



WSBA

PRO BONO AND LEGAL AID COMMITTEE

Thursday, November 14, 2013 – 12:00 – 1:30 p.m.

Minutes

In attendance: Chair Rachel Rappaport, Governor Dan Ford, Will Ross, Stan Kehl, Rory O’Sullivan, Katie Bove, Sara MacDuff, John Vanek, Geoff Revelle, Joan Fairbanks, Angeline Thomas, Joanna Otero, Sunil Mootien-Pillay and Ana Selvidge (WSBA Staff Liaison)

Attending via telephone: Catherine Brown, Richard Ricketts, Geoff Arnold, Sarah McDuff and Will Ross

Unable to attend: Thomas Brixius, Carla Reyes, Todd Nunn, Lew Zeiske and Esther Park

Minutes - Approved for September and October

Access to Justice Board – Joan Fairbanks and Geoff Revelle

Joan provided an overview of the history of the ATJ, the Alliance for Equal Justice community and the coordination of activities to share resources, models and ideas. ATJ works to create a delivery system to accommodate all clients. This coming May will be the 20th anniversary of the ATJ board so mark your calendar.

Geoff provided an overview of the upcoming Pro Bono Council and the creation of that position. Problem: there are a lot of lawyers and many programs, largest being KCBA, but the rest of the state has smaller VLPs with minimal resources. A new Pro Bono Council will be formed under the ATJ Board beginning January 2014. On a pilot basis, the Council will be staffed by a full time employee located at the King County Bar Association with funding made available through OCLA and the Legal Foundation of Washington. A work plan is being developed that outlines goals and objectives, areas of focus and benchmarks to measure the success of this initiative.

Recent work includes collecting comments for CJC 2.2 and 2.6, adds specificity to what judges can do to assist pro se clients. If you are interested in learning more please contact Joan Fairbanks. Some additional links about the Alliance community and ATJ are below:

[Hallmarks of an Effective Statewide Civil Legal Services System \(Revised 2004\)](#)

[State Plan Implementation Update Report – 2008](#)

[Performance Standards for Legal Aid in the State of Washington – 2009](#)

[Proposed Strategies for Using Performance Standards for Legal Aid in the State of Washington – 2010](#)

Sub-Committee Reports

Long-Distance Lawyer

Group met to discuss the two projects discussed from last year’s committee. See attachments for the LDL Project & Tennessee Project. Group is looking to write up an assessment of LDLP and will reach out to the new VLP coordinator in Walla Walla, Katherine Nyden at BMAC.

Tennessee Project needs to further vetting and new name (*WebJD?*). The organization to take this project on will need to provide malpractice insurance. Group discussed the benefit of making Q&A available to volunteers to help build their knowledge on various legal issues, especially new attorneys.

Unbundled Legal Service

List of projects discussed at the group meeting.

- Government Attorneys – continue efforts of model pro bono policy template. Many government attorneys have barriers to taking on pro bono which could be made easier if their agency had a policy in place to guide their pro bono efforts.
- Ghost writing – Ethical issue of ghost writing was discussed at great length during the Family Law Section listserv and shared with the group. Main issue was whether there were any ethical considerations when an attorney drafts pleadings for a pro se but does not put in a notice of appearance. Group will to do more analysis.

John had looked into the idea of a tax benefits for providing pro bono and found there is no deduction possible.