



CHRISTIAN LEGAL SOCIETY

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CHRISTIAN  
LEGAL AID

*Seeking Justice with the Love of God*

# Starting a Christian Legal Aid Program

## Introductory Manual

# CHRISTIAN LEGAL SOCIETY

## CHRISTIAN LEGAL AID MINISTRY

### Introduction to CLS Recommended Christian Legal Aid

<b>What Is It?</b>	Providing legal and related spiritual advice, limited assistance and referral mostly by volunteer Christian lawyers (and law students and paralegals under supervision). Services rendered include advice on commonly occurring simple problems of the poor and homeless. Christian lawyers team up with local sponsors such as Gospel/rescue missions, Salvation Army units, churches and church ministries having a common purpose in serving the poor and homeless.
<b>How Is it Carried Out?</b>	By interviewing and helping certain of the poor and homeless if possible on the site of the sponsor agency or church and by using CLS developed basic practice tools, which simplify the rendering of legal services by any volunteer.
<b>Why Do It?</b>	Because God commands His people to “defend the needy and the afflicted” in numerous commands similar to Prov. 31:9 and because volunteers are finding this to be one of the most rewarding and fulfilling ways to serve the Lord in their profession.
<b>Who Can Do It?</b>	Any Christian lawyer and law student or paralegal who agrees to volunteer three to four hours a month (or more) as an interviewer (and/or as a backup lawyer or resource person for interviewers) and is willing to take a CLS developed basic training course to equip him or her for such service.
<b>What Else Does it Do?</b>	Provides voluntary opportunities for lawyers or law students to be disciplined, mentored or nurtured and trained by more experienced lawyers, and, for all volunteers to become advocates of the cause of the poor.

## How to Organize

### **How to Organize a Local Christian Legal Aid Service in Cooperation with a Church or Christian Organization Sponsored Clinic Bringing God's Love and Justice to the Poor**

These suggestions are designed chiefly for organizing a Christian legal aid service in conjunction with a Christian community sponsored program such as a rescue mission, Salvation Army, inner city church ministries or a local church in which the services are provided by Christian lawyers, law students and paralegals and the interview facilities and persons needing help are identified by the Christian sponsored organization or the church. The suggested steps are:

1. Assemble a core group of Christian lawyers known to you and select a Christian lawyer who feels a commitment to legal aid and compassion for the poor to initiate and spearhead efforts by serving as coordinator for the proposed Christian legal aid clinic.
2. Contact the Director of Legal Aid Ministries of the Christian Legal Society at the address shown below to obtain advice and ideas, manuals and videos providing additional suggestions for how to go about recruiting and training volunteers and organizing and conducting such a clinic.
3. Contact the pastor of a large church or a pastor of a church serving in a low income area or the executive director of a local Christian Gospel or Rescue Mission, Salvation Army, Catholic Charities or another community Christian organization offering social, medical, counseling or other services to the poor to determine the legal needs of those they serve. Explain the kinds of services that Christian legal aid clinics are ordinarily able to offer in other areas and ask the pastor or director to assess the need for and willingness to sponsor Christian legal aid as a part of the services the organization is offering to the homeless or the poor.
4. If there is a favorable response from number 3, contact and add a few additional committed Christian lawyer friends and acquaintances of the core group who can guide, help and pray with you for God's direction in motivating and recruiting other Christian lawyers, law students and paralegals to serve as volunteer interviewers. Meet regularly with the core group as your plans develop. Ask each new recruit in turn to invite two or three of his or her acquaintances to join as volunteers. Explain that none of the volunteer interviewers require any special practice experience. They will only be dealing with commonly occurring basic problems of the poor and homeless and receive both easy to use practice and training guides to assist them.
5. Begin to develop a list of prospects from the current list of CLS members in the area and other Christian lawyers, paralegals or law students as interview volunteers, some of whom may be willing to serve as law practice mentors<sup>1</sup>, backup lawyers or consultants<sup>2</sup>, etc. who

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<sup>1</sup>Law practice mentors are lawyers experienced in general practice or poverty law matters who are willing to

are known to you starting by using the methods suggested in the attached “Recruiting Lawyers, etc.” memo. Supplement this by contacting members of a local CLS lawyer or law student chapter if there is one, making initial contacts with the chairperson of each of these groups and seeking his or her cooperation. Ask the chairperson of the lawyer or law student group to call a special meeting to discuss the possibility of starting and receiving volunteer help for such a clinic and obtaining their ideas as to how it might be done. Recruit both Protestants and Catholics as volunteers who may not be members of CLS but who are otherwise willing to render volunteer service as a Christian ministry.

6. Develop an informal organization in the form of an incorporated non-profit corporation or whatever organization or committee independent of a CLS chapter, which seems necessary or appropriate to act for the Christian legal community; and name officers or the chairman and a few directors or core group or executive committee members of a core group, which will have the principal role of oversight of the clinic and of the activities of the coordinator who will be responsible for coordinating and carrying out the CLA clinic.
7. Selection of a leader or coordinator really committed to serving the Lord in this service is the most important decision of the CORE Committee and for the prospect of a successful clinic.
8. Meet with the sponsoring church or Christian organization, Gospel or rescue mission, Salvation Army, Catholic charities or other sponsoring group to report on the volunteer services available through the local Christian legal community and negotiate an information understanding as to a service plan<sup>3</sup> as contemplated by the CLS General Guidelines and Objectives of Service attached.

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help train less experienced lawyers or law students or paralegals by allowing the latter to observe them interviewing and advising persons seeking assistance for a few times and then attending and critiquing one or more interview sessions conducted by the less experienced lawyer, law student or paralegal. This may be formalized into programs, which might qualify the less experienced lawyers for CLE credits or the law students or paralegals, for either law school clinical or other educational or professional credits. Mentors can also be asked to be available in their regular offices at specific interview times to answer telephone requests for advice from time to time by the interviewing lawyer, law student or paralegal. Or in some cases, law practice mentors may actually oversee their work by generally reviewing with them following the interview session, the cases or matters presented at the interview. Law practice mentors are not necessarily spiritual mentors providing spiritual counsel or oversight, although they may elect to function in that role if requested.

<sup>2</sup> Backup lawyers or consultants are those lawyers experienced in the law practice or in particular specialties such as legal aid lawyers or those in private practice who are willing to offer advice or information to the volunteers on certain types of general or specific matters or cases in which they are experienced. However, interview lawyers need no prior legal aid experience.

<sup>3</sup> Although legal advice and service can be limited to a few areas, most programs provide basic help in a broad variety of civil and some minor criminal matters including domestic relations and family matters, including also employment, housing and public benefits. Common issues of each subject are usually incorporated in handy, easy to use desk reference manuals readily available to lawyers and law students having no prior experience in these areas of law.

9. Contact area legal aid societies, public defenders, bar associations and public welfare and other agencies serving the poor to ascertain the availability of other volunteer backup lawyer consultants in various fields of law or about an already available desk manual containing a list of various government and private agencies (with their addresses, telephone numbers and names of key people) which offer legal, social, welfare or other services to the poor to which legal aid “clients” may be referred and materials and publications for commonly encountered problems, questions and answers for the poor including landlord and tenant, consumer, welfare or other booklets or pamphlets dealing with substantive and procedural laws and compilations and indexes of these, which are frequently available. These can be used, adapted or supplemented if necessary by voluntary research help from law students or others for eventual incorporation into the Desk Reference Manual. This Desk Reference Manual will provide easy to use answers to such frequently occurring matters and also will provide ready referrals to other lawyers and agencies regarding more complex or ongoing problems. These can be used by volunteers in both training and on the desktop during interviewing sessions. Information on how to prepare a desk reference manual is available from the CLS Director of Legal Aid Ministries.
10. Volunteers should be required or encouraged to take a six to eight-hour CLS approved training course in basic Christian legal aid counseling and assistance for both legal and spiritual advice and help before the clinic begins rendering service to clients. The Director of Legal Aid Ministries can supply materials and help for this.
11. Moderate cost malpractice insurance for all volunteers is recommended and usually available through National Legal Aid Defenders Association “NLADA” (1-800-725-4513) or other sources.
12. The Director of CLS Legal Aid Ministries can also provide back-up suggestions and publications for all phases of a Christian legal aid clinic.

**“I know that the Lord secures justice for the poor  
and upholds the cause of the needy.” Ps. 140:12**

## **Recruiting Christian Lawyers and Law Students, Coordinators, Core Groups and Volunteers**

The recruitment of lawyers is the most challenging of the issues involved in setting up a Christian Legal Aid clinic. The starting point for successful recruitment comes from the Biblical foundation for this work. A Christian's obligation to care about justice for the poor is manifest through both the Old and New Testament. Scriptural verses dealing with this subject are far too numerous for citation here. Representative, however are the following:

**Proverbs 29:7** The righteous care about justice for the poor, but the wicked have no such concern.

**Proverb 31:8-9** Speak up for those who cannot speak for themselves, for the rights of all who are destitute. Speak up and judge fairly; defend the rights of the poor and needy.

**Psalms 140-12** I know that the Lord secures justice for the poor and upholds the cause of the needy.

**Ps. 82:3,4** Vindicate the weak and the fatherless, do justice to the afflicted and destitute, rescue the weak and needy, deliver them out of the hand of the wicked.

**Jer. 22:16** He pled the cause of the afflicted and needy, then it was well.

The phrases instructing that we “defend rights,” “do justice” and “plead causes” appear to be directed chiefly to lawyers whose training, experience and practice is centered upon these concepts.

A compelling argument for the Christian Lawyer's responsibility to care about justice for the poor is made by Christian Legal Society attorney Stephen S. Duggins of Chattanooga, Tennessee:

God does not mince words about the Christian obligation to provide legal assistance to the poor. Proverbs 29:7, is painfully blunt: “The righteous care about justice for the poor, but the wicked have no such concern.” Given the complexity of the present American Legal System, most agree that “justice for the poor” requires that the poor have access to competent counsel. While the assistance of counsel does not guarantee justice, it does seem to be at least a prerequisite to justice. To be sure, Proverbs 29:7 also means much more than that, but that is part of its meaning. There are numerous scriptural passages dealing with God's concern for justice and with Christian obligations to seek justice. Proverbs 29:7 is so forceful, and so difficult to avoid.

Recruitment usually starts with one or two committed persons who pray together and make personal telephone calls, office visits, or other face-to-face meetings with colleagues who are acquaintances or with whom they have some type of relationship. These make similar contacts with two or three others until a sufficient number have been recruited (usually 8-12, including law students or paralegals, for a medium-sized clinic) In virtually every community where there are a substantial number of Christian lawyers and law students, God has often prepared the hearts of those necessary to get started.. But it takes both commitment and persistence to discover who those are.

Such personal contacts are what is almost always required. We can trust God to convince a number of them that justice for and service to the poor is:

- one of God's main priorities of service for lawyers and law students;
- a service that any lawyer or law student (no matter how narrow or limited his/her practice or class in law school) can readily be trained to serve by attending the remarkable CLS training course which you can conduct in a self-taught easy-to-use six to eight-hour session using simple CLS training practice materials and forms;
- one of the most rewarding of all professional experiences for volunteers.

Attempts to set up recruitment and other meetings dealing with Christian Legal Aid from busy lawyers, law students, legal assistants and paralegals have shown that a mailing alone will produce very poor results. The only really effective way we have found of getting them out to such meetings is to (1) pray first and (2) to make follow-up personal calls or telephone calls of invitation, preferably by someone (not a secretary) who has a personal relationship with that person, and (3) another follow-up with a telephone call a day or two before the actual event. This is time consuming, but we have found nothing else that really works!

Because our experience is that more than three-fourths of those who sign statements of interest will ultimately show up for a later training session and that approximately 95% of those who take the training end up actually signing commitments to become volunteers in a clinic during or at the conclusion of the training program, the initial recruitment process is important.

### **Formal Recruitment**

Opportunities for formal recruiting will probably vary from a brief insert (15 to 20 minutes) into a program devoted primarily to some other purposes to a more formal, specialized presentation that may last as long as an hour. Lack of motivation is often the largest single problem that is faced. Important motivational tools are Biblical commandments, testimonies, records of real-life impact on lives by Christian legal aid clinics and first-hand exposure to persons who have benefitted from these and other ministries of the sponsor. Thus, the recruitment suggestions that follow are intended to take advantage of the various opportunities mentioned above and to place emphasis on these main motivational factors. The place where the sponsor actually serves its clientele is often the most effective place for such a meeting if the sponsor has a room adequate for such purpose.

## One Hour Recruitment Meeting

Such meetings are usually held either at lunch or breakfast. The chairperson of the Christian legal community core group should ordinarily preside, with the assistance of the Christian legal community coordinator for special parts of the clinic, if these have been previously selected; otherwise the person convening the meeting will preside.

Item	Minutes	Subject
1.	2	Welcome and opening prayer.
2.	10	Introduction of legal community core group, coordinator and other key persons participating from the Christian legal community if previously selected. Ask each of the prospective volunteers to identify themselves and say something briefly about themselves.
3.	8	Describe the proposed or a possible Christian legal aid clinic generally, its purposes, and suggested operations for approximately 7 or 8 minutes including training of volunteers and desk reference manual aid. Bring along and pass out pictures of the facility, staff members, guests and others being served by the clinic
4.	10	Introduce sponsor's executive director or president for a 10-minute presentation and testimonies or alternatively some of the testimonies attached. Suggestions for sponsor's presentation and testimonies are attached.
5.	10	Questions and Answers.
6.	8	Distribute sign-up sheets (sample copy attached). Always read through sign-up sheet with guests and encourage them to consider signing up at that time if they are ready to do so. Encourage all interested persons to check the box as an interviewer and if possible, a core member and leave it at the meeting. Emphasize this is not a commitment, but rather an expression of interest.
7.	1	Closing prayer; thanksgiving for meeting, for guidance of guests in responding to possible services as volunteer, etc. Encourage guests to stay for a time of fellowship.

### Short Presentation

If your only opportunity is a brief presentation, it is suggested that you discuss key parts of Items 2, 3 and 4, distributing a simple expression of interest card with an invitation to interested prospective volunteers to attend a more complete scheduled presentation.



## **Testimonies, Reports and Cases in Christian Legal Aid Clinics**

Testimonies of real-life stories are almost always more convincing and motivating in causing people to respond to the needs and opportunities than bare statistics and clinic descriptions, although both are needed. Try to obtain such real-life experiences from Christian lawyers, law students and paralegals that have been involved in serving the poor previously. If none are available, some of the true events reflected below may be useful.

Read these accounts as they appear in the attachment. Ask the rhetorical question: How fulfilled and excited would you be if you were the person whom God had used to provide this kind of help and result in the life of Jim, Tom, or Maria? We find that lawyers, law students and paralegals in other Christian legal aid clinics report that their volunteer services have proved to be some of the most fulfilling and rewarding experiences of their professional careers, and that sponsors need and are most supportive of Christian legal aid services.

### **Real life experiences**

#### **Albuquerque, New Mexico**

A somewhat remarkable scene occurred at an interview office in Albuquerque, New Mexico recently. Jim, a 42-year-old homeless carpenter addicted to crack cocaine, was bowing his head and sincerely praying with a 73-year-old semi-retired volunteer Christian lawyer to recommit his life to Christ. This followed a 28-year life of addiction to alcohol and drugs, a broken marriage, a long history of DUIs and minor criminal offenses, and unsuccessful attempts at cures in secular drug rehabilitation programs. Jim appeared at the office of a drug rehabilitation program for legal help – that is, advice on what to do in response to an outstanding bench warrant for his arrest for violation of a court-ordered alcohol and drug rehabilitation-counseling program. Addicted to drugs starting at 14, this father of three teen-age children with an ex-wife in Houston, Texas, presented a history of job losses and bouts of homelessness caused by alcohol and drug problems, a bad temper and disagreements with job bosses. Committing his life to Christ at the age of 15, he later left the church after an angry disagreement with his priest. Now rarely attending a church and seldom reading his Bible or praying, Jim seemed an unlikely candidate for being rehabilitated. But Jim left the interview with advice concerning his legal problem, a fresh encounter with God and a resolve and plan to return to God, to begin to rebuild his life and to try to rejoin his family.

#### **Honolulu, Hawaii**

Tom Rulon worked with one young drug addict who, Rulon says, “came to us in pretty bad shape.” Working as a waiter on a cruise liner, the young man had burned out working double shifts. During a port call, he got drunk and missed the boat. He was fired and had been living on the streets for about two weeks before he sought Rulon’s help to get his job back.

Rulon saw that the young man’s needs went far beyond this particular vocational crisis. For starters, he was depressed and didn’t know where his life was going. As Rulon worked to get the waiter rehired (accomplished by taking his case to a union representative), he also talked to the man about how God had an overall plan for his life. The young man seemed receptive and accepted one of Rulon’s pocket New Testaments.

Rulon never expected to see the fellow again, but a few months later Rulon took his family on a seven-day inner-island cruise. And guess who served as his waiter? That's right—the young man whom Rulon had helped. The rehired waiter was so excited to see Rulon that he immediately pulled out his dog-eared New Testament and showed how he had highlighted many passages. "I'm following Jesus," the young man said, "and things are turning out okay. I'm going back to school."

### **Chicago, Illinois**

Ronald at the age of 17 was the victim of circumstances and of his "friends." One night, he was driving his car and one of the tires went flat. He pulled into a gas station and pumped up the tire. While he was doing this, his friends got out of the car and held up the station attendants. When Ronald realized what was happening, he drove the car away. But, as he was driving out of the station, his friends jumped into the car as it was moving. They were arrested three blocks away. (With our help) Ronald was given probation and is doing well. He is an industrious worker and has his own business to support himself through college, which he also attends.

Maria has been constantly struggling throughout her 20 years of life. She grew up without a father, and her mother physically and emotionally abused her. Last year she became pregnant and was simultaneously rejected by both her mother and the child's father. It seemed like the only option was to turn to Mr. & Mrs. Perez, a couple who promised to adopt Maria and her baby. Trusting the Perezes, Maria followed their instructions and listed Mrs. Blanca Peres as the natural mother on the birth certificate. This trust, however, was betrayed. Over the next two months the Perezes asked Maria to move out of the house, requiring her to leave behind her newborn baby, Angela.

Maria turned to public agencies for help in regaining custody of Angela, but by this time she was in a legal mess. As a result, Angela became a ward of the state. Through a painstaking search, including many denials and referrals, Maria came to Austin Christian Law Center (ACLC). While hers was a complicated and difficult case, we were able to prove the natural relationship between Maria and Angela.

Maria graduated from high school and established a home. Maria now has a home and a high school diploma. But best of all, she has her daughter, Angela.

### **Volunteers and Sponsor Testimonials**

#### **A 20-plus years experienced male lawyer writes:**

. . . I want to express my gratitude for giving me the opportunity to participate in its volunteer clinic. I am, by most of the measures of my profession, a successful lawyer. Yet in recent years I have experienced a malaise in my law practice. I felt like I had become a Pharisee whose adherence to secular law was separating me from the true calling of my Christian faith. . . . I now look forward to my next interview session with an anticipation that exceeds anything I experience in my private practice . . . Willie and I shared the Four Spiritual Laws, we prayed together, and he accepted Christ into his life. He left with a New Testament, new hope, and the phone number for the local coordinator of Habitat for Humanity where he wanted to use his skills to help others less fortunate.

**A young woman lawyer says:**

. . . I am a committed Christian, and have been a practicing attorney for almost three years. A few months ago I was seeking a way to use my skills as an attorney in a way that would directly benefit the poor and homeless of Albuquerque, who might be in need of legal assistance, but unable to pay for a lawyer. . . . I attended the training course at Noon Day Ministry, was able to meet and speak with other attorneys - some new, others experienced. . . . I have provided legal counseling at Joy Junction and at Noon Day Ministry. In each session, I was able to speak openly with those who sought my help about how I saw their problems both legally and spiritually. Two of the clients sought advice about debt problems with student loans and the IRS, and we were able to talk about personal responsibility and the debt we owe to our Lord. . . . I am enthusiastic about this clinic and eagerly await my next service opportunity, which I hope will be at Noon Day.

**A woman law student writes:**

. . . I am a law student. I became involved in the Christian Legal Aid Clinic through the Christian Legal Society on campus. I attended the training course five months ago and I have been working as a volunteer in the new CLS Christian Legal Aid Clinic. . . . I have found the clinic to be a beneficial experience for the homeless clients we are serving. . . . Each time I attend a session at one of the facilities I learn more about God, his children and myself. My life has been enriched by my experiences in this clinic. I know that we are doing God's work in this clinic.

**The main sponsor of a clinic reports:**

I have the privilege of being involved with Christian Legal Aid since its inception. My name is Dennis Lihte and I am the Director of Noon Day Ministry, which currently accommodates the clinic in our homeless facility. Since 1983 I have been working with the poor and homeless of our city. During these many years it has become obvious how complex the solutions are in finding ways to move an individual back into a stable living environment.

There is a myriad of legal issues that contribute to an individual's inability to get back on his or her feet. Many times the poor experience a legal system that is so bureaucratic, costly and frightening that individuals without adequate resources often surrender their hope of making improvements in their living conditions.

Since the clinic began in December of 1998, each week we see a committed legal staff willing to provide free counsel and love to the poor that frequent our shelter. The issues addressed between the legal staff and our homeless clients include DWI arrests, child support problems, tenant issues, felony warrants, needed benefits, etc. . . . These unresolved issues and many others contribute to the homeless condition and in many instances cause depression and hopelessness.

What I have observed is that in many cases there is a feeling among those who the clinic has assisted, a real sense of improvement in their homeless condition. The legal staff is addressing the practical issues that in many instances have become the major cause that keeps a person homeless.

Allow me to close by mentioning the spiritual component of Christian Legal Aid. Each client's spiritual condition is gently probed by the legal staff. A large number of individuals seeking only the tangible have been introduced to Jesus. Too often the legal trauma originates from a disregard for Biblical principles. Many of their legal problems have been self-inflicted. As the legal staff

lovingly suggests remedies for a person's legal difficulties, an equal emphasis is offered for spiritual reflection. Christian Legal Services is making an impact on the poor of (our city).

## **Christian Legal Aid Volunteers**

### **Frequently Asked Questions**

The clinic offers rather unique opportunities and advantages. There are few situations where Christian lawyers, law students and paralegals can simultaneously perform vital and satisfying missions and also receive such rich professional fulfillment and spiritual and other blessings in five separate areas such as:

1. Responding to one of the clearest calls of God, that is, serving Him (pro Deo) and the poor;
2. Effectively capitalizing on your combined legal and spiritual skills and gifts;
3. Achieving new levels of broader legal practice, experience and ministry;
4. Having new opportunities for mentoring and regular fellowship with others in the Christian legal community, and of spiritual growth for you and your spouse; and
5. Satisfying your professional (pro bono) and/or academic obligations (receiving law school or other credits) and (respecting the training aspects) your continuing legal education requirements.

### **Why Should I Become Involved When I Am Already Volunteering Pro Bono Time in Connection with My Bar Association or Legal Aid Clinics?**

Because there are usually greater opportunities to use your gifts and skills and greater benefits and rewards to you as indicated above and elsewhere in this brochure.

### **What Is Involved?**

Principally interviewing or assisting in interviewing and giving routine legal and biblical advice and some limited assistance and the referral of some matters to others.

### **Do I Have to Go to Court?**

No, unless you volunteer to do so.

### **Can I Limit the Type of Matters in Which I Will Offer Advice or Service?**

Yes, although the primary need is for persons who are willing to advise or assist in advising and serving in most types of simple civil and/or minor criminal or quasi criminal matters.

**Am I Qualified to Serve If My Practice or Experience Is Limited to Certain Types of Matters or If I Have No Experience in Biblical Counseling?**

Yes, especially if you are willing to take a few hours of available training.

**What Help Can I Expect to Receive in Preparing for or Giving Advice and Assistance?**

- CLS recommended training in practice and procedures and other practical aspects of providing advice and limited service in commonly encountered problems of the poor and homeless.
- CLS recommended training for simple spiritual or biblical aspects of advice and service such as how to counsel on a spiritual matters, what constitutes the Christian practice of law, how to give biblical advice for specific problems and solutions such as Christian conciliation or mediation and how to conduct interviews including how to pray with or share the gospel with the persons seeking help.
- A handy, easy to use desk reference book or manual to guide you in the conduct of the interviews in giving basic advice in ordinarily encountered specific matters.
- Back up lawyers or consultants to help you advise on specific types of problems and their solutions.
- A list of referral sources to which persons seeking help can be referred for further assistance.

**How Much Time Will it Take?**

Whatever you are willing to contribute. Four hours a month is recommended.

**Can I Count on Not Getting Enmeshed in a Very Time Intensive Type of Matter?**

Yes. Volunteer time limits will be strictly observed.

## **Typical CLA Services**

CLA services typically include:

- Family matters, such as domestic relations, juvenile matters, adoption, child and spousal abuse, guardianship, child custody and support.
- Housing matters, such as public housing, landlord and tenant rights, evictions and other housing disputes and discrimination in housing.
- Employment matters, such as discharges, employment discrimination and unemployment insurance.
- Various public benefit and welfare matters, including Medicare and Medicaid.
- Minor criminal offenses, such as violation of city ordinances, arrest, bench warrants, driving under the influence, etc.
- Various other civil matters, such as consumer rights and bankruptcy, debtor-creditor disputes, small claims court, property, wills, estates and trusts.
- Various types of peaceful ways to resolve disputes, including Christian and secular conciliation, mediation and arbitration and litigation where necessary and warranted.

## **Guidelines, Objectives and Training**

### **Introduction**

There are eight general guidelines recommended by the Christian Legal Society in order to provide a foundation for successful Christian legal aid ministry clinics which are sponsored by local Christian churches or Christian organizations and are conducted with the assistance of volunteer Christian lawyers, law students and paralegals (“the Christian Legal Community”). Although they have been developed primarily in connection with basic legal advice and limited assistance services, they are also generally applicable to more complete or service intensive types of clinics as well. A fuller explanation of these guidelines, the reasons for them and the nature of Christian legal aid ministry clinics is contained at the end of the guidelines.

### **The Guidelines**

The Biblical commands to lovingly help those afflicted by poverty also provides us with a great privilege to share in His compassion for them by assisting in various legal and other ways.

It is suggested that a basic Christian legal aid clinic should include:

1. A joint commitment by both the local sponsoring churches or Christian organizations and of the Christian Legal Community faithfully and prayerfully to attempt to carry out the biblical commands and opportunities to serve legal and certain spiritual needs of the poor, including evangelizing them, in a Christ honoring way;
2. A commitment to arrange for professional services meeting the standards of the legal profession;
3. A specific service plan and an understanding between the governing body of the local church, or Christian organization and the oversight committee of the Christian Legal Community which should be reflected in a letter or memorandum of intent or understanding of the type, scope, amount and priorities of the services to be offered and of client eligibility standards. These should be appropriate to the needs of the indigent and to the calling, skills, capabilities, desires and experience of the volunteers from the Christian Legal Community and of the sponsoring church or Christian organization;
4. The role of the sponsoring church or local Christian organization to promote and support the clinic generally and to endeavor to carry out its part including helping to recruit volunteers from the Christian Legal Community, supplying an adequate office and facilities as a site for providing professional services during a few hours each week, arranging appointments for clients and prescreening of obvious non-legal or ineligible matters;
5. The oversight by the Christian Legal Community of efforts to arrange for the rendering of professional services including endeavoring to discharge its primary role in motivating, recruiting, training, equipping and nurturing of Christian lawyers, law students and paralegals, scheduling and otherwise coordinating their services with the activities of the church, and helping to train church or local Christian organization screening personnel;
6. Coordinators appointed by both the church or local Christian organization and the Christian Legal Community to direct and oversee the development and operation of the clinic, the performance of their respective responsibilities and to maintain regular communication and good relations between their two groups;
7. Periodic but at least annual meetings between representatives of the church or local Christian organization and of the Christian Legal Community to evaluate and assess progress, to make recommendations for improving the clinic and to prepare a joint, brief written annual report of their conclusions and recommendations; and
8. Arrangements for (a) written waivers, releases or disclaimers signed by clients acknowledging the non-liability of the sponsoring church, or local Christian organization or of any of their national affiliated organizations, of CLS and of the CLS chapter or the Christian Legal Community concerning the services provided; and (b) adequate low cost malpractice insurance for the uninsured members of the Christian Legal Community rendering the services. Most CLA programs obtain low cost insurance through the National Legal Aid & Defenders Association ([www.nlada.org](http://www.nlada.org)).

## **Participating Local Churches and Christian Organizations**

The local Christian sponsoring organization will sometimes consist of a number of church or group of churches banding together, or of a Gospel/Rescue Mission, Salvation Army, or Catholic Charities facility. They may also include other organizations such as Christian inner city ministries, crisis pregnancy or battered women's shelters, retirement or senior citizens' homes or centers, children's group homes or shelters, rehabilitation, substance abuse or other organizations serving the homeless or the poor.

### **Services, Advantages and Objectives of Basic Christian Legal Aid Clinics**

Although services offered can vary widely and are actually determined by each local clinic, they generally relate to ordinary problems of the poor, especially in civil matters. These often involve advice and/or services for problems concerning housing and landlords, jobs, family problems, government benefits, consumer credit, immigration, court appearances for minor offenses and brief civil hearings and the like. Handling of divorces by plaintiffs and of criminal matters are sometimes limited or excluded, although some advice and referral to other legal services clinics or lawyers for excluded services will often be available.

Legal services help to prevent injustice to the poor! Given the complexity of the legal system, most would agree that justice and effective assistance for the poor often requires access to legal counsel. Legal services can frequently (a) complement other services provided to the disadvantaged, (b) provide specific services to help people to preserve families, and also assist in avoiding or breaking loose from poverty in various other ways such as by helping to protect their jobs, their housing and other essentials, (c) be especially useful to persons in rehabilitation programs, (d) often provide unique advice and services as a ministry in a distinctly Christian way, (e) sometimes offer further assistance with spiritually related contributing causes of legal problems, and (f) frequently recommend Biblical and other peaceful means of resolving disputes such as Christian conciliation, forgiveness, arbitration, mediation and the like as more satisfying alternatives to litigation in many situations.

A big advantage of a basic advice-oriented legal aid ministry clinic is that it is relatively easy to implement and has low costs. By using regular facilities and personnel already a part of ongoing ministries or programs, little or none of the fixed costs for office space, facilities, employees, paid administrators or any substantial administrative expense is incurred. Experience in other Christian legal aid clinics suggests that a majority of the indigent (including homeless persons) can be substantially helped by obtaining a lawyer's advice at an interview and by limited further assistance. But such clinics (unless they can develop an unusually large pool of committed volunteers having a great variety of the needed skills) are not primarily designed to deal directly with litigation, more service intensive or more complex problems. The principles contained in these Guidelines do however generally apply to legal aid clinics offering fuller services where the need for these is demonstrated and where ample volunteers and/or funding for necessary staff or facilities are available.



Additional practical help, materials and services are available both to the Christian Legal Community and to the church or Christian organization in performing many of their functions and responsibilities. This includes training and practice guides, forms and procedures from the Christian Legal Society and from some of the various sources such as national, state and local bar associations, legal aid societies and associations and public defenders. In order to multiply the limited services available through volunteer members of the Christian Legal Community, clinics should be expanded, by training and using paralegals, legal assistants and laymen to conduct certain initial interviews and to perform other permissible “lawyer type” functions, by instructing in various means of self-help for those able to do so and, also where feasible, by providing community education to persons served by the sponsoring church or organization about simple solutions for common problems of the poor. Most of such “multiplication” strategies have been or are being pioneered by many of the above associations and societies.

### **Recruitment, Costs and Start-up**

The respective roles of the parties (including whether or not or how to screen matters or persons desiring help) may of course be altered depending upon local conditions. Many churches and Christian organizations will have contacts with and be able to help recruit many Christian lawyers, law students and paralegals who are already committed to helping the poor and who may have either served on their boards or committees or have been volunteers or donors to their clinics or members of other local churches or organizations which support the sponsoring church or organization.

The run-of-the-mill costs of carrying out the respective roles of the church or local Christian organization or of the Christian Legal Community for all-volunteer advice and limited assistance clinics are ordinarily to be borne by the responsible party. In most cases, those incurred by the church or Christian organization can be carried out by its regular staff or volunteers, and those of the Christian Legal Community, by the lawyers, volunteers or other personnel involved. The out-of-pocket costs such as telephone calls, stationery, training materials, forms, postage, etc. will generally be met by each party either out of the regular operating budgets of the church or Christian organization or, in the case of the Christian Legal Community, by contributions from participating lawyers or their firms. More substantial expenses, if any, which cannot be absorbed in this manner should be budgeted for a year in advance, should be allocated between the sponsor and the Christian Legal Community and arrangements should be made for meeting these costs before the clinic begins to operate.

Larger clinics or all-volunteer clinics which employ part or full time employees such as a Coordinator (especially in the early phases) will require special fund raising efforts and allocations of the same between the Sponsor and the Christian legal aid lawyers organization.

It is recommended that a legal aid clinic should not be commenced until both parties are satisfied that applicable portions of the guidelines (including a draft of a basic Desk Reference Manual and CLS recommended volunteer training) have been or will be met. A key matter is that there are an adequate number of experienced or trained volunteers from the Christian Legal Community to produce a sustainable regular ongoing clinic for at least a year or more. Recruitment and retention of these volunteers can be one of the more challenging joint endeavors of the church or Christian organization and of the Christian Legal Community.

## **Sponsor Guidelines**

### **Christian Legal Aid (“CLA”) Clinics Sponsored by Local Churches or Christian Organizations**

#### **Facilities furnished by Sponsor:**

Interview facilities should ordinarily be provided on a temporary basis for a few hours a week for confidential interviews between lawyers, law students or paralegals and clients or those seeking assistance. The office should be sound proof to ensure confidentiality of the discussions. These facilities should include a desk and chair for the interviewer, a comfortable chair for the person being interviewed, a telephone, residential and business telephone books, a desk computer, any other necessary office needs of the interviewer and a locked file cabinet to contain case records, desk manuals or desk resource books, forms, yellow pads and any other files or paperwork required by the interviewers. Access and keys to the file cabinet should be limited to the director of the local clinic or a trusted assistant. The cabinet and any file should be opened only at the request of a lawyer who has been authorized by the CLA governing body coordinator. Easy access should be available somewhere on the premises for a copy machine or a fax machine, if possible.

#### **Role and Promotion of the Local Sponsor:**

The local sponsor should perform the roles and functions described in the CLS guidelines for Christian legal aid which generally include sharing responsibility with the Christian Legal Community for promoting, recruiting, encouraging and retaining volunteer lawyers, law students and paralegals, appointing a coordinator to set up and operate the clinic for the sponsor, and to work closely with the coordinator for the governing body in all aspects of the clinic, scheduling appointments for those requesting interviews, conducting such screening of potential clients or cases as is agreed upon between the local sponsor and the governing body and its coordinator and assisting with or providing certain interview follow ups for referral to social, counseling or Church services.

#### **Screening by Sponsor:**

In most cases, the governing body will request some type of screening of persons and cases by the local sponsor scheduling them for interviews so as to eliminate ineligible persons or matters, those presenting obvious non-legal questions, those beyond the scope of the services to be rendered by the Christian Legal Community and other problem situations. The screening should be done by some qualified person on the staff under the guidance and, if necessary, training by the Christian Legal Community.

#### **Sponsor Coordinator:**

The coordinator should be a senior staff person with knowledge of the community and its facilities for assisting the poor and with ability to set up, conduct and supervise the participation by the local sponsor, and who is able to communicate effectively with and relate to the participating members

of the Christian Legal Community, the governing body coordinator and the participating lawyers, law students and paralegals. No previous legal training or experience is required.

### **Post Interview Follow-ups:**

The Sponsor should ordinarily assist with or provide post interview assistance for “clients” for needed non-financial, non-legal, social, counseling or church services as may be available to the Sponsor either as a part of the Sponsor’s clinic or as referrals to other agencies, churches or organizations. This would include necessary assistance for food, housing and other physical needs, physical and mental health services, spiritual counseling and Bible study, personal growth and church services or referrals for those wanting such help.

### **Tips for Preparing a Desk Reference Manual**

A desk reference manual is a tool which assists Christian lawyers and law students to provide on-the-spot legal advice to the poor and homeless in the course of an interview. It consists primarily of three parts. The first is a mission statement which may also contain statements concerning the Christian legal aid Biblical foundations, the scope and type of services, the addressing of spiritual needs and of Christian mechanisms for resolving disputes. The second part contains brief topical statements of the law and procedures concerning the most commonly encountered problems of the poor and homeless who utilize the service and instructions on where the lawyer or the law student or the interviewee may go to obtain further information and service, including the names, addresses, phone numbers, hours of service and types of matters handled.

The third part contains a list of the names, addresses, telephone numbers and areas of practice of lawyers who have agreed to serve as “back ups” for free consultations for volunteers who need answers to simple questions in rendering advice and assistance. The desk reference manual is usually a key to providing better on-the-spot advice as well as to furnishing a confidence level to volunteers who normally do not practice in these areas of law.

Two cardinal rules apply: don’t reinvent the wheel and keep it simple. Ordinarily, topical discussions of law should not exceed one to two pages in length. They should be very terse so that they can be immediately useful to the volunteer during the course of an interview. The initial desk reference manual should not try to cover every conceivable subject. It should be limited to those topics which are most likely to be encountered in the types of services being rendered. These frequently will include subjects such as domestic relations and family problems, housing and public benefits and (in many clinics) minor criminal law matters. Helpful information concerning the types of questions and answers which need to go into the manual can frequently be obtained from other agencies which help the poor. Some of these are referred to below in those areas of law in which the Christian legal aid clinic offers assistance.

The preparation of that part of a manual concerning the statements of law and sources of referral for further information involves three steps: information gathering, editing and simplifying the information, and compilation.

In approaching the first step, go for the jugular. Look for a similar manual of substantive and procedural matters, which may already have been prepared as a training or practice aid by your state or local bar association pro bono clinic, by the legal aid society, by a local law school clinical

program or, with respect to criminal matters, by the public defender and by certain other pro se clinics and courts. If there are such manuals and they do not cover all the subjects you need, supplement these efforts by obtaining simple explanations and publications commonly issued for the public, and sometimes for lawyers. These can be procured from various easy to obtain sources such as the Legal Aid Society, other bar association publications, Pro Se, Courthouse Booth and other bar and court-sponsored clinics and from various public agencies such as Welfare, Social Security, Families, Youth & Children, Health and Public Housing, Immigration and Naturalization and from courts, such as Domestic Relations, Small Claims, Housing, Pro Se and similar divisions. Most of the foregoing will be authoritative, simple and up to date. They will frequently meet most of the needs for similar basic information by volunteers.

Law students can often prepare the desk reference manual. The editing should be a fairly straightforward matter, that is, condensing these matters into the one to two-page format by hitting the highlights. You will want to run the end product by cooperating legal aid, public defender or other lawyers experienced in dealing with the respected fields of law to be sure that you have covered the problems from the perspective of the needy in order to put it in the form most helpful for volunteers.

Compilation should be a relatively routine effort including providing of indexes, and binding the product together into the most useable form.

Where existing manuals containing this information are not substantially concise enough to suit the purposes of your clinic, the preparation of the desk reference manual is advised. It can generally involve somewhere between 50 and 75 hours for an initial or “starters” version or 150-plus hours for a more complete one. Assistance in the preparation of the desk manual can generally be obtained as a contribution from some of your volunteers or backup lawyers who have experience in their respective areas of practice or from a law firm, law professors or law students. Or if not, you may want to raise funds to compensate those doing the work.

Don't get hung up on doing the most complete job in the first edition. Put the obvious material into it and then let experience show you what additions may be necessary in the future. If preparation of the manual proves to be a substantial impediment or causes a substantial delay in the startup of a clinic, there may be times that you may want to start the clinic services and go temporarily with an unedited compilation of the materials obtained or from rough drafts of an initial manual while work is going forward to complete it.

For further information or assistance, including copies of desk reference manuals prepared in other states, contact CLS Legal Aid Ministries at [CLA@clsnet.org](mailto:CLA@clsnet.org).