

**RESOLUTION OF THE BOARD OF DIRECTORS
OF MERRIMACK VALLEY-NORTH SHORE LEGAL SERVICES
In Support of Enhanced Private Attorney Involvement
with LSC-Funded Programs**

Whereas, the Legal Services Corporation and the programs it funds, including Merrimack Valley-North Shore Legal Services, have long recognized that the overarching values of private attorney involvement to LSC-funded programs are increased access, increased human and capital resources, and increased *pro bono* commitment; and

Whereas, at its April 2007 meeting, the Board of Directors of the Legal Services Corporation adopted Resolution 2007-003 supporting and encouraging private attorney involvement and urging governing boards of LSC-funded programs to collaborate with other organizations to effectively engage lawyers in *pro bono* representation and other services that benefit low-income persons; and

Whereas, the LSC Board of Directors resolution builds upon the following national LSC initiatives:

- The October 2005 LSC report, *Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans*, which found that 50 percent of the potential clients requesting assistance from an LSC grantee were turned away for lack of resources on the part of the program;
- The *LSC Strategic Directions 2006-2010*, which calls upon LSC to increase public awareness of and support for legal services to low-income persons in order to respond appropriately to more of their legal needs;
- The *LSC Performance Criteria*, which consider, in evaluating a program's legal representation and other activities intended to benefit the low-income population in its service area, whether that program effectively integrates private attorneys into its work in order to supplement the amount and effectiveness of its representation and other services;
- The Provision for the Delivery of Legal Services Committee of the LSC Board of Directors 2006 meetings, which highlighted the potential, opportunities and challenges of private attorney involvement and determined ways in which this critical resource can be used more effectively by LSC-funded programs as a means to help close the justice gap;
- The unanimous adoption in January 2007 by LSC Board of Directors of a strategic work plan entitled *Action Plan for Private Attorney Involvement: Help Close the Justice Gap, Unleash the Power of Pro Bono*, which highlights the benefits of engaging private attorneys to help represent clients of LSC-funded

programs and describes ways in which the LSC Board and staff will work to expand private attorney involvement.

- The American Bar Association's Model Rule 6.1 and similar state bar rules note the professional responsibility of every lawyer to provide *pro bono* legal assistance to persons of limited means;

Whereas, in Massachusetts,

- The Massachusetts Legal Assistance Corporation in its "MLAC Strategic Directions", adopted by its board on September 28, 2006, urged greater visibility for legal services work through increased pro bono and other private bar efforts.
- The Massachusetts Access To Justice Commission in its report "Barriers To Access To Justice In Massachusetts: A Report, With Recommendations, To The Supreme Judicial Court (June 2007)" stressed the importance of increasing pro bono work at several points, stating in part, "Pro bono services have been of great benefit, as we note at various points in this report. There is, however, a need for more lawyers to offer their services free from time to time. ... The Supreme Judicial Court, bar associations, and others need to do more to encourage lawyers to meet and to exceed the aspirations expressed in Rule 6.1 of the Massachusetts Rules of Professional Conduct. The rule states that a lawyer should annually provide 25 hours of pro bono public legal services or contribute "from \$250 to 1% of the lawyer's annual taxable, professional income to one or more organizations that provide or support legal services to persons of low income." ... [we believe that] The Judiciary must continue to encourage lawyers to act pro bono for low-income persons and to encourage lawyers' financial assistance for legal service efforts."

Now, Therefore, Be It Resolved that the Board of Directors of Merrimack Valley-North Shore Legal Services, in an effort to help close the justice gap in Massachusetts, supports and encourages private attorney involvement with Merrimack Valley-North Shore Legal Services and will endeavor to:

- Collaborate with other organizations and entities in the Northeast Massachusetts service area including Neighborhood Legal Services, Children's Law Center of Massachusetts, and the Massachusetts and Greater Lowell Bar Associations to develop and facilitate educational efforts that demonstrate the extent of the unmet civil legal need and encourage collective responsibility within the Northeast Massachusetts service area by both public and private entities to help meet this unmet civil legal need;
- Collaborate with other organizations and entities in the Northeast Massachusetts service area, including Neighborhood Legal Services, the Children's Law Center of Massachusetts, and the Massachusetts and Greater

Lowell Bar Associations, to develop effective strategies for engaging lawyers in *pro bono* representation and other services that benefit low-income persons;

- Develop strategies that encourage *pro bono*, including creative recruitment methods and delivery models, attorney practice and continuing legal education rules, and training, mentoring, support, and recognition of volunteers.

Be it Further Resolved that the Board of Directors of Merrimack Valley-North Shore Legal Services will promote, support and encourage private attorney involvement initiatives by publicizing and recognizing private attorney involvement in the work of Merrimack Valley-North Shore Legal Services, and by collaborating with national, state and local organizations to create opportunities for such publicity and recognition.

Adopted by the Board of Directors of Merrimack Valley-North Shore Legal Services, on December 19, 2007

Kathleen Hirbour, Board Chair