

Philadelphia
VIP



PHILADELPHIA VIP VOLUNTEER HANDBOOK



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Handbook revised May 2021

phillyvip.org/volunteer-handbook



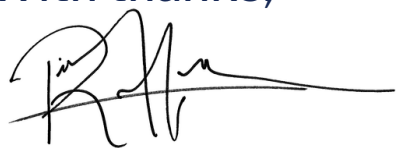
Dear Volunteer:

Welcome to the distinguished ranks of Philadelphia VIP volunteers. Through your pro bono service, you are making a direct and powerful impact on the lives of our clients and a broader contribution to access to justice in our city. Thank you for saying “yes!”

This handbook provides an introduction to VIP, including our mission and history; how we work; and what the volunteer experience looks like. Additional materials, like templates and trainings, are available on our website (www.phillyvip.org), and VIP staff members are always just a call or email away if you have questions.

The civil justice gap continues to yawn wide as tens of thousands of Philadelphians living in poverty confront critical legal problems that threaten basic human needs (housing, family composition, income) without the help of an attorney. On behalf of the Philadelphians we serve, we thank you for your dedicating your time and talent to helping to close this justice gap.

With thanks,

A handwritten signature in black ink, appearing to read 'Rida Haq', with a long horizontal stroke extending to the right.

Rida Haq
Executive Director

About VIP

Our Mission: Philadelphia VIP leverages the powerful resources of the community to provide quality volunteer legal services and ensure access to justice for low-income Philadelphians.

VIP was founded in 1981 as a collaborative project between local private and public interest legal communities to address civil cases that could not be absorbed by direct legal services agencies.

Over forty years later, VIP remains the only organization in Philadelphia exclusively dedicated to securing pro bono legal assistance for low-income individuals and small enterprises.

VIP's work centers on recruiting, training, and providing ongoing support to a diverse community of volunteer attorneys who advise and represent their low-income neighbors for free. Each year, approximately **1,600 VIP volunteers** represent Philadelphians in over 2,100 legal matters.

What We Do

VIP supports volunteers who represent Philadelphians facing critical, non-fee-generating civil legal issues for which there is no right to counsel in **four priority areas** (see page 6).

VIP's clients are generally referred to VIP by other legal services agencies, and VIP attempts to refer clients who have meritorious civil cases to volunteers.

VIP screens each case to ensure that the client is income-eligible and to determine that the claim or defense is meritorious.

VIP's staff then contacts prospective volunteers to find a person willing and able to handle the case who can provide high-quality professional services.

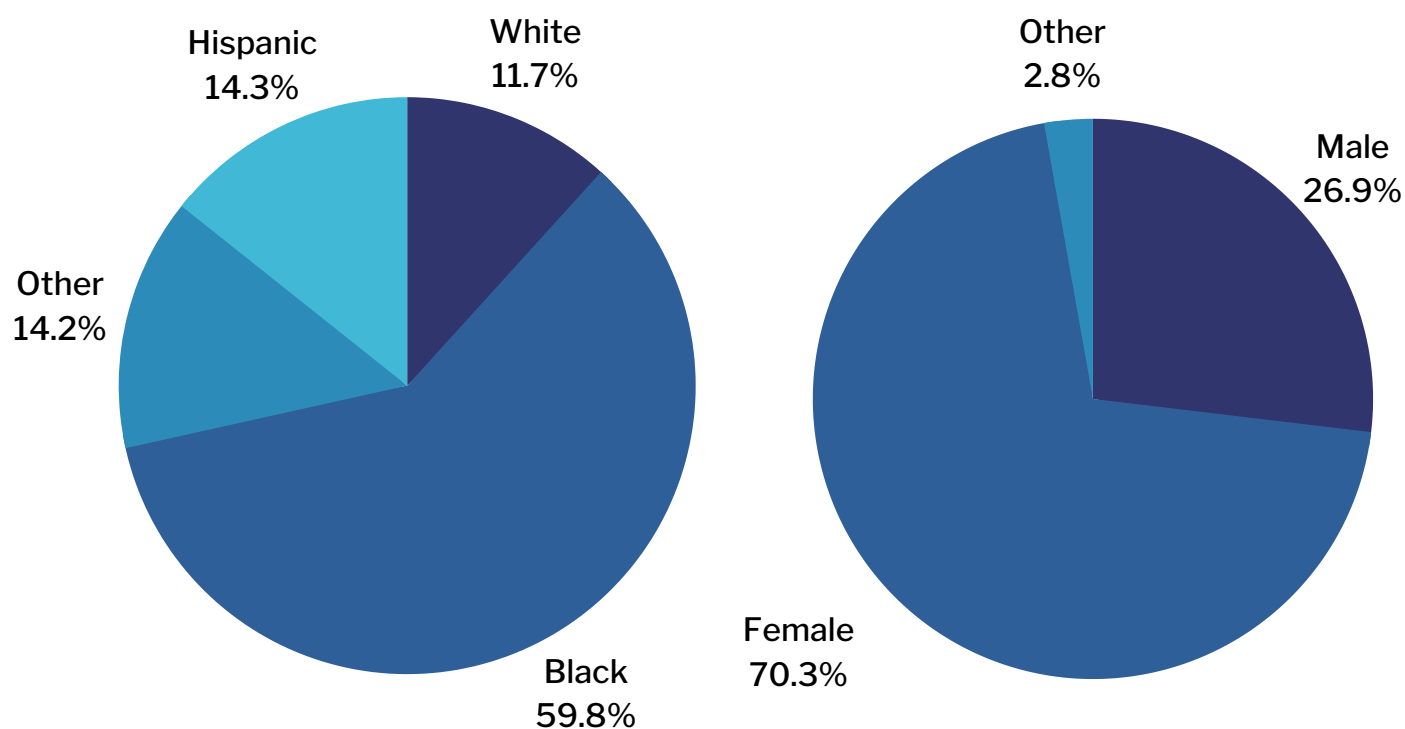
After the referral is made, VIP staff provide support and resources as the volunteer handles the pro bono case. VIP staff also periodically contact the volunteer to determine the status of the case, as necessary.

Our Clients

To qualify for VIP's services, clients must reside in Philadelphia, or their legal issue must have arisen in Philadelphia. Clients must also meet VIP's financial eligibility criteria (see Appendix E for more details):

- Individual clients' household income is at or below 200% of the [Federal Poverty Guidelines](#)
- Individual clients do not own a second home or have assets exceeding \$10,000

VIP's clients in 2020 reflected the communities most vulnerable to lack of legal representation. In addition to the statistics below, a quarter of clients were disabled, and two-fifths of clients were elderly.



VIP's Priority Areas

Preventing Homelessness

VIP volunteers help clients obtain title to their family homes, avoid disruptive displacement in eviction proceedings, and fight foreclosure actions.



Homeownership: Volunteers help clients obtain title to their family homes. Examples include:

- [Deed transfers](#) (having a property owner transfer title to a VIP client)
- [Probate](#) (probating the estate of a VIP client's deceased relative)
- [Quiet title](#) (filing a quiet title action in the Court of Common Pleas)

[Eviction Defense:](#) Volunteers defend renters in eviction proceedings.

[Mortgage Foreclosure:](#) Volunteers help clients negotiate mortgage foreclosure matters.

VIP's Priority Areas

Supporting Family Stability

VIP volunteers help clients navigate legal issues involving their closest personal relationships: those with their families.



Domestic Relations: Volunteers help clients in contested domestic relations cases, especially when the opposing party has an attorney. Examples include:

- [Divorce](#)
- [Child custody](#)

[Name Change](#) (minors): Volunteers assist clients seeking a name change or birth certificate amendment for a minor child.

[Guardianship](#): Volunteers help clients obtain legal guardianship of an incapacitated loved one. VIP only handles uncontested guardianships.

VIP's Priority Areas

Preserving Household Income

VIP volunteers help clients avoid income loss and pass on their wealth to the next generation.



Estate Planning: Volunteers help clients who seek a will, an advance healthcare directive ("living will"), or a medical or financial power of attorney.

Consumer Debt Collection: Volunteers help clients who have been sued in debt collection cases. Creditors/debt buyers are usually represented by counsel, and some matters involve unfair collection practices.

Tort Defense: Volunteers defend clients whose home or other crucial assets are at risk and who have no other defense resources. Most cases involve automobile accidents or "slip-and-fall" tort cases.

Name Change (adults): Volunteers help clients obtain a name change or birth certificate amendment.

Tax: Volunteers help clients with federal, state, or local taxes. Most cases involve federal taxes. VIP does not assist clients in preparing tax returns.

VIP's Priority Areas

Supporting Community

Economic Development

VIP volunteers provide transactional legal services or one-hour legal consultations to nonprofits and small businesses.



Nonprofits: Volunteers assist nonprofits that serve Philadelphians and that cannot afford to hire an attorney. Examples of legal problems include:

- Incorporation
- Applying for tax-exempt status
- Corporate governance issues

Small Businesses: Volunteers assist small businesses located in Philadelphia whose owners' household income is less than 300% of the Federal Poverty Guidelines. Examples include:

- Filing trademarks
- Drafting contracts
- Reviewing employment practices

VIP volunteers do not handle nonprofit or small business matters involving litigation or collection.

Handling a Pro Bono Case

Getting Started

You've taken a VIP case - thank you! You're about to make a difference in the life of a Philadelphian who would not otherwise have counsel. Here's what to expect:

Conflicts Check: You'll receive the names of the client and any opposing parties to review for conflicts of interest.

Case File and Staff Contact: You'll get a case file from the VIP staff person in charge of the case. This person is your contact at VIP for any questions or updates related to the case; please keep in touch with them.

Representation Agreement: As soon as possible, please execute a representation agreement with the client and send it to your VIP contact. Download our template agreement [here](#).

Get Started: Congratulations! You are now the attorney handling this client's case. Undertake your representation of the client, and check in with VIP whenever you have questions or need resources.

Handling a Pro Bono Case

Wrapping Up

Status Reports: VIP will email you twice annually for updates about your VIP case. Please respond to these emails to keep us informed.

Case Closing: When you conclude your representation, please formally close the case with VIP. Send a closing letter to the client, and either email your VIP contact or complete our online [Closing Form](#).

Include in the closing form your closing letter; the number of hours you spent on the case; and any drafted documents, court orders, or other important documents related to the case.

Handling a Pro Bono Case

Volunteer Responsibilities

As a VIP volunteer, you have the following responsibilities:

- Complete any case you accept from VIP, giving it the same care and attention you would to a paying client's case
- Discuss the extent of your representation with your client
- Execute a [Representation Agreement](#) with the client and return it to VIP
- Consult with VIP for technical assistance, or to request training, a mentor, or other support
- Advise VIP of the status of the case by completing biannual Status Report requests and by checking in if unexpected developments arise
- [Close your case](#) with VIP and include a copy of your closing letter and other documents

Handling a Pro Bono Case

VIP's Responsibilities

VIP has the following responsibilities to our volunteers and our clients:

- Respond to questions from volunteers and clients
- Monitor cases and provide technical assistance and advice
- Track cases and their outcomes
- Arrange free or low-cost support services

Client Responsibilities

VIP clients have the following responsibilities:

- Maintain regular contact with the volunteer
- Provide requested information and documents in a timely manner
- Keep scheduled in-person and remote meetings

Support for Volunteers

When you take a VIP case, you're never alone. You can count on VIP for the support you need to effectively represent your client.

Resource Library: Our online [Resource Library](#) includes training materials; sample pleadings, forms, and other templates; and recorded training videos. If you have a question about how to proceed in a VIP case, check the Resource Library first.

Trainings: VIP's training program aims to prepare volunteers of all backgrounds to take a pro bono case. Visit our [events page](#) to register for:

- Substantive legal trainings led by experienced practitioners
- Seminars and Practice Spotlights focused on common pro bono hurdles
- Practice Group meetings, where you can discuss your VIP cases with other volunteers

Staff Support: If you need assistance, feedback, or guidance with your VIP case, contact the VIP staff person who referred you the case. They, as well as our Supervising and Staff Attorneys, are at the ready to help you.

Support for Volunteers

Pro Bono CLE Credits: VIP volunteers can receive up to three free substantive PA CLE credits each year for successfully completing a VIP case.

When you close your case, email [this form](#) to [Joe Durkin](#), Program Manager, for credit.

Mentors: Whether you need guidance and one-on-one assistance throughout a case, or you merely want someone to discuss case strategy with, VIP can connect you with mentors who are highly regarded in their areas of expertise.

When you accept a VIP case, or if something unusual comes up for which you need an expert's advice, ask any VIP staff member if they can match you with a mentor.

Translators and Interpreters: VIP recruits multilingual law students, paralegals, and other volunteers to assist with representing non-English-speaking VIP clients.

Other Services: Court reporters, title insurance companies, mediators, investigators, process servers, appraisers, and other experts are available through VIP on a low- or no-cost basis. See also Appendix D for information on waiving court costs.

Volunteer FAQs

Who can take a VIP case?

Pennsylvania-licensed attorneys or other legal professionals supervised by a Pennsylvania-licensed attorney can represent VIP clients. See Appendix B for more details.

How do I take a case?

There are several ways to find the right case for you:

- Use our [Find Your Pro Bono Match](#) tool
- Explore our [online case list](#)
- Complete a [volunteer enrollment form](#) so our staff can contact you with opportunities
- Email [Joe Durkin](#), Program Manager, for more help

Can I take a case with no experience in a practice area?

Yes! In most cases,* you can rely on VIP's staff and our many support services to get up to speed and take a case in an unfamiliar area.

*We ask that volunteers on our nonprofit/small business cases have some relevant prior experience.

How will VIP support me in my pro bono work?

We offer an array of support services, including an interactive [resource library](#), staff support and volunteer mentors, and much more. See page 14 for more details.

Volunteer FAQs

What should I do if I can't contact my VIP client, or if my client is missing meetings?

[Send a letter](#) to the client's home asking that they contact you by a certain date. Include the best days and times for them to call you. If they do not respond, reach out to VIP staff for help.

I accepted a case for a client who does not communicate in English. How will VIP support me?

You will know from VIP's case summary whether or not a given client speaks English. If a client does not speak English, and you are willing to help them, please let VIP know, and we will find a volunteer interpreter to help.

What should I do if my client "drops in" without a scheduled meeting?

Remind the client that you can only meet at times you have scheduled in advance. Once VIP's office reopens, you can arrange in-person meetings at VIP.

How should I handle an unexpected development or a legal roadblock I'm not familiar with?

Contact any VIP staff member and describe the problem. They will point you in the right direction.

Who Should I Contact?

View all our staff's contact information on [our website](#).

Please direct specific questions to the following people:

[Rida Haq](#), Executive Director

- Suggestions for improving VIP's program
- Questions about in-kind/monetary support

[Kelly J. Gastley](#), Managing Attorney

- Authorization for payment of approved case-related costs, where costs cannot be waived and client cannot pay
- Questions or doubts about a case's legal merits
- Questions or doubts about a client's eligibility
- A client request for legal help on an unrelated issue

The VIP staff person who referred you the case

- Requests for case support services
- Questions about client relations

[Joe B. Durkin](#), Program Manager

- General questions about volunteering
- Involving your workplace in VIP's work and recruiting new volunteers

If you're not sure who to contact, reach out to any VIP staff member. They will connect you to the right person.

Insurance

Throughout the course of the representation, the volunteer is covered by VIP's professional liability insurance policy for malpractice claims arising from the handling of the VIP matter up to the limit of \$1,000,000.

In order to be covered for any resulting liability, the volunteer must notify VIP promptly of any potential malpractice claims so that VIP can report it to the insurance carrier. Under VIP's insurance policy, potential claims include any act, error or omission, or breach of duty committed or alleged to have been committed by an attorney that may reasonably be expected to give rise to a claim being made against VIP.

This means that the reporting is not limited to meritorious claims, but should be made anytime:

1. A client expresses an intent to make a claim against a volunteer attorney and/or VIP; or
2. A volunteer attorney has made a mistake that could be a breach of duty to the client, whether or not there has been damage to the client.

Insurance

Examples of potential malpractice claims include, but are not limited to:

- Missing a filing deadline
- Failing to ask for appropriate relief or state a claim
- Giving incorrect legal advice to a client
- Missing a scheduled hearing or court appearance
- Failing to cite current law
- Disclosing privileged information about a client without permission
- Client stating that he or she is considering suing VIP or the volunteer attorney

To view VIP's Certificate of Liability Insurance, please see appendix A.

Appendix A

Certificate of Liability Insurance



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/28/2011

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER AssuredPartners Jamison LLC 20 Commerce Drive, Second Floor Cranford, NJ 07016 Phone No. 973-731-0806 / Fax No. 973-731-3035	CONTACT NAME: Thomasina Peele	
	PHONE (A/C, No, Ext): (973)669-2326	FAX (A/C, No):
	E-MAIL ADDRESS: tpeele@jamisongroup.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: Columbia Casualty Company	31127
INSURED Philadelphia Volunteers for the Indigent Program 1500 Walnut Street, Suite 400 Philadelphia, PA 19102	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COM/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED. RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
	Lawyers Professional Liability			LA5596657282	3/01/20	3/01/21	1,000,000/ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

DED. AMT 1,000

CERTIFICATE HOLDER 2270 Philadelphia Volunteers for the Indigent Program 1500 Walnut Street, Suite 400 Philadelphia, PA 19102	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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Appendix B

Volunteer Eligibility Policy

Potential volunteers should meet the following criteria before being allowed to accept a VIP case.

1. The volunteer is authorized to practice law in Pennsylvania and has “active” status with the PA Disciplinary Board, or is supervised by an attorney who is authorized to practice law in Pennsylvania and who has “active” status with the PA Disciplinary Board.

a. Corporate counsel who has a limited In-House Corporate Counsel License pursuant to PA Bar Admission Rule 302 is considered authorized.

2. If the volunteer has previously handled any VIP cases:

a. The volunteer's prior case(s) moved at an appropriate pace.

b. The volunteer kept VIP appropriately informed as to the status of their case(s).

c. The volunteer met applicable deadlines in their prior case(s).

d. There have not been repeated reports from the volunteer's VIP client(s) of lack of responsiveness, lack of action, or misconduct.

e. No other concerns have been raised by VIP staff as to the quality of representation provided or the volunteer's conduct.

3. The volunteer has the requisite experience or resources to handle the VIP case at issue.

a. VIP requires that a volunteer accepting a case for a nonprofit or small business either has prior relevant experience or is supervised by an attorney who has prior relevant experience.

b. VIP's resources are generally sufficient to support a volunteer in most other case types that VIP handles.

Appendix C

Attorney Fee Policy

VIP screens all cases for fee-generating potential, and those which may result in an award from which a fee could be paid by one of the litigants, e.g., divorces with substantial assets, are sent to the Lawyer Referral and Information Service (LRIS).

Nevertheless, a case sometimes develops in such a way that fees become possible. If this occurs, the attorney and the client have several options:

1. Advise VIP and the client that the case has become potentially fee-generating, and send the client to LRIS for new representation. Withdraw representation, which may necessitate filing a motion to withdraw in litigation matters, and send a closing letter to the client. VIP closes the case in our office.
2. If the client wishes to continue with the volunteer attorney as a paid representative, the volunteer must inform VIP's Managing Attorney before offering to assist that VIP client. The volunteer must inform the client, verbally and in writing, that they are under no obligation to continue with the volunteer and that referral to the LRIS is available. If the client wishes to maintain the relationship with the volunteer, the volunteer from that point treats the case as any other paying case would be treated. The volunteer sends a copy of their written letter to VIP, and VIP closes the case in our office.

If money is awarded that consists of funds owed to the client, VIP does not consider this a source of fees.

In those rare instances when fees are available to compensate for the attorney's time, e.g., a fee award contained within a settlement agreement, VIP encourages the volunteer to pursue the award. If the volunteer does not wish to do so, VIP should be notified so that a decision can be made whether to assign counsel for the award petition. If the volunteer files the petition, the recommended division of the funds is 50% to VIP and 50% to the volunteer, after any costs incurred by the volunteer are paid.

Appendix D

Waiving Fees and Handling Costs

In Forma Pauperis Instructions

VIP volunteer attorneys handling cases that may incur court filing fees or other court costs should request that those fees be waived by filing a simple petition to proceed in forma pauperis (IFP).

To file for IFP status in the Court of Common Pleas, Municipal Court, Orphans' Court, and Family Court, please use the instructions and templates available [here](#) and pinned to the top of VIP's online Resource Library.

Handling Other Costs

VIP has many resources to help cover other costs, such as requesting in-kind donations from court reporters, recording deeds for free, obtaining title reports either for free or by discount, and applying to the Tangled Title Fund for costs related to homeownership cases. For cases with fixed, known costs, VIP discusses the costs with the client before their case is referred to a volunteer and ensures that the client has the funds to cover the costs.

If costs arise after the client's case is referred, please contact VIP right away to discuss how the cost can be minimized or avoided altogether. VIP does not expect volunteers to pay for costs out-of-pocket and does not want clients to forgo paying for necessities if it is at all avoidable. If you and VIP jointly determine that the cost is unavoidable, VIP's Managing Attorney may approve disbursement to cover the cost before the client or volunteer pays for it. VIP has an extremely limited budget to cover such case costs, so the volunteer should not pay the cost and then seek reimbursement later, as reimbursement may not be possible.

Appendix E

VIP Client Eligibility

Individual Client Eligibility

For an individual client to be eligible for representation through VIP, the following must be true:

- The case is a civil matter that is not expected to be fee-generating;
- The client lives in Philadelphia or is involved in a court case that is filed, or needs to be filed, in Philadelphia;
- The client's household income falls at or below 200% of the Federal Poverty Guidelines; and
- The client does not have assets worth more than \$10,000 (a client's primary residence and a car are excluded from this figure).

When extenuating circumstances are present, VIP's Managing Attorney may approve a case where the client's household income or assets fall slightly above these listed amounts.

Nonprofit/Small Business Client Eligibility

For a nonprofit applicant to be eligible for representation through VIP, the following must be true:

- The nonprofit has a mission that benefits individuals or a community experiencing poverty or Philadelphia's public interest; and
- The nonprofit demonstrates that it is unable to pay for legal services without significant impairment of program resources.

For a small business applicant to be eligible for representation through VIP, the following must be true:

- The small business is located in Philadelphia; and
- The gross household income of the business owner(s) does not exceed 300% of the Federal Poverty Guidelines.

Appendix E

VIP Client Eligibility

Changes in Eligibility During the Course of Representation

If a client's eligibility changes during the course of a volunteer attorney's representation, the volunteer should alert a VIP staff member. VIP will then determine whether it is appropriate for the representation to continue, considering the change in the client's circumstances, the current status of the case, and whether the client may be unduly prejudiced by representation ending at that point in time.

VIP will collaborate with the volunteer to ensure that the volunteer is comfortable with continuing representation.

Case Priorities

In addition to considering a client's basic eligibility, as described above, VIP has specific priorities for each case type that our volunteer attorneys handle. These priorities have been carefully crafted to balance the needs of Philadelphians living in poverty with the capacity of VIP's volunteer attorneys.

For case types that require more of a volunteer's time, case priorities tend to be more narrowly defined. For case types that are more discrete in nature, case priorities are more expansive. Please reach out to VIP's Managing Attorney if you have specific questions or concerns regarding our case priorities.

Appendix F

Using Google Voice

VIP volunteers must provide their clients with a phone number where they can easily be reached.

Many volunteers use their work or personal phone numbers. If you prefer to use a separate phone number for your VIP clients, consider using Google Voice, a free platform that routes calls and text messages on your personal cell phone through a virtual phone number.

[Click here](#) to access instructions on setting up a Google Voice account on iPhone and Android devices.