One Thursday in mid-February, while riding the bus on her way to work at a local restaurant, Pamela received two messages on her cell phone. One was from a man claiming to be the new owner of the row house she rents and lives in with her Aunt Mabel and twin 8-year-old boys Jason and Jamir. The message he left ordered her to move out of the row house by the end of the month, or face eviction. The second message Pamela received was from the school counselor where Jason and Jamir attend elementary school. She explained that the boys were both demonstrating behavioral problems and urged Pamela to have them tested for lead paint exposure.

Pamela began feeling faint with a tightening in her chest. Knowing she needed all her hours of work, she decided to ignore her symptoms and hope they went away. Pamela was putting on her apron and preparing to approach her first table when she became dizzy and felt her heart hammering in her ears. She sat down in the kitchen to collect her wits. Just then, her manager walked through and asked Pamela what was wrong. She told him she was not feeling well and described her symptoms. Her manager told her she needed to go see a doctor and refused to allow her to work her shift.

Pamela called Aunt Mabel and asked her to come pick her up and drive her to the local emergency room. While at the hospital, Pamela was given an EKG and had blood drawn. The resident came to her hospital bed and informed her all her tests were normal. Pamela began crying with relief and began telling the resident about the two messages she had received earlier and asked what he knew about lead paint poisoning.

The resident was taken aback by Pamela's tears and was at a loss about what to tell her. But he remembered seeing a posting in the cafeteria about a legal services program that worked out of the hospital on Thursdays. He spun around on his chair and googled, "JustAdvice." He assured Pamela that her medical symptoms were most likely related to stress, referred her to meet with a primary physician for medical follow-up, handed her a JustAdvice flier and wished her well with her pending legal issues.

In the summer of 2009, the Community Justice Clinic at the University of Maryland Francis King Carey School of Law began an experiment with a brief advice model of legal services delivery and clinical legal education. Nestled into a larger community oriented curriculum and set of opportunities, the faculty and students began experimenting with models of service delivery for those who did not qualify for indigent legal services, but who could not afford an attorney: the working poor.

\footnote{Brenda Bratton Blom is an Emeritus Law School Professor at the University of Maryland Carey School of Law. Leigh Maddox is an Adjunct Professor at the University of Maryland Carey School of Law and Deputy Director of the Maryland Volunteer Laywer Service. They worked together in the Community Justice Clinic with students, professors, attorneys, staff people, and volunteers of all varieties to support the creation of JustAdvice. Leigh Maddox deserves the lion’s share of credit to be given for her relentless and kind attention to the students and clients who have filled the JustAdvice sessions.}
In the six years that JustAdvice® has been in formation, the students, attorneys, faculty and community partners involved have worked hard to launch a forward-thinking, progressive, and collaborative program. In 2009, Richard Stengel authored a book, *Mandela’s Way: 15 lessons on life, love and courage.* The success of the JustAdvice initiative has drawn three lessons from Stengel that seem germane to the goals and mission of the initiative.

One is Mandela’s belief that “it’s a long game.” JustAdvice has been and will continue to be successful because the leaders within the initiative take the long view and realize that it is not the velocity of our progress, but the direction of it - always towards justice - that matters. The second lesson is that in order to convince people that an initiative or a movement is important and worth doing well, Mandela says, “don’t address their brains. Address their hearts.” The videos, tweets, interviews, posts, blogs and community goodwill the now 12 generations of student lawyers have worked so hard to message properly, speak volumes about the collective heart of the initiative. The third and final lesson from *Mandela’s Way* is that, “Leaders are judged in totality by the arc of their lives.” Both the students, in their varying degrees of leadership, along with their faculty and attorney leaders have time and time again proven to have a good and strong arc. The JustAdvice initiative, through the voices of the students, the attorneys, the faculty and the community made a decision to refuse to be silent about the gaps in access to justice. Those in the initiative decided it was time to be proactive and roll out an imperfect legal service model, refusing to allow the fear of the imperfect to impede the possibilities of the good. The leadership of the initiative rolled the dice. While we have momentum for the odds for future successes, those involved with JustAdvice remain committed to continuously refreshing, learning, and collaborating about the way gaps in justice can continue to be bridged.

This piece explores the challenges and benefits of a brief advice model for teaching students how to practice law. The paper begins in Section One by describing the process of developing the initiative, and the model that is being used in JustAdvice. It explores the necessary partners for such a model to have success. Section Two explores the legal and social skills developed in a brief advice model and the systems used to reinforce and strengthen those skills over time. Section Three examines why it is important for clinical programs to embrace the activity of “Legal Rebels” more generally, and be part of a more robust experiment in designing the future of legal practice. Finally, Section Four articulates why brief advice models can and should be an important part of a robust clinical program.

**Section I: The University of Maryland Carey School of Law’s Community Justice Journey**

**A. Legal Grind: Our First Model for Brief Legal Advice**

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2 RICHARD STENGE, MANDELA’S WAY: FIFTEEN LESSONS ON LIFE, LOVE AND COURAGE. (2009).
3 Id. at 169-177.
4 Id. at 135.
5 Id. at 175.
The Legal Grind\textsuperscript{7} is a business started by “Legal Rebel\textsuperscript{8}” Jeff Hughes in Santa Monica, California, in 1996. The fundamental premise of Legal Grind is “coffee, counsel, and community” – that is, Legal Grind is a coffee shop that also offers legal consults with attorneys. For $45, a person can get a cup of coffee and a short consult with an attorney to discuss legal issues. The real goal of Legal Grind is to bridge the gap between those who qualify for Legal Aid and those who can afford to go to an attorney.

The Community Justice Clinic was started in 2005 by Brenda Bratton Blom, who had developed and taught in the Economic, Housing and Community Development Clinic, Michael Millemann, who has taught in many clinical settings, and Roger Wolf of the Alternative Dispute Resolution Clinic (and was the Director of CDRUM, The Center for Dispute Resolution of Maryland). The goal of the clinic was to stand at the place where communities met the justice system, provide voice for the community, and search for alternatives to incarceration. The clients were, primarily, community based organizations, though students also worked with the States Attorney’s office and the courts to evaluate alternative options for holding people accountable for actions that had negative consequences on communities.\textsuperscript{9} One of the things that became abundantly clear, though should have come as no surprise, was the lack of access to lawyers for individuals in a broad array of community settings. The Legal Grind model seemed promising.

The original aim of this initiative of the Community Justice Clinic, part of the University of Maryland Carey School of Law Clinical Law Program, was to establish a permanent Legal Grind in Baltimore. Legal Grind Baltimore began in the summer of 2009. It was premised on the principles and business model developed by Jeff Hughes with some modifications. First, in order to make the initiative relevant to Baltimore, the price of consultations was reduced to $10. Originally priced at $30, the Clinic reduced the cost to meet the needs of the communities we served. With a median household income ranging from $17,000 to $25,000, many residents were unable to afford the fee. Second, unlike the Legal Grind of California, we did not have a fixed site to host our initiative. Instead, we provided our services in local communities in efforts to remain accessible to neighborhood residents. Given that the cost was to cover the cost of the running the program, and not as a “fee for service,” expenses were covered through donations and the modest charge to the clients.\textsuperscript{10} In addition, the Clinic provided a fee waiver to people who could not afford even the $10.

B. \textbf{JustAdvice: A New Clinical Law Model}

In April 2010, the Clinic’s professors, in consultation with the students, determined that the Legal Grind business model was not an ideal fit for the law school’s conditions and Baltimore City’s needs and thus terminated the business relationship with Legal Grind. Students and faculty and volunteers looked to identify the elements that were critical to the new model.

\begin{itemize}
\item \textsuperscript{7} \textbf{LEGAL GRIND ATTORNEY AND PARALEGAL SERVICES}, \url{http://www.legalgrind.com}.
\item \textsuperscript{8} \textbf{Legal Rebels, ABA JOURNAL}, \url{http://www.abajournal.com/legalrebels}.
\item \textsuperscript{9} Some of the work students did in the prosecutor’s office included Vacant Building Receiverships, Drug Nuisance Abatement, and other actions that targeted property owners with properties that created public nuisances.
\item \textsuperscript{10} Since the inception of the program, there has been considerable debate about how to categorize the people who come to JustAdvice sessions. Initially, we referred to them as “customers,” but over time, it has become apparent that “client” is appropriate under Maryland law.
\end{itemize}
First, our initiative is associated with the University of Maryland Carey School of Law Clinical Law Program, and student attorney development is a core piece of the initiative. Second, our client base in Baltimore differs from that of Legal Grind and the fees needed to reflect this difference ($10 instead of $45). Third, our initiative goes into some of the communities where we are already representing community groups, and attempting to serve people in their home areas, while the Legal Grind model is a centralized location where clients come to get a legal consultation. Fourth, our model has recruited an amazing array of volunteer attorneys, who diligently provide these consultations and mentor students. Finally, our model is non-profit, linked with our affiliated non-profit organization Civil Justice, Inc. while the Legal Grind model is for-profit, needing to provide a sustaining salary for the attorneys involved in the endeavor.

The Clinic and Civil Justice started our new initiative called JustAdvice®. Along with a new name, the JustAdvice initiative has evolved into a new business model, one that functions as both an educational environment for law students and also provides vital legal advice to individuals in the communities we serve. The model is educational in that students gain firsthand experience with clients and supervising attorneys. They perform client intake, analyze the legal issues, report the issues to the supervising attorneys, and then participate in the consultation sessions by offering relevant advice or on-the-spot internet research. Later in 2010, we opened up the initiative to the School of Social Work, with students from the Law and Social Work Services Program attending each session. Most recently, students from the University of Maryland School of Medicine have begun educational community service placements at JustAdvice sessions. The model provides legal services through the 30-minute consultation sessions, during which the clients can consult the attorney on any legal issue they wish to discuss. The JustAdvice Team currently travels to seven locations in Baltimore and on the eastern shore of Maryland: the University of Maryland Carey School of Law, P.O.W.E.R. House Community Center; Catholic Charities, Inc., Seaton Community Center; the University of Maryland Medical Center; Lexington Market; the Community Center at the Pocomoke City Volunteer Fire Company; and, the Center for Urban Families. Upon request, we work to establish targeted services for locations, such as a day of consultations in senior housing.

13 Dean Reece was instrumental in assisting JustAdvice in finding space within the University of Maryland Medical Center. Angie Battaglia, Program Director, Office of Medical Education, has brought first year medical students in to volunteer at sessions. The hope is to eventually afford all professional students with the opportunity to work together collaboratively and provide the clients with holistic advice while cementing the value of cross disciplinary work in the professional mindset of both the students and the network of volunteer attorneys.
14 http://www.cdow.org/setoncenter.html
16 Lexington market is the largest of a network of 6 markets in Baltimore. The markets were built during the mid 1800’s and continue to offer fresh fruits, vegetables and meats today.
complexes (coordinated with the Health Law Program\textsuperscript{19} at the School of Law) focusing on wills, power of attorneys, and health care directives.

To publicize our initiative, we market and advertise heavily within our partner communities in advance of upcoming sessions. Our multifaceted approach to marketing focuses around: community outreach via mass mailings,\textsuperscript{20} attending community meetings, signage, trinkets, garnering media attention for television interviews and public access radio advertisements, producing JustAdvice videos for YouTube,\textsuperscript{21} blog posts,\textsuperscript{22} social networking,\textsuperscript{23} canvassing residential and business areas, and hosting end-of-term events for the law school community and the general public. After collaborating with the Intellectual Property Clinic, JustAdvice became a registered trademark belonging to the University of Maryland Carey School of Law in April 2011.\textsuperscript{24}

C. Critical Partners

Partners Inside the School of Law

While this initiative began within one clinic (the Community Justice Clinic), it has been important to have partners in the larger clinical program, the administration, and among the student body. The larger clinical program has been important in several ways. The Law and Social Work Program has become a critical partner. Many of the problems that people bring to the JustAdvice initiative are not legal problems at all. It has been a tremendous value to have social workers and social work students on site to offer immediate consultations to people who find that there is not a legal solution to the problem at hand. The social work students also do assessments with clients who the law students and attorneys flag as having both legal and social issues. It has been a wonderful opportunity for law students to understand the importance of having linked services for non-legal problems, and has been valuable for social work students to understand how to work with lawyers when there is a combined legal/non-legal challenge for the client.\textsuperscript{25}

\textsuperscript{19}LAW \& HEALTH CARE PROGRAM, http://www.law.umaryland.edu/programs/health.
\textsuperscript{20}Our mass mailing list includes more than 1300 community organizations and religious institutions throughout the area. Reprints in religious bulletins have been a remarkable bridge to the community.
\textsuperscript{21}For example, JustAdvice Testimonials, BALTJUSTADVICE channel, http://www.youtube.com/watch?v=7mTdxVKJS4Y&context=C31166a7ADOEgstoPDskKMXhMGES5vgO1tJIKF4A9f (last visited Mar. 2, 2012) and JustAdvice: student perspective, UMBCchannel, http://www.youtube.com/watch?v=KC1DK9xbusl&feature=relmfu (last visited Mar. 2, 2012).
\textsuperscript{22}JUSTADVICE, http://justadvice.wordpress.com.
\textsuperscript{23}Twitter: @baltjustadvice; www.facebook.com/justadvice.baltimore. In 2009, the students were very reluctant to engage in social media. Encouraged by the faculty advisors, who provided concrete examples of law firms using social media as low cost marketing tool, the students have increasingly adopted social media for their JustAdvice work. In turn the students’ experience in using social media for legal purposes adds useful skills on their resumes. Most recently JustAdvice turned to Groupon Grassroots who served as a venue for an internet based fundraiser. The media attention combined with the donations made the social media venture very profitable and has afforded JustAdvice a budget to offer fee waivers for veterans.
\textsuperscript{24}JUSTADVICE, Registration No. 3943711.
\textsuperscript{25}The partnerships has also come with challenges that have forced the legal students and faculty to think critically about the Maryland Rules of Professional Conduct and how social workers and their duty to report, for example, child abuse allegations might impact legal clients. Additionally, at least once each semester, a client has come in with the stress of a legal matter and then reveal suicidal tendencies. The law students witnessing and assisting with
The clinic administration has been a key partner. Without the support of the Clinical Director, the Managing Director, and the staff of the Clinic, it would have been an even rockier road administratively. In addition, other faculty of the clinical law program have been gracious with their time and expertise. As we instituted advanced bookings, we were able to coordinate with professors to have students and professors available for tax, immigration, expungement, consumer protection, workers rights, child protection and family law issues. This level of interaction between the students and faculty across clinics is unusual at Maryland and has been important for the initiative and for those who participated.

Having the support of the Dean and the larger administration has also been important to the initiative. Working with the administration, we have been able to appropriately tell the story of the initiative to the larger community. They have helped hone our capacity to raise funds and raise the profile of the work we do. We have also been able to draw on the expertise of faculty members and administrators who are interested in providing pro bono services, but do not have the capacity to take on large cases. Many have taken the opportunity to spend time providing services.

For instance, Dawna Cobb, former Assistant Dean for Student Affairs and Lecturer in Law, was the Deputy Chief Counsel for the Educational Affairs Division in the Office of the Maryland Attorney General before she came to work as the school of law.\textsuperscript{26} In her capacity with the AG, Dean Cobb also staffed a consumer protection hot-line. She was able to transfer the legal problem solving skills she learned in that capacity to regularly volunteer for the JustAdvice initiative.\textsuperscript{27} Greg Smith, Manager of Information Technology has been an amazing asset. He has provided advice and oversight on managing our cadre of donated iPads and related electronics. He has also traveled with the team to ensure stable and broad internet access is available. On the spot legal research is impossible without reliable connectivity, the IT support has been amazing. Erik Fulwider, the former Director of Alumni Relations and Annual Giving at the Law School, was instrumental in reaching out to alumni through his work with the alumni board. It was through his outreach efforts that we have been able to recruit and retain one of our most dependable volunteer attorneys, Stan Rohd, a retired attorney who also serves on the Alumni Board and also volunteers for the trial team.

The University of Maryland Carey School of Law has always maintained a strong connection to law firms like DLA Piper\textsuperscript{28} and the relationship has reaped, rewards in terms of donations of in-kind equipment to support the JustAdvice operations. Most recently DLA Piper donated 5 iPad 2's and scanners to modernize our check-in and on-the-spot research abilities. One of our most committed and tenacious volunteer attorneys, Mr. Donald P. McPherson III, is a retired DLA Piper partner.

\footnote{\textit{Dawna Cobb}, UM CAREY LAW, \url{www.law.umaryland.edu/faculty/profiles/faculty.html?facultynum=221}.}

\footnote{Dean Cobb retired in June of 2012. While she will be traveling for the first term, we hope that she will return as a volunteer attorney in Spring of 2013.}

\footnote{DLA PIPER, GLOBAL LAW FIRM, \url{http://www.dlapiper.com}.}
Partners Affiliated with the School of Law

One of our most important partnerships has been with an organization that is affiliated with the School of Law. Civil Justice, Inc. was started through a larger law school initiative, the Law School Consortium Project.²⁹ It is a nonprofit law firm and hosts a network of solo and small firm attorneys who, as part of their core mission, seek to do public interest work. JustAdvice has become a critical piece of their referral process and they have become a critical staffing and support organization for the JustAdvice initiative. If, after a consultation, it is determined that there is indeed a legal problem and the person requires an attorney to assist with that legal problem, the Civil Justice network is one source of referrals. It provides access to nearly 100 solo and small firm attorneys.

For Civil Justice, the affiliation has created a much more robust referral process. With a full intake interview, and an in-depth consultation and problem analysis, the referral information to the attorney is much more complete and helpful, making the match of lawyer skill and client need more efficient and complete. As the initiative has developed, there is also an on-going project to “close the loop,” following the client for outcome data, such as feedback on their experience with the attorney. This improves the referral process for the future.

Most recently, Civil Justice members and other industry experts have been tapped to provide substantive legal workshops to the student attorneys staffing JustAdvice. These workshops are structured around the latest trending legal issues presented by JustAdvice clients,

Partners Inside the University

From a programmatic standpoint, we made a conscious decision to develop partnerships within the larger campus and university system. The University of Maryland Carey School of Law sits on the University of Maryland, Baltimore’s professional school campus in downtown Baltimore City, which also houses the Schools of Medicine, Dentistry, Nursing, Pharmacy and Social Work.³⁰ In addition to working with the School of Social Work, in 2010, the JustAdvice initiative began offering consultations within the hospital. We have opened conversations with the School of Nursing about developing a traveling bus service that would link medical and legal diagnosis of problems on the model of the School of Nursing’s Wellmobile Program.³¹

Campuswide, the University of Maryland, Baltimore has also done much to promote the good works of the JustAdvice initiative by doing media releases, floating opportunities for stories and incorporating the initiative into social media. The University President, Jay A. Perman, MD, has been enthusiastic about the initiative and is looking for ways to support the

²⁹ In 1997, with grants from the Open Society Institute’s Program on Law & Society, the University of Maryland Carey School of Law joined three other law schools to launch the Law School Consortium Project (LSCP). The LSCP was conceived as an experiment to design, evaluate, and promote programs that extend the educational and professionalism missions of law schools beyond graduation to provide training, mentoring, and other support to solo and small-firm lawyers. By helping this segment of the legal profession develop economically viable and professionally satisfying practices, the LSCP ultimately sought to increase the availability of quality legal services for low and moderate-income individuals and communities. A detailed description of LSCP is available at Law School Consortium Project, UM CAREY LAW, www.law.umaryland.edu/programs/clinic/initiatives/lscp.
program including circulating the JustAdvice program schedule electronically to everyone on campus via his official email. With the President’s active support, the JustAdvice initiative was able to reach out quarterly to rural communities on the eastern shore of Maryland beginning in the fall of 2011, providing services to those in need.32

**Partners Inside the Legal Community**

There are significant partnerships that have developed inside the legal community. The Maryland Legal Aid Bureau, Inc.33 has been a great source of referrals. Given that they are always working beyond capacity34 and that we have a complementary target group, this has been a way to support their work, and provide a safety valve for those they cannot serve.

And, the initiative could not succeed without the generous support of lawyers interested in providing pro bono services and mentoring services to young lawyers. Both retired lawyers who do not wish to practice full time, but who have invaluable skills in diagnosing legal problems and modeling excellent legal protocol and etiquette, and government attorneys who cannot carry cases outside their work, but who have the desire to assist in expanding access to justice, have played critical roles in the JustAdvice model.

The Spring 2013 school term brought into being a new and critical partnership with the largest pro-bono attorney organization in Maryland – the Maryland Volunteer Lawyer Service. This new and dynamic partnership links the school to a robust network of volunteer attorneys and a sophisticated referral system that can link those with legal needs to attorneys who can provide the services to address those needs. This partnership will add a transforming element to the program moving into the future.

**Inside the Broader Community**

This initiative has been successful in expanding services for some of Baltimore’s communities and nonprofit organizations. In addition to senior housing facilities, we held sessions at community centers, drug rehabilitation clinics, and even a local diner. The initiative’s portability makes it easily responsive to community needs. Groups regularly contact the JustAdvice team members about hosting sessions in their facilities. Most recently, members of Goodwill Industries expressed an interest in hosting JustAdvice sessions. The initiative’s

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32 We are building funding that will support this work in a more sustained way, but support from the President’s office has been key in launching the project. In March 2013, JustAdvice partnered with the Somerset County Long Term Relief Committee (LTRC) to provide brief advice legal services to the Hurricane Sandy survivors located in Crisfield, Somerset, County, Maryland.


34 The Legal Services Corporation has is estimated that 80% of the legal needs of the nation’s poor are unmet. LEGAL SERVS. CORP., DOCUMENTING THE JUSTICE GAP IN AMERICA: THE CURRENT UNMET CIVIL LEGAL NEEDS OF LOW-INCOME AMERICANS, 13-14 (2007), available at http://www.lsc.gov/justicegap.pdf. The annual reports of the Maryland Judiciary and Office of Administrative Hearings reveal that between December 2009 and October 2010 almost 700,000 litigants in “basic human needs cases” were self-represented. The Maryland Access to Justice Commission estimated that over 50% of these litigants would be eligible for legal assistance from the Maryland Legal Services Corporation (MLSC) grants. MLSC itself estimated that approximately 1 million Marylanders are eligible for MLSC services, and that 47% of those eligible require legal assistance. Since only 105,000 Marylanders receive MLSC services, each year approximately 365,000 Marylanders have unmet legal needs. MARYLAND ACCESS TO JUSTICE COMMISSION, IMPLEMENTING A CIVIL RIGHT TO COUNSEL IN MARYLAND 8-9 (2011), available at http://mdcourts.gov/mdatjc/trackourprogress.html (included in the Commission’s 2010 Annual Report).
experience with the Center for Urban Families demonstrates that JustAdvice fits well with service delivery models in most nonprofit organizations. Accordingly, a new goal of the initiative is to regularly assess and relocate the program in response to community needs, thus bolstering both our community partnerships and access to justice.

All of these partnerships strengthen the capacity of the initiative to deliver brief advice in a comfortable space with confidence in our advice and referral networks.

In sum, making the connections between the stable organizational anchors of the university, the students, who have enthusiasm and energy for learning the practice of law, volunteer attorneys, attorneys who are part of the network and other who are willing to think about pricing of services in new and appropriate ways, and our community partners have created a model that links theory and practice in a true community endeavor, opening new opportunities for increasing access to justice.

Section II: Skills Development

In the early stages of the JustAdvice initiative, there were ideas about what skills would be developed for students but it was very unclear exactly how the student attorneys might develop and enhance their legal skill sets through their involvement in the initiative. But, consistent with Mandela’s “long game” approach, after 11 consecutive academic semesters, it has become evident from the student reflections, faculty and supervising attorney observations, and client feedback that legal skill development has come to be a tremendous product of the JustAdvice initiative. The student attorneys develop legal skill sets both from participating in the JustAdvice sessions and from engaging in the law practice management component of the initiative. Currently, students who participate in the JustAdvice program are in their second and third years in law school. Most are currently enrolled in a clinic, though some volunteer after they have completed their clinical experience. While there is some conversation about linking this experience with the first year lawyering course, those conversations are on-going.

A. The Sessions

A typical JustAdvice session begins when a customer/client walks through the door. They are greeted with a smile and an offer for water, a piece of fruit or another snack and asked to wait until intake space is available. Then a student takes them to a quiet location to begin an intake interview. This may take 5 minutes or 20 minutes, given the complexity of the matter, the ability of the client to communicate the issue to the student, and the interviewing skills of the student attorney. They are then asked to wait, while the student attorney meets with a volunteer attorney. During this waiting period, students in the Law and Social Work Services Program offer a social needs assessment. The student attorney briefs the attorney who will meet with the client, and the attorney then joins the client, asking if they are comfortable with the student attorney sitting

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35 This social needs assessment can become extended when the client is experiencing a high level of social unbalance in their lives. Over time, the student attorneys learn to respect and value this resource as the social debrief and resource pointing gives the client the space to better able parse their actual legal issues and improve the brief window of legal advice.
in on the session. If consent is granted, the student attorney stays, and provides back-up support for the attorney, including research and general problem solving. Following the legal brief advice session, the social work student returns and provides appropriate referrals for needed services. When the session is completed, another student, not previously involved in this consultation, will meet with the client for a structured exit interview. Throughout the time spent in JustAdvice, customers are encouraged to avail themselves of free blood pressure screens and nutrition awareness offered by the students from the School of Medicine.

The JustAdvice sessions give student attorneys a valuable space to observe and engage the tricky reality of linking the facts and the law. They also gain an understanding of what it means to give brief legal advice. This not only helps them as new lawyers in their own development, but also in understanding how the advice offered affects the life and the direction of the client. The skills that are most striking in their development are:

**Client Intake/Interviewing Skills**

It is natural for a seasoned practitioner to take a client intake process for granted. In practice, an experienced attorney may routinely gather information, process it, and determine whether or not they can provide legal assistance. But for a new student attorney, a young man or woman, often fresh out of an undergraduate program with limited or no previous job experience, and with no customer service or similar interviewing experience, the mere thought of talking to a client can be terrifying. Compounded with having to spot legal issues and identify the supporting documents and the research a supervising attorney may need, client intake can be a challenging skill set to acquire. Over time, the student attorneys tend to improve greatly. Some students master the art. Others do not, but walk away understanding their weaknesses.  

JustAdvice is a place where students can (and do) interview many people about possible legal problems within the course of one semester or one year. An average session of JustAdvice will serve 15 clients. If there are four students working that day, they will provide, between them, 15 intake interviews and 15 exit interviews, since clients have different people provide intake and exit interviews. That would be three intake and three exit interviews for each student. In addition, students will present those cases to attorneys. There will be a variety of attorneys, each with a different style and background. If the client consents, students will sit in on those consultations and are able to observe and possibly participate in the consultation. They will write up notes and preserve them in the files. And they will participate in exit interviews with other clients, working to evaluate the performance of the initiative.

**Professional Courtesy/Empathy Skills**

The initiative demands a high degree of professionalism. Professors, volunteer lawyers and advanced students\(^\text{37}\) work with the new student attorneys to refrain from judging and encourage them to step into the shoes of the clients, if only for a brief moment and empathize with the struggles they are facing. The JustAdvice team makes no presumption of literacy. Many of our clients never finished eighth grade; many come from other countries and may be verbally

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\(^{36}\) Students receive regular feedback from the supervising attorneys, reflect as a team in their bi-weekly team meetings, and reflect individually as part of the structured course reflection component.

\(^{37}\) For a more robust discussion of the development of the leadership potential of Clinic II students, see Section II (B), Law Practice Management.
fluent, but they are not fluent in reading the English language; many of our clients are literate, but their eyes are failing and they cannot read the fine print. Over and over again, the JustAdvice leadership has worked very hard to help the student attorneys learn, appreciate, and respect the many backgrounds of those who walk through the door.

While students may initially become frustrated, we use Mandela’s lessons to help them learn to listen and see with their hearts. Once they have found their empathy, for both their clients and themselves, they are more able to efficiently use their heads to solve the problems before them.

**Legal Counseling Skills**

Giving people advice, counseling them on emotionally charged legal issues with potentially severe impacts is a difficult skill set to master and takes time and practice. The clients present a wide variety of legal, social, psychological, and economic problems. As a result of dealing with such a diverse client base, student attorneys develop a greater set of counseling skills.

*The Pro Se Client:* Some clients have a legal issue that is straightforward. They are fairly sophisticated, organized and have already done personal legal research. The JustAdvice attorneys are able to provide them with a roadmap of how to navigate their legal situation complete with advice on the systemic hurdles to avoid and critical deadlines and possible rights or defenses that must be asserted within a given timeframe. These JustAdvice clients are determined to move forward pro se and are looking for validation that their instincts and understanding of the procedural and substantive law is correct. Opening a small estate or dealing with a landlord who refused to fix the furnace are examples of such clients. Other Pro Se clients do not have the money to retain bespoke legal services or cannot find a lawyer willing to accept their case on a contingent basis due to the facts or the type of harm and damages that are suggested. This client must decide whether to proceed alone, and a roadmap and consultation can be incredibly helpful.

*No Current Legal Remedy:* The second type of client presents varying degrees of legitimate, complex legal issues but is barred from seeking redress with the courts because his or her case is moot, unripe, lacks standing or is barred by the statute of limitations. A mother who wants to sue a third party on the part of her incarcerated son who has no desire to litigate or an individual who wants to sue the police department for an incident that happened five years before are examples.

*Actionable Legal Claims:* Yet another type of client is a person with a valid legal claim like a hotly contested divorce and custody battle where the family of the spouse has significant financial resources to invest in private counsel. Alternatively, fairly unsophisticated and or functionally illiterate individuals present the attorneys with straightforward legal issues, but they are unable to navigate the legal system without legal assistance. Instances of such clients might include victims of identify theft and people struggling with issues surrounding housing vouchers.
Social/Medical Issues: Finally, as mentioned previously, some clients come to the JustAdvice initiative with no legal issue but very compelling social and/or medical issues like an inability to find meaningful employment, affordable housing, personal/family addiction issues or concerns regarding high blood pressure, obesity and diabetes. In these cases, a lawyer, student attorney, social work student or medical students will still work to help the client work through his or her issue, identifying resources that are available.

The legal counseling is narrowly tailored to meet the needs of each JustAdvice client. The student attorneys are uniquely positioned to see the many different ways of providing advice, referrals, and closure. The counseling provided to each of these groups is challenging for the supervising attorneys and students alike. Developing legal and social roadmaps and explaining legal options can be difficult. Actually matching the clients who need a lawyer with a lawyer the client can afford and who is willing to take their case can present an even greater challenge. The danger of circular client referrals within the legal services providers is something JustAdvice attorneys are mindful of as the legal and emotional consequences can be devastating to clients who find themselves on that legal merry go round.

Actively listening, diagnosing the problem, and having to explain to the client there is no viable legal solution or the finances to litigate the matter are essential legal skills that student attorneys constantly hone. As legal communicators, having to tell a client it is time to spend their energies on more productive things can be both difficult and draining on the attorneys, social workers, and clients alike. But the ability to do so is essential to the practice of law.

Negotiation Skills
Many legal issues that clients bring to JustAdvice can be resolved through telephone negotiations with opposing parties, creditors, or insurance companies. Initially by watching, and eventually by doing, the student attorneys are able to learn the valuable skill of negotiation. After observing the experienced attorneys in action, one student attorney confidently phoned a creditor to obtain affidavit paperwork for an identity theft case. Still another called the Housing Department and resolved a voucher issue with the local government counselor.

On-the-Spot Research
Most first and second-year law school classes leave students unprepared to handle issues unique to their jurisdiction. At JustAdvice sessions, the volunteer attorneys often task students to find pending cases and statutes in order to effectively deliver advice. Tasks can include researching: the Maryland Rules to ascertain the time a client has to file an answer or assert a specific defense; the law on the expungement of civil domestic violence orders; the rights of tenants living under a written lease in a property that has been foreclosed upon; how long a client has to request a new trial or a reconsideration of a sentence; and many more issues. This on site research opens the minds of the students to the importance of being quick, accurate, and resourceful. Sometimes they find their answers in the Maryland statutes, rules, and regulations. Other times they find the answers by knowing the proper resource to call or from a peer colleague or supervising attorney who has previously dealt with a similar fact pattern. Regardless, developing a strong skill in effective and efficient legal research will surely serve them well once they graduate and move forward into the legal profession.
Document Preparation and Written Advocacy

Another important skill the student attorneys build is the ability to prepare legal documents and draft advocacy letters. Student attorneys have assisted in the drafting of simple complaints, answers, and related pleadings. They have drafted criminal expungement applications, advanced directives, and court related forms. Additionally, they have drafted power of attorney, simple wills, and contracts. The students have also worked with many functionally illiterate individuals to assist them in preparing advocacy letters that the client would otherwise be incapable of drafting. By way of example, one client came in with questions about his Fourth Amendment rights when stopped by the police. Eventually, the student and supervising attorney learned that he had been denied acceptance into college based on a drug conviction he had received five years prior. The student attorney worked with him to write an advocacy letter requesting reconsideration. Engaging in this unbundled work for individual clients has proven to be very important to both skill development and confidence building for students.

Making Referrals

Lawyers must know when to retain a matter and when to refer. Part of the important work of JustAdvice is to provide referrals for matters where an attorney is needed. This is, of course, complex in many different ways. First, there is the question of whether or not the client has the financial resources to retain an attorney, and if so, whether that is at market rate, or on some sliding scale level. If there are no financial resources, placing the matter as a pro bono case is even more complex. But, the students must also learn how to accurately match the matter and the attorneys to whom the client is referred. One of the model developments students led in the spring term of 2012 was to follow up on each referral made. If no match was created, the students continued to search for an attorney that would be a good fit for the client.

B. Law Practice Management

The most unexpected, exciting, and terrifying part about the JustAdvice initiative has been the development of the law practice management component. The law students, staff and interns, and supervisors have literally built a law firm within a law firm. Over time, students in the JustAdvice initiative have developed a comprehensive policies and procedures manual quite distinct from, but not contrary to, the student attorney handbook currently used as a reference and guide by all student attorneys enrolled in the many (over 22) diverse clinic offerings provided by the Clinical Law Programs.

Initially, there was one core group of four student attorneys who ran the practice management piece with assistance from faculty, staff and an eclectic mix of paid and unpaid interns who have rotated through the program over the years. As the client base and volunteer attorney base grew, it became readily apparent that one team of rotating students was insufficient

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38 The Clinical Law Program with the University of Maryland Carey School of Law is the largest non-profit law firm in the state of Maryland delivering over 110,000 hours of free legal advice a year. Clinical Law Program, UM Carey Law, http://www.law.umaryland.edu/programs/clinical.
39 Special thanks and appreciation to Janet Price, Abby Becker, Katherine Pecore, Chris Ramos, Andrew Reid, Sean McCarthy, Anna Kleinsasser, Tiesha Morgan, J.C. Cross and Arthur Norman for their work. A special debt of gratitude goes as well to Kat Hyland. As a student, Kat worked with her colleagues (particularly Sean McCarthy) to make sure that JustAdvice got off the ground. She went a step further, writing about the project, contributing to this piece with research, writing and comments.
to staff the operational sessions and attend to the burgeoning administrative functions. As a result, in the summer of 2010, we split the leadership into two distinct teams with two distinct leaders.

The Operations Team
This team has assumed responsibility for the following practice management areas: advertising, to include mass mailings and neighborhood canvassing; appointments coordination, to include listening to voice messages and ensuring all clients are called back in a timely manner, setting up appointments; and responding to email requests; community outreach, to include communicating with the courts, other in-house clinics, communities, partner organizations and referral organizations; document and procedures creation and revision; equipment maintenance and securing new equipment donations, as needed; session management; to include uploading client intake sheets, counting and recording client funds received and ensuring timely deposits and accounting entries, and sending out session email statistical updates to all affiliated with the JustAdvice initiative.

The Administrative Team
This team has assumed responsibility for the following practice management areas: social networking, to include updates to the website, Facebook, twitter, blog, YouTube and LinkedIn; accounting and financials; business model and budget management; and statistics and data tracking.

The JustAdvice initiative has always been a work in progress. Given that students have been part of the development of the initiative, there has been an action and reflection model of work that is integral to the success of the initiative. This skill of reflection and re-orientation has many different models within clinical education, from journaling to tapping interviews and reviewing those tapes with faculty members. In the JustAdvice work-in-progress, it is ingrained in the practices of the exit interview, the semester review, and the end of year presentation. Furthermore, the students come to understand in a quick-turnaround way the importance of record keeping and timely communication. They understand that they may begin the intake, but that others will handle the file quickly and frequently, so the notes and information need to be accurate and immediate. This skill is tested on a regular basis and spills over into client matters within their clinical work. The JustAdvice Team meets weekly, or bi-weekly as the semester progresses, and the Clinic II\textsuperscript{40} team leaders lead the discussion and review of the past week’s performance, any outstanding issues, and plans for the JustAdvice sessions that are upcoming. Faculty are in attendance, and available for consultation and review at all times.

The skills that are developed, honed and evaluated through the JustAdvice experience are some of the skills that may be helpful in a time of transitioning within the practice of law.\textsuperscript{41} While bespoke legal services are still the primary mode of training in the first year of legal training, at the University of Maryland Carey School of Law and across the country, young and innovative practitioners are pushing the boundaries of practice.

\textsuperscript{40} Students who have completed one clinical program and register for advanced clinical work are “Clinic IIs.” They are part of the leadership team in the JustAdvice model, with special workshops provided in leadership development and delegation.

\textsuperscript{41} See, e.g., \textsc{Richard Susskind}, \textsc{The End of Lawyers} (2009).
Section III: Legal Rebels and Clinical Programs

A. Entrepreneurial Activity and Disruptions in the Traditional Legal Models

The context in which the JustAdvice initiative emerged is the destabilization and restructuring of the legal profession and the way legal services are delivered. New methods of lawyering are emerging. These run a wide range and include the ABA’s acknowledgment of innovative solo practitioners as “Legal Rebels;” internet firms; flat-rate billing methods; and the Law School Consortium Project.

Legal Rebels: ABA Journal Recognizes Innovative Solo Attorneys

Solo practitioners around the country have already begun to remake their corners of the profession. To do so, they are finding new ways to “practice law, represent clients, adjudicate cases, and train the next generation of lawyers.” These lawyers also harness technology to revamp and perform more work with fewer available resources. To acknowledge these innovators, the American Bar Association Journal profiled more than fifty lawyers and dubbed them “Legal Rebels.” Their profiles, which are prominently featured on LegalRebels.com, were published in a series of articles in the ABA Journal. The website also features videos, podcasts, slideshows, chats, and even a Manifesto for other lawyers to sign.

Jeffrey J. Hughes, 44, was honored as one of the first Legal Rebels. As mentioned earlier, Hughes owns Legal Grind, a Santa Monica, Calif., coffeehouse and storefront law office on a major beach-community thoroughfare. Drinks there are free and the legal advice is reasonable. Forty-five dollars buys 20 minutes with a lawyer, and specific tasks, such as document preparation, can be had for a higher cost. Lawyers provide information on everything from landlord tenant disputes to personal injury cases. Hughes’ model started with free legal advice and paid coffee but has since reversed. The business is family-run, with his wife as a paralegal and children as café assistants.

Hughes and the 58 others acknowledged by the ABA Journal since 2009 demonstrate how attorneys have shifted gears in a changing legal market. While their work might not intentionally focus on public interest matters, it represents a restructuring of the traditional law firm model and an increase in access to justice. The Legal Rebels are also using new technological trends for more efficient service delivery, giving rise to a new wave of “eLawyering.”

eLawyering and Online Law Firms

“eLawyering” is the act of performing legal work over the Internet. An increasing number of sites on the web provide legal information, such as government departments, nonprofit community organizations, private companies, educational institutions, individuals, and law firms. Even the courts themselves are preparing and supporting such sites. These groups can use legal software to communicate with clients and other lawyers, produce documents, settle

disputes, interact with courts, and manage legal knowledge. eLawyering encompasses all the ways in which lawyers can do their work using the Web and associated technologies. To thrive in the upcoming technological era, lawyers will need to know how to practice over the Internet, manage client relationships in cyberspace, and ethically offer "unbundled" services.

In 2003, the American Bar Association eLawyering Task Force issued Best Practices for eLawyering.\textsuperscript{43} Legal scholar Michael W. Loudenslager studied the demand for eLawyering and the recent rise of eLawyering methods.\textsuperscript{44} He observed that the demand for legal services delivered over the Internet springs from the unmet need for legal representation of poor and moderate income Americans. "One effort to address the unmet legal needs of so many Americans has been to develop technological solutions. The use of Internet representations is one way in which technology can help middle and low income individuals obtain some degree of legal advice instead of addressing their legal problems wholly on their own."\textsuperscript{45} Given the recent expansion of the ABA Model Rules regarding unbundled legal services, the Internet will likely become an even more valuable resource for people who cannot otherwise afford lawyers.

Loudenslager has also done significant research into the ethical implications of eLawyering. He argues that the current version of Model Rule of Professional Responsibility 8.5(b), which governs choice of ethics law, can be interpreted to apply the legal ethics rules of the state in which the attorney is located to all electronic representations.\textsuperscript{46} Loudenslager’s argument is just one example of the different ethical debates that will likely emerge from more eLawyering services. eLawyering services are also reshaping the value of legal services, which is, in turn, creating a need for more billing methods.

\textbf{Flat-Fee Billing: A Trend or a Takeover?}

New billing methods have been one of the legal market’s responses to the economic downturn. Senior Vice-President and General Counsel of the Association of Corporate Counsel Susan Hackett recently stated:

"[V]alue-based billing options are becoming institutionalized, and will likely increase steadily year over year. We were interested to see if in-house counsel would continue to experiment with - or continue to deploy - new fee structures once the markets began to rebound and budgets were not under the same level of stress in 2010. The fact that billing practices did not revert back to the ‘way we used to do it’ demonstrates that in-house counsel are not retreating, but instead continuing the march to drive costs and value away from measuring the value of hours alone."\textsuperscript{47}


\textsuperscript{45} Id. at 597

\textsuperscript{46} Id. at 588.

\textsuperscript{47} Press Release, Association of Corporate Counsel, \textit{ACC/The American Lawyer} Alternative Billing Survey Results (Nov. 30, 2010), \url{http://www.acc.com/aboutacc/newsroom/pressreleases/ACC-AmericanLawyerSurvey2010.cfm}.
In a survey of firms conducted by the American Lawyer Magazine, 91% of respondents said that their firm used a flat fee for entire matters in 2010. This figure is up from 82% in 2009. Nearly 93% said that their firm used a flat fee for some or all stages of a matter during the last year, up from 78% in 2009. Partners commented that they are becoming more comfortable with flat fees. These and similar alternative practices, such as contingency fees, have become a way to add value and efficiency to the firm.

Professor and former practitioner Gregory W. Bowman outlined the advantages of flat fees in his “Law Career Blog.” He explains that flat fee billing is already prevalent in firms that perform transactional work, such as wills and estates and real estate. He also argues that the same principles can be applied to complex civil litigation. While it might be riskier, Bowman argues that the payout depends on a lawyer’s ability to estimate the value of the case. This would make the risk entirely worth it for the shrewd lawyer. Furthermore, since the legal community is already using flat fee billing, the argument that it is not appropriate to use flat fee billing for complex matters no longer holds. A continued increase in alternative methods will only lead to better case calculations over time.

Traditionally, ethical obligations to flat fee billing came from Model Rule 1.8(e). Subsection (1) provides that the client does not have to be ultimately liable for the repayment of the expenses of litigation if the repayment is “contingent on the outcome of the matter.” Ronald D. Rotunda argues that the flat fee is essentially contingent on the outcome of the case. He cites recent ethics decisions to support the notion that courts and the ABA have supported flat fee arrangements in part because the lawyer has a fiduciary duty to his client. Rotunda also points out that when more law firms band together in flat fee usage, courts will become even more accustomed to their “reverse contingent” nature.

The proliferation in alternative billing methods and the arguments against ethical problems point to the potential for more flat fees for the middle and lower class. Legal work such as uncontested divorces, adjustments of child support payments, and drafting wills can all be done for less money. Over time, these changes represent a breakdown of traditional models and the potential to provide more access to justice.

B. Why Any of This Matters to Clinical Legal Educators

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49 Id.
50 Id.
54 Id.
At the 2011 Annual Meeting the ABA passed Resolution 10B, resolving that the ABA “take steps to assure that law schools [...] provide the knowledge, skills, values, habits and traits that make up the successful modern lawyer.”\textsuperscript{55} The Association of American Law Schools (AALS) hosted a joint initiative linking clinical and nonclinical educators to think expansively about curricular reform,\textsuperscript{56} citing the need for law schools to address both the cost and efficacy of legal education. This is the context in which the JustAdvice initiative initially locates itself.

Clinical programs, like the practice of law generally, have become more and more specialized. The University of Maryland Carey School of Law Clinical Law Program has over 20 different offerings in practice areas each year. There are a few overlapping areas, but the possibility of specialization in clinical practice is not just possible, it is probable. There are strengths to this mode of training. The areas of competence focus on the development of deep skills. The professor has deep and thorough knowledge and the work is ever more complicated. In more than one of our clinics, students will work on one slice of a larger pie, have one or two clients, and will develop good substantive legal knowledge. For many, this will be the best possible training available. Some of the most fundamental lawyering skills, however, may be difficult to hone in this context.

Some of our students are neither interested in a specialty, nor will they have the luxury of specialization when they graduate from law school. Others reject the traditional models of legal service delivery, seeing themselves as part of the vanguard of the emerging legal practice trends. For these students, JustAdvice provides a window into the practice of law that is more traditionally associated with solo and small firm practitioners, and opens opportunities for thinking about both the unmet legal needs in our community and creative ways in which that need might be met. They have access to attorneys with whom they can have one to one conversations about the values of the profession and how they are fulfilled inside the current structures, as well as the ways in which those values are not fulfilling the needs of the communities in which lawyers live and work.

Section IV: Why a Snapshot Matters

There is debate within the academy about the pedagogical sufficiency of a brief advice model of training lawyers to practice. We believe that brief advice models can and should be an important part of a robust clinical program. We share the lessons we have learned in three general areas of inquiry: Legal Ethics: Representation and Brief Advice; Models of Practice: Unbundled Legal Services; Norms of Practice: Supervision and Quality Control.

A. Legal Ethics: Representation and Brief Advice


\textsuperscript{56} \textit{Assoc. of Am. Law Schools, 2011 Conference on Clinical Legal Education} (June 12-17, 2011), \url{https://memberaccess.aals.org/eweb//DynamicPage.aspx?Site=AALS&WebKey=ee944d5c-f291-97a-b244-9ac5f8e7e67&RegPath=EventRegFees&REQ_evt_key=dad1e1f2-9807-46f5-9f92-5cd25784e7bb}. 

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As the students and supervising attorneys have worked to build JustAdvice from the ground up, there has been ongoing debate about how to classify the relationship between the attorney and the person receiving the brief advice. As the initiative enters its fifth year of operation, it has become clear from the research and reflections of the students and their supervising attorneys that the people seeking the services of the JustAdvice Initiative are simultaneously first clients, and then customers, albeit only for a short period of time. It has taken time for the JustAdvice leadership to reach this conclusion. It is the opinion of the JustAdvice leadership team that the law and the rules support the engagement of brief advice initiatives like JustAdvice. However, as discussed below, it is complicated.

Each JustAdvice session begins with a disclaimer that clearly states that the advice session does not establish a long-term, on-going attorney-client relationship. However, the disclaimer also informs the client that their communication within the confines of the brief advice session is both confidential and privileged.57 The JustAdvice initiative is similar in its operation to several pro se assistance projects in Maryland. Every county in Maryland provides a Family Law Self-Help Center that allows pro se individuals to meet with an attorney to ask questions about his or her legal issue.58 Howard County and Anne Arundel County also provide self-help centers that assist with some civil matters. These programs provide limited advice sessions to individuals.

The formation of the attorney-client relationship is a critical issue for the JustAdvice initiative. An attorney’s duties towards a client flow from this relationship. When an attorney-client relationship exists, an attorney owes his or her clients a duty of competence, diligence, communication, and confidentiality. Yet, when an attorney-client relationship has not been formed, an attorney generally does not take on these responsibilities. The one exception is Maryland Rule of Professional Conduct Rule under Rule 1.18, which covers duties to prospective clients. This rule provides certain protections for individuals who discuss with an attorney the possibility of forming an attorney-client relationship. Specifically, a lawyer owes a duty of confidentiality towards the prospective client even where no attorney-client relationship results from the discussion. Rule 1.18 most likely would not apply to JustAdvice because it only covers prospective clients. Comment 2 to Rule 1.18 states that “[a] person who communicates information unilaterally to a lawyer, without any reasonable expectation that the lawyer is willing to discuss the possibility of forming a client-lawyer relationship, is not a prospective client.”59

57 The intake form begins with the following language that is verbally read to each person during intake: “The purpose of a JustAdvice® session is for the attorney to advise you what, if anything, may be done for you and to discuss your legal problem and what you could do next. The purpose of this session is not to render a definitive legal opinion or to solve your legal issue as it may be impossible to fully assess a matter within the time frame allotted for the session or with the information or documents that you may be able to provide during your JustAdvice® session. The attorney you speak with in this session only represents you for the time it takes to conduct the current JustAdvice session. This is a short-term limited scope of representation and there can be no expectation that the lawyer's representation of the client will continue beyond this limited consultation. You may of course desire to engage the attorney for certain services after the conclusion of your JustAdvice® session; if you so desire you acknowledge that any subsequent engagement is between you and the attorney and the JustAdvice® initiative is not a party to that agreement. Any information you share with the student attorneys or the attorney providing advice for your session is protected by attorney/client privilege and will be held in strict confidence.”
Similarly, the rules governing conflicts of interest are phrased in terms of the attorney-client relationship. Pursuant to Rule 1.7, an attorney may not represent an individual if the interests of another client or the attorney’s own interests conflict with that individual’s interests. A lawyer also is prohibited from taking certain representations if they present a conflict of interest with former clients. However, where the attorney and the individual do not enter into an attorney-client relationship, the attorney is only prohibited from taking on additional matters by the limitations of Rule 1.18 to the extent that it applies.

In light of the growing number of non-profit and court programs that provide short-term advice to individuals, Maryland adopted Rule 6.5 in 2005. Rule 6.5 provides that where a lawyer “provides short-term, limited legal services to a client without the expectation by either the lawyer or the client that the lawyer will provide continuing representation in the matter,” is only subject to the conflict rules of Rules 1.7 and 1.9 to the extent that the lawyer knows of the conflict.60 Similarly, an attorney is only subject to an imputed conflict pursuant to Rule 1.10 if the attorney knows of the conflict.61 However, this rule also presumes the existence of an attorney-client relationship. Comment 1 for Rule 6.5 states that “[i]n these programs, such as legal-advice hotlines, advice-only clinics, or pro se counseling programs, a client-lawyer relationship is established, but there is no expectation that the lawyer’s representation of the client will continue beyond the limited consultation.”62 Essentially, this rule envisions a situation where the attorney-client relationship is established and terminated during a single advice session.

This position would also be consistent with several reports that the ABA has issued on the provision of limited scope assistance. Specifically, in the ABA Handbook on Limited Scope Legal Assistance (“ABA Handbook”), the ABA distinguishes between the provision of legal information, which does not create an attorney-client relationship, and the provision of legal advice, which does create such a relationship.63 The ABA Handbook provides examples of sources of legal information, namely the People’s Law Library of Maryland and the American Pro Se Association.64 Legal advice, however, involves the application of the law to an individual’s specific circumstances. Where this is the case, both the ABA Handbook and the ABA Standards for the Operation of a Telephone Hotline Providing Legal Advice and Information (a similar report on operating legal assistance hotlines) indicate that the act of providing legal advice creates an attorney-client relationship.65

This position would also be consistent with Rule 6.5, which explicitly states in the comments that an attorney-client relationship is formed in short term advice situations. Rule 6.5 limits the application of the traditional conflicts rules because of the limited duration of the attorney-client relationship. However, it presumes that the attorney and client enter into a traditional attorney-client relationship that is limited pursuant to Rule 1.2(c), which allows an

60 MODEL RULES OF PROF’L CONDUCT R. 6.5(a) (1983).
61 Id.
63 ABA SECT. OF LITIGATION, HANDBOOK ON LIMITED SCOPE LEGAL ASSISTANCE 7 (2003).
64 Id. at 22, n. 46.
65 Id. at 7; ABA, STANDARDS FOR THE OPERATION OF A TELEPHONE HOTLINE PROVIDING LEGAL ADVICE AND INFORMATION vii (Aug. 2001).
attorney and client to agree to a limited representation. Currently, 43 states and the District of Columbia have adopted some versions of Rule 6.5 from the Model Rules.66

Assuming that the provision of legal services during a JustAdvice session creates an attorney-client relationship, JustAdvice has a responsibility to clearly delineate the scope of the representation and to comply with all applicable rules of the Maryland Rules of Professional Conduct. Specifically, Rule 1.2(c) provides attorneys with the ability to limit the scope of their representation of a client, if the limitation is reasonable under the circumstances and the client gives informed consent.

Helping young lawyers understand the complexities of the attorney-client relationship in a thoughtful way has been a benefit to their education. Seeing the circumstances surrounding the brief advice sessions, understanding how quickly a relationship can form, and how clearly one must set the expectations and the boundaries for clients and potential clients has been a tremendous learning experience for the young lawyers involved.

B. Models of Practice: Unbundled Legal Services

Should legal educators teach students about unbundled legal services and the many successes and perils that come with that engagement? Should student attorneys, under close supervision, engage in the delivery of unbundled legal services? This topic has caused much raucous discussion among academics and practitioners alike. Do the pitfalls and potentials for abuse and bar grievances outweigh the opportunities for the evolution of law within our society? These issues continue to be a debate within the academy and the profession67 and of great interest to initiatives like JustAdvice that seek to bridge the gaps in access to legal services. On Monday, February 11, 2013, the American Bar Association’s House of Delegates adopted a resolution encouraging lawyers to consider the use of unbundled or “limited-scope” representation: “Resolved, That the American Bar Association encourages practitioners, when appropriate, to consider limiting the scope of their representation as a means of increasing access to legal service.”68

The key rule in Maryland for unbundled legal services is Rule 1.2(c), which states “[a] lawyer may limit the scope of the representation if the limitation is reasonable under the circumstances and the client gives informed consent.”69 To date, there have been no reported cases in Maryland where an attorney has been charged by the grievance commission for offering

66 Pro Se Resources by State, ABA STANDING COMMITTEE ON THE DELIVERY OF LEGAL SERVICES, http://www.americanbar.org/groups/delivery_legal_services/resources/pro_se_unbundling_resource_center/pro_se_res ources_by_state.html.
68 The full resolutions can be found on the ABA’s website at http://www.americanbar.org/groups/delivery_legal_services.html
69 MD. LAWYER’S R. PROF’L CONDUCT R. 1.2(c).
unbundled legal services, so there is little judicial interpretation of this rule. However, the comments on the rule state:

[6] The scope of services to be provided by a lawyer may be limited by agreement with the client or by the terms under which the lawyer’s services are made available to the client. When a lawyer has been retained by an insurer to represent an insured, for example, the representation may be limited to matters related to the insurance coverage. A limited representation may be appropriate because the client has limited objectives for the representation. In addition, the terms upon which representation is undertaken may exclude specific means that might otherwise be used to accomplish the client’s objectives. Such limitations may exclude actions that the client thinks are too costly or that the lawyer regards as repugnant or imprudent.

[7] Although this Rule affords the lawyer and client substantial latitude to limit the representation, the limitation must be reasonable under the circumstances. If, for example, a client’s objective is limited to securing general information about the law the client needs in order to handle a common and typically uncomplicated legal problem, the lawyer and client may agree that the lawyer’s services will be limited to a brief telephone consultation. Such a limitation, however, would not be reasonable if the time allotted was not sufficient to yield advice upon which the client could rely. Although an agreement for a limited representation does not exempt a lawyer from the duty to provide competent representation, the limitation is a factor to be considered when determining the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.\(^70\)

In the context of JustAdvice, the client is informed in advance that they will just be receiving brief advice and not full representation, so the terms under which the lawyer’s services are made available to the client and the signed agreement from the client make it clear that the scope of the representation is limited. We believe that the explanation offered prior to advice being rendered is enough for “informed consent” as required by the Maryland Rules.

The second requirement is that the limited representation be “reasonable” and “sufficient to yield advice upon which the client could rely.”\(^71\) This is a greater challenge in the JustAdvice setting as the variety of cases and the limited ability to research both the facts and law of a case makes giving reliable advice difficult. The program has instituted a robust quality control process to address this concern.

As discussed above, the only change Maryland has made to make unbundled legal services easier is the provision in its rules limiting conflict of interest issues, providing that when working with a court program or non-profit sponsored program the lawyer is subject to conflict of interest rules only if he knows about the conflict of interest for himself or his firm.\(^72\)

\(^70\) Id. R. 1.1 cmts. 6, 7.
\(^71\) Id.
\(^72\) Id. R. 6.5 NONPROFIT AND COURT-ANNEXED LIMITED LEGAL SERVICES PROGRAMS:
Neighbors states such as Virginia, Delaware and D.C. have adopted similar provisions. No neighboring states, however, have made general amendments to provide for unbundled legal services except Delaware, which allows limited representation and ghost writing in family law cases only. Many other states nationwide have also adopted provisions which extend only to unbundled services in family law contexts.  

C. Norms of Practice: Supervision and quality control

As in any professional work environment supervision of personnel and quality control are two co-joined management functions that require continuous monitoring and oversight. The high student turnover combined with the volunteer status of the vast majority of the supervising attorneys offer unique challenges to maintaining the delivery of quality services to the client base. As Ken Blanchard acknowledged in his acclaimed book, The One Minute Manager\(^\text{74}\) situational leadership, being capable to manage/guide/direct and coach people at various stages of development with various degrees of motivational energy is a complicated skill set to master.

**Supervision**

There are four different types of attorneys who run, advise and evaluate the JustAdvice initiative: seasoned volunteer attorneys, incubator attorneys, student attorneys and faculty attorneys.

*Seasoned Volunteer Attorneys*

These attorneys are critical to the initiative running at optimal competency level. Most of these lawyers have decades of experience in the legal profession and come from highly reputable firms and government legal positions. There are also several Civil Justice, Inc. seasoned attorneys who regularly staff JustAdvice legal sessions. Their rolodex and LinkedIn connections are often as valuable as their knowledge of the law. They come with an uncanny ability to instruct students to perform a quick piece of discrete research, as well as the comfort level to pick up the phone and confront the adversary with their findings and make the legal issue vanish for the client. Witnessing these lawyers at work shows students what it really means to become a master in ones trade, craft, or profession. For instance, early in the program, a client arrived who was obviously intoxicated. The seasoned attorney was able to make some calls and find the client a bed at an inpatient treatment facility and personally drove the client to the treatment facility. The attorney received a call from the client about six months later telling the attorney he was sober and was now working in another part of the country as a master electrician.

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\(\text{73}\) See supra n. 64 for a full list of the rules governing unbundled services in the states.

\(\text{74}\) Ken Blanchard, *The One Minute Manager* (1981).
The seasoned volunteer attorneys who volunteer for the JustAdvice initiative are screened based on a three prong test to identify: 1) whether they have the interest and patience to work and provide legal education and law practice management with a revolving student base with multiple degrees of competency and motivational commitment; 2) whether they have the courage and legal knowledge to deliver general brief legal advice across a wide variety of legal practice areas; and 3) whether they have the capacity to engage, empathize and provide legal problem solving to our client base. Attorneys who meet this test are rare and very much valued within the frame of the JustAdvice initiative.

Once accepted into the initiative, the seasoned volunteer attorneys are monitored by the faculty attorneys to insure their demeanor, professional ethical standards, and legal knowledge are compatible with highest norms for the delivery of services. This monitoring is accomplished by in-person consults, student input, and client feedback. To date, only two of the 25 volunteer attorneys have been removed. One demonstrated an inability to empathize with the client and the other experienced declining cognitive health.

We cannot overstate the importance of the one on one relationships that develop between these seasoned attorneys and the student attorneys. The mentoring that takes place in the regular and sustained working relationship has been important to everyone involved. The seasoned attorneys receive wonderful feedback from the students who study them. The skills they have honed over a lifetime of work become teaching material in a much more explicit way. The student attorneys are able to see skilled practitioners in action. The norms of the profession come alive, and they begin the important process of building social and practical networks within the profession. Student attorneys see before them the evidence of Mandela’s lesson: “Leaders are judged in totality by the arc of their lives.”

**Incubator Attorneys**

In 2010, the University of Maryland Carey School of law responded to the economic downturn and the fact that private firms were deferring or declining to offer new law graduates jobs by partnering with Civil Justice, Inc. to create an Incubator Program. This program provides a framework for new graduates without immediate job prospects to begin to learn the practice of law using an apprenticeship model. The “Incubator Project: Micro Enterprise Employment Training for New Attorneys” is run through Civil Justice and the lawyers working under this project have colloquially become known as “the Incubators.” In 2011, the incubators began volunteering at JustAdvice on a rotating basis under the close guidance and supervision of Civil Justice seasoned attorneys and University of Maryland Carey School of Law faculty attorneys. On some level, the incubator lawyers are braver than the seasoned attorneys. These lawyers have limited legal knowledge and practice, but they are wise in their recognition and acceptance of this reality. They are the young men and women who graduated and passed the bar during

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75 CUNY law school was one of the founding members of the Law School Consortium Project. One of its most important contributions to the development of post-graduate supports for lawyers wanted to “do good and do well” has been the development of the legal incubator project. Civil Justice borrowed from their work, adapting the program to the particular circumstances of Baltimore and the Carey School of Law.
our economic recession and are trying to navigate their professional future. They are often struggling with student loan repayments and the need to support families. They are newly minted lawyers fresh from an academic environment that could not have possibly prepared them completely for day to day life on the legal streets. These lawyers walk in scared but refuse to let the client suffer legal consequences because they do not personally know the answer to their legal question. When these “incubators” walk into the JustAdvice initiative, they ask questions, do research, make phone calls and do whatever possible to live up to their ethical duty to render appropriate service to the clients of JustAdvice. At the end of the day, the clients are happy and the lawyers walk away with a better understanding of how to problem-solve and triage legal issues. Every now and again, these young lawyers walk away with a paying client and the added confidence that they can succeed in the legal profession.

The incubator volunteer attorneys are screened based on a modified three pronged test similar to that of their more seasoned counterparts to identify 1) whether they have the interest and patience to work and provide legal education and law practice management with a revolving student base with multiple degrees of competency and motivational commitment; 2) whether they have the courage and legal knowledge to deliver general brief legal advice across a wide variety of legal practice areas under very close supervision; and 3) whether they have the capacity to engage, empathize and provide legal problem solving to our client base. Incubator attorneys who meet this test are equally rare and very much valued within the frame of the JustAdvice initiative.

The incubator attorneys learn that they are part of a professional network. Working with both senior and junior attorneys, they learn how to practice and how to learn while being an attorney. They develop systems of support that they will take with them into their own practice areas, and practice the action/reflection model that is central to the JustAdvice project. They build a rolodex, and step into the project of justice.

**Student Attorneys**

The third type of attorneys we engage in the JustAdvice initiative are student attorneys. These lawyers, enrolled in a clinical law program, practice pursuant to Rule 16 of the Maryland Rules on Bar Admissions only after completing one-third of their legal education in good academic standing and under the supervision of a full-time faculty member. The student attorneys perform a valuable function by conducting intakes and briefing the senior attorneys on the nature and facts surrounding the legal issue of the client. When new to the initiative, the student attorney is primarily a passive observer during the advice session. As their skills and substantive knowledge improves, the students moves into a more active role, often asking more directed questions, performing discrete research, and sometimes actually providing the legal advice.

As important, if not more so, to the overall operation of the initiative is the role the student attorney takes in actually managing the daily operations and administrative tasks associated with the functions of a small law firm. As was discussed earlier in this paper, the student attorneys, under close supervision, run the JustAdvice initiative and gain

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76 Md R Gov’g. Admis. Bar R. 16.
valuable skill sets along the way. Because they are students and are just becoming indoctrinated into the complex world of law practice management, all eligible students are encouraged to rotate through the program. There is an intensive training session, including live simulations with hypothetical situations akin to those they might encounter. All students have also participated in the clinic-wide orientation, where they are coached and guided about the importance of practicing ethically, being kind and professional to all clients. In addition, JustAdvice students are trained in researching and learning both procedural and substantive law and learning the art and science of legal problem solving. The eagerness and ability of the student attorneys to rise to the challenge of engaging in the practice of law and law practice management serves as a continual source of inspiration and satisfaction for the seasoned attorneys. For these reasons, the student attorneys are very valuable to the success of the JustAdvice initiative.

**Faculty Attorneys/Professors**

While many faculty members of the University of Maryland Carey School of Law have contributed substantive advice and law firm consulting services; a core team of professors have been the vision, leadership and student supervision behind the initiative. 

Because of the rotating nature of the student workers, the faculty has utilized a situational leadership model moving back and forth between being very directive to coaching, depending on the motivation and competency of the students. A faculty member attends every JustAdvice session focused primarily on quality control, trouble shooting unusual legal topics, and managing difficult clients. The management of difficult clients has been particularly challenging for the supervising faculty. In the early days of the program, one individual would show up to every session with a slight variation on their legal issue, placing their open laptop on the table during the sessions. It became apparent that he was recording the advice sessions without the knowledge or consent of the supervising attorney in violation of Title III of the Federal wiretap laws. After being informed of the law and politely asked to leave, the client provided fodder for drafting one of our first policies regarding repeat clients. Another client while in route to our session apparently made a comment to a non-clinical faculty member, while in the Law School, out of frustration, “what do I have to do to find a lawyer in this damned place, threaten to blow the building up?” Right in the middle of the advice session, the campus police stormed into the room and removed and banned the client from the building. Managing that incident and debriefing it with the student attorneys was a valuable teaching moment about professional ethics. We frequently have clients present with issues of mental illness and ensuring social work intervention has been another faculty supervision issue.

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77 Brenda Bratton Blom, as professor and former Director of the Clinical law Program, was the initial visionary for the JustAdvice clinical program. Leigh Maddox, now an adjunct professor, oversaw operations for the initiative and has continued to foster its development. A.J. Bellido de Luna, also an instructor, is the Managing Director of the Clinical Law Program. He has been willing and able to use both his legal expertise to help solve and diagnose some of the legal problems that people bring through the door, and has been willing to support the initiative administratively. This has been extremely important to the stability of the initiative. Terry Hickey, as an adjunct professor and as Executive Director of the Chesapeake Boys and Girls Club, has worked as the operational back-up and provided non-profit administrative advice and expertise. Professor Pamela Chaney has also played a vital role in advising on financial and tax matters. Finally, Professor Patricia Campbell was instrumental in advising and guiding us on intellectual property matters. All faculty sponsors have run individual advice sessions.

Quality Control

From the onset, both the faculty and student attorneys recognized the importance of implementing quality control guidelines that would give the leadership both quantitative and qualitative data snapshots to allow for continual upgrades to the initiative and provide the fodder by which the initiative could be promoted to partners, skeptics and funders alike.

The team members gathered and analyzed data based on the main goals of the initiative. First, our initiative is a product of the University of Maryland Carey School of Law Clinical Law Program, and student attorney development is a core piece of the initiative. Second, our client base consists of the working poor and middle class who cannot afford or travel to a traditional lawyer’s base. Finally, our model is non-profit, linked with our affiliated non-profit organization Civil Justice, Inc.79 and seeks to foster and support the work of solo practitioners.80

Quantitative Surveys

The initiative has been very careful to capture, record and analyze data emerging from every session. Initially, the data analysis was limited to the questions on the client/client exit surveys. At the conclusion of each term, the statistical data has been reported out to all partners and other interested parties. To avoid client discomfort or bias, the exit surveys have always been administered by someone who was not directly involved in the brief advice session.81

More recently, the initiative has begun to use mapping software to track client data based on zip code. We create spreadsheets with clients, issues, and addresses, and plot them out on maps of Baltimore City and Maryland. This enables us to learn more about clients by neighborhood and corresponding census tract. The data indicates and regardless of neighborhood, our clients grapple with a wide array of legal issues. We had hoped that the qualitative demographic data would give us leads on how best to personalize the brief advice services, but this has not as yet panned out.

We have also begun to track the client ratings of the service provided by the attorneys and the faculty supervision shares this data during quarterly debriefs on how we can do better. Additionally, we track the number of fee waivers requested and we have begun surveying the student attorneys about their experiences with the various volunteer attorneys. This data is still in the developmental stage; but the initiative leadership is excited to see what it may reveal long-term.

Our most recent, and most ambitious quantitative survey involves outreach to former clients with a focus on figuring out whether our brief advice services had any long term impact on the legal issue brought forth by the client.

Qualitative Data

Understanding that every failure and success cannot be captured by raw numbers, the JustAdvice Initiative has also paid special attention to the qualitative indicators. This data is

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79 See supra n. 10 and accompanying text.
80 See Appendix A.
81 See Appendix B.
found through the voices of the students, the lawyers and the clients. These voices have been captured from reflection memos, videos of our bi-annual celebrations and by student-created short documentaries about the JustAdvice initiative.

**Legal Substantive Workshops**

The JustAdvice Initiative attorneys have been requesting continuing legal education on the topics we see most frequently like expungement, housing, foreclosure, employment, family, real estate and consumer protection. In August of 2011, the initiative held its first mini-workshop on consumer protection. It was very well received and through partnership with Civil Justice, Inc., we plan to hold more workshops over the next period.

Using a snapshot has allowed us to engage students in robust analysis of the practice of law and the challenges of justice in ways that are unique. Using a snapshot method is not the only way to train students, but it has some unique advantages, and should be considered as a viable method of training. The JustAdvice initiative has been a learning experience for all that have engaged in it. It calls into question some of our most basic assumptions about the practice of law and the training of new lawyers. It does not solve the problem of unmet legal needs, but it can be one component part. It does not train students in a complete way how to be a lawyer, but it is a component part of a comprehensive strategy to create more practice-ready young attorneys when they leave law school. Combined with a rigorous environment in which they can dig deeply into an area of practice, this experience allows them to learn the important skills of interacting with people who believe they have a legal need, analyzing that need and counseling the person about the options that might be available to solve that legal problem.

The JustAdvice model focuses on the values of the profession and the skills needed to practice, not the traditional form of practice. The values of the profession, as articulated in the Rules of professional Conduct, are critical to understanding the responsibilities attorneys carry in any consultation. Students see this in action through the behaviors of senior attorneys, and in the expectations of the clients who walk through the door. They practice the basic skills of the profession: interviewing; note-taking; research; presenting the problem (today to a senior attorney, tomorrow to a judge); preserving information; and reflecting on their own and others’ practice and procedure.

This JustAdvice experience drills deeply into what the Carnegie study found to be two Key Premises: There should be a connection between professional education and the profession; and Professional education should address “commonplaces.” The apprenticeship of Professional Skill and Practice, and the apprenticeship of Professional Identity and Values are core to the work done by students serving in the JustAdvice initiative.

But students also learn that the profession is changing. They are clear that this is not the traditional mode of practice, and that the future requires them to think creatively about how to serve the needs of those who they meet. Two of the students who were part of the original band

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82 See Appendix C.
83 See supra n. 10 and accompanying text.
of student attorneys on the adventure of JustAdvice ended up taking a course on Law Practice Management, and are using the skill sets gained while working on the JustAdvice initiative to develop a law firm business model for future law practice.

It is difficult to tell students about the vast unmet legal need. We, clinical law professors, do tell them. But, it is a very different thing for them to see that need. To see the numbers of people with an endless variety of problems walk through the door seeking assistance makes the need real in ways that are much more immediate and actual for students. And, for the most part, these are people who do not qualify for legal assistance, because they make “too much money.” It is important that our students understand this. While not a legal skill in a traditional interpretation, it is critical to the foundation of democracy. We are tasked with serving that need and providing access to the system of justice. We are the gate-keepers, in many ways. As students spend time listening and watching as people walk through the JustAdvice door, they learn the importance of what lawyers do, and the need for them to commit time, energy, and talent to making sure that justice is accessible to all. They understand more deeply that they have an opportunity to be part of bending the arc of their own lives toward justice.

There is another truth that students learn in this work. It is a truth that has been a bedrock of our country and is based on a belief in the power of people to solve their own problems. Our legal system is becoming ever more complex. But for many problems, with a little support and guidance, people can navigate the system of justice for a good outcome. There is much data to show that more people than ever are proceeding pro se in the courts of Maryland and across the country. While this is not always the best route for people, it is also important for those of us who are keepers of the profession to understand which issues can effectively be handled by a person on their own and which can or should not be. And, we should provide advice about that. Students should learn to respect our citizens who are using the justice system, and support them as best we can to use it wisely.

Finally, students learn that the law cannot solve all problems. That is powerful knowledge, and something that we all need to remember. But it is knowledge that is hard to teach. For those who teach with JustAdvice, we work to remember the “long game” as we “teach to their hearts.” We hope to be judged by the totality of our lives, and believe that the JustAdvice initiative will leave a legacy of justice for the students we teach and the citizens we serve.

On that cold February Tuesday, Pamela walked into a friendly space in a downtown market. Following the signs, and clutching the flyer given to her the week before by the attending physician, she mounted the steps. A young woman turned, smiled and said...

“Good afternoon! Welcome to JustAdvice. How can we help you?”

85 In 2006 70% of all domestic cases filed in Maryland’s Circuit Court Family Divisions and Family Services Programs involve at least one pro se litigant at the time of filing. MARYLAND JUDICIARY WORK GROUP ON SELF-REPRESENTATION IN THE MARYLAND COURTS, CLEARING A PATH TO JUSTICE 1 (Aug. 2007). These high rates reflect national trends: between 1980 and 1991, the percentage of domestic relations cases nationwide that involved a pro se litigant increased from 24% to 88%. JOHN M. GREACEN, SELF REPRESENTED LITIGANTS AND COURT AND LEGAL SERVICES RESPONSES TO THEIR NEEDS: WHAT WE KNOW 3 (July 20, 2002), available at http://lri.lsc.gov/sites/default/files/LRI/pdf/02/020045_selfrep_litigants&whatweknow.pdf. See also John T. Broderick, Jr. & Ronald M. George, A Nation of Do-It-Yourself Lawyers, N.Y. TIMES, Jan. 2, 2010, at A21.
**JustAdvice(R) Exit Survey**

* 1. Which attorney did you meet with?

Which attorney did you meet with?

* 2. How did you hear about JustAdvice(R)?

How did you hear about JustAdvice(R)?

* 3. Do you feel that you better understand the legal issue you had a question about?

  - [ ] Do you feel that you better understand the legal issue you had a question about? Yes.
  - [ ] No.

Other (please specify)

* 4. Did your legal question get answered in your JustAdvice(R) session today?

  - [ ] Did your legal question get answered in your JustAdvice(R) session today? Yes.
  - [ ] No. If no, please explain:
5. Will you go on to hire an attorney for this issue?
- Will you go on to hire an attorney for this issue? Yes.
- No.
- Undecided.

6. What, if anything, could have made your session better today?

What, if anything, could have made your session better today?

7. How helpful did you find your JustAdvice(R) session on a scale of 1 to 10, with 10 being the most helpful?
- How helpful did you find your JustAdvice(R) session on a scale of 1 to 10, with 10 being the most helpful?
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10

Other (please specify)

8. Is there anything else you would like to add?

Is there anything else you would like to add?

Powered by SurveyMonkey
Slide 1

Data

Slide 2

What is JustAdvice®?

The JustAdvice Clinic is an initiative implemented by the University of Maryland Francis King Carey School of Law in conjunction with Maryland Volunteer Lawyers Service (MVLS) and Civil Justice (CJ).

Provides low-cost legal advice to fill the gap for individuals who do not qualify for legal aid but cannot afford to hire a private attorney.

Represents individuals with legal knowledge covering a broad range of legal issues through brief consultations with experienced attorneys.

Charges a fee of $20 per case, but waivers are provided to cover the cost, and engagement assistance is offered at no charge.

JustAdvice clinic volunteers understand the significance of the interdisciplinary scope of work with clients and therefore include students from the School of Law, School of Social Work, School of Medicine, and School of Pharmacy to provide services as well.

Slide 3

The Process

Community Outreach
- Law Students
- Volunteer Attorneys, Social Work Students & Medical Students
- Law, Medical & Social Work Students
- Customer Satisfaction
Slide 10

Provision of Referrals

The Justice Clinic recognizes the importance of customers receiving legal assistance.

- Customers are referred to attorneys both through Maryland Volunteer Legal Services, Civil Justice, Legal Aid, and other legal providers as appropriate.

- Total Referrals since January 2013 = 166

Slide 11

Customer Satisfaction

How helpful did you find your JustAdvice sessions on a scale from 1-10, with 10 being the most helpful?

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<thead>
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<th>Grade</th>
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Total: 145 respondents. Percentage: 100%

Percentage of Customers

Slide 12

Client Satisfaction

- Did your legal question get answered in your JustAdvice Session?
  - Yes (145)
  - No (142)

- Do you feel that you better understand the legal issue you had a question about?
  - Yes (16)
  - No (158)
APPENDIX C - Voices

Student Voices

On balance, the Community Justice Clinic students have positive experiences working in the JustAdvice initiative. Students communicate these experiences through reflection memos and in class discussions. The class is structured so that eight clinic students work on JustAdvice, but each student works in at least one other practice area of the Community Justice Clinic as well. Even with other projects to “balance out” the students’ legal experience, students report that JustAdvice provides a wealth of practical legal skills. The following students provided positive anecdotal insights into what they have learned:

Kavitha Bondada

“The JustAdvice Initiative Reminds Me of Why I Came to Law School” - I always love JustAdvice initiative sessions because I feel like it helps me remember why I went to law school. I came to law school because I wanted to help people, and I love how the initiative seeks to help
people immediately in whatever way it can; the initiative helps people get the help they need when they need it and it helps a community by solving its people’s individual issues. The other day, I actually heard a fellow law student talk about attending a JustAdvice session about a landlord dispute and it made me proud to know that the JustAdvice initiative is available to help all members of the Baltimore community, not just a single targeted population.

Michael Raykher
“The JustAdvice Initiative Improves My Client Communication Skills” - During a JustAdvice session that I attended, I conducted a regular exit survey. The clients usually don’t take very long to respond to the questions asked in the survey and always seem pleased with their session. However, this exit survey was a little bit different. I asked the client about the service that she had received and if her questions were answered during the JustAdvice session. The client […] said ‘No.’ She did not receive the answers she hoped she would receive at today’s session. I asked her why she was disappointed with the result and she replied that the attorney advising her said that she would not have a case for court based on her situation. However, she then commented that she was relieved anyway. She was relieved that she could tell her story to someone and have them listen and advise her. She said she tried numerous other lawyers and none of them would even sit down to listen to her after hearing the first few details of her case. She was leaving happy even though she did not hear the answers that she hoped she would. This reaffirms the necessity of communication and the importance of listening. The lawyer-client relationship is not all about the legal research and brief writing, even though these are necessary components, but rather the relationship is based on a level of communication. Even if there is no legal solution to a problem, often times, a client just wants to be heard, and the act of being heard will be enough of a solution for the client.

Joshua Miller
“Putting Professional Responsibility and Legal Reasoning to the Test” - The JustAdvice Initiative has been immensely instructive on what to do and what not to do when trying to build an effective attorney-client relationship. […] [A client] put my knowledge of the Maryland Rules of Professional Conduct to the test. The client’s son had a criminal-related issue that he wanted to discuss with us, but he did not come in because he believed that we might have a professional obligation to call the police and have him arrested on the spot. I, along with volunteer attorneys, was able to assure the client – so that she could tell her son – that we did not have such an obligation, and that we could in fact be in serious trouble ourselves if we did call the police (barring any exceptions, such as the “imminent death or substantial bodily harm” exception.)

In another JustAdvice session, a client asked Sean and me if the record of a protection order taken out against her by her ex-husband could be expunged. […] While Sean and I were fairly certain that this information could not be expunged, we were not certain and as such conducted research. Using the various legal research sources at our disposal, we were able to determine that, in fact, the records could not be expunged as the protection order had been entered; under Maryland law, only if the judge had not ultimately granted the order would the records of the proceedings leading up that denial have been removable. Applying the facts of the client’s issue to the law, we were able to reach a conclusion that, while probably not what the client wanted to hear, we were confident was correct.
Matthew MacKenzie
“Policy Research Helped Me Develop My Legal Reasoning Skills” - I have put my legal reasoning skills to use for JustAdvice where I recently posted an [online blog] article on employment law in Maryland. To write the article, I had to research the policies of various local, state, and federal agencies that are responsible for assisting individuals who believe their employer has discriminated against them. After performing a certain amount of research in these areas, I realized that I needed the help of someone who is more experienced in employment law, so at Prof. Maddox’s recommendation, I reached out to Prof. Eisenberg. Her input was invaluable in making sure that I provided accurate advice and in pointing ways in which I could improve the article.

Voices of the Lawyers
Don McPherson, Retired Attorney, JustAdvice Volunteer Attorney (2009-present)
Helpful Pre-screening Process - The students prescreen the matter, collect the necessary data regarding contact information and facts relevant to the client's problem, organize the issues, and may do preliminary information collection, such as obtaining copies of dockets or real estate documents from internet sources, or obtaining a copy of a relevant statute. This aspect of the student participation is valuable to the process because it allows efficient use of the volunteer lawyers to concentrate on obtaining additional information and giving substantive advice to the client.

Meaningful Interviewing Skills - The presence of the student when the lawyer talks to the client is valuable mentoring for skills for interviewing, advising, manner and tone in working with the client, learning how to give advice a client may not want to hear, being accurate and concise in discussion with the client, learning to make a professional presentation with proper demeanor and proper English (look the client in the eye, learning to listen to the client, no hesitations such as "er" and "ah", no use of "you know", no use of "like"), preparing written notes summarizing the advice to give to the client for clarity and future reference, and recognizing much of the advice can be of a practical nature learned from experience and not from law books, thus integrating the academic and real, practical world.

Applying Knowledge - Many of the students extend their participation beyond the initial collection of personal data and investigate the law or additional facts, and bring to bear their own expertise or perspective which may differ from the perspective of an elder lawyer either because of additions to the law or procedures or governmental agencies with which the student has experience or knowledge from a project the student is working on. [Mr. McPherson provided a recent example in which a law student brought her copy of the Community Law Center handbook on non-profit organizations to help a client with a nonprofit issue.]

Stan Rohd, Retired Attorney, JustAdvice Volunteer Attorney (2009-present)
Mentoring - Throughout my 41-year career in private practice at several medium to large sized firms, I always enjoyed working with and mentoring younger attorneys. I sought to contribute to their experience and to their advancement in the firm, in their career, and in their profession. Working with the students at the JustAdvice Initiative enables me to re-experience my work with younger attorneys during my active years of practice. I greatly enjoy and look forward each session to mentoring the students where and when possible in terms of their interactions with the
clients, their interviewing techniques, their grasp of the clients problems and their ability to effectively communicate with the clients so as to be as helpful to them as possible. In short, I try to mentor the students and thereby enhance both their experiences and the client's.

**Developing Competence** - I have found my contributions of time and service to the Clinic to be especially worthwhile as I observe the students become more competent in communicating with and understanding our clients. This is very important to me because I believe that an education in the law goes beyond learning law related subjects. I believe that it is critical to also learn to listen, to question, to delve into and to effectively communicate with people. Watching the students at Just Advice learn these skills, and contributing to that process wherever possible, are very rewarding experiences to me.

Chris Flohr, Solo Practitioner, Civil Justice Network, Law Practice Management Professor, JustAdvice Volunteer Attorney (2011-Present)

**Access to Justice** - JustAdvice is a tremendously potent platform. As a practicing attorney and an adjunct professor, I thoroughly enjoyed my time with the students. The difficulty for me was stepping back and letting the students do the talking. JustAdvice is starting to fill a gaping hole in our justice system. There are too many people who are not poor enough for a free lawyer yet cannot afford to pay a private attorney. JustAdvice is an essential service and I sincerely hope it gets the support it needs to grow.

**Voices of the Community**

JustAdvice currently operates out of three locations in the community: the School of Law Clinic Office, the Center for Urban Families, and the University of Maryland Medical Center. These community connections go beyond a mere need for space; JustAdvice strives to serve the specific needs of the community partners.

The Center for Urban Families

The Center provides work readiness programs, skill and wage progression training, and services for fractured families. JustAdvice currently has an informal understanding with the Center to use space at the Center’s facility, located at 2201 N. Monroe Street, Baltimore, MD 21217. Part of this understanding includes a verbal commitment to continue sessions at this location during the summer semester in 2011. JustAdvice hopes to extend its outreach efforts to various communities throughout Baltimore and to develop partnerships with existing neighborhood organizations.

The Center’s Community Partner, Danielle Torain, outlined the benefits of a JustAdvice partnership. Working with JustAdvice provides the Center’s clientele with affordable legal services, ease of client access, a safe environment, reduced barriers to legal services, an increased quality of service, and an overall sense of client empowerment. Going forward, the Center and JustAdvice hope to expand their partnership in the following ways:

- Targeted workshops and seminars for clients on specialized topics
- Community outreach
- Support of policy/legislative advocacy efforts

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86 For more information on the Center for Urban Families, see [www.cfuf.org](http://www.cfuf.org) (last accessed August 31, 2011).

87 *Id.*
• Site visits to better understand the needs of the Center’s clients and community
• Increased student involvement (internship opportunities; volunteerism; etc.)
• Sustainability through public service grants.\textsuperscript{88}

University of Maryland Medical Center

\textit{The Ulman Cancer Fund}

In 2010, JustAdvice teamed up with the Ulman Cancer Fund at the University of Maryland Medical Center, located at 22 S. Greene St., Baltimore, MD 21201, to establish a presence at the medical center. In addition to hosting sessions at the medical center, JustAdvice student attorneys became trained volunteers and will soon begin to visit Ulman Cancer Center Patients in their hospital rooms. In time and with more resources, the JustAdvice initiative hopes to expand its presence at the hospital to meet the legal needs of low-income and middle class patients. JustAdvice currently has a commitment to continue sessions at this location during fall of 2011.

\textit{Young Adult Patient Navigation Program}

Testimonial of Elizabeth Saylor:

I’ve been working for a nonprofit that serves young adults been placed at the medical center for the past two years. Part of my job is sitting with families who have been hit a very vulnerable point in their lives with cancer diagnosis. I also spend a good deal of time, not only in the outpatient center, but in the entire medical center, so I have gotten to know the structure there very well and the needs of people who are in a medical crisis. People come to cancer and other life-threatening illnesses with a whole host of baggage that they cannot leave at the door. There are folks that come with legal issues not related to cancer, and then there are other major medical situations, and then there are folks that because of their illnesses are needing legal advice, either because they’ve become bankrupt due to medical bills, or aren’t able to pay rent because they’re filling their prescriptions instead. So we’ve started working together, and now [JustAdvice] is serving the entire medical center, pretty much every other week, based in a central location. It’s not just for patients, but also for staff.

Part of my job deals with the families who come to deal with their illnesses and end up setting up a surrogate home within the hospital and medical center. They are there anyway and they have all of these other issues they are trying to focus on besides just getting better from their disease, so this is a perfect opportunity for them, whether it is the patient themselves or a family member who is visiting, to seek out these legal services. And then the staff as well: many people work very, very hard over there and they don’t get paid a lot, so they don’t have a lot of extra money to devote to legal resources. So by having a central location every other week that patients and staff can come to deal with legal issues is invaluable. Part of my job as a social worker is to build relationships with other service providers.

For a long time I have thought we needed to build a better relationship with the law school and provide services.\textsuperscript{89}

\textsuperscript{88} \textit{Id.}

\textsuperscript{89} Excerpt from Elizabeth Saylor’s speech at the JustAdvice Evening Reception, April 27, 2011, \url{http://www.youtube.com/UMBchannel#p/u/0/YZLp9DMz0E} (last accessed August 31, 2011).
**Client Perspectives**

As beneficial as the initiative is to the students and volunteer attorneys, the real focus of the JustAdvice initiative is our ever-growing group of clients. To date, the initiative has provided legal advice, on a myriad of topics, to over 800 of Maryland’s residents. This is a population often referred away by an overwhelmed and underfunded Legal Aid Bureau. This is a population that might just have a few simple legal questions, questions they would otherwise be unable to afford answers to, answers that can have a great impact on their lives. This is a population that could fill out documents and navigate their own course through the legal system, if they were just given a roadmap to follow. In short, the clients served by JustAdvice come to the initiative with questions and problems and leave with answers and solutions. They might not all leave with the answers they wanted to hear, but almost without exception, they are grateful for the answers and for being empowered to move forward.

Clients come to JustAdvice with a host of legal issues. When comparing the rates of cases closed by Maryland Legal Service Providers (LSPs) to the types of brief advice at JustAdvice, the figures do not line up (See Figures 1 and 2). Maryland LSPs handle a much higher rate of family law and housing cases, whereas JustAdvice handles a more equal distribution of legal topics. One explanation for this difference is the nature of the services provided. In its *Interim Report*, the Maryland Access to Justice Commission explains that within the “Civil Legal Services Delivery System,” cases that require full service representation often involve higher levels of conflict, and in turn would be more likely to receive assistance from Legal Aid and pro bono attorneys than self-represented litigants and the general public. Therefore, it is important to draw a distinction between the types of legal needs in Maryland. The fact that JustAdvice often handles cases that would be handled pro se and do not qualify for Legal Aid does not make the nature of the legal problem less important to the individual. Instead, this suggests that more people will reach out to fix legal problems when the proper legal service organization is available.

**Client Testimonials**

- I thank JustAdvice for allowing me to vent my issues to them. I am very grateful. (Customer, University of Maryland Carey School of Law, Sept. 21, 2010).
- Intake student was great! (Customer, University of Maryland Carey School of Law, Sept. 28, 2010).
- Great service, feeling of comfort after session, forward and honest advice (Customer, University of Maryland Medical Center, Oct. 28, 2010).
- Was very pleased. Would recommend to anyone with a legal problem (Customer, University of Maryland Carey School of Law, Nov. 2, 2010).
- After months of trying to locate an attorney just advice really helped me locate the right attorney. (Customer, University of Maryland Carey School of Law, Nov. 2, 2010).
- Great service. Very valuable to the community. Both Sean, the law student, and Don, the attorney, were professional, courteous, and knowledgeable. (Customer, University of Maryland Carey School of Law, Nov. 30, 2010).
- Best place to come to find out information. (Customer, Center for Urban Families, Dec. 2, 2010).
- People were patient, helpful, and polite. (Customer, University of Maryland Carey School of Law, Jan. 25, 2011).
• People were respectful, good listeners, and really tried to help. When people didn’t know the answer they were honest. (Customer, University of Maryland Medical Center, Feb. 17, 2011).
• Just perfect and just what we were looking for. (Customer, University of Maryland Medical Center, Feb. 17, 2011).
• Client feels relieved that someone is taking an interest in his issue. (Customer, University of Maryland Carey School of Law, Feb. 22, 2011).
• Thanks for a warm friendly meeting. (Customer, Center for Urban Families, Feb. 24, 2011).