

Frequently Asked Questions about Pro Bono:



Q: What about malpractice insurance?

A: Most legal aid organizations in Illinois have a malpractice policy that covers pro bono volunteers. You should always confirm this with the organization before agreeing to handle a matter.

Q: Do I need to have experience in the substantive area of law in which I wish to volunteer?

A: In most cases, no. Legal aid organizations have trainings and materials to assist you in handling a matter in a new area and might even offer CLE credit. Also, check out free resources available through www.IllinoisLegalAid.org.

Q: What if I don't have office space?

A: Many legal aid organizations can provide you with office space at which you can schedule appointments to meet with your client. They may also have work space available for you if you need a computer, internet access or photocopies. You should confirm the availability of these resources with the organization.

Q: What if I need help along the way?

A: The legal aid organization will likely have staff attorneys who can provide you with guidance and direction in your pro bono matter. You should not hesitate to contact them if you run into issues or need additional assistance. PILI can also assist you in identifying possible organizations and pro bono opportunities and resources that may be of interest to you.

Q: Are there non-litigation pro bono opportunities available?

A: Yes, many opportunities exist for pro bono attorneys to do transactional work. Ask your legal aid organization for specific opportunities.

Statewide Pro Bono Opportunities

Land of Lincoln Legal Aid is an Illinois nonprofit that provides free civil legal services to low-income persons and senior citizens in 65 counties in central and southern Illinois.
www.lincolnlegal.org

Prairie State Legal Services is a nonprofit that offers free legal services for low-income persons and those age 60 and over who have serious civil legal problems and need legal help to solve them. Prairie State has 12 office locations serving 36 counties in northern Illinois.
www.pslegal.org

PILI, the Public Interest Law Initiative, is a statewide nonprofit that connects law students and lawyers with those in need of free legal services. Through its Pro Bono Program, PILI works to increase the availability of pro bono legal help for those who cannot afford an attorney by developing innovative pro bono opportunities, specifically in the 101 counties outside of Cook County.
www.pili.org

Many more organizations are looking for pro bono volunteers. Visit www.cbf.joinpaladin.com to view more pro bono opportunities.

Pro Bono Opportunities and Resources in Illinois

“Pro bono service is not only personally rewarding, it is an important component of professionalism. By engaging in pro bono service, the attorney helps close the justice gap that affects our most vulnerable neighbors. On behalf of the Illinois Supreme Court, I encourage all eligible attorneys to participate in pro bono efforts, either directly or by supporting legal aid agencies.”

- Illinois Supreme Court Justice Rita B. Garman

including information for Retired and Inactive Attorneys, Out of State Licensed Attorneys, House Counsel Status Attorneys, Government Attorneys and Paralegals

What is Pro Bono?

Pro bono publico is a Latin term meaning “for the public good.” While there are various definitions throughout the country of what constitutes pro bono, the Illinois Supreme Court has adopted Rule 756(f), which defines pro bono as:

- legal services without charge or expectation of a fee to persons of limited means;
- legal services to charitable, religious, civic, community, governmental or educational organizations in matters designed to address the needs of persons of limited means;
- legal services to charitable, religious, civic or community organizations in furtherance of their organizational purpose; or
- training intended to benefit legal aid organizations or lawyers who provide pro bono services.

Why do Pro Bono?

Members of the legal profession are uniquely positioned to make a difference for low-income and underrepresented individuals and families with legal needs at a time when the need has never been greater. The number of people living in or near poverty in Illinois - one third of the population of the state, or over 4 million people - has been rising steadily, while funding for legal aid programs continues to shrink. Pro bono attorneys can help meet the growing demand for legal services, making equal access to justice not just a dream, but a reality for people and families in need.

“The need for legal assistance and representation in this community is so great that an attorney who takes even one hour out of their schedule to explain issues, to appear in court, or to advocate for a client in need can really make the difference - not only for the client’s situation, but also for how that client - and their friends and families - see the legal system.”

- Ruth E. Wyman, Attorney and Land of Lincoln Pro Bono Volunteer

Who Can do Pro Bono?

While every attorney in Illinois can do pro bono work, there are special considerations for those in the following positions:

Pro Bono for Paralegals

Paralegals can and do play a critical role in providing pro bono services. Paralegals can reach out to local nonprofit organizations for specific paralegal opportunities.

Pro Bono for Retired, Inactive and Out of State Licensed Attorneys in Illinois

Retired, inactive, and out-of-state attorneys can perform pro bono services in Illinois. Attorneys apply to work with a sponsoring entity, such as a legal aid organization or law clinic, that is approved by the ARDC. Attorneys must register with the ARDC and comply with Illinois Supreme Court Rule 756.

Pro Bono for House Counsel

Attorneys with limited admission status under Rule 716 are authorized to provide pro bono legal services in Illinois without any additional registration or other pro bono-specific requirements.

Pro Bono for Government Attorneys

While government attorneys may have restrictions limiting their ability to do pro bono work, pro bono can still be an active part of their practice. Government attorneys simply need to consult with their ethics office to clarify those limitations before engaging in pro bono work.

“It is so great being part of getting people help with their legal issues. I witness clients coming in with little to no hope for their situation and leaving with so much more confidence. They are all so very thankful for the assistance!”

- Heather Feeney, Corporate Paralegal and PILI Pro Bono Volunteer

“Prairie State Legal Services provides a platform to help those in need. I am amazed at the local pro bono attorneys who have served countless people in times of great distress. As a retired judge, I am proud to be a small part of this worthwhile and yes, often lifesaving endeavor.”

- James Brusatte, Retired Judge and Prairie State Pro Bono Volunteer

A New Tool to Help

Under Illinois Rules of Professional Conduct, lawyers may provide limited scope representation when it is reasonable and when the client agrees to it. The representation can be in litigation, either appearing in court or providing assistance outside of the courtroom. Limited scope representation can also be used in transactional matters. Examples of limited scope representation include: reviewing a contract; drafting an initial pleading; taking a deposition or preparing written discovery; filing and arguing a motion to vacate a default judgment; or negotiating and writing a joint parenting agreement. This is a great way to offer your assistance to those in need, without committing to ongoing representation. If you would like to continue to assist the client, you can enter into additional limited scope representation agreements, or you can even decide to expand into full representation. This new tool is available for both your pro bono and paying clients.