



2014 PILI Illinois Forum on Pro Bono: Moving the Pro Bono Needle Forward

Chicago Bar Association
321 South Plymouth Court, Chicago, Illinois

ROUNDTABLE DISCUSSION NOTES

During roundtable discussions, a cross-section of pro bono leaders from law firms, corporations, public interest law organizations, and law schools focused on a distinct approach for increasing access to justice in Illinois, and collectively identified an initiative or proposed a resource to advance that approach. This discussion built off of ideas generated during the 2013 Illinois Forum on Pro Bono where attendees brainstormed the steps needed to develop effective pro bono programs and systems that remove barriers to pro bono participation. The objective of the roundtable discussion in 2014 was to work through the details of an idea using the various perspectives available, and then engage community partners to further develop and implement the resulting ideas. Each roundtable addressed a different topic impacting pro bono service delivery, and at the conclusion of roundtable discussions, groups were invited to share the idea they had discussed. Below are the collective ideas as recorded and shared by each roundtable discussion group.

- 1. Pro Bono Partnerships:** This roundtable generated ideas to facilitate greater connection between in house corporate counsel interested in providing pro bono legal services with each other, law firms, and public interest law organizations. These ideas include:
 - The hosting of a forum where in house corporate counsel and representatives from public interest law organizations can learn about specific pro bono areas of mutual interest and benefit. During this program, corporations can showcase both legal and non-legal services staff are interested in providing, and the public interest law organizations can share their specific areas of needed support beyond financial contributions. The roundtable generated various services that volunteers from corporations might be able to provide including: technology assistance; client services, such as financial literacy training; case support, such as e-discovery or forensic analysis; and assistance in developing marketing materials.
- 2. Recruiting and Engaging Pro Bono:** This roundtable brainstormed ways that law students and practicing attorneys can develop the habit of doing pro bono work, by detailing specific practices law firms can adopt to institutionalize incentives for doing pro bono work.
 - Law firms can regularly include recognition of pro bono work in internal and external marketing plans, budgets and performance reviews.
 - Law firms can spotlight pro bono accomplishments by informing the Chicago Law Bulletin of noteworthy pro bono work, similar to verdict reporting.
 - In recognizing the influence law firms have over law student behavior, law firms can regularly include law students and summer associates in pro bono volunteer trainings and projects. While acknowledging any practical limitations of law students, the opportunity remains for exposure to key factors impacting comfort with future pro bono service, including: an understanding of the expectations associated with taking a pro bono case; information about client services and cultural competency; and an orientation to local public interest law organizations.

- 3. Reducing and Eliminating Barriers to Pro Bono:** The specific barriers to pro bono this roundtable addressed were limitations on time, and the conflicts of interest that arise when establishing agency partnerships. They provided two suggested rule changes that would reduce the burden of these barriers.
- Add pro bono legal services to the non-traditional activities that meet the criteria needed to earn CLE credit in Illinois would address the time barrier. Additionally, providing CLE credit for mentoring an inexperienced pro bono attorney could result in more partners and experienced attorneys doing pro bono work. The roundtable suggested a cap of 15 hours on these types of non-traditional activities for CLE credit.
 - Allow conflict checks to be waived or limited, in recognition that major law firms often represent businesses involved in pro bono matters, but the limited role of individual pro bono attorneys practicing at those firms does not necessarily give rise to a conflict of interest. The roundtable shared that any new rule would need to set out specific guidelines for initial screening, in order to identify possible circumstances that might impact an existing client of the pro bono attorney's firm.
- 4. Training and Supervising Pro Bono Volunteers:** This roundtable identified specific practices agencies and law firms can adopt to make the process of training and supervising pro bono volunteers more effective. The impact of current practices can be limited by the size of the group to be trained, their collective and individual expertise, availability of volunteers, resources, etc.
- Agencies can provide pro bono training to multiple law firms at once, either in-person or through video-conferencing.
 - Agencies can treat pro bono volunteers like employees during training and supervising, by delivering real, constructive feedback.
 - Law firms can be intentional in their orientation of pro bono volunteers to the mission, clients and needs of the partnering public interest law organization.
 - Law firms can assign an internal partner, and law schools a professor to assist with training and supervising of pro bono volunteers.
- 5. Limited Scope Representation:** This roundtable developed the idea for ILAO to host a resource page that provides information about limited scope representation on www.illinoisprobono.org. There are public interest law organizations serving clients who have needs that could be met using limited scope pro bono services, but many firms and pro bono attorneys remain unaware of this discrete opportunity, and are unsure of what to expect when using this tool to provide services. The resource page could include:
- Basic information about the relevant Illinois' Supreme Court rules, clear definitions of key words and the distinction between limited scope representation and appearances.
 - Education about the general uses of limited scope services for different types of volunteers including, solo practitioners, attorneys at small to large firms, and in house corporate counsel.
 - Volunteer-related information, including: testimonials from attorneys; expectations for engagements; client benefits; general training resources; a discussion of ability to do work remotely; and available limited scope pro bono opportunities.
 - Information sharing between public interest law organizations, including: discrete pro bono program ideas; a check-list of things to consider when developing new limited scope pro bono programs; and identification of needs within the communities served by public interest organizations.

- Information relevant to prospective clients, including a description of the benefits of using a pro bono attorney in a limited capacity, and the ways to find an attorney providing limited scope pro bono services.
- 6. Using Technology:** This roundtable proposed the development of a designated tech-space prepped for law firm pro bono clinics, in order to make setting up a clinic less resource intensive for the partnering firms and agencies to coordinate. This space allows firms working with an agency to easily set up clinics on their own, or in partnership with other firms or in house corporate counsel. The design for the space includes:
- A room that is available for hourly rental by firms, which is equipped with necessary resources, including: 10-15 computers with internet access; two printers; colored paper as required by clinic forms; an IT person available during rental periods; and space for clients to meet with clinic volunteers.
 - The cost of maintenance and IT support would be covered by the rental fees, and naming rights could be offered to a significant donor.
 - A third-party organization, such as ILAO or the CBF to be in charge of the space, scheduling, maintenance, and IT personnel.
 - A mobile-feature which allows the resources to be set up in various locations in, and outside of Chicago.
- 7. The Role of the Judiciary:** This roundtable identified specific practices that take advantage of the unique insight and role of the judiciary, to increase both the amount and quality of pro bono legal services provided.
- Judges can identify common types and specific cases needing pro se representation.
 - Judges can develop a list of volunteer lawyers available to take specific cases, replicating similar Federal and Municipal Court programs.
 - Judges can identify the most common mistakes or pitfalls of pro bono volunteers, and provide trainings to address them.
 - Judges can assist with tracking pro bono appearances, when services are provided outside of organized programs. This would assist with making these volunteers and matters more visible to the public interest law community.
 - Judges can take part in annual pro bono recognition events, understanding that judicial recognition is meaningful to attorneys and could increase pro bono participation.