



WELCOME VOLUNTEER TOOLKIT

Updated 2023-2024

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TYPES OF VLP CASES

FAMILY LAW AND GUARDIANSHIP

- Divorce
- Support, custody, and paternity issues modifications
- Annual reports and 90-day care plans
- Guardianships of minor children and incapacitated adults, including Rogers cases

PROBATE

- Healthcare proxy
- Power of attorney
- Wills

CONSUMER AND BANKRUPTCY

- Bankruptcy (Ch. 7)
- Fair Debt Collection issues (small claims) credit card debt

EMPLOYMENT

- Unemployment insurance cases
- Wage theft and violations of Massachusetts Wage Laws Nonpayment of overtime premium

HOUSING

- Renters facing eviction
- Filing court documents against landlord for bad living conditions
- Eviction defense
- Affirmative conditions cases

LANDLORD ADVOCACY PROJECT (STATEWIDE)

- Free legal advice
- Financial assistance application support
- Low-income landlords with problem tenants
- Homeownership preservation

TYPES OF CASES VLP DOES NOT TAKE:

- IMMIGRATION
- CRIMINAL
- CLASS -ACTION SUIT

LIMITED ASSISTANCE REPRESENTATION (LAR)

VLP requires all volunteers participating in a VLP clinic to be LAR certified. This is a self- certification process, completed by reading the manual and watching the video available on the VLP website. The link is found here on the website: <https://vlpnet.org/lar-training/>.

“ I volunteer with VLP because I believe everyone deserves access to basic legal assistance to navigate our housing laws—sometimes that’s the only path to a safe and stable home. ”

Tristan Axelrod, Esq., Brown Rudnick

VLP'S REFERRAL PROCESS

FINDING THE RIGHT CASE

VLP maintains e-mail lists for the different types of cases we handle. If you are interested in a particular area, we will add you to that e-mail list to receive periodic updates with descriptions of available cases. Let the Pro Bono Manager know which case you are interested in. Training, mentoring, and interpreters are available as described on the following page. If your time is more limited, consider volunteering at one of VLP's Legal Clinics. (see page 13)

GETTING THE FILE AND REFERRAL MEMO

For all the cases that we refer, a VLP staff attorney or paralegal has met with the client for an intake and prepared a file and detailed referral memo about the case. Once you agree to take a case, we will provide you with access to our case management system, called Legal Server, so that you can access the case documents. We will also confirm the referral in writing with the client. You and the client should then schedule a meeting together.

MEETING THE CLIENT

You may meet with clients at your own office or at VLP's office. There is available conference space at our Winthrop Square office. To reserve a room, call VLP reception at (617) 423-0648. VLP is open Monday through Friday, 8:30 am-4:30 pm.

SCOPE OF REPRESENTATION

We strongly suggest that you execute a letter of engagement or a representation agreement with your pro bono client as you would with any client. The agreement should describe the services you will provide and should specify that there is no fee. VLP will also provide a 3-party agreement for all cases.

DURING THE CASE

VLP will check in with both you and the client periodically during the case to ensure that you made contact, that the matter is progressing satisfactorily, and that you are getting the support you need. When the case is finished, we will ask you to complete a brief online case-closing form.

PROFESSIONAL LIABILITY INSURANCE

VLP provides primary professional liability insurance coverage for panel attorneys handling cases referred through VLP. Primary coverage ensures that panel members do not have to rely on their own malpractice coverage when handling VLP cases.

SUPPORT FROM VLP

MENTORING

VLP often pairs newly admitted attorneys and attorneys new to an area of law with an experienced mentor for a VLP case.

- Your mentor can act as a resource for legal and procedural questions. They can also provide general wisdom about your specific case and the process.
- Some cases may come with a mentor assigned. If yours does not, and you would like one, please ask the Pro Bono Manager to pair you with one.
- VLP staff are available to answer questions about your case and help troubleshoot when needed. They can also answer all VLP-specific questions about your case.

TRAININGS AND PRACTICE MATERIALS

VLP regularly offers free trainings in the subject areas we handle. Check www.vlpnet.org/events for a list of upcoming trainings.

- VLP has MCLE trainings discount vouchers available for active volunteers. The vouchers reduce the registration fee of most MCLE courses to \$35.
- VLP's Vimeo channel offers a variety of videos like tutorials in specific practice areas, videos about how to effectively use interpreters, and how to become LAR certified.

To be eligible for a training voucher, a volunteer must take a case for full representation OR volunteer regularly at VLP Clinics.

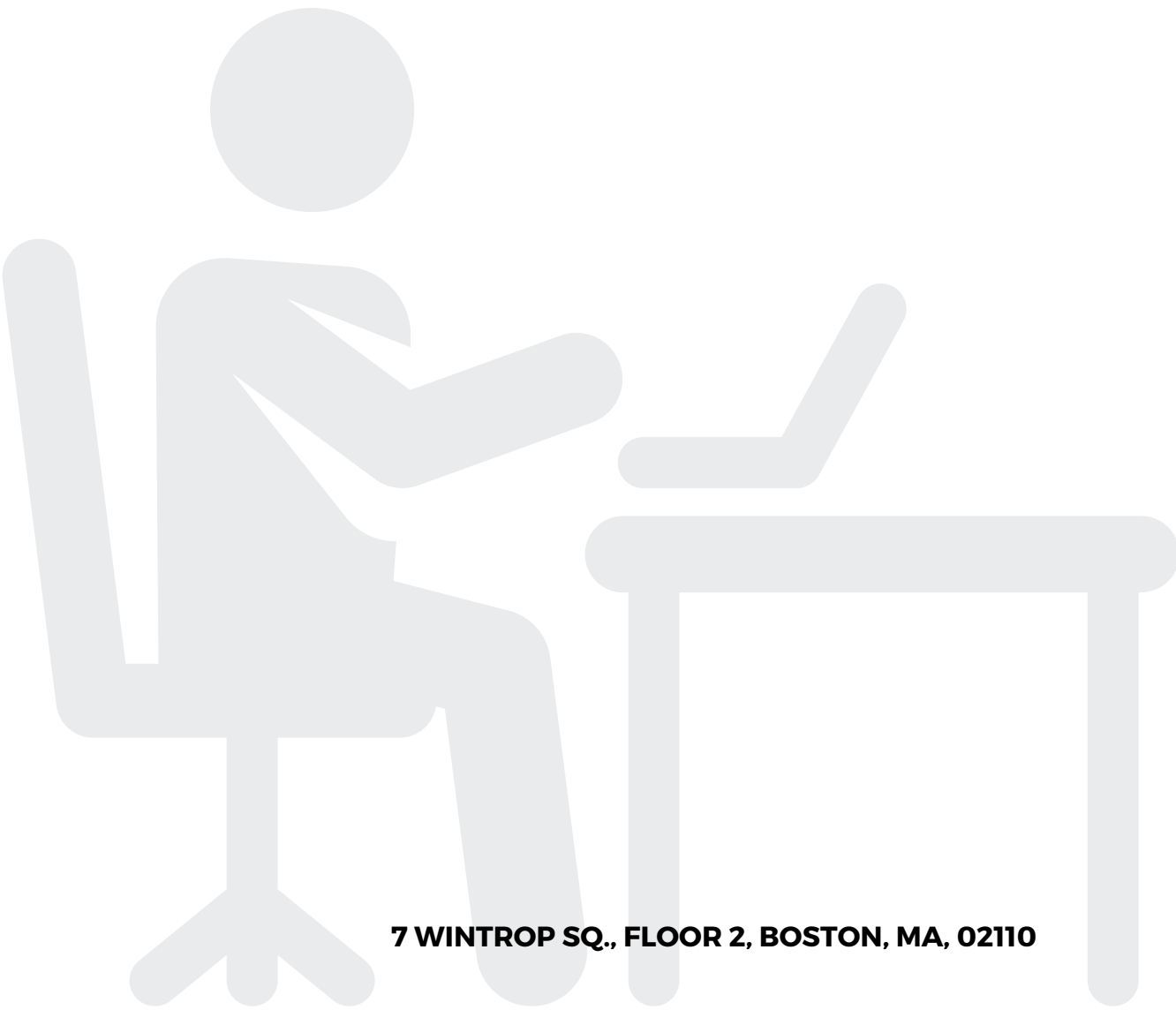
SUPPORT FROM VLP

OFFICE SPACE AND SUPPLIES

- VLP has conference rooms available for use with VLP clients. To reserve one, call the receptionist at (617) 423-0648.
- VLP has a postage machine and copier you may use on your VLP cases. A staff member can assist you with your mailing needs.
- NextChapter bankruptcy software is available on the computers at VLP. If you would like to use it to prepare a client's bankruptcy filings, call the front desk to reserve a room with a computer

INTERPRETERS

Many of VLP's clients are Limited English Proficient. If your client requires interpretation services, VLP will provide you with an interpreter at the time the case is referred. For tips on effectively working with an interpreter, see page 12.



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ONLINE RESOURCES FOR VLP VOLUNTEERS

VLP Website

<http://www.vlpnet.org/>

- The calendar of Events is found under the What We Do tab on the website. Links to sign up for each of our clinics can be found on this page.

<https://signup.com/>

- SignUp is a calendar of court clinics and unit training with a sign-up system.
- All of VLP's legal clinics utilize signup.com, each signup form can be found on VLP's website on the calendar of events page.

FIND US ON SOCIAL MEDIA



@VLPBOSTON



@VLPNET



@VLPBOSTON

PAYING FOR LITIGATION COSTS

Most litigation entails some cost or fee — for a citation, for filing, or for serving the interested parties. The Massachusetts courts, as well as the federal bankruptcy courts, will waive the fees for clients whom they deem unable to pay. Most of VLP's will qualify for a fee waiver.

TO CHECK IF YOUR CLIENT QUALIFIES FOR A FEE WAIVER

- Any client whose net income is less than 125% of the federal poverty guidelines will qualify to have their fees waived. The easiest way is to check if your client receives SSI or MassHealth medical insurance (Medicaid). If so, your client qualifies for the fee waiver.
- If you have a bankruptcy client, the client will qualify if their net income is less than 150% of the federal poverty guidelines AND the judge deems that the client would be unable to pay the fee in installments.

IF YOUR CLIENT DOES QUALIFY FOR A FEE WAIVER

- Be sure to file the Affidavit of Indigency whenever the Guardianship or Family Law client needs to pay for a citation or for service within Massachusetts. For a Bankruptcy client, include the application with the rest of the bankruptcy filings.
- If the client needs to serve a party out of state, the Commonwealth will not pay for the cost. See Other Notes below.

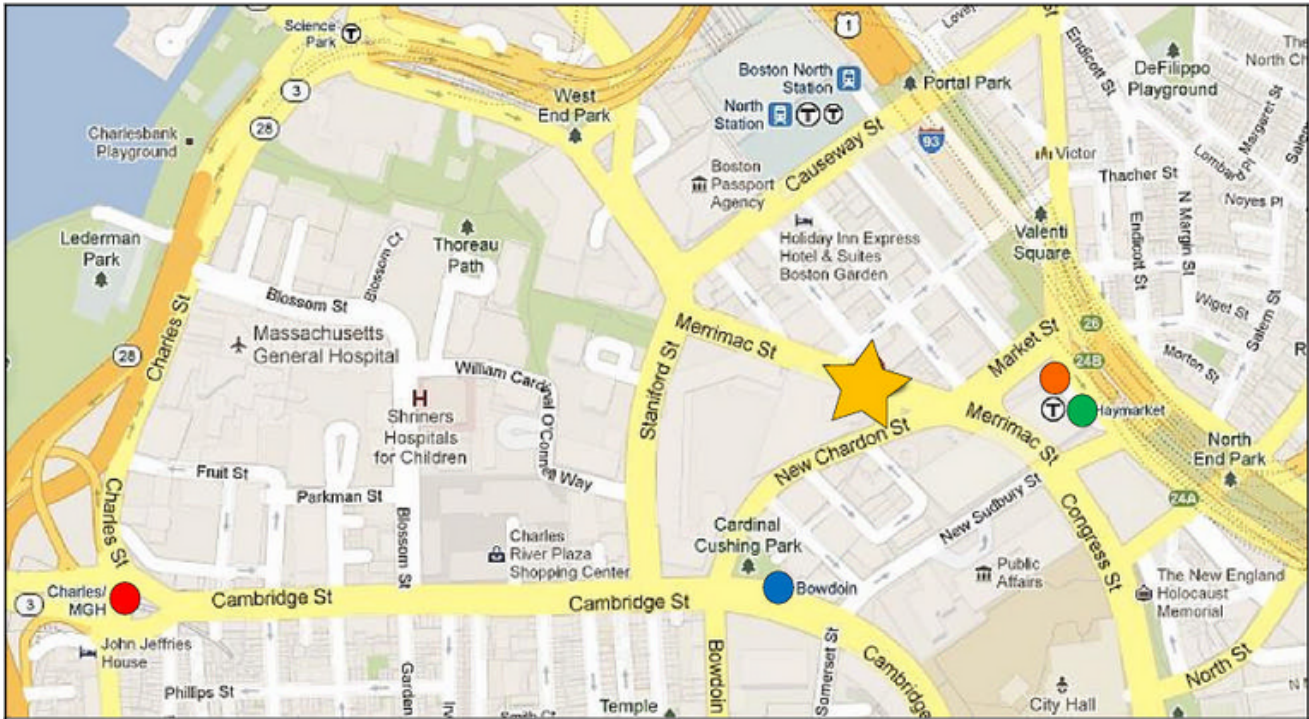
IF YOUR CLIENT DOES NOT QUALIFY FOR A FEE WAIVER

- The client will need to pay for litigation costs.
- For Guardianship and Family Law clients, this often means paying for a citation and any related litigation costs (service, generally).
- For Bankruptcy clients, the client will often be allowed to pay the \$338 filing fee in installments.

OTHER NOTES

- Do not pay for things out of pocket. Please check with VLP before fronting any fees for litigation.
- VLP will not assume costs for out-of-state service for a client who does not obtain a fee waiver. The client will need to provide the costs for this.

THE BOSTON MUNICIPAL COURTHOUSE



The Edward W. Brooke Courthouse is located at 24 New Chardon Street.

GETTING THERE

We recommend taking public transportation.

- Red Line: The Charles/MGH stop is a 10-minute walk down Cambridge St.
- Blue Line: The Bowdoin stop is across the street from the court.
- Orange Line: The Haymarket stop is near the New Chardon St. entrance
- Green Line: Haymarket and North Station are near the New Chardon St. entrance
- Commuter Rail: See Green Line above

WHEN YOU GET THERE

- Registry of Probate: 3rd floor
- Probation Office: 3rd floor
- Boston Municipal Court: 5th floor
- Courtrooms (Probate and Family): 4th floor
- Courtrooms (Housing): 5th floor
- Court Service Center: 2nd floor
- Coffee and Snacks: 1st floor

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TIPS FOR EFFECTIVE COMMUNICATION WHEN USING AN INTERPRETER

Many of our clients may feel more comfortable communicating in a language other than English. When this is the case, you will need an interpreter to communicate with them. Read the tips below to help you get started.

- The interpreter translates for the speaker. Speak slowly so that the interpreter can accurately interpret for you. English is best understood slowly, rather than loudly.
- Speak directly to the client, not to the interpreter. "I want to ask you some questions." The client is always your focus.
- Make eye contact with the client. Spoken language is only a small portion of communication. You can learn a great deal from body language, tone, and context.
- Speak simply and refrain from using legal jargon. Instead, explain the meaning of the legal terms. "On Monday, we have to go to Court and talk to the judge. The judge will decide how much child support you will get after the judge reads your financial statement."
- Use the interpreter as you would a telephone. The interpreter translates for you when you are speaking. Do not ask the interpreter to meet alone with the client to prepare any documents or to discuss the case. The interpreter acts as your intermediary to communicate with your client.
- Allow the interpreter to clarify questions for a client or explain a word differently if their native language does not have a word for it.
- Do not tell the interpreter to explain something to the client for you. You should explain terms, documents, processes, etc. as you would to an English-speaking client.
- Do not let the client and interpreter speak back and forth too long without clarifying what is happening. Make sure the interpreter is not giving legal advice.

COURT CLINICS

GUARDIANSHIP CARE PLAN REVIEW

Volunteers review guardianship care plans to ensure the forms are properly completed. Volunteers can complete reviews whenever they would like during court hours. Volunteers must attend a CARE plan training. If you are interested, please talk to Emelia Andres, Pro Bono Manager, eandres@vlpnet.org.

- Suffolk County – Edward W. Brooke Courthouse (24 New Chardon Street, Boston)

CIVIL APPEALS CLINIC

VLP collaborates with and operates a pro bono Civil Appeals Clinic with members of the Association of Pro Bono Counsel (APBCO). Self-represented litigants who qualify meet with volunteer attorneys who assess whether a final judgment exists, calculate deadlines, advise litigants in deciding to appeal or continue seeking relief in the trial court, and provide/assist with self-help materials, resources, forms, and motions. They assess if a case can be reviewed for further representation, considering if the appeal has merit, falls within VLP priority issue areas, has broad-based implications for low-income people, or constitutes a legal error. The volunteer may recommend that the case be sent for a second layer of merit-based screening by appellate attorneys and legal services experts.

Massachusetts Appeals Court (1 Pemberton Square, Boston) Wednesdays, 12:30–4:00 pm, via VLP's Zoom account.

HOUSING LAWYER FOR THE DAY

Volunteer Attorneys advise and represent low-income tenants at Boston Housing Court on the 1st, 3rd, 4th, and 5th Tuesday. Volunteer Attorneys can represent a client in mediation which is concluded that day. VLP assists pro se landlords and tenants at Boston Housing Court primarily in matters involving eviction by:

1. Providing brief advice and/or preparing pleadings or motions
 2. Representing clients in mediation or negotiation
 3. Representing clients on a Limited Assistance Representation (LAR) basis in court hearings
- **Edward W. Brooke Courthouse** (24 New Chardon Street, Boston) Tuesdays 9:00 am–12:00 pm and 1:00pm– 4:00pm 5th floor in front of Courtroom 10

COURT CLINICS

ANSWER AND DISCOVERY CLINIC

Clients have been served with a Notice to Quit and a Summons and Complaint and need help preparing an answer and request for discovery.

- Volunteers will help clients generate their Answer and Discovery forms using the GBLS “MADE” tool. MADE was created for pro se litigants to independently generate answer and discovery forms.
- Assist with drafting primary forms, including notices of transfer to housing court and check box motions to dismiss.
- No experience is necessary. VLP provides training videos and staff support during the clinic.
 - Remote via VLP’s Zoom account Thursdays 9:00 am– 11:00 am or 11:00 am to 1:00 pm

FAMILY LAW CLINIC

Volunteer attorneys provide legal advice and brief services in divorce, custody, paternity, contempt, and modification actions. Volunteers do not file an appearance on behalf of the clients; our services are limited to advice and assistance with drafting documents. The scope of representation is limited to the services provided at the clinic, however, some clients may be referred to VLP or other legal services provider, for further assistance.

- **Suffolk County Probate and Family Court** (24 New Chardon Street, Boston)
Wednesdays, 9:00 am–1:00 pm, 2nd floor, Hybrid switching between in-person Edward Brooke Courthouse, Court Service Center, and VLP’s Zoom Account

COURT CLINICS

CONSUMER DEBT CLINIC LAWYER FOR THE DAY

Eligible clients with trials scheduled before a Clerk Magistrate in Small Claims receive assistance from pro bono volunteers. They may give advice, brief services, LAR with negotiating settlements, or representing a client in small claims trials. Experienced consumer law attorneys are available for mentoring and guidance, and we have forms, files, reference materials and other items for volunteer attorneys.

- Quincy District Court (1 Dennis Ryan Parkway, Quincy) 1st Tuesday of every month, 1:30-4:00 pm on the 2nd floor
- Cambridge District Court (4040 Mystic Valley Parkway, Medford) 1st Thursday of the month, 8:45-11:00 am
- **BMC Central – Small Claims** (24 New Chardon Street, Boston) 1st and 3rd Thursdays of the month, 1:00-3:00 pm on the 1st floor
- **BMC Dorchester District Court – Small Claims Division** (510 Washington Street, Boston) 2nd and 4th Thursdays of the month, 10:00 am-1:00 pm

WAGE THEFT CLINIC

In partnership with the A. G. 's Office Labor Division and various community partners to combat wage theft and worker exploitation, monthly clinics provide limited legal consultation and education and outreach related to workers' rights law. Lawyers will provide limited legal consultation for workers who have been issued a private right-of-action letter by the Fair Labor Division of the Attorney General's Office. Pro bono lawyers will be provided to clients who seek assistance with wage and hour cases. Suffolk Law School (120 Tremont Street, Boston, near the Park Street Station) Function Room on the 1st floor, for the current monthly schedule go to [https://www.mass.gov/service- details/free-wage-theft-legal-clinic](https://www.mass.gov/service-details/free-wage-theft-legal-clinic)



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