

RESOLUTION NO. 2007-1
OF
BOARD OF DIRECTORS OF NEW MEXICO LEGAL AID, INC.

**In Support of Enhanced Private Attorney Involvement
with LSC-Funded Programs**

Whereas, the Legal Services Corporation and the programs it funds, including New Mexico Legal Aid, Inc., 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, 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 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.

- The American Bar Association’s Model Rule 6.1 and the New Mexico Rule of Professional Conduct 16-601 note the professional responsibility of every lawyer to provide *pro bono* legal assistance to persons of limited means;

Whereas, in New Mexico:

- New Mexico’s poverty population is estimated to constitute 25 percent of all state residents, with many of the low-income population living in rural counties where there may be no local lawyers at all;
- Demand for legal services among this population far exceeds capacity among the several court-sponsored and nonprofit legal services programs statewide to provide legal assistance;
- The new Mexico Supreme Court has spearheaded efforts to organize court-initiated *pro bono* committees among the state’s 13 judicial districts in support of the Access to Justice Commission’s 2007 State Plan; and
- The participation of New Mexico Legal Aid, Inc. in fostering local *pro bono* committees, improving *pro se* resources, and coordinating *pro bono* services locally and statewide can improve the delivery of such services to all eligible New Mexicans;

Now, Therefore, Be It Resolved that the Board of Directors of New Mexico Legal Aid, in an effort to help close the justice gap in New Mexico, supports and encourages private attorney involvement with New Mexico Legal Aid and will endeavor to:

- Collaborate with other organizations and entities throughout New Mexico to develop and facilitate educational efforts that demonstrate the extent of the unmet civil legal need and encourage collective responsibility within New Mexico by both public and private entities to help meet this unmet civil legal need;
- Collaborate with other organizations and entities in New Mexico 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 New Mexico, including the Civil Legal Services Commission, The State Bar Foundation, the Supreme Court of New Mexico Commission on Access to Justice, tribal governments, Law Access New Mexico, the Albuquerque Bar Association, the State Bar Lawyer Referral for the Elderly Program, the University of New Mexico Law School, New Mexico district courts and their respective *pro bono* committees, the Senior Citizens Law Office, and other relevant organizations; and
- 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 New Mexico Legal Aid, Inc. will promote, support and encourage private attorney involvement initiatives by publicizing and recognizing private attorney involvement in the work of New Mexico Legal Aid, Inc. and by collaborating with national, state and local organizations to create opportunities for such publicity and recognition.

Adopted by the Board of Directors of New Mexico Legal Aid on September 29, 2007.

_____/s/_____
Board Chair