

Metro Pro Bono Advocate

A publication of the Pro Bono Committee of The Bar Association of the City of Richmond

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Fall 2004

Pro se education project celebrates launching of second pamphlet

*by Tara Louise Casey, Chair
RBA Pro Bono Service Committee*

In 2002, the Pro Bono Service Committee of the Bar Association of the City of Richmond created an exciting new project to address the special needs of the growing pro se litigant population. It created the Pro Se Education Project to assist the judiciary and litigants alike through educational materials that can make the pro se process more orderly for the court and less confusing for the parties.

The project's pamphlets aid all pro se litigants with the preparation and presentation of their cases, regardless of their respective positions in the litigation. In 2003, the project rolled out its inaugural pamphlet, "Your Guide to Civil Litigation in General District Court." This pamphlet provides information to pro se litigants about the basic procedures of civil litigation in the general district courts, from how to file a case to obtaining judgment. Approximately 5,000 copies have been distributed to courts and advocacy agencies across the metropolitan Richmond area, free-of-charge.

The project undertook the development of its second pamphlet, "Your Guide to Landlord/Tenant Litigation," in 2004. With assistance from lawyers and judges who are experts in the field, the project created a fair and balanced pamphlet that will enable all parties to navigate through the legal system and better protect their interests. Again with the financial support of the Virginia Law Foundation and the Greater Richmond Bar Foundation, the project plans to distribute this pamphlet in Fall 2004.

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Pro bono housing law case makes a difference in client's life

By James W. Speer, VPLC Staff Attorney

For over 10 years, pro-bono Richmond attorneys have helped protect the rights of low-income tenants through the pro-bono housing program, a joint project of the Bar Association of the City of Richmond and Central Virginia Legal Aid. Pro-bono attorneys go to the legal aid office to see clients. Sometimes the pro-bono attorney just dispenses advice, but often the attorney is required to go to court to protect the client's rights.

Recently, a pro-bono housing attorney helped a client in dire circumstances. This client did not come to legal aid for help until after she had already been evicted. A landlord had lawfully evicted her after obtaining a court judgment. Unfortu-

nately at the time she was evicted, the client had not yet found another place to live so she had nowhere to move her possessions. Nearly all of her clothes, pictures, and other personal possessions remained in the apartment after the eviction.

After she found another place to live the client tried to schedule a time with the landlord to pick up her belongings, but the landlord would not cooperate.

About two months after she had been evicted, the tenant came to legal aid and an appointment was scheduled for her with a pro-bono housing attorney. The attorney agreed to investigate the mat-

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The Greater Richmond Bar Foundation and the Old Dominion Bar hosted the Fourth Annual Oliver Hill-Samuel Tucker Scholarship Dinner on Thursday, October 7, 2004 at the Omni Richmond Hotel. Scholarships were awarded to a number of law students submitting winning essays on civil rights and social justice. They enjoyed visiting with Mr. Hill and other guests including dinner speaker, former Governor L. Douglas Wilder (center).

Pro Bono Clearinghouse salutes the pro bono team at Sands Anderson

The Greater Richmond Bar Foundation's Pro Bono Clearinghouse program, which links non-profit organizations needing legal assistance with volunteer attorneys, recently made its 150th match. The success of the program is a direct result of the generosity and hard work of the many volunteer attorneys who have signed on to the Clearinghouse program.

Ben R. Lacy IV at Sands Anderson Marks and Miller was among the first group of attorneys who volunteered to provide pro bono legal services to the many non-profit organizations in the Richmond area. Mr. Lacy concentrates his practice on the life and health care industry with experience in corporate law, real estate and finance. Each time he has been approached by the Clearinghouse to take on a new client, he has graciously accepted and called together what he terms his "pro bono team" at Sands Anderson. His team members are Lisa Taylor Hudson, who brings her expertise in commercial litigation and bankruptcy to the team, and John M. Vandenhoff, whose experience with corporate and tax issues for exempt organizations is invaluable.

The first case handled by the Sands Anderson team was the merger of two separate foundations for an organization that provides dental care and education to the poor. Mr. Lacy and Mr. Vandenhoff donated 20 hours of their time to the client. Most recently the team was connected with an organization that provides residential assistance to persons with mental retardation and other disabilities. Both Mr. Lacy and Ms. Hudson consulted with the non-profit management, and Ms. Hudson accompanied the executive director to a deposition. They have also helped with a deed, a protective easement, reviewed contracts and acted as a registered agent. And the Clearinghouse is only one of several pro bono programs this team works with. Many thanks!



Ben Lacy (center) and teammates John Vandenhoff and Lisa Taylor Hudson provide much needed assistance to non-profit groups who have contacted the Pro Bono Clearinghouse for help

Are you familiar with the many issues faced by non-profit organizations in complying with laws related to their tax-exempt status? If so, the Pro Bono Clearinghouse can use your help. Please contact Carol Murray at 780-2600 for additional information or to volunteer.

Model Judiciary Program seeks volunteers

Volunteers are needed to act as attorney-advisors to local high schools participating in this year's Model Judiciary Program, a joint effort of the Virginia Bar Association and the Virginia YMCA.

The Model Judiciary Program provides local high school students with an excellent opportunity to observe and gain first-hand experience with the judicial system. Student teams are assigned either civil or criminal cases for which they act as counsel, witnesses and jurors. The student teams are paired with local attorneys who help them prepare their cases.

The teams then try the cases against each other before real judges from the area's General District and Circuit Courts. Trials are tentatively scheduled for January 10-26, 2005. After trial, teams are given an opportunity to appeal their case to a panel from the Virginia Court of Appeals. The top teams are then chosen to participate in the Model Supreme Court, arguing in front of the full Virginia Supreme Court.

If you are interested in the program or need more information, please contact Ben Pace at (804) 783-6932 or wpace@williamsmullen.com.

GRBF Facts

The Greater Richmond Bar Foundation's annual solicitation of local attorneys raised a record \$36,000 for Central Virginia Legal Aid Society.

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The Greater Richmond Bar Foundation was recently awarded a \$16,000 grant from The Community Foundation *Serving Richmond and Central Virginia* to support its Pro Bono Clearinghouse program.

www.grbf.org

Housing law program helps those in need

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ter. He called the landlord who told him that the tenant's belongings had been discarded, so the attorney informed the tenant and planned to close the case. Two weeks later, the client called her attorney and told him that a former neighbor and a maintenance man had seen her belongings still in the apartment she had been renting. The attorney called the landlord, who confessed that the client's belongings were still in the apartment. Instead of letting the client pick up her belongings, the landlord told the attorney to give him a short list of things she needed and he would remove those things and send them to the attorney. Obviously this was unacceptable so the pro bono attorney informed the landlord that he should be prepared to go to court that Friday afternoon for an emergency hear-

ing. Then the attorney called the circuit court clerk and scheduled a hearing for 3:15 p.m, he prepared a motion for an injunction and faxed it to the landlord and he called the landlord to give him notice of the hearing.

At 4:00 p.m. that Friday afternoon the judge heard the case *ex parte*, since the landlord did not come to court. After hearing the testimony from the client and argument from the attorney, the judge entered an order prohibiting the landlord from disposing of the personal belongings and allowing her two weeks to schedule an appointment with the landlord to retrieve her things. Shortly thereafter, the client retrieved all of her belongings.

Please see below for details on the next housing law CLE.

Housing pamphlet available for pro se litigants

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Members and the public are encouraged to view and download both pamphlets online at http://www.richmondbar.org/legal_resources.htm. Although the pamphlet cannot replace legal representation (see related articles in this issue of the *Advocate*), the project hopes that it will educate and empower those who stand alone before the court. If you are interested in volunteering with the project, or simply would like more information, please contact Tara Casey at 819-5506 or tara.casey@usdoj.gov.

Prepare for meaningful litigation experiences via free housing law CLE

The Richmond Bar Association's Pro Bono Committee and Legal Aid Justice Center will hold a Housing Law Training Program on Tuesday, November 23rd for all attorneys interested in becoming pro bono housing law volunteers. The seminar will be held from 4pm-8pm at Hunton & Williams (20th Floor - Small Board Room). CLE credit will be offered as well as refreshments. This is a wonderful opportunity to satisfy the pro bono re-

quirement set forth by the Rules of Professional Conduct; obtain meaningful litigation experience; and obtain 4 hours of free CLE. Articles beginning on page 1 by Jay Speer and Tara Casey offer insights on the types of cases a typical volunteer might handle and describe what is available in terms of assistance to pro se litigants when legal representation in housing cases cannot be obtained.

New program enables Virginia lawyers to help families: custody training available

A new pro bono program is being formed to provide attorneys for indigent clients in certain custody and visitation cases. Virginia Lawyers Helping Families was initiated by Virginia Supreme Court Chief Justice Leroy R. Hassell Sr. to fill the substantial void which currently exists. The program is carefully tailored to ensure that volunteer attorneys will spend only a limited number of hours, only do specific tasks and have

sufficient support in this difficult practice area.

Initially there will be two pilot projects, one in Harrisonburg and one in Richmond. It is expected that the Richmond program will start near the end of this year. Training is scheduled for Nov. 16 but will be videotaped and available for attorneys who sign up later. Anyone interested in participating should contact John Oakey at 775-4336.

VBA program recognizes volunteers' contributions

In January 2004, The Virginia Bar Association launched a major initiative: the VBA Community Service Program. The program provides an opportunity for Virginia lawyers to be recognized for contributions to their communities in two different ways. An individual who makes a commitment to provide at least 50 hours of pro bono publico legal services during a calendar year, and then makes good on that commitment, will be recognized as a "VBA Pro Bono Servant." An individual who makes a similar commitment to perform what may be described more generally as community service work will be recognized as a "VBA Community Servant." By fulfilling both requirements, it is possible to qualify in both categories in the same year.

The program is designed to help lawyers meet the goals set forth in the ethical rules and to encourage community service and pro bono publico legal services. Lawyers are not required to be members of the VBA to participate in the program. If you are interested, please visit www.vba.org or contact Cyndy Basham at 644-0041 for more information.

RICHMOND METRO PRO BONO SAMPLER

Attorneys, please refer to the list below to learn more about the activity that interests you.

<u>Program</u>	<u>Contact Person</u>	<u>Telephone</u>
Appeal Bond Fund	Marcel Slag	643-1086
Community Tax Law Project	Elaine Javonovich	358-5855
LAJC Housing Law	Marcel Slag	648-1086
CVLAS Wills Program	Kathy Brigman	862-1100
Henrico Bar Association Pro Bono Volunteers	Christopher H. Macturk	762-9500
Hunton & Williams - Church Hill Office	George Hettrick	775-2248
VBA-YLD Central VA Pro Bono Hotline	Coburn Beck	788-8576
Pro Bono Clearinghouse (www.grbf.org)	Carol Murray	780-2600
Legal Information Network for Cancer (LINC)	Susheela Varky	662-5462
Virginia Poverty Law Center	Steve Myers	782-9430
VBA-YLD Legal Services for the Mentally Ill	H. Malloy Evans III	(202) 752-1146
VSB Young Lawyers Board Match	Beth Hungate-Noland	783-6913
VA Lawyers Helping Families	John M. Oakey Jr.	775-4336
VSB/VBA YLS Emergency Legal Services	Jeffrey Geiger	783-7248
Refugee and Immigration Services - Catholic Diocese of Richmond	Marilyn Breslow	355-4559

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