

MARYLAND'S NEW PORTAL FOR ACCESS TO LEGAL HELP

by Stephen J. Nolan

In his keynote address in 1989, one of our Association's members launched his year as President of the Maryland State Bar Association by stating that Pro Bono legal service is "*the highest form of professionalism.*" And throughout his year as MSBA President, Herb Garten made that theme his number one priority. With the support of Chief Judge Robert C. Murphy, Herb launched a volunteer recruitment campaign to learn ways to make pro bono legal services more accessible for the poor and more deliverable for lawyers.

To implement the campaign's findings, Herb envisioned an independent entity that would institutionalize the MSBA's commitment to voluntary pro bono service. As a result of his initiative, the Pro Bono Resource Center of Maryland, Inc. was formed in January 1990. Through 27 years of dedicated leadership by Sharon Goldsmith, Esquire, PBRC has evolved from the recruitment arm of the MSBA to a comprehensive pro bono clearinghouse of volunteer lawyers and resources, a support center and innovator.

PBRC joined 40 other states in launching one such innovation late last year. PBRC administers, markets and promotes the ABA Free Legal Answers website in Maryland at <https://Maryland.freelegalanswers.org>. The purpose of the website is to increase access to advice and information about non-criminal legal matters to those who cannot afford it. There is no fee for the use of the system or for the advice and information provided by the attorney.

Eligibility for use of ABA Free Legal Answers is limited to adults who meet financial eligibility guidelines and who are not incarcerated and not requesting assistance relating to criminal law matters. If a user is not eligible to use the system, the user will be denied access to it and provided with some alternate resources for help.

After eligibility is established, the user will create a secured account. The user will post a request for legal advice/information and provide facts that will

help the attorney answer the question. The name of the user and anyone adverse to the user concerning the subject matter of the question will be provided to the attorney so that the attorney can determine whether a conflict of interest is likely to exist. Lawyers who sign up to participate may ask for additional information before responding to the user's request and will only answer questions the attorney chooses to answer. If an attorney responds to a user's question, the user will see the written response through the website.

Users will not know the name of the attorney who answers their questions unless the attorney chooses to provide it or if a special circumstance arises and it is required by a court of law. When an attorney answers a user's legal question, an attorney-client relationship is formed; however, that relationship is limited to providing an answer through the website to the legal question and will not involve any continuing representation of the client beyond the act of providing such an answer. Malpractice insurance is provided by the ABA for the legal guidance that attorneys provide through the ABA Free Legal Answers website.

Access to the website is available 24/7 so attorneys choose when they provide pro bono legal service. For more information, visit Maryland.freelegalanswers.org and click on Volunteer Attorney Registration. With this latest innovation, the Pro Bono Resource Center continues to actualize Herb Garten's vision in 1990 of making pro bono service more accessible to low income persons and easier for lawyers.

Paul E. Alpert, Retired Judge

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