

**NEW YORK CITY
FEDERAL GOVERNMENT
PRO BONO PROGRAM**

VOLUNTEER GUIDE

March 2022





U.S. Department of Justice
Pro Bono Program

Washington, D.C. 20530

March 10, 2022

Dear Colleagues,

Welcome to the New York City Federal Government *Pro Bono* Program! Thank you for your interest in *pro bono* work and in using your legal skills to better your community. We hope to help you to find an opportunity to get involved.

This *Pro Bono* Volunteer Guide will provide easy access to information about the rules governing federal employees' engagement in *pro bono* activity as well as descriptions of the organizations and *pro bono* opportunities. These organizations and opportunities have been determined to be appropriate for federal government attorneys and legal staff because they are generally free of conflicts of interest and offer substantial resources that will help you succeed. Because each federal agency has its own procedures, it is important that you discuss any *pro bono* project with your agency's *pro bono* representative and ethics office before starting to volunteer.

Throughout the year, our program will offer opportunities to assist you in your *pro bono* endeavors. We hope to provide information sessions on various topics relevant to *pro bono* practice, schedule trainings, and organize group *pro bono* opportunities where federal attorneys can volunteer together. If you would like to get involved in the development of these ideas or have questions about participating in *pro bono* activities generally, please contact Laura.F.Klein@usdoj.gov.

Thank you again for your interest in using your legal skills to help those who cannot afford an attorney. We look forward to working with you to help those in need.

Sincerely,

Laura F. Klein
Pro Bono Program Manager
U.S. Department of Justice

Chairperson
Federal Government *Pro Bono* Program

**FEDERAL GOVERNMENT *PRO BONO* PROGRAM
NEW YORK CITY
VOLUNTEER GUIDE**

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PART I

MOST COMMONLY ASKED QUESTIONS ABOUT FEDERAL GOVERNMENT ATTORNEYS AND LEGAL STAFF DOING PRO BONO WORK

MOST COMMONLY ASKED QUESTIONS ABOUT DEPARTMENT OF JUSTICE ATTORNEYS AND LEGAL STAFF DOING *PRO BONO* WORK

I. Definitions and Limitations

What types of services may I provide under the policy?

Pro bono legal work and volunteer services are broadly defined to include many different types of activities performed without compensation. Examples include, but are not limited to, services to persons of limited means or other disadvantaged persons, assistance to charitable, religious, civic, community, governmental, health, and educational organizations, services to individuals or groups seeking to protect civil rights, civil liberties or public rights, and activities seeking to improve the law or legal system.

What types of pro bono and volunteer services are prohibited?

You may not provide services that involve matters in which the federal government has a direct and substantial interest, such as immigration, public benefits, federal taxes, and veterans' benefits, among other things. In addition, any service that would conflict with your official duties is also prohibited. (See questions below on conflicts of interest.)

May I provide services to political organizations?

Yes, however, you must comply with the restrictions of the Hatch Act (5 U.S.C. § 7234) and your agency's policy concerning political activities by high-level and political appointees. It should be noted that the Office of Personnel Management has stated that it would be inappropriate to grant administrative leave to employees to engage in partisan political activities. Also, because partisan political activity is subject to more restrictive rules than other non-official activity, no partisan political activity may take place on government time or by using government property. See 5 C.F.R. Part 734.

May I represent someone in an action against the United States?

No. 18 U.S.C. § 205 prohibits you from representing another person before any court or agency of the United States, in a matter in which the United States is a party or has a direct and substantial interest. There are limited exceptions for representing your immediate family (spouse, child, and parents), fellow employees in personnel administration proceedings, and certain employee organizations in limited circumstances.

May I assist persons seeking government benefits?

Yes, in limited ways. You may provide non-representational assistance, such as filling out forms for a person seeking government benefits. However, you should be mindful that you may not contact a federal agency, with the intent to influence, on behalf of

another person except those persons permitted by 18 U.S.C. § 205(e). You may not represent a third party before any government agency.

May I prepare income tax returns?

Yes, however, you are prohibited from representing another person before the IRS in connection with a tax return.

May I assist family and friends?

Yes, provided the services you are providing fall within the definition of pro bono and/or volunteer services and you are not receiving compensation.

NOTE: Some agencies permit employees to represent family and friends in non-pro bono matters as long as the United States is not a party and the matter is not criminal in nature. You should contact your Deputy Designated Agency Ethics Official (DDAEO) if you would like to represent a family member or friend and the representation does not fall within the definition of pro bono or volunteer services.

II. Use of Position and Agency Resources

May I use my official position in connection with my pro bono and/or volunteer services?

No. You may not indicate or represent in any way that you are acting on behalf of your agency, or in your official capacity, when providing pro bono or volunteer services.

May I use office letterhead or my business cards?

No. You may not use office letterhead, business cards, fax cover sheets, etc., or otherwise identify yourself as a federal government employee in any communication, correspondence, or pleading.

May I give out my office address and telephone number?

Yes. The incidental identification of your official position or office (for example, when a street address is not sufficient to ensure mail delivery, or when receiving a telephone call) is not prohibited. You should, however, avoid meeting with your pro bono client or anyone involved in the pro bono matter in your office.

May I use the telephone and fax machine?

Limited telephone and fax calls to locations within the office's commuting area, or that are charged to non-government accounts, are permissible. However, you should be mindful that such use must not interfere with official business.

May I use e-mail or the internet?

Most agencies allow you to use internal e-mail to consult with your pro bono committee representative, your DDAEO, or other federal government employees with whom you are working on a case or program. Occasional individual e-mails to colleagues on a question related to a pro bono matter are permitted, but no group or broadcast e-mails are permitted. Reasonable use of external e-mail is also permitted as long as you indicate that the e-mail is sent in your personal, rather than official, capacity. You may also use the Internet but should first familiarize yourself with your agency's policies concerning Internet use since there are security, confidentiality and other considerations that may apply.

May I use government property in connection with my services?

Yes, if your agency has a regulation allowing for personal use of government equipment and facilities provided there is only a negligible cost to the government (such as electricity, ink, small amounts of paper, and ordinary wear and tear). When office computers, printers, and copiers are used in moderation, there is only negligible cost to the government as long as only small amounts of paper are involved and the use does not interfere with official business. You should contact your supervisor if there is any question about whether your use is "negligible."

May I ask my secretary to assist me?

No. Pro bono and volunteer services are not official duties and may not be assigned to or required of support staff.

What if my secretary offers to help?

The Department of Justice Pro Bono Manager has a central pool of support staff who are willing to provide clerical services. Your secretary should contact her to join the pool.

May I use Westlaw and other electronic computer databases?

Some agencies allow the use of Westlaw and LEXIS for pro bono research, but not all do. Check with your agency pro bono representative. Additionally, there are free online resources available to pro bono attorneys. These resources have compiled materials for pro bono attorneys which save time and research. One such site is www.probono.net/ny.

May I participate in pro bono and/or volunteer services on government time?

You are encouraged to seek pro bono and volunteer opportunities that can be accomplished outside of your scheduled working hours. However, activities may sometimes occur during the workday. Supervisors are urged to be flexible and to accommodate, where feasible, efforts of employees to do volunteer work. You may be

granted annual leave, leave without pay, or may be permitted to make up any time you are away from the office. See information about administrative leave below.

May I be given administrative leave?

Generally, it is inappropriate to pay an employee for time engaged in pro bono or volunteer services. However, in limited circumstances, it may be appropriate to excuse an employee from duty for brief periods of time without loss of pay or charge of leave. Excused absence should be limited to those situations in which the employee's services meet one or more of the following criteria: is directly related to the agency's mission; is officially sponsored or sanctioned by the agency; or will enhance the professional development or skills of the employee in his or her current position. See OPM Guidance at www.opm.gov/oca/compmemo/2002/volunteerweek.htm.

Some agencies have issued policies specifically permitting the use of administrative leave for pro bono activities, such as the Department of Justice, Department of Labor, the Department of Energy, the Department of Housing and Urban Development, the Department of Homeland Security, the Department of Veterans Affairs, the National Labor Relations Board, the Small Business Administration, the Federal Trade Commission, and others. Check with your agency pro bono representative or ethics officer to find out if your agency has such a policy.

III. Conflicts of Interest

Who should I talk to about any possible conflicts of interest?

Your Deputy Designated Agency Ethics Official (DDAEO).

What constitutes a conflict of interest?

Any activity that would:

1. Violate any federal statute, rule, or regulation, including for example, 18 U.S.C. § 201 et seq. and the Standards of Conduct at 5 C.F.R. § 2635;
2. Interfere with the proper and effective performance of your official duties, including time availability;
3. Cause a reasonable person to question the integrity of the Department's programs or operations;
4. Require your recusal from significant aspects of your official duties;
5. Create an appearance that your official duties are being performed in a biased or less than impartial manner; or

6. Create an appearance of official sanction or endorsement.

Must I get approval to provide pro bono and/or volunteer services?

YES. An employee seeking to engage in any pro bono legal work or volunteer services must follow his or her agency's procedures for outside activities. You should consult with your DDAEO regarding approval requirements.

IV. Miscellaneous

Must my client sign a retainer?

Yes. All clients in representation matters must sign a retainer letter acknowledging the fact that you are acting in your individual capacity and not on behalf of your agency. The Department of Justice Pro Bono Program Manager has a sample retainer specifically for federal government attorneys.

What about malpractice coverage?

The Federal Government does not provide malpractice coverage. Generally, volunteer programs organized by the local bar or more established referral programs provide malpractice coverage. The Federal Government Pro Bono Program only publicizes pro bono opportunities for which malpractice insurance coverage is provided.

May I participate if I am not a member of the local Bar?

You must be licensed in the jurisdiction where you seek to do pro bono work unless there is an exception provided in the local Bar rules. Seven jurisdictions currently have such an exception: the District of Columbia, Illinois, Colorado, Maryland, Texas, New Jersey, and Arizona.

DC Court of Appeals Rule 49(c)(9)(A).

<https://www.dccourts.gov/sites/default/files/matters-docs/rule49.pdf>. The form required to comply with the Rule can be found at https://www.dccourts.gov/sites/default/files/matters-docs/dcca_form9.pdf, and the attorney must file it by emailing it to rhunter@dcappeals.gov. A packet about the Rule can be found here: link

Illinois Rules Governing the Legal Profession and Judiciary - Rule 756(k).

<https://casetext.com/rule/illinois-court-rules/illinois-supreme-court-rules/article-vii-rules-on-admission-discipline-of-attorneys/part-b-registration-and-discipline-of-attorneys/rule-756-registration-and-fees-effective-january-1-2022>

Colorado Court Rules Governing Admission to the Bar Rule 204.6.

<https://casetext.com/rule/colorado-court-rules/colorado-rules-of-civil-procedure/chapter-18-rules-governing-admission-to-the-bar/rule-2046-pro-bono-counsel-certification>.

Maryland Rules of Procedure, Rules Governing Admission to the Bar of Maryland, Rule 19-218.

<https://govt.westlaw.com/mdc/Document/N444A9B003C0211E6A91396A739D63AEE?vie>

[wType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](#)

Texas New Opportunities Volunteer Attorneys Pro Bono Program.

https://www.texasbar.com/AM/Template.cfm?Section=Legal_Access_Division&Template=/CM/HTMLDisplay.cfm&ContentID=42304.

New Jersey - Rules Governing the Courts of the State of New Jersey, Rule 1:21-3(c).

<https://njcourts.gov/attorneys/assets/rules/r1-21.pdf>

Arizona Rules for Admission of Applicants to the Practice of Law Rule 38(e).

https://www.azcourts.gov/Portals/26/admis/2012/Miscellaneous/Rule_of_Admission.pdf.

Are there activities I can do that do not involve client representation?

Absolutely! Government attorneys regularly staff brief advice and nonrepresentational clinics. At these clinics, attorneys provide brief advice and referral for clients on a walk-in basis and do not take on the cases.

What if I have never done any pro bono work before?

It is never too late to start doing pro bono work. There are lots of resources and support to help you. First, you can start by going to a training. Many legal services organizations host trainings throughout the year on substantive areas of law that are designed for attorneys who are new to the subject area. Second, many legal services organizations assign mentors to government attorneys to help you with your work. Third, probono.net and local legal service providers have terrific manuals, sample forms, and a pleadings bank that you can use. Many attorneys start by co-counseling their first pro bono case. And you don't have to start by taking a case – you can attend a brief advice clinic, volunteer at an intake site, draft a will, or do a range of other activities.

Is there a committee to oversee this program?

Yes. The Interagency Pro Bono Working Group has been established to assist federal agencies in developing pro bono policies and programs. The Working Group also organizes events to encourage more government attorneys to participate in pro bono work. The Working Group is chaired by the Department of Justice Pro Bono Program Manager and includes representatives from both large agencies, such as the Department of Transportation, and smaller agencies, such as the Office of Government Ethics.

How do I find out who my pro bono representative is?

Contact the DOJ Pro Bono Program Manager, Laura Klein, at Laura.F.Klein@usdoj.gov.

PART II

LEGAL SERVICES ORGANIZATIONS

Brooklyn Bar Association Volunteer Lawyers Project, Inc.

44 Court Street, Ste. 1206

Brooklyn, NY 11201

(718) 624-3894

<http://www.brooklynbar.org/vlp>

Contact Sarah Burrows, sburrows@brooklynvlp.org

The Brooklyn Bar Association Volunteer Lawyers Project assists Brooklyn residents who are financially eligible and are in need of legal assistance.

Opportunities Offered:

Direct Representation: The Brooklyn Bar Association Volunteer Lawyers Project offers opportunities for representation in family law, foreclosure intervention, and guardianship for intellectually or developmentally disabled individuals. Brooklyn VLP provides the pro bono attorney with support throughout the case, including templates, resources, and supervision. In addition, experienced practitioners in each of the referral areas serve as mentors to all *pro bono* attorneys.

Uncontested Divorce Program: *Pro bono* attorneys assist *pro se* litigants in filing for uncontested divorces. This program occurs during normal business/court hours.

Prepare Wills, Health Care Proxies, and Powers of Attorney: Attorneys prepare these life planning documents for people who cannot afford to pay for them.

Civil Legal Advice & Resource Office (CLARO): Brooklyn VLP's CLARO project is similar to other borough CLARO projects in that it is a weekly advice-only clinic for *pro se* defendants with consumer debt cases. This project operates on Thursdays from 2:30-4:30 p.m. and from 6:00-8:00 p.m. Attorneys not admitted in NY may participate in this program.

National Grid Foundation Senior Legal Education and Assistance Program

(LEAP): *Pro bono* attorneys visit senior centers in Brooklyn to discuss the importance of Advanced Directives, i.e. Healthcare Proxies, Living Will, Powers of Attorney and Wills. Attendees wishing to execute a Healthcare proxy will be able to do so with the attorney.

Does the organization offer malpractice insurance? Yes.

Training: The Brooklyn Bar Association Volunteer Lawyers Project provides CLE trainings, both live and DVD, and training manuals to *pro bono* attorneys for all opportunities. New *pro bono* attorneys also shadow experienced *pro bono* attorneys before working on their own.

Supervision/Mentoring: The supervising attorney is on-site during clinics to assist *pro bono* attorneys. Brooklyn VLP attorneys provide supervision and mentoring as needed.

Other Resources: *Pro bono* attorneys are permitted to use Brooklyn VLP's offices for client meetings.

City Bar Justice Center

42 West 44th Street
New York, NY 10036
(212) 382-4713

Pro Bono Opportunities Contact: Cassandra Celestin

CCelestin@nycbar.org

The City Bar Justice Center (CBJC), the largest division of the City Bar Fund which is the nonprofit affiliate of the New York City Bar Association, furthers access to justice by addressing unmet civil legal needs of New Yorkers struggling with poverty and systemic socioeconomic barriers. CBJC mobilizes law firms, corporate legal departments, and other legal institutions to provide pro bono legal services; educates the public on pertinent legal issues; fosters strategic community relationships; and impacts public policy. CBJC's dozen civil justice projects, including the largest civil legal hotline in New York, are led by a staff of dedicated attorneys and professionals who each year, provide more than 24,000 New Yorkers with high-quality civil legal services through brief advice and information, referrals, and both limited scope and extended representation.

Opportunities Offered:

Cancer Advocacy Project (CAP): CAP provides cancer patients, survivors, and their families with legal information and pro bono assistance on issues relating to advance directives, wills, health insurance appeals and cancer-related employment discrimination.

Civil Court Project: This project provides brief services assistance to unrepresented litigants with small claims, name change, consumer debt, and other civil matters through Brooklyn and Manhattan Civil Court's Help Center.

Elderlaw Project (ELP): ELP aims to maintain the dignity and independence of elderly people by providing clients with end-of-life planning assistance. ELP also provides community education on areas of law that are important to seniors.

Federal Pro Se Legal Assistance Project: The Federal Pro Se Legal Assistance Project is housed in the United States District Court for the Eastern District of New York. The Project assists pro se litigants with civil legal matters through review of papers, drafting assistance, research, referrals and advising.

Homeowner Stability Project (HSP): HSP provides legal assistance to homeowners threatened with the loss of their home including foreclosure and predatory practices.

Legal Clinic for the Homeless (LCH): LCH provides advice, advocacy, and representation to residents of homeless shelters on a variety of matters related to public benefits.

LGBT Advocacy Project: The LGBT Advocacy Project offers free legal advice and representation to LGBT New Yorkers in the areas of family and marital law, life planning, discrimination, housing and foreclosure, and transgender name and gender changes.

Monday Night Law Program: This program is provided by the New York City Bar Association's Monday Night Law/Moderate Means Committee with support from the New York City Bar Legal Referral Service and the City Bar Justice Center. Volunteers provide 30-minute consultations to

answer legal questions in landlord/tenant housing law, family law, small business matters, consumer, and employment law.

Neighborhood Entrepreneur Law Project (NELP): NELP provides legal assistance to microentrepreneurs with matters such as incorporation, contracts, and intellectual property rights to ensure their businesses start off on sound legal footing.

Planning and Estates Law Project (PELP): PELP provides legal advice and assistance to New Yorkers with matters pertaining to end-of-life planning, wills and estates.

Does the organization offer malpractice insurance? Yes.

Training: Each project is directed by an attorney who provides substantive law training relevant to the project. CBJC trainings are a prerequisite for all volunteer attorneys and occur when a volunteer agrees to take on a case.

Supervision/Mentoring: Supervision and mentoring are provided for all pro bono opportunities.

Other Resources: Pro bono CLE credit is available for qualifying pro bono work. Substantive CLE credit may be available for trainings depending on the project. Paralegals and attorneys licensed in states other than New York may be able to participate in City Bar Justice Center's pro bono programs on a case-by-case basis depending on the project director's supervisory availability and project needs. Beginning in Fall 2021, CBJC will operate a combination of in-person as well as remote pro bono opportunities.

Justice Resource Center

122 Amsterdam Avenue, Room 504A

New York, NY 10023

(212) 580-5905

Contact: Debra Lesser, Dlessler@schools.nyc.gov

The Justice Resource Center is New York City's leading provider of law-related and civic education programs and curricula for the school-age population. The Justice Resource Center offers a wide array of comprehensive programming, professional development, and curriculum materials, accompanied by school-level implementation support. The Justice Resource Center's dynamic, student-centered civic education programs cultivate future leaders, as students from elementary to high school take ownership of their rights and responsibilities as citizens. The Justice Resource Center's comprehensive law-related curricula, which focus on the practical knowledge students will take with them into their post-secondary education, are ideal for both existing and start-up law academies.

Opportunities Offered:

New York High School Mock Trial Tournament: This program is organized by the New York State Bar and coordinated by the Justice Resource Center in NYC. *Pro bono* attorneys are sought to serve as coaches to the student competitors and judges for the trials. Competitions are held in the evenings on zoom until it is safe for in-person matches in the federal courthouses.

MENTOR Moot Court: The Justice Resource Center, in partnership with Fordham law school administers a citywide high school MENTOR moot court competition. Lawyers serve as coaches or judges. Judging is during the day at Fordham Law school. Coaching takes place after-school hours. To date, this has been held virtually.

Judiciary and the Arts. Judiciary and the Arts, is a project of the *Justice For All: Courts and the Community* initiative in partnership with the Justice Resource Center ("JRC") and the New York City Department of Education Office of Arts and Special Projects ("OASP"). The Matisse Foundation has provided support to the JRC for this project. The goals of the project are to introduce students to the organization and functions of the federal judiciary, and to encourage students to learn about the historic and present-day role of the federal courts in the development of the law in the United States through the visual arts. Projects include designing a modern courthouse, developing art work based on equal protection clause or the oath of office. Lawyers could serve as virtual guest speakers or can assist the teacher with legal resources.

We The People: The Citizen and The Constitution. The primary goal of We the People: The Citizen and the Constitution is to promote civic competence and responsibility among the nation's elementary and secondary students. What makes the program so successful in reaching that goal is the design of its instructional program, including its innovative culminating activity, the simulated congressional hearing. The instructional program enhances students' understanding of the

institutions of American constitutional democracy. At the same time, students discover the contemporary relevance of the Constitution and the Bill of Rights.

The JRC serves as the New York State coordinator of the national We The People program. Lawyers could serve as judges for the statewide competition that is held each year in January. Lawyers receive questions in advance enabling students to display their in-depth understanding of the Constitution.

Guest Speakers. The Law Cluster schools invite lawyers in-person or virtually to the classroom to present on a topic related to the law curriculum. Visits are 40 minutes or, if more than one class, 80 minutes. Lawyers can also serve on designated career days.

Does the organization provide malpractice insurance? Not applicable.

Training: Orientation sessions are held for coaches and judges for the mock trial program.

Other Resources: The Justice Resource Center provides curriculum materials for *pro bono* attorneys.

Legal Services NYC

40 Worth Street, Suite
606 New York, NY
10013 (646) 442-3600

<http://www.legalservicesnyc.org>

Contact: Adam Heintz, aheintz@ls-nyc.org, 646-442-3582

The neighborhood offices of Legal Services for New York City (“LSNYC”) provide representation in civil legal matters to poor persons who meet the financial eligibility and other guidelines established by the Legal Services Corporation and other grantors.

Opportunities Offered:

Housing Repair Actions: Thousands of low-income New Yorkers live in apartments that are in a state of shocking disrepair: without functioning appliances, exposed to wind and water, insufficiently heated, or infested with mold and vermin. Landlords who refuse to fix these conditions are in violation of the New York City Building Code. Yet virtually no tenants who attempt to enforce that code can afford an attorney. These cases provide experience for attorneys seeking experience arguing in court, negotiating with opposing counsel, drafting papers, and working with clients. They also have a major impact on client’s lives. Matters usually take no more than 25 hours, and, if an early settlement is achieved, may take less than 10. LSNYC will mentor and is happy to co-counsel.

Child Support Project: If there is sufficient *pro bono* attorney interest, LSNYC will create a child support project to represent clients in child support proceedings. Training and mentoring for this project will be provided by LSNYC staff attorneys. Training would occur when the project receives sufficient interest from *pro bono* attorneys. After training, *pro bono* attorneys will be referred cases. Depending on the matter, most work can be done at the *pro bono* attorney’s convenience. *Pro bono* attorneys can provide guidance to clients who can participate in these proceedings *pro se*. Alternatively, in child support cases that are more complex, *pro bono* representation is essential. Such opportunities could provide *pro bono* attorneys with trial experience. Opportunities for appellate and policy work in this area are also significant.

Does the organization offer malpractice insurance? Yes.

Training: Appropriate training is provided for each project and conducted by LSNYC staff attorneys, with the exception of CLARO training, which is provided through The Feerick Center. Training frequency depends on the project. CLE credit is available for training.

Supervision/Mentoring: *Pro bono* attorneys are supervised and mentored by LSNYC staff attorneys, with the exception of the Family Law/Domestic Violence project, in which *pro bono* attorneys are supervised and mentored by attorneys from inMotion and the CLARO

project, in which *pro bono* attorneys are supervised and mentored by The Feerick Center.

Other Resources: LSNYC offers sample materials for *pro bono* attorneys to use, as well as office space and Westlaw access when possible.

Mobilization for Justice, Inc. Kinship Caregiver Law Project

100 William Street, 6th Floor

New York, New York 10038

<http://mobilizationforjustice.org/>

Contact: Jacqueline Adorno, jadorno@mfjlegal.org, 212-417-3806

In New York City, approximately 200,000 children are being raised by grandparents, other relatives and friends because their biological parents are unable or unwilling to care for them. By formalizing these relationships, Mobilization for Justice promotes children's wellbeing and helps to secure additional supports for caregivers, all of which prevents children from entering the foster care system. In addition to handling custody, guardianship, and visitation cases, MFJ attorneys train private *pro bono* lawyers from law firms and corporations to provide assistance in adoption proceedings.

Opportunities Offered:

Direct representation: Direct representation of clients from all over the city, typically involving one formal court appearance in NY Family Court or NY Surrogate's Court (for adoption cases in New York County). Many cases will be uncontested and primarily transactional, and involve 25-35 hours of work total. There may also be more complex cases involving adversarial litigation, which will take approximately 50-60 hours or more to complete.

Does the organization offer malpractice insurance? Yes.

Training: Periodic training sessions providing an overview of relevant law are available.

Supervision/Mentoring: An MFJ mentor will be assigned to each *pro bono* matter for ongoing support. MFJ attorneys make themselves available to review litigation papers and critical correspondence before filing, as necessary.

Other Resources: MFJ offers *pro bono* attorneys sample forms, office space for client meetings and Westlaw access if needed (although independent legal research likely not necessary in most cases). Tailored resources are also available on <http://www.probono.net>.

Mobilization for Justice, Inc. Housing Law Project

100 William Street, 6th Floor

New York, New York 10038

<http://mobilizationforjustice.org/>

Contact: Justin LaMort, jlamort@mfjlegal.org , 212-417-3882

Mobilization for Justice's housing program works on many fronts to preserve affordable housing and protect tenants' rights. We provide advice, counsel and representation to thousands of tenants each year, help organize and support tenant organizations, advocate for policies and programs to provide greater protections for tenants and to promote affordable housing, and represent tenants in eviction proceedings and Housing Part actions to obtain repairs and make apartments and buildings habitable. We also initiate affirmative litigation to enforce fair housing protections for people with disabilities.

Opportunities Offered:

Direct representation: Direct representation of tenants facing eviction or seeking to enforce housing standards in Manhattan, Brooklyn and Bronx. Cases are primarily in Housing Court, although some small percentage of our work is in New York State Supreme Court (general trial court) appellate courts, federal court, and administrative hearings. Holdover eviction proceedings generally require multiple court appearances, motion practice and discovery and could take anywhere from 20 – 60 hours depending upon the factual complexity of the case.

Legal research and writing: We present CLE and other trainings internally and externally, and our materials frequently require updating to reflect changes in the law.

Skills trainings: We are always looking for ways to improve our young staff's deposition, oral argument and trial skills.

Does the organization offer malpractice insurance? Yes.

Training: Periodic training sessions providing an overview of relevant law are available.

Supervision/Mentoring: MFJ attorneys make themselves available to review litigation papers and critical correspondence before filing, as necessary.

Other Resources: MFJ offers *pro bono* attorneys sample forms, office space for client meetings and Westlaw access if needed. Tailored resources are also available on <http://www.probono.net>.

New York State Courts Office for Justice Initiatives' Access to Justice Program

Various locations

<http://www.nycourts.gov/ip/nya2j/index.shtml>

Contact: Laurie Milder, (646) 386-5850, lmilder@nycourts.gov

NOTE: All court-based volunteer lawyer programs are currently suspended, although some may have resumed virtually. The opportunities listed below may be operating, but interested volunteers should contact Laurie Milder, lmilder@nycourts.gov, for up-to-date availability.

The number of self-represented litigants appearing in the New York State Courts has increased dramatically in recent years. In response, the court system established the Volunteer Attorney Program as a free service designed to ensure that these litigants have access to competent legal advice to guide them as they represent themselves. In addition, a Volunteer Lawyer for the Day Program was established that provides limited scope representation in courtrooms.

Volunteer Attorney Opportunities Offered:

Volunteer Lawyers Project (Housing): The Housing Volunteer Lawyer Project helps landlords or tenants with housing cases by providing advice, not full representation. The Court Help Centers offer *pro bono* opportunities during business hours, with some limited opportunities taking place after 5:00 PM. *Pro bono* attorneys are supervised on-site by the Help Center's Court attorneys.

Volunteer Lawyers Project (Civil): The Civil Volunteer Lawyers Project helps self-represented litigants with their civil and small claims cases by providing advice, not representation. The Help Center offers *pro bono* opportunities during business hours. *Pro bono* attorneys are supervised on-site by the Help Center's Court attorneys.

Uncontested Divorce Program: While under the supervision of the Supreme Court's Help Center's Court Attorneys, *pro bono* attorneys assist unrepresented litigants in the preparation of uncontested divorce papers to enable them to accomplish divorce through the State Supreme Court. *Pro bono* attorneys do not represent the litigants in court or file papers on their behalf. *Pro bono* attorneys use special software to create client-specific documents, but do not represent the litigants in court or file the papers on their behalf. All documents are reviewed by the Help Center Court Attorneys. *Pro bono* opportunities take place during business hours, except in Bronx County which also offers limited evening hours.

Family Court Volunteer Lawyer Program: *Pro bono* attorneys provide legal advice on support, paternity, custody, visitation, family offense and guardianship matter to unrepresented litigants in the Family Court Help Center under the supervision of the Help Center's Court attorneys. *Pro bono* opportunities take place during business hours.

Housing Volunteer Lawyer for the Day Program: Volunteer attorneys provide limited scope representation for unrepresented litigants in their nonpayment cases in Housing Court. The

representation begins and ends the same day. All volunteers are supervised on-site in the courtroom by an attorney experienced in Housing law. *Pro bono* opportunities take place during business hours.

Consumer Debt Volunteer Lawyer for the Day Program: Volunteer attorneys provide limited scope representation for unrepresented consumer debtors in Civil Court. Volunteer attorneys represent litigants during settlement negotiations and in vacating default judgments. The representation begins and ends the same day.

All volunteers are supervised on-site in the courtroom by an attorney experienced in Consumer Debt law. *Pro bono* opportunities take place during business hours.

Non-Lawyer Volunteer Opportunities Offered:

Court Navigator Program: *Pro bono* college students, paralegals and retirees serve as Court Navigators in NYC Housing Courts to support unrepresented litigants during their court appearances in landlord-tenant cases. These specially trained and supervised non-lawyers provide general information to unrepresented litigants. In addition, Court Navigators provide moral support to litigants, help them access and complete court forms, assist them with keeping paperwork in order, in accessing interpreters and other services, explain what to expect and what the role of each person is in the courtroom. Court Navigators are also permitted to accompany unrepresented litigants into the courtroom. *Pro bono* opportunities take place during business hours.

Does the organization offer indemnification? Yes. All volunteers are indemnified by the State of New York.

Training: Training is offered for each opportunity and includes CLE credit for attorneys in return for 20 hours of pro bono service. Trainings are usually held during business hours and are available on DVD as well.

Supervision/Mentoring: Supervision is provided on-site for each opportunity.

Note to CA Bar Members: If you utilize the waiver of your CLE requirement based on your status as an attorney employed by the federal government, CA State Bar Rule 2.54, you may participate in *pro bono* activity only with organizations which receive funding from the Legal Services Corporation or IOLTA funds. The NYS Access to Justice Program is not funded by either of these sources and therefore does not qualify. If you choose to volunteer with this organization, you may jeopardize your waiver of the CLE requirement. Please contact Laura Klein, DOJ Pro Bono Program Manager, at Laura.F.Klein@usdoj.gov, with any questions about this issue.

Small Claims Arbitrators Association

111 Centre Street, Rm 1258

New York, NY 10013

917-482-3593

<https://scaa/mystrikingly.com>

Contact: Darren Marks, darren@smallclaimsarbitrators.com

The Association of Arbitrators of the New York City Civil Court, Small Claims Part was founded in 1970, and is the only bar association that exists solely to service the court system. The volunteer attorneys come from every area of practice including corporate, criminal, government, and private practice. Each arbitrator brings a unique perspective and experience to the court. Arbitrators handle all types of matters from small corporate claims to dry cleaning disputes. The main purpose of the association is to provide education and support to the nearly 2000 lawyers who serve as pro bono arbitrators in the New York City Civil Court, Small Claims Part.

Opportunities Offered:

Arbitration: Join the over 2800 Small Claims Court Arbitrators in New York City who preside over 95% of the cases heard in the Small Claims Court. With the consent of the parties, a volunteer Arbitrator hears and decides everyday New Yorkers' Small Claims disputes. Arbitrators handle all types of matters from small corporate claims to dry cleaning disputes.

Does the organization offer malpractice insurance? Not required as this opportunity is a service to the court, not a client.

Training: Attorneys interested must be admitted to the New York State bar at least five years and complete training consisting of a two-hour class (in which you earn two free CLE credits) plus one or two evenings observing an experienced arbitrator. Once you have completed the training, you will be sworn in and may choose where and how often you would like to sit throughout the year.

Supervision/Mentoring: The supervising attorney is on-site to assist *pro bono* attorneys.

NOTE: Volunteers must join the Association, which has an annual dues requirement.

Queens Volunteer Lawyers Project, Inc.

90-35 148th Street

Jamaica, NY 11435-4097

(718) 291-4500 ext. 225

www.qcba.org/pro-bono

Contact: Mark Weliky, MWeliky@QCBA.org

The Queens Volunteer Lawyers Project, Inc., (“QVLP”) is a nonprofit legal assistance program sponsored by the Queens County Bar Association. QVLP is dedicated to providing attorneys on a *pro bono* basis to residents of Queens County who cannot afford to retain a private attorney to resolve their civil legal problems. QVLP is accepting volunteers, and is currently operating virtually and at a reduced level due to COVID.

Opportunities Offered:

Full Legal Services: QVLP offers opportunities for representation with respect to uncontested divorces, landlord-tenant issues, wills (no probate or estate work), healthcare proxies and powers of attorney. Once a client has been screened and accepted, QVLP contacts participating *pro bono* attorneys via e-mail requesting a *pro bono* attorney to handle the matter. Hours of work are determined by the *pro bono* attorney.

Limited Scope Legal Services:

- **Civil Legal Advice & Resource Office (CLARO) - Consumer Debt Clinic:** This CLARO project is similar to other borough CLARO projects in that it is a weekly advice-only clinic for *pro se* defendants with consumer debt cases.
- **Queens Foreclosure Settlement Conference Project:** *Pro bono* attorneys represent homeowners at court mandated foreclosure settlement conferences. Settlement conferences are generally scheduled on Monday, Tuesday, Wednesday and Thursday mornings.

Does the organization offer malpractice insurance? Yes.

Opportunities for Paralegals and Attorneys not licensed in NY: There are administrative and clerical tasks which paralegals can volunteer to do. Attorneys licensed in other states may be able to do intake/triage with people seeking assistance at the CLARO clinic.

Training: QVLP provides CLE training to *pro bono* attorneys utilizing DVD and training manuals in the areas of consumer debt and foreclosure. Recorded materials also are available in the other areas of law offered by QVLP. Training manuals and materials are available for uncontested divorces. CLE credits are available for training and for services provided. *Pro bono* attorneys can earn one CLE credit for every two-50 minute hours of service, up to a maximum of ten service hours per biennial reporting period.

Supervision/Mentoring: The *Pro Bono* Coordinator and experienced attorneys are available to support *pro bono* attorneys. New *pro bono* attorneys can also shadow experienced *pro bono* attorneys before working on their own.

VOLS

40 Worth Street, Ste. 820
New York, NY 10013-2904
212-966-4400

www.volsprobono.org

Contact Mai Toyohara, mtoyohara@volsprobono.org

Volunteers of Legal Service (VOLS) harnesses the power of New York City's legal community and neighborhood-based groups to provide free, civil legal services when and where they are needed most. VOLS' public interest staff attorneys work alongside 1,000+ pro bono lawyers and collaborate with 200+ community-based groups to address critical legal challenges in our communities. We serve New Yorkers who are unable to access legal support due to low household income or underserved socio-economic background.

Opportunities Offered:

Unemployed Workers Project - Volunteers may staff a hotline to assist people with questions about their unemployment benefits and claims. Volunteers may also represent a client at an unemployment insurance hearing before a state Administrative Law Judge. Attorneys and paralegals may volunteer.

Senior Law Project – Volunteers attorneys assist clients with drafting and executing wills, powers of attorney, advance directives, and other future planning documents. Mentors are available to review drafts and final documents. An in-person meeting to execute the documents is required. Attorneys may work individually or with co-counsel, but at least one of the counsel must be a NY Bar member. Volunteer notaries and witnesses are needed to assist with the execution of the documents.

Does the organization offer malpractice insurance? Yes.

Training: VOLS provides trainings, both live and recorded online, and training manuals to *pro bono* attorneys.

Supervision/Mentoring: The supervising attorney is available during clinics to assist *pro bono* attorneys. VOLS attorneys provide supervision and mentoring as needed in representational matters.

Volunteer Lawyers for Justice

P.O. Box 32040

Newark, New Jersey 07102

(973) 645-1951 ext. 104

<http://www.vljinj.org/become-a-pro-bono-volunteer>

Contact: Diana Onuschak, donuschak@vljinj.org

Volunteer Lawyers for Justice (“VLJ”) is a 501(c)(3) not-for-profit legal assistance program. VLJ’s mission is to improve the lives of economically-disadvantaged adults, children, and families in New Jersey by empowering them with tools, advice, and pro bono representation with the goal of securing fair and equal treatment within the legal system.

Opportunities Offered:

VLJ provides pro-bono attorneys with a variety of opportunities. The pro-bono attorney can take a full representation case, volunteer at a limited-scope legal clinic, become a mentor, and more.

Full Legal Services: VLJ provides attorneys the opportunity to represent clients who experience a variety of legal issues, such as: divorces, landlord-tenant issues, children facing issues with special education services. VLJ also caters to assisting women, children, families, veterans, and human trafficking victims and also provides services to families in Newark’s South Ward – specifically assisting families who face eviction, special education services, or family law issues. Some of the programs are listed below.

- **Children’s Representation Program** – VLJ pairs pro bono attorneys with parents and guardians who struggle to obtain special education services the child requires. The attorney would compel the school district to act through negotiation settlements or providing representation at the Office of Administrative Law.
- **Divorce Program:** Pro bono attorneys file the initial complaint paperwork, help prepare pleadings, collect necessary documentation, and file cases with the court.
- **Tenancy Program:** Pro bono attorneys advise tenants who are behind in rent, who are facing eviction, and/or tenants who are experiencing habitability issues.

Does the organization offer malpractice insurance? Yes. VLJ provides malpractice insurance in the amount of \$1,000,000 on all pro bono cases referred by the office.

Opportunities for Paralegals and Attorneys not licensed in NJ: Non-attorneys can provide assistance in a number of ways, such as help VLJ clients complete paperwork and interpretation. Attorneys licensed in other states can volunteer with VLJ. Before starting, the attorney must

send the following to VLJ: (1) letter of good standing from the state in which you are admitted; and (2) proof of graduation (degree/transcript)

Training: VLJ hosts regular trainings on a variety of legal issues. VLJ also maintains a library of previous trainings that volunteers can access through the Volunteer Resource Portal.

Supervision/Mentoring: The staff attorneys at VLJ are available to support pro bono attorneys.

Other Resources: VLJ provides pro bono attorney with a referral network for pro bono and low-cost services, including interpreters, process servers, court reporters, legal research platforms, law students who can provide research and support, and experts. Resources are limited, so VLJ cannot guarantee that client will have every service needed during the course of a case, but VLJ will help find alternatives. VLJ also has a conference room space available for meetings with clients in their Newark office.