



FREQUENTLY ASKED QUESTIONS

What is the goal of Texas Lawyers for Texas Veterans?

Texas Lawyers for Texas Veterans (TLTV) was implemented to develop and assist pro bono legal clinics throughout the state for military veterans and their families who otherwise cannot afford the legal services they need.

Why is there a need for veterans legal clinics?

There is a significant need among the veterans' community for legal assistance. According to the National Center for Veterans Analysis and Statistics, 1.6 million veterans reside in Texas, and a distressing number are living in poverty or without homes.

As a result, veterans don't have the resources, financial or otherwise, to seek and retain legal counsel. Despite the best intentions and tireless efforts of veterans groups and social services providers, too many veterans go without the legal help that they need and deserve. For many veterans, just getting a chance to talk one on one with a lawyer can relieve a huge burden.

How does our bar find out if a veterans legal clinic is needed in our community?

To help gauge the need for veterans' legal services in your area, contact your nearest Department of Veterans' Affairs facility, Texas Veterans Commission offices, Veterans of Foreign Wars or American Legion Post as well as local homeless shelters and other social services groups helping homeless or low-income individuals and families.

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

The Local Bar Services department can provide resources like the Clinic in a Box and Veterans Clinic Marketing Tool Kit that will assist you in establishing a clinic and publicizing it. The Clinic in a Box contains everything an organization needs to host a veterans legal clinic – a how to guide, intake forms, substantive law questionnaires, signs, office supplies, and more. The Veterans Clinic Marketing Tool Kit contains tips on how to organize and publicize clinics. You can also contact other local bars currently holding veterans legal clinics to get advice and further input.

Why should our bar partner with local veterans service organizations or the VA?

Veterans organizations are an invaluable nexus point for communicating to and meeting with local veterans. Many local bars have even been successful holding legal clinics at local VA facilities because veterans already congregate at these locations. Veterans organizations are also an invaluable source of information *about* your local veterans community, including the nature of their legal needs and other local obstacles they may face. Finally, familiarity with veterans organizations will allow your clinic to make accurate referrals to resources that may satisfy veterans' non-legal needs.

How does our bar get in touch with local veterans service organizations or the VA?

Visit the Department of Veterans Affairs website at va.gov to find local health clinics and veterans centers. If you're interested in hosting a clinic at a local VA facility, it's recommended that you contact the Chief of Social Work or Volunteer Services at the specific location first. You can also use the American Legion's website (legion.org) or the Veterans of Foreign Wars website (vfw.org) to find a nearby Post for either organization.

How can we best promote our clinic to the veteran community?

Partner with your local veterans services organizations (e.g., the VA, Texas Veterans Commission, the American Legion, and the VFW) and work with their representatives, particularly social workers, to build awareness among the veteran community about your clinic. Also, check out the resources in the Veterans Clinic Marketing Tool Kit for more in-depth tips on how to organize and publicize clinics. The tool kit contains sample press releases which can assist you in spreading the word about your clinic to local media outlets, civic officials, and judges. Please also keep the State Bar Local Bar Services department informed about your clinics so your dates may be added to the TLTV clinic calendar. Our office receives multiple veterans calls a week, and our department refers them to local bar clinics whenever possible.

For our first clinic, how do we know how many veterans will show up?

This is a difficult number to estimate and will depend on how you publicize your clinic, but most clinics have received between 25 and 40 veterans. Of course, if your bar would like to establish a set number to accommodate the number of volunteers and available space and resources, you can make your clinic "appointment only."

What should our bar do about income guidelines for veterans 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.

To begin with, the State Bar of Texas releases a legal aid income eligibility chart annually, which is available in the Clinic in a Box and on the State Bar's website (texasbar.com/veterans). It provides non-mandatory guidance regarding the range of income categories.

Beyond that, you should keep in mind that 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 which restrict them to serving 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 veterans whose income exceeds the income-cap imposed on these outside legal services providers, they will not be able to accept those veterans 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 veteran 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.

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. However, if you hold clinics routinely, you'll find that volunteers tend to come and go, which creates a quandary about the most worthwhile time to hold orientations for new members: Would you rather give the orientation for a small group, or allow volunteers to operate for a time before receiving the orientation?

A useful alternative to a live orientation is an orientation manual. These can 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.

What are the main areas of law that arise in veterans legal clinics? Should our clinic have specialists in certain practice areas and if so, which ones?

Common practice areas covered in veterans 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. It would make sense to seek out volunteer specialists in those areas.

Beyond that, needs will vary between localities. The Clinic in a Box provides resources with general information on issues such as probate, foreclosure, debt, etc. These will help bring your volunteers up to speed on issues they're likely to encounter.

In addition, the Ten Minute Mentor website (tenminutementor.com) can be a useful education tool in preparing your volunteers for what they may face at clinics. It is an ongoing collection of short instructional presentations for the busy lawyer and includes presentations on various topics, including family law, specific veterans issues, wills/probate, and many more.

Each presentation is typically short (around 10 minutes or less), and qualifies for MCLE self-study credit only. Go to the home page, click on "View Index by Category," and see the wide range of topics covered.

Other substantive law resources can be found at texaslawhelp.org.

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 veterans 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.

Luckily, local legal aid offices often maintain contact with private attorneys interested in taking pro bono cases, and sometimes they 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 organization 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.

What about attorneys in our bar who want to volunteer to take a veteran's case pro bono? Can they do that?

Yes. Attorneys can take a veteran's case on the same terms as any other pro bono case they desired to take.

Further, if the 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:

- malpractice insurance through the State Bar of Texas
- a pre-screening of referred clients 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
- free Continuing Legal Education (CLE) training

Qualifying legal services providers include:

- recipients of Legal Services Corporation (LSC) 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 175 percent of the federal poverty guidelines, or less

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

We've had attorneys ask about taking a disability claims case. Can they do that?

Disabilities claims are within the jurisdiction of the U.S. Department of Veterans Affairs (VA). The VA makes an administrative determination of qualification for benefits, which can ultimately be appealed to U.S. Court of Appeals for Veterans Claims, which has exclusive appellate jurisdiction.

Attorneys can represent veterans in either administrative proceedings before the VA or before the U.S. Court of Appeals for Veterans Claims if they are properly accredited. Visit texasbar.com/veterans for more information on VA attorney accreditation.

What about veterans who need assistance with municipal tickets?

Your bar can make referrals to community resources that may be able to assist with municipal tickets. The State Bar's Legal Access Division has an excellent referral directory, included in the Clinic a Box, which contains statewide resources, civil resources by county, and criminal resources.

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

Please contact the Local Bar Services department at (800) 204-2222, ext. 1514 or localbars@texasbar.com for more information about existing local bar veterans legal clinics. Or, visit the Texas Lawyers for Texas Veterans section of the State Bar of Texas website (texasbar.com/veterans) to read more about existing local bar TLTV programs.



texasbar.com/veterans

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