

## **PBIF Application**

**Project Title**                      Equal Access to a Fresh Start

**Amount Requested**            \$158,045

**Total Project Budget**        \$211,278

**Grant Term (months)**        24

**Requesting Funding through LSC's TIG Program?** No

**Applying for a TIG that complements this grant?** No

### **Executive Summary**

This project will create a customized virtual law firm platform, user-friendly online guided interviews and document assembly templates, and a volunteer-driven statewide system of clinics to enhance the delivery of pro bono legal services to low-income clients seeking a fresh start through Chapter 7 bankruptcy. Through this project, the Volunteer Lawyers Project of the Boston Bar Association (VLP) seeks to address service delivery challenges and gaps – a shortage of pro bono lawyers outside greater Boston and client difficulty providing necessary information and documents - that have hampered pro bono representation in bankruptcy cases for years. In creating the online platform, VLP will work with DirectLaw, Inc. to adapt and replicate a similar project underway at New Mexico Legal Aid. The innovations proposed will bring greater efficiency to evaluating, preparing, and referring pro bono bankruptcy cases and leverage the resources of experienced Boston-area bankruptcy staff and pro bono attorneys for the benefit of clients and pro bono attorneys statewide.

## **Narrative**

### **Project Design**

#### **1. Need Statement**

This project aims to create efficiencies and support that will make it easier for attorneys across the state to handle Chapter 7 bankruptcy cases pro bono and, when it is not possible to find a local pro bono attorney, to use technology to enhance the ability of Boston area attorneys to provide pro bono assistance to clients in rural or remote communities.

The need for pro bono representation for Chapter 7 bankruptcy is greater now than ever before in this extended period of unemployment and poor economic performance. Filing a Chapter 7 bankruptcy can relieve many of the financial problems that low-income clients face, including a stay of court proceedings and return of repossessed property. Chapter 7 bankruptcy cases for low-income clients should be relatively straightforward and resolve quickly. However, when debtors file pro se they are more likely to have their case dismissed or to have the trustee find issues with exemptions, property transfers in contemplation of bankruptcy, or dischargeability issues with creditors, including student loan creditors. According to the Pro Se Clerk for the Bankruptcy Court in Massachusetts, in 2013, 25% of Massachusetts's pro se Chapter 7 cases were dismissed. This is compared with only a 2% dismissal rate in cases where the debtor had an attorney.

The pro se dismissal rate, though compelling, understates the enormity of the problem. Without assistance, many clients who would benefit from bankruptcy do not ever file. There are many obstacles to people filing for bankruptcy on their own: lack of understanding of the law and procedures; misinformation about the possibility and effects of bankruptcy; lack of knowledge of the availability of fee waivers; and inability to complete electronic filing, to name a few. These obstacles are compounded for people with limited English proficiency, low literacy or levels of education, or cognitive impairments.

Another major obstacle to filing observed by staff of VLP and other legal aid organizations is that clients have a difficult time gathering the information and documents that are needed to file a Chapter 7 bankruptcy. Clients need to provide detailed information about debts and assets, which they may need help gleaning from piles of bills and other documents. They need credit reports, income verification, and property documents. While some clients are very capable of completing these preliminary steps, others cannot do it on their own. Yet, most legal aid and pro bono programs lack sufficient staff resources to meet this client need.

This gap in services can have serious consequences. Pro bono attorneys may be reluctant to take on a bankruptcy case if they do not have all the information and documents they need. Case "drop-off" is also common in pro bono bankruptcy cases, especially where cases are referred to pro bono attorneys without all the necessary information and documents. Between the clients' understandable difficulty following through and the lawyers' understandable reluctance to spend a lot of time gathering documents or going through them to find the relevant information, a significant number of pro bono bankruptcy cases are never completed. Pro bono attorneys may spend a lot of

time waiting for information from their clients, while not taking on other pro bono clients, only to have these cases closed for lack of documentation.

Another significant challenge in the service delivery system in Massachusetts is that bankruptcy attorneys are disproportionately concentrated in the Boston area. Legal aid programs outside Boston have reported that they are not able to find enough volunteer attorneys to meet the high demand for representation in bankruptcy cases. They have to close intake or turn away low-income people seeking help. Moreover, the dearth of private lawyers and staff attorneys with bankruptcy expertise in some parts of the state means that there is limited capacity to train and mentor pro bono lawyers who are new to bankruptcy practice. This lack of support for pro bono in certain areas in turn makes it less likely that lawyers will volunteer or stay on as long-term volunteers.

## 2. Available Pro Bono Resources

Massachusetts's pro bono capacity is great but heavily concentrated in the Greater Boston Area ("East") where a high number of attorneys practice and the widest range of legal services is available for clients. In the East, VLP is the premier pro bono referral agency for bankruptcy matters to the private bar. VLP has over 35 years of experience recruiting, training and mentoring pro bono attorneys. Currently, there are three hundred and thirty-three (333) active attorneys on our pro bono bankruptcy panel, making it one of our most engaged panels. In 2013 VLP staff and panel handled almost 100 Chapter 7 bankruptcy cases. Mentoring from experienced bankruptcy attorneys in the area has been instrumental in building our pro bono panel. Currently, VLP has nineteen (19) active bankruptcy mentors on our panel who provide volunteers with guidance and support for all areas of our bankruptcy practice. Our mentors include law professors, partners at large firms, bankruptcy trustees, and solo practitioners.

In contrast, the pro bono capacity in other parts of the state is minimal. The map of the Massachusetts regions in the Appendices may be helpful in reading this section. Western Massachusetts, which consists of Berkshire, Franklin, Hampshire, and Hampden Counties, is the most poorly serviced area in the state. Community Legal Aid in the four Western Massachusetts counties (CLA West) is the only agency that serves the pro bono bankruptcy needs of these regions; however, there are only four available pro bono attorneys and as such, eligible referrals are returned to the referring agency. Though the Bar Associations in Hampden County and Hampshire County provide clients with reduced rate referrals, they report that most people seeking assistance cannot afford even a reduced rate. In Central Massachusetts, consisting of Worcester County, Community Legal Aid (CLA Central) is burdened by the same resource issues faced by CLA West. In the Southeastern region of Massachusetts, the main pro bono agency is South Coastal Counties Legal Services, where the bankruptcy attorney also handles family law matters. They report that in 2013, they received 192 applications for bankruptcy and only twenty-three bankruptcy cases were referred out for pro bono representation or received in-house representation through which clients received discharges.

There is an urgent need to spread pro bono resources across the state. The East has a skilled and eager bankruptcy pro bono community consisting of solo practitioners and small firms, as well as several of the largest firms in Boston. This pro bono spirit was recognized in 2013 when a Partner from a major Boston law firm, was awarded the United States Bankruptcy Court Pro Bono Recognition Award for his work in creating and championing the firm's Chapter 7 Pro Bono Impact Project with VLP.

Under his supervision, the firm took approximately forty (40) Chapter 7 cases, including a successful discharge of a student loan debt through an adversary proceeding. This is just one example of the available capacity in Boston for pro bono representation and mentoring.

The project will target volunteers for the purposes of representing clients in Chapter 7 cases and mentoring new pro bono attorneys outside of Boston in bankruptcy law. The aim of the project is to meet a greater portion of the need throughout the state by leveraging the resources available in the East to develop greater pro bono capacity in the other regions of the state. For representation, the Project will target the existing pool of private attorneys in the East to represent debtors in other parts of the state. It will also target new pro bono attorneys both in and outside of Boston to represent clients in their communities with the aim of building a local and sustainable pro bono panel through online training materials and remote mentoring. We will recruit new volunteers by reaching out to VLP's network of partners like the Boston Bar Association, statewide consumer law networks and the Massachusetts Bankruptcy Court, and by offering free bankruptcy training. We will also use the new

statewide pro bono website [massprobono.org](http://massprobono.org) to solicit volunteers. In addition, the mentoring panel will grow as members of the pro bono panel acquire more experience with filing bankruptcy petitions. The project will utilize undergraduate, paralegal, and law student volunteers to assist clients who do not use computers or who need help for some other reason to provide the needed information and gather the necessary documents and upload them onto the secure online system. There are colleges, paralegal and legal studies programs, and law schools throughout Massachusetts and we will be specifically looking for bilingual students to assist with the clinics. These students are well situated to help clients with the intake process since gathering financial documents is non-legal but often too complicated for many clients to do in a timely manner.

### 3. Goals, Objectives, and Activities

Goal: Increase the capacity of attorneys to provide pro bono representation to eligible clients throughout Massachusetts in Chapter 7 bankruptcy cases.

Objective: Streamline the process for gathering, managing, and reviewing the information and documents needed by volunteer attorneys to evaluate and represent clients in Chapter 7 bankruptcy cases.

#### Activities:

- Create a plain language interactive questionnaire to collect client information relevant to evaluation of cases and representation of clients in Chapter 7 cases. This interview would be adapted from VLP's existing bankruptcy questionnaire and created using the document generation platform HotDocs with an A2J Author ("A2J") user interface. It would utilize branching logic so that only the questions relevant to the particular client would be displayed. We would put out a RFP for a developer to do the technical work.
- Translate the revised questionnaire into Spanish and create a Spanish A2J interview.
- Create a secure online space using the DirectLaw virtual law firm platform, where the completed bankruptcy questionnaire and other client documents can be stored and shared between clients and the volunteers and staff members assisting them. This would be done by replicating, at minimal cost, the Technology Initiative Grant (TIG #13049) awarded to New Mexico Legal Aid in 2013 to create a DirectLaw "pro bono portal." The New Mexico portal will be deployed and available for replication and further customization by the end of 2014. DirectLaw ([www.directlaw.com](http://www.directlaw.com)) utilizes Tier 4 security and is a leading provider of virtual law firm platform technology designed for solo and small firm practitioners.

The A2J interview and HotDocs templates described above, hosted on the LHI website, will be integrated into the DirectLaw platform. This integration is part of TIG #13049 and will be available to VLP at no cost once completed. The documents produced with HotDocs can be saved as .pdfs and uploaded to DirectLaw. At this time, HotDocs document generation is not available on the DirectLaw platform, but DirectLaw may consider how to ultimately integrate these two systems for the benefit of pro bono attorneys serving low-income clients.

In addition to secure online storage, the DirectLaw platform offers many useful tools to facilitate pro bono representation. For example, there are tools that allow pro bono attorneys to securely provide advice to clients by phone or email, substantive law information, and legal practice guides. DirectLaw also has native document assembly capacity, some state-specific templates, and an authoring tool that will allow attorneys to create templates to generate pleadings, correspondence and other documents using the client's basic information. Pro bono attorneys will access the DirectLaw platform through VLP's recently launched TIG-funded (TIG # 11046) statewide pro bono website [www.massprobono.org](http://www.massprobono.org).

The DirectLaw platform and HotDocs/A2J templates add both efficiency and quality to the pro bono delivery system. Having the information relevant to the case available online means that it can be reviewed efficiently by legal aid staff and volunteers located anywhere in the state. Online storage and document generation will expedite the referral process and allow pro bono attorneys anywhere in the state to review the case and, if necessary, make initial communication with clients remotely. Even before a case is referred, a pro bono attorney could review the bankruptcy questionnaire online, assess

the pros and cons of filing for Chapter 7, engage in an advice session with the client, and report back to the pro bono coordinator.

- Develop a HotDocs template for a pro bono referral memorandum that could be populated with data from the bankruptcy questionnaire. The text will be based on VLP's existing bankruptcy referral memo template.
- Develop a template for an abbreviated case description that can be used for posting the case to massprobono.org so it will reach a wider audience of potential volunteers.
- Replicate and adapt existing HotDocs/A2J template for "stop contact" letter to collection agencies. Legal aid offices in several states, including New York and Arkansas, have produced these templates.
- Implement videoconferencing, in combination with the DirectLaw document-sharing platform, to facilitate pro bono representation where lawyer and client are geographically distant. A low-cost but effective videoconferencing system can be created as described in the article at <http://www.idealware.org/blog/cheap-and-cheerful-video-conferencing>. (See Appendix) In implementing videoconferencing, we would be guided by the Pro Bono Best Practice described at <http://lri.lsc.gov/legal-representation/private-attorney-involvement/delivery-models/rural/best-practice-providing-services-remotely-through-videoconferencing>. VLP and the other LSC-funded pro bono programs already have software, available to volunteers at no cost, for e-filing the Chapter 7 petitions, so this technology would not be part of this grant.

These technological tools alone are not sufficient to meet the persistent challenges in delivering pro bono legal services in Chapter 7 cases. Some clients will need human assistance in completing the bankruptcy questionnaire and obtaining the needed documents. The following Goal and Objective address this point.

Goal: Increase potential clients' access to pro bono bankruptcy attorneys.

Objective: Enhance the ability of clients to provide the information and documents needed by pro bono programs and lawyers for evaluation of and representation in Chapter 7 bankruptcy cases.

Activities:

Develop and test a prototype "pop-up" clinic that could be held at local legal aid programs, community centers, churches, or other locations convenient for clients. By "pop-up" clinic we mean a portable clinic that could be held in any number of locations either on a regular schedule or on an ad hoc basis when there is a critical mass of eligible clients in need of the assistance provided. The prototype would include components that could be replicated by other pro bono programs. To do this, we would:

- Identify sites to host the clinics. These could be local legal aid offices, community centers, libraries, churches, and other venues convenient to clients and accessible by public transportation.
- Recruit volunteers, including those with Spanish language fluency, from law schools, colleges, and paralegal and legal studies programs to staff the clinics. Use online volunteer scheduling application to post clinic dates and allow volunteers to sign up. Train these volunteers in the basics of the Chapter 7 process, how to get credit reports and other information required for evaluation and representation, and how to use the HotDocs/A2J templates and DirectLaw platform. The training, which may be done in-person or by webinar, would include information about obtaining documents in electronic format. Where electronic format documents are not available, clinic volunteers would use a portable scanner or high-resolution photographs taken with the client's smartphone or tablet.

Using laptops and internet access, the volunteers will go through the A2J bankruptcy interview with clients, or help them complete an intake they may have started on their own. They will also help clients obtain credit reports, tax information, bills, property records, and other documents needed for the case. The volunteers will create DirectLaw accounts for the clients and upload the documents into their account. The documents in the account will be viewable by legal staff, pro bono attorneys reviewing or handling the case, and mentor attorneys providing guidance to clinic staff or pro bono attorneys.

- Create a template clinic volunteer recruitment announcement.

- Create a checklist for clients that let them know what additional information and documents are needed after the clinic and if they should come back to a follow-up clinic.
  - Work with statewide language access attorney to provide access to clinics for all clients. Provide interpreters at clinics when needed. Translate the checklist into Spanish.
  - Pilot 2 or 3 test clinics in the Boston area to identify problem areas and experiment with different ways of running the clinic to determine what works and what do not. Create a manual incorporating best practices for running the clinics, and share with other pro bono programs.
  - Work with legal aid pro bono programs in Massachusetts to develop a process for legal aid pro bono programs to refer appropriate eligible clients to these clinics.
  - Hire and train an intern or part-time staff person to assist with the above activities.
  - Purchase necessary equipment including laptops, an Ethernet cable and/or wireless router for tapping into host site internet, and portable scanner and printer.
- Objective: Increase the number of attorneys across the state willing and able to provide high quality pro bono representation to low-income clients in Chapter 7 bankruptcy cases.

#### Activities

- Use videoconferencing to allow pro bono attorneys from across the state to participate in the monthly consumer/bankruptcy mentoring groups held at VLP. These groups are facilitated by experienced staff and volunteer bankruptcy attorneys and provide an informal and collegial environment in which attorneys can discuss and seek guidance on issues that come up in their pro bono cases.
- Use videoconferencing and webinars to allow pro bono attorneys from across the state to participate in VLP's bankruptcy trainings, including trainings in using bankruptcy petition e-filing software.
- Utilize the DirectLaw platform to allow experienced volunteer attorneys in the Boston area to remotely and securely review the work of and mentor attorneys new to bankruptcy practice. The DirectLaw platform also has bankruptcy practice materials and templates that will enable more efficient and effective pro bono practice.

#### 4. Innovation(s) Proposed and Potential for Replication

This project incorporates several substantial innovations:

(1) A secure online space on the DirectLaw platform where materials related to the case can be stored and shared among the clients, the volunteers assisting them and legal aid staff.

This online platform will be adapted, at minimal cost, from the TIG-funded New Mexico Legal Aid (NMLA) project described above. There is to our knowledge no web-based storage and sharing solution that is as secure or cost-effective as the proposed replication of the New Mexico system, and no system at all employed in the pro bono service delivery system in Massachusetts. Richard Granat, the CEO of DirectLaw, has agreed to make the project replicable by other legal aid and pro bono programs at the same generous terms offered to New Mexico Legal Aid and VLP. See Commitment Letter from Richard Granat in Appendix. There are small maintenance costs, but any costs are a real factor for pro bono programs in a still-difficult budgeting climate. This amount can be mitigated by cost sharing among pro bono programs across the state or offset by small grants.

In addition, although this project focuses on Chapter 7 cases, because of the service delivery gaps and the document-intensive nature of these cases, once built, the Massachusetts DirectLaw platform for pro bono will be immediately applicable to subject areas other than bankruptcy. VLP will be in communication with Ed Marks and others at NMLA as their project develops to stay abreast of issues that come up and lessons they learn along the way.

#### (2) HotDocs templates with A2J user interface

Using plain language interviews with an A2J interface over HotDocs templates is an established strategy in the access to justice community nationally. Originally geared toward self-represented litigants, these interviews and templates are increasingly being used by pro bono attorneys. Thanks to the generosity of LSC, Pro Bono Net's innovative Law Help Interactive (LHI) platform, and the creativity and effort of legal aid advocates across the country, there is a growing library of these resources.

VLP is proposing to use the HotDocs/A2J strategy in a slightly new way: to assist in the pre-referral case preparation and pro bono referral process. Legal aid clients throughout Massachusetts have had difficulty providing information requested on bankruptcy intake questionnaires, obtaining their credit reports, and collecting other documents needed to evaluate and file a Chapter 7 case. As a result of insufficiently prepared pro bono referrals, cases are abandoned and never filed. To our knowledge, there has been no other systematic effort to address this challenge.

The first part of the solution we propose is to turn our bankruptcy intake questionnaire into a plain language A2J interview (in English and Spanish) to make it more accessible to clients and social service providers, students, and others assisting clients. The resulting document will be a complete, organized intake that is easy for legal aid staff and pro bono attorneys to review. Using additional HotDocs document assembly templates, the interview will also generate a pro bono referral memo and a short case summary for posting the case on [massprobono.org](http://massprobono.org). We have not found an existing A2J interview on the LHI server similar enough to our bankruptcy questionnaire to adapt, so we will create one. We will also create new HotDocs templates of a pro bono referral memo and a case blurb because we could not find existing models to replicate.

Once created, these resources will be available on the LHI website and be replicable by other pro bono programs seeking to make their bankruptcy intake and referral process more effective. The documents produced can be uploaded into DirectLaw. The interview and templates will also be served up on the DirectLaw platform, although the document assembly functionality will be on the LHI server. The DirectLaw platform has its own native document assembly program and many templates that could be used to generate documents from basic client information. We hope to explore further integration between HotDocs and DirectLaw in the future.

### (3) “Pop-up” Clinics

The second part of the solution is to develop a network of volunteer-driven clinics to help clients who are not able to complete the intake and provide the needed documentation on their own. As described above, “pop-up” clinics are portable clinics that could be held in any number of locations either on a regular schedule or on an ad hoc basis when there is a critical mass of eligible clients in need of the assistance provided. These clinics will fill a critical gap in service delivery by helping clients and legal aid programs prepare cases for pro bono referral and set them up for success for both client and lawyer. We propose to recruit and train student volunteers and run test clinics in the Boston area in order to determine how to maximize client participation and use of on-site and remote volunteers. To enable other programs to replicate the clinics, we will create volunteer recruitment and other templates, training materials, and a clinic manual. Incorporating the DirectLaw platform into the clinics will allow experienced attorneys in any location to review the draft intakes and other documents and provide guidance to the volunteers.

Creating the clinics will require an initial investment of VLP staff time to establish relationships with sources of volunteers and clinic hosts, develop the volunteer training and clinic protocols, hold the test clinics, and create workflows. This upfront effort should yield significant results later in the success of the clinics and their replicability by other programs. VLP has conducted its own clinics for self-represented litigants in the consumer area and has a wealth of lessons learned from that experience.

### (4) Videoconferencing

Videoconferencing has proven to be an effective vehicle for remote legal service provision at modest cost; notably Northwest Colorado Legal Services Project has effectively provided legal advice to rural petitioners and has grown since its inception in 2012. To minimize costs, we plan to replicate the basic but effective videoconferencing system described in the article at <http://www.idealware.org/blog/cheap-and-cheerful-video-conferencing>. Videoconferencing capacity at VLP and the three LSC programs in the other regions of the state would make remote pro bono work possible and address the disparity between the supply of bankruptcy attorneys in Boston and more remote and rural parts of the state. If no pro bono attorneys were available to represent an eligible client in Pittsfield, MA, for example, that client could use the videoconferencing equipment at the closest CLA office to meet with a pro bono attorney using the equipment at VLP’s Boston office.

Videoconferencing would also leverage the mentoring capacity of experienced bankruptcy attorneys in the Boston area for the benefit of newer pro bono attorneys in other parts of the state. VLP holds monthly group mentoring sessions in a number of substantive areas, including bankruptcy

and consumer law. Volunteer attorneys outside Boston could participate in these valuable sessions remotely by videoconference from the legal aid office closest to them, saving time and expense while retaining some of the face-to-face interaction that builds professional relationships and helps retain pro bono attorneys. The videoconferencing capacity would also be used to share VLP's other monthly mentoring roundtables – in family law, guardianship and housing – with pro bono attorneys across the state.

#### 5. Proposed Performance Measures

##### Milestones:

- Automated bankruptcy questionnaire in HotDocs with A2JA interface and pro bono referral memo and short case summary templates populated by bankruptcy questionnaire responses will be completed and available on Law Help Interactive and masslegalhelp.org. Within 10 months of start of grant.
- DirectLaw document sharing portal will be live and ready for use. Within 6 months of start of grant.
- Intern hired and trained. Within 2 months of start of grant.
- Clinic site in greater Boston identified and agreement with host made. Within 9 months of start of grant.
- 5 clinic volunteers in greater Boston recruited and trained to use A2J interviews, HotDocs templates, and DirectLaw platform. Within 14 months of start of grant.
- First test clinic held. Within 16 months of start of grant. Additional 1 or 2 test clinics held. Within 20 months of start of grant.
- Development of clinic manual finished. Within 22 months of start of grant.
- Clinic sites identified in Central, Western, Southeast, and Northeast regions of state and hosting agreements made within 20 months of start of grant. 12 total volunteers recruited in regions of state outside Boston.
- 1 clinic held in each site within 24 months.
- Videoconferencing systems set up in VLP, SCCLS, and NLA, and staff trained to use it within 12 months of start of grant. First videoconferenced mentoring group held within 14 months of start of grant.

##### Outcomes:

- Number of pro bono attorneys and legal aid staff trained and prepared to use DirectLaw platform. This will be measured with lists of trainees as well as feedback elicited from trainees regarding training.
- Number of eligible clients who attend clinics and percentage of these (for whom bankruptcy is appropriate) who go on to file Chapter 7 petition. This will be measured by lists of trainees and by collecting data regarding petitions filed and reasons for not filing if not filed. Qualitative feedback about clinics will be elicited from client attendees within 1-2 days after clinic.
- Increase, from 2014, in number of bankruptcies filed by PAI attorneys in LSC pro bono programs in state. This will be measured by obtaining and comparing 2014, 2015, and 2016 data from programs.
- Decrease, from 2014, in percentage of eligible clients attrition statewide. This will be measured by obtaining and comparing 2014, 2015, and 2016 data from programs.



- Decrease, from 2014, in percentage of pro se bankruptcies statewide for low-income clients. This will be measured by obtaining and comparing 2014, 2015, and 2016 filing data from the Pro Se Clerk of the Bankruptcy Court in Massachusetts.

## Organizational Capacity

### 1. Track Record on Pro Bono and Collaborative Activity

VLP has a long and rich history of collaborative pro bono efforts. While new partnerships and projects are being developed and implemented regularly, other more mature projects and partnerships continue after years of successful operation and perfecting. This part of the narrative will focus exclusively on bankruptcy and consumer-related projects.

VLP has long partnered with the Boston Bar Association (BBA) to provide training and mentoring for attorneys who take bankruptcy cases on a pro bono basis. VLP joins with the Public Service Committee of the Bankruptcy Section to present an in-depth training on representing VLP clients in bankruptcy. This training is held once per year and attracts between 50 and 90 new attorneys who agree to become VLP panel members in exchange for attending the training at no cost. Experienced attorneys and VLP staff lead the training and offer a networking piece that allows new attorneys to meet the more senior members of the bankruptcy bar. This recruiting and training effort continues with a training being designed for the fall of 2014. The first such training was in 2009 when VLP and BBA worked to establish the Large Firm Initiative for Bankruptcy (LFI). VLP staff and BBA members who represented some of the largest firms in the Boston area formed this initiative to develop ways that large firms could contribute to servicing the needs of low-income debtors seeking relief through bankruptcy. Prior to the success of the LFI, most pro bono bankruptcy cases went to solo practitioners and small firm attorneys because of the conflicts issues that firms had with credit card companies and banks. LFI was able to get an ethical opinion from the Bar Counsel that relieved them of the conflicts. Large firms now take many more cases for representation. Also, as a result of this initiative, large firms committed to handling Adversary Proceedings in Bankruptcy Court on the issue of discharging student loans. This initiative began in 2010 and in 2012 the programs became permanent programs of the BBA.

VLP works with the Massachusetts Continuing Legal Education (MCLE) to develop trainings that give lawyers the tools to work with low-income clients and recruit attorneys newly admitted to the bar for pro bono work with VLP.

VLP staff participates by invitation on both the pro bono committee and the diversity committee of the U.S. Bankruptcy Court in Boston (2012 and continuing). The Court contacts VLP first and refers debtors to VLP when they come to the court seeking answers or trying to file pro se. With the hiring of a pro se clerk, the clerk became a trained intake provider for VLP.

VLP works with several community organizations to maximize efforts to save housing at risk of foreclosure. We partner with Urban Edge, Nuestra Comunidad, and Homeowner Options for Massachusetts Elders to provide representation in bankruptcy that will allow owners to lower their debt-to-income ratio, stop imminent foreclosure and save their homes through mortgage workouts or refinancing (2008 and continuing).

VLP works cooperatively with legal services offices throughout Massachusetts. We offer bankruptcy law training and are invited to other offices to provide this training. We accept client referrals if the legal services office cannot handle the case or does not have volunteer attorneys available.

VLP works with local law schools to develop clinics and to place students in internship and fellowship positions in the area of bankruptcy law. This includes Boston College School of Law (2011 and continuing), Northeastern School of Law (2012 and continuing), New England School of Law (2010 and continuing), and William and Mary Law School (2011 and continuing.)

As part of a long history of collaboration with the National Consumer Law Center (since 1992), VLP has offered quality bankruptcy and consumer trainings to attorneys who agree to represent VLP clients on a pro bono basis. NCLC has provided publications to VLP and its volunteers free or at a substantially reduced rate. Currently, NCLC's bankruptcy department is developing training modules that it will make available to VLP and legal services offices across the state to train staff and

volunteer attorneys on bankruptcy. These modules will be available at no cost to the agencies or the volunteers.

2. Ability to Provide Project Support, Oversight, and Capable Leadership

Established in 1977, VLP is a private nonprofit organization that provides legal representation in civil matters to low-income people in greater Boston primarily through the pro bono services of private attorneys. VLP employs a staff of 18, including an Executive Director, 11 attorneys, 3 paralegals, 3 administrative personnel, and a Financial Officer.

VLP has been a LSC field grant recipient since 1996 and has always complied with grant requirements and met or exceeded grant goals. VLP has a large panel of very experienced bankruptcy attorneys that can review materials created for this project. Additionally, VLP will work closely with the other LSC programs to work with the needs in other parts of the Commonwealth.

Barbara Siegel, an attorney and senior manager at VLP, will serve as co-project manager for this grant with a focus on the technological aspects of the grant and overseeing the third-party contracts. Barbara is an experienced manager of collaborative projects. She managed the TIG-funded project that, earlier this year, successfully launched a statewide pro bono website, [www.massprobono.org](http://www.massprobono.org). In her role as manager of Senior Partners for Justice, a pro bono program at VLP founded by a retired family court judge, Barbara has worked with the courts to help establish several Limited Assistance Representation projects across Massachusetts. Prior to joining VLP, Barbara was a senior staff attorney and intake supervisor at the Disability Law Center for six years. She is a graduate of Boston College Law School and Brown University.

Attorney Emily Jarrell will serve as the other co-project manager for the project. Emily has been at VLP for 5 years practicing primarily in bankruptcy and consumer law. She has developed and held multiple bankruptcy trainings at VLP as well as at the Boston Bar Association and other legal aid organizations in the Commonwealth. Emily regularly files Chapter 7 and Chapter 13 cases to stay current in the area of practice, as well as mentors many volunteer attorneys in bankruptcy. Emily also manages New England School of Law consumer law interns throughout the school year and supervises a consumer lawyer for the day project at the Boston Municipal Court. Emily is a graduate of the University of Oregon School of Law and Oberlin College.

VLP will hire a part-time intern to provide support for the project. The intern will be supervised by Emily and Barbara, both of whom have experience supervising interns.

There are two other VLP attorneys who practice in the area of bankruptcy and consumer law: Joanna Allison and Hsindy Chen. The bankruptcy group will be responsible for developing the materials needed for this project including the questionnaire, materials for the client and attorney portals and clinic materials. Joanna Allison is the head of the consumer group at VLP. Joanna has been with VLP since 1993 and previously worked at the National Consumer Law Center developing consumer materials. Hsindy Chen has been at VLP since 2009 and works in the areas of bankruptcy and unemployment law. VLP also has a paralegal, 80% of whose time is devoted to bankruptcy clients.

Sheila Hubbard is the Executive Director of VLP. She has successfully overseen the LSC grants since she began at VLP in 2010 and VLP's successful TIG grant. Sheila has had over 25 years of managing budgets, programs and organizations. Prior to her current position, she was the Chair of the Massachusetts Parole Board, where she supervised 240 employees responsible for 5,000 parolees and a \$13.1 million budget. She is a 1982 graduate of Yale College and a 1985 graduate of Harvard Law School.

DirectLaw, Inc., is the leading provider of a virtual law firm platform that supports the delivery of unbundled legal services by solo and small law firm practitioners. DirectLaw's President and CEO, Richard Granat, a long time leader in development of national legal services systems and strategies, will be directly involved in the development of the system envisioned for this project.

Cost-Effectiveness and Budget Adequacy

1. Budget Justification

VLP has a full time Financial Officer who oversees tracking reporting of expenditure of funds. VLP's Accounting Manual, approved by the Board of Directors, complies with and follows the requirements of LSC's Accounting Guide for LSC Recipients. Employees keep detailed time records in compliance with LSC regulations. All non-personnel costs charged to this grants will be tracked by including invoices, payment vouchers and checks. Grant revenue and expenditures are

tracked as separate line items in VLP's financial systems and checked by the independent auditor. The VLP Board of Directors and the Executive Director receive regular financial reports. The Board of Directors meets annually with the independent auditor

Creating an online secure space will be done by replicating, at minimal cost, the Technology Initiative Grant awarded to New Mexico Legal Aid in 2013 to create a DirectLaw "pro-bono portal." The costs for our platform are already a fraction of what the original platform cost, as software need not be rewritten but can be modified quickly to suit VLP's needs. There are small maintenance costs that can be mitigated by cost sharing among pro bono programs across the state or offset by small grants. The videoconferencing equipment used will be a low-cost but effective videoconferencing system which was guided by the Pro Bono Best Practice described at <http://lri.lsc.gov/legal-representation/private-attorney-involvement/delivery-models/rural/best-practice-providing-services-remotely-through-videoconferencing>.

Currently we could not find other programs that are using an online bankruptcy questionnaire similar to the one that we want to develop in English and Spanish. Our questionnaire will make applying for bankruptcy more straightforward and streamlined for clients and advocates. VLP has no expertise in developing A2J or HotDocs but the VLP managing attorney has had training in those programs, which will allow her to successfully oversee the contractors in this area. We will also create new HotDocs templates of a pro bono referral memo and a case summary because we could not find existing models to replicate. Once created, these resources will be available on the LHI website and be replicable by other pro bono programs seeking to make their bankruptcy intake and referral process more effective.

The questionnaire will need to be edited for plain language and then translated into Spanish. This is important, as we have had feedback from clients and practitioners that the questionnaire is too complicated for some clients. VLP has no staff trained in plain language translation. VLP does have bilingual staff but none that are trained professional translators. VLP will get recommendations from other trusted legal aid colleagues and solicit bids from vendors.

VLP will hire a highly qualified intern to coordinate the clinics, develop the clinic materials, and recruit student and attorney volunteers. The intern costs are needed to do a lot of the administrative and logistical support of the recruitment and clinics.

Creating the clinics will require an initial investment of VLP staff time to establish relationships with sources of volunteers and clinic hosts, develop the volunteer training and clinic protocols, hold the test clinics, and create workflows. This upfront effort should pay off later in the success of the clinics and their replicability by other programs. The VLP staff and intern will need to travel to clinics initially to assist in setting up and training staff and volunteers. However, the travel expenses will be minimal since VLP will be able to use the videoconferencing equipment and GoToMeeting for meetings with other programs to coordinate the "pop-up" clinics and to mentor and train volunteers.

## Budget

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	<b>Pro Bono Innovation Fund Share</b>	<b>Applicant Share</b>	<b>Cash Support from Other Partners</b>	<b>In-kind Support from Other Partners</b>	<b>Total Columns A through D</b>
<b>1. Personnel Expenses</b>					
a. Salaries and Wages	\$104,066	\$41,050	\$0	\$0	<b>\$145,116</b>
b. Fringe Benefits	\$19,188	\$11,083	\$0	\$0	<b>\$30,271</b>
<b>Personnel Expenses Sub Total</b>	<b>\$123,254</b>	<b>\$52,133</b>	<b>\$0</b>	<b>\$0</b>	<b>\$175,387</b>
<b>2. Project Expenses</b>					
a. Travel	\$1,415	\$1,100	\$0	\$0	<b>\$2,515</b>
b. Equipment	\$7,337	\$0	\$0	\$0	<b>\$7,337</b>
c. Software	\$599	\$0	\$0	\$0	<b>\$599</b>
d. Supplies	\$2,806	\$0	\$0	\$0	<b>\$2,806</b>
e. Communication	\$1,084	\$0	\$0	\$0	<b>\$1,084</b>
f. Training	\$1,000	\$0	\$0	\$0	<b>\$1,000</b>

g. Evaluation	\$1,000	\$0	\$0	\$0	<b>\$1,000</b>
h. Other	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Project Expenses Sub Total</b>	<b>\$15,241</b>	<b>\$1,100</b>	<b>\$0</b>	<b>\$0</b>	<b>\$16,341</b>
<b>3.Third Party</b>					
a. Contract	\$19,550	\$0	\$0	\$0	<b>\$19,550</b>
b. Sub Contract	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Third Party Sub Total</b>	<b>\$19,550</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$19,550</b>
<b>Percentages</b>	<b>75%</b>	<b>25%</b>	<b>0%</b>	<b>0%</b>	
<b>Totals</b>	<b>\$158,045</b>	<b>\$53,233</b>	<b>\$0</b>	<b>\$0</b>	<b>\$211,278</b>

**Budget Narrative not included in sample**

Resumes of key staff not included in sample

Letters of Support not included in sample



**LEGAL AID OF NEW STATE**  
**REQUEST FOR PROPOSALS RFP**

**Document Assembly Software**

Legal Aid of New State (LEGAL AID) is initiating this Request for Proposals (RFP) to solicit responses from vendors interested in converting legal self help forms into interactive A2J forms to be stored on LawHelp Interactive server.

**1. PURPOSE AND DESCRIPTION:**

**1.1. Purpose:**

LEGAL AID is initiating this Request for Proposals (RFP) to solicit responses from vendors interested in converting legal self help forms and placing the forms and interviews on the LawHelp Interactive National HotDocs Server (Server) and then publishing them in an automated format on the Server with an Access to Justice Author (A2J Author) as the interface for to be used by New State residents. These forms will allow low income citizens, in an interview format, to complete forms for presentation to their local Courts. LEGAL AID's goal is to provide an easy to use system of assembling proper court acceptable forms.

The successful vendor will assist LEGAL AID with creating and coding of the documents as outlined on Exhibit B. Links to each document are provided on Exhibit B.

**1.2. Goal:**

Our plan is to create a virtual self help center where citizens can obtain the required self help information, tutorials, tools and forms necessary to complete automated forms that will be acceptable for use by their local Courts. As such, the goal of this RFP will be to create documents that interface with the A2J author interview for the self help forms that give citizens the ability to complete, print and file the proper forms.

**1.3. PRODUCT and Services Required:**

The PRODUCT is to meet all of the mandatory requirements listed in Exhibit A and B.

**1.4 Timeline for Completion:** The PRODUCT is to be completed by December 31, 2011.

**1.5 Payment:** Payment will be made in two installments contingent upon completion of forms. The first installment payment will be made on or before September 30, 2011 upon satisfactory completion of the first tier of documents including placement of the forms on the Server with A2J interface as described on Exhibit B. The second and final payment will be made upon the satisfactory completion of the second tier of documents including placement of the forms on the Server with A2J interface as described in Exhibit B.

**2. RFP ADMINISTRATION AND INSTRUCTIONS TO VENDORS:**

**2.1. RFP Coordinator:** Upon release of this RFP, all vendor communications concerning this acquisition must be directed to the RFP Coordinator listed below. Any oral communications will be considered unofficial and nonbinding on LEGAL AID. Only written statements issued by the RFP Coordinator may

be relied upon.

Jane Doe, Deputy Director  
Legal Aid of New State  
1500 State, Suite 500  
New City, NS 12345  
Email: janedoe@legalaiddofNewState.org Telephone: (555) 5555555 x123

**2.2. RFP Schedule:**

RFP released - May 16, 2011  
Responses due not later than 12 noon CST - June 20, 2011  
Evaluation Period - June 30, 2011  
Successful vendor announced - June 30, 2011  
Contract signed and work commences - July 5, 2011

**2.3. Vendor Questions:** Vendors may contact the RFP Coordinator at the address and/or numbers listed in Subsection 2.1 above with any questions concerning this RFP. All questions must be received prior to the response due date and time listed in Subsection 2.2 above. Written questions are preferred and should be submitted by email to ensure receipt and timely response.

**2.4. Response Format:** The proposal must be sent electronically via email in Microsoft Word 97 or newer version, RTF, or Adobe PDF format to the RFP Coordinator designated in Section 2.1 of this RFP. The email subject should be clearly marked "Document Assembly TIG".

The proposal must be received no later than 12:00 p.m., CST on the date specified in section 2.2 of this RFP.

Vendors should allow enough electronic delivery time to ensure timely receipt of their proposals by the RFP Coordinator. Vendors assume the risk for any email delay problems.

Proposals that exceed 20 pages in length will not be accepted. Late proposals will not be accepted and will be automatically disqualified from further consideration.

**2.5. Response Requirements and Content:** Vendors must respond to each question/requirement contained in Exhibit A, Vendor Response. In preparing their response, vendors should restate each requirement and then give their response.

## **2.6. Response Date and Location:**

2.6.1. The vendor's response, in its entirety, must be received by the RFP Coordinator in New City, NS, in accordance with the schedule contained in Subsection 2.2 above. Late responses will not be accepted and will be automatically disqualified from further consideration.

2.6.2. Vendors assume the risk of the method of dispatch chosen. LEGAL AID assumes no responsibility for delays caused by the U.S. Postal Service, or any other party or communication device. Postmarking by the due date will not substitute for actual response receipt. Late responses will not be accepted, nor will additional time be granted to any vendor. Responses may be delivered by mail, courier, hand delivery, facsimile transmission or email.

**2.7. Costs of Preparing Responses:** LEGAL AID will not pay any vendor costs associated with preparing responses, submitted in response to this RFP.

**2.8. Responses Property of LEGAL AID:** All responses, accompanying documentation and other materials submitted in response to this RFP shall become the property of LEGAL AID and will not be returned.

**2.9. Proprietary Information/Public Disclosure:** All responses received shall remain confidential until the evaluation is completed and the vendor is selected and approved. Thereafter responses shall be deemed public records.

**2.10. RFP Amendments/Cancellation/Reissue/Reopen:** LEGAL AID reserves the right to change the RFP Schedule or issue amendments to this RFP at any time. LEGAL AID also reserves the right to cancel or reissue the RFP. All such actions will be posted on LEGAL AID's website.

**2.11. Minor Administrative Irregularities:** LEGAL AID reserves the right to waive minor administrative irregularities contained in any response.

**2.12. Inability to Enter Contract:** LEGAL AID reserves the right to eliminate from further consideration any vendor that LEGAL AID, because of legal or other considerations, is unable to contract with at the time responses are due in accordance with the schedule contained in Subsection 2.2 above.

## **2.13. No Obligation to Enter a Contract:**

2.13.1. The release of this RFP does not compel LEGAL AID to enter any contract.

2.13.2. LEGAL AID reserves the right to refrain from contracting with any vendor that has responded to this RFP whether or not the vendor's response has been evaluated and whether or not the vendor has been determined to be qualified. Exercise of this reserved right does not affect LEGAL AID's right to contract with any other vendor.

2.13.3. LEGAL AID reserves the right to request an interview with any vendor and/or a demonstration from any vendor prior to entering a contract with that vendor.

If a vendor declines the request for an interview or demonstration for any reason, the vendor may be eliminated from further consideration.

**2.14. Multiple Contracts:** LEGAL AID reserves the right to enter contracts with more than one vendor as a result of this RFP.

**2.15. Non-Endorsement:** The selection of a vendor pursuant to this RFP does not constitute an endorsement of the vendor's services. The vendor agrees to make no reference to LEGAL AID in any literature, promotional material, brochures, sales presentations, or the like without the express written consent of LEGAL AID.

**2.16. Contract Payment Limitations:** Vendors should anticipate payment at the end rather than the beginning of the invoice period in which they provide services or after they submit any deliverable for which a payment is due.

### **3. RFP EVALUATION:**

3.1. LEGAL AID Evaluation Team (Team) of at least two (2) persons will evaluate the responses to this RFP. The Team may also consider past contract performance and check references beyond those listed in the vendor's response.

3.2. As part of the evaluation process, at the discretion of the Team, vendors may be asked to clarify specific points in their response. However, under no circumstances will the vendor be allowed to make changes to the response.

### **4. POST EVALUATION**

**4.1. Notification of Selection of Apparently Successful Vendor:** Vendors whose responses have not been selected for further negotiations or award will be notified via email.

#### **4.2. Contract Award/General Terms and Conditions:**

Vendors selected to provide application services will be expected to enter into a contract with LEGAL AID.

## **LEGAL AID OF NEW STATE**

### **REQUEST FOR PROPOSALS RFP**

Document Assembly Software

#### **EXHIBIT A - VENDOR RESPONSE**

1. Responses must contain the following information in the following format. Please number your responses to correspond with the information requested here.
2. Vendor's Name, address, federal tax identification number or Social Security Number (SSN), Uniform Business Identifier (UBI) number, and a description of the vendor's legal status, e.g., corporation, sole proprietor, etc.
3. Vendor contact's Name, telephone number, fax number and email.
4. A statement that guarantees that the response constitutes a firm offer valid for sixty (60) days following receipt and that LEGAL AID may accept any time within the 60day period.
5. A statement on whether the vendor or any employee of the vendor is related by blood or marriage to an LEGAL AID employee or resides with an LEGAL AID employee. If there are such relationships, list the names and relationships of said parties. Include the position and responsibilities within the vendor's organization of such vendor employees.
6. State whether the vendor has been a party in any litigation during the past five (5) years, all such incidents except employment related cases must be described, including the other parties' name, address, and telephone number. Present the vendor's position on the matter.
7. All programming will involve using forms and interviews as drafted by LEGAL AID staff and the New State Supreme Court Implementation Committee on Pro Se Litigation and placing the forms and interviews on the LawHelp Interactive National HotDocs Server (Server) and then publishing them in an automated format on the Server with an Access to Justice Author (A2J Author) for interface for use by New State residents.
8. Provide two (2) references for programs for other automated documents you have completed. Please include a phone number or email address of the referenced individual so he/she may be contacted.
9. Describe in detail the timeline to convert each form listed in Exhibit B. Propose the cost to develop each form and interview on the LawHelp Interactive National HotDocs Server (Server) and then publish them in an automated format on the Server with an Access to Justice Author (A2J Author) for interface for use by New State residents. Instructions for each form, directed to the audience of pro se litigants can be found at [link to website]. Each form should also include instructions that are printed at the conclusion of the form and printed with the form. Please note, New State forms for Dissolution without children, Dissolution with children, Praecipe for Summons/Personal Service and Voluntary Appearance have already been converted into a HotDoc format with the A2J Author component and are on the LawHelp Interactive National HotDocs Server. It will be necessary that all forms developed in this RFP successfully interface with these existing document.

10. These documents must be completed no later than December 31, 2011.
11. All forms must contain the Legal Aid of New State Access to Justice logo, which will be provided by Legal Aid.

## **Exhibit B Documents**

Instructions for each form listed below can be found here:

(Link to instructions for each form.)

***TIER ONE FORMS:*** (After each item, the program provided a link to the fillable PDF version of the form)

- Notice of Hearing
- Affidavit and Application to Proceed In Forma Pauperis
- Order to Proceed In Forma Pauperis
- Decree of Dissolution of Marriage, with Children, Decree of Dissolution of Marriage – With Children
- Motion for Service by Publication
- Affidavit in Support of Motion for Service by Publication
- Order for Service by Publication
- Decree of Dissolution of Marriage, no children
- Instructions for your Divorce Hearing

***TIER TWO FORMS:***

- Confidential Party and Social Security, Gender, Birth Date(s)
- Bureau of Vital Statistics Worksheet
- Certificate of Completion of Parenting Education Course
- Financial Affidavit for Child Support
- Parenting Plan, Parent-Created
- Parenting Plan, Absent Parent, Court Use
- Parenting Plan, Absent Parent, Plaintiff's Use



## **Montana Legal Services Association Telelaw Project**

### **Host Site Memorandum of Understanding**

This Memorandum of Understanding (MOU) is entered into between Montana Legal Services Association (MLSA) and \_\_\_\_\_ (Host Site). The purpose of this MOU is to memorialize the responsibilities of MLSA and the Host Site for the MLSA Telelaw project.

#### **Host Site will:**

- 1) Provide a confidential space with telephone and high speed internet access for video conference meetings between clients / users and attorneys,
- 2) Provide a secure storage location for the tablet and accessories,
- 3) Promptly notify MLSA of any technical issues reported by clients / users,
- 4) Provide a contact person that will provide the tablet to the client user, demonstrate basic tablet use (power on, adjust volume, etc) to the client / user, and contact MLSA when issues arise,
- 5) Refer potential clients / users to MLSA for screening and scheduling with attorneys,
- 6) Provide and update a list of times when advice appointments can be scheduled at the host site,
- 7) Participate in evaluation surveys and evaluation interviews to determine the effectiveness of the project,
- 8) Return the tablet to MLSA at the end of the pilot project.

#### **MLSA will:**

- 1) Provide a tablet with keyboard and case (serial number provided at time of distribution) to the host site,
- 2) Provide technical support and maintain the hardware and software needed,
- 3) Provide training to the contact person in basic tablet use,
- 4) Schedule attorneys to provide advice to clients / users within the times provided by Host Site and work with the Host Site to reasonably accommodate any schedule changes,
- 5) Communicate with the contact person as to when appointments have been scheduled,
- 6) Seek evaluation data such as survey and interview responses from Host Site
- 7) Respond promptly to requests for technical support or information that there are issues with the equipment,
- 8) Refer clients / users to Host Site for services as appropriate,
- 9) Provide Host Site with usage statistics and evaluation documentation of the project.

June 28, 2013



\_\_\_\_\_  
For Host Site  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
For MLSA  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

June 28, 2013

## TIG Telelaw Minimum Host Site Requirements



Requirement	Availability	Notes
<b>Technology</b>		
Secure wireless availability		
Technical Staff for Assistance		
<b>Space Requirements</b>		
Private Space		
1. Sound Secure		
2. Completely or Partially Enclosed		
3. Absence of "fishbowl"		
Desk/Table Space		
Secure storage location for equipment		
<b>Accessibility</b>		
Handicap accessibility		
Near public transportation		
Central location		
Parking		

## MLSA Procedures for Referring an Applicant for a Telelaw Appointment

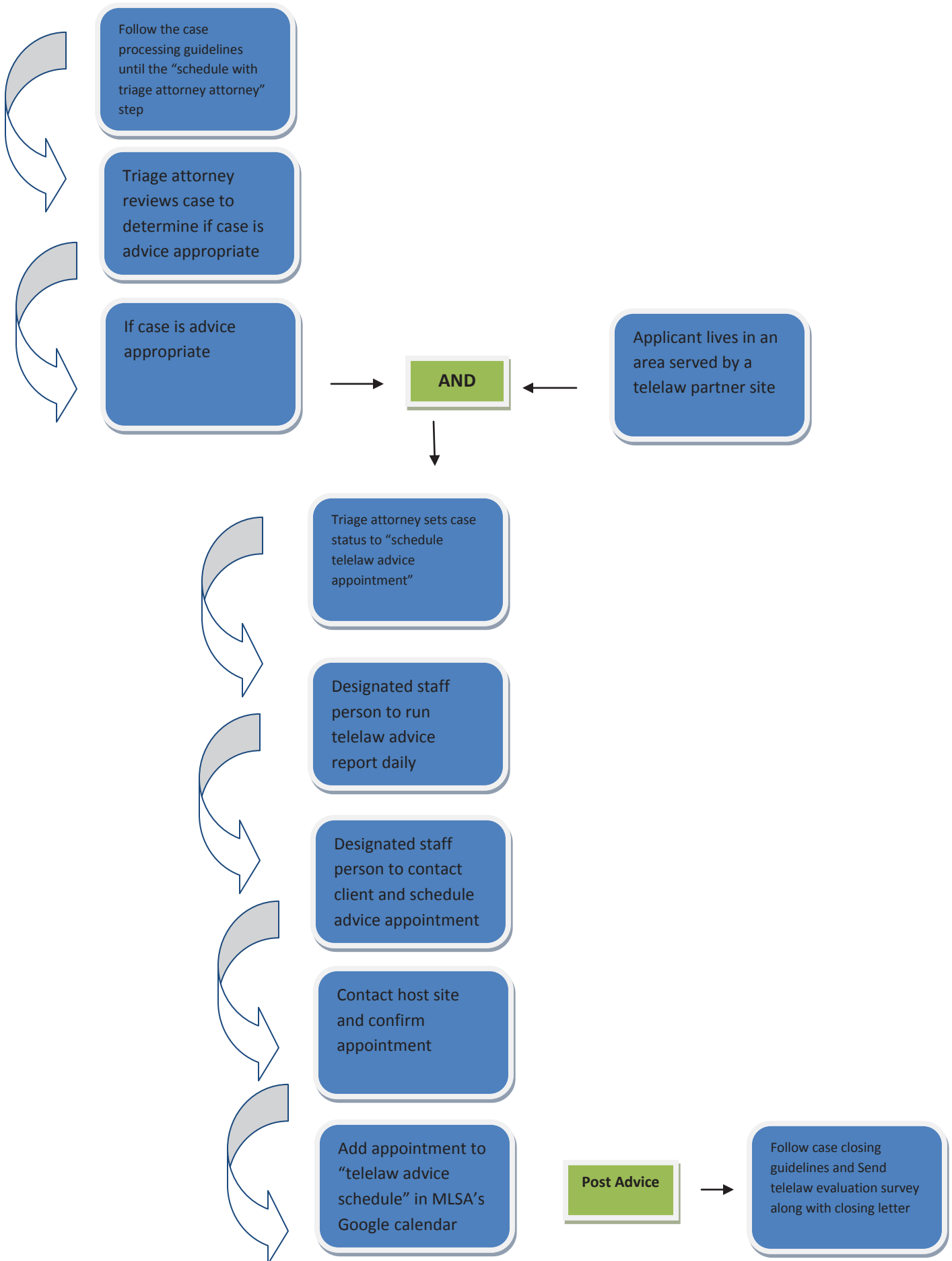


What happens to move a case from intake to a telelaw appointment?

1. Client contacts MLSA to complete application. HelpLine staffer **follows case processing guidelines** to determine whether the case needs to be sent to triage attorney for review and possible advice.
2. Triage attorney reviews the intake information and determines whether case is advice appropriate based on case processing guidelines.
3. If triage attorney determines that the case is advice appropriate, triage attorney evaluates the application for a telelaw appointment:
  - A. Triage attorney reviews intake information to determine if applicant lives in an area served by a telelaw host site
4. If client is telelaw appropriate, triage attorney sets the case status as “schedule telelaw advice”
5. A designated staff person will run a report that captures all cases marked as “schedule telelaw advice” on a daily basis.
6. That designated staff person will call each client from the telelaw appointments list and schedule with a telelaw appointment by:
  - A. Referring to the google calendar entitled “telelaw advice schedule” to review available dates and times that each host site is open to telelaw appointments
  - B. Contacting the client to schedule an advice appointment during one of the available telelaw appointment blocks
  - C. Scheduling the appointment in Legal Server (just as in standard advice appointments)
  - D. Adding client to the “telelaw advice schedule” calendar
  - E. Confirming the host sites availability by either calling to confirm appointment or emailing to do the same.
7. Post advice: triage attorney and program assistant follow case closing guidelines and send a telelaw evaluation survey along with the client’s closing letter.



## Montana Legal Services Telelaw Advice Appointment Process





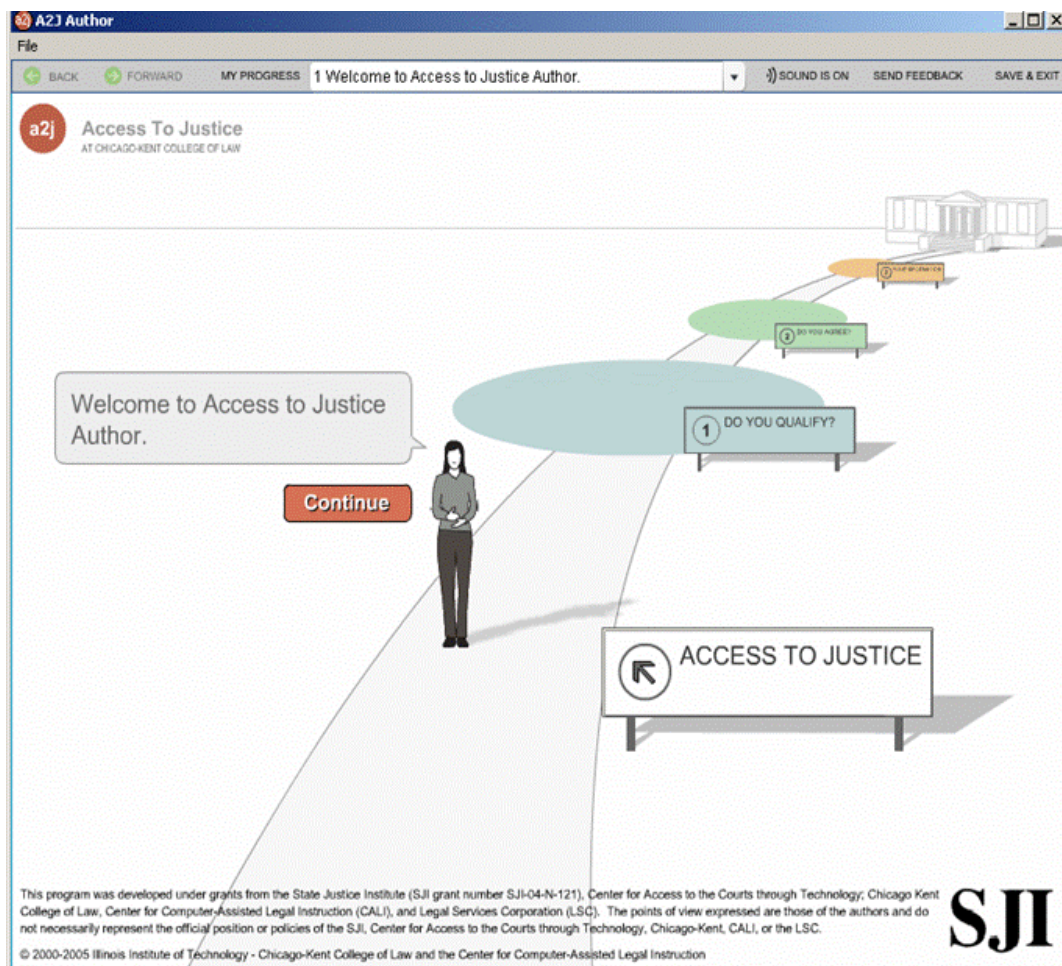
## A2J Author®

[Get A2J Author®](#)

A2J Author® is a software tool that delivers greater access to justice for self-represented litigants by enabling non-technical authors from the courts, clerk's offices, legal services programs, and website editors to rapidly build and implement customer friendly web-based interfaces for document assembly.



The A2J Guided Interviews® created with A2J Author® remove many of the barriers faced by self-represented litigants, allowing them to easily complete and print court documents that are ready to be filed with the court system. The following graphic is an example of an A2J Guided Interview®.



The Access to Justice: Meeting the Needs of Self-Represented Litigants: A Consumer Based Approach project (Meeting the Needs Project) successfully identified the major barriers to access to justice for self-represented litigants including barriers to Web-based document preparation. A key insight was that users need to be guided through processes that are foreign to them. The simple act of filling out forms raises unique challenges that the many self-represented litigants have trouble overcoming. Without a very simple front end, a user unfamiliar with web conventions would be unable to use online form systems. To be effective, guided interviews for self-represented litigants must be very simple.

The A2J Author® tool moves the prototypes and discoveries of the Meeting the Needs Project into production. The Meeting the Needs Project translated several of the conceptual models for a redesigned court system into a Web-based interface that gently leads unsophisticated users through a guided interview for determining eligibility and collects all the information needed to prepare the required court forms. Elegant, simple and powerfully effective, the A2J Author™ Web-based interface is the "front end" needed to make court document assembly more widely accessible to self-represented litigants.

The A2J Authoring System® includes a desktop authoring tool (A2J Author®) and a Web-based player (A2J Player) that combine to enable rapid construction of customer friendly interfaces for Web-based guided document assembly modules at very low cost.

A2J is supported by grants from Chicago-Kent College of Law, State Justice Institute (SJI grant number SJI-04-N-121), Center for Access to the Courts through Technology, Center for Computer-Assisted Legal Instruction (CALI), and Legal Services Corporation (LSC).

## Examples of A2J Guided Interviews® created with A2J Author®

Examples of A2J Guided Interviews® are available through the Law Help Interactive Server and can be accessed below. Please be aware that the interviews require the Adobe Flash 8 standard plug-in to run on an internet browser.

- [Cook County Illinois Fee Waiver](#)
- [Illinois Name Change](#)
- [Illinois Living Will Declaration](#)

More detailed information is available through [www.a2jauthor.org](http://www.a2jauthor.org).

A2J Author® is available for free to interested courts, legal service organizations, and members of the HotDocs development community for non-commercial use.

To learn more about A2J Author®, contact:

**Jessica Bolack Frank**

Program Coordinator  
Center for Access to Justice & Technology  
Chicago-Kent College of Law  
565 W. Adams St.  
Chicago, IL 60661  
(312) 906-5331  
[jbolack@kentlaw.iit.edu](mailto:jbolack@kentlaw.iit.edu)

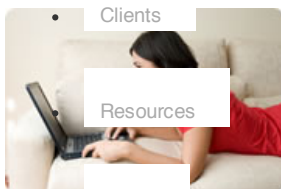




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## About DirectLaw: Building Online Law Firm Brands: One Law Firm at a Time

*DirectLaw*® helps attorneys and smaller law firms build an online brand and deliver legal services online. For more than a decade, DirectLaw and its parent company, [SmartLegalForms, Inc.](#), has been revolutionizing the way legal services are delivered by re-engineering legal processes and enabling solos and small law firms to deliver better solutions to clients over the Internet.

*DirectLaw*® adds a virtual law firm platform to any law firm's web site that includes a suite of applications that enable a lawyer to work with their client's online. Our online marketing and web site development services are designed to support our virtual law firm platform by creating a total marketing solution for the solo and small law firm practitioner.

*DirectLaw*®, Inc. is a wholly owned subsidiary of [SmartLegalForms, Inc.](#) SmartLegalForms (formerly Epq, US ), was founded by [Attorney Richard Granat](#) in 2000 to provide affordable legal solutions to consumers and small businesses over the Internet. Since 2000, we have created and managed over 30 legal-specific web sites for our own account that serve consumers and small business directly by offering automated legal forms and free legal information. With over a decade of experience in serving consumers and small business directly with our legal solutions, Epq and DirectLaw are uniquely positioned to make our web-based technologies available to solos and small law firms.

In late 2009, we launched the *DirectLaw Virtual Law Firm Platform* to enable solo and small law firms to use our proven, web-based Internet technologies to serve their clients. In 2010, DirectLaw launched the DirectLaw Service in Canada and the United Kingdom, marketed by our strategic UK partner, [The Epq Group](#).

We have won awards for our legal solutions in recognition of our continuing contribution to change, and have achieved extensive [press coverage](#) over the years.

By pushing the boundaries of delivering technology, [SmartLegalForms](#) and DirectLaw, Inc. has helped pioneer radical changes in the legal industry.

We are a company with:

- An advanced technology platform that supports a virtual law practice;
- Developed legal content and automated, state-specific legal forms/document libraries;
- A world class proprietary document automation solution called [Rapidocs](#)® that is the result of over \$5,000,000 in investment over the last decade.
- Skills in developing and programming web-based applications and creating legal information web sites; and
- Skills to help law firms develop an online brand.

### Building Your Online Brand: What Makes Us Different?

The *DirectLaw*® *Virtual Law Firm Platform* provides a client portal that enables a law firm to deliver online legal services directly to consumers. It is the convergence of our legal content and virtual law firm technologies that makes us unique. We have produced a wide range of "intelligent" legal documents that cover a vast array of legal situations and form the basis for an online legal service.

When the *DirectLaw*® *Virtual Law Firm Platform* is combined with one of our [search engine optimized web sites](#), a law firm has a complete solution that will enable it to build an online brand.

## Our Brands



There are other practice management solutions that enable a law office to manage timekeeping and billing, case management, calendaring, document management, and other back office functions through a web-based SaaS. (Software as a Service).

*DirectLaw*®, on the other hand, is totally focused on the concept of building a law firm's online brand. Our "client portal", together with our search engine optimized web site concept can create capture new clients for the firm and create new sources of revenue. Other web-based practice management solutions do not create new revenue sources. They may help in reducing the costs associated with managing your back office, but they are not "client focused" and don't help you build your online brand.

For document intensive practices, like an estate planning, family law or small business practice, the *DirectLaw*® web-enabled document automation solution is unique and can serve as the foundation for creating new web-based legal services. ***No other web-based practice management services company can make that claim.***

### Our Corporate Culture

Innovation, ingenuity and creativity are watchwords for what we do.

We work together in an informal and mostly virtual environment to produce high-quality, market-leading legal solutions.

Our staff say that working at DirectLaw is as challenging as it is rewarding due to our groundbreaking technology and a fast paced, yet supportive atmosphere where everyone has the opportunity to make a difference.

We are a fast growing company, still small enough to care about individual people, and big enough to partner with household names and blue chip clients. As such, our staff turnover is one of the lowest in the industry. Many of the employees who started out with us a decade ago still work for the company.

*DirectLaw*® uses its own "virtual office" technology to manage its operations throughout the United States and Canada.

- Corporate Headquarters based in Palm Beach Gardens, Florida.
- Core operations are based in the Baltimore-Washington, D.C. metro area.
- The Document Automation Team is managed from Phoenix, Arizona.

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## About LawHelp Interactive

LawHelp Interactive creates legal forms and documents. People are asked a series of questions, and then their answers are used to tailor their documents. The site is used by legal aid advocates, pro bono lawyers, and people representing themselves.

In 2009 LawHelp Interactive created more than 145,000 forms. These forms represent many legal problems: child support and custody, domestic violence, debt collection, foreclosures, evictions, and divorce.

Local legal aid, pro bono, and court access-to-justice programs design the forms on LawHelp Interactive. Legal experts make the templates that are used to create the forms and documents with [HotDocs](#) and [A2J Author](#).

LawHelp Interactive increases opportunities for people to get justice on their own. It also improves efficiency for access-to-justice programs.

LawHelp Interactive is a project of [Pro Bono Net](#), a nonprofit committed to increasing access to justice with technology, in cooperation with [Ohio State Legal Services Association](#). The project is supported by the [Legal Services Corporation](#), the [State Justice Institute](#), and state courts in California, Montana, and New York. The HotDocs software has been donated by [HotDocs Corporation](#). Thanks to our many collaborators, including [Kaivo Software](#), [Capstone Practice Systems](#), [The Center for Access to Justice and Technology](#), and [The Center for Computer-Assisted Legal Instruction](#)

### Pro Bono Net

Founded in 1998, Pro Bono Net is a national, nonprofit organization that works in close partnership with nonprofit legal organizations across the country to increase access to justice for poor and moderate-income people and other vulnerable populations. It seeks to do so through (i) supporting the innovative and effective use of technology by the nonprofit legal sector, (ii) increasing participation by volunteers, and (iii) facilitating collaborations among nonprofit legal organizations and advocates working on similar issues or in the same region.

For more information, [email us](#) or contact us at  
Pro Bono Net  
151 West 30th Street, 10th floor  
New York, NY 10001.

### Participating States & Provinces

Arkansas	Mississippi
California	Montana
Colorado	Nebraska
Georgia	New Mexico
Idaho	New York
Illinois	Ohio
Indiana	Oklahoma
Kansas	Ontario
Kentucky	Pennsylvania
Louisiana	Vermont
Maine	Virgin Islands
Maryland	Virginia
Michigan	Washington
Minnesota	Washington D.C.

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## **Contract for Creation of A2J Interviews and HotDocs Templates**

### **1. Contract Amount from Pro Bono Innovation Funds\***

Projected cost for an expert HotDocs/A2J developer to create A2J interviews for the bankruptcy client intake questionnaire, in English and Spanish and a HotDocs templates for intake and referral memos is \$12,240, not including translation costs. This projected cost is based on guidance from the staff of Law Help Interactive/Pro Bono Net (LHI) who consulted with personnel from Capstone, Inc., the creator of HotDocs. LHI gave an estimate of 100-200 hours for this work by an expert developer at an average discount rate of \$80 per hour. We used 150 hours x \$80/hour for an estimate of \$12,000. The additional \$240 represents a HotDocs11 Developer license at the discounted rate given to qualified legal aid organizations.

### **2. Describe the contractor's project role, including specific tasks and responsibilities. Additionally, justify the use of third parties to accomplish these tasks and responsibilities.\***

VLP's co-project managers will work with the developer to clarify roles and responsibilities. VLP will supply the text for the HotDocs intake and referral memo templates. For the A2J interview, VLP will supply text in English and Spanish (with the assistance of a plain language contractor and a translator, pursuant to different contracts) and suggest where the branching logic goes. The developer will do the coding and back end work to create the HotDocs templates and A2J interviews, test the document assembly to ensure it works with all the templates, and respond to issues identified by VLP. The A2J interview and HotDocs templates will be hosted on the LHI server and integrated into the DirectLaw platform.

VLP has no staff expertise in creating A2J interviews or HotDocs templates. The VLP managing attorney who will be working on this project has taken LHI's HotDocs training, but is not an expert and could not efficiently create working templates of any substantial length.

#### **a. Are you proposing a specific third-party contractor?\***

No.

**If yes, please indicate the proposed contractor.**

#### **b. If you are proposing a specific third-party contractor, provide an explanation of how and why the proposed contractor was identified, including the competition process. If you are not proposing a specific third-party contract provide your plan for selecting the contractor, including the competition process.\***

We will solicit bids from three HotDocs/A2J contractors using a list provided by LHI. To solicit the bids, we will adapt the Document Assembly RFP in the Appendix of this proposal.

**3. Please identify your proposed methods of overseeing performance by the third parties. This includes information on what skills your program possesses to fully monitor contract performance. \***

The VLP managing attorney will oversee performance of the work. The contract between VLP and the contractor will establish timelines for performance and specifically state the work to be performed. The VLP managing attorney is familiar with the LHI server and has had basic training in HotDocs and A2J development. As project manager for a successful TIG to build a statewide pro bono website, she gained experience overseeing third party contractors.

**b. Are you proposing a specific third-party contractor?\***

No.

**If yes, please indicate the proposed contractor.**

**c. If you are proposing a specific third-party contractor, provide an explanation of how and why the proposed contractor was identified, including the competition process. If you are not proposing a specific third-party contract provide your plan for selecting the contractor, including the competition process. \***

**4. Please identify your proposed methods of overseeing performance by the third parties. This includes information on what skills your program possesses to fully monitor contract performance. \***

Project management costs	.10 FTE-0.25 FTE
Substantive expert review	100 hours-200+ hours if very complex (this could be done on a pro bono basis by lawyers involved in the project)
Forms development	Client questionnaire in A2J in English and Spanish and the memo in HotDocs (English only) is estimated at about 100 hours by an expert contract developer at an average discounted rate of \$80/hr. We estimate it would involve 3x the hours if done by a non-expert
One HotDocs 11 Developer License	\$240 (\$800 with a 70% discount for qualifying legal organization)
Pro Bono lawyer recruitment and training on using the forms	Estimated at 40 hours per year
Evaluation costs	10% of total budget

## **Contract for Development of DirectLaw, Inc.**

### **1. Contract Amount from Pro Bono Innovation Funds\***

\$6150.

### **2. Describe the contractor's project role, including specific tasks and responsibilities. Additionally, justify the use of third parties to accomplish these tasks and responsibilities.\***

See DirectLaw project budget uploaded in Contracts section of application.

VLP has no staff expertise in the development of virtual law platforms and is therefore relying on a third-party contractor for this part of the project.

#### **a. Are you proposing a specific third-party contractor?\***

Yes.

**If yes, please indicate the proposed contractor.**

DirectLaw, Inc. See <http://www.directlaw.com>.

#### **b. If you are proposing a specific third-party contractor, provide an explanation of how and why the proposed contractor was identified, including the competition process. If you are not proposing a specific third-party contract provide your plan for selecting the contractor, including the competition process. \***

To create a secure virtual law firm platform to facilitate the delivery of pro bono legal services to low-income individuals and families, we propose to contract with DirectLaw, Inc., the same provider that is building the New Mexico Legal Aid platform we propose to replicate. DirectLaw is the leading provider of a virtual law firm platform that supports the delivery of unbundled legal services by solo and small law firm practitioners. This focus makes the DirectLaw platform particularly well suited to pro bono engagement by the solo and small firm practitioners who comprise the pro bono bankruptcy bar. Contracting with DirectLaw to replicate the NMLA project is the most cost-effective way we can create the robust suite of online tools we need for our project. For a modest fee, Massachusetts pro bono programs, attorneys and clients will have access to a secure online space for review and exchange of information and documents, a native web-enabled document assembly and template authoring system, a library of Massachusetts-specific forms and practice guides, the ability to serve up interactive legal documents templates authored in HotDocs with or without an A2J user interface, and the ability to deliver legal advice online.

Another unique and notable aspect of DirectLaw is its founder, president, and CEO, Richard Granat. A former legal aid attorney, Richard is an e-lawyering pioneer and a nationally recognized leader in the development of innovative legal services delivery systems. His bio is at <http://www.directlaw.com/team>. We believe that the opportunity to work with and learn from

Richard on this project will enhance VLP's capacity to think in new ways about delivering legal services and undertake innovative projects in the future.

**3. Please identify your proposed methods of overseeing performance by the third parties. This includes information on what skills your program possesses to fully monitor contract performance. \***

The VLP managing attorney will oversee performance of the work. The contract between VLP and the contractor will establish timelines for performance and specifically state the work to be performed. The VLP managing attorney is familiar with the LHI server and has had basic training in HotDocs and A2J development. As project manager for a successful TIG to build a statewide pro bono website, she gained experience overseeing third party contractors.

<b>Task Name</b>	<b>Duration</b>	<b>Start</b>	<b>Finish</b>	<b>Payment</b>
Planning		10/01/14	11/01/14	
Contract with DirectLaw		10/15/14	11/15/14	\$1,050.00
Execution		11/15/14	01/01/15	
Modification of Portal (registration)		11/15/14	12/15/14	
(branding) ( Data Bae design)				
Test Portal		12/15/14	01/01/15	
Deployment		01/01/15	01/15/15	
Training		01/01/15	01/15/15	
		01/01/15	12/31/15	
				\$5,100.00
			Total:	<b>\$6,150.00</b>

Milestone	Notes
At Execution	Monthly Hosting Fee is \$300.00 Customization Fee is \$750.00
Delivery of Modifications	
Testing and Refinement	
Modified Portal Released	
On-Line Training Included.	
Technical Support during deployment	
Hosting Cost is \$300.00 a month for 17 months. First month is paid at execution. Paid monthly.	
<b>Includes:</b>	
Web-based training	
Technical Support	
Portal Designed to support four organization	
All Rapidocs Libraries automated for Massachusetts	
Up to 5 HotDocs Templates Integrated into Portal.	
(Note we have not completed the task of integrating HotDocs into the Direct	
it takes for each template).	



## **Contracts for Plain Language Review and Revision and Translation from English to Spanish**

### **1. Contract Amount from Pro Bono Innovation Funds\***

Estimated cost of plain language review and revision of bankruptcy intake questionnaire and A2J interview is \$800. This figure is based on a 2000-page document at a rate of \$.40/word which is the industry average.

Estimated cost of English to Spanish translation of A2J interview of bankruptcy intake is \$360. This figure is based on a 2000-page document at a rate of \$.18/word which is the industry average.

### **2. Describe the contractor's project role, including specific tasks and responsibilities. Additionally, justify the use of third parties to accomplish these tasks and responsibilities.\***

Review VLP bankruptcy questionnaire and revise for readability and plain language. Similarly review A2J interview of bankruptcy intake based on questionnaire.

Translate from English to Spanish plain language-reviewed English A2J interview bankruptcy intake.

VLP staff does not have expertise in plain language review. While some members of the VLP staff are bilingual in English and Spanish, none are trained professional translators. For these reasons, the plain language and translation services are not programmatic.

#### **a. Are you proposing a specific third-party contractor?\***

No.

**If yes, please indicate the proposed contractor.**

#### **b. If you are proposing a specific third-party contractor, provide an explanation of how and why the proposed contractor was identified, including the competition process. If you are not proposing a specific third-party contract provide your plan for selecting the contractor, including the competition process. \***

We will get recommendations for vendors of these services from trusted legal aid colleagues and solicit bids from at least three vendors. Most providers of plain language and translation services will provide quotes online based on uploaded documents.

### **3. Please identify your proposed methods of overseeing performance by the third parties. This includes information on what skills your program possesses to fully monitor contract performance. \***

The VLP managing attorney will oversee performance of the work and ask clients to review and try to use the A2J interviews produced. The contract between VLP and the contractors will establish timelines for performance and specifically state the work to be performed. As project manager for a successful TIG to build a statewide pro bono website, she gained experience overseeing third party contractors.