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Volunteer Lawyers Network Recommits to Promoting Justice and Breaking Social Barriers



There can be no equal justice where the kind of trial a man gets depends on the amount of money he has.

—Justice Hugo Black

Volunteer Lawyers Network (VLN), one of the largest and oldest volunteer attorney programs in the country, celebrates 50 years of service this year.

During its first 50 years, VLN's volunteer lawyers have brought justice to hundreds of thousands of clients and their families. In so doing, VLN

has continued the most obvious of its founders' principal goals, as expressed in this excerpt found in the VLN archives:

From colonial times American lawyers have contributed their time and resources to serving the poor in fulfillment of their professional and public service obligations. The need for such services in order to preserve our way of life was stated by Judge Learned Hand: "If we are to keep our democracy there must be one commandment: Thou

*shalt not ration justice."*²

These days, while VLN continues to track its volunteer services, it also is developing ways to track the *benefits* that VLN clients receive, like greater ability to find or keep employment or to pay daily living expenses. Last fiscal year, for example, VLN volunteers kept \$10 million in the pockets of struggling individuals and families in our community. This directly fulfills VLN's continuing vision: to ensure for all persons access to the legal services essential for stability and well-being.

VLN's founders had another, equally laudable, goal: *to increase respect for the legal system by countering the typical experience of those in poverty that the law is unfair, arbitrary, and even predatory.* Another excerpt from VLN's archives from the mid-1960s stressed this very point:

[There are many] whose economic and social condition is oppressive enough to breed justifiable resentment against our legal system ... It is important to make unequivocally clear that you cannot evaluate a statute apart from the way it is enforced ... It is quite understandable when a poor man is cynical toward an unenforced building code that literally forbids the exposed wires, the leaky toilet and the rats running wild in his apartment ... We can no more effectively preach axioms to poor people about the sanctity and grandeur of the law in a democratic society than we can preach the same to an incensed executive who has just been denied capital gains tax treatment ... There will be no reconciliation until we lawyers show as individuals that we do care about the poor and that we refuse to consign them to the economics of the market-place. [We are trying to] assure that our legal system is not a class system.³

At the time this article was written in 1965, people in poverty had little reason to trust lawyers. Far too often, they associated lawyers with laws and procedures that took people and things of value away from them. Not nearly often enough did lawyers help people in poverty enforce the laws meant to *protect* them.

Fifty years later, VLN has made some progress in this regard; each year, VLN volunteers help to preserve basic human needs for thousands of Minnesota families. But VLN also recognizes that while progress has been made, many in poverty continue to feel disenfranchised from the legal system. For this reason, VLN challenges the Minnesota legal community to redouble the commitment to ensuring that all in our community have the help they need in accessing the laws' protections. As part of that challenge, VLN is part of a large network of legal services organizations—including legal aid offices, other pro bono organizations, bar associations, and others—that is continually working to increase the public awareness of the fundamental role legal services play in combating not only poverty but the *roots* of poverty in our community.

VLN's founders also expressly sought to *elevate the discourse about poverty in our public and civic institutions.* In the beginning, VLN's recruitment efforts focused on large

Your Pro Bono Service Matters:

- **Pro bono services increase overall access to the legal services necessary for stability and well-being in our communities.**
- **All attorneys, not just legal aid attorneys and public defenders, share the profound professional responsibility to ensure that the rule of law extends to everyone in our communities.**
- **Those in poverty, who otherwise may experience the law as arbitrary and predatory, have more experience of the law's protections and fairness, leading to greater community-wide respect for the system and engagement.**
- **Lawyers who provide pro bono legal services benefit in that they:**
 - **Get the satisfaction of helping vulnerable individuals and families in our communities and directly contribute to their well-being.**
 - **Gain communication and other skills that improve their services to paying clients.**
 - **Participate in an enterprise that crosses social barriers.**
 - **Connect on a human level with those who may be quite different from them, which may dispel stereotypes and increase curiosity and empathy.**
 - **Gain first-hand knowledge about the experience of those living in poverty and the resilience and resources they have.**
 - **Contribute more knowledgeably to discussions about community-wide issues in various aspects of their lives.**
 - **Make more informed philanthropic and policy choices.**
 - **Promote a more efficient court system.**
- **The community as a whole is enriched as:**
 - **People form relationships across social barriers, a necessary ingredient of any successful and positive social change.**
 - **More people of influence become advocates for those whom the legal system has otherwise not served.**
 - **More people are freed to meet their human potential and participate more fully in our social and economic systems**
 - **Increased knowledge leads to policy decisions that are more effective in promoting safety, well-being and dignity for all.**

law firms, trust departments of banks, and large corporations. The founders reasoned that once these lawyers got a first-hand experience working with people in poverty, any misinformed beliefs and opinions about poverty would shift. In essence, people in power would be more informed, more enthused, and more effective in combating poverty:

Only by awakening such lawyers to existing problems and by exposing them to such problems can we hope to make any large-scale inroads on the legal causes of poverty. These are the lawyers who often control business policy and sit in our state legislatures.⁴

The vast majority of the bar is involved in the commercial problems surrounding people of means and usually education. Our knowledge of the life of persons of genuine poverty comes from the newspaper or the television. If the housing code, garnishment procedures or other legislation affecting the poor is in need of revision, we are not likely to know about it.⁵

VLN continues the important work of fostering relationships that cross social and economic

barriers, including providing training and resources to give lawyers context about poverty. For example, in partnership with (and funded by) Lindquist & Vennum, VLN just completed and released a nationally-acclaimed educational CLE curriculum featuring Dr. Donna Beegle, a dynamic speaker who focuses on poverty. This resource is free to all legal services nonprofits nationwide to help legal services programs become more impactful and elevate the national discussion about the types of poverty.⁶

Why is this training so important? For one, poverty has many contexts. Many lawyers have experienced situational poverty while in law school, but may not realize how different that is from the generational, working class, or immigrant poverty experience of their clients. Volunteer attorneys may judge their clients' behavior according to their own personal experiences and from that perspective, find the clients' behavior lacking. For instance, clients' failure to bring in paperwork may be regarded as a "lack of investment," as opposed to seeing the other enormous life stressors, such as a lack of childcare, which trumped their ability to find and organize paperwork in time for the meeting, or lack of transportation, which prevented them from bringing the paperwork in.

Once volunteer lawyers begin to understand the difference, they are eager to learn more, both to increase their overall effectiveness and to enrich their understanding of the larger community. In turn, as they participate in other civic activities, this understanding translates into better solutions to current issues that can more effectively promote safety, well-being, and dignity for all. As found in VLN's archives:

Those of us involved in the clinic program are committed to the view that in fairness to all men, and in the interest of enriching our own experiences as well, there is a need for everyone to participate from time to time in enterprises which attempt to dissolve social barriers. We feel that we cannot take intelligent and fair stands on the issues of the day unless we at least can sympathize, and hopefully empathize, with persons whose situations differ from our own. On the

basis of our experience, we feel that the clinic program is at least one meaningful way to abandon social barriers and participate in the one community of all men.⁷

VLN's founders eloquently envisioned an organization that would benefit private attorneys and the greater community as well as the clients in poverty. It is appropriate at the time of VLN's 50th anniversary to reflect on the many benefits of pro bono work (see sidebar). And, within the context of greater news coverage about the continuing inequities in our justice system, VLN would like to build even more on the work of its founders. Watch for the announcement of a special commemorative VLN CLE to explore how individual volunteers and VLN as an organization can reclaim the vision of equity and further "abandon social barriers and participate in the one community of all."

In the meantime, VLN and the thousands of VLN's board members, staff, volunteers and donors over the past 50 years have many reasons to celebrate VLN's many accomplishments. VLN has changed countless lives—of both clients and attorneys—for the better, with numerous ongoing benefits to the larger community. To our many volunteers, supporters, and collaborators, the current board and staff of VLN extend our deepest gratitude.

¹ The original founders were Richard Aaron, Charles Dayton, James Halverson, Boyd Ratchye, Harlan Smith, and Peter Weiss.

² Lawyers and the Poor: A Report on the Legal Services Program of the Office of Economic Opportunity prepared for the information of individual practitioners and the organized bar by the American Bar Association.

³ Ferren, John. *Must We Settle for Legal Aid by Proxy?* Harvard Law School Bulletin 10 (July 1965).

⁴ *Legal Services for Neighborhood Centers Memo, page 6.*

⁵ November 15, 1965 Letter from Richard Aaron to Robert Henson, Chairman of the Committee on Professional Ethics, Hennepin County Bar Association.

⁶ For more information about the training, contact Martha Delaney, Deputy Director of Volunteer Lawyers Network at Martha@vlnmn.org, Cindy Anderson, Pro Bono Director at Lindquist & Vennum, LLP at canderson@lindquist.com, or visit www.lindquist.com/probono. On-demand CLE options exist at wpbc.wikispaces.com.

⁷ October 6, 1964 letter from Fredrick Acker, et al. to Gordon Close, President, Chicago Bar Association.



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