

Pro Bono Service Anytime, Anywhere! The New Pro Bono Website

wyoming.freelegalanswers.org

Equal Justice Wyoming

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Changing Legal Landscape

- Increasing number of self-represented litigants in the courts
- Trend is not going to change in the near future
- Client demands have changed – public wants online services
- Technology is changing the way the legal profession serves clients

No Lawyer. No Choice.

- National court-based research shows most self-represented litigants cannot afford an attorney
- The research showed only a small number of self-represented litigants could afford an attorney (many times by making a significant sacrifice if they do so).

Level of Poverty in Wyoming

- 11.5% of Wyoming's population lives below 100% of the Federal Poverty Level
 - 67,000 individuals
- 30% of Wyoming's population lives below 200% of the Federal Poverty Level
 - 175,000 individuals

Wyoming Rules of Professional Conduct

- “. . . a lawyer should seek improvement of the law, access to the legal system, the administration of justice and the quality of service rendered by the profession. . . A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. Therefore, all lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice . . .” WRPC Preamble, cmt 6.

W.R.P.C. 6.1 Pro bono public service

“Every lawyer has a **professional responsibility** to provide legal services to those unable to pay. A lawyer should aspire to tender at least fifty (50) hours of pro bono legal services per year.”

- The substantial amount by providing legal services **without fee or expectation of fee** to persons of limited means, or organizations servicing persons of limited means
- Provide additional services to other civic or charitable organizations, or by providing legal services at a substantially reduced rate to persons of limited means
- Participate in improving the law, legal system and/or legal profession
- Alternative is to donate at least \$500.00 per year

W.R.P.C. 1.2 Scope of Representation and Allocation of Authority

- Representation may be limited scope (unbundled) if reasonable under the circumstances and client gives informed consent.
 - Adequate information and explanation of material risks available alternatives to proposed course
 - No longer a written informed consent requirement
- Client in this situation is considered to be unrepresented unless affirmatively otherwise
- Important for pro bono representation because often can be unbundled

W.R.P.C. 6.5 Non-profit limited legal services programs

- Legal Advice Clinic setting (limited scope) requirements of attorney conflict check obligation are relaxed
- Rules 1.7 and 1.9(a) apply only if lawyer knows a conflict of interest exists
 - Does not require a full blown conflict search “back at the firm”
- Lawyer must obtain informed consent for limited scope representation
 - Best practice is to have the informed consent in writing
 - Wyoming.freelegalanswers.org requires the client consent to the limited representation before they can ask a question on the site
- Wyoming.freelegalanswers.org is treated as a virtual advice clinic and rule 6.5 applies

Resources and Support for Volunteer Attorneys

- Malpractice coverage for pro bono work
- Web-based Pro Bono Portal: forms, outlines, CLE archives
www.probono.wy.gov
- Mentor attorneys
- Assistance in out-of-pocket cost reimbursement for pro bono cases
- CLE credit for pro bono work performed

Pro Bono Portal

- Information and forms on:
 - Family Law
 - Housing Law
 - Consumer Law
 - Public Benefits Law
 - Wills, Trusts, Estates
 - Domestic Violence
 - Expungements
- Litigation Toolkit
- Limited Scope Toolkit
- Recorded CLE seminars
 - Substantive topics above
 - Working with Pro Bono Clients
 - Accessing Hospital Records
 - ETHICS – Dealing with Dishonesty
 - Housing Issues

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- For more information contact Liz Hutchinson at lhutchinson@courts.state.wy.us
- To register as a volunteer attorney for the site, go to wyoming.freelegalanswers.org to create an account

