Statewide Pro Bono Program
Projects Report

The statewide Pro Bono Program, operating under the Court Help Program of the Montana Supreme Court, has one FTE—a Pro Bono Coordinator who assists in developing, sustaining, and supporting various pro bono programs across Montana. The Coordinator often works with one or more partners to bring pro bono legal services to low-income Montanans. In 2016, Montana attorneys contributed more than 120,000 pro bono hours valued at more than $18M.

The Coordinator is currently developing or assisting on a number of signature programs designed to increase pro bono opportunities and volunteer hours, while providing directed services to average Montana citizens across the state.

I.   **Current Major Projects and Initiatives**

Montana Attorneys for Montana Veterans: This program was originally developed in 2009 and was designed to assist Veterans with disability claims before the Board of Veterans Appeals (BVA). To provide services to veterans before the BVA, an attorney must be accredited by the U.S. Department of Veterans Affairs, Office of the General Counsel. Accreditation requires a comprehensive eight-hour training, followed by an additional three hours of content specific training within the first 12 months of accreditation. Through a partnership with UM's Alexander Blewett III School of Law, the Coordinator established the inaugural attorney training, which reached across the state and increased the number of attorneys accredited before the BVA from two to 54. Since that time, the Program has continued disability claims continuing legal education, and has included discharge upgrade education and training, and assists in placing cases with volunteer attorneys.

Most recently, the program has expanded its effort and partnership with the Law School to include law students who agree to assist in screening and evaluating veterans' cases, and assisting volunteer attorneys in resolving cases. This effort will expand legal assistance beyond disability claims, to addressing general civil legal needs in a veterans' legal clinic setting.

Early Resolution and Mediation Project (E-RAMP)

In 2016, under the auspices of the ATJC, the Coordinator worked with Supreme Court Justice McKinnon to explore the development of the Early Resolution and Mediation Project. E-RAMP would be a court-connected mediation program, working in cooperation with mediators and local bar associations in providing cost-free mediation services to those who are unable to pay for such services, extending limited resources and providing greater access to early resolution of family law disputes. Studies have shown that parties

who reach agreement on their own with the assistance of a mediator are more likely to follow through and comply with its terms compared to those whose settlements are imposed by a third-party decision-maker like a judge. E-RAMP utilizes volunteer mediators, and is designed to offer a path to parties very early in the process to reduce conflict, and assist in bringing relief to District Court case loads and management.

The Program has developed Standards and Guidelines; Protocols and Procedures; a pilot model; and Mediator Qualifications and Education. The Program, in partnership with The Law School, is developing a training curriculum designed to meet the established training requirements. The first training of volunteer attorney mediators is planned to take place prior to the end of 2016 and to have pilot sites operational shortly after.

Montana Guardianship Legal Assistance Program (MT-GLAP)

There is a great need for attorneys who will assist with guardianship for low-income Montanans and special needs students. The Coordinator assisted in the development and administration of MT-GLAP to train volunteer attorneys to provide guardianship and conservatorship legal assistance, to recruit volunteers, and designing a referral and case-tracking system. The recruitment formally launched in December, the first training and referrals to take place in January 2018.

Order of Protection Project

There are more than 4,200 Orders of Protection filed in Montana every year. There is a large rate of attrition from temporary orders to permanent orders. This results in survivors being vulnerable to further abuse, and increased burden on the courts in revisiting temporary orders again and again. Survivors often do not appear at a permanent protection hearing because they do not have a legal advocate in court and are afraid to confront their abuser without one.

The Order of Protection Project is designed to assist survivors in obtaining necessary evidence and legal assistance to prepare for a permanent hearing, and to provide legal counsel at a hearing, substantially increasing the chances of a safe situation for survivors and their children.

Government and Public Interest Lawyer Pro Bono Initiative

Many lawyers in Montana work for government entities and public interest organizations. Government attorneys are twice as likely not to provide pro bono services due to lack of opportunity and training as well specific barriers encountered to pro bono services by virtue of their government employment. Within the limits of the law governing public employees, government attorneys could make a valuable increased contribution through volunteer service.

In the summer of 2017, the Coordinator undertook an effort to expand pro bono opportunities for government lawyers by assisting in the development or revision of government agency pro bono policies and in raising awareness of those policies among government attorneys. The effort culminated in a Government and Public Interest Lawyer CLE & Summit in October of this year – attended by more than 120 attorneys statewide.

In Phase III, the Coordinator will assist agencies in developing signature pro bono programs designed specifically to adhere to agency policies and enhance pro bono opportunities and experiences. The Coordinator is also developing government attorney continuing legal education training series, and will work directly with government attorneys in locating pro bono opportunities and supporting the delivery of those pro bono services in a manner that does not conflict with their public duties.

Law School Incubator Program

Incubator Programs are models that enable newly-admitted lawyers to acquire the range of skills necessary to launch successful practices while expanding access to justice by providing legal services directly to those with low incomes. In partnership with other agencies and led by Montana Legal Services Association, the Coordinator is assisting in developing Montana's first Incubator program.

II.   Program and Attorney Support and Outreach

The Coordinator provides support in developing, supporting and sustaining local, community based pro bono programs and clinics across the state. The Coordinator assists with building a program from the ground, as well as expanding or reorganizing existing programs to increase pro bono participation and recruitment and to enhance volunteer experiences.

The Coordinator develops and delivers continuing legal education in areas of the law in greatest need in our low-income populations. In the first three-quarters of 2017, the Coordinator assisted in the delivery of education and training in eight locations to more than 350 attorney volunteers.

The Coordinator assists volunteer attorneys directly by helping to match attorneys to the most suitable pro bono opportunity

III.   Pro Bono Reporting and Website Development

The Coordinator is responsible for collecting, compiling and analyzing annual pro bono reporting data, and creating the annual Pro Bono Report. Data and information from the Report not only assists in determining the amount and value of pro bono, but provides important attorney and program demographics utilized to increase pro bono services

across the state. Since the inception of the Pro Bono Program, pro bono reporting has increased by 110%.

The Coordinator developed and maintains a content-rich website designed to assist attorneys in finding pro bono opportunities and in supporting the provision of pro bono services.