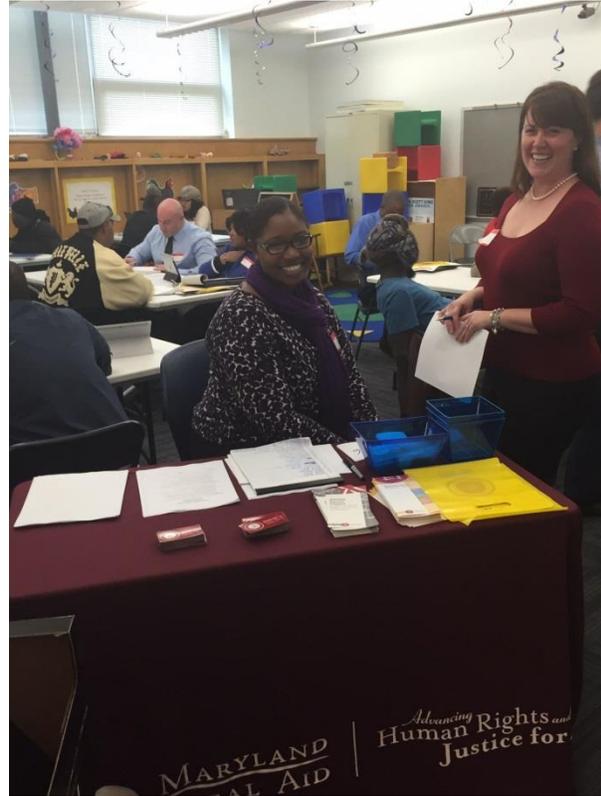


A Fresh Approach to Community Lawyering: A Lawyer in the Library

Amy L. Petkovsek July 2016

The idea of lawyers working directly in underserved communities is not a new concept. To the contrary, attorneys working for legal aid organizations across the United States have been embedded in low-income communities for decades, working alongside community activists, religious leaders, and neighborhood organizations to effect change. A community lawyer is “[one whose commitment to this practice includes collaborative interaction with members of the community.](#)” Maryland Legal Aid launched in 2015 a community lawyering initiative from being a partner with Maryland’s Enoch Pratt Free Library system to offering and building support, trust, and legal power for those most in need of immediate, life-changing assistance. Here I describe the origins of Maryland Legal Aid’s “Lawyer in the Library” project; how it draws from, builds upon, and enhances the traditional [community lawyering framework](#); and the potential for a modern approach to a powerful legal model.



Beginning with a Partnership

Years of inequity, unjust policies, and systemic dysfunction emerged in April 2015 in a civil unrest in Baltimore, Maryland. The unrest stemmed from the public outcry over [the death of Freddie Gray](#), a 25-year-old African American resident of West Baltimore; he had been arrested after running from the police and died while in police custody. While the structural inequality that inspired the demonstrations in Baltimore appeared to be intractable, Baltimore citizens nonetheless called for immediate changes, support, and understanding.

Maryland Legal Aid’s chief operating officer, Gusty Taler, knew that Maryland Legal Aid’s staff members, particularly those at the Baltimore City office, the largest of Maryland Legal Aid’s 12 full-service offices, felt frustrated by the strife and were searching for meaningful ways to respond to the turmoil. Maryland Legal Aid’s Baltimore City office is located across the street from Baltimore’s City Hall, where daily demonstrations were taking place. Armed officers from

the National Guard were camped around Maryland Legal Aid's building for days. These were tense times for everyone.

As Taler watched on television the images of civil unrest, a shining example of steadfast community support appeared on the screen. There in the epicenter of the strife stood defiantly with open doors the Pennsylvania Avenue branch of the Enoch Pratt Free Library system. Melanie Townsend Diggs, the library branch manager, said in a news interview that she had pleaded with Enoch Pratt Free Library's chief executive officer, Carla Hayden, to stay open—"[I really feel at a time like this, the community needs us, and I want to try to open.](#)" Hayden agreed, and amid all the chaos, including the burning of a CVS store across the street, the library stood as a beacon of hope and haven for the West Baltimore community.

Watching Townsend Diggs on television was inspirational for Taler: "Her grit, determination, and courage really spoke to me and it quickly became apparent that she and the library system would be ideal partners for Maryland Legal Aid in serving Baltimore's most vulnerable communities" (Interview with Gusty Taler, Chief Operating Officer, Maryland Legal Aid, in Baltimore, Md. (April 20, 2016)). The library is a safe, comfortable, and accessible environment in which to offer legal services to the community. Libraries are no longer places where people go just to borrow books. Libraries prepare people for jobs. Libraries are cultural centers. Libraries are community centers. Libraries are places of education. Libraries meet people's basic needs of shelter and even food; libraries serve as distribution centers for free meals when school is not in session. Libraries could also be where people could learn about their legal rights and have their civil legal problems handled.

With the support and encouragement of Maryland Legal Aid's executive director, Wilhelm H. Joseph Jr., and chief counsel, C. Shawn Boehringer, Taler put her idea into motion. Her first call was to Benjamin Rosenberg, a former cochair of Maryland Legal Aid's Equal Justice Council, a blue-ribbon committee of private attorneys dedicated to enhancing awareness of the work of Maryland Legal Aid and raising funds to support the organization. Rosenberg also serves as vice chair of the board of the Enoch Pratt Free Library system. He embraced Taler's concept and approached Hayden with the idea of legal services attorneys giving legal advice on-site at the library. Hayden responded positively, and teams from Maryland Legal Aid and the Enoch Pratt Free Library came together to work out the logistics. As Rosenberg told the *Library Journal* earlier this year, "[\[t\]o try to get something like that started from scratch and to have it become a reality in such a short period of time will tell you everything you need to know](#)" about the success of the legal aid and library partnership.

An Immediate Solution, but Not a "Quick Fix"

After a few months of planning, in September 2015 Maryland Legal Aid opened the doors to "Lawyer in the Library" at the Pennsylvania Avenue branch of the Enoch Pratt Free Library. To date, over 700 clients have walked into the clinic and met with lawyers who give free, brief civil legal advice in a range of areas including child support, bankruptcy, foreclosure, landlord-tenant disputes, consumer fraud, and public benefits. The clinic operates every Tuesday from 1:00 p.m. to 3:00 p.m., and clients are often present as early as 11:00 a.m. waiting for the lawyers to arrive.

On many occasions, Maryland Legal Aid team members stay past clinic closing time to ensure that every client's needs are served.

Many times, the barriers to obtaining legal information can be overwhelming. Taking the time to travel to Maryland Legal Aid's downtown Baltimore City office, a client can expect to meet such challenges as lost wages, unreliable transportation, lack of child care, and an extended wait at intake. However, when an entire office—six staff attorneys, three volunteer law students, two mobile printers, four laptops, Internet access, and an intake paralegal—is at the client's doorstep, accessing justice changes dramatically.

The Lawyer in the Library has shown that some clients need only 15 minutes of legal advice to move toward a solution that has been eluding them for years. For instance, a client recently came to discuss a dispute with her landlord over poor living conditions and her subsequent failure to pay rent. The case was on the next day's court docket, and no attorney could be assigned in court on such short notice. The client was given brief advice on what to say in court the next morning, and how to defend her actions. A few days later the client contacted Maryland Legal Aid with great appreciation for the brief advice that led to her success in court against a landlord who was represented by counsel. Her decision to come to Lawyer in the Library led her to stay in her home, improve her living conditions, and relieve the intense stress of a court case against her landlord. Similar stories could be written about clients facing foreclosure, child support modifications, and consumer fraud.

A few days later the client contacted Maryland Legal Aid with great appreciation for the brief advice that led to her success in court against a landlord who was represented by counsel.

Beyond the civil legal topics mentioned, the Lawyer in the Library has included legal aid attorneys and volunteers who complete criminal record expungements for free for those clients eligible for Maryland Legal Aid's services. New changes in Maryland's expungement laws were implemented on October 1, 2015; those changes allowed many individuals to access a criminal record expungement for the first time. As part of the Lawyer in the Library program, Maryland Legal Aid hosts expungement clinics at the library one Saturday a month. With portable printers, refillable ink cartridges, reams of paper, laptops, and stamina to last through six-hour clinics without a break, over 100 volunteer attorneys and law students have joined Maryland Legal Aid in this endeavor.

A volunteer attorney at the expungement clinic may see a client who has brought 32 security guard job applications, all with rejection letters attached showing that the client was denied work because of his criminal record. The attorney looks up the client's previous involvement with the criminal justice system and finds 17 items on the record. But none is a conviction, and so, [in Maryland at least](#), every item is expungeable. Court filing costs and significant private attorney fees often render expungements unaffordable for our client population. Now, however, the client can expunge his record with a volunteer attorney's help, in one day, at no cost.

Clients have reported that since the expungement—through Lawyer in the Library—of their criminal records, they have gained access to housing, reached better outcomes in child custody cases, decreased their interaction with the Department of Child Protective Services, and found

new employment opportunities. One young father reported moving into public housing after his entire record of drug charges was erased, and he no longer had to sleep on the streets with his 6-year-old daughter. A young mother brought in a copy of her certificate from a certified nursing assistant class; she now had the motivation to complete the program because Maryland Legal Aid attorneys had cleared her record. Only about 10 percent of the expungement petitions are objected to by the state's attorney. When this occurs, the same lawyer with whom the client met at the library clinic meets the client in court and argues the case. Our lawyers have developed creative and persuasive arguments and have prevailed in contested cases.

This fresh take on the traditional community lawyering model recognizes that placing lawyers directly in underserved communities to give brief legal advice does not fix the lead paint that continues to plague neighborhood housing, does not end disparate economic policies, and does not bring about lasting reform. Not every problem has a "quick fix." The brief-service approach, however, does offer immediate solutions that can bring concrete changes in an individual's life. In an era where everyone seeks instant answers—from an Internet search engine, social media, or the latest technology—the communities that we serve are no different. While the cries heard loudly in the days of the unrest in April 2015 demanded lasting reform, those affected by the unrest also were looking for immediate relief from their pain, relief that brings a new job, a chance at public housing, child support that is affordable, protection from domestic abuse—relief that brings immediate access to justice. Being in the community, offering that immediate relief consistently and fairly, sends a clear message: Maryland Legal Aid wants to partner, wants to help now, *and* wants to stay here to work together to bring about systemic change.

Enhancing Traditional Community Lawyering

Beyond the involvement in the library legal clinics, Maryland Legal Aid has used its partnership with other organizations to bring attention, support, and hope to the West Baltimore community. Through a partnership with Soles4Souls, and through generous donations from Macy's and Stride Rite, Maryland Legal Aid cohosted two events in West Baltimore. Advertised as "Spreading the Warmth" and "B'more Barefoot Week," these events gave free winter coats, sneakers, sports equipment, books, and legal information to children and their families. To further community healing after the civil unrest, Maryland Legal Aid invited the West Baltimore police department to join in the distribution of free items. The police officers and their leaders went above and beyond this request; they held an internal children's sock drive, donated over 300 basketballs, and attended each event with great enthusiasm and energy. With a shared passion for truly assisting West Baltimore, one family at a time, police officers and Maryland Legal Aid attorneys placed shoes on the feet of toddlers together, and each family left with information about the free legal clinics in their neighborhood.

Some might wonder what giving away free shoes or coats for children has to do with the delivery of legal services. At first blush, not much. But look closer. These kinds of activities help establish relationships, build trust, create partnerships, plan for the future—all that good lawyers do with their clients. Community lawyering is not just about finding legal solutions to problems, although that is critical. It is also about being a reliable and trustworthy friend, a support system when everyone else seems to have let you down. Perhaps Frances Muldrow, a longtime West Baltimore community activist and volunteer, said it best when she wrote to Maryland Legal Aid

staff, “Every time I see [Maryland Legal Aid] here at the library, I know someone is on the road to recovery. Whether it is credit, expungement, employment, custody ..., so many folks with so many problems and you are giving them HOPE” (Email from Frances Muldrow to Maryland Legal Aid (April 16, 2016)). Not only has Muldrow observed and promoted the library clinics within the community, but also she volunteered at the shoe and coat distribution events. Being a community lawyer means fully engaging the power of an entire legal aid organization to offer immediate solutions, access to additional services, and a gateway to reform. Instead of clients coming to a downtown office, the office can go to them with the backing and support of advocates and volunteers, technology gurus, administrative staff, and executives.

When Maryland Legal Aid began Lawyer in the Library clinics, initial responses from the community were hesitant and uncertain. Unwilling to commit fully, clients were concerned: *Will you be gone when the spotlight on West Baltimore dims? Will this “free advice” or “free expungement” really make a difference in my life? Are you really going to help fill the gaping lack of access to local services?*

After seven months of holding clinics every Tuesday and one Saturday every month and many outreach and partnership events, the community’s questions have changed. Now they are: *Can you come here more often? Can you come to our block parties and speak about what you do at Legal Aid? Can you come to our community meeting and hear what our neighbors are saying?* The West Baltimore community has realized that Maryland Legal Aid is a partner it can trust. The immediacy of the legal advice is a gateway to lasting reform and systemic change: [“\[t\]he goal for community lawyers should include assisting clients to create power and lasting institutions with the ability to influence the clients’ environment.”](#)

The idea of seeing community lawyering as a complete, immediate immersion into an impoverished area, then connecting services to more traditional community lawyering roles, is working in West Baltimore and is about to spread throughout Maryland. As other libraries and community organizations have seen the power of the Lawyer in the Library partnership, they have asked for their own version of this community lawyering initiative. While hesitant to commit until fully staffed to give the same level of commitment as in West Baltimore, Maryland Legal Aid is hiring a community lawyering team of attorneys and a paralegal to expand this model to communities in need throughout the state, starting in the summer of 2016.

Communities that have been harmed by decades of neglect need reforms well beyond those on the surface level. Yet, for every parent who has a record expunged and can now access a job, for every woman who feels empowered against domestic violence, for every tenant given the knowledge to fight an unscrupulous landlord in court, the community grows stronger. A legal aid organization fully engaged in the immediate needs of a vulnerable community is the partner that neighborhoods need to paint a broader landscape of reform. Sometimes a lawyer in the library is all it takes to paint the first picture.



[Amy L. Petkovsek](#)

Director of Advocacy for Training and Pro Bono

Maryland Legal Aid
500 E. Lexington St.
Baltimore, MD 21202
410.951.7813