

# Meeting Professional Obligations Through Pro Bono During COVID

September 18, 2020



*Louisiana*  
**APPLESEED**

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# Louisiana Appleseed

**MISSION:** Louisiana Appleseed solves our state's toughest problems at their root cause by creating and increasing Access to Justice, Opportunity, and Education.

**VISION:** We believe that our state will be stronger through fair and equitable access to the courts, the economy, and public schools. To accomplish this, we build bridges between vulnerable communities and our extensive network of pro bono professionals to develop meaningful and sustainable solutions that help justice take root.

# Louisiana Appleseed

[www.LouisianaAppleseed.org/volunteer](http://www.LouisianaAppleseed.org/volunteer)

**Access to Justice Program** ensures fairness and equity in our civil and criminal court systems.

[www.LouisianaAppleseed.org/justice](http://www.LouisianaAppleseed.org/justice)

**Access to Opportunity Program** supports an economy that works for everyone through equitable solution-building. [www.LouisianaAppleseed.org/opportunity](http://www.LouisianaAppleseed.org/opportunity)

**Access to Education Program** supports access to public K-12 education systems in Louisiana that foster a positive and safe environment in which children can thrive.

[www.LouisianaAppleseed.org/education](http://www.LouisianaAppleseed.org/education)

# Louisiana Appleseed

## Equality



The assumption is that everyone benefits from the same supports. This is equal treatment.

## Equity



Everyone gets the supports they need (this is the concept of "affirmative action"), thus producing equity.

## Justice



All 3 can see the game without supports or accommodations because **the cause(s) of the inequity was addressed.** The systemic barrier has been removed.

[www.LouisianaAppleseed.org/volunteer](http://www.LouisianaAppleseed.org/volunteer)

# Requirement vs Encouragement

- ABA Rule 6.1
- Louisiana Rules for Professional Conduct 6.1
- Louisiana Mandatory Continuing Legal Education Rule XXX, Reg. 3.21



# American Bar Association Rule 6.1

## **Voluntary Pro Bono Publico Service**

Every lawyer has a

*professional responsibility*

to provide legal services to those unable to pay. A lawyer should aspire to render at least 50 hours of pro bono publico services per year.

# LA Rules of Professional Conduct

## Rule 6.1

### **Voluntary Pro Bono Publico Service**

Every lawyer

*should aspire*

to provide legal services to those unable to pay. A lawyer should aspire to render at least 50 hours of pro bono publico services per year.

# LA Mandatory Continuing Legal Education, Rule XXX, Reg. 3.21

5 Hours Pro Bono = 1 Hours Credit  
3 MCLE Hours MAXIMUM

Organization must file statement with and gain approval from the MCLE office annually.



# LA Mandatory Continuing Legal Education, Rule XXX, Reg. 3.21

- The matter must have been assigned to the lawyer by:
  - a court,
  - a bar association, *or*
  - **a legal services like SLLS** and others that primarily furnish pro bono legal services AND has filed a statement with the Louisiana Committee on Mandatory Continuing Legal Education (MCLE)

# MCLE Rule XXX, Reg. 3.21 Qualifying Sponsor Application

Form 7A (Part II)  
5/1/2015



## APPLICATION FOR APPROVAL AS A QUALIFYING PRO BONO ORGANIZATION

Regulation 3.21. Credit may also be earned through providing uncompensated pro bono legal representation to an indigent or near-indigent client or clients. To be eligible for credit, the matter must have been assigned to the Member by a court, a bar association, or a legal services or pro bono organization that has as its primary purpose the furnishing of such pro bono legal services and that has filed a statement with the Louisiana Committee on MCLE. A Member providing such pro bono legal representation shall receive one (1) hour of CLE credit for each five (5) hours of pro bono representation, up to a maximum of three (3) hours of CLE credit for each calendar year.

Please complete and return to:  
MCLE Committee  
2800 Veterans Memorial Blvd., Ste. 355  
Metairie, LA 70002

For questions regarding the completion of this application form or pertaining to any of the MCLE requirements in Louisiana, please contact the MCLE Committee toll free: (800) 518-1518; in New Orleans metro: (504) 828-1414; via e-mail: [mcle@lascmcle.org](mailto:mcle@lascmcle.org); or see our website: [www.lascmcle.org](http://www.lascmcle.org)

Form 7A  
5/1/2015

### PART I CONTACT INFORMATION

Organization Name: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Executive Director: \_\_\_\_\_  
Email Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

To be approved as a legal assistance organization pursuant to Supreme Court Rule XXX, Reg. 3.21, the organization must list a primary contact who will commit to oversee the pro bono accreditation project and be responsible for verification of attorney volunteer hours:

Primary Contact: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Title: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Is this person an attorney licensed to practice in Louisiana  Yes  No  
Is this person a volunteer not employed by the organization?  Yes  No

Continue to Part II  
You may attach additional pages if necessary.

### PART II ORGANIZATION INFORMATION

- Select the option below that best describes the legal structure of your organization>
  - 501(c)(3) nonprofit organization that provides legal assistance as a primary service
  - Other 501(c)(3) nonprofit organization with an initiative or project that provides pro bono legal services
  - No legal structure
  - Other: Describe: \_\_\_\_\_
- Provide a general description of the services (legal and non-legal) regularly provided by your organization and the clientele you serve.
 

\_\_\_\_\_

\_\_\_\_\_
- Provide a description of the pro bono initiative that you are developing for which you wish to seek CLE credit for your attorney volunteers. Please include a description of the clientele you plan to provide with pro bono legal services.
 

\_\_\_\_\_

\_\_\_\_\_
- Does your organization accept or plan to accept funds from clients for the provision of legal services? If yes, describe the fee structure.
 

\_\_\_\_\_

\_\_\_\_\_
- Attach a list of the names and titles of key people in your organization such as board members, officers, supervisors, and any person who will be heavily involved in developing and maintaining the pro bono project.
 

\_\_\_\_\_

\_\_\_\_\_

# MCLE Rule XXX, Reg. 3.21 Sponsor Accreditation



## APPLICATION FOR SPONSOR ACCREDITATION

- Sponsors must first be accredited in Louisiana in order to submit courses held in state for continuing legal education credit. Exception: those sponsors who are submitting applications for a course held in Louisiana on a one time only basis.
- All courses held in Louisiana must be preapproved for credit. See Form 1 for details.
- 45 days prior to activity, mail to: MCLE Committee  
2800 Veterans Memorial Blvd., Ste. 355  
Metairie, LA 70002

Form 6  
Rev. 11/2010

### PART A SPONSOR INFORMATION

#### Regulation/Rule 4.2 Approved Sponsors:

- (a) All sponsors who seek approval for in-state CLE programming must first be approved as a provider of continuing legal education in Louisiana. An application for sponsor accreditation must be submitted with an annual \$100 non-refundable application fee to the MCLE Committee. Upon approval of this application, the provider is conditionally approved to conduct continuing legal education for one year. If the provider is approved for three consecutive years by the Committee, then the provider may apply for permanent approved provider status pursuant to Regulations/Rule 7.1.
- (b) Eligibility for approved provider status shall be extended to local, district and state bar associations, ABA accredited law schools, and other organizations that consistently provide CLE to the legal community. Governmental agencies offering programming to their employees and non-profit organizations who offer programs for the public benefit may be exempted from the sponsor application fee through petition to the Committee.
- (c) The Committee retains the right to refuse approval to providers who do not comply with the requirements of these Rules pertaining to program sponsors.
- (d) The Committee may waive the \$100 sponsor application fee for an out-of-state provider who can demonstrate its qualifications to offer CLE on a one time only basis.

### PART B SPONSOR INFORMATION

Name of Sponsor		Name of Sponsor Representative		
Street Address or P.O. Box		Email address (required)		
City	State	Zip	Telephone	Fax

List all continuing education programs accredited within the last two years and enclose a copy of the advertising brochure(s).

Program Name	Date	Meeting Site/Delivery Method	Approved by (List Accrediting Agency)

List staff members with previous experience in continuing education (enclose bios where possible).

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### PART C ACCREDITATION FEE

If you are currently seeking credit for a program, include MCLE Form 1 and all attachments as per Part D with this application. Enclose a separate check for the non-refundable course accreditation fee, payable to MCLE Committee.

Enclosed fees:

- \$100 Application Fee       Accreditation Fee (specify amount if enclosed) \$ \_\_\_\_\_

To apply for exemption from the sponsor application fee, check the appropriate space below. The MCLE Committee reserves the right to deny exemptions from this fee.

- Government Agency       Non-Profit Organization       One Time Only Program in Louisiana

### PART D ACKNOWLEDGEMENTS

Sponsors applying for credit for technology driven courses must include detailed explanations of interactivity level, attendance record verification, and suitability of as well as access to course materials. Rule 3(c), (Regulations/Rule 3.2(a)).

Law firms and corporate law departments must comply with the guidelines specified under Regulations/Rule 3.15. Complete applications must be received a minimum of 45 days prior to the date of the course and listed in the MCLE Calendar.

I affirm that I have read and agree to comply with all Rules and Regulations of the Louisiana Supreme Court concerning mandatory continuing legal education. I acknowledge that failure to do so may result in penalties as per rule 7, and suspension of sponsor accredited status.

Sponsor Representative \_\_\_\_\_ Date \_\_\_\_\_

For questions regarding the completion of this application form or pertaining to any of the MCLE requirements in Louisiana, please contact the MCLE Department.

Toll free: (800) 515-1518, New Orleans metro: (504) 828-1414, e-mail: [mcle@lascmcle.org](mailto:mcle@lascmcle.org); or website: [www.LASCMCLE.org](http://www.LASCMCLE.org)

# MCLE Rule XXX, Reg. 3.21 Individual Credit Application



## APPLICATION FOR CLE CREDIT FOR PRO BONO REPRESENTATION

Form 7 (Part II)  
5/1/2011

1. The lawyer who performed the representation must complete Part I of this form, and then provide the original to the assigning court, program, entity, or law school.
2. The assigning court, program, entity or law school must complete Part II of this form, and then submit the original to the MCLE Committee at the following address:

MCLE Committee  
2500 Veterans Memorial Blvd., Ste. 355  
Metairie, LA 70002

Form 7  
5/17/2015

### PART I PRO BONO REPRESENTATION

**Regulation 3.21.** Credit may also be earned through providing uncompensated pro bono legal representation to an indigent or near-indigent client or clients. To be eligible for credit, the matter must have been assigned to the Member by a court, a bar association, or a legal services or pro bono organization that has as its primary purpose the furnishing of such pro bono legal services and that has filed a statement with the Louisiana Committee on MCLE. A Member providing such pro bono legal representation shall receive one (1) hour of CLE credit for each five (5) hours of pro bono representation, up to a maximum of three (3) hours of CLE credit for each calendar year.

A. Attorney: \_\_\_\_\_  
Client Case Number: \_\_\_\_\_  
Assigning Organization: \_\_\_\_\_

B. Type of Representation Provided:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Consumer          | <input type="checkbox"/> Economic Assistance | <input type="checkbox"/> Education           |
| <input type="checkbox"/> Employment        | <input type="checkbox"/> Expungement         | <input type="checkbox"/> Family Law          |
| <input type="checkbox"/> Health            | <input type="checkbox"/> Housing             | <input type="checkbox"/> Immigration/Refugee |
| <input type="checkbox"/> Individual Rights | <input type="checkbox"/> Juvenile            | <input type="checkbox"/> Seniors             |
| <input type="checkbox"/> Social Security   | <input type="checkbox"/> Wills or Probate    | <input type="checkbox"/> Other _____         |

Date range of representation: \_\_\_\_\_

Number of Hours of Pro Bono legal representation \_\_\_\_\_ Number of CLE credit hours claimed: \_\_\_\_\_

I hereby affirm that I have performed the above stated number of hours of pro bono legal services.

\_\_\_\_\_  
Signature of Attorney                      Date                      Bar Roll Number

See Part II for verification by assigning authority.  
This must be completed to qualify for CLE credit.

### PART II VERIFICATION BY ASSIGNING ORGANIZATION

The assigning organization's representative **must** verify the information provided by the attorney in Part I.

A. Information Regarding Assigning Party:

Name of Organization (judge, court, etc): \_\_\_\_\_

Name and title of person completing this form: \_\_\_\_\_  
\_\_\_\_\_

B. Confirmation of Assignment: Did your organization assign the above listed matter to the reporting attorney for pro bono legal services?

Yes       No

C. Determination of Financial Eligibility: Prior to assigning the matter to the reporting attorney, did your organization determine that the client was eligible for pro bono legal services?

Yes       No

D. Verification of Legal Services Performed: Has the attorney provided the legal services assigned?

Yes       No

I hereby certify that the above information concerning pro bono services is correct.

\_\_\_\_\_  
Authorized Signature                      Date

\_\_\_\_\_  
Print Name

For questions regarding the completion of this application form or pertaining to any of the MCLE requirements in Louisiana, please contact the MCLE Committee toll free: (800) 518-1518; in New Orleans metro: (504) 828-1414; via e-mail: [mcle@lascmcle.org](mailto:mcle@lascmcle.org); or see our website: [www.LASCMCLE.org](http://www.LASCMCLE.org)

<https://www.lascmcle.org/pdf/ProBonoCLE.pdf>

# Pro Bono Service Gaps

Ability to pay for affordable legal services is *shrinking*.

Demand for legal services is *growing*.

50% of people who seek legal help from free service providers are likely eligible, but turned away.

Approximately 95% of LA attorneys do not report pro bono activities.

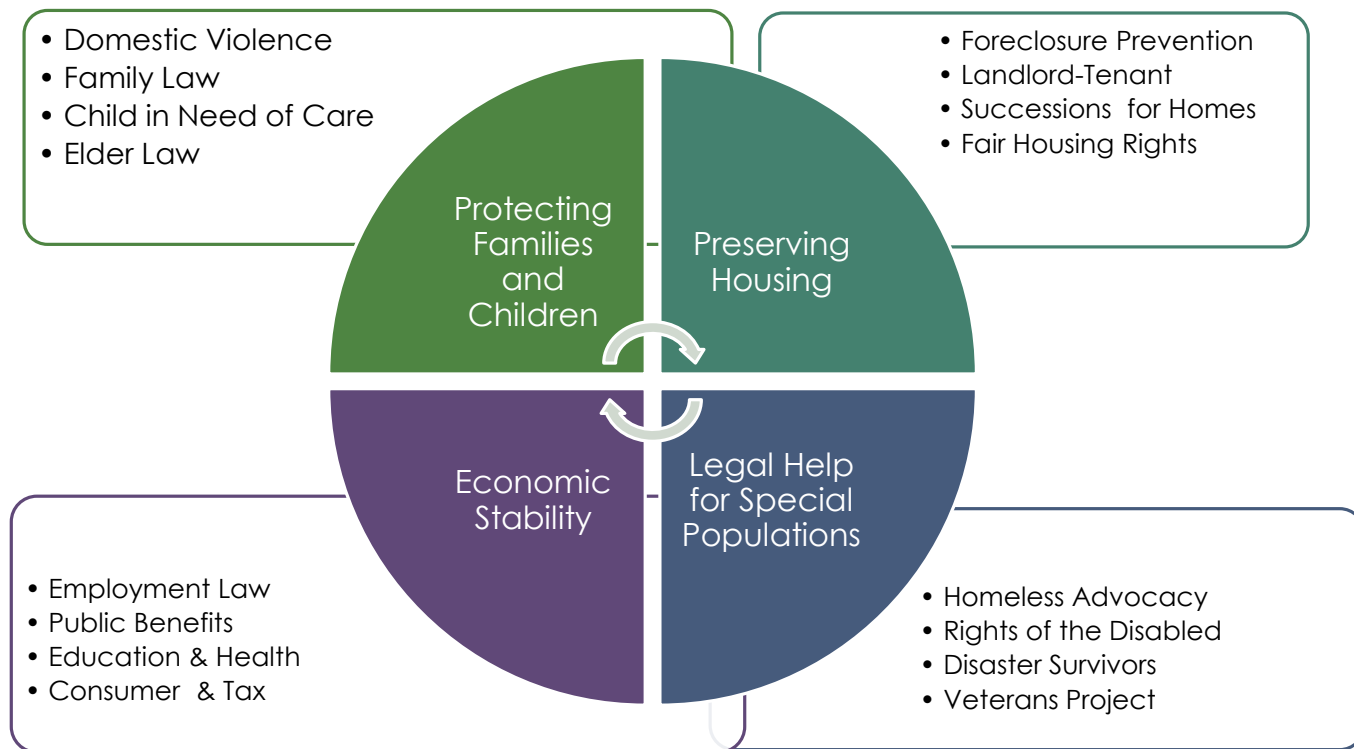
# SLLS – Mission

- To achieve justice for and improve the lives of low-income people through direct case work, advocacy, & community education.
- SLLS provides free legal services through a staff attorney model & volunteers
- In 2019, SLLS helped over 25,000 people in over 11,000 cases, provided community education to 30,579, and reached another 185,000+ through self-help & info
- 2019 Direct Economic Benefits for Clients – over \$19 million

# Southeast Louisiana Legal Services (SLLS) 101

- For 50+ years, SLLS has been fighting for fairness for vulnerable people
- SLLS is the largest non-profit civil legal aid provider in Louisiana
- 6 offices, 22 parishes, 105 staff
- 15% of staff pre-COVID embedded in the community w/onsite partners

# SLLS Priorities for Our Work





# Priorities for Work Cont.

## **Increased Access to Courts, Legal Information, and Self-Help**

- SLLS now operates and/or supports five Self-Help Desks in partnership with local courts
- SLLS develops innovative Technology Projects
- Strong partner within statewide legal services network

# The Need for Civil Legal Aid

- A June 2017, Legal Services Corporation (LSC) Legal Needs Survey found that **86% of the civil legal needs of low-income Americans were unmet or not fully met.**
- **Louisiana has the second highest poverty rate** in U.S. at about 20%. Pre-COVID rate
- Since COVID – 670% rise in Unemployment Cases, a 300% increase in eviction requests, and 80% of calls on our COVID Helpline are housing related.
- **Client income must be within federal poverty guidelines** as a threshold for services

# Typical Profile of SLLS Client

- A working mom raising two children who is a victim of domestic violence earning less than \$13,500 per year
- A person living with a disability with income of \$773 per month receiving \$9,276 annually
- A senior living on a fixed income of \$1,000 monthly receiving \$12,000 per year from Social Security
- Post-COVID- Low-wage workers out of work on temporary unemployment benefits or working reduced hours

# What's Coming in the Wake of COVID?

- Explosion in evictions throughout the summer of 2020 – evictions can now be filed starting 6/8/2020
- Increased need for legal help in Employment Law & Unemployment Benefits
- Consumer Debt Collection Cases & Bankruptcy cases will spike – 3-6 months
- Increase in Domestic Violence Cases
- Increases in succession cases from COVID deaths & requests for wills/advance directives for people at high-risk for COVID
- Different ways to reach vulnerable people – Facebook Live events, virtual legal clinics, SLLS COVID 19 Legal Helpline Advertising

# Available Resources Cannot Meet Overwhelming Need

- Until 2019, Louisiana was 1 of 3 states that provided \$0.00 for civil legal aid from its state budget. Can it continue post-COVID?
- Interest rates have plummeted to almost 0.00% post-COVID. IOLTA funding is projected to drop by \$4 million in the coming year. IOLTA is 15% of SLLS' total budget
- SLLS projects a loss of up to \$500,000 in 2019 from various other funding sources due to the economic impact of COVID.

# Limited Resources = Limits on Types of Cases SLLS Can Take

- Generally no fee-generating cases taken.
- Don't handle personal injury cases
- SLLS has to set Case Acceptance Guidelines for the cases it can take on.
- Special Grants and/or Pro Bono Resources allow SLLS to expand and sustain its work
- Pro Bono help is needed more than ever!

# SLLS Volunteer Opportunities

## o New Orleans

- ❖ In Forma Pauperis Clinic – in person on Thursday or Saturday Mornings at SLLS Office
- ❖ COVID-19 Eviction Advice Clinic – training with free CLE on 9/23/2020 – remote
- ❖ New Pro Bono Security Deposit Clinic starts in the fall of 2020 – remote or in person

# SLLS Volunteer Opportunities

- ❖ **Clean Slate Project**- Funded by the Jefferson Parish Office of Community Development to help cover costs of expungement filing fees. **Changing model post-COVID. Looking for volunteers!**
- ❖ **Virtual Legal Clinic – New Orleans Public Library** – 90 people sought legal help since July 2020. SLLS does intake, staff or volunteer interviews client by Zoom or phone



# SLLS Volunteer Opportunities

## Baton Rouge

- ❖ **New Virtual Legal Clinic – East Baton Rouge Library** – starts November 2020. Pro Bono Wills, Power of Attorney, & Successions Clinic. Volunteers interview client by Zoom or phone and can choose to handle drafting wills, poa's or succession cases.
- ❖ **New Reentry Legal Clinics – In Person But Outdoors** – starts in January 2021. CLE in fall 2020. Advice only legal clinic with cases needing extended representation to SLLS. Partnering with Justice & Accountability & other local partners

# SLLS Volunteer Opportunities

Northshore – St. Tammany, Washington, & Tangipahoa Parishes

SLLS Northshore Pro Bono Project – over 100 pro bono attorneys helping with a range of civil legal needs

Statewide – Low-Income Taxpayer Clinic- SLLS accepts from all 64 parishes to help resolve tax debt for low-income workers. Often can be done 100% remotely.

# SLLS Pro Bono Partnerships

- Baton Rouge Bar Foundation – subgrant to handle 275 cases per year
- Pro Bono Project (New Orleans) – subgrant to handle 500 cases per year
- Referrals to LSBA Free Legal Answers – online questions all remote - 250% poverty
- Statewide Hurricane Laura Disaster Network with LSBA & ABA Young Lawyers-
- Acadiana Legal Services – 42 Parishes

# INTERESTED IN HELPING?

- Volunteer for an SLLS Project
- Volunteer to Help one or our subgrant Pro Bono Partners in New Orleans or Baton Rouge
- Considering helping one of our statewide partners – Acadiana, LSBA Free Legal Answers, or more
- Encourage others to do pro bono
- Got a new project idea or want to volunteer with SLLS?- email SLLS Pro Bono Managing Attorney Elena Perez at [eperez@slls.org](mailto:eperez@slls.org)



## Questions & Contact Information :

Adrienne Wheeler, Louisiana Appleseed  
Director, [awheeler@louisianaappleseed.org](mailto:awheeler@louisianaappleseed.org)

Laura Tuggle, SLLS Director [ltuggle@slls.org](mailto:ltuggle@slls.org)