S
ince 2004, the Memphis Bar Association has offered a profession- and community-changing experience through its annual Leadership Forum. This program, designed for attorneys who are relatively new to the profession, seeks to develop the leadership skills of attorneys in their early years of practice, empower them to make greater contributions to the Memphis community and the legal profession, model and practice the highest standards of the legal profession, and encourage diversity. From October until the “graduation” in May, Leadership Forum participants explore topics and expand capabilities in topics including communication skills, conflict resolution, life/work balance, and confidence in the judicial system. In addition to monthly sessions, a key part of the program is the development and implementation of a community service project, to be completed by small groups of five attorneys each.

One of the groups, consisting of Memphis attorneys Harry Brown (sole practitioner), Mary Hamm (Burch Porter), Richelle Kidder (Butler Snow), Andrea Prater (Public Defender’s Office) and Bridget Warner (Butler Sevier), found the community service project to be an exciting — yet admittedly daunting — task. The group reflected on whom to help in Memphis (and how, and when, and where, and why). After batting around several ideas — some too big, some too small — the group landed on a need that seemed just right: the creation of an easy-to-use, printed resource guide that would assist ex-offenders who are making the transition from incarceration to the community.

The concept for this project was inspired through conversations with the Memphis-Shelby County Office of Economic Development — an agency that knows, only too well, the extraordinary strain that incarceration places not only on the individual, but on the community at large. With a desire to assist ex-offenders and advance principles of positive economic development, the group considered and decided to prepare a resource guide that would help ex-offenders access programs and people who want to help them succeed — understanding that in many cases, ex-offenders might not know where to begin to look for help.

continued on page 3
Welcome to the Summer 2011 edition of the Tennessee Volunteer Attorney. As always, you will find in these pages a snapshot of how people across our state are making access to justice a reality.

One theme of this edition is the Tennessee bar’s creativity in addressing unmet legal needs. Richelle Kidder of Butler Snow brings us our lead article about the work of the Memphis Bar Association’s Leadership Forum. Richelle was part of a group of lawyers that prepared a resource guide to help ex-offenders reenter the community. This work exemplifies the best of our profession — helping those who are marginalized in our society.

You will also find an article by Prof. Alistair Newbern of the Vanderbilt Law School about the launch of a Tennessee Appellate Pro Bono Program. This is a joint effort of the TBA and the Tennessee Alliance for Legal Services (TALS). Appellate pro bono representation has been a missing link in our access to justice bundle of services, and this program will fill that gap.

One of the most exciting new programs to come along is OnlineTNJustice.org. TBA President Danny Van Horn and TALS Executive Director Erik Cole bring us the story. OnlineTNJustice is another TBA and TALS collaboration. The concept is simple. Needy Tennessee residents submit legal questions in an on-line forum, and they get answers within a few days from knowledgeable lawyers across the state. We hope this service will be particularly effective in pairing the legal needs of rural Tennesseans with the disproportionate number of lawyers in our larger cities. So far, more than 250 lawyers have registered as volunteers for OnlineTNJustice.org.

We also recognize the outstanding work done by the Access to Justice Commission, the Tennessee Justice Center, and TJC’s Pro Bono Attorney of the Year, Jeff Smith, Partner in Charge of Adams & Reese’s Memphis office, as well as the pro bono work of individuals, firms, and corporate legal departments across Tennessee.

At the 5th Annual Corporate Counsel Pro Bono Gala held in March, the AutoZone legal department was recognized for their work in Memphis staffing an advance directives clinic and developing education materials about purchasing and financing used cars. I am proud of my colleagues at Bass, Berry & Sims, who were recognized at the same event for their work with AutoZone and in securing the commutation of the death sentence of E.J. Harbison. Finally, many kudos to the legal department at Community Health Systems for staffing a monthly legal clinic for residents of Williamson County.

I hope the snapshots in this newsletter have the same effect on you as they have on me — appreciation and awe for all the Tennessee bar does to meet the legal needs of all Tennesseans, regardless of their ability to pay.
The “not knowing where to look” theme guided the group in choosing a magnifying glass as the symbol for the 2011 Memphis/Shelby County Reentry Resource Guide. Similarly, the introduction explains that

The purpose of this resource guide is to serve as a magnifying glass — a tool to help you see and learn how to reach the people and programs who sincerely want to help you succeed. Admittedly, this resource guide is not a how-to-manual or a magic ticket to success after incarceration. Instead, this guide is meant to assist you in making good connections with the right people, where and when you need help.

The group’s research was informed by the efforts of other communities, such as Miami-Dade, Fla., and Travis County (Austin), Tex., which have likewise prepared guides for ex-offenders. Those guides provided a template to obtain information on programs in greater Memphis that can help people in need, including ex-offenders. With basic categories of programs in mind (e.g., substance abuse, housing, food, education, health care, jobs), the group set to work in finding programs that serve people in these areas. The categories quickly grew, however, as did the group’s understanding of the amazing types and quantities of work being done “on the ground” in Memphis. Who knew, for example, that there are more than a dozen organizations in greater Memphis that can help people in need, including ex-offenders. With basic categories of programs in mind (e.g., substance abuse, housing, food, education, health care, jobs), the group set to work in finding programs that serve people in these areas. The categories quickly grew, however, as did the group’s understanding of the amazing types and quantities of work being done “on the ground” in Memphis. Who knew, for example, that there are more than a dozen organizations in greater Memphis that assist people with a wide range of financial services, including applications for government and private benefits that can help make ends meet? Who knew that more than 30 organizations offer job training in fields ranging from cosmetology to computers, from health care to HVAC? With these and many more examples of organizations that help people in need, including ex-offenders, the 2011 Memphis/Shelby County Reentry Resource Guide eventually grew to a 40-page listing of resources in 12 categories: alcohol and drug abuse services, benefits and finances, clothing, education, employment, food, health care, housing, legal help, reentry and other resources, transportation, and utilities, as well as a listing of emergency phone numbers.

Along the way, the group learned another important lesson: if at all possible, plug into existing groups that are already involved in this type of work. In this regard, the group was extremely pleased to collaborate with the City of Memphis and Shelby County, Tennessee Board of Probation and Parole, and the Tennessee Reentry Collaborative (TREC). These organizations provided important contributions in terms of resource listings and encouragement; and perhaps most importantly, TREC has offered to update the guide in subsequent years to keep it current.

As the 2010-2011 Leadership Forum grew to a close in Spring 2011, final touches were put on the resource guide. The group was given the opportunity to present the project at the TREC meeting in April 2011, at which 200 copies of the guide (courtesy Burch Porter) were distributed. Given that the goal is to place the resource guide in the hands of as many people and organizations as possible to get the word out, the document was made available in electronic (.pdf) format and is available on the web sites listed in the box.

Finally, when the group presented its project at the Leadership Forum graduation in May 2011, it shared the following guiding principle — if this guide helps one ex-offender make a successful transition by “magnifying” the opportunities that are present in this great community — it was well worth the effort.

Richelle Kidder is Counsel at Butler, Snow, O’Mara, Stevens & Cannada PLLC in Memphis.

The Memphis/Shelby County Reentry Resource Guide is currently available for download at the websites listed. Please feel free to print the guide and give copies to people who can use it, share it via email distribution lists, and/or post on appropriate websites.

- Memphis Area Legal Services: http://malsi.org/links.php
- Shelby County District Attorney General’s Office: http://www.scdag.com/ (Help tab: “Resources & Help for Newly Released Inmates”)
ass, Berry & Sims PLC and AutoZone were recognized for their commitment to providing free legal services to the poor at the 5th Annual Corporate Counsel Pro Bono Gala on March 26 in Nashville. The event featured remarks by Tennessee Supreme Court Chief Justice Connie Clark and Nashville Mayor Karl Dean.

Tennessee Bar Association President Sam Elliott was on hand to present the 2011 Corporate Counsel Pro Bono Awards. Award recipients are selected each year from nominations submitted by attorneys across the state. One award is given to the law firm that best exemplifies extraordinary commitment to access to justice ideals, pro bono service and the Corporate Counsel Covenant of Service, while the other award is given to the corporate legal department that best exemplifies these qualities. The Corporate Counsel Covenant of Service states that corporate attorneys have an ethical obligation to provide pro bono legal services to the poor and underserved.

The gala, which included a dinner and ceremony, is part of the Corporate Counsel Pro Bono Initiative — a partnership between the Tennessee Bar Association (TBA) and the Association of Corporate Counsel that encourages and supports pro bono activities by lawyers serving as in-house and corporate counsel in the state. Since its beginning, the initiative has raised more than $200,000 to help bring legal services to the poor.

LAW FIRM AWARD
This year’s law firm award was presented to Bass, Berry & Sims for jointly producing an advanced directives clinic in Memphis, and for its advocacy on behalf of former death row inmate Edward Jerome Harbison.

First, the firm was recognized for working with AutoZone and Memphis Area Legal Services (MALS) to plan and host a legal clinic last summer for residents of low-income and blighted neighborhoods in Memphis. The clinic provided advance directives free of charge to many who would not have been able to afford such a service. Advance care directives are specific instructions, prepared in advance, that govern medical care should a person become unable to articulate their desires in the future.

In addition, the firm was recognized for its work on behalf of former death row inmate Edward Jerome Harbison. For three years, members of the firm invested more than 2,500 hours and traveled hundreds of miles across the state interviewing witnesses and reviewing long-forgotten court records. Through its efforts, the firm was able to demonstrate that Harbison’s death sentence was the result of ineffective counsel and was highly disproportionate to the punishment received by others for similar crimes in the state. In January, then Gov. Phil Bredesen agreed with the firm’s findings and commuted Harbison’s death sentence to life in prison without parole. The commutation came just one month prior to Harbison’s scheduled execution and after he had served 27 years on death row.

In nominating the firm, Nashville lawyer David Garrison with the law firm of Barrett Johnston wrote, “Few firms in Tennessee could have (or would have) brought to bear the resources that were necessary to make this outcome for Mr. Harbison possible. Bass Berry’s willingness to do so sets an example for other large law firms in our state and shows an ongoing commitment to justice for the indigent and underserved that deserves to be recognized.”

LEGAL DEPARTMENT AWARD
This year’s corporate legal department award was presented to Memphis-based AutoZone for organizing an
advance directives clinic last summer, and for producing an educational video to help low-income individuals make wise decisions about purchasing used cars.

The company worked with the Memphis office of Bass, Berry & Sims and MALS to plan and host an advance directives clinic for residents of low income neighborhoods in the city. AutoZone partnered with lawyers and summer associates from the firm, as well as with specially trained law students from MALS’ Peace of Mind for Seniors Project, to make this important service available to needy Memphians.

In addition, the company was recognized for developing and distributing education materials about purchasing and financing used cars. “The A-Z of Used Car Buying” campaign involved production of a video in which an auto mechanic demonstrates what to look for in a used car, an attorney discusses what clients should know about the legal aspects of buying a used car and an AutoZone employee describes how to maintain a used car. In nominating the company for this award, Linda Warren Seely, director of private attorney involvement at Memphis Area Legal Services, said that transportation is a serious problem for legal aid clients and that MALS frequently receives inquiries about the purchase, financing and repossession of used cars. She anticipates this new resource will be of significant value to the agency.

SPECIAL RECOGNITIONS
For the last five years, Memphis lawyers Jim Barry with International Paper and Andy Branham with Counsel on Call have coordinated the initiative and helped raise more than $200,000 for pro bono activities. TBA Access to Justice Committee Chair David Esquivel presented them both with an award to thank them for their leadership and service.

Three Programs Receive Corporate Counsel Pro Bono Initiative Funds

Funds raised from the annual gala are given back to the legal services community in the form of grants to fund pro bono programs. This year the initiative funded three grant requests. The Tennessee Justice Center received $10,000 to expand an existing program to train and enlist pro bono counsel to handle individual administrative TennCare appeals. The Tennessee Alliance for Legal Services received $15,000 to support the administration of OnlineTNJustice during its first year. The Community Legal Center received $10,000 to train additional pro bono lawyers to handle cases before the Memphis Immigration Courts. The Immigrant Justice Program provides representation to low-income immigrants, many who are children or victims of domestic violence.
THE POWER OF PRO BONO

TBA and TALS Launch the Tennessee Appellate Pro Bono Program

By Alistair Newbern

As every lawyer knows, there is no guarantee that a case comes to an end when the trial court enters its judgment. The prospect of another round in a higher court is common, whether as the appellant seeking to correct a trial court error or as the appellee defending a successful result. But what if a client can no longer afford to pay for representation after the initial round of litigation? Or what if a pro bono attorney cannot continue to represent the client through an appeal? And what if an attorney wants to take pro bono cases but does not specialize in trial practice? What if her talents are in appellate litigation?

In the spring of 2011, the Tennessee Bar Association (TBA) and the Tennessee Alliance for Legal Services (TALS) came together to launch a new initiative directed at addressing precisely these questions. The Tennessee Appellate Pro Bono Program is a joint project of the TBA Access to Justice Committee, the TBA Appellate Practice Section, and TALS. Its straightforward mission is to connect lawyers with appellate practice experience with clients who need pro bono representation on appeal.

The Appellate Pro Bono Program has three primary goals:

• To enhance access to justice for low-income litigants in Tennessee’s appellate courts by establishing a panel of qualified appellate attorneys to accept pro bono representation of clients on appeal;
• To provide increased opportunities for attorneys with appellate practice expertise to use their skills to serve clients who could not otherwise afford representation; and
• To provide an opportunity for senior appellate attorneys to mentor and supervise young lawyers seeking appellate practice experience through pro bono representation.

The Program has already placed two cases with volunteer attorneys. Bass, Berry & Sims associate Cecil VanDevender is partnering with Legal Aid of East Tennessee staff attorney Emily O’Donnell in an appeal challenging a Chattanooga public housing complex’s eviction procedures. Dyersburg attorney Lewis Jenkins, a partner at Wilkerson, Gauldin, Hayes & Jenkins, accepted a case from Legal Aid of East Tennessee addressing the impact of new domestic violence legislation. LAET attorney Jane Morris reports:

The appeal that Lewis [volunteered for] concerns a $2,500 bond that the legislature decided last year to impose in every domestic violence case where there is a violation of the Order of Protection. This bond potentially affects thousands of cases every year … Legal Aid wanted to be in on the appeal because the issue is so critical. However, once we realized that the appeal involved several intricate constitutional issues, we had concerns that we would not have the resources to handle it as well as we wanted. The Appellate Pro Bono Project was just what we needed. We are so appreciative of the excellent work that Lewis has done.

Cases referred to the Appellate Pro Bono Program go through an initial screening by TALS and are then referred to a panel of volunteer attorneys from across Tennessee. These attorneys have identified themselves as having particular experience or interest in appellate litigation and a desire to contribute their talents to pro bono work. Twenty attorneys have already volunteered their talents, and we look forward to recruiting more volunteers as the program develops. All volunteer attorneys receive one hour of free appellate-practice CLE from the TBA and are covered by professional liability insurance maintained by TALS for their pro bono work. A small litigation fund is also available to help defray some costs of appeal.

In its initial phase, the Appellate Pro Bono Program is accepting cases referred by legal services and public interest lawyers and by pro bono lawyers who handle a case at the trial court but cannot continue representation on appeal. Cases are screened by TALS staff and a coordinating committee of attorneys before they are referred to the volunteers. Criteria for case selection include a significant novel or unsettled question of law, error in the trial court that may have impact outside of the individual case, a split of authority, or a possible precedent-setting decision. All clients referred to counsel through the program must not otherwise be able to afford appellate representation.

The Appellate Pro Bono Project continues to recruit volunteers and cases for referral. If you would like to refer a case for representation, contact TALS Policy and Training Director Lisa Primm at lprimm@tals.org. To volunteer for the project, contact Sarah Hayman at shayman@tnbar.org.

Professor Alistair Newbern runs the Vanderbilt Law School Appellate Litigation Clinic, in which third-year law students practice before appellate courts on behalf of clients who could not otherwise afford representation. Newbern is chair of the Appellate Pro Bono Program and also serves on the TBA’s Access to Justice Committee.
SAVE THE DATE

Equal Justice University 2011

The Tennessee Alliance for Legal services and the Tennessee Bar Association invite you to SAVE THE DATE for this year’s Equal Justice University (EJU) — Class of 2011, Oct. 12-14, at Paris Landing State Park.

Equal Justice University is the annual gathering of approximately 200 lawyers, advocates, professionals, and pro bono attorneys involved in providing civil legal assistance across Tennessee. EJU provides a unique opportunity for this community to gain up to 15 hours of Continuing Legal Education credits through workshops, task force meetings, and networking. The EJU experience not only renews the civil legal service community’s commitment to equal access to justice in Tennessee, it also introduces new pro bono lawyers and community advocates to this important mission.

Legal Services Corporation President James J. Sandman will address attendees on Wednesday, October 12.

Learn more about EJU and sponsorship opportunities by visiting the TALS website or email Linnet Overton.

THE POWER OF PRO BONO

Celebrate Pro Bono 2011

Building on the extraordinary success of the second annual National Pro Bono Celebration in 2010, the ABA Standing Committee on Pro Bono and Public Service is sponsoring the Celebration again this year. The Tennessee Bar Association will use the entire month of October to bring attention to the need for pro bono work and celebrate the thousands of hours that Tennessee lawyers already contribute to bringing access to justice to all Tennesseans.

During last year’s celebration, volunteers from the TBA and its Young Lawyers Division, local bar groups, law schools and legal aid organizations hosted 39 events where 452 volunteers, including 291 lawyers and 161 non-lawyers (such as paralegals, law students, social workers and interpreters) helped meet the legal needs of 1159 Tennesseans.

In addition, three free CLE programs provided training to 115 lawyers who have agreed to provide pro bono either through a clinic or by taking on pro bono cases!

Are you planning a Celebration event in your community this October? Let us know about it! The TBA will promote and publicize local Celebration events via TBA Today throughout the entire month of October. Please contact Sarah Hayman at (615) 383-7421 or shayman@tnbar.org to share details about your Celebration.

For more information visit the national Celebration website http://www.probono.net/celebrateprobono/
The plight of low-income Tennesseans with unmet legal needs is well-documented. Any lawyer who has worked with vulnerable communities knows that minor legal issues can turn major without legal advice or information. The statistics show that nearly 70 percent of Tennesseans living in poverty had a civil legal need in the past year. Legal Aid and pro bono attorneys can help, but they are not able to reach everyone in need, particularly those living in rural areas. The economic crisis makes matters worse as the number of people who need legal services continues to grow. Tennessee lawyers and legal aid programs are turning to technological innovation to help meet this need.

This spring the Tennessee Bar Association and the Tennessee Alliance for Legal Services launched OnlineTNJustice.org to help meet low-income Tennesseans’ civil legal needs. Former TBA President Buck Lewis is credited with the vision for the project as he was very involved in his local pro bono clinic, but realized the limitations of this traditional model. Lewis convinced the IT department at his firm Baker, Donelson, Bearman, Caldwell & Berkowitz to develop the website in consultation with leaders from the legal community. The firm worked with its Microsoft representative to secure a grant to cover the cost of software and licensing for the website; in May 2010, the firm received a perpetual annual grant from Microsoft (valued at $67,299). Also, thanks to Lewis’ leadership, the state Supreme Court and its Access to Justice Commission lent their support to the program by including it in the commission’s first strategic plan released in July 2010.

The concept of OnlineTNJustice.org is a web-based pro bono clinic for low-income Tennesseans who might otherwise fall through the cracks of receiving legal assistance. Using a web-based email platform, qualifying users can post questions about their civil legal needs and receive basic legal information and advice from attorneys. The website is easy-to-use, requires minimal commitment, and is convenient for both volunteer attorneys and low-income client/users. The goal of this project is twofold: to increase access to justice for low-income Tennesseans, particularly in rural areas and to remove barriers to attorneys providing pro bono services.

Currently there are more than 250 attorneys registered as volunteers and more than 100 registered client/users. Most posted questions pertain to family law issues, but volunteer attorneys are available to answer questions related to all civil legal problems including disaster-related, fraud, and health care issues. Over the past two months, more than 150 questions have been posted and answered. Most questions are answered within a day or just a couple hours.

Volunteer attorneys are integral to the success of the project. They have shown enthusiastic support for the website as an additional pro bono tool. They appreciate that the program is flexible with their work schedules and meets their practice interests. More than 90 percent of participating attorneys report that they will use OnlineTNJustice.org to provide pro bono services in the future and will recommend this program to colleagues. One volunteer attorney praised the website’s special features, such as the ability to subscribe to substantive law areas, but emphasized, “I like knowing that there is a place folks can ask a legal question.”

Though it is still in its infancy, OnlineTNJustice.org is already making an impact on peoples’ lives. The satisfaction surveys show that more than 87 percent of client/users found the website easy to understand and will share this resources with others. “God bless you!” one website user raved, “Thank you so much for the advice! This service is a vital asset to our community!”

Erik Cole is the executive director of the Tennessee Alliance for Legal Services as well a member of the Nashville Metro Council representing District 7. Danny Van Horn is president of the Tennessee Bar Association and serves as the commercial litigation practice group leader for Butler, Snow, O’Mara, Stevens and Cannada in Memphis.
The Access to Justice Commission and its advisory committees have had a very productive six months. The year began with the Pro Bono Summit sponsored by the Supreme Court and the Commission. Despite the snow and ice brought on by a winter storm, more than 150 lawyers, librarians, community leaders, and social service providers participated in the Summit. The event was a tremendous success and energized the legal community to strive to increase pro bono legal services in 2011.

As a result of the Summit, the Commission received numerous requests from participants to be added to advisory committees. All of these volunteers were included in committee meetings and have greatly helped the Commission strive to complete its goals. Since the Summit, the advisory committees and subcommittees have accomplished a great deal.

The Pro Bono Committee, in conjunction with the TBA Access to Justice Committee, finalized and submitted proposed changes to the Rules of Civil Procedure to permit limited scope representation and provide attorneys with guidance on how to offer unbundled legal services. The proposed rules will be presented to the Rules Commission in Aug. 2011. The Pro Bono Committee will submit proposed revisions of the pro bono reporting form contained in the annual attorney renewal statement to the Commission at its next meeting with the goal of streamlining the reporting process and encouraging more attorneys to report their pro bono work. This Committee will also submit reports on modest means initiatives around the country and a pro bono mediation proposal.

The Pro Se/Forms Committee is working on three on-going projects, all designed to make the court system more user friendly. The first project, which will wrap up this summer, is the plain language divorce forms when there are no minor children involved. A subcommittee is reviewing the public comments to these forms and will make a formal recommendation to the Court as to whether to incorporate the comments. The second project this group is working on is the review of the plain language version of the Parenting Plan for legal sufficiency and readability. The third project is a Pro Se Benchbook for general sessions judges. The subcommittee leading this project will have a working draft available for the Committee to review in the upcoming months. Future projects that this Committee will tackle are plain language civil forms and a review of plain language instructions to the Child Support Worksheet.

At its April meeting, the Commission approved recommendations from the Education/Public Awareness Committee designed to educate Supreme Court Rule 31 mediators on the pro bono requirement and make it easier for Rule 31 mediators to conduct pro bono mediations. The recommendations were forwarded to the Alternative Dispute Resolution Commission for its review at its July meeting.

Spurred on by the momentum of a break out session on pro bono in rural areas at the Pro Bono Summit, the Technology Committee is reviewing proposals for pilot projects designed to connect attorneys with those in need of pro bono legal services in rural areas. The AOC has formed an Interpreter Work Group as a result of the work of the Technology Committee and the Disability and Language Barriers Committee. This group is comprised of court clerks, court interpreters, judges, and attorneys and will examine ways to use remote interpreting to meet the need of limited English proficiency litigants and ensure the quality of interpreters.

The AOC coordinated a presentation at the June Tennessee Judicial Conference on how judges can assist pro se litigants. The panel discussion featured Chief Justice Cornelia Clark, Judge Don Ash, Chancellor James Butler and Margaret Behm, chair of the ATJ Commission. The AOC also sponsored presentations at the May and June State Court Clerks Association Conferences on access to justice issues, specifically the Guidelines for Tennessee Court Clerks Who Assist Self-Represented Persons. The chair of the Commission opened the May presentation while I participated in the June presentation. The Commission continues to reach out to and support the judiciary and the court clerks as these groups are on the “front line” and have a wealth of experience and knowledge in working with individuals who cannot afford legal assistance.

The Commission continues to encourage and support OnlineTNJustice, the joint project between TALS and the TBA. The Commission is excited that the launch of the website designed to permit attorneys to provided limited legal advice via email was successful and the website has been positively received by members of the bar.

While a great amount of work has been accomplished in 2011, there is still much more to be done. The Commission will begin to wind down its 2010 Strategic Plan and begin working on a new Strategic Plan to present to the Court in 2012. As always, the Commission welcomes your participation and any thoughts or suggestions members of the bar have on access to justice issues.

Anne-Louise Wirthlin is access to justice coordinator for the Administrative Office of the Courts.
By day they deal with multi-million dollar deals. By night they help low-income people deal with their legal problems. They are the superhero lawyers of Franklin-based Community Health Systems Professional Services Corporation — helping low-income Williamson Countians leap over tall legal problems at no charge.

And you can catch a glimpse of their superpowers in action the first Tuesday of the month at the Williamson County Public Library, 1314 Columbia Avenue, when they hold a free legal clinic from 6 to 8 p.m.

The monthly clinics, which began in January, offer free legal advice to any resident of Williamson County. They are staffed by CHS attorneys in partnership with the Williamson County Bar Association and Nashville Pro Bono Program. Four attorneys, at least one of whom has litigation experience, staff the clinic each month.

“This program gives our attorneys a chance to give back to the community in a way that directly helps people, which is wonderful. We’re grateful to the Nashville Pro Bono Program for this opportunity to help assure that access to justice is available to everyone, not just those who can afford it. I believe it’s been as rewarding for us as it has for the people who have come to the clinics,” said Rachel Seifert, executive vice president and general counsel of Community Health Systems.

Since the program began, 163 Williamson Countians have received free legal advice and counsel, according to Lucinda Smith, director of the Nashville Pro Bono Program. Typical legal problems include employment disputes, housing issues and broken contracts, she added.

Seifert said the program grew out of attorney Justin Pitt’s need to leave a meeting promptly at the scheduled end time.

“I asked Justin where he was going and he said to work on a pro bono project he had begun while working at Bass, Berry & Sims, his former law firm, which has a very active pro bono program. I was impressed by his dedication and it brought back memories of the pro bono work I undertook while working at a law firm earlier in my career,” she said. “It also made me realize that lawyers don’t need to work at a law firm to do pro bono work, and that it would be a unique way to give back to the community by actually providing the services needed. So we contacted the Nashville Pro Bono program and asked them to put us to work. This monthly free clinic was their suggestion. It’s been a great experience for everyone.”

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**Calendar**

**AUGUST 15**
Nominations due for TBA Public Service Awards

**OCTOBER 12-14**
TALS Equal Justice University, Paris Landing State Park

**JANUARY 14**
Tennessee Bar Association’s Public Service Luncheon, Nashville

**MARCH 24**
Sixth Annual Corporate Counsel Pro Bono Initiative Gala, The Hermitage Hotel, Nashville

*To have your event listed in an upcoming newsletter, contact Sarah Hayman at (615) 383-7421 or shayman@tnbar.org*
Health insurance policies can sometimes be the bane of plainly written English. Couple that with the bureaucracy of insurance adjusters and ordinary people may find it quite challenging to decipher the reason behind a benefits determination or to wend their way through the administrative appeals process. How many of us have been called by family members to help them understand “what is going on here?”

If you have, then you know how complex it can be to answer the question of what services are covered with any degree of certainty. One provision says a service is covered, but an exclusion later in the policy says it is not covered under certain circumstances.

For those receiving health care benefits through TennCare, that complexity is magnified by layers of byzantine statutes, rules, regulations and case law. Not only will an enrollee be confronted by assorted TennCare specific regulations, an administrative appeal of a TennCare benefits decision is governed by the Uniform Administrative Procedures Act and a number of consent decrees.

It is not difficult to see how families on TennCare can be overwhelmed by the administrative appeals process. The notices of benefits denial are filled by block quote after block quote of TennCare regulations upon which the denial of benefits is based. Though the letter seems intended to communicate to enrollees in simple language, eyes often glaze over after page upon page of TennCare regulations — the antithesis of straightforward writing. And of course, there is the fact that emotions are at play when a mother receives written notice her son or daughter will no longer be receiving care that had previously been approved by TennCare.

When TennCare benefits get cut, who answers the call of needy families in Tennessee who want to know “what is going on here?” The Tennessee Justice Center and a host of volunteer pro bono attorneys do. But with the state’s mounting budget pressures, the need for help will continue to grow. The work is richly rewarding; the families universally appreciative. You don’t have to be a TennCare expert to help these families in need. They are just happy to have someone answer the call who is willing to work on their behalf to find out “what is going on here.”

For more information about the Tennessee Justice Center, its client services, and free pro bono CLE trainings, the center’s website, http://www.tnjustice.org or call 615-255-0331 to speak with Chris Coleman.

Jeff Smith is a lawyer with Adams & Reese in Memphis and serves as partner in charge. Smith was recently selected as TJC’s Pro Bono Attorney of the Year.

Submit a Nomination for the TBA Public Service Awards

Each year the Tennessee Bar Association recognizes outstanding service by attorneys who have donated their time to help others. The three awards given are the Ashley T. Wiltshire Public Service Attorney of the Year, the Harris Gilbert Pro Bono Volunteer of the Year Award and the Law Student Volunteer Award.

The Ashley T. Wiltshire Public Service Attorney of the Year Award is given to an attorney for representation above and beyond the call of duty of an indigent client in either criminal or civil defense. The Harris Gilbert Pro Bono Volunteer of the Year Award recognizes private attorneys who have contributed significant amounts of pro bono work and have demonstrated dedication to the development and delivery of legal services to the poor. The Law Student Volunteer Award recognizes a Tennessee law school student who provides outstanding volunteer services while working with an organization that provides legal representation to the indigent.

Award nominations are due by Monday, August 15. For more information and to submit a nomination, visit http://www.tba.org/committees/AccessJustice/ajawards.html.

Award winners will be honored at the Tennessee Bar Association’s Public Service Luncheon on Saturday, January 14, in Nashville.
Ready to Volunteer?

**WEST TENNESSEE**
Community Legal Center
910 Vance Avenue
Memphis, TN 38126
(901) 543-3395
www.clcmemphis.com/volunteerapp.html

Memphis Area Legal Services
109 North Main Street, Suite 200
Memphis, TN 38103
(901) 523-8822
www.malsi.org/volunteer.php

West Tennessee Legal Services
P.O. Box 2066
Jackson, TN 38302
(731) 423-0616
www.wtls.org

**MIDDLE TENNESSEE**
Legal Aid Society of Middle Tennessee & the Cumberlands
300 Deadrick Street
Nashville, TN 37201
(800) 238-1443
www.las.org/about/get_involved/volunteer

**EAST TENNESSEE**
Legal Aid Society of East Tennessee
Charlie McDaniel, pro bono director
744 McCallie Avenue, Suite 410
Chattanooga, TN 37403
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