

PRO BONO LAWYER ORIENTATION MANUAL

FEBRUARY 2022















COMMUNITY LEGAL SERVICES of MID-FLORIDA

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Welcome to CLSMF!

"Lawyers have a license to practice law, a monopoly on certain services. But for that privilege and status, lawyers have an obligation to provide legal services to those without the wherewithal to pay, to respond to needs outside themselves, to help repair tears in their communities."

– U.S. Supreme Court Associate Justice Ruth Bader Ginsburg (March 2014)

Welcome to the Community Legal Services of Mid-Florida (CLSMF) team. With this decision, you are now not only among the 5% of Florida lawyers who take a qualified pro bono case annually, but we consider you an integral partner in our mission to provide no-cost legal services to the most vulnerable in Central Florida to help them protect their families, health, and livelihood. You will find that the staff at CLSMF are passionate about the work we do. Nothing brings us more joy than to see the relief on our client's faces when their lives are improved by our services. The commitment you are making right now to provide assistance, will have a great impact on the lives of the most vulnerable in our community.

We are invested in our relationship with you and hope that you find it brings you value. We believe that the service you provide to our clients is so important, we want to make sure we support you in every way possible. We provide primary malpractice coverage and will cover litigation expenses for any matter you agree to handle. We also are able to provide research assistance, sample forms, training, continuing legal education, co-counseling, and mentors. We would be honored to promote the work you do by sharing the stories of the lives you have touched and connect you to the greater network of lawyers from across the state. If at any time there is something you need that will help you help our clients, please do not hesitate to ask a member of our pro bono team. It is our goal to provide continued support to you during the entirety of the case you are handling.

On behalf of CLSMF and of all the people we serve, I would sincerely like to thank you for taking this important first step – standing up and saying, "I will." We look forward to fostering an ongoing relationship with you that truly reflects service for the public good, the purpose of our profession.

Thank you for your service.
In gratitude,

Jeffrey D. Harvey, Esq.
Chief Executive Officer

This manual is designed to introduce pro bono lawyer volunteers to Community Legal Services of Mid-Florida's (CLSMF) work and ways to engage and serve Central Floridians.

Community Legal Services of Mid-Florida (CLSMF)

Organizational Overview: Mission, Services & Impact

Community Legal Services of Mid-Florida (CLSMF) is a full service civil legal aid law firm with a mission "to provide no-cost legal services to the most vulnerable in Central Florida and to help them protect their families, health, and livelihood." CLSMF was formed when three existing programs merged in 2004 (Volusia County Legal Services founded in 1966, Greater Orlando Area Legal Services founded in 1977, and Withlacoochee Area Legal Services founded in 1980). With the merger of those organizations, CLSMF became the lead agency serving Central Floridians to protect their livelihoods, their health, their homes and their families.

CLSMF makes it easier for the most vulnerable and disenfranchised members of our community to access legal information, gain legal assistance and representation, and to understand their rights. CLSMF lawyers and advocates can help solve legal issues related to consumer protection, debt and creditors, family law, children and education, domestic violence, elder abuse and neglect, health and income-related benefits, housing, and veterans' benefits. We work to respond to the most pressing needs in our community.

Through these services, each year we help thousands of clients obtain and maintain the basic necessities of life, including food, shelter, health care, safety and education. *But nearly one million people in Central Florida qualify for CLSMF's services.* To help meet that gap, CLSMF's Vision is "to be a trusted law firm and leader in serving the needs of our community through powerful representation, partnerships and innovation." Partnerships with pro bono lawyers strengthens our impact to reach more people to resolve urgent legal problems that make a difference in their everyday lives, such as protecting the elderly from unlawful evictions, making sure women and children are protected from violence in their homes, and helping veterans receive financial benefits they have earned and need.

CLSMF Service Areas & Eligibility Guidelines

CLSMF is one of the largest nonprofit law firms in Florida. We have approximately 100 staff including lawyers, advocates, and support staff who work in 11 offices serving 12 counties in Central Florida: Brevard, Citrus, Flagler, Hernando, Lake, Marion, Orange, Osceola, Putnam, Seminole, Sumter, and Volusia.



The first criteria for CLSMF services is that the legal problem must have occurred in one the 12 service areas. Our clients must meet eligibility requirements based on income, assets and family size, with services offered to those living below or at 125% of the federal poverty guidelines. In some counties and in some cases, victims of housing discrimination, victims of domestic violence and elderly clients may not be subject to the income guidelines.

Financial Support of CLSMF

The primary sources of funding for CLSMF are the Legal Services Corporation (LSC), The Florida Bar Foundation (FBF), United Way of Marion County, Department of Housing and Urban Development (HUD), individual donors, law firms, businesses and state and local governments. With LSC as our largest funder, many of our guidelines are set by this federal funding program, which was founded in 1974. While federal rules pose limitations on the types of legal services provided, below are the most notable restrictions:

- No representation in criminal cases;
- No participation in any class actions;
- No lobbying or organizing activity;
- No representation of non-U.S. citizens unless permanent resident, victim of domestic violence, trafficking or other abuses, or other special situations;
- No representation in civil cases for people currently incarcerated.

For more information, visit http://www.lsc.gov.

Benefits to Working with CLSMF

CLSMF's pro bono lawyers report the top motivations for engaging in pro bono work is "*helping people in need*," and "*it makes me feel good and connected to the community*." We know that you will feel the same benefits from joining the pro bono ranks at CLSMF, but below are even more reasons to partner with CLSMF.

Diverse Range of Opportunities

There is a wide and diverse range of opportunities to partner with CLSMF. Pro bono staff will partner with you to find the right opportunity that will fit your schedule and level of expertise.

Training and Continuing Legal Education

All pro bono lawyers are provided information on Continuing Legal Education (CLE) opportunities that are offered at no cost. Pro bono lawyers are invited to CLE trainings offered by CLSMF and partners to increase legal knowledge and skills in our areas of focus. We have a wide range of legal advice checklists and pro se pleadings for pro bono lawyers to use in providing legal services to clients.

Mentoring and Support

CLSMF is fortunate to have a committed and talented pool of staff and pro bono lawyers. CLSMF can arrange mentoring sessions on a range of legal topics with current pro bono lawyers or CLSMF staff lawyers. Pro bono staff is available throughout the duration of a pro bono lawyer's involvement and are ready to connect you to the support you need to serve CLSMF's clients.

Malpractice Insurance and Reimbursements

CLSMF provides primary coverage malpractice insurance for lawyers representing pro bono clients referred by the organization. We also provide reimbursements for reasonable case-related costs, such as printing, mailing costs, litigations fees and more. Should any litigation expenses be incurred, you will provide us with an invoice for reimbursement, although any single cost exceeding $75.00 will need prior approval from CLSMF. Additionally, there are times that we can identify pro bono resources, particularly for mediation purposes, so CLSMF staff must be contacted before scheduling mediation. If a client is unable to pay for any filing fees or associated costs, they can complete an Application for Determination of Civil Indigent Status.

Cross-Referral Relationships

We will accept referrals from pro bono lawyers to screen potential clients for eligibility for CLSMF services.

Volunteer Opportunities

Direct Case Referrals: Extended and Limited Representation

Clients needing representation are referred directly to CLSMF pro bono lawyers. Participation in this opportunity means you make yourself available to review and (hopefully!) accept referrals for clients with legal needs requiring representation beyond a limited engagement. You choose which areas of law you participate in based on your legal practice expertise. For volunteer lawyers wishing to expand their skill level and gain practical experience, training opportunities will be identified.

Some referrals are for cases requiring extended representation. Other referrals are more limited in nature but require an lawyer to review and counsel the client on their legal needs. Direct case referrals can be accepted through Florida Pro Bono Matters (https://www.floridaprobono.org/pb-matters/) or directly from CLSMF pro bono staff. Clients are screened and all information collected is provided by our staff, who remain available through the duration of your engagement.

Community-Based & Virtual Legal Advice Clinics

CLSMF provides opportunities for eligible clients to access legal services through Legal Advice Clinics (LAC). At these clinics, volunteer lawyers provide advice and brief service assistance to clients in family law, housing matters, consumer law, bankruptcy, wills and other areas of critical need. Clinics are held at a variety of local agencies, making services in accessible in the community. Due to COVID-19 we have made many of our clinics virtual, allowing lawyers and clients to participate from across our service area. Recurring clinics take place in various counties and online, and the CLSMF pro bono team will inform you of opportunities in your area.

Volunteering at a LAC is a way to engage in pro bono work on a limited basis, while making a difference in a client's life. Clients walk out with knowledge and direction because as a volunteer lawyer, you provided legal advice, legal information, and often legal forms that allow a client to navigate the legal process on their own. For volunteer lawyers who prefer to attend a clinic remotely, we offer videoconference capability. This allows you to meet with a client face to face and is an invaluable resource to reach clients in remote locations. You can also work with our team to create LAC opportunities that fit you or your firm's schedule. Ask us about "Pro Bono Office Hours" for more information on these custom opportunities.

Collaborative Divorce Project

CLSMF participates in a Collaborative Divorce Project, which comes from a shared belief that it is in the best interest for the parties involved to commit to a non-litigation process. Collaborative divorces are a contractual, voluntary, and non-adversarial dispute resolution process between represented parties to resolve family law matters. This project was established under Florida's Collaborative Law Process Act, Section 61.56, FLA. Stat. (2018), Rule 4-1.19 of the Florida Rules of Professional Responsibility and Florida Family Law Rules of Procedure 12.745.

In order to provide effective representation in the collaborative process, lawyers must receive training on the collaborative process, particularly the interdisciplinary approach to this practice of law. CLSMF offers periodic trainings in the collaborative process and will help lawyers desiring to engage in this work identify training opportunities when not offered directly through CLSMF or pro bono partners.

Legal Education Workshops

There are times in which individuals are unable to access CLSMF services due to income or other case acceptance disqualification. Workshops provide an opportunity for people to receive legal information in a workshop format without the creation of an lawyer-client relationship. CLSMF has found workshops to be an

effective way to reach more people, particularly in high-need areas of law. Pro bono lawyers facilitate workshops that teach individuals about the law and the legal process, providing information to attendees on how to fill out forms and inform participants generally on the next steps to take.

Content Creation and Training

CLSMF's pro bono lawyers provide consult and expertise for the development of content, both for in-house and pro bono lawyer, as well as the creation of client materials. If you are unable to work directly with clients, providing your legal knowledge to strengthen the understanding of others is a great service.

Flexible Opportunities

CLSMF is committed to serving Central Floridians. However you engage with us, we are here to support you every step of the way! There are multiple levels of pro bono involvement:

- You can volunteer to represent a client through individual case referrals and acceptance;
- You can volunteer to give legal advice at one of our many regional or virtual legal clinics;
- You can volunteer to help our clients fill out legal forms or draft life care and estate planning documents.
- You can engage in a mentorship agreement with CLSMF to help our lawyers expand their areas of expertise or work with them to expand your own legal expertise;
- You can co-counsel a case with our lawyers;
- You can create pro se materials to distribute online or by informational brochure;
- You can conduct Continuing Legal Education credit courses for other lawyers.
- Your law firm can adopt a legal advice clinic to staff once a month.

No matter how you participate, we want our pro bono lawyers to be engaged in serving our clients to ensure that no person or family is unable to effectively address a legal matter that disproportionately impacts low-income and vulnerable Floridians.

Working with CLSMF Clients

The most important reason CLSMF partners with pro bono lawyers is to expand our reach and impact in serving eligible clients. We hold the same expectations of our pro bono lawyers that we do of staff: to provide compassionate, quality and effective representation to clients.

Duties to Clients

Pro bono clients must be afforded the same respect and treatment as paying clients. All professional responsibility rules apply to pro bono cases, including confidentiality, conflict of interest and lawyer-client privilege. Due to the partnership with CLSMF in representing clients, you *can* communicate and collaborate with staff, particularly to troubleshoot issues, report outcomes, and assist with case needs.

Client Coordination

One of the benefits of working with CLSMF to receive client referrals is that the initial intake and document collection has taken place. While this initial contact and information gathering does not replace the relationship building between a pro bono lawyer and client, it does help provide familiarity with the legal issue and needs prior to the initial meeting.

Building Strong Working Relationships

While your lawyer obligations do not vary between private and pro bono clients, the working relationships and representation can look very different. Pro bono clients by their very nature face financial barriers, and there are often cultural barriers that require more sensitivity in your legal representation. Below are some effective practices to incorporate into your work with pro bono clients.

- **Build Rapport through Initial Meeting.** Even with intake information provided by CLSMF, it is important to meet face to face (in person or virtually) with your client to review the information sent over. While the referral information provides a great starting point for the initial conversation, a thorough first meeting can help discover new information or further details. It helps build a relationship with the client and builds a deeper investment for the client in the outcome.
    - When working with a client in a limited setting such as a Legal Advice Clinic, the same approach should take place for the in-person meeting. Use the notes and intake information gathered to provide a starting point but go through all the information with the client to ensure a proper understanding of the legal issue. This also lets the client know you have the information correct and builds rapport in that limited setting.

- **Set Boundaries and Expectations.** It is important for clients to understand the scope of your legal representation or services. Client may face multiple issues – both legal and non-legal – so clarity on the pro bono representation is important. Retainer agreements will help make sure the client understands the scope. When issues arise that fall outside the agreed upon representation, contact CLSMF pro bono staff to identify additional resources or referrals. Expectations should be set on both ends: this includes timely communication with the client and responsiveness to outreach. It also includes a client's responsibility to stay in communication and follow through on commitments to meetings or court.

- **Be Flexible with Scheduling**. In the legal profession, we are accustomed to emails and electronic calendaring. However, you must recognize that clients may not have the same access or comfort with technology. Make sure to use other modes of communication, such as written and phone reminders. Clients are dealing with legal challenges while balancing financial challenges that often interplays with employment and child care. Make sure to ask clients about the best times they can be reached, how much notice they need for work or child care accommodations, and set meetings or court appearances with those limitations in mind.

- **Be Aware of the Financial Hardships.** Clients can face challenges due to financial hardships, including limited phone minutes, lack of reliable transportation, lack of child care and inability to mail documents. Clients are not always able to take off work if they do not have paid sick leave. All of these factors can lead to difficulty in scheduling or follow through. Understanding that it is not intentional, but situational, can help ease tensions.

- **Communicate Clearly and Listen Carefully.** While every client is different, it is those differences that require you to carefully assess your client's ability to take in the information provided on their legal case. Be patient while communicating with your client, explaining without legalese. Be prepared for emotional responses. Follow up in writing when necessary to reinforce your counsel or advice.

Each of these practice pointers is to help set a positive start and foundation for the client relationship. While it may require modifications from your typical law practice, incorporating these techniques will help ensure you start off on – and end with – a gratifying experience. Remember, CLSMF staff is always here to help talk through issues or help navigate client relationships.

Case Management & Reporting

Like all law practices, CLSMF utilizes a case management system for its cases. CLSMF also uses other technology-based tools for pro bono lawyer management and engagement.

Reporting Pro Bono Information

It is important that information is reported back to CLSMF regarding the pro bono cases you work on. This includes the outcomes of the legal representation, whether extended or limited representation. It also includes pro bono time. Time is important to show the value of our pro bono partnerships in serving CLSMF clients and it provides ease for our pro bono lawyers in having their time tracked.

LegalServer: CLSMF's Case Management System

CLSMF uses a web-based case management system LegalServer. All clients that come through intake and eligibility screening are entered into LegalServer and work is tracked within that system. Updates that are provided on pro bono cases are also entered into LegalServer, along with closing information and outcomes. Pro bono lawyers will receive access to LegalServer to receive the case file; we provide simple instructions on how to enter notes, time, and other documents directly into the LegalServer. *See Appendix A.*

LegalServer also houses many of our recorded CLEs and forms and checklists indexed by area for reference and review. Many forms are also fillable through LegalServer (i.e., advance directives and durable powers of lawyer). For questions on all the benefits LegalServer can offer, please reach out us!

Florida Pro Bono Matters

CLSMF posts available pro bono opportunities on Florida Pro Bono Matters, a statewide website funded by the Florida Bar Foundation. https://thefloridabarfoundation.org/florida-pro-bono-matters/ Pro bono opportunities are available to express interest and accept a case.

Pro Bono Recognition

Under the Florida Rules of Professional Conduct (Rules 4-6.1-Rule 4-6.5), "*[e]ach member of the bar shall annually report whether the member has satisfied the member's professional responsibility to provide pro bono legal services to the poor.*" Each year during annual registration, lawyers are required to report the number of hours, types of services or amount of money contributed to legal service organizations. CLSMF staff tracks time spent on pro bono cases and will provide an annual accounting to pro bono lawyers upon request for ease of reporting.

CLSMF hosts annual pro bono award ceremonies to recognize lawyers in all of our service areas. We recognize lawyers that provide pro bono services throughout the year by awarding Guardians of Justice certificates, and present the following awards:

- Timothy A. Moran Champion of Justice Award: Young lawyer
- Belvin Perry Jr., Legacy of Justice Award: Lifetime volunteer
- Judge Robert K. Rouse, Jr. Pro Bono Service Award: Sitting or retired judge
- Pro Bono Lawyer of the year: One from each county in CLSMF's service area
- Law Firm of the Year: Service area
- Partner in Service Award: Community or corporate partners
- Ambassador of Justice Award: Staff/Volunteer integration

Additionally, we participate in regional and state-wide pro bono recognition events. Each year, CLSMF submits nominations for the Florida Bar President's Pro Bono Service Award.

What Happens Next?

We at CLSMF can't wait to have you join our pro bono ranks. Your local Pro Bono Coordinator will reach out to schedule a time to discuss which opportunities would be the best fit. Training opportunities and materials will be provided based on how you will engage with us. We look forward to working with you to bring access to legal service and representation to those in need in Central Florida.

APPENDIX A – LegalServer Quick Guide

Community Legal Services of Mid Florida (CLSMF) utilizes the case management system, which runs on the LegalServer platform. LegalServer is designed specifically for the needs of a non-profit law firm like CLSMF. This is a quick start guide for use of our case management system.

GAINING ACCESS TO THE SYSTEM

To access our case management system, go to https://clsmf.legalserver.org in any browser. You may wish to bookmark the site for ease of use later. *The best/safest browsers are Chrome, Safari, and Edge, although the system will work with most updated web browsers, including those on your mobile devices like tables and phones.*

Your **user name** will typically be your first and last name, all lower case. Your username is case sensitive, which means you must enter it into the login screen exactly as a Pro Bono team member provided it to you. The pro bono administrators at CLSMF will create your initial password. For security purposes they will communicate this one-time-use password to you in a separate email from your user name. *When you log in to the system for the first time, the system will prompt you to choose another password.* The new password that you set will become your permanent password to the system.

CLSMF pro bono administrators will not be able to view your selected password or remind you what it is, but if you forget it, they can reset it for you. **To have your password reset, please email** probono@clsmf.org **and give us at least one working day to respond and act on your request.** You can also update your contact information at any time by emailing the same email address.

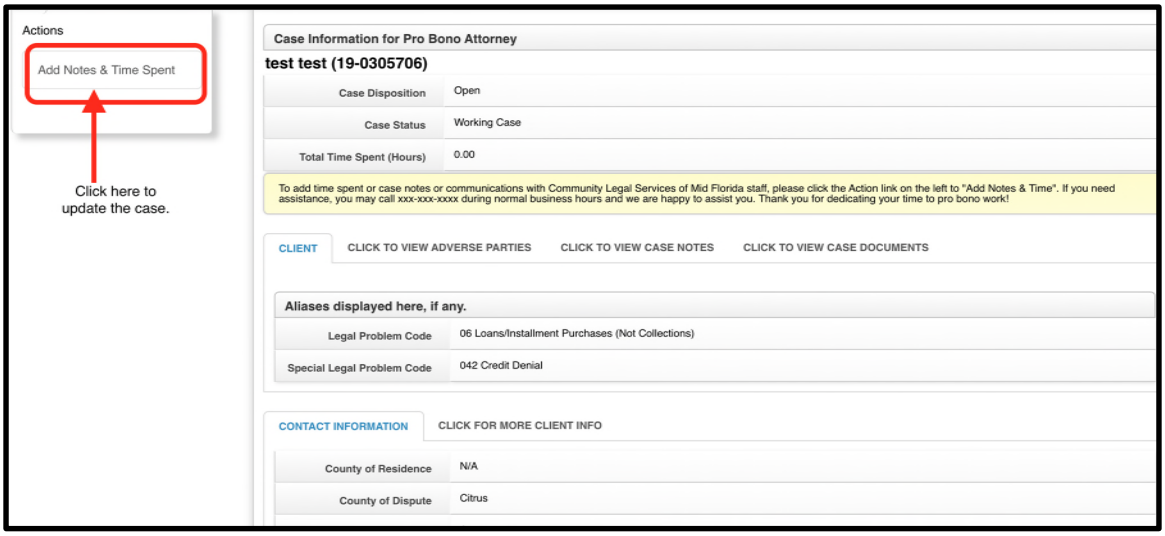
USING THE SYSTEM

The landing (or "Home") page you see after logging in contains a list to any cases that you have been assigned as a pro bono referral. **To view the case and client details for a case on your list, click the Matter/Case ID# link.** This will open up the "Case Profile" where you can view the details, upload documents and add updates.



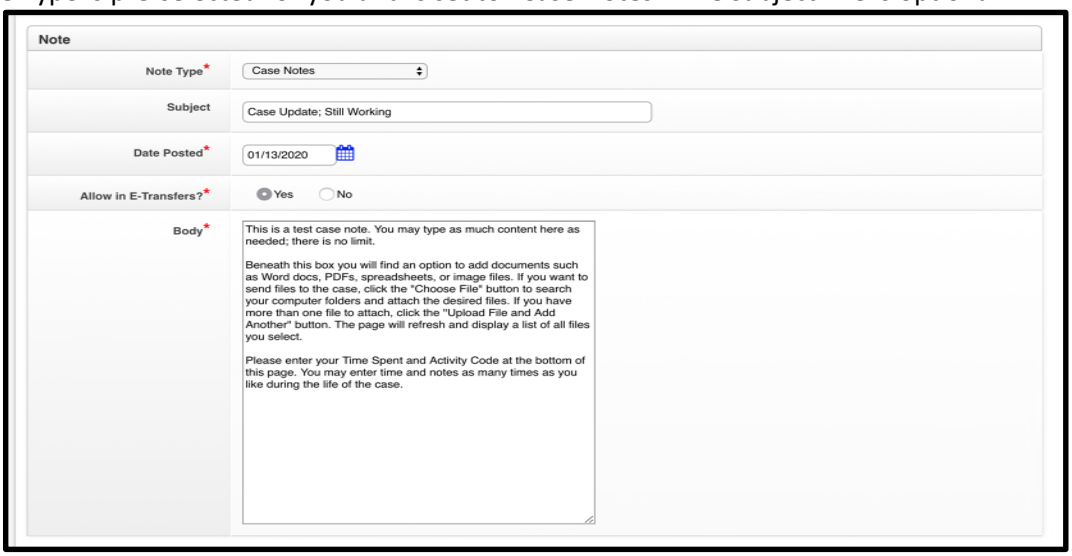
The case profile contains a tabular display, where clickable tabs are labeled with “Click here” language. Information collected from the client during the CLSMF screening and intake process will be shown in this page for your reference. You will not be able to edit this information without assistance from a member of the CLSMF pro bono team. Email probono@clsmf.org to request updates to the client or case information.

After clicking into the case profile, you may update the case by clicking the link on the right navigation pane to “Add Notes & Time Spent”. This is the only form you can complete to update case information and communicate with the CLSMF pro bono team. *You may enter time and notes as many times as you like during the life of the case.* There are three sections on this form, but all information is saved and sent to CLSMF with a single “Save & Continue” button at the bottom right corner of the form.



Section 1: Case Notes

The Note Type is pre-selected for you and is set to “Case Notes”. The subject line is optional.



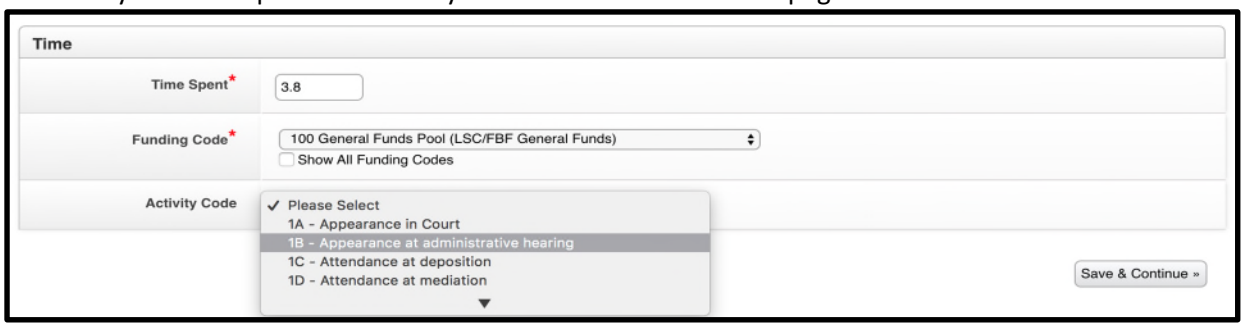
Section 2: Document Uploads.

Beneath the case notes box, you will find an option to add documents such as Word docs, PDFs, spreadsheets, or image files. If you want to send files to the case, click the "Choose File" button to search your computer folders and attach the desired files. If you have more than one file to attach, click the "Upload File and Add Another" button. The page will refresh and display a list of all files you select.

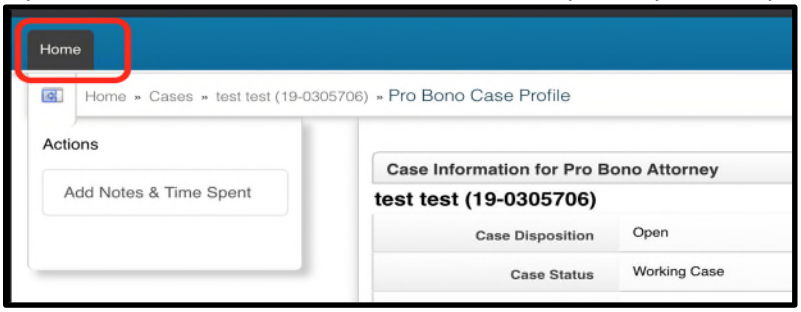


Section 3: Time Spent and Activity Code.

Please enter your Time Spent and Activity Code at the bottom of this page.



To **return to your home screen**, click the “Home” link in the blue section of the upper left corner of the screen. If you have more than one case referral in our system, you can update them all from the Home screen.



LEAVING THE SYSTEM

To log out of the system, click the “Log Out” button in the top right corner of the screen when viewing any page. *Note: for security purposes, the system will log you out automatically after 3 hours of inactivity.*

