

Pro Bono Legal Services – What are They?

While there is not one universally accepted definition of pro bono, the majority of the legal community recognizes pro bono as providing legal services to those who cannot otherwise afford to hire an attorney. These pro bono legal services are typically offered at no cost or at a reduced fee to ensure that every person has equal access to justice.

The delegates to the Fall 1999 NFPA Convention voted to amend NFPA's Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement to define pro bono publico, modeled after the ABA definition, and to also add an ethical consideration that each paralegal should aspire to perform 24 hours of pro bono service annually. Pro bono services are defined as:

Pro Bono Publico means providing or assisting to provide quality legal services in order to enhance access to justice for persons of limited means; charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the legal needs of persons with limited means; or individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights.

Laws, Rules and Ethical Considerations

Important Notice – Paralegals are not attorneys and therefore are not permitted to provide legal advice.

Paralegals who volunteer in pro bono efforts are subject to the same laws, rules, conflict of interest, and ethical considerations that apply to paralegals in their employment situations.

Paralegals also should keep in mind that unauthorized practice of law statutes in each jurisdiction apply to pro bono participation. It is also extremely important that malpractice insurance be provided for paralegals by the agency or organization for which you are volunteering. Be sure to check with the agency or organization to determine whether paralegals are specifically covered under their malpractice insurance policy.

NFPA Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement

Now contained in the NFPA Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement is an Ethical Consideration that all paralegals who are members of NFPA should aspire to 24 hours of pro bono service annually (an NFPA Hours Reporting Form is included on the website for your use in recording your pro bono hours):

A PARALEGAL SHALL SERVE THE PUBLIC INTEREST BY CONTRIBUTING TO THE IMPROVEMENT OF THE LEGAL SYSTEM AND DELIVERY OF QUALITY LEGAL SERVICES, INCLUDING PRO BONO PUBLICO SERVICES.

Ethical Considerations

EC-1 4(a)	A paralegal shall be sensitive to the legal needs of the public and shall promote the development and implementation of programs that address those needs.
EC-1 4(b)	A paralegal shall support efforts to improve the legal system and access thereto and shall assist in making changes.
EC-1 4(c)	A paralegal shall support and participate in the delivery of Pro Bono Publico services directed toward implementing and improving access to justice, the law, the legal system or the paralegal and legal professions
EC-1 4(d)	<p>A paralegal should aspire annually to contribute twenty-four (24) hours of Pro Bono Publico services under the supervision of an attorney or as authorized by administrative, statutory or court authority to:</p> <ol style="list-style-type: none"> 1. persons of limited means; or 2. charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the legal needs of persons with limited means; or 3. individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights. <p>The twenty-four (24) hours of Pro Bono Publico services contributed annually by a paralegal may consist of such services as detailed in this EC-1 4(d), and/or administrative matters designed to develop and implement the attainment of this aspiration as detailed above in EC-1 4(a) B (c), or any combination of the two</p>

A Message from Lori Thompson, NFPA Pro Bono Coordinator,

The interest and dedication of paralegals towards volunteering their time, talents, and skills to assist the low-income residents in their communities is increasing all the time. Due to NFPA's 24-hour aspiration, we have the ability to see the increase in the annual hours every year. NFPA's Pro Bono Committee first requested the annual hours during 2000 and 52 paralegals reported meeting or exceeding the 24-hour goal for a total of 1,248 hours dedicated towards pro bono. The hours increased for 2001 and 79 paralegals reported meeting the goal for a total of 1,896 hours dedicated towards pro bono. There was a significant increase in the totals for 2002. A total of 113 paralegals reported meeting or exceeding the 24-hour goal for a total of 2,712 hours dedicated to pro bono. A total of 63 paralegals reported meeting or exceeding the 24-hour goal for a total of 1,512 hours dedicated to pro bono.

Many of the local association pro bono leaders have dedicated many years towards developing and expanding their pro bono program for their members. The first attempts to reach out to the local bar associations and non-profit agencies can be challenging. Without these first attempts to make the legal community aware of the interest of paralegals in pro bono, we would not be where we are today with so many amazing success stories.

Many local pro bono leaders are now active partners with their local bar associations and non-profit agencies. The Cleveland Association of Paralegals has been invited to serve on the Justice for Committee of the Cleveland Bar Association, paralegals in Maryland participate in the Pro Bono Coordinating Council that examines effective delivery of services to Maryland's low-income citizens, paralegals in Connecticut are active with the Connecticut Bar Association and Statewide Legal Services, and paralegals in South Carolina work with the South Carolina Bar, Access to Justice Committee. Paralegals are actively recruited to attend meetings, discuss the legal needs in the community, and serve as true partners.

A few paralegals have received pro bono awards from their bar associations and been invited to special events for volunteers involved in volunteer programs for local non-profit organizations. The Montgomery County, Maryland, Bar Foundation included paralegals for the first time in their 1995 Pro Bono Service awards. For anyone involved with pro bono for at least 5 years, the success stories are a testament to the efforts and hard work of their early pro bono pioneers. We are where we are today due to their perseverance, dedication, and inability to accept "No."

The NFPA Pro Bono Directory details the local programs for NFPA's member

affiliated associations. Many early pro bono pioneers were probably asked – what can paralegals do to assist with the delivery of pro bono legal services? We have proven that there is very little that we cannot do to assist with the delivery of pro bono legal services. Pro bono requires the same attention to ethical issues, conflicts of interest, and the unauthorized practice of law that all paralegals work with in their daily working lives.

Many of the pro bono programs involve traditional social service issues such as family law, employment law, housing law, and benefits or disability issues. Paralegals continue to take on more responsibility as they prove themselves to the local bar associations' pro bono leaders and non-profit agencies. Paralegals assist with the preparation of protection from abuse complaints, determining financial eligibility for pro se litigants, and supervising court-ordered parent-child visitation or acting as a court-appointed special advocate for children.

Paralegals in Connecticut, working in cooperation with the local utility companies, assist low-income individuals enter into affordable payment arrangements with the utility companies in order to avoid termination. Paralegals in New York assist pro se litigants fill out legal documents under the supervision of an attorney. Paralegals also help residents of homeless shelters sort out legal problems through intake interviewing and screening, assist at AIDS clinics or nursing homes with the preparation of wills and other estate documents, work with small budget non-profit organizations to help them incorporate, assist new or struggling artists with intellectual property matters, perform legal research on behalf of legal clinics that service mentally ill clients or complete often incomprehensible paperwork at immigration clinics.

Many of the local associations also support

their local CASA (Court Appointed Special Advocates) programs by advertising the training opportunities and encouraging their volunteers to get involved with the program. Paralegals have also become more involved in researching and preparing continuing legal education seminars for the volunteers and developing manuals and training references.

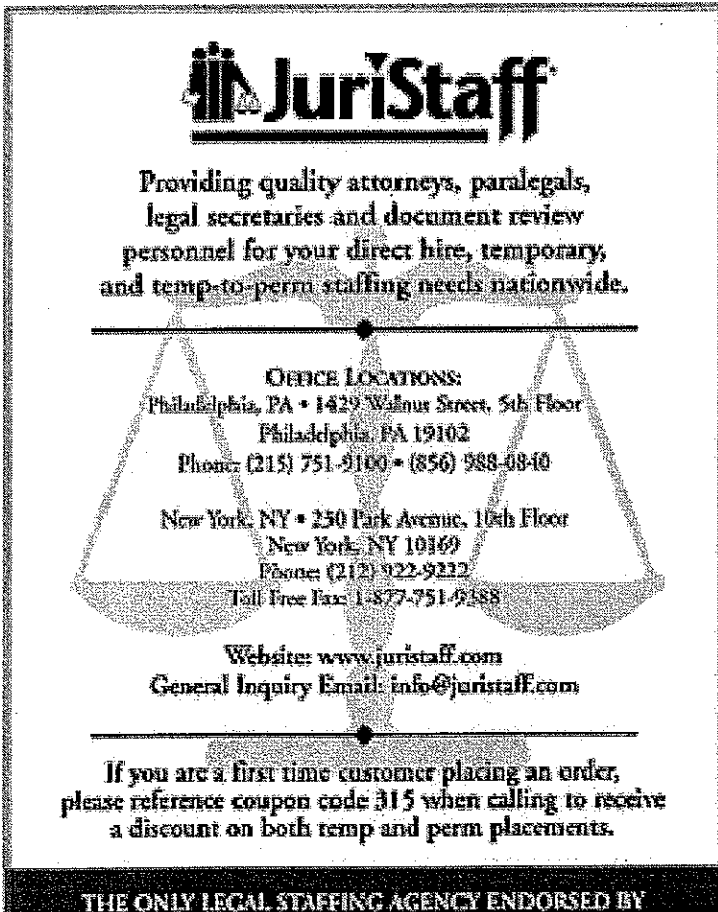
Paralegals are also involved in more traditional community service events such as collecting stuffed animals for the local police to hand out to children in crisis, collecting specific items to donate to a charity, and assisting with local fundraising events for local public television stations or the Ronald McDonald House, participating in mock trials with local high schools, and volunteering for a variety of Law Day events.

Pro bono is an area where paralegals have the greatest opportunities for an

expanded role. Pro bono resources are often scarce and the need for assistance is overwhelming. Paralegal participation is welcomed, additional responsibilities often assigned, and ideas are welcome.

Whether a paralegal wants to branch out and learn about a new area of the law or enhance skills and opportunities in a current practice area, pro bono activities can be a rewarding path to professional growth and recognition while also utilizing professional skills and abilities to serve the members of the community who cannot afford the legal services that would positively impact their lives or that would give them access to the justice system.

Valerie A. Dolan, R.P. is a litigation paralegal with the law firm of Dolchin, Slotkin & Todd, P.C.



JuriStaff

Providing quality attorneys, paralegals, legal secretaries and document review personnel for your direct hire, temporary, and temp-to-perm staffing needs nationwide.

OFFICE LOCATIONS:
Philadelphia, PA • 1429 Walnut Street, 5th Floor
Philadelphia, PA 19102
Phone: (215) 751-9100 • (856) 988-0840

New York, NY • 250 Park Avenue, 10th Floor
New York, NY 10169
Phone: (212) 922-9222
Toll Free Fax: 1-877-751-9188

Website: www.juristaff.com
General Inquiry Email: info@juristaff.com

If you are a first time customer placing an order, please reference coupon code 315 when calling to receive a discount on both temp and perm placements.

THE ONLY LEGAL STAFFING AGENCY ENDORSED BY