

**Access to Justice Commission
2nd Judicial District Local Pro Bono Committee
2010 Annual Report for the Period
January – December 2009**

1. Provide a list of your committee members with phone numbers and e.mail addresses.

Co-Chairs of our Committee are Judges Clay Campbell and Nan Nash, 841-7434 and 841-7532, respectively.

Here is our e-mail distribution list, by which we notify our members of each meeting:

Zac Ives <zai@fbdlaw.com>, Turner Branch <tbranch@branchlawfirm.com>, Tom Peckham <tpeckham@nordhauslaw.com>, Tom Montoya <tommontoya@aol.com>, Tina Sibbitt <aoctrs@nmcourts.gov>, Terry Farmer <terry@moseslaw.com>, Steven Scholl <sscholl@dsblaw.com>, Steve Vidmar <svidmar@mstlaw.com>, Stanley Hatch <shatch@hatchlaw.com>, Sherry Tenclay <sherrytc@unm.edu>, Rosalie Fragoso <rosalie@lawaccess.org>, Robin Gomez <RGomez@BHFS.com>, Robert Curtis <curtisr@civerolo.com>, Renee Valdez <rvaldez@metrocourt.state.nm.us>, "R.E. Thompson" <ret@modrall.com>, Pat Allen <pallen@ylawfirm.com>, "Norman S. Thayer" <nst@sutinfirm.com>, Nita Taylor <ntaylor@nmbar.org>, Nathan Puffer <nathanielp@nmlegalaid.org>, Marie McGhee <mmcghee@unm.edu>, Marcia Lieberman <marcia@nmlegalaid.org>, Leigh Anne Chavez <lchavez@cnm.edu>, Lecrecia Jaramillo <ljaramillo@sclo.net>, Laurel Nesbitt <nesbitt@66law.com>, Larry Kronen <lkronen@pegasuslaw.org>, Kim Schavey <kimberly@nmfamilylaw.com>, Judy Olean <jao@swcp.com>, Judith Finrock <albdjef@nmcourts.com>, Judge Wendy York <wey@ssslawfirm.com>, Judge Nan Nash <albdnngn@nmcourts.com>, Judge Frank Sedillo <fsedillo@metrocourt.state.nm.us>, Judge Elizabeth Whitefield <albdexw@nmcourts.com>, Judge Clay Campbell <ClayNM@yahoo.com>, jorge alvarado <jorgea@nmlegalaid.org>, "John A. Bannerman" <jab@nmcounsel.com>, Jane Wishner <jwishner@swwomenslaw.org>, Jane Laflin <jalafin@btblaw.com>, Janay Haas <janayh@nmlegalaid.org>, Henry Narvaez <hnarvaez@narvaezlawfirm.com>, Gretchen Elsner <gretchen.elsner@gmail.com>, Gretchen Walther <gretchenw@waltherfamilylaw.com>, Gabe Campos <gabec@nmlegalaid.org>, Elizabeth McGrath <evmcgrath@pegasuslaw.org>, Diana Montoya-Boyer <deemb@unm.edu>, Dennis Jontz <djontz@lrlaw.com>, Deborah Peacock <dpeacock@peacocklaw.com>, "aocdsd" <aocdsd@nmcourts.gov>, David Levin <albddpl@nmcourts.com>, David Buchholtz <dbuchholtz@bhfs.com>, Cherie Erikson Harris <charris@legalfacs.org>, Charles Archuleta <sca@keleher-law.com>, Cecilia Gonzales <albdcqg@nmcourts.com>, Catherine Stetson <cbs@stetsonlaw.com>, Carol Garner <carol@lawaccess.org>, Bruce Hall <bhall@rodey.com>, Bill Madison <wcm@madisonlaw.com>, Ben Silva <bsilva@silvalaw.org>, Andre Shiromani <ashiromani@legalfacs.org>

2. Has your committee been successful in developing programs that enable attorneys to assist your low-income population? Please describe the program(s). If not, why not?

Yes. The Committee created a Volunteer Attorney Pool (administered by Rose Fragoso at Law Access NM). The administration of the Pool was described in detail in last year's Report. At this year's end, the Pool consisted of 352 volunteer attorneys, 174 of whom had provided pro bono assistance to 703 persons of limited means. Following is a breakdown of the areas in which assistance was provided by members of the Volunteer Attorney Pool, according to Law Access NM¹:

Advice & Counsel - 330
Brief Services - 24
Direct Representation – 349

In addition, the Committee conceived, created and conducted two Law-La-Palooza Legal Fairs (as reported in the Nov. 16, 2009 NM Bar Bulletin, copy attached), at which an additional 195 persons received free legal information and advice from 33 lawyers (all of whom were members of the Pool or staff attorneys for various area legal services providers). Thirty-three Pool attorneys participated in the events, which were partnerships among the Committee, the Law School and ENLACE. In addition to the

¹ Following is the information provided by Law Access NM: 905 of our low-income population benefited from the VAP in 2009.

All of the information in my files is information where a VAP member helped, as follows: (1) cases referred to the VAP from legal service providers; (2) cases where a VAP member volunteered directly with a legal service provider (or Private Attorneys (Assigned to a Legal Service Provider)); and (3) cases where a VAP volunteered for the LaLaw Palooza (Clinic).

The Volunteer Form offers an option for an attorney to assist an existing legal service provider. In 2009, 40 attorneys volunteered to help NMLA either by writing in NMLA on the form or by checking the box on the form but leaving the name of the legal service provider blank (I included those who left the LSP name blank in those names provided to NMLA by the VAP). NMLA reported to the VAP that two volunteers assisted in four cases but did not report the number of low-income population benefited. The VAP also solicited volunteers to assist with NMLA's Homeless Stand Down in October 2009. We have not received a report from NMLA as to the results of that effort yet.

One attorney volunteered at Law Access. Because of the nature of the way Law Access benefits the low-income population (help-line), that one attorney worked on 137 cases (all either Advice & Counsel or Brief Services), and benefited 293 of our low-income population. (That attorney no longer volunteers for Law Access therefore the VAP will likely not have the benefit of similar numbers in 2010).

As you know, VAP members assisted in 195 "cases" at the two community center events in 2009. As far as I know, we did not capture the number of low-income population benefited. Therefore, that number stands in my records as 195 low-income population benefited. (A quick Google search tells me the average household size is 2.57 which quantifies to 501.15 low-income population benefited (or 195 x 2.57). So, it's very likely the VAP members benefited more than 1211 low-income population in 2009.)

Finally, VAP members benefited 413 low-income population by taking a pro bono referral from the VAP and providing direct representation, advice & counsel and/or brief services.

volunteer attorneys, some 30 volunteer law students, paralegals and student paralegals, and 12 area legal services providers assisted members of the community.

Finally, in November 2009, the Committee implemented a Courthouse Booth project, focusing primarily on family and domestic violence issues. This program is administered by New Mexico Legal FACS, in cooperation and coordination with the 2d Judicial District's Self Help Division, and is staffed by attorneys from the Pool. The Booth is located at the 2d Judicial District Court. Although relatively new for this reporting period, attorneys volunteered 26 hours of time, and assisted 35 individuals.

The Committee is committed to continuing all three projects, with plans to increase the size of its Volunteer Attorney Pool, conduct quarterly Law-La-Palooza Legal Fairs, expand the Courthouse Booth project to address civil issues, and use volunteer attorneys to assist in early litigation status conferences in foreclosure cases in the 2d Judicial District Court, among other projects.

3. Have you formed a Volunteer Attorney Pool from a survey or other tool? Please list the names of the attorneys who have provided pro bono services through participation in one of your programs. If you have not formed a Volunteer Attorney Pool, why not?

The Pool consists of 352 volunteer attorneys. Following is a list of the 174 who have provided assistance to low-income residents:

Alicia Gutierrez	Diwayne Gardner	Judy Fry	Patrick McDaniel
Allan Wainwright	Duane Lind	Julia Hosford Barnes	Peter Tasso
Allen Giles	Dusti Harvey	Karen Aubrey	Phil Cheves
Amy Glasser	Ed Roibal	Kathryn Wissel	Philomena Hausler
Angela Campbell	Elena Spielman	Kerry Cait Winkless-Hall	Pia Gallegos
Barbara Arbuckle	Elizabeth Han	Kevin Hammar	Pilar Vaile
Barbara Koenig	Elizabeth Rourke	Kim Syra	Rachel Berenson
Barry Berenberg	Ella Joan Fenoglio	Lawrence W. Kay	Rebecca Shreve
Ben Feuchter	Erik Thunberg	Linda Latta	Richard Feferman
Bernard Metzgar	Erin Wideman	Lisa Carrillo	Richard Grodner
Bill Burgett	Evan Hobbs	Lisa Shatz-Vance	Rob Treinen
Brad Zeikus	Frank Salazar	Lori Millet	Robert Conklin
Brandon Hertzler	Gaelle McConnell	Lynn Perls	Roberto Albertorio
Brian Thomas	Gary Marquez	Marcus Garcia	Roger Moore
Carrell Ray	George Weeth	Marcy Baysinger	Ronald Taylor
Chad Proski	Gina Constant	Maria Martinez	Rosa Lima
Charles Archuleta	Gordon Little	Maria Owens	Ruth Pregonzer
Charles Hughson	Greg Gahan	Martin Holland	Sam Navarro
Charles Knoblauch	Gretchen Elsner	Mary Ann Green	Samantha Adams
Charles Parnall	Harold Atencio	Mary Behm	Sara Traub
Charles Pharris	Harriett Hickman	Matt Kim Miller	Sarah Armstrong
Christa Hazlet	Henry Bohnhoff	Matthew Bradburn	Scott Owen
Christina Argyres	Jacob Sanchez	Matthew Garcia	Shay Meagle
Christina Sheehan	James Ellis	Michael Brescia	Sherrill Filter

Chris Saucedo	James Fitzgerald	Michael Crane	Shona Zimmerman-Burnett
Claudia Crawford	James LaFata	Michael Hart	Sidney Childress
Corbin Hildebrandt	Jan Gilman-Tepper	Michelle Blake	Spencer Edelman
Dahlia Dorman	Jane Laffin	Monica Baca	Spencer Reid
Dan Ribble	Janis Hawk	Nancy Franchini	Steven Long
Daniel A. Alderete	Jennifer Foote	Nancy Higgins	Susan Brown
	Jennifer Vega-		
David Berlin	Brown	Nathan Mann	Thomas Mack
David Campbell	Jim Fitzgerald	Nathan Nieman	Tiffany Roach
David Frizzell	Joe Tenorio	Nathan Sprague	Tim Gardner
David Kramer	John Brant	Norman Weiss	Timothy White
David Plotsky	John Farrow	Orlando Sandoval	Tina M. Gooch
Denise Snyder	Jose Blanton	Pat Allen	Tom Chism
Dennis Hill	Joseph Kennedy	Patricia Anders	Tom Dawe
Diane Albert	Juan Flores	Patrick Griebel	Twila Larkin
			William Salmon

4. Has your committee attempted to develop programs that have been unsuccessful in attracting assistance from pro bono attorneys? Please describe.

We have failed at nothing.

5. Please quantify the number of your low-income population who have benefited from your programs. Provide detail by program, if possible (i.e., clinic attendance, direct representation, etc.).

See discussion above. Also, below are numbers provided by Law Access NM (see, also, footnote 1, *supra*):

PRIVATE ATTORNEYS (ASSIGNED TO A LEGAL SERVICE PROVIDER)	PRIVATE ATTORNEYS – FROM VOLUNTEER ATTORNEY POOL	CLINICS
Advice & Counsel: 294	Advice & Counsel: 24	Law-La-Paloozas: 195
Direct Representation: 3	Brief Services: 23	Courthouse Booth: 35
	Direct Representation: 366	

Total number of low income population benefited in 2009: 905

6. What do you see as the greatest impediment to securing pro bono assistance for your district's low income people? Please quantify the impediment, if possible.

Challenges remain those identified in previous reports, including matching the interests and experience of VAP lawyers with the actual needs of low income residents; and building stronger relationships between the Committee and area legal services providers and among the providers themselves. Because these challenges are intangible, they are likewise unquantifiable. Nonetheless, the Committee has great

confidence that it will continue to expand existing programs and create exciting and effective new ones as it addresses and overcomes these challenges. See discussion below.

7. Do you anticipate your current pro bono program to maintain its current status and/or grow in subsequent years? Please explain.

Please see the discussion above in Section 2. In addition, we would like to begin to offer our VAP as a resource for other Districts to “opt in,” if not as a model. Please also see last year’s Report.

Not reflected in our answers to any of your questions are the enormous efforts of the Committee to make all of the projects, perhaps especially including the VAP, as accessible as possible to volunteer attorneys. So, for example, we provided the following trainings (offering CLE credits) to attorneys, to make them more comfortable providing legal information and advice in areas outside their usual practice areas:

CLE’s for volunteers (27.8 MCLE credits total)

- **Landlord/Tenant Law (3.0)**
- **Family Law & Domestic Violence (5.5)**
- **Employment Law (3.0)**
- **Public Housing (2.7)**
- **Foreclosure/Bankruptcy (2.6)**
- **Consumer (3.5)**
- **Guardianship (2.0)**
- **Estate Planning (3.5)**
- **Professionalism & Ethics (2.0)**

In addition, the Co-Chairs and three other judges from the 2d Judicial District (Brickhouse, Malott and LaVelle) made presentations soliciting volunteers at three of the largest law firms in Bernalillo County, and the Co-Chairs have made presentations at various legal organizations, including the New Mexico Trial Lawyers Association and New Mexico Defense Lawyers Association. Similar efforts to grow our program by increasing attorney participation remain our highest priority.

8. Did your committee participate in New Mexico Pro Bono Week and if so, were the public functions sponsored during that week successful? Please quantify public participation. If not, please describe why the public functions were not successful. Do you intend to include similar functions in your on-going future pro bono plans?

Please see attached article in the NM Bar Bulletin. It accurately describes our participation in Pro Bono Week. Please also see discussion above in Section 2. (The short answers are yes and yes.)

9. New Mexico Pro Bono Week was initiated as part of the national 1st Annual Celebrate Pro Bono Week. Would you support participation in another New Mexico Pro Bono Week?

Yes.

10. The ATJ Commission would like to use your work to build a resource guide for use by all committees. Please attach any forms, flyers, press releases, DVDs or other material you've used to implement your on-going programs or your participation in New Mexico Pro Bono Week.

See Attached.

Respectfully submitted,

The Hon. Clay Campbell
Co-Chair
Bernalillo County Pro Bono Committee
Second Judicial District Court Judge

The Hon. Nan Nash
Co-Chair
Bernalillo County Pro Bono Committee
Second Judicial District Court Judge