Hunton & Williams: Building on a Strong Pro Bono Foundation

In 1999, Hunton & Williams won a Pro Bono Publico Award from the ABA Standing Committee on Pro Bono and Public Service in recognition of its strong and consistent institutional support for direct, free legal services to the poor. Now, almost six years later, we revisit the firm to learn how they have built upon their pro bono success.

Throughout its offices, Hunton & Williams’ 850 lawyers are expected to do a substantial amount of pro bono work each year. Lawyers last year averaged about 64 hours of pro bono and these hours are taken into consideration in the annual review process for both associates and partners. Every attorney is given 50 hours of billable credit for the first 50 hours of pro bono work done, and those attorneys who do more than 100 hours of pro bono are honored with an award given in the name of one of the firm’s founding partners—the E. Randolph Bono Publico Awards.

While the firm always cared about pro bono, in 1989 its managing partner commissioned an in-house review to determine how Hunton & Williams could more effectively develop a firm-wide pro bono culture. As a result of this study, the firm opened an office in Churchill, one of the oldest and poorest communities in Richmond, Virginia. The purpose of this office was to provide free legal services to the working poor—those clients who could not go to traditional legal aid because they made slightly above the income restrictions, but were nevertheless unable to afford legal representation.

Early on, the firm made a decision to focus its pro bono efforts more on direct legal services to individuals rather than on large cases. The original Churchill office, which handles family law, landlord-tenant, guardianship and occasional real estate cases, now serves the entire city of Richmond and seven surrounding counties. Approximately 100 Hunton & Williams lawyers volunteer their time at the office each year. The program handles about 350 cases annually and is preparing to celebrate its 15th anniversary in June 2005. In the mid-1990s, following on the success of the Churchill office, the law firm opened a similar office on the south side of Atlanta, and started to engage its Atlanta attorneys in developing a similar pro bono culture.

Since the mid-1990s, the firm has had two full-time pro bono fellows. This is a two-year position for law school graduates seeking to pursue a career in public service. In Richmond, the Hunton & Williams Pro Bono Fellow devotes approximately 80% of her time working directly as a legal aid attorney and the remaining 20% with the firm’s Churchill office. In Atlanta, the fellow works full-time with the firm’s south side pro bono project. In addition to receiving a remarkable career opportunity, these two fellows serve as mentors to other pro bono attorneys and share their expertise to strengthen the law firm’s pro bono resources.

When the ABA issued its Law Firm Pro Bono Challenge in the mid-1990s, Hunton & Williams again re-evaluated its pro bono approach and moved forward with a more forceful and comprehensive plan for expanding pro bono service firm-wide. A separate

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Pro Bono Policy News from Around the Country

2003 Maryland Pro Bono Reporting Results are Released
The Administrative Office of the Courts of the State of Maryland recently released its report titled *Current Status of Pro Bono Service Among Maryland Lawyers, Year 2003* which summarizes the results from the second year of attorneys’ required reporting of pro bono activity. A copy of the full report can be found at: www.courts.state.md.us.

Maryland Rule 16-903 (effective July 1, 2002) requires that all Maryland attorneys authorized to practice law in the state annually report on their pro bono activities. Some of the key findings from the report include:

- 31,153 Maryland lawyers filed their pro bono service report by the final cutoff date and were included in the report (representing a 99% compliance rate).
- Among full-time lawyers with business addresses in Maryland, 63.7% reported engaging in some pro bono activity (compared to 61.8% in 2002).

State Bar of Nevada Releases Statistics for First Year of Mandatory Pro Bono Reporting
The *State Bar of Nevada Pro Bono Service Report for 2003: Summary of Results* was recently released by Downey Research Associates in Las Vegas, Nevada. As this was the first year of mandatory reporting, there were various problems in gathering and compiling the data. As a result, there are few concrete conclusions to be drawn from the report. The report noted that 51.7% of respondents did some pro bono service and included a list of all the agencies for which lawyers did pro bono work.

Illinois Considers Mandatory Pro Bono Reporting
The Illinois Supreme Court’s Special Committee on Pro Bono presented a proposal in 2004 to adopt new rules regarding pro bono service. The proposal from the Supreme Court Special Committee was modeled after the mandatory reporting rules in Florida, Maryland and Nevada.

The Supreme Court Rules Committee recently postponed the hearing on the proposed pro bono rule in order to allow further outreach and education about the content of the proposed changes. The Court has not yet announced when it will schedule the proposed pro bono rule for public hearing, but it is expected to be considered at a Rules Committee hearing later this year.

Rule Changes Proposed for Mississippi Pro Bono
The Mississippi Supreme Court has proposed changes to its rules regarding an attorney’s obligation to participate in pro bono work. One revision would reduce the suggested number of hours of pro bono legal services to the poor from 50 per year to 20 while adding a requirement that attorneys report their hours to the Mississippi Bar. The proposal also recommends giving attorneys the option of donating $200 a year to the Bar in lieu of hours worked to meet their pro bono obligation, with the money being used by the Bar to provide civil legal aid to the poor. Finally, it would also permit lawyers who perform more than 20 hours of pro bono work per year to carry over those additional hours for up to two years, and allow law firms to collectively meet the pro bono obligations of their lawyers.

New York State Bar Association Debates Expanded Definition of Pro Bono
The New York State Bar Association is in the review and comment period for a proposal to expand the definition of pro bono as it currently exists in its Ethical Consideration 2-25. The current definition of pro bono focuses on legal services for the poor. The proposed broader definition does not place a priority on legal services to the indigent, and this has been a source of opposition by the bar’s largest member group, the Commercial & Federal Litigation Section and its Committee on Legal Aid. The opposition to the new rule believes that it will dilute the current professional obligation to provide pro bono legal services to the poor. The state bar House of Delegates is expected to vote on the revised proposal on April 2, 2005.

Colorado Adopts CLE Credit for Pro Bono Work
Effective January 1, 2005, the Colorado Rules of Civil Procedure have added a new Rule 260.8 that allows lawyers to receive CLE credit for approved pro bono representation of indigent clients. The Colorado Supreme Court adopted this new rule on November 10, 2004 and, with it, implemented a program to give lawyers a maximum of nine units of CLE credit during each three-year reporting period for providing free legal services to clients who meet the Legal Services Corporation poverty guidelines or who fall slightly above those guidelines but still cannot afford legal representation. A lawyer may receive these pro bono CLE credits by working through approved organizations and they are entitled to one unit of CLE credit for every five hours of direct pro bono service provided. A lawyer who serves as a mentor to another lawyer may receive one unit of CLE credit per completed matter; and mentoring a law student doing pro bono work gives a lawyer two units of CLE credit for each completed matter.

Massachusetts Supreme Court Adopts New Rule for Retired/Inactive Attorney Pro Bono Work
In November 2004, the Supreme Judicial Court of Massachusetts adopted a new SJC Rule 4:02(8) which allows retired and inactive attorneys to engage in pro bono work through an approved legal services organization without paying attorney registration fees.

Supreme Court of Indiana Adopts Universal IOLTA Plan to Benefit Pro Bono
The Indiana Supreme Court decided to fold all Indiana lawyer trust accounts into the Court’s current trust account program, which is expected to generate an additional $75,000 to $200,000 annually for programs that encourage Indiana lawyers to provide free, or pro bono, civil legal services to the indigent. The action by the Court follows a nearly unanimous approval by the Indiana State Bar Association’s House of Delegates of a resolution on October 15, 2004 that supported the move to universal IOLTA. Indiana is unique in that since the (continued on page 3)
Mark Your Calendars: 2005 Equal Justice Conference—Celebrating the Pro Bono and Legal Services Partnership

Registration is now open for the 2005 Equal Justice Conference, which will be held May 5 - 7, 2005 at the Hilton Hotel Austin, Texas. The Equal Justice Conference brings together advocates from all components of the legal community to discuss justice issues as they relate to the delivery of services to poor, low and moderate-income individuals in need of legal assistance.

The 2005 Equal Justice Conference is focused on Celebrating the Pro Bono and Legal Services Partnership. There will be over 70 workshops designed to strengthen and expand capacity to delivery high quality pro bono services and there will be special tracks offered for bar association leaders, pro bono volunteers, law firm pro bono coordinators, corporate counsel and academics, pro bono committee chairs, and access to justice committee members.

Keynote speakers include Molly Ivins, columnist and author; Sarah M. Buel, founder of the Domestic Violence Clinic at the University of Texas Law School; and Robert J. Grey, Jr., President of the American Bar Association.

For details on the conference, including a tentative agenda and information on discount registration opportunities and scholarships, visit www.equaljusticeconference.org. You can download a registration form from there, or register on-line.

We hope to see you there!

Pro Bono Policy News
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formation of its IOLTA program in 1997, IOLTA has directly funded pro bono programs and the state’s judicial circuit-based pro bono committee structure.

Second Circuit Forms New Pro Bono Panel
Beginning December 1, 2004, the United States Court of Appeals for the Second Circuit Criminal Justice Act/Pro Bono Committee began accepting applications for service on the Court’s newly-formed Pro Bono Panel. Pro bono panel members will represent pro se litigants in civil appeals which present issues of first impression, complex issues of law or fact, or which raise potentially meritorious claims warranting further briefing and oral argument. Cases for which pro bono counsel will be appointed include a broad range of legal issues. The court will choose pro se litigants who are eligible for pro bono representation based on their assessment of whether the litigants would benefit from the representation and whether they would be unable to afford an attorney on their own.

Hunton & Williams
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pro bono committee was formed in each city and chaired by a partner. The firm-wide pro bono committee, which is headed by George Hettrick and includes the pro bono partner from each office, meets monthly with the intention of sharing important information and keeping the pro bono inspiration alive. In 1995, the law firm met the challenge of devoting 3% of its attorney time to pro bono and has continued to meet that challenge every year since.

Since receiving the ABA Pro Bono Publico Award in 1999, Hunton & Williams has continued to seek out pro bono initiatives in its offices world-wide, including new projects in Brussels, London and Africa. In the last two years, its Richmond office has partnered with the University of Virginia Law School to develop a pro bono asylum and immigration project that is run with four law firm attorneys and eight law students. The first year of this law firm/law school collaboration has proven to be tremendously successful and they are currently gearing up to expand the project to include a domestic violence clinic to be opened in the fall of 2005 at the University of Virginia Law School in Charlottesville.

When asked about the secret to the firm’s successful pro bono culture, George Hettrick responds that the law firm’s leadership walks the walk—they take on cases themselves, encourage others to do so, and put the law firm’s financial resources behind their commitment. Mr. Hettrick notes that, in 2004, both Hunton & Williams’ managing partner and chairman won the E. Randolph Williams award for contributing more than 100 hours of pro bono, and that Hunton & Williams partner and ABA President Robert Grey serves as a pro bono lawyer at the firm’s Churchhill office. This leadership, Hettrick says, builds a strong foundation for pro bono and teaches young lawyers by example that it matters. The firm’s leaders believe strongly that their lawyers are stronger advocates and better people as a result of their pro bono work, and that the collegiality that is a trademark of the Hunton & Williams’ culture is a precious commodity that comes in no small part from its personal and institutional commitment to pro bono work.

Pro Bono Connection is a biannual update by the American Bar Association Standing Committee on Pro Bono and Public Service for the news and information exchange needs of pro bono supporters. The views expressed in Pro Bono Connection are those of the authors and do not necessarily represent the policies of the American Bar Association. The contents of this newsletter have not been approved by the ABA House of Delegates and do not constitute ABA policy.

Standing Committee on Pro Bono and Public Service – Debbie Segal, Chair; Hon. Pamela J. Brown; S. Kendall Butterworth; Mortimer M. Caplin; Lisa R. Cole; Kathleen J. Hopkins; E. Barry Johnson; J. Tate London; L. Jonathan Ross; and Mark J. Schickman; Board Liaison – Michael A. Bedke; Committee Counsel – Steven B. Scudder; Assistant Committee Counsel – Marilyn J. Smith; Assistant Staff Director – Dorothy Jackson; Administrative Assistant – Tamaara Mason; Center for Pro Bono Director – vacant.
2004 ABA Pro Bono Publico Awards

At the ABA Annual Meeting in Atlanta, Georgia on August 9, 2004, the Standing Committee on Pro Bono and Public Service presented five ABA Pro Bono Publico Awards to honor four individual lawyers and one law firm that have enhanced the human dignity of others by improving or delivering volunteer legal services to our nation’s poor and disadvantaged.

The Pro Bono Committee captured the work of these award recipients in a short video that was unveiled at the award luncheon. This award video is a wonderful tool for demonstrating the tremendous impact of pro bono work around the country, and copies of the video can be borrowed from the Pro Bono Committee for showing at bar association meetings, judicial conferences, CLE and training programs, law school and community functions. Please contact Tamaara Mason at masont@staff.abanet.org or 312-988-5756 in order to borrow a copy of the video.

A brief description of the recipients’ pro bono work follows:

Roy E. Barnes (Atlanta, GA) served a six-month tenure as a volunteer staff lawyer for the Atlanta Legal Aid Society at the end of his term as governor of Georgia, exemplifying his long-time commitment to providing legal services to the poor. During his time with the Atlanta Legal Aid Society, Barnes devoted himself to using his formidable litigation skills to help clients, particularly elderly and disabled victims of predatory lending practices. Since going back into private practice, Barnes has committed to spending at least 10% of his firm’s billable hours on pro bono matters.

Stephen Cullen (Towson, MD) has dedicated himself to improving pro bono legal services for children caught in international custody disputes. His work has been particularly helpful to the National Center for Missing and Exploited Children in Alexandria, Virginia, and his pro bono work, Warren has recruited, trained and utilized more than a dozen retired and other no-longer-practicing lawyers who volunteer at LSC two to four days a week representing children in need.

Toby H. Hollander (Portland, ME) was awarded this year’s Ann Liechty Child Custody Pro Bono award, which was named in memory of a dedicated child law advocate who was also a previous Pro Bono Publico Award winner. Throughout his law career, Mr. Hollander has displayed unwavering dedication to providing outstanding pro bono guardian ad litem services for Maine’s children caught in custody cases. He now focuses exclusively on providing guardian ad litem services, which he undertakes as a solo practitioner. Working through the Maine Volunteer Lawyers Project, Hollander has handled more than 50 pro bono guardian ad litem matters for children, including complex custody cases involving high conflict and domestic violence.

Warren Sinsheimer (New York, NY), after retiring from practicing law for nearly 50 years, now volunteers as president and managing attorney of Legal Services for Children, Inc. (LSC), an organization he established in 1999 to bring free civil legal services to disadvantaged New York children. Since opening its doors, LSC has provided pro bono legal representation to more than 2,500 children, most of whom had no other access to legal assistance. In addition to his leadership of LSC and his pro bono work, Warren has recruited, trained and utilized more than a dozen retired and other no-longer-practicing lawyers who volunteer at LSC two to four days a week representing children in need.

Arnold & Porter LLP (Washington, D.C.) has committed itself to setting a national example of law firm excellence in providing pro bono legal services. In addition to averaging more than 130 pro bono hours of legal services per lawyer at the firm, Arnold & Porter also established a number of innovative new pro bono programs in 2003, including criminal defense of the indigent, federal appellate advocacy, and a resource center for the D.C. Landlord Tenant Court. The firm also took on a number of new pro bono cases in areas such as discrimination against undocumented aliens, First Amendment issues, technology sharing among countries, assistance to the arts, medical services to minority communities, domestic security and human rights, and fighting HIV/AIDS discrimination.

In addition to presenting its annual Pro Bono Publico Awards, the committee also recognized the outstanding work of Kenneth Feinberg who served in a pro bono capacity as Special Master for the Victims Compensation Fund (VCF). The VCF was enacted by Congress after the terrorist attacks of September 11, 2001 and was established to provide a no fault legal process to compensate the victims and the families of the terrorist attacks of that day. As the Special Master, Mr. Feinberg carried the major burden of implementing the directive of Congress to provide a fair and efficient process of compensation to over 7,000 claimants. He has worked diligently, without any personal compensation, carrying out his work in an exemplary manner.

ATTENTION: We are always curious and eager to hear news from your lives and your communities about new pro bono initiatives. We would be happy to share your pro bono thoughts and questions in our next issue of Pro Bono Connection. Please email us at: smithma@staff.abanet.org