

# Volunteer ATTORNEY

## Meeting the Challenge: Washington County Lawyers Respond to Community Needs

CLINIC STARTED AS PILOT PROJECT, NOW A MODEL FOR OTHER LEGAL COMMUNITIES

By Tony Seaton

Last year, during a six-month period, the Legal Aid of East Tennessee held two free legal clinics for financially challenged people in Johnson City. After participating in the clinics a small group of lawyers saw the need for the consistent availability of these types of services. This group met to try and find ways to meet the legal needs of the financially challenged community and to encourage their lawyer peers to help provide assistance at no cost.

Unsure of whether a permanent clinic would be supported, the three-person committee developed an idea to provide a monthly clinic on a six-month trial basis.

Matt Bolton, the current president of the Washington County Bar Association said that the group “all agreed that although Legal Services was extremely supportive of the concept, it was best to find a more neutral location for our clinics.” The group decided to approach a local organization that provided community support services for underprivileged people.

The director of Good Samaritan Ministries, Sarah Wells, was excited about the project and agreed to house the clinic at her site. The clinic is currently being held the first Saturday of every month from nine until noon at the Good Samaritan Ministries location in Johnson City.

During the first clinic in Oct. 2009, approximately seven lawyers showed up at 9 a.m. on a Saturday and gave legal advice to more than 60 people. The lawyers were assisted by several paralegals from local law firms who donated their time and services. The following month several Spanish/English interpreters volunteered their services. The clinics have become a regular monthly event, well attended by lawyers, paralegals, interpreters and clients. Carla Forney, director of pro bono services for the Johnson City office of Legal Aid of East Tennessee, continues to be excited by the response from the entire legal community. “The help from paralegals has been invaluable to the program” she said.

The legal issues addressed in the clinics are matters that many lawyers handle daily in their offices without charging a fee. “It is not economical for any lawyer to

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TENNESSEE BAR  
ASSOCIATION



From left: Volunteer lawyers Tony Seaton, Jason Ensley, McKenna Cox, Howell Sherrod, Aleania Smith and Rick Bearfield. Sarah Wells (far right) is the director of Good Samaritan Ministries.

## A Letter From the Chair

You hold in your electronic hands the latest edition of The Tennessee Volunteer Attorney. As always, it is chock full of the amazing work Tennessee lawyers are doing in communities across the state.

Nowhere is that more evident than the monthly legal clinic established by the Washington County Bar Association. Tony Seaton's article describes how the clinic came into being and how it has been sustained by volunteer lawyers, paralegals, and language interpreters. The clinic's success is also due to the guidance of Legal Aid of East Tennessee and Good Samaritan Ministries. Our thanks go to the Washington County Bar, which has established a model for what is possible in pro bono.

October was Celebrate Pro Bono Month, and Tennessee lawyers did not disappoint. A record number of Tennesseans received free legal assistance during this year's month-long celebration. More than 450 volunteers statewide helped meet the legal needs of 1,159 of our neighbors. Enjoy the pictures taken of some of the Celebrate Pro Bono month activities, and keep up the good work.

This issue also contains an update from Margaret Behm, Chair of the Tennessee Supreme Court's Access to Justice Commission. The Commission has only been

in existence since April 2009, but has already created an ambitious agenda. The Court and the Commission's goal is nothing less than ensuring access to justice for the poorest and most vulnerable Tennesseans.

Finally, this edition contains a series of articles about the exciting pro bono contributions being made by law students across our state. If you want to feel good about the future of our profession and the passion of soon-to-be lawyers for serving their neighbors, read these articles. We have stories from students at the University of Memphis, Vanderbilt, Nashville School of Law, and University of Tennessee. Yes, Lincoln Memorial and Belmont (eventually), these articles are intended to challenge you to outdo these schools next year!

This is a season to give thanks for the blessings we enjoy and have hope for what lies ahead. I am thankful for the many lawyers across our state who make justice a reality in large and small ways for disadvantaged people. I have hope that we will continue and expand that work in the year to come. ■

Wishing you peace and goodwill,  
David Esquivel



## Calendar

### JANUARY 21

2011 Pro Bono Summit, Nashville

### JANUARY 22

Tennessee Bar Association's Public Service Luncheon, Nashville

### FEBRUARY 25

Deadline to submit nominations for the Corporate Counsel Pro Bono Initiative awards

[www.tba.org/TLCF/probono\\_initiative/ccawards.html](http://www.tba.org/TLCF/probono_initiative/ccawards.html)

### MARCH 26

Fifth Annual Corporate Counsel Pro Bono Initiative Gala, The Hermitage Hotel, Nashville

[www.tba.org/TLCF/probonoinitiative/2011\\_pbi.html](http://www.tba.org/TLCF/probonoinitiative/2011_pbi.html)

*To have your event listed in an upcoming newsletter, contact Sarah Hayman at (615) 383-7421 or [shayman@tnbar.org](mailto:shayman@tnbar.org)*

THE TENNESSEE

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accept a case, open a file and charge a fee just to give someone short advice for most of problems that financially challenged individuals are having,” said Bolton. The lawyers assist on divorce, repossession, foreclosure, bankruptcy, eviction and collections matters.

Many local lawyers, when recruited by the Washington County Bar Association for participation in the clinics, responded with the assertion that they were specialists in other areas of the law. They said they had little or no knowledge about matters that plagued financially challenged people and felt unqualified to assist. “We put that excuse to rest very quickly,” said Eric Miller, Associate Director and lead attorney of Legal Aid of East Tennessee. “We remind them that all attorneys are trained counselors; further, one of our legal services’ lawyers is always standing by in case a matter is outside the scope of one of the practitioner’s area of expertise.” Fact sheets and brochures concerning specific areas of law are also available to the assisting lawyers. “Most of these folks just need a counselor to guide them in the right direction. Usually they are not dealing with legally complex matters,” according to Miller. The concept behind the clinic is to give basic legal advice without actually accepting an individual’s case or assuming responsibility for meeting deadlines.

Howell Sherrod is a Washington County Bar Association member who has been practicing law for more than 38 years. He participates in the legal clinic each month. “I told the organizers that they did not need to call me and recruit me to come every month. I told them that I would be there unless I have a conflict.” Sherrod finds the opportunity to assist both gratifying and rewarding. “This is what lawyers are all about. There is no better way for a professional to give back to their community than to donate their time and service.”

The Tennessee Supreme Court has also been encouraging lawyers to help provide the public with better access to legal resources and to the court system. The committee, in response to this push, and in light of the current economic climate, began looking for other ways in which to assist the public with legal needs.

The committee realized that there were people who could not afford a lawyer who were trying to prepare court papers or represent themselves in routine court matters or simple divorces. This would often result in judges being put in the position of advising unrepresented people, sometimes on both sides of a case, instead of focusing solely on their duty to make objective decisions based on the presentation of the facts.

In response to this situation, the committee approached the circuit and chancery judges to develop a plan to assist individuals representing themselves. The judges agreed to consolidate certain types of cases to one day per month so that like matters would be

scheduled for court on the same day. This allows one or two volunteer lawyers to show up and assist the court by giving unrepresented individuals advice the judges otherwise have to give. According to Circuit Judge Jean Stanley “this has removed a burden from the judges and provides a great service to individuals otherwise unable to hire a lawyer.” She says “for criminal matters where people are charged with crimes, a public



**From left:** Carla Forney and Eric Miller with LAET and some of the paralegal volunteers, Tena Bates, Jule Greene and Paula Hemphill

defender system assists people unable to hire a lawyer. In the past there has only been limited assistance for those needing resolution of civil matters.”

The original six-month pilot clinic program has now been in operation for more than a year. McKenna Cox, one of the original committee members, envisions that the program will continue for many years. Recently the committee unveiled a third project in the program. At the urging of one of the General Sessions judges, the program has been expanded into small claims courts. Those courts were noticing a pattern of credit companies selling debts to collection agencies. The agencies had little knowledge or documentation of the original debt and were sending “out of the area” lawyers to sue the debtors, many of whom had legal rights that were being ignored. According to General Sessions Judge Robert Lincoln “it was impossible for the judges to give advice to these people and they usually cannot afford a lawyer.”

Members of the Washington County Bar Association have begun to assist unrepresented individuals in the small claims courts. This assistance is generally limited to advising people of their legal rights when they are sued by debt collection agencies. The first day that the lawyers volunteered, an announcement was made that free advice was available. “Almost everyone in the entire courtroom followed the volunteer lawyers outside. They were very thankful and most of the claims were dismissed by the judge,” said Cox. “It is our intent to continue this program as often as possible. It actually only took about an

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## Meeting the Challenge *(continued from page 3)*

hour for the lawyers to provide the services that day, and we advised about 40 people.”

The Washington County Bar Association’s efforts are attracting attention statewide. “In Washington County our lawyers want to be the leaders for the rest of the state,” says Matt Bolton.

“The Washington County Bar Association is providing a model for other legal communities,” Phillip

Miller, president of the Tennessee Association of Justice said, “we will be encouraging all of the members of our organization to develop similar programs statewide.” ■

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*Tony Seaton is an attorney and member of the Washington County Bar Association’s Pro Bono Committee.*

## Ready to Volunteer?

### WEST TENNESSEE

#### Community Legal Center

910 Vance Avenue  
Memphis, TN 38126  
(901) 543-3395  
[www.clcmemphis.com/volunteerapp.html](http://www.clcmemphis.com/volunteerapp.html)

#### Memphis Area Legal Services

109 North Main Street, Suite 200  
Memphis, TN 38103  
(901) 523-8822  
[www.malsi.org/volunteer.php](http://www.malsi.org/volunteer.php)

#### West Tennessee Legal Services

P.O. Box 2066  
Jackson, TN 38302  
(731) 423-0616  
[www.wtls.org](http://www.wtls.org)

### MIDDLE TENNESSEE

#### Legal Aid Society of Middle Tennessee & the Cumberland

300 Deadrick Street  
Nashville, TN 37201  
1-800-238-1443  
[www.las.org/about/get\\_involved/volunteer](http://www.las.org/about/get_involved/volunteer)

### EAST TENNESSEE

#### Legal Aid Society of East Tennessee

Maegan Jones, pro bono director  
744 McCallie Avenue, Suite 410  
Chattanooga, TN 37403  
(423) 756-4013  
[mjones@laet.org](mailto:mjones@laet.org)

#### Legal Aid Society of East Tennessee

Terry Woods, pro bono director  
502 South Gay Street, Suite 404  
Knoxville TN 37902  
(865) 637-0484  
[twoods@laet.org](mailto:twoods@laet.org)

#### Legal Aid Society of East Tennessee

Carla Forney, pro bono director  
P.O. Box 360  
311 W. Walnut Street, Suite 100  
Johnson City TN 37604  
(423) 928-8311  
[cforney@laet.org](mailto:cforney@laet.org)

### STATEWIDE

#### Volunteer Lawyers and Professionals for the Arts

211 Commerce Street, Suite 100  
Nashville, TN 37201  
(615) 743-3055  
[vlpa@ABCNashville.org](mailto:vlpa@ABCNashville.org)

#### Tennessee Justice Center

Chris Coleman, staff attorney  
301 Charlotte Avenue  
Nashville, TN 37201  
(615) 255-0331  
[ccoleman@tnjustice.org](mailto:ccoleman@tnjustice.org)

#### ACLU of Tennessee

P.O. Box 120160  
Nashville, TN 37212  
(615) 320-7142  
[www.aclu-tn.org/cooperatingattorney.htm](http://www.aclu-tn.org/cooperatingattorney.htm)

# Access to Justice Commission Update

By Margaret L. Behm

It has been an exciting and fast-paced year for the Access to Justice Commission and its Advisory Committees. In April, the commission submitted its Strategic Plan, which the Supreme Court adopted in June. In the few short months since, the commission has made substantial progress toward meeting its goals. Below are some highlights of our progress and plans for the next year.

On Jan. 21, 2011, the Supreme Court and commission will host a Pro Bono Summit focused on finding ways to expand and support a comprehensive pro bono delivery system across the state. Lawyers will learn innovative ways to provide more pro bono services and collaborate with a variety of legal and non-legal service providers. The Summit will also introduce lawyers to numerous technological services to support increased pro bono services.

Events like the Pro Bono Summit emphasize the power of collective thought and action when it comes to addressing the pro bono needs in our state. Indeed, the commission is already seeing the benefits of these collaborative endeavors. You might have heard that the Tennessee Alliance for Legal Services (TALS) was recently awarded a grant to work in conjunction with the state public libraries to develop and expand services to help library staff assist citizens seeking access to legal services. The grant will expand information and services across our state, especially in the underserved rural areas, and the initiative will serve as a national model. The commission is pleased to note that the groundbreaking idea for a library/legal community partnership was generated as a result of participation in Access to Justice Commission activities.

The commission is also excited about the upcoming advice and counsel website created by TALS and the Tennessee Bar Association. This creates a system that allows individuals to contact attorneys for limited advice on legal issues. These projects are great examples of ideas that have come from committed attorneys across our state and are the types of projects that make the justice system more user-friendly and remove barriers to access to justice.

Another barrier to access to justice the commission identified was the lack of approved legal forms available to assist persons representing themselves. The Commission is pleased to report that substantial progress has been made toward the creation and adoption of legal forms for pro se use. These plain language forms are written at a fifth-grade reading level and designed for use in courts throughout the state. The

Order of Protection forms, which are disseminated by the Administrative Office of the Courts (AOC), are already in plain language. We anticipate that the court will publish for comment the commission's proposed divorce forms for couples with no minor children. Additionally, the AOC is pursuing putting the Parenting Plan forms into plain language. Please think about what plain language forms would be a benefit to your practice and bring those ideas to the commission's Pro Se and Forms Committee.

In addition to the Pro Se and Forms Committee, the commission has six other Advisory Committees, each hard at work fostering new collaborations, developing new ways to provide pro bono service, and improving upon existing programs. The seven committees are the Disabilities and Language Barriers Committee, Education and Public Awareness Committee, the Faith-Based Initiatives Committee, the Pro Bono Committee, the Pro Se and Forms Committee, the Resources Committee and the Technology Committee. The commission is especially appreciative of the support and time that attorneys all over our state have given to the wide-ranging efforts of the commission.

The commission could not have reached this point without the full support of the Tennessee Supreme Court. The court continues to demonstrate leadership in this regard, and the court will unveil the Access to Justice web site at the Pro Bono Summit. This web site will act as a clearinghouse for information for both individuals in need of legal help and those who can provide legal help. Additionally, the court continues to propose and implement rules to generate more pro bono participation by the bar and, for the unrepresented, simplify the process of accessing our courts.

The commission has made great strides since it was created in April 2009, but we are far from finished. We are charged with developing a second Strategic Plan to submit to the court in 2012. With the leadership of our Supreme Court and its dedicated staff, the strong coalitions and bonds that have already been formed, the continued communication and openness to ideas, and our unique skills as lawyers for solving problems, we can continue to map this uncharted territory and work together to meet the ideal of equal justice under the law. ■

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*Margaret Behm serves as chair of the Access to Justice Commission and practices law in Nashville.*



## CELEBRATING PRO BONO

# Tennessee Lawyers Celebrate Pro Bono

Following on the success of last year's Celebrate Pro Bono Month, Tennessee lawyers joined their colleagues from across the country to provide free legal services to those in need and celebrate the good work performed by lawyers every day.

Celebrate Pro Bono is part of a national campaign launched last year by the American Bar Association. In Tennessee, Gov. Phil Bredesen once again recognized the good works of Tennessee attorneys in meeting the tremendous need for legal services in a proclamation declaring October as Celebrate Pro Bono Month in Tennessee. In this document, the governor commended Tennessee lawyers for providing more than \$45 million worth of pro bono or free legal assistance last year, and noted that more than 500 victims of the devastating May floods were assisted with their disaster-related legal needs by volunteer Tennessee attorneys. Of course, the need for legal assistance to the poor is not limited to problems following a natural disaster. Studies show that more than one million Tennesseans are unable to afford the legal services they need.

"Despite funding for legal assistance provided by the

Legal Services Corporation, the state of Tennessee, and private fundraising efforts," the governor wrote, "four out of five requests to legal aid are turned down due to lack of resources." Tennessee lawyers can continue to help meet this need by volunteering to take part in Celebrate Pro Bono Month activities or by signing up with pro bono organizations across the state.

A record number of people received free legal assistance during the month. More than 450 volunteers — including 291 lawyers and 161 non-lawyers (such as paralegals, law students, social workers and interpreters) — gave their time to help meet the legal needs of 1,159 Tennesseans. In addition, three free CLE programs provided training to 115 lawyers who have agreed to provide pro bono service either through a clinic or by taking on pro bono cases. ■

*We have included a small sample of photos below. You may see more photos on [www.TBAConnect.org/photo/albums/celebrate-pro-bono-month-2010](http://www.TBAConnect.org/photo/albums/celebrate-pro-bono-month-2010).*



Baker, Donelson, Bearman, Caldwell & Berkowitz, PC was recognized for pro bono efforts at the Legal Aid of East Tennessee (LAET) annual Pro Bono Awards Banquet in Johnson City on Oct. 14. The firm was named the 2010 LAET North Law Firm of the Year for providing the most pro bono hours of any law firm. Baker Donelson attorney Christie M. Hayes was named an Honor Roll Recipient for providing the most pro bono work of any attorney in the LAET North Region.

**From left:** T.J. Hayes, Christie Hayes, Jason Shade and Eric Miller.

West Tennessee Legal Services partnered with the Jackson-Madison County Bar and its Young Lawyers Division to provide legal advice about living wills on Oct. 16.

**Front row from left:** Kathryn Tucker, Laura Bailey, Tammy Bradford and LaFran Plunk.

**Back row from left:** Chuck Holliday, Josh Dougan and Jody Pickens.



Tennessee Supreme Court Chief Justice Connie Clark joins lawyers from middle Tennessee at a Celebrate Pro Bono Breakfast on Oct. 19 in Nashville. The breakfast was sponsored by the Nashville Pro Bono Program and the Legal Aid Society, and recognized both individual contributions as well as those made by the firms Adams & Reese and Ortale, Kelley, Herbert & Crawford.

**From left:** Douglas Pierce, Joe Klockenkemper, David Herbert, Chief Justice Cornelia Clark, Steve Cobb and Todd Bricker.



Legal Aid of East Tennessee, the Pro Bono Project and the Hamilton Burnett American Inns of Court held a legal advice clinic at the Family Justice Center in Knoxville on Oct. 29. The clinic received a special visit from Tennessee Supreme Court Justices Gary Wade and Sharon Lee.

**From left:** Supreme Court Justice Gary Wade; UT Law student Jackson Finner, 3L; Caitlyn Luedtke Elam, 2L; David Yoder, Executive Director of Legal Aid of East Tennessee; Tennessee Supreme Court Justice Sharon Lee and Kimberly Hamilton, 3L.

On Oct. 28, the firm Baker, Donelson, Bearman, Caldwell and Berkowitz sponsored a reception to recognize the pro bono efforts of a number of law firms and individuals in the Memphis Area. Memphis law firms were recognized for adopting pro bono policies during the past two years while individual attorneys were recognized for their work on cases. For their work to convince the University of Memphis Cecil C. Humphreys School of Law to adopt a mandatory pro bono graduation requirement, the Public Action Law Society received an award.



## LAW STUDENT PRO BONO

# Student Volunteers Outnumber Available Spots at Saturday Bar

By Brittany Thomas

Every other Saturday morning lawyers and law students head to Legal Aid of East Tennessee to assist those in the Knoxville area who have a legal issue to resolve. By helping, they may be reminded just why they went to law school in the first place.

The preparation for every Saturday Bar actually begins a week before when the Saturday Bar coordinator or one of the assistants — one each from the UT College of Law 2L & 3L classes — sends out an e-mail to the entire law school requesting volunteers. The first students are chosen with a preference for students who have not attended before. Often the coordinator has more than 30 e-mails by the end of the day and has to turn down those who weren't among the first to respond. LAET starts preparing during the week by scheduling appointments and making sure that clients meet the eligibility requirements. However, if clients do not schedule ahead, students will perform a full intake at Saturday Bar to ensure that all clients meet the requirements and cannot otherwise afford legal assistance.

When Saturday morning finally comes along, the coordinator and her two law student assistants arrive early and begin set-up. New volunteers are encouraged



Attorney Nick McCall (right) assists a client at a Saturday Bar.

to arrive at 8:45 a.m. for training, while seasoned volunteers arrive at 9 a.m. About 20 client appointments begin at 9:15 with two to three clients scheduled for every 15 minutes.

When the work begins, the students take each client into an office and perform an intake. They must have the clients sign a retainer agreement and an authorization to release documents, and then they listen to the client's story and copy the client's relevant documents. Once the story has been boiled down by the student, the lawyer meets with the client with the student present and tries to help him or her however they can. Sometimes it may just be by listening to clients in their time of need. Other times they help by giving forms that allow clients to navigate the legal system themselves. The lawyer may decide that the client needs an attorney's assistance and the client may have a lawyer assigned by LAET. No matter what the final result is, every client is heard by a law student and an attorney.

Saturday Bar is an excellent experience for students in numerous ways. It allows for students to meet with real clients, hear real cases, observe attorneys in a professional setting, and interact with their peers. ■



David Gall (right) provides legal advice at a recent Saturday Bar.

*Brittany Thomas is a second-year law student at the University of Tennessee College of Law.*



# International Experience Reframes How to Impact Change in Legal Institutions

By Rachel Watson

On my trip to Swaziland, I learned that a change in law must also be accompanied by change in the hearts and minds of the people. This semester, in early October, I traveled to Swaziland with my law professor, Karla McKanders, on a Leadership Exchange to explore legal volunteer opportunities for law students. During the trip, I had the

greatest impact on the protection of children's rights were the "Gogos." The term "Gogo" means grandmother. The Gogo grandmothers in rural communities open their hearts and homes to the children of their area affected by HIV, violence and sexual abuse. As we sat with the Gogos, they offered their blankets they had been sitting on in the shade to the group of



The Gogos of Swaziland

opportunity to meet with legal non-profit organizations and lawyers, engage in volunteer work and also see how non-law-related groups can impact human rights for Swazi children. In this context, the experience that impacted me the most was meeting with a group of women called "gogos," who are a community action group of grandmothers, affiliated with the non-profit Swaziland Action Group Against Abuse, who take on the responsibility of protecting children's human rights within their community.

Swaziland is a small landlocked country only slightly larger than Connecticut, bordered on three sides by South Africa and on the west by Mozambique. Unfortunately Swaziland's international notoriety comes from the current HIV/AIDS epidemic affecting the country — at 39 percent it has the world's highest rate of infection. While the majority of the population seems to be either affected or infected with the disease, the staggering rate has a disparate impact on the children of the country. Currently, 31.3 percent of the child population consists of orphans or vulnerable children (OVCs). These children have lost either one or both parents to AIDS and are left to care for themselves (and in many cases siblings) the best they can.

While local leaders, Non-government Organizations (NGOs), attorneys and legislatures take steps to advocate on behalf of Swazi children in legal fora, I found that the group that

Western visitors and positioned themselves on the grass in the sun. This act of selflessness and sacrifice was insight into a greater picture of how these women live. The Gogos related some of the struggles that they experienced in taking care of the community. For example, when a child loses her parents to AIDS, she is often left in the home alone making her vulnerable to sexual violence. Gogos have put in place a system where they stay with the children at night to keep predators away. In addition, there are now police centers across Swaziland for women to report violence. The Gogos are actively involved in helping children who are victims of violence in reporting to police violence and abuse.

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Rachel Watson (center), the author, with the Gogos

## International Experience Reframes How to Impact Change in Legal Institutions *(continued from page 9)*

The leader of the group introduced them as ones “affected and/or infected” with HIV. While age and life struggles were visible in their wrinkles and worn clothes, a strong spirit shone through their eyes and reflected the resolve to care for their community. Despite the death and disease that had greatly affected their community, these women spoke with pride about ensuring that the children of the community — their future — were looked after. Family is a great cultural tradition of the Swazi people, but the HIV epidemic has shattered this tradition in many communities throughout the country. These Gogos maintain the family tradition by taking in children, related or not, and allowing them to stay in their home communities. Caring for these children does not occur without sacrifice and struggle however, which demonstrates the great strength it takes each day for these women to

meet challenges head-on.

As the meeting with the Gogos came to a close, I realized that legal institutions are not the only place where human rights can be protected. The change in community attitudes and perceptions of laws also comes through non-legal institutions like the Gogos. As I helped up one woman off the ground, I thought about the fact that the Gogos, despite their age and ailments, care for the communities and protection of the children’s rights with all their strength. As I smiled and hugged one of them before I left, I sadly wondered: When it comes time for them to be looked after, who will take care of the Gogos? ■

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*Rachel Watson is second-year law student at the University of Tennessee College of Law.*

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### LAW STUDENT PRO BONO

## Justice for All: How the Vanderbilt Law School Class of 2013 is Giving Back

*The following reports are from two members of the team of 30 Vanderbilt Law students who joined immigration attorneys in executing a rapid legal response when an Immigration and Customs Enforcement (ICE) raid on a local apartment complex resulted in dozens of families being displaced and separated from their loved ones. The work of these students contributed to, among other accomplishments, the immediate release from detention of one immigrant who has terminal brain cancer.*

### SEAMUS KELLY’S EXPERIENCE

I was so excited for the chance to merge my passion for community involvement with my legal education this early in my law school career. While the work I was doing was primarily administrative, having no previous legal experience, it was still extremely useful in my understanding of the practical application of the law. Furthermore, staying there into the late, late hours of the evening was rewarded with candid exchanges with the attorneys where they sought my substantive ideas and took the time to teach me.

Further, it was a pleasant surprise to see how many of my friends and peers in the 1L class were interested in getting involved when I told them where I’d disappeared to, and immigration is not even an area of the law I’m particularly interested in or passionate about! On the flip side, I had a really hard time taking a step back and returning to my studies. It was hard for me to rationalize doing my core course readings when I could be taking concrete steps toward helping people in immediate need. It really became all-consuming until I

realized if I want to be able to provide substantial help in the long run, I need to put my school work first.

### DANIEL HORWITZ’S EXPERIENCE

Along with the help of two other Vanderbilt Law students who spoke Spanish, I was tasked with calling the relatives of those who had been taken into custody by immigration officials. I truly could not have been more surprised by the conversations we had with the family members of those who had just been detained. We were complete strangers calling late at night, and yet the people to whom we spoke could not have been any more trusting, helpful or appreciative. Given the sensitivity of the issue at hand, I was absolutely shocked by how forthcoming these individuals were in response to highly personal questions about their loved ones. I can say with a high degree of certainty that if our situations had been reversed and I was the one who had just witnessed the government taking my loved ones away, there’s absolutely no way I would have been so trusting.

Being able to lend a helping hand to people who were truly in need of assistance was incredibly rewarding. These were individuals who knew very little about their rights or about the judicial process in general, and their gratitude for our help and for simply having someone to talk to about what had happened to them was palpable. The experience was novel to me, but I have every intention of going back again to do my part in helping these individuals reunite with their loved ones. ■



## A Lesson for Law Students: What Will You Take Away?

By Lisa Jarman

After completing my first year at Nashville School of Law, I began volunteering at Legal Aid Society of Middle Tennessee and the Cumberlands, including the Saturday pro bono clinics. When I arrived at my first clinic, the lobby was already filled with people who wanted to see a lawyer, and more were squeezing in. Beyond the lobby doors, the conference room was just as active. Attorneys, staff, students and paralegals were busy with introductions, nametags, and story-swapping while preparing for the clinic to begin. It was energizing. One Krispy Kreme later I was in my first client meeting with a volunteer attorney.

After brief introductions in a private office, a family began a narrative of affliction and hardship. The excitement of the conference room drained away as I tried to follow their terrible problems. Each family member had more to add to a complex story. That's when the attorney took charge. He used questions and comments to whittle down what needed to be shared. He was able to help them focus on the problems that had legal solutions and to show them a way forward.

The client relations skills like those he demonstrated made it possible for nine volunteer attorneys

(backed up by law students and paralegals doing the paperwork) to meet with every client who arrived that Saturday morning. All the stories were told and heard. All clients went home with guidance.

And what did I take home?

First, I began to learn how to help a client tell his or her story. A skilled attorney can encourage interaction while maintaining focus on important details. Second, I began to see that there are ways to ask questions that encourage straight answers. Finally, I took home a sense of satisfaction because participating in a pro bono clinic was the most rewarding volunteer work I had ever done. Participating in face-to-face assistance to someone who is overwhelmed by a legal problem they don't understand and can't afford outranks the accomplishments of many committee meetings. I hope you will try a pro bono clinic to see what you might take home. ■

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*Lisa Jarman is a second-year law student at the Nashville School of Law.*

Save  
the  
Date

**MARCH 26, 2011**  
**The Fifth Annual Corporate Counsel  
Pro Bono Initiative Gala**

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## LAW STUDENT PRO BONO

# Public Action Law Society at the University of Memphis: A Win/Win for All

By Linda Warren Seely

In 2002, the Public Action Law Society (PALS) at the Cecil C. Humphreys School of Law existed, but just barely. The student body was not engaged with the organization and from what she could see, Professor Chris Zawisza was the right person at the right time to help make a difference for students interested in public service work. Zawisza, who had arrived at the law school in 2000 as the assistant professor of clinical law at the Child Advocacy Clinic, decided to do a little research. She had been serving as faculty advisor to students for a number of years and was familiar with similar student organizations at other law schools. She contacted the folks at Equal Justice Works and found that the charter for the original Public Action Law Society had expired. So Chris took the bull by the horns and tracked down a few interested law students, including the student organization's president, Christine Thurmond. Chris and Christine reconstituted the organization, redid the charter using manuals and other resources from Equal Justice Works and started recruiting new members. Once they completed the initial tasks of getting the organization reconstituted, they began contacting local Memphis agencies to connect students to volunteer activities. With no money, except a small annual \$500 stipend and few interested students but a lot of enthusiasm, the organization quickly grew to 35 active members over the course of the next few years.

In 2004 PALS began awarding the Dean's Distinguished Service award given to students who donate at least 15 hours of community service per semester and the Rodney K. Smith award given to the student who donates the highest quantity and quality of pro bono service in a given school year. The Rodney K. Smith award is a particularly meaningful award having been named for a former interim dean of the School of Law. Dean Smith had a strong, ongoing commitment to public service and the award was named in his honor by Dean Dan Wanat. Last year the students receiving the Dean's Distinguished Service awards were also permitted to wear silver honor codes at graduation.

Beginning with the class of 2011, there has been a heightened interest in pro bono. Current PALS President Grace Whiting attributes this to excitement by the students over the move of the law school to downtown and the opportunity to be more closely involved with the legal community. "The students have a demonstrable amount of pride in and for Memphis and it shows in their level of commitment to

helping others," she said.

Zawisza pointed out that "this generation, the millenials, has a true heart for volunteering and public service."

As proof of this, Grace pointed out that last year 65 students at the law school gave enough hours to be



President of the Public Action Law Society Grace Whiting (left) recruits student volunteers with the PALS mascot.

awarded the Dean's Distinguished Service award. "This law school produces what I would call street lawyers," she said. "These are the lawyers who are going to be handling the everyday kind of law regular people need handled. The students want a lot of face time with the clients. They all want to be the next Atticus Finch, attorneys who are engaged and more hands-on than traditional legal scholars."

This past year has not only seen a marked increase in the number of students doing pro bono work but the organization has also promoted additional projects. Last year the students participated in an Alternative Spring Break program in Miami providing legal help to Haitians who were displaced from Haiti and in the U.S. under temporary protected status. Plans are in the works for another Alternative Spring Break in 2011. The students also researched and proposed a new graduation requirement. Starting next year, students must perform 40 hours of pro bono to graduate. The Cecil C. Humphreys School of Law is the only Tennessee law school with this requirement.

"We are so excited and pleased to have been able to create this new requirement. It's a win/win for everyone. It costs the school nothing, enhances the community's perception of lawyers and provides a formal mechanism for student involvement" Whiting pointed out. "This never would have been possible without crucial faculty

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## Seeking Justice Provides Inner Peace

By Elizabeth Johnston

Before law school, being involved in my community was a given. I never thought twice about volunteering, campaigning, taking advantage of the world going on around me. Then I got to law school. Law school was an easy place to lose sight of the world around me. It was easy to forget that people's lives continued outside of the bell curve. The first few months, I let myself forget and I was pretty unhappy. Then I got lucky. The Women's Law Student Association at Vanderbilt set me up with a great mentor who brought me back to the world. She had started up a branch of the non-profit Justice For Our Neighbors (JFON) in Nashville and asked me to help translate at a clinic.

Justice for Our Neighbors was created to provide high-quality, free assistance to persons in need of immigration legal services in Tennessee. Volunteers assist at monthly walk-in legal clinics, providing confidential intake services before clients meet and discuss their cases with attorneys. The volume of clients is astonishing, given Nashville's size. A JFON clinic is a special place; I can't think of another place in Nashville that treats immigrants as warmly. The volunteers and attorneys are true advocates. Through volunteering there, I realized I wanted to be an advocate too. JFON brought the law alive for me and reminded me why I went to law school in the first place. Law matters and lawyers make a difference.

From my first day at JFON, I worked almost exclusively with immigrant victims of domestic violence. I found my niche. The majority of JFON's caseload in Nashville is domestic violence U-Visa cases. The women have faced severe violence and domination and are terrified about how they will support their children and survive on their own without legal status in this country. Nashville has few places for them to turn. JFON helps women get out of the shadows and on with their lives. It is phenomenal to see the impact caring, compassionate lawyers and volunteers can have on the lives of women.

I became particularly involved with the asylum case

of a young woman from Latin America. Her story broke my heart. Violence drove her from her home and into a completely new country when she was just 12 years old. She didn't speak the language, and didn't know anyone. Just after her 18th birthday, Immigration and Customs Enforcement (ICE) agents raided the plant where she had worked since she was 14. If she had been picked up just a few weeks before, she would have been eligible for relief as a minor. As an adult, however, she was put into removal proceedings where attorneys at JFON represented her. When I met her, she was absolutely terrified to go back to a country where she knew her abuser would find her. Asylum is her only shot. I got to know the client, was devastated when her original petition for asylum was denied, and am hopeful that her appeal will be successful. I became completely invested in what I was doing; it was a feeling I had never before experienced in a job. It excites me to know I will feel so passionately about my work.

Justice for Our Neighbors reaches out to Vanderbilt law students and the response has been overwhelming. After a recent ICE raid on an apartment complex nearby, dozens of Vanderbilt students helped with the response. Students conducted legal research, interviewed witnesses, translated, investigated, and generally supported the small group of lawyers organizing the response to the raid. The scarcity of legal resources available for immigrants meant there is real and important work for law students to do. We are part of the team. There is a real need here in Nashville and law students are eager to step in to fill it. Volunteering provides a rare glimpse of the future impact a law degree will allow us to have. It lets us feel fulfilled after spending countless hours forgetting the real world exists, knowing that when we do return to it we will be well-equipped to help make it a little bit better. ■

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*Elizabeth Johnston is a third-year law student at Vanderbilt University Law School.*

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### Public Action Law Society at the University of Memphis: A Win/Win for All *(continued from previous page)*

support," added Zawisza, "And it was also thanks to Dean Kevin Smith whose commitment allows others to exercise leadership at the law school."

"As John F. Kennedy said, when quoting Luke 12:48 ... for those to whom much is given, much is expected," said the professor. "That is one of our favorite quotes, the one we strive to live by."

Zawisza continues to serve as the faculty advisor to PALS and as professor of clinical law for the Child

and Family Litigation Clinic at the University of Memphis. Whiting will graduate in May 2011 and hopes to join the JAG Corps with the Navy or to secure a position at a legal services program. ■

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*Linda Warren Seely is the director of private attorney involvement with Memphis Area Legal Services.*