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**2013 PAI Plan**

**Applicant Name: Legal Aid Society of San Diego, Inc.**

**Applicant Number: 805250**

**LEGAL AID SOCIETY OF SAN DIEGO, INC.**  
**2013-2014 UPDATE OF PRIVATE ATTORNEY INVOLVEMENT PLAN**

The Legal Aid Society of San Diego, Inc., (LASSD) submits its update of its plan for the involvement of private attorneys in the delivery of legal services to low-income persons in San Diego County, California, as required by 45 C.F.R et seq. The legal needs of eligible clients and the relative importance of those needs, as well as the program's board adopted priorities, have been taken into account in the update of this plan. The Updated 2013 Private Attorney Involvement Plan is within the Board-adopted priorities of LASSD. The plan replaces all prior plans from LASSD. The current PAI plan, called the LASSD Pro Bono Program ("The Program"), demonstrates that most of our resources will be committed to maintaining the existing well-functioning, high quality program. This plan will also reflect new strategies for the future.

- I. The updated plan will be submitted to the Legal Services Corporation (OCE and OPP).  
NOTE: The plan includes activities which were selected based upon response from the client community, Board of Directors of LASSD and the private bar.
- II. Plan Elements:
  - A. Sara Raffer, Esq., continues to be engaged as Pro Bono Program Manager to implement this plan. Ms. Raffer has been Pro Bono Program for eight years and has significant experience and associations with many attorney groups, major San Diego law firms and our client community.
  - B. The LASSD Pro Bono Program Staff includes Susan Turcich, Esq. (1.0 FTE staff attorney- Unlawful Detainer, Civil Restraining Order, and Mediation), Lorena Slomanson, Esq. (1.0 FTE Staff Attorney- Unlawful Detainer), Courtney Bolin, Esq. (1.0 FTE Staff Attorney- Conservatorship, Unlawful Detainer and Civil Restraining Order), Christine Pangan, Esq. (1.0 FTE staff attorney- Domestic Violence Restraining Order), Shahin Rahimi, Esq. (1.0 FTE, Staff attorney- Tax, Economic Development), Kim Tominna (0.5 FTE Administrative Support). The staff is funded in part by LSC funds and also by other sources, including IOLTA

funds, State Bar Partnership Grants, San Diego Bar Foundation Grants, and San Diego Superior Court Funding.

C. The Program’s last PAI plan was submitted to Earl B. Gilliam Bar Association (“Earl B. Gilliam-African-American Bar Association”); San Diego La Raza Lawyers Association (“La Raza”); Pan-Asian Lawyers of San Diego (“Pan-Asian Lawyers”) and the Filipino-American Lawyers of San Diego (“Filipino-American Lawyers”) (collectively “specialty bar associations”); Board of Directors of LASSD, and the San Diego County Bar Association. All of the above organizations were supportive of the PAI Plan. All of the organizations promised to promote LASSD Pro Bono Program at various events to recruit volunteers.

D. Partnerships and Collaborations

1. Specialty Bar Partnerships

Since the inception of the PAI component, La Raza, Pan-Asian Lawyers, Filipino American Lawyers and Earl B. Gilliam Bar Association (African-American Bar Association) have entered into Memoranda of Understanding with the LASSD Pro Bono Program. The memoranda were amended in 2005. Pursuant to the Memoranda of Understanding specialty bar associations commit that their members donate a total of at least 12 hours of pro bono legal services to LASSD Pro Bono Program per month. LASSD provides the specialty bar associations with a monthly administrative fee of \$480 to cover the specialty bar associations’ expenses of administration, solicitation, use of facilities, use of media and meetings and to assist the LASSD Pro Bono Program Manager. In this way, the PAI component strengthens these local bar associations while developing resources and attorney relationships in these organizations. These partnerships, along with our collaboration with the local law schools (See Page 3, Section II (D) (2)), enable us to provide legal assistance and advocacy in a wide range of languages by people from many diverse cultural and ethnic backgrounds.

2. Collaborations with law schools, JusticeCorp, etc.

We collaborate with the following San Diego schools – University of San Diego School of Law, California Western School of Law, and Thomas Jefferson School of Law all of which provide student volunteers to assist our various programs. We link student volunteers to attorney volunteers who mentor the students. Since the inception of the LASSD Pro Bono Program in 2000, we have recruited over 2,300 active attorney and non-attorney volunteers. In 2012, LASSD Pro Bono Program volunteer attorneys and students provided over 16,000 hours of legal services to LASSD clients.

### III. Program Activities:

#### A. Pro Se Litigant Clinics

The Program started its first pro se litigant clinic in 2002. Since then, LASSD has greatly expanded. LASSD now runs clinics in multiple locations in San Diego County that assist with a variety of legal issues, as described below. The great need for and effectiveness of these clinics has caused the courts and the State Bar to contribute funding. The opportunity for volunteer attorneys and law students to contribute a pre-determined amount of time in a convenient setting has been very successful. More than 10,000 hours were volunteered at clinics allowing for 7,000 CA-14 residents to receive assistance in 2012.

**New strategy:** Incorporate new technologies into the delivery of self-help services. One goal for this year is to use A2J software that will allow potential clinic participants to complete forms on-line prior to coming to the clinic. The forms will be saved on-line for review by volunteer attorneys prior to printing and filing. The goal is to speed up the intake and processing of forms which will allow the clinic to handle unmet need due to space and time restrictions.

##### 1. Domestic Violence Temporary Restraining Order Clinic

Until 2001, victims of domestic violence in the mostly Hispanic South County region of San Diego were assisted by a part-time English-speaking paralegal. At that time, the Superior Court saw a great need for more comprehensive services in both English and Spanish, and the LASSD Pro Bono Program stepped in. The clinic runs daily and is supervised by a Staff Attorney. Thousands of individuals have been assisted at this clinic by the Program's staff and by volunteer attorneys and law students. In fact, volunteer attorneys have donated over 6,000 hours at that clinic in 2012.

##### 2. Unlawful Detainer Assistance Program ("UDAP")

The UDAP is designed to assist pro se tenants in responding to Unlawful Detainer lawsuits. The Superior Court invited the Program to open its first clinic in 2002 at the Hall of Justice in the Central Division. The UDAP then expanded to include clinics in the South County and East County Divisions. These clinics were closed in 2012 due to Civil Business Office closures in those divisions. The Hall of Justice Clinic is now open five days per week and serves individuals from those divisions centrally. The clinic is supervised by a Program staff attorneys and utilizes volunteer attorneys and law students to assist clinic participants. Eligible clients are often referred to LASSD for more assistance and are also given community education brochures on presenting their cases at trial. The UDAP clinics assisted more than 3,000 participants in 2012.

3. Civil Restraining Order Clinics

Pro Se litigants were in need of assistance for filing and responding to civil restraining orders. The Program was contacted by the court and additional funding was offered so the need could be met. Currently, the Program operates Civil Restraining Order Clinics in the South, East and Central Courthouses and provides legal advice and community education on Civil Harassment. The clinics are staffed by a staff attorney and volunteer lawyers and law students. More than 1,500 individuals used these services in 2012.

4. Low-income Taxpayer Clinic

The Low-Income Taxpayer Clinic was created in 2005 by a grant from the IRS. The Clinic ensures the fairness and integrity of the tax system by educating low-income taxpayers about their rights and responsibilities by providing pro bono representation to taxpayers in tax disputes with the IRS. It also identifies and advocates for issues that impact low-income taxpayers. The IRS has continued funding for the clinic's ninth year of operation and in fact increased their funding this year based on the need in the community. LASSD continued its work in delivering high-quality legal services to low-income taxpayers while maintaining compliance with LITC Program guidelines. This program allows lawyers who may not have experience in other areas of law which are common to the low-income population to use a skill they already have to help those facing severe problems such as levies on paychecks and bank accounts. This year, attorneys from local tech firm Qualcomm as well as DLA Piper LLP have become involved in monthly clinics. The LITC assisted more than 250 taxpayers in 2012.

5. Conservatorship Clinic

The Conservatorship Clinic at the Probate Court was created in 2004, and is funded by an Equal Access grant and moneys from the Superior Court. Staff and volunteers provide one-on-one community education, assisting clinic participants with their conservatorship forms and guiding them through the conservatorship process. The Clinic was expanded in 2013 to meet the tremendous need for services and is now open 3 sessions per week.

6. Homeless Advocacy Project (HAP)

HAP provides advice and community education to homeless members of the San Diego community. Volunteer attorneys, most of whom are emeritus, assist in the completion of benefit application forms, filing appeals, tracking down missing checks, and in general, dealing with the

Social Security and Welfare offices. Since its inception, HAP has given assistance to thousands of homeless persons. This program is operated by volunteer emeritus attorneys who donated more than 2,100 hours last year. HAP has expanded to include services in San Diego's North County.

B. Mediation Program

1. Family Mediation

The LASSD Pro Bono Program uses volunteer attorneys and paralegals as mediators to facilitate a discussion between parents and their children about issues in the family, and guide the family to create solutions to the problems. Successful mediations develop realistic goals the family can achieve and as a result of the improved communication, the family can build on those resolutions in the future. This has a significant effect of keeping families together – a type of pre-divorce assistance. The program was established and operational prior to the creation of the LASSD Pro Bono Program. However, the LASSD Pro Bono Program has expanded the program, by training nearly 140 new mediators, who speak many different languages and come from many different ethnic and cultural backgrounds. In addition, the LASSD Pro Bono Program has formed partnerships with the San Diego County Community Assessment Team – East County (2002 to present) and San Diego City Schools (2002 to present) who refer families to our program for mediation, and assist in the program.

2. Peer Mediation

As part of its partnership with San Diego City Schools, the LASSD Pro Bono Program provides training to students at low income schools at all levels from elementary through high School to mediate disputes among other students on campus. This program has had the effect of significantly reducing disputes among students on campus. In 2012, we conducted trainings at 6 schools and have had overwhelming offers for support from volunteer attorneys.

3. Juvenile Detainee Mediation

In collaboration with the Advanced Mediation Class at California Western School of Law and Professor Linda Morton, LASSD staff and volunteers perform mediations at an all-girls' juvenile facility in San Diego County. Since the inception of the program, more than 500 girls had disputes mediated by volunteer attorneys.

### C. Economic Impact Program

This program is designed to provide assistance to low-income individuals who have or would like to start a non-profit organization. Services include establishing 501(c) 3 status and providing tax advice regarding fundraising activities. This is one of our most popular programs for volunteer attorneys. Many attorneys who would like to donate their services to our program have expertise in business law and the Economic Impact Program provides an avenue for them to use that expertise to assist low-income individuals. Several referrals a year....

### D. Other Referrals for Direct Representation

The Pro Bono Program takes referrals of overflow cases from other teams. The program has referred out consumer law cases, family law cases, SSI appeal cases, unlawful detainer cases, other landlord/tenant cases, breach of contract cases and more. In 2012, LASSD successfully referred more than 150 cases to pro bono attorneys for direct representation. The implementation of the new PAI portal, as set out in “General Operational Plan” Section B 3, will increase the ease by which volunteer attorneys can find and accept open cases. We expect this will increase case referrals in 2013-2014.

## IV. General Operational Plan

### A. Staffing

1. As set out in “Plan Elements” Section II A & B, the Program is staffed by a full-time manager, five full-time staff attorneys and a legal assistant. The Program has also engaged three contract attorneys to assist in our pro se clinics.
2. Each pro se clinic is supervised by at least one Pro Bono Program Staff Attorney. The Program has also recruited volunteer attorneys and law students to assist in those clinics.
3. The mediation program is managed by the Program staff and utilizes volunteer attorney mediators to provide the actual services.
4. Program manager oversees daily operations and handles all direct representation referrals to volunteer attorneys. Program manager also offers mentoring and guidance on cases, follows up on the cases quarterly and maintains all records in association with those referrals.

## B. Case Intake, Follow-Up and Evaluation

### 1. Client Intake

Client intake is handled through the LASSD central intake system or onsite at the various clinics. The case is then referred to the Pro Bono Program manager. We have more than 2,000 volunteers who have signed up for the program and were entered in our computer database. The database contains the volunteer's name, firm, areas of practice and other pertinent information. The Pro Bono Program manager will search that database and send a tickler to volunteers with experience in the legal issue facing the client. The Program tries to refer or reject cases within two weeks of the intake. Often, a staff attorney will pick up cases the Program was unable to refer out. Generally, the program finds this is the most efficient way to refer cases to pro bono attorneys and has success in referring out most cases.

### 2. Follow up and Evaluation

The PAI component gives or mails evaluation forms to all LASSD Pro Bono Program clients at the end of the case. The evaluations are compiled and reviewed by the Pro Bono Program Manager on a regular basis. Further, the specialty bar volunteers report their hours spent on their cases on a monthly basis to the LASSD Pro Bono Program. Every 3 months, the PAI component sends out a request for a progress report to all pro bono attorneys who have accepted cases for ongoing representation. If they do not respond, the LASSD Pro Bono Program follows up with a phone call. The LASSD Pro Bono Program Manager and staff attorneys are in regular contact as needed with pro bono attorneys who have accepted cases for ongoing representation and are available to provide support and mentoring as needed.

### 3. New strategy: PAI Portal

LASSD purchased the PAI portal from Kemps Case Works. LASSD is currently testing and evaluating the use of the portal and plans to have the program up and running in 2013-2014. The portal will allow volunteer attorneys who have applied and been approved for the Pro Bono program to search open matters that fit with their desires and skills. Attorneys will have the ability to accept cases, enter in their time on cases, download and upload documents and close cases. The password-protected program will provide flexibility and ease of interaction with the PAI program and thus involved more attorneys who may have been put off in the past by the paper requirements.

## C. Recruitment of Volunteers

Since the inception of this program, LASSD has recruited more than 2,000 volunteers and our database contains more than 1,000 attorneys who are eligible to take cases. In 2012, LASSD recruited more than 120 new volunteer attorneys. We also recruited and utilized more than 100 new volunteer law students and paralegals. The Program's Memoranda of Understanding with the minority bar associations assists the Program to administer, coordinate, recruit and provide attorneys from those associations to handle cases. LASSD plans to recruit at least 100 new volunteer lawyers and 100 new volunteer law students in 2013-2014.

### 1. Advertising

- a. The Program publishes a newsletter and sends it out to local law schools, large law firms, bar associations, the courts, community organizations and volunteer attorneys in our database. In 2013-2014, our goal is to continue to produce newsletters and distribute them to 400 attorneys not currently involved with our program.
- b. The Program has a web page on the main LASSD website devoted to recruiting volunteers and describing the various volunteer opportunities available. This site is continuously in development in order to be more effective in increasing the quantity and quality of volunteers. Further, California has created a regional pro bono website in which we have agreed to participate, wherein the Program can list its volunteer opportunities and needs in order to better reach more attorneys and more specialty lawyers: <http://www.probono.net/ca/socal/>. As technology continues to evolve and the Program expands, we believe our plan to better our website and increase the use of both websites will be a strong factor to increase recruitment for pro bono involvement.
- c. The Program also recruits at the local law schools. The purpose of this recruitment is not only to engage student volunteers, but to instill in these future lawyers knowledge of and support for pro bono work and the Program itself. Many of the volunteers we recruit from law schools continue, as attorneys, to volunteer their time to our Program and other pro bono legal services providers.

### 2. Sustaining Relationships with Volunteer Attorneys

- a. Staff of the Program meets with many of the larger law firms in San Diego County on at least a yearly basis to educate them on the various projects the Program offers and ways they might get involved. In this way, the Program sustains relationships with the large firms and recruits many additional volunteer attorneys.

Additionally, the meetings are used for two way dialogues to discuss potential new programs meeting the interests and needs of members of these firms.

- b. The Program has sponsored Equal Justice Fellows in the past and is currently working with students on new innovative projects in which to apply for funding. In this way, the Program will continue to build close relationships with sponsoring firms and recruit additional volunteer attorneys.

3. Collaboration and Co-Counseling

- a. The Program is fortunate in receiving an overwhelming amount of support from the local judiciary. The Program meets on a regular basis with its members to discuss how the program can better fill legal needs as yet unmet by legal service providers. The Judiciary has taken a forward-thinking approach to assisting low-income community members and has collaborated with the Program to provide support for *pro se* litigants. With this collaboration, the Program was able to set up legal clinics in the courthouses in order to more effectively assist *pro pers* with their civil legal needs.
- b. The Program collaborations with specialty bar associations were discussed previously. The Program also collaborates with community organizations and legal service providers such as St. Vincent de Paul Village homeless center, local law schools, San Diego Volunteer Lawyer Program and others. These collaborations are maintained by the staff of the Program by planning frequent meetings and events with our collaborators. San Diego is a smaller legal community and it is important that legal service providers and social service agencies, along with the local judiciary and government work together to effectively represent these low-income community members and meet their legal needs.

4. Maintenance of and development of additional signature projects

- a. The projects listed above are operated and maintained by the staff of LASSD.
- b. The development of new signature projects is a priority and staff constantly communicates with low-income members of the community and social service agencies in order to determine what legal needs are not being met and how the Program can fill those needs with use of volunteer attorneys.

- c. The Program continues to maintain a newly formed signature project which matches volunteer attorneys from Cooley LLP to represent LASSD clients in SSI Appeal hearings. The project was expanded this year and now includes attorneys from DLA Piper, LLP.

5. Training, Research and Technical Assistance

- a. LASSD is currently licensed as a Mandatory Continuing Legal Education (MCLE) provider. LASSD provides needed educational services to lawyers for credit as part of a training and solicitation program for attorney volunteers. To date, LASSD has provided training of over 420 MCLE hours in the areas of family law, domestic violence, unlawful detainer, battered spouse immigrant self-petitions, naturalization petitions, family mediation, victim/offender mediation, peer mediation, school disciplinary actions, special education and consumer law. In 2012, we held more than 10 MCLEs and plan to hold the same in 2013-2014. We have had more than 130 volunteer attorneys attend these trainings.
- b. All PAI attorneys have access to a PAI computer in the PAI offices which is linked to the Internet with free Lexis on line and all court forms for use in assisting their PAI clients. Additionally, LASSD provides access to all national and regional legal backup centers for in depth assistance with more complex cases.

D. Retention of Existing Volunteer Attorneys

1. The Program does an excellent job of recognizing its volunteers, both attorneys and non-attorneys. First, on a large scale, a yearly awards luncheon is hosted at the San Diego County Bar Association, wherein all volunteers putting in time on individual cases, clinical work, research, writing, etc. are publicly recognized with either the Wiley W. Manuel Award and/or the Outstanding Service Award. Both awards are based on the number of hours donated by each volunteer. Further, various law firms, law schools and minority bars are given awards based on their assistance during the year through their members in volunteering for our clients. Our 2013 awards luncheon will honor 60 attorneys with Wiley W. Manuel Awards and 45 attorneys with Outstanding Service Awards.
2. The Program also sustains relationships with volunteers and community members as discussed above. In this way, the Program also retains many of its volunteers.

E. Outreach

The Program does extensive outreach to publicize our services throughout the client community. We distribute announcements to community based organizations and flyers to clients. We do regular mailings to the local community and make many presentations to local groups and clients in the community. We give presentations at law schools and paralegal colleges. We will continue to update brochures in English and Spanish describing our services.

F. Budget

The attached 2013-2014 PAI budget projects the expenditure of at least 12.5 percent of the estimated 2013 LSC basic field grant award for the PAI plan. It includes staff time devoted to PAI activities and other related expenses attributable to the PAI components. In 2011-2012 the market value of the legal services provided by volunteers was about \$2 Million which is significantly higher than the prevailing cost of legal services for private clients.