

LAWYERS SERVING VETERANS PRO BONO OPPORTUNITIES AND RESOURCES

BY BENET MAGNUSON

At war, service members become expert problem solvers, completing complex missions in the most hostile of environments. But when veterans face legal problems at home, they often can't succeed without the representation of an attorney. Attorneys have the training and the license to address veterans' legal needs.

Veterans often struggle with legal problems long after their tours of duty are over. Veterans face a high divorce rate after the stresses of war and often have to create child custody and support agreements. Nine thousand Texas veterans live without a home, and many more veterans, struggling to maintain a home for their family, are now experiencing a crash course in bankruptcy law. According to the U.S. Department of Veterans Affairs (VA), more than 3 million U.S. veterans receive VA disability compensation and must navigate the complex disability benefits systems of the Social Security Administration and the VA. In Texas, more than 300,000 veterans are receiving disability or pension payments.

Texas attorneys, whether seasoned divorce attorneys or new associates working in IP law, have many opportunities to contribute their legal skills helping Texas veterans. Local bar associations and legal aid offices throughout the state have created veterans legal clinics and case referral systems. Many resources are available for attorneys doing pro bono work at approved legal services providers.



LEGAL CLINICS

Legal clinics are a primary opportunity to connect veterans to basic legal services. At these clinics, veterans are able to discuss their legal problem with a volunteer attorney, receive on-the-spot advice, and, when appropriate, receive a referral to a legal aid or volunteer lawyer organization.

The support of volunteer attorneys is critical for the success of these legal clinics. Attorneys with expertise in family matters, bankruptcy, housing, traffic tickets, wills, public benefits, employment, consumer, or criminal law are especially needed to address the legal needs of veterans attending these clinics. Attorneys experienced in other practice areas can also contribute their legal expertise, and training materials are available to educate volunteers on the core areas of legal need. To find a veterans legal clinics in your area or for volunteer information, visit www.texasbar.com/veterans.

Attorneys interested in starting a clinic in their region can obtain a clinic toolkit, sample publicity material, and other how-to materials by visiting www.texasbar.com/veterans. In addition, attorneys or legal organizations can request a "clinic in a box," which contains everything an organization will need to host a veterans legal clinic, including forms, folders, signs, and office supplies. Attorneys can contact the nearest VA facility, VFW post, and local homeless shelters and social services groups to help gauge the legal needs of veterans in the area.

PRO BONO REFERRAL PROGRAMS

Many legal problems facing veterans cannot be addressed in the short amount of time available at a clinic. Attorneys interested in making a larger contribution to legal services for veterans may want to volunteer with legal aid and volunteer organizations to take veterans' cases pro bono.

Pro bono attorneys are an integral part of the legal services delivery system in Texas. More than 5 million Texans have incomes low enough to qualify for legal aid, meaning a family of four lives on less than \$28,000 per year. This huge demand and limited funding forces legal aid offices in Texas to turn away nearly half of all qualified clients who come to their offices for assistance. This means, for example, that legal aid offices in Texas are not able to accept a divorce case unless there has been domestic violence in the marriage and that violence has occurred within the last three months.

In order to meet the legal needs of veterans, legal aid organizations in Texas will need the strong support of attorneys willing to take pro bono referrals. Attorneys interested in taking the first step should visit www.texaslawyershelp.org/volunteer and contact the pro bono coordinator listed for their region. To ensure a successful pro bono referral, the coordinator will ask new volunteer attorneys about the issue area, the type of work (whether court representation, document review, or mentoring of junior attorneys), and the time commitment the volunteer can offer.

EMERITUS ATTORNEYS

The Emeritus Attorney Program allows inactive or retired attorneys, or attorneys licensed in other states, to provide pro bono representation through approved programs. Emeritus attorneys can remain on inactive status, saving on membership dues and MCLE costs. To qualify for the Emeritus Attorney Program, an attorney must be in good standing with the state licensing authority with which the attorney is licensed or from which the attorney has retired; have been engaged in the active practice of law for at least five out of the immediately preceding 10 years prior to application for Emeritus Attorney status; and volunteer with a pro bono organization that has been approved under the program.

Attorneys interested in taking veterans cases through the Emeritus Attorney Program can contact Texas Lawyers Care at (800) 204-2222, ext. 1855.

RESOURCES FOR VOLUNTEERS

Attorneys who accept veterans' cases pro bono through approved legal services providers receive benefits to assist their representation. These benefits include professional liability insurance through the State Bar, mentorships, free continuing

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legal education, and pre-screening of referred clients to ensure financial eligibility and justiciability of claims. Any organization that receives IOLTA funding, including legal aid offices, can serve as an approved legal services provider for these benefits. Additionally, any attorney who provides 75 hours or more of pro bono service in a year is eligible to join the Pro Bono College.

Texas Lawyers for Texas Veterans, in partnership with the Texas Young Lawyers Association, the Texas Bar Foundation, and TexasBarCLE, offers several resources to educate lawyers on the legal issues facing veterans. The Texas Young Lawyers Association has created a quick resource guide for lawyers, (*Resources for Lawyers Assisting Veterans*, see p. 848 for more information), that summarizes the common legal issues facing veterans, the process of assisting a veteran with a benefits claim, mental health issues experienced by many veterans, and general resources for lawyers assisting veterans in Texas. TexasBarCLE has created a three-hour webcast that covers the basics of veterans benefits law. The webcast is available on TexasBarCLE's Online Classroom, and group viewings can be arranged through TexasBarCLE. More information about the resource guide, the webcast, and many other trainings and legal resources are available at www.texasbar.com/veterans.

All Texas attorneys have the opportunity to serve the veterans community in this state. Attorneys from every practice area and every level of experience are needed to volunteer with veterans legal clinics and to take case referrals pro bono. Without that support, too many veterans in Texas will be denied access to the justice they served to protect.

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**OPERATION
ENDURING LAMP**

Legal problems are especially daunting when they arise during active duty in the military. While managing the responsibilities of deployment, military families often must also defend their rights at home under the Servicemembers Civil Relief Act, manage child custody and other family changes, create guardianships and wills in case of death, and enforce reemployment rights. For active duty service members and their families under the stress of war, an attorney can be a critical lifeline when legal problems develop back home.


Operation Enduring LAMP (Legal Assistance to Military Personnel) is an ongoing project of the State Bar, Texas Lawyers Care, and the Military Law Section that helps active duty service members and their families with a wide range of legal issues including family law, employment issues, and consumer law. Service members who contact the program are referred to attorneys in their area who have volunteered to take pro bono cases through the LAMP program. The support of volunteer lawyers and paralegals is vital to the success of the LAMP program.

Although the Staff Judge Advocate's Office on each base provides legal assistance to military personnel and their family members, only uniformed active duty judge advocate officers are authorized to provide in-court representation, and then only for lower ranking service members and dependents in limited instances. Service members who cannot be represented by a judge advocate officer and family members in communities beyond the reach of a legal assistance office remain in great need of pro bono support.

Legal assistance to military personnel through the LAMP program can involve court representation, counseling, telephone calls, and letter writing for signature by the client or the attorney. Volunteer attorneys in the program receive pro bono referrals from LAMP Director Col. Bryan Spencer. The client is responsible for any out-of-pocket expenses. Local attorneys who agree to do this work pro bono provide legal assistance, as appropriate, in the attorney's individual office or at armories. Local bar associations may also provide meeting space.

Attorneys who would like to take pro bono referrals in the LAMP program should contact Col. Spencer at (800) 204-2222, ext. 1855 or at bryan.spencer@texasbar.com.

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