

**D.C. Bar Pro Bono Program**  
**Community Economic Development Pro Bono Project**  
[www.dcbar.org/probono](http://www.dcbar.org/probono)

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**About the Project**

The D.C. Bar Pro Bono Program established the Community Economic Development Pro Bono Project in 1998 to provide a vehicle for corporate, transactional, and business lawyers seeking non-litigation pro bono assignments. The project is designed to deliver critically needed legal services to organizations operating in and serving low-income and distressed communities in the District of Columbia.

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**How Does the Project Serve Low-Income Communities in the District of Columbia?**

Through matches with law firms, Community Economic Development Clinics, and educational sessions, the Community Economic Development (CED) Pro Bono Project provides pro bono legal counsel, education, and information to organizations serving and operating in low-income communities in the District of Columbia.

With CED Pro Bono Project assistance, large law firms can be matched with established community development organizations and other mature community-based nonprofits that are operating without benefit of legal counsel. The goal of these matches is to establish an outside general counsel relationship between the firm and the client organization, which transcends a single project or legal issue and provides access to counsel on a range of matters that arise in the nonprofit client's operations and programs.

The Community Economic Development Clinics match the specific expertise of individual volunteer lawyers with discrete legal issues faced by smaller or start-up non-profit organizations and small and disadvantaged businesses. The goal of the clinic is to work in partnership with an established non-profit serving a targeted area and to deliver corporate, real estate, tax, and general business law advice to organizations in the service area that otherwise would not have access to counsel.

Through the education and information activities of the project, seminars and training sessions on issues related to low-income community economic development are offered to interested nonprofits and other community development practitioners. For example, the project has offered seminars on D.C. enterprise zones, basic issues facing nonprofit organizations, and forming joint ventures with for-profit entities. The D.C. Bar Pro Bono Program's training schedule for attorneys has included programs on representing non-profit child care centers and representing tenant associations.

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**How Do I Get Involved?**

Law firms interested in being matched with community organizations, lawyers interested in volunteering for a clinic, and attorneys wishing to donate their time and expertise in education and training programs should contact Deborah Austin, project director, at 202-737-4700, ext. 376.

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**Major Financial Supporters**

D.C. Bar Corporation, Finance and Securities Law Section  
Eugene and Agnes E. Meyer Foundation  
Fannie Mae Foundation  
Community Development Support Collaborative  
A Business Commitment Project of the American Bar Association  
Morris and Gwendolyn Cafritz Foundation  
D.C. Bar Real Estate, Housing and Land Use Section  
Power of Attorney

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**Project Participants**

Akin, Gump, Strauss, Hauer & Feld, LLP  
Alston & Bird LLP  
Arent Fox  
Arnold & Porter  
Baker & McKenzie  
Chadbourne & Parke LLP  
Covington & Burling  
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Winston & Strawn  
Womble, Carlyle, Sandbridge & Rice

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## P R O B O N O P R O G R A M

### **Community Economic Development Pro Bono Project (“CED Project”)**

#### **Guidelines for Participating Law Firms**

The D.C. Bar Pro Bono Program’s Community Economic Development Project (“CED Project”) refers cases out for community development legal assistance. Participating law firms provide transactional legal services and other business law advice to nonprofit organizations that demonstrate the potential for planning and executing high impact development, social service, and public service projects in low-income and distressed communities.

The CED Project matches large law firms with neighborhood development organizations engaged in community improvement programs in D.C.’s lower-income neighborhoods. Pro bono partnerships with nonprofit client organizations through the CED Project should be approved at the law firm level. Building institutional commitments between law firms and client organizations is a priority for the CED Project.

While a number of community-based nonprofit organizations have met with some success in obtaining free or reduced fee legal services for individual initiatives, very few of them have access to ongoing legal counsel. Accordingly, the “outside general counsel” model is a highly desirable way to deliver pro bono assistance through the CED Project. Law firms that enter agreements to serve in this manner are, of course, not restricted from referring a matter out to other firms or renegotiating the retainer when it becomes necessary or appropriate to do so.

Ultimately, the scope of representation and duration of the engagement is to be decided between the law firm and the client. Issues related to fees and costs should be explicitly addressed in the initial engagement letter.

Each year, the D.C. Bar Pro Bono Program provides volunteer attorneys to represent hundreds of tenant defendants in eviction actions in landlord and tenant court. Some of the clients referred through the CED Project are in fact nonprofit housing sponsors, who on occasion have a need to sue for possession of real property for non-payment of rent or for other reasons. To avoid both actual and potential conflict of interests within the D.C. Bar Pro Bono Program, we ask participating law firms to decline to assist nonprofit clients with actions for possession of real property.

As with any pro bono matter, cases placed through the CED Project are to be accepted without expectation of a fee. However, in transactional work, the costs of legal fees can frequently be financed through the project budget. While firms are not precluded from accepting such fees, it is expected that any such arrangements be negotiated in a way that preserves and promotes the charitable and public purpose objectives (i.e., affordable housing, reduced commercial rents, affordable child care, etc.) of the client and the CED Project.

Accordingly, where firms are designated to receive fees through a project budget, they are strongly encouraged to reduce or cap such fees or donate them back to the client organization or other appropriate projects.

Participating law firms will need to provide the CED Project with a copy of the signed pro bono engagement letter or retainer agreement, which indicates the scope of pro bono representation and any arrangements regarding fees and costs. Participating firms also agree to provide periodic updates to the DC Bar Pro Bono Program on the progress of the representation.

By virtue of D.C. Bar member referenda, member dues cannot be used to support the Project's activities. The DC Bar Pro Bono Program relies substantially on foundation funding in order to support the CED Project's activities. The cooperation of volunteer attorneys in providing progress reports is critical to our ability to attract and maintain philanthropic support. Surveys are sent to volunteers twice a year. Quick and complete responses are greatly appreciated and important in our quest to sustain this endeavor for the long term.