

Pro Bono Referral Program

Six-Month IOLTA Report for 2018/2019

Grant Amount: \$199,500

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“It’s nice to know that there are people in New Hampshire with your expertise working so hard to connect and provide services for such a vulnerable portion of our population.” (Review of Pro Bono’s DOVE Project by the NH DOJ, 12/18.)

Celebrating 40 Year of Making A Difference!

Pro Bono opened its doors for business in 1978 and has decidedly stayed in the business of helping low-income people access representation during the ensuing forty years. Last September, the Pro Bono Program took time out to celebrate this milestone anniversary, highlighting the Program’s achievements. While keeping true to its mission over four decades of operations, Pro Bono’s history is a study of how the Program has evolved and changed to keep abreast of/develop innovative delivery options and meet emerging legal needs. From launching the DOVE Project 26 years ago to more recently creating a Criminal Annulment Project, from playing a lead role in crafting New Hampshire’s unbundled rules to partnering with the ABA on Free Legal Answers (an online Pro Bono advice platform), the Pro Bono Program has shown its creativity and resilience in helping to meet the legal needs of those living in poverty. Funding, especially IOLTA, and dedicated staff are key to making services possible by providing the infrastructure, coordination and systems that support these crucially important volunteer legal services.

Achieving Client Goals

When volunteer attorneys take on representation of low-income clients--they achieve whole or partial positive outcomes (80% plus) in the majority of cases. In truth, all Pro Bono clients win by having the opportunity to meet with legal counsel for legal advice, strategy and options. Pro Bono’s leveraging power—using staff to connect clients with attorneys for free legal services--often results in thousands of dollars’ worth of attorney time per case. Deeper examination reveals further value as attorneys, help low-income parents secure child support orders and/or alimony, assist homeowners in saving their homes from foreclosure, help taxpayers prevent IRS levies on basic income and help tenants fight unlawful evictions to retain their shelter and much more. These outcomes have value on many levels, including financial—another win. And, the legal system, especially the courts, is another winner when litigants are represented.

Activities and Accomplishments

The breadth of Pro Bono's programming is broad, meeting client needs in a variety of ways:

- **People Helped**—Almost 2500 adults and children benefited from some type of Pro Bono service during the first half of FY 2018. (See attached chart.) These statistics include new case referrals as well as ongoing cases referred in prior years (most family cases take a couple of years to wend through the court system), along with income-eligible clinic cases. This number also encompasses those people helped with information and referral to other sources of assistance. Pro Bono's reach extends further via educational sessions for low-income people as well as providers on topics ranging from federal income tax credits to criminal annulments and debt collection. (Numbers not provided.) The Program's case numbers were down more than 10% during the first six months of the grant year due in significant part to the extended leave of one staff person and the retirement of another key employee. With so few staff, these changes had a significant impact. Pro Bono expects numbers to pick up with staffing patterns back to prior levels.
- **Clinic Success**—Pro Bono's criminal annulment and periodic payment clinic (Plymouth) provide an alternative way for attorneys to volunteer and for people in need to access services. In the past six months, volunteer attorneys met with qualified individuals on the Plymouth District Court's monthly docket to help prepare proposed orders after reviewing and discussing each person's financial circumstances. (We have learned the court accepts virtually all these orders.) Pro Bono held criminal annulment clinics in Nashua, Manchester and Concord. More than 50 people received individual consultations, following overviews of the criminal annulment law and process.
- **DOVE: Accolades and Expansion**-As referenced above, the Pro Bono Program's Domestic Violence Emergency (DOVE) Project received high marks during a 12/13/19 monitoring site visit by representatives from the NH Attorney General's Granite Management unit. Pro Bono Director Virginia Martin and DOVE Coordinator Pamela Dodge met with the grants review team to assure DOVE's compliance with the Project's use of federal Violence Against Women Act (VAWA) fund. The review team found that Pro Bono's administration of the DOVE Project "exceeded their expectations," setting the standard for all other sub-grantees of VAWA funding. The DOVE Project continues its critical work of connecting victims of domestic violence with volunteer attorneys for representation at final restraining order hearings. In recent years, the DOVE Project has extended coverage to stalking, thanks in significant part to funding through the Victims of Crime Act (VOCA). Only a few percent of victims are

represented at stalking hearings and this project attempts to make representation more available by offering the same service as DOVE clients have traditionally received by volunteer attorneys.

- **Virtual Pro Bono**-- Pro Bono is on the cusp of launching Free Legal Answers for New Hampshire as a participant in the ABA's innovative online program to provide low-income people with basic advice on common legal issues. After being on hold, Pro Bono is moving ahead with this virtual "Lawline" to expand legal access thanks to clarification of NH's ethical rules around unbundled legal services and conflicts of interest. With work underway to tailor the program to the Granite State and planning for extensive attorney recruitment, Pro Bono expects to launch the program for the public in March 2010.
- **Pro Bono Month**— This annual celebration of Pro Bono was capped off by the Bruce E. Friedman Pro Bono Award reception at UNH Law honoring DOVE volunteer extraordinaire Kirk Simoneau of Manchester. A referral marathon staffed by UNH law students and faculty resulted in more than a dozen clients connected to UNH Law School alumni. Staff performed outreach and speaking engagements during this time allotted to shine a spotlight on Pro Bono, including participation in the Granite United Way's booth day and outreach to the Bar Association's New Lawyers Committee.

Challenges

- **Funding**—adequate funding is always a challenge, with funding uncertainties a constant. With Washington currently shut down, the precarious nature of funding is front and center. As feasible, Pro Bono continues to secure mission-appropriate funding (often in conjunction with partners NHLA and LARC) and meet important client needs with federal grants. While supporting valuable efforts, these special grant awards come with significant tracking and reporting requirements, taking a good deal of administrative time. IOLTA funding is essential to Pro Bono's well being given these funds help cover the "bread and butter" work of Pro Bono in providing access to representation and provides some stability lacking in federal, competitive grants.
- **Staffing**— Almost two-thirds of Pro Bono's budget is comprised of targeted grants, leaving more limited dollars to spend on general Pro Bono, primarily family, elder law, consumer cases and appeals. The Program has the equivalent of slightly over one dedicated staff person to cover general pro bono—mostly family law and evictions—for the entire state of New Hampshire. Thankfully, Pro Bono frequently has the services of an intern and uses volunteer attorneys to fill some of the gaps but the staffing model is far less than optimal given the legal needs of low-income people.

	A	B	C	D	E	F	G	H	I	J	K	L	M
	CASES	Type of Legal Issue:	Consumer	Education	Employment- includes Federal Tax	Family	Juvenile	Housing	Income Maintenance	Individual Rights- includes Record Expungement & Immigration	Misc- includes Non-Profit Assistance & Wills/Estate	Total Cases	Total Beneficiaries
1													
2													
3	Belknap	Cases	10	0	5	17	0	4	1	4	7	48	
4		Beneficiaries	22	0	13	46	0	5	4	5	14		109
5	Carroll	Cases	9	0	4	12	0	4	0	3	4	36	
6		Beneficiaries	11	0	6	29	0	15	0	5	8		74
7	Cheshire	Cases	5	0	2	12	0	9	0	2	11	41	
8		Beneficiaries	10	0	6	34	0	30	0	9	16		105
9	Coos	Cases	9	0	2	6	0	3	0	0	3	23	
10		Beneficiaries	14	0	2	13	0	9	0	0	3		41
11	Grafton	Cases	37	0	3	28	0	7	0	0	8	83	
12		Beneficiaries	83	0	3	72	0	11	0	0	14		183
13	Hillsborough (N)	Cases	23	0	16	111	9	19	1	24	17	220	
14		Beneficiaries	36	0	27	298	15	45	1	61	25		508
15	Hillsborough (S)	Cases	13	0	6	47	0	8	0	26	8	108	
16		Beneficiaries	23	0	9	119	0	20	0	51	16		238
17	Merrimack	Cases	25	0	14	49	0	10	0	15	12	125	
18		Beneficiaries	45	0	21	123	0	32	0	37	16		274
19	OOS	Cases	2	0	8	10	1	1	1	3	1	27	
20		Beneficiaries	8	0	31	26	3	5	1	4	1		79
21	Rockingham	Cases	22	0	13	51	0	24	0	4	13	127	

2018 IOLTA 6 Month Report 6/1/18-11/30/18

	A	B	C	D	E	F	G	H	I	J	K	L	M
49	Merrimack	Matters	13	0	3	12	0	7	1	4	5	45	
50													
51	OOS	Matters	0	0	0	1	0	0	0	2	1	4	
52													
53	Rockingham	Matters	3	0	2	10	1	3	0	2	4	25	
54													
55	Strafford	Matters	3	0	3	5	0	2	0	2	1	16	
56													
57	Sullivan	Matters	1	0	1	1	1	3	0	0	1	8	
58													
59	Unknown	Matters	18	0	10	36	0	4	0	16	30	114	
60													
61	Totals	Matters	62	1	34	112	4	30	2	48	70	363	
62													
63													
64		<i>Note: total number of beneficiaries in the household is not recorded for matters</i>											