The First Issue of Pro Bono Award Connection!

At the suggestion of many former award recipients, including Norlen Drossel (1998), Anil Mehta (2000) and Amitai Schwartz (1991), the ABA Standing Committee on Pro Bono and Public Service (Pro Bono Committee) has launched The Pro Bono Award Connection. It will be sent to former Pro Bono Award recipients twice a year to provide an update of our activities. We welcome your comments on our first issue.

General Activities
During recent years, the ABA Pro Bono Committee has been actively involved in the pro bono policy arena. Among its initiatives are ABA Model Rule 6.1 and the 1995 House Resolution urging bar associations to make the expansion of pro bono legal services a critical priority for the bar. In 1996, the Committee drafted and published Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means. In August 1999, the Committee issued State Pro Bono Reporting: A Guide for Bar Leaders and Others Considering Strategies for Expanding Pro Bono, a paper designed to assist bar leaders, judges and other key state stakeholders as they plan for and build the most successful legal services delivery system possible.

The Committee was also instrumental in the adoption of a 1997 pro bono resolution by the Conference of Chief Justices. In addition, the Committee provided input regarding the adoption of a 1996 pro bono policy by the U.S. Department of Justice, which has been implemented in federal agencies throughout the country. It also drafted language pertaining to pro bono work that was incorporated in the ABA’s Law School Accreditation Standards.

The Committee has also been actively engaged in outreach to the judiciary, government attorney offices, law schools, minority bar associations, small and mid-size law firms, and in-house corporate legal departments. Through its Law Firm Pro Bono Project, administered by the Pro Bono Institute, the Committee offers technical assistance to large law firms engaged in pro bono work. The Committee also continues to sponsor of the ABA Pro Bono Publico Awards. The Committee, with the National Legal Aid and Defender Association, co-sponsors the annual Equal Justice Conference, which brings together legal services staff-based programs, pro bono coordinators, bar association leaders, private law firms committed to pro bono, the judiciary, corporate counsel, law schools, government attorneys and other legal, public interest and human services organizations.

Center for Pro Bono
The Center for Pro Bono is a major project of the Committee. The Center provides technical assistance and planning advice to a wide range of constituents in the field, including bar associations, pro bono programs, legal services offices, bar leaders, law schools, corporate counsel, judges and government attorneys. The Center also produces a number of publications, maintains a national Clearinghouse of materials on a wide range of pro bono topics and operates the Peer Consulting Project. The Peer Consulting Project involves peer consulting teams providing on-site technical assistance and planning advice.

Recognizing that clients in rural communities have a wide range of general civil legal needs that are not being met through the traditional legal services system, in Spring 2000, the Center launched the Rural Pro Bono Project. The central goal of the Project is to help fill the gaps in legal services delivery by encouraging pro bono advocates to develop strategies for serving rural clients.
ABA Establishes New Child Custody Pro Bono Project
In Memory of Former Pro Bono Publico Award Winner

In 1998, Ann Liechty, a dedicated child law advocate, received the ABA Pro Bono Publico Award. Less than two years later, Ann’s life was cut short by cancer. Through a generous $1,000,000 grant from Ms. Liechty’s aunt and uncle, Melita and Bill Grunow, the ABA launched the Child Custody Pro Bono Project in February.

The project is jointly sponsored by the ABA Standing Committee on Pro Bono and Public Service and the ABA Family Law Section. The project is administered by and housed at the ABA Center for Pro Bono, and run by Project Director, Linda Rio. Linda came to the ABA from the Chicago Bar Association and Foundation, where she served for six years as Community Services Director, a position she created. Prior to her work at the CBA, Linda was in private practice at Sidley & Austin for five years, and an active pro bono volunteer.

The mission of the Child Custody Project is to design and implement programs and policies that foster children’s well-being, development and safety during the children’s involvement in custody matters. The areas of focus will be on divorce, guardianship, adoption and parenthood. In particular, we hope to:

• Increase the number of pro bono child custody projects, opportunities, attorneys and children served.
• Implement innovative delivery strategies to expand legal services for children in child custody matters.
• Provide higher quality representation in child custody matters.
• Improve coordination and communication among groups working at a national level on the complex issues involved in child custody.
• Heighten judicial sensitivity and knowledge in making decisions regarding a child’s best interest in a custody matter.
• Better educate children and parents about custody proceedings, results, and impacts.
• Improve relationships between lawyers and other children’s advocates, including doctors, psychologists, social workers, and teachers.
• Garner support for legislation positively impacting child custody matters.

The project will be greatly aided by a newly formed Advisory Committee. The Advisory Committee is made up of representatives from the following ABA entities: Standing Committee on Pro Bono and Public Service; Family Law Section; Steering Committee on the Unmet Legal Needs of Children; Litigation Section Children’s Law Committee; Center on Children and the Law; General Practice, Solo and Small Firms Section; Commission on Domestic Violence; and Judicial Division. Also on the Advisory Committee are representatives from other entities with a commitment to child and family advocacy: American Academy of Matrimonial Lawyers; National Association of Counsel for Children; National Council of Juvenile and Family Court Judges; National CASA Association; American Psychological Association; Association of Family and Conciliation Courts; the Melita and Bill Grunow Family, and an At-Large Representative.

For more information on the program, contact the Project’s Director, Linda Rio, at 312-988-5805 or lrio@staff.abanet.org
You can also visit the Project’s web site at www.abanet.org/legalservices/pbpages/pbchildcustody.html

2001 ABA Pro Bono Publico Award Recipients

Brief descriptions of the pro bono work performed by this year’s recipients:

• Marcos & Negron provides access to justice for thousands in New York City’s underserved communities, primarily immigrants, whose legal needs would otherwise be unmet. In addition to making low-cost legal services available to the working poor, the firm’s lawyers also engage in more traditional pro bono activities. They devote considerable time to the HIV Law Project, a nonprofit agency that provides free civil legal services to low-income people who are HIV positive, and they conduct workshops focusing on immigration and residency issues for Mexican Americans in the border town of Laredo, Texas.

• Vorys, Sater, Seymour and Pease, with offices in Columbus, Cincinnati, Cleveland, Washington, D.C., and Alexandria, Va., has long been a leader in efforts to boost pro bono participation among members of the bar, particularly in Ohio. Despite recent competitive pressures, it has underscored its long-term commitment to providing volunteer legal services to the disadvantaged. It remains the only law firm in the state to accept the ABA’s Law Firm Pro Bono Challenge to commit at least 3 percent of its billable hours to pro bono work.

• For nearly 10 years, Elizabeth Barry Johnson of Birmingham, Ala., represented Michael Pardue, an indigent man convicted in 1973 of three counts of first-degree murder even though there was no physical evidence connecting him to any of the deaths. Pardue received inadequate representation until Johnson was appointed to represent him in a habeas corpus action in 1992. In February 2001 she secured Pardue’s release from prison after 28 years.

• Boston lawyer Neil V. McKittrick has a long history of volunteering his legal services for the poor and disadvantaged through a variety of pro bono activities. In the Boulet v. Cellucci case, he successfully sought relief for thousands of Massachusetts citizens with mental retardation and developmental disabilities who had been denied Medicaid services for which they were eligible. McKittrick and his firm devoted more than 2,500 hours of billable time to this pro bono matter. McKittrick also played a critical supporting role in the 1999 U.S. Supreme Court case L.C. v. Olmstead, which applied the Americans with Disabilities Act to state-funded services.

• Judge Merrill Hartman of the 192nd Judicial District of Dallas County, Texas,
Equal Justice Conference

The Equal Justice Conference, held on March 29-31, 2001 in San Diego and co-sponsored by the Pro Bono Committee and the National Legal Aid and Defender Association, was very successful. Co-chairs Randy Jones (San Diego) and Harrison McIver (Memphis, TN) were extensively involved in its planning. More than 900 persons attended over 90 workshops during the 2 1/2 day Conference. Justice Rosalie Abella, Ontario Court of Appeals, Sandra McBrayer, Executive Director of the San Diego Children’s Initiative, and Justice Ming Chin, California Supreme Court, gave keynote addresses. ABA President Martha Barnett welcomed the attendees via videotape. The San Diego Host Committee, chaired by Aaron Katz, president-elect of the San Diego County Bar Association and NLADA Insurance Corporation hosted a well-attended reception.

During the Conference, the Committee convened a Partners for Justice Forum. More than 145 judges, law school faculty, corporate counsel, bar association leaders, government attorney and funders attended this day-long session. Topics of discussion included increasing financial support; increasing the pro bono commitment of law firms, corporate legal departments and bar associations; court-based initiatives to increase access to justice for low-income people; mobilizing public and political support to impact policy decisions of state legislatures and other policy-making bodies; and law schools as access to justice partners.

Rural Pro Bono Delivery Initiative

The Rural Pro Bono Delivery Initiative, through the generous support of a two-year grant from the Open Society Institute, is helping build models for effective rural legal services delivery. The project shares information with hundreds of programs nationally, promotes innovative technologies to improve how pro bono legal services are delivered to impoverished rural citizens.

Some of the major goals of the Rural Initiative are to:

- Build urban-to-rural connections through new relationships and technology.
- Encourage urban attorney participation in rural pro bono delivery, including law firms, corporate counsel, and the government.
- Identify and develop more effective models for rural pro bono delivery.
- Institutionalize within the Center and state and local legal services providers a focus on the legal needs of clients living in rural areas.
- Analyze and report to the pro bono/legal services community about the state of pro bono delivery in rural areas.

Through a series of mini-grants, the project helps rural legal advocates reach clients who do not have access to justice.

In the fall of 2000, six programs out of over 80 applicants were awarded small grants to either enhance existing pro bono programs in an to reach more clients in rural areas or to launch new projects in order to reach this population. In June 2001, the project will release its second request for proposals with a slightly different focus than the year before. The mini-grant recipients for 2000 are:

- **Volunteer Lawyers Project of Maine**
  - The mini-grant will establish a physical presence for the volunteer lawyers project for central and northern Maine while at the same time providing additional internet resources for volunteer lawyers through the VLP web site.

- **Utah Legal Services**
  - The mini-grant will help support the Utah Rural Pro Bono Project, which is designed to increase the availability of pro bono legal services to Utah residents living in rural areas through rotating site visits by law student volunteers.

- **Montana Legal Services**
  - The mini-grant will support the creation of the Ravalli County Family Law Advice Clinic, which will build upon an already-existing family law advice clinic in Missoula, Montana, and will give guidance in family law-related cases.

- **Rural Law Center of New York, Inc.**
  - The mini-grant will help RLCNY recruit pro bono lawyers in rural areas through continuing legal education best practice seminars taught by rural judges and their law clerks.

- **West Tennessee Legal Services Pro Bono Project and Memphis Area Legal Services**
  - The mini-grant will support an urban-to-rural telephone hotline system that helps low-income clients experiencing consumer debt and/or bankruptcy problems and tap into the volunteer lawyer base in Memphis, Tennessee.

- **Three Rivers Legal Services Volunteer Lawyer Program**
  - The mini-grant will help in the development of a consumer law training seminar for lawyers helping the rural poor dealing with such problems as unmet seller promises or who are facing the loss of their homes. The program will also develop a self-help guide for low-income consumers buying mobile homes.

Highlights for 2001 include a major focus on farmers’ advocacy, building bridges between lay advocates and pro bono attorneys, co-authoring national articles with pro bono coordinators in the field and developing a rural pro bono manual.

For more information, contact the Project’s Director, Claire Parins, at 312-988-5774 or parinsc@staff.abanet.org
Pro Bono Policy

The Pro Bono Committee monitors pro bono policies around the country and serves as a resource for those seeking information about pro bono policy. Here are some recent developments:


- **Colorado** held its first Access to Justice Conference on May 11, 2001 at the University of Denver School of Law. Nearly 100 private attorneys, bar leaders and legal aid officials attended. LSC President John McKay was the keynote speaker.

- In **Florida**, the mandatory pro bono reporting response rate for 2000 was 88%, up from 87% in 1999 (although down from the 90% rate reported in 1997 and 1998). The specific information collected through the reporting for the year 2000, revealed distinct increases in participation and monetary contributions over 1999.

- In **Georgia**, the new Rule 6.1 (same as ABA Model Rule 6.1, Revised) went into effect on January 1, 2001. Voluntary pro bono reporting was discontinued and instead, the Dues Statement makes reference to the new Rule 6.1 and asks if lawyer has met the aspirational goal. Eventually, a State Bar web page (currently under development) will allow lawyers to describe the kinds of pro bono service they have performed.

- The year 2000 marked the **Indiana** Pro Bono Commission’s first full year of existence. On February 9, 2001, the Indiana Justice Center sponsored the Second Annual Access to Justice Conference: Building a State Justice Community. The Indiana Justice Center is a project of the newly formed statewide program, Indiana Legal Services, Inc.

- **Maryland** is currently awaiting its highest court’s (i.e. Court of Appeals) consideration of two proposed rules: (1) a revised Rule 6.1 that includes required reporting; and (2) a rule for a new court plan (based on the Florida model).

- The **New York** CLE Board met at the end of March 2001 and postponed finalization of the Rules and Regulations pertaining to CLE credit for pro bono legal services. The Board will meet again in early June, at which time it will probably finalize the specifics of the policy approved in May 2000 (effective as of January 1, 2001). The first-ever New York Access to Justice Conference will take place on September 11-12, 2001 in Albany, New York.

- In February 2001, **Texas** attorneys received an “access to justice” mailing consisting of a cover letter signed by the Justices of the Supreme Court of Texas, an IOLTA Compliance Statement and a newly revised voluntary pro bono reporting form. The reporting form allows for reporting free legal services, services at substantially reduced fees and for the first time, financial contributions to legal services to the poor (reporting of non-legal services to charitable organizations was eliminated). On April 26, 2001, the Texas Supreme Court approved the establishment of the Texas Access to Justice Commission.

*For more information on pro bono policy or to provide us with updated information about pro bono policy in your state, contact Jenny M. Webb at 312/988-5748 or webbj@staff.abanet.org*

Pro Bono Publico Award Recipients
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has made numerous contributions to pro bono legal services throughout his career. He has developed innovative pro bono programs, delivered free legal help, and improved existing programs that assist those who cannot afford a lawyer. He was instrumental in the creation of several neighborhood legal clinics in Dallas, and has been a tireless recruiter of volunteer lawyers—visiting law firms, bar associations, and pro bono recruiting functions to speak about the importance of assisting low-income people in need of legal help. He has demonstrated the critical role judges can play in promoting and facilitating pro bono services to the poor.

ABA President Martha Barnett and the Committee are co-hosting the Awards presentation at the Pro Bono Publico Awards Assembly Luncheon during this year’s Annual Meeting in Chicago. The luncheon and presentation will be held at noon on Monday, August 6, 2001, at the Hyatt Regency Hotel.

Update on Law School Pro Bono Efforts

Through a variety of activities, the Committee and the Center for Pro Bono continued efforts to educate the law school community about law school pro bono. The Committee and Center are currently preparing a 2001 version of a brochure titled “The Path to Pro Bono,” which is designed to assist students in evaluating a law firm’s commitment to pro bono. The brochure, which can be accessed at http://www.abanet.org/legalservices/path.pdf, will be distributed to all 185 ABA-accredited law schools. The Committee also drafted a chapter on pro bono for inclusion in the ABA’s Official Guide to ABA-Approved Law Schools, 2002 edition. The Center continued its efforts to provide technical assistance to law schools and students by developing and presenting a training on pro bono in law schools to attendees of the National Association of Public Interest Law’s Annual Student Leadership Retreat, which was attended by representatives of over 70 law schools. The March 2001 issue of the ABA’s Student Lawyer magazine featured an article about law school pro bono written by Center staff.

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