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*Pro Bono Reference Guide: A Resource for Law Firm Programs*

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Introduction to PILI

Since its founding in 1977, the Public Interest Law Initiative (PILI) has engaged, inspired and empowered those advancing equal access to justice. PILI’s Pro Bono Program works to increase the availability of pro bono legal help for those who cannot afford an attorney in Illinois by developing innovative pro bono opportunities, offering pro bono programming and resources, cultivating best practices, and celebrating the life-changing pro bono performed throughout the state.

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 law firms similar in nature to yours who will meet with you and other leaders of your firm 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 firm; 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 Law Firm Pro Bono Roundtable to bring together law firm pro bono leaders from around Illinois to network, discuss the unique pro bono challenges facing attorneys and 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 or contact PILI’s Executive Director, Michael Bergmann, at mbergmann@pili.org or 312-832-5129.

Executive Summary

As part of the pro bono programming that PILI offers, PILI developed and maintains the Pro Bono Reference Guides for Firms and Corporations, which is intended to provide you with guidance in developing or enhancing a formal pro bono program at your organization. Included in this guide is a compilation of direction, best practices and relevant examples to help law firms in developing and enhancing their pro bono program.

In addition to providing individualized in-person technical assistance to law firms looking to develop their pro bono program, as a supplement to this guide PILI also maintains a library of sample documents. The library includes pro bono policies, intranet sites, as well as forms and letters that have been used by a variety of law firms. It is our hope that these resources and this guide will help you engage more pro bono volunteers and enhance the pro bono experience at within your law firm.

This guide is meant to be an overview and a continual resource for pro bono programs. It includes an overview of pro bono in Illinois, the considerations when developing a pro bono program, general administration of the program, how to manage pro bono matters, as well as additional resources and ideas. Whether you are just beginning to develop the pro bono program at your firm or want ideas to sustain or reinvigorate your program, we hope this will be a useful resource.
Section 2.  Pro Bono Basics

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a. What Constitutes Pro Bono?

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What Constitutes Pro Bono Work?

I. Official Definition

While there are various definitions throughout the country of what constitutes pro bono, the Illinois Supreme Court has recently 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.

The Illinois definition is based in part on Model Rule 6.1 of the American Bar Association’s Model Rules of Professional Conduct, which provides that all lawyers should render public interest legal service.

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;
- Counseling a not-for-profit organization on tax matters;
- Helping form a small business in an economically underdeveloped community;
- 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;
- Fundraising for organizations; and
- Non-legal philanthropic activities.
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 article.

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.
(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
Why Do Pro Bono Work?

I. 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 persons who need assistance but cannot afford or obtain it, and the limited resources available to meet those needs through legal service organizations (the “justice gap”). The assistance provided by volunteer attorneys is critical, as there are just over 300 legal aid attorneys to serve all of Illinois.

II. 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 and for law firms to support their lawyers in this work.

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. It is the responsibility of those who manage law firms to create an environment that is hospitable to the rendering of a reasonable amount of uncompensated service by lawyers practicing in that firm. An individual lawyer’s efforts in these areas is evidence of the lawyer’s good character and fitness to practice law.

Building on the previous Pro Bono Statement of Principles established by the Public Interest Law Initiative (PILI), The Chicago Bar Foundation (CBF) has also developed the CBF Law Firm Leadership Circle and an accompanying comprehensive statement of principles for law firms. These Principles were developed to embody best practices for firms and related issues and to underscore the critical role that Chicago law firms play in ensuring equal access to justice in our community.

III. Recruiting and Retention; Firm Morale

Competition for hiring good legal talent, whether at the summer associate, recent law school graduate, or lateral attorney level, can be intense. Firms with active pro bono programs enjoy a competitive advantage with many potential candidates, particularly when a new attorney may be deciding between firms with substantially similar or even identical salary structures. Entry level associates, in particular, are interested in and frequently ask about a firm’s commitment to its pro bono program as part of the interview process. In fact, career service offices at many prestigious law schools strongly suggest that their students review the pro bono programs at prospective firms (See e.g., https://blogs.harvard.edu/clinicalprobono/2016/07/07/american-lawyer-releases-national-and-international-firms-pro-bono-rankings/).

In today’s environment, attorneys are more mobile than at any time in the past, with Gen Z professionals more than three times as likely to change jobs and nearly 20 percent of associates leaving law firms each year. 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 firm.

Finally, a successful pro bono program can provide opportunities for lawyers to work together as a team. Pro bono victories and awards can be shared with the entire office, fostering a sense of pride and accomplishment among attorneys and staff.

IV. Training and Professional Development

Pro bono projects can be used as training vehicles to provide a wide variety of high quality skills training at a much
lower cost than might otherwise be provided through client-paying work. Through pro bono work, junior attorneys may try cases and gain substantial client contact earlier in their career. With adequate supervision, junior attorneys can be afforded greater autonomy in a pro bono matter, offering meaningful work experience and accelerated professional development opportunities that benefit both the individual attorney and the employer.

V. Client Relationships and Requirements

Pro bono is an increasingly effective and impactful manner of engaging, maintaining and depending relationships with commercial clients. Collaborating on pro bono projects with commercial clients are effective team and relationship building events. The collaborations can take many forms, ranging from one day clinics hosted by law firms with in-house law departments to full co-counsel relationships on complex litigation.

Further, many companies internally recognize the importance of providing pro bono services and the positive impacts that this has on the community as a whole and in some instances to their direct customers. When retaining outside firms, these companies expect that their outside counsel are similarly aligned and also recognize the importance of pro bono.

These clients may require completed annual reports or internal surveys of pro bono metrics from their outside counsel, including highlights and summaries of specific pro bono engagements. Law firms with robust pro bono programs can more easily align themselves with these like-minded clients and can point to pro bono as a unifying source that strengthens the relationship with these clients.

The Corporate Pro Bono Challenge illustrates the increasing power of corporate legal departments to drive law firm behaviors. The list of signatories is lengthy. Signatories adopt the following sentiments:

As Chief Legal Officers, we recognize the critical importance of pro bono service as a cornerstone of our professional identity and accept the unique role that we can play in promoting pro bono in our legal departments. As leaders, we understand that the legal and business interests of our clients are furthered when access to the legal system is readily available to resolve disputes.

In recognition of our commitment and as signatories to this Corporate Pro Bono Challenge® statement, we will encourage and promote pro bono service by our legal department staff and use our best efforts to encourage our staffs, including at least one-half of our legal staff, to support and participate, as appropriate, in pro bono service.

VI. Firm Marketing

Pro bono is an effective marketing tool that can provide a firm or corporation with positive publicity, heightened visibility, improved client relationships, and evidence of good corporate citizenship. Several local and national organizations such as PILI, the Pro Bono Institute, American Lawyer Magazine and the ABA Center for Pro Bono set pro bono goals and recognize those law firms and individual attorneys who meet or exceed those goals.
Dispelling the "Myths" of Pro Bono

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 purchase contract for a person of limited means. Additionally, for those attorneys at larger firm, pro bono work offers a great opportunity to work in teams. When collaborating with multiple attorneys, taking on a larger scale project becomes more accessible. The required time can be spread out among multiple people and there is less pressure on one individual schedule when there are multiple attorneys available to take a call, handle a meeting or appear in court.

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

A significant segment of pro bono legal service needs involve work that may not be customarily done in a medium or large sized law firm or may be outside the expertise of attorneys in a firm or corporation. For example, there is a great need for assistance in family law and immigration cases, both practices that may not have a presence in a firm or corporation. 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 dozens of public interest agencies in Chicago who not only screen pro bono cases, but also provide mentoring and support to their volunteer attorneys throughout the duration of a case. In addition, many agencies provide predicate training programs for interested attorneys, sometimes in the attorney's own office and sometimes offering CLE credit for specific types of training. Finally, attorneys who practice in a particular area are usually receptive to questions from volunteer attorneys and can be very helpful.

Myth #3: Pro bono is only litigation.

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.

Myth #4: My firm's malpractice insurance policy does not cover pro bono work.

Most law firm's malpractice insurance policies cover pro bono work. Even if your firm or corporation does not carry malpractice insurance or the policy does not cover pro bono work, many pro bono and legal aid agencies in Chicago have policies that cover their volunteer attorneys. If you do not have insurance coverage, you should inquire with a particular agency as to its coverage. In addition, it is important that the same preliminary steps taken when you represent a paying client are taken when you represent a pro bono client. Pro bono clients should be treated the same as a paying client when initiating the representation, including conflicts checks, engagement letters, and more importantly, treating the pro bono client as a paying client throughout the duration of the representation.

Myth #5: My clients do not care about pro bono work.

Clients cannot care about your pro bono work if they do not know about it. Whether you are in a large or small firm, a solo practitioner, or in a corporate legal department, client development is an important part of your practice. Clients like to know that their attorneys are well-rounded individuals, and that their lives do not revolve around billing them. Moreover, a growing number of corporate clients have begun to specifically inquire about their outside counsel's pro bono efforts, including requiring firms to file annual reports and/or respond to surveys.
describing the firm's pro bono work. As noted above, the Corporate Pro Bono Challenge is a clear reflection of this movement. Further, some corporations with in-house legal departments have begun doing pro bono work themselves. Even if your clients are small companies or individuals, they are likely to appreciate that their attorneys are giving back to the community and in some instances, are supporting individuals who may be the client’s own customers.

**Myth #6: Pro bono work will displace "real" client work.**

The "billable work displacement" concern is likely to be raised as a deterrent to pro bono work, whether you practice in a large or small firm. Firms that have studied this issue, however, have concluded that not only does pro bono work not displace paying-client work, but in fact the busiest and most profitable 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 not turning down paying work; they are simply integrating pro bono work into their practice. Finally, the nation’s most profitable and largest law firms listed on the Am Law 100 report a substantial number of pro bono hours by their attorneys; on average 40 hours of pro bono service is performed by each attorney per year at these law firms.
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. Limited scope representation is a great tool that also increases access to legal services for clients.

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.IllinoisLegalAid.org.
Section 3. Initial Considerations in Developing a Pro Bono Program

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j. Full time Pro Bono Professionals
What Is Your Firm Hoping to Achieve with Your Pro Bono Program?

Although the objectives might change over time as your pro bono program evolves, it is a good idea in the initial stages of the program to identify what goals you have for the program and to design the program to achieve those goals. It is, after all, against those goals that the success of your program ultimately will be measured. As any business consultant will tell you, if you cannot measure it, you cannot manage it. Due to budgetary constraints and large workloads, it may be important to connect those goals with a business rationale for pro bono work.

The goals that law firms set for a program are limited only by imagination and the culture of each law firm. Common goals that law firms set for their pro bono programs are discussed below. These goals are not mutually exclusive and most successful pro bono programs incorporate some or all of these objectives.

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

The impetus for many pro bono programs is to facilitate opportunities for attorneys to give back to the community and satisfy their professional obligation to use their legal training, experience, and skills to provide services in the public interest. Law firms harness amazing resources and talents to serve their paying clients while profound unmet legal needs continue to grow among the poor and disadvantaged. Pro bono is a way to bring the two together in a way that ultimately benefits not only the participants but also society as a whole. This desire to contribute is often most strongly felt by junior lawyers, and the ability to do pro bono work is often an important factor considered by incoming associates in selecting a firm.

II. Training Your Lawyers and Legal Staff

For many young law firm lawyers, the opportunities to take a case to trial or head up a matter are few and far between because of the stakes of such engagements and client expectations. Pro bono programs can provide wonderful professional development opportunities to newer lawyers or lawyers who simply wish to broaden their horizons.

III. Promoting Your Firm and Its Image

Pro bono engagements can raise the visibility of your firm and enhance its reputation in the community as not just a firm of high quality, but one that is embedded in and cares about its community. Many law firms report that recruits express an interest in the firm’s pro bono credentials, and an increasing number of corporations now ask their outside law firms to show a commitment to pro bono law in order to remain as a preferred provider.

IV. Building Stronger Relationships within Your Firm or Between the Firm and its Clients

Many successful pro bono programs are designed to foster closer relationships within a firm and/or between lawyers and their clients. Due to the training and technical assistance provided by PILI and many pro bono agencies, pro bono matters can serve to provide an easily structured opportunity for attorneys across practices to work together and deepen personal relationships. Just as many lawyers want to give back to the community, so do paralegals and professional staff at law firms, as well as corporate law departments. For many law firms, partnering with current or prospective clients on pro bono projects is an effective way of establishing or strengthening a business relationship and providing additional value.
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 firms 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 Minimum Pro Bono Hours

PILI encourages firms to adopt an aspirational pro bono goal rather than requiring a set number of hours. Past experience shows that 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 meet a firm’s hour requirement.

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. The reality of legal practice is that any individual’s time on pro bono cases will vary from year to year. Because of this, law firms should look more broadly at average pro bono hours to ensure that over time the program is growing. You should also track expenses incurred by the program and charitable contributions made by your firm as a result of its involvement in pro bono matters so you can be prepared to quantify your firm’s financial commitment to pro bono.

III. Share Pro Bono Success Stories, Celebrate Pro Bono Champions 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 (see Section 4(c) for additional information). 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 firm. 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. Other ideas to spotlight work include a monthly spotlight on a pro bono project or an annual report that summarizes all of the great pro bono work performed by a department that year. For more on this topic, please read the section on Developing an Effective Pro Bono Policy.

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 Law Firm

The first challenge in initiating a pro bono program is to build the necessary support among the firm leaders. You 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 firm and individual attorneys as well. PILI’s Pro Bono Initiative can help your firm get started.

II. Promulgating a Pro Bono Policy

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

- What your firm considers to be pro bono work;
- Who will approve the engagements and what type of information will need to be provided before a pro bono matter is accepted;
- Engagement letter requirements;
- How a matter should be staffed (i.e., whether a supervising partner is required, etc.);
- Whether and how much billable, bonus or advancement credit will be given to attorneys for work on pro bono matters;
- What type of support will be available on pro bono cases (e.g., expert fees); and
- What amount of pro bono work is expected of each attorney.

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:

- Engaging firm management to make the initial announcement;
- Encouraging department/practice group leaders to lend their vocal support and encourage program participation, ideally by their own example;
- Inviting PILI and other legal aid organization representatives to the firm to provide training and information about pro bono opportunities that are well-suited to the firm;
- Soliciting high profile attorneys at the firm to act as supervisors on new pro bono matters; and
- Announcing publicly the purposes and goals of the program.

IV. Maximizing the Program’s Potential

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

- Appointing a chairperson or manager of the program to cultivate and identify opportunities for the firm, encourage participation, track involvement and promote successes;
- Partnering with one or more pro bono or legal aid agencies to pre-screen and even refer cases for your organization;
• Actively involving your legal staff in the program and encouraging them to identify and recommend worthy matters or causes for your firm to handle or support;

• Publicizing your pro bono program’s successes internally and externally, including linking the program with your organization’s marketing, recruiting and professional development efforts; and

• Participating in the legal community’s efforts to identify and share best pro bono practices, including participating in PILI’s Pro Bono Roundtables and the Illinois Forum on Pro Bono.

**Pro Bono Policy Basics**

**I. Reasons to Have a Pro Bono Policy**

There are numerous advantages to adopting a formal written pro bono policy within your firm. A written pro bono policy emphasizes your firm’s commitment to pro bono work and to your community and provides guidance and encouragement to junior and lateral lawyers as they are developing their professional standards and integrating pro bono work into their individual practices.

Developing a written pro bono policy for your firm also makes good business sense and promotes a shared understanding of the firm’s process and commitment to public interest law. A written pro bono policy documents the firm’s endorsement of pro bono activity and establishes the procedures by which the firm will handle pro bono cases. A written pro bono policy can establish consistent guidelines and procedures for how the firm will recognize or “value” pro bono work performed by lawyers within the firm. Further, such a policy can set clear parameters for what is and what is not treated as pro bono work, allowing the firm to focus on those strategic initiatives that are most impactful in closing the justice gap rather than on pet projects for firm attorneys (such as representing the school a partner’s child attends, helping a partner’s family member, etc.). 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 firm 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 the Pro Bono Initiative that can provide a firm with guidance in drafting its own written pro bono policy. In addition, many firms post their written pro bono policies on their websites. Of course, each firm will have very different reasons for establishing a pro bono program and will adopt procedures for implementing and managing that program that are consistent with the firm structure and culture. Nonetheless, it can be helpful for a firm that is considering establishing a new pro bono program or revising an existing pro bono policy to review a variety of policies to get an idea what other firms have incorporated into their pro bono programs.

The first step is to define the firm’s pro bono vision or mission statement. This should clarify why pro bono is important and what the firm’s commitment is to pro bono work. In addition to this vision/mission statement, which is typically found at the beginning of the pro bono policy, a written pro bono policy should address the following:

• **Definition of Pro Bono** – What type of work will qualify as pro bono work in your firm? Not all nonpaying legal work typically qualifies as pro bono work. You should consider using the definition of pro bono that has been adopted by the Illinois Supreme Court in Rule 756.

• **Intake Process for New Pro Bono Cases** – What is the process for running conflicts checks and opening up new pro bono matters? Who reviews and approves new pro bono matters.
- Template Engagement Letters – What language must be included in all pro bono engagement letters?

- Use of Firm Resources for Pro Bono Work – What type of administrative and financial support will be available for pro bono work?

- Recognition of Pro Bono Work – Whether and how much billable/creditable time will the firm give for pro bono work and how that work will be reviewed? This is probably the most important component of the pro bono policy as it defines, in a quantifiable way, how the firm “values” pro bono contributions by its lawyers.

- Staffing and Supervision of Pro Bono Projects – How will pro bono matters be staffed and who will supervise these matters? Many firms require that all pro bono matters be supervised by a partner or other senior attorney.

- Management of Pro Bono Program – Who will be responsible for managing and overseeing the pro bono program, reviewing and approving intake of new pro bono matters, keeping track of the pro bono work being performed by lawyers and other professionals in the firm, encouraging participation in the pro bono program, and working with local pro bono and public interest organizations like PILI to identify new projects and cases?
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 partners 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 law firm. 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 PILI’s Executive Director Michael Bergmann at mbergmann@pili.org or 312-832-5129.

SAMPLE PRO BONO INTEREST SURVEYS

As part of a PILI Pro Bono Consultation, members of the Consultation Team from other Illinois law firms will share samples pro bono surveys that they have used at their own corporation firms. PILI also maintains a library of sample pro bono surveys used by a variety of corporations. Please contact PILI’s Executive Director, Michael Bergmann, at mbergmann@pili.org or 312-832-5129 for sample policies or to schedule a Pro Bono Consultation.
Malpractice Coverage for Firm’s Pro Bono Work

Malpractice coverage is an important consideration in developing your pro bono program. Often, pro bono matters are, or can be, covered under your firm’s existing malpractice coverage. If not, most legal aid and public interest law agencies carry a policy that will cover pro bono attorneys who handle cases through the agency. You should consult with any potential partner as to whether they provide coverage. The agency should be able to provide you with the pro bono endorsement and coverage from their 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. Aside from typical insurance providers, the National Legal Aid and Defenders Association (NLADA) provides malpractice coverage for pro bono volunteers and is a popular option. Your firm must become an NLADA Member in order to purchase insurance through NLADA. Visit NLADA’s website at www.nlada.org/nlada-insurance-program or contact them directly at 800-725-4513 for more information about their insurance program.

If you are considering a firm/corporation pro bono partnership (covered in more detail in Section 5), you should note that many law departments do not have malpractice coverage for pro bono work. If their corporation does not have malpractice coverage, the corporate attorneys will need coverage through a pro bono agency or will need to purchase additional coverage. A firm will not typically be able to include the corporate attorneys under the firm’s policy.
Special Considerations for Small Firms in Designing a Pro Bono Program

While there is no question that large law firms have served as influential leaders of the pro bono movement, small law firms also have a proud history of commitment to pro bono legal services. There are, however, unique challenges faced by small law firms in establishing and growing a successful program. Fortunately, PILI can provide you with forms and advice like that included in this manual, as well as introductions to legal aid agencies and pro bono coordinators at other law firms, to help get you started.

I. The Blank Slate Problem

The person, usually an associate, who wants to start a pro bono program at a small law firm usually starts with a blank slate. No program is on the books and whatever pro bono work that has been done by the firm’s lawyers in the past is probably not well coordinated or documented. Again, fortunately, PILI can provide you with forms, advice and introductions to legal aid agencies, to help get you started.

II. The Resource Challenge and Solutions

Many lawyers at small firms meet resistance from their partners that the firm cannot “afford” a pro bono program given its limited resources. There are ways to ameliorate this concern:

- Start small. Select pro bono opportunities with limited time commitments and minimal expenses. Helplines, advice desks, and matters with compressed time frames often provide good training and the opportunity to have a large impact with a little effort;
- Highlight the training opportunities that pro bono matters provide younger attorneys;
- Require the referring agency to screen matters for you and to train your lawyers in how to properly handle their matters; and
- Partner on matters with other law firms, corporations or legal aid agencies.

III. The Need for Sounding Boards

Depending on the firm’s resources, pro bono lawyers at small firms may need persons outside of their firm to serve as sounding boards on issues that may arise during the course of a pro bono representation. Small firm pro bono coordinators should scrutinize referring agencies to ensure that they do not simply hand off matters to law firms and leave the handling lawyer to his or her own devices. Many 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.

IV. Getting the Word Out

Because small firms often do not have the marketing staff or resources of large firms, it is a challenge to promote the successes of a small firm’s pro bono program. Small firms will need to rely on the services of agencies that refer them cases to help disseminate news of their successes. PILI, as well as other bar associations and organizations, can also help to promote your program.
Special Considerations for Existing Firms Entering the Illinois Market in Designing a Pro Bono Program

In the current legal market, it is increasingly common for law firms established in other markets to open offices in Illinois, often with groups of attorneys who laterally have moved from other Illinois firms. While these firms and the individual lateral attorneys may have significant existing commitments to pro bono legal services, challenges are faced by satellite offices in establishing and growing their own successful office programs, and aligning their pro bono efforts with those of the entering firm and the Illinois legal community. Fortunately, PILI can assist firmwide pro bono leadership and leaders of new entry offices in advancing alignment by making necessary introductions to local legal aid agencies and pro bono coordinators at other local law firms, to help get their local office programs started.

I. The Local Blank Slate Problem

When an established firm enters the market for the first time, the initial focus is establishing presence, both as a brand locally and as a profitable enterprise. With those efforts at the forefront, even firms with a historic commitment to pro bono may not have a plan in place to initiate a local pro bono program, leaving those interested in pro bono at the new local office with a relatively blank slate. Again, fortunately, PILI can assist in advancing firm wide and local pro bono commitments, and can do so by providing advice, forms and introductions to local legal aid agencies, to help get you started.

II. The Resource Challenge and Solutions

Lawyers at newly-entered local firm offices may meet resistance from either office partners or the firm as a whole that the firm cannot “afford” a local pro bono program given its limited resources and the focus on building up business and local brand recognition. There are ways to ameliorate this concern:

- Align local pro bono efforts with those undertaken historically by the firm as a whole. For example, if the firm historically has focused pro bono efforts on matters involving specific issues or groups, i.e. veterans, domestic violence, children, civil rights, enlist firm leadership to assist in advancing and supporting local pro bono opportunities involving these very same issues or groups. PILI can assist in making the requisite introductions to local legal aid agencies and organizations that support these groups and issues;

- Highlight the training opportunities that pro bono matters provide younger attorneys;

- Start small. Select pro bono opportunities with limited time commitments and minimal expenses. Helplines, advice desks, and matters with compressed time frames often provide good training and the opportunity to have a large impact with a little effort;

- Require the referring agency to screen matters and to train lawyers in how to properly handle their matters.

III. Getting the Word Out

Publicize pro bono involvement and achievements as part of the office efforts to establish the firm’s local brand, presence and commitment to the community as a whole. PILI, other bar associations and organizations as well as agencies that refer cases, can also help to promote your program and disseminate news of pro bono successes.
Developing an Effective Pro Bono Policy

A well drafted and organized pro bono policy is an integral part of a successful pro bono program. While some firms eschew the adoption of formal policies, developing some parameters around your pro bono program will provide clarity for your attorneys in their pro bono efforts, allow for the success and growth of your program and allow for ease in managing your firm’s pro bono efforts. PILI can provide you with assistance in developing a pro bono policy, and can provide examples of policies implemented by other firms as examples.

I. Define Pro Bono at Your Firm

This is a critical first step in developing your policy. The Illinois Supreme Court has enumerated what counts as pro bono for the annual reporting of pro bono work. Other organizations such as the ABA and PBI have also developed suggested definitions of non-paying legal work that qualifies as pro bono. Many firms have developed their own internal definition and standards of work that can be handled by attorneys “pro bono.” By spending time and effort up front defining pro bono within your firm, it will be easier down the line to make principled decisions regarding the acceptability of new matters. Your policy should clearly establish what the firm 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;
- Legal representation to small businesses, artists and entrepreneurs in economically disadvantaged areas;
- Legal representation addressing civil rights; or
- Developing and presenting a training session on a substantive law topic for legal aid attorneys or a disadvantaged class of people.

Many firms also encourage and promote community service in conjunction with their pro bono policies. Two examples are:

- Serving on a qualifying not-for-profit organization’s board of directors (i.e., the board of directors for a legal aid organization or a non-for-profit organization otherwise serving the poor); or
- Firm-sponsored community service activities such as tutoring, volunteering at a homeless shelter or soup kitchen.

II. Identifying a Leadership Structure

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

- Develop, monitor and implement the firm’s pro bono policy;
- Circulate referrals from partnering legal aid agencies and attempt to staff lawyers on those cases;
- Review and accept or reject pro bono projects;
- Coordinate and monitor all pro bono activities, ensuring that proper assistance, supervision and resources are available for services;
- Monitor the hours and costs spent on approved pro bono projects;
- Communicate the options and available opportunities which constitute pro bono to all lawyers in the firm, including incoming attorneys not yet familiar with the firm’s policies;
• Provide periodic reports on the firm’s pro bono activities;

• Ensure that the same firm standards of quality and care are given to the pro bono client as are given to a paying client; and

• Recognize, highlight and promote pro bono involvement within the firm.

The role of the coordinator might be a dedicated, full-time individual within your firm. Some firms have non-lawyer pro bono coordinators and others employ a full-time attorney pro bono coordinator. The level of this position, i.e. administrative, manager/director, or partner varies among firms. In some instances, the pro bono coordinator is an attorney who administers the firm’s (or office’s) pro bono program on a voluntary basis, in addition to his/her responsibilities as an attorney for the firm.

Pro bono committees tend to be made up of attorneys who have demonstrated a strong commitment to pro bono and community service and are often led by those attorneys who also have the authority and stature to act as a leader within the firm. More junior lawyers may also play an important role on the committee, bringing a more junior perspective and serving as a spokesperson for pro bono work with their colleagues and friends.

PILI maintains a list of many of the pro bono contacts at Illinois law firms, many of whom make themselves available for consultation. PILI can facilitate connections with these contacts upon your request.

A number of firms combine these structures, either utilizing a non-attorney to administer the program under the committee’s direction or with local office pro bono chairs. While there are a number of structures that firms have successfully used to provide support to their attorneys for pro bono work, the common denominator is strong and visible support from the firm’s leadership.

III. Process for Selecting and Approving Pro Bono Matters

The pro bono policy should also detail the approval process at the firm for pro bono matters. Some firms adopt a bottom-up approach, wherein attorneys are allowed to seek out their own pro bono opportunities based on individual interests which are then submitted for approval. Other firms prefer to consolidate their pro bono resources and take a top-down approach, entrusting the pro bono leadership to develop a slate of permissible pro bono opportunities for attorneys. Many firms combine these approaches, allowing some attorneys to pursue their passions while also making pro bono readily accessible to those who have not developed a pro bono habit.

Information may 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 Firm Support for Pro Bono Matters

An effective policy will state what firm 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 often by the size of the firm. The greater the support you are able to provide, the easier and more attractive pro bono will be to your attorneys. Types of support that might be available include:

- Use of staff, including paralegals, legal assistants, document preparation staff;
- Ordinary costs associated with the matter, including: reproduction, postage, telephone calls, faxing, messenger service, filing fees, etc.;
- “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

How pro bono work is recognized and credited varies widely from firm to firm, depending on the size of the firm and its culture. Many firms allow their attorneys to credit a certain number of their pro bono hours towards their billable requirement. Some, in addition or as an alternative, factor an attorney’s pro bono work (or lack thereof) into salary, bonus and promotion considerations. Some questions to consider include:

- If there is no pro bono hours requirement, will your firm credit pro bono work towards the firm’s billable hours requirements? If so, how many hours will be credited, i.e. 50, 100, a designated percentage, unlimited? If there is a specific limit, is there a process for obtaining approval for additional hours?
- Are all attorneys entitled to the pro bono credit towards billable hours (partners, staff attorneys)? Will attorneys and staff who are compensated on an hourly basis be paid for pro bono work?
- How will performance on pro bono matters be included in reviews? Pro bono provides excellent first chairing opportunities to junior lawyers, and it is important to gather and share this information with firm and practice group leadership.
- Will pro bono work (or a lack thereof) be considered when determining salary increases, bonuses, and promotions?

VI. Supervision of Pro Bono

Most policies contain a provision regarding the supervision of pro bono cases. Substantive supervision of the pro bono case and attorney are often assigned to a partner. The firms also assign supervisory responsibility to that partner regarding fees and disbursements. As with any firm client, it is important to confirm that the attorney sponsoring a pro bono project has the skills and resources necessary to take on the matter. If an attorney is branching outside of their area of expertise, which can be a great way for attorneys to avoid burnout, support from a referring agency or s will be vital.
VII. Full-Time Pro Bono Professionals

While we recognize that resources are always limited, hiring a full-time pro bono professional to launch, grow and administer a pro bono program can be a highly effective tool.

As of 2019, there were more than 200 full-time pro bono professionals, including both lawyers and other professionals dedicated the administering pro bono programs. This number has grown dramatically over the last ten years. Now more than 100 firms around the globe employ such full-time professionals.

Hiring such a professional has many benefits. It allows someone to dig fully and deeply into identifying opportunities, engaging lawyers, developing a strategic vision, fostering relationships with legal aid agencies and managing the risks inherent in a pro bono program. While lawyers with a commercial practice can certainly engage in such activities, they have far less time to do so.

Sample Pro Bono Policies

As part of a PILI Pro Bono Consultation, members of the Consultation Team from other Illinois law firms will share samples of their pro bono policies. PILI also maintains a library of pro bono policies. Please contact PILI’s Executive Director, Michael Bergmann, at mbergmann@pili.org or 312-832-5129 for sample pro bono policies or to schedule a Pro Bono Consultation.
Section 4. Pro Bono Program Administration

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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, strategic resource management, and marketing. Case closing communications provide additional safeguards that reinforce the benefits of case opening procedures, particularly in the area of conflicts and liability concerns, and facilitate effective attorney-client communications. The key principle to remember is to treat pro bono cases like any other client matter in the firm, recognizing a few special items mentioned below.

I. Opening a New Matter

New pro bono matters should be opened in the same manner as paying client matters, with a few differences. First, the new matter form is typically used by the pro bono administrator or partner to determine whether the matter qualifies as pro bono. This is particularly important for two reasons: (1) to ensure proper record keeping of pro bono hours by timekeepers and (2) to provide timekeepers with billable hour and collection credit, where applicable. Second, it is often used by the accounting department to keep track of costs incurred in the work, which, in some cases, can be recovered through the court system. Third, it is used to create a record of which attorney will be supervising junior attorneys and paralegals who are handling matters. Fourth, it is used to track the types of matters a firm handles and clients served through the pro bono program, which is important for conflicts purposes. Fifth, matter opening information is an excellent source for firms to gather resource allocation information, such as source of opportunities, types of opportunities handled, etc., that can be examined for strategic purposes.

II. Conflicts

As with any other new matter, the responsible attorney must perform a conflicts check on a pro bono matter prior to performing any work. Typically, the conflicts check process is the same for a pro bono matter as it is for any paying client matter. The attorney should identify the name of the client, individual or organization and any related parties, as well as all adverse parties, when performing the conflicts check.

In addition to any legal conflicts that may arise with a prospective pro bono representation, "issue conflicts" can also arise. For example, if a firm has a labor and employment practice that primarily represents employers in employment disputes, there may be some hesitancy to take on employee representation in pro bono matters. It may be prudent to discuss whether the approval of the pro bono leadership, or even all of the partners in a particular firm, is required before taking on such representation or whether these representations should be avoided altogether.

Whenever feasible and consistent with the ethical obligations due to your clients, the firm should request waivers of those conflicts that interfere with pro bono representation. We also encourage law firms to attempt to minimize the extent to which issue conflicts impede their ability to undertake an otherwise valuable pro bono representation.

III. Engagement Letters & Co-Counseling Agreements

A. Engagement Letter

An engagement letter should be required for all pro bono matters in the same manner as with paying client matters. Many firms use a form pro bono engagement letter that deviates somewhat from the form paying client engagement letter. For example, a pro bono engagement letter should be designed to be easily understood by clients who may have limited literacy skills. You should keep your particular client's abilities in mind when you are adding the information concerning the scope of the work. Additionally, an engagement letter should preserve a firm's ability to seek attorneys' fees where appropriate. Finally, firms should carefully describe, and possibly narrowly delineate the nature of the matter in the engagement letter so as to avoid any confusion about the extent of the representation.
When working with clients that are institutions such as nonprofits, rather than individuals, firms will want to consider the nature of the relationship. For example, a firm may want to represent the entity on a continuing basis at least with respect to certain issues (for example, employment matters) but may want to consider other matters (for example, transactions) on a case-by-case basis. Also, while indigent clients may not be able to pay for out of pocket expenses incurred during the representation, nonprofit clients may have the resources to pay for certain filing or registration fees, and any expectation to that effect should be described in the engagement letter.

B. Co-Counseled Engagement Letter and Agreement

If a firm is going to co-counsel a matter with a public interest organization, corporation or other private law firm, there may be a need for a separate form co-counseled engagement letter. This letter informs clients that two different entities are representing them and makes it clear that neither counsel is liable for the performance of the other counsel. In addition, you should consider having a written co-counseling agreement for all co-counseled matters to protect all counsel in the event of any dispute in the representation of a particular pro bono client. A sample of such letter is available.

IV. Matter Closing

A pro bono matter is completed per the terms of the engagement letter at the time the substantive portion of the case is finished or because the attorney-client relationship has ceased for any reason that may or may not be connected to the substantive aspects of the matter. In most circumstances where the matter comes to a substantive conclusion, a document memorializes that conclusion. For example, a settlement agreement, court order, closing document, etc. often confirm the final status of a given matter. Where such documents are generated, firms should, as a practice, send the client a cover letter that explains the impact of the document. A disengagement letter of this nature can be easily modified to confirm to the client that the firm considers the matter closed.

In other circumstances, a pro bono matter may close when it has progressed to a pre-determined cessation point. For example, many firms agree to accept certain administrative matters up to a certain point in an established process (e.g., asylum matters, denial of government benefits, etc.). In such situations, firms should send the client a closing letter that explains the matter has reached the cessation point and, accordingly, the firm considers the matter closed. It may be advisable to reference the terms set out in the engagement letter. When sending a closing or disengagement letter to the client where the matter has not come to a substantive close, the firm should explicitly describe relevant filing deadlines and, if possible, enclose necessary forms. Such closing communications should allow time for the client to meet any prevailing time limits or filing deadlines.

It may be that the matter has concluded based on the cessation of the attorney-client relationship irrespective of the substantive status of the underlying matter; in this case, the firm should communicate in writing its decision to terminate the relationship or confirm that the client has made such a decision. In most cases, a brief disengagement letter explaining that the firm no longer represents the client is sufficient. When considering whether to discuss substantive issues such as filing deadlines, the firm should balance the duty to inform the client against any possible misunderstandings that the relationship has been in fact discontinued.

Sample Pro Bono Engagement and Disengagement Letters

As part of a PILI Pro Bono Consultation, members of the Consultation Team from other Illinois law firms will share samples of their pro bono letters. PILI also maintains a library of pro bono engagement letters. Please contact PILI’s Executive Director, Michael Bergmann, at mbergmann@pili.org or 312-832-5129 for sample pro bono engagement letters or to schedule 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 attorneys 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. Several firms have attempted to address this element though the development of a pro bono intranet site for their attorneys. This is separate and apart from the information available to the public about the pro bono program through the firm’s internet site. While an internal intranet site is an excellent tool to supplement your overall pro bono efforts, bear in mind that it should not be relied upon as the only source for communication about your program and available opportunities. The human element, such as by way of an active pro bono committee, is often the most effective means to promote both your program and opportunities.

I. The Basics

The intranet site should be the central place for the basic information relevant to your firm’s pro bono program. Some of the basic information that you should consider incorporating into your firm’s pro bono intranet site includes:

- Your firm’s pro bono policy and an explanation of the management structure of your pro bono program;
- Features celebrating pro bono successes;
- A calendar for relevant pro bono happenings, such as meetings, trainings, and events;
- The latest pro bono news from the firm, 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 pro bono matters;
- Links to the cites of firm pro bono partner organizations such as PILI or other legal aid organizations; 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 your attorneys. Posting the survey on your intranet site will allow new attorneys to provide you with feedback about their interests. You might also include a feedback tool to allow attorneys to rate your intranet site and your program as a whole so that you can continually improve your program and engage your attorneys in the program.

III. Opportunities and Related Trainings

Identifying and promoting opportunities should be a key goal of your intranet site. One way to promote opportunities efficiently is to gather information about each opportunity systematically, and distribute it in a uniform manner. For example, Winston & Strawn uses their pro bono opportunity template, which contains the following information:

- A description of the work involved;
- An estimate of the amount of time required;
- Information about recent and upcoming training sessions;
- Contact information for the referring legal assistance organization;
• A list of other attorneys who accepted similar matters;
• A list of currently available client matters; and
• A link to applicable forms and material resources.

The filter and sort component of the Winston intranet site also incorporates the factors that, in their experience, attract attorneys to pro bono work. Viewers can choose among five filter criteria set out in a tab format: practice area, time required, public interest law area, client type, and skills development. Thereafter, the view can be sorted by choosing from among increasingly more specific category groups. For example, an attorney who selects the “client type” tab will view 17 discrete client groups including children, disabled, elderly, homeless, etc. When selected, each category group opens to display the title and brief description of every applicable opportunity. Another click reveals the complete template described above.

Winston’s site also contains features designed to manage the posted data, and to increase the ease and volume of attorney use. Each opportunity contains an “I’m interested” icon that, when clicked, sends a message to the firm’s pro bono director, so that he knows that the viewer wants to learn more and can follow up. The page design provides “editor access” so that the pro bono director can easily add and remove information, providing content control and removing editorial responsibility from the Information Technology staff.

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 you might choose to include on your site such as news, events and opportunities can be supplemented by RSS feeds from syndicated content sources such as the Associated Press or The Wall Street Journal. In addition to PILI, Illinois Legal Aid Online includes resources for pro bono attorneys, as well as the other organizations mentioned in more detail in Section 6. If you already have a firm intranet in place, you should also consider linking existing content within your larger site to your pro bono site.

V. Consider Investing in Software to Facilitate Placement of Opportunities

A number of technology platforms are currently available to provide easy access to available pro bono opportunities at your firm or in your cities. Examples include Paladin and Pro Bono Manager. Use of such technology may allow you to easily highlight available cases on your intranet and may allow attorneys in your firm to conveniently search all available opportunities to find a matter that best suits their passions, goals and skillsets.

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 mbermann@pili.org or 312-832-5129 for information on pro bono intranet sites or to schedule a Pro Bono Consultation.
Incentives to Promote Pro Bono

Aside from providing billable hour credits or factoring pro bono efforts into promotion, salary increases and bonuses, there are a variety of incentives to use in promoting pro bono within your firm. Many legal services agencies recognize their pro bono attorneys throughout the year, but recognition beyond that is also an important consideration. Below are some of the possible means to promote and encourage pro bono throughout your pro bono program.

I. Internal Firm Recognition

Many firms hold regular receptions, luncheons and/or award recognition events to promote the firm’s pro bono program and to internally celebrate the outstanding contributions of pro bono attorneys from the firm. Such events are an excellent way to promote the pro bono program to encourage overall awareness and to increase participation. Whenever possible, the firm should invite representatives from the agencies with which the firm works to these events to build a stronger relationship between the firm and its members and the agency. Many firms also distribute regular pro bono e-mail blasts and newsletters detailing their pro bono program and their attorneys’ efforts. Samples of such newsletters are available as part of PILI’s Pro Bono Consultations. Further, when there is a significant victory on behalf of a pro bono client, consider publicizing the victory in the firm’s internal newsletter or daily circular by placing the achievement among other recent firm victories or successes on behalf of paying clients.

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

The Public Interest Law Initiative acknowledges a single organization (law firm or corporation) each year for unprecedented 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.

For many years, PILI has also recognized the outstanding pro bono contributions of law firms and corporate law departments with the PILI Pro Bono Recognition Roster. For additional information regarding the Recognition Roster, please contact PILI. Further details, including access to the certification form for possible inclusion on the Recognition Roster can be found at: http://pili.org/pro-bono-recognition-roster

For more information about these awards, contact PILI’s Executive Director, Michael Bergmann at 312-832-5129 or mbergmann@pili.org. Those firms and corporations named to the Pro Bono Recognition Roster are acknowledged at PILI’s Annual Pro Bono Reception in June.

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

Each year the Chicago Bar Foundation (“CBF”) partners with the Chicago Bar Association (“CBA”) to recognize exemplary attorneys in our 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, at various stages in their legal careers and in positions at law firms, corporate legal departments, law schools, and legal aid agencies, who have used their talents and resources to improve access to justice for the less fortunate in our community. These 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.

More information about these awards is available on the CBF website, www.chicagobarfoundation.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, contact the Young Lawyers Section at 312-554-2031 or yls@chicagobar.org.

V. Illinois State Bar Association’s John McAndrews Awards

The Illinois State Bar Association established the John C. McAndrews Pro Bono Award to honor those individual members of the profession, law firms, corporate legal departments 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 and one to an affiliated bar association. For more information about the ISBA’s John C. McAndrews Awards, visit www.isba.org/awards/mcandrews.

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 law 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 https://www.americanbar.org/groups/probono_public_service/projects_awards/pro_bono_publico_award/.

VII. 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 their website at www.nlada.org/About-nlada/awards.

VIII. Pro Bono Institute Awards

The Pro Bono Institute at the Georgetown University Law Center 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 not given annually; rather, only when warranted by outstanding achievement. For more information about the Pro Bono Institute and its awards, visit their website at www.probonoinst.org.
Section 5. Finding Pro Bono Matters

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c. Selecting a Pro Bono Agency Partner & Expectations Between the Firm and Agency

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e. Pro Bono Partnerships Involving Firms, Corporations and Agencies

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The Pro Bono Landscape in Chicago

PILI is a proud member of a network of nearly 60 legal aid and public interest law organizations which provide critical legal assistance to thousands of low-income and vulnerable residents in Illinois. These organizations range in size from several larger organizations that collectively serve tens of thousands of residents on a wide range of issues throughout the state to a number of organizations that serve more modest numbers of clients and target their services to particular legal issues or communities. However, not every organization offers a pro bono program. Some organizations use only staff to deliver legal services, but most other organizations use pro bono attorneys to deliver services. Most of the organizations that do have pro bono programs are listed on www.IllinoisLegalAid.org. This website is a good place to find a description of each of the legal services organizations and a listing of the pro bono opportunities available through them. The Chicago Bar Foundation also publishes information on pro bono opportunities in Chicago in a guide entitled, “Pro Bono Volunteer Opportunities for Attorneys in the Chicago Area” (https://chicagobarfoundation.org/pdf/pro-bono/opportunities-guide.pdf) and now has an interactive web platform which allows attorneys in the Chicago area to search for pro bono opportunities (https://cbf.joinpaladin.com/chicago-bar-foundation/)

The Illinois legal community collectively provides nearly $5 million in funding and support for this network of legal aid and public interest law organizations serving the Chicago area. There are also a number of other significant sources of funding for these organizations, including:

- 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 $7.7 million statewide.

- The federal Legal Services Corporation also provides approximately $6 million for one local legal aid provider, Legal Aid Chicago, and about $13 million statewide, including Prairie State Legal Services and Land of Lincoln Legal Services.

- The Illinois Equal Justice Foundation (which distributes state appropriated funds) provides about $1.3 million in grants for statewide programs.

- There are several other charitable organizations that also make contributions to legal aid agencies including: the Polk Bros. Foundation, the United Way, the Public Interest Law Initiative (which provides nearly $300,000 per year to Illinois public interest law organizations to fund law student internships), the Chicago Bar Foundation, the Chicago Community Trust, and the Illinois Bar Foundation (which provides over $200,000 per year to Chicago area legal aid programs).

- There are also a number of other governmental programs that, on a more restricted basis, provide significant funding for legal aid and related justice issues.
There are a wide range of pro bono opportunities available through these organizations, including:

- traditional poverty law cases, e.g. public benefits
- general civil litigation, e.g. family law, housing, creditor issues
- criminal defense and prisoner's rights cases
- legal clinics and Self Help Desks
- immigrant/refugee rights
- legal clinics and self-help desks
- impact/issue litigation
- policy and legislative advocacy
- transactional matters
- community legal education
- advice and referral hotlines
- mediation

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

- elderly
- disabled
- people living with AIDS/HIV
- children
- artists
- Immigrants
- Nonprofits and small businesses
- victims of domestic violence
Organizations that post pro bono opportunities provide a variety of pertinent information about their opportunities, including:

- Typical time commitment involved with the case type;
- 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.
Additional Pro Bono Activity Throughout Illinois

In order to increase pro bono service throughout Illinois, PILI has helped establish eight Judicial Circuit Pro Bono Committees around the state to promote and enhance pro bono legal services within their communities. These Committees have been launched in the Third, Fifth, Sixth, Tenth, Eleventh, Fourteenth Eighteenth and Twentieth Judicial Circuits. Each Committee consists of members of the judiciary as well as pro bono leaders from local law firms, corporations, bar associations, and public interest law organizations, and their respective goals vary depending on the local make-up of the circuit.

PILI also operates the statewide Legal Help Within Reach program. This program recruits attorney and law student volunteers from urban areas to travel collectively to rural and underserved communities and volunteer at free legal clinics for low-income Illinoisans living in those communities. Through Legal Help Within Reach, PILI works closely with law schools, law firms, and corporate legal departments to match volunteer interests with the communities in need of assistance. These have included clinics which bussed groups of volunteers for clinics in areas including Sterling, Sault Valley, Rockford and East Peoria to meet with clients about powers of attorney for property and healthcare, short-term guardianships and to address special education needs. These bus trips are usually one full day in length, with training provided during the travel to the clinic site.

PILI also is the State Administrator of Illinois Free Legal Answers, which is a virtual legal clinic where low-income Illinois residents can submit a question online to ask a lawyer for help with a legal issue. Since 2019, PILI has become the day-to-day operator of the site including volunteer recruitment, management, and training with the help of funding from the Illinois Bar Foundation. Volunteer lawyers log onto the secured site at their convenience to choose questions they feel qualified to answer and submit a response through the site. A project of the American Bar Association, Free Legal Answers was created to increase access to advice and information about civil legal matters for those who cannot afford legal assistance. Volunteer attorneys who provide brief advice and counsel via the website will be covered by professional liability insurance maintained by the ABA. PILI has partnered with firms, corporations, bar associations, and other organizations statewide to plan Free Legal Answers clinics around the state.

For more information about PILI’s Judicial Circuit Pro Bono Committees, Legal Help Within Reach or Illinois Free Legal Answers, contact PILI Managing Attorney Jessica Schneider by email at jschneider@pili.org, by phone at 312-832-5125 or visit http://pili.org/pro-bono/judicial-circuit-committees/.
Selecting a Pro Bono Agency Partner & Expectations between the Firm and Agency

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 needs and the abilities of the agency to meet those needs. Your needs will be dictated by a variety of factors including: your attorneys’ interests, the nature of your firm’s business, the pro bono program budget, and the size and location of your firm.

The need for support will also vary depending on the type of pro bono your law firm 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.

A few important considerations for firms are discussed below:

I. 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 and work. 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 immediately resolved. Additionally, different agencies have different policies regarding the division between the agency and the firm of (1) responsibility for out-of-pocket costs; and (2) entitlement to any attorneys’ fees recovered. It is critical that the agency and firm division on these points be explicit and formally agreed to by both parties, in order to avoid any subsequent misunderstanding.

II. 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.IllinoisLegalAid.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 your pro bono work puts your volunteers into unfamiliar areas of law or courtrooms, your agency partner should be willing to individually train your volunteers.

III. Mentoring and Support

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 with a question, to discuss a case or to review pleadings and documents. Ideally, a program staff attorney should be assigned to each pro bono case and identified up front. The agency should make it easy and convenient to reach them—by phone, fax, e-mail or in person.

IV. Communication with Pro Bono Lead

It can be very helpful when the partnering agency sends the lead pro bono person at the firm on a regular, periodic basis (monthly), “nutshells” of the pro bono opportunities currently available through the agency. These nutshells should include a description of what the matter is about, the expected time commitment, any deadlines for action,
and any special circumstances. The nutshells should be brief and be written in such a manner as to grab the potential pro bono lawyer’s interest, since the lead pro bono person at the firm will presumably be distributing the updates to other attorneys in the firm.

V. The Ability to Return a Case to the Agency

Agency partners must be willing to take back difficult cases or clients, or otherwise step in when a volunteer needs more than routine help. Staff legal aid attorneys should understand that pro bono attorneys are not forced labor and should not be expected to simply “soldier on.” Pro bono attorneys also need to know that program staff will take over if their workloads at the firm become overwhelming or interfere with their pro bono efforts.

VI. Coverage for Routine Court Appearances

Pro bono attorneys sometimes have conflicts that develop and need someone from the agency to cover simple, routine court appearances. That help should be available.

VII. Malpractice Insurance

Though your firm may have its own malpractice coverage, you may wish 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.

VIII. 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. Non-essential work can be diverted so that pro bono attorneys can do what they do best—represent clients. If the firm’s docket staff is not available, the agency should be able to offer this assistance.

IX. A Pro Bono Office

Will your volunteers need a place to meet with clients? What about on-line research, document assembly or litigation expenses? If your firm cannot or will not provide these, will your agency partner? 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 whatever else your volunteers will need to provide high quality, efficient legal services.

X. 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 firm 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 firm’s needs and desires in an agency partner, the 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 program’s expectations and (2) receive any needed training and support. Attorneys should also ask the following questions of the program staff:

1. **Does the program thoroughly screen clients?**

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

2. **Does the program’s intake system ensure that I will receive a meritorious case or project?**

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

3. **Will the program assign me with a case which matches my expertise, interests, and timing restraints?**

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

4. **What types of training and support does the program offer to its volunteers?**

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

<table>
<thead>
<tr>
<th>Legal Support</th>
<th>Time Management Support</th>
<th>Training Specific to the Agency and Its Clientele</th>
<th>Malpractice Insurance &amp; Administrative/Logistical Assistance:</th>
</tr>
</thead>
<tbody>
<tr>
<td>● substantive law and procedural training</td>
<td>● co-counseling arrangements</td>
<td>● handbooks with program policies and staff contact information</td>
<td>● malpractice insurance, office space for client interviewing and meetings</td>
</tr>
<tr>
<td>● legal manuals (containing compiled legal research)</td>
<td>● program staff attorneys to cover in emergencies</td>
<td>● information concerning clientele of the agency</td>
<td>● administrative assistant legal support (through volunteer paralegals, law students)</td>
</tr>
<tr>
<td>● form pleadings</td>
<td>● agreement to take the case back if it becomes too onerous for a volunteer</td>
<td>● client/cultural competency training</td>
<td></td>
</tr>
<tr>
<td>● mentors (program staff or more experienced volunteer lawyers)</td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

5. **For which expenses, if any, will I be responsible?**

   Some pro bono programs 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.

6. **Will I be covered by the program’s malpractice insurance?**

   Most pro bono programs in Illinois have malpractice insurance available for volunteers, but you should confirm
with each specific program.

7. **What is my relationship with my pro bono client and the pro bono program?**

A pro bono program should clearly communicate the nature of the relationship it is establishing between the program, a client and a volunteer, and should delineate each party’s rights and responsibilities through a written retainer agreement. A volunteer lawyer should discuss with the pro bono client the extent of the representation the volunteer agrees to undertake on the client’s behalf. A retainer agreement should clearly reflect the agreement reached by a volunteer and a client.

8. **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 the pro bono attorney is providing representation only in the matter referred. A program should assure volunteers that they are not expected to provide representation in other matters, and instruct them to refer clients back to the program if the need arises. In those cases where a volunteer is willing to assist the client in additional legal matters, programs can provide technical assistance and advice as needed to the volunteer.

9. **Once I accept a case, will the program keep in touch with me?**

A pro bono program should maintain regular communications with its program volunteers through periodic follow-ups via fax, telephone or email as part of the program’s comprehensive tracking system. A tracking system provides a mechanism for determining that volunteers are progressing on cases the program has placed with them and that the program is providing effective and high quality legal services to the client.

10. **Once I accept a case, what are my responsibilities to the pro bono program?**

Generally pro bono programs ask that the pro bono attorneys keep the program 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 program of any problems or issues that arise; advise the program when the case is closed, the disposition thereof, and the numbers of hours you spent on the case; and complete any evaluation forms.

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

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

12. **What if I leave my firm?**

Attorneys and the firm pro bono program should clearly articulate expectations as to whether or how a pro bono matter will be transitioned when a lawyer leaves the firm. Consideration should be given to whether the lawyer will take the case with him to his or her next firm if he is going to another firm with a pro bono program. The pro bono client, ultimately, must be involved in these discussions. In all cases, care must be taken to ensure that the pro bono matter continues to be handled seamlessly throughout the transition.
Pro Bono Partnerships Involving Firms, Corporations and Agencies

Teaming 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. Creating teams of law firms, their corporate clients 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, would endanger the outcome of the matter, and would make everyone involved less proud of their work.

Be prepared for significant work on the front end. Client 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 any regular pro bono project. In many ways, the three partners 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 between the two entities on other matters. If everyone is prepared for the initial heavy investment of time and energy, the result can be well worth the investment.

Smart small. Give attorneys a positive taste of the work and they will make future, stronger investments. Small projects are also conducive to quick successes which are essential to sustain a pro bono commitment of any kind. A public interest law agency is usually in the best position to design and advise on what “bite-sized” projects will best serve the low income population. There is always room to grow.

Client 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 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 deal toys, 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 public interest agency can make or break a client teaming project. Though several agencies have fantastic reputations for the good work they do for the community, they may not all be well-equipped to run a client teaming project at a particular time. Give careful thought to the best agency to 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 may not be as conducive to input from lawyers outside the firm. 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 client teaming to just one-stop intake clinics, but it does require consideration of how each stage of a pro bono matter will:

• 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.

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 a firm and company come together in a project, it is important to consider what may have prevented the corporation from engaging in this work on its own. Considering why in-house counsel may not have been involved in pro bono efforts already may help shape the perfect project proposal to address the unspoken concerns of an in-house legal department which is ready to engage.

• Lack of infrastructure for service to a client other than the corporation. No matter how committed a corporation or general counsel’s office may be to providing service to the community, in-house counsel may simply have been daunted by the fact that there is no infrastructure in place internally for pro bono so they have less confidence to get something started. This might encourage a project to start with the implementation of some simple administration.

• Getting started can seem overwhelming. To attorneys in a corporation without a formal pro bono program, not knowing where to start can be a barrier. This is easy to overcome with some education about existing pro bono programs and how they best utilize volunteer resources.

• 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. Knowing what these administrative barriers are is half the battle. 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. Just the fear of professional responsibility implications like this one can discourage in-house counsel from engaging in otherwise well-organized, bite-sized projects matched to his skills, time and interest. The Illinois Supreme Court recently amended Supreme Court Rule 716 to allow a limited license to practice in Illinois when a lawyer is employed in Illinois as house counsel exclusively for a single corporation, partnership, association or other legal entity. This change allows those in-house counsels who are registered but not licensed to practice in Illinois to perform pro bono legal services.

- **Lawyers worry whether they are qualified to provide the best service.** Like law firm volunteers, in-house counsel 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 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.** Each participant should know what their expectations are and what member of the team has responsibility for each other team task. 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. It may make most sense that the law firm lawyers serve as liaison between the agency and company if an agency has never run a project with in-house counsel 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.
Types of Pro Bono Projects

I. Signature Projects

Many firms have identified a specific area of pro bono on which they want to focus their pro bono efforts. These special projects are often referred to as signature projects. Some firms 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. While the signature project is a major element of the firm’s pro bono program, it is not to say other types of pro bono matters will not be handled by the firm. However, some smaller firms with a limited substantive focus have identified a signature project based on their firm’s area of practice and have limited their pro bono projects to that area.

II. Short-term, Discrete or Bite-size Projects

The Short-term pro bono projects, sometimes referred to as “limited scope” or “unbundled” opportunities, are also very popular. Limited scope representation allows attorneys to provide paid legal services on a portion of a client’s legal matter, rather than seeing it through from beginning to end. Amended procedures require limited scope representation to be specifically limited by agreement between the lawyer and the client. These discrete projects 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.

III. Staff Inclusive Pro Bono

When developing your program, you should also give consideration as to 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, and encouraging the firm’s attorneys and non-legal staff to partner together on a pro bono matter is the most effective way to engage non-legal staff in your pro bono program.

IV. Summer Associate Pro Bono

When considering which firms to apply to and which offers to accept, many law students evaluate the firm by its culture, including the firm’s commitment to pro bono. Law schools around the country are placing greater emphasis on public interest and pro bono work from the beginning of law school such that pro bono increasingly has become an important criterion in evaluating potential employers. Engaging summer associates in the pro bono work of current firm attorneys is an excellent way to demonstrate the firm’s pro bono commitment while exposing summer associates to other members of the firm. Should your firm chose to engage its summer associates in its pro bono program, you should also ensure that these efforts are promoted so that potential applicants are aware of the opportunity.

Some firms also sponsor a fellowship or rotation program where the firm essentially furloughs a summer associate to a legal aid or public interest law organization while paying their salary for a specified period of time.

For additional information about participating in the PILI Graduate Fellowship Program, please contact PILI’s Senior Managing Attorney, Brent Page, at bpage@pili.org or 312-832-5128.
Examples of Pro Bono at Illinois Law Firms

While there are guiding principles covered in the Reference 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 law firms in Illinois have already established exemplary pro bono programs. We have provided links below to some of these firms, which have established dedicated web pages describing their pro bono efforts.

- Baker & McKenzie LLP
- Barack Ferrazzano Kirschbaum & Nagelberg
- Barnes & Thornburg
- Brinks Gilson & Lione
- Chapman and Cutler LLP
- Dentons US LLP
- DLA Piper US LLP
- Faegre Drinker Biddle & Reath LLP
- Foley & Lardner LLP
- Goldberg Kohn
- Haynes and Boone, LLP
- Hinshaw & Culbertson LLP
- Jenner & Block LLP
- Jones Day
- Katten Muchin Rosenman LLP
- King & Spalding LLP
- Kirkland & Ellis LLP
- Latham & Watkins LLP
- Locke Lord
- McDermott Will & Emery LLP
- Neal, Gerber & Eisenberg LLP
- Reed Smith LLP
- Ropes & Gray LLP
- Seyfarth Shaw LLP
- Schiff Hardin
- Sidley Austin LLP
- Thompson Coburn LLP
- Troutman Pepper LLP
- Vedder Price P.C.
- Winston & Strawn LLP

Each year, PILI holds its Annual Pro Bono Reception. The purpose of this event is to promote and celebrate the pro bono efforts of law firms and corporations throughout the state. Those listed above have sponsored the event in the past.
Section 6. Additional Pro Bono Resources

Contents

a. The Chicago Bar Foundation (CBF)
b. Illinois Legal Aid Online (ILAO)
c. American Bar Association’s Center for Pro Bono
d. Pro Bono Institute
The Chicago Bar Foundation

As the charitable arm of the CBA, The Chicago Bar Foundation brings the legal community together to improve access to justice for people in need and make the legal system more fair and efficient for everyone.

The CBF’s mission recognizes that taking a leadership role to ensure equal access to justice is our common cause as a profession, and that we can make a distinct impact in advancing that cause by the legal community coming together through the CBF.

The CBF pursues two overarching goals to improve access to justice:
- Increasing access to free and affordable legal assistance for people in need, and
- Making the courts and legal system more user-friendly and accessible for people without lawyers

Using a mix of grants, advocacy, pro bono and partnerships, the CBF pursues a two-pronged strategy to accomplish these goals

1. Supporting proven solutions that have an immediate effect, such as the CBF’s grants to established pro bono and legal aid organizations made possible by the annual Investing in Justice Campaign.

2. Developing new and innovative solutions that drive long-term, systemic improvements, through initiatives such as the Justice Entrepreneurs Project, developing a network of Court-based Advice Desks and the CBF Legal Aid Academy.

For additional information on the CBF’s pro bono efforts, visit www.chicagobarfoundation.org.

(Source: www.chicagobarfoundation.org)

Illinois Legal Aid Online

Illinois Legal Aid Online (ILAO) simplifies the law so that all people can resolve their problems. Through innovation, they lower barriers so people can understand their legal options, make informed decisions and, when necessary, represent themselves in court.

ILAO does:
- Even the playing field for people who can’t afford a lawyer. Where would you turn if a lawyer was out of reach? Over 2.5 million people have used our tools in 2019 for help with crises such as abuse, eviction, deportation, divorce, and debt.
- Leverage technology to infinitely scale the number of people who can be served. ILAO’s Form Library provides over 80 free legal forms for people seeking solutions to their legal problems. With nearly 20,000 personalized documents created in the last six months, ILAO believes the law is for everyone.

ILAO is:
- Always open. Nearly 60,000 people a month visit us between 1 am - 7 am. ILAO is the only Illinois legal aid service where people can find free legal help 24/7/365.
- A neutral, unbiased resource for people to find the help they seek. Whether you are a plaintiff or a defendant in a civil matter, ILAO can help.
- Multilingual. We help people whose first language may not be English. Each month, our Spanish pages are viewed by more than 25,000 people. In June of 2019, we also began to provide free tools in Polish.

For more information, contact ILAO Executive Director, Terri Ross, at 312-977-9047, ext. 14, or e-mail her at tross@illinoislegalaid.org, or visit www.IllinoisLegalAid.org.

(Source: www.IllinoisLegalAid.org)

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American Bar Association Center for Pro Bono

The Standing Committee on Pro Bono and Public Service focuses on promoting and expanding pro bono legal services as a core component of the nation’s legal services delivery system. The Committee promotes pro bono and public service in the legal profession. Their mission is to ensure access to justice through the expansion and enhancement of the delivery of law-related service through volunteer efforts of legal professionals.

The ABA Center for Pro Bono provides technical assistance and planning advice on pro bono advocacy and development to a wide range of constituents. Our blog is a forum for sharing information on delivery models, insights into pro bono participation, and other news and information connected to the provision of pro bono legal services to low income persons.

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, contact the Center at 312-988-5759, or visit www.americanbar.org/groups/probono_public_service.html.

(Source: www.americanbar.org/groups/probono_public_service.html)

Pro Bono Institute

Founded in 1996, Pro Bono Institute (PBI) is a Washington, D.C.-based nonprofit organization. With an unparalleled depth of knowledge, resources and expertise, PBI is the respected resource for all things pro bono. Through working with law firms, in-house corporate legal departments, and public interest organizations, PBI is the global thought leader in exploring, identifying, evaluating, catalyzing, and taking to scale 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.

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. We do so by supporting, enhancing, and transforming the pro bono efforts of major law firms, in-house corporate legal departments, and public interest organizations in the U.S. and around the world.

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.

For more information about the Pro Bono Institute, contact its President, Eve Runyon at erunyon@probonoinst.org or 202-729-6694 or visit www.probonoinst.org.

(Source: www.probonoinst.org)
Section 7. Other Ways to Ensure Equal Access to Justice

Contents

a. Ways to Support PILI
b. Financial Support of Legal Aid
c. Maximizing IOLTA
d. Advocacy
e. Marketing, Training and Other Resources
f. Internships, Fellowships and Rotation Programs
Ways to Support PILI

Law firms are uniquely positioned to support PILI through their participation and contributions. Below is a list of different ways law firms can help PILI cultivate a lifelong commitment to public interest law and pro bono service. For more information about any of these giving opportunities, please contact PILI’s 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 and pro bono service within the Illinois legal community to expand the availability of legal services for people, families and communities in need. 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. We are pleased to make available to donors documents and information regarding our programs and financial management. Visit our website at www.pili.org/about for links to our most recent 990, audited financial statements and annual report.

Sponsor a PILI Event:
PILI hosts three 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 and visit the applicable website below for more information.

YPB Arcade for Legal Aid
This reception held annually in April at Hi-Point Game Lounge in Chicago brings together over 100 other young professionals, PILI board members, sponsors and attorneys to raise support for PILI through a fun event. Money raised at this event will support PILI’s mission to engage, inspire and empower those advancing equal access to increase free legal services for those in need. Visit our website at www.pili.org/arcade for more information.

Annual Pro Bono Reception
This reception held annually in June at the Ivy Room at Tree Studios in Chicago celebrates the inspiring and life-changing pro bono work being done in Illinois through effective pro bono programs, innovative partnerships, and the unwavering dedication of individual attorneys and legal professionals. Among our nearly 300 guests are lawyers and legal professionals from law firms, corporations, law schools and legal aid organizations, as well as the current class of PILI Interns and Fellows. Visit our website at www.pili.org/annual-pro-bono-reception for more information.

Annual Awards Luncheon
This event held annually in December at the Palmer House Hilton in Chicago brings together 500 members of the Illinois legal community to celebrate the very best aspects of the legal profession: the generosity, expertise and commitment of numerous lawyers, law students, legal professionals, law firms and corporations who dedicate themselves to serving low-income people with legal needs. The Luncheon features several awards to acknowledge those whose work epitomizes the ideals of service, fairness and justice. Visit out website at www.pili.org/annual-awards-luncheon for more information.
Sponsor PILI Graduate Fellows:
Through the PILI Graduate Fellowship Program, incoming associates at Chicago law firms spend 300 hours during the summer or fall working at legal service agencies in Illinois while studying for or after taking the bar. Dozens of Chicago law firms have sponsored PILI Fellows, with PILI ensuring quality supervision by experienced legal aid attorneys and providing supplemental educational, networking and mentoring opportunities. Firms that sponsor PILI Fellows benefit from the Fellows’ experience and training in law as well as their connections to public interest law agencies once they start at the firm. Sponsoring firms also take an active role in encouraging their incoming associates to develop long-term interests in pro bono practice. Visit www.pili.org/fellowships/sponsoring-pili-fellows for more information.

Fund a Named or Honorary PILI Law Student Intern:
Your law firm can make a lasting difference in the life of a law student and in the lives of the legal aid clients they serve. PILI’s Law Student Internship Program places law students from across the country at legal service organizations in Illinois, with PILI providing a living stipend as well as supplemental educational, networking and mentoring opportunities. Law firms can sponsor a PILI Intern, which can be “named” in recognition of the firm or in honor or memory of an individual of your choosing. You can fund an Internship that focuses on a substantive area of law, a specific organization, a certain demographic, or simply on the area where the need is greatest. Contact us for more details about this giving option, and visit our website at www.pili.org/donate/named-internships to see a list of our current Named and Honorary Internships.
Financial Support for Legal Aid

While lawyers and law firms support a variety of charitable initiatives, lawyers have a special professional responsibility to ensure that everyone has access to our justice system. Fulfilling this responsibility requires contributions of time and money as well as a strategic use of the influence that lawyers and law firms have in our community.

A law firm’s financial support for local legal aid organizations is an integral part of the firm’s pro bono program. Legal aid organizations provide critical legal assistance to the most vulnerable members of our community in matters where pro bono is not a practical solution. In addition, these organizations provide the necessary “infrastructure” to support pro bono work for area lawyers and law firms (i.e., pro bono programs with solid screening, referral, training and support functions for volunteers). Law firm support is critical to the work of these organizations.

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. Although not a completely comprehensive list of legal aid organizations in Illinois, a broad range of legal aid and public interest law organizations can be found by looking through PILI’s participating agencies at: www.pili.org/fellowships/agencies-placements/

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.

Maximizing IOLTA

In 1981, the Illinois State Bar Association and The Chicago Bar Association incorporated the Lawyers Trust Fund of Illinois as a not-for-profit corporation. Two years later, the Lawyers Trust Fund (LTF) became the beneficiary and administrator of the Interest on Lawyers Trust Accounts (IOLTA) program by order of the Supreme Court of Illinois.

The IOLTA program allows interest to be earned on nominal or short-term client deposits held in lawyers’ pooled trust accounts. Prior to Illinois’ IOLTA rule, banks paid no interest on these client trust accounts. Lawyers have never been allowed to benefit from the property they hold in trust for their clients, and it is not cost-effective for financial institutions to pay interest on the funds of each individual client.

The interest gained on these pooled trust accounts is paid to the LTF and used: (1) to contribute funds for providing civil legal assistance to the poor throughout Illinois; and (2) for such other programs for the benefit of the public as are specifically approved by the Supreme Court of Illinois for exclusively public purposes.

On June 1, 2007, The Illinois Supreme Court announced changes to Rule 1.15 of the Illinois Rules of Professional Conduct that are designed to increase the rate of interest paid by financial institutions on IOLTA accounts. The revised “comparability rule” requires that to be eligible to participate in IOLTA, a financial institution must pay the same interest rates on IOLTA accounts as they pay on other accounts with similar balances and requirements.

By maximizing use of these accounts, law firms can substantially increase funding for Illinois’ legal aid programs.

More information about LTF and Illinois’ IOLTA program can be found on LTF’s website at www.ltf.org. You may also contact LTF Executive Director, Mark Marquardt at mark@ltf.org or 312-938-2133.
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 Legal Aid Chicago, Prairie State Legal Services and Land of Lincoln Legal Aid.

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

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.
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. If you are interested in learning more about these efforts, please contact CBF Program Manager, Angela Inzano, at 312-554-4952 or ainzano@chicagobar.org.

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.
Marketing, Training and Other Resources

Firms 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 firms through donations of these resources or by maximizing the firm’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;
- Inviting legal aid attorneys to firm CLE programs;
- Providing reproduction and document assembly services;
- Providing marketing assistance in development of materials including email marketing content for events and CLE programs;
- Encouraging firm 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 to your agency partner(s), or you may contact Dina Merrell at The Chicago Bar Foundation at 312-554-1206 or dmerrell@chicagobar.org for assistance with identifying an organization in need of any of these resources.
Internships, Fellowships and Rotation Programs

I. Public Interest Law Initiative PILI Internship and Fellowship Programs

Each summer, PILI funds dozens of 400-hour internships for first- and second-year law students from across the country to work at public interest law agencies in Illinois. PILI also offers a limited number of 200-hour school year internships for Chicago area law students. Many PILI Interns provide low-income and disenfranchised clients with critically needed legal assistance. Other PILI Interns conduct advocacy, policy-based work or impact litigation that enhances the health, safety and welfare of the disenfranchised. All PILI Interns gain valuable work experience that distinguishes their education and ultimately their careers.

PILI raises the funds necessary for each agency to pay its PILI Interns, ensures quality supervision by experienced agency lawyers, provides an educational seminar series and mentoring by practicing attorneys with a focus on pro bono work, hosts social events and offers networking opportunities. Through PILI Internships, law students work at and learn about public interest, and begin what PILI hopes is a lifelong commitment to public interest law and pro bono work.

PILI also offers new law school graduates the opportunity to work 300 hours during the summer after their graduation at one of more than 60 public interest law agencies. PILI Fellowships provide the scheduling flexibility to allow Fellows to participate in a formal bar review course and take the bar exam while gaining hands-on legal experience.

Two dozen Chicago law firms sponsor PILI Fellows, paying the salaries of their new associates to work at public interest law agencies. Like Interns, Fellows benefit from quality supervision by agency lawyers, an educational seminar series, and social and networking events. Through PILI Fellowships, new law school graduates develop important practical skills, forge a professional network within the Illinois legal community and provide critically needed legal assistance to public interest law agencies and their clients.

More information about PILI’s Law Student Internship and Graduate Fellowship Programs can be found on their website, [www.pili.org](http://www.pili.org). You may also contact PILI’s Senior Managing Attorney, Brent Page, at 312-832-5128 or bpage@pili.org.

II. Other Fellowships

Equal Justice Works is a national organization that gives junior attorneys the opportunity to pursue a two-year paid fellowship at a wide variety of legal aid and public interest law organizations throughout the country. A number of law firms have sponsored Equal Justice Works Fellowships in Chicago. More information about the program can be found on their website at [www.equaljusticeworks.org](http://www.equaljusticeworks.org).

Some firms also have established their own fellowship programs, such as the Skadden Fellowship established by Skadden, Arps, Slate, Meagher & Flom LLP. Skadden Fellowships are initially awarded for one year, with the expectation of renewal for a second year. Skadden provides each Fellow with a salary and pays all fringe benefits to which an employee of the sponsoring organization would be entitled. In some instances, the firm will also pay a Fellow’s law school debt service for the tuition part of the loan for the duration of the fellowship. More information about the Skadden Fellowship program can be found on their website at [www.skaddenfellowships.org](http://www.skaddenfellowships.org).
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About PILI

Our Mission:

PILI engages, inspires and empowers those advancing equal access to justice.

Our Vision:

We envision making equal access to justice a reality through a legal community with a deeply rooted culture of service, where pro bono and public interest law engagement is optimized to best serve people, families and communities in need.

Our Values Statement:

We believe equal access to justice is a fundamental right. We believe serving those in need through public interest law and pro bono service is the key to ensuring that right. We believe the Illinois legal community should work together to provide these services, and that it is PILI’s role to facilitate this collaboration. We expect our work to result in a more accessible justice system for all.

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.

Our Pro Bono Program works to increase the availability of pro bono legal help for those who cannot afford an attorney in Illinois by developing innovative pro bono opportunities, offering pro bono programming and resources, cultivating best practices, and celebrating the life-changing pro bono performed throughout the state.

The Pro Bono Initiative serves as a hub for pro bono within the Illinois legal community by providing programming, resources and technical assistance to engage more pro bono volunteers and to enhance the pro bono experience.

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