DISTRICT 8

HEARTLAND PRO BONO COUNCIL

2003 ANNUAL REPORT

A. Abstract

Heartland Pro Bono Council, Inc. has now been actively engaged in a wide-range of pro bono activities for over the past 12 months with the employment of Laurie Beltz Boyd as the Plan Administrator. Judge David J. Dreyer, the appointed Chairman of Heartland Pro Bono Council, has been working with his committee members since 1999 to assess the legal needs in District 8, the current services provided, and how Heartland could most effectively assist the in the coordination, growth and recruitment of pro bono services to the low income citizens residing in the eight counties of the district.

Heartland's primary mission has always mirrored the goals set out in Rule 6.5 of the Indiana Rules of Professional Conduct, which are as follows:

(1) To enable Indiana attorneys to discharge their professional responsibilities to provide civil legal pro bono services;
(2) To improve the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations throughout the state of Indiana;
(3) To ensure statewide access to high quality and timely pro bono civil legal services for persons of limited means by (i) fostering the development of new civil legal pro bono programs where needed and (ii) supporting and improving the quality of existing civil legal pro bono programs;
(4) To foster the growth of a public service culture within the Indiana Bar which values civil legal pro bono publico service; and
(5) To promote the ongoing development of financial and other resources for civil legal pro bono organizations in Indiana.

District 8 comprises 53.4 % of Indiana residents living below the poverty level, which means that there are more than 130,000 people who are eligible for pro bono services in eight counties. (U.S. Bureau of the Census 200) The unmet needs for civil legal services were documented several years ago by the United Way Agency, and current service providers continually turn away citizens due to a lack of sufficient resources.

As a result of the size of the low-income population in Marion County alone, numerous service providers and bar associations had already begun addressing the civil needs of the low-income population prior to the statewide implementation of a pro bono program. Therefore, Heartland had the unique challenge to not only assess the unmet needs in central Indiana, but also to assist and supplement the services that were already being provided. A delicate balance had to be achieved to not interfere with the existing programs of the service providers or established bar associations, but to find ways to assist and possibly expand the services being provided. As with most organizations, history, politics, funding competition, and differing guidelines play a significant role in the ability of these groups to cooperate and coordinate with each other. Hence, Heartland has developed a mission to be the "umbrella " support organization for the nine county bar associations and 6 service providers in its District. In addition to providing support services,

which are outlined below, Heartland has been able to facilitate greater coordination between agencies and bar associations as well, which benefits each agency as well as the clients and volunteers. Partnering on training, recruitment and recognition between Heartland and the bar association and service providers has been growing, and as a result, even more partnerships among the providers and the private bar have been established.

Heartland has been committed to alleviating the unmet need of civil clients by initiating a recruitment drive for attorneys to volunteer to take the cases that the service providers cannot handle. The major law firms in Marion County have been contacted and meetings have been held to discuss the various ways in which law firms can participate, and two firms, Ice Miller and Barnes & Thornburg, have made full firm commitments to provide pro bono lawyers for eligible clients. Those two firms alone add an additional 320 lawyer volunteers for District 8. Judge Dreyer and Ms. Boyd have been consulting with other firms in Indianapolis who are interested in developing pro bono initiatives within their firms. The success of full firm participation provides a wonderful example and impetus to other law firms to join the pro bono commitment. A Hamilton County law firm Campbell, Kyle & Proffitt has also made a full firm commitment, including monetary donations from each lawyer to help defray the costs of a coordinator/intake staff person for that county.

Heartland has developed a recruitment brochure in which a wide variety of pro bono activities are listed to provide as many choices and opportunities for lawyers to participate. This brochure has been widely distributed, and recently was mailed to all attorneys in District 8 accompanied by a letter from the Chief Justice and Judge Dreyer encouraging them to become a pro bono volunteer.

To assist and support pro bono volunteers, Heartland has acquired the following services for the volunteer lawyers and current service providers:

1. Malpractice insurance;
2. Pro Bono Mediators;
3. Free depositions donated by three different court reporting agencies;
4. Free service of process and investigation services donated by a local agency;
5. Pro bono paralegal assistance;
6. Law student assistance;
7. Panel of experts;
8. Pro bono attorneys for research; and
9. Reimbursement of litigation expenses

Additional approaches to recruiting have also proven effective, particularly offering free CLE training seminars. Heartland has collaborated with bar associations, law firms, and service providers in hosting seminars, which benefit the providers, the volunteer attorneys and maximizes the use of Heartland's resources. These co-sponsorships help build a unified message to the bar that their county bar associations, the law school, and even private law firms contribute to the training, support and recruitment of pro bono attorneys.

With the size and resources of the Indianapolis Bar Association, Heartland has become a partner of the IBA and its Pro Bono Coordinator through the sharing of data bases, advertising and other promotional materials, including website and email technology. Heartland and the IBA are coordinating their annual recognition events to honor pro bono volunteers later this fall. The IBA and Heartland are represented on each other's Boards and Pro Bono Committees, as well.

Developing a close working relationship with one the District's largest providers, Heartland has been able to take client referrals from Indiana Legal Services to place with volunteers to expand the delivery of pro bono services. Often cases are declined because of a lack of resources or due to conflicts of interest, and Heartland can now step in and offer representation to eligible clients. As a result, Heartland has now become a resource for the entire district to screen and place cases with pro bono attorneys. This has become a significant part of the Plan Administrator's job, and as a result, over 70 people have received pro bono representation who may have otherwise gone unrepresented.

Heartland also assists the Neighborhood Christian Legal Clinic and Community Organizations Legal Assistance Project with additional volunteer recruits, plus the provision of the additional support services that have been acquired over this past year.

Heartland actively worked with the Hamilton County Bar Association to initiate its pro bono plan and is continuously working with the volunteer staff to recruit, maintain case files and forms, track donations, and update the database of volunteers. The success of Hamilton County's pro bono plan will be used as an example to the other counties in District 8 that still need encouragement and assistance in the activation of their pro bono plans.

Since early 2000, Heartland has been discussing the implementation of a toll free hotline for the entire district to provide one centralized resource for citizens to obtain referrals for pro bono attorneys. Members of the Heartland committee discussed placing the hotline at the Information and Referral Network, a United Way Agency, which operates the Help Line. This association seemed to be ideal since the IRN staff were already trained and knowledgeable about telephone intake and referral. Many barriers have arisen in the past year in the installation of the toll free hotline at IRN, particularly with technology, and as a result, other options of the toll free number have been considered. IRN will soon begin implementation in central Indiana of a 211 number, operated in a manner similar to 911, but for information and social service assistance. It may now be feasible to incorporate Heartland's legal help line into the 211 system rather than operating a separate and distinct line. The costs associated with Heartland operating within the 211 system will be $8,000 and IRN will donate $8,000 as part of its pro bono contribution. The main issues for the Board of Directors to resolve now are the costs involved in the legal help line and whether to operate a separate toll free line apart from the 211-communication plan. In either plan, lawyer volunteers will still be able to participate but volunteers will not be the sole source of personnel. Volunteer recruitment for the legal help line has been a significant barrier to the implementation of this project and a mixed group of paid staff and volunteers has been a model at IRN already.

In addition to recruitment, Heartland has worked at expanding the culture of pro bono through advertising and recognition of volunteers, clients and services. Numerous articles have appeared in print journalism and on the radio highlighting this program and the current need for volunteers. Each time an article appeared in the local newspapers, several lawyers would contact Heartland to learn more about the ways they could volunteer. Heartland organizes active volunteer lawyers to speak to other lawyer groups about their positive experiences and to encourage their colleagues to join in the pro bono cause.

In November 2002 Heartland will sponsor its annual recognition event to honor pro bono volunteers at the Indiana University School of Law-Indianapolis. Nominations will be solicited from each bar association and each provider, as well as nominations for paralegals and law students. Heartland will honor these volunteers with an award that is presented by judges and peers. This will become an annual event and invitations will be sent to all attorneys in District 8.

Heartland will be expanding its services into preventative legal education through its support of the "Empowerment Mondays" program offered by the Neighborhood Christian Legal Clinic. This exciting project, coupled with "Las Classes de Poder" workshops brings an entirely new element into the pro bono efforts of District 8. Preventative education to low income residents provides practical knowledge to empower citizens to make the right choices to avoid future legal problems. This project will recruit volunteer attorneys from private practice, government, current service providers, and bar associations, a combination that further demonstrates the strong unified force behind pro bono in District 8.

Heartland Pro Bono Council, Inc.

NAME	COMPANY	ADDRESS	CITY		ZIP CODE	EMAIL	PHONE	DESIGNATION
Arnold, Robert J.	Attorney	21 W. Taylor P.O. Box 835	Shelbyville	IN	46176	Rarnold@ Arnoldlaw. com	317-392-2553	Shelby Co. Bar Association
Blomquist, Kerry	Protective Order Pro Bono Project	P.O. Box 1365	Indianapolis	IN	46206	Kblomquist @popbp.org	638-7672	POPBP Project Coordinator
Booth, Cynthia	Child Advocates, Inc	4701 N. Keystone	Indianapolis	IN	46205	Cindy@chil dadvocates. net	205-3070	Provider
Campbell, Scott	Campbell & Hendren	302 N. East Street	Indianapolis	IN	4620	Campbellla w@msn.co m	685-2525	Marion Co. Bar Assoc.
Davis, James **Secretary**	Attorney	321 N. State St P.O. Box 950	Greenfield	IN	46140	Jed.j:mdavis law@ prodigy.net	317-462-7759	Hancock Co. Bar Assoc.
Dimos, James **Vice President**	Locke Reynolds	201 N. Illinois Street Suite 2000	Indianapolis	IN	46204	jdimos@loc ke.com	237-3848	Indianapolis Bar Association
Dreyer, Hon. David J. **President**	Marion Superior Court No. 11	T-1421 City – County Building	Indianapolis	IN	46204	Ddreyer @indygov.org	327-3290	Chair and President
Floreancig John	Indianapolis Legal Aid Society, Inc.	615 N. Alabama	Indianapolis	IN	46204	Johnf@indy las.org	635-9538	Provider
Haigh, Mariateresa	Indianapol is Bar Associatio n	107 N. Pennsylvan ia Suite 200	Indianapolis	IN	46204	mhaigh@in dybar.org	269-2000	Indianapolis Bar Association Pro Bono coordinator
Hampton, Karen	Communit y Recipient	5632 Renn Lane	Indianapolis	IN	46254		299-2023	Community Recipient
Kasenak, Michael A.	Attorney at Law	45 N. Jefferson	Martinsville	IN	46151		765-342-07644	Morgan Co. Bar Rep.
Kavanaugh Kirk, **Treasurer**	COLAP	1802 N. Illinois St.	Indianapolis	IN	46202	Kkavanaugh @colap.org	921-8806 ext. 26	Provider

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NAME	COMPANY	ADDRESS	CITY		ZIP CODE	EMAIL	PHONE	DESIGNATION
Kennedy, Sheila Suess	IUPUI/ SPEA	801 W. Michigan Suite 4061	Indianapolis	IN	46205	shekenne @iupui.edu	274-2895	General Community
Kuzma, Abigail	Neighborhood Christian Legal Clinic	2301 N. Park	Indianapolis	IN	46205	Akuzma@ nclegalclinic. org	415-5337	Provider
Metzger, Norman	Indiana Legal Services, Inc.	151 N. Delaware Suite 1600	Indianapolis	IN	46204	Norman. Metzger @lsoi.org	631-9410	Provider
Meyer, Todd	Lowe Gray Steele & Darko	111 Monument Circle	Indianapolis	IN	46204	Todd.meyer @lgsd.com	236-6472	Boone Co. Bar Association
Morgan, Dannette J.	Attorney at Law	704 N. Matthews	Greenwood	IN	46143		881-7828	Johnson Co. Bar Association
Remondini, David	Office of Chief Justice	State House	Indianapolis	IN	46204	Dremondi@ courts.state.in.us	233-8684	Supreme Court Representative
Watson Duvall, Derelle	Kids' Voice	5172 E. 65th Street	Indianapolis	IN	46220		558-2870 Ext. 26	Provider
Williams, Olgen	Christamore House	502 N. Tremont	Indianapolis	IN	46222	Owilliams @Christamorehouse.com	635-7211 ext. 223	Community Representative
Williams, Shannon	I.U. School of Law	530 W. New York	Indianapolis	IN	46205	Shlewill@iupui.edu	278-2172	Law School Volunteer Provider
Wolfley, Karen	Campbell Kyle & Proffitt	650 E. Carmel Drive #400	Carmel	IN	46032	Kwolfley@ ckplaw.com	846-6514	Ind. Paralegal Association
Ziliak, Neal	Hamilton Co. Bar Association	152 S. 9th Street	Noblesville	IN	46061		773-4999	Hamilton Co. Bar Assoc.

Plan Administrator: Laurie Beltz Boyd, 151 N. Delaware, Suite 1800
Indianapolis, IN 46204
317.614.5304

2. **Governance-Briefly describe the organizational structure of your District, including replacement and succession of members, and terms of service.**

Heartland Pro Bono Council, Inc. was incorporated on January 7, 2002 and has applied for status as a 501 (c) (3) not-for-profit corporation. The Board of Directors may include as many as twenty-five directors, as approved by action of the Chairman. The Board of Directors serve for terms of one to three years as determined by the Chairman so that the terms of service on the Board will be staggered in a manner so that one-third of the terms of the Directors end at each Annual Meeting of the Corporation. The Chairman appoints replacement and succession members. The Chairman requests nominations from the bar association or Circuit Court Judge of the county to be represented. Each Director holds office until a successor has been duly elected. Directors may serve successive terms without limit.

3. **History/Background-Please list all counties in the District, any pro bono organizing activity or efforts at coordination that existed prior to the formation of the Rule 6.5 Committee**.

MARION COUNTY

In Marion County, the largest county in the district, there were four pro bono providers serving indigent clients or organizations that serve low-income groups prior to the promulgation of Rule 6.5. The Indianapolis Legal Aid Society ("Legal Aid"), Community Organizations Legal Assistance Project (COLAP), the Neighborhood Christian Legal Clinic (NCLC)and Indiana Legal Services (ILS) all recruited and utilized their own list of pro bono attorneys. The Indianapolis Bar Association assisted in pro bono recruitment through listing these agencies on dues statements for bar members to indicate where they would like to volunteer.

The Indianapolis Bar Association ("IBA") has been active in pro bono programs for many years. Through its active committee membership, the IBA has sponsored "Ask a Layer", and Legal Help Line, which has reached out into the community to make lawyers available at no charge. More recently, the IBA also has a booth staffed with volunteer attorneys to answer legal questions at Black Expo and Fiesta.. The IBA's Juvenile Court Project and the Homeless Project recruit volunteers to visit shelters at designated times each month to offer brief service and advice.

BOONE - There was no organized effort in Boone County to provide pro bono representation other than the services offered by Indiana Legal Services, Neighborhood Christian Legal Clinic, and Indianapolis Legal Aid Society.

HAMILTON - Prior to the promulgation of Rule 6.5, Indiana Legal Services, Indianapolis Legal Aid Society, and Neighborhood Christian legal Clinic provided the only pro bono representation. The Hamilton County Bar Association, with the assistance and support of Heartland, has since launched a pro bono program detailed in Existing Service Provider Reports.

HANCOCK - the Hancock County Bar Association initiated a pro bono legal services program over 30 years ago and still maintains an active pro bono program. (See attached Service Provider

Report). Indiana Legal Services, Indddianapolis Legal Aid Society, and the Neighborhood Christian Legal clinic also service clients in Hancock County.

HENDRICKS – ILS, NCLC, and Legal Aid provide the only pro bono representation in Hendricks County.

JOHNSON - In addition to ILS, NCLC, and Legal Aid, Johnson County has maintained its own pro bono project through the Johnson County Bar Association.

MORGAN – No pro bono organization existed in Morgan County beyond the services provided by Indianapolis Legal Aid society, Indiana Legal Services, and Neighborhood Christian Legal Clinic.

SHELBY – The Shelby County Bar Association had an informal pro bono program but it was not until the promulgation of Rule 6.5 and the creation of Heartland that its program became more organized with increased participation. ILS, NCLC, Legal Aid are also available for pro bono representation.

4. **Plan Administrator – Rule 6.5(g)(2) requires each Committee to select and employ a plan administrator to provide the necessary coordination and administrative support for the District Pro Bono Committee. Please indicate the name of the person, the duties of the plan administrator, if that position is funded and if so, the source of those funds.**

   Laurie Beltz Boyd was hired as the Plan Administrator in June 2001. Although her paycheck is issued by Indiana Legal Services, Heartland has provided the annual salary money to ILS, which in turn donated the tax and fees associated with this service. She works 30 hours a week in office space donated to Heartland by ILS.

   She is in charge of recruitment, training, public relations and recognition of Heartland's pro bono efforts. She coordinates activities, training seminars, and recruitment among the bar associations and service providers throughout the district. Since July 2001 she has organized eight different events throughout the district to recruit and/or train pro bono attorneys. Additionally, Ms. Beltz has done intake and placement of over 70 pro bono cases, which includes monitoring and follow-up with clients. Although she does not maintain statistics of the number of potential clients she does not accept, it is estimated that she speaks to over 20 potential clients a week.

   The Plan Administrator also places pro bono clients for cases referred from the Marion Superior and Juvenile Courts. The Courts had solicited volunteers the preceding year, but that list had been exhausted and Ms. Boyd immediately had to initiate a personal recruitment drive just for those court-referral cases.

   She maintains the minutes of the corporation, the financial records, and the general business of the corporation.

5. **Monitoring Role-Briefly describe how the District Committee will evaluate and record the progress and success of the District Plan**.

   (a) Quality of services provided: Each bar association and service provider individually tracks and monitors its own cases, which includes mechanisms to measure client satisfaction and internal grievance procedures. Most groups utilize client surveys, which are mailed to the client at the close of their case, with a self-addressed stamped envelope. These surveys ask the client to rate the amount of time the attorney spent with them, how the attorney explained the law and the issues of their case, the outcome, and suggestions for changes in the services offered.

   Although this method seems to be outcome determinative, meaning positive outcomes produce satisfied clients, unhappy clients tend to telephone the Plan Administrator to complain or request the withdrawal of appearance of their attorney. These matters are handled on an individual basis based on the issues or concerns raised.

   As Heartland recruits attorneys to volunteer their services, it requests each attorney to designate their areas of practice and to designate the types of cases they would like to be assigned in order to maintain a basic level of competency and comfort for the volunteer.

   (b)Quantity:

(i) number of attorneys participating
The Plan Administrator maintains a database of attorney volunteers, which are categorized by practice area, county, any service provider preference, and type of volunteer activity. Each bar association and service provider maintains it own data in-house by various means, which are then reported to Heartland on an annual basis.

(ii) number of clients served
The Plan Administrator maintains a database of clients whose cases are referred and accepted by volunteer attorneys. Each service provider and county bar association maintains its own statistics by various means, which are then forwarded to Heartland on an annual basis.

(iii) number of hours
The Plan Administrator provides a form for the pro bono attorney to report the number of hours spent on the case. Some volunteers maintain hourly records in the same manner as they do to bill a client, while others only estimate the amount of time spent on the case. Since these attorneys are volunteers, Heartland only requests this information but does not dictate the manner in which it is maintained. Heartland wants to make the pro bono process as simple as possible for its volunteers and does not want to encumber a

volunteer with paperwork or record keeping the lawyer does not wish to use. Therefore, some of the reported hours are only estimations of the actual work performed.

(c) Costs associated with achieving goals

The Plan Administrator uses the Quick Books program for accounting matters and has developed a chart of accounts and a budget plan to monitor the actual costs against the budgeted amounts. Prior to submitting a Final Budget, Heartland investigated the costs of certain items, systems and programs in order to develop specific budget items to a reasonable certainty.

The Board of Directors meets almost monthly and reviews the budget and makes recommendations at each Board meeting. The Board of Directors, with recommendations from the Executive Committee, prepares and finalizes the budget.

C. Annual Report: Existing Services, Programs, and Funding Sources – Please provide a detailed description of existing service providers, programs and funding sources currently in existence within your District.

District 8 has 13 service providers and bar associations involved in offering pro bono services to people of limited means. They are:

1. Indiana Legal Services, Inc. ("ILS")
2. Indianapolis Legal Aid Society ("Legal Aid")
3. Neighborhood Christian Legal Clinic ("NCLC")
4. Community Organizations legal Assistance Project ("COLAP")
5. Child Advocates
6. Kids' Voice
7. Protective Order Pro Bono Project (POPBP")
8. Marion County Bar Association
9. Indianapolis Bar Association ("IBA")
10. Hamilton County Bar Association
11. Hancock County Bar Association
12. Johnson County Bar Association
13. Shelby County Bar Association

Each organization listed above is described in detail in the following Service Program Reports.

In addition to the representation of each organization on the Heartland Board of Directors, each group has worked cooperatively with each other and with Heartland in many new and various ways since July 2001. Heartland has sponsored, co-sponsored or recruited speakers for numerous legal training seminars and lectures. NCLC, Kids Voice, and the IBA worked with Heartland in providing a seminar on Family Law, offering free CLE and lunch if the attendees agreed to take one family law case. During the free lunch, which was well attended by members of the Marion County Bar Association, Heartland, POPBP and other service providers addressed the attendees about the numerous ways in which they could contribute their time and legal expertise. There was 100% pro bono participation of the 48 attorneys who attended.

Heartland recruited three lawyer volunteers to speak on business, charitable gaming and tax-elated subjects for COLAP's part of the Central Indiana Community Foundation seminars for nonprofit organizations. These lawyers were either government attorneys or from private practice.

NCLC works closely with the other service providers in obtaining speakers for its "Empowerment Mondays" educational programs in low-income neighborhoods. In addition to attracting government and private practice attorneys, NCLC has recruited attorneys from ILS, POPBP, Johnson County Bar Association and the I.U. Law School. Indianapolis Legal Aid has assisted the IBA in the legal research, training materials, and lecturers for its "Ask a Lawyer " program trainings. "Ask a Lawyer" is offered twice

throughout the year in various Indianapolis locations. The volunteer lawyers at Black Expo and Fiesta use these same materials.

ILS, the Indiana Justice Center and Heartland have partnered on three training seminars. By combining resources, ILS receives support for its organizational and financial needs, while Heartland utilizes existing resources to attract and train pro bono lawyer volunteers. Since ILS offers in-house training for its staff statewide, this partnership has been invaluable in exposing private practice/government attorneys to poverty law training in preparation for their pro bono service. In July 2002 Heartland will expand further this partnership by including pro bono participation by a large private law firm that is donating its training facility and the accompanying amenities.
ILS continues to partner with the Marion County Bar Association in referring cases to the bar for pro bono representation.

Heartland worked closely with the Hamilton County Bar Association in developing its pro bono program and recruitment strategies. This effort was initiated by a unique partnership with the bar association and League of Women's Voters to host a free CLE training on Ethics in the Noblesville Judicial Center, with the Chief Justice as a keynote speaker, followed by Heartland's Judge David Dreyer and Laurie Boyd, and Kerry Bloomquist of the POPBP. This collaboration was successful in recruiting almost 30 volunteer lawyers and raising $850 for program expenses.

Heartland and the Shelby County Bar Association are planning a free CLE training seminar in mid-July to attract new pro bono volunteers. The executive director of the POPBP is going to lecture and an ethics speaker recruited from the private bar will address Rule 6.5. This partnership will be primarily organized and funded by Heartland in its continuing role to assist and recruit pro bono volunteers.

The IBA has assisted Heartland these past 12 months by providing free training space in its conference room, free videotaping of seminars, and assistance with the publicity of training events. The IBA promotes these training seminars in its IBA Bulletin, through email blasts to its membership, and in advertising space in the Indiana Lawyer. Additionally, the IBA donates its mailing list to Heartland for district wide mailings. This mailing list includes all eight counties and is maintained and updated by the IBA. This is an invaluable service for Heartland and the other service providers.

The IBA also includes Heartland's activities on its website and is currently developing a recruitment page for pro volunteers to register. This assistance with the exposure the ISBA and Indiana Pro Bono Commission already offer, will negate the need for Heartland to pay to develop and maintain a website.

Heartland has worked closely with the Indiana State Bar Association ("ISBA") in numerous ways these past twelve months, which has helped broaden recruitment and support for District 8. Indiana Operation Enduring Lamp became a project of the ISBA and Heartland and one of Heartland's volunteer pro bono attorneys from private practice

who had a keen interest in assisting in this project. Through coordinated efforts with the ISBA and ICLEF, a free training program for attorneys statewide was offered about the legal issues governing reservists and the Sailors and Soldiers Relief Act. The private attorney volunteer addressed the seminar attendees about how they could offer their legal services and Heartland drafted and distributed forms to register the volunteers. Heartland now maintains the database for this program and takes the case referrals and finds the appropriate attorney for that case. This database contains attorneys from the entire State of Indiana. To date, three cases have been placed from a pool of 21 lawyer recruits.

The Plan Administrator is an active participant on the ISBA's Pro Bono Committee and is assisting in the Ask a Lawyer Day project. The Plan Administrator has worked with the state bar's pro bono coordinator on developing projects for recruitment and recognition. Heartland has been able to provide the ISBA with note-worthy projects and extraordinary volunteers to highlight. Additionally, the ISBA has generously advertised Heartland's CLE training events, which helps to further spread the pro bono message.

D. 2002-2003 Annual Plan:

Problem Statements/Recommendations-For each problem, use one complete worksheet with as many recommendations for solving that problem as necessary. Please number your problems according to priority.

Problem/Barrier No. 1: Insufficient number of attorneys to meet the needs of individuals of limited means in District 8.

Supportive data
In the 2000 U.S. Census, 559,484 Hoosiers live below the poverty level. In District 8, 122,677 people are living below the poverty level, which means that District 8 comprises 53.4% of the state with individuals living below the poverty level. There are 6, 320 licensed attorneys within District 8, and if each attorney accepted two pro bono cases a year, the estimated unmet need of District 8 would be greatly reduced. The problem is reaching those 6,320 attorneys and obtaining commitments from them to serve in some pro bono manner.

Recommended Actions and support
Heartland has undertaken to change the culture within the legal community and to make it second nature to volunteer one's time and talents to those who cannot otherwise afford representation. This change needs to occur early in the span of the profession, which is why Heartland has partnered with the Indiana School of Law-Indianapolis to include and promote pro bono participation with law students. Law students are volunteering with the Protective Order Pro Bono Project, with all of the legal service providers, and are also being recruited generally by Heartland for placement on specific cases. This experience not only complements the student's legal training but also heightens and develops the student's pro bono conscience, which will continue throughout his or her legal career.

Heartland has tried to raise the general consciousness of pro bono within the legal community through publicity of its programs, clients, and future plans.
Examples of this public relations campaign are contained in the Appendix. It is Heartland's contention that lawyers need to see and read about the plight of unrepresented individuals and how others are not only coming to their aid, but are also being held in high esteem by their peers to attract them to pro bono.

To kick-off its initial recruitment efforts, Heartland hosted a reception last November at the I.U. School of Law-Indianapolis, which was attended by over 175 attorneys and judges. Chief Justice Randall Shepard spoke and one free hour of CLE Ethics credit was provided to those in attendance. A Host Committee for this event was comprised of the county, state and federal judiciary and the county bar associations. Several pro bono volunteers shared their personal experiences with the audience and promoted a "If I can find time to do this, then so can you" theme to end the evening.

Heartland has been working with the larger law firms in its district to encourage the firms to develop a pro bono plan and even to require pro bono service from all firm members. Three law firms have made generous commitments to make their entire firm available for pro bono activities either through Heartland or directly to the existing service providers or bar associations. These three firms combined constitute 435 available attorneys for pro bono cases.

As part of its marketing tactics to attract attorneys into pro bono, Heartland has acquired and subsequently marketed the following benefits it can offer to its volunteers:

1. Malpractice coverage has been in effect since August 2001;
2. Three court reporting agencies have volunteered pro bono depositions in exchange for Heartland's commitment to advertise their contribution in its recruitment brochure;
3. Free locate investigations and subpoena services have been obtained and are advertised in the recruitment brochure.
4. Reimbursements of litigation expenses are highlighted and attorneys are utilizing this service.
5. Pro Bono mediators offer a significant option to attorneys in the representation of their clients.
6. Paralegal and law student support services offer a helping hand to the volunteer who might otherwise be too busy to handle a case.
7. An expert panel of volunteers is being assembled and has already been utilized for advice and mentoring to attorney volunteers.

With these benefits in place, Heartland then developed a recruitment brochure listing all of the opportunities in which a volunteer attorney could elect to participate. Since not all attorneys are comfortable in a courtroom setting, Heartland was able to devise many other ways in which an attorney could volunteer other than accepting a case from an existing service provider, such as:

1. Intake and screening for the toll free number;
2. Co-Counsel expert panel;
3. Lecture at CLE trainings;
4. Legal Research;
5. Mediation, both domestic and civil;
6. Interview clients through the IBA's Juvenile Court and Homeless Projects and "Ask a Lawyer; or
7. Be a guardian ad litem.

As new opportunities arise, Heartland will expand its list of opportunities, such as the Indiana Operation Enduring Lamp project for reservists.

As part of its latest recruitment drive, Heartland distributed 6,320 recruitment brochures accompanied by a cover letter from Chief Justice Randall Shepard and Chairman Judge Dave Dreyer. Although this recruitment brochure had been distributed previously, public relations professionals have advised us that it takes as many three different forms of communication to catch the attention of the target audience. The contribution of the Indiana Supreme Court and the Chief Justice to this effort improved the response rate tremendously. To date, we have received over 90 new attorney recruits.

As part of Heartland's recommended actions to attract attorneys to pro bono, it has collaborated with other service providers and bar associations to offer free CLE training and distinguished speakers to acquaint attorneys with Rule 6.5, plus offer free CLE legal training to assist them in offering quality legal representation. Heartland has co-sponsored the following seminars:

1. Family Law with the IBA and NCLC;
2. Domestic Violence Victims with ILS and the Indiana Justice Center at donated space through the American Red Cross;
3. Special Education Advocacy with ILS and the Indiana Justice Center;
4. Consumer Law with ILS and donated space and advertising by the IBA;
5. Hamilton County Bar Association meeting featuring the Chief Justice, Judge David Dreyer, Plan Administrator Laurie Boyd and POPBP;
6. Shelby County Bar Association luncheon and 2 hours of free CLE with POPBP and an attorney volunteer from a private law firm; and
7. How to Avoid Guardianships seminar with ILS and Barnes & Thornburg, a large private law firm that donated training space and amenities.

Finally, Heartland is going to reprise its last November event at the law school and build a tradition of an annual recognition event, honoring individuals, firms and organizations for their contributions to pro bono. Heartland will invite each county bar association and each service provider within the district to nominate their own candidates. Heartland will underwrite the advertising for nominations as well as the invitations for the event. Heartland plans to have some of the awards distributed by a judge, wearing his or her robe, in the courtroom at the law school, to lend solemnity and prestige to the award and to the event. Following the distribution of the awards, a cocktail party will take place in the law school atrium. Heartland has currently reserved the space at the law school and is working with the bar associations and providers to coordinate this event.

Expected Results and Benchmarks

The manner in which progress can be measured on recruitment is the number of lawyers, paralegals and law students who volunteer. These names are maintained in a database by county and area of expertise. However, this number is inaccurate since it does not capture those individuals who have been quietly accepting pro bono cases for years. Heartland will continue to prompt individuals and agencies to keep accurate participation records to ensure a more accurate reporting of the total number of volunteers.

Heartland will continue to solicit large and medium size firms to commit their entire staff to pro bono participation. Once all of the major law firms in Marion County have joined in this commitment, it will then begin approaching the smaller firms.

Costs

Heartland anticipates spending approximately $10,000 in marketing and recognition for the calendar year 2003. This would include mailings, training seminar costs, printing, awards, and catering.

Problem Statement/Barrier No. 2: Implementation of the toll free legal help line

Supportive Data
The Heartland Pro Bono Council initially met in 1999 to develop its mission and set priorities. One of these priorities was to establish a single toll free number so that people throughout District 8 could call one centralized location to obtain pro bono representation. Members of the Council met with the Information and Referral Network ("IRN"), a United Way agency, which administers the Help Line, to collaborate on this project. The project was discussed and supported by the Council and IRN, but the details of the project were never outlined or documented.

When Heartland hired its Plan Administrator in June 2001, she began trying to determine the scope of the project, and how to implement a hotline that differed significantly from the hotlines used throughout the country. Since Heartland's Legal Help Line was going to be only a referral resource to the other existing providers, it was difficult to locate a similar project for guidance. Additionally, if this hotline was going to be operated by attorney volunteers, a significant number of recruits would be required; and they would need to be trained prior to implementation. The Plan Administrator studied numerous formats for a hotline and explored collaboration with other existing hotlines. The ability to tap into existing resources was the first choice of Heartland for the obvious reasons of training, support and reduced expenses. Due to a myriad of issues, the collaboration proved unworkable, mostly due to technical issues and timing of programs. Heartland then resumed research of computer programs for use by attorney volunteers that would also provide the data collection needed. Once this program was decided upon, it then became evident that an Internet service provider ("ISP") would enhance this project by allowing attorneys to do the intake from the privacy of their own offices. The ISP was located; contracts were negotiated, with assistance from a pro bono attorney in private practice. Then a larger company bought out the ISP so the contracts had to be renegotiated.

Then IRN became raising new issues about the service they had originally offered to provide, and an update of the 211 service that would be implemented in the fall of 2002. Heartland is now in a new position, due to the continuing advancements in the technological field, to totally revamp the hotline to include it into the 211 format at IRN.

Recommended Actions & Support
A new format for the hotline is being discussed to use the limited number of attorney volunteers available to assist the current IRN staff, which already refers potential clients to service providers. This would at least get the project started and give Heartland additional time to recruit more volunteers. Since this is a totally new project and it is impossible to determine the volume of callers, it is probably more prudent to start off slowly, assess the demand and problems as they arise, and then expand and/or revise the program as necessary.

Results and Benchmarks
The initial start up date from last year was unrealistic in light of the technological complications encountered. The initial way to measure the need and results of this Legal Help Line will be the

data that is generated from the number of telephone calls, times of day for high demand; nature of legal problems, and number and type of referrals. IRN has software currently in use that can capture this data. After a few months of sampling of this type of data, the Plan Administrator and IRN staff will be better able to assess the needs demonstrated in the Central Indiana communities.

Costs: Heartland is currently meeting with the IRN staff to discuss the potential additional costs Heartland will incur if it proceeds initially in this more limited fashion by using the IRN staff currently in place to supplement the volunteer base. The anticipated costs will range from $8,000-10,000.

Problem/Barrier no. 3: The overwhelming need for pro bono representation in family law cases.

Supportive Data: Of the number of telephone contacts received by Heartland Pro Bono Council seeking representation, 80% of the cases placed have been in the family law area. There are two significant reasons that many of these cases involve family law: the restrictions in the policies of existing providers, and the low priority these providers place on family law cases. So once the three main providers in Marion County reject an individual, they contact Heartland as a last resort for pro bono counsel.

Recommended Actions: Heartland needs to increase its recruitment of family law attorneys. Sponsoring another free Family Law seminar in December when attorneys are fulfilling their last minute CLE requirements has proven to be a good recruitment tool. Heartland would also like to work more closely with the IBA's Family Law Section and Young Lawyer's Division to gather additional support and volunteers. With a panel of experts at their side, new lawyers might be better equipped and willing to undertake a family law case. Most attorneys know that these types of cases can be time-consuming with protracted hearings and constant client telephone calls. Therefore, it is more difficult to attract family law attorneys to pro bono.
The recruitment of family law mediators is another support service that Heartland can now offer its family law attorneys, in addition to the reimbursement of expenses, free depositions and service of process, and law student/paralegal assistance. The *Pro Se* service available on the Internet has assisted a few people who do not have children or contested property settlements.

Results and Benchmarks: The statistics maintained by Heartland and the other service providers will clearly show the demand for family law attorneys, as will the database for new family law attorneys recruited. Additional statistics regarding litigation costs, mediation and trainings will further track the percentage of time and people associated with family law cases.

Costs: The budget items for training and recruitment include the costs associated with obtaining additional family law attorneys. There will possibly a larger percentage of the reimbursement of litigation expenses.

Problem/Barrier No. 4: The lack of interest of some counties in participating in any organized pro bono effort.

Supportive Data: Of the eight counties in District 8, three counties have no active or organized pro bono plan, even though the local bar association may have a written policy. The efforts of the Plan Administrator to obtain any response from the members of those county bar associations have proven futile.

Recommended Action: The Chairman of Heartland, Judge Dave Dreyer, initiates and follows-up with the Circuit Court judge of the three counties to attempt to convince him or her of the need to include the bar in a countywide effort to establish a pro bono program. Once the judges come to an agreement, then the Plan Administrator can work with the parties in assisting them in formulating their own plan. It is important to allow each county to identify the problems, uses and solutions to pro bono, and then Heartland can offer support and assistance in developing that program.

Based on Heartland's success in Hamilton County, the involvement of the bar association is critical and offering speakers, free CLE training, and even a free meal, will help launch the program along with the unwavering support of the judiciary.

Finally, even if all counties activate their pro bono programs, Heartland still has the "Circuit Riding Service" to supplement these efforts, especially for certain types of cases the counties will not serve. The "Circuit Riding Service" is one of the options in Heartland's each recruitment brochure, where an attorney can indicate in which counties he or she is willing to practice.

Expected Results & Benchmarks: With a tenacious judge not letting up on the pressure, Heartland should be able to have all eight counties with a pro bono program by the end of 2003. Depending on each county's preference, Heartland can offer to maintain a database for them and assist them in referral record keeping. In any event, an annual reporting of statistics will be required from the new county participants.

Costs: The budget as proposed takes into account mailings and recruitment costs as well as any costs associated with trainings and travel.

Please check the activities, which your district will take to support the pro bono efforts of the attorneys in your district. For each checked activity, please provide a detailed description of the District's plan for implementation of this activity.

X **Provide intake, screening and referral of prospective clients:**

The various service providers conduct their own intake, screening and referral. Clients who have not been able to find representation through the established providers will often contact Heartland directly. The Plan Administrator then conducts an intake, screening and referral and places the eligible clients with a pro bono attorney volunteer.

Clients benefit from the addition of Heartland as another provider, which can take the conflicted out cases and the overflow that the agencies cannot handle. Although Heartland's case referrals do not add to the expenses of Heartland, it does monopolize a large portion of the Plan Administrator's time and energies.

The evaluation for intake, screening and referral is continuous and is routinely reported by the Plan Administrator on a monthly basis to the Board of Directors through the Plan Administrator's Progress Reports.

X **Matching cases with individual attorney expertise, including establishment of specialized panels:**

Each provider, which accepts a case, places that case either within its own agency or with a pro bono attorney who has indicated his or her preferred area of practice. Heartland maintains a database by area of specialty as well as by preference of the service providers from which they would prefer to obtain cases. In its recruitment brochure Heartland offers participation in a co-counsel panel and then asks for area of practice specialty. The co-counsel panel data is then maintained by Heartland.

X **Providing resources for litigation and out-of-pocket expenses:**

Heartland advertises in its recruitment brochure and in public relations materials that out-of-pocket and litigation expenses can be reimbursed. Additionally, when each pro bono attorney is assigned a case, a Request for Reimbursement of Expenses form is enclosed with other tracking forms and client materials. The reimbursements are monitored closely and attorneys are advised that they must first request approval of any expenditure. This reimbursement greatly aids the attorney in obtaining the highest quality of representation, which in turn directly benefits the client. A pro bono client should have access to the same services that a paying client can afford.

Heartland also offers other support services: free depositions; free service of process; free locate services; mediators; legal research; and paralegal and law student support.

X **Providing legal education and training for pro bono attorneys in specialized area of law useful in providing pro bono civil legal services:**

As previously discussed in Section D Problem Statements/Recommendations, Heartland has provided six different trainings since July 1, 2001 on poverty law areas, including: Family Law, Guardianship, Domestic Violence, Protective Orders, Consumer Law, and Special Education. Such offerings expand the pool of attorneys trained and qualified in specific areas of law that were not otherwise part of the volunteer's practice.

X Providing the availability of consultation with attorneys who have expertise in area of which in which a volunteer lawyer is providing pro bono civil legal service:

Heartland recruits attorneys to volunteer to participate on a co-counsel panel to serve as a mentor, co-counsel, or to provide advice. When a volunteer agrees to be on the panel, the attorney indicates his or her of expertise. The availability of an experienced attorney to a volunteer who has questions or feels uncomfortable about a certain area of the law can encourage a volunteer to accept a case they might not otherwise accept.

X Providing malpractice insurance for volunteer pro bono lawyers:

Heartland was the first District to obtain malpractice coverage for its volunteers. This insurance information was distributed widely to other districts to assist them in obtaining affordable coverage. This insurance has been renewed for the next 12 months. Although most attorneys have malpractice coverage, some attorneys do not, especially those in government, corporations, or not actively practicing.

X Establishing procedures to ensure adequate monitoring and follow-up, and to measure client satisfaction:

Each existing provider had in place its own monitoring, follow-up and client surveys in place. Heartland studied the various procedures of these agencies as well as the ABA standards and programs outside of Indiana before developing its own procedures. As each client is referred to a volunteer attorney, Heartland sends an Initial Intake form, a follow-up Status Report in six months, and when a case is closed, a Closing Memorandum. A Client Survey is mailed with a self-addressed stamped envelope. Client input is valuable in all aspects of Heartland's program and can assist the Board in making changes or additions.

X Recognizing pro bono civil legal service by lawyers:

At the close of each pro bono case, the Heartland Chair sends a personal letter to the volunteer attorney thanking him for his participation. Heartland works closely with the Indianapolis Bar Association in recognizing pro bono attorneys in a bi-monthly article in the Indiana Lawyer, entitled "Pro Bono Spotlight". Heartland also has worked closely with journalists who are writing pro bono articles, providing them with the names of some of its volunteers. The Plan Administrator collaborates with the Pro Bono

Commission and the Indiana State Bar Association by providing material for recognition of its volunteers.

At its initial kick-off in November 2001, Heartland spotlighted three different pro bono attorneys and had them address the audience about their participation. Heartland is planning a recognition event for November 2002 at the I.U. School of Law-Indianapolis to recognize pro bono participation by all the existing service providers, the county bar associations throughout District 8 and the law student and paralegal volunteers.

X **Other support and assistance to pro bono lawyers:**

1.Heartland has solicited free depositions from three different court-reporting agencies to offer two free depositions of any length.
2. Heartland has solicited free investigative and service of process services.
3. Heartland has obtained a listing of pro bono mediators who will donate their mediation services.
4.Heartland collaborates with the I.U. School of Law-Indianapolis to provide law student support to pro bono attorneys. The law school works closely with the POPBP in partnering a law student with each pro bono attorney on protective order contempt cases.
5. The Plan Administrator initiated a meeting last summer with the President of the Indiana Paralegal Associations and commenced a tremendous partnering with the existing service providers in District 8 as well as with Heartland. Heartland added a paralegal representative to its Board of Directors, and has included the paralegals in its training programs.
6. Heartland has received pro bono and reduced printing rates for its training materials and other publications, which has greatly reduced the costs for these programs.

The availability of these types of services complements the pro bono attorney's representation of his client and offers the client the same or similar services he would receive if he could afford to pay for his representation.

BUDGET FORM

COST CATEGORY	IOLTA $	OTHER $	DONATED	TOTAL
A. Personnel Costs				
1. Lawyers	81,000			81,000
2. Paralegals	25,000		22,309	47,309
3. Others				
4. Salary Subtotal	106,000			106,000
5. Employee Benefits	4,350		4,280	8,630
6. Total Personnel Costs	110,350		26,589	136,939
B. Non Personnel				
1. Space	3,600		10,163	13,763
2. Equipment Rental				
3. Office Supplies	1,578		720	2,298
4. Telephone	2,652			2,652
5. Travel & Seminars	2,000			2,000
6. Training	10,000			10,000
7. Library			5,150	
8. Insurance	3,000			3,000
9. Dues and Fees				
10. Audit & Professional Fees	5,000			5,000
11. Litigation				
12. Property Acquisition	2,000			2,000
13. Purchase Payments				
14. Contact Services to Clients				
15. Contract Services to Program				
16. Other See Attached Budget	45,155		64,004	109,159

17. Total Non Personnel Costs	**74,985**		**80,037**	**155,022**
C. Total Expenditures				
18. Project A Disbursements	10,000			10,000
19. Project B Disbursements	20,000			20,000
20. Project C Disbursements	5,000			5,000
21. Total Program Disbursements	35,000			35,000
22. Litigation Fund* **23. Self-insured Fund**	20,000			20,000

***Reserves in this category are not required to be resubmitted to the IBF if not spent during the allocation calendar year.**

Project A: Toll Free Hotline
Project B: Empowerment Mondays Preventative Legal Education
Project C: Children's Law Center

22. Litigation Fund: Reimbursement of Litigation Expenses for pro bono volunteers

List of Appendices

1. Recruitment Activities

2. Training

3. Volunteer Recognition

4. Pro Bono Publicity

5. Indiana Operation Enduring Lamp

6.

7.

8.

9.

10.

SUBMISSION PROCEDURES

Ten copies of the completed annual report and plan shall be submitted to: Jennifer Theresa Cloyd Konomos, Indiana Pro Bono Commission, 230 East Ohio Street, Fourth Floor Indianapolis, Indiana 46204. Plans should be submitted no later than 5:00 p.m. on July 1, 2002.

CHECKLIST FOR ANNUAL REPORT AND PLAN:

____ Pro Bono Annual Report and Plan for current year pp. 1-20 (10 copies)

____ Proposed budget pp 18-19 (10 copies)

____ Legal Service Provider Annual Progress Report p.11 (10 copies)

____ District Annual Progress Report p.12 (10 copies)

____ Enclosures (10 copies)

____ Disk in Word or Excel of all submitted materials or submission via e-mail at

probono@inbar.org

ANNUAL TIME TABLE FOR SUBMISSION OF FORMS AND CHECKS:

January 1:	Checks distributed
January 31:	IBF final grant progress report for previous year due
June 1:	IBF mid-year grant progress report due
July 1:	Annual report, plan and grant application due to IPBC
November:	Notification of awards
December 1:	IBF grant agreement due and revised budget due (as needed)

Additional information concerning these instructions or the submission of a plan may be obtained from Jennifer Theresa Cloyd Konomos, Indiana Pro Bono

Commission, 230 East Ohio Street, Fourth Floor Indianapolis, Indiana 46204 or by calling at 317-639-5465 or by e-mail at probono@inbar.org.