

# How to Intentionally and Successfully Integrate and Advocate for the Underserved in Your Legal Practice

## Introduction

- a. What is Pro Bono Work in The Legal Profession
  - b. Why It's Needed
    - i. National Statistics on the Underserved
  - c. Benefits to the Legal Community
    - i. Improving Reputation of the Legal Profession
    - ii. Reducing burdens to the Justice System
    - iii. Fostering sense of civil responsibility
  - d. Benefits to the Local Community
    - i. Strengthening and Empowering
    - ii. Addressing gaps in the Community
  - e. Benefits to the Local Church
    - i. Improving reputation of the Church
    - ii. Referral for Church Staff
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2. Overview of ABA Rules of Professional Conduct
    - a. 6.1 Voluntary Pro Bono Publico Service
      - i. Every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least (50) hours of pro bono publico legal services per year. In fulfilling this responsibility, the lawyer should:
      - ii. (a) provide a substantial majority of the (50) hours of legal services without fee or expectation of fee to:
        - iii. (1) persons of limited means or
        - iv. (2) charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the needs of persons of limited means; and
      - v. (b) provide any additional services through:
        - vi. (1) delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate;
        - vii. (2) delivery of legal services at a substantially reduced fee to persons of limited means; or
        - viii. (3) participation in activities for improving the law, the legal system or the legal profession.
      - ix. In addition, a lawyer should voluntarily contribute financial support to organizations that provide legal services to persons of limited means.

- b. Local Bar Requirements by State
- 3. Examples of Successful Pro Bono Initiatives and Impact in Civil Legal Aid
  - a. CCLA partnership with CLS Houston
  - b. TBD
- 4. Challenges/Obstacles to Pro Bono Representation or “Why I Talk Myself Out of It”

**a. I’m Not Competent**

Rule 1.1 Competence. A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

**b. I Don’t Have Time**

Rule 1.2. Scope of Representation. A lawyer may limit the scope of the representation if the limitation is reasonable under the circumstances and the client gives informed consent.

**c. I Struggle to Find Common Ground with Legal Aid Clients.**

Rule 2.1 Advisor. In representing a client, a lawyer shall exercise independent professional judgment and render candid advice. In rendering advice, a lawyer may refer not only to law but to other considerations such as moral, economic, social and political factors, that may be relevant to the client's situation.

5. Solutions/Strategies to Overcoming Barriers

- a. What
  - i. What type of Issues
    - 1. What types of cases do you handle? Your firm?
    - 2. Can you get training quickly?
    - 3. Serve as co-counsel?
    - 4. Know an experienced paralegal who can support you?
- b. Who
  - i. Types of organizations
    - 1. Are they approved by the State Bar?
    - 2. Any local CLS clinics?
    - 3. Screen/Ask Questions
      - a. What kind of support do they offer?
      - b. Access to practice software?
  - ii. Examples of organizations.
    - Paladin; Immigration Clinics; list of CLS clinics
- c. When
  - i. Time Commitment
    - 1. Get creative
      - a. Consultation only; forms only, mediation only; etc.
    - 2. Remember: *Client-Lawyer Relationship*

(a) A person who consults with a lawyer about the possibility of forming a client-lawyer relationship with respect to a matter is a prospective client.

(b) Even when no client-lawyer relationship ensues, a lawyer who has learned information from a prospective client shall not use or reveal that information, except as Rule 1.9 would permit with respect to information of a former client.

d. Where

i. Comfortable place to volunteer

1. In person - church, library, your office

2. Video Consults

3. Phone

4. Rich People buying our lunch doesn't count!

6. Conclusion

i. John 13

ii. Call to Action