

FREQUENTLY ASKED QUESTIONS RELATED TO THE COVID-19 PANDEMIC

Q: I was laid off due to the economic shutdown related to the COVID-19 pandemic. Do I have a claim for wrongful termination?

A: Louisiana is an at-will employment state. This means that unless you are a contract worker and your termination violated the terms of your contract, or unless you can prove that you were fired due to your race, religion, or your inclusion in some other protected class, your employer can terminate you at any time. You might be eligible for state unemployment benefits. You can file a claim at www.louisianaworks.net/hire or by calling the Louisiana Workforce Commission's Claim Center at 866-783-5567.

Q: I am not working due to the economic shutdown related to the COVID-19 pandemic and cannot afford to pay rent. My landlord has already posted a notice on my door that he will evict me if rent is not paid on time. Will I be kicked out of my home?

A: All residential evictions pending in Orleans Parish First and Second City Courts have been suspended until at least April 24, 2020. Governor John Bel Edwards suspended all residential evictions and foreclosures *statewide* on March 18, 2020. While you should always make an effort to pay your rent timely, no residential evictions are proceeding during the current public health crisis. <https://louisianalawhelp.org/>

Q: I was laid off due to the economic shutdown related to the COVID-19 pandemic. I have a lot of consumer debt, and my creditors are already calling daily. Am I eligible to file for bankruptcy relief?

A: Bankruptcy is a legal remedy for those burdened by unmanageable debt. Individuals typically file under one of two chapters of the United States Bankruptcy Code: Chapters 7 and 13. A Chapter 7 bankruptcy case does not involve the filing of a plan of repayment. Instead, the bankruptcy trustee assigned to the case gathers and sells any nonexempt assets of the debtor and uses the proceeds of those assets to repay creditors. Part of the debtor's property may be subject to liens and mortgages that pledge the property to other creditors. The Bankruptcy Code allows the debtor to keep certain exempt property, but a trustee will liquidate the debtor's remaining assets. Potential debtors should realize that the filing of a petition under chapter 7 may result in the loss of property. Under local Louisiana rules, a debtor's primary residence is exempt from liquidation so long as the debtor's equity in the home is no more than \$35,000.

Alternatives to Chapter 7 bankruptcy include Chapter 13 bankruptcy, as well as out-of-court agreements with creditors. If you own no real property and your sole source of income is a pension, retirement plan, Social Security, or other public benefits, you might not need to file for bankruptcy relief.

If you own your home, Chapter 13 might be the best option for you. Chapter 13 bankruptcy relief requires you to enter into a repayment plan based on your income that can last between 3 and 5 years. The Pro Bono Project does not offer Chapter 13 services, but you might be eligible for services with our partner organization Southeast Louisiana Legal Services: www.slls.org.

Q: I have a divorce or other legal proceeding pending. What happens now that the court is shut down?

A: All state prescriptive periods and other legal deadlines are currently suspended until at least April 13, 2020. Courts are closed and legal actions except for emergency cases are not being heard in-person statewide by order of the Louisiana Supreme Court. Once the current public health crisis passes, courts will resume normal operations and will work with parties to reschedule hearings as necessary. <https://gov.louisiana.gov/assets/ExecutiveOrders/JBE-EO-30.pdf>

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Q: My child's other parent is refusing to abide by the terms of our court-ordered custody arrangement and will not return my child to me. What can I do?

A: State and city stay-at-home orders do not have any effect on custody orders issued by a court. While the party who is violating the order could potentially be held in contempt of court, under the circumstances, you will likely have a difficult time enforcing the order during the current crisis, as courts are largely closed except to emergency cases and law enforcement resources are being directed elsewhere.

FREQUENTLY ASKED QUESTIONS RELATED TO LEGAL SERVICES PROVIDED BY THE PRO BONO PROJECT

Q: I have a legal issue and would like to apply for services. Are you open?

A: Yes. We are working virtually and are happy to assist you. Please call our main line at 504-581-4043 for more information on services we provide and the regions we operate in. For an application, visit www.probono-no.org or email intake@probono-no.org.

Q: What services do you offer?

A: The Pro Bono Project offers free legal services for persons with low income who have uncontested civil, non-criminal legal problems in the Louisiana parishes of *Orleans, Jefferson, Plaquemines, St Bernard, St Tammany and Washington* only. Examples of the type of cases which might be accepted by our office include:

Uncontested Divorces	Successions	Wills/Power of Attorney
Chapter 7 Bankruptcy	Landlord/Tenant	Intra-family Adoptions
Interdiction	Name Change	Paternity
Title Clearing	Lease Disputes	Social Security Benefits
Consumer Protection	Taxes	Home Ownership/Real Property
Wage Claim		

Q: What services do you *not* offer? Where else can I go for help?

A: The Pro Bono Project does not accept cases that involve the following:

Emergency legal matters	Criminal or traffic matters
Fee generating cases	Personal injury lawsuits
Contested child custody/child support	Contested divorces
Domestic violence	

If you have a case which The Pro Bono Project may *not* handle, you can refer to any of the websites as additional resources for your legal concerns:

Southeast Louisiana Legal Services: <https://slls.org/>

Louisiana Bar Association Modest Means Online Legal Directory: www.lsba.org/Public/FindLegalHelp

New Orleans Bar Lawyer Referral Service: <https://www.neworleansbar.org/for-public/find-a-lawyer/>

LIFT (Legal Innovators for Tomorrow): www.lsba.org/lift

Louisiana Law Help: www.Louisianalawhelp.org

Tulane Law Clinic: 504.865.5930

Loyola Law Clinic: 504.861.5590

FREQUENTLY ASKED QUESTIONS RELATED TO LEGAL SERVICES PROVIDED BY THE PRO BONO PROJECT

Q: I have a criminal charge against me. Can you represent me?

A: The Pro Bono Project provides civil legal aid for non-criminal legal matters. To find a legal resource for a criminal legal matter, please visit: Louisiana Bar Association Modest Means Online Legal Directory: <https://www.lsba.org/Public/FindLegalHelp/ModestMeans.aspx>

For an expungement, please contact the Justice & Accountability Center at <https://www.jaclouisiana.org/>

Q: I received a case acceptance letter and have been waiting for a volunteer. Are you still seeking someone to assist me?

A: Yes. Your case is listed as available on our website. We also regularly communicate with volunteers to encourage them to volunteer their time. Since we cannot guarantee an attorney will volunteer for your case matter, we encourage you to visit other non-profit agencies who may be able to assist you or the private bar. Visit the Louisiana State Bar Association Find Legal Help tab for these resources. www.lsba.org/Public/

Q: I have a case with a volunteer attorney, but I do not know how to contact them?

A: If you have a volunteer attorney, please call our office at 504-581-4043 or email intake@probono-no.org. We are happy to assist you with connecting with your volunteer.

Q: I have an open succession case. Is my case still on-going?

A: Your case remains open and the successions attorney will continue working on all open cases. However, our office is currently virtual so there will be no in-person client appointments/signings and we will be unable to collect filing fees. Also, due to the clerk of court and court closures, there will be some time delays in the completion of all pending successions matters. You can still call the successions attorney, Alexis Clay, at (504) 581-4043 ext. 209 or email her at aclay@probono-no.org.

Q: Are the monthly and quarterly senior center clinics still going to happen?

A: Currently, all senior clinics as postponed until further notice. Seniors may still contact attorney Alexis Clay if they have legal issues or questions. She can be reached at (504) 581-4043 ext. 209 or by email at aclay@probono-no.org.

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