
NEW YORK STATE UNIFIED COURT SYSTEM

PRO BONO CONVOCATION:

WORKING TO DESIGN A PRO BONO SYSTEM *for* NEW YORK

RAMADA INN GENEVA LAKEFRONT
41 LAKEFRONT DRIVE, GENEVA, NEW YORK

PROGRAM

REGISTRATION AND CONTINENTAL BREAKFAST	8:30 A.M. – 9:00 A.M.
OPENING REMARKS, KEYNOTE ADDRESS AND OVERVIEW OF A PRO BONO MODEL	9:00 A.M. – 10:00 A.M.
<i>Opening Remarks -</i> Hon. Eugene F. Pigott, Jr., <i>Presiding Justice, Appellate Division Fourth Department</i>	
<i>Keynote Speaker -</i> Claire Parins, Esq., <i>Illinois Tech Center for Law & the Public Interest</i>	
<i>Overview Presenter -</i> Sharon Goldsmith, Esq., <i>Executive Director, Pro Bono Resource Center of Maryland</i>	
WORKING GROUP SESSIONS	10:00 A.M. – 12:00 P.M.
<i>Small breakout sessions to discuss panel presentation and begin addressing Working Group topics</i>	
I. Organizing a Statewide Pro Bono System: What Makes Sense for New York?	
II. Overcoming the Obstacles to Providing Pro Bono Services: What are the Elements of an Ideal Pro Bono System?	
III. Facilitating Pro Bono Through Limited Representation: How can this be Accomplished in New York?	
BUFFET LUNCH	12:00 P.M. – 1:00 P.M.
WORKING GROUP SESSIONS (CONTINUED)	1:00 P.M. – 3:00 P.M.
REPORTS OF WORKING GROUPS AND CLOSING REMARKS	3:00 P.M. – 4:00 P.M.

Keynote Address of Claire Parins, Esq.
New York State Unified Court System Pro Bono Convocation
Ramada Inn Geneva Lakefront, November 8, 2002

I am here today for a couple of reasons.

First, I'm here to help describe the current needs of the rural poor and the crisis that is facing the justice system.

I am also here to tell you about some projects that I saw as Director of the ABA's Rural Pro Bono Project. As you might imagine, there is some creative dancing being done in rural areas where just finding a lawyer, much less one that can work for free, is sometimes harder than giving a cat a bath. Pro bono is often one of many tools used by communities, legal and otherwise, to provide access to court systems and to bring resolution to life-threatening circumstances.

I come to you on the tails of the Rural Law Symposium put on by the Legal Services Corporation last week in Nebraska. Susan Patnode, a participant in today's convocation, and I were invited to be part of a two and a half-day meeting to come up with ideas about improving the delivery of legal services in rural areas. On the first day, we described the face of rural poverty. Attorneys from across the country told different stories about a wide variety of low-income clients with a wide variety of legal problems. Harder were the days that followed – one question – "what is justice?" – was eventually abandoned as unanswerable. The easier part "Who needs help?" has always been clear for many of us, and is probably why some of you went to law school in the first place, and why many of us are here today.

On that first day, this is what Susan and I heard about the face of rural poverty in America:

- ▶ What we have in common is that isolation abounds.
- ▶ But the rural poor are not homogenous.
- ▶ Diminishing rural support systems and infrastructure are leading to increased poverty.
- ▶ There is confusion about the services that are out there, a lack of knowledge about legal rights.
- ▶ Triage is often the main part of a legal services or pro bono attorney's job.
- ▶ Clients come in crisis.
- ▶ They are scared.
- ▶ There are family farmers who need soup kitchens even though they live to grow food for others.

- ▶ Many will not ask for help because there is a lack of privacy in rural areas.
- ▶ Neighbors watch what neighbors purchase with food stamps.
- ▶ Yet many people in America live without basic necessities like health care.
- ▶ We heard about how a family who worked for years to buy their house only to lose it because they purchased a water softener through an outrageous credit scam.
- ▶ We heard about how poverty has a lot to do with race and class. Rural poverty in America is about poor whites, poor African Americans, poor Native Americans.
- ▶ Poverty is sometimes about blatant discrimination.
- ▶ It's about the stigmatization of the poor – disdain for those who live on the wrong side of the tracks.
- ▶ Poverty is about giving up on children's educations just because their parents before them could not read.
- ▶ Poverty is about domestic violence in immigrant communities. It's about Cajun fishermen who don't have social security cards.

But it is also about New Yorkers. And the faces you could draw would probably be similar to what you've just heard. What I heard last week in Nebraska was about how broad the array of difference looks on the surface, but how deep the common thread of need can run from heart to heart. And the attorneys who help these people represent communities, not just individuals, and they include judges, legal services attorneys, solo practitioners, government attorneys, paralegals, and law students.

Susan Patnode, my mentor and friend, heads the Rural Law Center of New York in Plattsburgh. She told me a story shortly after I met her about a woman who rode her daughter's bicycle to work – 25 miles – there and back – before Susan's program was able to help provide her with a car through a Wheels-to-Work program. The Rural Law Center finds other ways to reach clients – including Judges' Best Practice Seminars – Judges, pro bono coordinators, and attorneys, with the help of CLE credit, found a way to work together to make pro bono cases happen.

In Oregon, communities are getting together develop a statewide system of pro bono delivery. Pro bono mini-summits involve networks of business, nonprofit, and government advocates. Legal and other service providers from the same local community strategize about new legal service delivery models and build networks in four rural areas.

In Tennessee, there's an urban-to-rural hotline. Clients in the rural service areas of two legal services programs receive consumer law advice and counsel by telephone through a large Memphis law firm.

In Ohio, attorneys have joined forces with churches. The Interfaith Legal Services clinics in two rural counties are a collaboration among the private bar, legal services attorneys, clergy, and other stakeholders. The partnerships aim to overcome the historical biases and tensions that a "big city" legal services program may experience in a rural area, and they involve diverse organizations.

In Maine, a paralegal and half-time attorney opened a branch office to recruit pro bono attorneys. The Volunteer Lawyers Project, part of Pine Tree Legal Assistance, knew that they had to establish a greater physical presence to serve the predominantly northern and central areas of the state. Local Pro bono attorneys refer cases to other attorneys in their community.

In all these cases, the projects were designed to be replicated and shared, and could be extended throughout the state and across all borders. And while the jury is still out on what the number of volunteers will be, the important thing is hundreds of clients have been served and relationships made.

We are here today to work towards solutions for New York and to find ways to help build a statewide pro bono delivery system that starts to address the diminishing support systems that we encounter lately in our own communities, in our court system and, in some cases, our own lives.

I commend Judge Newton and everyone here today and others who attended the three other convocations this fall. With partnerships like those forged here, you all are going to set an example for the rest of the country. It is only through partnerships, time, and truth about the real needs in rural delivery that our system can begin to change.

Today, some of you will struggle with how to increase pro bono services, others will debate how structured the pro bono delivery system should be, still others will define the obstacles to establishing a statewide system at all. I invite you all to think about all of these questions, but to keep a bigger picture in mind as you proceed. Instead of making the debate just about how to increase pro bono, think about framing the debate like this: How will New York ensure that low-and-moderate income citizens, rural, and urban alike, have increased access to the court system and as a consequence, better lives? How will New York maintain the momentum of volunteerism put in motion by 9/11 so that it does not have to settle on the diminishing returns of a slowing economy, the effects of welfare reform, overworked attorneys, and overcrowded courts? How can New York show its reverence for community and people? That's the real question we all face today. How shall we proceed?

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