This workshop was held at the 2018 Equal Justice Conference in San Diego, California.

Title:
Collaborating To Engage Future Pro Bono Leaders

Presenters:
Marlene Halpern, Center for Reproductive Rights, New York, NY
Marcia Levy, Columbia Law School, New York, NY
Laren Spirer, Columbia Law School, New York, NY
Benjamin Weinberg, Dentons, Chicago, IL

The Session will explore innovative collaborations between law schools, nonprofits, and law firm or corporate pro bono that engage students in pro bono as they face critical choices about their professional development. In this interactive session, we will explore various models that work: Externship programs that engage law firm and corporate pro bono with nonprofits partners and students; student run projects in collaboration with nonprofits and/or law firms or companies; classes devoted to pro bono theory and projects. We will brainstorm other ways to engage the next generation at the student or "lawyer in training" stage, so that wherever they choose to work, they are empowered to lead the pro bono effort.
Course Requirements

1.) Readings are assigned for each week’s class. Every student will write an informal, short (2-3 pages) paper each week evaluating and commenting on the assigned readings. Papers are due by 10 a.m. on the morning of the relevant class. These papers will not be graded, but will inform the in-class discussion and will count toward class participation credit. Please consider responding to the Student Innovation Discussion questions offered in the course outline in your weekly papers.

2.) Students should be prepared to participate in a conversation during each class about the Student Innovation Discussion questions and issues listed for each class in the course outline.

3.) Each student must participate in a limited scope pro bono project that will be organized by the teaching team. Alternatively, students may participation in a pro bono project with a law firm where you worked or will work or with a legal services organization.

4.) There is no final exam or paper. The final project consists of designing a law firm pro bono program with a partner from the class and designing a pro bono program for that firm. Each team will present the structure and policies of the firm to the class during the final class meetings.
Class Overview and Reading Assignments

1) January 8

Introduction and Overview, History and Foundations of Pro Bono in Large Firms and Organizations Working with Large Firms on Pro Bono

Reading Assignment:


(5) Review the websites of the following organizations:

(a) Association of Pro Bono Counsel – http://www.apbco.org;

(b) Pro Bono Institute – http://www.probonoinst.org;

(c) Chicago Bar Foundation – http://Chicagobarfoundation.org; and


(e) TrustLaw--http://www.trust.org/trustlaw/

(f) PILnet-- http://www.pilnet.org

Student Innovation Discussion:

• What are your goals for this class?
Why do you care about pro bono? Why should lawyers care about pro bono?
Make a prediction about how pro bono might develop in the future.

January 15 – NO CLASS – MARTIN LUTHER KING DAY

2) January 22

The Economics and Structure of Large Law Firms and How They Conduct Pro Bono Programs

Guest Speaker: Mike McNamara, U.S. CEO, Dentons

This session will feature a discussion of large firm micro- and macro-economics. What are the principal drivers of large law firm revenues and expenses? How are law firms financed? How are law firms structured, in terms of personnel (e.g., equity vs. non-equity partners), practices and offices? How and why do law firms expand? How do law firms compete with one another? What market forces led to the merger and consolidation of law firms, and how has the economy impacted this trend? What does the traditional law firm economic model mean for clients, and how are clients trying to change the law firm economic model? Is this effort likely to be successful? What are the implications for these issues on how a large firm conducts its pro bono program.

Reading Assignment:


(4) Adam Davidson. “Why Are Harvard Graduates in the Mailroom?” 
http://www.nytimes.com/2012/02/26/magazine/why-are-harvard-
graduates-in-the-mailroom.html>.

(5) Pro Bono Institute, Law Firm Pro Bono Challenge--
http://www.probonoinst.org/wpps/wp-content/uploads/Law-Firm-
Challenge-2017-1.pdf

(6) Glazer, Reena N. “Revisiting the Business Case For Law Firm Pro

(7) Mark A. Cohen. "What's a Lawyer Worth?" Forbes December 4,
2017 https://www.forbes.com/sites/markcohen1/2017/12/04/whats-a-
lawyer-worth/#7c3ce42977c4

(8) Simmons, Christine. "Amid Law Firm Merger Boom,
Transformational Talk on the Rise." American Lawyer, December 14,
17/12/13/amid-law-firm-merger-boom-transformational-talks-on-the-
rise/?et=editorial&bu=New%20York%20Law%20Journal&cn=20171
213&src=EMC-Email&pt=Breaking%20News

**Student Innovation Discussion:**

- If you were a Summer Associate at a firm, be prepared to discuss both your
  client chargeable work at the firm and any pro bono work you undertook. If
  you have not been a Summer Associate at a firm, be prepared to discuss
  what you think a Summer Associate pro bono program should involve and
  why.
- How could pro bono work support the business of the law firm?

3) **January 29**

Large Law Firms, Pro Bono, Access to Justice and Navigating Career Choices

**Guest Speaker:** Bob Glaves, Executive Director, Chicago Bar Foundation
Reading Assignment:

   - “Pro Bono: Myths, Realities, and its Proper Role in Access to Justice.”
   - “Lawyers, Law Firms and Corporate Legal Departments.”
   - “The Role of Government.”


Read the home pages of:

(a) Equal Justice Works;
(b) Skadden Fellowships; and
(c) Echoing Green Foundation.

**Student Innovation Discussion:**

- If you care about the access to justice crisis, what are the advantages and disadvantages of addressing that crisis through pro bono work at a law firm? The advantages and disadvantages of working at a legal services organization?
- How could we once and for all solve the access to justice crisis? Should pro bono be part of the solution?
- What role could technology play in solving the access to justice crisis?
- What role could people who are not lawyers play in solving the access to justice crisis?
- If you plan to work at a law firm, how will you decide which one?

**4) February 5**

Definitions of Pro Bono, Community Service and Corporate Social Responsibility

**Reading Assignment:**


(4) Taproot Pro Bono History - https://www.taprootfoundation.org/about-probono/pro-bono-history


**Student Innovation Discussion:**

- How would you define pro bono work?
- Why is it important to have pro bono definitions?
- Would your definition change based on where a lawyer practiced (e.g., law firm vs. corporation vs. small firm? United States vs. other countries? large city vs. rural area?)
- Do our current definitions of pro bono direct legal assistance to the communities, clients and issues that need help most?
- Should pro bono work be done for the government?

5) **February 12**

Pro Bono in Practice – Partnering with Legal Services Organizations

**Guest Speaker:** Eve Kleinerman, Pro Bono Coordinator, Cabrini Green Legal Aid

**Reading Assignment:**


ogue/volume/19/summer-2016/doing-better-work-by-working-better-together.html>


(5) Chicago Bar Foundation Pro Bono Checklist https://chicagobarfoundation.org/resources/pro-bono/


**Student Innovation Discussion:**

- What could we do during law school as a community of law students and lawyers to encourage future public interest lawyers and law firm lawyers to collaborate more effectively on pro bono work throughout their careers?
- What are the obstacles to working together across public interest organizations and law firms?
- What is the most effective and efficient way for public interest lawyers and law firm lawyers to work together?

6) **February 19**

The Limits and Boundaries of Law Firm Pro Bono – Ethical Issues, Positional Conflicts, Expertise and Resources
Guest Speaker: John Koski, Global General Counsel, Dentons

Reading Assignment:


Student Innovation Discussion:

- Should law firm pro bono programs be "viewpoint neutral" or should they advocate for particular positions on certain issues based on the preferences of the law firm leadership or individual attorneys?
- Should law firms be more risk averse when determining whether to accept a pro bono representation than a billable representation?

7) February 26

Carrots, Sticks and Stones – Increasing Involvement by Understanding Attorney Motivations and Obstacles to Pro Bono

Guest Speaker: Shannon Callahan, Senior Counsel at Seyfarth Shaw and national speaker on well-being in the law
This class will discuss the notion of mandatory pro bono, mandatory reporting of voluntary activities, pro bono work as a condition of membership in the bar, obtaining CLE credit for pro bono. We will also discuss the role of marketing a firm’s efforts both internally and externally.

Reading Assignment:

(1) Illinois Supreme Court Rule 756 (f).


(3) ABA Summary of Pro Bono Reporting Rules, https://www.americanbar.org/groups/probono_public_service/ts/pbreporting.html


(5) Local Rules 83.11 Trial Bar, Northern District of Illinois.


Student Innovation Discussion:

- What motivates you to want to learn about pro bono work?
- What could law firms do to encourage attorneys to do pro bono work?
- What could law firms do to encourage students to ask about pro bono work during interviews or to demonstrate a sincere commitment to pro bono?
- What obstacles do you predict you will encounter in trying to do pro bono work at a law firm? How might you get past them?
8) March 5

Corporate Social Responsibility and Pro Bono – The Role of In-House Corporate Counsel.

Guest Speaker: TBD

Reading Assignment:


Student Innovation Discussion:

- Should in-house lawyers have the same professional obligation to perform pro bono services?
- Should legal pro bono work and community service work done by lawyers be equally valued and encouraged?
9) March 12

Pro Bono and the Real Life Experiences of Big Law Lawyers.

Guest Speaker: John Gallo, CEO of LAF and Jay Mitchell, Associate at Skadden

Reading Assignment:

(1) Claire Bushey. "Sidley Austin Partner to Head Legal Aid Nonprofit." Crain's. June 9, 2017

https://www.law360.com/articles/977946/making-pro-bono-work-building-sponsorship-relationships

Student Innovation Discussion:

• Is there a conflict between doing pro bono work and a successful Big Law career?
• Who and what within a law firm will influence the pro bono work that you do as an associate?
• Research law firm biographies and find examples of lawyers who do pro bono.

10) March 19

The Globalization of Pro Bono and Class Review for Final Presentations

Reading Assignment:

(1) Michael Goldhaber. “Yardstick for a World of Good” – July 2014 American Lawyer magazine,

(3) “TrustLaw Index of Pro Bono.” *TrustLaw.*

(4) Skim the PILnet Global Forum Agenda.

**Student Innovation Discussion:**

- What do we mean by the globalization of pro bono?
- We still have problems with Access to Justice in the U.S.: Why concern ourselves with worrying about globalizing pro bono?
- How can we work across legal systems to collaborate on global legal needs in service of indigent clients, nonprofits, NGOs, human rights and other issues that we care about?
- What systems would support this sort of collaboration?

**SPRING BREAK – CLASS OF MARCH 24 – APRIL 1**

11) **April 2**

Final Paper Presentations

12) **April 9**

Final Paper Presentations (continued)

13) **April 16**

Final Paper Presentations (continued) and the Future of Pro Bono
COLUMBIA LAW SCHOOL
EXTERNSHIP ON PRO BONO PRACTICE AND DESIGN
SPRING 2018

Guidelines for Externship

The goal for this externship is to prepare students to be thoughtful, knowledgeable and creative participants in the development of pro bono programs at their law firms, not-for-profit organizations, bar associations and beyond. It consists of three interwoven parts: the seminar (including readings and speakers), the field work, and the concept paper.

Marlene Halpern and Laren Spirer will co-teach this class. We will teach the seminar jointly but will conduct individual meetings with students separately. Each of you has been assigned to one of us. She is your “designated instructor.”

Seminar
At least the first hour of each seminar will provide an opportunity to discuss the issues raised by the readings and many will also allow you to bring your field experience into the classroom. Leading practitioners in various segments of the pro bono matrix will join us for the second hour of some of the seminars. The writings on pro bono are still scant (though improving), so these people are among the best sources of knowledge useful to your concept papers and your future pro bono work.

You will be expected to prepare for the seminar sessions by:

- Doing the assigned reading and when interesting to you, the optional reading
- Thinking about the lessons, if any, your field experience provides for the topic
- Reading guest speaker bios and other materials about their work

The readings for this class will be hotlinks on the syllabus, distributed via email by the professors, found on Courseworks, or easily found with some basic legal or Internet searches.

Field Work – Weekly Starting the Week of January 29
Starting the week of January 29, you should work an average of at least 10 hours per week at your field placement. If you cannot start the week of January 29, you should start as soon as possible and must make up the hours you missed in previous weeks. If you cannot start work by February 1, you will be required to drop this course, except in extraordinary circumstances.

The field placement not only will allow you to provide meaningful service to your organization and its clients but also to learn a lot about pro bono. Pay attention to your own thoughts and feelings as a pro bono volunteer; both your positive and negative reactions are important. Also, try to speak with the various stakeholders about their views of the pro bono process. This includes not only the person with formal responsibility for the pro bono program, if any, but also the lawyers and staff at your NGO, the volunteer lawyers and the clients.

The Learning Agenda, Status Reports and Field Notes are intended to help you get the most out of your field experience.
Learning Agenda

The semester zooms by very fast. Unless you think carefully about what you want to get out of the field placement and discuss it with your supervisor at the outset, you are likely to finish with regrets about things you did not do. Completion of the Learning Agenda minimizes that likelihood.

The Learning Agenda will be completed in two stages: the Preliminary Learning Agenda and the Final Learning Agenda.

**Preliminary Learning Agenda**

This is the first two columns only. You will submit it to your designated instructor by January 29th.

- For the first column, think about what you would like to learn from your field experience. In addition to specifics regarding pro bono, your list may, but need not, include specifics regarding substantive law, skills, personal work habits and other things. You should have at least four detailed items.
- For the second column, think about what specific means (tasks, projects, conversations, observations, etc.) will allow you to meet your learning goals. It should have at least two detailed means per goal. Some means may serve multiple goals. If so, list them for each of the relevant goals.

**Final Learning Agenda**

- This is the first two columns as amended after receiving Marlene Halpern’s or Laren Spirer’s comments and with the addition of the third column and your supervisor’s signature. Submit to your designated instructor on February 9th.
- For the third column, you must meet with your supervisor to discuss your goals and your ideas about how to satisfy them. Your supervisor will have thoughts about your goals and whether your methods are the best or realistic ways to achieve them. Often supervisors have even better ideas about things that you can do to meet your goals. Your supervisor also must sign the form.

An important by-product of the Learning Agenda is that it gives you an opportunity to inform your supervisor about your goals and plan your externship early in the semester. It also helps your supervisor remember that you are there for a class and are not a typical volunteer.

**Status Reports: Due March 5 and April 2. Submit via email to your designated instructor.**

The Status Reports should go beyond a mere report of the tasks you have done at the placement. You should inform us about what you are experiencing there. Address specifically whether you are satisfying your learning goals and whether your goals have changed. Tell us about what you have learned by thinking about the work you are doing in the field in the context of the readings and the seminar.

Status Reports should be essays of about 2-3 pages, double spaced.

**Field Notes For Your Own Use**

After each session at or for your organization, record your observations, thoughts, areas for further inquiry, etc. in field notes. There is no set formula for content or format. The purpose of these notes is to serve as a research tool for you. Knowing that you have to write them will
enhance your awareness of the field placement as an important research site. It also will preserve thoughts and memories that you are likely to forget, unless you write them down. You do not have to submit them to the instructors. You will be expected to refer to them in the classes in which we discuss the field experiences. If you do share them or parts of them, be sure to sanitize them so that they comply with the rules of attorney-client privilege and confidentiality.

Concept Papers
A separate document about the concept papers will be distributed later in the semester.

Reflection Paper
During the course of the semester, each student will write a short reflection paper (1 -2 pages) on the reading assignments for a particular class. The paper will discuss the reading’s contribution to the class, the authors’ viewpoints, and the student’s reaction – both positive and negative. Students should submit their top two class date choices for the reflection paper and every effort will be made to assign the top choice. The Reflection Paper will be due one week after the class chosen by the student.

Evaluation
Your performance in the academic credit component of the externship will be evaluated as follows:

- Concept Paper: a total of 50% (Outline 10%; Penultimate Draft 25%; Final Draft 15%)
- Presentation of your concept paper at the workshop: 15%
- Seminar preparation and participation (quality of participation as well as quantity and attendance): 35%
- The Learning Agendas and Status Reports will not be graded but poor quality, the failure to submit them and late submissions will result in the downward adjustment of your grade by a half-grade (i.e. an A- will become a B+). Likewise, excellent Learning Agendas and Status Reports will result in the upward adjustment of your grade by a half-grade.
- Your field work results in 2 clinical credits graded pass-fail, but your grade for the academic credit component of the externship may be influenced by a particularly good or particularly bad report from your supervisor to the extent of a half-grade.
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<tr>
<th>Date</th>
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<tr>
<td>Jan 26</td>
<td>Last day to start field placement</td>
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<td>Jan 29</td>
<td>Last day to submit preliminary Learning Agenda</td>
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<td>Feb 5</td>
<td>Last day to submit Concept Paper Topic &amp; brief description</td>
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<td>Feb 9</td>
<td>Deadline for Final Learning Agenda (w/ Externship Supervisor comments &amp; signature)</td>
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<td>Feb 12-16</td>
<td>Make appt w/ designated instructor for week of Feb 19 to discuss Concept Paper Proposal</td>
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<td>Feb 16</td>
<td>Deadline for Proposal for Concept Paper (see Concept Paper Guidelines for required contents)</td>
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<td>Feb 19-23</td>
<td>Meetings re Proposal for Concept Paper &amp; Reflection on Field Experience</td>
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<td>Mar 5</td>
<td>Deadline for Status Report #1 (email to designated instructor)</td>
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<td>Mar 19</td>
<td>Concept paper draft due; Make an appt for week of Mar 26 to discuss concept paper draft &amp; workshop presentation</td>
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<td>Mar 26-30</td>
<td>Meetings to discuss concept paper draft &amp; workshop presentations</td>
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<td>April 2</td>
<td>Deadline for Status Report #2</td>
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<td>April 30</td>
<td>Final Paper due</td>
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