

The Cyrus R. Vance Center for International Justice Initiatives

“A Profession in Support of Democracy”

Strategy Summit for the Americas

New York, March 3-5, 2005

Non-Remunerated Legal Services

Colombia

Program Description

The “Non-remunerated Legal Services” Program originated in the Congress of Uniandean Lawyers held in September 2002, when Carlos Manrique Nieto, a former law student at the University of Los Andes, proposed the creation of a program to offer free legal consultation services to non-profit entities that lack the necessary resources to contract legal aid and are dedicated to humanitarian aid projects, especially in the following areas: health, education, infancy, environment and the disabled. The Program aims to support practices for the common good and benefit, the protection of disadvantaged individuals and activities of general interest. While initially services were limited to counseling in legal incorporation and contract negotiation, these have since been expanded to include concrete judicial actions which involve community interests.

The Program is administrated by a Coordinator selected by the University of Los Andes Law School and participating law firms. The Coordinator’s duties include:

- ✓ Promoting the project.
- ✓ Receiving applications presented by organizations interested in receiving assistance from the Program.
- ✓ Processing applications before the “Selection Committee”.
- ✓ Distributing applications to law firms determined by the “Selection Committee”.
- ✓ Creating a virtual communication network between law firms to circulate monthly electronic reports and keep all members of the network informed with regards to: the progress of cases, participating firms, results, etc.

Institutions interested in receiving support from the Program should fill out and submit an application form either electronically or by regular mail. The form can be found on the University of Los Andes Law School web page: (www.derecho.uniandes.edu.co). The “Selection Committee” reviews cases twice a month and determines which applications are accepted, distributing them by raffle or in order of registration among the law firms in the network. Upon approval of applications, a direct link will be established between the soliciting entity and the law firm.

The Selection Committee is made up of a representative from the University of Los Andes Law School, the Program Coordinator and three representatives of the law firms. Member firms rotate their representation on the Selection Committee, which lasts for two-year terms.

Every year one of the member law firms tracks the Program. This firm drafts an annual report on the activities and results of counseling and consultation services provided by the firms in the network. This report is presented before the Selection Committee for its approval. In cases of serious omissions in the rendering of services, offending firms will be removed from the Program’s list.

Program Associates

The Program brings together the University of Los Andes Law School and law firms that are associated with Uniandean lawyers, in Colombia and outside Columbia, that want to belong to the network. The firms in the network must be willing to commit at least 3% of the total hours charged in a year to services as part of the Program.

Currently there are 28 Uniandean law firms offering services as part of the network: 24 in Bogotá, three in Barranquilla and one in Cali. These 28 firms make it possible to offer the services of more than 300 specialized lawyers of the highest professional qualifications working in diverse areas of law: tributary, commercial, labor, penal, civil, administrative, constitutional, financial, foreign investment, family and intellectual property, among others.

The Program's innovative character

The Program has been publicized in diverse communication mediums: television, press, Internet and direct mail, utilizing the networks of NGO's and public and private associations and entities. This strategy has facilitated the arrival of a large number of organizations with scarce resources, the majority of which operate in illegal conditions as a result of their inability to contract legal assistance.

The Program's current status and future prospects

The Program initiated its activities on March 10, 2003. In 2004, the Program attended to multiple requests, especially related to the following topics:

- ✓ Drafting and reform of statutes
- ✓ Legal representation procedures
- ✓ Drafting of labor contracts
- ✓ Drafting of service contracts
- ✓ Review of rental and absolute assignment contracts
- ✓ Drafting of inter-institutional cooperative agreements
- ✓ Bargaining rights for public entities
- ✓ Custody to protect the rights of disabled children and adults
- ✓ Unsettled claims for public services
- ✓ Legalization of land for educative and childhood protection entities
- ✓ Contract negotiation with governmental agencies to request improvement in access and security in marginalized neighborhoods

Although the Program's main activity is legal counseling, the severity of social problems suffered by the majority of the entities applying has encouraged the Program to expand its activities. In this way, the most pressing needs of the community are met without deviating from the initial objective. Some examples are: improvement of installations and provisions for schools in marginalized neighborhoods with below-minimum standards of habitability; recreational activities

for children from disadvantaged communities and cash and in-kind donations for disabled residents.

In 2004, the Program was expanded to Barranquilla with the support of the three Uniandean law firms located in that city. We hope that this process of expansion will continue, bringing the Program to other cities in Colombia.

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For more information on this project, please contact Paula Samper Salazar at psamper@gomezpinzon.com.