

## **NEWS FROM THE ADMINISTRATIVE LAW SECTION**

**By Beverly Jones Heydinger, MSBA Admin. Law Section Council Chair**

*PROVIDING PRO BONO REPRESENTATION IN MALTREATMENT, DISQUALIFICATION, AND HUMAN SERVICES LICENSING ACTIONS.*

In October 2015, the MSBA Administrative Law Section presented a CLE entitled “Increasing Access to Justice at the Office of Administrative Hearings” to highlight the need for more pro bono assistance in matters heard by OAH and to further the Section’s interest in providing counsel to low income people who face the loss of their livelihood and ability to meet their most basic needs. Approximately 60 percent of the contested case hearings at OAH involve self-represented litigants.

To address the need, the Ad Law Section is teaming up with the Volunteer Lawyers Network (VLN) and launching a pro bono program to provide legal assistance to persons who face Department of Human Services actions involving maltreatment, disqualification, or licensing. There are many different time lines and appeals rules that govern these types of actions, and there are too few affected individuals who fully understand the potential consequences of the notices and their appeal rights. Many of those who receive such a notice risk losing their job and cannot afford to hire an attorney to represent them.

Under this joint pro bono program, VLN will field requests for legal assistance and screen cases for income eligibility. A panel of volunteer screeners will review the cases for merit and work with VLN to place the cases with attorneys to accept a case.

On January 21, 2016, in conjunction with the 40<sup>th</sup> Anniversary of the Office of Administrative Hearings, a two-hour CLE provided an introduction to the law governing these matters and the challenges of serving low income clients. Approximately 55 attorneys attended to learn more about these appeals and the need for volunteers to provide representation. Screeners have been enlisted, and the Ad Law Section will schedule one or more training sessions in the future for the lawyers who volunteer.

In addition to recruiting and training lawyers to represent clients, the Ad Law Section is also working with the Department of Human Services to highlight one’s right to appeal a determination regarding maltreatment or disqualification and that free legal assistance is available.

Several law firms are stepping up to handle these cases or to assist with screening. The firms include Faegre Baker Daniels; Dorsey & Whitney; Fredrikson & Byron; Briggs and Morgan.

Attorneys interested in volunteering for this project are encouraged to contact Glen Drew at VLN ([glen.drew@vlnmn.org](mailto:glen.drew@vlnmn.org), 612-752-6659), or for more general information about the project and how you could help, please contact Meghan Scully at SMRLS ([Meghan.scully@smrls.org](mailto:Meghan.scully@smrls.org), 651-222-5863).

Watch for information about additional training for the pro bono attorneys who volunteer for these cases.