



MID-MISSOURI LEGAL SERVICES CORPORATION

Mid-Missouri Legal Services Corporation Proposed 2023 Private Attorney Involvement Plan

Introduction

Mid-Missouri Legal Services (MMLS) delivers legal services to eleven (11) counties in central Missouri. Due to the unique challenges of serving a primarily rural area, MMLS has developed a plan to use volunteers in a variety of ways to expand the reach and effectiveness of the program. MMLS takes into consideration the input from segments of the client community, private attorneys, and bar associations in the development of its annual Private Attorney Involvement Plan. Any responses to MMLS's Proposed 2023 Private Attorney Involvement Plan can be submitted to dunhamk@mmls.org.

The Private Attorney Involvement (PAI) Program

Private and other attorneys assist MMLS clients through the MMLS Pro Bono Panel, the MMLS Judicare (Reduced Fee) Panel, the MMLS Uncontested Divorce Clinic, and Pro Bono Mentoring.

Pro Bono Panel: Attorneys involved in this program choose to volunteer their time by representing or providing brief services to MMLS clients. Cases are carefully screened by MMLS's intake staff and the MMLS PAI Coordinator to ensure that cases assigned to pro bono attorneys are largely without complication in order to limit the time commitment required. Pro Bono opportunities also include volunteering at clinics that MMLS organizes with community partners. Attorneys on the MMLS Pro Bono Panel are provided with malpractice protection through the Missouri Legal Expense Fund [§105.711.2(5) RSMo].

Judicare (Reduced Fee) Panel: This program pays private attorneys at a rate of \$70/hour, up to a maximum amount based upon case type as set forth in the Board-approved PAI Manual, to provide legal representation to MMLS clients. Cases are screened by MMLS intake staff and the PAI Coordinator to keep the time required under the maximum billable hours. Judicare attorneys must be in good standing, must be approved by MMLS's Board of Directors, and must provide proof of current malpractice insurance.

Uncontested Divorce Clinic: Attorneys may sign up for the UDC volunteer list which will be used to request and schedule volunteers to participate in the clinic. Volunteers will spend roughly two hours assisting a client in preparing pro se dissolution forms approved by the Missouri Supreme Court, an In Forma Pauperis motion, a script for presenting their case to the judge, and, if necessary, service

instructions or an affidavit for service by publication. An MMLS staff attorney is present to assist pro bono attorneys and to answer questions that may arise.

Pro Bono Mentoring: Attorneys not wishing to provide direct representation to clients may volunteer their time to mentor less seasoned pro bono volunteers. The mentor relationship consists primarily of brief phone conversations assisting the pro bono attorney, usually attorneys newly admitted to the bar, in learning the ins and outs of the particular type of case the pro bono attorney is handling. Time commitment is expected to be less than an hour per month.

Law Student Volunteer Opportunities

MMLS maintains a close relationship with the University of Missouri, School of Law, providing opportunities for students to gain hands-on experience working with clients, and providing MMLS's clients added support. All students involved in the Volunteer Lawyers Project are supervised by a MMLS attorney. All students who will be representing clients in court or an administrative tribunal must be Rule 13 certified.

Housing Clinics: Students may enroll, each semester, in clinics and/or practicums to assist clients, under the supervision of MMLS staff attorneys. Participation in clinics and practicums is subject to approval by the appropriate instructor or dean.

Externships/Internships: As resources permit, MMLS utilizes law students to provide research and investigative support to MMLS attorneys, as well as representing clients in court or administrative tribunal under the supervision of a MMLS staff attorney.

Uncontested Divorce Clinic: Law students, as well as attorneys, may volunteer to assist clients in the Uncontested Divorce Clinic.

PAI Priorities

Pro Bono: MMLS refers clients to pro bono attorneys for full representation in any type of civil law case, other than criminal or fee-generating cases, or cases otherwise prohibited by LSC regulations, in which a pro bono attorney is willing to assist.

Judicare (reduced fee): MMLS accepts clients for Judicare representation in cases involving divorce, paternity/custody, wills, beneficiary deeds, powers of attorney, bankruptcy, uncontested adult guardianship, landlord/tenants issues, and legal counseling/document preparation for initiation or expansion of small businesses.

Intake, Screening, and Referral

All potential clients are screened by MMLS staff. The screening is designed to determine whether the applicant's legal problem falls within MMLS's geographic service area and case priorities and whether the applicant qualifies financially for program representation. The PAI Coordinator gathers additional information about the applicant's case to determine appropriateness for PAI representation by a Pro Bono or Judicare attorney or through one of the PAI clinics.

Once a client's request has been determined to be appropriate for referral, the client receives an Agreement and Referral Authorization to review, sign, and return to MMLS. Upon receipt of the signed Agreement and Referral Authorization, the PAI Coordinator reviews the PAI panels to locate an appropriate attorney and sends the potential attorney a referral form. Upon review of the referral, the attorney decides whether to accept or reject the case. If the attorney accepts the referral, the PAI Coordinator sends a confirmation letter with the client's case information. The PAI Coordinator sends the client notice that the case has been accepted with instructions to contact the attorney.

Conflicts

The PAI Panels will not accept for referral any matter in which MMLS or the PAI panel member is representing a party with a separate adverse interest in that matter. MMLS conducts conflicts checks on applicants and the opposing party, using names, social security numbers, and addresses to ascertain whether a potential conflict exists. Prior to undertaking representation, PAI attorneys will conduct conflict checks within their own firms. If an attorney has a conflict, an attempt will be made to place the client with another attorney. If a referral attorney is not available, the applicant is referred to the Missouri Lawyers Help website.

Oversight

The PAI Project maintains a client file on all open cases until the matter is resolved. Each file is incorporated into a tickler system for review. Clients are contacted after ten days to ensure that they have made contact with their assigned attorney. Attorneys provide case status reports three months after assignment, as well as in July and in December. If the volunteer attorney has any questions or needs additional resources, MMLS will provide the necessary information and resources, or connect the volunteer to the appropriate Staff Attorney.

Resources for Volunteers

PAI attorneys and approved volunteers will be provided access to MMLS's form bank, library and, as resources permit, use of MMLS office space and computers to work on PAI cases. PAI attorneys also will have access to MMLS attorneys for mentoring, advice, and guidance in cases referred by MMLS.

Plan Goals and Objectives for 2023

MMLS will continue to conduct the PAI program activities and follow the procedures as described in the Current Program Overview. In addition, MMLS recommends the following objectives to meet the needs in 2023.

- I. Improve private attorney recruitment
 - a. Continue to distribute informational materials to local bar associations and committees describing the Pro Bono and Judicare opportunities and the benefits, particularly for newer attorneys looking to gain experience and learn from mentors.

- b. Attend conferences and meetings for practice areas relevant to the priority issues identified in the MMLS legal needs assessment, including family law and guardianships, to distribute information about MMLS's PAI Program and recruit volunteer attorneys.
 - c. Continue outreach to recent law school graduates, congratulating them and informing them of the opportunities and benefits of participating in the Judicare and other PAI panels.
 - d. Continue recruiting retired or semi-retired attorneys interested in continuing to contribute to the law.
 - e. Identify ways that technology can improve efficiency of record-keeping and billing for Judicare attorneys, increase awareness of the services available through the PAI program, and increase remote access to the PAI programs.
 - f. Collaborate with community partners to plan pro bono legal clinics that provide private attorneys an opportunity to volunteer on a one-time or short-term basis.
- II. Improve law student participation
- a. Continue to participate in career events, panels, and workshops at the University of Missouri, School of Law to recruit law students to participate in clinics and to encourage students to continue pro bono service as a part of their legal practice.
 - b. Provide training to law students on topics such as working with low-income clients, client interview skills, and procedures for clinics and internships.
 - c. Continue housing clinic and internship programs, and identify methods to improve the students' learning experience.
- III. Improve Pro Bono Recognition
- a. Continue to nominate volunteer attorneys for existing recognition opportunities through the Missouri Bar, local bar associations, and other awards for volunteers.
 - b. Recognize active and long-time volunteer attorneys, such as publicizing an attorney's volunteer work through the media, legal newsletters, and social media.