



Tip of the Month March 2010 Twelve Resources for Brief Services

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Providing our clinic clients with brief services, as opposed to legal advice alone, makes it much more likely that the clients will enjoy a positive outcome as a result of the attorney's work. For the right types of cases, even a simple phone call or letter can sometimes help a client resolve a case that would have otherwise been overwhelming.

To support our attorneys providing brief services at our walk-in clinics, VLN has created a webpage for the 12 most suitable issues for brief services. This page contains links to educational materials for clients and online legal forms that may be completed onsite in minutes, as more fully described below. Please see: <http://www.volunteerlawyersnetwork.org/volunteer/brief>.

- **Answers.** When a client comes in with a Summons and Complaint, they know something important is happening, but may have little idea what to do next. The webpage includes a fact sheet¹ to help educate the client on what happens when they are sued and a link to an online answer form at ProJusticeMN which an attorney can complete relatively quickly. If can be completed in a few minutes. If the client needs further help, please refer them to the VLN Consumer Protection Workshop via the VLN Client Intake Line (612-752-6677).
- **Motions to Vacate.** Many clients come in facing default judgments for cases they never knew existed; the first indication may be that they cannot access their bank account. The webpage includes a guide for attorneys on completing Motions to Vacate. You may also refer clients to the VLN Consumer Protection Workshop. (Note: the paperwork for a Motion to Dismiss a Conciliation Court judgment is completely different and can be found on the website under the Conciliation Court heading).
- **In Forma Pauperis.** The *In Forma Pauperis (IFP)* form enables clients to ask the judge to waive the court filing fee based on poverty, including receipt of public assistance. The webpage includes a link to an online form that may be completed in minutes. Please note that the form asks for proof of public assistance or limited income.
- **Debt Validation.** For clients being harassed by a creditor or collection agency, the webpage provides an online boilerplate letter requesting a validation of the debt the collector says the client owes. Creditors are required to comply with such a validation request under the Fair Debt Collection Practices Act. This provides our clients with important information and often more time to prepare their defense. The webpage also provides a link to a fact sheet about debtor's rights.
- **Exemptions from Garnishment.** Clients often come to clinics because their bank account is frozen or wages garnished. Many have valid exemptions to the garnishment. The webpage provides a link to resources to inform clients of their rights and online garnishment exemption

¹ Fact Sheets referenced herein are those created by the Minnesota Legal Services Coalition.

claim forms to legally claim the exemption or release the appropriate funds back to the client. A link to the Minnesota statute which lists the public assistance programs which exempts a client from garnishment is also provided.

- **Security Deposit Return.** When a client comes into a clinic saying that they have recently moved out and have not gotten their security deposit returned, writing a letter to the landlord can often get the security deposit back. Many landlords assume their tenants will not pursue their rights. The website provides a quick and easy form that can be sent out that day. The website also links to a fact sheet about security deposits.
- **Getting Property Returned after Moving Out.** Tenants have certain rights regarding personal property following their moving out of rented property, which are listed in a fact sheet. To assert some of those rights, the page also provides an online demand letter to send to the landlord requesting that property be returned or punitive damages may be sought.
- **Appealing Termination of Public Housing Lease or Eviction Notice.** For the client that has been evicted from their home or has had their public housing lease terminated, the website provides fact sheets to inform them of their rights. The Housing Court Clinic, on the 3rd floor of the Government Center, is also a great referral for these clients (8:30-12 weekdays).
- **Requesting Personal Employment Record.** When clients quit or are terminated from a job, they may worry how their employment record will affect future employment. The webpage provides a fact sheet which informs clients of their rights regarding their employment record. Clients who disagree with something in their employment record may write a letter to their previous employer asking that the problematic file be removed. If the employer has more than 20 workers and does not want to remove the problematic file, the employee may write a letter explaining his/her side of the story and have it placed in the employment record.
- **Wages Demand Letter.** The website contains a fact sheet which informs clients of their rights regarding their back wages. In addition, the website contains an online demand letter template requesting that former employers pay back wages. If the employer does not do so within 24 hours of the receipt of the demand letter, they could be liable for additional damages.
- **Conciliation Court.** Many clients will come to a legal clinic unaware that a claim less than \$7,500 can be handled in Conciliation Court, which is much easier for pro se litigants to navigate. The webpage contains a link which allows the attorney to fill in the Conciliation Court complaint online and print it out so the client can file his/her claim, as well as a link to an education fact sheet about conciliation court.
- **Mortgage Foreclosure.** Foreclosures have been a major problem in the past few years and many clients are looking for advice on their rights during the foreclosure process. The website provides a fact sheet explaining the homeowner's rights during a foreclosure. The website also provides more-detailed information explaining the basics of the foreclosure process.

Thank you for your time and help for clients in need. If you know of another issue which is especially suitable for brief services at clinic, please contact martha@volunteerlawyersnetwork.org.