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2018 LSC Grant Application

Applicant: Ohio State Legal Services Association

Service Area: OH-24

Grantee Number: 436070

2018 Private Attorney Involvement Program Plan

Pursuant to 45 CFR §1614.4

I. INTRODUCTION

The Ohio State Legal Services Association (OSLSA) is committed to its mission of pursuing justice and changing the lives of low-income individuals and families. OSLSA offers quality legal services through its two direct service programs covering the southeastern and central portions of the state: Southeastern Ohio Legal Services (SEOLS) and the Legal Aid Society of Columbus (LASC). The two programs, out of eight offices, serve a total of 36 counties that range from urban Franklin County to the rural, Appalachian counties in the southeast corner of Ohio. The goal of this comprehensive effort is simple: a voice in the legal system for low income individuals who have been voiceless—single mothers, working families, children with disabilities, restored citizens, military veterans, minorities, immigrants, and senior citizens. Their collective voice, amplified through the efforts of civil legal aid attorneys and volunteers, conveys the essential message that remains at the heart of OSLSA: we all—regardless of income—deserve equal access to justice.

OSLSA's 2017 PAI (Private Attorney Involvement) Plan Priorities focused on three primary goals: (a) Access to Rural Justice; (b) Increasing PAI program efficiencies; and (c) building a more creative program through non-lawyers and better utilizing technology. Since the official affiliation of the OSLSA pro bono team and allocation of a full-time support employee in early 2017, the second goal of increasing efficiencies has progressed significantly. The entire OSLSA pro bono team focuses its efforts on all counties in the service area. Case referral and clinic procedures have been consolidated, and Columbus-based volunteers provide support to pro bono projects in all of OSLSA's counties.

Because the pro bono team and its programming has experienced significant changes, our 2018 PAI Plan aims to further develop the 2017 initiatives, with a goal of expanding services to OSLSA's rural counties and increasing program efficiencies through the use of uniform forms, procedures, and volunteer engagement structure.

This PAI Plan takes into account input from all of the branch offices, the executive management, Boards of Directors, Pro Bono Coordinators, local judiciary and bar associations, and other stakeholders in the service area. In developing this Plan, the pro bono team also consulted with segments of the client community, private attorneys, and bar associations.

II. RECRUITMENT, RECOGNITION AND RETENTION

A. Recruitment

Understanding the unique strengths and resources in our community, OSLSA has continued to build upon its traditional recruitment efforts to meet its goals of increasing efficiency, expanding resources to rural communities, and developing a more creative program.

- **Recruitment Methods:**

- **COURT SUPPORT**

Court support remains an integral part of OSLSA's effort to provide greater resources, especially for its rural counties, and to expand its pool of volunteers.

In 2017, OSLSA pro bono staff worked with Ohio Supreme Court Justice Judith French to draft a letter to all new bar admittees, encouraging them to engage in pro bono activities. OSLSA also drafted the content for a promotional brochure printed by the Ohio Legal Assistance Foundation that will accompany each letter from Justice French. The Ohio Supreme Court will send this letter and informational brochure to 2018 admittees.

In 2017, with funding from the Ohio Legal Assistance Foundation, OSLSA launched the Rural Family Pro Bono Initiative in five counties with the involvement and support of the local courts. Local court support has been instrumental in recruiting lawyers.

- **ORGANIZED BAR ACTIVITY**

- **Ohio State Bar Association** - OSLSA will continue to partner heavily with the Ohio State Bar Association to generate CLE videos for volunteer recruitment.
- **Columbus Bar Association** - With an active urban bar, Franklin County recruitment efforts benefit from collaboration with an active bar association and bar committees in Columbus. LASC has ongoing partnerships with specific bar sub-committees, including the Bankruptcy, Probate, Estate Planning, and New Lawyer Sub-Committees. The OSLSA pro bono team synchronizes urban and rural recruitment through participation in the Columbus Bar Association Pro Bono Committee. The CBA also permits use of its social media and web presence for promoting OSLSA pro bono project offerings.
- **Rural Bar Associations** – OSLSA co-sponsors many of its brief advice clinics with local bar associations, who provide support in the recruitment and training of our clinic volunteer attorneys. OSLSA also co-sponsors free CLE offerings with several rural bar associations.
- **Affinity Bar Associations** - OSLSA has engaged with the Asian Pacific American Bar Association of Central Ohio (APABA-CO), The John Mercer Langston Bar Association (JMLBA), and the American Immigration Lawyer Association (AILA). The APABA-CO collaboration has initiated a new project focused on clients served through Asian American Community Services. APABA-CO continues to promote OSLSA pro bono projects with its members, several of whom regularly volunteer with OSLSA naturalization clinics. APABA-CO continues to transmit requests from OSLSA for pro bono help from attorneys who speak certain Asian clients' native languages. AILA partnered

with OSLSA for its 2017 Spring and Fall Naturalization clinics by providing substantive area expertise and mentors, and AILA also co-sponsored the August 2017 Naturalization CLE. OSLSA's pro bono team will be presenting to JMLBA membership in 2018 and will continue to advertise CLE offerings and pro bono needs.

- **TECHNOLOGY**

The increasing use of technology for recruitment serves OSLSA's goal of increasing its efficiencies and scope as well as its goal of bringing urban resources to our rural counties. The websites for both field programs—www.seols.org and www.columbuslegalaid.org—provide information on the menu of pro bono opportunities. LASC and SEOLS maintain a presence on social networking sites, such as Facebook, Twitter, and LinkedIn, and also issue periodic e-newsletters. Each year, the e-newsletters include a link to the current PAI plan and request feedback from readers. OSLSA pro bono team staff are members of a statewide group of pro bono professionals, who exchange information and ideas related to PAI programming, and several initiatives involve utilizing consolidated resources for statewide pro bono recruitment. OSLSA developed several self-study CLE programs in conjunction with the OSBA and OLAF and will generate several more CLE videos in 2018.

- **Recruitment Targets:**

- **NEW LAWYERS** – New lawyers are an excellent resource for OSLSA's pro bono program, as new lawyers are often able to serve as in-house volunteers, are eager to build skills by accepting pro bono cases, and bring energy and enthusiasm to their volunteer participation. In addition to the direct mailing from Ohio Supreme Court Justice French referenced above, OSLSA's pro bono team engages in the following activities:
 - Supreme Court Mentoring Program – The Ohio Supreme Court's strengthened support for pro bono as part of the Mentoring program curriculum has successfully engaged new volunteer attorneys in the work of OSLSA's PAI program. In collaboration with the Court's Mentoring Program, OSLSA began co-sponsoring an annual recruitment event at the Supreme Court for the mentor/mentee pairings in Central and Southeastern Ohio.
 - OSLSA pro bono staff offer recruitment visits to the Columbus Bar Association New Lawyer Committee, the Barrister Leader program, and the Bar Inc. (lawyer incubator) program.
- **RETIRED LAWYERS AND PARALEGALS** – Retired lawyers and paralegals bring a wealth of knowledge and experience, greater flexibility with scheduling and availability, and an influence with their peers that enables them to serve as ambassadors for the pro bono program. OSLSA continues to place great importance on our growing number of retired professionals who agree to support the pro bono program through their consistent and long-term volunteer commitments. To that end:

- Emeritus Rule – In mid-2017, OSLSA began working with its first group of retired lawyers taking advantage of the new Emeritus Rule in Ohio. Retired or formerly inactive attorneys now benefit from a reduced registration fee if they engage in pro bono activity exclusively in partnership with certain recognized entities, including OSLSA.
- The Volunteer Resource Center recruits recently retired attorneys and paralegals for its core staff, utilizing word-of-mouth and personal connections as its primary recruitment method.
- **SPECIALIZED PRACTITIONERS** – Pro bono case referrals are inevitably more efficient when legal aid programs are able to capitalize on the existing skills and substantive expertise of private attorneys who practice in areas that overlap with poverty law. OSLSA has continued to recruit heavily in the probate and estate planning organized bar for its Seniors Referral Project, in the consumer bankruptcy organized bar for its Pro Bono Bankruptcy Project, and in the Family Law practitioner community for its reduced fee and pro bono domestic programming. Employment and immigration attorneys have been instrumental in the training and support of the Unemployment Compensation Appeal Project and the Naturalization Clinics.
- **CORPORATE LAWYERS** – Central Ohio is fortunate to host a number of corporate headquarters, employing hundreds of in-house counsel. Understanding that corporate citizens wish to further their missions by helping their surrounding communities, OSLSA has focused one of its priorities on expanding its corporate counsel partnerships. Corporate lawyers bring the efficiency of corporate procedures and the support of centralized pro bono programming, easing recruitment efforts. Pursuant to a rule change in 2014, corporate counsel can engage in pro bono activity in Ohio through recognized entities, including OSLSA, even if not admitted to practice in Ohio.
 - LASC continues its partnership with in-house corporate law departments at Nationwide Insurance, JP Morgan Chase, and Alliance Data Systems. Nationwide Insurance hosted OSLSA’s annual brief advice clinic volunteer training for its Columbus-based clinics in 2017.
 - OSLSA also hosted its third annual Chase Day of Service and included a recruitment presentation as part of the CLE offered to all of the attorneys and paralegals attending the event. Based in part on this relationship, Chase committed to partner with OSLSA for a pilot pro bono program that will utilize technology to deliver Columbus resources to a rural OSLSA county. Chase has also committed to staff a brief advice clinic at a local public library.
- **LAW STUDENTS** – Law students remain a key part of the delivery of pro bono legal services in the OSLSA service area. OSLSA benefits from the local resources of two law schools that utilize clinic resources for pro bono cases, host recruitment events at the beginning of each semester, communicate volunteer opportunities via their social media and traditional communication lines, and co-sponsor pro bono clinics. In 2017, both OSU Moritz and Capital engaged students in targeted

programming, and for 2018, OSLSA is already planning activities in conjunction with Capital's Spring Break and the Pro Bono Research Group at Moritz. Students from both schools volunteer at brief advice clinics, the PACO Wills clinics, the "Clean Slate" reentry clinics, the Volunteer Resource Center, and the Pro Bono Bankruptcy Project. A "Law Student and Non-Lawyer Opportunities" guide and online schedule/sign-up are available, and program staff visit the local law schools periodically to discuss the programs available for law students at all levels of experience.

- **UNDERGRADUATE STUDENTS** – Undergraduate students have become an important pool of volunteers for the OSLSA pro bono team. Students assist the VRC (referring cases to pro bono counsel), the joint communications committee (drafting client stories, updating the client satisfaction survey spreadsheet, and editing marketing materials), the Clean Slate Project (finding client criminal records online), the veterans Equal Justice Works fellowship project (researching medical conditions and symptoms by pre-medical school students) and the Seniors Referral Project (calling clients and drafting case descriptions). To access this group, OSLSA pro bono staff attend student events and fairs and uses social media. Students with ties to the rural communities or attending universities in the rural parts of the service area, such as Ohio University, are recruited to assist the rural programs at the local offices. OSLSA developed an official collaboration with the Ohio University Phi Alpha Delta pre-law fraternity to use students for housing callbacks at the SEOLS Athens office. Columbus students can assist remotely by conducting call-backs for rural offices—a method that was implemented in 2017 and OSLSA hopes to increase in 2018

B. Recognition:

Recognition is a vital component in OSLSA's pro bono program, as it serves to encourage participation in otherwise untapped areas and increase the participation of current volunteers.

- **Communications Committee Efforts** - Members of OSLSA's Communications Committee supervise an internal procedure whereby volunteers generate client stories and volunteer profiles. Marketing/Communications students gather positive client satisfaction surveys and draft stories that are used to recognize PAI program volunteers. Students also gather positive client quotes that can be used in social media and other media campaigns. OSLSA has an online client satisfaction survey and an online media release form that can be used to more efficiently obtain permission to use information publicly.
 - **VOLUNTEER PROFILES** - OSLSA recognizes current volunteer involvement through e-newsletters, which are routinely republished on Facebook, Twitter, and LinkedIn profiles, and in the bar association media outlets. Columbus volunteer profiles are posted online and incorporated in the "Who are we" section to reflect our position that volunteers are an integral part of our program (<https://www.columbuslegalaid.org/about/volunteers/>). Now that it has developed an e-newsletter for SEOLS, OSLSA plans to add a similar volunteer spotlight section to the SEOLS website in 2018.

- **ANNUAL REPORT** – OSLSA will use the LASC and SEOLS 2017 Annual Reports, which are distributed electronically to the vast majority of their recipients, as an additional means of recognizing volunteers. OSLSA utilized a volunteer designer from Nationwide Insurance to create the 2015 and 2016 LASC Annual Reports

- **October Pro Bono Celebration Event-Based Recognition**

In 2017, LASC's social media outlets featured a volunteer quote for every day during the annual Pro Bono Celebration month. Content was shared on SEOLS social media sites, and OSLSA hopes to streamline its social media presence to ensure that SEOLS and Marion office volunteers receive recognition.

LASC will partner with the Columbus Bar Association for its annual Pro Bono reception during national Pro Bono Celebration week. The reception—which features a keynote speaker and the annual LASC/CBA pro bono awards—has continually served as a successful means by which LASC can recognize its local volunteer lawyers. Students from local law schools will be recruited to assist with the event.

C. Retention

- **Overlap with Recognition Efforts** – OSLSA will continue to spotlight pro bono achievements by nominating volunteers for local and national awards, by featuring articles on outstanding pro bono work on our program websites, through submission of pro bono highlight stories to local bar publications, and through personal thank-you's from clients, staff attorneys, and the pro bono team. OSLSA solicits feedback from clients via a satisfaction survey sent in every client closing letter. The pro bono team shares this information with volunteers, so that the volunteer attorneys can hear from clients how much their service meant to them in a time of crisis. OSLSA has recruited volunteers to work specifically on developing content for recognition articles and will continue to explore use of marketing and communications volunteers in its pro bono work.
- **Training, Mentoring and Support** – OSLSA recognizes that training is critical to retaining quality pro bono program volunteers. Training events allow attorneys to earn free CLE credits by agreeing to accept pro bono cases or to participate in our clinics. OSLSA regularly records its pro bono CLEs and makes them available on the LASC website, which enables recruitment to occur throughout the year. OSLSA has begun assisting the Ohio Legal Assistance Foundation with recording one-hour self-study CLEs for use by volunteer lawyers in communities where onsite live CLEs are less available. Community partners continue to be strong partners in our trainings: Porter Wright, Kegler Brown, Bricker & Eckler, Vorys Sater Seymour & Pease, Squire Patton Boggs, and Nationwide Insurance hosted substantive law CLEs in 2017. OSLSA pro bono team staff have also been invited to present at offsite professional conduct seminars at local firms, including Jones Day and Bricker & Eckler in 2017.

As a retention tool, OSLSA will continue to review and expand its extensive list of support services for pro bono attorneys. This list of supports includes, but is not limited to, sample pleadings/forms, primary malpractice insurance coverage at no cost, reimbursement of extraordinary litigation and out-of-pocket expenses, law clerk research support, office space, and access to secretarial support. Staff attorneys serve as substantive law mentors for our volunteer attorneys and trainers at many of the pro bono CLEs. OSLSA has also

benefited from the use of pro bono attorney mentors, who are matched with less experienced volunteer attorneys in the areas of Unemployment Compensation, Bankruptcy, Naturalization, and Special Education.

CLE credit for pro bono service remains a strong retention tool. Attorneys can earn one hour of CLE credit for every six hours of volunteering, up to six hours of CLE. LASC and SEOLS continue to publicize to the respective bars the various pro bono options for private attorneys to earn such CLE credits.

III. DELIVERY MODELS

OSLSA will use a variety of delivery models to meet the needs of its client population. Giving volunteers the freedom to choose their level of pro bono participation enhances commitment, thereby retaining them. All of the programs listed below rely heavily on both outside and in-house volunteers, including attorneys, paralegals, and students, who assist with intake, screening, referring, monitoring, and closing out pro bono cases.

A. Referral Projects

All OSLSA referral projects engage both staff and volunteers who handle client intake, case evaluation, and referral of appropriate cases to our attorney panels.

- **Volunteer Resource Center (VRC) Housing Project** – Tenants facing evictions from private, non-subsidized housing in Franklin County are matched with pro bono attorneys willing to defend them. VRC in-house volunteers conduct phone interviews and review documentation in an effort to ensure that the program is referring cases in which a pro bono attorney can provide meaningful assistance to the client. Because of the development of another limited-scope eviction pro bono project that will be discussed below, VRC has altered its case acceptance criteria to focus on Motions to Prohibit Rental and Conditions Counterclaims. In 2017, VRC volunteers started handling housing callbacks for counties covered by the Chillicothe and Marion offices and successfully referred one pro bono housing case for Union County, a rural county covered by the OSLSA Marion office. In 2018, OSLSA hopes to secure volunteers who are willing to build upon these services to the rural counties.
- **VRC Consumer Project** – Clients who are being sued for credit card debt by debt buyer plaintiffs are matched with volunteer attorneys.
- **Unemployment Compensation Appeal Project** – OSLSA matches volunteer attorneys with clients who are denied unemployment compensation, face an appeal by a former employer after being approved for benefits, or disagree with a decision of the Department of Job & Family Services regarding their benefits. Unemployment Compensation Review Commission hearings are typically conducted by telephone, which enables urban-based volunteers to provide off-site assistance to rural clients. The pro bono team hopes to utilize its experience with these pro bono referrals to explore other means of utilizing Columbus-based resources in under-served sections of the service area.

- **"IEP Advocacy Project"** – Launched in 2017, this project will match volunteer attorneys and non-attorneys with families navigating the complicated special education process who need assistance with drafting or modifying Individualized Education Programs.
- **Low Income Taxpayer Clinic** – OSLSA maintains a roster of attorneys willing to accept tax cases pro bono through our LASC and SEOLS Low Income Taxpayer Clinics. Attorneys provide representation to low income taxpayers involved in tax controversies with the Internal Revenue Service, State of Ohio or local tax authorities. The LITC currently offers two pro bono opportunities to interested volunteers: direct referral of full representation cases or in-office placement to co-counsel with program staff. For both the full representation referrals and in-office cases, LASC and SEOLS thoroughly screen each client and case to ensure an appropriate referral to the proper pro bono placement. LASC provides mentors, materials, support, and co-counsel to volunteer attorneys with these LITC opportunities. These attorneys are either active tax practitioners or they have received specialized training from the tax clinic. OSLSA will offer a free tax CLE in 2018 to its volunteer lawyers.
- **Chapter 7 Pro Bono Bankruptcy Project and Reduced Fee Referrals** – OSLSA has engaged a roster of volunteer attorneys who have agreed to accept Chapter 7 case referrals for very low-income individuals residing in jurisdictions served by the Southern District of Ohio, Eastern Division. Law students, law graduates, and college graduates volunteer in-house at LASC to meet with clients first to assist with document collection, easing the burden on volunteer attorneys. OSLSA also operates a reduced fee bankruptcy program, which requires all participants to accept at least two pro bono referrals per year. LASC continues to benefit from the participation of an in-house volunteer paralegal, who facilitates the reduced fee bankruptcy project under the supervision of OSLSA staff.
- **Rural Office Direct Referrals** – To alleviate the burden on the smaller offices, the Columbus pro bono team has taken on the administration of the pro bono and reduced fee referrals. To more proactively select and screen cases for pro bono referral, pro bono team staff occasionally participate in case acceptance meetings remotely.
- **Seniors Referrals Project** – Wills, powers of attorney, and advance directives for low-income seniors in Franklin County are referred to the Attorney General's office and private attorneys from the Columbus Bar Association Estate Planning and Probate committees for pro bono service.

B. ***Brief Advice and Service Clinics***

- **Rural Brief Advice Clinics** – OSLSA hosts 12 recurring brief advice legal clinics in its rural service area and will add two more general advice clinics in 2018. These clinics are staffed with local private attorneys who volunteer their services in the evening at local libraries, churches, courts, legal aid offices, and other accessible locations to serve low-income clients with a broad range of civil legal matters.

OSLSA runs several clinics that lack a PAI component and therefore are not handled by the pro bono team. In 2018, in collaboration with the OSLSA offices, the pro bono team

will explore adding pro bono attorneys and non-attorney volunteers to various community clinics currently staffed by LASC or SEOLS staff.

- **Columbus Brief Advice Clinics** – The OSLSA pro bono team and other members of the Columbus staff support brief advice clinics at 16 locations in Franklin County by providing intake assistance, recruitment, malpractice coverage, free CLEs, and information regarding Legal Aid referral priorities. Sites include public libraries, Jewish Family Services, homeless shelters, churches, the VA, and the Bhutanese Nepali Community Center.
- **Pilot program with JP Morgan Chase** – OSLSA has partnered with JP Morgan Chase as one of only three pilot pro bono projects for Chase in-house counsel. The OSLSA/Chase project will utilize technology to provide wills and powers of attorney assistance for low-income rural residents in the SEOLS service area. Volunteer attorneys at Chase will provide remote legal consultations. OSLSA hopes to launch the project in early 2018 with expansion plans to come later in the year.
- **Rural Pro Bono Family Initiative** – In 2017, OSLSA launched the RFPB, which is in the process of generating pro se forms-based videos and training and supporting pro bono attorneys to assist with domestic clinics in five target counties: Delaware, Marion, Muskingum, Tuscarawas, and Washington.
- **Wills Clinic – Paralegal Association of Central Ohio (PACO)** – OSLSA co-sponsors the monthly pro bono Wills Clinic with PACO. Private attorneys, law students, and paralegals staff the clinics, which are held at low-income senior residences in the evening and on weekends. Teams of one paralegal and one attorney interview the clients, draft documents, and execute the forms utilizing donated computers and printers. An OSLSA intake staff member attends the clinics, and a volunteer paralegal and IT professional manage clinic logistics.
- **Bankruptcy Bypass Clinic** – Uncollectable elderly and permanently disabled clients who contact OSLSA expressing a desire to end creditor harassment are enrolled in a periodic brief service clinic. Students meet with clients to verify uncollectability and creditor information. After each clinic, in-house volunteers at LASC prepare and send letters to the clients' creditors, with the express purpose of stopping the creditor or debt-collector contact. Pro bono attorneys supervise the students and answer questions as needed, and services are also provided to rural clients remotely.
- **Clean Slate Clinics** – In 2017, OSLSA hosted eight "Clean Slate" clinics in Franklin County and in rural counties throughout the service area. In addition to the OSLSA Columbus Office location, OSLSA offered clinics at Capital University Law School during the students' Spring Break, Columbus State Community College during the Chase Day of Service, the Fairfield County United Way, the Marion Chamber of Commerce, and the Washington County Municipal Court courthouse.
- **Naturalization Clinics** – In collaboration with the Americal Immigration Lawyers Association and Vineyard Legal Services, OSLSA will offer two Naturalization events in 2018. Each Naturalization event involves multiple outreach clinics at community organizations that serve an immigrant community. A follow-up "phase two" clinic is offered two weeks later at a centralized site where clients meet with pro bono attorneys who assist

with N-400 and fee waiver applications. In 2017, OSLSA co-sponsored with the Asian Pacific American Bar Association of Central Ohio a T and U-Visa training with the intention of referring certain LSC-eligible clients to pro bono counsel. Project mentors have recommended a follow-up trauma training, so referral of actual cases will not begin until sometime in 2018.

- **Tenant Advocacy Project (TAP)** – OSLSA has launched a daily clinic at Franklin County eviction court, where one staff attorney mentors and supports a group of pro bono attorneys who provide limited-scope representation to tenants. Non-lawyer volunteers from local schools assist with client intake. In 2017, TAP drastically increased the number of low-income tenants served by OSLSA in Franklin County.

- **Annual Events**
 - a. **Central Ohio Homeless Veterans Stand Down** - Each year, LASC recruits pro bono attorneys to participate in a brief advice clinic at the Central Ohio Homeless Veterans Stand Down.
 - b. **Family Empowerment Day** - Each summer, LASC recruits pro bono attorneys to participate with the Franklin County Child Support Enforcement Agency and other community partners in the Family Empowerment Day. Emphasis is placed on encouraging the non-custodial parent to participate in the life of the child and to deal with support issues.
 - c. **Tax Court Calendar Call** - When the U.S. Tax Court travels to Columbus, OSLSA operates a small, limited scope pro bono clinic on the day of the court's calendar call. The presiding judge invites pro se litigants to meet with one of the volunteer tax practitioners prior to their case being heard. Volunteers primarily advise litigants on the merits of their case and the mechanics of presenting their case pro se.