

# AN OUTLINE FOR ESTABLISHING A FREE LEGAL CLINIC IN YOUR COMMUNITY

## I. INITIAL STEPS: FORMULATE A PLAN

### a. Get informed!

- i. Get acquainted with the Tennessee Access to Justice initiative:
  1. <http://www.tncourts.gov/programs/access-justice>
  2. <http://www.justiceforalltn.com/i-can-help/clinic-box2>
- ii. Before reinventing the wheel, why not visit a clinic and talk with some of its leaders and participants?
  1. *The following people may serve as initial contacts:*
    - a. Tony Seaton (Washington County); [tony@tonyseaton.com](mailto:tony@tonyseaton.com)
    - b. Dale Darby (Hamblen County); [d.darby@brewerandterry.com](mailto:d.darby@brewerandterry.com)
    - c. John Blankenship (Rutherford County);  
[John@blankenshiplawoffice.com](mailto:John@blankenshiplawoffice.com)
  2. *Set up a meeting to speak with your closest legal aid representative.*
    - a. Talk with them about the particular legal needs of your community and how your legal clinic could help meet those needs.
    - b. Consider forming a partnership between your clinic and your local legal aid to ensure that your lawyers get CLE credit and are covered by mal-practice insurance for their clinic work.
    - c. Whatever model you choose for your clinic, it is wise to keep your local legal aid in the loop and establish a good working relationship with them
  3. *Contact information for each legal aid office:*
    - a. Legal Aid Society of Middle TN [www.las.org](http://www.las.org)
      - i. Lucinda Smith [lsmith@las.org](mailto:lsmith@las.org)
    - b. Memphis Area Legal Services [www.malsi.org](http://www.malsi.org)
      - i. Linda Warren Seely [lseely@malsi.org](mailto:lseely@malsi.org)
    - c. Legal Aid of East TN [www.laet.org](http://www.laet.org)
      - i. Chattanooga: Charlie McDaniel [cmcdaniel@laet.org](mailto:cmcdaniel@laet.org)
      - ii. Knoxville: Terry Woods [twoods@laet.org](mailto:twoods@laet.org)
    - d. West TN Legal Services [www.wtls.org](http://www.wtls.org)
      - i. Kathryn Tucker [Kathrynt@wtls.org](mailto:Kathrynt@wtls.org)

### b. What kinds of fun do you want to get yourself into?

- i. Your imagination is the limit. (Not really, but it doesn't hurt to think that way.)
- ii. State with these ideas:
  1. Regular/set schedule, i.e., Monthly, weekly, bi-weekly... clinic (the schedule that best suits your area, clientele...),
  2. Connect with Hospice—always a need and very rewarding and important work,
  3. Senior Citizens Centers and similar;
  4. Consider partnering with faith based organizations (i.e., Salvation Army...) and local ministries, and homeless shelters/ministries...

5. General Sessions representation,
  6. Assisting Judge/Chancellor on Pro Bono day
  7. Setting up a table at community events offering free legal advice on select topics.
- iii. Be sure to consult with other clinics to see what all they are doing.
  - iv. Also, think outside the box for one day or specialty clinics- i.e. specific clinics for disaster relief (tornado, flood, etc.) or “Wills for Heroes” type clinics
- c. Contact your bar association president
- i. Is your association currently pursuing an Access To Justice Initiative? If so, then join forces and help them move forward.
  - ii. If not, then ask the President if you can put a committee together through your bar association.
    1. Note: A small committee works very well in terms of phone meetings, etc. due to lawyers’ time constraints. Be sure your other committee members are very committed to the program. Often, when you first start a clinic there will be no other bar members who will participate other than the committee. Part of the “mission” of your clinic is to educate the bar in addition to serving the needs of the clinic clients. Rule 6.1 makes clear our ethical and professional obligation to provide pro bono services. A clinic is an excellent way to get recalcitrant lawyers started in what should be a lifelong practice of pro bono.
    2. In smaller counties, your local bar association may not be very active or willing to support such an initiative. Congratulations! You just discovered a real need in your community!!! As we were saying....!
  - iii. From your bar association president (or from your local courts), get contact information (preferably email addresses) for mass communication with local attorneys.
    1. You may already have this information. Check your inbox to see if someone has sent a mass email to local attorneys in your area.
    2. Note: This list will come in very handy when you are promoting your clinic and seeking volunteers.
- d. Contact the Administrative Office of the Courts.
- i. The AOC has lots of valuable information on both the website and through the *Pro Bono Coordinator, Laura McKenzie*. You may reach her at [laura.mckenzie@tncourts.gov](mailto:laura.mckenzie@tncourts.gov) or 615-741-2687.
- e. Get to know your community and its needs. In other words- network!
- i. Contact your nearest legal aid
  - ii. Local attorneys you know may have an interest
  - iii. Local judges and clerks
  - iv. Community leaders, such as...
    1. Mayor’s Office
    2. Police Chief
    3. United Way
    4. Churches and other faith-based organizations/ministries
  - v. Note. When speaking with these people and organizations, be sure to ask what other groups, people, organizations, etc. might also be interested in your clinic.
    1. Be sure to keep track of all contacts.

2. If you are naturally antisocial like Mr. Darby, read How to Win Friends and Influence People by Dale Carnegie.
- vi. Utilize local community non-profit and volunteer groups that are already existing. Many of these are well connected to those who may be most in need of pro bono or reduced legal services. They can also provide useful resources as you move forward.
- f. Consider using interactive technology
  - i. Check out “Guidelines for Use of Interactive Technology to Promote Access to Justice” (INSERT LINK) to get ideas about how you might use video and document sharing technology to connect those in need in smaller or rural counties with existing pro bono resources in other counties. These tools are very inexpensive, and may help you serve areas that would otherwise not have access to a legal clinic.

## II. STARTING THE CLINIC

***Here’s your basic steps: Remember to reach out to others before re-inventing the wheel!!!***

- a. Establish the Committee of the Committed
  - i. You will need at least 2 other similarly-minded, similarly-committed attorneys. Try and get at least one *old* guy (like Tony, or John who is even older) or gal on your committee. They know the Ten Commandments backwards and forwards.
  - ii. You will need at least 1 “support staff” volunteer who will handle intakes and all the necessary paperwork.
    1. You will also need to have some initial documents put together (i.e. list of volunteers with contact information, etc. – reminder “fax” or call list to remind volunteers, etc.)
    2. This volunteer (absent some other protocol) will also handle the scheduling of the clinic itself, the scheduling of the attorneys staffing the clinic on each clinic day, following of REMINDING (!) the attorneys that are scheduled.
    3. Also, think early on about preserving/filing the intake forms/documentation and developing a protocol to maintain/keep statistics. It proves helpful to know how many people you have served, the areas of law most addressed/most needed, etc...
- b. Pick a suitable location
  - i. Find a suitable central location where the clinic will be regularly held
  - ii. Your location needs to be able to have six or eight places or offices where lawyers and clients can meet confidentially. You will also need a waiting area. Big community rooms are not ideal.
    1. Examples include public library, Chamber of Commerce, community center, other government building, local training centers, church or local ministry (be careful though, you don’t want to exclude based on faith); attorney’s office (you will want to weigh potential pros and cons if you choose this option). You can also reach out to the largest owner of commercial real estate. Such individuals usually have unused space that they may be willing to “donate.” Be sure arrangements are clear with owner of whatever facility on all details and logistics (insurance, security, access, keys...).
- c. Determine a regular time

- i. We suggest holding the clinic for 2 hours on a set day each month.
  - 1. Ex. Last Saturday of every month from 9 to 11 a.m.
  - 2. Ex. First Thursday of every month from 5 to 7 p.m.
  - 3. Ex. First Saturday of every third month of the year from 12 to 2 p.m.
- ii. How often you hold your clinic will depend on your locale and is population driven. The most common template is to hold monthly clinics but some counties hold clinics more frequently, such as once a week.
- d. Build support in your legal community
  - i. You can do this a number of ways, but we suggest holding an organizational meeting. How?
    - 1. Hold an organizational meeting either through your bar association or on your own. Get out plenty of notices to local attorneys and their staff. Be sure at the meeting to explain how you propose the clinic to operate. This essentially gets other lawyers to volunteer and be a part of the initial startup. These lawyers will be your core group when you begin your operating your clinic.
  - ii. Determine if you would like assistance from Legal Aid. (This will get you CLE and malpractice coverage, but will also obligate you to cumbersome forms and requests for citizenship status). The local Legal Aid office should be a “partner,” however, even if you don’t do the CLE and malpractice form route, as Legal Aid will be a great referral source of clients and a great advertiser and promoter of the clinic. Legal Aid is limited in terms of types of cases and clients it can take, and the Legal Aid folks will welcome your clinic and be one of your best referral sources. Work with them!
- e. Advertise and promote the clinic
  - f. All local Court Clerks. Place signs in clerks’ offices, and have meeting with the clerks to explain and promote the clinic. They will welcome, and likely be ecstatic about, your clinic, as they are bombarded with pro se litigants seeking advice, forms, lawyer referrals....
  - g. Newspapers – Notify your public service announcement reporter and request that they run an article about your clinic.
    - i. We suggest that you volunteer to write the article.
    - ii. See if you can get the clinic placed on the events calendar.
  - h. Radio—Public Service Announcements.
    - i. Believe it or not, people still listen to the radio, particularly local AM radio. Talk with radio station and see if they’d be willing to do a PSA, starring, well, you!
  - i. TV – Notify your public service announcement reporter.
  - j. Develop a Flyer that goes out every month– These can be put up around the courthouse and emailed to all non profit agencies. (Usually one agency will have a list of these; eg. Salvation Army, Homeless Agencies, Food Banks, Relief Agencies, Veterans agencies, etc.)
    - i. Be sure to send out a flyer at least a week in advance of every clinic.
  - k. Signs – The Washington County clinic bought yard signs and placed them around town. (with wicker baskets – cost was cheap but we ended up making them permanent with wooden frames).
  - l. Business cards. This is a very effective way to get the word out. See if you can get local attorneys or maybe a business to help with the cost of these cards.

- i. Give a bunch away to sheriff's deputies, court clerks, legal aid, local attorneys, and judges.
    - 1. Be sure to give your cards to Legal Aid. They can send you a lot of pro bono clients.
  - ii. One idea is to make special trips to visit attorney offices and meet their staff. Give them a business card and tell them about your clinic and request that they send pro bono clients to the clinic. Attorneys who take Pro Bono cases do not need to send their clients to the clinic if they have agreed either with a court or a Legal Aid organization to take on a client Pro Bono. Attorneys may send persons that visit their office to the clinic if they cannot take that person's case for whatever the reason, i.e., do not practice in the subject area, do not have room to take another case, etc.
- m. Get forms for your clinic
- i. No worries! The work has been done for you. Go to <http://www.justiceforalltn.com/i-can-help/clinic-box2>
  - ii. Feel free to adopt these forms outright or change them as needed
- n. Compile Pro Bono resources
- i. Anticipate what types of legal problems and concerns you will likely encounter.
    - 1. Clinics deal frequently with debt collection, landlord tenant matters, employment matters, child custody and divorce.
    - 2. Be sure to link with attorneys who can readily answer questions pertaining to these areas. Get these attorneys' contact information and when you're stumped, you can ask them for help.
  - ii. Gather Legal Aid pamphlets
    - 1. Legal Aid has a lot of flyers about a lot of topics. Get a bunch of these.
  - iii. Research what other legal organizations are doing in your community.
    - 1. For example, you may want to contact:
      - a. Southeast Tennessee Legal Services [www.selegal.org/](http://www.selegal.org/)
      - b. Community Legal Center, Memphis, TN [www.clcmemphis.com](http://www.clcmemphis.com)
      - c. Justice For Our Neighbors <http://tnjfon.org/>
      - d. Tennessee Justice Center [www.tnjustice.org](http://www.tnjustice.org)
      - e. Disability Law & Advocacy Center of Tennessee [www.dlactn.org/](http://www.dlactn.org/)
      - f. Tennessee Volunteer Lawyers and Professionals for the Arts [www.abcnashville.org/](http://www.abcnashville.org/)
      - g. Southern Migrant Legal Services [www.trla.org/](http://www.trla.org/)
  - iv. Familiarize yourself and download forms from TAOC self-help center.
    - 1. <http://www.tncourts.gov/programs/self-help-center>
- o. Continue to recruit volunteers and build rapport
- i. Use Tony Seaton's article (Tennessee Volunteer, Fall 2010; Meeting the Challenge: Washington County Lawyers Respond to Community Needs) for ideas on how to recruit lawyers. Do not accept the excuse of "I don't know what I am doing in that area." They are all counselors! If they get over their head then they will generally have other lawyers to ask. Many times the people who are there do not have a legal problem but just need someone to give them general advice. Again, our Supreme Court has removed all doubt as to our ethical and professional OBLIGATION to do this work. Remind, in the right way, that we lawyers have a responsibility ("Ability

+ Opportunity = Responsibility”), and how the clinic is a wonderful activity to engage in towards fulfilling that responsibility.

- ii. Send out emails and faxes asking for volunteers EACH month.
  1. Feel free to cash in on favors you have done for people!
- iii. Each month send out an email to the bar THANKING each volunteer.
- iv. Recruit young and new attorneys in your area to the clinic. Suggest they “sit in” with an “old guy” for a couple of clinics to gain contacts, valuable experience, etc. Then put them to work!
- v. Keep energy up!
  1. Recognize your volunteers throughout the year. Whether it be through a routine email sent out to your volunteers, or an article in your local newspaper, make sure that your volunteers know how much you appreciate their service.

### III. YOUR TENNESSEE LEGAL CLINIC COMMUNITY- CONTACTS

- Dale Darby – Hamblen Legal Link – [d.darby@brewerandterry.com](mailto:d.darby@brewerandterry.com); 423-587-2730
  - He leads a monthly legal clinic in Hamblen County.
- Tony Seaton – Washington County Bar Association- [tony@tonyseaton.com](mailto:tony@tonyseaton.com); (423) 282-1041
  - He assists with a monthly legal clinic in Washington County.
- John Blankenship – Rutherford Cannon County Bar Clinic- [John@blankenshiplawoffice.com](mailto:John@blankenshiplawoffice.com)
  - He founded a faith-based clinic that has been successful for many years in Murfreesboro.
- Nick Tidwell- Compassionate Counsel- [Nick@iptlawfirm.com](mailto:Nick@iptlawfirm.com)
  - He leads a monthly faith-based legal clinic out of the Nashville Rescue Mission.