

**A Law Firm Perspective on  
Developing Pro Bono Partnerships**

**Panel Chair**

**George Hettrick, Partner, Hunton & Williams LLP, Richmond, VA**

**Panelists:**

**Kimberly Frost, Attorney, Vinson & Elkins, Austin, TX**

**William Lawler, Partner, Vinson & Elkins, Washington, D.C.**

**Rita Sheffey, Partner, Hunton & Williams LLP, Atlanta, GA**

**Travis Vanderpool, Partner, Hunton & Williams LLP, Dallas, TX**

**Brief Description:**

Using the pro bono programs of two multi-office law firms as starting points for discussion, this workshop will explore ways of developing, managing, and energizing law firm pro bono programs, including through partnerships with legal services providers. The panel will describe the management structure and unique aspects of the pro bono programs of two firms, Hunton & Williams LLP and Vinson & Elkins, with particular focus on the partnerships each firm has developed with legal services providers. Lawyers who manage and participate in these pro bono programs will relate how they: (1) recruit, motivate and reward lawyer and para-professional volunteers; (2) identify opportunities to partner with legal services providers and nurture those partnerships; (3) generate varied challenging and interesting legal work for pro bono volunteers; (4) identify pro bono legal services needs in the community and reach out to help address those needs; (5) identify, screen for eligibility, and enter into lawyer-client relationships with pro bono clients; and (6) ensure the timeliness and quality of service delivery to pro bono clients. The panel will invite input from the workshop participants, regarding their own pro bono programs, law firm/legal services partnerships, successes, lessons learned and ideas for improvement.

## **Topical Outline:**

- I. Overview of the Pro Bono Programs, Including Components and Management Structure, of each firm:
  - A. Hunton & Williams LLP
    1. Firmwide
      - (a) Community Service Committee
      - (b) Firm Pro Bono Managing Partner and CSC Chair
      - (c) Administrative Staff
    2. Local Offices
      - (a) Pro Bono Committees and Committee Chairs
      - (b) Administrative Staff
    3. Community Outreach
      - (a) Atlanta's Southside Legal Center
      - (b) Richmond's Church Hill Office
  - B. Vinson & Elkins
    1. Firmwide
      - (a) Pro Bono Committee
      - (b) Pro Bono Advisory Committee (Associates only)
      - (c) Legal Assistant Death Penalty Innocence Project
      - (d) Administrative support for community relations, marketing
      - (e) Firm-wide charitable donations and Associate Holiday Giving Program
    2. Local Offices
      - (a) Pro Bono Committees
      - (b) Coordinates with V&E's Charitable Giving Program

## II. Partnerships with Legal Services Corporations and Other Providers of Legal Aid Services to the Poor

### A. Vinson & Elkins

#### 1. Houston Office

(a) **Houston Volunteer Lawyers Program.** The Houston Volunteer Lawyers Program was founded in 1981 to respond to the needs of the "working poor" who were being turned away from traditional legal aid providers. Because of funding restrictions, most legal aid organizations cannot help individuals whose income exceeds 125% of the Federal Poverty Guidelines or who are not documented U.S. citizens. The HVLP's private funding sources allow the organization to provide services for individuals, whether U.S. citizens or not, whose income is up to 175% of the poverty level (around \$33,000 for a family of four).

The HVLP accepts a wide range of civil matters, including family disputes, guardianships, bankruptcies, consumer issues, estate and will planning, and tax controversies. Last year, Houston lawyers donated over 23,500 of volunteer hours (equivalent to \$3,525,000 in services when calculated at \$150/hour) to representation of the indigent through the HVLP, which operates at an annual budget of \$1 million.

Many of the cases referred to V&E by the HVLP proceed to trial, providing an opportunity for lawyers to gain courtroom experience. For instance, in recent years, V&E lawyers secured custodial rights of a sexually abused child for a family member, secured a money judgment under the DTPA for a disabled man suffering from HIV/AIDS over a car purchase, established the paternity of children, and handled several routine divorce cases. V&E lawyers currently represent 33 clients through the HVLP.

#### 2. Dallas Office

(a) **Dallas Bar Association Pro Bono Committee.** The Dallas Bar Association Pro Bono Committee (on which V&E has a presence) is in the process of revitalizing a pro bono partnership with in-house counsel with many Dallas corporations, including EDS, JC Penney, Mary Kay, and many others. The partnership is in the planning stages at this point, but promises to afford some new and innovative opportunities for pro bono work, especially for transactional lawyers who may traditionally feel out of their element in litigation-specific pro bono matters. The DBA Pro Bono Committee is also communicating with representatives of Texas C-Bar, with an eye toward getting more corporate counsel involved in pro bono, but also in generating new ideas and enthusiasm for pro bono generally.

(b) **DVAP Legal Aid Clinic.** The South Dallas Legal Aid Clinic presents a wonderful opportunity for both V&E attorneys and staff and to participate in volunteer work for a very worthy cause. V&E staff assists with client intake at the Clinic which involves helping potential pro bono clients fill out paperwork and ensuring that the clients are qualified to receive assistance on both a financial and substantive basis. V&E attorneys assist at the Clinic by meeting with the client to discuss their concerns and triage the legal issues for the Dallas Volunteer Attorney Program

(DVAP) staff attorneys. The typical types of claims that come from the clinics include family law, consumer protection matters (DTPA-type), housing and property issues, estate planning/probate matters, and guardianship, among others. The client cases that come from these clinics form the basis for the monthly e-mail that DVAP sends out to all participating firms seeking pro bono assistance. V&E consistently staffs the clinic without the need for additional volunteers which is a great help to DVAP.

(c) **DBA Law in the Schools and Community Committee.**

V&E participates in the Dallas Bar Association's Law in the Schools Community Committee. V&E's focus project involves substitute teaching in Dallas Independent School District's seventh and eighth grade social studies classes. V&E lawyers can participate by volunteering to teach at least one half-day (morning or afternoon) in a DISD seventh or eighth grade class.

3. Austin Office

(a) **Political Asylum Project of Austin.** V&E Austin Labor & Employment lawyers provide labor & employment advice for the Political Asylum Project of Austin ("PAPA"), an organization that provides free and low-cost legal services and education to promote justice for immigrants and refugees in Central Texas. In March of 2004, in recognition of the Firm's efforts, PAPA presented pro bono awards to both the Firm and to one of its lawyers, thanking V&E for "outstanding public service and legal representation."

(b) **V&E Partners with Dell on Pro Bono Efforts.**

A V&E partner in the Austin Intellectual Property Technical Litigation section, and a former V&E Austin litigation associate who has gone to work in-house at Dell Inc., launched an initiative to increase attorney participation in the Volunteer Legal Services of Central Texas Free Legal Clinic. Dell attorneys, in collaboration with attorneys from V&E, have committed to staff the clinic on the second Wednesday of each month. The clinic serves 75 to 125 individuals in need of legal services each session (there are eight regular sessions each month).

Also in conjunction with this initiative, V&E and Dell sponsored a CLE presentation. This CLE was designed to provide a high-level overview of the diverse legal issues encountered while working at the clinic.

Over 25 Dell and V&E attorneys have participated in the VLS clinics—included within these numbers are the entire entering first-year class of V&E associates in Austin.

4. D.C. Office

(a) **Thurgood Marshall Academy.** V&E's Washington D.C. office has partnered with the Thurgood Marshall Academy Charter School to host a tutoring program for half of the Academy's Junior Class. Every Tuesday, the students join volunteer attorneys and staff for dinner and tutoring. They eat together for about a half hour then spend another hour broken up into small groups with three or four tutors working with three or four students. Fourteen students join us each week. Our volunteers

assist the students in every subject from geometry to Spanish. We emphasize working with the students on their law and policy assignments and projects.

5. New York

(a) **Legal Aid Society.**

(b) **Lawyers Alliance for New York.**

6. Firmwide

(a) **The Innocence Project.** The Innocence Project at the Benjamin N. Cardozo School of Law was co-founded by Barry C. Scheck and Peter J. Neufeld in 1992. It was set up as and remains a non-profit legal clinic. This Project only handles cases where post-conviction DNA testing of evidence can yield conclusive proof of innocence. As a clinic, students handle the case work while supervised by a team of attorneys and clinic staff. Cases must involve biological evidence, e.g. sperm, blood, saliva, skin, hair. Cases are not accepted where DNA testing has already been performed with conclusive results. Most of the clients are poor, forgotten, and have used up all of their legal avenues for relief. The hope they all have is that biological evidence from their cases still exists and can be subjected to DNA testing. Thousands currently await evaluation of their cases.

The Project is now helping to organize The Innocence Network which includes a network of law schools, journalism schools and public defender offices across the country that assist inmates trying to prove their innocence whether or not the cases involve biological evidence which can be subjected to DNA testing. They consult with legislators and law enforcement officials on the state, local and federal level, conduct research and training, produce scholarship and propose a wide range of remedies to prevent wrongful convictions while continuing their work to free innocent inmates through the use of post conviction DNA testing.

Following the initial developments in the HPD Crime Lab scandal and the release of Josiah Sutton, in April, 2003, the Innocence Network contacted Vinson & Elkins, LLP. V&E paralegals had expressed interest in pro bono opportunities and the firm was happy to support that work. By that time, there had been 13 DNA-based exonerations in Texas and Josiah Sutton became the 144th.

The Innocence Project is seeking to raise funds and support a full-time staff that would be dedicated to screening and litigating Texas DNA claims. The Project determined that they would 'jump-start' the intake process through a pilot program set up in at least one large Texas law firm. The chief delay in moving through the intake process in many cases is getting the documents. In order to catch up with the backlog of cases, V&E paralegals and others statewide will be used to conduct expedited document retrieval so that promising cases may be identified more swiftly.

B. Hunton & Williams LLP

1. Richmond Office

(a) **The Pro Bono Fellowship Program** was created by Hunton & Williams to assist staff attorneys with heavy caseloads at the Central Virginia Legal Aid Society (CVLAS), which has experienced substantial federal budget cuts in recent years. The fellowship is a two-year position during which the fellow handles legal aid cases full time, in addition to handling cases brought through the Church Hill office from CVLAS.

(b) **The Central Virginia Legal Aid Hotline** is a joint effort between the Virginia Bar Association Young Lawyers Division and the Central Virginia Legal Aid Society. Hunton & Williams' Hotline volunteers provide legal advice over the telephone to clients meeting the financial eligibility criteria of CVLAS. Two volunteers work together each afternoon, Monday through Thursday, and generally handle eight to fifteen cases during their four-hour commitment. Before participating, each volunteer receives training in the four substantive legal areas (domestic relations, housing, consumer and employment law) for which advice is given through the Hotline.

(c) **Hunton & Williams' Women's Advocacy Project.** Hunton & Williams' volunteers provide legal representation to women who are victims of domestic violence through the Richmond YWCA Women's Shelter. Volunteers handle protective orders and temporary and permanent child custody and support orders. They also assist in the preparation of criminal cases against the women's abusers. The firm expanded its program to serve the Emergency Shelter (ESI Shelter) and the Safe Harbor Shelter, as well as domestic violence intake at Central Virginia Legal Aid.

(d) **The Legal Aid Justice Center, the University of Virginia Law School and Hunton & Williams have established a pro bono partnership between the law school and the law firm to provide free legal services to low-income Charlottesville, Virginia residents.** The firm's volunteer lawyers and the law school volunteers will be working together to represent clients with two widely different types of legal problems: immigration and domestic relations. In addition to the free legal services of the volunteer lawyers from its Richmond office, Hunton & Williams will contribute the office space, as well as employing a fulltime lawyer experienced in family law litigation matters to develop the practice and manage the new office. The law school will contribute a substantial portion of the Pro Bono and Public Service Assistant Dean's time to represent clients, coordinate student volunteers and help supervise the case load in the pro bono office. The strength of the partnership's commitment will be evidenced with the July 2005 opening of a new and separate pro bono office in Charlottesville on the campus of the Legal Aid Justice Center.

(e) **The Pro Bono Housing Law Program** teams Richmond lawyers with the Legal Aid Justice Center to provide legal assistance to low-income individuals with landlord/tenant problems.

## 2. Atlanta Office

(a) **The Pro Bono Fellowship Program**, like the one in Richmond described above, is a two year, full time position created by Hunton & Williams. The Atlanta Pro Bono Fellow performs intake interviews and represents clients through the firm's Southside Legal Center pro bono clinic, as well as representing clients referred by the Atlanta Volunteer Lawyers Foundation, Atlanta Legal Aid Society, Georgia Legal Services, Catholic Social Services, and other legal services providers, and participates in the firm's guardian *ad litem* project with the Fulton County Juvenile Court.

(b) **Fulton County Juvenile Court Guardian *ad litem* Project.** This project is supported by Atlanta volunteer attorneys. On Tuesday mornings and afternoons attorneys serve as court-appointed guardians *ad litem* for juveniles alleged to be "status offenders." Examples of "status offenders" include individuals breaking curfew, disobeying teachers and parents, and displaying unruly behavior. The guardian *ad litem*'s role is to examine the family's situation, interview the child and others, and then provide the court with an assessment and recommendation.

(c) **Atlanta Legal Aid Society (ALAS).** The Atlanta office accepts referrals from ALAS of a variety of cases, including ALAS' Grandparent Adoption Project. The goal of the Grandparent Adoption Project is to provide a stable relationship between the child and the caregiver through adoption or a custody proceeding and maximize the financial and medical resources available for the care of the child. To be eligible the caregiver must be willing to make a long term commitment to care for the child and either the biological parent must give consent for adoption, or there must be evidence that the parent is unfit, has abandoned the child or have had no meaningful parental contact for twenty-four months. Attorneys represent persons who are seeking to adopt or become guardians of their grandchildren.

(d) **Atlanta Volunteer Lawyers Foundation (AVLF).** AVLF is a non-profit organization that provides civil legal representation to low income individuals through private attorneys, law students and paralegals. AVLF has many projects, but currently only divorce, wills & advanced directives, and guardian *ad litem* in custody cases in Fulton County Superior Court are referred to Hunton & Williams.

(e) **Georgia Lawyers for the Arts (GLA).** GLA serves the legal needs of artists and arts organizations in Georgia. The attorneys provide pro bono legal assistance to low-income visual artists, writers, performers, musicians and non-profit arts organizations in the Atlanta area. Hunton & Williams usually assist with projects that are primarily corporate, including contract review and application for tax-exempt status, but there also are some litigation matters.

(f) **State Bar of Georgia - A Business Commitment (ABC) Project.** The Georgia ABC Committee serves as a clearinghouse to find attorneys to provide pro bono legal services to low-income Georgians and non-profit organizations on community economic development projects, such as the creation of affordable housing, non-profit services, and microenterprise development. Available projects may include

incorporations, application for tax exempt status, intellectual property issues, and real property.

3. Dallas Office

(a) **Legal Action Works (LAW) of Central Dallas Ministries (CDM)** is dedicated to a holistic approach to problems faced by the homeless, indigent, and low-income families, including job training, counseling, housing assistance and health care provided by volunteer physicians. Hunton & Williams provides legal services both to individuals referred to us by LAW, and to the LAW Center itself. About 40% of the work for individual clients involves family law and the remainder ranges from employment discrimination to legal advice to business start-ups. The firm also provides general corporate, real estate and other such legal guidance to CDM in connection with a low income housing development that is a project of CDM.

(b) **Dallas Court Appointed Special Advocates (CASA)** are volunteers who advocate for the best interests of abused and neglected children. Hunton & Williams attorneys handle cases referred by CASA.

(c) **Dallas Volunteer Attorney Program (DVAP)** coordinates several programs providing legal services to the poor in Dallas, including the Elder Law Clinic, the Bankruptcy Clinic, and **Legal Services of North Texas (LSNT)**, which provides legal services to people living in poverty in that geographic area. Hunton & Williams attorneys represent clients referred by LSNT, through DVAP, including in divorces, child custody disputes, and other family law matters, and assist with these clinics.

4. Charlotte Office

(a) **Battered Women's Shelter Legal Clinic (BWSLC)**. As an outgrowth of our domestic violence work, the Charlotte office staffs a legal clinic for the Battered Women's Shelter. Two attorneys attend the clinic each month to answer questions and address legal concerns of women who are either staying at the Shelter or receiving assistance from the Shelter while residing elsewhere. Attorneys also accept active representation of women facing court hearings such as 50(b) restraining order proceedings.

(b) **The Children's Law Center (CLC)** represents children in virtually every forum in which they come in contact with the court system: delinquency proceedings, psychiatric hospitalization hearings, special education hearings, school discipline and exclusion hearings, and high conflict and custody and visitation disputes. It provides a very rewarding opportunity for not only our lawyers, but our staff as well, to help the children of our community.

(c) **Legal Services of Southern Piedmont Tax Assistance Program (LSSP)** offers free tax advice to people who cannot afford professional assistance. Hunton & Williams tax attorneys represent clients referred by LSSP.

(d) **McDowell Street Family Law Center (MSFLC)** provides counseling, and job placement services, and with the help of local lawyers, including Hunton & Williams attorneys, the Center provides women with a forum to discuss their legal problems.

(e) **Mecklenburg County Bar Volunteer Lawyers Program (VLP)** currently has three main initiatives: Elderly Assistance, Landlord Tenant, and Domestic Violence. Hunton & Williams attorneys handle cases referred by all three VLP initiatives.

5. Raleigh Office

(a) **Partnership with the Wake County Volunteer Lawyers Program and North Carolina Legal Aid.** The Volunteer Lawyers Program solicits lawyers for pro bono projects and one third to about one half of the Raleigh office's pro bono projects are through the program. The Raleigh office also coordinates with Legal Aid to conduct a training session for handling 50B cases (50B refers to the statute in North Carolina pertaining to domestic violence protective orders.)

6. McLean Office

(a) **Wills Clinic partnership with Legal Services of Northern Virginia.** The staff of the Falls Church Legal Services of Northern Virginia (LSNV) conducts client screening and intake for our "Wills Clinic" clients, through which we provide simple estate planning counseling and prepare simple wills, powers of attorney and "living wills." Additionally, we conduct client interviews at the LSNV office, which, being generally more convenient to clients than our office in Tyson's Square, thus serves as our "Church Hill." More generally, Russ Hatchl, the LSNV's Pro Bono Coordinator, gives periodic notice of LSNV-sponsored CLE/pro bono training that offers opportunities for individual lawyers to consider other areas of practice for pro bono service.

7. Miami Office

(a) **Partnership with Legal Services of Greater Miami, Inc. (LSCMI), the LSC grantee for Miami-Dade and Monroe Counties (Monroe County includes all the Florida Keys, including Key West).** Hunton & Williams attorneys consult with or co-counsel with LSCMI on conflict-free civil/commercial cases in particular. This usually amounts to a consultation and technical assistance rather than an appearance as co-counsel.

(b) **The Miami-Dade County Bar Association "Put Something Back" Program.** This bar program screens and refers worthy pro bono cases to volunteer lawyers in private practice. Put Something Back has its own full-time staff lawyers who do the intake and screening (and who also represent the clients in some of the cases). Put Something Back has a referral form and a monitoring form. Our Miami lawyers routinely take cases referred to the firm by this program.

- C. Tips for Nurturing the Law Firm/Legal Services Partnership
  - 1. Cross training/attending or speaking at each others in-house seminars.
  - 2. Providing thanks through recognition (newsletters, thank-you letters, ads, receptions).
  - 3. Communication/understanding each other's needs and limitations.
  
- III. Recruiting, Motivating and Rewarding Lawyer and Para-Professional Volunteers
  - A. Giving billable hour "credit" for qualifying, approved pro bono work.
  - B. Generating varied, challenging and interesting pro bono & legal work.
  - C. Educating firm lawyers about available pro bono opportunities.
    - 1. Committees
    - 2. Websites
    - 3. Newsletters
    - 4. Regular email communications
    - 5. Individual/group meetings with new lawyers (including laterals)
    - 6. In-firm meetings with representatives of legal services providers.
  - D. Providing easy access to training and practice tools.
    - 1. Firm pro bono website, with links to online legal research, forms, and pro bono policies
    - 2. Pro bono practice manual
    - 3. Access to State Bar and local legal services corporation pro bono web sites.
    - 4. Cross training with local legal services organizations.

- E. Encouraging partner participation in firm pro bono programs.
  - 1. Educating partners about the link between pro bono activities and client satisfaction/marketing and lawyer recruitment/mentoring.
  - 2. Pro bono publications as a client communication.
  - 3. Providing opportunities for pro bono partnerships with clients.
  - 4. Providing appropriate opportunities for supervising and mentoring younger lawyers.
  
- F. Motivating with awards and recognition.
  - 1. Hunton & Williams
    - (a) E. Randolph Williams Award (lawyers with  $\geq$  100 pro bono hours per year)
    - (b) Office recognition lunches
    - (c) Recognition in publications: Annual Pro Bono Report and Monthly Newsletter
    - (d) David J. Peters Community Service Award (staff)
    - (e) Nominations for local and state pro bono awards
  - 2. Vinson & Elkins
    - (a) Firm-wide “Pro Bono Lawyer(s) of the Year” Award at Annual Firm Meeting
    - (b) Recognition in Quarterly Pro Bono Update
    - (c) Project-specific awards

#### IV. Managing the Pro Bono Client/Attorney Relationship

- A. Establishing criteria and screening for eligibility.
- B. Best practices for retainer agreements.
- C. Ensuring timely and high quality legal services (lawyer supervision and accountability).
- D. Dealing with problem clients.

V. Bibliography and Resources

A. Firm websites

1. <http://www.hunton.com>
2. <http://www.velaw.com>

B. Legal Services Websites

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<http://www.avlf.org>

Atlanta Legal Aid Society, Inc., Atlanta, GA  
<http://www.atlantalegalaid.org>

Georgia Legal Services Program, Inc.  
<http://www.glsp.org>

Georgia State Bar Pro Bono Project  
<http://www.gabar.org/GeneralLinks.asp?Header=ProBono>

Georgia “A Business Commitment”  
<http://www.ABC-Georgia.org>

Georgia Legal Info  
<http://www.legalaid-ga.org>

American Bar Association Center for Pro Bono  
<http://www.abanet.org/legalservices/probono>

Pro Bono Institute  
<http://www.probonoinst.org>

Volunteer Lawyers  
<http://www.probono.net>

Legal Info for the public  
<http://www.lawhelp.org>

State Bar of Texas - Texas Lawyers Care  
<http://www.lad.org/TPJ/04/probonoproj.html>

New York State Bar Association Pro Bono Affairs Department  
<http://www.nysba.org/Content/NavigationMenu/AttorneyResources/ProBono/ProBono.htm>