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Pro Bono Reference Guide: A Resource for Corporate Programs

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Introduction

Since its founding in 1977, the Public Interest Law Initiative (PILI) has cultivated a lifelong commitment to public interest law and pro bono service within the Illinois legal community to expand the availability of legal services for people, families and communities in need. At every stage in the life cycle of a legal career, PILI guides attorneys in actualizing their professional responsibilities and personal commitments to equal access to justice through a continuum of public interest law and pro bono programming and resources. PILI's programs first capture emerging lawyers when they are law students and new law school graduates, and then extend into legal practice to reach new, experienced, and senior attorneys working in every sector of the legal community – private, academic, government and non-profit.

PILI, through its Pro Bono Initiative Program, serves as a resource for Illinois law firms and corporations developing or enhancing pro bono programs, with the goal of fostering business cultures and legal careers that feature a commitment to public interest law and pro bono work. PILI works collaboratively with law firms, corporations, public interest law agencies, law schools and members of the bar and bench to expand the availability of pro bono legal services across Illinois. PILI offers a wide range of pro bono programming and resources; develops innovative projects and cultivates best practices; and celebrates ongoing pro bono service to enhance the scope and quantity of pro bono legal assistance in Illinois.

PILI, in conjunction with The Chicago Bar Foundation, compiled this *Pro Bono Reference Guide*, which is intended to provide you with guidance in developing or enhancing a formal pro bono program at your corporation. A variety of sample documents and individualized and in-person technical assistance are also available from PILI as a supplement to the Guide.

In addition to the *Pro Bono Reference Guide*, PILI also has a variety of other resources to aid you in your efforts:

- **PILI E-newsletter:** PILI's e-newsletter is published every other month and provides the latest news about PILI's programs, events and the latest public interest law and pro bono news. Visit the PILI website to subscribe to the newsletter and to view past editions;
- **PILI Pro Bono Consultations:** PILI will organize a consulting team of pro bono leaders from corporations similar in nature to yours who will meet with you and other leaders of your in-house legal department to share their experiences and perspectives regarding each of their pro bono programs. The members of these teams often share samples of relevant materials to further assist you in your efforts. Based on your needs and interests, we will also help you identify the legal aid agencies that would be appropriate partners for your legal department; and
- **PILI Pro Bono Programming:** PILI organizes and hosts the Illinois Forum on Pro Bono annually, which brings together pro bono leaders from law firms, corporations, law schools and legal aid agencies to discuss current pro bono issues and share pro bono best practices. As a complement to the Forum, PILI also hosts an annual Corporate Pro Bono Roundtable to bring together corporate pro bono leaders from around Illinois to network, discuss the unique pro bono challenges facing attorneys and to share best practices and strategies for successful pro bono programs.

These services are provided at no cost to firms and corporations interested in establishing or enhancing a pro bono program. To learn more about the services provided by PILI, please visit our website at www.pili.org, or contact PILI's Executive Director, Michael Bergmann, at mbergmann@pili.org or (312) 832-5129.



Section 2. Pro Bono Basics

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Reasons to Do Pro Bono Work

I. Professional Obligation

It is our ethical obligation as attorneys in Illinois to provide pro bono assistance to persons in need of legal services who cannot afford them.

The preamble to the Supreme Court of Illinois Rules of Professional Conduct provides, in pertinent part, as follows:

It is the responsibility of those licensed as officers of the court to use their training, experience and skills to provide services in the public interest for which compensation may not be available. An individual lawyer's efforts in these areas is evidence of the lawyer's good character and fitness to practice law.

Further, the American Bar Association Model Rules of Professional Conduct Rule 6.1 on voluntary pro bono publico service states that attorneys should contribute 50 hours of pro bono legal services per year. The Chicago Bar Association has also adopted a resolution reaffirming its commitment to increasing pro bono and encourages attorneys to perform 50 hours of pro bono service and contribute \$250 (or the equivalent of two billable hours) to support the legal aid system.

II. Unmet Legal Needs

The most obvious and compelling reason to perform pro bono work is the need to address the gap between the millions of people who need legal assistance but cannot afford or obtain it, and the limited resources available to meet those needs through legal aid organizations. The assistance provided by volunteer attorneys is critical, as there are only about 350 legal aid attorneys to serve all of Illinois.

III. Recruiting and Retention; Morale

Competition for hiring good legal talent can be intense. Companies with active pro bono programs likely enjoy a competitive advantage, particularly when a new attorney may be deciding between opportunities with substantially similar or even identical compensation and benefit structures.

In today's environment, attorneys are more mobile than at any time in the past. The costs of replacing departing attorneys are high (often involving recruitment fees and training expenses) and the time involved in transitioning a new attorney is substantial. A strong pro bono culture can contribute to a positive office environment and, in turn, strengthen attorney loyalty to the corporation.

Finally, a successful pro bono program can provide opportunities for lawyers from different practice areas, along with non-lawyer staff, to work together as a team. You can share pro bono victories and awards with the entire department, fostering a sense of pride and accomplishment among your attorneys and staff.

IV. Marketing

Participation in pro bono is an effective marketing tool that can provide positive publicity, heightened visibility, opportunities to work with other departments of the corporation, improved client relationships, and evidence of good corporate citizenship. With most corporations investing significantly in community service and corporate citizenship projects, pro bono is an excellent means for your legal staff to use their special skills and training to add to your corporation's overall community contributions.

V. Training and Professional Development

Pro bono projects can be used as training vehicles to provide a wide variety of high quality skills training in current and new practice areas as well as across disciplines. Through pro bono work, junior attorneys have the opportunity to expand their expertise through trying cases and gaining substantial client contact earlier in their career. With adequate supervision, junior attorneys can be afforded greater autonomy in a pro bono matter, gaining meaningful work experience and accelerated professional development opportunities that benefit both the individual attorney and your company.

Definition of Pro Bono Work

I. Official Definition

While there are various definitions throughout the country of what constitutes pro bono, the Illinois Supreme Court has adopted a reporting requirement for pro bono legal services and qualified monetary contributions in which the Court has defined pro bono for purposes of this Rule.

Illinois Supreme Court Rule 756(f) 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. According to Rule 756(f), "persons of limited means" are not only those persons with household incomes below the federal poverty standard but also those persons frequently referred to as the "working poor."

II. Examples of Pro Bono Work

The types of engagements that qualify as bona fide pro bono work are varied and countless. Examples include:

- Representing an indigent client in a landlord-tenant dispute;
- Drafting advanced directives for a senior citizen;
- Counseling a non-profit organization on tax matters;
- Developing and presenting a training session on a substantive law topic for pro bono attorneys; and
- Assisting veterans with applying for government benefits.

III. Activities that Do Not Qualify as Pro Bono Work

Not all charitable activities qualify as pro bono work. Examples of activities that do not constitute pro bono work include:

- Serving on the board of a school district where the lawyer does not act as the district's pro bono legal counsel;
- Offering discounted fees to clients;
- Attending continuing education seminars;
- Judging a mock trial program; and
- Fundraising for organizations.

Dispelling the "Myths" of Pro Bono

A common myth about doing pro bono work is that it only involves representing a low-income individual in a litigation matter. However, many attorneys regularly engage in pro bono services on transactional matters as well. Examples include legal representation on issues such as business, consumer, housing and wills; non-litigation activities such as brief advice and referral clinics or hotlines; and counseling a non-profit in areas such as corporate governance, employment, intellectual property and real estate.

Below are responses to a few other common misconceptions about pro bono work.

Myth #1: I do not have time to do pro bono work.

This is one of the most significant individual obstacles to performing pro bono work. Attorneys are busy, which is a good thing for both the attorney and his or her employer. However, pro bono work does not have to involve a huge time commitment. There are persons of limited means who only require a few hours of legal assistance. A substantial amount of pro bono work consists of small, discrete projects that involve less than ten hours of an attorney's time. For example, assisting an elderly person with a power of attorney or living will might involve three to five hours of your time, as does reviewing a lease or contract for a person of limited means. There are numerous pro bono projects in need of only a few hours of an attorney's time, and the rewards of this work are great whether it involves five hours or hundreds of hours.

Myth #2: I do not have expertise in the area of law where pro bono work is available.

The legal needs of low-income individuals often involve work that may be outside the expertise of attorneys at a corporation. For example, there is a great need for assistance in family law and immigration matters, both of which are practices that do not have a presence in most corporate legal departments. Your attorneys should not be discouraged, however, from branching into areas of the law where they may have an interest but not the experience. There are many public interest agencies in Illinois who not only screen pro bono cases, but also provide support to their volunteer attorneys. In addition, many agencies provide substantive legal training programs for interested attorneys, sometimes in the attorney's own office. Finally, attorneys who practice in a particular area are usually receptive to questions from other volunteer attorneys and can be very helpful.

Myth #3: Our malpractice insurance policy does not cover pro bono work.

Even if a corporation does not carry malpractice insurance or the policy does not cover pro bono work, many pro bono and legal aid agencies in Illinois have policies that cover their volunteer attorneys. If your corporation does not have insurance coverage, you should inquire with a particular agency as to its coverage. A corporation may also purchase malpractice insurance to cover its pro bono program, usually at a fairly low cost. In addition, it is important that the same risk management practices are followed in pro bono cases as in regular practice, and that the attorneys treat the pro bono client as any other client during the representation.

Myth #4: My business clients do not care about pro bono work.

Your business clients cannot care about your pro bono work if they do not know about it. Even in a corporate legal department, client relationships are an important part of your practice. Clients like to know that their attorneys are well-rounded individuals. Further, your clients are also employees of the corporation, and they are likely to appreciate that their attorneys are "doing good" in the community.

Myth #5: Pro bono work will displace "real" client work.

The "work displacement" concern is likely to be raised as a deterrent to pro bono work. Studies on this issue, however, have concluded that not only does pro bono work not displace "real" client work, but in fact the busiest and most efficient attorneys in an office are the attorneys performing the most pro bono work! These studies confirm that successful attorneys who do pro bono work are integrating pro bono work into their practice along with their regular workload.

Illinois Supreme Court Pro Bono Reporting Rule

I. Background

In 2006, the Illinois Attorney Registration and Disciplinary Commission (ARDC) implemented a pro bono reporting requirement for attorneys licensed in Illinois. According to the Committee Comments to the amended Rule 756(f), the report is intended to serve as an annual reminder to Illinois lawyers that pro bono legal service is an integral part of a lawyer's professionalism. Excerpts from the Rule follow this section.

II. Summary of the Rule

Rule 756(f) requires all attorneys licensed in Illinois to report, in connection with the attorney's annual ARDC registration, pro bono legal services provided and qualified monetary contributions made during the preceding 12 months.

Pro bono legal services include legal services without charge or expectation of a fee (a) to a person of limited means; (b) to an organization designed to address the needs of persons of limited means; (c) to certain charitable, religious, civic, or community organizations; and (d) pro bono training intended to benefit legal service organizations or lawyers who provide pro bono services. According to Rule 756(f), "persons of limited means" are not only those persons with household incomes below the federal poverty standard but also those persons frequently referred to as the "working poor."

The Rule also encourages attorneys to make monetary contributions to an organization that provides legal services to persons of limited means or that contributes financial support to such an organization.

III. Compliance with Rule 756(f)

The reporting requirement consists of two questions that have been added to the annual Illinois ARDC registration form. All attorneys must respond to both questions, even if they did not perform any pro bono work or make a qualified monetary contribution in the preceding 12 months.

Question 1: Pro Bono Legal Services.

- Attorneys who did *not* perform any pro bono work in the preceding 12 months should check the "No" box on Question 1 and state whether the attorney is prohibited from providing legal services because of his or her employment.
- Attorneys who did perform pro bono work in the preceding 12 months should check the "Yes" box on Question 1 and identify the number of hours within each category of legal services listed.

Question 2: Monetary Contributions.

- Attorneys who did *not* make a monetary contribution to an organization that provides legal services to persons of limited means or that contributes money to such an organization should check the "No" box on Question 2.
- Attorneys who did make a monetary contribution within the preceding 12 months should check the "Yes" box and identify the approximate amount of the contribution.

IV. Penalty for Noncompliance

An attorney's failure to report the required information will result in an attorney's name being removed from the master roll of licensed attorneys in Illinois.

Amended Supreme Court Rule 756

(In Pertinent Part)

(f) Disclosure of Voluntary Pro Bono Service. As part of registering under this rule, each lawyer shall report the approximate amount of his or her pro bono legal service and the amount of qualified monetary contributions made during the preceding 12 months.

(1) Pro bono legal service includes the delivery of legal services or the provision of training without charge or expectation of a fee, as defined in the following subparagraphs:

(a) legal services rendered to a person of limited means;

(b) legal services to charitable, religious, civic, community, governmental or educational organizations in matters designed to address the needs of persons of limited means;

(c) legal services to charitable, religious, civic, or community organizations in matters in furtherance of their organizational purposes; and

(d) training intended to benefit legal service organizations or lawyers who provide pro bono services.

In a fee case, a lawyer's billable hours may be deemed pro bono when the client and lawyer agree that further services will be provided voluntarily. Legal services for which payment was expected, but is uncollectible, do not qualify as pro bono legal service.

(2) Pro bono legal service to persons of limited means refers not only to those persons whose household incomes are below the federal poverty standard, but also to those persons frequently referred to as the "working poor." Lawyers providing pro bono legal service need not undertake an investigation to determine client eligibility. Rather, a good-faith determination by the lawyer of client eligibility is sufficient.

(3) Qualified monetary contribution means a financial contribution to an organization as enumerated in subparagraph (1)(b) which provides legal services to persons of limited means or which contributes financial support to such an organization.

(4) As part of the lawyer's annual registration fee statement, the report required by subsection (f) shall be made by answering the following questions:

(a) Did you, within the past 12 months, provide any pro bono legal services as described in subparagraphs (1) through (4) below? ___ Yes ___ No

If no, are you prohibited from providing legal services because of your employment?
___ Yes ___ No

If yes, identify the approximate number of hours provided in each of the following categories where the service was provided without charge or expectation of a fee:

(1) hours of legal services to a person/persons of limited means;

(2) hours of legal services to charitable, religious, civic, community, governmental or educational organizations in matters designed to address the needs of persons of limited means;

(3) hours of legal services to charitable, religious, civic or community organizations in furtherance of their organizational purposes; and

(4) hours providing training intended to benefit legal service organizations or lawyers who provide pro bono services. Legal services for which payment was expected, but is not collectible, do not qualify as pro bono services and should not be included.

(b) Have you made a monetary contribution to an organization which provides legal services to persons of limited means or which contributes financial support to such organization? ____ Yes ____ No

If yes, approximate amount: \$_____.

(5) Information provided pursuant to this subsection (f) shall be deemed confidential pursuant to the provisions of Rule 766, but the Commission may report such information in the aggregate.

(g) Removal from the Master Roll. On February 1 of each year the Administrator shall remove from the master roll the name of any person who has not registered for that year. A lawyer will be deemed not registered for the year if the lawyer has failed to provide trust account information required by paragraph (d) of this rule or if the lawyer has failed to provide information concerning malpractice coverage required by paragraph (e) or information on voluntary pro bono service required by paragraph (f) of this rule. Any person whose name is not on the master roll and who practices law or who holds himself or herself out as being authorized to practice law in this State is engaged in the unauthorized practice of law and may also be held in contempt of the court.

The complete amended Rule is available at <http://www.state.il.us/court/SupremeCourt/Rules/Amend/2006/061406.pdf>.

Pro Bono for In-House Counsel Not Licensed in Illinois

On July 1, 2008, amendments to Illinois Supreme Court Rules 716 and 756 went into effect that give retired and inactive attorneys as well as in-house counsel with limited admission status the ability to provide pro bono legal assistance to vulnerable and disadvantaged people who would otherwise be shut out of the justice system. The amendments grew out of a desire of retired, inactive and in-house counsel across the state that wanted to help meet the legal needs of the most vulnerable in Illinois, but were previously barred from doing so.

In addition, on April 9, 2013, further amendments to Illinois Rules 716 and 756 went into effect that allow in-house counsel admitted in Illinois under Rule 716 to perform pro bono service without additional registration or affiliation requirements. These changes will help encourage and increase pro bono work in Illinois by making it easier for in-house counsel to engage in pro bono services. Rule 756(j) still permits retired and inactive attorneys to perform pro bono and now also includes attorneys admitted outside of Illinois to do so as well. Attorneys in these three categories must register with the Attorney Registration and Disciplinary Commission (ARDC), work with an approved sponsoring entity, and participate in any required training.

Limited Scope Pro Bono Representation

Limited scope representation is an approach to providing legal services in which a lawyer provides legal assistance in a specific, discrete aspect of a matter and the client self-represents in the remainder. Rule 1.2(c) of the Illinois Rules of Professional Conduct, which became effective on January 1, 2010, allows a lawyer to undertake this short-term, limited scope pro bono representation so long as the lawyer is unaware of any conflicts of interest and the other requirements of the Rule are met. This Rule enables corporate pro bono programs to develop short-duration litigation opportunities for volunteer lawyers.

I. Illinois Rules of Professional Conduct Rule 1.2(c)

Under Rule 1.2(c), “a lawyer may limit the scope of representation if the limitation is reasonable under the circumstances and the client gives informed consent.”

Although the Rule applies to short-term engagements that are limited in scope, the Rule does not prevent a client from seeking, or a lawyer from agreeing to provide additional assistance later. However, a normal conflicts check will be required if a representation goes beyond a short-term, limited engagement.

II. Limited Scope Representation Amendments

Amendments to Rule 13 and Rule 137, adopted by the Illinois Supreme Court effective July 1, 2013 allow lawyers to make limited scope appearances in civil matters, and to provide assistance with drafting pleadings and other documents filed by pro se litigants. These new rules enable corporate pro bono programs to develop short-duration litigation opportunities for volunteer lawyers.

It is required that a written Limited Scope Representation Agreement be executed between the attorney and client in these types of matters, disclosing the limited nature of the relationship. Sample Limited Scope Representation Agreements are available in the Forms section at www.IllinoisLegalAdvocate.org.

PILI's Pro Bono Recognition Roster

PILI's mission is to cultivate a lifelong commitment to public interest law and pro bono service within the Illinois legal community to expand the availability of legal services for people, families and communities in need. In 2001, 39 Chicago-area law firms and 13 corporate legal departments initially gathered with PILI at a signing ceremony to formally acknowledge their joint commitment to incorporating pro bono legal services into their business cultures.

Groundbreaking at its inception, this early statement of pro bono principles acknowledged the critical role of the legal profession in addressing the unmet legal needs of Illinois' poor and under-represented. Those initial law firms and corporate legal departments agreed to engage in pro bono practice, and to develop pro bono policies within their firms and legal departments. For many years thereafter until 2006, PILI annually recognized, through its Pro Bono Honor Roll, a growing roster of law firms and corporate legal departments which demonstrated a strong commitment to pro bono work and culture.

Since 2010, PILI has been recognizing the noteworthy pro bono contributions of law firms and corporate legal departments throughout the state of Illinois, as well as their attorneys and staff, through its Pro Bono Recognition Roster. In so doing, PILI hopes to highlight the critical role that firms and corporations continue to play in meeting the need in our communities through pro bono legal assistance and to recognize the significant contributions made by firms and corporations across the State in support of pro bono legal assistance.

To be eligible for inclusion on PILI's Recognition Roster, corporate legal departments must meet at least two of the following criteria based only on Illinois offices:

- Participation by at least 10% of Illinois office(s) legal department staff in pro bono work; and/or
- A 5% increase in Illinois office(s) pro bono hours from the previous year; and/or
- Participation in The Chicago Bar Foundation's Corporate Leadership Circle, or one of PILI's Judicial Circuit Pro Bono Committee Pro Bono Pledges; and/or
- Innovative step(s) to involve more Illinois office(s) legal department staff in pro bono work or to expand the corporation's pro bono program (please provide a description of the innovative step(s)).

This basis for determining whether your corporate legal department meets any of these criteria should be for your most recent closed fiscal year.

The Statement of Principles for The Chicago Bar Foundation Corporate Leadership Circle asks corporations to commit to: (1) Adopt written pro bono policies and practices to encourage and support pro bono work; (2) Provide financial support for pro bono, legal aid and access to justice; (3) Encourage outside counsel to adopt sound pro bono policies and practices; and (4) Adopt additional policies and practices to support pro bono, legal and access to justice when possible and practical. Additional policies and practices can include supporting advocacy efforts promoting adequate government funding, promoting Cy Pres Awards, and providing administrative and legal support for pro bono, legal aid and access to justice. Please visit www.chicagobarfoundation.org for more information.

PILI has established six Judicial Circuit Pro Bono Committees across Illinois, several of which have adopted the Pro Bono Pledge. The Pledge is for law firms and corporate legal departments to affirm their commitment to pro bono by: (1) Encouraging attorneys and legal staff to provide pro bono legal services and in doing so provide an environment which is hospitable to the rendition of such services; (2) Designating a primary pro bono point of contact within the firm or corporate law department; (3) Considering the adoption of a written pro bono policy; and (4) Recognizing attorneys and legal staff who participate in pro bono services, as appropriate.

For more information about PILI's Judicial Circuit Pro Bono Committees or the Pro Bono Pledge, please visit www.pili.org or contact PILI's Executive Director, Michael Bergmann, at mbergmann@pili.org or (312) 832-5129.

Pro Bono Recognition Roster self-certification forms are typically distributed to corporate legal departments annually in April and those corporations named to the Pro Bono Recognition Roster are highlighted at PILI's Annual Pro Bono Reception: *Celebrating Pro Bono*, typically held in June of every year.

For more information about the Pro Bono Recognition Roster and a self-certification form, please contact Katie Pieper, PILI's Education & Outreach Manager at kpieper@pili.org, or (312) 832-5128.



Section 3. Initial Considerations in Developing a Pro Bono Program

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Special Considerations for Corporations in Designing a Pro Bono Program

Much of what is written about successful pro bono programs comes from the marketing departments of large law firms. While there is no question that these firms have served as influential leaders of the pro bono movement, corporations also have a proud history of commitment to pro bono legal services. There are, however, unique challenges faced by corporations in establishing and growing a successful program.

I. The Blank Slate Problem

Usually, if you are starting a pro bono program, you are faced with a blank slate. No program is on the books and whatever pro bono work that has been done by your corporation's lawyers in the past may not have been well coordinated or documented. Fortunately, PILI can provide you with forms and advice like this Guide, as well as introductions to legal aid agencies and corporate pro bono coordinators, to help get you started.

II. The Resource Challenge and Solutions

You may hear objections from your superiors and colleagues that the company cannot "afford" a pro bono program given its limited resources. There are ways to ameliorate this concern:

- Select projects that will not require a large commitment of time or money from the corporation;
- Require the referring agency to screen matters for you and to train your lawyers in how to properly handle their matters; and/or
- Partner on matters with other corporations, law firms or legal aid agencies.

III. The Need for Sounding Boards

In-house counsel providing pro bono services frequently need a resource outside the corporation to serve as a sounding board on issues that arise during the course of pro bono representation. You should scrutinize referring agencies to ensure that they do not simply hand off matters to pro bono attorneys and leave the individual to his or her own devices. Good legal aid agencies will provide not only continuing staff support but also networks of other pro bono lawyers who can assist you with background on the process or the law, as well as advice on strategy.

You may want to consider attending PILI's annual Corporate Pro Bono Roundtable which brings together corporate pro bono leaders from around Illinois to discuss the unique pro bono challenges facing corporate attorneys and to share best practices and strategies for successful corporate pro bono programs, as well as PILI's Illinois Forum on Pro Bono which brings together pro bono leaders from law firms, corporations, law schools and legal aid organization to discuss pro bono challenges and share best practices.

IV. Getting the Word Out

Because many corporations have small legal departments, it is sometimes a challenge to promote the successes of the pro bono program. Most of the agencies that refer cases will help promote news of your attorneys' successes through awards, newsletters and their websites. PILI, as well as other bar associations and organizations, can also help to promote your program.

Objectives of a Corporate Pro Bono Program

Although your objectives might change over time as your corporation's pro bono program evolves, it is a good idea in the initial stages of the program to identify the goals for the program and to design the program to achieve those goals. It is, after all, against those goals that the success of the program ultimately will be measured. As any business consultant will tell you, if you cannot measure it, you cannot manage it.

Common goals that corporations have set for their pro bono programs are discussed below. These goals are not mutually exclusive and most successful pro bono programs will incorporate some or all of these objectives. They are also not exhaustive. The goals set for your program are limited only by your imagination and the culture of your corporation.

I. Satisfying Your Attorneys' Desire to Give Back to the Community

The impetus for and goal of many pro bono programs is to provide an outlet for attorneys to give back to the community. Corporations have amazing resources and talents, and yet there are profound unmet legal needs among the poor and disadvantaged. Pro bono work can bring the two together in a way that ultimately benefits not only the participants but also society as a whole.

II. Promoting Your Corporation and Its Image

Pro bono engagements can raise the visibility of your corporation and help burnish its reputation as a corporation that cares about its community. Pro bono efforts can enhance and complement the corporate citizenship efforts that your corporation is already undertaking. It is likely that your corporation already has identified philanthropy or community relations objectives, and that pro bono opportunities exist that match these objectives.

III. Building Stronger Relationships Within Your Corporation

Many successful pro bono programs are expressly designed to foster closer relationships between individuals and groups within the same corporation. Pro bono projects provide excellent opportunities for your attorneys as well as the non-attorney legal staff to work together on matters in ways that they might not ordinarily in the course of business.

IV. Building Stronger Relationships Between In-House and Outside Lawyers

By partnering with outside lawyers, in-house counsel can foster closer relationships with attorneys and firms with which they have existing relationships, or "test out" attorneys and firms that might be retained in the future.

V. Training Your Lawyers and Legal Staff

Pro bono programs can provide wonderful training opportunities, especially to newer lawyers or lawyers who simply wish to broaden their horizons.

Establishing Realistic Goals for Your Pro Bono Program

When establishing a pro bono program, you need to be realistic about the goals that you set. There is a value in setting goals that are aspirational in nature to encourage the growth of the program and to remind people of why pro bono was considered valuable in the first place. While there are a number of structures that corporations have successfully used to provide support to their attorneys for pro bono work, the common denominator is strong and visible support from the corporation and legal department's leadership.

I. Setting Aspirational Pro Bono Hour Targets

In PILI's experience, successful pro bono programs are voluntary in nature and succeed because lawyers and legal staff are enthused about giving back to the community, not because they have to put in their time to reach some preset hours goal. PILI therefore encourages corporations to adopt aspirational pro bono standards rather than requiring a set number of hours. Or, if your corporation has a preference for metrics, consider emphasizing a participation goal rather than hours.

II. Tracking Your Investment in Pro Bono

Regardless of whether you set numerical goals, you will want to track not only the number of lawyers and legal staff who participate in the program but also the hours they spend each year on pro bono matters and the value of those hours. For many corporations, this is difficult because hours are not tracked. The reality of legal practice is that any individual's time on pro bono cases will vary from year to year. Because of this, consider looking more broadly at average pro bono hours to ensure that over time the program is growing. Expenses incurred by the program should also be tracked as well as charitable contributions made by the corporation as a result of its involvement in pro bono matters, in order to quantify the financial commitment to pro bono.

III. Share Pro Bono Success Stories and Monitor the Impact of the Program

You and/or your pro bono committee should continually and enthusiastically promote the program by disseminating information about the program's successes, recognizing lawyers and legal staff who participate in it and documenting the achievements of the objectives set for the program. When trying to drum up participation in and support of a pro bono program, there is simply no substitute for good press and honest enthusiasm for the program. Publicity should occur within the department, as well as throughout the rest of the company. Consider setting a goal to be recognized by outside organizations for your pro bono involvement, as this provides a means to demonstrate the public relations impact of the efforts.

IV. Expect Better Participation from More Junior Lawyers

Although pro bono work should appeal to lawyers of all experience levels, it is often the case that more junior lawyers seem to participate in pro bono work on a more frequent basis. This is a product of many factors, from the relative idealism of newer lawyers, to their desire for more training and the busy schedules of more experienced lawyers who are balancing not only work, but management or other responsibilities. A good pro bono program will try to appeal to more experienced lawyers for support and involvement but will realize that participation rates will be higher among more junior attorneys. That being said, a well organized and well promoted pro bono program that engages junior lawyers is likely to be one that keeps those lawyers committed and involved as they progress in their careers.

Setting Up Your Pro Bono Program

I. Getting Buy-In at Your Corporation

The first challenge in initiating a pro bono program is to build the necessary support among the leaders of your organization. You may need to be prepared to dispel the “myths” of pro bono and to articulate why having a program will not only benefit the clients you intend to serve, but your organization and individual attorneys and staff as well. PILI, through its Pro Bono Initiative Program, can help your corporation get started.

Here are some means to obtain corporate buy-in:

- Engage your general counsel or chief legal officer and obtain his/her support;
- Request funding for an annual pro bono award to recognize an attorney for his or her involvement in pro bono with a small cash award that benefits a charity;
- Identify awards received by other corporations for pro bono work;
- Ask senior management or the person in charge of corporate social responsibility to provide input into the types of pro bono projects the department should look for; and/or
- Request that outside law firms provide information on their pro bono program in any Request for Proposals and consider their pro bono commitment in evaluating the proposal.

II. Promulgating a Pro Bono Policy

The less experience your corporation has with pro bono work, the more important it will be to promulgate a policy explaining how the program will work. The policy should address:

- What your organization considers to be pro bono work;
- What areas of focus are encouraged, particularly if the corporation has specific community relations goals or areas of interest;
- A means to track time and money spent on pro bono activities, and to differentiate pro bono from important, but non-legal, community affairs work;
- Who will approve the engagements and what type of information will need to be provided before a pro bono matter is accepted;
- If attorneys have hours goals, whether and how much credit will be given for work on pro bono matters;
- Whether and what insurance is available for pro bono services rendered;
- What type of support will be available on pro bono cases (e.g., use of administrative staff, copy equipment) and what type of expenses will be reimbursed (e.g., transportation, expert fees);
- Guidelines for managers in evaluating requests to perform pro bono services, both from attorney and non-attorney staff; and
- That pro bono work is encouraged and valued and whether pro bono work is expected or required of each attorney and if so, in what amount.

III. Rolling Out the Program

Once your pro bono policy has been adopted, you must take steps to ensure that the program gets off to a good start. You should consider:

- Encouraging corporation and legal department leaders to vocally support and encourage participation in the program, ideally by their own example;
- Having a few pro bono opportunities in hand to distribute to interested lawyers; and
- Announcing publicly the purposes and goals of the program and/or having a “kick-off” event.

IV. Maximizing the Program’s Potential

As your pro bono program gains traction, maximize its potential by:

- Appointing a program coordinator or committee to cultivate and identify good opportunities for the corporation to encourage participation, track involvement and promote successes;
- Making support from leadership clear and visible;
- Partnering with one or more pro bono or legal aid agencies to pre-screen cases for your organization;
- Involving your legal staff in the program and encouraging them to spot worthy matters or causes for your organization to handle or support;
- Publicizing your pro bono program’s success and linking up the program with your corporation’s marketing, recruiting and professional development efforts;
- Reporting pro bono efforts at legal department meetings;
- Reporting pro bono efforts to internal communications personnel;
- Including pro bono in annual reviews as a personal development opportunity area;
- Participating in the legal community’s efforts to identify and share best pro bono practices;
- Creating a pro bono partnership with a law firm that you have engaged as outside counsel; and
- Developing a program that is self-sustaining in order to ensure the program’s viability during times of staffing changes, particularly in the role of General Counsel.

Pro Bono Policy Basics

I. Reasons to Have a Pro Bono Policy

There are numerous advantages to adopting a written pro bono policy within your corporation. For example, a written pro bono policy emphasizes your corporation's commitment, and that of your senior management, to pro bono work and to your community. A written pro bono policy can provide guidance and encouragement to members of your legal department as they consider integrating pro bono work into their professional lives. A written pro bono policy is a reflection to both your own corporation and to the broader community of your corporation's desire to serve the needs of disadvantaged members of the community.

Developing a written pro bono policy for your legal department promotes a shared understanding of the corporation's pro bono process and its commitment to public interest law. A written pro bono policy documents the corporation's tradition of encouraging pro bono activity and establishes the procedures by which the corporation will handle pro bono cases. A written pro bono policy can establish consistent guidelines and procedures for how the corporation will recognize or "value" pro bono work performed by employees of the corporation. Finally, and oftentimes most importantly, adopting a written pro bono policy can help build and maintain the necessary support for pro bono work among the leaders of the corporation and ensure the sustainability of the program for the future.

II. Components of a Pro Bono Policy

There are many "model" pro bono policies available through PILI's Pro Bono Initiative Program that can provide you with guidance in drafting a written pro bono policy. Of course, each corporation will have different reasons for establishing a pro bono program and will have adopted different procedures for implementing and managing that program. Nonetheless, if you are considering establishing a new pro bono program or revising an existing pro bono policy, consider reviewing a variety of policies to get an idea what other corporations have incorporated into their pro bono programs.

The first step is to define your corporation's pro bono vision or mission statement. Why is pro bono important and what is your corporation's commitment to pro bono work? In addition to this statement, which is typically found at the beginning of the pro bono policy, a written pro bono policy should address the following topics (detailed in the following section):

- a. Definition of Pro Bono;
- b. Management of Pro Bono Program;
- c. Process of Taking on a Pro Bono Case;
- d. Professional Liability Insurance;
- e. Use of Corporate Resources for Pro Bono Work;
- f. Recognition of Pro Bono Work; and
- g. Staffing and Supervision of Pro Bono Projects.

Developing an Effective Pro Bono Policy

Developing some parameters for your pro bono program will provide clarity to your attorneys in their pro bono efforts, allow for the success and growth of the program and make it easier to manage your corporation's pro bono efforts.

I. Define Pro Bono

The critical first step in developing your policy is to define what constitutes pro bono service. Through Rule 756(f), the Illinois Supreme Court has enumerated what counts as pro bono for the annual reporting of pro bono work. However, many corporations have their own internal definition. Your policy should clearly establish what the corporation considers to be pro bono work. Some of the possibilities include:

- Direct legal representation for the poor;
- Legal representation to not-for-profit organizations serving the poor; and
- Developing and presenting a training session on a substantive law topic for pro bono attorneys.

Many corporations also encourage and promote community service in conjunction with their pro bono policies. While these are valuable contributions, you should note that these are not considered pro bono as defined in Illinois Supreme Court Rule 756. Two examples are:

- Serving on a not-for-profit organization's board of directors; and
- Community service activities such as volunteering at a homeless shelter or soup kitchen.

II. Identify a Leadership Structure

The typical leadership structure for a corporation's pro bono program is usually either: (1) the identification of one individual, a pro bono coordinator, who is responsible for administering the corporation's program; or (2) the establishment of a committee that will bear responsibility for the program. Typical responsibilities of the pro bono coordinator or committee include:

- Developing, monitoring and implementing the corporation's pro bono policy;
- Reviewing and accepting or rejecting pro bono projects;
- Coordinating and monitoring all pro bono activities, ensuring that proper assistance, supervision and resources are available for services;
- Monitoring the hours and costs spent on approved pro bono projects;
- Monitoring projects for conflicts or undesired public relations implications;
- Communicating the options and available services which constitute pro bono to all lawyers in the corporation, including incoming attorneys not yet familiar with the corporation's policies; and
- Providing periodic reports on the corporation's pro bono activities.
- Participate in national or statewide discussions on pro bono best practices.

There are a variety of structures that corporations have successfully used to provide support to their attorneys for pro bono work, but the common denominator is strong and visible support from the corporation and law department's leadership. If your corporation decides to establish a committee, the following strategies may be helpful in implementing an effective pro bono committee structure:

- Determine appropriate size and make-up: Committees should be an appropriate size and should seek involvement from all interested parties, including non-lawyers and staff at satellite offices as appropriate. Committees should have a chair and should meet regularly.
- Define roles: Identify leaders and point people for projects, and set term lengths (1-4 years) for each formal leadership role.
- Stagger turnover of pro bono leadership positions: While this isn't always possible because other factors can intrude, staggering turnover helps ensure that when a new leader assumes responsibility, other leaders can help bring this new person up to speed. This also helps maintain institutional knowledge and ensures that projects continue despite changes in leadership.

III. Process for Approving Pro Bono Matters

Next, you should explain the approval process at the corporation for pro bono matters. You might allow approval to occur from the bottom-up, wherein you allow your attorneys to identify their own opportunities and then present them to the committee or coordinator for approval. You might choose a top-down approach, wherein the committee or coordinator identifies the permitted opportunities. Or, you might choose to permit a combination of these models. If your attorneys are able to identify their own opportunities for approval, determine what information your corporation will require in the approval process. Information you might request could include:

- Legal aid agency description;
- Opportunity description;
- Agency process for screening clients;
- Information necessary for conflict check;
- Support and training provided by agency;
- Malpractice insurance provided by agency; and
- Expected duration of representation.

IV. Available Corporation Support for Pro Bono Matters

An effective policy will state what corporation support and resources are available to attorneys in their pro bono matters. What you will be able to provide is driven by the pro bono program's budget and the size and success of the corporation. The greater the support you are able to provide, the easier and more attractive pro bono service will be to your attorneys. Types of support that might be available include:

- Use of staff, including paralegals, secretaries, and document preparation staff;
- Use of conference rooms and office supplies.
- Reimbursement of ordinary costs associated with the matter, including: reproduction, postage, telephone calls, faxing, messenger service, etc.;
- Payment of "extraordinary" costs that may be associated with some matters, including: expert testimony, court reporters, research, travel, service of process fees, etc.

You might choose to set limits and then provide for an approval process for additional funds when necessary. Many legal aid agencies have agreements with low-cost or free process servers, court reporters and other services that you should explore with your agency partner. Also, under 735 ILCS 5/5-105.5, many of the court costs can be waived, without the necessity of a motion, when civil legal services are being provided to an eligible client through a legal aid agency.

V. Giving Attorneys “Credit” for Pro Bono Work

Whether and how you give attorneys credit for pro bono work will likely depend on the size and culture of your legal department. Some questions to consider regarding this issue include:

- Is participation in the pro bono program mandatory or optional?
- To what extent does the corporation permit pro bono service to be conducted during regular work hours? If there is a specified limit, is there a process for obtaining approval for additional hours?
- Will pro bono work (or a lack thereof) be considered when determining performance ratings, salary increases, bonuses, and promotions?

VI. Supervision of Pro Bono

Most policies contain a provision regarding the supervision of pro bono cases. If there is not a senior attorney in the law department with substantive expertise, consider asking a partner within a law firm serving as co-counsel on the pro bono matter, or an individual at the referring pro bono organization to supervise your junior attorneys.

SAMPLE PRO BONO POLICIES

As part of a PILI Pro Bono Consultation, members of the Consultation Team from other Illinois corporations will share samples of their pro bono policies. PILI also maintains a library of sample pro bono interest surveys used by a variety of corporations. Please contact PILI's Executive Director, Michael Bergmann at mbergmann@pili.org, or (312) 832-5129 for a Pro Bono Consultation.

Gauging Your Attorneys' Pro Bono Interests

In the early stages of developing your pro bono program, ask your attorneys about their pro bono interests. Particularly for newer or smaller programs, consider identifying a limited number of legal aid agency partners or affiliated law firms that will provide your attorneys with a suitable variety of pro bono options.

Consider conducting a survey of your attorneys at the outset of the program development to inquire as to attorneys' interests. Encourage newly hired attorneys to complete a pro bono interest survey upon joining the corporation. These surveys vary but may include questions regarding the types of opportunities, i.e. litigation versus non-litigation or specific practice areas; the types of issues confronted or groups served by the opportunities (i.e. domestic violence, children, civil rights); or the amount of time the attorneys would typically be willing to spend on a pro bono matter. You might also inquire about organizations with which your attorneys have existing relationships that might be potential partners for your pro bono program.

Based on the interests of the attorneys, you might find that one or two agencies have sufficient opportunities to meet their needs. Or, you might need to identify multiple agency partners to cover the spectrum of interest. If you choose to focus your agency partnerships based on a survey, you will likely find that the selected partners may not meet the interests of all of your attorneys. As part of your pro bono management structure, you may want to allow your attorneys to submit unique opportunities to the pro bono coordinator or committee for approval. This is particularly important when the chosen agency partners do not provide an opportunity that meets the interests of every attorney in your legal department. Once you have identified your attorneys' areas of interest, one effective way to communicate with them is to establish an e-mail distribution group by interest area in order to disseminate relevant pro bono opportunities.

PILI distributes a Directory of Pro Bono Contacts at Law Firms and Corporations to PILI's Participating Agencies. Agencies use the Directory to develop new pro bono contacts at firms and corporations, and alert firm and corporate pro bono contacts about their available pro bono opportunities.

If you or another representative of your corporate legal department is interested in being included in the Directory, please contact Katie Pieper, Education & Outreach Manager, at kpieper@pili.org.

SAMPLE PRO BONO INTEREST SURVEYS

As part of a PILI Pro Bono Consultation, members of the Consultation Team from other Illinois corporations will share sample interest surveys that they have used at their own corporations. PILI also maintains a library of sample pro bono interest surveys used by a variety of corporations. Please contact PILI's Executive Director, Michael Bergmann, at mbergmann@pili.org or (312) 832-5129 or for a Pro Bono Consultation.

Malpractice Insurance Coverage for Pro Bono

Malpractice insurance coverage is an important consideration in developing your pro bono program. Most legal aid and public interest law agencies carry a policy that will cover pro bono attorneys who handle cases through the agency. There are a few, however, that do not. You should consult with any potential agency partner as to whether it provides coverage. The agency should be able to provide you with the pro bono endorsement and coverage from its policy at your request. You may also purchase an additional policy covering your pro bono activities.

There are many malpractice providers for you to choose from. Below is information on a few of these choices:

- I. National Legal Aid and Defenders Association (NLADA)**
NLADA provides malpractice coverage and is a popular option. Your corporation must become an NLADA Member in order to purchase insurance through NLADA. Visit NLADA's website at www.nlada.org/Insurance or contact them directly at (800) 725-4513 for more information about their insurance program.
- II. AIG Insurance**
Provides Employed Lawyers Professional Liability Insurance. Visit their website at www.aig.com.
- III. CNA Insurance**
Provides a variety of Insurance products, including professional liability policies. Visit their website at www.cnapro.com.
- IV. Complete Equity Markets**
Provides a variety of malpractice products. Visit their website at www.cemins.com or contact them at (800) 323-6234.



SECTION 4. Pro Bono Program Administration

Contents

- a. The Life of a Pro Bono Matter
- b. Developing an Effective Pro Bono Intranet
- c. Incentives to Promote Pro Bono

The Life of a Pro Bono Matter

The process of opening and closing new matters is critical to several aspects of effective pro bono management, including eligibility determination, time tracking, conflicts and liability concerns, and marketing. Case closing communications provide additional safeguards that reinforce the benefits of case opening procedures, particularly conflicts and liability concerns, and facilitate effective attorney-client communications. The key principle to remember is to treat pro bono cases like any other professional responsibility, recognizing a few special items mentioned below.

I. Opening a New Matter

Pro bono matters should be opened and managed in a consistent manner in accordance with your corporation's pro bono policy. A form developed by you or your corporation's pro bono committee is typically used to determine whether the services to be provided are covered by the policy. The form can also be used to keep track of who is providing pro bono services and the hours of service provided for reporting, if any, and recognition. In addition, the form can address any accounting issues associated with costs or expenses to be paid or reimbursed under the pro bono program. Depending on the choice made by your corporation regarding professional liability insurance, the form may be used to track matters for such coverage.

II. Conflicts

The law department of a corporation may have the same type of conflicts issues that a law firm has. These can be either, "issue conflicts" or "legal conflicts." A prospective pro bono representation may require taking a position contrary to the corporation's business or interest. A true legal conflict may occur if a prospective pro bono client, or a member of his/her family, may have had, or currently have, a claim against your corporation or a subsidiary. In most cases, you or your corporation's pro bono committee can make a judgment regarding the existence of a potential or existing conflict, but in some cases you may need to look to the corporation's General Counsel for guidance.

From time to time, your corporation may be asked by outside counsel to waive a potential conflict in connection with a pro bono representation by the outside law firm. PILI strongly encourages corporations to execute such waivers in pro bono matters on the same basis applicable to conflict waivers in non-pro bono situations.

III. Engagement Letters

Although your legal department likely does not typically use an engagement letter, an engagement letter may be advisable in a pro bono representation. An engagement letter can delineate the nature and limitations of the pro bono representation. It can also evidence the performance of the pro bono matter pursuant to your corporation's pro bono policy, which may be relevant for professional liability coverage. In addition, an engagement letter may enable your corporation to seek attorneys' fees where appropriate. In some corporations, an engagement letter may be on the company letterhead; in others, it may be on generic stationery with the work address and phone number of the attorney. It is recommended that you provide guidance to your attorneys relating to this issue in your corporation's pro bono policy. Many legal aid programs will use engagement letters or have samples that you can use with your client. Engagement letters are also required in Limited Scope Representation matters so that all parties are clear about the scope of the engagement and its limited nature.

IV. Matter Closing

A pro bono matter may be completed upon performance of services as described in an engagement letter, if one has been issued. In many circumstances, a matter will come to a substantive conclusion, such as a settlement, court order or other final result. In other circumstances, a pro bono representation may be completed when it has progressed to a pre-determined cessation point, for example, the completion and filing of a government form. In each of these situations, consider sending a closing letter to communicate both the status of the matter and the termination of the representation.

SAMPLE PRO BONO FORMS AND LETTERS

As part of a PILI Pro Bono Consultation, members of the Consultation Team from other Illinois corporations will share samples of their pro bono forms and letters. PILI also maintains a library of sample pro bono interest surveys used by a variety of corporations. Please contact PILI's Executive Director, Michael Bergmann, at mbergmann@pili.org or (312) 832-5129 or for a Pro Bono Consultation.

Developing an Effective Pro Bono Intranet

A critical element in the success of a pro bono program is ensuring that your legal department's attorneys and staff know about the pro bono program and its policies, are able to identify opportunities of interest to them and have access to the tools and resources to enable them to handle a matter. One way to address this element is through the development of a pro bono intranet site.

I. The Basics

The intranet site should be the central place for the basic information relevant to your corporation's pro bono program. Some of the basic information to incorporate into your corporation's pro bono intranet site include:

- Your corporation's pro bono policy and an explanation of the management structure of the pro bono program;
- A list of pro bono committee members and responsibilities;
- A calendar for relevant pro bono happenings, such as meetings, trainings, and events;
- The latest pro bono news from your corporation, agency partners and the larger legal community;
- Forms that attorneys might regularly use in their pro bono matters;
- A library of reference materials applicable to your corporation's pro bono matters; and
- Links to other pro bono resources.

II. Pro Bono Interest Survey and Pro Bono Program Feedback

Previously discussed in Section 3, the pro bono interest survey is an important element in determining what pro bono opportunities will engage corporate staff. Consider posting the survey on the corporate intranet site to allow staff to provide feedback about their interests. You might also include a feedback tool to allow staff to rate the intranet site and the pro bono program as a whole so that you can continually improve the program and engage staff more completely in the program.

III. Opportunities and Related Trainings

Identifying and promoting opportunities should be a key goal of your intranet site. If your legal department has offices in more than one location, this can be a challenge. One approach is to have opportunities identified geographically. If legal service providers can be directed to the intranet site contact, the descriptions of the opportunities can come directly from them.

IV. Do Not Reinvent the Wheel

Though the task may sound daunting, not all of the content on your intranet site needs to be a new creation. Many of the items that may be included on the site such as news, events and opportunities can be supplemented by RSS feeds from syndicated content sources such as the Associated Press. Illinois' premier and free internet resource for pro bono service, www.IllinoisProBono.org (discussed in more detail in Section 6), also has content feed that your corporation can receive at no cost. If your corporation already has an intranet, consider linking existing content within the larger site to your pro bono site.

SAMPLE PRO BONO INTRANET SITES

As part of a PILI Pro Bono Consultation, members of the Consultation Team from other Illinois law firms will share their experiences with and samples of pro bono intranet sites.

PILI also maintains a library of sample pro bono intranet sites. Please contact PILI's Executive Director, Michael Bergmann, at mbergmann@pili.org, or (312) 832-5129 for a Pro Bono Consultation.

Incentives to Use in Promoting Pro Bono

Aside from factoring pro bono efforts into promotion, salary increases and bonuses, there are a variety of incentives to use in promoting pro bono within your corporation. Many legal services agencies recognize their pro bono attorneys from corporate law departments that support them throughout the year, but recognition beyond that by your corporation and other agencies and programs is also an important consideration. Below are some of the possible means to promote and encourage pro bono throughout your legal department and the corporation.

I. Internal Recognition

Ideas for recognition include hosting regular receptions or luncheons to promote your corporation's pro bono program and to celebrate the outstanding contributions of your pro bono attorneys. Such events are an excellent way to promote the pro bono program to encourage overall awareness and to increase participation. Whenever possible, consider inviting to these events representatives from the agencies with which your corporation works so that you can build a stronger relationship between your corporation and the agency. Another possibility is to develop and distribute regular pro bono newsletters detailing your pro bono program and the efforts of your attorneys and staff. Samples of such newsletters are available as part of PILI's Pro Bono Consultations.

II. PILI Pro Bono Initiative Award and Pro Bono Recognition Roster

PILI acknowledges a single organization (law firm or corporation) each year for outstanding pro bono work in the community with its Pro Bono Initiative Award. The award is given at PILI's Annual Awards Luncheon held in December.

PILI also recognizes the outstanding pro bono contributions of law firms and corporate law departments through the PILI Pro Bono Recognition Roster which is announced annually at its Annual Pro Bono Reception: *Celebrating Pro Bono*. Additional information regarding the Recognition Roster is also included in Section 2 of this Guide.

For more information about these awards, contact PILI Executive Director, Michael Bergmann, at (312) 832-5129 or mbergmann@pili.org.

III. CBA/CBF Pro Bono and Public Service Annual Awards

Each year the Chicago Bar Foundation partners with The Chicago Bar Association to recognize exemplary attorneys in the legal community through the CBF/CBA Pro Bono and Public Service Awards.

The Pro Bono and Public Service Awards celebrate outstanding members of the legal profession who have used their talents and resources to improve access to justice for the less fortunate in our community. Six awards are presented each year at one of the signature events in the Chicago legal community, the Annual Pro Bono and Public Service Awards Luncheon. Of particular note is the Exelon Outstanding Corporate Counsel Award that recognizes a corporate attorney for his or her outstanding pro bono contributions.

More information about these awards is available on the CBF website, www.chicagobarfoundation.org, or by contacting CBF Director of Pro Bono & Court Advocacy, Kelly Tautges, at (312) 554-8356 or ktautges@chicagobar.org.

IV. CBA Liberty Bell Award

Each year as part of its annual Law Week celebration, the Young Lawyers Section of The Chicago Bar Association presents the Liberty Bell Award. This award is presented to a non-lawyer who: (1) has a sense of responsibility for community welfare and public duty under the law; (2) helps others to understand and assert their rights under the law; (3) promotes and encourages respect for and obedience to the law; and (4) assists with the smooth functioning of our system of justice.

For more information about this award, please contact the Young Lawyers Section at (312) 554-2031 or yls@chicagobar.org.

V. Illinois State Bar Association's John C. McAndrews Pro Bono Service Award

The Illinois State Bar Association established the John C. McAndrews Pro Bono Service Award to honor individual members of the profession, law firms, corporations and affiliated bar associations who have shown extraordinary commitment to providing free legal services to the income-eligible or to expanding the availability of legal services to the income-eligible. Three awards are given annually; one to an individual, one to a firm or corporation and one to an affiliated bar association.

For more information about the McAndrews Award, please contact Lynne Davis, at ldavis@isba.org, or (217) 525-1760.

VI. American Bar Association Center for Pro Bono

The Standing Committee on Pro Bono and Public Service presents awards annually to individual lawyers and institutions in the legal profession who have demonstrated outstanding commitment to volunteer legal services for the poor and disadvantaged. The awards are presented at the Pro Bono Publico Awards Assembly Luncheon during the ABA Annual Meeting, typically held in August.

The Pro Bono Publico Awards program seeks to identify and honor individual lawyers and small and large law firms, government attorney offices, corporate legal departments and other institutions in the legal profession that have enhanced the human dignity of others by improving or delivering volunteer legal services to our nation's poor and disadvantaged.

More information about the awards and other ABA awards can be found on the Center's website at www.abanet.org/legalservices/probono/nav_awards. Additional information regarding the ABA Center for Pro Bono is also included in Section 6 of this Guide.

VIII. National Legal Aid and Defender Association (NLADA)

Each year at its annual dinner, NLADA honors one or more members of the private bar or corporate community who have demonstrated outstanding leadership in promoting and supporting equal justice with the National Exemplar Awards. In addition, the Charles Dorsey Award is given biennially to an individual who has provided extraordinary and dedicated service to the equal justice community and to organizations that promote expanding and improving access to justice for low-income people. To be eligible to receive this award, an individual must have demonstrated a commitment to equal justice for all through service as an officer, board or committee member of a national or statewide organization devoted to fulfilling the promise of equal justice.

More information about NLADA's awards can be found on its website at www.nlada.org/About/About_Awards.

IX. Pro Bono Institute Awards

The Pro Bono Institute recognizes the pro bono contributions of individuals and organizations through several different awards. The Laurie D. Zelon Pro Bono Award is given each year to an individual or organization that has provided exemplary pro bono service. The Pro Bono Institute's Chesterfield Smith Award recognizes extraordinary courage and commitment to pro bono by a legal leader. This award is only given when warranted by outstanding achievement.

For more information about the Pro Bono Institute and its awards, please visit its website at www.probonoinst.org or contact Pro Bono Institute President, Esther F. Lardent, at (202) 662-9699 or elardent@probonoinst.org.

X. Corporate Pro Bono Awards

Each year, Corporate Pro Bono (CPBO) presents the CPBO Pro Bono Partner Award in honor of innovative team approaches to pro bono work involving in-house legal departments. The award is presented in the fall at the Pro Bono Institute's Annual Dinner. Winners are widely publicized in PBI and CPBO publications. Recipients of the award are comprised of at least one legal department and one or more firms and/or public interest group partners.

To learn more about CPBO and its award, please visit its website at www.cpbo.org, or contact the Director, Corporate Pro Bono Eve Runyon, at erunyon@probonoinst.org, or (202) 729-6699.



Section 5. Finding Pro Bono Matters

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- a. The Pro Bono Landscape in Illinois
- b. Selecting a Pro Bono Agency Partner and Setting Expectations Between the Corporation and Agency Partner
- c. Considerations for Individual Attorneys Before Handling a Pro Bono Matter
- d. Pro Bono Partnerships Involving Firms, Corporations and Agencies
- e. Examples of Pro Bono at Illinois Corporations

The Pro Bono Landscape in Illinois

The Illinois Access to Justice Commission reported in 2013 that there are 2.2 million people in Illinois who are low-income, and that at least half of those individuals have civil legal problems each year, involving issues such as domestic violence, divorce, child custody, evictions, mortgage foreclosures or physical and financial abuse of the elderly. With the equivalent of only 350 full-time legal aid staff attorneys in Illinois, in most of those cases, individuals and families face their legal problems without legal assistance.

Nearly 70 legal aid and public interest law organizations provide critical legal assistance to thousands of low-income and vulnerable residents of Illinois. These organizations range from several larger organizations that collectively serve tens of thousands of residents on a wide range of issues throughout Illinois to a number of organizations that serve more modest numbers of clients and target their services to particular legal issues or communities. Some organizations use only staff to deliver legal services, but most organizations use pro bono attorneys to deliver services.

Most of the Illinois' legal aid organizations that have pro bono programs are listed on www.IllinoisProBono.org, with a description of each of the legal services organizations and a listing of their available pro bono opportunities. For more information on this website, see Section 6 of this guide. The Chicago Bar Foundation also publishes information on pro bono opportunities in Chicago in its "Pro Bono Opportunities Guide," which is available on its website.

Below are examples of significant sources of funding for legal aid in Illinois.

- The Chicago legal community, both directly and through the CBF, collectively provides nearly \$5 million in funding and support for legal aid and public interest law organizations serving the Chicago area.
- The largest statewide funder of legal services is the Lawyers Trust Fund of Illinois (funded by the pooled interest on lawyers trust accounts and a \$95 per lawyer add-on to ARDC dues), which provides approximately \$4.5 million in funds for Cook County legal aid organizations and about \$3.7 million statewide.
- The federal Legal Services Corporation also provides about \$11 million to three Illinois agencies: LAF in Chicago, Prairie State Legal Services, which serves 36 counties in northern Illinois and Land of Lincoln Legal Assistance Foundation, which serves 65 counties in central and southern Illinois.
- The Illinois Equal Justice Foundation (which distributes state appropriated funds) provides about \$1.3 million in grants statewide.
- Several other charitable organizations also contribute funds to legal aid agencies, including: the Polk Bros. Foundation, the United Way, PILI (which provides more than \$215,000 per year to Illinois legal aid programs for Law Student Internships), the Chicago Area Foundation for Legal Services (with which the CBF now partners for grants), the Chicago Community Trust, and the Illinois Bar Foundation (which provides over \$300,000 per year to Illinois legal aid programs).
- A number of other governmental programs provide significant funding for legal aid and related justice issues, albeit on a highly restricted basis.

A wide range of pro bono opportunities are available through these legal aid organizations, including:

- traditional poverty law cases
- general civil litigation
- criminal defense and prisoner's rights
- immigrant/refugee rights
- impact/issue litigation
- policy and legislative advocacy
- community legal education
- advice and referral hotlines
- legal clinics and self-help desks
- transactional matters, e.g. wills, non-profit formation/governance, contract, intellectual property
- mediation

Many of the legal aid organizations also target their services to specific populations, such as:

- the elderly
- people with disabilities
- people living with AIDS/HIV
- children
- artists
- immigrants
- victims of domestic violence
- individuals with criminal records

Organizations that post pro bono opportunities with www.IllinoisProBono.org provide a variety of pertinent information about their opportunities, including:

- Typical time commitment;
- Whether the agency provides malpractice insurance;
- Whether the agency provides training materials relating to the opportunity;
- Whether the agency has attorneys on staff to provide support for pro bono attorneys; and
- Skills needed and skills acquired through the pro bono opportunity.

The types of opportunities you choose for your attorneys will determine the necessary time commitment. There are some opportunities that can be completed in less than four hours, others that are available in the evening or on weekends, and many that are limited to the business day.

PILI offers free Pro Bono Consultations that evaluate the needs and interests of your attorneys and discuss which agencies might serve as good partners for your program. Depending on the size of your program, it may be more beneficial if you determine which organizations you will work with at a programmatic level at the outset and initially limit your partner agencies to a few that meet your needs.

Selecting a Pro Bono Agency Partner and Setting Expectations between the Corporation and Agency Partner

While you can find individual opportunities at a number of agencies throughout Illinois, you may prefer to identify a small number of agency partners with whom you work primarily or exclusively. When considering which agency(s) to partner with, you should evaluate your legal department's needs and the abilities of the agency to meet those needs. Your needs will be dictated by a variety of factors including: the attorneys' interests and skills, the nature of your corporation's business; any community projects in which your corporation is already involved; the pro bono program budget; the size of your legal department; and the location of your corporation.

I. Narrowing the Field

As you set out to develop your program and choose your agency partners and pro bono projects, it is important to narrow the field of possible partners and projects. As you engage in the process, you should consider the following:

- **Pro Bono Interests Surveys**

Corporate attorneys normally have a wide variety of legal skills and experience. Before you decide to partner with a pro bono agency, consider circulating a survey among your attorneys to determine who is interested in participating in the program. Those who express an interest can indicate what pro bono projects appeal to them the most. This will help you select your agency partner (for example, you would not want to partner with a group that provides employment advice if no employment attorneys are interested in participating in the pro bono program).

- **Signature Projects**

Some corporations have identified a specific area of pro bono on which they want to focus their pro bono efforts. These special projects may complement other charitable missions supported by the corporation, and are often referred to as signature projects. Some corporations have chosen a particular client group to focus on such as children, while others have identified a particular type of legal matter, such as microfinance. Even if a signature project is a major element of your corporation's pro bono program, you may still choose to handle other types of pro bono matters as well. However, some smaller companies have identified a signature project based on their company's philanthropic goals or their attorneys' area of practice and have limited their pro bono projects to that area.

II. Important Considerations and Expectations

Below are a few important considerations for corporations and expectations of agency partners.

- **Accurate Description of the Project**

You and your volunteers should know what you are getting, both in terms of the overall program and in terms of clients, cases, volume of work and responsibilities to the pro bono program. If your volunteers are taking individual cases, expect quality case screening of cases before they are referred to your attorneys. Accurate, complete information is essential. Unpleasant surprises may occur from time to time, but they should be rare and quickly resolved.

- **Short-term, Discrete or Bite-size Projects vs. Long Term Projects**

Short-term pro bono projects, sometimes referred to as "discrete" or "bite-size" opportunities, are popular projects for in-house counsel. These projects are for brief and often pre-determined amounts of time and typically include a help desk or call center, one-time court appearance or a community legal education program. There are several organizations in Illinois that provide these types of opportunities, though the demand is often greater than the available opportunities. Working with several Chicago legal aid organizations, the CBF launched and continues to support several help desks for *pro se* litigants at the Richard J. Daley Center and in federal court that are administered by a variety of legal aid organizations. Pro bono volunteers can sign up for a shift to staff these desks.

- Training**

Although the level and extent of training will vary depending on your needs, a comprehensive training program tailored to your needs should be part of your agency partner's support program. Written training materials should be easy-to-read and up-to-date. Trainings are also available through www.IllinoisProBono.org for a variety of areas of law. Training seminars may be useful, especially when accompanied by written materials. In more complex practice areas, the best training may be one-to-one with an experienced practicing attorney. If certain pro bono work puts your volunteers into unfamiliar areas of law or courtrooms, your agency partner should be willing to individually train your volunteers or facilitate partnering with someone more experienced. Training sessions that provide CLE credit may be a great incentive for attorneys to attend the pro bono training.
- Participation of In-House Staff**

When developing your program, consider whether you would like to include your non-attorney staff in your pro bono program. There are a limited number of opportunities for paralegals and legal secretaries to undertake on their own, but encouraging your attorneys and non-legal staff to collaborate on a pro bono matter is the most effective way to engage non-legal staff in your pro bono program.
- Friendly, Accessible Agency Staff**

Volunteers need and deserve to be able to get help from agency staff whenever they need it, without feeling as if they are bothering someone. Even if you expect volunteers to get in-house mentoring and support, your agency partner should have expert attorneys available to work with your volunteers. In-house mentors may not always be able to answer a volunteer's question or resolve an issue. It is essential that your agency partner have knowledgeable staff, including experienced attorneys, who enjoy working with volunteers. Volunteers should be able to contact a program staff attorney at any time with a question, to discuss a case or to review pleadings and documents. The agency should make it easy and convenient to reach them—by phone, fax, e-mail or in person. Promises of support are meaningless if your volunteers cannot reach the right person.
- The Ability to Return a Case to the Agency**

You should ask whether agency partners are willing to take back difficult cases or clients, or otherwise step in when a volunteer needs more than routine help. An agency's willingness to do this should factor into your determination of whether you want to partner with that agency. Try to get a sense of how staff legal aid attorneys view pro bono attorneys -- if you get the sense that they view pro bono attorneys as forced labor or expect your attorneys to simply "soldier on" in a difficult situation, you may not want to work with that agency. You should also find out whether agency staff will take over a matter if your pro bono attorney's workload at your corporation becomes overwhelming or interferes with his or her pro bono efforts.
- Coverage for Routine Court Appearances**

Pro bono attorneys sometimes have scheduling conflicts that develop and may need someone from the agency to cover simple, routine court appearances. You should find out in advance whether an agency is willing to provide that help.
- Malpractice Insurance**

You will likely want to look for an agency partner that has its own policy, with acceptable limits, covering all volunteers. Make sure coverage includes disciplinary proceedings. In addition, the agency should indemnify volunteers for any deductible and make policy and claims information available upon request.
- Assistance with Routine Docketing Tasks**

While not all attorneys mind the mundane clerking necessary for their pro bono cases, others cannot afford the time it takes. A non-litigator willing to learn how to represent someone in court may not be so eager to learn how to spindle a motion or get a case on the court's call. You should

inquire whether the agency is willing to do this clerical kind of work so that pro bono attorneys can do what they do best—represent clients.

- **A Pro Bono Office**

Will volunteer attorneys need a place to meet with clients? What about on-line research, document assembly or litigation expenses? If your corporation cannot or will not provide these, you should find out whether your agency partner will. Here are some things you *may* need from your agency partner(s) to run an efficient program: office space for meeting with clients or working on a pro bono case; reception and secretarial assistance; legal research; funds for court reporters or experts for discovery and trial, interpreters and other resources your volunteers will need to provide high quality, efficient legal services.

- **The Need for Support**

The need for support will also vary depending on the type of pro bono matters your corporation chooses and the level of involvement of your attorneys and staff. For instance, advice-only programs, or a clinic that helps *pro se* litigants complete forms or documents, call for different support than one that represents clients in court or handles death penalty appeals. It is critical that you understand up front the level of support that an agency is willing to provide.

- **Thanks and Appreciation**

Recognition is an important part of any pro bono program. Everyone needs to be appreciated from time to time, even pro bono attorneys. Your corporation's program should recognize the individual contributions and overall program accomplishments. It is also important to ensure that you include your agency partners in this recognition as well.

A crucial step in the process of developing a program is to understand what you and your colleagues need from your agency partner in order to run a successful pro bono program. Once you have identified those needs, you should ensure that the agency(s) you choose to work with can meet those needs.

Considerations for Individual Attorneys Before Handling a Pro Bono Matter

In addition to the corporation's needs and desires in an agency partner, individual attorneys should also carefully consider whether the agency partner is the right match for them. Many of the considerations are the same, but there are some differences. Before committing to handle a pro bono case, an individual attorney should (1) understand the pro bono agency's expectations and (2) receive any needed training and support. Attorneys should also ask the following questions of the agency staff:

What specifically will be expected of me?

Before accepting a pro bono case, make sure the agency partner provides a full explanation of the expected scope and extent of the representation. This should include a description of the possible stages of the case, an estimate of the time commitment required for each stage and a clear understanding of any ongoing commitment expectation.

Does the agency thoroughly screen clients?

Before referring a case to a pro bono attorney, the agency should, at a minimum, complete a comprehensive screening of clients. The agency should provide you with a thorough statement of the facts of the case and an assessment of its nature at the time of referral.

Does the agency's intake system ensure that I will receive a meritorious case or project?

By providing thorough intake and screening procedures, an agency can provide you with assurance that you are receiving a meritorious case involving an eligible (financially and otherwise) pro bono client.

Will the agency assign me with a case which matches my expertise, interests, and timing restraints?

By providing thorough intake and screening procedures, an agency can provide you with assurance that the case is within the parameters of the type of work for which you volunteered.

What types of training and support does the agency offer to its volunteers?

The agency should offer a variety of support mechanisms and training to its pro bono attorneys. An agency may offer all or some of the following support to its volunteers:

<i>Legal Support</i>	<i>Time Management Support</i>	<i>Training Specific to the Agency and Its Clientele</i>	<i>Malpractice Insurance & Administrative/Logistical Assistance</i>
<ul style="list-style-type: none"> ● substantive law and procedural training ● legal manuals (containing compiled legal research) ● form pleadings ● mentors (program staff or more experienced volunteer lawyers) 	<ul style="list-style-type: none"> ● co-counseling arrangements ● program staff attorneys to cover in emergencies ● agreement to take the case back if it becomes too onerous for a volunteer 	<ul style="list-style-type: none"> ● handbooks with program policies and staff contact information ● information concerning clientele of the agency ● client sensitivity training 	<ul style="list-style-type: none"> ● malpractice insurance, office space for client interviewing and meetings ● administrative assistant legal support (through volunteer paralegals, law students)

For which expenses, if any, will I be responsible?

Some pro bono agencies require that the clients pay for out-of-pocket expenses such as court costs, filing fees, etc. Others maintain a fund to cover the same, while others allow the volunteer to pay these expenses. You should check with your corporation's pro bono coordinator to find out what is covered by your pro bono policy.

Will I be covered by the agency's malpractice insurance?

Most pro bono agencies in Illinois have malpractice insurance available for volunteers.

What is my relationship with my pro bono client and the referring agency?

A legal aid agency should clearly communicate the nature of the relationship it is establishing between itself, the pro bono client and the volunteer, and should delineate each party's rights and responsibilities through a written retainer agreement. You should discuss with the pro bono client the extent of the representation you are agreeing to undertake on the client's behalf. An engagement letter should clearly reflect this agreement.

Often clients may have more than one legal problem. How can I ensure that the client understands that I am agreeing to provide representation only in a specific matter?

A retainer agreement should clearly state that you are providing representation only in the matter referred and should clearly define the scope of the matter. You should confirm with the referring agency that you are not expected to provide representation in other matters, and that you should refer clients back to the program if the need arises. If you are willing to assist the client in additional legal matters, the referring agency often can provide you with technical assistance and advice as needed.

Once I accept a case, will the agency keep in touch with me?

A pro bono agency should maintain regular communications with you through periodic follow-ups via fax, telephone or e-mail as part of the agency's overall tracking system. A tracking system provides a mechanism for determining that volunteers are progressing on cases the agency has placed with them and that the agency is connecting client with effective and high quality legal services.

Once I accept a case, what are my responsibilities to the pro bono agency?

Generally pro bono agencies ask that you keep the agency apprised of the status of the case on a regular basis (for example, every 60 to 90 days); seek support and mentoring when needed; advise the agency of any problems or issues that arise; advise the agency when the case is closed, the disposition thereof, and the numbers of hours you spent on the case; and complete any evaluation forms.

What if the case becomes too much for me to handle?

Many pro bono agencies can facilitate co-counseling arrangements with agency staff attorneys or with other pro bono attorneys. Agencies also may offer training opportunities and/or experienced mentors who can assist you with the case. In some instances, the agency may agree to take the case back if it becomes too onerous for you..

Pro Bono Partnerships Involving Firms, Corporations and Agencies

Teaming your in-house lawyers with law firm lawyers can do in the pro bono context exactly what it does in the paid context – bring out the best in everyone involved. It can enhance service to the most disadvantaged members of the community by combining talent, experience, legal knowledge and skills of each member of a client team. This can result in a product that makes everyone better for the experience – the pro bono client, the in-house counsel and the law firm lawyer. Getting these projects started can be a challenge, though. Creating teams of law firms, corporate legal departments and public interest agencies is not right for every project, agency, firm, company or social justice issue. However, when all the pieces are carefully considered and fine-tuned for the delicate balance of a three-way partnership on the right project, the result can be fantastic: first class legal services to the community and to individual clients.

I. Basic Principles

- **Treat it like any other client engagement**
As with any pro bono client, the pro bono client of a law firm/corporate counsel partnership deserves and requires the best practices and first-class legal services of all attorneys involved. Anything less would be irresponsible and could endanger the outcome of the matter.
- **Be prepared for significant work on the front end**
Teaming requires a lot of work up-front to assure that every detail is in place before the actual legal representation begins. New players, logistics, roles, relationship and responsibilities require much more up front work than initiating a regular pro bono project. The three partners may have to get to know each other in new ways to start a teaming project together – no matter how deep or long the relationship has been among the entities on other matters. If everyone is prepared for the initial investment of time and energy, the result can be well worth the investment.
- **Start small**
Give attorneys a positive taste of the work and they will make stronger future investments. Small projects are also conducive to quick successes which are essential to sustain a pro bono commitment of any kind. A legal aid agency is usually in the best position to design and advice on what “bite-sized” projects will best serve the low-income population. There is always room to grow.
- **Teaming Projects require many of the same elements of any pro bono project:**
 - Pro bono projects require management support at every level of each of the three organizations who are forming the team: agency, firm and company;
 - A strong project needs professionals who have time to dedicate to making this a success in each of the three partner organizations;
 - The commitment must be based on a genuine interest in service and social justice – not marketing or public relations for one or all of the organizations; and
 - Lawyer volunteers – like all volunteers - need to feel appreciated for their service. This means that seemingly unimportant things like giveaways, kick-off events, and end of the year appreciation ceremonies can go a long way to fortifying a fledgling project.

II. Choose the Partners and Activity Carefully

- **The right legal aid agency can make or break a teaming project**
Though many agencies have fantastic reputations for the good work they do for the community, they may not all be well-equipped to run a teaming project at a particular time. Give careful thought to the agency that can best provide:

- well-screened clients;
 - fine-tuned training in the best format; and
 - appropriate levels of mentoring for a particular project.
- **Some legal aid needs are not best met in team projects**
What may work inside a firm or corporation alone may not be as conducive to partnering on the project. Think through each stage of the matter selected and consider whether they will all be accomplished well with this broader team. This does not automatically limit firm-corporate teaming to just one-stop intake clinics, but it does require consideration of how each stage of a pro bono matter will:
 - be divided with clear lines of responsibility among inside and outside counsel;
 - best utilize expertise and interest of each lawyer on the team;
 - efficiently proceed in the time frame all parties have agreed to;
 - effectively meet the needs of the pro bono client; and
 - require appropriate levels of flexibility if conditions change.
 - **Carefully consider the scope of the assignment**
Lack of clarity about how much is expected of the team or an agreement to provide more service than is reasonable can cause a failed effort where success was possible. Consider and carefully agree to the scope of a project with all three parties to the teaming project before the work starts. Responsibilities should be divided among all parties at the beginning of each engagement. Consider whether one of the parties should be assigned overall responsibility for managing the matter and the other parties.
 - **Feedback is everything**
Check in early and often to assure that the project you have selected and the process that has been designed is working. Problems will arise but the sooner they are brought to the attention of people who can address them, the less impact they will have.

III. Preparation is Essential

Before you join forces with a firm for a project, it is important to consider what resources your company has and to what extent your corporation could be engaged in the project independently. This may aid in developing a project proposal that addresses all the concerns or lack of resources your legal department may face in starting a pro bono project. Potential areas of concern to address with a pro bono partner may be:

- **Lack of infrastructure for service to a pro bono client**
No matter how committed your corporation or general counsel's office may be to providing service to the community, you may not have the infrastructure in place internally for pro bono work.
- **Administrative barriers can be a powerful disincentive**
Lack of a formal conflicts system, limited malpractice insurance, and limited ability to apply staff resources to a new project are all frequently cited administrative barriers to in-house pro bono activity. Many of these challenges can only be solved through a well-structured partnership. For example, a simple solution for insurance coverage may be to take matters only from public interest agencies with pro bono malpractice insurance that covers all volunteers. Identifying these problems gets you more than halfway to solving them.

- **In-house counsel may not be members of the state bar where they work**
No lawyer wants the result of his “good deed” volunteering to be an investigation by the disciplinary commission for unauthorized practice of law. Merely the idea of professional responsibility implications like this one can discourage your volunteer attorneys from engaging in otherwise well-organized, bite-sized projects matched to their skills, time and interest. As discussed previously in Section 2, the Illinois Supreme Court recently amended Supreme Court Rule 756 to allow corporate counsel with limited admissions status to do pro bono work under certain circumstances.
- **Lawyers worry whether they are qualified to provide the best service**
Your volunteer attorneys may worry that a pro bono project will be out of their area of expertise. After all, wouldn't the pro bono client be better off with someone who does this work all the time? The answer is that there is a pro bono project for every skill set and lawyers can become qualified to provide first class service in most areas of public interest law practice with the right level of mentoring, training and time. The key is finding the right balance.

IV. Select and Build the Right Structure

Pitfalls can be avoided with creative and careful thought to the ideal structure of a project. Here are some additional thoughts for avoiding the pitfalls and developing the right structure:

- **Training, as in any pro bono project, is essential**
Not only does training equip lawyers in what might be a new field of practice, it has the significant impact of making your volunteers feel confident that they can serve the client effectively. Trainings should be planned well in advance with materials reviewed by a representative from each organization.
- **Identify specific roles early and reconfirm often**
All participants should know what is expected of them and which members of the team has responsibility for which tasks. Whether it is contact with the client, filing documents, or attending a hearing, every volunteer should know who will handle what before all work begins.
- **Communication must be streamlined**
Each volunteer should know the point of contact to reach for a specific issue. The law firm lawyers can serve as liaison between the agency and your legal department if an agency has never run a project with your company before. Sometimes communication with the pro bono client should be handled by only one person to avoid the client's confusion about whom to go to for what. Whatever model is followed, it should be carefully chosen and communicated before the work begins.

Examples of Pro Bono at Illinois Corporations

While there are a variety of best practices covered in this Guide, it is important to design a custom program that best fits the culture of your firm and the needs of your attorneys. Many of the corporations in Illinois have already established exemplary pro bono programs. Some of these programs are described below.

Aon Corporation

Aon has implemented a formal Pro Bono Policy which encourages all attorneys to participate in pro bono activities. Attorneys can work on pro bono projects during regular business hours, including traveling outside of the office to assist pro bono clients. Aon attorneys have worked on a variety of pro bono legal matters. Attorneys from Illinois and New York volunteered their time teaching high school students in the Youth About Business ("YAB") camp held at Columbia University in NY and at the University of Chicago. YAB is a program for underprivileged high school students that introduces them to the worlds of corporate transactions, investment banking and law through a "summer camp" type experience where the kids role-play various jobs in a hypothetical transaction. Also, several Aon attorneys worked with the Chicago Lawyers' Committee for Civil Rights Under Law and taught incoming law students at three Chicago law schools an Introduction to Legal Learning course. This course was designed to assist students identified by the law school as benefiting from extra assistance in giving them a taste of the analytical and argumentative style of learning used in law school. Aon is also involved in a unique partnership with an outside firm in working on a pro bono capital punishment program. Since Alabama criminals are not guaranteed representation on appeals, Aon attorneys have worked together with attorneys from the law firm and undertaken the defense of Alabama death row inmates on appeal. This partnership was highlighted in the August 2007 Corporate Counsel article by Jill Nawrocki entitled "Marriage of Conviction."

Blue Cross Blue Shield Association

BCBSA has for many years had a policy encouraging its Legal Department personnel, in both its Chicago and Washington D.C. offices, to participate during and off company hours in pro bono projects of their choosing, particularly in aid of those most disadvantaged in our communities. In the Chicago Office, Legal leadership has long been in high level/board of director positions with the Legal Assistance Foundation of Metropolitan Chicago. At the field level, Chicago Legal personnel have been actively involved since 2003 in helping undocumented immigrants in the Hispanic community. They currently represent, and have represented over the years, many undocumented, abused spouses and children to navigate the immigration system and ultimately obtain legal permanent residency status under the authority of the Violence Against Women's Act. Likewise, they have represented many undocumented immigrants to obtain, under the Obama Administration's Deferred Action for Childhood Arrivals Program, deferred action status, thus freeing clients from the fear of deportation as they await immigration reform that will permit them to obtain legal permanent residency status. In the Washington D.C. office, legal personnel have devoted considerable hours conducting intake, evaluating cases, educating, and appearing as representatives at various agencies to assist low income and/or homeless individuals (relative to public benefits, shelter and housing, street rights, and consumer debt/credit) through the auspices of the Washington Legal Clinic for the Homeless, an organization that provides "low barrier, comprehensive legal services . . . to clients' who seek access to shelter, housing and life-saving services." They have also volunteered during the holiday season, on special projects to provide essentials to homeless individuals and their families, with S.O.M.E. (So Others Might Eat), an "interfaith, community-based organization in the District of Columbia that offers a comprehensive, holistic approach to caring for the homeless and extremely poor citizens of [the] city."

Deere & Company

Officially launched in 2002, the John Deere Global Law Services Group Pro Bono Program has continued to grow, working with community partners to provide pro bono services in contracts, corporate governance, dispute resolution, education, estate planning, litigation, real estate and other areas. Deere's pro bono program partners with Youth Service Bureau of Rock Island County, a non-profit organization located in Rock Island, Illinois, near Deere's corporate headquarters, on its Peer Justice Program. A "teen court" program, Peer Justice allows first-time, nonviolent, juvenile offenders to be sentenced by a jury of their peers, providing an alternative to the traditional juvenile justice and child welfare systems. Deere

attorneys serve as judges in the hearings, providing guidance to jurors on questions of law and ensuring fair and orderly hearing procedures. In an effort to expand the breadth of available pro bono services, Deere works with Lane & Waterman LLP to take on a variety of pro bono matters in partnership. With Deere's headquarters located in the Quad Cities area, its pro bono program covers both Illinois and Iowa. In Iowa, working with the Davenport Civil Rights Commission and the City of Bettendorf Human Rights Commission, mediation is a major focus of the volunteer attorneys' work. Through this effort, Deere legal professionals are trained to serve as mediators in employment and housing civil rights disputes. Deere & Company also provides critically needed financial support to numerous non-profit organizations, both domestically and globally, to support community improvement, higher education, and solutions to world hunger. The Global Law Services Group's monetary support of several law-related non-profits, including Prairie State Legal Services, HELP Legal Assistance, Iowa Legal Aid, and PILI, expands the availability of legal services for individuals and families living in poverty.

Exelon Corporation

Exelon's legal department has a long-standing tradition of providing pro bono legal services and support to the community. The department has a formal written pro bono/community service policy that encourages all legal department employees (not just attorneys) to participate in pro bono, and company-sponsored community and charitable activities in order to (a) provide access to legal services to people of limited means; (b) help meet individual professional responsibilities; and (c) fulfill the company's corporate responsibilities to the community. The pro bono program is administered by two Pro Bono Coordinators (one in Chicago and one in Philadelphia) who report directly to the General Counsel. Attorneys and paralegals who work on legal-related pro bono matters are able to convert half of their pro bono hours, up to a maximum of 50, to be credited against their annual "billable" hours requirement. Since 2006, Exelon's General Counsel has signed on to the CPBO Corporate Pro Bono Challenge and has established an annual internal legal department goal for pro bono and community service hours. In addition, for the past two years, in lieu of its traditional business meetings, Exelon's Legal Department has devoted three hours of its annual all-day Chicago and Philadelphia "all hands" meetings to provide community and pro bono services. Not only does the legal department encourage its own employees to engage in pro bono activities, but it expects its outside counsel to share in its pro bono commitment as well. To that end, when retaining outside counsel, Exelon questions prospective firms about their pro bono and community service work and requires all retained firms to respond to a semi-annual survey of their pro bono involvement. Finally, the Chairman of Exelon annually presents a Chairman's pro bono award to a legal department employee for outstanding contributions in providing legal or community service to persons in need. The award includes a contribution from Exelon to the legal aid organization of the recipient's choice.

JPMorgan Chase & Co.

The JPMorgan Chase Pro Bono Policy encourages members of the JPMC Legal Department, both lawyers and non-lawyers, to perform pro bono legal services. The policy states and evidences the support of senior management and provides for the use of corporate resources in the delivery of pro bono legal services. JPMC has lawyers in many cities throughout the country and each major Legal Department location has a pro bono coordinator. Pro bono projects are made available in the various locations through these coordinators. Projects are selected with an emphasis on opportunities for non-lawyers, as well as lawyers, and non-litigators as well as litigators. In addition, individual members of the Law Department are encouraged to pursue their own interests in providing pro bono services. The Pro Bono Policy defines what is considered "Pro Bono Services" for purposes of the Policy, and any service that is within the definition is covered by the Policy. In order to ensure that pro bono services can be made available to a broad range of legal aid organizations, JPMC has purchased professional liability insurance to cover those instances in which services are provided to an organization that does not itself offer such coverage to its volunteers. Thus far, JPMC staff have provided pro bono legal services in the areas of family services, immigrant rights, micro entrepreneurship and homelessness issues, among others. The JPMC Legal Department is committed to providing pro bono legal services and looks forward to increasing the range of such services and participation of its members.

McDonald's Corporation

Since the inception of McDonald's Pro Bono Program in 2000, McDonald's has worked with numerous public service organizations to provide legal assistance to low-income individuals and to help elementary and secondary students from diverse backgrounds develop the skills, knowledge and attitudes necessary to serve their communities as active, responsible citizens. For its pro bono work, McDonald's has partnered with the following organizations: CARPLS, Chicago Legal Clinic, Constitutional Rights Foundation of Chicago, LAF, Center for Disability and Elder Law and Street Law. In an effort to further increase pro bono work performed by members of the Department, Gloria Santona, General Counsel, and the Pro Bono Committee declared May 2007 Pro Bono Month in honor of Law Day 2007. As part of Pro Bono Month, each team in the department was asked to accept a new pro bono project to be performed by members of the team working individually or in a group. The Pro Bono Committee identified a number of projects and groups were asked to adopt a project. Additionally, the Pro Bono Committee also created a section of the Legal Website dedicated to pro bono. The Committee recognizes individuals who volunteer for our pro bono projects by giving awards for their pro bono service. The Committee hosts a Pro Bono Awards Reception where various members of the public service organizations with whom McDonald's works come to thank McDonald's staff for all of the time they have devoted to pro bono.

State Farm

State Farm recognizes that it is a lawyer's ethical obligation to make legal counsel available, especially to the poor and to charitable and civic organizations. Accordingly, State Farm recognizes that this type of work is valid for its in-house legal staff and it is encouraged. In-house attorneys and legal assistants at the Corporate Headquarters or other offices of State Farm Mutual Automobile Insurance Company may avail themselves of pro bono opportunities. Generally, the department encourages its attorneys to work with Prairie State Legal Services. Further, State Farm supports legal services organizations in the communities where the staff lives. State Farm also provides donations to various legal services organizations. State Farm's in-house attorneys and legal assistants are also encouraged to support legal services organizations by other means, such as fund-raising efforts, or by considering active participation as board members.

United Airlines. Inc.

United Airlines' Legal Department formally adopted a Pro Bono & Community Service program for its attorneys and support staff in the summer of 2012. The Program's mission is to support the Company's policy of good corporate citizenship by actively contributing to communities where its customers and coworkers live and work through the provision of voluntary pro bono and community services. The pro bono volunteer efforts assist those in need of legal services who cannot afford them or who do not have access to the legal system including the poor, the elderly, those with disabilities and immigrants. Agencies with programs that are regularly supported by the volunteers include Cabrini Green Legal Aid, Equip for Equality, Center for Disability and Elder Law, Chicago Metropolitan Battered Women's Network, National Immigration Justice Center and Houston Volunteer Lawyers. United's program is managed by a committee of volunteer attorneys and staff and actively seeks opportunities that permit attorneys and non-attorneys to volunteer together.

Walgreens Co.

Walgreens believes that their commitment to help people get, stay and live well extends to the communities where they live and work. As legal professionals, Walgreens believes that the skills and training of its legal professionals provide them with unique opportunities to live that commitment by working for the public good. Walgreens' General Counsel accepted the CPBO Corporate Pro Bono Challenge and encouraged the development of a pro bono program in 2013. Launched in September 2013, the Walgreens Legal Pro Bono Program provides Walgreens attorneys and legal professionals many opportunities to provide free legal services to people who would otherwise not have access to them. Through a partnership with legal aid organizations such as Cabrini Green Legal Aid (CGLA), Center for Disability and Elder Law (CDEL), National Immigrant Justice Center (NIJC) and Equip for Equality, Walgreens attorneys have already begun to make a difference as they volunteer for a morning, an afternoon, or sometimes a whole day and see the immediate impact of their work.

If your corporation has an active pro bono program but is not mentioned here, please send a description of your program to PILI's Education & Outreach Manager, Katie Pieper, at kpieper@pili.org or (312) 832-5128.



Section 6. Additional Pro Bono Resources

Contents

- a. PILI Pro Bono Initiative Program
- b. The Chicago Bar Foundation (CBF)
- c. Illinois Legal Aid Online (ILAO)
- d. American Bar Association's Center for Pro Bono
- e. Pro Bono Institute
- f. Corporate Pro Bono (CPBO)

PILI's Pro Bono Initiative Program

Since its founding in 1977, PILI has cultivated a lifelong commitment to public interest law and pro bono service within the Illinois legal community to expand the availability of legal services for people, families and communities in need. PILI's Pro Bono Initiative Program is a resource for Illinois law firms and corporations developing or enhancing pro bono programs.

PILI works collaboratively with law firms, corporations, public interest law agencies, law schools, and members of the bar and bench to expand the availability of pro bono legal services across Illinois. Through its Pro Bono Initiative, PILI offers a wide range of pro bono programming and resources, develops innovative projects and cultivates best practices, and celebrates ongoing pro bono service to enhance the scope and quantity of pro bono legal assistance in Illinois. PILI achieves its mission in the following ways:

I. Facilitating the development and sharing of pro bono best practices and policies with law firms and corporate law departments by:

- Organizing the Illinois Forum on Pro Bono and various Pro Bono Roundtables throughout the year for pro bono leaders from various segments of the pro bono community to discuss relevant pro bono issues and share best practices, including the Corporate Pro Bono Roundtable;
- Educating law firms and corporations about available pro bono resources and opportunities;
- Recruiting and forming consulting teams to work with individual law firms and corporations that are interested in developing or expanding internal pro bono programs; and
- Developing and maintaining comprehensive pro bono manuals containing sample pro bono policies and procedures and other pro bono resources for law firms and corporations.

II. Promoting and enhancing pro bono capacity throughout Illinois by:

- Developing pro bono committees at the judicial circuit level across Illinois to promote and encourage pro bono to the private bar;
- Serving as a resource to legal aid and public interest law organizations as they organize or strengthen their pro bono programs;
- Working with legal aid and public interest law organizations to effectively communicate pro bono news and opportunities through www.IllinoisProBono.org, bar publications and other relevant media;
- Recognizing the exemplary pro bono efforts of law firms, corporations and attorneys through PILI's Pro Bono Recognition Roster, Annual Awards Luncheon and other means; and
- Developing targeted pro bono outreach for particular segments of the legal community, such as law students, senior and government lawyers and paralegals, as well as those with particular interests.

III. Acting as a clearinghouse for resources and information on pro bono legal issues by:

- Gathering information about pro bono from law firms, corporations, law schools and legal aid and public interest law organizations and publicizing success stories and other relevant information;
- Publishing relevant pro bono materials, resources and success stories;
- Facilitating the nomination of pro bono leaders for recognition by PILI and other entities; and
- Coordinating with other pro bono and access to justice initiatives, including The Chicago Bar Foundation and Illinois Legal Aid Online, and other local, state and national bars and access to justice organizations.

IV. Working with law schools – particularly public interest law programs, career services offices and clinics – to promote PILI and public interest law, and pro bono practice to law students and recent law graduates by:

- Developing and implementing law school panels, symposia or consortia on pro bono and public interest law;
- Assisting in the development of pro bono relationships among Illinois' law schools and law students and the larger pro bono community; and
- Facilitating collaboration and cooperation among Illinois' law schools regarding their pro bono and public interest law efforts.

For additional information about PILI and its pro bono efforts, contact PILI's Executive Director, Michael Bergmann, at mbergmann@pili.org, or (312) 832-5129. You may also visit PILI's website at www.pili.org for additional information.

The Chicago Bar Foundation

The Chicago Bar Foundation (CBF) mobilizes the legal community around a cause that is a distinctive responsibility of the profession: ensuring that everyone in the Chicago metropolitan area has equal access to justice, particularly the low-income and disadvantaged people who are in most critical need of the protections of the legal system. Through grants, advocacy, pro bono and partnerships, the CBF takes a system-wide approach to improving access to justice and focuses on those objectives that are best achieved by the legal community working together.

Promoting pro bono by lawyers, law firms and corporations is a core part of the CBF's strategy to carry out its larger mission of working to ensure equal access to justice in our community. In partnership with The Chicago Bar Association (CBA), the CBF encourages and supports pro bono in a variety of ways, including:

I. Building the Capacity of the Pro Bono Infrastructure in the Chicago area

- Making grants to legal aid and public interest law organizations for the infrastructure to support pro bono (i.e., pro bono programs with solid screening, referral, training and support functions for volunteers);
- Developing and sponsoring other capacity building efforts for CBF funded pro bono and legal aid organizations, such as workshops and trainings promoting best practices for pro bono work and initiatives to increase professional development opportunities for legal aid lawyers; and
- Serving as a founding partner and significant funder of www.IllinoisProBono.org, a statewide website designed to provide information and training materials and other pro bono resources to pro bono attorneys.

II. Promoting Pro Bono in the CBA and Larger Legal Community

- Providing information and assistance to lawyers who want to learn more about pro bono through the CBF's Pro Bono Support Program and the CBF Pro Bono Opportunities Guide;
- Promoting the CBA Pro Bono Resolution to the CBA membership and supporting members' efforts to engage in pro bono services;
- Recognizing exemplary pro bono attorneys through the CBA/CBF Annual Pro Bono and Public Service Awards Luncheon and other means; and
- Co-sponsoring the annual CBA/CBF Pro Bono Week and the CBA Young Lawyers Section Pro Bono and Community Service Fair.

III. Expanding Pro Bono Support from Law Firms and Corporations

- Using the CBF's Law Firm and Corporate Leadership Circles to promote best practices for law firms and corporations on pro bono, charitable giving and related issues involving access to justice;
- Working with law firm professional development contacts to provide improved training and professional development opportunities for legal aid lawyers;
- Promoting other types of pro bono support for legal aid organizations from law firms and corporations on issues such as advocacy, marketing, finance and administration; and

IV. Leading Efforts to Make the Legal Profession and Justice System More Conducive to Pro Bono

- Leading advocacy efforts for adoption and implementation of the Supreme Court mandatory pro bono reporting rule as well as the rule permitting corporate lawyers with limited admission and attorneys on retired or inactive status to engage in pro bono work; and
- Working with the CBA, the Circuit Court and CBF grantee organizations to develop pro bono projects like the Chancery Court Access to Justice Program and the Probate Court Guardian Ad Litem Program.

For additional information on the CBF's pro bono efforts, please contact CBF Director of Pro Bono & Court Advocacy Kelly Tautges, at ktautges@chicagobar.org, or (312) 554-8356.

Source: www.chicagobarfoundation.org

Illinois Legal Aid Online

The mission of Illinois Legal Aid Online (ILAO) is to increase access to justice for lower-income and vulnerable Illinois residents through the innovative use of technology to assist and educate the public and to train and support legal aid providers and pro bono attorneys.

For pro bono attorneys, ILAO has developed www.IllinoisProBono.org, available for free to any attorney. The website details information on legal aid programs and their pro bono opportunities throughout the state. There is a wealth of substantive content available to assist pro bono attorneys.

Other features available on www.IllinoisProBono.org that make finding and doing pro bono work easier include:

- *Volunteer Opportunity Search:* You can now more easily search for pro bono work based on a variety of factors, including who you are, location, type of opportunity, area of law, skills you would like to acquire, specific client type, and time availability. The search recommends pro bono work based on preferences selected when you register. Registered users also receive e-mail alerts for new opportunities that may be of interest to them.
- *Pro Bono Case Pairing and Mentor Matching System:* New pro bono practitioners can use the tool to be matched with more experienced pro bono practitioners who are willing to serve as mentors and pro bono volunteers can use the system to connect with other pro bono volunteers to share a specific pro bono case or matter. Registration is free and the system is available to attorneys, law students, paralegals and other legal professionals who register on the website.
- *Legal Resources Library:* Each time you log onto the new website it gets smarter and delivers more relevant legal content, news and events to your homepage based on your usage history and identified preferences. Users can now sort legal resources in 24 areas of law by practice area or type of resource, so finding forms or video training presentations is much easier.
- *My Favorites:* For quick one-stop access, you can save links to favorite pages on www.IllinoisProBono.org and any other website.
- *My Contacts:* You can add contact information for colleagues and friends, which is then available from any web browser.
- *Discussion Board/E-mail List:* You can share information with colleagues about doing pro bono work and ask questions about your cases, either via the website or email.
- *HotDocs® Automated Forms:* Preparing documents for your pro bono cases is easier and faster with automated forms. Just fill in the correct information, and the document is created for you.
- *My News:* An enhanced news section allows you to get news from Illinois pro bono programs and national legal services organizations via RSS feeds and allows you to add your own RSS feeds.

A second website, www.IllinoisLegalAid.org, provides the general public with information on legal aid agencies that might be able to assist them with their legal matter. It also provides easy to understand and accurate legal information about the legal process, automated legal documents and forms, and self-help instructions. A Spanish version of this website is also available at www.AyudaLegalIL.org.

The third website, www.IllinoisLegalAdvocate.org, is a site dedicated entirely to legal aid attorneys. The site helps bring together agencies from across the state so that information on programs and services, training modules, job openings and events are readily available at a simple click of the mouse. Legal aid attorneys also have free access to IICLE SmartBooks® online, to participate in discussion groups, to receive newsletters customized to their areas of interest, to access legal aid staff directories, and to access Lexis-Nexis® HotDocs® forms through the site.

For more information visit www.IllinoisLegalAidOnline.org, or contact ILAO Executive Director, Lisa Colpoys, at lcolpoys@illinoislegalaid.org, or (312) 977-9047, ext. 14.

Source: www.illinoislegalaidonline.com

American Bar Association Center for Pro Bono

The American Bar Association (ABA) Standing Committee on Pro Bono and Public Service is the national source of information, resources and assistance to support, facilitate, and expand the delivery of pro bono legal assistance. The Standing Committee on Pro Bono and Public Service is the ABA's center of activity for the development and promotion of pro bono policies and initiatives. The mission of the Committee includes fostering the development of pro bono programs and activities by law firms, bar associations, corporate legal departments, law schools, government attorney offices and others; analyzing the scope and function of pro bono programs; and proposing and reviewing legislation that affects lawyers' ability to provide pro bono legal services.

The Standing Committee and its project, the Center for Pro Bono, encourage lawyers to do pro bono work and help them connect with opportunities that meet their needs. The Center's programs, projects and services help pro bono programs, and advocates and policymakers address the legal needs of the poor.

The Center for Pro Bono is a major project of the Committee and its implementation arm. The Center provides technical assistance and planning advice to a wide range of constituents in the field, including bar associations, pro bono programs, legal services offices, bar leaders, law schools, corporate counsel, judges and government attorneys. The Center also produces a number of publications, maintains a national clearinghouse of materials on a wide range of pro bono topics and operates the Peer Consulting Project. The Peer Consulting Project involves peer consulting teams providing on-site technical assistance and planning advice to bar associations, legal services Private Attorney Involvement (PAI) programs, law schools and other groups activating or expanding pro bono programs.

The Center is also responsible for organizing the annual Equal Justice Conference. The Equal Justice Conference brings together all components of the legal community to discuss equal justice issues as they relate to the delivery of legal services to poor and low-income individuals in need of legal assistance. The emphasis of this Conference is on strengthening partnerships among the key players in the civil justice system. Through plenary sessions, workshops, networking opportunities and special programming, the Conference provides a wide range of learning and sharing experiences for all attendees. Pro bono and legal services program staff, judges, corporate counsel, court administrators, private lawyers, paralegals, and many others attend this event.

For more information about the ABA Center for Pro Bono visit abaprobono@americanbar.org or <http://www.abanet.org/legal/services/probono/home.html>. Or contact Director, Center for Pro Bono Cheryl Zalenski, at Cheryl.Zalenski@americanbar.org, or (312) 988-5770.

Source: http://www.americanbar.org/groups/probono_public_service.html.

Pro Bono Institute

Established in 1996, the Pro Bono Institute is a non-profit organization housed at the Georgetown University Law Center that provides research, consultative services, analysis and assessment, publications, and training to a broad range of legal audiences. The Pro Bono Institute's President, Esther F. Lardent, is an internationally recognized expert in the field of access to justice, legal services and legal aid, and *pro bono publico*, with an emphasis on program assessment and the development of new strategies and delivery systems.

The Pro Bono Institute is mandated to explore and identify new approaches to - and resources for - the provision of legal services to the poor, disadvantaged, and other individuals or groups unable to secure legal assistance to address critical problems. In doing so, the Institute identifies and develops innovative programs and undertakes rigorous evaluations to ensure that the proposals and methods identified are workable in the real world of law practice and legal services delivery.

The Institute also strives to take an objective and critical look at the strengths and limitations of current models, and, working with key decision makers and opinion leaders, to assess, improve, and re-think those systems to avoid stagnation and to ensure responsiveness to new issues, environments, and opportunities.

The Pro Bono Institute does not provide direct legal services. Rather, the Institute is a catalyst, administering projects that support, guide, and inspire legal institutions to enhance access to justice. While each of the Pro Bono Institute's projects stands alone, the Institute selects and operates projects that, working in concert, promote synergies and inform and strengthen each other.

Among the projects operating under the aegis of the Institute is the highly-regarded Law Firm Pro Bono Project provides a wide range of services to its target audience of larger law firms, including its annual training program, the Pro Bono Seminar, local training sessions and convocations, newsletters that provide cutting-edge information on law firm pro bono activities and trends, empirical research, surveys, and publications, such as monographs and best practices compilations, a comprehensive global clearinghouse of materials and information on all aspects of law firm pro bono practice, and technical assistance to individual law firms and to consortia of firms on a city-wide, state, regional and national basis. The Project, a valued and respected resource among larger law firms, enables these firms, despite dramatic shifts in firm structures and economics, to strengthen, institutionalize, and expand their pro bono culture and service.

For more information about the Pro Bono Institute visit www.probonoinst.org/, or contact President and Chief Executive Officer, Esther F. Lardent, at elardent@probonoinst.org, or (202) 662-9699.

Source: www.probonoinst.org/.

Corporate Pro Bono

Corporate Pro Bono (CPBO), a national pro bono partnership between the Association of Corporate Counsel (ACC) and the Pro Bono Institute (PBI), is the premier resource for in-house corporate counsel seeking to do pro bono. Through online services, technical assistance to the in-house community, and educational outreach, CPBO encourages and supports the participation of in-house counsel in pro bono legal services.

CPBO's online resources include:

- Projects - a worldwide database of pro bono volunteer opportunities
- Events - a calendar of upcoming pro bono training events
- Best Practices - an archive of information about notable in-house pro bono activities;
- Substantive Resources - a library of resources tailored to the special concerns of in-house pro bono volunteers (avoiding multi-jurisdictional practice issues, securing adequate malpractice insurance coverage, etc.)
- News - updates regarding recent developments in corporate pro bono
- Partners - invitations to partner with law firms on pro bono projects
- CPBO online can also be a valuable resource for pro bono organizations, providing unique insights into the world of in-house volunteers and offering a quick and easy way to advertise to the corporate community

CPBO's staff offers in-house legal pro bono consultation services, or "technical assistance," to in-house lawyers, legal departments, and ACC Chapters everywhere. CPBO has several years of experience helping in-house lawyers in companies of all sizes and across industries to establish strong, effective, and enduring pro bono programs. This broad perspective gives CPBO a unique ability to accurately assess what strategies will work most effectively in each situation. CPBO understands that every in-house pro bono effort brings together unique volunteers, companies, clients, and communities, and CPBO is committed to finding tailor-made solutions that will make your pro bono program its very best.

Each year, CPBO hosts the Forum on In-House Pro Bono in conjunction with the Pro Bono Institute Annual Seminar. Titled "Finding Common Ground," a recent conference placed special emphasis on collaborations among in-house counsel, law firms, and public interest organizations. In addition to bringing these three constituencies together, the Forum dedicates a full day solely to the issues and challenges that are unique to in-house counsel.

Each year, CPBO conducts several Onsite Pro Bono Clinics throughout the United States, including at the ACC Annual Meeting. The Pro Bono Clinics provide in-house counsel with the opportunity to earn CLE credit while advising nonprofit organizations on important legal issues that may be easy to resolve, but can be detrimental for the organizations if disregarded. Produced in collaboration with ACC Chapters, local nonprofit organizations, and local law firms, these clinics are ideal for in-house attorneys who want to apply their business skills to doing pro bono work, but do not know where to start and do not have much time to do it. In return, in-house attorneys learn valuable skills that they can apply to helping other nonprofit groups for future pro bono work.

To learn more about CPBO's activities, visit www.cpbo.org, or contact Director, Corporate Pro Bono, Eve Runyon, at erunyon@probonoinst.org, or (202) 729-6699.

Source: www.cpbo.org.



Section 7. Other Ways to Ensure Equal Access to Justice

Contents

- a. Ways to Support PILI
- b. Advocacy
- c. Financial Support for Legal Aid
- d. Marketing, Training and Other Resources

Ways to Support PILI

Corporations are important supporters of PILI through their participation and contributions. Below is a list of different ways your company can help PILI cultivate a lifelong commitment to public interest law. For more information about any of these giving opportunities, please contact PILI Executive Director Michael Bergmann at (312) 832-5129 or mbergmann@pili.org.

Make an Annual Charitable Gift:

Contributions to PILI support our four programs through which we cultivate a lifelong commitment to public interest law among law students and lawyers, increasing the availability of legal services to the poor. General charitable gifts to PILI are 100 percent tax-deductible as permitted by law, and donors are listed both in our printed annual report and on our website.

PILI is a smart investment for donors seeking to make a lasting impact on their communities. With small overhead costs, our programs increase the availability of legal services for people living in poverty both now and in the future, creating sustainability and promoting justice within the legal aid delivery system. PILI is pleased to make available to donors documents and information regarding our programs and financial management. Visit PILI's website at www.pili.org/mission-vision for links to PILI's most recent 990, audited financial statements and annual report.

Sponsor a PILI Event:

PILI hosts two annual fundraising events and offers a variety of sponsorship levels and benefits packages for firms and corporations. PILI sponsors receive recognition in all print and online material related to the event. Please contact us for more details about the benefits associated with each sponsorship level.

Annual Awards Luncheon – Celebrating Service: The Legal Profession At Its Best

This event brings together nearly 500 members of the legal community to pay tribute to the people and organizations whose exemplary pro bono contributions have inspired us and made us proud. PILI's Annual Awards Luncheon is typically held in November or December. Visit PILI's website at www.pili.org/events/event/annual-awards-luncheon for more information.

Annual Pro Bono Reception – Celebrating Pro Bono

This event is PILI's opportunity to celebrate the community's pro bono accomplishments with nearly 250 members of the legal community and to unveil PILI's annual Pro Bono Recognition Roster. PILI's Annual Pro Bono Reception is typically held in June. Visit PILI's website at www.pili.org/events/event/annual-pro-bono-reception for more information.

Advocacy

While lawyers clearly have a leadership responsibility on these issues, equal access to justice is central to our democratic society, integral to the effective functioning of our justice system and a critical part of the safety net for vulnerable members of our community. Thus, just as is true with other critical services such as medical care and housing—and as part of the obligation to properly fund the judicial branch of government—federal, state and local governments have the primary funding responsibility for legal aid and related access to justice initiatives, in partnership with the legal community and other public and private sources. Corporate leadership is essential in the advocacy efforts to ensure adequate government funding for these purposes.

I. Advocate for Government Funding of Legal Aid

a. Federal Funding of Legal Aid

The Congress of the United States entrusts the Legal Services Corporation (LSC) with a dual mission: to promote equal access to justice and to provide high-quality civil legal assistance to low-income Americans. Congress created LSC in 1974. Each year as part of the budget process, Congress appropriates money for LSC. A bipartisan, 11-member Board of Directors — appointed by the President of the United States with the advice and consent of the Senate — oversees all aspects of LSC operations.

The main source of funding for civil legal aid, LSC gives grants to independent, local programs — in 2012, more than \$352 million in grant funds were distributed to 134 local legal services programs operating more than 800 neighborhood offices nationwide. Grants are awarded through a competitive process. Generally, the size of the grant is based on the number of people living in poverty in a given state or service area.

Nearly 62 million Americans are eligible to receive civil legal aid from LSC-funded programs — one in five. These individuals are at or below 125 percent of the federal poverty level threshold, an income of approximately \$28,813 a year for a family of four.

On average, LSC provides about half the budget of the programs it funds. LSC encourages programs to leverage limited resources by partnering and collaborating with other supporters of civil legal aid, including state and local government, the private bar, philanthropic foundations, and the business community.

In Illinois, there are three legal aid organizations that receive funding through the LSC. They include LAF, Prairie State Legal Services and Land of Lincoln Legal Assistance Foundation.

For more information about LSC, please visit its website at www.lsc.gov.

Source: <http://www.lsc.gov/>

b. Legal Aid Funding in Illinois

In passing the Illinois Equal Justice Act in 1999, the State of Illinois committed to protecting its citizens by guaranteeing access to the legal system. The Act recognized the state's responsibility to provide financial support for legal aid services through the creation and funding of the Illinois Equal Justice Foundation (IEJF). IEJF is a 501(c)3 tax exempt organization, which distributes funding appropriated by the state to support not-for-profit legal aid programs. The funding for the IEJF, which comes through an appropriation through the Office of the Attorney General, directly helps families in crisis, victims of domestic violence and seniors facing abuse and financial exploitation.

The IEJF supports innovative, cost-effective legal aid programs that empower clients to resolve legal issues and regain control of their lives. These programs offer information, guidance, advice, representation and tools to help clients understand the legal system and their rights within it.

In 2012, the IEJF awarded approved grants to 14 non-profit organizations that serve the civil legal needs of the poor totaling \$1,330,000. More than half of these grants were awarded to organizations serving Central and Southern Illinois residents.

More information about IEJF can be found on its website at www.iejf.org or by contacting the IEJF Executive Director, Leslie Corbett, at (312) 938-2381 or via e-mail at lcorbett@iejf.org.

Source: www.iejf.org.

II. Promote Cy Pres Awards for Pro Bono, Legal Aid and Access to Justice

Cy Pres awards, which most often arise from the unclaimed proceeds from class action lawsuit settlements, can be a major source of funding for legal aid. For example, The Chicago Bar Foundation received a \$2 million award that allowed the CBF to create a substantial loan repayment assistance program for legal aid attorneys. *Cy Pres* awards of any size, however, can increase the capacity of area legal aid organizations and make the justice system more user-friendly and accessible to the public. Consider encouraging your lawyers to advocate for these awards to be used for this purpose as much as possible.

III. Loan Repayment Assistance Programs (LRAP) and Loan Forgiveness Programs

a. Government Efforts

There have been recent efforts at the Federal and State levels to provide loan repayment assistance or loan forgiveness for those working in the public interest. Some proposals have covered only public defenders, some have included prosecutors and others have included those working in public interest and legal aid organizations. Many organizations and bar associations, including The Chicago Bar Association and The Chicago Bar Foundation, are actively engaged in monitoring and advocating for loan repayment and loan forgiveness programs.

b. Law School Programs

Many law schools across the country are also establishing LRAPs for their law school students and alumni who pursue a career in the public interest. It varies from school to school as to how many alumni receive the LRAP, the length of the program and the value of the LRAP. In Illinois, DePaul University College of Law, John Marshall Law School, Chicago Kent-College of Law, Loyola University School of Law, Northwestern University School of Law, University of Chicago School of Law and University of Illinois College of Law have all established LRAPs and several others are working on developing programs. Your corporation and its attorneys can advocate for and support such programs through the law schools throughout Illinois.

Financial Support for Legal Aid

Your corporation's financial support for local legal aid organizations should be an integral part of your corporation's pro bono program. Legal aid organizations provide the necessary "infrastructure" to support pro bono work for area lawyers (i.e., pro bono programs with solid screening, referral, training and support functions for volunteers). In addition, these organizations provide critical legal assistance to the most vulnerable members of our community in matters where pro bono is not a practical solution, and corporate support is critical to support that work as well. Following are several options for providing financial support.

Under the Illinois Supreme Court Rules, attorneys are encouraged to make financial contributions "to an organization that provides legal services to persons of limited means or which contributes financial support to such an organization." There are a variety of legal aid organizations throughout the state providing these services. A list of legal aid organizations in Illinois that receive funding from either the Lawyers Trust Fund of Illinois, the Illinois Equal Justice Foundation, or one of the two major bar foundations in Illinois is provided below.

In addition, attorneys can make contributions to The Chicago Bar Foundation, which provides financial support for a broad range of legal aid and public interest law organizations in the Chicago area, or the Illinois Bar Foundation, which provides financial support to a range of legal aid and public interest law organizations throughout Illinois including:

- Access Living
- Administer Justice
- AIDS Legal Council of Chicago
- Alternatives for the Older Adults
- Apna Ghar
- Asian American Legal Services
- Cabrini Green Legal Aid Clinic
- CARPLS Legal Aid
- Catholic Charities Legal Assistance
- Center for Conflict Resolution (CCR)
- Center for Disability & Elder Law (CDEL)
- Center for Economic Progress
- Center on Halsted
- Centro Romero
- Chicago Alliance Against Sexual Exploitation – Sexual Assault Justice Project
- Chicago Coalition for the Homeless – Law Project
- Chicago Irish Immigration Support
- Chicago Lawyers' Committee for Civil Rights Under Law
- Chicago Legal Advocacy for Incarcerated Mothers (CLAIM)
- Chicago Legal Clinic (CLC)
- Chicago Volunteer Legal Services (CVLS)
- DePaul Legal Clinics
- Domestic Violence Legal Clinic
- DuPage Bar Legal Aid Service (Wheaton)
- Equality Illinois Education Project
- Equip for Equality (Chicago, Rock Island and Springfield)
- The Family Defense Center
- Family Shelter Services
- Family Rescue
- Farmworker Advocacy Project
- First Defense Legal Aid
- Heartland Alliance's National Immigrant Justice Center
- Hebrew Immigrant Aid Society of Chicago
- Illinois Legal Aid Online
- Indo-American Center
- James B. Moran Center for Youth Advocacy
- John Marshall Law School's Restorative Justice Project
- LAF
- Lambda Legal - Midwest Regional Office
- Land of Lincoln Legal Assistance Foundation (Southern and Central Illinois)
- Latinos Progresando
- Lawndale Christian Legal Center
- Lawyers' Committee for Better Housing (LCBH)
- Lawyers for the Creative Arts (LCA)
- Legal Aid Bureau of Metropolitan Family Services
- Life Span
- Loyola University Chicago's Life After Innocence
- Midwest Center on Law & the Deaf

- Migrant & Immigrant Community Action Project
- Prairie State Legal Services (Northern and Central Illinois)
- Public Interest Law Initiative (PILI)(IL)
- The Roger Baldwin Foundation of the ACLU
- Riverview Center
- Sargent Shriver National Center on Poverty Law
- Sojourn Shelter & Services, Inc. (Central IL)
- The Chicago Lighthouse for People who are Blind or Visually Impaired
- The Parent Place (Central IL)
- The Immigration Project (Central and Southern IL)
- The Law Project
- Uptown People's Law Center
- Violence Prevention Center of Southwestern Illinois (VPC) (Southwestern IL)
- Working Hands Legal Clinic
- World Relief-Chicago—Immigrant Legal Services Program
- YWCA Evanston/North Shore

Unless otherwise indicated, the agencies listed above are located in Chicago.

Marketing, Training and Other Resources

Corporations are in a unique position to provide legal aid organizations with certain resources that the organization would either not have access to or would have to expend significant funds to obtain. The work of these organizations can also be supported by corporations through donations of these resources or by maximizing the corporation's connections and resources for the benefit of the agency. Some examples of these resources include:

- Donating in-kind office space;
- Providing meeting or event space;
- Providing reproduction and document assembly services;
- Encouraging the corporation's vendors (printing, court reporters, experts, translation services) to provide pro bono services for the organization;
- Donating postage for event or agency mailings;
- Developing CLE programs or training materials for the organization's other pro bono attorneys;
- Donating a subscription to legal periodicals or texts to the organization;
- Donating used office furniture or computer equipment; and
- Assisting the agency with the development of marketing materials, including brochures, annual reports, and websites.

You can make these contributions directly to your agency partner(s), or you may contact Dina Merrell at The Chicago Bar Foundation, at dmerrell@chicagobar.org, or (312) 554-1206 for assistance with identifying an organization in need of any of these resources.



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About PILI

Our Mission:

PILI's mission is to cultivate a lifelong commitment to public interest law and pro bono service within the Illinois legal community to expand the availability of legal services for people, families and communities in need.

Our Vision:

PILI envisions a legal community with a deeply rooted culture of service, where law students, lawyers and legal professionals at all stages of their careers engage in public interest law or pro bono work, and remain committed to addressing the unmet legal needs of the poor and underrepresented.

Our Programs:

PILI's Law Student Internship and Graduate Fellowship Programs place law students and recent law school graduates at public interest law organizations, with PILI providing supplemental educational, networking and mentoring opportunities.

Our Alumni Network builds and maintains the connection between past PILI Interns and Fellows and the public interest law community through educational, networking and leadership opportunities.

Through our Pro Bono Initiative Program, PILI enhances the scope and quantity of pro bono legal assistance in Illinois for those who lack access to justice by offering a range of pro bono programming and resources, by developing innovative projects and cultivating best practices, and by celebrating ongoing pro bono contributions.

Working together with 56 Participating Agencies in Illinois, PILI guides attorneys at every stage in their legal careers in actualizing their professional responsibilities and personal commitments to equal access to justice through a continuum of public interest law and pro bono opportunities. PILI's programs first capture emerging lawyers when they are law students and new law school graduates, and then extend into legal practice to reach new, seasoned and senior attorneys working in every sector of the legal community – private, academic, government and non-profit

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