

Volunteer Opportunities for Attorneys at MALS

The Memphis legal community is blessed with an abundance of attorneys who are interested and willing to donate their time and talents to those less fortunate. Over the past few months, these attorneys have taken the initiative to contact MALS to volunteer, and we have been fortunate to be able to take advantage of these offers in a variety of different ways.

The Pro Bono Projects of Memphis Area Legal Services: The Projects consist of a variety of volunteer opportunities for attorneys, paralegals and law students. The longest running program is a basic pro bono program in which attorneys enroll and agree to take a certain number of a certain type of cases. They are contacted periodically by phone, fax or e-mail and asked to accept a case for direct representation. There are, however, other mechanisms to provide help.

In-house Telephone Advice, Screening and Referral: Several attorneys have been coming in to MALS' offices to provide advice and counsel assistance to our clients. Casey York and Joe Terre come up to the office and been given a stack of client applications and called the clients to provide advice, counsel and some brief service. This service is a direct outgrowth of these attorneys willingness to come in to our offices to help clients make the best decision about their legal issues. Sometimes the attorneys provide advice, sometimes they provide additional screening and on other times, they are asked to actually refer a case to another attorney to handle pro bono. Paralegals and law students can also provide some of these services.

Memphis Bar Association Access to Justice Committee: A group of attorneys, social services agencies, paralegals, law students and judges have been meeting monthly at the Memphis Bar Association to create an Access to Justice Committee to try to find new ways to address the legal needs of our community. Originally chaired by Andy Branham, the committee has grown to a membership of nearly 30 and spawned initiatives bringing a variety of legal assistance to the Memphis and surrounding communities.

The Bankruptcy Alternatives and Pro Bono Project was initiated because of a developing consensus among members of the Access to Justice Committee, Judge Jennie Latta and the MemphisDEBT Collaborative that our community is reaching a crisis point as consumers and debtors use the bankruptcy courts as their number one choice for resolving consumer and debt related problems. The concept is to create a series of community education programs for members of the public to attend; to set aside some time at each program for clients to talk to volunteers about their individual problems and for those in need of additional assistance; and to provide an appropriate referral to either a pro bono consumer or bankruptcy attorney.

Attorney of the Day Courthouse Advice and Counsel Clinic: Citing her frequent frustrations with pro se litigants who have valid defenses or claims, Judge Phyllis Gardner worked with MALS staff and volunteers Connie Ross, Sam Blaiss and Andy Branham to create a program through which volunteer attorneys will meet with litigants

at the Courthouse one afternoon a week to provide help and referrals. Every Thursday starting at 1:30 PM in room 134 of the Shelby County Courthouse, volunteer attorneys meet with walk in clients and provide advice, counsel, referrals and sometimes extended services if needed. Paralegals and students provide supportive services at this clinic.

Saturday Legal Clinic: An outgrowth of the Attorney of the Day Project, these clinics are held the second Saturday of every month at the Main Library on Poplar Avenue (and occasionally at local churches) and provide the opportunity for members of the community to meet with an attorney to discuss their legal issues. The volunteer attorneys provide advice, counsel, referrals and sometimes extended services if needed. Paralegal Volunteers from the Memphis Paralegal Association and law students have been key contributors to the success of the operation of this project.

Atticus Referral Network: Originally conceived of by Paul Morris and Danny Van Horn, this program was specifically designed to facilitate a faster referral process using technology. Mr. Morris and Mr. Van Horn recruited the bigger law firms to join in this network by designating an attorney in-house to serve a 'gatekeeper' function. Every other week an e-mail is sent to the gatekeeper with a listing of available cases. The gatekeeper then forwards the request on to firm members who can select a case for pro bono representation.

Advance Directives Panel: In 2007, MALS along with other community partners such as the University of Memphis School of Law's Elder Law clinic and Health Law Institute, Baptist Memorial Health Care Corporation and Methodist LeBonheur HealthCare sponsored a training for over 50 attorneys and law students on advising clients on end of life medical decisions. The result is a panel of volunteers who provide advance directives and last wills and testaments to a variety of persons including those with terminal illnesses or who are elderly. Law students and paralegals provide technical support to the attorneys and assist with the execution of the documents.

Conservatorship Panel: A growing need in the community, the Probate Section of the Memphis Bar responded to requests from Memphis Area Legal Services to create a group of attorneys willing to provide representation to persons seeking to become conservator on behalf of a family member or friend. A training on how to do conservatorships was held in the fall of 2008 and a second in the fall of 2009. Sample forms and instructions are available.

Corporate Counsel Pro Bono Initiative: The most recent initiative will be working to create a partnership between corporate counsel and MALS to provide a variety of services including those outlined above. Additionally, the CCPBI hopes to work with the Memphis Small Business Chamber of Commerce and the Alliance for Nonprofit Excellence to match attorneys with small businesses and non-profit entities. Noncorporate counsel are welcome to participate in this initiative to work with nonprofits and small businesses.

Collaborative Divorce Group: Building on the work done by local attorneys with the “Lawyers as Peacemakers, Lawyers as Problemsolvers” committee, in the summer of 2008, MALS trained 12 attorneys, 4 financial planners and 10 therapists/counselors on the concepts of collaborative practice in divorce cases. In exchange for the training, the collaborative group agrees to handle pro bono divorces for both MALS and the Community Legal Center using the Collaborative process. This group has now formed the MidSouth Divorce Collaborative Alliance.

Mediation: Volunteer mediators can be assigned pro bono mediations through the Pro Bono Projects. Reports are made bi-annually to the CLE Commission and AOC on behalf the mediators.

Low Income Taxpayer Clinic: MALS was recently notified of an award from the Internal Revenue Service for the creation of a Low Income Taxpayer clinic to assist individuals with problems involving personal income taxes. CLE programs and volunteer recruitment should begin in the summer of 2009.

Nonprofit Business and Volunteer Lawyers for the Arts Project: Working with nonprofit members of the Alliance for NonProfit Excellence and the Business Section of the Memphis Bar Association, eligible nonprofit entities are paired with a volunteer attorney to assist with a variety of legal problems experienced by the corporation. In the face of the recent economic downturn, nonprofit agencies face an array of legal problems from contracts to dissolution.