

**To:** Committee on Legal Aid, President's Committee on Access to Justice, Pro Bono Coordinator's Network, Joint Pro Bono Task Force, Claire Gutekunst, Sharon Gerstman, David Watson, Stacey Whiteley

**From:** Kristen Wagner, Director of Pro Bono Services

**Re:** New York Free Legal Answers

**Date:** June 8, 2016

## **I. Introduction**

As most of you have heard, this summer the ABA is launching a national free legal answers platform that provides access to over 40 different states' unique free legal answer websites. The project is modeled on the successful Tennessee website, [www.onlinetnjustice.org](http://www.onlinetnjustice.org), and is funded by several different sponsorships from various law firms and corporations. Each state has a "host" organization managing its participation in the project, and all states participating in the project will be covered by malpractice insurance provided by the ABA (NLADA \$1 million insurance policy).

The host organization in New York is the New York State Bar Association. As the host organization, NYSBA is responsible for marketing, implementing, and monitoring NY's free legal answers website. [NY.freelegalanswers.org](http://NY.freelegalanswers.org) is scheduled to launch in August 2016 on the ABA's national platform. NY's site will mirror every other state's free legal answers sites, but will display some content that is unique to NY.

## **II. How Free Legal Answers Works**

[NY.freelegalanswers.org](http://NY.freelegalanswers.org) will be available for use by any New Yorker who qualifies for the service and any attorney in the state who chooses to participate.

[NY.freelegalanswers.org](http://NY.freelegalanswers.org) is a website where members of the public can go to post basic legal questions that attorneys can answer for free. The client can create an account on the website after completing a short screening questionnaire to determine if they qualify (based on income), and agreeing to the limited scope of representation that the website offers. Similarly, any attorney in New York can create an account on the website after completing a brief limited scope representation tutorial (developed by Judge Fern Fisher) and agreeing to the terms of the program.

Attorneys may, at their leisure, log on to the website and respond to questions posted by members of the public. Attorneys may select which questions to answer by previewing questions, which can be sorted by practice area so they can easily see which questions fall within their areas expertise.

This will allow attorneys of all types to do pro bono work from any location for any length of time. This will provide attorneys who may have difficulty doing pro bono work (government attorneys, retired attorneys, rural attorneys, etc.) an opportunity to do pro bono work in a way that fits their lifestyles.

To access a power point presentation and **video demonstration of the national free legal answers platform**, please go to:

[http://www.americanbar.org/groups/probono\\_public\\_service/resources/free\\_legal\\_answers.html](http://www.americanbar.org/groups/probono_public_service/resources/free_legal_answers.html).

**III. New York Customization**

All of the states that are participating in the project will have the same income eligibility requirements, which is currently 250% of the federal poverty line (this can change on a state-by-state basis in the future). However, there are several aspects of the site that can be customized by each state. It is NYSBA’s role as the host organization to determine how those aspects will be customized.

Customizable aspects of the site include:

- 1) Links to training resources for participating attorneys.
- 2) The message people receive when they are screened out of using the service for not meeting income eligibility requirements.
- 3) The program will sort clients' questions into the nine topical categories utilized by the Legal Services Corporation. If we want our questions sorted into sub-categories, we need to provide the names of those sub-categories.

<b>What Users see (in order of most asked questions on Tennessee’s existing site)</b>	<b>LSC Category (Parent Category)</b>	<b>Subcategory to start</b>
Family/Divorce/Custody Housing or Property Owned Debts & Purchases Work Worker’s Comp Wills/Inheritance Benefits Health Care Medicaid/Medicare/Affordable Care Act Natural Disaster Personal Injury Expungement Special Education School Discipline Immigration Civil/Constitutional Rights Emancipation Delinquency Other	CONSUMER FINANCIAL QUESTIONS	Debts & Purchases Natural Disaster
	EDUCATION	Special Education School Discipline
	WORK, EMPLOYMENT AND UNEMPLOYMENT	Work
	FAMILY AND CHILDREN	Family/Divorce/Custody Wills/Inheritance
	HEALTH AND DISABILITY	Health Care Medicaid/Medicare/Affordable Care Act
	JUVENILE	Emancipation Delinquency
	HOUSING AND HOMELESSNESS	Housing or Property Owned
	INCOME MAINTENANCE	Benefits Worker’s Comp
	INDIVIDUAL RIGHTS	Immigration Civil/Constitutional Rights
	OTHER	Expungement Personal Injury

- 4) List of web sites to be displayed on the client front page.

**IV. Implementation**

NYSBA is recruiting a pool of 100 volunteer attorneys to participate in the project upon launch. We are starting with PCAJ, CoLA, PBCN and other committee members, as well as members of Sections in order to ensure quality, active participation. The NYSBA Director of Pro Bono Services or her Administrative

Assistant will confirm that all attorneys who participate in the project upon launch, and thereafter, are admitted to and in good standing with the New York State Bar.

Once the NY site has fully launched and gone through a month of testing and is running smoothly, the Pro Bono Services Department will hold a monthly CLE program that will train attorneys on how to use the free legal answers service. This will recruit more volunteers for the program and provide those volunteers with training.

Once a solid volunteer base has been established throughout the state, the Pro Bono Services Department will work with law schools to develop free legal answers “clinics” where law school professors can incorporate questions from the site into their class’ curricula and students can prepare answers to be submitted with the supervision of and in collaboration with local attorneys. Not only will this foster more activity within the program, but it will also provide law students with practical experience and networking opportunities.

## **V. Administration and Monitoring of the Site**

The Director of Pro Bono Services will undergo administrator training so that she is prepared to administer and monitor the site’s activity and participants. Administration and monitoring of the site will include verifying attorneys’ standing with the state bar, answering questions volunteer attorneys have about using the site, keeping the client and attorney resource pages up to date, monitoring the quality of responses submitted by volunteer attorneys, and referring clients to appropriate civil legal service providers when more complex legal advice is needed.

Approximately 10% of the Director’s time will be devoted to the site and she will have the support of her Administrative Assistant, who will also spend approximately 10% of her time working with the site, as needed.

A number of states across the country have already implemented their own free legal answers sites and have been running them successfully for up to five years. The administrators from these sites have made themselves available to NYSBA for ongoing mentorship and guidance. The Director of Pro Bono Services has already been in touch with several of these administrators to learn best practices with regards to marketing, administering, and monitoring the site, as well as running CLE programs and law school clinics.

## **VI. Timeline**

July:	Beta test of the ABA’s National Free Legal Answers technology will take place in Tennessee.
August 10 <sup>th</sup> :	ABA’s National Free Legal Answers technology will be available to all other participating states.
August 10 <sup>th</sup> & 11 <sup>th</sup> :	Site Administrator training will take place.
August 10 <sup>th</sup> -23 <sup>rd</sup> :	Customized aspects of each state’s site will implemented
August 23 <sup>rd</sup> :	Members of the public will be able to submit questions.

September 13<sup>th</sup>: National conference call to address questions.

## **VII. Seeking Feedback**

We welcome you to review the materials found at [http://www.americanbar.org/groups/probono\\_public\\_service/resources/free\\_legal\\_answers.html](http://www.americanbar.org/groups/probono_public_service/resources/free_legal_answers.html) to get a better sense of how the free legal answers project works and what its benefits are. After reviewing the materials, we welcome your feedback in terms of any questions, concerns, or ideas you might have regarding the roll out and ongoing implementation of the project. Please send all feedback directly to Kristen Wagner, Director of Pro Bono Services, at [kwagner@nysba.org](mailto:kwagner@nysba.org) by **July 1<sup>st</sup>, 2016**.

In addition to soliciting feedback from members of CoLA, PCAJ, and PBCN, a sub-committee of the Joint Pro Bono Task Force is also reviewing this information and providing valuable feedback, focusing on the customizable aspects of the site. Once all feedback has been submitted, Ms. Wagner will compile it all into a single document, respond to it, and share her responses and next steps with those who submitted feedback.

Finally, NYSBA invites you all to participate as volunteer attorneys in the free legal answers project upon launch. Please let Eunice Bencke, Administrative Assistant, Pro Bono Services, know that you are interested in participating by emailing her at [ebencke@nysba.org](mailto:ebencke@nysba.org).