Pro Bono Task Force

Judge Beth A. Myers
Hamilton Co. Common Pleas Court

Pro bono publico – for the public good. Across the State Pro Bono Committees are hard at work developing plans for their local communities to increase pro bono representation. We need your help.

Lawyers are called upon by our Rules of Professional Conduct to “devote professional time and resources and use civic influence to ensure equal access to our system of justice for all those who because of economic or social barriers cannot afford or secure adequate legal counsel.” 1 The Rules comment that “All lawyers have a responsibility to assist in providing pro bono publico service.” 2 The Ohio Supreme Court issued a statement on September 20, 2007 regarding the Provision of Pro Bono Legal Services by Ohio Lawyers to participate in pro bono activities.

The Ohio State Bar Association recently established a judicially led pro bono project across the State. The project was initially proposed by Chair David Kutik as a project for the Ohio State Bar Foundation 2006 Fellows Class, following a recommendation from the 2005 Ohio Supreme Court/Ohio Judicial Conference/Ohio State Bar Association Bench Bar Conference. The target audience for the Class project was the working poor. Working from a model in effect in Indiana, Kutik proposed that the Fellows Class organize judicially led committees in each appellate district to implement pro bono programs. These committees, once implemented, would be responsible for developing an annual work plan for increasing pro bono activities in the committee’s area.

The Fellows Class voted to take a different project, Kutik decided to take his project to OSBA President-Elect Rob Ware. Before meeting with Ware in late December, Kutik strengthened support for the project by meeting with Chief Justice Moyer.

Chief Justice Moyer expressed his willingness to support efforts to launch the project through the auspices of OSBA. The Chief Justice also indicated his strong belief that if the local committees were to be led by judges, then the project ought to be organized by appellate district.

Kutik proposed to Ware that OSBA establish a statewide task force consisting of Judges, representatives of legal aid societies, and attorneys committed to pro bono service. The task force would be responsible for making sure the committees stay on track, write work plans, and execute the work plans.

The Ohio Legal Assistance Foundation (OLAF) affirmed its support for the project. Jane Taylor, a past-president of the OSBA and Associate Director for Pro Bono of OLAF, has been intimately involved in this project.

Last May, at the OSBA Annual Convention in Cincinnati, Ware announced the project during the speech following his installation as President of OSBA. In July and August, he recruited 31 members of the statewide task force, which met for the first time in late September, 2007.

Chief Justice Moyer attended the first meeting of the statewide task force and offered a welcome to its members. He thanked the organizers for allowing him to be part of the task force’s important work, and said “I hope you, as members of the Pro Bono Task Force, find ways to encourage lawyer participation in volunteer activities. This is one of the most important challenges of our profession and I commend you for your efforts to address this issue. ...It remains important for us to hold true to our aspirations to broaden the reach of legal assistance. We must not turn our back on the indigent...litigants. ...Each time a lawyer volunteers her expertise, peace of mind is provided to those in need.”

Since then, local committees have been established in most appellate districts. These are judicially led, the idea being that we as judges, see not only the need for pro bono representation, but are also uniquely situated to encourage lawyers to participate.

The statewide task force met again in May at the OSBA Convention in Columbus. The local committees reported on their progress and their plans. The task force is planning a Pro Bono Convention which will bring together members of all local committees. This convention has been tentatively set for October of 2009 to coincide with a week long national pro bono celebration being planned by the American Bar Association.

I have the privilege of serving on the Statewide Task Force and am co-chair of our local First District Committee. I am joined on the Statewide Task Force by many colleagues across the state: Walter H. Rice (United States District Court, Southern District of Ohio); Joseph H. Niemeyer (Hancock County Court of Common Pleas); Margaret Evans (Gallipolis Municipal Court); W. David Branstool (Licking County Municipal Court); James G. Carr (United States District Court, Northern District of Ohio); Christopher A. Boyko (United States District Court, Northern District of Ohio); William A. Klatt (Tenth District Court of Appeals); Mary Jane Trapp (Eleventh District Court of Appeals); and Stephanie Wyler (Clermont County Probate Court). Many more of you serve on your local committees.

Each local committee is developing a plan that will work for its district. For example, an idea that may work well in Cleveland may not work well in Meigs County.

How can you help? There are many ways judges can assist in this process. Consider volunteering to serve on your local committee; we are looking for more participation by judges. If you see the need not being met that could be covered by additional pro bono representation, contact the Judge in your district. If you know of lawyers who are interested in helping, put them in touch with your local committee. Talk about pro bono opportunities with lawyers and encourage their participation. Support your local committee in its endeavors. We can all make a difference.