

The Importance of a Pro Bono Policy

I. Why a Pro Bono Policy?

There are numerous advantages to adopting a written pro bono policy within your firm. For example, a written pro bono policy emphasizes your firm's commitment to pro bono work and to your community. A written pro bono policy can provide guidance and encouragement to newer lawyers as they are developing their professional standards and integrating pro bono work into their individual practices. A written pro bono policy is a reflection to the broader community of your firm's desire to serve the needs of disadvantaged members of the community.

Developing a written pro bono policy for your firm also makes good business sense and promotes a shared understanding of the firm's process and commitment to public interest law. A written pro bono policy documents the firm's tradition of encouraging pro bono activity and establishes the procedures by which the firm will handle pro bono cases. A written pro bono policy can establish consistent guidelines and procedures for how the firm will recognize or "value" pro bono work performed by lawyers within the firm. Finally, and oftentimes most importantly, adopting a written pro bono policy can help build and maintain the necessary support for pro bono work among the leaders of the firm and ensure the sustainability of the program for the future.

II. Components of a Pro Bono Policy

There are many "model" pro bono policies available through the Pro Bono Initiative that can provide a firm with guidance in drafting its own written pro bono policy. In addition, many firms post their written pro bono policies on their websites. Of course, each firm will have very different reasons for establishing a pro bono program and will have adopted different procedures for implementing and managing that program. Nonetheless, it can be helpful for a firm that is considering establishing a new pro bono program or revising an existing pro bono policy to review a variety of policies to get an idea what other firms have incorporated into their pro bono programs.

The first step is to define the firm's pro bono vision or mission statement. Why is pro bono important and what is the firm's commitment to pro bono work? In addition to this statement, which is typically found at the beginning of the pro bono policy, a written pro bono policy should address the following:

- Definition of Pro Bono – What type of work will qualify as pro bono work in your firm? Not all volunteer work typically qualifies as pro bono work. You should consider using the definition of pro bono that has been adopted by the Illinois Supreme Court in Rule 756.
- Process for Taking on a Pro Bono Case – What is the process for running conflicts checks and opening up new pro bono matters?
- Use of Firm Resources for Pro Bono Work – What type of support will be available for pro bono work?
- Recognition of Pro Bono Work – Whether and how much credit will be given for pro bono work? This is probably the most important component of the pro bono policy as it defines, in a quantifiable way, how the firm "values" pro bono contributions by its lawyers.
- Staffing and Supervision of Pro Bono Projects – How will pro bono matters be staffed and who will supervise these matters? Many firms require that all pro bono matters be supervised by a partner or other senior attorney.
- Management of Pro Bono Program – Who will be responsible for managing and overseeing the pro bono program, reviewing and approving new pro bono matters, keeping track of the pro bono work being performed by lawyers in the firm, encouraging participation in the pro bono program, and working with local pro bono and public interest agencies and firms to identify new projects and cases?