2021-2022 VOLUNTEER INVOLVEMENT PLAN

“Mere access to the courthouse doors does not by itself assure a proper functioning of the adversary process.”

– Thurgood Marshall

“Lawyers have their duties as citizens, but they also have special duties as lawyers. Their obligations go far deeper than earning a living as specialists in corporation or tax law. They have a continuing responsibility to uphold the fundamental principles of justice from which the law cannot depart.”

– Robert F. Kennedy

Introducing Prairie State Legal Services: Working to Close the Justice Gap in our Communities

Prairie State Legal Services, Inc. is a non-profit law firm that provides free civil legal aid to low-income persons and seniors who have important legal problems affecting their basic human needs. Prairie State serves clients in 36 counties in northern and central Illinois, outside of Cook County, from 10 regional offices and several special projects. We represent survivors of domestic violence in orders of protection, divorce and other family cases; people with disabilities who are wrongfully denied benefits; tenants who are being unlawfully evicted from their homes; families who are facing utility shut-offs or mortgage foreclosures; seniors who are facing improper discharge from nursing homes or are victims of elder abuse; veterans who need help securing SNAP (Food Stamp) benefits to which they are entitled; and many others with urgent legal problems. Our assistance can make the difference between continuing physical abuse and safety for a family; between homelessness and a decent place to live; between the danger of transfer trauma for a disabled elderly adult and stability at home or in a nursing facility; between access to basic medical care and progression of disease or exacerbation of symptoms; and between hunger and having enough to eat. During the COVID pandemic, our services are more important than ever. More information about Prairie State can be found at www.pslegal.org.

“It is comforting to know that in spite of all the political and COVID-19 madness of 2020 in our nation, there are caring and kind professionals who understand financial limitations, disability, and the worry of independent seniors. Committed to helping without compensation or reward as well as with great kindness. Helping seniors and financially disenfranchised is a true gift from the heart...I am very grateful to all!”

– Ottawa pro bono client

1 As a recipient of federal funds from the Legal Services Corporation (LSC), Prairie State must follow federal regulations promulgated by LSC in the operation of its program and services. These regulations require grantees to prepare an annual Private Attorney Involvement (PAI) Plan (45 CFR Part 1614), to operate a PAI program, and to report to LSC annually regarding its PAI services. This document is Prairie State’s PAI Plan for the year 2020-2021.
Prairie State is the only provider of free civil legal aid in most of the 36 counties we serve. The need for legal assistance far outstrips the capacity of Prairie State’s paid staff of over 170 attorneys, paralegals, intake specialists, pro bono coordinators, and support staff – many of whom are part-time employees – to provide advice and representation to eligible clients:

- Prior to COVID-19, Prairie State’s 36 county service area was home to over 435,000 persons with incomes below 100% of the federal poverty level and hundreds of thousands more with incomes below 200% of the poverty level. In 2018, 1.5 million Illinoisans were in poverty—a rate of 12.1%. This rate was above the national poverty rate of 11.8%. Between 2000 and 2018, the percentage of the Chicago region’s poor who were living in the suburbs rose from 34% to 49%. In short, the number of residents potentially eligible for Prairie State’s help continues to grow. (Census data; September 2019 Illinois and Chicago Region: Poverty, Income, and Health Insurance Fact Sheet, Heartland Alliance)

- The outbreak of COVID-19 has only increased the need throughout Prairie State’s 36 county service area. As of June 2021, the unemployment rate in Illinois was 7.1%, compared with 5.8% for the United States. (Illinois Department of Employment Security). By comparison, in February 2020 the unemployment rate in Illinois was only 3.4%.

- In 2017, the Legal Services Corporation, a not for profit corporation which distributes the Congressional allocation for legal aid programs, issued its Justice Gap Report. That report concluded that “71% of low-income households experienced at least one civil legal problem in the year preceding the study. Many of these households have had to deal with several issues. Indeed, more than half (54%) faced at least two civil legal problems and about one in four (24%) has faced six or more in the past year alone. The civil legal problems these Americans face are most often related to basic needs like getting access to health care, staying in their homes, and securing safe living conditions for their families.”

- The Justice Gap Report found that over 70% of those low-income people who seek help from a civil legal aid program like Prairie State will not get all of the assistance they need. For example they might receive legal advice rather than representation. In large part, this is because the legal aid program has insufficient staff or other resources to handle the matter.

- In 2020, Prairie State opened almost 14,000 cases for services ranging from individualized legal advice over the phone to representation in court. However, due to lack of staff or volunteers to handle the cases, Prairie State closed over 3300 cases with advice or other assistance short of full representation even though the matter was of significant importance to the client’s basic needs.

The justice gap – the wide gulf between the critical legal needs of low-income members of our community and the ability of Prairie State to meet those needs – is the reason that pro bono work by hundreds of dedicated volunteers is so critical, and why it is essential for us to continue to build cost effective pro bono projects which address our clients’ most critical needs. We need your help in these efforts.
**Prairie State’s Volunteer Programs**

The work of volunteer attorneys, paralegals, law students, undergraduates, intake specialists, support staff, and others across the Prairie State service area provides a critical supplement to the work of Prairie State’s paid staff. In addition to enabling Prairie State to help more of northern and central Illinois’ most vulnerable residents and making immeasurable improvements in the lives of those clients and their families, volunteers make a larger contribution to the public good. A number of recent studies have uncovered alarmingly low rates of confidence in our justice system. Volunteers support the justice system and the public’s faith in that system by increasing the ability of the public to access the courts and helping ensure the fair administration of justice.

Prairie State administers 10 local *pro bono* programs from its regional offices. These local programs operate with strong support from the local bar and courts, and focus primarily on referring individual cases to local attorneys for extended representation, for example in court, in negotiations, or before administrative agencies. Several of these local programs also include advice clinics or courthouse help desks. Prairie State also operates a program-wide *pro Bono* Telephone Counseling/Intake Project. Additionally, dozens of volunteers work in our offices each year in a variety of capacities. All work performed through Prairie State’s *pro bono* projects is covered by Prairie State’s malpractice insurance.

**2020 Pro Bono Highlights**

- In 2020, almost 300 volunteer attorneys in our local communities accepted 1717 new *pro bono* case referrals from our local offices and telephone counseling project for advice or more extensive representation. Approximately 22% of these cases involved a family law matter, 17% involved criminal records relief, and another 17% involved housing.
• Cases referred to volunteers reflected the changing client needs in 2020 as a result of the COVID-19 pandemic. For example, only 10 consumer cases were referred to volunteers throughout all of 2019. In 2020, that number was 160. Employment cases were only referred to volunteers twice in 2019, but 94 times in 2020. Finally, housing cases accounted for only 14 case referrals in 2019, but 289 referrals in 2020, or 17% of all pro bono referrals in 2020.

• In 2020, volunteers reported almost 4500 hours of service to clients referred by our local pro bono programs. This outstanding contribution of volunteer time demonstrates the strong commitment of our volunteers; in some cases these hours help us access grant funding because of the value of this time. We believe that some volunteers underreport their volunteer time, perhaps not realizing that this information is critical to us for our assessment of the effectiveness of our volunteer programs and that the data is considered by some funders of Prairie State.

“[I volunteer for the] satisfaction obtained by helping people in need!”
– Joliet volunteer

• Volunteers reported securing court awards for family law clients referred to them by our local projects totaling over $316,000 in annual child support or maintenance and $361,000 in one-time property allocations. These awards will provide essential help to these clients to care for their families.

• Nearly 40 attorney volunteers with our Telephone Counseling/Intake Project completed over 950 cases by providing individualized advice or other brief services to callers. They also spoke with many additional clients with the most critical cases, offered them initial advice, and referred their cases on to our local offices for more in-depth services.

• In total, volunteer attorneys in the community, working through our special projects and working as unpaid staff in our offices completed nearly 1700 cases in 2020.

“They made you feel like your needs were important and you mattered.”
– Peoria pro bono client on working with a volunteer attorney

• Throughout the summer of 2020, over 20 law students interned with Prairie State. This was the first year we hosted all of our summer interns completely remotely. These students interviewed clients, drafted court pleadings, conducted legal research, reviewed and summarized medical records in Social Security cases, and performed other activities in support of our work. Many law student interns become pro bono volunteers after they are admitted to practice; at least one member of Prairie State’s current Board of Directors began his relationship with us as a summer law student.

• In 2020, 16 retired, inactive, or out-of-state attorneys were licensed to perform pro bono services through Prairie State under Illinois Supreme Court Rule 756(k).

• Prairie State presented 18 virtual continuing legal education courses free of charge to volunteers and prospective volunteers.
Prairie State worked closely with bar associations throughout our 36 county service area to place cases with local attorneys, recognize volunteers, encourage *pro bono* involvement, and develop new volunteer opportunities.

Prairie State continued to work with the Public Interest Law Initiative (PILI) and with members of the local bar and judiciary to promote *pro bono* participation through the Judicial Circuit *Pro Bono* Committees in the Tenth, Eleventh, Fourteenth and Eighteenth Judicial Circuits in 2020.

Prairie State enjoyed ongoing relationships with the corporate legal departments of Abbott Laboratories, Caterpillar Inc., Deere & Company, McDonald’s and State Farm.

We thank our volunteers and our *pro bono* partners for making these accomplishments possible in 2020!

**Pro Bono Innovation Fund Grant and Plans for Transformation**

In 2019, Prairie State was awarded a *Pro Bono* Innovation Fund (PBIF) Transformation grant from the Legal Services Corporation (LSC) for a three year period beginning October 1, 2019 and ending September 30, 2022. This funding allowed Prairie State to create a Director of *Pro Bono* Services position, and part time *Pro Bono* Manager and *Pro Bono* Administrative Assistant positions, to expand and improve our *pro bono* program. Throughout the first year and a half of the PBIF grant, the Director of *Pro Bono* Services conducted a thorough inventory of how *pro bono* operates throughout our service area, and looked at how *pro bono* staffing is structured at other successful organizations to identify potential areas for growth. Based on this information, we plan to make some changes to our *pro bono* program to increase *pro bono* throughout our service area.

The main change will be adding new staff positions dedicated to facilitating *pro bono* work. In addition to the local office *pro bono* programs, we are creating a centralized *Pro Bono* Unit, which will work throughout Prairie State. The local office programs will continue their focus on referring individual clients to volunteer attorneys in the areas where those legal communities have traditionally been involved in *pro bono*. At the same time, the *Pro Bono* Unit will focus on creating larger *pro bono* projects that will span several offices throughout our service area. These new projects will focus on areas of high client need and will provide new and exciting opportunities for volunteers to serve clients.

This work has already begun. In 2020, we created our Pandemic *Pro Bono* Eviction Project, which spans all 36 counties within Prairie State’s service area. Through this project, volunteer attorneys assist clients facing

A victim of domestic violence and her child are safe from continued abuse thanks to the hard work of a volunteer attorney. The father of the client’s child was abusive and in and out of jail. The client was fearful of him having any type of custody or visitation with the child. A volunteer attorney represented the client in court over several years and was able to obtain sole custody and decision making authority for the client, child support, and restrict the father’s visitation to limited supervised visits due to the history of abuse. The client and her child can now live their lives free from fear of further abuse.
eviction or other housing issues to negotiate with their landlord and resolve their housing problem. This project is entirely remote, with all assistance happening by phone, which allows volunteers from anywhere in the state to assist clients throughout our service area. Over the next year, we plan to create several additional projects to respond to client needs. Some of these projects may be entirely remote, while some will involve in person representation. Through these projects, we hope to offer volunteers the opportunity to provide different levels of service to clients, ranging from brief advice to full representation, so that volunteer attorneys have several options from which to choose and can find the opportunities that best fit within their schedule. As part of these different projects, we will also develop training materials so that volunteers can feel equipped to handle areas of law in which they do not generally practice, while having an opportunity to fulfill their continuing legal education requirements.

"[The volunteer attorney] was really down to earth and a great man. I feel like he saved my life!"
- Woodstock Office pro bono client

2021-2022 Volunteer Involvement Goals and Local Input

With approximately 14,000 attorneys registered with the ARDC in the Prairie State service area and hundreds of thousands of low-income residents in need of legal aid, we continue to explore ways to increase participation in our pro bono program and to efficiently integrate volunteers into our service delivery model.

We shared our 2020-2021 PAI Plan with many members of the bar and the judiciary in our service area. We also used an online survey, seeking feedback from members of the private bar on our 2020-2021 PAI plan and pro bono program. The majority of survey respondents felt that it was important for Prairie State to involve volunteers in many different areas of law, ranging from representing clients in court in family law matters, to representing clients in expungement and sealing matters, to providing representation in the same kinds of basic needs cases that Prairie State staff handle. Additionally, survey respondents felt it was important to offer volunteers the opportunity to provide both brief advice and limited scope representation to clients who Prairie State may not otherwise have enough staff to assist. For example, preparing court documents for a client to file pro se.

We also asked survey respondents to rate the importance of each of the goals from our 2020-2021 PAI Plan. Respondents felt the most important goal was to recruit more retired and inactive attorneys to volunteer in our offices. This was followed closely by the goal of incorporating volunteers into our response to the most critical COVID-related issues, such as evictions, utility shut offs, and debt issues.

These responses have helped inform both the changes we are making to our internal pro bono staffing and structure, as well as our goals and priorities for the coming year. Additionally, as our communities start to recover from the COVID-19 pandemic, we know that many of our clients’ legal problems may be only beginning. We hope to continue to involve volunteers in our response to meet the emerging client needs, while also continuing to prioritize issues that are not necessarily COVID-related. The following are the goals for our volunteer program for the coming year.

1. Increase coordination among Prairie State offices to expand opportunities that cross geographical boundaries.

With the increase in remote court appearances and virtual meetings due to COVID-19, it is no longer always necessary for attorneys to travel to the county where a client lives to meet with the client or even attend court. This provides us the opportunity to utilize the expertise of attorneys in one geographical area to assist clients in other parts of our service area. This work has already begun with the development of our central Pro
Bono Unit. In 2021-2022, we will continue to work to increase the communication and coordination among our different offices to develop pro bono projects that stretch across local offices’ service areas to best utilize the availability and expertise of our attorney volunteers. By creating an effective and efficient coordinated pro bono delivery model throughout our service area, we will be better situated to meet the needs of our clients.

2. Develop several new pro bono projects which will address areas of client need while offering volunteers options in terms of level of service and time commitment required.

Each new project will focus on a different area of client need and may include areas such as family law, criminal record expungement and sealing, wills/powers of attorney, and housing. These have been areas of significant client need for many years and that need has only grown in the wake of the COVID-19 crisis, with housing presenting the greatest and most immediate challenge. As the eviction moratoria end in the coming months, many clients may be facing the loss of their housing at a time when unemployment remains high and many families continue to struggle. Changing laws and regulations will make it hard for clients to navigate these cases on their own. We have already developed a project utilizing volunteer attorneys to provide clients with advice and representation in negotiations and anticipate that the need for this project will be ongoing for the foreseeable future.

Family law, bankruptcy, and wills/powers of attorney will continue to be areas of high client need as the effects of confinement at home, increasing family conflict, job losses, and the unknown long-term health impacts of the virus persist. Expungement and sealing cases will be important to help clients find new employment. These cases are particularly appropriate for volunteer involvement as they do not require a volunteer to “drop everything,” but still allow the volunteer to make a very significant difference for a client. These extended representation cases are cost effective for our pro bono coordinators to refer.

Although we have long prioritized finding attorneys willing to help in these areas, there are many more clients in need of pro bono assistance. By creating pro bono projects which span more than one office, we hope to make our pro bono program more efficient and cost-effective, allowing us to recruit more volunteers and help even more clients. As we develop new projects, we will look at ways to offer volunteers the opportunity to provide different levels of service. However, the greatest need of our clients is for experienced attorneys who will provide direct and extended representation in court and in negotiations. While thorough advice and brief services enable many of our clients to represent themselves effectively, many more of our clients lack the ability to navigate the legal system successfully without an attorney. Therefore, we will continue to prioritize referring clients to volunteer attorneys for extended representation where possible.

We also understand the demands that our volunteers face, both professional and personal, and acknowledge that not every attorney is able to dedicate the time required to take on a pro bono case for full representation. Therefore, as we are developing new pro bono projects, we will continue to explore ways to expand the use of limited scope pro bono representation to reach and assist more clients. Illinois Supreme Court Rule 137(e) allows an attorney to assist a self-represented litigant in drafting or reviewing a pleading, motion, or other document without making a general or limited scope appearance. We see many potential clients who might be able to represent themselves successfully in court with this drafting assistance and detailed advice for proceeding in court, but we have not made a specific effort to match those potential clients with volunteers. Additionally, we will look to be more creative in finding cases in which an attorney willing to enter a limited scope appearance to handle a single aspect of a case in court can make a difference for a client.

Finally, where practical, we will continue to try to identify ways to meet the growing demand from busy attorneys for bite-sized pro bono opportunities. However, while the need for civil legal aid services is almost limitless, it is challenging to create bite-sized pro bono opportunities that are meaningful to both volunteers and clients, and also cost effective for Prairie State. Many people who are unfamiliar with the operation of pro
bono programs are surprised to learn that there is significant time involved in administering them properly. Attorneys volunteering their time expect that Prairie State will screen the cases for client financial eligibility and for at least apparent merit. The cases we refer through our pro bono projects remain Prairie State cases. This allows us to offer malpractice insurance to our volunteers and to report the cases to our funders. It also means, however, that we must comply with certain reporting and oversight requirements of our funders and our malpractice carrier. We must follow up to be sure that the cases are completed and that we have case closing data such as the information reflected in this Volunteer Involvement Plan. All of this takes time. We will continue to assess our current bite-sized pro bono offerings to maximize their cost effectiveness and efficiency. We also will continue to refine our data collection and client data base to maximize efficient data entry and effective extraction of meaningful reports. Before committing resources to new discrete pro bono projects, we will evaluate these ventures with a close eye toward cost effectiveness.

3. **Recruit more retired and inactive attorneys to volunteer in our offices.**
Retired attorneys who volunteer in our offices and function as unpaid staff are one of our most valuable pro bono assets. While most of these attorneys do not have prior poverty law experience, their years of practice allow them to learn new areas of law quickly and they bring a fresh perspective to the issues legal aid attorneys see day in and day out. Because they no longer have an outside practice, many of these retired attorneys are able to devote time to contested or complex matters. Prairie State provides support, training, and supervision to these in-house volunteer attorneys. This goal was identified by participants in our survey as the highest priority.

We find that many attorneys are not aware that Illinois Supreme Court Rule 756(k) allows them to perform pro bono services through a sponsoring entity like Prairie State, even after they have changed their attorney registration status to inactive or retired. We will continue to publicize this option and to target retiring attorneys in our recruitment efforts. Retired attorneys are not the only potential source of in-house volunteer lawyers. Many attorneys do not have paid positions because of family situations or obligations, but wish to remain active and contribute their special knowledge to their communities. These potential volunteers bring a wealth of value to our clients and our work. We will continue to seek these volunteers, and to provide them with the support they need to represent our clients and find a meaningful volunteer opportunity with us.

4. **Use technology to train and support volunteers.**
We believe that in-person continuing legal education is an effective way to train new volunteers and to thank existing volunteers for their service. However, technology affords new opportunities to efficiently and timely train and support volunteers, especially now that many attorneys (including those at Prairie State) have been working from home and have become more comfortable utilizing new technology to hold meetings and interact with clients.

Over the past several years we have created a substantial library of recorded training to allow for continuous onboarding of specialized pro bono project volunteers. We will continue to build that library in 2021. In addition, we have started offering more virtual MCLE events and attorney trainings. This allows us to reach attorneys throughout our service area, rather than only targeting attorneys in one community.

Prairie State is a sponsoring entity under Illinois Supreme Court Rule 756(k); retired and inactive status attorneys can register with the Illinois ARDC to practice under our auspices, without returning to active status.

Prairie State also is an MCLE provider. We offer a variety of MCLE events and recorded training to support the work of our volunteers. All of our MCLE events are free of charge.
5. **Recruit bilingual volunteer attorneys to represent limited English-proficient clients, and train English-speaking volunteer attorneys to use Prairie State’s interpreting and translation resources.**

Many residents of our 36 counties have limited ability in English and require legal help for basic needs problems, but it has been a challenge to find volunteers to serve these clients. Nearly 7 percent of the clients served by Prairie State staff in 2020 were limited English-proficient, but only 1.2 percent of *pro bono* cases involved limited English-proficient clients. Self-representation is a particular challenge for individuals who are not proficient in English and thus finding volunteers who are willing to work with these clients is a priority. Prairie State has funds available to cover the costs of interpretation and translation services.

6. **Involve more non-attorney volunteers.**

We continue to explore and experiment with ways to involve non-attorney volunteers. Our law student internship program remains a critical piece of our non-attorney volunteer program. In 2020, every Prairie State office hosted at least one law student intern and several hosted two or more. Most students have completed only one year of law school, but a small number of the students had completed enough course work to qualify for student Supreme Court Rule 711 licenses. It was challenging to involve the students in the COVID-19 environment, but the students gave very positive feedback about their summer experience, and we learned valuable lessons in using remote volunteers effectively.

Our Peoria office has a vibrant paralegal internship program, utilizing interns to help chart criminal records so that an attorney can more easily assess which records may be eligible for sealing or expungement. We have also utilized non-attorney volunteers with our Telephone Counseling project, helping to screen clients for eligibility for Prairie State’s services, which enables our intake attorneys to spend more time giving legal advice to eligible clients and improves our ability to find appropriate cases to refer to our corporate partners.

This coming year we will continue to seek undergraduate interns and others who would be willing to work with our local office *pro bono* coordinators. We believe that this arrangement will be “win-win,” as the interns become familiar with the legal system and our cost in staff time per case drops, allowing us to serve even more clients.

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**We need your input!**

Prairie State needs input to make our *pro bono* program as effective as possible. Our most successful *pro bono* efforts have grown out of conversations with our partners – the courts, bar associations, law firms, social service agencies, state and federal government, and individuals in our communities. Please share your ideas with us at volunteer@pslegal.org or by contacting Prairie State’s Executive Director or Director of Pro Bono Services.

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