

November 1, 2000

MEMORANDUM TO MARIA ECHAVESTE

FROM: ANN O'LEARY

SUBJECT: JUDICORPS

BACKGROUND

On September 5, 2000, Martin Sheen wrote a letter to President Clinton praising the President for the work he has accomplished in spurring volunteerism in our country through AmeriCorps. Mr. Sheen went on to recommend that the President consider building on the success of AmeriCorps by recruiting lawyers and law students to provide needed legal services in low-income communities or in communities suddenly hit by natural disaster. In his letter, Mr. Sheen cited a recent *New York Times* article regarding the drastic decline in *pro bono* services provided by lawyers at major firms (see attached letter and *NYT* article).

In order to further the discussion on the viability of this idea, I am providing you with information on how the Corporation for National Service (CNS) already supports legal services volunteerism, as well as some ideas as to how we might expand this work (also see attached article from *The Chronicle of Higher Education* on this idea).

CURRENT SUPPORT OF LEGAL SERVICES

Since 1994, more than one thousand lawyers and law students have served in AmeriCorps through the National Association of Public Interest Law (NAPIL), helping expand legal services for vulnerable populations, promote community economic development, help victims of domestic violence and prepare for careers in public interest law. AmeriCorps would welcome the chance to include more opportunities for lawyers to provide legal help to underserved communities.

In total, AmeriCorps has provided **\$6,112, 274** to NAPIL since 1994 to support **1,025 AmeriCorps members**. This includes members currently serving and starting their service this summer. NAPIL is a national coalition of law student organizations that offers grants and other forms of assistance to students and recent graduates engaged in public interest employment. It works with member organizations to create public interest legal employment and training opportunities, remove the economic barriers that confront public interest lawyers, and provide informational resources for public service work. AmeriCorps provides legal service opportunities through three separate grants to NAPIL.

Currently, CNS provides lawyers and law students with the opportunity to serve their communities through a partnership with the National Association of Public Interest Lawyers (NAPIL). CNS provides nearly \$6 million in funding to support three NAIPIL projects: full time lawyers who serve year-round in the National Service Legal Corps; law students who spend their summers serving in the NAPIL/VISTA Summer Legal Corps; and full-time AmeriCorps*Vista lawyers. In total, there are approximately 60 lawyers who serve full-time and 390 law students (see attached profile of NAPIL lawyers).

OPTIONS FOR EXPANDING THIS WORK

- 1) **Additional funding to support legal services work:** Through the recently signed VA-HUD appropriations, the Corporation will receive a total of \$453 million to support AmeriCorps and other national and community service work. While this is a \$26 million increase over last year's funding level much of it has been earmarked for specific purposes. The Corporation does, however, have approximately \$5 million in a discretionary fund to spend on national projects. Per other White House priorities, they plan to spend a portion of this funding on projects that work to close the digital divide, but the Corporation could dedicate a portion of this discretionary funding to expanding its work in the area of legal services.
- 2) **Building a Public-Private Coalition:** There are several hurdles that we face in attracting young lawyers to serve their communities – the growing gap between public interest salaries and the salaries of corporate law firms combined with the increasing debt young lawyers face when they finish law school. Currently, AmeriCorps offers a one-time education award of \$4,725 for their two-years of service. Public interest lawyers can also benefit from generous loan-forgiveness programs sponsored by law schools or through additional fellowships and scholarships offered by the National Association of Public Interest Lawyers. Regardless, the debt is high and the salaries low, which makes outreach and recruitment difficult.

A public-private outreach campaign combined with some type of private scholarship or loan forgiveness for law students who attend schools that do not offer loan forgiveness would be a tremendous incentive to participate. It might be worth exploring the idea of a Hollywood partnership with the Corporation for National Service and the National Association of Public Interest Lawyers to determine whether we could build on existing work and expand it through additional private funding and greater outreach.

- Lawyers could work out legal services to help them stay viable. They could go to any office.
- Jolicorp - need to put a name on it - to give people that we recognize.
- ME - lay the groundwork for a Jolicorp w/ current year funding. build a public-private partnership.
- We explore mty w/ ~~the American~~ Nat'l Service - # next year + do campaign.

PERSONAL

September 5, 2000

William Jefferson Clinton
President of the United States
The White House
Washington, DC

By FAX and Hand Delivery

Dear Mr. President:

I had the distinct honor and pleasure of witnessing your address to the Democratic National Convention in Los Angeles. The strength and courage with which you have served the American people these last seven and one half years has changed forever the landscape of our culture and has instilled in your fellow citizens an enthusiasm reminiscent of the New Deal and the New Frontier. We owe you a great deal, which, I am quite confident, will be repaid by history.

I found one portion of your address particularly important, namely your reference to the success of volunteer efforts during your Administration. The Corporation for National Service and its Americorps program have ignited a fire of energy in the young people of our country, bringing selfless service to this land just as the Peace Corps did a generation ago. As one who has steadfastly supported the role of volunteer service in our society, I applaud and commend these efforts.

Along these lines, I have been developing an idea, along with my dear friend and lawyer (and fellow "West Wing" actor), Joe Cosgrove, of Pennsylvania. While volunteer service has taken its place as a national virtue, the role of lawyers in that endeavor has unfortunately diminished. During the week of the Convention, for example, the *New York Times* ran a story discussing the significant decrease in *pro bono* services provided by lawyers at major firms, much of this trend attributed to the increasingly competitive need for lawyers in the high-tech sector. It is curious, and unfortunate, that this profession, which uniquely calls upon its members in its internal rules to provide free service, should now be seen as lessening its role in the field of volunteerism. To stem this trend and further promote the good work of such programs as the CNS, I foresee development of a program ancillary to Americorps, designed to seek and incorporate lawyers into the volunteer fabric your Administration has woven. Called, perhaps, "**Judicorps**", this program would not need any independent structure beyond Americorps to support itself, but could simply focus on the recruitment of lawyers (likely recent law school graduates) and place these new recruits in already established Americorps homes and the like. Placement of **Judicorps** volunteers would be quite easy: **Judicorps** lawyers could assist victims of natural and other disasters who often find themselves in a legal limbo on everything from mortgage liability to insurance concerns. Likewise, community service centers which provide assistance to the poor, including Legal Services offices throughout the country, could satisfy their constantly pressing need for additional staff with the addition of **Judicorps** members, who could serve the elderly and

others who are most in need of legal assistance.

I believe it is important that lawyer volunteers, while acting under the Americorps/CNS umbrella, maintain a separate identity. In this way, young legal volunteers could more easily be identified and the concept of *pro bono publico* could be better fostered. The legal profession is a unique entity in our national structure; its volunteer counterpart should be identified likewise. Without a separate identity like Judicorps, lawyer volunteers would be (and obviously are) much more reluctant to provide a term of service comparable to that of Americorps members. Specifically aimed at their talents, and providing tuition benefits similar to those of Americorps, a program organized around lawyers could begin a trend of increasing the role of volunteers from the professional ranks in modern society. With your Executive power, you can make Judicorps just that program, and help enhance the traditionally honorable role of lawyers within our society.

I appreciate the opportunity to discuss this important idea with you and thank you for your time in considering it. You can count on my assistance to make this program a reality. I am currently scheduled to visit Washington, D.C., beginning September 17 for several days of filming. Understanding the constraints on your schedule, I would welcome the opportunity to discuss this idea with you then if you so wished. Further, please feel free to contact Joe or me at any time if you have any questions or comments you wish to share. With every best wish, I remain yours in

Faith, hope and love,

Martin Sheen
6916 Dume Drive
Malibu, CA 90265
310-457-9917



cc: Joe Cosgrove
1460 Wyoming Avenue
Forty Fort, PA 18704
570-287-0921
570-823-9078 (home)

OCT 3 2000

THE WHITE HOUSE
WASHINGTON

September 28, 2000

Mr. Martin Sheen
6916 Dume Drive
Malibu, California 90265

Dear Martin:

Thanks so much for your letter. I was touched by your warm words of support, and I'm pleased to enclose a copy of my speech for you.

I think your idea about establishing a "Judicorps" is interesting, and I was disappointed that we were unable to get together to discuss your proposal during your recent stay in Washington. I've asked my staff in the Scheduling Office to look into the possibility of arranging a meeting, and I also want you to know that I've shared your correspondence with members of my staff in the Domestic Policy Council. You can be assured that your proposal will be carefully considered.

Your support and friendship mean a lot to me, and I send my best.

Sincerely,

Bill Clinton

*I really appreciate the kind
things you've said about my presidency -
they go a long way to help me! Thanks*

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August 17, 2000, Thursday, Late Edition - Final

SECTION: Section A; Page 1; Column 1; Business/Financial Desk

LENGTH: 2008 words

HEADLINE: Legal Firms Cutting Back On Free Services for Poor

BYLINE: By GREG WINTER

BODY:

Many of the nation's biggest law firms -- inundated with more business than they can often handle and pressing lawyers to raise their billable hours to pay escalating salaries -- have cut back on **pro bono** work so sharply that they fall far below professional guidelines for representing people who cannot afford to pay.

The roughly 50,000 lawyers at the nation's 100 highest-grossing firms spent an average of just eight minutes a day on **pro bono** cases in 1999, according to a survey last month by American Lawyer magazine. That comes out to about 36 hours a year, down significantly from 56 hours in 1992, when the magazine started tracking firms' volunteer hours. Yet with the economy booming, firms are enjoying record profits, the survey also found.

"The phenomenon of being so busy that you don't have as much time for **pro bono** work is quite real," said Jack Londen, a partner at Morrison & Foerster. The San Francisco firm has a long tradition of taking charitable cases, but since the recession of the early 1990's, its lawyers have cut their average **pro bono** hours in half, the survey showed.

"When there is more work than lawyers to do it, and there are not enough new lawyers out there to hire, the **pro bono** gets shelved," Mr. Londen said.

The decline is troubling for many in the legal profession, both because of cuts in government-sponsored legal aid programs and because the American Bar Association urges lawyers to do at least 50 hours of **pro bono** work each year. Only 18 of the 100 firms surveyed reported that their lawyers averaged that many hours or more in 1999, less than half the number seven years earlier.

Even in cities with strong **pro bono** legacies, where public service is a particular point of pride, the trend has emerged, leading to concern that a cultural shift may be under way. In February, a committee of the District of Columbia circuit court conducted a survey of 142 private law firms in Washington, a center of **pro bono** activity. Less than 25 percent of their lawyers spent 50 hours or more representing clients who could not pay, it found.

"What we're seeing is a sea change, rather than just a rogue wave," said Eugene R. Fidell, head of an advisory committee of the Federal District Court in Washington.

Since many large firms raised starting pay for new associates by as much as \$25,000 this year, hoping to dissuade them from flocking to Internet start-ups, many worry that the ebb in **pro bono** work will only accelerate.

"We're under pressure to work hard to pay for these rising salaries," said John Payton, a partner at Wilmer, Cutler & Pickering and president-elect of the Bar Association of Washington. "I don't think it's going to wipe out the tradition of **pro bono**, but it's clearly going

to have some impact."

Susan Hoffman, the partner in charge of **pro bono** assignments at Crowell & Moring, has taken to cornering lawyers in hallways at the big Washington firm. Her e-mail pleas go unanswered, memos no longer work and phone calls leave her colleagues unmoved.

"I know there's somebody out here who has time to do it," she said. "I just have to find that person."

The drop-off in **pro bono** work comes when the legal community can least afford it, many public interest groups say. Since 1996, the **Legal Services** Corporation, a major source of representation for low-income people in noncriminal cases, has lost a quarter of its financing from the federal government -- the source of the bulk of its budget -- leading to hundreds of layoffs among its legal staff nationwide.

Also in 1996, Congress prohibited lawyers who get **legal-services** money from engaging in class-action lawsuits or taking cases on a number of issues, including abortion, illegal immigration and welfare revision. To fill the gap, many say private firms need to increase their volunteer efforts, not retreat from them.

"Without a sustained level of **pro bono**, a lot of people who need legal advice, or who need their rights protected, are not going to have the same access to justice," said Robert Weiner, the **pro bono** chairman of the American Bar Association.

As practices shy away from **pro bono** work, many civil rights lawyers say it is becoming increasingly difficult to find volunteers for cases that would have elicited quick responses years ago. Hilary Chiz, the executive director of the American Civil Liberties Union in West Virginia, says she searched for a law firm to represent students who were told to pray in school but had no takers after a year.

"It's a hot issue; it's sexy; it's First Amendment," she said. "I would have thought it would have been easy to place."

Vera E. Kennedy, 55, is also frustrated by the lack of free legal representation. Ms. Kennedy's apartment is one of about 270 units at Hunter's View, a San Francisco public housing development that the city wants to demolish and rebuild.

When similar buildings were torn down a few years ago, prominent firms made sure residents had adequate interim housing and would be allowed to move back when work was finished. Local public interest lawyers have been scrambling unsuccessfully for months to find a firm to do the same for Ms. Kennedy and the other tenants. "There are mothers with young children here," she said. "They need the protection of having a place to live."

To be sure, civil rights lawyers, advocates and poor people themselves have long lamented the difficulty of finding lawyers with the imposing resources often needed to bring forward big lawsuits. A 1993 study by the American Bar Association showed that less than 30 percent of low-income people who needed a lawyer for a civil matter actually got one -- proof that, even at its best, volunteerism may not solve the legal difficulties of the poor.

"But a problem that was bad in 1993 is only going to be exacerbated by the fact that you have fewer lawyers doing **pro bono**," said Deputy Attorney General Eric H. Holder Jr., who has been directed by President Clinton to monitor and promote **pro bono** work in minority communities.

Not that big firms do all the unpaid work. Small practices and one-lawyer offices take on the bulk of **pro bono** cases, though their volunteer hours often go uncounted. Many of these lawyers continue to take on a wealth of unpaid assignments, even though they are busy, given

recent surges in employment, disability and sexual harassment litigation. But in some rural areas, where small law offices often comprise the entire legal community, many firms have become as preoccupied as have their larger counterparts in cities.

"They can't say yes to everybody," said Angele Court, **pro bono** coordinator for Vermont's **legal services** program. "So they say no to the more difficult case."

Representing the poor is an integral part of being a lawyer, ingrained in the profession since its origins in ancient Rome. In the United States, the commitment to **pro bono** work is in the code of ethics that has governed the profession for nearly a century. For many, the leadership of corporate firms is critical for setting the tone that **pro bono** work is still more a responsibility than an act of charity.

"The big law firms provide the litmus test for the legal community," said Steven B. Scudder, counsel to American Bar Association's standing committee on public service.

Most firms say it is not their commitment that has waned, just their ability to take on as many cases as in the past. While lawyers typically billed 1,700 hours annually just a few years ago, today they routinely bill 2,200 to 2,300 hours, said Esther F. Lardent, director of the **Pro Bono** Institute at the Georgetown University Law Center.

The rush of new business has also meant rapid growth within firms, sometimes by as much as 40 percent a year. Practices have sprouted new offices around the country, often in cities where the firms have few community ties. The lawyers hired to run them are so frantically managing busy practices that it will take time before they can branch out and take **pro bono** cases, firms say.

And it is not as if lawyers are turning their backs on the poor. With more than 150,000 lawyers at their disposal, the top 500 firms still set aside about two million **pro bono** hours each year, according to the **Pro Bono** Institute. Some firms are donating more money than ever to **legal services** organizations to compensate for their declining hours, while 21 of the top 100 firms have stepped up their volunteer efforts, or at least kept them from dwindling.

Skadden, Arps, Slate, Meagher & Flom, which in 1999 became the first law firm to gross more than \$1 billion in a year, now flies new associates to its headquarters in New York for a **pro bono** pep talk, gives public-service awards to high achievers and has expanded its placement of lawyers in community organizations for several months at a time. But the firm only began these initiatives after its **pro bono** hours started to slip in 1998.

"It wasn't a horrible downturn, but it was enough of one," said Ronald J. Tabak, the firm's **pro bono** coordinator. In the current climate, Mr. Tabak added, keeping up **pro bono** hours takes a concerted effort, since the demands of paying clients alone occupy far more than a 40-hour workweek and the competition for new lawyers has greatly intensified.

To pay for rising salaries, most firms have raised the minimum number of hours lawyers are expected to bill clients, yet often do not count **pro bono** work in the totals.

"We didn't want to be in a position where the associates would decide between doing their fee-paying work or not," said R. Bruce McLean, chairman of Akin, Gump, Strauss, Hauer & Field in Washington. Last year, the firm decided not to credit **pro bono** time until lawyers billed at least 2,000 hours in a given year.

Some worry that such changes may chill lawyers' willingness to take **pro bono** cases. Michael Harris, assistant director of the Lawyers' Committee for Civil Rights of the San Francisco Bay Area, says that lawyers who would otherwise take cases are unusually tentative this year, waiting to see how **pro bono** hours will be treated at bonus time. The cases they do take, he says, tend to be short and easy, lest the lawyers become stuck with long-term commitments

that may end up counting against them. "If the people who did **pro bono** work get rewarded at the end of the year," he said, "the people who have been standing on the sidelines will come back."

But even when volunteer hours are, in theory, given equal weight, some associates feel that their careers will be better served by concentrating on paying clients and steering new business to the firm.

"It's a long race going up the partnership track," said Randi L. Strudler, a partner with Jones, Day, Reavis & Pogue in New York. "Rightly or wrongly, not everyone values **pro bono** work the same as client work."

Since President Clinton asked lawyers last year to step up their volunteer service, there have been a number of initiatives to stimulate **pro bono** work.

One of the leading efforts, called Lawyers for One America, is composed of corporate law firms, law schools and bar associations nationwide. The group, based in San Francisco, seeks to draw from the growing ranks of business lawyers -- the largest segment of many large firms, particularly in Silicon Valley.

Because many corporate lawyers focus solely on transactions and never go to court, they often feel out of place handling the mainstays of **pro bono** work -- divorces, tenant-landlord disputes or social security cases. Officials at Lawyers for One America and other public interest groups hope to soften that discomfort by matching business lawyers with low-income people looking to start companies of their own.

But they say the concept is only starting to take root at firms, and some question whether the standing of **pro bono** work has diminished.

"The dollars are so astronomical that they're blinding people to public service," said Teveia R. Barnes, the group's executive director. "It does a disservice to the legal profession and our reputation."

<http://www.nytimes.com>

GRAPHIC: Chart: "Charitable Decline"

Pro bono work has declined considerably among the nation's most successful law firms in recent years. Here are the law firms with the highest **pro bono** hours per lawyer at the 100 highest-grossing firms last year versus 1992, as ranked by The American Lawyer magazine.

PRO BONO HOURS IN 1999

FIRM: Covington & Burling
BASED: Washington
NUMBER OF LAWYERS: 320
AVERAGE **PRO BONO** HOURS PER LAWYER: 105.5

FIRM: Jenner & Block
BASED: Chicago
NUMBER OF LAWYERS: 377
AVERAGE **PRO BONO** HOURS PER LAWYER: 105.1

FIRM: Arnold & Porter
BASED: Washington
NUMBER OF LAWYERS: 441
AVERAGE **PRO BONO** HOURS PER LAWYER: 89.3

FIRM: Wilmer, Cutler & Pickering
BASED: Washington
NUMBER OF LAWYERS: 275
AVERAGE **PRO BONO** HOURS PER LAWYER: 86.3

FIRM: Debevoise & Plimpton
BASED: New York
NUMBER OF LAWYERS: 402
AVERAGE **PRO BONO** HOURS PER LAWYER: 83.2

FIRM: Paul, Weiss, Rifkind, Wharton & Garrison
BASED: New York
NUMBER OF LAWYERS: 395
AVERAGE **PRO BONO** HOURS PER LAWYER: 81.0

FIRM: Heller, Ehrman, White & McAuliffe
BASED: San Francisco
NUMBER OF LAWYERS: 400
AVERAGE **PRO BONO** HOURS PER LAWYER: 80.0

FIRM: Fried, Frank, Harris, Shriver & Jacobson
BASED: New York
NUMBER OF LAWYERS: 426
AVERAGE **PRO BONO** HOURS PER LAWYER: 76.1

FIRM: Morrison & Foerster
BASED: San Francisco
NUMBER OF LAWYERS: 682
AVERAGE **PRO BONO** HOURS PER LAWYER: 71.2

FIRM: Schulte, Roth & Zabel
BASED: New York
NUMBER OF LAWYERS: 239
AVERAGE **PRO BONO** HOURS PER LAWYER: 70.7

PRO BONO HOURS IN 1992

FIRM: Arnold & Porter
BASED: Washington
NUMBER OF LAWYERS: 333
AVERAGE **PRO BONO** HOURS PER LAWYER: 220.6

FIRM: Morrison & Foerster
BASED: San Francisco
NUMBER OF LAWYERS: 572
AVERAGE **PRO BONO** HOURS PER LAWYER: 149.4

FIRM: Covington & Burling
BASED: Washington
NUMBER OF LAWYERS: 307
AVERAGE **PRO BONO** HOURS PER LAWYER: 143.3

FIRM: Wilmer, Cutler & Pickering
BASED: Washington
NUMBER OF LAWYERS: 220
AVERAGE **PRO BONO** HOURS PER LAWYER: 142.1

FIRM: McCutchen, Doyle, Brown & Enersen
BASED: San Francisco
NUMBER OF LAWYERS: 240
AVERAGE **PRO BONO** HOURS PER LAWYER: 131.6

FIRM: Shaw, Pittman, Potts & Trowbridge
BASED: Washington
NUMBER OF LAWYERS: 228
AVERAGE **PRO BONO** HOURS PER LAWYER: 122.8

FIRM: Heller, Ehrman, White & McAuliffe
BASED: San Francisco
NUMBER OF LAWYERS: 393
AVERAGE **PRO BONO** HOURS PER LAWYER: 118.0

FIRM: Paul, Weiss, Rifkind, Wharton & Garrison
BASED: New York
NUMBER OF LAWYERS: 336
AVERAGE **PRO BONO** HOURS PER LAWYER: 106.8

FIRM: Cravath, Swaine & Moore
BASED: New York
NUMBER OF LAWYERS: 308
AVERAGE **PRO BONO** HOURS PER LAWYER: 101.3

FIRM: Jenner & Block
BASED: Chicago
NUMBER OF LAWYERS: 336
AVERAGE **PRO BONO** HOURS PER LAWYER: 92.0

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LANGUAGE: ENGLISH

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General News;pro bono and legal services

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Tuesday, October 24, 2000

TV President Urges the Real One to Create a Pro-Bono Legal-Aid Corps

By JEFFREY SELINGO

Martin Sheen may only play the president on television, but now he's lobbying the real thing to expand the AmeriCorps national-service program to recruit lawyers for pro-bono work.

President Clinton is considering a proposal from the star of the NBC television series *The West Wing* to provide stipends to law-school graduates who volunteer their legal services. AmeriCorps provides participants with \$4,725 vouchers to help cover college expenses or pay back student loans in exchange for a year of full-time community service within the United States. About 50,000 people are expected to serve in the program this year.

But in a letter last month to President Clinton, Mr. Sheen -- who plays President Josiah Bartlet on *The West Wing* -- said that lawyers are reluctant to participate in AmeriCorps because the program doesn't offer volunteer opportunities aimed specifically at their legal skills. So Mr. Sheen suggested a separate program, called Judicorps, that would operate under AmeriCorps, but would concentrate solely on providing legal services in an effort to highlight the nature of the work for potential recruits. Mr. Sheen is well known as a political activist, supporting causes like farm-laborer rights and efforts to shut down the School of the Americas, the military-training center.

Under his Judicorps proposal, lawyers could help victims of natural disasters with mortgage liability and insurance concerns and, working out of community centers, dispense legal advice to poor people. AmeriCorps volunteers already serve in many of those areas, so Judicorps could work within the existing organizational structure, Mr. Sheen wrote.

Jennifer Smith, a White House spokeswoman, said on Monday that the president "thinks this is a good idea and something worth

pursuing." Officials at the Corporation for National Service, which oversees AmeriCorps, said that lawyers already serve as volunteers in the national-service program, but more are needed, given recent cutbacks in government-run legal-aid programs and pro-bono work by lawyers.

"Whether the idea comes from President Clinton or President Bartlet, we would welcome the chance to include more opportunities for lawyers to provide legal help," said Harris Wofford, the corporation's chief executive officer.

Currently, about 60 lawyers serve every year as volunteers in the National Service Legal Corps, and an additional 210 law students provide various legal services as volunteers, Mr. Wofford said. Lawyers also volunteer in other AmeriCorps programs. Still, Mr. Wofford said that participation by lawyers in national-service programs is well below that of some other professions, such as teachers.

The federal law that created AmeriCorps allows officials to dedicate resources to volunteers who serve in particular professional areas. Congress is now considering whether to extend that law, and the AmeriCorps program, for another five years.

"Our ability to do anything ultimately depends on Congress and the bill that's before Congress right now," Mr. Wofford said. Lawmakers recently approved \$458-million for AmeriCorps in the 2001 fiscal year, a \$6-million increase over this year.

Since AmeriCorps began in 1993, efforts to expand it -- usually by pumping more money into the program -- have encountered resistance in Congress. Indeed, many Republican lawmakers seek every year to eliminate the bulk of federal funds for AmeriCorps.

An aide to U.S. Rep. Peter Hoekstra, a Republican from Michigan and one of the biggest critics of the national-service program, said on Monday that AmeriCorps officials need to correct long-standing financial and management problems at the federal agency before they expand into new services.

"Legal work is a laudable goal, but our hope is that AmeriCorps would be better at fulfilling its current mission before moving into new areas," said the aide, Lisa Bos.

Recently, law firms and law schools have been under increased scrutiny for a steep decline in the availability of free legal services to needy people. A survey in July by The American Lawyer found that lawyers at the country's 100 highest-grossing law firms spent only about 36 hours on pro-bono cases in 1999, down from 56 hours in 1992. The American Bar Association urges lawyers to do at least 50 hours of pro-bono work a year.

The Association of American Law Schools has also made increased public-service work a priority for the coming year and adopted the issue as the theme of its annual meeting in January 2001, said Elliott S. Milstein, the association's president. The group is holding 19 meetings across the country to generate ideas on how law schools could help increase public-service work among their students, professors, and graduates.

"There's less pro-bono work being done today, and there are fewer jobs for people doing legal-services work," said Mr. Milstein, a professor at American University's Washington College of Law. "It's a huge problem, so anything that can be done to help would be welcomed."

SEND TO ANN O'LEARY

HW Reading
cc: Peter
Kris
Files

NAPIL



National Association for Public Interest Law

national service legal corps

bulletin

September 2000

From the Director - National Service Department

Greetings from NAPIL's National Service Department! It is with great pleasure that we present this first issue of the National Service Legal Corps Bulletin. This publication will provide:

- updates about the work of the NSLC teams in the field
- helpful grant management tools
- general information updates

The Bulletin is designed to be an effective means of providing participants with information about fellow members and the exceptional and innovative work that is being done at NSLC sites. We encourage you to use this newsletter to share with program participants nationwide the new initiatives being undertaken in the 2000-01 program year and the impact that these initiatives are having on the communities being served.

If you would like to contribute to the Bulletin or have suggestions for information that you would like to see covered in future editions, please contact me at nslc@napil.org.

Sincerely,

Pamela Schiffleger

Profiles:

From Firm Life to AmeriCorps... Two NSLC Members Share Their Stories

Jill Espelien

Many people experience an awakening of some kind that changes their lives. Jill Espelien is one of those people.

When she enrolled in law school at Vanderbilt University, Jill's intent was to do public interest work. In fact, the summer after her first year at law school, she worked at the public defender's office in Santa Clara, California. But with loans to pay and the big firms heavily recruiting at her school, Jill decided to work in the private sector. She spent the next six years practicing corporate transactional work in large law firms.

Espelien, continued on p. 4

Marjorie Briggs

Seeking a profession where I could "make a difference" in the world, I entered law school at The Ohio State University in 1972. I planned to go into "poverty law," as it was called in those days. However, as graduation approached, my advisor encouraged me to apply for a position at one of the large law firms in Columbus, Ohio, where my family and I were living. Despite my commitment to social justice issues, I believed the training I would receive at a large business-oriented law firm would serve me well. Also, I saw the opportunity of being the first woman lawyer at an all-male firm as a way of opening doors for women and for making positive changes in the legal profession.

Briggs, continued on p. 2

2000-01 Site Guides are on the way!

We have compiled a binder to serve as a guide in overseeing your NSLC project. This binder supplements information found in the Program Director's Handbook that will be provided to all project sites by the Corporation for National Service later this fall. Any feedback or suggestions for additional areas to be covered are welcome.

New Site Training!

As part of the orientation and training for our new project sites, NAPIL will hold a training for the project directors and fiscal managers in Washington, DC on November 27th and 28th. Veteran sites are invited to share effective practices or helpful hints with these new projects by sending ideas to the attention of Pam Schiffleger no later than November 1st.

2000-01

Briggs, continued from cover

I began practicing law in 1975 at Wright, Harlor, Morris and Arnold, in Columbus, Ohio. I was the 32nd lawyer and first woman attorney at that firm, which later grew and evolved into Porter, Wright, Morris and Arthur, now a 250-lawyer firm with many women attorneys and partners and offices in 5 cities. At first, in those days of "women's lib," the men I worked with didn't know whether I would kick them if they held the door for me or paid me a compliment (I would not have), and I didn't know whether I should put pictures of my family on my desk (I did not, but now wish I had).

In the early years of my practice, and occasionally even in recent years, when I announced, "I am here for the Jones hearing," I was told by a bailiff to "Have a seat outside until your lawyer gets here."

There were no female role models and it took me a while to find a level of comfort using my strengths as a woman instead of trying to be "one of the guys." As we got to know each other as individuals instead of stereotypes, and as the numbers of women increased, the men I worked with and I both became more comfortable with my place in the profession.

I was assigned to the litigation department because that is where a worker was needed. Through the years, I continued to work in litigation by choice. I learned to write and speak as an advocate, to think about case strategy, and to deal with people from all walks of life, with varied points of view and very diverse personalities. I found that litigation gave me an opportunity to use many parts of my personality – analytical problem solver, psychologist, detective, performer, writer, humanitarian and comedian.

In the early years of my practice, and occasionally even in recent years, when I announced, "I am here for the Jones hearing," I was told by a bailiff to "Have a seat outside until your lawyer gets here." They were usually so embarrassed when I said, "I AM the lawyer," that I didn't have to do anything else to establish myself as an attorney.

I had many opportunities throughout my 25 years at Porter, Wright to make a difference in the lives of my clients, and the firm was very supportive of my involvement in community and charitable organizations. I was fortunate to be at a firm that believes in giving back to the community, as evidenced by its active pro bono program. But in the last five or six years, my practice became more paper-intensive and motion-oriented, and I did not have as many opportunities to represent individuals. These changes occurred at the same time that I was feeling more of a desire, on a personal level, to work with people and to "make a difference" in their lives. I wanted more opportunities to "give back" to the profession and community that had provided so many benefits to me.

I decided I would make a career change and told the managing partner I was going to explore other areas of practice. While continuing my work at the firm, I began "networking" with people in other areas of the practice. I met with a career transition counselor and took the Myers-Briggs and similar tests to learn more about my personal values, strength and abilities.

During my weekly review of the Career Classified section of Ohio Bar Reports, I saw an ad for an AmeriCorps domestic violence position. I found the work description intriguing but dismissed the position because of the low living allowance and because all of the openings were in smaller Ohio towns that would have required me to move.

Through the following months I continued to meet with other lawyers, research other areas and search for my "dream job" that would provide an intellectual challenge, good pay, the opportunity to work "hands-on" with individual clients and a sense of making the world a better place. My attention was frequently drawn back to the AmeriCorps ad.

The domestic violence position was especially compelling for me because several of my own family members and close friends had been victims of domestic violence. I believed that my legal experience and skills, combined with my own observation of the heartbreaking results of domestic violence, would make me very effective as a legal advocate in this area.

Finally, I took a closer look at my personal situation and decided I could move from Columbus for a year. My children were grown and I was single. I had a small financial cushion I could draw on to supplement the salary.

It became clear that I did have the personal freedom to be an AmeriCorps lawyer for a year and that this position had potential for kindling a new passion for my practice. It also provided an opportunity for me to explore public interest law as a possible future direction for my career. Regardless of my future direction, however, I knew a year representing domestic violence victims would change my life.

Marjorie Briggs is a member of the 2000-01 National Service Legal Corps at Ohio State Legal Services Association in Columbus. The NSLC team there provides legal information and representation to domestic violence victims throughout the Appalachian region of Ohio to help them break the cycle of violence and achieve independence.

Focus

on Key Americorps Provisions

Implications of prior service: AmeriCorps Provision 12

When interviewing candidates for the Class of 2000-01, please remember to ask whether they have previously served in an AmeriCorps program. While the maximum number of terms for the NSLC is two, prior service in an AmeriCorps program, including incomplete terms, may preclude an individual from participating in the NSLC altogether. See the Program Director's Handbook and the AmeriCorps Provisions for further information, and contact NAPIL with any questions.

One Year Rule: AmeriCorps Provision 8

As your 1999-2000 members complete their service and you begin to enroll 2000-01 members, please keep in mind that a member must complete their service term (a) within one year of their start date, and regardless, (b) by December 31st (of 2000 for the Class of 1999-2000 and 2001 for the Class of 2000-01). Please remind 1999-2000 members in particular that simply running out of time at the end of the year will not qualify them for a prorated award. They should plan their remaining service terms accordingly.

Espellen, continued from cover

"I lost track of what I wanted to do," says Jill simply. During all her time at private firms, Jill never saw the inside of a courtroom and had very little client contact. She was not feeling fulfilled in her career. When she heard about the opening for an AmeriCorps domestic violence attorney at Legal Aid of Western Missouri, she thought it would be the perfect opportunity to test the public interest waters. And having had a cousin who was victimized, says Jill, "I had experienced how destructive [domestic violence] was."

Jill felt drawn to the work. "I like having clients I'm responsible for...I actually have human beings coming into my office. I can see I'm making a difference in actual people's lives."

Jill felt drawn to the work. She loved it. So much so that she joined LAWMO's staff last fall. In contrast to the firm environment where she was given pieces of cases to work on, at LAWMO she has enjoyed the responsibility of handling entire cases from beginning to end. "I like having clients I'm responsible for...I actually have human beings coming into my office. I can see I'm making a difference in actual people's lives."

Jill's work has not been without its challenges, of course. She becomes frustrated when she cannot help her clients with all their needs. "You try to help them all you can, but you feel like you're just touching the tip of the iceberg," Jill acknowledges. However, there are definitely success stories, like her 22-year-old client with two children who had been abused and lived in a shelter. Jill helped her get a divorce and custody of the children. Since then, the woman has gone back to college and "turned her life around."

Jill feels that there were certain advantages to having worked in a firm before making the transition to legal services. For instance, she recognizes that the training she received proved helpful when she first arrived at LAWMO. In addition, the salary Jill earned before joining AmeriCorps enabled her to pay off her student loans.

Even without educational debt, however, Jill cautions aspiring public interest attorneys to consider the financial and emotional sacrifices. "You really have to do a lot of soul-searching...you really have to know yourself." She entered AmeriCorps with the attitude that "[i]t's a way to do something worthwhile...something that I'm interested in." And she did not lose sight of the intangible benefits: "I was very proud to say that I was an AmeriCorps attorney and doing something for the betterment of society. I was proud to explain to relatives and friends what I was doing."

Having seen what "the other side" is like, Jill has no regrets about going into public interest law and in fact plans to stay in the field. Fortunately for Jill, her current part-time work schedule allows her to spend more time with her new baby, who was born last October. "It's a nice way of striking a balance," she explains. When her daughter is old enough, she wants to begin working full-time again. Comments Jill about her NSLC term, "I loved the experience. I was, and still am, really happy. When I drive home and process what I do each day, I feel really fulfilled."

Jill Espellen served at Legal Aid of Western Missouri as an NSLC member in 1999. Now a staff member at LAWMO, she represents domestic violence victims in mediations, negotiations and litigation.

NAPIL news

Staff announcements

Jennifer Tschirch – After spending two years providing leadership and support to the NSLC project directors and members, Jennifer has taken on an exciting new role in NAPIL's fellowships department. She looks forward to seeing everyone at the 2001 NSLC training!

Valerie Nannery – In mid-August, Valerie left NAPIL to begin her first year of law school at the University of Virginia. She credited her time at NAPIL with exposing her to the broad range of career opportunities within the field of public interest law.

Please welcome...

Sara Pic – Sara joins NAPIL as the new NSLC program assistant. While completing a bachelor's degree at Smith College, she worked in a variety of capacities for Tapestry Health Systems in North Hampton.

Lisa Weissman-Ward – A recent graduate of the University of North Carolina at Chapel Hill, Lisa joins the department as a program assistant. She will work with NAPIL's VISTA-funded programs. While at school Lisa was both a volunteer and staff member at the Orange County Rape Crisis Center in Chapel Hill.

2000-01 NSLC

New Sites!

This year, NAPIL is pleased to announce the addition of four new project sites to the NSLC. Please welcome the following organizations: Alaska Legal Services Corporation (Anchorage, AK), Community Legal Services (Phoenix, AZ), Southern Arizona Legal Aid (Tucson, AZ) and Three Rivers Legal Services (Gainesville, FL). NAPIL will be working closely with them to provide an introduction and orientation to the program, but we also encourage all of you to share your effective practices with them!

Saying Goodbye!

As we welcome our new sites, it is also time to say goodbye to three sites. Central Pennsylvania Legal Services (now Mid Penn Legal Services), Legal Aid of Western Missouri and Pine Tree Legal Assistance have made a determination not to renew their NSLC grants. Each site – members and project directors – have contributed to the success of the program over the past grant cycle. We look forward to their continued involvement with the Summer Corps and the NAPIL/VISTA Summer Legal Corps.

National Service Legal Corps Bulletin

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National Association for Public Interest Law

2120 L St. NW, Suite 430
Washington, DC 20037

Phone: 202-466-3686
Fax: 202-429-9766
www.napil.org

The National Association for Public Interest Law (NAPIL) was founded in 1986 by law students dedicated to surmounting barriers to equal justice that affect millions of low-income individuals and families. Today, NAPIL is the country's leading organization engaged in organizing, training and supporting public service-minded law students, and is the national leader in creating summer and postgraduate public interest jobs.

NAPIL's National Service programs include both summer and postgraduate initiatives designed to create opportunities to cultivate a lifelong public service commitment. Since their inception, these AmeriCorps-funded programs have enabled law students and lawyers to work in traditionally underserved communities increasingly in need of legal assistance. Thousands of low-income persons have been served through efforts ranging from projects designed to combat homelessness and domestic violence to those that seek to create jobs and affordable housing.

National Service Legal Corps Bulletin is a quarterly newsletter for sites and members. Send questions or comments to Jennifer Tschirch, Editor, at tschirch@napil.org.

Staff
Editor - Jennifer Tschirch
Designer - Carla Uriana

