2215
RBiscardi@womensbar.org

Description:

The Women’s Bar Foundation (WBF) advances social and economic justice by providing low-income women with access to legal representation and a means to be heard. The WBF recruits and trains volunteer attorneys to address legal issues that disproportionately affect low-income women and their children. Through its *pro bono* programs, the WBF educates the legal community throughout Eastern Massachusetts about the positive impact that one attorney's work can have on the life of a client at risk.

Pro Bono Legal Work:

The Women’s Bar Foundation provides opportunities for in-house counsel to participate in:

- **Family Law Project:** Represent victims and survivors of domestic violence in their family law cases.
- **Framingham Project:** Assist women incarcerated in Massachusetts’ prisons and jails and those who have been involved with the criminal justice system. Volunteer attorneys work to clear warrants, helping women get released from prison in a timely manner or advance to a lower security classification that permits greater access to educational and programmatic opportunities while they serve their sentences.
- **The Elder Law Project:** Draft end of life documents including wills, health care proxies, durable powers of attorney and living wills for low-income elders.
- **Women’s Lunch Place Project:** Share information and conduct legal trainings for the Women’s Lunch Place staff and guests on a variety of legal topics. Provide telephone guidance to staff to help spot legal issues and make referrals to legal resources on behalf of its guests.

OTHER OPPORTUNITIES

COURT PROGRAMS

Contact: Hon. Dina Fein
Special Advisor for Access to Justice Initiatives
Administrative Office of the Trial Court
First Justice, Housing Court, Western Division
Dina.Fein@jud.state.ma.us

Description:

There is a great need throughout the Massachusetts Court System for pro bono assistance, from assisting pro se litigants in various courts to providing valuable advice in court information booths. To the extent that you are interested in working with the courts, and there are no existing programs at the particular court of interest, please contact the Special Advisor for Access to Justice Initiatives so that you can be connected to the appropriate court official.

Pro Bono Legal Work:

- **Lawyer for a Day:**
 - **Western Division:** The Lawyer for a Day Program currently operates in Hampden County but lawyers are needed to establish programs in Hampshire, Franklin and Berkshire Counties.
 - **Worcester:** Lawyers are needed to establish a Lawyer for a Day Program.
 - **Southeast Division:** The Lawyer for a Day Program currently operates in Brockton (see below) but there is a need for lawyers to establish programs in Plymouth, Fall River, and New Bedford.
 - Pilgrim Advocates, working closely with the Plymouth County Bar Association, manages the Lawyer for a Day program in Brockton at the Plymouth Family and Probate Court. Volunteers often make one appearance a quarter. For more information, please contact Executive Director Debbie Scollins at 508-583-6966.
 - **Northeast Division:** Lawyers are needed to establish Lawyer for a Day programs in Lawrence and Lowell.

ASSOCIATION OF CORPORATE COUNSEL

Contact: Bill O'Brien
Pro Bono Chair, ACC Northeast Chapter
OBrienbi@comcast.com

Description:

If you would like more information on Association of Corporate Counsel (ACC) pro bono programs, including mediation in court programs and 'Clinic in a Box,' please contact Bill O'Brien.

Pro Bono Legal Work:

- **Clinic in a Box:** This pro bono clinic, focused on giving pro bono legal assistance to nonprofit entities, is a one-time commitment of one morning. In-house attorneys who are members of the ACC receive the training they will need to assess the legal health of a local small business or nonprofit organization, usually in the areas of legal formation, employment, housing, tax, intellectual property and general corporate law. In-house attorneys then sit down with the leader of the nonprofit, in pairs or small groups, and lead the client through a checklist that addresses the legal needs of that organization. The next Clinic in a Box program, led by the ACC Northeast Chapter and Corporate Pro Bono (a joint project of the Association of Corporate Counsel and the Pro Bono Institute), will be held on the morning of **October 6, 2011 at Mintz, Levin, Cohn, Ferris, Glovsky, and Popeo, P.C.**, One Financial Center, Boston, Massachusetts, on October 6, 2011. Please contact Bill O'Brien (OBrienbi@comcast.net) or Sue Finegan (SFinegan@Mintz.com) for more information
- **Mediation / Conciliation Program:** The Sheldon W. Rothstein Mediation/Conciliation Program, a pro bono service of the Northeast Chapter of the Association of Corporate Counsel, provides mediation services to Small Claims and Summary Process litigants in the Dedham and Woburn District Courts. The services are used by the litigants on a voluntary basis as a means to achieve a result satisfactory to both parties and avoid the risk of an unfavorable judgment. The Program has been acknowledged by Trial Court to be a model program contributing to a reduction in case backlog and providing litigants a

positive experience with the legal process. If you are interested in this program, please contact Bill O'Brien.

FEDERAL COURT MEDIATION PROGRAM

Contact: Matt Moschella
Federal Bar Association Liaison
MCMoschella@Sherin.com

Description:

The Federal Bar Association has put together a panel of attorneys who will represent pro se litigants in mediations in Federal District Court in Boston. The representation is on a pro bono basis. Counsel will be appointed for the limited purpose of representing pro se litigants during the mediation process. The representation will generally involve meeting with the client prior to the mediation session, becoming familiar with the case and applicable law, preparing a mediation statement for the court and attending the mediation. If the case does not settle, the appointment will be terminated.

MASSACHUSETTS ACCESS TO JUSTICE COMMISSION

Supreme Judicial Court
John Adams Courthouse
One Pemberton Square, Suite 2200
Boston, MA 02108-1735
<http://www.massacesstojustice.org/>

Thank you for very much for attending today's In-House Counsel Pro Bono Forum. Your participation in these discussions, and the participation of lawyers in your organization in providing pro bono legal services to low-income residents of Massachusetts, is deeply appreciated by the Commission. We hope today's forum will encourage all of you to start and/or sustain your company's pro bono efforts.

There is another way you can help. Each year, lawyers licensed to practice law in Massachusetts register with the Board of Bar Overseers and pay a registration fee. Last year, the Court added a \$51 Access to Justice Fee to the registration fee. The proceeds of the Access to Justice Fee are given to the IOLTA Committee and then distributed in grants by Massachusetts Legal Assistance Corporation, the Massachusetts Bar Foundation and the Boston Bar Foundation. The Access to Justice Fee is voluntary, but it is an important part of the effort to maintain access to justice in these times. If your office pays the registration fees for its lawyers, please do not opt out of the Access to Justice fee. If each lawyer in your organization pays their own fees, please encourage them to include the Access to Justice Fee.

Thank you again for your time and commitment.