



Susan Proctor of BRLS: “You’re either eligible or you’re not eligible.”

Dan Smith

## Free legal help: There’s a difference >

### Executive Summary:

*Blue Ridge Legal Services and Legal Aid, the agencies offering representation for the poor, are not the same thing.*

### By Gene Marrano

Blue Ridge Legal Services (BRLS) and its close kin, the Legal Aid Society of Roanoke Valley, may share the same downtown office building and even some administrative tasks, but there are subtle differences in the way each agency helps low-income clients with legal issues.

Attorneys in the Roanoke Valley that work with BRLS offer “pro bono” hours to the agency, where they will consult with clients on legal issues at no charge and may even represent them in court. The agency also operates a phone bank once a week, when lawyers come to the BRLS offices on

Campbell Avenue to field legal questions from callers.

Qualifying for free legal aid is “based on your household size, income and resources,” says Susan Proctor, who joined the Legal Aid Society in 1998 after she had been in private practice for 14 years. There’s no sliding scale based on income: “you’re either eligible or you’re not eligible,” notes Proctor.

The University of Richmond law school graduate and one-time clerk for the U.S. Bankruptcy Court in the Western District of Virginia became managing director of Roanoke BRLS in 2002. The office opened in 2000; Blue Ridge Legal Services has also been in the Shenandoah Valley (Winchester, Harrisonburg, Lexington) for many years. Sometimes, “people really just need some basic direction and advice, they don’t actually need an attorney to represent them,” says Proctor.

Blue Ridge Legal Services (see [www.brls.org](http://www.brls.org)) performs all of the intake functions for its clients and for the Legal Aid Society of Roanoke Valley (LASRV), before referring them to its own cadre of pro bono attorneys

or sending them over to the Legal Aid staff.


What's the difference between the two agencies? "Basically it's funding," says Proctor; because BRLS receives the lion's share of its financial support from federal agencies, it had been prevented until very recently from filing for attorney fees in court cases where it successfully defends a client. Proctor admits that some attorneys are confused by the split between the two agencies, since many go back to the days before BRLS opened an office in Roanoke.

There are still some restrictions that prevent BRLS from doing things like filing class action suits and lobbying politicians for law changes. LASRV has always been able to ask the court for attorney's fees, which are based on state and federal statutes.

Proctor concentrates on bankruptcy, adoption and no-fault divorce work as the only staff attorney for BRLS. She refers many other low-income clients to the Legal Aid Society.

Ross Hart is one of the 60 or so attorneys that will take on clients from BRLS on a pro bono basis. He has a natural soft spot for aiding low-income clients: his father James T. Hart helped found the Roanoke Legal Aid Society office.

"Generally [the cases] I get I wind up in court with," says Hart, a member of the board for LASRV. He focuses on estate and adult guardianship issues.

Says Proctor, "We try to make this a seamless collaboration." 

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