

ABSTRACT

MSU partners with Legal Aid of the Bluegrass to provide the region with the Pro Se Divorce Clinic. Through the clinic, supervised students assist indigent clients with filling out the necessary paperwork to represent themselves and obtain a divorce. Most clients would not be able to afford the cost of a divorce without the clinic. Before COVID-19, the clinic was held once a month during the school year, serving an annual average of 70+ people (double if counting spouses). The supervised student coordinator manages all the clinic's logistics from client referral to final decree.

COVID-19 had halted the clinics for the 2020-2021 year. In coordination with Legal Aid of the Bluegrass staff and the faculty mentor, the student coordinator worked to identify challenges and propose protocols for in person and virtual clinics during a pandemic. The student coordinator has reviewed five years of cases to identify any challenges to clinic efficiency. Through identifying those challenges, the student coordinator developed procedures for increasing clinic efficiency. Challenges include the health and safety of clients and volunteers, the need for notarized signatures, the requirement that the Petitioner submit a deposition under oath, technological limitations for indigent clients, improving clinic efficiency and reducing delays, and more. The student coordinator proposed two plans: a virtual clinic and a clinic utilizing the new "Zoom Room" at LABG, with a pilot Zoom Room clinic scheduled for April. These plans provide options for running a safe clinic while supporting the needs of the communities it serves. Finally, the student coordinator has created a survey to gauge clinic productivity and client satisfaction.

HISTORY

- A partnership between the Morehead office of Legal Aid of the Bluegrass and Morehead State University was established in 2005
- -Kelly Collinsworth was the first Coordinating Professor after she took over the clinic when LABG was planning to end it due to funding cuts
- The first clinic with Morehead involved was held in 2012 and then was subsequently held once a month during the school year, including September, October, November, February, March, April, and sometimes August and January if the timing of the semester permitted.
- Since the beginning of the clinic, over 100 clients a year have been helped.
- Currently there are 20+ prospective clients for the upcoming clinics

HOW IT WORKS: Roles + Paperwork

5 Main Roles:

- Coordinating Professor – Must oversee Student Coordinator through all tasks, check packets before submission, answer any questions students or clients may have
- Student Coordinator – Must oversee the functionality of the clinic, organize papers before and after clinic, answer questions students or clients may have, schedule returning class
- Student Volunteers – Walk through papers with client, write legibly, act professionally
- Client – Be present at clinic, communicate all information upfront and correctly, bring ID, have no children, no property disputes, or disputes in general
- Respondent – IF PRESENT at clinic must communicate all needed information upfront and correctly, bring ID, have no children, no property, disputes, or disputes in general
- Respondent - IF NOT PRESENT must review packet information, take packet to a notary, sign lines appropriately marked, have it notarized, and mail finished packet back to LABG

The following papers are filled out in each packet

- **Retainer:** gives LABG power to represent client in Pro Se Divorce
- **Pro Se Motion to Proceed In Forma Pauperis:** Request to move forward without payment
- **Affidavit in Support of Motion to Proceed In Forma Pauperis:** Client income vs. client expenses
- **Order to Proceed In Forma Pauperis:** Order for judge to sign granting no payment
- **Petition for Dissolution of Marriage:** Provides information on Petitioner and Respondent, and state of marriage
- **Entry of Appearance:** Paper for Respondent, waives notice of taking a proof of deposition and need to final hearing
- **Waiver of Mandatory Case Disclosure:** Says each person is aware of all property owned by the other
- **Separation Agreement:** Divide's property
- **Deposition of Petitioner:** Information on Petitioner and the marriage
- **Motion for Final Decree:** Request for final decree
- **Decree of Dissolution:** Decree finalizing divorce
- **VS 300:** Finalizing paper

HOW IT WORKS

Respondent Not Present

- Volunteer completes packet with Petitioner who then signs it in front of a clinic notary
- Packet is sent to Respondent
- Respondent sends it back signed and notarized
- Petitioner returns to clinic to complete VS 300 form and written deposition under oath
- Completed packet is submitted to the court

Respondent Present

- Volunteer completes packet with Petitioner and Respondent who then sign in front of a clinic notary
- Petitioner, at the same clinic, completes the VS 300 form with a volunteer and completes the written deposition under oath
- Completed packet is submitted to the court

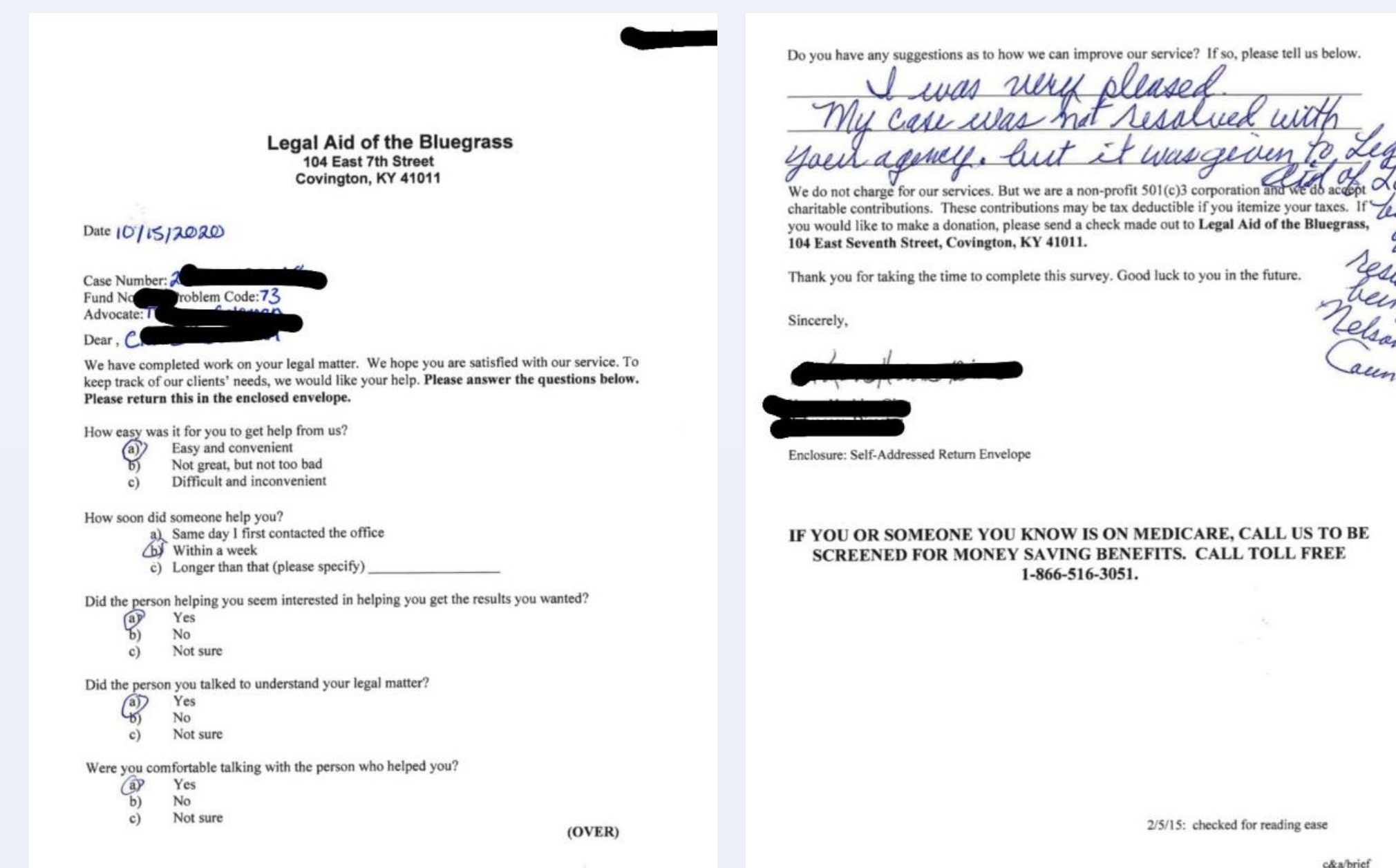
TAILORING THE CLINIC

Barriers

- Case Efficiency
- Assessing client satisfaction
- Incorporating COVID-19 safety protections

Fixing Barriers

- Developed a protocol to close a case within 60 days if Respondent does not return paperwork or otherwise expresses disinterest (with ability to open a new case) and created excel spreadsheet documenting areas of delay from opening a case to closing it
- Created a Survey to assess client satisfaction
- Utilize one of two options for COVID-19 safety: Virtual or in Person



Legal Aid of the Bluegrass
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Do you have any suggestions as to how we can improve our service? If so, please tell us below.

I was very pleased. My case was not resolved with great agency, but it was given to Legal Aid of the Bluegrass. I was very satisfied with the service. Thank you for taking the time to complete this survey. Good luck to you in the future.

Sincerely,
[Signature]

Enclosure: Self-Addressed Return Envelope

IF YOU OR SOMEONE YOU KNOW IS ON MEDICARE, CALL US TO BE SCREENED FOR MONEY SAVING BENEFITS. CALL TOLL FREE 1-866-516-3051.

VIRTUAL CLINIC

- Student volunteers call clients and fill out paperwork
- Petitioner gets signature notarized and sends it back
- Respondent gets signature notarized and sends it back
- Petitioner presents in person for deposition
- Packet is sent to court

BARRIERS

- Signatures must be notarized
- Petitioner must submit a written deposition under oath
- Confidentiality concerns
- Technological constraints

SOLUTION: ZOOM ROOM



- **If both parties are present**
 - One client will be in the Zoom Room with another in the office connected via the zoom screen and will proceed as below
- **If one party is present**
 - Proceed using the procedure below, but packet will be mailed to Respondent and Petitioner will have to return later for the deposition
- Using plexiglass, masks, and social-distancing, clients and students volunteer will fill out packet under supervision

GOALS

- Trial "Zoom Room" Clinic April 19th
- Finalize survey with Legal Aid Staff
- Continue evaluating clinic efficiency (60 days, track decrees via CourtNet)
- Send letter to judges asking for feedback and suggestions (completed)
- Expand service to non-participating counties
- Work with Legal Aid Pro Bono staff to identify attorneys to take warning order cases
- Tailor the clinic to meet clients needs based on evaluation of survey results