

Pro Bono Press

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Training Dates

Housing:

February 5, 2007
March 6, 2007

4:30–6:00 PM

Family Law:

February 15, 2007 (102)
March 21, 2007 (101)

4:30–6:00 PM

SSI Introduction:

February 6, 2007

4:00–6:00 PM

Claimant Defense at Unemployment Hearings:

April 12, 2007

4:00–5:30 PM

To sign-up for a training,
please contact
dgayle@vlpnet.org

HOUSING COURT ATTORNEY FOR THE DAY PROJECT EXPANDS TO PROVIDE TRIAL COUNSEL

VLP is pleased to announce the expansion of the extremely successful Attorney for the Day Project at the Boston Housing Court. For the past seven years, members of the BBA's Real Estate Section have recruited law firms to provide coverage for weekly advice clinics each Thursday, known as Summary Process day, at the Boston Housing Court. Firms send two attorneys who staff tables outside the courtroom, answer questions, review documents and advise pro se litigants. Experienced housing attorneys from VLP and other legal services organizations train volunteers in their own offices. Each week an average of 30 to 40 landlords and tenants are guided through Summary Process with the advice of a volunteer attorney. The Project has proved to be a success and lauded by the judges of the Housing Court in Boston and throughout Massachusetts.

While the Project has effectively assisted thousands of individuals and families, there are some cases in which advice and counsel are not enough. Each week, volunteers encounter pro se litigants who have very legitimate claims, counterclaims and defenses that would be best handled by a trial. In order to meet this demand the Project is expanding to

provide trial counsel in such cases. After identifying the litigants, the weekly volunteers at the Project tables will refer them to an attorney who has agreed to offer full representation in the Housing Court, including full trials. Trial counsel will have no responsibilities for pursuing appeals, except to notify VLP and the client of any issues that may be appropriate for appeal and to advise the client on the appeal process.

The Housing Court has developed a procedure to accommodate pro bono counsel in these cases. The volunteer attorney will be given a date (within a week) for a telephonic pretrial conference. The actual trial will then be scheduled, if at all possible, within the following two weeks.

The expansion of the Project provides a wonderful opportunity for both experienced and developing litigators to make a difference in people's lives. For more information, please contact Joanna Allison at 617-423-0648.

Meg Connolly
Executive Director



LANGUAGE MUST NOT BE A BARRIER—VLP INTERPRETER PROTOCOL

Nowadays, VLP is called upon to serve more Limited English Proficient [LEP] clients than ever before. In an effort to better serve LEP clients and facilitate communication between LEP clients and panel attorneys, VLP decided to establish a new interpreter protocol.

At the time of initial client intake at VLP, a determination is made to assign an interpreter to the LEP client. By the time panel attorneys receive a case an interpreter is already assigned to the client. The interpreter agrees to accept the assignment for the duration of the case. The client receives a letter from VLP identifying the panel attorney on the case, as well as the interpreter assigned to the case. The interpreter can contact the client to set up meetings, translate documents or letters for the client, and provide interpreting services for telephone and in-person communication between the client and panel attorney. Interpreters bill VLP directly and need to have the panel attorney sign their time sheet to verify the interpreter's time spent on that case.

The response from panel attorneys, who have accepted cases with an assigned interpreter, has been very positive. They appreciate the ease with which they can contact the interpreter and arrange for a meeting, or have telephonic contact

with the client. VLP has prepared a list of suggestions for panel attorneys not accustomed to working with interpreters and is happy to provide further support to panel attorneys working with interpreters or LEP clients.

The majority of LEP clients served by VLP speak Spanish while another significant percentage of LEP clientele speak Portuguese, Mandarin or Cantonese, and Russian.

The response from panel attorneys, who have accepted cases with an assigned interpreter, has been very positive. They appreciate the ease with which they can contact the interpreter and arrange for a meeting, or have telephonic contact with the client.

Currently, VLP has a panel of over 60 active interpreters that speak 25 different languages. VLP has ensured the quality of the interpreter services by recruiting certified interpreters, or community interpreters with experience when certified interpreters cannot be found. This panel of interpreters works directly for VLP on an independent contractor basis.

VLP will continue to use the resources of agencies for interpreter services whenever it encounters a client who speaks a language for which VLP does not

have interpreters. Further, VLP will maintain its relationship with the Massachusetts Commission for the Deaf and Hard of Hearing to obtain sign language interpreters.

Interpreters who agree to serve LEP clients through VLP receive a packet of information explaining the interpreter procedures. In addition, they sign a "Code of Professional Conduct" in which the interpreters agree to uphold various ethical and professional principles. They agree to be accurate, preserve confidential communications and be unbiased and neutral. Moreover, they pledge to avoid conflicts of interest as well as giving any legal advice.

Interpreters continue to be provided by the Courts or Administrative Agencies for interpretation during hearings or trials. Panel attorneys can request interpreters for a particular hearing or scheduled matter by contacting the clerk's office of the particular Court or Administrative Agency. VLP will begin to ask panel attorneys to file motions for interpreter services with the Court at the outset of a particular action to defray the costs currently paid by VLP.

Veronica Serrato

PROVIDING EQUAL ACCESS TO JUSTICE—ONE CASE AT A TIME!

THANK YOU TO ROBINS, KAPLAN, MILLER & CIRESI

When **Alan E. McKenna** was a student at Suffolk Law School, he took a family law class with Judge Ginsburg. He is now an Associate at Robins, Kaplan, Miller & Ciresi. When his firm was exploring pro bono opportunities, Attorney McKenna called Judge Ginsburg to discuss whether Senior Partners might be a good match. The answer was a resounding “yes”!



The firm has taken 14 cases since the beginning of 2005, 7 of which are still active. Attorneys at Robins, Kaplan are willing to take complicated cases and are both very thorough in their handling of the cases and attentive to the client's needs. One case involved a limited English proficient client - no problem for this firm. VLP did not have to hire an interpreter because Robins, Kaplan has a paralegal on staff who speaks Cantonese. The client was thrilled that he was both able to obtain excellent legal representation pro bono and that the firm was able to serve him in his language of origin.

Veronica Serrato

KUDOS TO PANEL ATTORNEY JOEL ABU

Joanne W. was divorced in 1994. The parties' separation agreement assigned her half of the marital share of her ex-husband's pension, but a QDRO had never been submitted to the Court. A modification judgment in 2000 awarded the parties joint physical custody of their minor children and, therefore, waived child support. At the time of the modification judgment, Joanne's ex-

husband was unemployed. Following the judgment, he exercised shared physical custody of the children for only two weeks in 2003. Joanne could not work as the youngest son was severely disabled and required her full-time care. The only income she received was her youngest child's SSI benefits and food stamps. Then, she learned that her ex-husband had received a windfall settlement and had been reinstated to his old job. “I knew that, without legal representation, which I could never have paid for, the chances of my getting reimbursed for supporting our kids on my own since 2000 were next to impossible,” says Joanne.

At the time Joanne came to VLP, she sought assistance with modifying custody and child support and submission of the QDRO. Panel attorney, **Joel Abu** of Framingham, accepted Joanne's case. Attorney Abu secured back child support for Joanne of \$55,000; child support of \$254/week for the parties' disabled child until age 23; and submission of a QDRO according to the terms of the parties' Separation Agreement.

Joanne was very impressed with Attorney Abu. “It was a lot of work! He went above and beyond the call of duty to help me. He took the time to explain my rights, and gave me the gift of having my voice heard.” She adds, “He helped me to help myself by participating in uplifting myself. Before this case, I felt I was participating in my own oppression and not helping my children as much as I could. Joel helped me access the system and made me feel that I could do more than I thought I could do. He helped me move forward, to the next level, to get the justice that I needed and that my children needed and deserve.”

Connie Escobar

Visit us Online
At www.vlpnet.org

Providing Equal Access to Justice!

99 Chauncy Street
Suite 400
Boston, MA 02111

Phone: 617 423 0648
Fax: 617 423 0061
TTY: 617 338 6790
Email: info@vlpnet.org

Volunteer Lawyers Project of the Boston Bar Association

SENIOR PARTNERS FOR JUSTICE & VOLUNTEER LAWYERS PROJECT COMMENCE NEW WAGE & HOUR PROJECT

Senior Partners for Justice is expanding from family and probate matters to take on employment-related cases, specifically wage and hours claims. Warren Pyle and Judge Ginsburg have recruited eleven experienced labor lawyers to initiate the Wage & Hour Project. Senior Partners will represent clients whose employers have failed to pay minimum wage and/or overtime as required by law. These cases are quite compelling and when successfully pursued can yield significant economic benefits for clients and their families. Lawyers who are not experienced in this area should not hesitate to join the project, as VLP will provide both training and ongoing mentoring. Our heartfelt thanks to both Judge Ginsburg and Attorney Pyle for yet another pioneering endeavor. If you would like to be involved in this effort, please contact Lynn Girton at (617) 423-0648, ext 132 or Lgirton@vlpnet.org.

VLP ANNUAL RECEPTION TO HONOR OUR VOLUNTEERS

Special Guests:

Chief Justice Margaret H. Marshall
Massachusetts Supreme Judicial Court
President-Elect William Neukom

March 29th, 2007
4:30pm—6:00pm
John Adams Courthouse
One Pemberton Square, Boston
RSVP: Damaris Gayle at (617) 423-0648
or dgayle@vlpnet.org