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Pro Bono Collaborative E-Newsletter (No. 7) (September 2010)

Roger Williams University School of Law

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News and Updates

Nixon Peabody LLP Provides Pro Bono Legal Assistance to Homeless Veterans at Operation Stand Down

For the second year, on Friday September 18, Armando Batastini, Esq. from the law firm of Nixon Peabody LLP, provided pro bono legal advice and counsel to veterans at the 17th Annual Operation Stand Down event in Cumberland. Since 2009, Nixon Peabody LLP has been providing direct representation to clients referred to the PBC Expungement Project by the RI Coalition for the Homeless and local veterans groups.



Nixon Peabody LLC Teams Up with Looking Upwards

In August, Neal McNamara, Esq., of Nixon Peabody LLC agreed to represent several individual clients of Looking Upwards, a community organization in Middletown RI that serves adults and children with disabilities, in identifying legal strategies that will best protect the individuals' interests in medical emergencies.

Edwards Angell Palmer & Dodge LLP Attorneys Continue Assisting CFSRI Families

Attorneys Nancy H. Van der Veer, Zoe Cooper, Eric B. Mack and Matthew Murphy continued meeting with families from CFSRI over the summer to assist them with their housing law issues. EAPD has been working with CFSRI for four years. In the past year, the law firm has provided housing clinics twice a month to CFSRI families -- in Providence and Central Falls.

Scott Harshbarger To Speak During Pro Bono Celebration Week

On October 28th, Scott Harshbarger will be speaking at RWU School of Law in Bristol about his public service career.

His lengthy record in public service is built on roles as a public defender, civil rights attorney, district attorney and Massachusetts Attorney General. During his tenure as Attorney General,



he led major initiatives against white collar crime, public corruption, insurance and Medicare fraud, environmental abuses and high-tech crime. He also served for three years as president and CEO of Common Cause, the lobby and government watchdog group. Today, his public service career continues through his role as Senior Counsel and Pro Bono Chair in the Boston office of Proskauer Rose LLP. [More information...](#)

The PBC Welcomes Seven New Law Students

This fall, seven new students will begin working on PBC Projects. New and returning students met on campus on September 14th to discuss their projects and the importance of using their PBC experience as an opportunity to observe how private law firm attorneys incorporate pro bono into their professional lives. New students include: Amy Goins (Street Sights Project and McAuley House Expungement Project); Angie Depetrillo-Bucci (Meeting Street School Project), Dylan Griffis (Bradley Hospital Guardianship Project), Kelly Nardone-Rafferty (Women's Center Project), Monica Burbelo (Women's Center Project), Jamie Johnson (Looking Upwards Project) and Amanda DeFarno (RI DLC Special Education Project).



PBC Student Meeting 9/14/2010: from left to right Dylan Griffis, Monica Burelo, Kelly Nardone Rafferty and Angie Depetrillo-Bucci

Get Involved: Projects Needing Law Firms

1. Lead Pipe Action Project

Would you like to provide legal assistance to a local environmental advocacy coalition trying to ensure that any lead pipe replacement in our community doesn't increase the risk of lead poisoning but rather fulfills its intended purpose of eliminating lead exposure caused by our water supply pipes? The Lead Pipe Initiative Coalition---- a group made up of representatives from the Childhood Lead Action Coalition, Clean Water Action, the Mount Hope Neighborhood Association, Mount Hope Community Baptist Church and concerned residents---- are in need of pro bono legal counsel to provide the group with advice and counsel and potential litigation strategies to address a major health concern that involves the partial replacement of lead water line pipes within the Providence Water Supply Board's jurisdiction.

2. Advice & Counsel for Tenants in Foreclosed Properties Project

Partnering with the RI Bank--Owned Tenants and Homeowners Association to provide advice and counsel to tenants of properties that have recently been foreclosed. Twice a month, on Thursday late afternoons, attorneys and law students would attend Association meetings to answer members' legal questions and provide advice and counsel. Legal problems could range from inability to recoup a security deposit or rent paid after a foreclosure sale to utility shut--offs during foreclosure sale. Attorneys' role would be to inform the tenant of their legal entitlements and provide advice on how to self--advocate. Attorneys could also negotiate to permit the tenant to stay in the home or get adequate time and money to move.

Training will be provided to all attorneys by a Rhode Island Legal Services Staff Attorney.

3. Homeless Disability Project with SOAR (great for aspiring litigators!)

The project will partner SOAR ("SSI/SSDI Outreach Access and Recovery") and the RI Disability Law Center with a law firm and RWU law students in handling pro bono Supplemental Security Insurance (SSI) Administrative Law Judge hearings. This PBC project will involve helping homeless individuals with mental illness obtain SSI benefits they desperately need and are entitled to but have not been able to obtain.

The staff at SOAR currently assists individuals in their initial applications and prepares all the necessary medical documentation. However, in cases where the benefits are denied, a hearing may be requested.

PBC project attorneys would assist at this stage of the process by filing a Request for Hearing, and then preparing for and providing

representation at the hearing. It usually takes about seven months from when a Request for Hearing is made until the hearing. Training will be provided to all attorney by the RI Disability Law Center.

4. Gorham Environmental Protection Project

A coalition of concerned citizens of the Reservoir Triangle neighborhood in South Providence are seeking legal advice and counsel regarding strategies to ensure that the City of Providence protects the public from the contaminated land (a "brownfield") between Adelaide Avenue and the Mashapaug Pond---- the former site of the Gorham Silver manufacturing facility ("Gorham"). Children and young adults are attracted to this large outdoor space which poses significant health risks. During the past year, residents began taking action in response to the danger posed by the Gorham brownfield. Concerned residents, with the assistance of the Environmental Justice League of Rhode Island, have secured commitments from the City to ensure proper maintenance of the fences and replacement of warning signs while cleanup actions continue on the site. However, the resident group has identified several issues about which they need legal advice and counsel. The PBC can provide any interested law firm with a full background briefing regarding this project and the legal needs identified by the group.

5. Derrick Cazard Foundation (Non-Profit Incorporation/Business) Project

The [Derrick Cazard Foundation](#) was established to provide low income children with resources to participate in activities to enhance their development and promote positive community experiences. The organization has received 501(c)(3) status but is in need of legal counsel to assist in board selection and creating a formal business plan.

If your law firm is interested in any of these projects or if you would like additional information, please call Suzy Harrington-Steppen, PBC Project Coordinator, at 401.254.4559 or sharrington-steppen@rwu.edu.

Seven Ways Your Firm Can Create and Maintain an Enduring Pro Bono Culture

*This article is a shortened version of an article entitled "Ten Things Law Firms Can Do To Create and Maintain an Enduring Culture of Pro Bono," used with permission from its authors, Martin J. Bishop and Ellen M. Wheeler. The original article was first published in the January/February 2010 issue of *The Bench*, a bi-monthly publication of the American Inns of Court.*

1. Establish a Written Policy.

Having a written policy serves two fundamental purposes. First, like any set of rules, a written pro bono policy provides clarity for the lawyers who serve under it. Second, an express policy demonstrates a law firm's commitment to the provision of pro bono services. Policies can be as simple or as complex as circumstances at the firm warrant. Either way, there are a variety of resources available on the internet, including model policies that provide a good starting point for the adoption of a written pro bono policy.

2. Provide Billable Credit.

Offering billable credit for pro bono work will enable attorneys, particularly those whose compensation is linked to billable hours, to take on pro bono work without worrying that they will be penalized.

3. Offer an Abundance of Choice.

Offering a wide variety of pro bono projects is crucial to increasing the involvement of all attorneys. One challenge that many firms face is finding ways to involve non-litigators in pro bono work. Another challenge is overcoming attorney fears that a case will become too involved or take too much time. Offering a wide variety of pro bono work can help to overcome both these challenges. Offer short term, discrete projects for those attorneys that are reluctant to take on bigger, more amorphous projects.

4. Involve Firm Leadership.

It almost goes without saying that a firm cannot maintain a culture of pro bono unless pro bono work is supported and encouraged by the leaders of the firm. Regardless of a firm's official procedures and policies, junior attorneys will be reluctant to take on pro bono work if the senior attorneys with whom they work and on whom they are dependent for their work are not supportive. One of the best ways for management to convince other attorneys that the firm's commitment to pro bono work is real, is to engage in pro bono work themselves.

5. Engage in Constant Communication.

Law firms need to regularly and repeatedly provide their lawyers with the opportunity to engage in pro bono work by communicating with their attorneys about pro bono project availability and lawyers' capacity to serve on pro bono matters. Steady communication endorses the concepts of firm and leadership commitment to pro bono and otherwise assists in fostering a firm's pro bono culture.

6. Routinely Acknowledge Pro Bono Efforts and Successes.

Frequently, routinely, and publicly acknowledge the efforts and successes of attorneys engaging in pro bono work. A firm can and should acknowledge and reward the efforts of attorneys working on pro bono matters by simply "piggybacking" on methods it already uses to acknowledge the efforts of its attorneys on behalf of paying clients.

7. Make It Easy.

Everything about your pro bono program should be easy. Make it easy for your lawyers to obtain, process, and staff new matters. Make it easy for attorneys to get credit for what they do, be it billable credit or accolades from leadership. Make it easy to get relevant training, either by securing free training through local pro bono service providers, or by paying for outside training. Simply put, the easier things appear to be with your pro bono program, the more likely lawyers will be encouraged to get involved.

PBC's Current Pro Bono Projects:

Special Education Advocacy Projects:

- Meeting Street School, Casey Family Services and Partridge Snow & Hahn LLP
- RI Disability Law Center and Hinckley Allen & Snyder LLP

Housing Rights Clinic Projects:

- Children's Friend & Service RI and Edwards Angell Palmer & Dodge LLP
- Women's Center RI and Hinckley Allen & Snyder LLP

Expungement Project

- Family Life Center, RI Coalition for the Homeless, Operation Stand Down and Nixon Peabody LLP
- McAuley House and Ratcliffe Harten Burke & Galamaga LLP

Nonprofit Incorporation Projects:

- Grand Divas: Casey Family Services' kinship care group and Partridge Snow & Hahn LLP;
- Rhode Island Liberian Foundation for Education and Cultural Initiatives (RILFECI) and Edwards Angell Palmer & Dodge LLP; and
- RI Dream Center and Pannone Lopes Devereaux & West LLC

Guardianship Projects

- Bradley Hospital's Center for Autism and Developmental Disabilities and Taylor Duane Barton & Gilman LLP
- Looking Upwards and Nixon Peabody LLP

Foreclosure Scam Prevention Project

- Housing Network RI and Motley Rice LLC

Monthly Legal Column in Street Sights Newspaper Project:

(serving homeless community and advocates) Adler Pollock & Sheehan P.C.

Donate to the PBC

The PBC needs your help. If you would like to make a financial contribution you can donate online or via mail:

[GIVE ONLINE](#)

(please note your contribution is for the "PBC")

Please send contributions to:

The PBC, RWU School of Law, 10 Metacom Avenue, Bristol, RI 02809

The Pro Bono Collaborative is a grant-funded project at the Roger Williams University School of

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