



Lawyers: Help Yourself to Self-Help Resources

by Laurie Heer Dale and John T. Rogers, Volunteer Lawyers Project



Prior to joining the NSBA staff as Program Attorney for the Nebraska Volunteer Lawyers Project, I spent several years in private practice and as a sole-practitioner. As any attorney in private practice knows, regular clients will rely upon their lawyer for answers to all of their legal questions, even if the questions lie outside the regular practice area for the attorney. As an attorney, these types of questions present a quandary: How can I efficiently deliver competent legal services to my client in an area of practice that is unfamiliar to me?

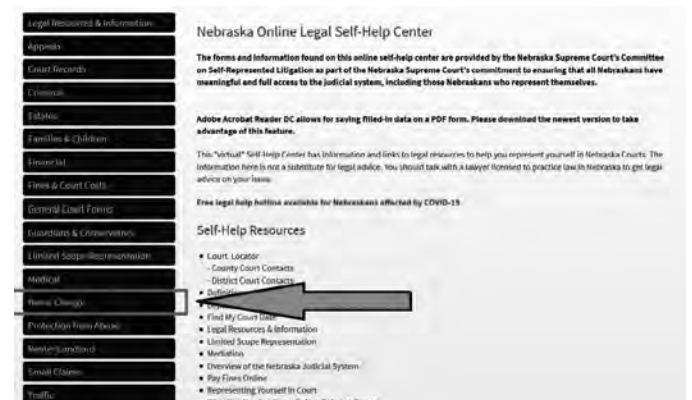
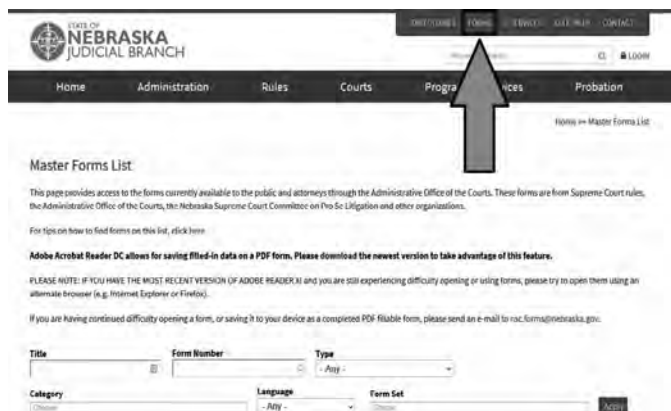
For example, consider a scenario where your practice lies within the area of wills and trusts, but your regular client comes to you requesting assistance with a name change. Name changes are not particularly difficult but are nevertheless uncommon. Unless an attorney assists clients regularly with name changes or has recently assisted a client with a name change, it's likely that the process is unfamiliar. When presented with a question from a client about what is involved in a name change, most lawyers would probably feel compelled to say, "I've not done one, but I'd be willing to look into what's required and get back to you."

Most lawyers would probably begin this task by reading the statute (Neb. Rev. Stat. §25-21,271), certainly a prudent start, but truly only a starting point. Seeking the aforementioned "efficiency", many lawyers would also likely look to see if a colleague had recently done a name change for a client and/or if the colleague had a sample set of forms. Some lawyers might even look to the Nebraska Judicial Branch web site and navigate to the "Forms" tab, (<https://supremecourt.nebraska.gov/forms>).

At the "Forms" tab, website visitors may search for "Name Change" forms by "Title", "Category", or even "Form Set". All of these steps would probably lead most attorneys to an eventually satisfactory result, but I would like to suggest a slightly different approach: The Self-Help section of the Nebraska Judicial Branch website.



I think many lawyers are unaware of or shy away from the "Self-Help" tab of the judicial branch web site (<https://supremecourt.nebraska.gov/self-help>). Although this tab was created, and is intended, for use by self-represented litigants, the Self-Help resources offered can be quite useful for attorneys as well. For instance, returning to our name change scenario, the Self-Help section of the judicial branch website has a page dedicated to "Name Change".



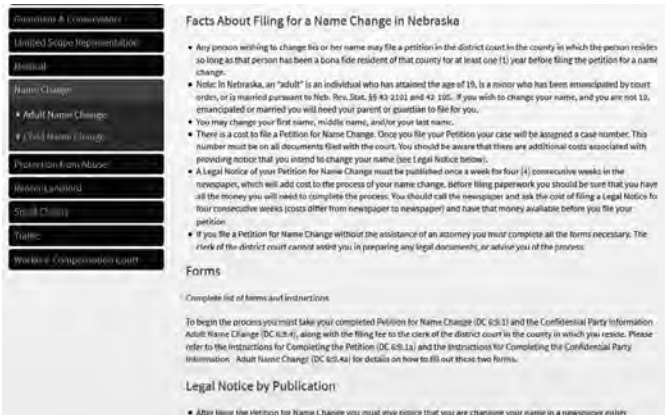


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Navigating to the “Name Change” page, website visitors may select either an “Adult” or “Child” name change link. For purposes of our scenario, we’ll select the “Adult Name Change” option:



Selecting this option takes us to a page which lays out basic facts and prerequisites for a name change (e.g. one year residence requirement), followed by a link to a complete list of forms, instructions and step-by-step guidance for the proceedings.



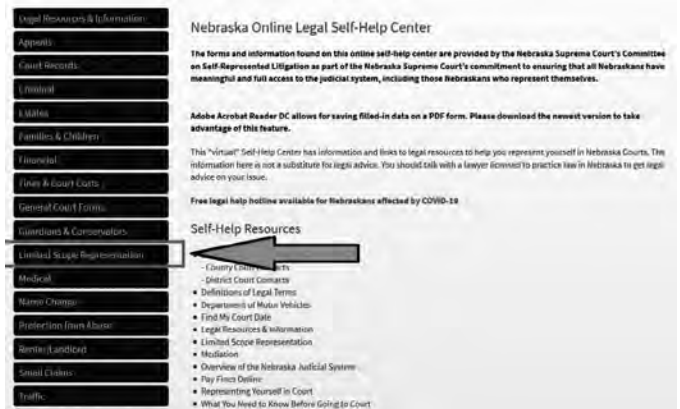
Of course, a name change is just one of many sets of legal proceedings offered by the Nebraska Judicial Branch Self-Help website. There are dozens of headings and sub-headings, covering such topics as appeals, family law matters, guardianships and conservatorships, and landlord/tenant matters. These self-help pages have been assembled with great care and obvious attention to detail by the Nebraska Supreme Court’s Committee on Self-Represented Litigation, a standing committee of the Access to Justice Commission, comprised of lawyers, judges and court personnel dedicated to providing equal access to justice for all Nebraskans.

Self-Help for Lawyers: The Limited Scope Toolkit

One special feature contained within the Self-Help pages of the judicial branch website is a toolkit designed to assist lawyers with limited scope representation. Limited scope representation is a way for lawyers to limit the scope of services provided to their clients to those tasks which require the skill and knowledge of an attorney, while reserving for the client the tasks the client is comfortable performing without assistance. Although it is always preferable for a client to have full-service representation from an attorney, limited scope representation allows an attorney to assist low-income clients with services they need but might not otherwise be able to afford.

In private practice, I observed many attorneys performing limited scope representation, but I wonder how many attorneys are aware that a toolkit exists to assist them. Frankly, I was unaware of the toolkit prior to joining the NSBA staff. Again, as with the Self-Help section of the judicial branch website, the Limited Scope Toolkit was prepared by dedicated attorneys, judges and court staff serving on the Limited Scope Representation Subcommittee, which is part of the Self-Represented Litigation Committee of the Access to Justice Commission. These individuals have obviously contributed a great amount of time and effort to create this toolkit for the benefit of all Nebraska lawyers, and ultimately their clients who might not otherwise have access to legal assistance.

The Nebraska Limited Scope Representation Toolkit may be found by navigating to the Limited Scope Representation page of the Self-Help section of the judicial branch web site (<https://supremecourt.nebraska.gov/self-help/limited-scope-representation-nebraska-faq-attorneys>).¹



Once there, click on the link entitled “For Attorneys” to be taken to a page which lays out a description of limited scope representation and details the conditions and reasons why an attorney might want to assist a client on a limited scope basis.



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Limited Scope Representation in Nebraska

Instructions and forms on this website are generally a product of the Self-Represented Litigation Committee of the Judicial Branch and are provided as a public service.

NOTE: THE SUPREME COURT DOES NOT REPRESENT THAT THESE INSTRUCTIONS AND FORMS WILL BE APPROPRIATE IN EVERY CASE. ANY QUESTIONS YOU MAY HAVE REGARDING THE USE OF THE INSTRUCTIONS AND FORMS SHOULD BE DIRECTED TO A LAWYER.

These instructions and forms were developed to help people better understand legal processes. Anyone thinking of handling their own case is urged to consider talking to a lawyer. Legal resources are available on the Nebraska Online Legal Self-Help Center.

What You Need to Know Before Going to Court

Index to Forms and information found in this section:

- For People Wanting Limited Legal Assistance
- For Attorneys

thus clarifying the responsibilities of each party. Click on the “Nebraska Limited Scope Representation Toolkit” link to download the document:

Limited Scope Representation Toolkit

Lawyers can build a base of paying clients who can perform some tasks on their own and pay the lawyer for complex tasks that require the knowledge, skill, and experience of a lawyer. Limited representation provides a convenient way for the lawyer and client to establish in advance the costs for legal services. Typically, the client pays the legal fees in advance. Limited scope representation provides an opportunity for a client who would otherwise go unrepresented to have adequate legal representation.

Forms

List of forms.

Forms and web links are provided for informational purposes only. The lawyer is responsible to ensure that written agreements are appropriate for the limited representation and consistent with the lawyer's ethical responsibilities to the client. All agreements concerning a lawyer's representation of a client must accord with the Rules of Professional Conduct, local court rules and other law.

Nebraska Limited Scope Representation Toolkit

The Nebraska Limited Scope Representation Toolkit was designed to assist attorneys who are licensed in Nebraska and seeking to offer limited scope representation as part of their pro bono offerings to potential clients who have civil matters in Nebraska trial court. The toolkit highlights ethical considerations as well as best practices that relate to limited scope representation. Use of the toolkit is a supplement to the attorney's familiarity with the ethics rules and professional duties, and the attorney's exercise of judgment in providing representation.

What is an example of Limited Scope Representation?

There are many examples of limited scope representation. One example may be giving legal advice about the legal problems or court procedures. The lawyer may give guidance how to introduce evidence or cross examine a witness. Other examples may be drafting pleadings, a settlement agreement, a qualified domestic relations order or child support calculation. A final example would be filing a limited appearance for part of the client's case. The allocation of tasks will be specifically detailed in the engagement letter and fee agreement.

In addition to providing a link to the toolkit itself, the Limited Scope Representation page sets forth an example of limited scope representation and step-by-step instructions for proceeding in this manner.

The Limited Scope Toolkit itself is a document which attorneys may download, containing everything an attorney needs in order to offer limited scope representation to clients. The Toolkit provides an overview of the rules (with comments) governing limited scope representation, a checklist for identifying good candidates and a guide for discussing limited scope representation with potential clients. The Toolkit also provides sample forms, letters, and a sample agreement for proceeding on a limited scope basis. Perhaps most helpful is a sample checklist dividing tasks between a lawyer and client,

For attorneys looking for pro bono opportunities, limited scope representation can be a great way to assist clients of limited means with matters beyond the client's abilities as a self-represented litigant. Now, and perhaps more than ever, Nebraskans of limited means are in need of legal assistance. Check out the Limited Scope Toolkit and use this tool to help those in need in our communities.

Endnote

¹ The Limited Scope Toolkit is also available in the NSBA Library under Limited Scope.



EVOLVES

Essential Volunteers Offering Legal Services for Victims,
Ensuring Safety
VLP Reduced Fee Program for Rural Victims of Crime

Program Description: VLP matches eligible victims of crime in rural Nebraska who need legal assistance with private attorneys who provide legal services on a reduced fee basis.

Case priorities:

- Divorce
- Paternity, Custody & Child Support
- Modification of Orders
- Protective Orders
- Bankruptcy/Debt
- Name Change
- Immigration

Benefits:

- Compensation of \$60.00 per hour
- Malpractice insurance coverage
- Recognition in NSBA media
- Free legal research through UNL Pro Bono Research Fellows Program

For information, contact: Shannon Seim
 635 S 14th Street, Suite 200, Lincoln, NE 68508
 Phone: (402) 475-7091 ext. 127
 Fax: (402) 475-7098
 Email: sseim@nevlp.org
 Website: <https://nevlp.org/>; <https://www.nebar.com/>

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VLP Current Events

NFLA Award Presented to Nebraska Attorneys and Organizations

The American Bar Association Standing Committee on Pro Bono and Public Service recognizes, annually, individual attorneys, law firms and law departments that have provided extraordinary pro bono services through ABA Free Legal Answers with their Pro Bono Leader award. Attorneys who answer 50 or more questions per year and firms/organizations that answer, collectively, 75 or more questions per year, receive the award. For 2019, this award was presented to four recipients in Nebraska:

Answering more than 50 questions

QUINN EATON, Husch Blackwell LLP

RYAN SULLIVAN, University of Nebraska College of Law

Answering more than 75 questions

HUSCH BLACKWELL LLP

UNIVERSITY OF NEBRASKA COLLEGE OF LAW

Congratulations on your extraordinary efforts! We are incredibly grateful for your commitment to pro bono work for persons of limited means!

NFLA is a safe and easy way to engage in pro bono, especially during the pandemic! Consider joining your colleagues in a healthy NFLA contest and be the next to receive the Pro Bono Leader award!

FREE Legal Clinic Basics CLE Provided in Scottsbluff & Available Now On Demand

“Just the Basics!: Providing Limited Legal Services in Walk-In and Virtual Legal Clinics” provides new and seasoned lawyers a review of ethical rules, general substantive law, procedure and practical advice for assisting self-represented persons at walk-in and virtual legal clinics. This seminar was offered in several Nebraska cities in 2019 and in Scottsbluff in March 2020 and is now available on demand: <http://nsba.mycrowdwisdom.com/diweb/gdpr/policy?thruGateway=true>.

VLP, Immigrant Legal Center and the Nebraska Coalition to End Sexual and Domestic Violence Offer FREE CLE

“Advocating for Victims of Crime as an Attorney” provides lawyers representing victims of crime a review of the substantive law, practice, procedure, ethical rules and practical guidance for assisting this vulnerable population in civil legal matters. This seminar is being offered by webinar in May. Check the NSBA website for more information on these sessions.

#ThankfulThursdays

An important part of the Volunteer Lawyers Project’s mission is recognizing and rewarding individuals who give back to their communities through pro bono work. While volunteers are motivated by the work and not the praise, we want to celebrate you! If you are doing pro bono work, or know an attorney who is going above and beyond to use their legal skills to give back to low income individuals, please let the VLP team know by emailing nevlp@nevlp.org. No matter where attorneys are in their careers, their practice areas, or their passions, VLP wants to help all attorneys reach their pro bono goals.

VLP offers Referral of Bankruptcy Cases for Low-Income Debtors on a “Reduced Fee”

In response to a growing need to refer bankruptcy matters on a reduced fee basis, VLP is adjusting bankruptcy case referrals for lower-income persons. These cases will be referred to private attorneys on a reduced fee basis, based upon household size and poverty level. Clients are responsible for paying the reduced fee, filing fee and credit report fee prior to receiving services.

If you have questions about this opportunity or process: Contact VLP Director, Laurie Heer Dale, at lheerdale@nevlp.org.

If you are interested in participating in the reduced fee service: Email VLP at vlp@nevlp.org. Please advise of the counties your firm will cover. Your name will then be placed on a roster to receive cases on a round-robin basis. You will be notified when a case in your area is available to your firm for referral. You will have three (3) business days to accept or decline the case. If you decline the referral or do not respond within three business days, VLP will contact the next participating attorney on the roster covering the area in which the client resides.



Responding to COVID-19

VLP Collaborates with Legal Aid of Nebraska to Provide Legal Services to Persons and Small Businesses Affected by COVID-19

Nebraska families, businesses and communities are devastated by the coronavirus outbreak. Many Nebraskans are at risk of losing their homes, property, businesses and livelihood. Access to legal services and resources is critical to recovery.

Individuals and small, locally owned businesses (defined by less than 50 employees, not a franchise) that are currently closed, in risk of permanent closure due to the virus, and where the payment of fees would significantly deplete their resources who do not qualify for Legal Aid of Nebraska's services are being referred to VLP to have their cases placed with attorneys who have agreed to provide free legal assistance. Assistance may include telephone and in-person consultations, limited scope and extended representation.

If you are interested in volunteering your valuable time and expertise to provide legal help during this crucial time, please contact Laurie Heer Dale, Director of the Volunteer Lawyers Project, at vlp@nevlp.org.

Volunteer attorneys will receive online training and written resources on the issues they are likely to encounter and are covered by the VLP malpractice insurance policy. Please consider volunteering to take a case or respond to questions posted on Nebraska Free Legal Answers today.

Pro Bono Cases

Case lists are available on the VLP website at www.nevlp.org/pro-bono-cases. Cases are listed by county and practice area and updated regularly. A new COVID-19 category has been added to aid in identifying victims who need your help. Simply click the case number to email your interest to VLP and to receive information to check for conflicts.

University of Nebraska College of Law Pro Bono Research Fellow Program

The University of Nebraska College of Law's Pro Bono Research Fellows Program is a free service to private attorneys in need of research assistance on pro bono legal matters. The program matches interested law students with pro bono attorneys on research projects that range from small assignments taking only a few hours, to larger projects that may last an entire semester. Research fellows work directly with the pro bono attorney and may assist beyond research in some circumstances. For new assignments, a member of the College of Law Library Faculty will provide one-on-one research guidance at the beginning of the assignment, as well as on-going support, as needed. Attorneys may apply for research assistance by completing an online application located at: <https://law.unl.edu/ProBonoResearch/>.

Nebraska Free Legal Answers

Nebraska Free Legal Answers is a virtual limited advice clinic that allows volunteers to do pro bono online—anytime and anywhere there is Internet access. Attorneys select the questions to answer. Qualified Nebraska residents can post up to three different civil legal questions each year.

This program provides a convenient and rewarding way to do pro bono and greatly benefits all users, especially those affected by the novel coronavirus. Additional legal categories have been added to identify users needing assistance with COVID-19 related issues; and, the income and asset ceilings have been increased to accommodate those likely experiencing a temporary or permanent loss of financial means to pay for legal services. Visit www.NE.freelegalanswers.org to register and start doing online pro bono now.

Self-Help Centers

A Self-Help Center is a free, walk-in legal information and resource center for low-income persons representing themselves in Nebraska courts. Volunteers answer general questions about the civil legal issues, provide self-help court forms and information about legal services for low-income persons. Self-Help Centers are in courthouses in Buffalo, Douglas, Hall, Kimball, Lancaster, Madison and Scotts Bluff counties.

In response to COVID-19 and for the safety of our volunteers and visitors, VLP temporarily closed the Self-Help Centers in March. We are directing low-income Nebraska to post their civil legal questions on Nebraska Free Legal Answers (www.ne.freelegalanswers.org). If you are not already signed up to provide pro bono through Nebraska Free Legal Answers (NFLA), please consider doing so to help us fill the need.



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Pro Bono Partners

Volunteers make access to justice a reality for those of limited means. VLP extends its gratitude to the following pro bono partners who have provided pro bono services in 2020.

No Fee Pro Bono Cases

Jill M. Abrahamson
 Cathleen H. Allen
 Alissa M. Baier
 Gregory J. Beal
 Audrey A. Bellew
 Claude E. Berreckman Jr.
 James C. Bocott
 Aaron B. Bruns
 Benjamin D. Borgmann
 D.C. "Woody" H. Bradford
 Robert M. Brenner
 Aaron B. Bruns
 Lucrece H. Bundy
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 Matt M. Catlett
 Dave V. Chipman
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 Leslie A. Christensen
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 Dayna L. Langdon
 Peng Li
 Mary J. Livingston
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 Jamie Mues Jankovitz
 Kimberly D. Olivera
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 Mitchell C. Stehlik
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 Sovidia I. Tran
 Kathryn I. Vampola
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 Joan W. Watke
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Self-Help Centers

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 Elizabeth J. Klingelhofer
 Thomas W. Tye II
 Luke E. Zinnell

Douglas

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 Dwyer Arce
 Adaline Baker, *Student*
 Maggie Brokaw, *Student*
 James F. Busse
 Joseph Dreesen
 Richard A. Drews

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 Stephen J. Lefler
 Ceci N. Menjivar
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 Michael W. Milone
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 Kathryn D. Putnam
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 Judith A. Schweikart
 Amy Van Horne
 Margaret M. Zarbano

Douglas/Creighton

Andrew Bedell, *Student*
 Molly M. Blazek
 Katelyn Cherney
 Ethan Matchett, *Student*
 Christopher A. Mihalo
 Kohle Perkes, *Student*
 Jamel Walker, *Student*

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 Grady C. Erickson
 Jonathan M. Hendricks
 John B. McDermott
 John D. Sabott
 Keith Smith

Lancaster

Robert Bryant, *Student*
 Katherine R. Chadek
 Samantha Connors, *Student*
 Alex M. Lierz
 Erin Olsen, *Student*
 Andrew Robinson, *Student*
 Ryan P. Sullivan

Madison

Ryan J. Stover, *Coordinator*
 Jack W. LaFleur

Scotts Bluff

Stacy C. Bach, *Coordinator*



Pro Bono Partners

Reduced Fee Pro Bono Cases

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Roxanne M. Alhejaj
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Kelsey E. Arends
Lucinda K. Bauer
Frederick T. Bartell
Audrey A. Bellew
Burke C. Brown III

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Hunter A. Campbell
Krista M. Carlson
Aisha Carr
Katherine R. Chadek
James W. Crampton
Katie Samples Dean
William J. Erickson
Kyle J. Flentje
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Leah J. Gleason

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Gregory A. Rosen
Audrey A. Rowley
Van A. Schroeder
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Ryan M. Swaroff
Lyle E. Wheeler Jr.
Brandi J. Yosten

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Kristen M. Blankley
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Katherine R. Chadek
Carla J. DeVelder
Quinn R. Eaton
Tana M. Fye
John T. Haarala
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Joshua M. Livingston
Christin P. Lovegrove
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Amy A. Miller
Katherine H. Owen

Patrick M. Patino
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Kevin L. Ruser
Heather L. Sikyta
Rachael A. Smith
Ryan P. Sullivan
Christina Usher
Abbie J. Widger
Matthew J. Wurstner

Training and Continuing Legal Education

Anna Marx
John T. Rogers

Lawyers in the City

(Fathers for a Lifetime, Omaha, January 2020)

Marian G. Heaney
Kendall K. Krajicek
Peng Li
Karine E. Sokpoh
Sarah K. Dage, *Student*
Eric M. Hagen, *Student*
Daniel L. Heaps, *Student*
Nathanial T. Heimes, *Student*
Charles I. Kim, *Student*
Jessica J. Patach, *Student*
Regina A. Smith, *Student*
Avram Tynes, *Student*