



## No Civil Right to Counsel: Restating the Need for Civil Pro Bono Legal Services

by Laurie Heer Dale and Carol Cleaver, Volunteer Lawyers Project



There is no civil equivalent to *Gideon v. Wainwright*, the 1963 U.S. Supreme Court case decision that mandated representation for the poor in criminal cases. People needing a lawyer in a civil case are often surprised to learn they do not have a right to a lawyer when sued. Without legal counsel, unrepresented persons risk losing their children, housing, and much needed income. Others are placed in situations that threaten physical safety, health and well-being.

Every year, discussions how to solve access to justice issues for the poor give rise to the need for more pro bono lawyers. Legal aid services for the poor continue to be grossly underfunded. In the meantime, thousands of poor self-represented litigants are left to navigate a complex court system on their own. They are even more disadvantaged when the other party is represented by counsel.

Self-represented persons look to the court for justice. Contrary to frequent speculation, most self-represented persons don't have a lawyer because they cannot afford a lawyer. It isn't a choice to be unrepresented, it is a fact of circumstance. There isn't money to pay a lawyer when life is about living paycheck to paycheck. Volunteer lawyers are their only hope.

Helping Lawyers Help People is the heart of the NSBA mission. Since 1982, VLP has developed and maintained pro bono programs to help Nebraska lawyers do pro bono work that is convenient, rewarding, and impactful. Some reminders about VLP programs:

### ***How VLP receives application for pro bono assistance.***

VLP does not accept direct applications for assistance. Applications are referred from Legal Aid of Nebraska, the Women's Center for Advancement in Omaha, other legal service providers, and occasionally, from Self-Help Centers and private attorneys. Applicants are screened to determine financial and case type eligibility. Generally, applicants must have a total household income less than 125% of the federal poverty income guidelines and little assets.

### ***One case a year can make a difference***

VLP hopes volunteers will take one pro bono case each year. Staff will contact you when there is an applicant appropriate for the practice areas you specify. You are not obligated to accept any case. If you are busy at that time, VLP will contact you again on a future case. Cases are also posted to the VLP Website, [www.nevlp.org](http://www.nevlp.org); lawyers can review cases at any time.

### ***VLP provides malpractice insurance coverage.***

VLP provides primary malpractice insurance coverage for all pro bono cases referred by VLP and for participation in all VLP programs, including Self-Help Centers, Nebraska Free Legal Answers, and special clinics held throughout the year.

### ***VLP provides training and materials.***

VLP volunteers are willing to mentor new attorneys or attorneys unfamiliar with a specific case type. VLP provides helpful training, materials and resources to assist volunteers. Visit the VLP website "Training and Resources" page to view our library.

### ***Time commitment for volunteer work***

VLP programs provide variety to accommodate your busy schedule. For cases, time varies depending on the type of case and complexities involved with the case. Lawyers can spend as little as two hours and up to 15 hours on a divorce case. Volunteering at a Self-Help Center typically requires about two hours. Lawyers can commit anywhere from one hour to six hours volunteering at a special clinic. Answering questions on Nebraska Free Legal Answers can average 30 minutes or more, depending on the type of question and number of questions the lawyer wants to answer.





# VOLUNTEER LAWYERS PROJECT

## *VLP has programs for all lawyers*

In addition to case placement, VLP offers several pro bono programs to help lawyers achieve their pro bono goals for the year.

### **NE Free Legal Answers - [www.NE.freelegalanswers.org](http://www.NE.freelegalanswers.org)**

This program doesn't require long training or travel to do pro bono. Pick the days and times you want to do pro bono. Pick the questions you want to answer. This is a pro bono program for all lawyers, including in-house, corporate counsel, and government lawyers.

### **Self-Help Centers**

A Self-Help Center (SHC) is a free, walk-in legal clinic where self-represented persons can meet with a lawyer for general advice on select legal issues, learn about the court process and court forms approved for self-represented persons. There are six SHCs located in courthouses in Buffalo, Douglas, Hall, Kimball, Madison and Scotts Bluff counties.

### **Legal Clinics**

"Lawyers in the City" is a bi-annual event in Omaha hosted in collaboration with the Creighton University School of Law civil clinic; Immigrant Legal Center, Legal Aid of Nebraska, Midlands Bar Association, Omaha Bar Association and Women's Center for Advancement. This event will occur in other cities in 2019. Lawyers work in teams with law students and paralegals to provide brief legal services. Training materials are provided in advance. Sign up for 1, 2 or 3 hours or all day.

### ***How Can We Help You Help Others Who Have No Right to Counsel?***

Visit the VLP website at [www.nevlp.org](http://www.nevlp.org) to learn more about the VLP. Complete a volunteer application or schedule a visit with Laurie Heer Dale, Director of the VLP, to discuss ways you hope to fulfill your pro bono goals.



## **Pro Bono Legal Service Nebraska Free Legal Answers [www.NE.FreeLegalAnswers.org](http://www.NE.FreeLegalAnswers.org)**

Convenient, rewarding, and impactful pro bono

All lawyers—All practices\*

Answer questions posted by low-income residents

- No travel or training to do pro bono
- Pick questions you want to answer
- Volunteer names are not disclosed
- Malpractice insurance coverage
- Make justice happen—*today*

**Register today at [www.NE.FreeLegalAnswers.org](http://www.NE.FreeLegalAnswers.org)**

\*Active members of the Nebraska Bar; civil law questions only



*NE Free Legal Answers is a website operated by the ABA and the NSBA Volunteer Lawyers Project  
635 South 14th St. #200, Lincoln, NE 68508  
(402) 475-7091*



# VOLUNTEER LAWYERS PROJECT

## Honor Roll

Thank you for joining VLP in thanking the following lawyers and law students who have provided pro bono services the end of 2018 through January 2019. Thank you for your commitment to VLP programs!

### Nebraska Free Legal Answers - New Registration

Audrey A. Bellew, <i>North Platte</i>	Ashley A. Moore, <i>Omaha</i>
Jaclyn N. Daake, <i>Alma</i>	Julia K. Palzer, <i>Omaha</i>
Sallie V. Dietrich, <i>Lincoln</i>	Patrick M. Patino, <i>Omaha</i>
Angela Dunne, <i>Omaha</i>	Zachary D. Petersen, <i>Omaha</i>
Whitney A. Estwick, <i>Omaha</i>	Sarah E. Preisinger, <i>Papillion</i>
Adam R. Feeney, <i>Omaha</i>	Thomas D. Prickett, <i>Plattsmouth</i>
Thomas J. Freeman, <i>Lincoln</i>	Michael A. Ramirez, <i>Omaha</i>
Maureen E. Fulton, <i>Omaha</i>	Danielle L. Rowley, <i>Lincoln</i>
Catrina K. Harris, <i>Ashland</i>	Blake K. Simpson, <i>Lincoln</i>
Jack W. Lafleur, <i>Norfolk</i>	Meagan K. Spomer, <i>Omaha</i>
Jessica D. Meyer, <i>Tecumseh</i>	Anthony D. Todero, <i>Omaha</i>
Michael W. Milone, <i>Omaha</i>	Erin E. Wetzal, <i>Omaha</i>

### Nebraska Free Legal Answers - Limited Legal Service

Audrey A. Bellew, <i>North Platte</i>	Jessica D. Meyer, <i>Tecumseh</i>
Lindsay R. Belmont, <i>Omaha</i>	Michael W. Milone, <i>Omaha</i>
Angela L. Burmeister, <i>Omaha</i>	Ashley A. Moore, <i>Omaha</i>
Larry W. Beucke, <i>Kearney</i>	Julia K. Palzer, <i>Omaha</i>
Joshua L. Christolear, <i>Syracuse</i>	Zachary D. Petersen, <i>Omaha</i>
Jaclyn N. Daake, <i>Alma</i>	Sarah E. Preisinger, <i>Papillion</i>
Kelly R. Davis, <i>Omaha</i>	Thomas D. Prickett, <i>Plattsmouth</i>
Carla J. DeVelder, <i>Omaha</i>	Michael A. Ramirez, <i>Omaha</i>
Sallie V. Dietrich, <i>Lincoln</i>	Danielle L. Rowley, <i>Lincoln</i>
Quinn R. Eaton, <i>Omaha</i>	Kent A. Schroeder, <i>Kearney</i>
Timothy R. Engler, <i>Lincoln</i>	Blake K. Simpson, <i>Lincoln</i>
Whitney A. Estwick, <i>Omaha</i>	Peter J. Sitzmann, <i>Lincoln</i>
Adam R. Feeney, <i>Omaha</i>	Rachael A. Smith, <i>Omaha</i>
Thomas J. Freeman, <i>Lincoln</i>	Meagan K. Spomer, <i>Omaha</i>
Maureen E. Fulton, <i>Omaha</i>	Ryan P. Sullivan, <i>Lincoln</i>
Catrina K. Harris, <i>Ashland</i>	Richard W. Tast Jr., <i>Lincoln</i>
Michael J. Haller, <i>Omaha</i>	Anthony D. Todero, <i>Omaha</i>
Kelsey L. Helget, <i>Hastings</i>	James H. Truell, <i>Grand Island</i>
Christa B. Israel, <i>Lincoln</i>	Kathryn E. Welsh, <i>Omaha</i>
Jack W. Lafleur, <i>Norfolk</i>	Erin E. Wetzal, <i>Omaha</i>
Catherine M. Mahern, <i>Omaha</i>	

### Pro Bono Cases

Jill M. Abrahamson, <i>Omaha</i>	Joseph Lopez-Wilson, <i>Omaha</i>
Mona "Molly" L. Burton, <i>Lincoln</i>	Amie C. Martinez, <i>Lincoln</i>
Jason S. Doebe, <i>Norfolk</i>	Deziree N. Medina, <i>Lincoln</i>
David H. Fisher, <i>Hastings</i>	James E. Reisinger, <i>Omaha</i>
Ronald E. Frank, <i>Omaha</i>	Katherine E. Sharp, <i>Columbus</i>
Julie Fowler, <i>Omaha</i>	Thomas J. Shomaker, <i>Omaha</i>
Luke J. Klinker, <i>Omaha</i>	Catherine N. Swiniarski, <i>Omaha</i>
Jane F. Langan Mach, <i>Lincoln</i>	Megan M. Zobel, <i>Lincoln</i>
Peng Li, <i>Omaha</i>	

### Self Help Centers

<b>Buffalo</b>	<b>Douglas/Creighton</b>
Melodie T. Bellamy, <i>Coordinator</i>	Martha J. Lemar
Larry W. Beucke	Catherine "Kate" Mahern
Marsha E. Fangmeyer	

### Douglas

Christina Thornton,  
*Coordinator*

James "Jim" Busse

Kelly R. Davis

Richard A. Drews

Carrie Gaines

Kendall K. Krajicek

Karisa D. Johnson

Stephen J. Lefler

Michael P. Moran

Melany S. O'Brien

Ralph E. Peppard

Arturo Perez

Justin A. Quinn

Danielle L. Rowley

Alan C. Schroeder

Judith A. Schweikart

David Sommers

J.G. "Gerry" Sullivan

Hon. Stephen M. Swartz, *ret.*

### Hall

Shawn J. Farritor,  
*Coordinator*

Marvin L. Andersen

Johnathan M. Hendricks

John B. McDermott

Keith Smith

Mitchell C. Stehlik

James H. Truell

**Madison**

Ryan J. Stover, *Coordinator*

Joel E. Carlson

### Scotts Bluff

Stacy C. Bach, *Coordinator*

Adam A. Hoelsing

Maren L. Chaloupka

Astrid G. Munn\*

*\*misspelled last edition*