

What is the goal of the Care Kit?

The State Bar of Texas is committed to fostering a culture of pro bono service. The Care Campaign will empower attorneys who want to help low-income Texans. Many local bar associations wish to hold legal services clinics but don't know where to start. The Care Kit provides the materials needed to hold a clinic regardless of size of organization or number of volunteers.

Why is there a need?

While nearly 6 million Texans qualify for legal aid, the Texas legal community only meets 20 percent of the need. This means that for the majority of low-income individuals and their families, legal clinics are the only way to receive professional legal advice, basic legal services, or access to an attorney.

What are the main areas of law that these clinics assist with?

Practice areas covered in legal clinics typically include divorce, child support and custody, consumer issues and contracts, bankruptcy, landlord and tenant problems, guardianship and probate, wills and estate planning, employment, housing, and tax questions.

How do we get involved?

You can contact your nearest legal aid or pro bono service provider and find out what is needed in your community.

Why should our bar partner with local legal aid and pro bono service providers?

Legal aid and pro bono organizations are an invaluable nexus point for communicating with members of your local community—for example, to alert them to an upcoming legal clinic. These organizations are also an invaluable source of information *about* your local community, including the nature of their legal needs and other local obstacles they may face. Finally, familiarity with legal aid and pro bono organizations will allow your clinic to make accurate referrals to resources that may satisfy your clients' non-legal needs.

How does our bar get in touch with local legal aid and pro bono service organizations?

- Contact the State Bar of Texas Legal Access Division at (800) 204-2222, ext. 1855 or probono@texasbar.com to be directed to opportunities in your area.
- Contact your local legal aid office by looking in the Legal Access Division referral directory.
- Go to [TexasLawyersHelp.org/volunteer](https://www.texaslawyershelp.org/volunteer).

Is malpractice insurance provided?

The State Bar Malpractice Insurance Network pays premiums for professional liability insurance for more than 55 legal aid and pro bono services programs throughout Texas. The insurance covers staff attorneys and pro bono volunteers on cases taken through approved legal aid and pro bono service programs.

Where can our bar find information on other local bars' legal clinics?

Contact the Legal Access Division at (800) 204-2222, ext. 1855 or probono@texasbar.com to be connected to the coordinators of other bar legal clinics.

How does our bar get started on setting up a legal advice clinic?

Begin by visiting the State Bar's website, [texasbar.com/care](https://www.texasbar.com/care), and read the posted materials such as "Tips on organizing and publicizing a Legal Clinic" and "Legal Clinic 'how-to'." Then contact the State Bar for a Care Kit, which contains office supplies, forms, folders, and a flash drive with instructions to help your bar get your clinic up and running. You can also contact other local bars currently holding legal clinics to get advice and further input.

Our bar doesn't have its own volunteer lawyers program. Can our bar make arrangements with a legal services provider for referrals when additional legal representation is needed?

Every county in Texas is within the service area of one of the state's three legal aid organizations, which receive money from the federal government to represent low income clients in civil matters. The three organizations are Lone Star Legal Aid, Legal Aid of NorthWest Texas, and Texas RioGrande Legal Aid.

Each organization has an intake system for prospective clients to which clients can be referred—normally an 800-number. However, these organizations' limited resources only allow them to serve about a quarter of the people whose income is low enough to qualify for legal aid's assistance.

Local legal aid offices often maintain contact with private attorneys interested in taking pro bono cases, and some employ dedicated pro bono coordinators, resulting in many of the same benefits as a volunteer lawyers program operated through a bar organization. If your local bar does not operate a volunteer lawyers program, consider making an effort to connect private attorneys interested in taking pro bono cases with your local legal aid office, so that they have attorneys to whom they can send referrals.

Contact the Legal Access Division of the State Bar of Texas for assistance or more information at (800) 204-2222, ext. 1855 or at probono@texasbar.com.

What resources are available to assist attorneys who volunteer to take a pro bono case?

If a case is accepted through an approved legal services provider, an attorney may be eligible to receive several benefits for the purposes of that case, including:

- Access to malpractice insurance through the State Bar of Texas
- Clients who are pre-screened for financial eligibility and to ensure that their legal problems can be solved by a lawyer
- Training and experience, including courtroom experience, for newer associates
- Mentor program that offers experience and advice to new attorneys or attorneys taking a case outside of their primary practice area
- Free Continuing Legal Education (CLE) training

Qualifying legal services providers include those that are:

- Recipients of Legal Services Corporation funds
- Recipients of IOLTA funds
- Texas nonprofits that provide civil legal services where at least 50 percent of the services provided are free to Texans whose income is at or below 175 percent of the federal poverty guidelines

Contact your local legal services organization to determine the scope of the resources they are able to provide.

What should our bar do about income guidelines for people wishing to use the clinic?

This will be a choice for your bar organization to make, but there are some factors it should consider in making it.

Many of the external legal services providers you may work with—such as recipients of funding from the Legal Services Corporation or the Texas Access to Justice Foundation—have mandatory conditions placed on their funding restricting service to clients whose income is within a certain range of the federal poverty guidelines. Although your bar organization will not face those external restrictions directly, to the extent that your clinic serves clients whose income exceeds the income-cap imposed on these outside legal services providers, they will not be able to accept those clients as referrals.

However, the fact that you cannot make a referral to an outside organization doesn't mean your clinic cannot provide advice to a client on the spot. Even basic legal advice is valuable to a person who is unfamiliar with the legal system and has no idea what to expect from it. Therefore, many clinics around the state are willing to offer basic advice to any person who walks through their doors, but then limit subsequent referrals to only those individuals whose income qualifies them for representation from an outside organization. You may consider taking that route.

You can also refer those who do not meet the income guidelines to the lawyer referral system, many of which have modest means panels. Visit [texasbar.com/lris](https://www.texasbar.com/lris) to identify a lawyer referral service. If your local bar does not already have a modest means panel, you might consider creating one.

Should our clinic have specialists in certain practice areas and if so, which ones?

Most organizations find that the majority of applicants need help with a family law issue—divorce, child custody/support, etc. It may make sense to seek out specialists in that area. Beyond that, needs will differ from community to community, so the best guide to draw on will be experience.

The Care Kit provides general information on issues such as probate, foreclosure, debt, etc., that will help bring your volunteers up to speed on issues they're likely to encounter. In addition, substantive law resources can be found at [texaslawyershelp.org](https://www.texaslawyershelp.org).

Does the State Bar offer any CLE?

TexasBarCLE provides free CLE via DVD to organized pro bono programs or bar associations for the recruitment of pro bono attorneys. This program is sponsored by the Legal Access Division and TexasBarCLE. This program offers a selection of hundreds of DVDs covering a wide variety of topics for pro bono coordinators to utilize in keeping their volunteers up to date.

Tuition waivers to TexasBarCLE courses are also available for pro bono attorneys who are nominated by approved legal aid or pro bono service programs.

Contact the Legal Access Division of the State Bar of Texas for assistance or more information at (800) 204-2222, ext. 1855 or at probono@texasbar.com.

How can we best promote our clinic to the community?

Create fliers to post in public places like schools, libraries, and the post office. Templates are included in the Care Kit. You may want to contact local media stations or newspapers to include a notice as well. Maintaining a relationship with the legal services providers and social services providers is key in getting the word out to your potential client population.

Should our bar provide an orientation for volunteers for the clinic?

Orientation is invaluable for volunteers since they will frequently be inexperienced in providing on-the-spot advice. You can offer a live orientation coupled with a nuts and bolts CLE in a specific practice area, or a general overview of poverty law issues that volunteers might run into.

A useful alternative to a live orientation is an orientation manual. These can even be made available free of cost if you post them online as PDF documents. This can be a very simple and cost-effective way to instruct volunteers in what they should expect, and what they need to know.

Materials included in this Care Kit include a “Getting Started” powerpoint as well as tips on organizing a clinic to help your bar get your clinic up and running. You can also download the material at texasbar.com/care.

How can our bar obtain a Care Kit?

Contact the State Bar of Texas Local Bar Services Department at (800)204-2222, ext. 1514 or email localsbars@texasbar.com.
