



philadelphia
LAWWORKS
A project of Philadelphia VIP

Volunteer Handbook

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Dear VIP Volunteer:

Thank you for saying YES! We are pleased to welcome you to the distinguished ranks of Philadelphia VIP volunteers. This handbook is intended to familiarize you with Philadelphia VIP and its referral procedures. If you have questions, VIP's staff is always available to help you.

On behalf of the more than 400,000 low-income residents of the City of Philadelphia who are eligible for free legal services, we thank you for your contribution. With your help, we can make a difference in the lives of our clients and our community.

Sincerely yours,

The VIP Staff and Board of Directors

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In partnership with the Philadelphia Bar Association, Community Legal Services, the Philadelphia Bar Foundation, and Philadelphia Legal Assistance.

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I. Introduction to VIP

More than 25% of Philadelphia's citizens fall below the federal poverty line. For most families, this means a daily struggle for employment, family stability and shelter. These individuals and families also are disproportionately involved in the legal system, needing the courts to help secure their basic human needs. Individuals and families who are denied access to justice are at risk for losing their income, connections to their family and their home. Moreover, for the growing number of citizens for who English is a second language, self-representation is, at best, difficult and frustrating.

To leverage greater free legal services, VIP effectively recruits and supports more than 1,200 volunteers each year and has been linking these volunteers to residents, small businesses and nonprofits since 1981. Each dollar invested in VIP provides more than \$3.50 in legal services to clients. In 2014, Philadelphia VIP's pro bono attorneys represented more than 2,800 individuals, families, nonprofits and small businesses. The estimated value of the legal services provided in 2014 is more than \$3,146,400.

a. What We Do

VIP recruits, trains, and supports volunteer lawyers to represent eligible clients where critical legal needs are at stake. For a complete list of VIP's substantive legal areas, please see Appendix C.

Promoting Family Stability

Domestic Relations - VIP prioritizes contested cases, especially where the opposing party has counsel, such as: **divorce, child custody, child support, spousal support, protection from abuse**. VIP will accept **adoption** (generally for step-parents or kinship caregivers) and **name change/birth certificate amendment cases** (for adults or minors).

Estate Planning -- VIP accepts cases for clients who are seeking a will, advanced health care directive ("living will") or medical and financial power of attorney.

Guardianship - VIP accepts cases when both the petitioner and the allegedly incapacitated person are indigent.

Preserving Income

Consumer Litigation – VIP accepts cases in which a client has been sued as a result of a consumer contract, e.g., car purchase, home repairs, etc.

Tax – VIP accepts cases concerning clients' disputes with federal income tax. VIP does not assist clients in preparing tax returns.

Tort Defense – VIP accepts cases for tort defendants who have a home or other crucial asset at risk and no other defense resources. Most of our cases involve automobile accidents or "slip and fall" cases, although there are sometimes other types of tort defense cases. VIP only accepts auto accident cases when the client is a licensed driver.

Preventing Homelessness

Landlord-Tenant -- VIP accepts cases of tenants in eviction proceedings. In certain circumstances, VIP may also accept some cases of low-income landlords who must resort to eviction to protect themselves and their property.

Mortgage Foreclosure --VIP accepts cases to assists clients negotiate or litigate mortgage foreclosure cases.

Tangled Title -- VIP accepts cases in which clients are seeking to establish clear title to their homes.

Community Economic Development

Through the Philadelphia LawWorks project, VIP volunteer attorneys can assist eligible non-profits and small businesses with transactional, advising, and drafting needs including: **incorporation, application for tax-exempt status, board advice, contracts, corporate governance, real estate, intellectual property, employment, and zoning, among others.**

b. Funding

Donations

VIP is a not-for-profit corporation organized under section 501(c) (3) of the Internal Revenue Code and serves as the pro bono arm of the Philadelphia Bar Association. It is funded primarily by funding from foundations, corporation and individuals, and receives in-kind support from Philadelphia Legal Assistance (PLA). Other sources of income include Donor Option (#7763) contributions through United Way (VIP does not receive United Way grants from undesignated contributions), and direct contributions from law firms and individuals.

Should you wish to make a financial contribution to VIP or if you have contacts at foundations or corporations, please contact VIP's Executive Director or donate online at <http://phillyvip.org/donateonline>.

Attorney's Fees

VIP also receives very limited funding from attorney's fee awards in VIP cases. Such awards, i.e. the net remaining after the subtraction of any unreimbursed costs incurred by the volunteer attorneys, are governed by VIP's attorney's fee policy, which is attached as Appendix H. VIP encourages volunteers to obtain attorney's fees whenever possible and will assist with the preparation of fee applications.

Solicitation

VIP has a strict no solicitation policy. Should a VIP client ask for assistance on any other matter besides the one assigned to you as a volunteer, please contact the managing attorney.

I. VIP's Clients

To qualify for services provided through VIP, clients must reside in Philadelphia or their legal problem must have arisen in Philadelphia, and clients must satisfy the financial eligibility guidelines in effect for legal services organizations. All of VIP's individual clients live at or below 200% of the federal poverty guidelines.¹ The 2015 Financial Eligibility Guidelines can be found at

Appendix A. All clients are determined to be eligible for services before their cases are referred to volunteers.

Citizenship status does not preclude VIP from accepting a client for matching with a volunteer attorney, though we do try to collect the information for our records. For more information, please contact VIP staff. More details regarding eligibility guidelines can be found at Appendix A.

a. Working with VIP’s Clients

VIP’s volunteers come from all practice areas, and may not be familiar working with some of the issues our clients regularly face. Below are some common concerns volunteers encounter, some suggestions for how to address these concerns, and possible next steps. Please do not hesitate to contact the VIP staff member who referred your case or the managing attorney if you have any questions.

Common Concern	Suggested Course of Action	Next Steps
<i>Client has limited proficiency speaking and understanding English</i>	Request a translator or interpreter from VIP to assist with client meetings	Contact VIP staff for more resources
<i>Client has limited proficiency reading and writing in English</i>	Request a translator or interpreter from VIP to assist with client letters and communications	Contact VIP staff for more resources
<i>Client has difficulty reading and/or writing</i>	Try scheduling times to speak on the phone with your client or scheduling in-person meetings; remember to read out loud any written materials	Contact VIP staff for more resources
<i>Client has limited mobility or is homebound</i>	Try scheduling times to speak on the phone with your client or schedule a home-visit with your client	Contact VIP staff for more resources
<i>Difficulty getting in touch with your client</i>	Send a letter to your client’s home address requesting they contact you by a specific date, including good times for them to call you	Contact VIP staff to reach out to the client
<i>Client’s phone number has been disconnected</i>	Send a letter to your client’s home address saying that the phone number you have is not working, requesting if there is another number you can reach them and including good times for them to call you	Try calling again after a week or two, then contact VIP staff to reach out to the client
<i>Client has not</i>	Send a letter to your client’s home	Call your client again after a

¹ LawWorks financial eligibility for small businesses is 300% of federal poverty guidelines.

<i>provided requested documents or information</i>	address listing the specific information and/or documents and requesting them by a specific date. Include a self-addressed, stamped envelope your client can use to mail the documents to your office	week or two to remind them, then contact VIP staff to reach out to the client
<i>Client has not arrived for scheduled meetings</i>	Try calling your client a day or two in advance of a scheduled meeting to remind them and clarify any steps or security procedures they will need to meet you at your office	Send a letter to your client's home address reminding them of the scheduled meeting and what information or documents you will need, then contact VIP staff to reach out to the client
<i>Client "drops-in" without a scheduled meeting</i>	Remind your client that you can meet only at the times you have scheduled in advance	Contact VIP staff and request to meet your client at VIP's offices

II. How the Program Works

VIP's clients are generally referred to VIP by other legal services agencies, and VIP attempts to refer clients who have meritorious civil cases to volunteers. VIP screens each case to ensure that the client is income-eligible and to determine that the claim or defense is meritorious. VIP's staff then contacts prospective volunteers to find a person willing and able to handle the case who can provide high-quality professional services. After the referral is made, the staff periodically contacts the volunteer to determine the status of the case and to ask whether any support services are needed. For details about the Case Referral Process, please see Appendix D. Please note: VIP does not accept criminal or fee-generating matters for referral to volunteers.

III. Support Services

VIP offers many supportive services to ensure that our volunteers have the training and mentoring needed to effectively represent a client.

VIP Staff

VIP staff includes staff attorneys, pro bono case managers, and law student interns who are available to answer questions and provide guidance on your VIP case. Staff can assign co-counsel or a mentor, if desired. The VIP staff also now includes social workers and social work interns who may be able to provide social service resources and referrals.

Training Materials and Resources

VIP offers its volunteers substantive training sessions conducted by experts in various fields of the law. Most training seminars last two hours and carry with them two (2) CLE credits if the attorney accepts one (1) client referral and handles the case to completion. A current schedule of training sessions is available on VIP's website. The schedule is also published in the *Legal Intelligencer* and the Philadelphia Bar Reporter.

VIP offers an extensive resource library on VIP's website, which includes training materials, sample pleadings, forms and other literature. Volunteers may also request the use of VIP's library card for Jenkins Memorial Law Library.

VIP also provides volunteers with video recordings of CLE trainings. Our partner, NextGen Reporting, provides online access for our volunteers to view these videos. In order to access the online portal, please visit our website at <https://www.phillyvip.org/resources/>

Each video has a VIP Password. To access our video repository, please email our Volunteer & Communications Coordinator, Joanna Volpe, at jvolpe@phillyvip.org.

Malpractice Insurance

Throughout the course of the representation, the volunteer is covered by VIP's professional liability insurance for negligence claims arising from the handling of the VIP matter.

Mentors

VIP has a panel of legal experts available for consultation in virtually every area of the law. Please see below for more information.

Translators and Interpreters

Through the ATLAS Program, VIP recruits multilingual law students and paralegals that assist our volunteers with translation services. Please see below for more information.

Other Services

Court reporters, title insurance companies, mediators, investigators, hand writing experts, process servers, appraisers and other experts are often available through VIP on a low or no-cost basis. VIP volunteers who need services from such experts should call VIP to find out what services are available. In extraordinary circumstances, VIP may reimburse unavoidable costs that the client cannot afford to pay if VIP approves the expense with sufficient advance notice (preferably at least two weeks).

a. VIP Mentors

VIP offers a wide range of mentoring services. Whether a volunteer needs guidance and one-on-one assistance through all stages of a case or merely wants someone to discuss case strategy with, VIP has appropriate mentors who are highly regarded in their respective areas of expertise. The VIP mentoring program offers newer attorneys the opportunity to work with these seasoned practitioners. The program also provides a unique opportunity for senior attorneys to share their considerable knowledge and experience and to promote access to high quality *pro bono* representation.

A volunteer attorney who would like to work with a VIP mentor should contact the VIP staff member who referred the case or the managing attorney. If you would like to be a VIP mentor, please email VIP at phillyvip@phillyvip.org.

b. ATLAS Program

ATLAS (Advocacy through Language Access Service) is a partnership between VIP and Temple University Beasley School of Law pairing multilingual law students and paralegals with VIP volunteer attorneys working with clients with limited English proficiency. ATLAS volunteers can

assist with phone calls, in-person conversations, and document translation. A volunteer attorney who would like an interpreter or translator to assist them with a VIP client with limited English proficiency should contact the VIP staff member who referred the case or the managing attorney. If you would like to be an ATLAS volunteer, please email VIP at phillyvip@phillyvip.org.

c. Expectations and Responsibilities

VIP's Responsibilities to our Clients and our Volunteers

- 1) Monitor case and provide technical assistance and advice
- 2) Track cases and their outcomes
- 3) Arrange free or low-cost support services, and approve requests for reimbursement of costs or acknowledge any unreimbursed costs as charitable contributions
- 4) Coordinate CLE training programs and materials (please see Appendix G)
- 5) Respond to any questions or concerns from attorneys and clients

Volunteers' Responsibilities

- 1) Complete any case accepted from VIP
- 2) Discuss with the client the extent of the representation that the volunteer agrees to undertake on the client's behalf
- 3) Fill out the Representation Agreement, sign and obtain the client's signature and return it to VIP
- 4) Consult with the VIP referring attorney or pro bono case manager for technical assistance, or to request training, a mentor, co-counsel or other support as necessary
- 5) Keep VIP advised of the status of the case and any problems encountered by completing and returning all Status Request Forms to VIP in a timely manner
- 6) Complete and return the Closing Form to VIP along with a copy of the closing letter sent to the client when the case has ended

Clients' Responsibilities

- 1) Maintain regular contact with the volunteer
- 2) Provide requested information and documents in a timely fashion
- 3) Keep scheduled in-person and phone meetings
- 4) Communicate any updated changes to the volunteer regarding the client's situation or case facts

d. Who Should I Contact? – Questions, Concerns, Suggestions

Being a VIP volunteer should be a rewarding experience. Our staff is always available for any questions, concerns or suggestions you may have about your case or the program. We try to respond to all phone-calls and e-mails within two business days. Below is a list of staff people most likely to be able to address your concerns. If that person is unavailable, any other staff member will be happy to help you – our door is always open!

Executive Director

- Suggestions for recruiting new volunteers
- Suggestions for improving VIP procedures and volunteer experiences
- Questions about in-kind or monetary donations

Managing Attorney

- Authorization for payment of case-related costs, where costs cannot be waived or otherwise provided and the client cannot pay
- Questions or doubts regarding the legal merits of case
- Questions or doubts regarding a client's financial eligibility
- A client requests legal services for an unrelated issue

Referring VIP staff person

- Requests for client support services
- Questions or concerns regarding client relations

e. Contact Information

Philadelphia VIP
1500 Walnut Street, Suite 400
Philadelphia, PA 19102
(215) 523-9550; (215) 564-0845 (fax)
Website: www.phillyvip.org

Staff Name	Direct Dial	E-mail Address
Lauren Ascher, Supervising Attorney	215-523-9563	lascher@phillyvip.org
Isabelle Aubrun, Pro Bono Case Manager	215-523-9564	iaubrun@phillyvip.org
Sophie Bryan, Executive Director	215-523-9560	sbryan@phillyvip.org
Patricia Casperson, Staff Attorney	215-523-9558	pcasperson@phillyvip.org
Roxane Crowley, Supervising Attorney	215-523-9570	rcrowley@phillyvip.org
Kelly Gastley, Managing Attorney	215-523-9566	kgastley@phillyvip.org
Rida Haq, Senior Pro Bono Case Manager	215-523-9559	rhaq@phillyvip.org
Barrett Marshall, Staff Attorney	215-523-9554	bmarshall@phillyvip.org
Alison Merrick, Community Econ. Development Coordinator	215-523-9565	amerrick@phillyvip.org
Annie Mrazik, Pro Bono Case Manager	215-523-9569	amrazik@phillyvip.org
Mentru Nagbe, Manager of Data & Analytics	215-523-9552	mnagbe@phillyvip.org
Christina J. Rodriguez, Program Assistant	215-523-9551	crodriguez@phillyvip.org
Lindsay Schoonmaker, Staff Attorney	215-523-9555	lschoonmaker@phillyvip.org
Hannah Snow, Pro Bono Case Manager	215-523-9557	hsnow@phillyvip.org
Pranshu Verma, Director of Operations	215-523-9556	pverma@phillyvip.org
Joanna Volpe, Volunteer & Communications Coordinator	215-523-9567	jvolpe@phillyvip.org

f. VIP's Board of Directors

VIP's Board of Directors includes members of the public interest bar, judges, law professors, attorneys and individuals in business. The Chancellor, Chancellor-Elect, Vice-Chancellor and the Executive Director of the Philadelphia Bar Association, and the Executive Directors of Community Legal Services and Philadelphia Legal Assistance also serve *ex officio* on the Board of Directors. All appointments to the Board are approved by the Chancellor and are confirmed by the Philadelphia Bar Association's Board of Governors. For a list of the 2016 Board of Directors, please see Appendix E.

g. Conclusion

Your involvement in VIP is essential -- to VIP, to the legal community, and most of all, to the low-income Philadelphians who will benefit from your willingness to help. We appreciate your help and so do they. Your dedication, effort, and expertise are vital to VIP's ability to help its clients.

As a VIP volunteer, we hope you will have the satisfaction of knowing that you have helped people in search of justice and fairness from the judicial system -- people with literally nowhere else to turn. You will also have the recognition and thanks of VIP, the Philadelphia Bar Association and the legal community.

If you believe you have a client story others would like to hear about, please let us know. Our volunteers are our best ambassadors for the importance of our work.

Thank you for saying YES



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Appendix

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Appendix A:

Eligibility Guidelines

1. *Basic*: Gross income of applicant and resident family members does not exceed 125% of the Federal Poverty Guidelines. (See Appendix B for current guidelines) or if the applicant is already a recipient of Supplementary Security Income (SSI), General Assistance (GA), Temporary Assistance to Needy Families (TANF), or Medical Assistance (MA).

2. *Special*: Gross income of applicant and resident family members is between 125% and 200% of the Federal Poverty Guidelines, along with any of the following:
 - a. Applicant is seeking legal assistance to secure benefits provided by any federal, state or local governmental program that provides benefits based on financial need;

 - b. Income is unavailable to pay an attorney because of:
 - (1) Pending or recent unemployment, seasonal or other irregularity of present income;

 - (2) expenses essential to employment, such as child care and transportation;

 - (3) substantial medical expenses, not covered by insurance, on which payment is being made;

 - (4) inordinate expenses caused by age or infirmity of resident family members;

 - (5) fixed debts and obligations including unpaid taxes from prior years; or

 - (6) other significant factors related to financial inability to afford legal assistance.

3. *Medical expenses*: Gross income of applicant and resident family members exceeds 200% of the Federal Poverty Guidelines, but income is primarily committed to medical or nursing home expenses and, based upon written documentation, the Executive Director approves representation.

Asset Eligibility

1. *Standards*: Assets of a single person are valued at \$8,000 or less¹, and are not in excess of family needs.

2. *Exclusions from Asset Valuation*: The following are excluded in computing the value of assets:
 - a. Principal residence of applicant;

 - b. One automobile per family and any additional automobiles if needed for employment, transportation to medical care, or for similar essential purposes;

¹ \$16,000 for married couples and \$3,000 for each additional family member.

- c. Ordinary household goods;
- d. Reasonable equity value of work-related equipment, if the owner is attempting to produce income consistent with the value of the equipment;
- e. Cash value of retirement, burial or educational trusts or policies; and
- f. Assets owned by disabled person which are needed because of the disability.
- g. Assets of any elderly (60 and over), institutionalized or handicapped individual, whether an applicant for services or a resident family member of an applicant.

3. *Exceptions:*

- a. VIP may waive ceilings on maximum allowable assets in unusual or extremely meritorious situations.
- b. If an eligible client becomes ineligible and the ineligibility is likely to continue so that the client can afford private legal assistance, representation shall be discontinued **as long as the discontinuation and the method of discontinuation are not inconsistent with the attorney's professional responsibilities.**
- c. A person who is income and asset eligible under these guidelines will not be represented if the legal problem does not come within the priorities of VIP and VIP's case acceptance criteria. In determining case acceptance criteria, VIP may consider the following factors:
 - (1) Merit of claims client wishes pursued;
 - (2) Seriousness of the problem and consequences to the applicant if assistance is denied;
 - (3) Availability of low-cost or pro bono counsel for the particular legal problem for which assistance is sought;
 - (4) Current income prospects, considering seasonal variations in income;
 - (5) Cost of legal representation needed in relation to applicant's assets (even if assets are within eligibility limits); and
 - (6) Program resources required to provide assistance in relation to total resources available.
- d. A person may be denied legal assistance if there is evidence of a prior final judicial or administrative determination that such individual's lack of income results from refusal or unwillingness, without good cause, to seek or accept employment. This paragraph does not bar provision of legal assistance to an otherwise eligible person who seeks representation to challenge that prior determination.

Appendix B: 2015 Legal Services Corporation (LSC) Federal Regulation

2015 Financial Eligibility Guidelines										
Family Size	100%		125%		187.50%		200%		300%	
	Monthly	Yearly	Monthly	Yearly	Monthly	Yearly	Monthly	Yearly	Monthly	Yearly
One	\$980.83	\$11,770	\$1,226.04	\$14,712.50	\$1,839.06	\$22,068.75	\$1,961.66	\$23,540	\$2,942.50	\$35,310
Two	\$1,327.50	\$15,930	\$1,659.37	\$19,912.50	\$2,489.06	\$29,868.75	\$2,655	\$31,860	\$3,982.50	\$47,790
Three	\$1,674.17	\$20,090	\$2,092.71	\$25,112.50	\$3,139.06	\$37,668.75	\$3,348.33	\$40,180	\$5,022.50	\$60,270
Four	\$2,020.83	\$24,250	\$2,526.04	\$30,312.50	\$3,789.06	\$45,468.75	\$4,041.66	\$48,500	\$6,062.50	\$72,750
Five	\$2,367.50	\$28,410	\$2,959.38	\$35,512.50	\$4,439.06	\$53,268.75	\$4,735	\$56,820	\$7,102.50	\$85,230
Six	\$2,714.17	\$32,570	\$3,392.71	\$40,712.50	\$5,089.06	\$61,068.75	\$5,428.33	\$65,140	\$8,142.50	\$97,710
Seven	\$3,060.83	\$36,730	\$3,826.04	\$45,912.50	\$5,739.06	\$68,868.75	\$6,121.66	\$73,460	\$9,182.50	\$110,190
Eight	\$3,407.50	\$40,890	\$4,259.38	\$51,112.50	\$6,389.06	\$76,668.75	\$6,815	\$81,780	\$10,222.50	\$122,670
Note: for Family units with more than 8 members add for each additional member	\$346.66	\$4,160	\$433.33	\$5,200	\$650	\$7,800	\$693.33	\$8,320	\$1,040	\$12,480

LawWorks Financial Eligibility for Small Businesses goes up to 300%.

Based on 2015 Annual Update of the HHS Poverty Guidelines
<http://aspe.hhs.gov/poverty/15poverty.cfm>

Appendix C:

Cases Accepted by VIP

VIP accepts cases in the following substantive legal areas. Please check our website, www.phillyvip.org, for a list of available cases.

- Adoption
- Contracts
- Auto Accident
- Civil Forfeiture
- Collections
- Consumer
- Custody
- Divorce
- Domestic Violence
- Employment
- Guardianship
- Incorporation
- Intellectual Property
- Landlord/Tenant
- Licenses
- Loans
- Mortgage Foreclosure
- Name Change
- Nonprofit
- Probate
- Public Housing
- Real Property
- Small Business
- Support
- Tax
- Torts
- Wills
- Zoning

Appendix D: The Referral Process

The referral process generally works like this:

- A. Intake: The majority of clients referred to VIP are referred by Community Legal Services (CLS) or Philadelphia Legal Assistance (PLA). CLS and PLA conduct an intake interview and screen the client for financial eligibility, case type and potential legal merit. (Attached as Appendix B are the current income eligibility guidelines used in this screening process.)
- B. Referral to VIP and Additional Screening: CLS or PLA then refer the case to VIP. VIP's Managing Attorney screens again for potential legal merit and appropriateness for VIP referral. The Managing Attorney then assigns the file to one of VIP's pro bono case managers or staff attorneys. If necessary, the referring staff person contacts the client and gathers additional information and supporting documentation.
- C. Referral to Volunteer: The pro bono case manager or staff attorney assigned to the case then contacts potential volunteers (directly, through VIP's designated "Contact Persons" in certain firms, through VIP's monthly e-case list or from the case summary list on the VIP website) and asks the volunteer to accept the case. Of course, volunteers may contact VIP and request a referral at any time. Every effort is made to match the volunteer with the particular type of case that he or she requests. New volunteers are asked to complete VIP's Volunteer Enrollment Form (available on the website).
- D. Conflicts Checks: The staff person assigned to the case provides potential volunteers with a case summary, the parties involved initials and the VIP case number *only* before conflicts are cleared. After conflicts clear, the staff person provides additional relevant information from the VIP file to the attorney with the confirmation of referral. If requested, the potential volunteer may review the additional relevant information in the VIP file before accepting the case, but not before conflicts have cleared.
- E. Confirmation of Referral: Once a volunteer accepts a case, VIP sends a letter to the client and an email to the volunteer confirming the referral. Generally, the client's letter (Appendix I) tells the client the name and telephone number of the volunteer, and informs the client that if he or she fails to contact the volunteer attorney within 7 days, he or she may be disqualified from the program. If the client does not contact the volunteer within 7 days, VIP asks the volunteer to send a letter (Appendix K) to the client, reminding the client that he or she must contact the lawyer right away, so that the lawyer can represent the client effectively. The volunteer's referral email will contain information about the client and the facts of the case.
- F. Referral Complete/Representation Agreement: Once the attorney agrees to represent the client, the client and attorney must enter into a written agreement concerning the representation (Appendix J). This makes the respective responsibilities clear and fulfills any obligations that may exist under Rule 1.5 of the Pennsylvania Rules of Professional Conduct. Attorneys may use their own representation agreement or VIP's (Appendix J). Once signed, the volunteer must send a copy to VIP.
- G. Referral Incomplete/Not Accepted: If the volunteer is unable to handle the case for any reason, he or she should contact the VIP staff member who referred the case by telephone or email immediately.
 - 1. If the volunteer decides not to handle a case when it is first referred, the volunteer should return the entire referral packet to VIP.
 - 2. If the volunteer is willing to handle the case, but the client does not contact the volunteer after the attorney mails a *please call* letter (Appendix K), the volunteer should complete a

Closing Form (Appendix M), showing as the reason for case closure, "Client Did Not Follow Through". The Closing Form (Appendix M) should be returned to VIP.

3. If after interviewing the client and reviewing the case, the volunteer has doubts about the client's eligibility or the merits of the case or has any other concerns, the volunteer should contact the VIP staff person who referred the case or the managing attorney. If the volunteer decides not to handle the case, the Closing Form should be returned to VIP, showing the appropriate reason for case closure.

- H. **Status Report:** VIP asks the volunteer to complete a short status report one month after the referral is made and every three to four months thereafter (Appendices N and O). Status reports are sent via email. Volunteers who fail to return status reports will be contacted by a VIP staff member.
- I. **Costs and Expenses:** Court costs for most VIP clients can be waived or avoided by proceeding In Forma Pauperis (IFP). The standard IFP form is available in the Appendix P and is usually submitted electronically with the first court filing. For non-court costs and court costs that cannot be waived, VIP, with the volunteer's assistance, will attempt to obtain the services for free. VIP has recruited court reporters, title companies, newspaper, and other agencies to provide litigation support on a low or no-cost basis for VIP cases. In addition, VIP has limited funds available for unavoidable costs that cannot be donated or paid for by the client. Requests for reimbursement of costs and expenses should be made to the referring VIP staff person and approved by the Executive Director **before** the costs are incurred.

Note: No fees associated with homeownership cases, or publication costs in name changes cases, will be absorbed by VIP. Clients are told by VIP before their cases are referred that they must have the money to cover these costs. In name change cases, clients are required to escrow the determined amount through VIP before the case is referred to a volunteer attorney. In Homeownership cases, the Tangled Title Fund will usually disburse funds for case-related fees; the attorney must make separate application to the Tangle Title Fund for the client to access the fund.

Many volunteers or their firms absorb the cost of certain out-of-pocket expenses incurred in connection with the handling of a VIP matter. If you choose to cover those costs, the money may be tax-deductible as a charitable contribution. Please contact VIP for more information.

- J. **Closing Form:** After the case has been accepted, handled and closed, the volunteer should complete the Closing Form (Appendix M).
- K. **Ongoing Relationship:** VIP's experienced volunteers are very valuable. VIP hopes that the volunteer will continue to take cases with VIP. VIP staff will contact the lawyer at the conclusion of the case to discuss the next referral.

Appendix E:

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Justice Junita Kidd Stout Center for Criminal Justice

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Appendix F: Waiving Filing Fees: Petition to Proceed *In Forma Pauperis*

In the Court of Common Pleas and Municipal Court:

In order to file for *In Forma Pauperis* (IFP) status, you simply need to select the question “Are you filing In Forma Pauperis and without payment of filing fees?” on the payment screen (screen 6). You will then notice at the bottom of the final screen (screen 7) that the e-filing system has automatically generated a Praecepto to Proceed *In Forma Pauperis* and that filing fees will be waived. (As a result, you do **not** need to prepare an IFP Petition or Attorney Certification, as was previously required.)

Once the IFP has been filed, the court will review it and issue an Order either granting or denying it. If the IFP is approved, all filing fees and associated court costs are waived. If you do not receive a copy of the court’s IFP Order within a reasonable amount of time after filing the IFP, you should check in with the Prothonotary’s office to determine its status.

Once the IFP has been granted, you should be able to file subsequent pleadings and obtain necessary court documents (e.g., certified copies of court orders) without payment of filing fees and court costs.

In Family Court:

Use the sample form provided in Appendix N.

Appendix G: Continuing Legal Education (CLE) Credit Agreement

Philadelphia VIP, in cooperation with the Pennsylvania Continuing Legal Education Board (CLE Board) will grant continuing legal education (CLE) credits for attendance at its training programs to lawyers who accept a VIP case and handle the case to its conclusion.

There is no charge to the volunteer for the training program or training materials. Volunteers who participate must meet all of the other requirements of the CLE Board.

VIP CASES

The volunteer will be credited one CLE credit for each hour of course work attended. There is no limit, however, on credits obtained annually through VIP.

VIP tries to refer a case to the volunteer within two weeks of the training session. To receive credit, a volunteer must take a case within six months of the training session. Volunteers will be expected to handle one case to completion for **each course** they attend. If the client withdraws or if it is determined that the case is not meritorious, another case will be referred to the volunteer. A signed representation agreement must be received in the VIP office for the CLE agreement to be considered fulfilled. VIP submits the credits to the CLE board within two weeks of the training date. However, if a volunteer does not take a case within six months, the credit is retracted.

MORTGAGE FORECLOSURE CONCILIATION CONFERENCE POLICY

The volunteer will be credited one CLE for each hour of course work attended. Credits will be awarded after the volunteer attends the training session, but can be withdrawn if the volunteer does not represent two different clients at two mortgage foreclosure conciliation conferences. Volunteers must volunteer for this project at least once within six months of the training session.

For more information about these programs, contact VIP at 215-523-9550.

Appendix H:

Attorney Fee Policy

VIP screens all cases for fee-generating potential, and those which may result in an award from which a fee could be paid by one of the litigants, e.g., divorces with substantial assets, are sent to Lawyers Referral and Information Services (LRIS). Only if LRIS turns the case down is it referred to a VIP attorney. Nevertheless, a case sometimes develops in such a way that fees become possible. If this occurs, the attorney and the client have several options:

1. Advise VIP and the client that the case has become potentially fee-generating, and send the client to LRIS for new representation. Withdraw representation, and VIP closes the case in the office.
2. If the client wishes to continue with the volunteer attorney as a paid representative, VIP must be informed that the case is being closed as a VIP *pro bono* case. When an attorney becomes aware of any fee-generating matter for a client, the attorney must contact VIP's managing attorney before offering to assist that VIP client. The attorney must inform the client that s/he is under no obligation to continue with the volunteer, and that referral to the LRIS is available. If the client wishes to maintain the relationship with the attorney, the attorney from that point treats the case as any other paying case would be treated. VIP closes the case in our office.

If money is awarded that consists of funds owed to the client, for example, retroactive SSI payments, VIP does NOT consider this a source of fees. In a successful SSI case, the client receives this money after the Department of Public Welfare (DPW) takes a portion of it for reimbursement.

In those rare instances when fees are available to compensate for the attorney's time, e.g., fee awards in special education cases, VIP encourages the volunteer to pursue the award. If the volunteer does not wish to do so, VIP should be notified so that a decision can be made whether to assign counsel for the award petition. If the volunteer files the petition, the recommended division of the funds is 50% to VIP and 50% to the volunteer, after any costs incurred by the volunteer are paid.

Appendix I:

Client Referral Letter

1500 Walnut Street, Suite 400
Philadelphia, PA 19102
215.52.9550 T
215.564.0845 F
www.phillyvip.org



(Date)

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philadelphia
**LAW
WORKS**

A project of Philadelphia VIP

In partnership with the Philadelphia Bar Association, Community Legal Services, the Philadelphia Bar Foundation, and Philadelphia Legal Assistance.

Client's Information

Dear Client's Name:

We have determined that you qualify for Philadelphia VIP. The lawyer who will represent you is:

Volunteer's Information

You should call this lawyer at **(Volunteer's Telephone Number)** within seven (7) days. If you do not do so, he or she may not decide to help you.

Although you will not have to pay for the lawyer's work, you may have to pay some court costs. The lawyer will tell you how much these costs will be. If you cannot pay the costs, please tell your lawyer. If your financial status changes during the time your lawyer is representing you, please tell VIP and your lawyer.

If you have any questions or if you have trouble connecting with your lawyer, please call me as soon as possible.

Sincerely,

Staff Attorney/Paralegal Telephone: 215-523-95

cc: Volunteer's Name, Esquire

Appendix J:

Representation Agreement

1500 Walnut Street, Suite 400
Philadelphia, PA 19102
215.52.9550 T
215.564.0845 F
www.phillyvip.org



REPRESENTATION AGREEMENT

This Agreement for civil legal representation and services is between

_____, a volunteer with the Philadelphia Volunteers for the Indigent Program (VIP), hereafter called the "Legal Representative," and _____, hereafter called the "Client."

The Client hereby authorizes the Legal Representative and VIP to represent the Client in the civil legal matter described as follows:

The Client also authorizes the Legal Representative to obtain any information or documents necessary for such representation, and to assist the Legal Representative in obtaining all of the facts for the case. The Legal Representative agrees to give the Client zealous representation in the above-described legal matter, and to work with VIP in obtaining necessary supportive services. The Legal Representative's obligations under this Agreement end after the matter has received a final adjudication in the current legal forum, although the Legal Representative may choose, upon consultation with VIP, to take appropriate further steps in the matter at the Client's request.

* * * * *

I HAVE THE FOLLOWING RIGHTS AS A CLIENT:

1. To be kept informed about any important developments in my case.
2. To be consulted before any significant decision is made on my behalf, and to be given sufficient information to make an informed decision.
3. To be consulted on any settlement proposal on my case before the matter is settled by my Legal Representative.
4. To have information regarding my case kept confidential. However, I recognize that my Legal Representative may discuss certain facts of my case with individuals at VIP and with others to the extent that it is necessary for representation in this case.

AS A CLIENT I PROMISE TO DO THE FOLLOWING:

1. To inform my Legal Representative of any change in my address or telephone number.
2. To inform my Legal Representative of any change in my income or assets.
3. To appear at my hearings and court appearances, and to keep all appointments with my Legal Representative unless I have called in advance to cancel the appointment.
4. To pay any litigation fees or fees for obtaining necessary documents which are not waived if I am able to do so.
5. To avoid communications with opposing parties or opposing counsel without prior consultation with my Legal Representative.

LEGAL REPRESENTATIVE'S OBLIGATIONS:

1. To keep the Client informed of what is being done about the Client's case and to consult with the Client before any significant decision is made on the Client's behalf.
2. To represent the Client free of charge, accepting no attorneys' fees from the Client. If the Client is able to pay, he/she will have to pay any court fees and fees for obtaining documents, unless those fees can be waived. Any attorneys' fees that may be awarded by the court and/or paid by the opposing party in this representation will be distributed in accordance with the VIP Attorneys' Fees Policy then in effect.

TERMINATION OF REPRESENTATION:

1. The Client is free to request that the Legal Representative cease representing him or her at any time for any reason, subject to necessary court approval. In the event of dismissal of a Legal Representative by the Client, VIP does not guarantee that another Legal Representative will be found.
2. The Legal Representative may cease representation of the Client, subject to necessary court approval, under the following circumstances: (a) further representation would be useless or unreasonable, or would not help to achieve the Client's objectives; (b) the Client is no longer financially eligible for services through VIP; (c) the Client has failed to cooperate in the representation; or (4) when otherwise mandated or allowed by the Rules of Professional Conduct.
3. VIP may close, withdraw from or dismiss the Client's case, subject to the necessary court approval and consistent with the Rules of Professional Conduct, if: (1) the legal service it has agreed to provide is completed or if, in VIP's reasonable opinion, further representation would not benefit the Client; (2) the Client is found to have misrepresented or concealed facts concerning the case; (3) the Client refuses to obey a court order that the Legal Representative has advised the Client to obey; or (4) the financial circumstances upon which the Client was accepted by VIP change significantly.

I have received a copy of this Agreement.

Client	Date
Legal Representative	Date

Appendix K: Letter to Client Regarding Failure to Contact Volunteer Attorney

{Volunteer's Letterhead}

(Date)

Client's Information

Re: VIP Representation – VIP case Number

Dear Client's Name:

I am the attorney who has agreed to take your (Insert type of case, e.g. divorce custody...) case on a *pro bono* basis through Philadelphia VIP. On (Insert date of client letter), you were sent a letter that told you to contact me as soon as possible; however, I have not heard from you.

I need to speak with you right away so that I can represent you effectively. Please contact me immediately at (insert your number), so that we can schedule an appointment. I cannot represent you unless you get in touch with me. If you no longer need a lawyer, please call and let me know. If I do not hear from you within 10 days, I will assume that you no longer need representation, and I will close your file in this office. I will also inform VIP that you have not contacted me, and VIP may disqualify you from receiving legal assistance through their program.

I look forward to working with you.

Sincerely,

(Insert your name)

cc: Philadelphia VIP



PHILADELPHIA VIP INITIAL STATUS REPORT

(Date)

Dear _____:

Want to prevent those persistent VIP follow up phone calls and emails about your VIP case? Just return your status report! This is both best practice and a requirement for VIP's funders.

Thank you for partnering with VIP to handle this pro bono case. We are truly grateful, as are our clients. Your advocacy will make a difference in your client's life.

At regular intervals, we check in with our volunteers to see how the case is going. This is our first contact with you since you took the below case. **Please let us know your progress within 5 business days**, so we can ensure we're doing everything we can to support you.

Client: _____ Date Referred: _____

Case Number: _____ Type of Case: _____

1. I have undertaken representation of the client. Yes () No ()

If not, why not?

2. Brief summary of action taken to date:

3. Next Steps:

4. What can we do to help you?

5. Do you need a mentor?

THANK YOU FOR PARTNERING WITH VIP TO ACHIEVE ACCESS TO JUSTICE FOR ALL!

Philadelphia VIP
1500 Walnut Street, Suite 400
Philadelphia, PA 19102
(215) 523-9550; (215) 564-0845 (fax)
Email: reports@phillyvip.org

VIP Staff Number: _____



STATUS REPORT AND/OR CLOSING FORM

(Date)

Dear _____:

Want to prevent those persistent VIP follow up phone calls and emails about your VIP case? Just return your status report! This is both best practice and a requirement for VIP’s funders.

Thank you for accepting a pro bono case from Philadelphia VIP. VIP tracks the status of each case we refer at regular intervals. **Please reply to this email with your responses within 5 business days.** If you have any questions, please call 215-523-9550.

Client: _____

Date Referred: _____

V.I.P. File #: _____

Type of Case: _____

1. Is the case open? *If yes, please complete a-d below. If not, skip to question 2.*
 - a. If open, what have you done to help your client so far?
 - b. What are the next steps in your representation?
 - c. Is there anything VIP can do to help you with this case?
 - d. Do you have a mentor? If no, would you like a mentor?
 - i) If yes, name of mentor:
 - ii) How is your experience with your mentor?

2. Is the case closed? If yes, please complete a-d below.
 - a. Please explain in 2-3 sentences how the case was resolved.
 - b. Please attach closing letter sent to client, and any other final documents.
 - c. Approximately how many hours did you spend on the case?
 - d. When can you accept another case?

3. Please tell us how you feel about working with VIP and our clients.

THANK YOU FOR PARTNERING WITH VIP TO ACHIEVE ACCESS TO JUSTICE FOR ALL!

BY: [ATTORNEY], Esquire
Attorney for Petitioner
Attorney I.D. No. [NUMBER]
[ATTORNEY'S ADDRESS]
[ATTORNEY'S CITY, STATE ZIP]
[ATTORNEY'S PHONE NUMBER]

**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
FAMILY COURT DIVISION**

	_____ Term, 2010 No. _____
--	---

ORDER

AND NOW, this _____ day of _____, 2010, upon consideration of Petitioner's Petition to Proceed In Forma Pauperis, it is hereby ORDERED that the Petitioner be excused from payment of the filing fee in this matter in consideration of [ATTORNEY]'s representation to the Court that Petitioner meets the income eligibility requirement and counsel is serving pro bono.

J.

Setting Up a Free Google Voice Phone Number

If you do not have a Google account:

- Go to www.gmail.com and click “Create Account.”
- Your mobile number will be kept private, but you do not have to provide your phone number or a current email address.

After you have logged into your GMAIL account:

- Go to www.google.com/voice
- Accept the Privacy Policy and Terms and Conditions, then click proceed.
- A “Set up your Google Voice number” message will pop up. Click “I want a New Number.”
- Enter the number to which you would like the calls to forward (your personal number).
- Hit call me now, and confirm that your phone number is working by following the directions on the call. Reminder: you will not be able to attach your phone number to more than one google voice number.
- Once you have verified your forwarding number, a “Choose your number” window will appear. Enter the area code that you would like to use. If you do not have a preference, you may use your zip code, 215, or 267 to generate a list of available numbers. Select your preferred number and click continue.
- You now have a Google Voice phone number to provide to clients.

To change preferences:

- Go to www.google.com/voice
- Click on the gear icon at the top right, and click “Settings” to explore the various options, including recording your personal voice message.

To set times when your personal phone should ring:

- Click the gear for settings.
- Select the “Phones” tab.
- Click the “Edit” button under your personal phone number.
- Click the “Show advanced settings” link.
- In the “Ring Schedule” section, select your option. To make sure a phone doesn't ring at a specific time of the day, select “Use custom schedule” and enter your time range.
- Click “Save” at the bottom of the page.

Call screening is turned on by default. There are two ways your calls are screened:

- The caller's phone number shows on your Caller ID display. There is an option in your Google voice settings to change the Caller ID so that “Google Voice” shows on your caller ID.
- Google Voice asks callers to speak their name. So even with unknown names and numbers, you will hear the caller's name when you pick up.
- After picking up, you have three ways to handle the call:
 - Accept it: Press 1.
 - Send it to voicemail: Press 2.

- Listen in on the voicemail: Press 2 and stay on the line.
- Google Voice stores callers' spoken names so they will not be asked for it again.
- You must log into your Google voice account to check voicemails left for that number.

You may download the Google Voice app to make calls from your Voice number on your phone.

If you are making a call directly from your personal phone number, and would like to block your personal number, dial *67 before you dial the client's number.

**VIP does not require its volunteers to set up a separate phone number. These directions are for volunteers who wish to have a separate number to provide to clients. Please view the Google Voice Acceptable Use Policy here:*
<https://www.google.com/googlevoice/program-policies.html>

DATE

CLIENT'S NAME
CLIENT'S ADDRESS
CLIENT'S CITY, STATE ZIP

Dear CLIENT:

Philadelphia VIP referred your case to me for assistance with [TYPE OF CASE].

I assisted you with this case by taking the following actions:

- gathered [RELEVANT DOCUMENTS]
- analyzed whether you had [LEGAL CLAIM/GOOD DEFENSE/ETC.]
- prepared document and/or filed pleading on your behalf

As a result of this work, [OUTCOME ACHIEVED].

You should keep in mind that [ADVICE ON NEXT STEPS THAT CLIENT SHOULD TAKE AND/OR THINGS THAT CLIENT SHOULD BE AWARE OF].

It was a pleasure working with you, and I wish you the best of luck in the future. Should any further questions or concerns, please feel free to contact [VOLUNTEER ATTORNEY AND/OR SPECIFIC VIP STAFF MEMBER] at [PHONE NUMBER].

Sincerely,

VOLUNTEER ATTORNEY'S NAME

Enclosures: [RELEVANT DOCUMENTS THAT CLIENT DOES NOT ALREADY HAVE ORIGINALS AND/OR COPIES OF]

cc: [VIP STAFF MEMBER], via email (without enclosures)