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TIPS FOR EFFECTIVELY HANDLING YOUR FIRST PRO BONO CASE

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Representing low-income clients involves challenges that extend beyond learning a new area of law or gaining experience in client interaction. Clients may struggle with financial, cultural, educational and/or emotional barriers, requiring more foresight and sensitivity by the volunteer. The following are a few tips to consider when taking your first pro bono case, along with some guidance in effectively assisting clients.

1. Identify the manner in which you wish to contribute.

Begin by contacting the staff of a legal aid program(s) in your community and inquire about the opportunities available. Make the staff aware of your goals, legal background and interests, so that they can help you choose an opportunity that is both meaningful and interesting to you, and will provide you with a constructive learning opportunity.

2. Know your limits.

Pro bono work does not have to entail a huge time commitment. Many opportunities are time-limited and consist of providing counsel and advice for just a few hours during the day or evening. In addition, many pro bono cases do not end up in litigation, instead reaching successful outcomes in five hours or fewer. If you're not sure, talk to a pro bono provider staff member or an experienced volunteer so that you have a sense of the time involved for a specific opportunity.

3. Think strategically.

By choosing to volunteer with an organized pro bono program, you are always guaranteed a pre-screened case (the client is truly low-income and has a meritorious case). In addition, you will be covered by the program's primary professional malpractice and will have the benefit of training, support and mentorship.

4. Conduct your first client meeting.

Your first meeting with the client is very important. You should meet face-to-face and conduct your own interview, even if the referring program has already done one. The interview provides an excellent opportunity for building trust and rapport with your client; helps uncover details and information that may not initially have been available; and, since the client may not have the same level of involvement as a paying client, it's also an opportunity for the client to feel more personally invested in his or her case.

You must also set clear expectations and make sure your client understands your respective duties. You can do this by going over the retainer agreement that the legal service program provides all its pro bono attorneys in a case-placement

packet. This interview is also a good time to address the issue of punctuality in regard to appointments and court dates, and to make sure you have thorough contact information, including alternate phone numbers, emergency contacts, etc. In domestic violence cases, be sure to ask your clients if it is safe to contact them at their residences or to include their addresses on court pleadings.

It is also entirely appropriate to be honest about your background and to explain to the client that you are working in an area outside your usual area of legal expertise.



5. Understand your client's circumstances.

Clients may have difficulty balancing their employment, child care and financial hardships with the tasks involved in a lawsuit. It is therefore important to think ahead and be as flexible as possible. For example, ask clients about the best times to reach them, as well as their work schedules, so that court appearances can be set during their days off. This will lessen the impact on their employment.

Financial hardship may also contribute to communication and scheduling issues. Consider providing your clients with a stack of self-addressed, stamped envelopes. If you need documents from clients, give them advance notice so they can bring the relevant

documents to a scheduled meeting for you to copy. Ask clients if they plan to bring their children to an appointment or court appearance due to lack of child care resources. This way, you can be prepared for the children's presence.

Depending on the degree of the client's sophistication, imparting legal information may be challenging and more time-consuming. Therefore, it is important to be both patient and firm while counseling your client. Try to explain concepts clearly without too much "legalese" and without condescension.

6. Notify the court.

Most judges will allow pro bono attorneys to have their cases heard first. Consequently, always make sure to notify the courtroom staff that you are representing your client pro bono; that way you and your clients can avoid waiting unnecessarily for the case to be called.

7. Finish your case.

When you finish your pro bono case, you should send the client a disengagement letter, make sure the client has the relevant court documents and notify the referring legal aid program as to the outcome and hours performed on the case. This information is critical for legal aid programs, which rely on the data for their much-needed funding.

8. Put your name all over it.

Pro bono is an excellent way to increase your marketing exposure and create buzz regarding the good work you're doing in the community. Consequently, be sure to share your experience with the legal aid program so they and/or your firm can profile you in spotlight articles, issue press releases about your successes and acknowledge you via social media or through special awards, such as Legal Aid Center's Volunteer of the Month, annual 50 or 100 hour Pro Bono Clubs and similar honors. This is not the time to be shy about your success!

Whether you are a newly-minted lawyer or have years of experience, pro bono is unquestionably an excellent opportunity to enrich your life and advance your professional development. ■

MELANIE KUSHNIR'S
biography is on page 7.