

FOR THE PUBLIC GOOD

LSNJ



A report on the work of New Jersey's *pro bono* attorneys and Legal Services programs in the pursuit of equal justice for all



40 YEARS OF LEGAL SERVICES IN NEW JERSEY A Message from De Miller, President of LSNJ

Legal Services has just completed 40 years of service in New Jersey, with a wonderful record of accomplishments and service. Well over 1.6 million clients represented, approaching 60,000 annually, and countless changes in law providing greater justice to low-income people: such are the hallmarks of Legal Services' first 40.

As last fall's latest statewide Justice Gap report demonstrated, New Jersey remains far short of ensuring that our lowest income residents have access to legal representation for their significant civil legal problems. As an example, only one percent of tenants facing eviction are represented, and only five percent of defendants in Special Civil Part have lawyers. Legal

Services does everything possible to seek additional public and private funding, but must also have significantly greater *pro bono* contributions to close this gap.

For these reasons, Legal Services of New Jersey has issued a new call for attorney support: an annual contribution of *one case and one billable hour of funding*. Starting this year, each practicing attorney is being asked to take a case on referral from Legal Services (*contact information appears at the end of this article*). In addition, all are being asked to contribute the equivalent of at least one billable hour of their time. Those in public service or retirement are asked to contribute \$300.

Former Chief Justice Wilentz

continued on page 4

“The values you uphold are the measure by which we as a society can determine our collective worth. Through the past forty years, Legal Services and the judiciary have forged a partnership built on mutual respect and a shared vision: equal justice for all of our citizens.”

The Honorable James R. Zazzali
Chief Justice,
New Jersey Supreme Court

INSIDE THIS ISSUE

- 40 Years of Legal Services in NJ... 1
- Welcome to *For the Public Good*... 1
- Overview of *Pro Bono* Opportunities 2
- “My Eyes Were Opened”
One *Pro Bono* Attorney’s Story . . . 3
- 40th Anniversary Celebration 4
- “Sleepless Nights and Worry”
One Client’s Story 5
- Staff Profile: Arlene Bonner 6
- Pro Bono* Attorney Profile:
Robert McLellan 7

SIGN UP FOR A PRO BONO PANEL

See page 2 for a summary of *pro bono* opportunities, and to learn how to sign up now to do *pro bono* work.

WELCOME TO FOR THE PUBLIC GOOD

We are pleased to present the first issue of the new *For the Public Good*. Like its predecessor, published from 1984 to 1992, the new version will highlight the efforts of *pro bono* lawyers and Legal Services staff to secure equal justice for low-income people in New Jersey, and the stories of clients who

have been helped by or need *pro bono* services.

We hope that, through *For the Public Good*, you will come to appreciate the mission and work of New Jersey’s Legal Services programs, and be inspired to join us in building a vibrant *pro bono* community in New Jersey!

OVERVIEW OF *PRO BONO* OPPORTUNITIES

New Jersey's Legal Services programs and clients need your help. The information below will help you identify *pro bono* opportunities that are available to you to help meet this dire need.

PRIVATE ATTORNEYS

Statewide Panels: Attorneys can volunteer with Legal Services of New Jersey (LSNJ), which coordinates the statewide Legal Services system, on one of our statewide panels; see descriptions below.

Regional Programs: Attorneys can also sign up with any of the six regional Legal Services programs across the state.

Litigation

Each program will match your interests with the types of cases they refer and your name will be placed on a referral list. While the greatest need is for direct representation, especially in housing and family law cases, participation in other cases and roles is also possible.

Non-litigation

Consultations, mentorship, trainings, research.

STATEWIDE *PRO BONO* PANELS

Family: Divorce; visitation; custody; support

Domestic Violence: Final Restraining Orders (FROs)

Immigration: Asylum; naturalization; cancellation of removal; VAWA self-petition

Bankruptcy: Represent clients in bankruptcy court who have fallen behind on debts or become disabled

Consumer Protection and Anti-Predatory Lending: Consumer debts; auto deficiency defenses; auto sales; garnishments and levies; student loans; homeowners facing loss of homes or equity due to abusive lending practices

Community Economic Development: Transactional; tax and related aspects of law for community-based economic and housing development non-profits

Education: School residency; homeless rights; discipline and truancy matters; special education; early intervention

Employment: Wage and hour issues; retaliation; worker health and safety; Limited English Proficiency; Americans with Disabilities Act; leave and accommodation; barriers to employment; workforce development; consumer law violations in employment context; UI/TDI/WC; discrimination; undocumented worker exploitation; human trafficking; civil rights cases

Statewide Hotline (1-888-LSNJ-LAW): Real property; wills; estates; trusts; taxes; DMV

Taxes: IRS repayment or underpayment cases; tax consequences of settlements

Wills, Estates and Trusts: Wills; trusts (particularly special needs trusts); advance health directives; living wills; durable powers of attorney; adult guardianships

CORPORATE COUNSEL/LARGE LAW FIRMS

Litigation

Corporate and large law firm attorneys have all the same opportunities that private attorneys do (see left column). Additionally, lawyers can participate via a structured collaboration between the partnering corporation/large law firm and Legal Services of New Jersey or a regional Legal Services program, as described below.

"Small law firm" approach

While there are several ways to develop *pro bono* projects, one approach, pioneered successfully at Merck several years ago, is to function as a small law firm. In this approach, participating employees are grouped into small teams to work on similar cases and back each other up.

Non-litigation

Consultations, mentorship, trainings, research, externships, public relations, consultations on information systems, and general technical support.

INCENTIVES AND SUPPORT PROVIDED

- Training
- Mentorship
- Malpractice coverage
- Filing fee waiver
- Initial intake, financial screening, and referral
- Madden Exemption:
NJ-admitted attorneys who provide 25 hours of *pro bono* services to Legal Services are exempt from court-appointed assignments the following year.
- For non-New Jersey-admitted attorneys, a special court rule allows practice in conjunction with Legal Services.
- Other support, such as office use, court reporters, library resources, etc.

HOW TO SIGN UP

If you would like to volunteer your services as a *pro bono* attorney, please call or e-mail:

Anu Gurnani
Pro Bono Coordinator
Legal Services of New Jersey
Phone: 732-529-8308
E-Mail: AGurnani@lsnj.org

“MY EYES WERE OPENED”

One *Pro Bono* Attorney’s Story

You might think that, for a solo practitioner, it’s not such a great idea to take on *pro bono* assignments while trying to build a business that actually turns a profit. But I can honestly say that *pro bono* work, at least the work I have done with the Immigration Representation Project (IRP) of LSNJ, has provided me with immense satisfaction and a rare chance to learn a new area of law.

DIVING RIGHT IN

Earlier this year, I took an ICLE class on immigration law and it was just by luck that I stumbled upon the opportunity to work with LSNJ, representing clients facing removal from the United States.

I was assigned two clients, both of whom were facing removal. It was difficult, not only because immigration practice is a very technical area of law, but also because it was very different from the civil litigation that I do in my own practice. But I dove in, read all the materials made available to me from LSNJ, studied the forms, met with my clients and their families and did my best.

My clients had been in this country for many years, established lives, raised families and made connections here. My job was to help them navigate the immigration legal system and determine whether they could stay. The pressure was real.

One of my client's cases is pending and is scheduled for an individual hearing later this year. My other client, who was incarcerated on an immigration detainer without bail, had a difficult choice to make. My investigation of his case revealed some questionable events in his records and a criminal history which precluded him from staying in the country. I met with him and his family to explain the situation openly and honestly and to advise him of what his options were, however few.

In the end, he took a voluntary departure and went back to his country in Africa, a good choice should he want to try to come back to the U.S. sometime in the future. After arriving in Africa safely, he took the time to write me a note expressing his



Scott D. Grossman, Esq.

appreciation for my hard work. I was touched; here this family was split apart but he did not hold it against me. He expressed his gratitude that I took the time to really try to help.

FRUSTRATIONS AND CHALLENGES

Pro bono work, as I have learned, is not all about the happy ending and it can be extremely frustrating to take on *pro bono* cases. The hours are long, the cases often complicated and the clients you get are people who are often ignored by the system. Once they have a captive audience in you as their attorney, they depend on you; they look to you to save their lives, their homes, and their families.

My eyes were opened to the reality that, when people cannot afford legal representation, they can get excluded, be denied access to the legal system, and remain in the dark about their rights. This is the compelling reality that makes a *pro bono* program all the more crucial.

“... *pro bono* work ... has provided me with immense satisfaction and a rare chance to learn a new area of law.”

In our busy lives, with our hectic schedules and the demands of our families and other obligations, it is easy to come up with excuses as to why we are

continued on page 8

40 YEARS OF LEGAL SERVICES IN NEW JERSEY

continued from page 1

frequently emphasized that the practice of law was a *calling*, not merely a profession or occupation. He stressed that part of the calling for all lawyers is to provide some service in the public interest. Since 2004 this calling has been embodied in ethical Rule of Professional Conduct 6.1, which dictates:

Every lawyer has a professional responsibility to render public service. A lawyer may discharge this responsibility by providing personal services at no fee or a reduced fee to persons of limited means..., and by financial support for organizations that provide legal services to persons of limited means.

We hope you see fit to answer this call. If we as a society are to expect all people to follow the rule of law, we must ensure that all have a realistic opportunity to participate in the legal process. Lawyers are essential to that participation.

Please assist us. To sign up, contact Anu Gurnani, *Pro Bono* Coordinator, at 732-529-8308 or AGurnani@lsnj.org.

*Melville D. Miller, Jr. — President
Legal Services of New Jersey*

NEW JERSEY'S LEGAL SERVICES PROGRAMS CELEBRATE 40TH ANNIVERSARY



The Legal Services system of New Jersey celebrated its 40th anniversary at a reception and dinner on November 29, 2006, at the Hyatt Regency in New Brunswick. A record number —

545 — registered to attend the event. The program opened with introductions and welcoming remarks from De Miller, LSNJ President; James H. Coleman, Jr., Chair of the LSNJ Board of Trustees; and Wayne J. Positan, President of the New Jersey State Bar Association.

Because of an unexpected visit with the troops in the Middle East, Governor Corzine was unable to speak at the Anniversary Dinner as planned. Kenneth Zimmerman, Chief Counsel to the Governor, spoke on his behalf, saying that “Governor Corzine and this administration are proud and deeply respectful of your work, and recognize that Legal Services is the key element in the State’s legal assistance system, an organization that’s indispensable to the overall provision of civil justice in New Jersey. At the same time,” Zimmerman continued, “the Governor asked me to stress ...the distance we still must travel to make the aspiration represented by Legal Services into a reality for all the people of New Jersey. In this regard, the facts are stunning Four out of five

poor people who need a lawyer don't have access to one. . . . Simply put, we cannot accept this. We must do better. Governor Corzine and I are committed to working with you to address this justice gap.”

After dinner and the showing of a new video on the mission and work of Legal Services in New Jersey, entitled “Just Justice,” first the Honorable Deborah T. Poritz, the retiring Chief Justice of the New Jersey Supreme Court, then the Honorable James R. Zazzali, the new Chief Justice, offered their remarks. De Miller concluded the program with some final words. “Tonight, and this year,” he said, “we celebrate 40 years of achievements of an institution, Legal Services, whose sole mission every day is simply to seek justice for those who are most disadvantaged, the individuals and communities we represent: simple justice, sweet justice, social and economic justice, legal justice. The characteristics of the most disadvantaged may change over time.... But beneath those temporal changes, there is one unifying characteristic, sadly: the most disadvantaged, the most oppressed, are almost always living in deep poverty. So, Legal Services, joining hands with others in this state and nation, tries to address this poverty. That's what we do.”

*Thomas A. Makin — Director of Development
Legal Services of New Jersey*

“SLEEPLESS NIGHTS AND CONSTANT WORRY”

One Client’s Story

“I had reached my wit’s end with phone calls from collection agencies.” 67 year-old Gloucester County resident Marlene Minerd had accumulated thousands of dollars in credit card bills, and she didn't know what to do. Living on a fixed Social Security income of only \$529 per month, credit cards had become the only way she could afford basic necessities.

For most of her life, Marlene had been a stay-at-home mom to seven children, including one grandchild. While the children were still young, she was divorced and had to rely on \$1,000 per month in child support to care for her family. When the youngest turned 18, the support payments ended and she found herself with a new challenge. “I never had the luxury of working,” she says. “When the child support stopped, I realized I had no job skills, no way to support myself. So I did what I knew: cleaning houses and babysitting.”

As she got older, work became less feasible and she hadn't earned enough in her lifetime to qualify for Social Security. So, at age 62, she decided to collect half of her ex-husband's Social Security. That \$529 per month wasn't enough to make ends meet, so when a credit card offer arrived in the mail, she replied. Soon, one card became five, and Marlene found herself increasingly burdened with bills, which she could not pay. For five years, she struggled to make the minimum payments, but it was impossible. “The phone was ringing off the hook,” she says. “I had many sleepless nights and constant worry.”

Desperate, she realized she needed to file for bankruptcy, but she couldn’t afford an attorney. Then she heard that South Jersey Legal Services provides legal assistance at no cost to clients. Within a few days of her request, a *pro bono* attorney was on her case.

Marlene’s Chapter 7 case was handled by Dan Hutchinson in Woodbury. “I immediately felt comfortable with the staff at SJLS, and I was surprised at how quickly I was contacted by the *pro bono* attorney. The attorneys involved in my case really listened to me and answered all of my questions. Money simply was not an issue — they treated me like I was a paying client.” Marlene’s bankruptcy was filed within a few



Marlene Minerd

weeks and discharged in November. Finally, she could get on with her life, which she says was a “great relief.”

“I really don't know what I would have done without the services of the Private Attorney Involvement Program. It is a wonderful thing that a program like this exists for those of us who cannot afford a lawyer. I wish the attorneys who take our cases could know how much we appreciate the work they do and the way it impacts on our daily lives.”

*Kate Myers — Director of Pro Bono Services
South Jersey Legal Services*

WE NEED YOUR FEEDBACK . . .

. . . to shape *For the Public Good* into an effective tool for recruitment and communication between *pro bono* attorneys and Legal Services staff who are nurturing *pro bono* efforts within their programs. We welcome your ideas. Please e-mail your feedback and suggestions to AGurnani@lsnj.org.

PROGRAM STAFF PROFILE: ARLENE BONNER

Pro Bono Coordinator, South Jersey Legal Services

In October 1987, Arlene Bonner was an out-of-work, single mother of four, seeking legal assistance with an unemployment case. She walked into South Jersey Legal Services as a client and walked out with a job. Coincidentally, a position had just opened up in the Private Attorney Involvement (PAI) Program. It must have been fate that a few months earlier the unemployment office had sent Arlene to secretarial school to learn office skills. With her abilities, maturity, and gracious personality, it was apparent she had a lot to offer to the program. So she was offered the job as secretary for PAI.



Arlene Bonner

Nearly 20 years later, Arlene has established herself as the foundation of the PAI Program. A paralegal now, she coordinates *pro bono* cases over a five-county region. Affectionately known as “Ms. B” to her colleagues, her experience as a former client gives her a unique perspective and compassionate approach to case placement. She gets great satisfaction from her work with PAI because she knows first-hand how it feels to find help through a Legal Services program.

Arlene has cultivated a robust *pro bono* panel, which now includes nearly 300 attorneys. She takes care to consider personality and geography when matching clients with attorneys, and she has a special talent for placing complicated cases. As one lawyer put it, “her kind and gentle nature makes it impossible to say no.” Arlene has had the second highest number of cases placed of any *pro bono* program in the state of New

Jersey. During her career, literally thousands of clients have received help because of her efforts.

Over the past two decades, Arlene has remained a reassuring constant in a fast-paced Legal Services environment. She is well-known and respected: her colleagues at SJLS, the clients and especially the *pro bono* attorneys all love her. Although she could have retired a few years ago, Arlene says she “can’t imagine ever leaving” her job. “I would miss the excitement,” she says, “and the good feeling I get when I place a case with a *pro bono* attorney.”

Arlene often can be heard professing her profound gratitude for the attorneys who have accepted PAI cases over the years. “Their generosity makes my job easy and helps clients who otherwise could not be served.”

Arlene resides in Camden County with her great-granddaughter, Anize, who is four years old. She enjoys cooking for her eight grandchildren, singing in the choir at church, and bowling.

*Kate Myers — Director of Pro Bono Services
South Jersey Legal Services*

NEW www.ProBonoNJ.org

Welcome to Pro Bono New Jersey

Quest for Justice

This site is dedicated to cultivating *pro bono* participation in New Jersey's private attorney community and is sponsored by Legal Services of New Jersey (LSNJ), an independent, not-for-profit organization that coordinates the statewide Legal Services system. For more information on LSNJ, see [About LSNJ](#).

Purpose

The purpose of this site is two-fold: to connect attorneys seeking to provide *pro bono* services with not-for-profit organizations that serve NJ's low-income residents, and to provide attorneys with the support and resources they need to succeed in their *pro bono* efforts.

Features

On this site, you will find valuable information on the need for *pro bono* representation in NJ, participating *pro bono* agencies, current *pro bono* opportunities, a statewide training calendar, the Madden exemption, practice areas, including legal resources, e-mail lists, success stories, featured *pro bono* attorneys, *pro bono* news, and much, much more.

Forty years of NJ Legal Services

2006 marked the fortieth anniversary of New Jersey's Legal Services programs – which it celebrated at the 40th Anniversary Dinner on November 29th – and a renewal of our commitment to equal access

2006 Equal Justice Awards

What's New in Pro Bono

Jan 8 - ADA Plans Open
Water for Senior
V Health
Mendons Villa
Provide Pro Bono
Service

40 Years of Equal Justice

We have a new Web site to support and strengthen private attorney involvement in NJ. There you'll find:

- Information on the need for *pro bono* representation
- Current *pro bono* opportunities
- Featured attorneys and Legal Services staff
- A coordinated statewide training calendar
- Resources
- Upcoming events
- The Madden exemption
- Success stories
- And much, much more!

PRO BONO ATTORNEY PROFILE: ROBERT McLELLAN

Robert McLellan walked into Legal Services of Northwest Jersey's (LSNWJ) offices in January 2003 with only one question. Was there an opportunity for him to do volunteer work for us? Bob and his family had relocated to Sparta a few months earlier and he was eager to become an active participant in their new community. We quickly brought him into the Legal Services community through the LSNWJ Volunteer Lawyer Program. Since then, he has become a strong legal advocate for Sussex County's neediest residents.

A REASSURING PRESENCE

Working mainly in tenancy law, Bob helps clients facing homelessness resolve their housing dilemmas. Compassionate and sympathetic to the multiple needs our clients face, Bob volunteers a minimum of two full days per week as an in-house volunteer in the Newton office, putting in more than 400 hours a year. He participates in statewide Legal Services trainings to hone his skills and is always willing to put in extra days when asked. In an "average" year, 40 clients and their families benefit from his ardent legal advocacy.

Bob is the reassuring presence in tenancy court to whom judges direct people facing evictions. Along with helping clients who seek services prior to the court date, he takes "on the spot" cases, tenaciously representing everyone eligible for Legal Services. Many volunteer attorneys find appearing before the judge immediately after interviewing the client a daunting challenge, but Bob does it week after week, earning the respect of the court and other attorneys, as well as appreciation from his clients.

NO REST IN RETIREMENT

Bob's dedication to his community is not limited to Legal Services work. Along with a group of fellow Exxon retirees, Bob volunteers every spring to assist people through the Volunteer Income Tax Assistance (VITA) program. Low-income seniors, disabled people and those eligible for the Earned Income Credit are the beneficiaries of this program, through which volunteers prepare personal state and federal tax returns. Bob adds this volunteer effort to his Legal Services schedule without missing a beat.

Bob retired to Sparta after a career with Exxon that

spanned more than 35 years. A graduate of the University of Rochester with an MBA from Columbia University, Bob went to law school at night and received his JD from Fordham University's Law School in 1977. After law school, he moved within Exxon to



Robert McLellan

the tax department and worked in London for five years before returning to the United States.

When Bob isn't assisting Legal Services clients or volunteering with VITA, he is busy traveling and visiting with friends and family. He also finds time to be an avid tennis player and golfer. Bob is an inspiring model for those who believe that retirement does not mean that you sit home with your feet up and do nothing. Legal Services of Northwest Jersey is the grateful beneficiary of his tireless efforts to make equal justice a reality for vulnerable members of our community.

*Teri Henninger — Pro Bono Coordinator
Legal Services of Northwest New Jersey*



ONE PRO BONO ATTORNEY'S STORY

continued from page 3

unable to carve out some time to help those in need. But I'm telling you from experience, you would be surprised at the kind of time you can find if you look for it, if you believe that helping others and providing access to justice is important for society as a whole. And that can often feel more satisfying than a huge

legal fee (well, okay, almost as satisfying). I will continue to perform *pro bono* work for the people of New Jersey, and I am proud to do so. I hope my experience inspires others to take on *pro bono* work as well.

Scott D. Grossman, Esq.

TRAINING CORNER

Legal Services of New Jersey conducts trainings throughout the year in various substantive areas of law. These trainings are free of charge for attorneys who agree to take at least one case referral in the following year on a *pro bono* basis.

For a list of upcoming trainings, registration deadlines, and forms:

Go to: www.ProBonoNJ.org

Or call: Anu Gurnani
Pro Bono Coordinator
732-529-8308

Space is limited, so register soon!

“My eyes were opened to the reality that, when people cannot afford legal representation, they can get excluded, be denied access to the legal system, and remain in the dark about their rights.”

Legal Services of New Jersey

P.O. Box 1357
Edison, NJ 08818-1357

