

Help Celebrate Pro Bono

Access to Justice and the National Pro Bono Celebration

Once a year our country devotes one week to recognize attorneys who have provided access to justice by volunteering to do pro bono work. This year, National Celebrate Pro Bono Week is October 19-25. It is a time to appreciate attorneys and law students who volunteer their time and service and to bring awareness to the need for pro bono attorneys. If you are an attorney or a judge, there is no doubt that you are aware of the need. Access to justice requires access to attorneys.

The resources available to someone who is involved in a civil legal case but is not able to pay an attorney are limited. Civil legal representation is not guaranteed by the Constitution. Kansas Legal Services is only able to help about 60 percent of the people who are income eligible. If a person does not meet the financial requirements for services from KLS, or if the other party in the case has already been assigned an attorney by KLS, the options are for self-representation or to find an attorney willing to take the case on a pro bono basis.

The National Center for State Courts estimates that more than half of the cases in family courts are conducted by self-represented litigants. That creates another set of problems for judges. For the courts, self representation increases the need for access to legal forms, information on court protocol and patience with pro se representatives.

KLS Needs Pro Bono Attorneys

A majority of pro bono cases in Kansas are coordinated by KLS. “For the first eight and a half months of 2014, pro bono attorneys have provided advice to 271 low income Kansans,” explained Marilyn M. Harp, KLS executive director. “Pro bono attorneys have opened 63 cases and completed sixty cases,” she stated.

There will be some duplication in what opened early in the year and then closes later this year. The need far outweighs the volunteers available to fill the need. Harp explained that from mid-July to mid-August KLS had applications from sixty-five people who would have been eligible for a pro bono attorney, had one been available. Information about pro bono resources and becoming a KLS pro bono volunteer can be found at <http://www.kansaslegalservices.org/probono>.

Working Together to Address the Need

The University of Kansas School of Law and Washburn University School of Law are aware of the need and have created programs that encourage law students to become involved in pro bono work. The KBA is hoping to learn more about the opportunities created by law firms. Later this year, the KBA and KLS plan to co-host a meeting and reception to provide a forum for learning more about where the need for pro bono is greatest and how we can work together to meet that need. Attorneys, judges, educators, law students, law firm pro bono coordinators and others interested in attending should contact Anne Woods at awoods@ksbar.org.

States Vary on Recording Requirements

Kansas is one of thirty states that do not require attorneys to report pro bono hours. Eight states have mandatory pro bono reporting and twelve are voluntary reporting states. In an effort to know more about how many volunteer hours KBA members provide each year, the KBA will soon offer a new field on members' profiles to voluntarily record hours or other means of recording pro bono. Also, the KBA membership renewal form for 2015 will include a space to indicate the number of pro bono hours provided in 2014.

What Motivates Attorneys to do Pro Bono?

An Olathe attorney shared that she is motivated to do pro bono work because it is the right thing to do and it is an opportunity to gain experience working on cases with which she is not familiar. She said she felt a sense of gratification from talking to a client for the first time. In addition, she believes attorneys have an obligation to serve others by virtue of being granted a license to practice law and by doing so; it's an opportunity to learn.

A Lawrence attorney indicated that he feels a sense of gratification from the experience and that the work he does for service members, particularly if they are about to be deployed to dangerous areas, is especially gratifying. He stated that he believes pro bono work is part of an attorney's professional responsibility and that all attorneys should shoulder a fair share of pro bono cases.

Echoing some of the same sentiments is a Wichita attorney who describes it like this: “While I need to earn a living through my law practice, I realize there are many people who cannot afford the expense of hiring an attorney. KLS and public defenders don't have the capacity to help everyone who needs legal advice,” she stated. “I think I am like most attorneys; we enjoy helping people.” She went on to say that she feels a sense of gratification immediately upon talking to the client or writing that initial letter saying she will represent them. She enjoys knowing that she can help someone through their legal problem and relieve some of their stress. One thing she thinks a law student or new attorney should consider is that doing pro bono is a great way to get experience and it can get you into the courtroom more quickly if that is what you want. Another benefit is the chance to get some guidance from a more experienced attorney and to try a new area of law.

The attorneys who shared their thoughts on pro bono all had positive experiences through KLS. They shared that KLS does a great job of making sure they have the resources they need to represent the clients sent to them and that they have opportunities to attend free CLEs. One attorney explained that attorneys who are not in a law firm would be wise to do their pro bono work through referrals, such as Kansas Legal Services. He explained that the prospective clients are screened to make sure they are in fact not able to pay for representation and you can limit the number of pro bono cases that you have at any one time.



... serving the citizens of Kansas and the legal profession through funding charitable and educational projects that foster the welfare, honor, and integrity of the legal system by improving its accessibility, equality, and uniformity, and by enhancing public opinion of the role of lawyers in our society.

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Jeans for Justice and the KLS Office Supply Drive

Jeans for Justice

During the fall, the KBA provides two options for KBA members to provide a donation to KLS. Jeans for Justice started last year and is a fun way to show your support for KLS. The idea is to select a casual day in honor of Celebrate Pro Bono Week for your office and ask team members to donate \$5 or more to KLS. The casual day can be any day you select. Visit <http://www.ksbar.org/jeansforjustice> to learn more.

KLS Office Supply Drive

The KBA office supply drive for KLS started in August and runs until the end of October. The hope is to provide KLS with frequently used supplies by asking visitors to drop an item in the boxes provided in the lobby of the KBA. Donors can also take their donation to their local KLS office. This year KLS is in need of blue/black ink pens, letter/legal pads, copy paper (letter/legal), yellow highlighters, flash drives, file jackets (letter/legal), and Post-it notes. ■



KLS SUPPLY DRIVE

As part of Celebrate Pro Bono Week, consider bringing a donation of office supplies for Kansas Legal Services to the Kansas Law Center. It will go to a great cause and help our friends at KLS. Just drop your items in the box at the KBA between August and October, and we will deliver it. Consider donating:

- Box of blue/black ink pens
- Letter/legal pad (any color)
- Copy paper (letter/legal size)
- Yellow highlighters
- Flash drives
- File jackets (letter/legal size)
- Post-it notes

The Power of Impartiality, Independence, and Information

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a presentation near you, contact me or Joslyn Kusiak, our KBA YLS secretary/treasurer, and we will get you connected with one of our members eager to engage your community. Or if you're interested in becoming more involved or giving such a presentation in your area, let us know, and we can help make that happen.

As lawyers, we are officers of the court. Our allegiance is not only to our clients, but to the system on which we rely for fairness. As young lawyers, the members of the KBA YLS understand that in order to ensure continued reliance on this impartial system in the future, we have an obligation to educate Kansans today about why this "essential safeguard" matters. Will you join us? ■

About the YLS President



Sarah E. Warner is an attorney at the Lawrence firm of Thompson Ramsdell Qualseth & Warner P.A. She serves as an adjunct professor at Washburn University of Law, serves in leadership positions with the Kansas Association of Defense Counsel and Douglas County Bar Association, and is a member of both the KBA Appellate Practice Section executive committee and Board of Publishers.

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