

# Volunteer ATTORNEY

## Rethinking Retirement: Tennessee's First Pro Bono Emeritus Attorney

By Maeghan Jones

**R**ichard R. Ruth Jr., "Dick," to his friends and colleagues, is Tennessee's first Emeritus Attorney under Tennessee Supreme Court Rule 50A. Ruth joined the Tennessee bar in 1965 following graduation from the University of Tennessee College of Law in Knoxville. During his 46 years of practice as a litigator, Ruth demonstrated commitment to his clients and the highest standards of excellence for the legal profession. Then in 2002, he put his license in inactive status and began his retirement. It did not take this seasoned litigator long to realize that retirement was not his speed. In 2009, he reactivated his license and began the second chapter of his career as a pro bono lawyer working to increase access to justice for those who could not otherwise afford counsel.

*The following is an interview between Ruth and Maeghan Jones, Pro Bono Director for Legal Aid of East Tennessee's Chattanooga office where Ruth volunteers as a pro bono attorney.*



After 46 years as a litigator, attorney Dick Ruth Jr. is Tennessee's first Emeritus Attorney under Tennessee Supreme Court Rule 50A.

### SPRING 2011

- 2 A Letter from the Chair
- 3 The Brock-Cooper Inns of Court Raises \$6,200 for the Chattanooga Area Food Bank
- 4 Supreme Court Adopts Pro Bono Emeritus Rule
- 5 Corporate Counsel Support Memphis Legal Clinic
- 6 Tennessee Bar Association Public Service Awards
- 8 Lawyers Gather at First Pro Bono Summit
- 11 Ready to Volunteer?



A publication of the  
TENNESSEE BAR  
ASSOCIATION

**Q: I understand that you grew up in southeast Pennsylvania. What influenced you to begin your practice in Tennessee?**

"My father was the one who encouraged me to 'go south' because he believed this is where the opportunities would be. So I applied to law schools in the south. The first one to accept me was the University of Tennessee and when I came down to visit I received such a wonderful reception that I decided to attend. While in law school I fell in love with the state and its people. And when I began my practice, I received overwhelming support and encouragement from the senior bar and the judiciary who helped me to develop as a litigator.

**Q: What made you decide to leave retirement and come back to the law as a pro bono attorney?**

"There are several reasons. First, I found that retirement did not suit me. Sure it was relaxing but, to be perfectly honest, it was boring. Then one evening I picked up the *Tennessee Bar Journal* and read an article about the Supreme Court's initiative to increase access to justice. I was inspired by what I read. I discussed it with my eldest son, Scott Ruth, and he encouraged me to contact Legal Aid to see how I could get involved. I soon realized that this was my chance to give back, to 'pay up' if you will, to the bench and bar who supported me as well as to the people of Tennessee."

**Q: How did you first start volunteering and what was that experience like for someone who had been**

*(continued on page 10)*

## A Letter From the Chair

This issue of the *Tennessee Volunteer Attorney* focuses on the pro bono emeritus rule recently adopted by the Tennessee Supreme Court. The rule allows lawyers who are not currently engaged in the active practice of law to associate themselves with a legal aid organization, take pro bono cases, be covered by malpractice insurance and remain exempt from the registration fees required of practicing lawyers.

The Court expects that the new rule will encourage our retired colleagues to continue to serve the public, even after they have left the full-time practice of law. We have evidence that it is working. This issue contains the profile of Dick Ruth, Tennessee's first pro bono emeritus attorney.

The newsletter also profiles the winners of this year's TBA Public Service Awards: Scott Griswold, Neil McBride and Jody Shaw. You will be inspired by the stories of their service. These people exemplify the highest ideals of our profession among pro bono lawyers, public interest lawyers and law students.

Inside this issue you will also find encouraging news about the first ever Pro Bono Summit, which was convened by the Tennessee Supreme Court in Nashville on Jan. 21, 2011 and a significant financial donation made by the Justice Ray L. Brock Jr. and Robert E. Cooper Chapter of the American Inns of Court to the Chattanooga Area Food Bank.

Finally, as this newsletter is going to print, our state has once again been devastated by floods and storms. There are many ways lawyers will be called upon to help. For those of us outside the areas directly affected, one important way we can help people, especially those in rural areas, is by offering legal advice through the new Online Tennessee Justice Network. Go to [www.onlinetnjustice.org](http://www.onlinetnjustice.org) to sign up and find out how it

works. Here are comments from three lawyers who have already signed up:

Due to a diagnosis of "very severe emphysema" I can no longer engage in the practice of law in the ordinary way. [S]itting around the house is far more tiresome than I would have given it credit for. The possibility of helping others (without the cumbersome, often false, expectation of payment) within the confines of my present situation is more welcome than I can describe. Thank you for the opportunity!

— Tom R.

Thank you! I have lupus and can no longer walk, but I have kept my law license active. I was nervous that I might be asked to represent clients in court, which I cannot do, but now that I understand that all of my contact with clients will be via the internet, I can be a part of it. This is wonderful!

— Venus S.

Thank you for the kind invitation to do pro bono work for low income clients in Tennessee. I fully agree with the need for this work and certainly support the effort. At age 82, I may still be able to give some legal help to others.

— Joseph M.

May these touching words inspire all of us to do more for those in need, especially those who have been hit hard this week by floods and storms. ■

Warm regards,  
David Esquivel

THE TENNESSEE

Volunteer  
ATTORNEY

### VOLUNTEER ATTORNEY EDITORIAL BOARD

Linda Warren Seely, Editor  
David P. Cañas  
Debra L. House  
Alex J. Hurder



# The Brock-Cooper Inns of Court Raises \$6,200 for the Chattanooga Area Food Bank

By Sheri Fox

On Dec. 15, 2010, attorney Russell W. Gray presented Gary Paul, development director of the Chattanooga Area Food Bank, with donations totaling \$6,200 from members of the Chattanooga Chapter of the American Inns of Court.

"With this donation, we can deliver two truckloads of food which is enough to feed several hundred families," Paul said. "We and those we serve appreciate the generosity of the members of our local legal community." Paul said the food bank feeds approximately 19,000 people a week in the 20-county area served by the organization. "Demand is up, but so are donations, which has allowed us to adequately serve our clients."

Attorney Randy Wilson, who is president of the Inn said, "While not always portrayed as such, lawyers are public servants. Raising money to help feed our neighbors in need is just one of the many ways in which the lawyers who are members of this Inn have chosen to help serve this community."

Gray, who serves as membership and program chair of the Inn, thanked the attorneys and their guests for their generosity and also thanked the companies and individuals who donated items to the auction.

Members of the Inn have made a holiday tradition of raising money to benefit a local charity. Hamilton County Circuit Court Judge W. Neil Thomas III, who is a founding member of the Chattanooga Chapter, said this tradition of giving arises out of the fundamental desire of lawyers to bring justice to their communities. "Justice takes many forms. Justice may be representing a client in a lawsuit. It may be serving on the board of a charitable organization," Thomas said. For the members of the Inn, justice also means doing our part to make sure that our neighbors do not go hungry."

Also known as the Justices Ray L. Brock Jr. — Robert E. Cooper American Inn of Court, the Chattanooga chapter is comprised of more than 100 lawyers and judges. The purpose of the Inn is to improve the skills, professionalism, ethics and civility of the bench and bar. ■

---

*Sheri Fox chairs the Chattanooga Bar Association's Pro Bono Committee and is a shareholder with Baker, Donelson, Bearman, Caldwell & Berkowitz.*



Gary Paul, development director of the Chattanooga Area Food Bank (L), accepts from attorney Russell W. Gray of Baker, Donelson, Bearman & Caldwell PC (R) the \$6,200 in donations raised by the lawyers who are members of the Chattanooga Chapter of the American Inns of Court.

# Supreme Court Adopts Pro Bono Emeritus Rule

By George T. "Buck" Lewis III

In 2008, our Supreme Court announced the kickoff of its Access to Justice initiative. The court publicly stated that its announcement was inspired by the work of legal services organizations and private attorneys who have provided thousands of pro bono services in response to the growing need for civil legal services of those less fortunate in this state. See, "The State of the Tennessee Judiciary," a report from Chief Justice Janice M. Holder. Since making that announcement, the court has amended Supreme Court Rule 8 and Rule 21 to encourage attorneys to provide 50 hours of pro bono service each year. The court also increased the continuing legal education credit for pro bono work performed. The court amended the conflict of interest rule to allow lawyers to provide limited scope legal representation more easily.

In 2009, the court supported the General Assembly's decision to amend the *Tenn. Code Ann.* to allow for the first time, government employed lawyers to perform pro bono services with certain limitations. The court also amended its departmental rules to permit judicial research assistants to engage in some types of pro bono work.

The 2009 rules package presented to the legislature included an amendment to Rule 23 of the Tennessee Rules of Civil Procedure, making it clear that judges and parties to class actions may enter into settlement decrees directing that unclaimed class action funds be paid to the Tennessee Voluntary Fund for Indigent and Civil Representation. The court also adopted a pro bono reporting rule, encouraging lawyers to report on an annual basis the amount of pro bono work they have done.

On Sept. 2, 2010, the court continued its work to promote access to justice by adopting a new Rule 50(A) of the Rules of the Supreme Court of Tennessee. Section 1 of the rule is entitled "Legal Services by Pro Bono Emeritus Attorneys." This was the first rule to be proposed by the newly created Tennessee Access to Justice Commission. It originated within the commission's Committee on Pro Bono Attorney Involvement, and represents a collaborative effort between the commission, the Tennessee Bar Association and the Board of Professional Responsibility. The rule defines a "Pro Bono Emeritus

Attorney" as a lawyer not currently actively engaged in the practice of law, but who was or is admitted to practice before the Tennessee Supreme court, or the highest court of another state. A Pro Bono Emeritus Attorney must have been engaged in the active practice of law for a minimum of five of the last 10 years immediately preceding the application to participate in the Pro Bono Emeritus Attorney program. A Pro Bono Emeritus Attorney cannot have been disbarred

or disciplined within the last 10 years. He or she must be a member of the Tennessee bar, or must have graduated from a law school accredited by the American Bar Association. He or she must agree to abide by the Tennessee Rules of Professional Conduct, submit to the Tennessee Supreme Court for disciplinary purposes, and cannot ask for or receive compensation of any kind for the legal services to be rendered as a Pro Bono Emeritus Attorney. The work must be done through an approved legal assistance organization. (Any organization receiving funding from Legal Services Corporation is presumptively approved.)

Pursuant to Rule 50(A), the attorney simply needs to file an application with the Tennessee Supreme Court containing a certificate from the legal assistance organization with which the attorney will be associating, and affirming that the attorney has read and will abide by the Rules of Professional Conduct and the Rules of the Supreme Court, submitting to the jurisdiction of the court, and promising that he or she will neither ask for nor receive compensation for legal services authorized under the Rule. Of course, the court has jurisdiction to withdraw certifications under the Rule. Pro Bono Emeritus Attorneys are exempt from the registration fees required of all practicing attorneys, and Pro Bono Emeritus attorneys practicing solely under the authority of Rule 50(A) shall not be deemed to be licensed attorneys for the purpose *Tenn. Code Ann.* § 67-4-1702(a)(5). A full text of the Rule is available at [www.tsc.State.TN.us](http://www.tsc.State.TN.us).

The rule is designed to allow attorneys who want to do pro bono work to do so by associating themselves with an approved legal assistance organization. This allows them to be covered by malpractice insurance through that organization without them





having to pay registration fees or malpractice insurance. The classic emeritus attorney, of course, is a senior lawyer who has retired from the active practice of law, but wants to continue to help the public. The new rule allows them to do so without the expenses that would otherwise be associated with keeping an active license.

The rule, however, is also drafted to apply to lawyers who may withdraw temporarily from the practice of law, such as those who withdraw to raise children, or seek additional education, or work in a non-legal employment position. The rule was also designed to allow law faculty members who practiced law prior to joining a faculty to offer their services on a pro bono basis through approved legal assistance organizations.

This new rule is an example of yet another forward step in support of the cause of equal access to justice achieved through a collaboration with a solidly supportive Supreme Court, its Access to Justice Commission and the Tennessee Bar Association. Questions about the rule may be directed to Anne Louise Wirthlin, the Access to Justice Director for the Tennessee Supreme Court, [Anne.Louise.Wirthlin@tncourts.gov](mailto:Anne.Louise.Wirthlin@tncourts.gov). ■

---

*Buck Lewis is a shareholder with Baker, Donelson, Bearman, Caldwell & Berkowitz. He also serves as vice chair of the Tennessee Supreme Court's Access to Justice Commission and is a former president of the Tennessee Bar Association.*

## Corporate Counsel Support Memphis Legal Clinic

By Jim Barry

On Jan. 8, the Legal Departments of International Paper, Fed Ex and lawyers who work for Counsel on Call sponsored the Saturday Legal Clinic at the Ben Hooks Public Library in Memphis. The lawyer and paralegal turnout was great with the clinic staffed to provide a ratio of less than two clients for each attorney over the three-hour time frame. As usual, Linda Warren Seely and other Memphis Area Legal Services staff coordinated the volunteers and insured that the legal issues presented were matched with the right attorney volunteers. Comments afterwards from both volunteer paralegals

and attorneys reflected the enthusiasm of a fun morning of helping provide access to the legal system for people who have no other alternatives. The Memphis Saturday morning clinics are held the second Saturday of every month at the library located on Poplar Ave. Volunteers are always welcome! ■

---

*Jim Barry is Chief Counsel of Corporate and Legacy Litigation with International Paper and co-chairs the Corporate Counsel Pro Bono Initiative.*



Linda Seely greets clients and lawyers who arrive for the clinic.



Clients meet with volunteer lawyers.

## CELEBRATING PRO BONO

# The 2011 Tennessee Bar Association Public Service Awards

Lawyers who give and give some more were honored at the Tennessee Bar Association's Public Service Luncheon on Jan. 22 at Nashville's War Memorial Auditorium. American Bar Association President-Elect William T. Robinson III, a Kentucky lawyer and TBA

member was keynote speaker for the annual event, which featured presentation of the Law Student Volunteer of the Year Award, the Ashley T. Wiltshire Public Service Attorney of the Year Award and the Harris Gilbert Pro Bono Volunteer of the Year Award. ■



Award winners gather here with bar leaders and award namesakes (from left) ABA President-Elect Bill Robinson, Harris Gilbert, Harris Gilbert Award Winner Scott Griswold, Ashley T. Wiltshire Public Service Attorney of the Year Award Winner Neil McBride, Ashley Wiltshire, Law Student Volunteer of the Year Jody Shaw and TBA President Sam Elliott.

## ASHLEY T. WILTSHIRE PUBLIC SERVICE ATTORNEY OF THE YEAR

### Neil McBride

Neil McBride has whole-heartedly embraced the profession's commitment to providing service to the poor and has devoted his entire career to standing up for those who do not have a voice.

His dedication to legal services began shortly after his graduation from the University of Virginia Law School in 1970. His first job after law school was as the Southern director of the Law Students Civil Rights Research Council in Atlanta, where he worked to involve law students in civil rights and public interest activities. After that he joined Ralph Nader's Aviation Consumer Action Project, where he served as a staff attorney. He went on to create a community-based public interest law firm in Tennessee's Appalachian coal fields, the Coal Employment Project, to improve opportunities for women in the coal industry. In 1978 he founded and became director of Rural Legal Services of Tennessee, a position he held until consolidation with the Legal Aid Society in 2002. He was formerly an adjunct professor at the University of Tennessee College of Law, where he taught a course on representing nonprofit corporations. McBride currently serves as general counsel to Legal Aid of Middle Tennessee and the Cumberlandians and is managing attorney at its Oak Ridge Office.

McBride is a fellow of the Tennessee Bar Foundation, a member of the Board of Directors of the Tennessee Alliance for Legal Services and a member of the Tennessee Bar Association's House of Delegates. From 2006 to 2010 he served on the American Bar Association's Standing Committee on Legal Aid and Indigent Defense, the ABA's primary policy-setting body on issues related to legal assistance to the poor. In 2009 President Obama nominated him to be a member of the Board of Directors of the Tennessee



Valley Authority. The U.S. Senate confirmed the appointment in September 2010.

In his nomination of McBride, LAET Executive Director Dave Yoder said, "Neil has been a fixture in the civil justice struggle in Tennessee for decades. I don't know that there is anything related to legal aid that he has not done and done exceedingly well." ■



## HARRIS GILBERT PRO BONO VOLUNTEER OF THE YEAR

### J. Scott Griswold

Scott Griswold began thinking about becoming a lawyer at an early age and participated in high school mock trial competitions. A graduate of the University of Tennessee's College of Law, Griswold credits his father for influencing his decision to become a litigator. "My father is a police officer and that was a big influence. It was interesting to argue with him."

Griswold had his eyes opened to the legal needs of the poor during his clerkship for Supreme Court Justice Muecke Barker. "Justice Barker beat me over the head again and again and again to do pro bono work. A big initiative of Justice Barker was access to justice. He talked about 'minding the gap' a lot." Scott took that advice to heart and has given generously of his time to help those who could not otherwise afford an attorney.

Griswold is an associate at Paine, Tarwater and Bickers LLP in Knoxville and says he is surrounded in his firm by good pro bono examples. This includes Donald Paine who won one of the TBA's first pro bono awards back in 1992. The firm began a formal pro bono plan last year, which was spearheaded by John Elder. When nominating Griswold for this award, his colleague Elder said, "Scott's efforts required tremendous amounts of time and energy, and his commitment to equal justice for all embodies one of the finest qualities of our profession. Scott takes pride in the opportunities to serve our community, and I am pleased to highlight his contributions."

Griswold is an active volunteer with Legal Aid of East Tennessee and praises the organization's Pro Bono Project Director Terry Woods for being



"a real advocate." His nomination for the award was based on four recent examples of his pro bono work that required almost 300 hours of his time: a time-intensive case over wrongful foreclosure; an appointment from the Tennessee Supreme Court on an appeal; a case regarding car repair; and his work with Wills for Heroes in Blount County. ■

## LAW STUDENT VOLUNTEER OF THE YEAR

### Jody Shaw

Working alongside immigrants in his father's restaurant as a teen gave Jody Shaw an up-close picture of what it was like to be new to this country. It was this interaction that pushed him to learn Spanish and develop his interests in immigration law issues.

Throughout his student career at Vanderbilt University Law School, Jody was an active volunteer with Justice for Our Neighbors (JFON). JFON, housed at the Belmont United Methodist Church in Nashville, is a not-for profit organization that provides free immigration legal services to low-income individuals. During his last year of law school, Jody took on additional responsibilities and assisted 10 clients, including six children, with the process to become lawful, permanent residents. He also assumed a leadership role with two clinics held that year; one targeted victims of domestic violence and the second assisted low-wage earners who were victims of crimes in the workplace. Says Shaw of the experience, "It's surprising and refreshing to see folks who have been through a lot of struggles and still have a certain amount of faith in other people and the legal process to help them improve their situation."

In her nomination of Shaw, JFON Director Katherine Dix Esquivel stressed that the organization would not have been able to serve so many clients without his help. "Jody has a really wonderful manner of relating to clients who are extremely vulnerable and marginalized," she said. He is hard working, responsible, attentive and careful with every detail. He's so smart he can have most any job he wants, but he really believed in the work we did, so he gave very generously of his time. We were able to



handle more cases this past year because he did so much work for us. The clients he helped would most likely not have gotten help at all because the cost of hiring a private attorney is so prohibitively high."

Shaw is a 2010 graduate of the Vanderbilt University Law School and is currently clerking for Judge Samuel H. "Hardy" Mays, Jr., on the U.S. District Court in Memphis. ■

# Lawyers Gather at First Pro Bono Summit

By Anne-Louise Wirthlin

The Tennessee Supreme Court hosted the first ever Pro Bono Summit on Jan. 21 in Nashville. The Access to Justice Commission also sponsored the event. More than 120 attorneys and community leaders from across the state gathered to discuss opportunities for and how to encourage more lawyers to provide pro bono service. Chief Justice Connie Clark kicked off the day-long event by thanking the participants for attending and asking them to join the court in its efforts to help those with unmet legal needs. In addition, each justice welcomed the crowd and provided brief remarks on the court's ATJ Initiative.

Justice Janice Holder and the Chairwoman of the ATJ Commission, Margaret Behm, presented during the opening session, which served as an orientation for participants who were new to ATJ issues and a quick review for those who have been involved in providing civil legal services to the underserved for years. Pro bono coordinators from three legal service providers highlighted successful programs and partnerships they have developed to increase pro bono service in their geographical areas. This session was streamed live online to everyone who was invited but could not attend the Summit.

Participants were able to choose to attend two out of a possible seven break-out sessions. The break-out sessions included panel discussions on topics such as the particular needs and issues with providing pro bono service to rural Tennessee, collaborations with faith-based and other community organizations, pro bono service in law schools, and corporate and law firm pro bono policies.

An afternoon plenary session focused exclusively on how technology can be leveraged to connect attorneys to individuals who need but cannot afford a lawyer, and to provide greater access to available legal information and services. The Tennessee Bar Association and the Tennessee Alliance for Legal Services demonstrated OnlineTNJustice.org, a new website that will enable qualifying low-income individuals to email volunteer attorneys with legal questions. The website launched this month. The court previewed its new Access to Justice website, which also will launch this spring, and will feature an interactive map that can be used to locate legal and social service providers by county.

William (Bill) T. Robinson, president-elect of the American



Chief Justice Cornelia A. Clark gives opening remarks.

Bar Association, attended and spoke at the Summit. He stressed that lawyers have the privilege to make a positive difference in the lives of others through volunteerism and congratulated the court on the success of the Summit.

The day ended with Chief Justice Clark challenging the participants to take action to increase pro bono service in 2011. Participants were asked to complete and submit action cards with various options as to how they will increase pro bono in their communities. More than 60 participants submitted actions cards, pledging to do one or more of the following:

- Sign up for OnlineTNJustice.org
- Start a pro bono clinic in their area
- Volunteer with their local bar or legal service organization
- Sign up for the appellate pro bono pilot project developed by the TBA
- Adopt a formal pro bono policy at their firm or organization
- Volunteer with their local community mediation center and/or conduct three pro bono mediations
- Serve on one of the ATJ Commission's Advisory Committees



ATJ Commission Chair Margaret Behm, ATJ Commissioner Buck Lewis, ABA President-Elect Bill Robinson and Chief Justice Cornelia A. Clark



Participants were also given the option to personalize how they will increase pro bono in 2011. The commission will follow up with each attendee to help them meet their goal. The court and commission will review the ideas that arose from the Summit and will evaluate them when developing its next Strategic Plan for 2012.

The Pro Bono Summit is available to watch online at the links below. If you would like a copy of the handout materials, please contact Anne-Louise Wirthlin, ATJ Coordinator at the Administrative Office of the Courts, at [anne.louise.wirthlin@tncourts.gov](mailto:anne.louise.wirthlin@tncourts.gov). ■



Panelists from the Partnerships with Faith Based Organizations, Libraries and Community Organizations session: Linda Warren Seely, Bill Sinclair, Katherine Esquivel, Jane Pinkston, Lisa Primm, Commissioner Frank Thomas and Andy Branham.

## Watch the Pro Bono Summit Online

### **SESSION I: INCREASING PRO BONO PARTICIPATION — MORE ATTORNEYS GIVING MORE TIME**

<http://tals.tnmedia.org/mediasite/Viewer/?peid=5adc9178fdf7480bb68285429263f5d7>

### **SESSION II: CORPORATE COUNSEL AND LAW FIRM PRO BONO PROGRAMS — THE BENEFITS OF PRO BONO AND HOW TO ENCOURAGE BETTER PARTICIPATION**

Due to technical difficulties, we are unable to provide a link to this session.

### **SESSION III: MEETING THE NEEDS OF TENNESSEANS IN RURAL AREAS**

<http://nowuseit.state.tn.us/mediasite5/Viewer/?peid=96723052b9194a7b9b4e77389486d7581d>

### **SESSION IV: PRO BONO MEDIATION: WHY IT WORKS, HOW TO USE IT, AND HOW TO VOLUNTEER**

<http://nowuseit.state.tn.us/mediasite5/Viewer/?peid=2ce1be3fad43497f9e19d795af9922221d>

### **SESSION V: PRO BONO CLINIC IN A BOX**

<http://tals.tnmedia.org/mediasite/Viewer/?peid=8888ab7b755849a3b9e8a2dc2649b937>

### **SESSION VI: DISABILITY AND LANGUAGE BARRIER ISSUES**

<http://nowuseit.state.tn.us/mediasite5/Viewer/?peid=ab2093610d89467eaa1d8e364c7562aa1d>

### **SESSION VII: PARTNERSHIPS WITH FAITH-BASED ORGANIZATIONS, LIBRARIES AND COMMUNITY ORGANIZATIONS**

<http://nowuseit.state.tn.us/mediasite5/Viewer/?peid=c027426d90cc4e33a7c74ce06781162a1d>

### **SESSION VIII: STARTING FROM THE BEGINNING — COORDINATING LAW SCHOOL PRO BONO**

<http://nowuseit.state.tn.us/mediasite5/Viewer/?peid=074a5cbb6d0c4ce28b834eeb6f9b3f9a1d>

### **SESSION IX: HOW TECHNOLOGY CAN ASSIST ATTORNEYS TO DO MORE PRO BONO**

<http://tals.tnmedia.org/mediasite/Viewer/?peid=c1e1b7a9bc4f4e37912f1bfce0804255>

### **SESSION X: REMARKS BY AMERICAN BAR ASSOCIATION PRESIDENT-ELECT, SESSION REPORTS, ACTION CARDS AND CLOSING REMARKS**

<http://tals.tnmedia.org/mediasite/Viewer/?peid=fe72ca8a8c5a4924af13ca610c739c6b>

**in private practice for so long?**

"I received a wonderful reception from the people at Legal Aid of East Tennessee. They introduced me to the concept of the 'civil legal services gap' that exists among people who cannot afford attorneys and they laid out a host of opportunities to get involved. So I reactivated my license and got to work volunteering. Before long I had a caseload of pro bono clients and was actively mentoring the younger staff and pro bono attorneys. After a few months they gave me my own office. It has been an honor to associate with the law firm known as Legal Aid of East Tennessee and the excellent lawyers employed there.

In my first year of volunteering, I helped tenants obtain the security deposits to which they were entitled, assisted women victims of domestic violence who had been deprived the right to see their children, resolved attempted foreclosures and litigated on behalf of defendants in subrogation cases.

This has been the most rewarding and worthwhile work of my life. As a lawyer and as a member of this profession, I feel I have a moral and ethical obligation to do this work. Before I became a volunteer, if you had asked, I would have said that I believed that nothing undermines our society more than the inability to access our legal system. This experience has personalized that belief for me. I have learned firsthand that to someone who is poor, the return of a \$200 deposit means the difference between a family being able to secure alternative housing and ending up on the street. My clients have been incredibly grateful and I am often humbled by their courage."

**Q: I understand that you were one of the architects behind the Supreme Court's Rule 50A. Can you explain how that came to pass?**

"As I explained, when I came out of retirement I had to reactivate my license. Like all lawyers, I was required to pay the privilege tax and other fees associated with the license. This troubled me. I didn't think that a lawyer who was using his license for the exclusive purpose of assisting others on a pro bono basis should be taxed. At the same time, I was becoming increasingly aware of the unmet need for legal services for the poor and I had begun to wonder if we could tap the pool of retired lawyers to help close this gap. This got me thinking that perhaps the Supreme Court

could create a separate license that would waive the fees for retired attorneys who wished to take cases exclusively on a pro bono basis.

Legal Aid helped me bring my idea to the Pro Bono Committee of the Supreme Court's Access to Justice Initiative and the Supreme Court responded by passing Rule 50A."

**[T]here are people who, without Legal Aid and pro bono lawyers, simply would not have access to justice. I feel that as members of the legal profession we have an obligation to support our local legal services organizations and to provide pro bono service to our most indigent community members. I encourage every lawyer to take on at least one pro bono case a year.**

**Q: Is there anything else that you think is important for people to know?**

"I am conservative. I do not feel that it is the government's function to take care of people in all circumstances; yet I have come to know that there are people who, without Legal Aid and pro bono lawyers, simply would not have access to justice. I feel that as members of the legal profession we have an obligation to support our local legal services organizations and to provide pro bono service to our most indigent community members. I encourage every lawyer to take on at least one pro bono case a year. But, if your work or family schedule does not permit that, there are still ways to get involved. Just go down to your local legal services organization and ask them what you can do to increase access to justice."

In 2010, Ruth received the Bruce Bailey Outstanding Volunteer of the Year Award from the Pro Bono Committee of the Chattanooga Bar Association and Legal Aid of East Tennessee in recognition of the 800 hours of service he committed to pro bono clients that year. Then in January 2011, the Board of Governors of the Chattanooga Bar Association honored him as the first recipient of the Jac Chambliss Lifetime Achievement Award for his outstanding commitment to the profession and to his community.

For more information on Tennessee's new emeritus rule, see the article on page 4. ■



# Ready to Volunteer?

## WEST TENNESSEE

### Community Legal Center

910 Vance Avenue  
Memphis, TN 38126  
(901) 543-3395  
[www.clcmemphis.com/volunteerapp.html](http://www.clcmemphis.com/volunteerapp.html)

### Memphis Area Legal Services

109 North Main Street, Suite 200  
Memphis, TN 38103  
(901) 523-8822  
[www.malsi.org/volunteer.php](http://www.malsi.org/volunteer.php)

### West Tennessee Legal Services

P.O. Box 2066  
Jackson, TN 38302  
(731) 423-0616  
[www.wtls.org](http://www.wtls.org)

## MIDDLE TENNESSEE

### Legal Aid Society of Middle Tennessee & the Cumberlands

300 Deadrick Street  
Nashville, TN 37201  
1-800-238-1443  
[www.las.org/about/get\\_involved/volunteer](http://www.las.org/about/get_involved/volunteer)

## EAST TENNESSEE

### Legal Aid Society of East Tennessee

Maegan Jones, pro bono director  
744 McCallie Avenue, Suite 410  
Chattanooga, TN 37403  
(423) 756-4013  
[mjones@laet.org](mailto:mjones@laet.org)

### Legal Aid Society of East Tennessee

Terry Woods, pro bono director  
502 South Gay Street, Suite 404  
Knoxville TN 37902  
(865) 637-0484  
[twoods@laet.org](mailto:twoods@laet.org)

### Legal Aid Society of East Tennessee

Carla Forney, pro bono director  
P.O. Box 360  
311 W. Walnut Street, Suite 100  
Johnson City TN 37604  
(423) 928-8311  
[cforney@laet.org](mailto:cforney@laet.org)

### Southeast Tennessee Legal Services

29 Patten Parkway  
Chattanooga, TN 37402  
(423) 756-0128  
[www.selegal.org](http://www.selegal.org)

## STATEWIDE

### Volunteer Lawyers and Professionals for the Arts

211 Commerce Street, Suite 100  
Nashville, TN 37201  
(615) 743-3055  
[vlpa@ABCNashville.org](mailto:vlpa@ABCNashville.org)

### Tennessee Justice Center

Chris Coleman, Staff Attorney  
301 Charlotte Avenue  
Nashville, TN 37201  
(615) 255-0331  
[ccoleman@tnjustice.org](mailto:ccoleman@tnjustice.org)

### ACLU of Tennessee

P.O. Box 120160  
Nashville, TN 37212  
(615) 320-7142  
[www.aclu-tn.org/cooperatingattorney.htm](http://www.aclu-tn.org/cooperatingattorney.htm)

### Disability Law & Advocacy Center of Tennessee

Martha M. Lafferty, Managing Attorney  
2416 21st Avenue South, Suite 100  
Nashville, TN 37212  
(615) 298-1080 ext. 128  
[marthaL@dlactn.org](mailto:marthaL@dlactn.org)

### Southern Migrant Legal Services

A Project of Texas RioGrande Legal Aid Inc.  
Douglas L. Stevick, Branch Manager  
311 Plus Park Blvd., Ste. 135  
Nashville, TN 37217  
(615) 750-1200  
[DStevick@trla.org](mailto:DStevick@trla.org)

### Tennessee Justice for Our Neighbors

Katherine D. Esquivel, Director  
2007 Acklen Ave.  
Nashville, TN 37212  
(615) 823-1945  
[katherine-tnjfon@comcast.net](mailto:katherine-tnjfon@comcast.net)

