

## Dispelling the "Myths" of Pro Bono

### **Myth #1: I do not have time to do pro bono work.**

This is one of the most significant individual obstacles to performing pro bono work. Attorneys are busy, which is a good thing for both the attorney and his or her employer. However, pro bono work does not have to involve a huge time commitment. There are persons of limited means who only require a few hours of legal assistance. A substantial amount of pro bono work consists of small, discrete projects that involve less than ten hours of an attorney's time. For example, assisting an elderly person with a power of attorney or living will might involve three to five hours of your time, as does reviewing a lease or purchase contract for a person of limited means. There are numerous pro bono projects in need of only a few hours of an attorney's time, and the rewards of this work are great whether it involves five hours or hundreds of hours.

### **Myth #2: I do not have expertise in the area of law where pro bono work is available.**

A significant segment of pro bono legal service needs involves work that may not be customarily done in a medium or large sized law firm or may be outside the expertise of attorneys in a firm or corporation. For example, there is a great need for assistance in family law and immigration cases, both practices that may not have a presence in a firm or corporation. Attorneys should not be discouraged, however, from branching into areas of the law where they may have an interest but not the experience. There are dozens of public interest agencies in Chicago who not only screen pro bono cases, but also provide support to their volunteer attorneys. In addition, many agencies provide training programs for interested attorneys, sometimes in the attorney's own office. Finally, attorneys who practice in a particular area are usually receptive to questions from volunteer attorneys and can be very helpful.

### **Myth #3: My firm's malpractice insurance policy does not cover pro bono work.**

Most law firm's malpractice insurance policies cover pro bono work. Even if your firm or corporation does not carry malpractice insurance or the policy does not cover pro bono work, many pro bono and legal aid agencies in Chicago have policies that cover their volunteer attorneys. If you do not have insurance coverage, you should inquire with a particular agency as to its coverage. In addition, it is important that the same preliminary steps taken when you represent a paying client are taken when you represent a pro bono client. Pro bono clients should be treated the same as a paying client when initiating the representation, including conflicts checks, engagement letters, and more importantly, treating the pro bono client as a paying client during the representation.

### **Myth #4: My clients do not care about pro bono work.**

Clients cannot care about your pro bono work if they do not know about it. Whether you are in a large or small firm, are a solo practitioner, or in a corporate legal department, client development is an important part of your practice. Clients like to know that their attorneys are well-rounded individuals, and that their lives do not revolve around sending them bills. Moreover, some corporate clients have begun asking about their outside counsel's pro bono efforts, including requiring firms to file annual reports describing the firm's pro bono work. Further, some corporations with in-house legal departments have begun doing pro bono work themselves. Even if your clients are small companies or individuals, they are likely to appreciate that their attorneys are "doing good" in the community.

### **Myth #5: Pro bono work will displace "real" paying-client work.**

The "billable work displacement" concern is likely to be raised as a deterrent to pro bono work, whether you practice in a large or small firm. Firms that have studied this issue, however, have concluded that not only does pro bono work not displace paying-client work, but in fact the busiest and most profitable attorneys in an office are the attorneys performing the most pro bono work! These studies confirm that successful attorneys who do pro bono work are not turning down paying work; they are simply integrating pro bono work into their practice. Finally, the nation's most profitable and largest law firms listed on the Am Law 100 report a substantial number of pro bono hours by their attorneys; on average 40 hours of pro bono service is performed by each attorney per year at these law firms.