



CHRISTIAN LEGAL SOCIETY

CHRISTIAN
LEGAL AID

“So ... you feel ‘called’ to start a Christian Legal Aid Clinic!”

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1. The Market and your Vision

a. Why do this?

For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in, ³⁶I needed clothes and you clothed me, I was sick and you looked after me, I was in prison and you came to visit me. Matthew 25:35 - 36

b. Who will you be able to serve?

- Geography: Downtown/urban, suburban, rural
- Specific economic class: 1.5 times poverty level; homeless; working poor
- Specific population:
 - i. Immigrants, refugees
 - ii. Elderly
 - iii. Victims of domestic violence/human trafficking
 - iv. Everyone

2. The Organizational setup: the pros and cons

a. Advantages of using an independent organization, such as an IRS approved 501 c 3 non-profit corporation (Inc.) or Limited Liability Company (LLC)

- i. Validity /credibility
- ii. Control
- iii. Tax-deductible gifts; fundraising

b. Requirements for an Independent Organization:

- i. Board of Directors: need at least 3; no more than 7
- ii. Articles of Incorporation (use standard State Form)
- iii. Bylaws (use IRS template)
- iv. Employer Identification Number (EIN)

[Apply for an Employer Identification Number \(EIN\) Online](#)

Information about how to apply online for an Employer Identification Number.

[Do You Need a New EIN?](#)

Generally, businesses need a new EIN when their ownership or structure has changed.

- v. 501(c)(3) application: online/streamlined on IRS website:

Form 1023-EZ is used to apply for recognition as a tax-exempt organization under Section 501(c)(3).

Applicants can learn more about the requirements, benefits, limitations and expectations of tax-exempt organizations by accessing the online courses at the IRS [Small to Mid-Size Tax Exempt Organization Workshop](#).

- c. Advantages of partnering with another organization: church, rescue mission, etc.

- i. Free or reduced cost facility
- ii. Shared fundraising and/or budget; financial support
- iii. “Built in” visibility (advertising)
- iv. Possible readily available facilities:
 - Client greeting/waiting room
 - Office space for equipment, files
 - Closed rooms for confidential client meetings (with windows for transparency purposes)
- v. Support of church/organization’s leadership
- vi. Help with recruiting volunteers
- vii. Donation of staff assistance (e.g. intake coordinator)

3. Types of legal issues

- a. General: anything imaginable
- b. Specific limited issue focus: ONLY family law, immigration, etc.
 - Volunteer attorneys could choose focus area(s)

4. Types and focus of Legal Services

- a. ABA Model Rules 1.3 and 2.1 (see Handout)

- using all available 'tools' to assist the client
- b. Advice & referral: listen, counsel, advise, refer out
- c. Limited Scope Representation (see local Bar Association Rules)
 - necessity of a written Representation Agreement
 - What is limited-scope representation**
 - Limited scope representation allows attorneys to provide discrete legal services to clients as a more affordable option to traditional full-service representation.
 - {i.e.: The Michigan Supreme Court on September 20, 2017, adopted rules providing clearer direction to attorneys offering limited scope representation.}
- d. Full representation, including trial court level litigation but not appellate
 - necessity of a written Representation Agreement
- e. Community legal education events: free educational seminars on the types of legal services the organization provides

5. Clinic sessions

- a. Frequency: monthly, bi-weekly; Which days/times: Saturdays, weekdays, weeknights
- b. In-person; via phone/zoom

6. Clinic format

- a. Appointment based:
 - i. Obtain client intakes in advance by phone, email, or website
 - Get client contact info, summary of legal issue, key documents
 - Need trained intake coordinator
 - Need intake process and forms
 - ii. Attorneys meet with clients in scheduled meetings
 - iii. Pros of appointment based: saves time; attorneys are prepared; able to assist clients more readily
- b. Walk-in / helpdesk style
 - i. Advertise walk-in clinic open hours
 - ii. Attorneys advise on whatever issues come in
 - iii. Cons of walk-in: wastes time; attorney unprepared; may not be able to assist a client with a specific type of legal need (i.e. immigration)

7. Clinic process and procedures

- a. Volunteer and client scheduling procedures

- b. Client intake process (forms, etc.); see Christian Legal Aid (CLA) Resource Library
 - Intake Form; Consent/Waiver Form; Client Advice Form

8. Technology on site

9. Volunteer base needed

- a. Leadership
 - i. Initial start-up team
 - ii. Board members
 - iii. Advisory board members
 - iv. Clinic director
- b. Legal
 - i. State-licensed attorneys
 - (a) Clinic attorneys
 - (b) On-call attorneys (to answer questions as needed)
 - (c) Referral attorneys (to take ongoing pro bono cases)
 - ii. Law students
 - iii. Paralegals
- c. Non-legal
 - i. Administrative volunteers
 - ii. Hospitality volunteers
 - iii. Ministry volunteers
 - iv. Interpreters
 - v. Communications (e.g., website, newsletters)
 - vi. Event coordinators (e.g., fundraiser dinners, social events)

10. Volunteer recruitment and training

a. Recruitment sources:

1. Christian Legal Society attorney chapters
2. Word-of-mouth, personal contacts
3. Churches
4. Local bar associations
5. Organization's website

b. Volunteer training

1. Formal training sessions on serving clients
2. Live sessions by experienced volunteers

3. Recorded webinars (available in CLA Resource Library¹)
4. On the job training
5. Informational meetings for volunteers to share best practices with each other
6. Formal CLE training on legal issues
 - i. By attorneys experienced in specific legal issues (either volunteers within program or recruited from outside)
 - ii. Partner with secular legal aid programs
 - iii. Recorded webinars
 - iv. Online training (e.g. Practising Law Institute free webinars)

11. Legal research resources

- a. National and state legal research sites
 - i. www.probono.net
 - ii. www.lawhelp.org
- b. Local legal aid websites
- c. CLA Resource Library

12. Liability insurance

- a. Malpractice liability insurance a MUST. Options include:
 - i. Attorneys provide their own through private practice
 - ii. National Legal Aid & Defenders Association (NLADA) www.nlada.org
 - iii. Commercial carriers
 - iv. State Bar
- b. Directors & Officers coverage (optional)
- c. Errors & Omissions coverage (optional)
- d. General liability (usually carried by host facility and/or organization)

13. Advertisement / Communications

- a. Website; email; text
- b. Churches
- c. Ministries to the poor (e.g., shelters, food pantries, clothing ministries, etc.)
- d. Social service agencies
- e. Community charity databases
- f. Post flyers
- g. Law firms and local Bar Association

14. Ministry aspects

- a. Statement of Faith?

¹ www.christianlegalaid.org/clinic-resources/legal-aid-resources

- Pros: clearly explains Christian foundation of the clinic and its workers.
 - Cons: some persons may object to Christian emphasis instead of a 'secular' viewpoint
- b. Attorneys encouraged to pray, give spiritual advice, and/or share the Gospel?
- ABA Model Rules re: advice, diligence, Rule 2.1:

Counselor

In representing a client, a lawyer shall exercise independent professional judgment and render candid advice. In rendering advice, a lawyer may refer not only to law but to other considerations such as moral, economic, social and political factors, that may be relevant to the client's situation.

- c. Volunteers to pray, give spiritual advice, and share the Gospel?
- d. Referrals to churches and other ministries (social work)

15. Fundraising

- a. Events (e.g. prayer breakfasts, dinners, etc.)
- b. Solicitation letters & emails
- c. Website
- d. Churches
- e. Foundations
- f. Individuals