



September 2023 Tip of the Month

Golden Years: the Rewards of Volunteering

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In the age of earlier retirement ages and remote work that can be done from almost anywhere, volunteering as a second career after retirement is more possible than ever. And, in addition to providing legal assistance to someone who might otherwise not receive it, there is a growing stable of evidence that volunteerism throughout the golden years of life has benefits for the volunteer themselves.¹

Our legal system can only remain just if everyone who needs a lawyer has access to one regardless of their ability to pay. So, if you have spent your career with paying, private clients, this is a great opportunity for you to give back to that system.

For those of you in your retirement years, nearing retirement, or just dreaming about it – this tip is for you. This *Tip of the Month* covers the amendments to the Rules of Professional Responsibility to establish an Emeritus Status and advice from two VLN volunteers who graciously share about volunteering in their golden years.

1. Emeritus Status

Through a [Minnesota Supreme Court Order](#) in 2013, the Rules of the Minnesota State Board of Continuing Legal Education (CLE Rules) were amended to make volunteering in retirement easy and accessible. The new Rule 14 of the CLE Rules created an “emeritus” status, which authorizes retired lawyers on restricted status to provide pro bono services without having to pay licensing fees and with a reduced CLE requirement.² And, because the pro bono services must come from an approved legal service provider,³ who will most likely provide free malpractice insurance for their volunteers, malpractice insurance is also likely covered.

¹Corporation for National and Community Service, 2017 State of the Evidence, Annual Report. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://americorps.gov/sites/default/files/evidenceexchange/FR_2017%20State%20of%20the%20Evidence%20Report_1.pdf

² Minnesota Rules of the Board of Continuing Legal Education, Rule 14, available at: <https://www.cle.mn.gov/rules/>.

³ Id. at Rule 14(b).

To qualify for Emeritus Status, a lawyer must be on voluntary restricted status and must have filed a Retirement Affidavit pursuant to Rule 2(c)(5) of the Rules of the Supreme Court Lawyer on Registration.⁴

To apply for Emeritus Status, a lawyer must have taken five approved CLE courses within the 90 days prior to their application. The five credits must include at least three credits on the topic of the chosen volunteer work, one ethics credit and one bias credit. If the volunteer will be providing services at a general advice clinic, the volunteer must also sign a certification that they have received the necessary training and resources to competently assist in the areas covered by the clinic.⁵

Once the five CLEs are taken, the lawyer must complete the Affidavit of Emeritus Status which is available on the [Minnesota State Board of CLE website](#). Upon approval, the volunteer is licensed as an emeritus attorney for 3 years.⁶ After three years, the emeritus attorney must complete and additional five CLEs and file a new Affidavit.⁷

2. Emeritus Volunteer Highlights

The Volunteer Lawyers Network (VLN) is privileged to have volunteers who dedicate their retirement years to serving VLN clients. Here are some tips from two, Phil Grove and Carolyn Ham.

Phil has been volunteering with VLN since 1999 and has helped in over 312 cases in a variety of legal issues including immigration, family, consumer, property, employment, housing, and probate. He volunteered for many years with the VLN-Northfield Community Legal Clinic and most recently helped VLN to start the VLN-Unidos MN Legal Clinic held in Mercado Central in South Minneapolis where he provides bi-weekly consultations.

Carolyn Ham started volunteering in 2015 and has served most of the over 78 VLN clients in 2022 and 2023 alone through VLN's Housing Court Clinic work in Ramsey County. As a housing court clinic volunteer, Carolyn meets low-income tenants and landlords at housing court and provides them legal services on the spot.

With age also comes wisdom and Phil and Carolyn have graciously shared their advice by answering five questions. Here is what they shared:

Before you retired what was your law practice?

Phil: I was a Human Services Judge with the Minnesota Department of Human Services for about 10 years after working in a variety of positions in government and in civil legal services.

Carolyn: I had a varied career that included litigating for the State at the MN Attorney General's Office, prosecuting for the Ramsey County Attorney's Office, working as in house counsel for a Fortune 50 company and training law enforcement in handling domestic violence cases at a non-profit.

⁴ Id. at Rule 14(a).

⁵ Id. at Rule 14(c).

⁶ Id. at Rule 14(d) & (e).

⁷ Id. at Rule 14(f).

Please tell us a little more about yourself and why you volunteer.

Phil: Finding ways to use my accumulated skills and knowledge to serve the community keeps me feeling happy and productive in retirement. The privilege of having a legal background makes it easy to find ways to be of service, with the help of VLN.

Carolyn: I went into law with a strong public service orientation. Through my various volunteer activities and my public sector work, I am very aware of the great unmet need for legal representation for everyday Minnesotans facing legal challenges in their lives. Now that I am retired and have more free time, I wanted to do pro bono work on a regular basis. Volunteering at Housing Court allows me to provide legal advice in a time limited way that also gives me the flexibility to still travel and pursue other interests in my retirement. Being able to do so virtually by Zoom, makes volunteering even more convenient.

What are the most rewarding aspects of volunteering?

Phil: Getting to know VLN's diverse clients and learning a little about their lives is the most rewarding aspect of volunteering for me, because it broadens my perspective and opens my eyes to what is going on in the lives of the people all around me. For me, volunteering for VLN is like an inverse form of travel, where instead of going out to see the world, the world comes to me.

Carolyn: Knowing that you are able to provide a valuable service to people who may be feeling overwhelmed and suspicious of the process. Clients are generally grateful for the assistance.

How has VLN helped you be successful in your volunteering?

Phil: VLN provides excellent training and access to resources relating to whatever work you will be doing for them. This includes very knowledgeable staff attorneys whom you can contact any time for support. As an agency, they have long experience in supporting volunteer attorneys.

Carolyn: I didn't have a background in Housing Law when I began volunteering. VLN provided the initial training and links to legal resources for me to begin. They also allowed me to shadow an experienced attorney to "learn the ropes." Currently, if I encounter an unfamiliar issue while I am giving advice, VLN staff attorneys are available to give me real-time answers to my questions. VLN staff is very responsive and able to help with administrative issues.

What tips would you have for new or prospective VLN volunteers, including tips for lawyers who volunteer as, or are considering volunteering as, an emeritus attorney?

Phil: Tip #1 -- Your job as a VLN volunteer will be to empower poor and disadvantaged people. To be able to do that, I would recommend learning as much about the lives of the poor in this country as possible. Definitely read *Evicted* by Matthew Desmond and *The New Jim Crow* by Michelle Alexander. Read up on domestic abuse, childhood trauma, and health disparities -- physical health, mental health, and chemical health. Learn about the experience of recent immigrants. Get to know the resources available in the community and construct referral lists.

Tip #2 -- Take the time to listen to your clients, even if they seem to be off topic. This is often the most empowering thing you can do for them. Frequently, what people need most is not legal advice, so much as a sympathetic, understanding ear. Don't be afraid to care about them -- they deserve your best, whole self.

Carolyn: Research shows that having a purpose in your life can lead to happiness. Using your legal training by volunteering through VLN helps you feel relevant and useful. Don't be worried about your lack of expertise in an area. VLN will support you and provide resources for you to gain competence in the area. You control your time, leaving you plenty of flexibility to enjoy other activities in retirement.

Please consider joining the ranks of emeritus volunteers with the Volunteer Lawyers Network. If you are interested in volunteering, please complete the VLN online application at <https://www.vlnmn.org/volunteer> and we will be in contact you about next steps.