

# Collaborative Legal Clinics

Wisconsin Equal Justice Conference  
2015

# Driver's License Recovery Project

David Pifer, Legal Action of Wisconsin

A drivers license is necessary

to:

Access Training

Find and Keep Employment

Complete Daily Chores

2014

Suspensions & Revocations:

392,543

Failure to Pay Fine

Suspensions:

238,088 (60.7%)

PARTNERS:

Wisconsin Community Service

Legal Action of Wisconsin

MATC

City of Milwaukee

Collaborative Functions:  
Intake  
Case Management  
Legal Representation  
Advice Clinics

Success Rate:

2014

64%



Replication:  
Identify the Problem  
Build Consensus  
Find Community Partners  
Articulate a Pragmatic Solution



# “Lawyer for the Day”

## Collaborative Representation for Domestic Abuse Victims

Nicole Druckrey, Quarles & Brady LLP

Angela Schultz, Marquette Law School

# “Lawyer for the Day” Project Partners



Front-line, first responders to domestic violence survivors. Advocates stationed in courthouse to assist with paperwork, referrals, and safety planning.



Law students accept referrals from Sojourner each week. Clients are referred to the project after they have received a temporary restraining order (TRO) and have received a hearing date (in two weeks) for a more permanent order—the injunction.



Volunteer attorneys rely on law students’ reports to prepare for representing petitioners at injunction hearings. Each week, one attorney assumes the role of “Lawyer for the Day.”

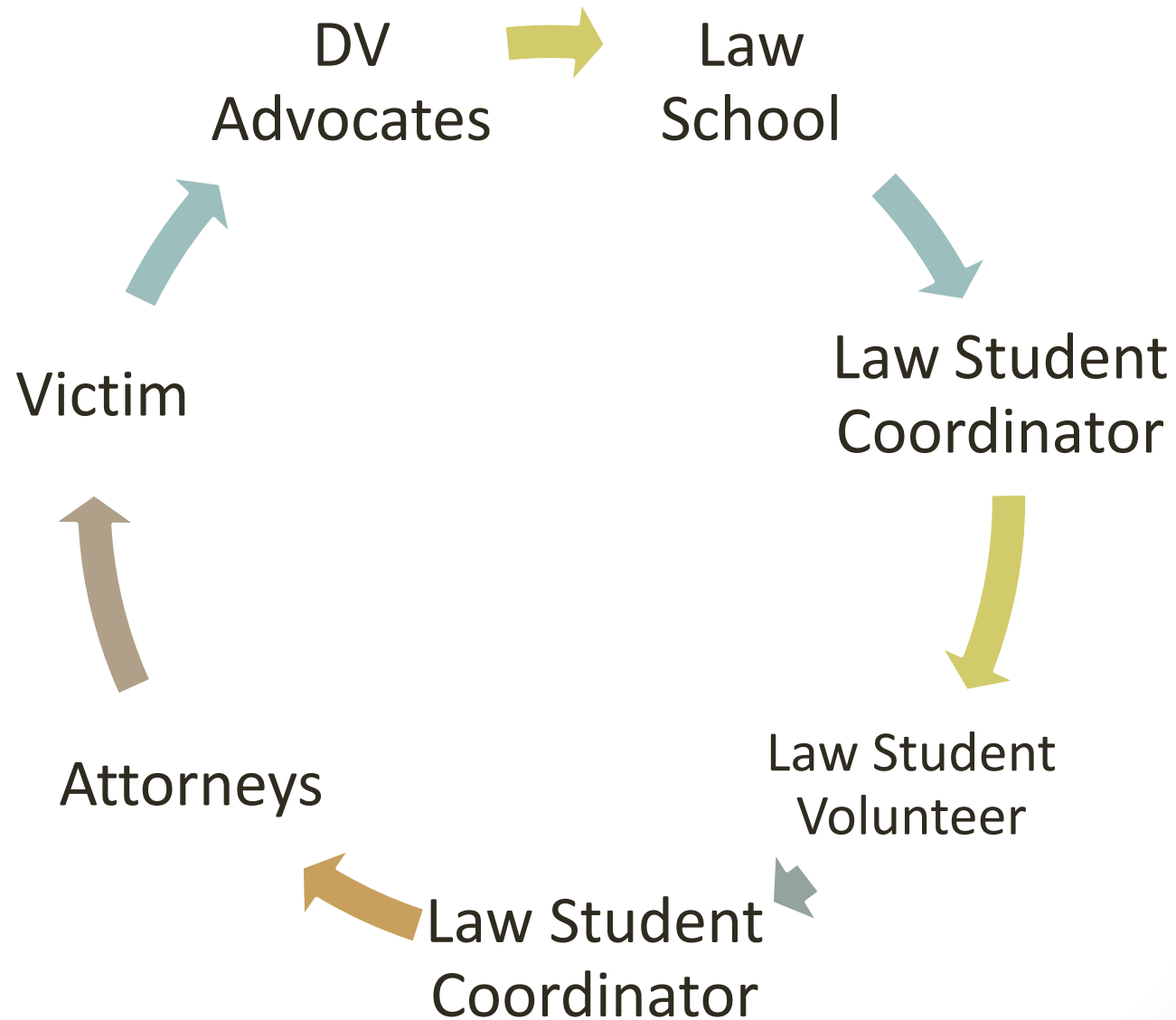
# Setting Up The Project

- Cohesion Among the Three Partners
- Observing DAI Court
- Getting Judicial Buy-In
- Fastening the Nuts and Bolts

# Advantages of the Partnership

- The Obvious: More Clients Represented
- Three, Not Two Partners
- Ability to Keep Results-Oriented Statistics

# How the Process Works



# Sojourner Role and Perspective

- Sojourner's interest in the project
- Sojourner's advocacy at the courthouse restraining order clinic
- How Tuesdays differ – directing the cases to this project
- Following up with Tuesday clients
- Benefits to clients – community impact

# Marquette Law School

## Role and Perspective

- Adds to our continuum of pro bono opportunities
- Opportunity to provide context for our community's access to justice landscape
- Opportunity to raise awareness about DV
- Student leadership opportunities
- Student training
  - What is the law?
  - What is the advocate role? Law student role?
  - Interviewing the client
  - Police reports
  - Attending the hearing

# What Law Students Gain

- Practical experience
- Client interviewing skills
- Ability to observe injunction hearings
- Networking
- Big picture change
- Pro Bono hours



# Benefits to Attorney Volunteers

- Excellent Pro Bono Work
- Great Experience for Young Lawyers
- Skill Sharpening for More Experienced Lawyers
- Keeps the Firm in the Courthouse

# Data *from March 2013 through January 2015*

<b>Total Sojourner Referrals</b>	<b>564</b>
No Service, Adjournment	52
Adjournment for Other Reason	8
Dismissal:	
No Service	34
Service, Petitioner Not Present	135
Respondent Present, Petitioner Not	57
Petition Voluntarily Dismissed	22
Petitioner Declined Representation	9
Petitioner Had Other Counsel	11
Hearing Took Place At Another Time	3
Dual Hearings; Q&B Withdraws	1
<b>Injunctions Granted</b>	<b>250</b>
Injunctions Granted by Default	117
Injunctions Granted by Stipulation	31
Injunctions Granted When Respondent Unrepresented	89
Injunctions Granted When Respondent Represented by Counsel	13
<b>Injunctions Not Granted</b>	<b>42</b>
Injunctions Not Granted When Respondent Unrepresented	34
Injunctions Not Granted When Respondent Represented by Counsel	8

# WINNEBAGO FREE LEGAL ASSISTANCE CLINIC

Started in October, 2008

# Clinic Structure

- Comprised completely of volunteer:
  - Attorneys from the Winnebago County Bar Association
  - Students from the University of Wisconsin-Oshkosh
  - Other members of the community
- Supported by Winnefox Library System

# Volunteer Attorneys

- Over 70 attorneys volunteer with the clinic
- Most attend clinics and meet clients face-to-face
- Some take phone referrals
- Some take cases *pro bono*

# Costs

- Printing:
  - -Brochures
  - -Posters
  - -Forms
- Paid out of proceeds from the courthouse copier

# SCHEDULE

- Held the first, second and third Tuesday of every month
- Always from 4:00 p.m. until 6:00 p.m.
- First Tuesday is at the Menasha Public Library, the second Tuesday at the Neenah Public Library, third Tuesday at the Oshkosh Public Library

# Winnefox Library System

- Provides the rooms, seating, lights, etc.
- Transports the forms and documents to every clinic
- Prints brochures and posters advertising the clinic
- Promotes the clinic as a service to the community



# FORMS

- Intake Forms
- Disclosure Forms
- Divorce Packet Instructions

# INTAKE FORMS

- Identify the Client, including contact information
- Demographic Information is primarily statistical
- Type of Case Identified
- Specific Question is narrowed

# Winnebago Free Legal Assistance Clinic

• **Winnebago Free Legal Assistance Clinic**

•

• Date of Service: \_\_\_\_\_ Location: \_\_\_\_\_

• **Name** \_\_\_\_\_ **Phone** \_\_\_\_\_

• Address \_\_\_\_\_

• Gross Household Income: \$ \_\_\_\_\_ per week / month / year Household Size: \_\_\_\_\_

• Please check the area(s) of law your question relates to:

• Family Law (divorce, post-divorce, child support, visitation, adoption)

• Financial Matters (collections, bankruptcy, public assistance)

• Landlord / Tenant / Real Estate

• Lawsuits / Injury / Disability

• Other – please indicate: \_\_\_\_\_

• **\*\*\*\*\*Return form to intake volunteer \*\*\*\*\***

• Intake Volunteer: \_\_\_\_\_

• Action Taken:

• Made referral to another agency:  
• Christine Ann Center  
• Conflict Resolution Center  
• Police Agency

• Assisted with finding the appropriate forms:  
• Handed out family form packet  
• Handed out small claims form packet  
• Handed out harassment forms  
• Directed them to the forms website: <http://wicourts.gov>

• Referred to on-site attorney Completed Disclaimer Form

• Other: \_\_\_\_\_

• \_\_\_\_\_

# DISCLOSURE

- **WINNEBAGO FREE LEGAL ASSISTANCE CLINIC**

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- The Winnebago Free Legal Assistance Clinic was created by, and is staffed entirely by volunteers committed to assisting the community. Please respect the volunteers who commit their time to this project. The Winnebago Free Legal Assistance Clinic reserves the right to refuse service to anyone.

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- **CONSENT TO LIMITED REPRESENTATION FORM**

- 

- I understand that an attorney from the Legal Assistance Clinic may provide me with legal advice while I am at the clinic today. I further understand that in such a case an attorney/client relationship exists, which includes confidentiality between me and the attorney. I further understand that the relationship is limited to my one legal issue, which I am bringing to the attorney's attention today, and that the relationship ends at the termination of the visit here at the clinic, unless the attorney expressly agrees to continue the representation after I leave the clinic.
- By signing below, I am consenting to the attorney terminating the attorney/client relationship at the end of the session today, unless otherwise agreed.

- 

- Dated at Oshkosh /Neenah/ Menasha Wisconsin, this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_.

- 

- Name signed

- \_\_\_\_\_

- Name printed

- \_\_\_\_\_

# Divorce packets

- Handed out free of charge
- Comprised completely of Supreme Court forms, all accessible on-line
- Include instructions specific to Winnebago County Family Court (timing, order of forms, number of copies)
- Are complete packets for *pro se* divorce

# Red Divorce Packet p.1

- **Materials for Divorce when the Parties have minor Child(ren)**
- 
- The materials in this packet are assembled and provided by the Winnebago Free Legal Assistance Clinic, funded by a grant from the Wisconsin State Bar Association and in cooperation with the Winnebago County Bar Association.
- The materials in this packet should be all that you need to proceed through your divorce. The Winnebago Free Legal Assistance Clinic is available if you have questions about preparing these forms.
- 
- Follow these directions to prepare the documents in this packet. **Note that for each form, instructions for completing each line are located in the boxes on the left-hand side of the forms.**
- 
- Fill out the **Summons** and **Petition** and make **three (3) copies**.
- 
- Fill out the **Confidential Petition Addendum**.
- 
- Bring the completed forms **and all three (3) copies** back to the Family Court Office to file them. **In Winnebago County, Family Court is room 220 in the courthouse.** The filing fee is \$184.50 if no child support or maintenance. The filing fee is \$194.50 if requesting child support or maintenance. If you cannot pay the filing fee when filing, you may request a **Waiver of Fees** for them.
- 
- The **Summons** and **Petition** have to be served on the other party, by *someone other than yourself*. Have that person fill out the **Affidavit of Service** and have it notarized. Bring the signed and notarized affidavit to court.
- 
- If you need to have the court decide something for you (such as custody or placement, child support, division of property, allocation of debt) while the case is pending, fill out and file with **three (3) copies**, the **Order to Show Cause for Temporary Hearing**.
- 
- In Winnebago County, your case will be scheduled for a final divorce default date about 150 days from the date of filing. You should serve the other party with the **Order to Appear**, if you believe the other party may not come to court.

# Red Divorce Packet p.2

- File the completed **Financial Disclosure Statement** with the Family Court 10 days before the final hearing.
- 
- If you and your spouse are in complete agreement about custody and placement of your children, allocation of debt and division of property, you should document that agreement on the **Marital Settlement Agreement**, sign it, and submit it **with three (3) copies** to the court at least 10 days before the final date.
- 
- Prepare the **Testimony** provided in the packet for your final hearing.
- 
- At the final hearing, if the court approves the **Marital Settlement Agreement**, the court will grant your divorce.
- 
- Bring along the **Certificate of Divorce** to be completed *carefully* at the time of your divorce. If you cross out or otherwise strike any mistakes on the form, it will not be accepted by the Bureau of Vital Statistics. **Use black ink only.**
- 
- Once the divorce is granted, you must prepare, sign, and file **three (3) copies** of the **Findings of Fact, Conclusions of Law, and Judgment of Divorce** for the court to approve within 30 days of the date the of your final hearing.
- 
- Your divorce is final when the court grants it, but you will not have a *written* judgment of divorce until you prepare it, and the court approves it.
- 
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- 
- Revised July 17, 2013

# Green Divorce Packet p.1

- **Materials for Divorce without minor Child(ren)**

- The materials in this packet are assembled and provided by the Winnebago Free Legal Assistance Clinic, funded by a grant from the Wisconsin State Bar Association and in cooperation with the Winnebago County Bar Association.

- The materials in this packet should be all that you need to proceed through your divorce. The Winnebago Free Legal Assistance Clinic is available if you have questions about preparing these forms.

- Follow these directions to prepare the documents in this packet. **Note that for each form, instructions for completing each line are located in the boxes on the left-hand side of the forms:**

- Fill out the **Summons** and **Petition** and make **two (2) copies**.

- Fill out the **Confidential Petition Addendum**.

- Bring the completed forms back to the Family Court Office to file them. **In Winnebago County, Family Court is room 220 in the courthouse.** The filing fee is \$184.50 if no child support or maintenance. The filing fee is \$194.50 if requesting child support or maintenance. If you cannot pay the filing fee when filing, you may request a **Waiver of Fees** for them.

- The **Summons** and **Petition** have to be served on the other party, by *someone other than yourself*. Have that person fill out the **Affidavit of Service** and have it notarized. Bring the signed and notarized affidavit to court.

- If you need to have the court decide something for you (such as division of property or allocation of debt) while the case is pending, fill out and file with **two (2) copies**, the **Order to Show Cause for Temporary Hearing**.

- In Winnebago County, your case will be scheduled for a final divorce default date about 150 days from the date of filing. You should serve the other party with the **Order to Appear**, if you believe the other party may not come to court.



# Green Divorce Packet p. 2

- File the completed **Financial Disclosure Statement** with the Family Court 10 days before the final hearing.
- 
- If you and your spouse are in complete agreement about allocation of debt and division of property, you should document that agreement on the **Marital Settlement Agreement**, sign it, and submit it with **two (2) copies** to the court 10 days before the final date.
- 
- Prepare the **Testimony** provided in the packet for your final hearing.
- 
- At the final hearing, if the court approves the **Marital Settlement Agreement**, the court will grant your divorce.
- 
- Bring along the **Certificate of Divorce** to be completed *carefully* at the time of your divorce. If you cross out or otherwise strike any mistakes on the form, it will not be accepted by the Bureau of Vital Statistics. **Use black ink.**
- 
- Once the divorce is granted, you must prepare and file with **two (2) copies**, the **Findings of Fact, Conclusions of Law, and Judgment of Divorce** for the court to approve within 30 days of the date of your final hearing.
- 
- Your divorce is final when the court grants it, but you will not have a *written* judgment of divorce until you prepare it, and the court approves it.
- 
- Revised July 17, 2013

# Ashland Medical- Legal Clinic

Kimberly Lawton, Lawton Law Office, S.C.

# Northern Wisconsin Medical-Legal Partnership



Atty. Ron Stauske started this partnership as a way for Northlakes to make a referral for legal services.

Wisconsin Judicare provides case coverage for qualifying cases for representation.



Lawton Law Office took over this partnership in 2014.

Legal clinic solved issues about no show/no call referrals, broadened the legal topics and opened it up to public instead of just referrals by Northlakes.



# FREE: Legal Walk-In Clinic



northlakes  
COMMUNITY CLINIC

## **DATES:**

2:00 - 6:00pm:

First come, first served.

January 7

February 4

March 4

April 1

May 6

June 3

### **LEGAL RESOURCES AVAILABLE:**

Northern Wisconsin Medical – Legal Partnership with Lawton Law Office, S.C.  
Referrals and screening through NorthLakes Community Clinic

Wisconsin Judicare, Inc.  
Judicare.org (800) 472-1638

Ashland Clerk of Courts (715) 682-7016

Ashland Co. Child Support Agency  
(715) 682-7020

Northern WI Legal Advice Project  
Nwlap.org

Bayfield Clerk of Courts (715) 373-6108

Bayfield Co. Child Support Agency  
(715) 373-6106

Northlakes Community Clinic provides administrative staff, copy machines, created flyers, and a comfortable space to meet with clients.

Northern Wisconsin Medical- Legal Partnership

**Location: NorthLakes Community Clinic**

719 Main Street E, Ashland

715-685-2200 x 1337

## Help with:

**-Small Claims**

**-Restraining Orders/**

**Injunctions**

**-Family Law**

Providing assistance with procedures, questions, and filling out forms related to court. We can provide referrals to community resources.

## SMALL CLAIMS

What are my options if:

- My landlord might evict me.
- I want my security deposit back from my old landlord.
- My credit card company is suing me, and I have to respond by a certain day.
- The bank wants my car back.

## RESTRAINING ORDERS/INJUNCTIONS

What can I do if:

- Someone is abusing my child or me.
  - Abuse can be: hitting, threatening, unwanted sexual acts, shoving, damaging property, hurting your pets, stalking, etc.
- Someone is harassing me.
- My ex won't stop contacting me after we broke up.

## FAMILY LAW

I need help when:

- The other parent of my child won't follow the schedule made by court.
- I moved and need to change the visitation schedule for my child?
- I don't feel safe or comfortable leaving my child with my ex.
- The other parent takes away my time with my child.

The clinic is limited to Small Claims, Restraining Orders/Injunctions, and Family Law. Only once a month and is limited by conflicts in a small community.

Volunteer attorneys provide consults regarding these topics and information about already existing legal resources.

## What we needed to start the clinic:

1. An awesome partner: Northlakes Community Clinic has been great at providing support, resources, printing forms, advertising
1. Resources: minimal cost – printing/designing flyers, emails to key people to get word out.
  - Wisconsin Judicare, Inc. cases
  - **Volunteer attorneys time**
2. Space: using the system already in place for medical appointments and having a comfortable, confidential, and easily accessible environment to meet



# Questions?

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**Commissioner David Keck**, Winnebago County Family Court

- [dave.keck@wicourts.gov](mailto:dave.keck@wicourts.gov)

**Kimberly Lawton**, Lawton Law Office, S.C.

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