

# assisting clients in poverty

Many pro bono clients come from “generational poverty” and have inherited mindsets and skills that differ from those of middle-class clients. Awareness of these differences can improve an attorney’s ability to provide effective representation. Here are some tips to help attorneys understand and effectively serve their pro bono clients.



## 1 Build Trust Over Time

- Prior encounters with the legal system may have been disappointing. Be patient if you meet with some distrust.
- Address your client respectfully as Mr., Mrs., Miss, etc.
- Explain your role as an advocate who is “on your side.”
- Keep your client informed.
- If your client’s first language is not English, speak slowly and use simpler terms. If your client would be more comfortable with a translator, try to obtain one.

## 2 Be Alert For Roadblocks

- Does your client have a job? Can he or she get time off for meetings?
- Does your client have children? Can he or she get childcare for meetings?
- Does your client have a phone? Is there somewhere you can leave a message?
- Does your client have a social worker? Can you work on the case together?
- Does your client have reliable transportation? How long does it take your client to get to your office? Can you meet somewhere else?

## 3 Listen Carefully; Communicate Clearly

- Build rapport—maintain eye contact as appropriate and delay note-taking until the client is comfortable.
- Gently keep your client focused on the legal issues.
- Don’t assume lack of education or language skills equals lack of intelligence.
- If helpful, speak slowly and use simpler terms.
- Explain the legal system and how this case fits in.
- Review written documents verbally.
- Explain why your interview questions are relevant.
- Don’t assume; answer all your client’s questions fully.

## 4 Help Empower Your Client

- Thoroughly explain available options.
- Offer advice on alternative consequences.
- Help your client clarify his or her goals.
- Let your client decide based on what’s important to him or her.

## 5 Promote Time & Task Management

- While your client may have many daily challenges, emphasize the need to stay focused on the tasks of this case.
- Explain the importance of keeping appointments, following instructions, and staying in touch.
- Explain the consequences of a missed court appearance.
- Help your client organize and safeguard case paperwork (even offer to keep paperwork for him or her).
- If your client chronically fails to follow through, consider withdrawing from the case.

## 6 Coach For Courtroom Success

- Stress importance of proper attire and respectful demeanor.
- Thoroughly prepare testimony so your client knows what is and is not important.
- Role-play court procedure to allay fears, build confidence.
- If your client’s first language is not English, consider arranging for a translator at court appearances and use shorter sentences at the hearing.



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# PRO BONO | CLIENTS

## strategies for success

## 7 Forestall Future Problems

- Probe for other legal issues and refer your client to appropriate resources for further assistance.
- Suggest referrals to appropriate social service agencies. Your local legal services or pro bono provider can assist in making appropriate referrals.

## 8 Become Culturally Attuned— see the world through your client's eyes

- Learn about the problems your client faces daily.
- Fill out a welfare application and consider how difficult this task would be for a person who is semi-literate.
- Visit a homeless shelter or soup kitchen.
- If from a different ethnic background, learn about your client's culture.
- For helpful information on untreated mental illness, go to [www.nami.com](http://www.nami.com).

## RESOURCES

### online

[www.usccb.org/cchd/povertyusa/tour.htm](http://www.usccb.org/cchd/povertyusa/tour.htm)  
[www.usccb.org/cchd/povertyusa/povquiz.htm](http://www.usccb.org/cchd/povertyusa/povquiz.htm)  
[www.abaprobono.org](http://www.abaprobono.org)  
[www.abaprobono.org/clients.html](http://www.abaprobono.org/clients.html)

### books

*A Framework for Understanding Poverty* · Ruby K. Payne, Ph.D.  
*Nickel and Dimed: On (Not) Getting By in America* · Barbara Ehrenreich  
*The Working Poor: Invisible in America* · David K. Shipler

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In representing a client, a lawyer shall exercise independent professional judgment and render candid advice. In rendering advice, a lawyer may refer not only to law but to other considerations such as moral, economic, social and political factors, that may be relevant to the client's situation.

—American Bar Association, Model Rules of Professional Conduct, Rule 2.1

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“For your pro bono clients to succeed in court, you must understand their hidden rules and teach them the rules that will make them successful. We can neither excuse clients nor scold them for not knowing; we must advise them and provide support, insistence, and expectations.”

—Ruby K. Payne, Ph.D.

Note: This brochure focuses on clients from *generational poverty*, which is defined as being in poverty for two generations or more. This brochure is based on patterns—and all patterns have exceptions. It is always important to focus on the individual, who may or may not fit within certain patterns.

This brochure was based on the work of Ruby K. Payne, Ph.D. Written by Martha Delaney, J.D., and Scott Russell for Volunteer Lawyers Network, Minneapolis, Minnesota.

