



MARYLAND VOLUNTEER LAWYERS SERVICE

Maryland Volunteer Lawyers Service
Volunteer Handbook

WELCOME

Welcome to Maryland Volunteer Lawyers Service (MVLS), the largest pro bono legal services provider in Maryland! Thank you for your willingness to serve as a volunteer to our clients. You've joined a panel of over 2,000 attorneys and other professionals who have come together to ensure that low-income Marylanders receive quality legal representation in civil matters in every county in the state.

This handbook is intended to familiarize you with our volunteer policies and case referral process. As you review this handbook and begin your representation of our client, if you have any questions or concerns, please contact Director of Program Management Margaret Henn at 443-451-4067 or mhenn@mvslaw.org.

MVLS Mission & Vision

Mission: Maryland Volunteer Lawyers Service (MVLS) connects low-income Marylanders with volunteer lawyers and community partners to deliver free civil legal assistance because there should be justice for all, not just for those who can afford it.

Vision: MVLS's vision is that all low and moderate-income Marylanders will have access to civil legal representation and legal resources needed to protect individual dignity, family, and home. MVLS's core pro bono service areas include:

- Family Law (e.g., divorce, custody, guardianship, name change, adoption)
- Consumer Finance (e.g., individual debtors' rights, bankruptcy)
- Housing (e.g., landlord/tenant disputes, foreclosure & tax sale, deed changes) and
- Estate planning/administration, expungement, and tax controversy.

To learn more about MVLS programs go to our website: <https://mvslaw.org/program-descriptions/>

MVLS Equal Opportunity Policy

MVLS maintains a strong policy of equal opportunity. We recruit, accept, train, and, when necessary, dismiss volunteers based on personal competence and volunteer lawyer performance, without regard to race, creed, color, religion, sex (including pregnancy, childbirth, and related medical conditions), sexual orientation, gender identity, national origin, age, or marital status.

How to Become an MVLS Volunteer

MVLS invites you to apply to join our statewide network of volunteer lawyers who annually make pro bono count for over 5,000 Marylanders of limited means. In addition to project-focused staff attorneys, MVLS relies on volunteer lawyers to represent individuals and community-based nonprofits through our core pro bono program and special projects. Our volunteer attorneys are drawn from private practice, corporations and government. Although our offices are located in Baltimore City, we accept cases from across the state and similarly place them with lawyers practicing in Maryland.

In order to join our volunteer panel, lawyers must be:

- Admitted to practice in Maryland and be a member of the bar in active status, or

- Admitted to the Maryland bar in retired status, or
- Admitted to practice in a state other than Maryland, in good standing in that state, and receive a Certificate of Authorization to Practice under the Rules Governing Admission to the Bar of Maryland, Rule 19-504. See <https://mvslaw.org/wp-content/uploads/2019/11/Out-of-state-attorneys.pdf>.

To apply to join our volunteer panel, please complete the application on our website: <https://mvslaw.org/ways-to-get-involved/>.

Orientation and Training

All volunteer lawyer receive a general introduction to the purpose and operations of MVLS through this Handbook and our website. Volunteers will receive cases for representation at which time our intake paralegals provide them with the information about the client's case and procedures to follow after the client contacts the volunteer. MVLS paralegals check-in with volunteers 30 days after case placement to ensure that the client has contacted the volunteer and the case is proceeding.

Mentorship

Our volunteer panel consists primarily of experienced practitioners, however, in cases where volunteers accept pro bono cases through our program outside of their area of practice, MVLS will provide an experienced mentor with appropriate subject matter expertise. MVLS paralegal staff are available for consultation, support, and direction.

Feedback and Evaluation

At the end of a volunteer's representation of an MVLS client, MVLS sends the client a Client Satisfaction Survey that asks the client to complete a short questionnaire about their experience with our staff and volunteer lawyer. MVLS reviews each questionnaire and shares the client's evaluation with the volunteer.

Recognition

Volunteer service is essential to the success of MVLS programs. We recognize our volunteers in many ways through our social media, volunteer of the month designation, and annual Celebrate Pro Bono awards dinner in October. Volunteers also are recognized in our Annual Report.

Media Contacts or Requests

Volunteer lawyers should not represent themselves as spokespersons or representatives of MVLS. Only the board president and the executive director, or their designee, shall serve as spokespersons for MVLS.

Alcohol/Drugs

MVLS is a drug and alcohol free workplace. When working at MVLS's office, volunteers are prohibited from purchasing, transferring, using or possessing illicit drugs, alcohol, or prescription drugs in any way that is illegal. Implementing this policy provides a drug and alcohol-free work place in order to ensure a safe, healthy, and productive environment for all volunteers and employees.

Whistleblower Policy

The MVLS whistleblower policy is available at: <https://mvslaw.org/wp-content/uploads/2019/07/Whistleblower-Policy-Amended-2019.pdf>

Harassment Policy

Any form of sexual or other harassment is not tolerated by MVLS. If you feel you are being harassed while at MVLS's office you should immediately report it to the executive director or a board executive committee member. MVLS will investigate and take appropriate action depending on the circumstances.

Professional Liability Insurance

MVLS maintains professional liability insurance on volunteer lawyers while they are representing MVLS clients. A copy of the policy is available upon request to the Pro Bono Program Manager.

Standards for Excellence

MVLS volunteers make a lasting impression on those they represent. Their conduct reflects directly on all staff, volunteers, and board members of MVLS. All volunteer lawyers are expected to comply with the Maryland Rules of Professional Responsibility and should conduct their work in a manner consistent with the MVLS Standards for Excellence: An Ethics and Accountability Code for the Nonprofit Sector <https://standardsforexcellence.org/Home-2/code>. MVLS expects all volunteers to disclose any conflicts of interest to MVLS at the time they become a volunteer.

Questions, Problems, Complaints, Suggestions

We want your experience as an MVLS volunteer to be rewarding. If you have questions or have trouble along the way, our staff is available to assist you.

For case information, client communication issues, etc., you should first contact the paralegal that assigned the case to you:

Paralegal	Direct Phone Number	Email Address
Samuel Kessler	(443) 451-4087	skessler@mvslaw.org
Makeisha Gibson	(443) 451-4072	mgibson@mvslaw.org
Milena Benitez	(443) 451-4070	mbenitez@mvslaw.org
Antonia Wilson	(443) 451-4089	awilson@mvslaw.org
Gabriel Sapuay	(443) 451-4096	gsapuay@mvslaw.org

If you are unable to reach one of the paralegals, please contact the Pro Bono Program Manager at (443)-451-4068.

If you experience ethical or other serious issues during your representation of an MVLS client or need to withdraw from the case, please contact:

Margaret Henn	(443) 451-4067	mhenn@mvslaw.org
Susan Francis	(443) 451-4084	sfrancis@mvslaw.org

MVLS Intake and Case Referral Process—How it Works

Applicants for service contact MVLS through on-line intake or by calling our intake line. MVLS paralegals carefully screen clients for income and asset eligibility, case type and analysis for legal merit. Once clients are accepted by our program, MVLS paralegals refer clients with civil cases to a lawyer on our panel of volunteers. Generally, MVLS paralegals contact volunteers via email or phone call to make them aware of possible cases.

MVLS grant guidelines and case acceptance guidelines dictate the cases we are able to accept. MVLS *does not* handle criminal cases, fee-generating cases, class action suits, appeals, or Social Security denials.

Once a volunteer accepts a case, a copy of the client's file is mailed, faxed or emailed directly to the volunteer. At the same time, MVLS sends the client a letter requesting that he/she makes contact with their volunteer within five business days. If the client has not contacted you in that time frame, please notify the paralegal who assigned the case to you.

Most cases MVLS places should be resolved within a few months. Family law and other complex cases, however, may take longer. We will contact you intermittently to find out the status of your MVLS case. Your timely response is essential to our success as a pro bono program. We must report case outcomes to our many funders and need to know when a client matter can be closed. Accordingly, we ask you to report to MVLS when the case is closed and to tell us the outcome of the case and the volunteer hours you spent on the case. This information is essential to enlist program support from

the bench, bar and community, and to recognize your hard work.

Pro Bono Representation of MVLS Clients

MVLS strives to provide each volunteer with as much information as we are able to collect prior to placing a case. Once a case is placed and a volunteer has entered into a representation agreement with an MVLS client, the volunteer assumes primary responsibility for representing the client, including developing the facts and law relevant to the case, drafting necessary documents or pleadings, conducting negotiations, and appearing at hearings and trial. MVLS volunteers are expected to treat pro bono clients with the same dignity and respect as they show any other client. The Maryland Rules of Professional Responsibility apply to representation of pro bono clients with the same force and effect as for fee-paying clients. We expect our volunteers to see a matter through to resolution as set forth in the representation agreement.

Withdrawal from a case prior to completion is a serious step that may adversely affect the pro bono client's interests. We therefore discourage withdrawal except under exceptional circumstances. If you are having trouble with a client because they are uncooperative or fail to communicate, MVLS staff are available to help you resolve the problem. Remember our ability to find substitute volunteer counsel mid-stream is often difficult and, in most cases, we are unsuccessful resulting in the client proceeding pro se.

MVLS Guidelines for Volunteer Attorneys

- **Initial Client Contact**

Clients are expected to contact their volunteer attorney within 5 days of being informed of their placement. Attorneys are expected to contact clients within 72 hours of this initial contact. If the client fails to keep an appointment or does not contact you within a week after referral, please contact the paralegal who referred the case to you so that we can reach out to the client. If the client doesn't respond to our inquiry, we will follow up with you and request that you send the client a letter with a deadline to contact you. If you do not hear from the client by the deadline, close the file and submit a case closure form: <https://mvslaw.org/forms/>

It is important to set parameters for client contact early in your representation. MVLS has created a helpful document to set expectations with clients: <https://mvslaw.org/wp-content/uploads/2017/08/clientresponsibilities-1.pdf>

- **Retainer Agreement**

All volunteers should enter into a retainer agreement with our clients that clearly explains the scope of representation. You can find a sample form on our Attorney Resources page (<http://mvslaw.org/attorneyresources/>) in both English and Spanish. Please do not terminate representation without talking to MVLS. See Case Completion section below.

- **30 Day Check-In**

You will receive an email 30 days after you accept a case checking to see if the client has contacted you and if there is anything you need to help you with the case.

- **Case Representation**

If after meeting with the client and conducting any investigation, you feel the case is without merit, you should advise the client, contact Pro Bono Program Manager Sarah Witri, and then close the file. You are not obligated to provide representation on a pro bono basis that you would not provide to a fee-paying client.

- **Waiver of Court Costs and Fees**

MVLS clients are entitled to have initial filing fees waived in most state court matters. We expect volunteers to assist their clients in seeking a filing fee waiver if the client is eligible for such a waiver. The link to the court forms to use for prepaid costs and final waiver of open costs are available on our Attorney Resources page (<http://mvslaw.org/attorneyresources/>). If you have any questions or encounter problems, contact Pro Bono Program Manager Sarah Witri.

- **Court Costs**

MVLS does not expect you to pay any advance costs for the client's case. The clients are responsible for those costs. If the client cannot afford to pay the costs, the fees may be reimbursed by Pro Bono Resources Center's Litigation Fund: <https://probonomd.org/volunteers/litigation-fund/>

- **Litigation Costs**

The client is responsible for paying all non-waivable fees associated with filing bankruptcy, name change, estate administration, deed changes, and other legal costs. If the client can't pay these fees, please contact our office before you close the case. A litigation fund is administered through the Pro Bono Resource Center, and any attorney who handles a Judicare or pro bono case through MVLS may be eligible for reimbursement of litigation costs: <https://probonomd.org/volunteers/litigation-fund/>

- **Your Time**

Your time is valuable. Let your client know what you expect in terms of cooperation, frequency of telephone calls, and the specific issues you are undertaking. We provide every MVLS client with a "Client Tips" brochure that explains the do's and don't's of working with an attorney. In each placement packet is a client responsibilities form that we encourage you to review with your MVLS client. If you find that the client is not respecting your time, contact the MVLS paralegal who placed the case and we will make every effort to improve communication.

- **Attorney's Fees**

MVLS policy is to place pro bono cases with volunteer attorneys who do not have any expectation of fee for services while representing the client through MVLS. We do not object to volunteers sending a pro bono client an invoice to inform the client the fees that would have been charged had the case not been a pro bono matter. At the conclusion of an MVLS pro bono case, and if the Maryland rules permit, you may petition for attorneys' fees per Maryland rule.

- **Multiple Legal Issues**

We refer clients for one case. If another legal issue arises for your client during your representation, please contact us. We will contact the client to get information to determine if the issue is one that we can assist with. If so, it will be your decision whether to represent the client in the additional matter. If you decide not to assist with the new matter, let us know; we will refer the client's new matter to another panel attorney. Do not feel obligated to handle any other unrelated legal matters for the client. If you have questions about this area of law or need assistance, call us to provide you with the contact information for an experienced mentor ready and willing to assist.

- **Scope of Representation**

Clients often have multiple legal issues or new issues may arise during the course of representation. If a volunteer attorney determines that an MVLS client needs additional legal services, beyond the scope of the initial retainer agreement, the volunteer attorney must contact Pro Bono Program Manager Sarah Witri to discuss whether the case should be placed with another volunteer or whether the case should be closed.

No MVLS client may be charged attorneys' fees for new or different matters arising from representation of an MVLS client without first communicating with MVLS to determine if the legal issue can be assigned to another pro-bono attorney. You should contact Pro Bono Program Manager Sarah Witri or Director of Program Management Margaret Henn before entering into a new retainer agreement with an MVLS client.

- **Service of Process**

Monumental Process Servers offers a discounted rate for MVLS cases. They can be reached at 410-523-4980 or info@monumental.service.

- **Client Income**

If you determine that a client's income exceeds MVLS Income Guidelines, please call the MVLS paralegal that placed the case with you. Current guidelines are available at <http://mvslaw.org/do-i-qualify/>. Our client application clearly

states that if income eligibility changes over the course of their case, they must report that fact to MVLS and may not be entitled to pro bono representation going forward.

- **Case Completion**

The Maryland Rules of Professional Responsibility govern your representation of clients in pro bono cases. MVLS policy requires its volunteer lawyers to complete the assigned case, unless extraordinary circumstances warrant withdrawal. If an attorney believes such circumstances exist, they must contact Pro Bono Program Manager Sarah Witri or Director of Program Management Margaret Henn to discuss the case and agree upon how the withdraw will be handled consistent with the best interests of the MVLS client.

Please be sure to send the client a closing/disengagement letter, notifying them that your representation has been terminated. Here is draft language that you may use: "This is notice that _____ (the "Firm") has ended, effective immediately, serving as counsel for you in all matters in which you may consider the Firm to be your attorney. This letter confirms the end of any attorney-client relationship between you and the Firm. The Firm will not be performing any further legal work for you. You should not expect or rely upon the Firm to take any further actions on your behalf, including monitoring future developments in any matter in which the Firm has advised you, or as to any legal developments that may have a bearing on any of those matters. For purposes of conflicts of interest, you have now become a former client of the Firm."

- **Client Literacy**

Some MVLS clients struggle with literacy. We recommend that you determine your client's literacy level early in your representation. If you determine a client has limited literacy skills or are unsure, you might want to go over the answers to interrogatories and any other documents in person rather than sending them out for the client to complete at home.

- **Case Update and Closure Forms**

Complete the case closure form once you have completed representation. MVLS requires a case closure form for every case you accept. You may access the forms on-line (<http://mvlslaw.org/forms/>). As noted, this information is essential to the ongoing success of our program.

- **MVLS Web Page Resources**

If you visit the Attorney Resources section on our web page (<http://mvlslaw.org/attorneyresources>), you can access electronic versions of this handbook, case update/closure forms, attorney packets, PBRC litigation fund forms, as well as other documents and helpful information.

- **Language Line**

MVLS provides Language Line for free for all MVLS cases. Language Line can connect you with an interpreter for phone calls and in-person meetings for any MVLS clients with limited English proficiency. Please ask the paralegal working on your case for the Language Line access information.

- **Malpractice Insurance**

Throughout the course of the representation, the volunteer is covered under MVLS' professional liability insurance for negligence claims arising from the handling of an MVLS case. The policy binder explaining the extent of coverage is available on our Attorney Resources page online. If you receive a grievance letter or complaint, please inform MVLS Executive Director Susan Francis immediately as coverage is contingent upon MVLS making prompt reports of claims. Coverage may be denied for failure to timely report claims.

MVLS's Commitment to Volunteers

MVLS will provide the following services:

- Interview the client.

- Determine financial eligibility.
- Determine if case meets our case acceptance guidelines and can be accepted through our program.
- Conduct a preliminary case screening for legal merit.
- Obtain case documents from client.
- Refer case to a volunteer attorney.
- Inform client of referral.
- Provide mentor, when necessary or requested by volunteer.
- Maintain record of case hours and case outcome(s).
- Provide first tier malpractice insurance.
- Offer office space for client meetings during business hours.

Volunteer's Responsibility

- When available to do so, accept a case from MVLS.
- Meet with client and define the scope of representation.
- Memorialize the scope of representation in a retainer agreement signed by the client.
- Handle the client's matter in a timely and professional manner as you would any other.
- Keep MVLS advised of any problems when encountered.
- Request a mentor if you need help with the case.
- Complete and return case update/closure forms.