

ACCESS TO JUSTICE & POLICY

This budget category includes MSBA's access to justice initiatives and the policy work of many of the MSBA's Committees that were formerly included in the Committees budget.

1. Description and Purpose A large part of the MSBA's access to justice work is done through the Legal Assistance to the Disadvantaged (LAD) Committee, which has a clear and well-established goal of increasing legal services to those otherwise unable to afford representation. According to the 2005 membership survey conducted by the MSBA's Marketing Group, LAD is considered important to 55% of the Bar members who responded. Assembly members and section chairs responding to a 2008 questionnaire would direct 26% of MSBA resources to access to justice and related efforts, even though then-current expenditures totaled about 7%. LAD's work is carried out in subcommittees that continue until their particular goal or project has been accomplished. Current LAD subcommittees include: Judiciary, Law School Initiatives, Statewide Client Access, Emeritus/Pro Bono Practitioner Rule, Pro Bono Reporting, New Lawyer Pro Bono, and Diversity. . There are currently two LAD standing subcommittees: the Pro Bono Council and the Pro Se Subcommittee (formerly the Pro Se Implementation Committee). LAD also proposed the current task force on establishing a civil right to counsel (Civil Gideon Task Force).

Other Committees included in this budget area are Court Rules and Administration, Judicial Elections Campaign Conduct, Judiciary, Life and the Law, Military Law, Paralegal, Professionalism, and Rules of Professional Conduct. Ad hoc task forces, unless they are related to Diversity, also fall in this budget area. Since committees do not charge dues (unlike sections), committee projects requiring significant expenditures have historically been funded by special request in the budgeting process, by the Bar Foundation, or by producing offsetting revenues. Most Committees meet monthly except over the summer, although some meet less frequently, such as the Judicial Elections Campaign Conduct Committee.

2. Historical Information The MSBA has earned national recognition for excellence in its access to justice programs for low-income Minnesotans, particularly its support for pro bono services and funding for legal services. With primary funding coming from the legal services providers, the MSBA was one of the first state bar associations to hire an attorney to work on all aspects of access to civil legal services for low-income Minnesotans and provide support to the staff legal services programs. Many other bar associations have since followed suit. Since the early years of this work, activities have increased substantially.

Key accomplishments related to funding for legal services over the years include: creation of the first judicially mandated IOLTA program; an IOLTA comparability rule that insures that banks pay interest on IOLTA accounts comparable to what they pay on other similar accounts; and successful advocacy with federal elected officials in support of the Legal Services Corporation and significant state appropriations for legal services, as well as assistance with private funding. Key accomplishments related to pro bono include: adoption of Rule 6.1; development and dissemination of model pro bono policies and procedures; an online Directory of Pro Bono Opportunities (available through projusticemn.org); support for local volunteer attorney and judicare programs and their participants; the judicial district pro bono awards; and the recently-adopted rule granting CLE credit for pro bono services.

Funding for some of LAD's activities is managed through the Minnesota Volunteer Attorney Program (MVAP); other LAD activities are supported by a contract through which the regional legal service providers pay \$80,000 to the MSBA. There are many components within LAD, as outlined below:

Staffing -- At present one full-time position (Access to Justice Director), and one part-time position (Pro Bono Development Director) administer LAD activities. The Civic Education Manager helps staff www.projusticemn.org. The Pro Bono Development Director also serves as Executive Director of MVAP.

Minnesota Volunteer Attorney Program (MVAP) was formed in 1982 as a separate 501(c)(3) non-profit to be eligible to apply for grants from the Legal Services Advisory Committee (LSAC) and the Lawyers Trust Account Board (LTAB). Because MVAP is a separate corporation, MVAP's revenue and expenses do not appear in the MSBA's budget materials. Money from the LSAC and LTAB grants cover a portion of the salary for the Pro Bono Development Director position, which includes serving as the Executive Director of MVAP. MVAP grants contribute significantly to the support of the ProJusticeMN.org website through the MSBA and the Minnesota Legal Services Coalition (Coalition). Additionally, the MSBA's Wills for Heroes Program became part of MVAP in April 2008, in part to allow for tax-deductible donations to Wills for Heroes. MVAP is discussed further herein as well as in the Outside Organizations budget narrative.

Regional Legal Services Providers, serving all 87 Minnesota counties, contract with the MSBA and pay a portion of the staff costs for the MSBA's activities relating to increasing access to justice for low-income Minnesotans, including, but not limited to, ProJusticeMn.org. As of July 1, 2006, this funding was increased from \$40,000 to \$80,000 annually.

ProJusticeMN.org (PJMN) has existed since 1999; it is a website designed specifically to support legal aid and pro bono attorneys by providing useful materials that will assist them in representing clients in typical poverty law cases. New York based ProBono.net has been the host, designer and technology support for the website since its inception.

ProJusticeMN.org offers four practice areas: Civil Law, Family Law, Immigration Law, and Real Estate. Each practice area offers a comprehensive library with forms, practice aids, sample documents and tools and tips for practicing. There are listserves for the different practice areas that allow members to communicate and discuss issues and for organizations to quickly provide important information. The site has a calendar to inform users of upcoming events and to allow legal aid/judicare organizations to disseminate information about upcoming events such as CLEs, fundraising events and trainings. The website also offers a searchable database for private attorneys to find volunteer opportunities, as well as resources to help legal services organizations retain and recruit volunteer attorneys.

Outside of searching the volunteer opportunity database, participation in ProJusticeMN.org requires a user to become a member. Prior to 2008, pro bono members of ProJusticeMN.org totaled approximately 1,700. However, not all members were active. Following the launch of the redesigned site in 2008, staff removed inactive members. Currently, there are just over 1,350 registered members of ProJusticeMN.org as compared with around 1,000 last year at this time. As of November 1, there were 998 "pro bono" membership profiles on ProJusticeMN.org; 664 "legal aid" profiles; 160 "law student" profiles; and 265 that fall into other categories. That compares with 940, 644, 173 and 243 respectively, last year at this time. Because one must have a membership profile for each practice area of PJMN they belong to, there are more profiles on ProJusticeMN.org than there are members.

| ProJusticeMN.org Budget | |
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| Revenue/In-Kind (2010-11) | |
| MVAP funds (LSAC grant) (staffing and content development) | \$37,000 |
| ProBono.Net technology contribution (from Legal Services Corporation funds); also technical support from ProBono.Net staff (in kind) | 40,000 |
| Legal Aid staff preparation and maintenance of ProJusticeMN.org @ \$60/hour, 500 hours/year (in kind) | 30,000 |
| Minnesota Legal Services Coalition staffing and supervision (in kind) | 37,000 |
| MSBA staffing contribution (.2 FTE Civic Education Manager – in kind) | 11,700 |
| MSBA contribution for case placement and notification tools upgrade | 5,000 |
| Total Revenue/In-Kind | \$160,700 |
| Expenses/In-Kind (2010-11) | |
| MSBA Staffing (MVAP funds) | \$16,000 |
| ProBono.Net website hosting fee (MVAP funds) | 11,500 |
| Minnesota Legal Services Coalition updating substantive law resources (MVAP funds) | 8,000 |
| ProBono.Net technology contribution (from Legal Services Corporation funds); also technical support from ProBono.Net staff (in kind) | 40,000 |
| Legal Aid staff preparation and maintenance of ProJusticeMn.org @ \$60/hour, 500 hours/year (in kind) | 30,000 |
| Minnesota Legal Services Coalition staffing and supervision (in kind) | 37,000 |
| MSBA staffing contribution (.2 FTE Civic Education Manager – in kind) | 11,700 |
| MSBA contribution for case placement and notification tools upgrade | 5,000 |
| MVAP contribution for case placement and notification tools upgrade | 1,500 |
| Total Expenses | \$160,700 |

Initiatives undertaken by other MSBA Committees in the recent past include:

- Military Law Committee – operates a pro bono listserv for active duty service members whose legal problem is related to their service
- Rules of Professional Conduct – submits proposed rule changes to the Assembly for approval to petition the Supreme Court; comments on proposed rules or pending petitions filed by others
- Judiciary Committee – developed public speaking materials for the MSBA's judicial elections reform activity; Committee members use the materials to make presentations to community groups such as Rotary and Kiwanis clubs
- JECCC – encourages responsible judicial campaign behavior, monitors and comments on judicial campaign conduct
- Professionalism Committee – trains its members to present a CLE on professionalism and searches for opportunities to present the CLE program
- Court Rules and Administration – monitors openings on Supreme Court Committees and Task Forces for MSBA appointments; solicits candidates and makes recommendations to the MSBA President
- Paralegal Committee – exploring feasibility of paralegal certification program; works to increase visibility and value of paralegals to attorneys
- Life and the Law Committee – organizes the annual bike ride fundraiser that has traditionally occurred during the MSBA Convention in June

3. Personnel There are 2.60 FTE positions allocated to this program.

4. Report on 2009-10 Performance Standards

A. Increase collaboration among staff legal services providers, smaller legal services programs, and pro bono programs through joint projects such as a statewide one-stop intake system, the

Legal Services Planning Committee, and enhancement of ProJusticeMn.org. Increased collaboration will be measured through review of LSAC and LTAB applications, studies conducted by the Legal Services Planning Committee, and surveys of activities conducted for the Pro Bono Biennial Report that is published every other year and distributed to the entire MSBA membership electronically. One of our goals in publishing such a report is to ascertain the number of pro bono hours currently being contributed by volunteer attorneys and to quantify the number of new volunteer attorneys recruited each year.

Done/ongoing. Staff participate on a number of committees that work to improve service coordination. Projects for 2009-10 include the LAD Statewide Client Access Subcommittee, which plans to begin a service penetration study to quantify and describe specific populations of poor people in Minnesota, identify the legal issues and the particular barriers to accessing services each faces, and recommend strategies for addressing those barriers. Staff participate in and support a high level task force to study issues around establishing a civil right to counsel in Minnesota. Civil Gideon is viewed around the country as a mechanism to increase resources available for legal services for the poor. MSBA staff work regularly with the court staff of the three Supreme Court committees that address legal aid issues. The Supreme Court appointed the Access to Justice Director as a member of the Legal Services Planning Committee. The Access to Justice Director is a member of the legislative strategy team for statewide legal aid funding.

The second Pro Bono Report was due for publication in 2009. However, due to turnover in the Pro Bono Development Director position, the report was delayed and will be published in an abbreviated, online-only format. Discussions with the Pro Bono Council have led staff to conclude that continuing to produce the Pro Bono Report is not an effective use of MSBA resources. The principal problem is the inability to collect useful data on the number of volunteer lawyer hours. Because of differences in how various programs and firms track cases, hours are unavailable, undercounted, or double-counted. As an alternative, staff is working on the creation of a periodic newsletter that would report on pro bono activities as a means of raising awareness and visibility in the legal community.

B. Provide support for legal services funding efforts at the state legislature and in Congress; stay abreast of foundation and grant possibilities, and seek out other funding opportunities.

Ongoing. The Access to Justice Director is actively participating on the planning team for the 2010 legislative session, which includes responsibility for www.1000supporters.org, the MSBA's professional networking site established to facilitate support for an adequately funded justice system. The Access to Justice Director attended a day-long conference in Moorhead, convened by Legal Services of Northwest Minnesota and the Otto Bremer Foundation, that focused on educating funders about legal aid. The Access to Justice Director participates on a subcommittee of the Legal Services Planning Committee that is developing a statewide campaign to attract new funders for legal aid and pro bono programs.

C. Work with pro bono coordinators to increase the number of volunteer attorneys accepting cases as well as monitor ongoing recruitment and recognition efforts.

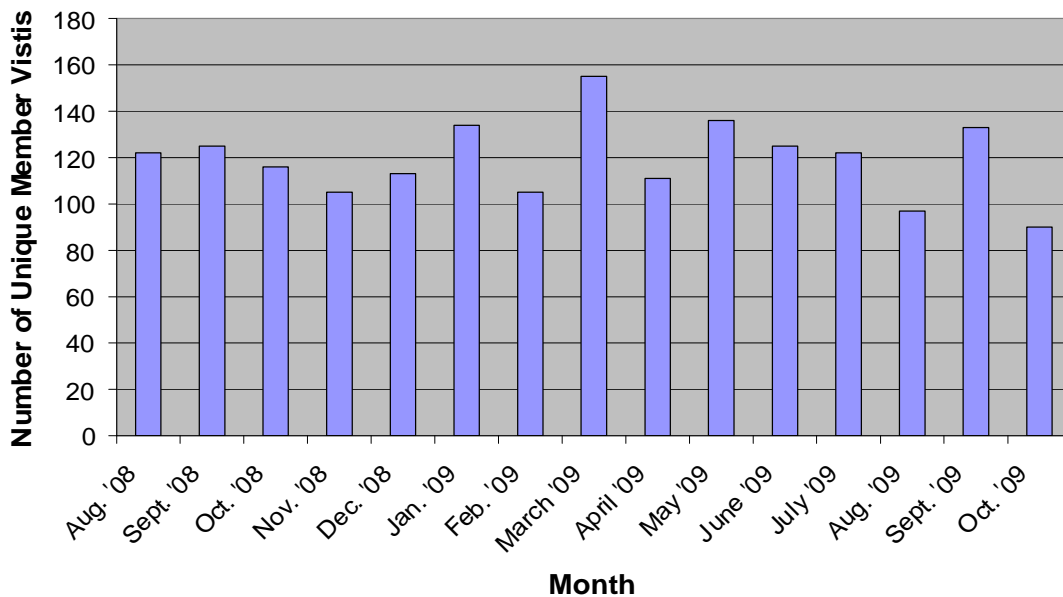
Ongoing. The Pro Bono Development Director is completing work on a more limited Pro Bono Report. In addition, the Director is working on plans for a periodic newsletter to increase the profile of pro bono work in Minnesota. The Pro Bono Development Director manages the Pro Bono Roundtable listserv to assist placing pro bono cases and works on pro bono recognition by administering and promoting the Judicial District Pro Bono Awards and other pro bono recognition efforts. Staff is presently working with the Pro Bono Council to develop a process for marketing the Pro Bono Standard passed by the Assembly in June 2008. Pro bono coordinators have suggested using ProJusticeMN.org

as a case placement tool rather than the Pro Bono Roundtable listserv. This proposal is explained in more detail under the Description of Budget Categories – ProJusticeMN.org below.

D. Improve ProJusticeMn.org as a tool for volunteer attorneys. The success of this effort will be measured through (1) the number of unique member visits to the website by 10%; (2) maintain the number of library attachments downloaded from the website each month at 258; and (3) increase by 15% the number of unique visitors to the MSBA Volunteer Opportunities Guide – a searchable database of organizations in need of pro bono attorneys.

This performance standard was not met with regard to (1) above, but was met for (2) and (3) above. So far this year, the number of unique member logins has dropped by approximately 10% as compared to last year. Nevertheless, thanks to the recent establishment of the ProJusticeMN.org e-Newsletter, the trend over the last year and half is positive. This year's drop in numbers is likely due to a leveling off of the jump the website experienced after it began sending the e-Newsletter at the end of last year. ProJusticeMN.org staff are confident that with a new monthly e-Newsletter schedule, the most recent trend will reverse and the 3 year performance standard will be met in the future.

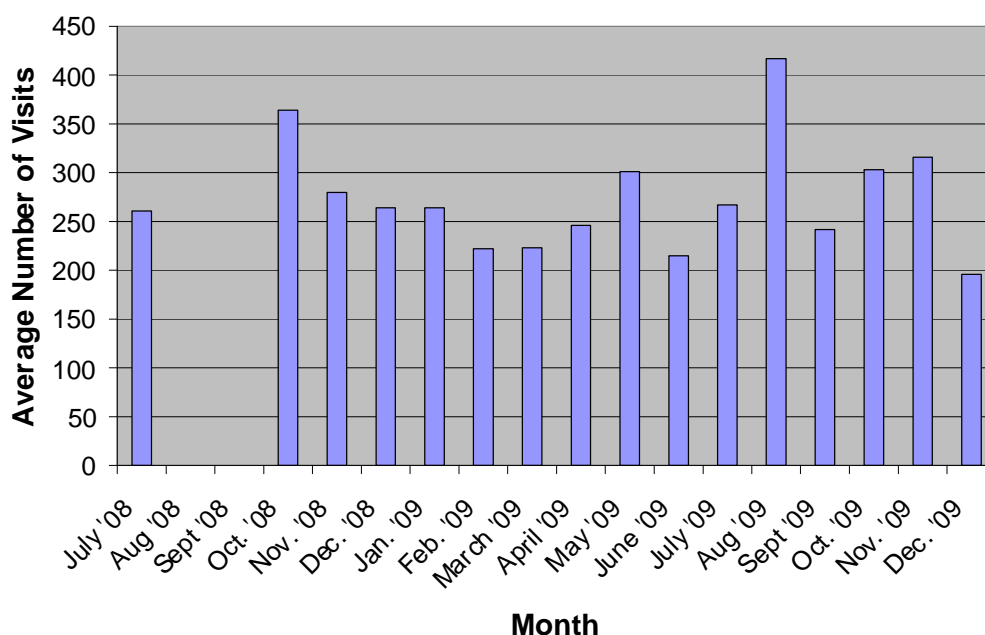
ProJusticeMN.org Unique Member Visits



ProJusticeMN.org has maintained the number of library attachment downloads. So far this year the website has averaged 263 library attachment downloads a month. It should be noted that not all library items are in the form of attachments and this is merely a barometer of site usage.

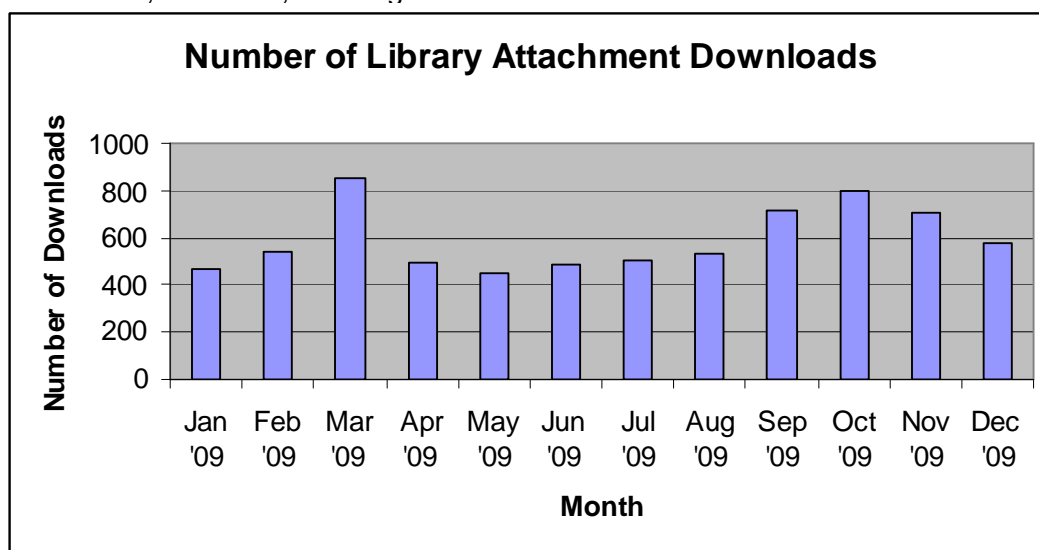
ProJusticeMN.org is well on its way to increasing the number of searches on the MSBA Pro Bono directory. This year, an average of 290 searches have been made on the website, up 10% from the 264 searches last year. Note: A visitor to the website does not need to be logged in to access the pro bono development directory, and a single visitor can search the directory multiple times. Consequently, some months there are more searches in the directory than unique member logins.

Average Number of Visits to the MSBA Pro Bono Directory



***In August and September of 2008, the filters on the website were ineffective and allowed too many internet “bots” to access the website, inflating the number of searches.

The chart below shows the number of library attachment downloads. Though there is variation in the number of library attachment downloads based on the time of year, there is a general positive trend. This coincides with the establishment of the ProJusticeMN.org e-Newsletter which started being produced in March 2009. Note: Unlike last year, this year’s chart does not include the number of times the Poverty Guidelines were downloaded—some months that resource is downloaded over 1,000 times, skewing the data.



E. Be available to provide assistance for new LAD initiatives or projects that arise after a budget year has begun and hence were not included in initial LAD planning for the year. This includes being creative in finding ways to pay for any costs associated with the initiative or project.

Ongoing. Examples include staffing a new LAD subcommittee working to recruit new lawyers to do pro bono service, and developing a plan for providing free legal services in the event of a disaster.

F. Provide competent administrative support for all committees in terms of meeting assistance as evidenced by 100% of the responses in the User Survey with ratings of "Very Satisfied" or "Satisfied."

This performance standard was only partially met. A survey was conducted of our largest Committee, LAD, and all the Committees that fall under the diversity umbrella, but there was no survey conducted of the remaining Committees. See Report on 2009-10 User Satisfaction for more information on the results of the LAD survey.

G. Efforts in the area of judicial elections and an impartial judiciary will be rated effective by members involved with the JECC and Judiciary Committees, by those running judicial campaigns, judges up for election, and MSBA Assembly members.

N/A. There was no plebiscite in 2009-10. We plan to conduct a survey of the aforementioned participants following the next plebiscite in the fall of 2010.

H. Allocate staff resources to Committees in a manner that provides the most value to members.

This performance standard has been met. Staff resources have been allocated to the most active committees with ongoing projects or programs. Due to the MSBA's commitment to judicial election reform, some committee staff time has been pulled away from less active committees in order to focus on supporting the judicial election reform effort. This may continue into the 2010-11 bar year if the MSBA is successful at the legislature this year; staff time may be dedicated to the public education campaign required to ensure the ballot referendum passes in November 2010.

5. 2010-11 Performance Standards:

The 2010-11 Performance Standards are the same as the Three-Year Plan Performance Standards.

6. Three-Year Plan Performance Standards

- A. Increase collaboration among staff legal services providers, smaller legal services programs, and pro bono programs through joint projects such as a statewide one-stop intake system, the Legal Services Planning Committee, and enhancement of ProJusticeMn.org. Increased collaboration will be measured through review of LSAC and LTAB applications, studies conducted by the Legal Services Planning Committee, and surveys of activities conducted for the Pro Bono Biennial Report that is published every other year and distributed to the entire MSBA membership electronically. One of our goals in publishing such a report is to ascertain the number of pro bono hours currently being contributed by volunteer attorneys and to quantify the number of new volunteer attorneys recruited each year.
- B. Provide support for legal services funding efforts at the state legislature and in Congress; stay abreast of foundation and grant possibilities, and seek out other funding opportunities.
- C. Work with pro bono coordinators to increase the number of volunteer attorneys accepting cases as well as monitor ongoing recruitment and recognition efforts. This effort will be measured in part through surveys and assessment of participation in the newly adopted Supreme Court rule allowing CLE credit for pro bono service.
- D. Improve ProJusticeMn.org as a tool for volunteer attorneys. The success of this effort will be measured through (1) the number of unique member visits to the website by 10%; (2) maintain the number of library attachments downloaded from the website each month at 258; and (3) increase by 15% the number of unique visitors to the MSBA Volunteer Opportunities Guide – a searchable database of organizations in need of pro bono attorneys.
- E. Be available to provide assistance for new Committee initiatives or projects that arise after a budget year has begun and hence were not included in initial planning for the year. This includes being creative in finding ways to pay for any costs associated with the initiative or project.
- F. Provide competent administrative support for all committees in terms of meeting assistance as evidenced by 100% of the responses in the User Survey with ratings of “Very Satisfied” or “Satisfied.”
- G. Efforts in the area of judicial elections and an impartial judiciary will be rated effective by members involved with the JECC and Judiciary Committees, by those running judicial campaigns, judges up for election, and MSBA Assembly members.
- H. Allocate staff resources to Committees in a manner that provides the most value to members.

7. Report on 2009-10 User Satisfaction

We will survey the following individuals and groups regarding services provided by the Access to Justice and Pro Bono Development Directors: LAD members, legal services project directors, pro bono program directors, and pro bono coordinators. This survey will be accomplished through an electronic questionnaire sent to the LAD Committee, which includes either the individuals or representatives from each of the groups named above. Our goal is that these groups find our services very useful and effective. The results will be compared with those previously compiled.

Done. Staff has surveyed the members of the LAD Committee, which includes representatives from all of the groups named above.

This year's survey results: 21 out of 50 persons surveyed responded, a 42% response rate. Of the people responding, two were from law firms (9.5% of respondents), four were from pro bono programs (19%), four were from nonprofits (19%) and three were from legal aid programs (14%). The remaining respondents represented law schools and law

students, corporate counsel, and a sole practitioner. The statistics reported below represent the sum of the “strongly agree” and “agree” answers to the survey questions. Of the respondents, 89% agreed that staff make members feel welcome and 94% agreed that staff show respect for others and their ideas 95% felt that staff communicate in an effective and timely fashion with committee members and 89% felt that staff are knowledgeable about the legal services and pro bono delivery system. Seventy-nine (79%) of the respondents agreed that LAD staff encourage communication and consensus building among members when appropriate and 89% felt that the LAD staff act as a resource of MSBA information. Seventy-four (74%) of the respondents agreed that LAD staff identify major issues affecting his/her areas of responsibility; 84% agreed that staff maintain high standards of performance; 79% agreed that staff act quickly and independently when the situation demands it; and 79% agreed that staff recommends solutions to problems when appropriate. The remaining responses were “neutral” except that three responded “disagree” as to “identifies major issues affecting his areas of responsibility.”

The survey also requested suggestions for how LAD staff members could improve their performance in order to better serve the LAD Committee. Comments included “I think there has been some confusion regarding the duties and division of duties of the staff positions”, and “Staff needs to support the work of the committee, including researching and keeping up on pro bono activities in other states. and keeping the committee updated on recent developments.” Four additional comments were that the staff does a “fabulous job” and one stated that staff “play an essential role.”

The survey concluded by asking what the MSBA should be doing in the area of legal services and pro bono support. Comments included “Pro bono position should be full time and the work of both positions should be much better integrated.”, “We need increased staff support for pro bono initiatives - a part-time position is not sufficient” and “The MSBA could dedicate more resources, including financial resources, to support endeavors such as the Pro Bono Standard, funding for Interpretive Services, funding for the Statewide Client Access Survey, and initiatives to increase attorney participation in pro bono. “ One person responded that the client access study should be “fully funded.”

8. 2010-11 User Satisfaction

We will survey the following groups and individuals regarding services provided by the Access to Justice and Pro Bono Development Directors: LAD members, legal services project directors, pro bono program directors, and pro bono coordinators. This survey will be accomplished through an electronic questionnaire sent to the LAD Committee which includes either the individuals or representatives from each of the groups named above. Our goal is that these groups find our services very useful and effective.

9. Market Penetration

Not applicable.

10. Current Issues and Challenges

Justice System Funding As in 2009-10, the economic climate and the state’s budget shortfall will significantly impact resources for providing legal services, while the need for those services simultaneously increases. Legal Aid sustained an 8.3% cut in funding during the first year of the current biennium. Efforts are underway to avoid additional cuts for the second year of the budget cycle. Legal Aid will continue to partner with the courts and the public defenders on behalf of adequate funding for the entire justice system, with the MSBA taking a lead role in organizing and supporting that coalition. Additionally, because of the deteriorating economy, IOLTA revenues for the current fiscal year are running approximately 80% below FY 2008 revenues, and private

foundation funding is decreasing as investment returns shrink and the need for services increases. Like other services for the poor and disadvantaged, the demand for Legal Aid services is counter-cyclical. Legal Aid program leaders anticipate that the current funding situation will require them to reduce staff over the next two years.

MVAP Funding The same funding issues discussed in the previous paragraph affected the Minnesota Volunteer Attorney Program (MVAP), as most of its budget is from legislative funding via LSAC and from IOLTA revenue distributed by LTAB. Although MVAP was successful in receiving grant funding from LSAC and LTAB for the 2009-11 grant cycle, this support was at a much reduced level than in years past. The LSAC grant for the current grant cycle is approximately 15% smaller than the previous grant. The LTAB grant is approximately 30% smaller. Despite these reductions, LSAC did enable MVAP to use its grant funds to support ProJusticeMN by paying the website hosting fee, providing funds to the MSBA for staff support and for content updates provided by LSAP. LTAB funds are being used to support the Coalition's Just News newsletter, fewer (and smaller) Family Law Institute scholarships, and the district bar pro bono awards. Later this year, it will be necessary to engage the MVAP board in a discussion on future MVAP plans and strategy in light of both the continuing financial crisis in LSAC and LTAB funding and the ongoing need to support volunteer pro bono efforts throughout the state.

Staffing A new Pro Bono Development Director began in the position on a part-time basis in mid-November 2009. (A temporary replacement had been hired to fill the position from February through October 2009.) The new Director was a former attorney member of the LAD committee and is familiar with many of the organizations and individuals involved in the pro bono community. Nevertheless, the transition to MSBA staff has required him to spend a fair amount of time becoming familiar with the work of the position, as well as the obligations of administering MVAP. In addition, the part-time nature of the job has limited his ability to delve more deeply into pro bono development and marketing the Pro Bono Standard. At its January meeting, LAD approved a Report and Recommendation requesting the MSBA increase funding for the position to make it full-time so that the Director may be able to fully implement and support the Standard. Please note funding for the additional staff time (\$28,000) is not included in the proposed budget.

Statewide Client Access Study LAD has been working for several years on a project which will, for the first time in Minnesota, identify specific barriers faced by identified client groups seeking access to justice, and innovative strategies to overcome those barriers. LAD secured the \$60,000 needed for the project: \$10,000 from the MSBA, \$10,000 from the Minnesota Legal Services Coalition, \$10,000 from the Otto Bremer Foundation, and up to \$30,000 from LSAC. (Some outstanding grant requests may yet provide part of the funding, lessening LSAC's commitment.) This means research data will be available to inform funding decisions during the next state grant cycle. The Access to Justice Director anticipates spending considerable time on this project during calendar year 2010.

Civil Gideon Task Force After a delayed start, the Civil Gideon Task Force and several subcommittees have been meeting regularly. The Task Force expects to finish its deliberations early in 2010, and submit its report to the Assembly for consideration at the June 2010 meeting. The Access to Justice and Pro Bono Development Directors are working closely with the Task Force chairs, supporting both the full Task Force and its four committees.

LAD Proposals LAD has a pending proposal for Assembly approval to create an Emeritus/ Pro Bono Practitioner Rule, which would waive registration fees for otherwise inactive lawyers who would take only pro bono cases through a legal services organization. LAD has also created a new subcommittee to develop ways to recruit and retain new lawyers for pro bono services.

Pro Bono Standard In June 2008, the Assembly adopted the Pro Bono Standard to increase the profile and recognition of pro bono in Minnesota's legal community. Due to staff transitions, efforts to coordinate with LAD's Pro Bono Council to develop a plan to engage a diverse group of legal employers including law firms of all sizes to participate in the Pro Bono Standard have been hampered. The new Pro Bono Director will reinvigorate this process and, as mentioned earlier, LAD has submitted a Report and Recommendation requesting funding for the position on a full-time basis to successfully meet this goal. Funding for the additional staff time (\$28,000) is not included in the proposed budget.

ProJusticeMN.org The biggest challenge for the website is substantive content generation. Adding library items for poverty law practitioners requires expertise in those areas, which those administering the website do not have. To overcome this obstacle, resources are compiled from a variety of different sources, especially the legal-aid community, however, additional resources are needed to make the website comprehensive. The website's administrators requested resources from MSBA sections, but with the exception of Elder Law, those efforts had limited success, with few responding to requests for resources.

Judicial Election Reform In September 2009, the MSBA began hosting meetings of the Coalition for Impartial Justice, a group of organizations committed to judicial election reform consisting of judicial appointment by merit, retention elections and performance evaluations with results made public. The Coalition was meeting bi-weekly but in January began meeting weekly. Coordinating the work of the Coalition in general and the activities of the MSBA in this area has required substantial staff time. As noted earlier, this is likely to continue if the legislative effort is successful, since a massive public education campaign will then need to take place in order to ensure the ballot initiative is passed by the voters.

11. Explanation of Budget Categories

Committee Meetings -- \$4,000 is to cover food expenses for Committee meetings for 10 Committees and Task Forces, as well as teleconference charges. If funds allow, it may also include food for subcommittee meetings.

Conferences -- In an effort to minimize expenses, the budget allows only for the Access to Justice Director to attend the National Legal Aid and Defender Association (NLADA) Annual Conference and for the Pro Bono Development Director to attend the Equal Justice Conference.

Becker Awards -- The annual Bernard P. Becker Legal Services Staff and Volunteer Law Student Awards, begun in 1991 will continue. The stipend level for recipients was increased starting with the 2008 awards to \$1,000 for the legal aid staff awards, and \$350 for the law student award. Historically there have been two staff and one volunteer law student recipients each year

Pro Bono Recruitment -- This budget category includes funds to support the work of the Pro Bono Development Director to increase and enhance efforts to link private attorneys with pro bono opportunities. This includes funds for statewide travel and promotional materials, including occasionally publishing LAD ads encouraging pro bono service in *Bench & Bar*. The in-house rate for publishing a ¼ page ad is \$160 per month. These funds are necessary in order to effectively promote and implement the Pro Bono Standard.

Subscriptions, Dues and Publications -- This category covers dues to the ABA, National Legal Aid and Defender Association, the Center for Law and Social Policy, the Minnesota Council of Nonprofits, the Management Information Exchange, the National Association of Pro Bono Professionals, and subscriptions to poverty law and fundraising publications. The Access to Justice and Pro Bono Development Director belong to these organizations via MVAP to receive a lower membership rate based on budget size. Legal services programs rely on the MSBA to

continue these memberships and subscriptions and distribute relevant information to them, which is far less expensive than each program paying for their own membership or subscription.

Legal Services Program Contract Performance/Technical Assistance to Local Programs -- This comprises long distance telephone, copying, mailing, meeting registration and travel costs incurred in meeting requirements of the legal services contracts not detailed elsewhere (e.g., working on legal services funding; supporting required Legal Services Corporation state planning activities; communicating with the legal services directors and staffs and volunteer attorney program coordinators; attending Legal Services Coalition meetings and trainings;). Funds are also included for the cost of mailing labels for legal aid programs. Programs use these labels to recruit volunteer lawyers.

ProJusticeMn.org – This includes funding for necessary technical upgrades to improve the functionality of ProJusticeMn.org. These would include enhanced case placement and notification capacity which would make the website more accessible to lawyers and user-friendly to volunteer coordinators. Providing case placement capacity would enable coordinators and attorneys to track requests for pro bono assistance and obtain quick access to case details, as well as information on placement status. Providing notification to registered users would allow attorneys to receive regular updates on new pro bono opportunities, thereby making it easier for them to decide whether and when to take a matter. Requests for pro bono assistance from legal aid programs are currently posted to a listserv consisting of pro bono coordinators at large downtown firms. This limits the potential pool of volunteer attorneys to those at the participating firms. The number of postings to the listserv is generally around 3-5 per month. No tracking is done as to whether an attorney actually takes the case. Case placement capacity on ProJusticeMN.org would offer significant advantages over the current system. Finding volunteer attorneys in outstate Minnesota would likely become easier because legal aid programs could post their pro bono requests directly to the website and they would reach attorneys across the state. As the website is a joint effort between the MSBA and the Coalition, the expectation would be that the total cost of any upgrades would be shared by the participating entities and ProBono.Net, the website hosting provider.

Miscellaneous -- This comprises direct expenses not covered above including all long distance telephone, copying, mailing, meeting registration and travel costs incurred in providing support services for LAD and other committees, activities outside of routine committee expenses; and providing support services for non-Coalition legal aid and volunteer attorney programs.

Judicial Plebiscite – Every other year, in partnership with the local bar associations, the MSBA conducts an online poll of its members regarding contested judicial elections. The MSBA contracts with an outside vendor to conduct the polling. The expenses in this line item include the cost of the contract with the outside vendor, postage, supplies, issuing a press release and possibly running an ad with the results.