6-6-1991

Note to Mary Cross enclosing materials from AALL, June 6, 1991

Timothy Coggins

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MEMORANDUM
To: Mary
From: Jim
Date: 6-6-91

Thought you might be interested in reviewing this information. The formal activities have been taken by the Chapter.

Thanks.
May 2, 1990

Timothy Coggins
President
SEALL Chapter
University of North Carolina at Chapel Hill Law Library
Van Hecke-Wettach Bldg.
CB 3385
Chapel Hill, NC 27599

Dear Timothy:

As you may know, a resolution proposed by the Legal Information Service to the Public SIS was passed by AALL at our annual meeting in Minneapolis. That resolution encourages AALL Chapters to plan for and initiate pro bono activities for your chapter’s membership. Some ideas for developing such programs are outlined in the enclosed chapter, "Starting a Pro Bono Program: Chapter Guidelines".

In February, our SIS contacted legal service organizations in your locale about connecting their pro bono service programs which might already be in place to projects of interest to law librarians in your chapter. With this mailing, we are providing you with a list of organizations that were contacted so that your chapter, and your LISP Committee in particular, has a working list of associations with whom you may link librarians interested in participating in pro bono projects.

Please read the enclosed "Starting a Pro Bono Program" chapter. You will find some ideas for programs that you personally might promote to your chapter membership. A few of those ideas include cataloging or organizing a specialized collection for pro bono volunteers, providing research on local ordinances, or developing referral lists, bibliographies or research subject guides. We encourage you to develop such programs. Please contact me by mail at the University of Colorado Law Library, Campus Box 402, Boulder, CO 80309-0402, or contact our 1990-91 Chair, Mary Ann Nelson (314) 889-6434 with questions or with other program ideas.

As pro bono programs are developed in the coming years, we would be interested in hearing about them. Please send information to us to include in our SIS’s LISP Newsletters.

Sincerely,

Bobbie Studwell
Past Chair
ALABAMA

Reginald T. Hamner, Executive Director
Alabama State Bar
415 Dexter Street
P.O. Box 671
Montgomery, AL 36104

Beth Carmichael, Executive Director
Birmingham Bar Association
2nd Floor
109 North 20th Street
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FLORIDA

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The Florida Bar
The Florida Bar Center
650 Apalachee Parkway
Tallahassee, FL 32399-2300

Johnnie M. Ridgely, Executive Secretary
Dade County Bar Association
No. 214
111 N.W. First Avenue
Miami, FL 33128

Scott Manien
Private Attorney Involvement Program of Florida
Florida Legal Services
Sun Federal Plaza
345 S. Magnolia Drive, Suite A-27
Tallahassee, FL 32301

GEORGIA

Allan Kirwan, Executive Director
State Bar of Georgia
800 The Hurt Building
Atlanta, GA 30303

Diane B. O’Steen, Executive Director
Atlanta Bar Association
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The Equitable Building
100 Peachtree Street, Northwest
Atlanta, GA 30303
Avarita Hanson
Pro Bono Project of the State Bar of Georgia
Suite 800, The Hurt building
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Atlanta, GA 30303

KENTUCKY

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Kentucky Bar Association
West Main at Kentucky River
Frankfort, KY 40601

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707 West Main Street
Louisville, KY 40202

LOUISIANA

Thomas O. Collins, Jr., Executive Counsel
Louisiana State Bar Association
601 St. Charles Avenue
New Orleans, LA 70130

Edward M. Bonney, Executive Director
Maine State Bar Association
124 State Street
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Augusta, ME 04330

MISSISSIPPI

Larry Houchins, Executive Director
Mississippi State Bar
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Jackson, MS 39202

NORTH CAROLINA

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North Carolina State Bar
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Allan B. Head, Executive Director
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1312 Annapolis Drive
P.O. Box 12806
Raleigh, NC 27611
Marjorie Putnam
North Carolina Bar Association Pro Bono Project
P.O. Box 12806
Raleigh, NC 27605

PUERTO RICO

Carmen Navas, Executive Director
Puerto Rico Bar Association
P.O. Box 1900
San Juan, PR 00903

SOUTH CAROLINA

Robert S. Wells, Executive Director
South Carolina Bar
950 Taylor Street
P.O. Box 608
Columbia, SC 29202

TENNESSEE

Gilbert R. Campbell, Jr., Executive Director
Tennessee Bar Association
3622 Westend Avenue
Nashville, TN 37205

VIRGINIA

Thomas A. Edmonds, Executive Director
Virginia State Bar
Suite 1000
Ross Building
801 Main Street
Richmond, VA 23219

Sue Gift Sanders, Executive Director
Virginia Bar Association
Suite 1515
701 East Franklin Street
Richmond, VA 23219

WEST VIRGINIA

Thomas R. Tinder, Executive Director
West Virginia State Bar
E-400 State Capitol
Charleston, WV 25305

F. Witcher McCullough, Jr., Executive Director
West Virginia Bar Association
904 Security Building
100 Capitol Street
Charleston, WV 25301
Chair
Committee on Youth Education for Citizenship

Chair
Commission on Public Understanding About the Law

Chair
Commission on Opportunities for Minorities in the Profession

Chair
Coordinating Committee on Outreach

Chair
Commission on Legal Problems of the Elderly

Chair
Consortium on Legal Services and the Public

Chair
Special Committee on Delivery of Legal Services

Chair
Committee on Public Education

Chair
Committee on Legal Aid and Indigent Defendants

Chair
Committee on Lawyer Referral and Information Service
INTRODUCTION

According to the American Association of Law Libraries Code of Ethics, "...law librarians, while engaged in their professional work,...have a duty actively to promote free and effective access to legal information (as well as) a duty to society and the legal profession to work both individually and through their professional organizations toward improving the quality and minimizing the cost of the library component of the delivery of legal services." The following text was developed to provide guidelines for the establishment and maintenance of a pro bono program based on the provision of services by law librarians. This document was created to provide suggestions/ideas for the implementation of such a program in your locality. It was not intended to function as a blueprint, but to serve as a framework for the initiation of a pro bono services program.

Since no two chapters are alike, each pro bono program must be tailored to meet local needs. These guidelines should be modified or adapted in accordance with the availability of resources, level of membership interest, geographical considerations and other related factors.

WHY INITIATE A PRO BONO PROGRAM?

1. Pro bono, the shortened version of pro bono publico, translates to 'for the public good', a phrase which should serve as the principle guiding any volunteer program.

2. Our social responsibility as members of the legal community to address growing societal concerns and to counteract the paucity of legal services available to large segments of the population in this country.

3. The hallmark of a true profession is found in its willingness and ability to provide pro bono services.

4. The A.A.L.L. Code of Ethics establishes such service as a professional obligation. (see INTRODUCTION)

5. For the satisfaction of assisting another human being in need of legal services and/or setting legal precedents or public policy.

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WHAT TYPE OF ORGANIZATIONS ARE ELIGIBLE TO RECEIVE PRO BONO SERVICES?

In the initial stages of setting up a pro bono program it is recommended that librarians work within established pro bono programs. Operating through established channels will expedite the initial organization and administration of the pro bono program. Contact with an established program also provides an opportunity to assess the viability of procedural and practical aspects of the pro bono project that may not be obvious from the start. The program can be expanded over time as interest and need dictate. Individuals should be encouraged to seek out projects of interest, however, any individually arranged activity should be registered with the pro bono program coordinator in order to accurately document services provided and offer appropriate recognition.

Targets for pro bono services:

1. Direct government programs established on the federal and state levels to bring legal aid to the indigent.

2. Programs operated by legal aid societies and law school clinics.

3. Pro bono activities conducted by individual attorneys and bar associations.

4. Independent non-profit organizations that provide legal or other services that benefit the public.

5. Correctional facilities with inmate populations in need of legal research training and/or assistance.

WHAT PRO BONO SERVICES CAN LAW LIBRARIANS PROVIDE?

According to the American Bar association, "(a) lawyer can employ...lay...or nonlawyer researchers. In fact, he(she) may employ nonlawyers to do any task for him(her) except counsel clients about law matters, engage directly in the practice of law, appear in court or appear in formal proceedings (as) a part of the judicial process, so long as it is he(she) who takes the work and vouches for it to the client and becomes responsible for it to the
client."² It is essential that both the librarians and the legal services organizations understand the limitations placed on the services law librarians may provide. Unauthorized practice of law may be avoided by adhering to the following guidelines for provision of services:

1. Organizing collections aimed at other pro bono volunteers. Setting up and/or maintaining a library for a legal services organization.

2. Selective dissemination of information. Monitor publications in order to compile listings of books, articles, cases, and legislation of interest to legal services organization.

3. Develop referral lists for the legal services organization.


5. Creation of subject-oriented legal research guides.

6. Conducting research on a specific topic. This consists of locating and gathering the information. The librarian should not be expected to interpret the materials.

7. Perform computer assisted legal research (responsibility for costs incurred is a matter to be settled between the volunteer, the legal services organization and possibly the librarians' employer.)

8. Provision of over-the-phone reference services for the legal services organization.

9. Photocopying and/or expedited delivery of documents.

This is by no means a complete or binding list of services. Flexible and creative thinking can yield an array of services to be offered.

ADMINISTRATION OF THE PROGRAM

Coordinator of Pro Bono Project

First, and foremost, it is recommended that a single individual be designated as the pro bono coordinator. The pro bono coordinator serves as a "broker" between volunteer law librarians and the attorneys/organizations to which they

² ABA Comm. on Professional Ethics and Grievances, Formal Op. 316 (1967)
desire to donate their services. The coordinator does not field queries him/herself, but serves as a matchmaker between interested librarians and qualified programs. This entails maintaining an accurate and updated file of volunteer interests, availability, and levels of commitment.

The coordinator may screen requests to determine if they are appropriate, but for the most part, the responsibility for accepting or declining a volunteer opportunity remains with the individual librarian. Additional responsibilities of the coordinator may include, but are not limited to the following:

1. Functioning as a translator between volunteers and the organizations they will serve. This includes clarifying the working relationship, evaluating program utilization, client/volunteer satisfaction, and monitoring projects.

2. Serving as a catalyst to maximize volunteerism. Promoting the program through the media, bar association newsletters, and local law library association publications.

3. Providing leadership, continuity, planning, and creativity in the implementation and management of the program.

4. Soliciting funds/resources to administer the program and/or to cover the out-of-pocket expenses incurred (advertising, photocopy/document delivery costs, travel, computer assisted legal research, recognition awards, etc.) Possible sources include private law firms, bar associations, local law library organizations, legal database publishers, as well as the general legal community.

5. Contacting organizations or members of the legal profession eligible to receive the services of the program.

6. Setting up a grievance procedure to handle complaints. Despite the commitment to provide the highest quality service, there will inevitably be problems. Any pro bono program must develop a fair, uniform and objective procedure for dealing with problems as they arise. Possible avenues include:
   a) Informing librarian or attorney of the nature of the complaint.
   b) Setting up a grievance committee to examine problematic situations.
c) Placing limitations on future referrals to a particular volunteer or on providing assistance to a particular attorney or legal services organization.

d) "Firing" a volunteer is the ultimate sanction and as such, is not to be taken lightly. However, this option should be available to solve problems should they arise.

Elements of an Effective Pro Bono Program

1. The ability to attract and retain the volunteer efforts of a significant percentage of law librarians in your area.

2. The enactment of a detailed plan addressing the exact nature of volunteer services to be provided in order to both prevent misunderstandings and insure satisfaction on the part of the volunteer librarians and the legal services organizations.

3. Close coordination between the local bar association pro bono director and the law library association pro bono project coordinator, as well as the strong support of both entities for the pro bono project.

Getting Started

1. Select a pro bono project coordinator to administer the program.

2. Solicit interest among law librarians in your area. Present the idea for the program at a chapter meeting and include volunteer sign up forms in the chapter newsletter. (see ATTACHED SAMPLE FORM)

3. Identify and contact legal services programs with which to work. Initially, you may want to contact your local bar association pro bono coordinator in order to link up with an established program. Contact the American Bar Association Private Bar Involvement Project (they help local bar associations to develop pro bono projects) at (312) 988-5772.

4. In anticipation of program expansion, create a list of possible organizations which might be interested in utilizing volunteer services. Organizations to target include legal aid programs and organizations that litigate on behalf of the public interest and/or use the courts to achieve changes in public policy. An
excellent listing of public interest organizations is Public Interest Law Groups: Institutional Profiles\(^3\) which can serve as a guide to uncover legal service organizations in your area and the varied focus of such organizations in general.

5. Obtain institutional (university, firm, or government agency) support of both the pro bono program and of the librarians participation. Solicit funds and/or resources to support the program. Librarians need to be aware of possible conflicts of interest, thus clearing any projects with employers is highly recommended.

6. Pro bono project coordinator links interested parties with volunteers and monitors how the program is operating. Volunteers must fill out regular reports of activity including type of pro bono service, number of hours involved, resources expended, etc.

7. Set up a mechanism for recognizing individuals involved in the program. At a minimum, publish a list of volunteers in the chapter newsletter and send a note of appreciation to each librarian upon completion of a project. Encouragement and recognition substantially lower attrition rates. Other possible modes for recognition include awards and/or linking eligibility for chapter grants/scholarships to attend the A.A.L.L. conference to pro bono service.

8. Evaluation forms accompanied by a self-addressed stamped envelope should be sent to each participant in the program.

Stacy Wynne Dorian
University of Colorado Law Library
Boulder, Colorado
May 1990

\(^3\) K. O’Conner & L. Epstein, PUBLIC INTEREST LAW GROUPS: INSTITUTIONAL PROFILES (1989)
PRO BONO PROJECT: VOLUNTEER INFORMATION

Please print or type all information.

name ____________________________  job title ____________________________

work address ____________________________  work tel # ( ) __________

__________________________  type of library:
academic ___  private ___  government ___  special/corporate ___

home address ____________________________  home tel # ( ) __________

Would you prefer to be contacted at work home no preference

special interests or expertise:

Areas of litigation in which you would be interested in working
(Please check all that apply):

__ legal needs of the elderly  __ employment discrimination

__ civil rights (gender, race, age, sexual orientation discrimination)

__ immigration/refugee status  __ consumer litigation

__ legal needs of the homeless  __ legal needs of persons living with A.I.D.S.

__ housing issues/tenant groups  __ death penalty cases

__ domestic relations  __ legal needs of children

__ other ____________________________  ____________________________

Availability:

How many hours/projects are you willing to volunteer for? ____________________________

2-22
Time restrictions: available during

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Are you or your employer willing to absorb costs incurred during the provision of pro bono services (photocopy, costs of expedited delivery, computer assisted legal research, travel)?

Please detail:

*****************************************************************

May we include your name in a published list of those who have contributed time to the Law Librarians Pro Bono Program?

_____yes    _____no

*****************************************************************

Additional Comments:

*****************************************************************

Remember, filling out this form does not constitute an obligation to contribute time to the program. Completion of this form indicates a willingness to consider pro bono projects as they become available. The amount of time you wish to volunteer is up to you. Each volunteer is free to accept or turn down any offered assignment. In addition, feel free to arrange your own pro bono projects, but we ask that the project manager be informed of any such opportunities.
February 26, 1991

Bobbie Studwell
University of Colorado
Law Library
Campus Box 402
Boulder, Colorado 80309

Dear Ms. Studwell:

Your letter of February 19 to Ernest Sevier was forwarded to me as Chair of the ABA Commission on Partnership Programs (formerly the Coordinating Committee on Outreach).

The pro bono law library involvement project of the AALL Legal Information Service to the Public section is of special interest to the Commission. As you can see in the enclosed Summary Report and overview of the Commission goals, our efforts are directed towards encouraging activities which will increase public understanding about the legal profession and our justice system as well as increase service to clients and the community.

We would like to keep information on your program in the Center for Partnership Programs Clearinghouse, and would be happy to publicize it through our periodic Partnership Update newsletter. Update is sent to state and local bar leaders and others interested in the Partnership initiative.

Congratulations and good luck with your fine program. If there are other ways in which we can be of assistance to you in the future, please feel free to call Eileen Murray, Director of the Center for Partnership Programs at (312) 988-5464.

Sincerely,

Samuel S. Smith
Chair
February 25, 1991

Ms. Bobbie Studwell
American Association of Law Libraries
Legal Information Service
to the Public
53 West Jackson Boulevard, Suite 940
Chicago, IL 60604

Re: American Association of Law Libraries
Pro Bono Program

Dear Ms. Studwell:

Thank you for your letter of February 19, 1991. I was interested to learn of the AALL pro bono initiative.

Please feel free to give any interested parties in North Carolina my name. I look forward to working with members of your organization.

Sincerely,

Anne Winner
Director of Pro Bono Activities

cc: George B. Mast
Rhoda B. Billings
Maryann B. Crea