

Remote Legal Support Guide

Survey Results & Pandemic Pro Bono



About the Guide

Welcome to the first installment of the 2022 Remote Legal Support Guide. In the days and weeks ahead, we will share project profiles and additional materials. We anticipate the entire collection will be fully published by the end of August, 2022.

The Immigration Advocates Network of Pro Bono Net published the [original guide](#) in 2020 to share our 2019 national survey findings and partner models for success. We highlighted strategies for leveraging technology to connect people remotely to legal information or services. The guide included best practices from national partners and project profiles from across the nonprofit sector. The profiles addressed logistics, processes, challenges, tools, checklists, sample documents and more for remote legal support (RLS). In creating the original guide, we hoped to inspire confidence and help nonprofits and pro bono lawyers reach rural and underserved communities.

Unfortunately, the timing for the first edition of the RLS guide could not have been better. We published in March, 2020, as the COVID-19 pandemic set in and nonprofit organizations closed their offices to in-person services. The RLS guide was downloaded more than 3,500 times. In the years since, service providers have become expert at working remotely, and we have learned more about the advantages and disadvantages to remote services. Some clients struggled to access and use the technology, especially at first. For others, it was easier than traveling, arranging daycare, or missing many hours of work. As in-person services became safer, organizations continued to offer remote services, or set up hybrid arrangements and options for clients.

In early 2021 we launched another national survey, to understand how nonprofit immigration advocates continued legal and related services throughout the pandemic. In this second edition, we share key findings from the latest survey. We followed up with our national partners to highlight projects that developed remote opportunities for volunteers. Learn how the field and your colleagues have adapted; and how some nonprofits have integrated pro bono services.

We hope the collective wisdom and expertise of our field supports your work for immigrant justice. Contribute to the effort - click [here](#) to share your feedback and ideas.

Pat Malone, Associate & Legal Director
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Introduction

The demand for immigration legal services is far-ranging, and our field is exploring innovative solutions to stretch capacity. Immigration and other nonprofits are implementing multiple strategies to reach more people. They are leveraging technology; legal empowerment tools and information; community-based advocacy; and legal volunteers.

In the wake of the pandemic, reliance on technology has grown. Service providers shifted from in-person services to online meetings and case preparation with clients via Zoom, WhatsApp, Facetime, SMS/text, and more. Clients can use online screening interviews to connect to legal help. They can use their phones to take pictures and text or upload documents for review.

In addition, clients can use online tools to complete parts of applications on their own, or with volunteers and community-based organizations. The legal advocates can focus their time reviewing eligibility, red flags, or legal concerns. This allows the legal staff to work at the top of their license and the nonprofits to allocate resources more efficiently.

Legal service providers are also working with organizers, navigators, volunteers, and non-legal services staff to add capacity. Some have found new strategies or strengthened existing projects to engage pro bono lawyers to assist and represent community members remotely. This manual provides examples of ways that nonprofit organizations have leveraged technology *and* integrated volunteers to provide **remote legal support** and extend capacity.

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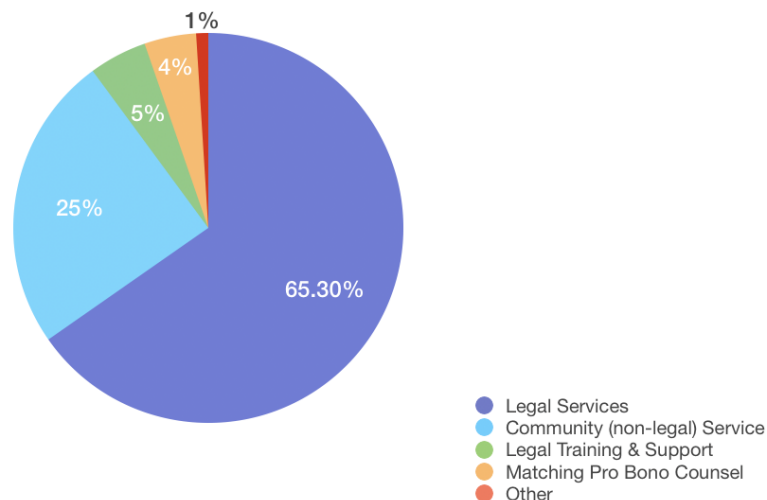
Chapter 1: Survey Trends

In early 2021, Pro Bono Net's Immigration Advocates Network conducted a second national survey on Remote Legal Support (RLS). The survey was intended as a barometer of attitudes towards remote legal support and technology-based initiatives. We wanted to understand and measure the impact of the COVID-19 pandemic on remote strategies, and whether nonprofit organizations were able to integrate pro bono lawyers in a new service delivery model. This chapter will spotlight critical changes between the 2019 and 2021 surveys, key findings, and the pandemic's catalytic effect of removing barriers to technology.

Response Pool

Both the 2019 and 2021 surveys were sent to approximately 6,000 nonprofit immigration advocates. The 2019 survey received about 200 responses and the 2021 survey received about 170 responses. The two surveys had a similar distribution of respondent occupations. About two-thirds were legal service providers and a quarter were community advocates. The remaining respondents worked in legal training and support projects, or matching pro bono counsel. See Figure 1.

Figure 1: Types of Organizations Responding

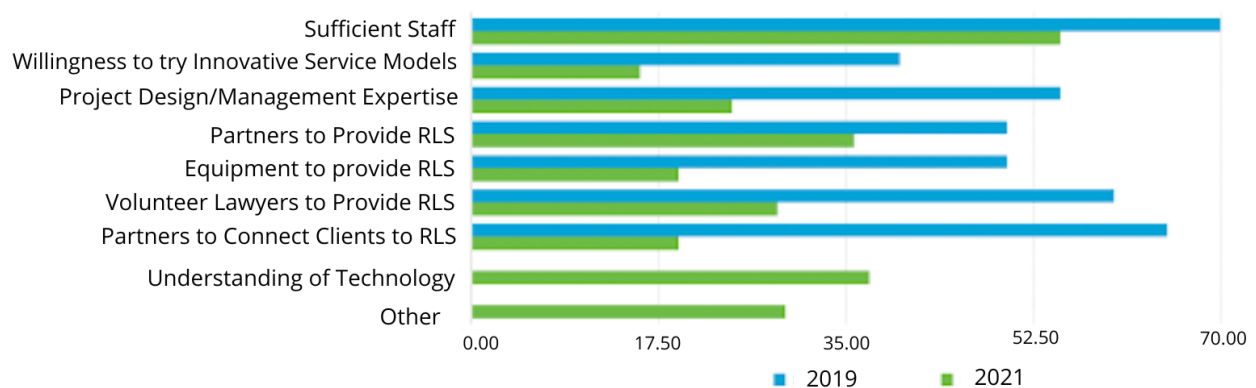


Barriers to Starting Remote Legal Projects

The COVID-19 pandemic dramatically changed the ways nonprofit organizations operated. In the two years between our 2019 and 2021 surveys, barriers to technology fell away and the field pivoted to serve clients remotely. The biggest change was in “Partners to Connect Community Members Who Need Legal Support,” reflecting an increase in remote legal providers or partnerships. Technological literacy is still a challenge during the pandemic, as 37% of organizations indicated “lack of understanding technology” as a barrier, second only to insufficient staff.

As seen in Figure 2, fewer organizations experienced barriers to remote service or support between 2019 and 2021, across all the metrics we collected in both surveys.

Figure 2: Barriers to Remote Services

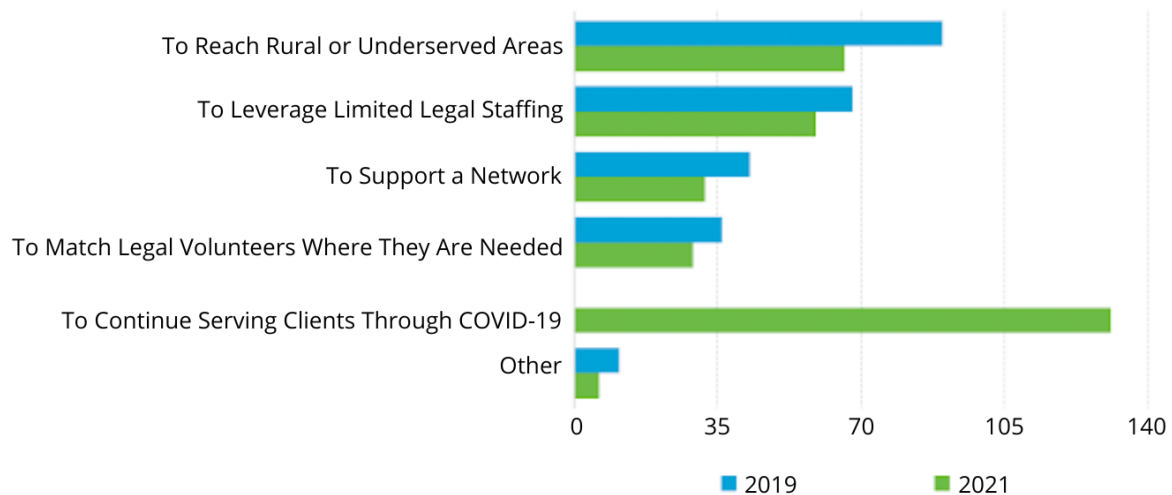


Note: Numbers across the bottom = percent of respondents experiencing the barrier at their organization

Using Remote Legal Strategies

This graph displays organizational goals for implementing remote strategies before and during the pandemic. While remote strategies may achieve many goals, a substantial 93% of respondents in the 2021 survey indicated that continuing to serve clients through COVID-19 was their primary goal.

Figure 3: Goals for Remote Legal Strategies

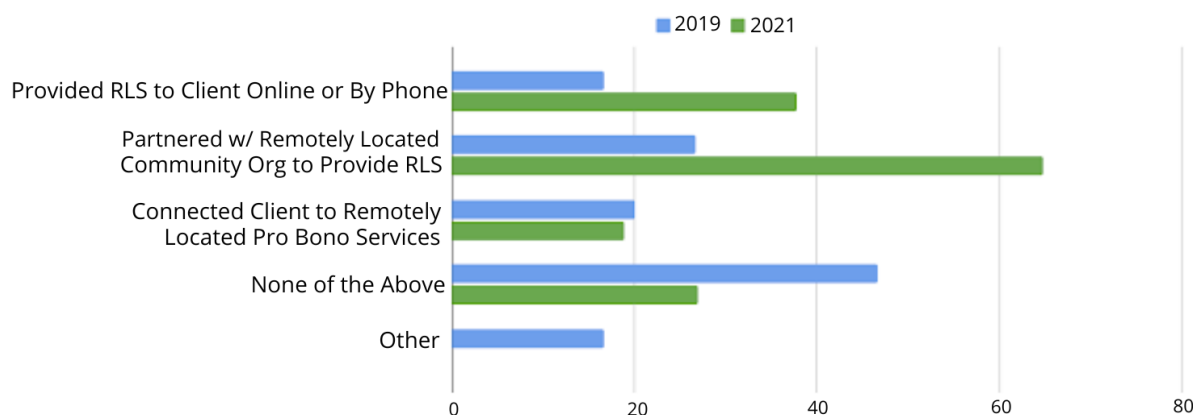


Note: Numbers across the bottom = number of affirmative responses

Pivoting in the Wake of the Pandemic

To protect everyone's health and comply with social distancing requirements, organizations found alternative ways to reach clients. Organizations reporting that they “partnered with remotely located legal services organizations to provide support to clients or community members” increased by 127% and organizations that “arranged for a community member to meet with a remotely located lawyer or accredited representative” increased by 143%. The number of organizations that did not use these strategies dropped by 42%, indicating a major shift in the field's service delivery models.

Figure 4: Innovations in How Organization Reached their Clients Remotely



Note: Numbers across the bottom = percent of affirmative responses

Conclusion

Reaching underserved communities is a challenge for legal service providers in the best of times. COVID-19 precipitated an unprecedented adoption of technology-based strategies. As documented in our surveys, the field rapidly implemented remote methods of legal support and connection. It will be interesting to see if the innovations continue beyond the pandemic.

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Chapter 2: Pandemic Pro Bono

Introduction

In 2020, Immigration Advocates Network came out with the first volume of the Remote Legal Support Guide, which focused on successful RLS programs. It addressed program processes, challenges, and best practices. It also featured organization-specific project profiles, with models from across the nonprofit sector, to serve as examples for other organizations seeking to innovate service delivery. This new edition of the Remote Legal Support Guide examines how the selected projects integrated pro bono volunteers into their remote service delivery. COVID-19 posed a challenge for pro bono work that relied heavily on direct, in-person communications and paperwork. However, nonprofits and pro bonos have proved resilient and capable of innovation in a new landscape. This innovation happened because it was essential: in the same moment that many organizations were forced to close their doors, the populations who needed help were at greater risk. In this chapter, we take a look at who has been most impacted by the pandemic and how pro bono advocacy helps meet their needs.

Who is Affected the Most?

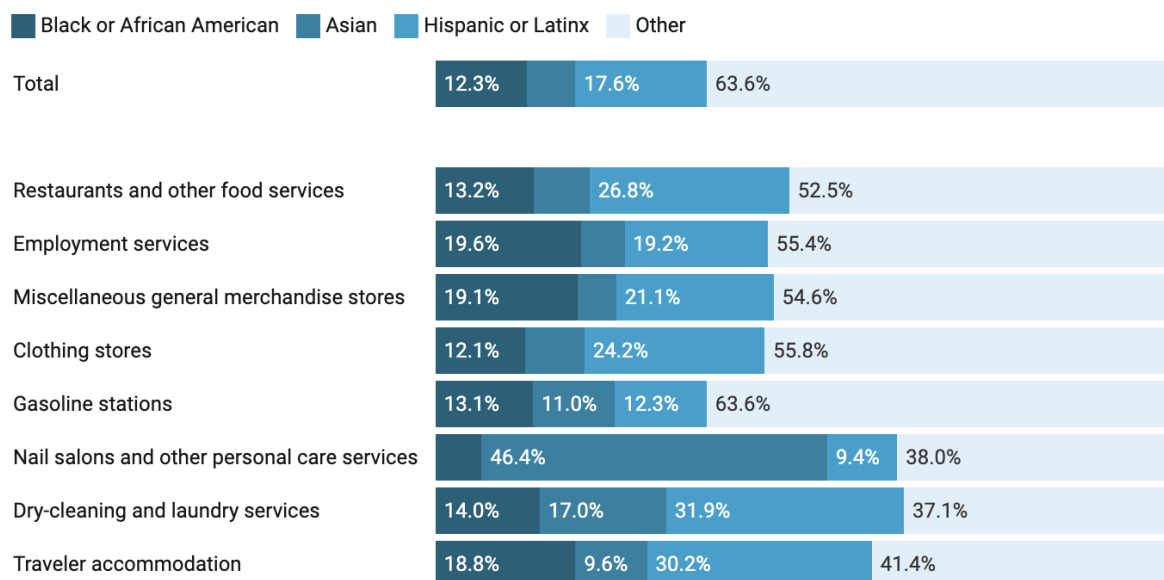
In times of economic downturn, the most vulnerable populations need pro bono advocacy more than ever. The pandemic sharply exacerbated existing inequalities among economic and demographic groups. COVID-19 lockdowns created an unequal surge in unemployment, stratified in race. This is especially pronounced when people of color inhabit the public-facing service professions that are the first to be laid off.¹ See the Table below. The COVID-19 risks for people of color are compounded by crowded housing in densely populated communities, or worse, a lack of employment that results in eviction, homelessness, or shared housing.² Black and Latinx households retain a fraction of wealth and solvency of White households (\$17,100 and \$20,765, compared with \$171,000), a socio economic divide that makes it harder to secure legal help or justice.³

¹ Couch, K. A., & Fairlie, R. (2010, February). *Last hired, first fired? black-white unemployment and the business cycle*. Demography. Retrieved May 9, 2022, from <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3000014/>

² President, J. C. I. V., (2021, November 7). *Coronavirus compounds inequality and endangers communities of color*. Center for American Progress. Retrieved May 9, 2022, from <https://www.americanprogress.org/article/coronavirus-compounds-inequality-endangers-communities-color/>

³ President, J. C. I. V., (2021, November 7). *The economic fallout of the coronavirus for people of color*. Center for American Progress. Retrieved May 9, 2022, from <https://www.americanprogress.org/article/economic-fallout-coronavirus-people-color/>

Table: Share of total employed people over 16 years old by detailed industry, race, and ethnicity, 2019



Credit: Center for American Progress

People with disabilities have been hit hard by the pandemic too. A global health crisis has a twofold effect. First, it disproportionately diminishes the labor market participation of people with disabilities. Second, it acts as a “mass disabling event.” In other words, more people were unable to participate in the workforce because of the greater risk to their health. According to the Bureau of Labor Statistics, 1.2 million more individuals identified as having a disability in 2021.⁴ This number is hardly surprising, as a severe COVID-19 case can be debilitating or fatal; and the general stress of the pandemic has increased mental health issues.

⁴ President, J. C. I. V., (2022, April 11). *Covid-19 likely resulted in 1.2 million more disabled people by the end of 2021-workplaces and Policy will need to adapt*. Center for American Progress. Retrieved May 9, 2022, from <https://www.americanprogress.org/article/covid-19-likely-resulted-in-1-2-million-more-disabled-people-by-the-end-of-2021-workplaces-and-policy-will-need-to-adapt/>

Figure 2: Annual change in the average numbers of individuals with and without a disability from 2020 to 2021 (in thousands)



Credit: Center for American Progress

The increase in the number of people with disabilities in the workforce means an increase in demand for legal advocacy. Advocates may need to address the issue of reasonable accommodations in the workplace more frequently, as millions suffer from long COVID, and variants continue to circulate.

Pro Bono Response

Despite the challenges posed by COVID-19, pro bono advocates persevered. Studies show that pro bono advocacy actually increased during the pandemic, an impressive feat given the upheaval for nonprofits that would organize or supervise the work. According to the American Bar Association Journal, 120 law firms reported nearly 3.7 million hours of service to under-resourced populations and legal service organizations in 2020.⁵ This compares favorably to the 3.4 million pro bono hours reported in 2019. Our very own Pro Bono Net's searchable list of [pro bono opportunities](#) increased from 6,000 in 2019 to 24,000 since the start of the pandemic.

Even as in-person meetings become safer, pro bono advocates can maintain remote strategies to extend their reach. The report, *"Positive Change: How the Pandemic Changed Pro Bono and What We Should Keep,"* by the Association of Pro Bono Counsel (APBCo), commends the changes in the courts and pro bono advocacy. It notes that technology and innovation paved the way for greater geographic reach; and cites social media, virtual clinics, and judicial integration of technology as innovations worth keeping for the future (see [Appendix](#)). The nonprofit organizations we spoke to for our "Project Profiles" generally concur with these findings. Colorado Legal Services expanded their virtual phone clinics and Kids in Need of Defense transitioned to virtual trainings, to extend their reach as well.

⁵ Robert, A. (n.d.). *Pro bono work increased during the COVID-19 pandemic, reports show*. ABA Journal. Retrieved May 9, 2022, from <https://www.abajournal.com/news/article/reports-show-pro-bono-work-increased-during-covid-19-pandemic>

Courts made impressive innovations during the pandemic too. At a June 9, 2021 webinar, *“Building a Bridge to Somewhere: Mobile Tech for Clients and Jurors,”* representatives from the New Jersey court system described their process to try new strategies. They slowly trialed and improved virtual Zoom jury proceedings, using 2,000 loaned tablets, questionnaires, and comprehensive surveys. They consulted state bar associations and public defenders. To facilitate the transition, they worked with a coalition of community groups, smaller grassroots organizations, and volunteers for justice with unique constituencies. Effective changes were truly possible because the court listened to the people who could speak for the community. As courts explore new strategies, remote options may point to a more accessible future for some in our client community, with less disruption to their work and home lives.

Conclusion

In the spring of 2020, the United States entered a national emergency that necessitated a mass shift to remote work across most professions. This shift included pro bono advocacy and court systems, with a profound impact on those that needed those systems most.

In spite of the myriad complications and disadvantages introduced and exacerbated by COVID-19, the pro bono community banded together to provide more assistance than previous years. We are hopeful that the innovations spawned over the past two years may lead to greater and more efficient advocacy efforts in the future.

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