



**Legal Services / Corporation / Law Firm**

**Pro Bono Clinic Start Up Kit**

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## **A. The Start Up Kit**

This start up kit is designed to serve as a guide for legal services organizations and others aiming to create collaborative clinical efforts utilizing corporations and law firms. The advantages of successful hybrid legal services/law firm/corporation clinics are significant: high case volume, effective utilization of volunteers from corporations, and deeper relationships with law firms. But the challenges to creating a successful project can also be significant and require thoughtful planning.

The start up kit summarizes many of the key lessons that Legal Services NYC (LSNYC) learned over the course of two Pro Bono Innovation Fund grants from the Legal Services Corporation. That support permitted us to greatly refine and expand our clinical work with corporations and law firms. Over the course of the grants, we helped more than 3,000 low-income New Yorkers through nearly 300 clinics across a range of distinct substantive legal areas. They include: Military Mondays, a monthly clinic for veterans; screening and full representation clinics for naturalizations, asylum, U visas, VAWA self-petitions and Battered Spouse Waivers; clinics for transgender name changes; and public benefits application clinics. For most clinics, all clients served were provided with full representation from pro bono attorneys, provided that they had a fair basis to pursue relief.

To facilitate replication of similar projects by others, this document highlights our view on the key elements to a successful hybrid clinical project, check lists of tips and items to consider, and warnings about potential challenges. It also provides tips for specifically engaging and successfully working with low-income veterans.

## **B. Legal Services NYC**

Legal Services NYC is the largest organization in the country devoted solely to providing free civil legal services to low-income people. We have approximately 650 staff across nearly 20 offices throughout New York City. The organization has 20 different practice areas, but all focus on the essentials of life for low-income people: housing, benefits, safety, education, economic security, immigration status, and more. LSNYC also has several units focused on particular populations, including veterans, the elderly, and LGBTQ/HIV+ clients.

Our pro bono program works with thousands of volunteers from nearly 100 large law firms and corporations.

### C. Core Elements of a Successful Project

There are several core aspects to a successful hybrid clinical effort with law firms and corporations. Each of these elements is elaborated upon in separate sections, below. But in short, when starting a new hybrid clinical effort, think through the following questions:

- 1. Clients.** Is this a core legal need for your clients, and do you have access to these clients?
- 2. Casework.** Can volunteers effectively and efficiently do the legal work?
- 3. Legal services staff.** Do you have the necessary support from staff at your organization — including substantive experts to guide the project and mentor the cases?
- 4. Law firm and corporation partners.** Are there law firm and corporate partners who are excited to partner on your idea, and with each other?
- 5. In-person clinic logistics and non-legal pro bono solutions to challenges.** What is your plan for the many logistical issues that are likely to arise when setting up an in-person clinic? Can you think of non-legal pro bono or in-kind support that can address logistical challenges?
- 6. Assess whether a virtual clinic makes sense.** What burdens will be placed on clients by doing an in-person clinic? What about for a virtual clinic? What efficiencies come from each model? What preferences do volunteers, staff, and clients have for doing this clinic remotely?
- 7. Use simple technology and a flexible approach for virtual work.** What technology will you need for a remote training? What will technology will pro bono attorneys and clients need to access? How can you make technology as simple, flexible, and responsive to client preferences as possible?
- 8. Training & proactive approach to mentorship.** What volunteer training will be necessary to effectively do the work, and how do you plan to have your staff mentor the pro bono teams?
- 9. Relationships beyond the clinical work.** What goals do you have for your pro bono relationships above and beyond the clinic?
- 10. Pilots, retooling, and learning from mistakes.** Any project with so many logistical elements is bound to have missteps and challenges. Be prepared to identify those issues, and work with your pro bono partners to address them.

## 1. Clients — need & access

At the core of a strong clinical effort is identification of a specific important unmet civil legal need. The justice gap is, of course, severe across dozens of different legal areas. But there are many ways in which those needs play out across different geographic regions, and within particular communities. It is not enough to decide, for example, to help victims of domestic violence with orders of protection. Explore how many of these individuals are unable to access services now, whether there are programs providing representation on such matters, and what those programs say about the unmet need.

A related question is whether you have access to clients with that need — or whether you could gain access to them, if you do not have it already. This requires an analysis of the client population you are seeking to help, and the legal need at issue. For LSNYC's immigration initiatives, for example, client outreach is rarely necessary. Our general hotline turns away scores of callers each week who are seeking immigration relief. A quick analysis of these callers made clear that the organization had a pipeline of clients hoping to naturalize sufficient to do large-scale monthly clients, for example. By contrast, transgender clients seeking name changes rarely call our hotline, but are instead accessed in partnership with LGBTQ community based organizations. Locating low-income veterans similarly often requires outreach to VA hospitals and veterans service organizations.

Inaccessibility of clients does not necessarily reflect the severity of the legal need — more often, it mirrors the discrimination and disappointment that particular communities have experienced when they have sought help in the past. Additional outreach is all the more valuable in these circumstances. You will need a plan to succeed in this outreach, however, before scaling up a project.

All of this is not to say that the targeted legal need must be the most severe, or that it requires the one with the largest pipeline of clients. But a clear analysis of the need, the client population, and how to access them is essential for a successful project.

To answer these questions, speak with experts within your organization and at sister organizations, and do at least a brief review of available data online.

### **Key Considerations:**

- What is the specific legal need you plan to address?
- What other services currently exist, and how will your project bolster and/or differ from those services?

- What is the volume of potential clients?
- Do you have access to these clients, or a plan for how to gain access to them?

## **2. Casework — suitability of work for volunteers**

As with all pro bono work, it is essential to think through what types of cases are a good fit for volunteer support. That concern becomes particularly important when running large scale clinics, which involve many moving parts. If the cases are not the right fit for pro bono support, things can quickly go off the rails.

What does it mean for a case to be a “good fit” for pro bono volunteers? Put differently, the inquiry is whether pro bono attorneys can actually do a good job on this kind of matter, with the right training and support. Take for example, eviction cases in New York City. Tenant protection laws in the city are significant and complex. Volunteers could read every procedural rule about housing court, and still be no closer to being able to operate effectively there when they walk through its doors. It takes months of operating in housing court to learn its many unwritten rules, procedures, and pitfalls. By contrast, housing conditions cases are substantively and procedurally straightforward, take place in a specific courtroom, and are typically resolved more quickly than eviction matters. LSNYC accordingly has a strong pro bono program for conditions matters but discourages pro bono efforts on eviction defense cases.

A related question is whether it is worth it to have pro bono support on the cases: is it actually efficient for pro attorneys to do the legal work, or will the mentorship and support required of the legal services organization outweigh the benefits of the volunteer service? Any pro bono effort will require mentorship and staff time. But if the nature of the work is that it requires constant input and intervention from legal services experts, it may simply not make sense to build a pro bono effort out of it.

To properly measure the efficiency of the work, try mapping out the life of a case, and estimating how much time and resources will be needed from the legal services organization at each point. Will your staff need to meet with the client 4 times to properly assess their case? If so, does it still make sense to get pro bono attorneys to take over the case after that point? Or after completing a U visa application for a client, are volunteers expecting to hand the case back to your organization for the 7 or 8 years it takes to secure the actual visa — and are you and your staff comfortable with assuming that burden? Pro bono solutions may exist to address these issues: pro bono screening clinics may cut down the time burdens, a bright line rule that pro bono attorneys need to keep cases even after U visas have been filed, etc. But they have to be identified and planned for.

Beyond legal support, is the work conducive to volunteer interests and limitations? For example, a VA benefits case that stretches out over 7 years of legal work may not be a great fit for a law firm that typically sees associates turn over every 18 months. Same for a removal case with a hearing date set for 4 years out. If you are targeting

transactional attorneys, will they need to go to court? Finally, is the issue one that private attorneys are interested in and moved by, such that they are willing to dedicate the time necessary to do the work?

There are no perfectly efficient pro bono cases — all require some screening and some oversight. But for pro bono cases to function properly, the legal knowledge required must be straightforward enough that it can be conveyed through a training, a supporting manual, or research the attorney can do on her own, and light mentorship. The pro bono support offered must be effective, and create enough efficiency to make sense for the organization.

Without these essential ingredients in place, both volunteers and staff will be frustrated, and clients will not gain the quality legal service that they deserve.

### **Key Considerations:**

- How much legal expertise is required to effectively do the work?
- If volunteers do not have this expertise, how will you impart it?
- Can training, supporting materials, and light mentorship convey the necessary knowledge?
- Is the staff time needed to screen, prepare, and mentor the cases justified based on the pro bono support obtained and the outcomes achieved for clients?
- Do the cases match up with volunteer interests and limitations?

### **3. Legal services staff — buy-in and staffing plan**

Whatever your project, it is going to take legal services staff to make it work. At a minimum, it will require substantive legal experts to prepare trainings and mentor cases, administrative support to open cases and follow up with clients, and leadership to organize, plan, and execute the project.

The leadership to organize, plan, and execute the project is typically offered by a pro bono director. If your organization does not have such a position, ensure that a point person is put in place with sufficient time carved out to make the program work. This role is essential in order to build and manage relationships with private partners and with internal staff, to provide vision and structure, to push the project forward, and to deal with challenges as they arise.

Substantive experts at a legal services organization are busy managing their own case loads and projects. And some might be great as staff lawyers, but not a good fit as mentors and teachers for pro bono attorneys. Look at the pool of experts at your

organization, think through who would be a good fit for training and mentoring pro bono attorneys, and then see if they are interested in participating in the project despite the time involved. After the project is up and running, make sure to check in regularly with these mentors to ensure that they are still managing the work OK, and are happy to continue participating. Often times staff who are eager to participate do not realize how much time they will actually need to devote to mentoring cases. Checking in will allow you to adjust course and volume as you go, before people burn out.

After you have found your ideal internal experts to work with, make sure the communicate extensively with them about your thinking for the project, and their role in it. Are you expecting them to review all legal papers before they are filed? To show up with pro bono attorneys in court? Whatever it is, make sure they know (and agree) with your approach.

Mentors may also need guidance on how to manage volunteers, who sometimes email more frequently, and can be needy. Provide tips on responding to email and setting boundaries. E.g., respond quickly with “thanks for this draft, I’ll take a look at it by Friday.” And let mentors know how to handle problems when they come up, particularly if someone else on the team is available to address those problems, whether it is a client who disappears, or a volunteer who is not performing as they should.

Similarly think through the administrative support that will likely be necessary to execute the project. At a minimum, you will need someone who can open up cases and do financial screenings for clients. Depending on the life the cases managed with the clinic, additional support may be needed to manage client follow up before finalizing screening, document collection, scheduling for clinics, and more.

### **Key Considerations:**

- Identify the expert mentors at your organization with the capacity and interest in partnering on the project
- Canvass key players in your organization about the project
- Identify point people for managing pro bono relationships, structuring the project, and addressing any problems
- Map out a plan for administrative support necessary to make the project work

## **4. Law firm and corporation partners**

LSNYC’s model is built on institutional relationships with law firms and corporations. Firm by firm and corporation by corporation, we have developed partnerships on hybrid clinics. The reason for this institutional focus is simple: pro bono works much



better when it is done with entities that commit to the work, rather than individuals. A law firm can re-staff a case when one of their volunteers goes on leave, quits, or gets put on a busy billable matter. Firms can also put tremendous non-legal resources into play to make clinics and representation successful, by providing space, technology, administrative support, and more.

Corporations can be incredibly useful pro bono partners. This is true even though corporations typically do not have the resources, structure, or numbers that law firms can provide. If you can partner with law firms to fill some of these gaps, you will be able to access significant numbers of volunteers from corporations, while generating a new level of focus and commitment from law firms. LSNYC typically asks that law firms partner with corporations on all full representation cases, for example, with the law firm appearing as counsel of record and committing to see the case through. That activates the risk management, docket, and pro bono staffing expertise of the law firm, all of which will step in in the event that individual volunteers (corporate or otherwise) fall away from the case.

LSNYC clinics are not open to all volunteers, but instead only to those from the hosting law firm and from the participating corporations. That means that we are able to generate ownership from each institution, and with a specific group from within those institutions. Law firms and corporations often want to repeat a particular clinic, and they staff those clinics with returning volunteers who are able to both generate enthusiasm from peers and provide some guidance to newer teams.

Other urban and even suburban legal services providers can replicate this model. Identify the specific private legal institutions in your area, and which corporate clients may be most important to their law firms. Approach these institutions with clinic ideas and attempt to leverage corporate clients to achieve more. Perhaps there are only 4 or 5 law firms in your region, and 3 corporations. No matter — LSNYC's model is about building relationships institution by institution. Our approach should work just as well with a smaller pool of partnering entities.

If you are building a project with law firms or corporations for the first time, think through your entry points with them. If the firm has a formal pro bono counsel, make sure to reach out to that person. If you have a board member at a firm, they are also a good resource. Absent either of these, think through other connections your organization may have — prior pro bono projects, people who may have gone to law school with your colleagues, etc. Set up in person meetings with those who will take them, and talk about your organization, your idea for the project, and any thoughts you have on utilizing corporations in partnership with the firm.

Firms may want to understand clearly what you expect from them: how many hours a typical case is, whether there are any fees they will be responsible for, etc. Having thought through the clients and legal work will serve you well in these conversations. Draft a short written pitch for the project laying out case types, likely number of hours

involved, and core administrative needs to share with your target law firms and corporations after meeting with them.

### **Key Considerations:**

- What are the prospective law firms and corporations you might partner with?
- Do you have preexisting relationships at any of these targets?
- If not, come up with an outreach plan that includes pro bono counsel, board members, and other connections
- Offer clear expectations to institutional partners about their role and the time and resources involved
- Leverage law firm resources to support volunteers from corporations

## **5. In-person clinic logistics and pro bono solutions to challenges**

In-person clinics require significant administrative support and present tremendous logistical challenges. At a minimum, they require adequate space for volunteers and clients to meet, technology and supplies to work, and a plan for locating and scheduling clients and volunteers. Think through all of the logistical needs and challenges that exist for your clinic. Try not to panic — the next step is to ask your law firm and corporate partners if they can help address them. In addition to lawyers, firms have tremendous administrative, paralegal, docket, space, and technological resources.

LSNYC has thought through a range of things that law firms can offer beyond the legal support of their lawyers and found firms generally eager to provide them. That list includes: paralegals for scanning documents; administrative support for checking in clients and escorting people around the office; people to make confirmation calls to clients in advance of clinics; space for trainings and clinics at law firms; food and refreshments for clients and volunteers; interpreters; scanners, copiers, and AV support; production of our training materials by copy room staff; MetroCards for clients and occasionally car service, and more. LSNYC also provides specific instructions to help firms provide this support in the way that is most useful, and easier for them. E.g., scripts for confirmation calls, instructions on producing materials, etc.

Our guidance to other nonprofits is not to be shy when thinking through your ask to partnering law firms. We have very rarely received pushback when requesting this kind of support — more often, firms say “wow, I never thought of that — no problem!”

The result is a better program that is more accessible and easier for clients — all without cost to clients or the organization.

Corporations typically have fewer such resources to offer, but talk to your corporate partners to see what they can help with. LSNYC has found many corporations to have deep wells of potential interpreters and administrative staff. If the law firm struggles with any of these challenges, see what your corporate partner can do.

Not all logistical burdens make sense to shift to pro bono partners, of course. But think it through and then see how many it might make sense to try.

### **Key Considerations:**

- Map out the logistical elements of your clinic
- Common elements include:
  - ⇒ space for training
  - ⇒ space for clients to gather
  - ⇒ space for client meetings
  - ⇒ technology and supplies for the work
  - ⇒ food and refreshments for clients and volunteers
  - ⇒ confirmation calls to clients
  - ⇒ copying and scanning documents
  - ⇒ checking in clients and volunteers
  - ⇒ interpreters
  - ⇒ assistance with transportation
- Ask your law firm and corporation partners for assistance with each of the above

### **6. Virtual, in person, or a mix?**

It is important to carefully assess whether a clinic will work in a remote setting. Be sure to weigh the mix of burdens on clients, volunteers, and staff that would result from virtual compared to in-person work.

While technology is a barrier for some, it is a bridge for many others. Prior to the pandemic, none of LSNYC's pro bono programs were remote. Clients came in person to appointments and clinics. Our staff trained volunteers on-site at law firm and corporation offices. Our assumption at the time was that this approach was the most client-friendly possible, and that the clients that we served would not be comfortable with or have access to the technology needed for remote work.

We were wrong. The forced pivot to a remote model taught us that in fact most of our clients were willing and able to work with attorneys remotely. Obtaining legal representation without travel is particularly important for clients with disabilities,

hourly jobs, young children, or other challenges. Avoiding the dehumanizing and time-consuming crush of housing court and other adjudicative bodies is another major benefit for many. For clients who regularly face discrimination when travelling or interacting with building security and others – like many transgender clients and those with limited English proficiency – remote work prevented that experience.

This is not to say that virtual work is preferred by all – there are clients who are unable to work remotely, who prefer to be in person, or who require in person outreach and contact to establish trust. But the opposite is also true: there were people who we were excluding or causing unnecessary burden for with our old in person model. Surveys across several different initiatives suggest that approximately two-thirds of our pro bono clients prefer at least some virtual work. We have also noticed a substantial increase in client turn out for virtual clinics as compared to in person events, suggesting that more of our clients now find it easier to engage.

Give clients the option to choose virtual or in person representation whenever possible. It may be that a mix of virtual and in person clinics (or a hybrid of the two) is what works best, despite the added logistical considerations of planning for both approaches.

Also be sure to consider the impact of remote work on volunteers and staff. Many clinics can become more efficient. There is no need to secure meeting space, supplies, or refreshments. But the most important efficiency may come from the time saved by clients, volunteers, and staff. That in turn makes it possible to serve more clients and hold more clinics than in the past. LSNCY now holds roughly twice as many clinics compared to before the pandemic.

Another potential advantage of virtual work is that it can provide access to a broader pool of pro bono attorneys. Firms and corporations can staff volunteers from any of their offices across the country – or even beyond. LSNYC is lucky to have access to firms with large New York offices. But most have more attorneys outside of the city – sometimes substantially more. Talk to your target pro bono partners to assess whether you will be able to increase pro bono support with a virtual approach.

### **Key Considerations:**

- Assess whether the work can be done remotely
  - ⇒ nature of legal work (online forms, drafting affidavits, etc.)
  - ⇒ any ink signatures required
  - ⇒ notarization requirements
  - ⇒ volume of paper documents
  
- Weigh the burdens of in-person work vs. virtual work on clients
  - ⇒ travel cost and burden
  - ⇒ access to technology

- ⇒ finding private space for calls with lawyers
  - ⇒ childcare
  - ⇒ potential points of discrimination or micro-aggressions
  - ⇒ client preference for in person or virtual
- Weight impact on volunteers
    - ⇒ potential access to a larger pool for recruiting
    - ⇒ pro bono access to needed technology
    - ⇒ volunteers preference for in person or virtual
- Weigh staffing concerns and logistical burdens
    - ⇒ technology and supplies for the work
    - ⇒ food and refreshments for clients and volunteers
    - ⇒ copying and scanning documents
    - ⇒ space considerations
    - ⇒ Staff time
- Consider offering a mix of remote and in-person options to clients

## **7. Technology and logistics for remote work**

Think through technological and logistical components of remote clinics both during your assessment of whether to create a virtual clinic and again when you prepare to launch one. Focus on client convenience, shift burdens to pro bono attorneys when you can, and stay flexible.

Pro bono attorneys can use their own technology and resources to ensure that clients who have access to neither are able to secure the legal relief that they are entitled to. Often all clients need to participate in the work is the ability to talk on the phone. Pro bono attorneys can interview clients remotely, draft papers on their own, submit forms online, send pre-paid envelopes to clients to send back documents when they are unable to send electronic versions, and even create email addresses for clients for the applications that require them. Pro bono support can, in other words, bridge the technology gap for clients along with the justice gap. But volunteers typically need prompting to make that happen.

Technology is a means to an end – be flexible on methods but rigid on outcomes. LSNYC has found that it is best to use the simplest and most accessible technology possible when working with both clients and volunteers. We teach pro bono attorneys to brainstorm with clients on the best way to engage for meetings, or to share documents. Volunteers should accommodate the client’s preferred technology – whether that is Zoom, a phone call, WhatsApp, or texting documents. We recommend training pro bono attorneys to employ this flexibility in their work while

emphasizing the outcome that they are trying to achieve for each step – whether that is an image of a document, a signature, or a client relationship and dialogue about traumatic past persecution for drafting an affidavit.

When clients have easy access to video, Zoom often works well and is less fussy than some other video programs. For clients with email, DocuSign does not require any application download and is easy for most of our clients. Some clients prefer to text pictures of their documents instead of using email. Others communicate through WhatsApp instead of through traditional phone calls. Some clients may not be able to access video and instead call into meetings with their attorneys or court appearances. Others may need a prepaid envelop to send documents. Do not assume that low-tech approaches are best for clients, because in many cases that is not true.

Solutions to common barriers do not need to be complicated. For one of our projects, filings require notarized client signatures. We teach pro bono attorneys to ask clients if they know of a nearby neighborhood notary that they are comfortable going to. If they do not, the volunteers google notaries near their homes and share the hours and directions. Finally, they give the client the option to come into an LSNYC office or the law firm to notarize documents if they prefer that approach.

Clients deserve flexibility and convenience, and the power to choose the method that works best for them. Whatever clients have access to or prefer, LSNYC and our pro bono volunteers are ready to make the legal relationship work.

**Key Considerations:**

- ❑ Consider different technological platforms for training, client meetings, document sharing, etc.
- ❑ Think through low-tech solutions to challenges, like sending prepaid envelopes for documents
- ❑ Identify the simplest systems possible – fancy programs are usually less accessible
- ❑ Allow clients to call into meetings if they prefer
- ❑ Ask firms to provide the technology and leg work you need
- ❑ Consider client preferences
- ❑ Brainstorm approaches to overcoming likely barriers
- ❑ Stay flexible
- ❑ Teach pro bono attorneys to be flexible too

## 8. Training & proactive strategies for mentorship

Ensuring high quality work for clients has been central to all of LSNYC’s pro bono efforts — through regular training, volunteer manuals, careful case screening, and ongoing mentorship. The priority placed on these elements is not just about providing clients with top-notch representation—although that is the most important goal. Training and mentorship are core to a successful project because volunteers do not want to participate in programming unless they feel adequately trained and guided, and LSNYC staff do not want to support pro bono if it is inefficient. Put another way, training and mentorship are important for each of the crucial players in any pro bono initiative — clients, staff, and volunteers.

**Training & Manuals.** LSNYC has created training materials to supplement our oversight of cases. These include separate resources for pro bono attorneys working on our veterans, naturalizations, asylum, transgender name changes, public benefits, ERAP, and U-Visa/VAWA/Battered Spouse Waiver projects. Manuals follow a similar format to one another, with a high level “roadmap” to each case, a PowerPoint, and a deep range of sample documents for attorneys to work off of. All resources are now provided in electronic format, which enables pro bono attorneys to work off of sample native file documents. Each manual is accompanied by a CLE training available live or via video. These materials are essential to giving volunteers the tools and confidence they need to handle many of challenges on their cases.

The model itself makes the training more effective because trainings are typically delivered immediately before volunteers meet with clients — making the knowledge very fresh when it is applied to the work.

**Mentorship.** LSNYC also provides close mentorship and oversight on all cases. We send experts to all clinics who train and support the volunteers. These on-site mentors offer real time guidance as teams work through their cases, providing attorneys with some of the learning benefits associated with apprenticeships. Next, LSNYC assigns ongoing mentors to each case who provide quick feedback to volunteers about their cases. Oftentimes LSNYC return to firms to give “office hours” that enable us to check in on a number of cases at once, while encouraging participants to expeditiously pursue their cases.

**Cohort structure.** Our model creates cohorts of volunteers at given institutions who develop expertise and confidence, and who support one another over time. That in turn makes it much more efficient for LSNYC to mentor teams. Another result of this cohort approach is its tendency to generate and sustain momentum for projects at given firms and corporations, as volunteers share success stories and encourage peers to participate.

**Time spent being proactive yields significant benefits.** It takes a lot of time to think through which type of cases make sense for clinics, to plan out the many elements of each clinic (before, during, and after), to prepare training materials, to present, and to mentor teams. But each of these elements is crucial to the success of a high-volume, hybrid pro bono project. What is more, a proactive approach in each of these areas actually saves time later. Teams turn to templates instead of drafting something that the legal services attorney has to rewrite. Volunteers know that you have set up office hours next week, so they skip the 10 questions they would have asked over email. And so on.

Some replicable suggestions include:

- **CLE timing.** Where possible, deliver CLE trainings on-site immediately before the work begins, when knowledge is fresh.
- **Manuals.** Take the time to create manuals that include samples of every document imaginable that pro bono attorneys might need to draft.
- **Electronic access.** Make manuals available in electronic format that is easily accessible by pro bono volunteers — with templates, in particular, offered in native file format.
- **Email templates.** In the weeks and months prior to clinics, send standard emails to law firm point people with extremely detailed instructions for every aspect of the clinic.
- **Mentoring at the clinic.** During the clinic, touch base with all of the teams, and check them out before they leave, in order to minimize the need for follow up calls and emails.



- **Office hours.** After the clinic, come back a few months later for “office hours” at the law firm to answer any questions and encourage progress on the cases. (If you do multiple clinics each year at a given law firm, these office hours could be tagged on to a visit you are doing to conduct a clinic.)
- **Zoom launches.** When virtual clinics involve pre-recorded trainings, set up a live launch meeting for 30 minutes to offer key reminders and tips, answer any questions, and allow mentors and volunteers to connect directly.

Of course none of this is a substitute for providing ongoing, thorough mentorship. But including these elements makes that mentorship more efficient — and volunteers appreciate the foundation and support this gives them on their cases.

### **Key Considerations:**

- Prepare CLE training
- Deliver training right before clinics
- When trainings are pre-recorded, hold a Zoom “launch call” with participants for 30 minutes
- Draft supporting materials for volunteers to use at clinics
- Provide experts to mentor teams at clinics
- Provide ongoing mentors for cases
- Consider proactive mentorship for full representation cases through office hours

## **9. Develop Relationships Beyond Clinics**

Relationships with institutions are about more than just individual cases. Think through how you can broaden and deepen your connection to partnering institutions. At firms where LSNYC does multiple clinics each year, we have scores — sometimes even hundreds — of people who know LSNYC, understand our mission, and represent our clients. That makes them more likely to come back for more cases of any sort, to support our organization financially, to serve on our boards, and to hew more closely to our mission.

Take time each year to think through who from these institutions might be a good fit for your board. And ask the firms for financial support.

### **Key Considerations:**

- Nurture deep and broad relationships between your organization and partnering institutions
- Identify targets from each institution for your board
- Make financial asks

## 10. Pilots, retooling, and learning from mistakes

Any effort like this is going to involve challenges, missteps, and complications. So long as the core aspects of the idea are sound — a genuine client need, a case type that can be effectively done by pro bono volunteers, commitment to participate from institutional partners — these issues can all be resolved over time.

LSNYC has made hundreds of tweaks to our projects. We view each clinic as a pilot and keep an eye out for issues every time. LSNYC also set up structured check in calls after Military Mondays for more than a year, so that we could identify and talk through such challenges, along with our approach to solving them.

We encourage others who emulate this model to keep in mind that the first few clinics may feel overwhelming and have issues, but to keep at it!

### Key Considerations:

- Be ready for challenges, and prepare to adapt
- Structure communication with your institutional partners after clinics, at least for the first few times — a call the following week, etc.
- Find out what went wrong, what could be improved, and what you would need to make it better next time
- Consider whether it makes sense to ask your institutional partners to help solve the problem
- Don't give up!

## D. Working with Low-income Veterans

For those creating clinical projects with low-income veterans, here are some of the lessons that LSNYC has learned over the course of our work in this area. They can be grouped into three key areas: accessing and building trust with veterans; building trust with veterans' service providers; and helping volunteers to manage client challenges.

**Accessing and building trust with veterans.** It takes work to access low-income veterans, and to build trust with them to utilize your services. Unlike our immigrant clients, for example, who call our general hotline number, many veterans feel more comfortable with providers who come to veterans' spaces or who have been vouched for by individuals they trust. Given how many false promises have been made to veterans that reaction makes a lot of sense.

After a few experiences at a less successful location, LSNYC moved Military Mondays to a huge VA hospital, where thousands of veterans receive services. Eventually, we were able to get the hospital to move us to a central atrium location next to the cafeteria, where many veterans notice the clinic and walk in. LSNYC also undertook aggressive outreach efforts with veteran organizations and others.

**Building trust with veterans service providers.** Some veterans service providers and VA hospital staff initially expressed mistrust about the project. They, too, worried about more false promises to veterans. And our pro bono partners (which included financial institutions) also initially generated suspicion, with some fearing that the clinic was an attempt to get veterans to do business with our pro bono partners, instead of to receive free legal services. We worked hard over many months to change that. LSNYC and Skadden conducted multiple outreach and education sessions for VA hospital staff to explain the work, and how the clinic could help their patients. This outreach paid significant dividends, with the VA hospital moving the clinic to a better space where more veterans could find it, and many staff referring their patients to it. LSNYC's broader Veterans Justice Project has also promoted the clinic through its strong ties to the veterans community.

**Managing challenging clients.** Volunteers at the clinic periodically reported problems when working with veterans, some of whom got angry or loud, and others of whom made inappropriate comments. Those kinds of interactions can be hard for anyone, but learning more about the experiences of many veterans, along with tools for de-escalation, can help. LSNYC worked with social workers at the VA hospital to present a training for Military Mondays volunteers that addressed these topics — including strategies for working with difficult clients, understanding PTSD and traumatic brain disorder, the impact of substance abuse, military culture, and more.

Note that this clinic is one that has not translated well into a remote environment. We look forward to being able to re-start in person clinics once it is safe to do so.

### **Key Considerations:**

- Locate the clinic somewhere that veterans already frequent
- Make the clinic room visible and accessible at that location
- Conduct regular outreach about your program with veterans, and ask for help with that outreach from your institutional partners
- Build trust and support among veterans service providers
- Develop training and protocol for dealing with challenges when working with clients

## **E. Background on Legal Services NYC's Clinics with Corporations and Law firms**

LSNYC began our effort in this area with the hypothesis that we could partner corporations with law firms to achieve new levels of pro bono support from each. Corporations are typically underutilized in pro bono efforts. This is partly because most have limited or nonexistent litigation support, lack structured pro bono units and experience in managing pro bono efforts, and limited administrative resources. These challenges create a significant burden for legal services organizations, who must do their best to fill in these gaps when working with corporations. Law firms, on the other hand, have these resources in abundance and are generally eager to partner with their billable clients. By utilizing the administrative support and pro bono expertise of law firms to help structure and manage pro bono with corporations, legal services organizations can both utilize significant numbers of corporate volunteers and unlock far more support from law firms than ever before.

As described below, LSNYC used this basic concept to expand and refine the model both for veterans and for a range of other clients across multiple practice areas.

When the COVID-19 pandemic hit in early 2020, LSNYC converted our model to become entirely virtual. While this meant that some clinics could no longer be held, most translated well to a remote setting. The transition to remote clinics also made different kinds of clinics newly possible, particularly in the area of public benefits. To our surprise we also learned that many of our clients preferred remote clinics because of the substantial burden that in person appointments placed on many – including the cost of transportation, child care, missing work and losing pay, challenges with travel for clients with disabilities, and more.

As a large civil poverty law organization, LSNYC's goal with this effort has primarily been to expand our services to large numbers of clients who would otherwise have been turned away. Secondary goals have included accessing volunteers from corporations and deepening our relationships with both corporations and law firms.

## **1. Military Mondays**

Military Mondays was a collaboration between LSNYC, Skadden, and 7 corporations: the Marsh & McLennon Companies, Barclays, BNY Mellon, Estee Lauder, Goldman Sachs, HSBC, and Pfizer. It was held on the first Monday of every month at a local VA Hospital. The clinic provided veterans with assistance across four broad legal areas: disability benefits, housing, child support, and advanced planning. Once veterans had been screened for compliance purposes, volunteer teams held several-hour meetings with clients across issue areas, with support from LSNYC experts and from the LSNYC clinic manual. The type and level of legal service offered by the teams depended on the legal area and factual circumstances facing the veteran. Clients seeking advanced planning documents or housing repairs generally received full pro bono representation. Veterans facing thornier legal challenges that were not appropriate for pro bono volunteers, like eviction cases, often later received full representation from LSNYC staff. Other veterans achieved brief service the day of the clinic that did not require ongoing representation — like submitting SSI and SSD applications and appeals. Some veterans did not have viable claims or had cases that were not at a stage where representation made sense. Clients in these situations received advice and information. In other circumstances we were only able to offer pro se assistance, like for child support downward modifications — an area in which LSNYC receives no targeted funding, and could not provide the support necessary to mentor cases beyond the clinic.

The clinic became something of a one-stop-shop for a range of key legal needs faced by low-income veterans. That arrangement in turn made it more accessible for many veterans who were eligible for relief but not sure how or whether lawyers could help. Unfortunately, this clinic has not translated well to a remote environment. We look forward to resuming it once it is safe to do so.

## **2. Immigration clinics & transgender name changes**

Over time, LSNYC applied the model to four other projects: (1) asylum for LGBTQ/HIV+ clients; (2) naturalizations; (3) immigration relief for victims of violence through U-Visas, VAWA Self-Petitions, and Battered Spouse Waivers; and (4) transgender name changes. Each of these projects has enabled us to serve significant numbers of clients who would otherwise have been turned away.

LSNYC has two types of clinics for each of the immigration areas noted above: (1) limited-scope screening clinics; and (2) full representation clinics. At screening clinics, we utilize LSNYC's hotline to book clients for intake clinics hosted by law firms, with corporations helping to staff them.

When clinics took place in-person, LSNYC trained volunteers in one room, while simultaneously offering clients a know-your-rights presentation in another space.

The teams then met with clients, and work through a specialized screening form. Clinics that involved relief for victims of violence and persecution provided clients with private rooms for their attorney meetings. Law firm paralegals gathered client documents at the same time to make copies for the file during the client meetings. At the end of the clinic, teams checked out with LSNYC to ensure that we had all of the relevant information. The law firm then scanned all relevant files and sent them to LSNYC for review.

Since we converted to remote clinics in the Spring of 2020, LSNYC trainings and client meetings have been held over video or phone. Pro bono teams work with their clients to complete screening forms and obtain documents via email, text, or mail. Volunteers then send all relevant documents to LSNYC via emails to mentors and to client's case files in LegalServer.

Following the clinic, immigration attorneys in our pro bono unit review the intakes and associated documents. For those clients who need additional follow up, LSNYC utilizes our paralegals and onsite volunteers to gather additional documents.

Once we determine that it is appropriate for a client to seek immigration relief, LSNYC books the client into a full rep clinic with a law firm and a corporate partner. These clinics range in size from 5 to 20 client spots.

Similar to the screening clinics, when clinics were held in person LSNYC delivered a CLE training for attorneys in one room, while providing clients with a know-your-rights presentation in a different room. The teams then met with their clients, and began work on the relevant application. After clinics became virtual, trainings were held over Zoom or similar platform, and client meetings were held over video or phone.

Sometimes, teams are able to complete easier applications, like naturalizations, during the clinic. Because volunteers have already committed to provide full representation, however, there is no pressure to do so. When clients are missing documents or other key information they have follow up appointments with their pro bono teams after the clinic. For harder cases — asylum, U-visas, VAWA Self-Petitions, and Battered Spouse Waivers — the clinics are just the first of several meetings between the pro bono team and the client.

LSNYC immigration experts mentor the teams, and review all forms and documents before they are submitted to immigration, to ensure high-quality work product. Pro bono teams stay on the case after filing, and they accompany the client to any interviews or hearings. Naturalization cases are generally resolved 12 months after filing. Asylum cases often resolve just months after filing. VAWA Self-Petitions, Battered Spouse Waivers, and U-visas unfortunately take years to receive approval.

Transgender name change cases, by contrast, do not require a screening clinic. Instead, clients are booked for a full representation clinic by LSNYC staff after a basic

eligibility screening. Name change clinics followed the same model as the immigration full representation clinics, with a training for attorneys in one room when in-person, while the clients received a know your rights presentation in another room. Once clinics became virtual, trainings and client meetings were held over video or phone. Next, attorneys meet with clients, and use LSNYC's manual and templates to work on the client's petition under the guidance of LSNYC mentors. Volunteers carry the cases forward after the clinic, appearing in court and then publishing the name change to effectuate and finalize the order.

For immigration and transgender name change cases, our clinics universally offer full representation from pro bono partners for all clients who LSNYC believes have viable cases.

### **3. Virtual clinics, COVID-19 response, and public benefits**

Before March 2020, this project was premised on large in-person gatherings of clients and volunteers at clinics and related events. LSNYC had developed logistical guidance, outreach, training, and workflow that tied directly to that approach. Suddenly, no in-person gatherings were possible. Clients and volunteers could not even meet directly in-person. Procedures and appearances for court and administrative bodies changed and then stayed in flux. Meanwhile LSNYC staff were also thrown into an entirely new work setting, without childcare, and in the face of crisis and great anxiety.

LSNYC had to carefully re-learn how cases were done in each of the practice areas that this project touches on – immigration, civil court, and eventually public benefits and housing assistance. We then revised each of the trainings and supporting manuals with this new knowledge.

LSNYC also developed new approaches to holding clinics, with trainings and client meetings held over Zoom or similar remote platform. For volunteers, this change went smoothly – they had the technology and tools to adjust quickly. We worked hard to make this new approach work well for clients too, by developing new techniques and tips for pro bono attorneys on how to work effectively with clients in a virtual setting, with an emphasis on bridging the technology gap.

Most of the clinics supported under this grant eventually translated well in a remote format: transgender name change clinics; screening and full representation affirmative asylum clinics for LGBTQ clients; screening clinics assessing immigration relief for victims of violence; full representation U-visa clinics; full representation VAWA Self-Petition and Battered Spouse Waiver clinics; and full representation naturalization clinics.

LSNYC was also able to quickly pivot our model to focus on an urgent COVID-19-related need for clients: public benefits applications. As the economy cratered, low-wage workers were the hardest hit. LSNYC was overwhelmed with callers who

needed immediate access to public benefits so that they could feed their families, stay in their homes, and access health care. In response, we stood up a public benefits application clinic. Pro bono attorneys completed benefits applications online while speaking with clients on the phone and assisting them with compiling required documents. Over the course of 10 months, LSNYC helped 559 clients through this project. Despite the project's success, the volume was so high that it required too much unsupported time from LSNYC public benefits experts to continue.

Then in June of 2021, we pivoted to another urgent pandemic-related benefit need. The Emergency Rental Assistance Program (ERAP) program was created to help pay rent and utility costs for tenants who had fallen behind because of the pandemic. This generous relief was only available for a limited amount of time. Tenants were desperate for help. But the application created by the state had a number of troubling flaws. It was only available online, in English, for people with email addresses, among other issues. Modelled on the public benefits application clinic, LSNYC stood up our first pro bono ERAP clinic just days after the benefit was made available in June.

LSNYC has taken advantage of the remote nature of these clinics to build in greater flexibility for clients and volunteers. Volunteers commit to contact their clients prior to the clinic to set up a time to connect on the clinic day at whatever time works best for everyone. LSNYC mentors stand by via email to live answer questions as they arise. Volunteers keep their cases for a week after the clinic date to finish gathering any missing documents or other items.

To make these clinics as efficient as possible, we have developed several new approaches. Our training is now pre-recorded, with volunteers committing to view it in advance of the clinic date. LSNYC holds brief group "launch meetings" over Zoom with firms and corporations at the start of clinics so that volunteers can be able to ask questions and build rapport with the people who will be mentoring their cases.

LSNYC has law firms launch each case with a template email to volunteers that links them both to their mentor and to an email address associated with the relevant file in LSNYC's case management system. This allows questions and reports from volunteers to go directly to LegalServer. The Pro Bono Unit then reviews cases in our system one week after the clinic and follows up as needed.

Volunteers are asked to send summaries to LSNYC at the end of the clinic day, and again at the end of their engagement so that we can ensure that clients are served properly, problems are identified quickly, and nobody falls through the cracks.

Pro bono volunteers have now helped close to 1,000 people pursue ERAP and public benefits. We are thankful for a new PBIF Project Grant that has allowed us to continue ERAP and other vital public benefits work even as the current grant has expired.



#### 4. Pro bono engagement

Engagement from volunteers in this project has been massive, with thousands participating across 50 law firms and corporations. Utilizing volunteers from corporations has been a particularly radical departure from our program prior to this model — expanding from just a handful of volunteers to hundreds.

In addition to the numbers, the depth of pro bono support from the institutions that we partner with has become much more significant. That depth is reflected across several different metrics:

**Participation from senior leadership.** Our clinics now see regular participation from leadership at law firms and corporate legal departments — including chairs of law firms, and General Counsel of major corporations like Peter Beshar from the Marsh & McLennan Companies, David Levine from Bloomberg, Martin Lebowitz from D.E. Shaw, and Stacey Friedman from JPMorgan Chase.

**Full representation on challenging cases.** Pro bono partners take on significant numbers of challenging litigation matters, agreeing to represent, for example, 7 or 8 asylum seekers at a time. In the past we struggled to place these matters one at a time. In one of the most impressive examples, Gibson Dunn has taken on more than 75 LGBTQ asylum cases over the past several years. More than 800 full representation cases have been placed through this model.

**Non-legal support.** The hybrid clinics supported by this project involve a huge cast of non-attorney support to make them function, from secretaries who make confirmation calls to clients, to paralegals who scan documents, and non-attorneys who serve as interpreters. In-kind support has also been substantial, with law firms hosting clinics, providing paralegals, printers, technology, refreshments, MetroCards for clients, and AV support.

#### F. Digest of Checklists

Below is a digest of the checklists embedded in Section D, on key considerations for a successful hybrid pro bono project.

1. **Clients.** Is this a core legal need for your clients, and do you have access to these clients?
  - What is the specific legal need you plan to address?
  - What other services currently exist, and how will your project bolster and/or differ from those services?

- What is the volume of potential clients?
  - Do you have access to these clients, or a plan for how to gain access to them?
2. **Casework.** Can volunteers effectively and efficiently do the legal work?
- How much legal expertise is required to effectively do the work?
  - If volunteers do not have this expertise, how will you impart it?
  - Can training, supporting materials, and light mentorship convey the necessary knowledge?
  - Is the staff time needed to screen, prepare, and mentor the cases justified based on the pro bono support obtained and the outcomes achieved for clients?
  - Do the cases match up with volunteer interests and limitations?
3. **Legal services staff.** Do you have the necessary support from staff at your organization — including substantive experts to guide the project and mentor the cases?
- Identify the expert mentors at your organization with the capacity and interest in partnering on the project
  - Canvass key players in your organization about the project
  - Identify point people for managing pro bono relationships, structuring the project, and addressing any problems
  - Map out a plan for administrative support necessary to make the project work
4. **Law firm and corporation partners.** Are there law firm and corporate partners who are excited to partner on your idea, and with each other?
- What are the prospective law firms and corporations you might partner with?
  - Do you have preexisting relationships at any of these targets?
  - If not, come up with an outreach plan that includes pro bono counsel, board members, and other connections
  - Offer clear expectations to institutional partners about their role and the time and resources involved
  - Leverage law firm resources to support volunteers from corporations

**5. In-person clinic logistics and non-legal pro bono solutions to challenges.** What is your plan for the many logistical issues that are likely to arise when setting up an in-person clinic? Can you think of non-legal pro bono or in-kind support that can address logistical challenges?

- Map out the logistical elements of your clinic
- Common elements include:
  - ⇒ space for training
  - ⇒ space for clients to gather
  - ⇒ space for client meetings
  - ⇒ technology and supplies for the work
  - ⇒ food and refreshments for clients and volunteers
  - ⇒ confirmation calls to clients
  - ⇒ copying and scanning documents
  - ⇒ checking in clients and volunteers
  - ⇒ interpreters
  - ⇒ assistance with transportation
- Ask your law firm and corporation partners for assistance with each of the above

**6. Assess whether a virtual clinic makes sense.** What burdens will be placed on clients by doing an in-person clinic? What about for a virtual clinic? What efficiencies come from each model? What preferences do volunteers, staff, and clients have for doing this clinic remotely?

- Assess whether the work can be done remotely
  - ⇒ nature of legal work (online forms, drafting affidavits, etc.)
  - ⇒ any ink signatures required
  - ⇒ notarization requirements
  - ⇒ volume of paper documents
- Weigh the burdens of in-person work vs. virtual work on clients
  - ⇒ travel cost and burden
  - ⇒ access to technology
  - ⇒ finding private space for calls with lawyers
  - ⇒ childcare
  - ⇒ potential points of discrimination or micro-aggressions
  - ⇒ client preference for in person or virtual
- Weigh impact on volunteers
  - ⇒ potential access to a larger pool for recruiting
  - ⇒ pro bono access to needed technology

⇒ volunteers preference for in person or virtual

- Weigh staffing concerns and logistical burdens
  - ⇒ technology and supplies for the work
  - ⇒ food and refreshments for clients and volunteers
  - ⇒ copying and scanning documents
  - ⇒ space considerations
  - ⇒ Staff time

- Consider offering a mix of remote and in-person options to clients

**7. Use simple technology and a flexible approach for virtual work.** What technology will you need for a remote training? What technology will pro bono attorneys and clients need to access? How can you make technology as simple, flexible, and responsive to client preferences as possible?

- Consider different technological platforms for training, client meetings, document sharing, etc.
- Think through low-tech solutions to challenges, like sending prepaid envelopes for documents
- Identify the simplest systems possible – fancy programs are usually less accessible
- Allow clients to call into meetings if they prefer
- Ask firms to provide the technology and leg work you need
- Consider client preferences
- Brainstorm approaches to overcoming likely barriers
- Stay flexible
- Teach pro bono attorneys to be flexible too

**8. Training & proactive approach to mentorship.** What volunteer training will be necessary to effectively do the work, and how do you plan to have your staff mentor the pro bono teams?

- Prepare CLE training
- Deliver training right before clinics
- When trainings are pre-recorded, hold a Zoom “launch call” with participants

for 30 minutes

- Draft supporting materials for volunteers to use at clinics
- Provide experts to mentor teams at clinics
- Provide ongoing mentors for cases
- Consider proactive mentorship for full representation cases through office hours

**9. Relationships beyond the clinical work.** What goals do you have for your pro bono relationships above and beyond the clinic?

- Nurture deep and broad relationships between your organization and partnering institutions
- Identify targets from each institution for your board
- Make financial asks

**10. Pilots, retooling, and learning from mistakes.** Any project with so many logistical elements is bound to have missteps and challenges. Be prepared to identify those issues, and work with your pro bono partners to address them.

- Be ready for challenges, and prepare to adapt
- Structure communication with your institutional partners after clinics, at least for the first few times — a call the following week, etc.
- Find out what went wrong, what could be improved, and what you would need to make it better next time
- Consider whether it makes sense to ask your institutional partners to help solve the problem
- Don't give up!