

# Private practice lawyers donate time to fill the justice gap

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A north Mississippi man and woman had been estranged for nearly 20 years but were still legally married, bound together only by poverty because a spouse couldn't afford to hire a lawyer to get a divorce.

Children were late enrolling in school because grandparents and other relatives who were raising them couldn't establish legal guardianships.

These situations are among those encountered by volunteer lawyers who give their time to fill the justice gap in Mississippi. Periodic free family law clinics staffed by volunteer attorneys have become an important part of efforts to improve access to the justice system for poor people.

At the most recent free family law clinic, held Nov. 15 in Tupelo, 38 lawyers donated their time to help 32 people. Chancellor Jacqueline Mask, co-chair of the Mississippi Access to Justice Commission, said, "These attorneys are standing in the gap between poverty and access to justice. By their acts of generosity, they are improving the lives of many First Chancery Court District citizens. I am extremely proud of our profession and these attorneys."

Access to Justice Commission Executive Director Tiffany Graves said the turnout was a milestone for clinics that help self-represented litigants. "I've been doing clinics for six years now, and I've never seen that type of participation. It was truly inspiring," she said.

The Tupelo clinic was a cooperative effort of the Lee County Bar and Young Lawyers Association, the Mississippi Volunteer Lawyers Project and the Pro Bono Initiative of University of Mississippi School of Law.

Supreme Court Chief Justice Bill Waller Jr. said pro bono work by private practice attorneys is critical to meeting the needs for legal services to low-income people.

"As leaders of the bench and bar work to improve access to our courts for poor people, it has become apparent that we must look to the private bar for help. I greatly appreciate the efforts of lawyers in private practice as they give of their time to help needy people in their local communities. They honor their obligation to the legal profession while working to better their communities," Chief Justice Waller said.

"The needs are great, due to declining funding for Legal Services programs and increasing numbers of poor people needing legal assistance. Efforts such as the recent clinic in Tupelo help to close the legal services gap."

Judge Mask schedules at least one free family law clinic annually in each of the eight counties of the First Chancery District. The district includes Alcorn, Itawamba, Monroe, Pontotoc, Prentiss, Lee, Tishomingo and Union counties.



The North Mississippi Rural Legal Services office in Tupelo closed in 2011 due to cuts in federal funding to the Legal Services Corporation. Legal Services offices across the state turn away at least half of the qualified people who seek civil legal assistance because there are too few Legal Services staff attorneys to handle all of the cases. Thirteen Legal Services attorneys serve 39 north Mississippi counties from offices in Oxford, West Point, Clarksdale and Greenville.

“What North Mississippi Rural Legal Services does is wonderful, but they can only take so many people at a time,” said Tupelo attorney Amanda Todd Daniels, who volunteers at free legal clinics in the First Chancery District.

“Just about everyone is going to need a lawyer at some point, whether on divorce issues, guardianship issues,” said Daniels. “The fact of the matter is, a lot of people in our state can’t afford the luxury of going out and hiring a private attorney to represent them. All these people obviously are in need of help. I’ve volunteered for over a year. There hasn’t been one person who showed up who wasn’t in real need of immediate help.”

“I think it’s a worthwhile thing,” Daniels said. “As lawyers, we’ve been lucky enough in life and blessed to do what we do every day. It’s a small thing every few months to donate a few hours of your time to help these people out. It’s a very worthwhile and rewarding experience. All these people are tremendously grateful.”

During the family law clinics, low income people may receive free legal assistance with adoptions, child support modification, custody, conservatorships, guardianships, irreconcilable differences divorces, emancipations and name changes.

During each clinic, local attorneys volunteer their time to meet with clinic participants. Law students assist. The attorneys provide legal information, explain the court proceedings that the clients are likely to encounter, answer questions and assist applicants in preparing documents.

Self-represented litigants struggle to prepare legal documents. “Usually the documents are wildly inaccurate or incomplete,” Daniels said. Without help, self-represented people may spend months filing and re-filing their documents. Some just give up.

Volunteer attorneys are not obligated to file documents and accompany clinic participants to the courtroom. The expectation is that individuals will receive adequate information at the clinic and be able to represent themselves in court.

Judge Mask is present during the clinics. If participants have their documents in order, she can sign orders to finalize matters.

Attorneys who volunteered at the Nov. 14 clinic in Tupelo included Willie Allen, Stephen Bailey, Robert Bass, Kristin Belvin, Matthew Blanchard, William Bristow, David Butts, Robbie Byers, Michael Chapman, Christopher Clark, Amanda Daniels, Dan Davis, Dimitra Eleopoulos, James Ford, Margaret Sams Gratz, Michael Gratz, Valerie Hancock, Jason Herring, Maria House, Shalanda Hudson, Angela Jones, Jonathan Martin, Merritt Mercier, Dalton Middleton, James Moore, Denitia Newman, Roy Parker, Jr., Amy Pietrowski, Tyler Pittman, Edwin Priest, Mark Shelton, Alexander J. Simpson, Stephen Spencer, Brian Starling, Kay Trapp and Chereka Witherspoon White. University of Mississippi School of Law student volunteers were Garret Estes and Mary Claire Thomas.

The free legal clinics are intended to help low income people. Eligibility to attend a clinic is limited to people whose income is at or below 200 percent of the federal poverty level. For example, that would be an annual income of \$23,760 or less for an individual, or an annual income of \$48,600 or less for a family of four.

Anyone interested in receiving free legal assistance at future clinics should contact the Family Resource Center at 662-844-0013 to determine whether they meet the criteria for income and subject matter.

Office hours for the Family Resource Center are from 8 a.m. to 8 p.m., Monday through Thursday, and 8 a.m. to 2 p.m. on Friday.

Dates, times and locations for First Chancery Court District clinics in 2017 are:

- July 6, 4 to 7 p.m. at the Lee County Justice Center in Tupelo, Third Floor;
- July 19, 2017, 4 to 7 p.m. at the Union County Chancery Building in New Albany;
- July 20, 3 to 5 p.m. at the Itawamba County Courthouse in Fulton;
- July 25, 4 to 7 p.m. at the Alcorn County Chancery Building in Corinth;
- August 1, 4 to 7 p.m. at the Monroe County Chancery Building in Aberdeen;
- September 26, 4 to 7 p.m. at the Pontotoc County Chancery Courthouse in Pontotoc;
- October 10, 4 to 7 p.m. at the Tishomingo County Courthouse in Iuka;
- October 31, 4 to 7 p.m. at the Prentiss County Courthouse in Booneville;
- November 8, 4 to 7 p.m. at the Lee County Justice Center in Tupelo, Third Floor.

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