

THE POWER OF PRO BONO

A Judicial Toolkit for
POWER Act Implementation



AMERICAN **BAR** ASSOCIATION™

Commission on Domestic
& Sexual Violence

Standing Committee on
Pro Bono and Public Service

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WELCOME & OVERVIEW

This toolkit offers free resources from the ABA for implementing the federal Pro Bono Work to Empower and Represent Act of 2018 (POWER Act), focused on helping victims of domestic, dating, sexual, and stalking violence gain access to critical pro bono legal services.

The POWER Act authorizes the chief judge in each federal judicial district to host at least one public event annually to promote free legal services for survivors of these types of gender-based violence.

This toolkit provides:

- Basic information on domestic, dating, sexual, and stalking violence
- Tools to identify statutorily-required training partners
- Resources for planning a POWER Initiative training event

The repercussions of domestic, dating, sexual and stalking violence are heartbreaking. A lawyer's skilled assistance is critical for survivors to be safe, regain stability, and move forward with their lives. Research shows that the availability of civil legal services in a community greatly reduces the likelihood of domestic violence. Pro bono assistance is crucial because the supply of trained lawyers is far below the demand. Your leadership on the POWER Act will make an enormous difference in the lives of victims and their children.

As you engage with this important work, please do not hesitate to call on the expertise of the ABA's Commission on Domestic & Sexual Violence and Standing Committee on Pro Bono and Public Service for technical assistance and support.



Andrew King-Ries, Chair
ABA Commission on Domestic
& Sexual Violence



David Bienvenue, Chair
ABA Standing Committee on Pro
Bono and Public Service



PUBLIC LAW 115–237—SEPT. 4, 2018

132 STAT. 2447

Public Law 115–237
115th Congress

An Act

To promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pro bono Work to Empower and Represent Act of 2018” or the “POWER Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Extremely high rates of domestic violence, dating violence, sexual assault, and stalking exist at the local, State, tribal, and national levels and such violence or behavior harms the most vulnerable members of our society.

(2) According to a study commissioned by the Department of Justice, nearly 25 percent of women suffer from domestic violence during their lifetime.

(3) Proactive efforts should be made available in all forums to provide pro bono legal services and eliminate the violence that destroys lives and shatters families.

(4) A variety of factors cause domestic violence, dating violence, sexual assault, and stalking, and a variety of solutions at the local, State, and national levels are necessary to combat such violence or behavior.

(5) According to the National Network to End Domestic Violence, which conducted a census including almost 1,700 assistance programs, over the course of 1 day in September 2014, more than 10,000 requests for services, including legal representation, were not met.

(6) Pro bono assistance can help fill this need by providing not only legal representation, but also access to emergency shelter, transportation, and childcare.

(7) Research and studies have demonstrated that the provision of legal assistance to victims of domestic violence, dating violence, sexual assault, and stalking reduces the probability of such violence or behavior reoccurring in the future and can help survivors move forward.

(8) Legal representation increases the possibility of successfully obtaining a protective order against an attacker, which prevents further mental and physical injury to a victim and his or her family, as demonstrated by a study that found that 83 percent of victims represented by an attorney were

able to obtain a protective order, whereas only 32 percent of victims without an attorney were able to do so.

(9) The American Bar Association Model Rules include commentary stating that “every lawyer, regardless of professional prominence or professional workload, has a responsibility to provide legal services to those unable to pay, and personal involvement in the problems of the disadvantaged can be one of the most rewarding experiences in the life of a lawyer”.

(10) As leaders in their legal communities, judges in district courts should encourage lawyers to provide pro bono resources in an effort to help victims of such violence or behavior escape the cycle of abuse.

(11) A dedicated army of pro bono attorneys focused on this mission will inspire others to devote efforts to this cause and will raise awareness of the scourge of domestic violence, dating violence, sexual assault, and stalking throughout the country.

(12) Communities, by providing awareness of pro bono legal services and assistance to survivors of domestic violence, dating violence, sexual assault, and stalking, will empower those survivors to move forward with their lives.

SEC. 3. DISTRICT COURTS TO PROMOTE EMPOWERMENT EVENTS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter for a period of 4 years, the chief judge, or his or her designee, for each judicial district shall lead not less than one public event, in partnership with a State, local, tribal, or territorial domestic violence service provider or coalition and a State or local volunteer lawyer project, promoting pro bono legal services as a critical way in which to empower survivors of domestic violence, dating violence, sexual assault, and stalking and engage citizens in assisting those survivors.

(b) **DISTRICTS CONTAINING INDIAN TRIBES AND TRIBAL ORGANIZATIONS.**—During each 2-year period, the chief judge, or his or her designee, for a judicial district that contains an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) shall lead not less than one public event promoting pro bono legal services under subsection (a) of this section in partnership with an Indian tribe or tribal organization with the intent of increasing the provision of pro bono legal services for Indian or Alaska Native victims of domestic violence, dating violence, sexual assault, and stalking.

(c) **REQUIREMENTS.**—Each chief judge shall—

(1) have discretion as to the design, organization, and implementation of the public events required under subsection (a); and

(2) in conducting a public event under subsection (a), seek to maximize the local impact of the event and the provision of access to high-quality pro bono legal services by survivors of domestic violence, dating violence, sexual assault, and stalking.

SEC. 4. REPORTING REQUIREMENTS.

(a) **REPORT TO THE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.**—Not later than October 30 of each year, each chief judge shall submit to the

132 STAT. 2448

PUBLIC LAW 115–237—SEPT. 4, 2018

Director of the Administrative Office of the United States Courts a report detailing each public event conducted under section 3 during the previous fiscal year.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than January 1 of each year, the Director of the Administrative Office of the United States Courts shall submit to Congress a compilation and summary of each report received under subsection (a) for the previous fiscal year.

(2) REQUIREMENT.—Each comprehensive report submitted under paragraph (1) shall include an analysis of how each public event meets the goals set forth in this Act, as well as suggestions on how to improve future public events.

SEC. 5. FUNDING.

The Administrative Office of the United States Courts shall use existing funds to carry out the requirements of this Act.

Approved September 4, 2018.

LEGISLATIVE HISTORY—S. 717:

CONGRESSIONAL RECORD:

Vol. 163 (2017): Aug. 1, considered and passed Senate.

Vol. 164 (2018): July 17, considered and passed House, amended.

Aug. 15, Senate concurred in House amendment.

Domestic & Sexual Violence and Pro Bono



FACTS ABOUT GENDER-BASED VIOLENCE

What is Domestic Violence?

Domestic violence is a pattern of coercive behaviors used by a person to maintain control over an intimate partner. Coercive behaviors can include isolation, psychological abuse, sexual violence, economic control, manipulation of children, stalking, threats, intimidation, and physical assaults.

National Domestic Violence Statistics

Domestic Violence Dynamics:

National Coalition Against DV, [Dynamics of Abuse](#)

National DV Hotline, [What Is Domestic Violence?](#)

National Resource Center on DV, [About Domestic Violence](#)

What is Sexual Violence?

Sexual violence is any type of unwanted sexual contact, including words and actions of a sexual nature against a person's will and without their consent. A person may use force, threats, manipulation, or coercion to commit sexual violence.

National Sexual Violence Statistics

Sexual Violence Dynamics:

National Sexual Violence Resource Center, [About Sexual Assault](#)

Rape, Abuse, & Incest National Network, [Types of Sexual Violence](#)

What is Stalking Violence?

Stalking is a pattern of behavior directed at a specific person that would cause a reasonable person to feel fear.

National Stalking Violence Statistics

Stalking Violence Dynamics:

Stalking Prevention, Awareness, and Resource Center, [Definition & FAQs](#)

SPARC, [Stalking & Intimate Partner Violence](#)

National Intimate Partner & Sexual Violence Survey
Centers for Disease Control & Prevention (Full Report)

WHY IS LEGAL ASSISTANCE FOR VICTIMS IMPORTANT?

I asked my client why she was crying ... She smiled and said that hers were tears of joy from having so many advocates, after feeling powerless for so long. More than the legal victory we won, her feeling of empowerment was an important measure of success. Her husband was a wealthy man and now she, too, had resources—the experience gave her strength, in addition to justice.

Similar resources are ready and waiting throughout the United States to help those in need. Well-meaning attorneys and publicly minded law firms are eager to take on pro bono cases and help others access justice. Regretfully, too few nonprofit organizations maximize their engagement.

Layli Miller-Muro, Founder of Tahirih Justice Center^[1]

Skilled legal representation is critical to successful intervention and accountability.

- Legal services are second only to medical services as the most-requested need of victims. However, of all women who reported needing legal services, 64 percent received NO assistance from an attorney. ^[2]
- LSC-funded programs are the nation's primary source of legal assistance for victims of domestic violence. ^[3]
- According to one study, 83 percent of victims represented by an attorney successfully obtained a protective order, as compared to just 32 percent of victims without an attorney. ^[4]
- In 86 percent of cases where a victim received a protection order, the abuse stopped or was greatly reduced. ^[5]
- “[T]he provision of legal services significantly lowers the incidence of domestic violence...Because legal services help women with practical matters such as protective orders, custody, and child support they appear to actually present women with real, long-term alternatives to their relationships.” ^[6]

FREQUENTLY ASKED QUESTIONS ABOUT PRO BONO

California Bar Association: Pro Bono FAQ

CTLawHelp: Frequently Asked Questions About Taking Pro Bono Cases

Michigan State Bar: Common Questions About Pro Bono

ABA Model Rule 6.1 encourages attorneys to provide **50 hours** of legal services annually to those who cannot pay.

Pro bono cases can be taken directly by an attorney or attorneys may receive case referrals through organizations that support pro bono work. These organizations typically screen cases beforehand for merit and financial eligibility before referring cases to pro bono attorneys. Most organizations will provide malpractice insurance to volunteers.

Organizations may provide training to attorneys on substantive areas of law in return for the attorney agreeing to take on a matter, especially in high need areas of practice, such as family law and domestic violence. These organizations should also provide ongoing assistance and oversight to pro bono volunteers, especially those who are working on a case outside of their typical practice area.

[1] Layli Miller-Muro, *The Power of Many*, 2011 Stan. Social Innovation Rev. 25.

[2] Michele C. Black et al., Ctrs. For Disease Control & Prevention, *Intimate Partner Violence in the United States - 2010*, at 56 (2014), available at https://www.cdc.gov/violenceprevention/pdf/cdc_nisvs_ipv_report_2013_v17_single_a.pdf.

[3] Legal Services Corp., *LSC 2016 Annual Report 5* (2017), available at <https://lsc-live.app.box.com/s/2z769d3pkv6o9qx5hb1njuz3w11yq7gl>; Legal Services Corp., *2017 By the Numbers: The Data Underlying Legal Aid Programs 41* (2018), available at <https://lsc-live.app.box.com/s/z0war4502dbngggwyd8h22ati36c8smr>

[4] Jennifer S. Rosenberg & Denise A. Grab, Inst. for Pol'y Integrity, N.Y.U. Sch. Of L., *Supporting Survivors: The Economic Benefits of Providing Civil Legal Assistance to Survivors of Domestic Violence 1, 9* (2015).

[5] Meda Chesney-Lind, *James Ptacek, Battered Women in the Courtroom: The Power of Judicial Response*, 35 Crime, L. & Soc. Change 363 (2001) (reviewing James Ptacek, *Battered Women in the Courtroom: The Power of Judicial Response* (1999)).

[6] Amy Farmer & Jill Tiefenthaler, *Explaining the Recent Decline in Domestic Violence*, 21 Contemp. Econ. Pol'y 158 (2003).

WHAT CAN VOLUNTEERS DO IN GENDER-BASED VIOLENCE CASES? (AND WHAT IF THEY DON'T WANT TO LITIGATE?)

Types of Volunteers:

- Litigators
- Transactional attorneys
- Policy attorneys
- Research attorneys
- Retired/inactive attorneys
- New attorneys
- Experienced attorneys
- Non-attorneys, including paralegals, administrative staff, and civilians

Types of cases:

- Civil Protection Order
- Divorce & Property Division
- Child Custody & Support
- Child Welfare/Juv. Justice
- GAL/Child's Attorney
- Immigration
- Disability
- Income Maintenance
- Consumer Debt
- Employment
- Expungement/Vacatur
- Housing
- Education
- Health Care
- Privacy
- Tribal law
- Military law
- Torts/Insurance
- Criminal law



Types of legal opportunities:

- Advice and counsel clinics & hotlines
- Legal information at self-help centers
- Brief or extended representation
(*e.g. from protection orders to immigration to complex family*)
- Impact litigation or policy advocacy
(*e.g. appeals, legislation/lobbying*)
- Litigation support (*e.g. depositions, experts, stenographers, transcripts*)
- Community education & outreach
(*e.g. Know Your Rights*)
- Transactional or other legal assistance to nonprofit organizations (*e.g. subpoena defense, general counsel*)
- Mentoring other volunteers



Types of nonlegal opportunities:

- Public awareness (*e.g. op-eds, articles, brochures, websites, social media...*)
- Outreach (*e.g. staffing info booths, campaign drives, fundraising, etc.*)
- Training support (*e.g. donating space, registration system, nametags, photocopying, lunch...*)



Types of time commitment:

There are widely varying levels of time commitments and opportunities for limited scope representation.

TOOLS FOR ATTORNEYS REPRESENTING VICTIMS

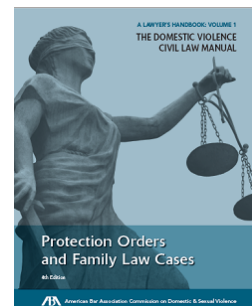
A Lawyer's Handbook, Vol. 1

Civil Law Manual: Protection Orders and Family Law Cases (4th Ed.)

[Order Copies](#)

[FMI click here](#)

This long-awaited update of the popular resource manual is designed to guide the victim's attorney through the process of representing domestic violence victims in either protection order or family law cases. The Fourth Edition includes updated references and sample documents, an expanded discussion of assessing client needs to promote safe and effective legal outcomes, and re-designed layout and chapter division.



A Lawyer's Handbook, Vol. 2

The Impact of Domestic Violence on Your Legal Practice (3rd Ed.)

[Order Copies](#)

This updated and expanded edition aids attorneys in every field of practice to represent clients responsibly by helping them recognize domestic violence and how a legal matter may be affected by domestic violence. More than 25 authors contributed to this comprehensive reference, making it a valuable tool in assisting attorneys with the intersection of domestic violence and the law.

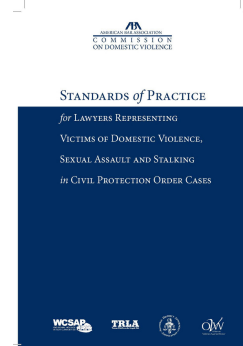


Standards of Practice

[Download a Copy](#)

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With "black letter" adopted by the ABA House of Delegates, these Standards of Practice are intended to improve the quality of legal representation of victims of domestic violence, sexual assault and stalking.

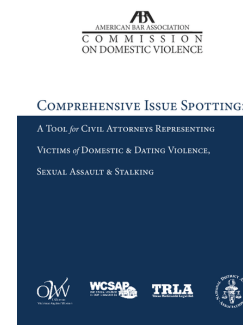


Comprehensive Issue Spotting

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This screening and referral tool for civil attorneys--a companion to the Standards of Practice--is designed to facilitate effective and holistic client-centered representation. The tabbed booklet encourages attorneys and clients to identify areas beyond civil protective orders in which clients may need legal assistance, and provide them with information to make informed decisions regarding additional resources.



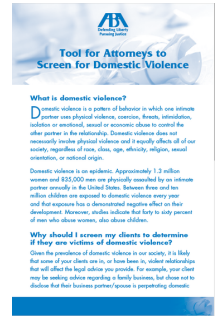
The ABA Commission on Domestic & Sexual Violence offers best practice resources for gender-based violence attorneys at low- or no cost.

TOOLS FOR ATTORNEYS REPRESENTING VICTIMS

Tool for Attorneys to Screen for Domestic Violence

[Download a Copy](#) [Order Copies](#)

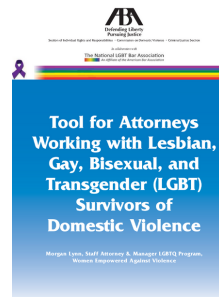
It is important for all attorneys representing individuals to screen their clients to determine if they are victims of domestic violence so that they may most effectively, ethically, and safely represent them. The Screening Tool provides clear, effective ways to properly screen a client for domestic violence in an easily accessible format.



Tool for Attorneys Working with LGBT Survivors of Domestic Violence

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It is likely that some of your clients are LGBT, whether or not they are "out" to you. Domestic violence committed in LGBT relationships is similar to DV committed in heterosexual relationships, but it is also different in some important ways. This tool provides an understanding of these differences in order to foster ethical and effective representation to LGBT survivors.



Litigating for Deaf Clients

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Representing victims who are d/Deaf in domestic violence cases requires more than hiring an American Sign Language interpreter at your expense or passing notes as a means of communication. This publication details practical skills and steps to take to develop an integrated language access plan for work with victims who are d/Deaf. This includes steps to take for emergency, or "unscheduled" court dates, issues of confidentiality for victims who are d/Deaf, and the importance of linguistic accuracy for positive litigation outcomes.

Use of Electronic Evidence in Domestic Violence Litigation

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Technology seemingly pervades every aspect of modern interaction and communication. In domestic violence cases, it is no different, as abusers have adapted to exert coercive control over their partners using technology and the Internet. Preserving and entering this evidence at trial is playing an increasingly critical role in domestic violence litigation. This publication details a four-step framework and sample direct examination questions that will assist attorneys in analyzing the utility and practicality of introducing electronic evidence into domestic violence litigation.

POWER Act Implementation



FINDING YOUR PARTNERS

For a successful POWER Act event, working with local partners with substantive expertise is critical. In fact, the POWER Act requires partnership with two types of specialists:

- pro bono legal services delivery experts; and
- domestic, sexual, and/or stalking violence experts.

These professionals will be most familiar with local concerns, trends, and community needs, while also bringing connections to national resources in their areas of expertise.

Directories to help identify statutory partners and reputable experts in your jurisdiction:

Pro Bono Projects by State

Tribal GBV Coalitions

DV & Dual Coalitions by State & Territory

SV Coalitions by State & Territory



Annual awareness campaigns that may be celebrated in your community:



Jan: Stalking Awareness Month

Feb: Dating Violence Awareness Month

Apr: Sexual Assault Awareness Month

June: Elder Abuse Awareness Day

Oct: Domestic Violence Awareness Month

Oct: Celebrate Pro Bono Week

GUIDE FOR CHOOSING POTENTIAL SPEAKERS

If the event will include expert speakers, look for panelists within the local community whenever possible. Ideally, there will be a mix of victim advocates, practicing attorneys with a DV, SV, or stalking practice, and experts in pro bono programming in the area.

Efforts are encouraged to make sure that the array of panelists are diverse in gender, race, sexual orientation, and disability, as none of these communities are immune from sexual and domestic violence, and in fact, marginalized communities often suffer higher rates of violence.

Persons who may be able to speak about domestic violence, dating violence, sexual violence, and stalking violence include:

Victim service providers employed by nonprofit (or nongovernmental) organizations with an established history of assisting victims in crisis or in the aftermath are rich resources for information and insight into these problems. Local organizations that work on immigration, workers' rights, or women's issues may be able to refer you to persons working on domestic and sexual violence.

Professors and academics from local universities or law schools who teach courses on gender-based violence may be able to speak to the different forms of violence and tactics used by perpetrators. They may also provide a historical framework for both state and federal laws.

Mental health providers can address the psychological effects and elements of post-traumatic stress that some victims may experience, especially with respect to how this might affect a victim's ability to recall information, provide testimony, and present in interviews or court.

State and local judges who preside over cases involving gender-based violence issues in criminal court or family court may be able to offer insight into the successful litigation of these cases.

GUIDE FOR CHOOSING POTENTIAL SPEAKERS

Social workers assist victims in accessing myriad services, including but not limited to health care, psychological counseling and state and federal benefits. Such persons can talk about the obstacles encountered in accessing such services.

Family law attorneys may represent victims who are seeking restraining orders against abusers or in child custody matters. They may be able to speak to working with traumatized victims, the lack of awareness in court systems of dynamics and tactics used by abusers, how victims are viewed in court, and outcomes of typical cases.

Immigration attorneys work with victims in applying for U Visas, VAWA self-petitions, special immigrant juvenile status, asylum, and other immigration remedies, and can speak about visa requirements, working with traumatized victims, and current obstacles in applying for visas. These attorneys can also speak to the unique barriers for immigrant victims, such as language barriers and the fear of deportation – which may result in a fear of government and hesitation to report or reach out for help.

Prosecutors may be able to speak to the challenges in building a case against perpetrators, working effectively with traumatized victims, and interacting with victims who often have a fear of law enforcement. Prosecutors may speak to the variety of criminal laws and statutes that may be used to hold perpetrators accountable in domestic violence, sexual assault, stalking or dating violence cases.

A survivor who has benefited from access to legal services and is ready to speak publicly about their experience can provide valuable perspective. . Local partners will be able to advise you in locating a volunteer, and whether it is safe for them to participate.

The **ABA Commission on Domestic & Sexual Violence** can provide assistance regarding training, speaker/author requests, publications requests, and more.

The U.S. Department of Justice Office on Violence Against Women website provides a **state-by-state map** of organizations it funds to provide services to victims.

SAMPLE QUESTIONS FOR SPEAKERS

- 1 What are the conditions under which violence emerges in relationships? What factors are at play? And what are sufficient conditions for this dynamic to develop between people who have had more or less normal relationships with other individuals prior to this relationship?
- 2 How many domestic violence cases have been prosecuted locally or state-wide? How many resulted in successful convictions? What were the average sentences? How important is victim testimony to the success of the case?
- 3 How closely does law enforcement/prosecution work with service providers to ensure that a victim's needs are met?
- 4 What are biggest hurdles to victim identification? Are there mechanisms that could be instituted that would increase the number of victims identified?
- 5 What are the long-term effects of violence on victims' health?
- 6 What are current best practices in terms of timing and delivering interventions, when abuse is suspected by a health care provider? By law enforcement?
- 7 What can be done to counteract the isolation and abandonment of victims by friends and family when they "don't just leave?"
- 8 What are some potential warning signs of abusers?
- 9 How do professionals work with traumatized victims who may have an extreme fear of law enforcement? Often victims or their families are threatened if they ever try to escape or ask for help; how do professionals work with such victims?
- 10 What legal services do victims most need? (e.g., family law, assistance with public benefits, employment law, civil litigation, housing, immigration, children's law, class actions, criminal justice advocacy, etc.)
- 11 What kind of legislative efforts are necessary to improve the local response to domestic violence?
- 12 What role have guns played in domestic violence?
- 13 What are areas in which volunteer lawyers can be of assistance? What local organizations serve domestic violence victims, and are there avenues for law students or volunteer lawyers to assist/volunteer? What kind of training would be necessary? What kind of supervision might be provided?



Planning an Annual Pro Bono Event



National Celebration of Pro Bono Toolkit

*Event Ideas for Courts
Publicity Planning and Tools
Resources*

For additional planning assistance, [contact the staff experts](#) at the ABA Center for Pro Bono.

- *Awards and Recognition*
- *Clinics*
- *Continuing Legal Education Programs*
- *Fundraisers*
- *New Initiative Kick-Offs*
- *Planning Sessions*
- *Proclamations*
- *Recruitment*
- *Seminars*



- *Organizing Tips*
- *Planning Documents*
- *Celebration Store*
- *Celebration in A Box*
- *Celebration Logos*
- *Judicial Letters, Speeches*
- *Fundraising/Sponsorship Materials*
- *Media: Radio, Television, Internet and Print*
- *Sample Flyers*

CELEBRATE

PRO BONO

www.celebrateprobono.org

Whether or not you choose synchronize your POWER Act event with the National Celebration of Pro Bono, the links above provide a wealth of resources for planning any pro bono celebration.

IDEAS FOR JUDICIAL INVOLVEMENT

Court involvement is essential to the delivery of pro bono legal services. Judicial support of pro bono can increase lawyers' acceptance of pro bono responsibility and increase the acceptance of pro bono as a necessary component of the delivery of access to justice. The **ABA Standing Committee on Pro Bono and Public Service** provides information on current policies with respect to judicial promotion of pro bono, offers examples of how courts and judges are supporting and encouraging pro bono work in their communities, and presents a library of resources that can be duplicated by other jurisdictions.

ABA Model Code of Judicial Conduct

In February of 2007, the ABA House of Delegates approved **Rule 3.7** of the New Model Code of Judicial Conduct, allowing judges to "encourage lawyers to provide pro bono legal services."

Court Employee Pro Bono Rules. Courts can set an example for the bar by encouraging their own attorney employees to do pro bono work. To learn about policies and rules allowing court employees to do pro bono work click [here](#).

Establishing a Pro Bono Program for a Government Office. The bar encourages lawyers to provide free legal services to those in need. But for public lawyers, pro bono (or volunteer) legal work is sometimes problematic. Government lawyers may face conflict of interest restrictions, limitations on the use of office resources and statutory restrictions constraining their ability to perform pro bono work. **The ABA Government & Public Sector Lawyers Division** has created a **guide** that helps navigate some of these unique constraints on establishing a pro bono program in a government office. Because of the variety of volunteer opportunities that exist and the increased sensitivity about the restrictions faced by public lawyers, opportunities for government lawyer pro bono work *are* available.

IDEAS FOR JUDICIAL INVOLVEMENT

From the CA Judicial Branch:



Thank volunteer lawyers. Make positive comments about pro bono service and how important it is to have attorneys who volunteer their services. Make it known that you understand that attorneys make a sacrifice by donating this time. Thank them for making that commitment.

- Publicly recognize the contributions of pro bono attorneys at bar functions or social settings.
- Attend award ceremonies recognizing pro bono attorneys. Most legal services organizations hold these ceremonies annually. It makes all the difference in the world when judges are available to congratulate and thank the honorees.
- When attorneys handle pro bono cases in high-volume areas where they may not have as much expertise, make a special effort to thank them for taking on the cases. For example, recognize that while they may be skilled corporate attorneys, this may be their first family law case, and their extra efforts are appreciated.

Support unbundling. Encourage attorneys to consider providing pro bono help on an unbundled basis if they're unable to take on a whole case.

Encourage pro bono work publicly. When speaking to lawyers, bar association events, or the public, mention pro bono. Note how important it is to the profession and to access to justice.

- Ask the local or state bar to pass a resolution calling on all attorneys to donate at least 50 hours per year to indigent individuals or to nonprofit organizations that primarily serve the poor or victimized or who work to increase access to justice. Have that resolution publicized in the bar newsletter.
- Encourage the heads of local government attorney offices to promote pro bono service among their staff attorneys, and direct them to the resources herein to identify ways for government and corporate counsel to contribute pro bono services without creating potential conflicts of interest.
- Meet regularly with local legal services and pro bono leadership to better understand their services. Co-author articles with legal services programs in bar journals on the importance of pro bono work.

IDEAS FOR JUDICIAL INVOLVEMENT

From the AL Pro Bono Toolkit:

Bar Association Luncheon. Consider holding your bar association meeting during Pro Bono Week. Have the meeting focus on pro bono recognition honoring all those who perform pro bono services during the year. The volunteer lawyers program will be happy to provide you with a list of local volunteers and maybe able to supply certificates for volunteers if you provide adequate notice.

Meet the Judges - Open House and Judicial Reception. Invite area attorneys to attend a reception with members of the local judiciary. At the reception recognize local Volunteer Lawyer Program members or outstanding pro bono attorneys. This celebration can be free for members of the Volunteer Lawyers Program, with a cover charge for all non-members (with enrollment in the Volunteer Lawyers Program on site in order to gain free entry).

Bar Association Phone-A Thon. National surveys have shown that many attorneys do not engage in pro bono because they were never asked. Help solve this problem by holding a phone-a-thon calling local bar members and encouraging them to join the local Volunteer Lawyers Program.

Resolution/Per curiam opinion/Decree. Issue a formal statement from the bench marking the importance of pro bono and honoring volunteers and program staff.

From the Federal Government Pro Bono Program:

The **Federal Government Pro Bono Program** is available to help federal government attorneys find appropriate pro bono opportunities which do not pose conflicts of interest and which offer resources and support to help them have a successful and rewarding experience. This [website](#) contains information about the rules governing federal government attorneys' pro bono activity, resources to help attorneys find opportunities, points of contact for attorneys at their agencies, and links to resources about different areas of law that they can pursue in pro bono work.

Because government attorneys must provide legal services during their own time, cannot use government resources in providing services, and must be cognizant of job-related conflicts of interest, pro bono work becomes all the more challenging. Yet, despite these obstacles, federal government attorneys have been able to provide pro bono services for many low-income Americans, engaging in tasks such as providing advice and referrals, litigating civil cases, staffing clinics, drafting wills, and conducting mediation.

RESOURCES FOR JUDGES AS CONVENORS

Below are a few recommended resources for judges as convenors of a pro bono celebration or event.

California Judicial Branch Toolkit

Judge's Toolkit: Resources to Assist Judicial Officers in Encouraging Pro Bono Work

Talking Points

Inspirational Quotes

Sample Letter

PowerPoint Presentation

Pro Bono Presentation Handouts for Lawyers

Attorney FAQs

Sample Speeches

Conference of Chief Justices: Access to Justice and Pro Bono Resolutions

- Expanding Meaningful Access to Justice for All (1.31.18)
- Reaffirming Commitment Meaningful Access to Justice for All (7.25.15)
- In Support of Encouraging Pro Bono in Law Schools (7.31.13)
- In Support of Practice Rules Enabling In-House Counsel to Provide Pro Bono (7.25.12)
- In Support of Efforts to Increase Access to Justice (7.30.08)
- Leadership to Promote Equal Justice (1.25.01)

ABA: Access to Justice and Pro Bono Resolutions

- Adopting Limited Scope of Representation/Unbundling of Legal Services 2013MY108
- Adopting *Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means* 2013AM109
- Affirming commitment to the core values of the legal profession, including the pro bono provision of legal services to those in need. 2007MY10C
- Urging community service by lawyers 2006MY105
- Urging all courts to develop programs to encourage, facilitate and recognize pro bono representation of indigent parties in civil cases 2006AM121C
- Supporting the professional obligation of all attorneys to devote no less than 50 hours per year to pro bono and other public service activities 1988AM122A

ABA Commission on Domestic & Sexual Violence

For over two decades, the Commission on Domestic & Sexual Violence has focused on policy initiatives and training for lawyers who represent victims of domestic & sexual violence. Our mission is to increase access to justice for victims of domestic violence, sexual assault and stalking by mobilizing the legal profession. The Commission partners with the U.S. Department of Justice and agencies from across the United States to provide exceptional practical knowledge and training in representing victims of domestic violence, sexual assault, and stalking. To request assistance, click [here](#).

ABA Standing Committee on Pro Bono and Public Service

Our mission is to ensure access to justice through the expansion and enhancement of the delivery of legal and other law-related services to the underserved through volunteer efforts of legal professionals nationwide. We foster the development of pro bono programs and activities by law firms, bar associations, corporate legal departments, law schools, government attorney offices and others; analyze the scope and function of pro bono programs; and propose and review policy that affects lawyers' ability to provide pro bono legal services.

- **Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means**

Whether a program is new or already established, these Standards provide the necessary tools to create a successful, effective, and efficient program.

- **2018 ABA Report on the Pro Bono Work of America's Lawyers**

The Standing Committee conducted a study of the pro bono work of America's attorneys by surveying the attorneys in 24 states in 2017. This report presents findings based on the views of over 47,000 attorneys across the country, representing a range of backgrounds and geographic locations.

ABA Center for Pro Bono

The Center for Pro Bono 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.

- **Center for Pro Bono Knowledge Center**

This database allows a search through the Center's pro bono management documents. You can search by keyword (e.g. "intake form") and filter results by date, type of document, source (e.g. "bar association") or topic (e.g. "funding").





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