

**Pro Bono at Mid-Sized Law Firms**

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**Brief Description:**

Many large law firms have sophisticated pro bono programs, and small firms are often stalwart volunteers. But what about the vast middle ground? This workshop offers several creative models for recruitment at mid-size firms, described by panelists from multiple geographic regions of varying sizes. These models include a one-day conference on pro bono policies, projects and promotion for mid-size law firms and the use of CLE credit with carefully managed and structured projects and substantive training provided at no cost to participants.

To increase pro bono at mid-sized law firms, the New York State Bar Association and local pro bono programs developed a one-day conference. The May 4 event will explain how to develop a pro bono policy, identify projects for the firm, promote the firm's activities in the press and use online technology to expand pro bono. The message is that pro bono is not only good ethics, it's good business, since it helps attract talent, provide training, retain associates and produce clients.

Legal Services for New York City (LSNY) encourages pro bono participation from mid-sized firms through (i) offering mandatory CLE credit, which can be fulfilled through pro bono work performed at any of LSNY's offices; and (ii) partnering with other legal and social services organizations to offer projects that will provide substantive "hands on" training experiences for young attorneys and associates. The combination of offering CLE credit with carefully managed and structured projects, in combination with substantive training sessions provided on site free or by LSNY's Legal Support Unit, has proven very successful in cultivating pro bono participation with LSNY's programs.

The staff and Board of Delaware Volunteer Legal Services, Inc. (DVLS), the pro bono arm of the Delaware State Bar Association, encourages and supports pro bono participation from mid-sized law firms in a variety of ways. We offer CLE credit through free seminars and thanks to the Delaware Supreme Court, volunteers are eligible for CLE credit for performing pro bono work through our office. We provide many resources for our volunteer attorneys to make their pro bono experience as satisfying as possible. We also recognize our volunteers for their contribution in a number of ways. In addition, we offer a variety of pro bono opportunities so that we can have something that appeals to everyone.

**Topical Outline:**

## ***The Unique Issues Presented in Recruiting from Mid-Size Firms***

- I. Fewer firms have developed formal, written policy.
- II. Single point person likely used, instead of pro bono committee or coordinator; not necessarily a firm manager.
- III. Leadership of one key person critical.
- IV. Encouraging pro bono primarily through organized pro bono programs desirable.
- V. As compared to large firms, fewer resources to support pro bono efforts, but also not your own boss, as compared to solo practitioners.

## ***Efforts to Address Mid-Size Firm Pro Bono from a Statewide Level***

### **I. Background in New York**

- a. New York State Bar Association (NYSBA), nation's largest voluntary bar association, has standing committee, President's Committee on Access to Justice, always co-chaired by President-Elect, which originated idea of regional law firm pro bono conferences to increase pro bono participation.
- b. NYSBA sponsors Pro Bono Coordinators Network of 100 pro bono coordinators, who coordinate statewide efforts and helped brainstorm about event.
- c. NYSBA Department of Pro Bono Affairs works with both groups above.
- d. In January 2004, State Office of Court Administration (OCA) released report on Future of Pro Bono in New York, detailing 46% participation rate and making recommendations to increase pro bono based on four pro bono convocations throughout state.

### **II. Definition of a mid-sized firm**

- a. It depends on what prevails in your region.
- b. Plan had been to invite firms with 10 to 50 attorneys, but we expanded list to those with two or more attorneys and decided to call it Law Firm Pro Bono Conference.
- c. In Albany, NY area, there are no firms with hundreds of attorneys, as in NYC.
- d. Branch offices of large New York and/or national law firms have offices of 12 -20 attorneys; and we wanted to include them as well.

### **III. Groups who can plan law firm pro bono conference**

- a. The state bar association can be a powerful partner, lending its name, staff, budget and clout.
- b. Local pro bono programs who have pro bono expertise and relationships in community and who can benefit from the increased volunteerism resulting from conference and should be driving force. In Albany, programs are: Legal Aid Society of Northeastern New York, The Legal Project of the Capital District Women's Bar Association and the Albany County Bar Association.

### **IV. Invitees for conference**

- a. Law firms (partners and associates; list generated from NYSBA member database).

- b. Judges.
- c. Law school professors.
- d. Pro bono coordinators.
- e. Local bar associations.
- f. Press.

#### V. Keynote speakers

- a. Judiciary leaders who can exhort firms to do more, discuss leadership role judiciary can play.
- b. State bar association leaders who can reaffirm association's position urging and supporting voluntary pro bono.

#### VI. Content of conference

- a. Develop a model pro bono policy. We reviewed local, state and national models. In approaching local firms, we found that few had written policy (even when they said they did). We drafted a model policy, which was reviewed and revised by local pro bono providers and then vetted by a small work group of pro bono attorneys from firms with interest in developing or revising their own policy. Our model policy will be available at conference.
- b. Provide local pro bono program information through dedicated volunteers, rather than program staff. Make written information about each program readily available and have program staff highly visible at conference.
- c. Create original videotape. Have providers identify law firm leaders, volunteers and clients to be interviewed and questions to be asked, and try to achieve diversity in participants. Have leaders explain why firms should do pro bono, to serve public good, as well as firm's business. Provide real-life examples of how pro bono helps in getting business from corporate clients who favor firms that serve community by doing pro bono. Attorney volunteers can highlight advantages of working with pro bono programs and variety of opportunities, including brief advice clinics and specialized referrals. Clients can focus on how free legal services made a difference in their lives. Find a good local videographer, establish a budget and strategies for minimizing days and locations for shooting. Coordination is a scheduling nightmare, but e-mail helps. In editing, make sure balance among programs and issues is achieved. Offer tape for use by other programs, which can localize it by adding segments on their own local efforts.
- d. Present panel and demonstration on promoting pro bono in your firm by using technology and promote your law firm's service in press by reaching out to media. Pro Bono Net will make a demonstration at our conference. NYSBA will have Media Department and outside public relations firm speak, as well as local reporter who covers civil legal services and pro bono.

#### VII. Handouts

- a. Model pro bono policy, with access to additional source material.
- b. Pro bono program information for local providers.

- c. Information from OCA report that sets benchmark for pro bono services in Capital Region.
- d. Send participants home with CD containing most important handouts.

VIII. Other considerations

- a. Free registration.
- b. CLE credit, ethics or otherwise.
- c. Pro bono challenge – with information on how challenges have worked locally and nationally.

***Techniques Used to Target Mid-Size Law Firms in Large, Urban Markets***

I. Description of LSNY

- a. Structure of the Organization
- b. Type of Work

II. Challenges Facing Legal Services Programs in Large Cities

- a. What is the definition of a “mid-sized” firm in a large urban area?
  - i. NYC: Firms in “Outer-Boroughs” vs. Firms in Manhattan
- b. Concerns of small and mid-sized firms v. large firms
- c. Who to target at a mid-sized firm (Usually no “Pro Bono Coordinator”)

III. Benefits of CLE Credit and Partnering with Community-Based Organizations

- a. Offering CLE Credit for Volunteer Work in a Mandatory CLE State
- b. Benefits of Offering Free Training in Conjunction with Volunteer Work in a Mandatory CLE State
- c. Benefits of Partnering with Community-Based Organizations for Volunteer Projects
  - i. Increase “outreach” possibilities

IV. Promote Additional Aspects of Performing a Public Good

- a. PR Potential of Pro Bono Work:
  - i. An Opportunity to Enhance/Increase Firm’s Public Profile
- b. Opportunity to Do High Profile Work in Area of Expertise
  - i. Training Vehicle for Young Attorneys

IV. Illustrative Programs

- a. LSNY-Bronx PAI Program

Use of Outer-Borough mid-size and small firms attracted by CLE training classes and litigation experience.

- b. South Brooklyn Legal Services

Primarily targets large firms through structured externship programs and clinics.

c. LSNY-Manhattan

Use of both large and mid-sized firms in a new “Special Education” project.

d. LSNY Legal Support Unit

Partners with other non-profit to retain and train attorneys in innovative program representing people in disability overcharges cases.

V. Test Case

a. LSNY Staten Island

A new office opening in May 2004, it will use free training with CLE credit coupled with supervised case assignments. The program will be developed in partnership with a community group and outreach to the borough’s bar associations.

Bibliography & Website Links:

- “Pro Bono Opportunities at Legal Services for New York City: Helping Your Community While Earning CLE Credit”
- <http://www.lsnny.org>
- <http://www.sbls.org>

*Techniques Used to Target Mid-Size Law Firms in Smaller Markets*

I. What is Delaware Volunteer Legal Services?

- a. Structure of Organization
- b. Case Type

II. Challenges Facing Legal Services Programs in Smaller Markets

- a. What is the definition of a “mid-sized” firm in a smaller market?
  - i. “Urban” vs. “Rural”
- b. Concerns of small and mid-sized firms vs. large firms in Delaware
- c. Point person at a mid-sized firm

III. Benefits of CLE Credit

- a. CLE credit for Pro Bono work
- b. Free CLE seminars - Nuts and Bolts programs

IV. Promote the benefits of Pro Bono work

- a. Opportunity to expand the firm’s practice
  - i. Variety of cases

- b. "Hands on" training
  - i. Opportunity to gain invaluable trial experience
- c. The ability to manage your case
  - i. Can choose the type of cases you want
  - ii. Can accept or decline clients
  - iii. Can accept as many or as few cases as you want
  - iv. Limited Representation
- d. Satisfaction of knowing you helped someone in need

V. Resources provided to Pro Bono Attorneys

- a. Free Malpractice Insurance
- b. Mentors
- c. Partnership with law school
- d. "How to" Manuals
- e. Forms and sample pleadings

VI. Programs and Panels

- a. Mentoring Program
- b. PFA Pro Bono Program
- c. Limited Pro Bono Legal Assistance Program
- d. Attorney Recruitment Panel
- e. Future Plans
  - i. Justice of the Peace Court Pro Bono Program
  - ii. Outreach Panel

VII. Recognition of Volunteers

- a. Letters from Supreme Court
- b. Articles in State Bar publication
- c. Pro Bono Awards

Bibliography & Website Links:

- "Top 10 Reasons for Being a Volunteer Attorney" *Pro Bono Notes*, *In Re:* March and April 2003.
- [www.dvls.org](http://www.dvls.org)