This workshop was held at the 2019 Equal Justice Conference in Louisville, Kentucky.

Title:
Top Ten Best State Laws & Policies for Pro Bono

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Join this panel discussion about how some states have been improving pro bono services and culture, and how yours can too, by adopting laws, rules and policies which promote pro bono participation, such as (i) requiring pro bono service as a condition to becoming licensed for law practice; (ii) permitting attorneys who take pro bono cases to earn credit toward mandatory CLE requirements; (iii) requiring attorneys to report on certain aspects of pro bono service to maintain their professional licenses to practice; and (iv) waiving professional license requirements for law professors, in-house counsel, retired and inactive attorneys and for out-of-state attorneys assisting individuals and families in a state impacted by a disaster. At the conclusion of the session, we will identify a suggested set of best laws, rules and policies for supporting pro bono, and the reasons for and against the inclusion of each.
Materials for “Top Ten Best State Laws and Policies for Pro Bono”

The series of laws and policies listed below will form the basis of our discussion during the session.

In each instance, the question is “Does/should the State . . .” in order to improve the degree to which pro bono work by attorneys assists in making the legal system more accessible to all.

1. Encourage lawyers to dedicate at least 50 hours of pro bono service, consistent with ABA model rule 6.1.

2. Adopt rule 3.7b of the model code of judicial conduct permitting judges to encourage lawyers to provide pro bono services.

3. Adopt ABA model rule 6.5 or equivalent rule stating that lawyers providing short term services under the auspices of a program sponsored by a nonprofit organization or court are subject to conflict of interest rules only for known conflicts.

4. Require a specified number of hours of pro bono service as a condition of becoming a lawyer.

5. Require attorneys to report pro bono hours.

6. Authorize simplified registration (e.g., waiver of requirement to be admitted to the bar of the particular state or court in which representation is to occur) for the following classes of attorneys if they are otherwise in good standing:
   a. Out-of-state attorneys
   b. Retired or otherwise inactive status attorneys
   c. In-house attorneys
   d. Law professors

7. Provide CLE credit for pro bono work.

8. Provide court/AtJ commission sponsored pro bono programs in which interested attorneys can participate through a simple sign-up or show-up procedure (e.g., lawyer for a day).

9. Encourage specific scheduling of hearings/conferences (i.e., a two-hour window during which a matter will be called, rather than a full-day ‘cattle call’ type calendar) to facilitate planning for all attorneys.
10. Encourage law firms employing 50 or more lawyers to adopt principles of pro bono service consistent with the Law Firm Pro Bono Challenge (http://www.probonoinst.org/wpps/wp-content/uploads/Law-Firm-Challenge-2017-1.pdf), which include a commitment to dedicating at least 3% of the firm’s billable hours to pro bono work focusing on providing for the legal needs of those who cannot afford legal services, participation by partners and associates, and accountability for meeting those goals.

11. Encourage corporate law departments to adopt principles of pro bono service consistent with the Corporate Pro Bono Challenge (http://www.cpbo.org/wp-content/uploads/2012/01/Join-the-Challenge-Form-10.31.17-fillable.pdf), which include a commitment to encourage pro bono service by legal staff and to encourage law firms with whom they work to adopt the principles of the Law Firm Pro Bono Challenge.