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PRO SE LEGAL CLINIC



HOW TO GUIDE ON...



# PRO SE LEGAL CLINICS



Robert and Helen Bernstein  
Institute for Human Rights  
NYU SCHOOL OF LAW





The guide was created in consultation with Orange County Justice Fund, a Justice Power member organization that established a successful *pro se* legal clinic. It was also informed by conversations with other Justice Power member organizations and experts.

This How to Guide offers guidance for those interested in creating a *pro se* legal clinic.



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## GROUNDING

### GROUNDING



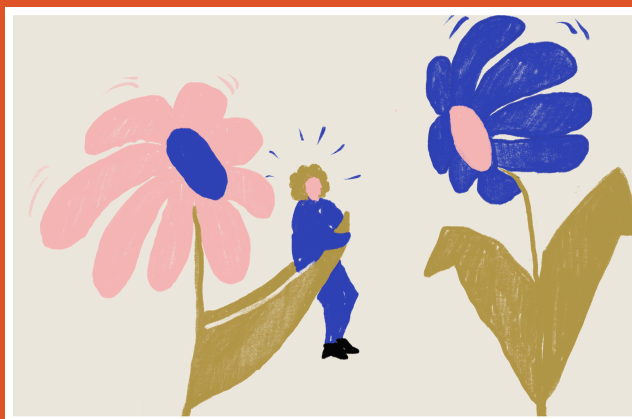
Consider why you want to develop a *pro se* legal clinic.

Consider who your community is (*i.e.*, geography, immigration status, spoken language) and the nature of your existing relationships to that community, the durability of your commitment to a project involving them, and what steps you will take to ensure other members of the community can give feedback to the clinic.

Consider your decision-making process on determining you can help and who you cannot help.

Develop a mechanism to identify and assess the needs of your community (*e.g.*, survey, questionnaires, interviews).

Create short-term and long-term visions of success, and set time to reflect on and reassess your vision and needs.



Izabela Markova



## LOGISTICS

### SPACE, DATE & TIME



Identify when (*i.e.*, date, time, and frequency) the clinic will be held.

Determine where (*i.e.*, online, in-person, or hybrid) the clinic will be held and if you have sufficient space for the target number of people you want to assist.

**Consider the availability and accessibility needs of the community.**

### PRIVACY & SAFETY



#### **Store all sensitive information in a secure system**

- Limit who has access to sensitive information which means protecting against general public access and ensuring that each participant's information is individually protected from access by the clinic team except those who need it.
  - *That means, only volunteers who are working with a specific community member should have access to that person's information/documents.*
- Create a secure communication channel for the team to seek answers and guidance on how to best support clients but also each other; add and delete volunteers as necessary.





## LOGISTICS

### CLINIC TEAM



- Consider the roles you will need and how many of each, e.g., staff, attorneys, accredited representatives, community paralegals, law students, social workers, and interpreters.
- Consider if the team will be made of volunteers, paid members, or a mix. Frequently train and recruit clinic members, especially if they are volunteers.
- Consider the following roles: a note-taker, interpreter, someone to support with filling out documents (e.g., intakes, applications) and an attorney to review work.
  - **It is not necessary to have an attorney per team or an attorney working with a team at all times**--the attorney should be a rotating role that visits teams at key junctures when they are ready for legal input.
- Show your volunteers appreciation (e.g., holiday lunches) and follow up with them to let them know about success stories.

Asis Percales for Fine Acts





## LOGISTICS

### INTAKE



Have an intake/pre-screening form to spot forms of relief and key dates (e.g., entry into the United States, one-year filing deadline for asylum, upcoming court dates, etc.).

Consider if clients will fill out the intake at the clinic or ahead of time via phone or email with the assistance of a clinic member.

### FUNDING & COST



Consider if the source of funding has any restrictions in who you can serve.

Consider applying for private, city, or federal funding for your clinic depending on your needs and issue areas.

Explore funding structure: entirely free legal services, a sliding scale legal services model in which clients pay what they are able, or a mix.



*Silvana P. Duncan  
for ArtistsForClimate.org*



# LOGISTICS

## CASES & RESOURCES



Create a database with templates of the common immigration documents you will need, such as the E-61 which will be necessary for the reviewing attorney or fully accredited representative to prepare and file with the submission for any client in proceedings.

Consider if your clinic will be supported by workshops, orientations, or additional resources for the communities you serve: the court process and actors, Immigration 101, avoiding notario fraud, advocating for your rights as a client, how to fill out FOIAs, how to mail USCIS forms, political education, role-playing court simulations, or hearing preparation.

Translate all resources into your community's preferred languages.

Consider how your resources can empower clients to determine their own solutions and address unauthorized practice of law concerns.

*E.g., OCJF has a flowchart that allows clients with criminal records to figure out if they need to fill out FOIAs for their immigration cases.*



## LOGISTICS

### CASES & RESOURCES



Have a conversation with your clients to expressly inform them of what to expect post-consultation, at the beginning and end of all work that will take place with the support of your *pro se* legal clinic.

*E.g.*, if they are pursuing an asylum claim, clearly let them know what you will and will not do. That is, perhaps you will only support them with the i-589 filing. And then, though you may only contact them to remind them of next steps but will not have capacity to support them, explain that they will need to attend court hearings as determined by the judge, collect evidence to support their claim, and apply for a work permit after 150 days of the pending asylum application, by filing an i-765.

### PARTNERSHIPS & REFERRALS



Consider partnering with other organizations (*e.g.*, churches, PTAs, community-based organizations, etc. ) that provide other services (*e.g.*, food, health, financial literacy, housing, employment, legal aid, etc.).

Develop a referral database for other available resources and services. in case you interact with someone you cannot assist.



# ACCOUNTABILITY

## EXPECTATIONS



- Set clear expectations with clients: you are providing orientation and document preparation assistance, not representation.
  - Have a non-representation agreement that explains the limited scope of work so that clients understand that you are not representing them.
  - Create a script for one or two clinic staff (not volunteers) to be the ones to state who they are, what they are doing, their capacity, and that they are not representing clients.

## TRAINING



- Have all clinic members fill out a confidentiality agreement.
- Train clinic members on a trauma-informed approach.
- Train clinic members on the clinic's ethos and intake form.
- Train non-lawyer clinic members to only fill out i-589s, work permits, venue changes, and motions to reopen based on answers provided by the applicant and not based on their own assessment or advice about how to respond.
- Create a feedback evaluation survey to examine how clinic members feel to ensure retention.



# ACCOUNTABILITY

## FOLLOW UP & CHECK-INS



Ensure that clients do not fall through the cracks:

- Keep a database/case management tool/calendar for caseload, dates and deadlines, and clients' information.
- Things to keep track of: court-imposed filing deadlines, one-year filing deadlines, asylum work permit clocks, DACA renewal deadlines, TPS extensions, etc.
- Review it weekly to monitor progress and identify emergency cases or new types of applicable relief.

- Create a feedback evaluation survey to assess how clients feel about the clinic.
- Evaluate how you will build community trust.
- Consider if you will ever provide direct representation to some clients.



*Osheen Siva for Fine Acts*





## OUTREACH



*Alina Marinescu for Fine Acts*

### CONNECTING WITH PARTNERS



- Evaluate how community members will hear about your clinic.
- Consider connecting with local politicians who can share information about your clinic.
- Consider posting flyers in community spaces (e.g., libraries, parks, events).
- Consider establishing a social media presence, newsletter or listserv.
- Consider how your partner organizations can also spread the word to seek clinic members and clients.
- Consider connecting with interest groups at law schools and firms for clinic members.



Please refer to the [Resources](#) to access sample forms (intake, non-representation agreement, confidentiality agreement, etc.)