

BOARD RESOLUTION #08-53

In Support of Enhanced Private Attorney Involvement (PAI) with LSC Funds

The Board of Directors of INLAND COUNTIES LEGAL SERVICES, Inc. at a regular meeting held on October 21, 2008 at 1040 Iowa Avenue, Ste. 109, Riverside, California, with a quorum present, adopted the following resolution:

WHEREAS, the LEGAL SERVICES CORPORATION and the programs it funds, have long recognized that the overarching values of private attorney involvement to LSC-funded programs are increased access, increased human and capital resources, and increased pro bono commitment; and

WHEREAS, INLAND COUNTIES LEGAL SERVICES will continue to support private attorney involvement through LSC subgrantee organizations and recognizes the valuable contributions of attorney assistance to self-represented litigants, but also recognizes that many eligible clients require attorney or direct advocate representation in court and before administrative agencies and that there are many attorneys in both counties who are not currently involved in organized pro bono programs or who are retired and who might become involved given a broad range of pro bono opportunities; and

WHEREAS, according to the 2000 Census, there were 477,496 persons living in poverty in Riverside and San Bernardino Counties; since then, the poverty population has significantly risen, and the Inland Counties area has recently been identified by national economic experts as among the most severely affected;

WHEREAS, the existing resources of ICLS combined with the area's legal clinics are wholly insufficient to respond to the unmet legal needs of eligible clients residing in both counties; and

WHEREAS, the American Bar Association's Model Rule 6.1 and similar state bar rules note the every lawyer's professional responsibility to provide pro bono legal assistance to persons of limited means; and

WHEREAS, the Board of Governors of the State Bar of California, at its December 9, 1989 meeting and amended at its June 22, 2002 meeting, adopted a Pro Bono Resolution urging all attorneys, law firms, and members of the legal community to devote at least 50 hours per year, to provide or enable the delivery of pro bono legal services to the poor or disadvantaged, with the purpose of improving the legal system and increasing access to justice; and

WHEREAS, at its April, 2007 meeting, the Board of Directors of the LEGAL SERVICES CORPORATION adopted Resolution 2007-003 supporting and encouraging private attorney involvement and urging governing boards of LSC-funded programs to collaborate with other organizations to effectively engage lawyers in pro bono representation and other services that benefit low-income persons; and

WHEREAS, the LSC Board of Directors resolution builds upon the following national LSC initiatives:

- The October 2005 LSC report, *DOCUMENTING THE JUSTICE GAP IN AMERICA: THE CURRENT UNMET CIVIL LEGAL NEEDS OF LOW-INCOME AMERICANS*, which found that 50 percent of the potential clients requesting assistance from an LSC grantee were turned away for lack of resources on the part of the program;
- The *LSC STRATEGIC DIRECTIONS 2006-2010*, which calls upon LSC to increase public awareness of and support for legal services to low-income persons in order to respond appropriately to more of their legal needs;
- The *LSC PERFORMANCE CRITERIA*, which consider, in evaluating a program's legal representation and other activities intended to benefit the low-income population in its service area, whether that program effectively integrates private attorneys into its work in order to supplement the amount and

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effectiveness of its representation and other services;

- The Provision for the Delivery of Legal Services Committee of the LSC Board of Directors 2006 meetings, which highlighted the potential, opportunities and challenges of private attorney involvement and determined ways in which this critical resource can be used more effectively by LSC-funded programs as a means to help close the justice gap;
- The unanimous adoption in January, 2007 by LSC Board of Directors of a strategic work plan entitled *Action Plan for Private Attorney Involvement: Help Close the Justice Gap, Unleash the Power of Pro Bono*, which highlights the benefits of engaging private attorneys to help represent clients of LSC-funded programs and describes ways in which the LSC Board and staff will work to expand private attorney involvement;

NOW, THEREFORE, Be it RESOLVED that the Board of Directors of Inland Counties Legal Services, in an effort to help close the justice gap in California, supports and encourages private attorney involvement with Inland Counties Legal Services and will endeavor to:

- Collaborate with other organizations and entities in Riverside and San Bernardino Counties to develop and facilitate educational efforts that demonstrate the extent of the unmet civil legal need and encourage collective responsibility within Riverside and San Bernardino Counties by both public and private entities to help meet this unmet civil legal need;
- Collaborate with other organizations and entities in Riverside and San Bernardino Counties to develop effective strategies for engaging lawyers in *pro bono* representation and other services that benefit low-income persons;
- Consider including in that collaboration organizations and entities such as the State Bar of California, Riverside County Bar Association, San Bernardino County Bar Association, Inland Empire Latino Lawyers Association, African American Attorneys of the Inland Empire, the High Desert Bar Association, the Desert Bar Association and similar entities;
- Develop strategies that encourage *pro bono*, including creative recruitment methods and delivery models, attorney practice and continuing legal education rules, and training, mentoring, support and recognition of volunteers.

BE IT FURTHER RESOLVED that the Board of Directors of Inland Counties Legal Services through its ongoing work to close the justice gap, supports and encourages private attorney involvement and through its Private Attorney Involvement Program will:

- Continue funding LSC PAI Subgrantees subject to LSC's approval;
- Urge all attorneys to devote a reasonable amount of time, at least 50 hours per year, to provide or enable the direct delivery of legal services, without expectation of compensation other than reimbursement of expenses, to indigent individuals, or to non-for-profit organizations with a primary purpose of providing services to the poor or on behalf of the poor or disadvantaged, not-for-profit organizations with a purpose of improving the law and legal system, or increasing access to justice;

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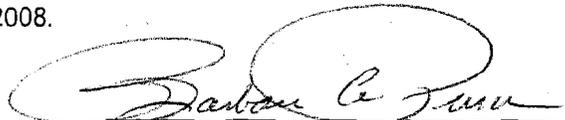
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- Urge all law firms and corporate employers to promote and support the involvement of associates and partners in pro bono and other public service activities by counting all or a reasonable portion of their time spent on these activities toward their billable hour requirements, or by otherwise giving actual work credit for these activities;
- Urge all law schools to promote and encourage the participation of law students in pro bono activities, including requiring any law firm wishing to recruit on campus to provide a written statement of its policy, if any concerning the involvement of its attorneys in public service and pro bono activities; and
- Urge all attorneys and law firms to contribute financial support to Inland Counties Legal Services, Inc., and other non-profit organizations that provide free legal services to the poor, especially those attorneys who are precluded from directly rendering pro bono services;
- Urge all attorneys to contribute to Justice Gap funding by a check off on their annual state bar dues.

BE IT FURTHER RESOLVED, that the Board of Directors of Inland Counties Legal Services promotes the development of private attorney resources to be supported, in part, by the position of the Resource Development Director with involvement in activities to increase the direct pro bono representation of eligible clients, groups and organizations and supports. This Board further encourages private attorney involvement initiatives by publicizing and recognizing private attorney involvement in the work of Inland Counties Legal Services; and in support of this Resolution authorizes Executive Director, Irene C. Morales to establish and implement a Voluntary Legal Services Program of Inland Counties Legal Services.

I certify that the above resolution was duly passed at an Inland Counties Legal Services Board of Directors meeting held on October 21, 2008.

Dated: October 21, 2008



Barbara A. Purvis, Esquire
Board ~~Vice~~ President

Dated: 10-21-08



Earnest Henson
Board Secretary