



FILLING GAPS

HOW TO GET QUALITY REPRESENTATION WHEN YOU DON'T HAVE THE MEANS

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After years of applying for benefits and being repeatedly denied, a veteran turned to the UCLA Veterans Legal Clinic in Los Angeles, desperate for help. Reviewing his documents, executive director Jeanne Nishimoto and her team soon realized that the proof needed for approval was all there; it just needed to be assembled in the right way.

“We were able to get that claim granted successfully, and that was really life-changing,” says Nishimoto, who helps veterans with, among other things, disability benefits, criminal record-clearing and landlord disputes, free of charge. “He got a couple hundred thousand dollars because he had accrued all those retroactive benefits. And he also got around \$3,500 a month moving forward, where he had previously been getting SSI of about \$1,000. So his income increased dramatically too, and it’s permanent for the rest of his life.”

While you may not hear many stories of people receiving crucial legal help for free, they happen all the time. From uncontested divorces and home-saving mortgage reductions to asylum for refugees fearing persecution in their home countries, free legal services run a broad gamut for those who can’t afford an attorney.

“People don’t realize the wide variety of issues you can get help with,” says Stephanie Ozahowski, a staff attorney with the Mental Health Advocacy Program for Kids at Health Law Advocates, a Boston nonprofit law firm funded by donors and the state. “What I do with special education is a pretty particular area of legal help.”

“The point of free programs is to try and fill the gap,” says Philip Vickers, a civil litigator with Cantey Hanger in Fort Worth and founding board member of Tarrant County Volunteer Attorney Services. “Some folks think only the wealthy need lawyers, but everyone is going to, at some point, have—or have a family member who has—some legal issue.”

Some attorneys who handle pro bono cases are currently seeing an increased demand for services, especially in areas like immigration, insurance claim denials and youth mental health, but they say it fluctuates. “As the economy turns down, there tends to be an increased need,” Nishimoto says. “The demand far outpaces the resources, and has for as long as I’ve been doing this.”

Pro Bono, Legal Aid or Low Bono?

As you start your search for free legal services, you may encounter different terms that are often used interchangeably. *Pro bono*, a shortened version of the Latin phrase meaning “for the public good,” is offered by attorneys who volunteer their time to help people of limited means or the charities that serve them. Since 1993, the American Bar Association has encouraged its members to donate at least 50 hours of service each year, and many states and law firms have their own pro bono rules.

“Legal aid,” on the other hand, refers to services rendered by staff attorneys at nonprofit agencies funded by Interest on Lawyers’ Trust Accounts. Proof of low income and assets is generally required, although some organizations take clients at their word. And then there’s “low bono” for those who are able to pay a small fee.

“In a way, that’s what Aticus Finch did, right?” Vickers says of the *To Kill a Mockingbird* character. “If you remember the movie and the book, he had clients who would pay with eggs or produce, so in essence he was giving low bono help and respecting the dignity of people who wanted to pay.”

Nishimoto gives the example of an eviction defense case that might cost thousands of dollars with a private attorney. “With low bono, maybe they will charge you a few hundred dollars.”

“[THEY’RE] A PRO BONO ATTORNEY BECAUSE OF THEIR PASSION FOR THE LAW, OR THEIR PASSION FOR ACCESS TO JUSTICE.”

—Jeanne Nishimoto on why lawyers give back to those in need

Think you won’t meet the requirements? “A lot of times, people qualify and don’t realize that they do,” Ozahowski says. “The qualifications change depending on which organization they’re talking to, so it’s always good to call and find out.”

Finding Free Legal Help

To find an attorney who can help you at no or minimal charge, search the websites of legal aid organizations, state and local bar associations, law schools, and member organizations like the NAACP, Catholic Charities, and others that advocate for First Amendment, veterans’ or minority rights. Some offer one-day advisory clinics.

“If your issue is one that fits into the mission of one of these organizations,” says Vickers, “then you might be able to get free help that way.”

In some counties, you can call the 211 or 311 nonemergency number, explain your situation, and be directed to the proper resources. Your local library, too, can be helpful, says Nishimoto. “I find that librarians know a lot of community resources, and some libraries have legal programs.”

But is it useful to reach out to an attorney directly for help? It depends.

Seanna Brown practices business litigation at BakerHostetler in New York, and volunteers her time with the Pro Bono Panel of the U.S. Court of Appeals for the Second Circuit. Because her firm’s website mentions her pro bono work, she sometimes receives cold emails that often go unanswered. “That’s very challenging,” she says. “Law firms rely on the legal service organizations to pair with us and do some of the initial screenings.”

There are, however, exceptions. Susan Minamizono, an insurance attorney at Levin Sitcoff in Denver, provides pro bono services in trafficking, immigration and insurance denial. “Don’t be afraid to contact an attorney,” she says, “and see if anyone at their firm is willing to take their case on a pro bono basis or at a significantly reduced rate, because you never know.”

Do Your Part

Before your initial consultation with an attorney, gather any documents they request, which, depending on your case, could range from medical records to police reports and a list of potential witnesses. At the first meeting, you’ll talk about what to expect, how long the process is likely to take, and any deadlines of which you should be aware. You’ll also determine the scope of legal services you need, from advice on how to assert your rights to representation in court.

“Oftentimes, referrals and intake forms do not tell the whole story,” says Patricia Redmond, an attorney with Stearns Weaver Miller in

Miami who handles some bankruptcy cases pro bono for individuals who wouldn’t otherwise have access to the legal system.

Be ready to disclose any special concerns, such as a hesitant witness. “Give us the good and the bad facts,” Minamizono says. “You don’t need to be embarrassed or ashamed of what you think might actually hurt your case. We need to hear everything. Otherwise, we can’t properly advocate.”

Depending on your problem—and the evidence and complexity of it—your lawyer might suggest you try to resolve it informally, through negotiation. Or they might refer you to a nonlegal service organization for advice.

Some legwork may be required. It’s your responsibility to gather any necessary documents or, for example, give a character witness a heads up that your lawyer will be contacting them.

“Be completely engaged with the process,” says Minamizono. “It might be easier for the client to feel like, ‘OK, I don’t really have skin in the game because I’m not paying anyone.’ But if an attorney calls and needs information, please respond as promptly as you can.”

“The initial consultation—for a lawyer, that’s just the beginning, the tip of the iceberg,” says Nishimoto. “We’ll probably be doing a lot of research, going through any documents that you have. It can require a little bit of patience, which can feel very frustrating.”

Where to Find Free Legal Help

NATIONAL

- **American Bar Association:** findlegalhelp.org
- **Immigration Advocates Network:** immigrationadvocates.org
- **National Legal Aid & Defender Association:** nlada.org
- **Veterans Justice Outreach Program:** va.gov/homeless/vjo.asp

COLORADO

- **ACLU of Colorado:** aclu-co.org
- **Centro San Juan Diego’s Legal Night:** centrosanjuandiego.org/en/legal-night/
- **Colorado Law Help:** lawhelp.colorado.gov/legal-aid/localities
- **Colorado Legal Services:** coloradolegalservices.org
- **Colorado Poverty Law Project:** copovertylawproject.org
- **Denver Bar Association Legal Clinics:** denbar.org/public/pro-bono-legal-assistance
- **Denver Bar Association’s Metro Volunteer Lawyers:** denbar.org/mvl
- **Disability Law Colorado:** disabilitylawco.org
- **Justice and Mercy Legal Aid Center:** jamlac.org
- **Korey Wise Innocence Project:** colorado.edu/outreach/korey-wise-innocence-project/
- **Mi Casa Resource Center:** micasaresourcecenter.org
- **Towards Justice:** towardsjustice.org

Just like cases that come with a fee, yours may take months, even years, to resolve. Ozahowski was eventually able to help a legal aid client whose daughter had been struggling in school. The district paid for extensive testing, the girl was diagnosed with a learning disability, and the school set up an individualized education program. Her grades improved and she now has access to counseling.

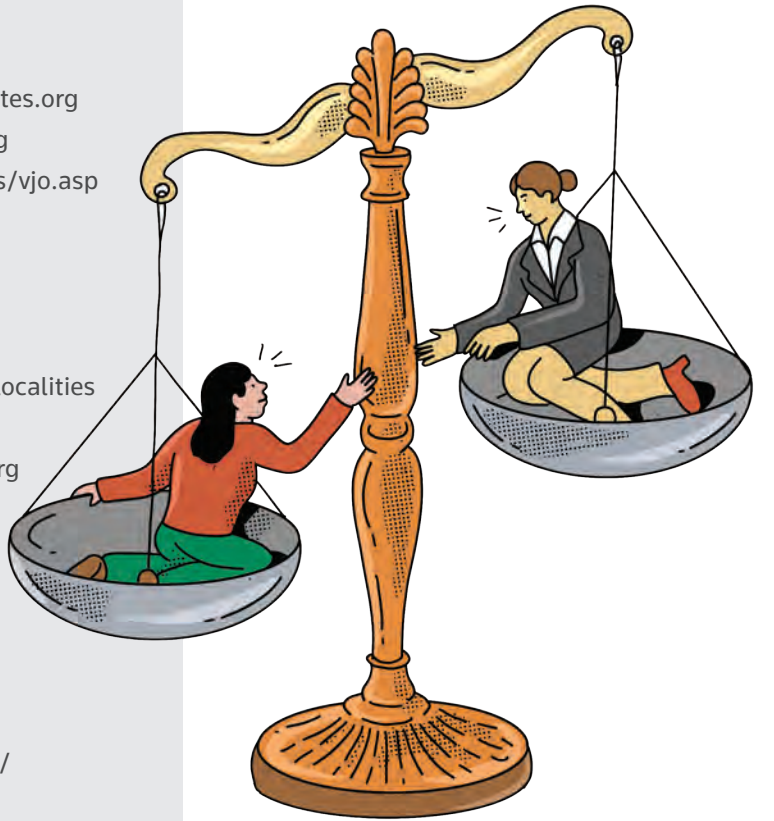
“Sometimes there might be curveballs thrown by another party,” says Vickers. “If you’re in a landlord dispute or an eviction or family matter, oftentimes legal proceedings are more of a marathon than a sprint. Just be willing to be flexible with the situation, given that the wheels of justice don’t always turn as quickly as we would like.”

The Risks of Going Alone

A common misconception is that pro bono services are somehow inferior to paid ones. Far from it, say those who regularly donate their time.

“Usually, the person is a pro bono attorney because of their passion for the law, or their passion for access to justice,” says Nishimoto. “You’re not settling when you get a free attorney.”

Redmond agrees. “We really are committed to making sure that, if somebody is without a lawyer, they at least are treated fairly to ensure that everyone gets the benefit of the laws.”



Some lawyers and firms may defer a portion of the casework to younger associates, but Brown says that's not necessarily a red flag. "Even though there might be a more junior attorney that's doing the day-to-day and interfacing with the client, there's always a partner or a senior attorney supervising them," he says. "Our attorneys work around the clock for some of the pro bono cases when they have big deadlines or big hearings."

Representing yourself can, of course, be a way to save money, but it comes with a downside—or several. For one thing, if a judge throws out your case for a simple mistake, or you lose, your rights may be compromised. An experienced attorney will likely be able to handle it more quickly and be less prone to errors.

"It might be simple and you might be able to get through it OK," Redmond says. "But it can be really complicated, too. You could miss something, and it could have a horrible outcome, especially when you can get that help for nothing. You can't just read a book and figure out how to do this, or ask ChatGPT."

Despite its popularity, artificial intelligence has limits when it comes to legal research—as do internet sources in general, for that matter. "There are certain nuances, because law is not black and white," Minamizono notes. "There are plenty of gray areas, and that's where you need the expertise of an attorney to suss out any possible problems in your case."

Enlisting the aid of an attorney can, in some cases, mean the difference between life and death. A while back, Brown was assigned

a pro bono case involving an HIV-positive client from the Dominican Republic who was living in the U.S. He was desperate to avoid returning to his home country, where he would undoubtedly lose access to the medications that were keeping him alive.

"Once he was able to get counsel, the court ended up agreeing with him that the deportation order should be reversed, and he was able to stay in the country," Brown says. "He probably would've been deported had he not found a pro bono lawyer."

Pro bono and legal aid open doors to the legal system that would otherwise be closed to a population that truly needs access. "There are a lot of barriers to our legal system, and taking away that financial barrier is huge," says Ozahowski. "Our legal system wouldn't function properly without legal aid. I can't overstate how important it is."

The client isn't the only one who benefits, either. "Based on all the conversations I have with attorneys at my firm that do pro bono, it's some of the most meaningful work to them," Brown says. "When you're able to help an individual who has no access to these kinds of systems without an attorney, it's much more personal, and you can see the impact you had on someone's life in a real way."

Adds Redmond, "I've seen people look at me and say, 'Oh my gosh, thank you so much. Now we can put up our holiday decorations.' They wouldn't do that because they thought they were losing their home. You can't replace that experience, knowing you truly made a difference." 