



FINAL REPORT on the Pilot Program:
**Remote Services by Urban Pro Bono Lawyers for Rural
Small Business Clients**
June 30, 2023

The Problem and Opportunity

California’s biggest cities have among the highest percentages of lawyers to residents in the world. They also have among the best pro bono legal cultures, and private lawyers’ free legal work substantially adds to the capacity of legal aid nonprofits to meet the needs of people who can’t afford a lawyer.

The story is entirely different in most of California’s rural areas—such as Lake County, where only 84 active members of the California bar, or Lassen County, with only 24 lawyers. Yet the need for free legal help in rural areas is real.

Urban lawyers have traveled to rural areas for years to provide pro bono assistance. The public interest organization OneJustice developed the “Justice Bus” project, which transported lawyers from large law firms and corporate legal departments by bus to rural locations to spend a day meeting with and advising rural clients. (<https://onejustice.org/probonojustice/justice-bus-project/>) The clients were very grateful for the legal help, but it was limited in scope and subject matters by the short duration of the trips.

The Proposal

We proposed to tap remote communications channels to provide more extensive pro bono legal help for rural areas of California. During the COVID-19 pandemic, some pro bono programs learned to use digital technology to meet with and assist their clients. By working with pro bono programs that had already implemented remote communications channels between pro bono lawyers and clients, we could focus our efforts on the rural end of the pipeline. This made it feasible to construct a working program with a substantially smaller investment of money and effort than if we started from scratch, building the urban end of the pipeline at the same time.

In 2022, California Lawyers Foundation (CLF) agreed to provide \$50,000 to fund the project. The goals were to establish a working, pilot-scale pro bono project connecting urban lawyers with rural clients and to learn how to replicate such a program for different subject matters, different kinds of rural clients, and different geographical areas in rural California.

How We Used the Grant

We engaged a consultant, Mairi McKeever, who has over twenty years of experience coordinating and supervising pro bono legal service programs, including six years as Director/Managing Attorney of the Pro Bono Legal Services Program of the Justice & Diversity

Center of the Bar Association of San Francisco. She has led the project by establishing partnerships with urban pro bono organizations and creating a pro bono intake and support capability on the rural end.

We approached four urban pro bono programs that had (to greater or lesser degrees) developed the use of digital communications channels to meet the legal needs of clients with limited means who want to create or expand small businesses: Start Small Think Big (“SSTB,” a national organization that works with large law firms in the San Francisco Bay Area and other urban areas, Bet Tzedek and Public Counsel in Los Angeles, and Legal Services for Entrepreneurs (a project of the Lawyers’ Committee for Civil Rights of the San Francisco Bay Area). SSTB was willing to accept rural clients using the same digital communications channels it already had implemented for pro bono lawyers and its clients. Bet Tzedek and Public Counsel were also willing to serve rural clients in Los Angeles County (which includes some rural areas) but not in other rural California counties. Legal Services for Entrepreneurs decided it lacked the capacity to handle rural clients now.

Establishing an effective urban/rural pro bono pipeline requires a presence on the rural end. Our coordinator, Mairi McKeever, developed relationships within the Economic and Community Development Corporation community and, more recently, within Chambers of Commerce in rural areas. Through months of effort, she has facilitated formal partnerships between SSTB and the following organizations (“Small Business Organizations”):

- Central Valley Hispanic Chamber of Commerce (aka Stanislaus Latino Chamber of Commerce): <https://www.cvhcc.com>
- Lake County Economic Development Corporation:
- Lake County Chamber of Commerce: <https://www.lakecochamber.com/>
- Mendo-Lake Small Business Development Center: <https://www.mendosbdc.org/>
- Modesto Chamber of Commerce: <https://www.modchamber.org/>
- Stanislaus Equity Partners: <https://www.stanep.org>

Mairi has also developed working relationships (not yet formal partnerships) between SSTB and:

- City of Woodland's Economic Development office: <https://cityofwoodland.org/>
- El Dorado County Chamber of Commerce: <https://eldoradocounty.org/>

These organizations are specifically dedicated to supporting and developing businesses in their geographic areas and were willing to promote the availability of free legal help to their participating small businesses.

Mairi pursued such partnerships in the rural portions of Los Angeles County so that we would

have the opportunity to work with Bet Tzedek and/or Public Counsel. Unfortunately, we could not identify local partners in the rural areas of Los Angeles County during the grant period.

Establishing the partnerships included meetings between Mairi and each Small Business Organization to describe the legal services available to small business members and assess how the members would benefit from pro bono legal help. If the Small Business Organization learned of a need or an interest in the services, its next step would be introducing the small business to SSTB staff. Mairi or the Small Business Organization sent an introductory e-mail to SSTB and the small business, followed by a Zoom meeting with the SSTB West Coast Community Engagement Manager.

After a Small Business Organization identified participating small businesses interested in pro bono legal services, SSTB and the Small Business Organization entered into a formal partnership. That provided the Small Business Organization with direct access to SSTB staff, giving the organization a unique link for participating small businesses to submit online applications. SSTB welcomed the Small Business Organization and its members to attend SSTB online trainings. In addition, Mairi checked in with the Small Business Organizations regularly to assess whether their participating small businesses were accessing the pro bono legal services.

By late 2022, four small businesses had submitted applications to SSTB via the unique links. We concluded that achieving a larger number of applications would require more active, local staffing on the rural end of the pipeline. This was not an unexpected conclusion and mirrored what some legal services organizations serving small businesses have experienced in circumstances that did not involve rural clients.

Accordingly, on October 26, 2022, we asked CLF for an extension of the time to use grant funds to June 30, 2023. Mairi undertook to locate independent contractors in the rural areas we sought to serve. In January 2023, we entered into an agreement under which the Central Valley Hispanic Chamber of Commerce (CVHCC) would provide 110 hours of monthly staffing through June 30 on outreach and application assistance (in English and Spanish) to small businesses in Stanislaus County. SSTB trained two CVHCC employees on the capabilities, procedures, and intake process. They can provide Spanish language interpretation services for applicants with limited English fluency, including in communications with SSTB staff and participating lawyers. The CVHCC staffers have spent substantial time on outreach and recruitment efforts since February. CVHCC's participation expanded our reach within the small business community to the following additional Small Business Organizations:

- Valley Sierra SBDC
- Small Business Majority
- City Chambers of Commerce in Stanislaus County
- City and County officials

Between February and April, CVHCC engaged in extensive outreach, which included explaining the available services to over 550 people at several events and TV exposure. In addition, during

office hours and outreach events, CVHCC held one-on-one screening conversations with 275 business owners. May's outreach activities included a social media campaign announcing a May 31 Business Formation webinar. The project services were also included in CVHCC's annual Awards Dinner program, which over 195 people attended. Mairi McKeever attended the function and was impressed by the synergy between CVHCC and businesses within the region.

The May 31 Business Formation webinar, a partnership between CVHCC and attorneys from Morrison & Foerster, was attended by ten small business owners/community members. The participants included a real estate company owner, insurance company owners, a business consultant, a field representative from the local congressman's office, a nonprofit organization supporting small businesses, the Modesto Chamber of Commerce, a San Joaquin Community College representative, and the Modesto Center for Human Services' development manager.

Service Provided During the Pilot Project Term

Although there was a particular focus on Stanislaus County, as explained above, this pilot project cultivated relationships with organizations in rural Northern and Central California, expanding outreach to their neighboring counties. From May 2022 to June 2023, 80 SSTB applications were submitted by businesses in the counties surrounding the organizations that have established formal SSTB partnerships. In contrast, only 50 applications were submitted from those same counties from March 2021 to April 2022. We believe the 60% increase in applications from rural Northern and Central counties can be largely attributed to this project's work, as SSTB had not engaged in outreach efforts to rural counties during that time.

SSTB reports that since March 2022, they have received fourteen applications submitted via the unique link some partners provided to their members and clients. Other business owners may have applied directly from the SSTB website. Of the fourteen applications, three have been assigned to pro bono attorneys, one is closed due to ineligibility, and ten are still in process.

CVHCC's work allowed for a deeper analysis of how individuals have responded to remote intake and services. As of June 2022, seventeen business owners met with CVHCC to learn more about the project services. Of those seventeen, five completed SSTB applications for legal services. Of those who began the application process, one is now working with a pro bono attorney, two discontinued the intake process due to the complexity and level of personal data required, and two are still engaged in the application process. Of the twelve business owners who chose not to seek services, one was not qualified, five were intimidated by the intake process complexity and level of personal data required, four indicated they did not have time to compile the documents needed for the process, one was more comfortable working with a relative's attorney, and one did not reply to follow up calls.

One valuable accomplishment was establishing the collaboration between the urban pro bono provider, SSTB, and the rural entity, CVHCC, that maintains direct relations and communications with prospective applicants and clients. We believe SSTB understands better the value of creating such collaborations when seeking to serve rural communities, and CVHCC, itself and as a model for other rural organizations, shows how to tap urban service providers to increase the help available to their local communities.

What We Have Spent

We have paid and accrued a total of \$12,398.75 for Mairi McKeever's work through June 30 on the project. This was against a budget of \$20,000 for her work. We are grateful for her efficiency and attention to avoiding unnecessary expenses.

We have paid \$20,000 to CVHCC and plan to pay, when invoiced, one more \$2,000 payment under a subgrant for the time its staff spent recruiting applicants, intake, and application support.

We are not charging the budgeted \$10,000 for the Access Commission's time and expenses. The time used was almost entirely that of its unpaid Executive Director, for which we will not request monetary compensation. We also will not request payment for any administrative costs or overhead.

We have completed the project at approximately \$15,600 less than the \$50,000 grant amount. That savings could be allocated to continuing the work of CVHCC, with continued supervision by Mairi, thereby extending the recruitment efforts into 2024. However, we leave this to the discretion of the California Lawyers Foundation, and we will not authorize any activity past June 30 unless we hear that CLF wishes to use some or all of the remainder of the \$50,000 grant for that purpose.

Observations on Lessons Learned

What has this project taught us about connecting urban pro bono lawyers with rural clients?

1. Identifying and funding a local partner is essential for successful outreach and gaining community trust. The usual "Knowledge Gap" barriers – the fact that people who need legal help may not recognize that need or know where to go for it – are compounded by other obstacles. People and firms in small communities are accustomed to engaging in direct dealings. Additional effort is required to convince prospective clients that they will benefit enough to justify investing their time in dealing with distant lawyers (whom they probably will never meet in person), an impersonal application process, and learning how to use digital means to do. Additionally, for local partners who have not managed intake and outreach for legal services, time must be spent on training, oversight, and implementing project adjustments as needed. We infer that our early lack of success in attracting applicants was partly attributable to the absence of a known and trusted local person – in this case, CVHCC -- who can vouch for the value of the services offered, and facilitate establishing direct relationships and communications between rural clients and urban pro bono lawyers – from SSTB in this case.

2. Asking for help can be a daunting and frustrating experience. Programs that offer free legal assistance but have limited capacity can, with the best of intentions, subject applicants to the experience of feeling subservient to the lawyers whose help they seek. (Instead, they should feel that it will be the job of the lawyers to serve them.) We have heard that the ethic of self-reliance that may be more prevalent in rural areas makes it even harder to ask strangers for help. This emotional barrier may also be a greater impediment when the client and lawyer have

never met in person. Therefore, in-person contact with a local person familiar with the pro bono program is essential.

3. An online application process can be daunting for some and concern for others. For example, several business owners expressed worries that the online application process may expose them to spam or identity theft. Others have trouble uploading documents into the application. The application process has several steps and requires consistent monitoring of e-mails from SSTB, which often fall through the cracks. As a result, CVHCC learned that it must remind applicants to check their e-mails and reach out to those with pending applications to ask if they are having difficulties with the application process. A few applicants grew weary of the process and decided to discontinue the application process. One applicant stated that between working for herself and tending to her new baby, she just didn't have the time to follow through on the multistep application process.

4. Use of remote, digital communication for the topics involved in getting legal help exacerbates cultural and trust barriers. By necessity, applications for need-based legal services are quite invasive. Applicants must verify their income and assets by submitting copies of their pay stubs, tax returns, bank statements, and the like. And for this program, in particular, the applicants must also provide details about their businesses. According to CVHCC, business owners are initially reluctant to provide those documents and are further concerned with uploading them to an online application. With reassurances from CVHCC, some business owners proceed with the applications while others remain cautious. They noted this is especially true for the Latino population.

This level of concern would likely be as great, or greater, for services on subject matters such as immigration or family law matters involving domestic violence.

5. Direct, consistent, and repetitive outreach is needed for projects providing “non-urgent” services. If pro bono attorneys are providing transactional services, outreach is most effective if it is paired with educational events or single-day clinics, which engage individuals who may then request further assistance. Conducting outreach for “non-urgent” services is challenging as the legal services provided can be difficult to articulate on flyers and social media. So, in turn, when advertising to provide “free legal services,” callers are often disappointed that an attorney isn't readily available to address their pressing legal needs.

6. The subject matter of this project – legal help for small businesses – required us to stimulate demand from potential clients. For some subject matters -- such as family law, evictions, debt collection defense, and estates and trusts – the demand for legal services exceeds the supply in rural areas, making it easier to find people who already know they need help from a lawyer. But not all small businesses know they need legal help. Small-scale entrepreneurs who have not obtained permits or established protections against liability, such as LLC or corporate formation, may not feel as great a need to do so in a small community. Since services were limited to transactional matters, some business owners were disappointed that the SSTB pro bono lawyers did not provide the dispute-related services they sought. For example, one partner in a business was considering pulling out of the business but needed advice on what factors to consider when discussing the situation with her business partner. Through outreach, CVHCC also found that persons thinking of starting businesses were

interested in legal services. However, they did not qualify for SSTB's services because their business was not yet in operation. These issues were not the result of the provision of remote services to rural clients but rather of the limitations that SSTB has adopted for all applicants for its help.

Although most of the obstacles described above would still exist if the subject matter were different, a different approach would be to identify topics by asking rural legal aid providers what needs they turn down in the greatest numbers for lack of capacity. We considered this approach but did not pursue it with this grant. Needs such as family law, evictions, debt collection defense, and estates and trusts are not ones for which existing urban pro bono programs have well-established digital channels for intake and assistance to clients, nor are they topics for which urban pro bono programs have excess capacity. The cost of establishing the urban end of the pipeline might well be justified but would have exceeded the budget for this particular grant.

We expect that as a result of the increasing use of remote communication channels, more urban programs will adopt virtual communications between their pro bono lawyers and their clients. As this becomes established practice, it will become more readily possible to use those programs' established virtual channels of communication between pro bono lawyers and their clients for the highest-demand subject matters. At that point, extending their reach to rural clients will be more feasible. Such urban-to-rural pro bono programs should be feasible to address subjects with a higher level of demand beyond the existing capacity of local legal help. The lessons learned in this project should be helpful in developing such programs.

7. A possible approach for future exploration is to partner urban pro bono lawyers with lawyers or non-lawyer staff in rural legal aid organizations. A possible alternative architecture would be to connect urban pro bono lawyers with rural professional staff – most likely within a local legal aid organization – instead of using remote communications channels for direct relationships between urban lawyers and rural clients. The rural professional staff could use local lawyers and/or supervised non-lawyers as the connection to the rural clients. This approach could avoid problems and obstacles arising for rural clients who must maneuver the remote communications technology. It could expand the capacity of the rural legal aid programs to accept more clients whose needs are in high-demand subject matters. In-person contact between the rural client and the rural legal aid staff would eliminate some of the barriers we encountered.

However, this approach would require a commitment of time and budget from rural legal services providers, which already have too much demand for their time. It would also continue to suffer from the obstacles that now impede rural clients from traveling to or communicating effectively with rural legal aid providers.

Implementing this approach would be a much more significant and expensive undertaking than was feasible for us with this grant.

In Closing

We are very grateful to the California Lawyers Foundation for this opportunity and look forward to future collaborations.

We also thank Start Small Think Big, Mairi McKeever, the Central Valley Hispanic Chamber of Commerce, Jack Londen (the Access Commission's Executive Director), and Koleen Biegacki (its Director of Administration) for their time and effort in participating in this project. Finally, we thank the California Chamber of Commerce for its assistance in introducing Mairi to the local chambers of commerce identified in the report.