



Creating a Pro Bono Project

A Sexual Assault Justice Education Project

Where to Start Guide



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Preparation of this manual was supported by grant number 2015-TA-AX-K046, awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, and conclusions expressed in this document are those of the authors and do not represent the official position or policies of the U.S. Department of Justice.



Introduction

Welcome to the Victim Rights Law Center's (VRLC) guide, *Where to Start: Creating a Pro Bono Project*. We hope this guide will provide you with information and tips as you consider launching your own pro bono project. Please peruse the corresponding tools for this toolkit; they are indicated with the  icon throughout this Guide and are yours to use and modify/adapt as you set up your pro bono project.

The VRLC was founded in 2003 as the first nonprofit law center in the country solely focused on the legal needs of sexual assault survivors. From its inception, the VRLC relied on the expertise and commitment of pro bono attorneys in the community for various purposes--legal representation for sexual assault survivors, legal advice for the organization, and amicus briefs on critical legal issues impacting survivors. The VRLC launched its first pro bono project in 2003 in Boston, Massachusetts, and its second in 2013 in Portland, Oregon.



What is a pro bono project?

Derived from the Latin term “*pro bono publico*,” meaning “for the public good,” pro bono projects offer free professional services to individuals in need. Pro bono legal projects are developed for numerous reasons, most commonly when an organization identifies an unmet need for legal services for its clients. In such a case, the organization connects with the legal community to leverage existing resources to help its clients and further the mission of the organization.

Why create a pro bono project?

The reasons for creating a pro bono project are numerous and specific to each organization’s need. A pro bono project can:

- Provide legal assistance to greater numbers of sexual assault survivors in your community.
- Help survivors of non-intimate partner sexual assault gain access to legal representation, particularly as many legal aid organizations do not screen for or serve victims of non-intimate partner sexual assault.
- Provide legal representation for minors, particularly if your organization’s current funding restricts your organization from providing legal services to minors (Please check the minimum age of survivors to whom you can provide services under your grant).
- Help your organization leverage local resources and establish relationships with local firms--and potentially to establish relationships with their corporate connections--to help with a variety of needs.
- Introduce or enhance your organization’s profile in the local legal community.
- Provide mentorship for your organization’s staff attorneys so that they can deepen and/or expand their areas of legal expertise.



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- Reduce the burdens of heavy caseloads on your organization's staff and prevent your staff from burning out.
- Assist with large scale legal research projects or amicus and appellate briefs.
- Establish alternative paths to justice for survivors of sexual assault and normalize survivor representation outside of the criminal justice system.

What are your pro bono project goals?

Determine the goals of your project to help your organization direct the focus of its project and tailor its recruitment efforts.

Do staff need mentorship to build expertise in a particular practice area?

If the goal of your pro bono project is to deepen or expand the expertise of your staff attorneys, recruit local lawyers with expertise in those practice areas. For example, if an attorney in your office retains a client who was sexually assaulted by a co-worker and terminated after reporting the assault to a supervisor, and then used credit cards to pay for living expenses, how will you serve this client if your organization does not have staff with expertise in employment discrimination, consumer law, or bankruptcy? In such a case, your project may decide to recruit local attorneys to provide mentorship to your organization's staff attorneys on these legal issues. Alternatively, your organization may choose to refer discreet issues that are beyond your staff's expertise to a local attorney to handle. If possible, a staff attorney and a local attorney may choose to co-counsel on certain legal issues.

Is the demand for your organization's legal services greater than its resources?

If a goal of your pro bono project is to increase sexual assault survivors' access to legal services while minimizing the caseload burden on your organization's staff, focus your efforts on recruiting larger numbers of pro



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bono attorneys from a broad scope of legal backgrounds. Then train the pro bono attorneys on the legal issues that survivors face, and provide support to project attorneys. For example, if your state has a sexual assault protection order, your pro bono project can recruit attorneys from a wide breadth of legal backgrounds and then train them on how to represent survivors to obtain a protection order in contested protection order hearings. Having pro bono attorneys who can represent survivors in protection order hearings may free up your organization's staff attorneys to provide representation for survivors in other areas of law (i.e., education, housing, immigration, employment).

Or, if the demand for large scale research projects or amicus or appellate briefs is greater than your organization's resources, recruit attorneys to conduct research and/or write briefs.

Which kinds of cases will your organization choose to place with pro bono lawyers?

To determine the kinds of cases your organization will place with volunteer lawyers:

1. Evaluate the legal practice areas in which your organization and staff already have expertise, so that you can determine in which practice areas your organization will be able to provide mentorship to pro bono attorneys.
2. Determine if your organization will place cases that have legal issues in areas of law in which your organization does not have expertise with pro bono attorneys. Therefore, your organization could not offer training or mentorship of pro bono attorneys on those legal needs.
3. Identify the kinds of cases that are most appropriate to handle in-house - such as those involving extremely vulnerable clients - and those that are most appropriate to place with pro bono lawyers.



4. Identify the types of cases that the private bar is most receptive to working on, both substantively and logistically. Discern which cases will likely provide satisfaction for pro bono attorneys, such as cases in which there is a likelihood of success and/or those in which the client will receive a tangible benefit, such as a protection order. Such cases are appealing to pro bono attorneys and may incentivize them to accept future cases. In addition, think about which cases will fit best with pro bono attorneys' schedules. In our experience, pro bono attorneys are more likely to accept short-term cases with a finite timeline. For example, a divorce case may require a large time investment and have a long timeline while a lease termination may require a smaller time investment and resolve in a shorter timeframe.

What else will your organization need to consider when setting up its pro bono program?

1. **Case responsibility:** Determining who is ultimately responsible for a case placed with a pro bono attorney is a matter your organization must decide prior to launching its pro bono project. This issue may arise when determining under whose malpractice insurance the case falls and/or what will happen if a pro bono attorney withdraws representation. This discussion may impact your organization's decision to place cases with pro bono attorneys that have legal issues in areas of law in which your organization does not have expertise (i.e., does your organization have capacity to uphold its ethical responsibilities for a case and client in an area of law in which you do not practice?). It will also impact your ability to advise, guide, or direct pro bono attorneys, and will impact various issues related to client confidentiality. Consider the following when determining whether your organization wishes to retain responsibility for pro bono cases once assigned:
 - Will your organization have the same policy for all cases, or will this issue be determined on a case-by-case basis?



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- Does your organization wish to provide malpractice insurance (primary or secondary, if applicable) for pro bono lawyers?
- Does your organization have experience in the relevant practice area?
- Will your organization retain part of the client representation such that it continues to represent the survivor on other or related matters? Is it clear in the retainer(s) which attorneys are retaining for which matters?
- When pro bono attorneys enter appearances in court, will they do so on behalf of your organization or the individual client?
- When pro bono attorneys retain clients, will they use your organization's retainer agreement? If not, is your organization willing to accept the terms of the pro bono attorney's retainer?
- How engaged will your organization be in cases placed with pro bono attorneys? Do you want your pro bono project coordinator to supervise or mentor pro bono attorneys? Do you want to direct the case or be consulted regarding strategic decisions, or do you prefer to offer consultation "as needed" or for pro bono lawyers to handle cases themselves? Or, will this be determined on a case-by-case basis?
- With whom do you want clients to communicate regularly: pro bono attorneys handling the cases or your office?
- If your organization releases responsibility for the case, does your organization's staff and pro bono attorneys understand that they will need clients to sign a release of information to authorize you and the pro bono lawyer to communicate?
- Who does your organization want to maintain the case file after the matter is closed?



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- If clients have questions about their case after the matter is closed, or if further legal assistance is needed (e.g., restraining order renewal or immigration status adjustment), to whom will they be directed to contact?
- If a pro bono attorney withdraws from a case, will your organization take it back (and if so, on how much notice)? Will they be responsible for finding a replacement? Will you try to find an alternate placement for the case? How will this be addressed in the retainer?
- How does your organization want pro bono clients to be counted for grant reporting purposes?
- How will your organization and pro bono attorneys deal with attorneys' fees, if granted to a pro bono client?
- In the event that the case receives media attention, how will your organization handle media requests on pro bono cases?

Ponder these questions and the benefits and burdens of maintaining or relinquishing responsibility of cases placed with pro bono attorneys. Clearly communicate your organization's policy--along with hypothetical ramifications--to pro bono attorneys and to the clients you place with them. If your organization determines that it is no longer responsible for a case once placed with a pro bono attorney, consider developing a policy to notify clients in writing that your organization is not representing them and that their case is closed.

2. **Pro bono volunteer options:** To help with recruitment, provide a list of volunteer options that address the various needs of your organization (research, litigation, transactional cases, amicus briefs, mentoring staff attorneys). Consider noting the amount of time potentially required for each option, projected turnaround time for project completion, and the skills the pro bono attorney will acquire or utilize through the project.

Managing the varying options can require significant time, therefore it is



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important to define the options and make sure that they fit with project goals and staffing.

- 3. Culturally specific/underserved populations:** It is prudent to determine if a pro bono attorney would be a good match for a survivor from a culturally-specific/underserved community that may require a specific expertise or mindset to handle appropriately. For example, it may be beneficial to place the case of an immigrant Vietnamese survivor with a pro bono attorney who has culturally specific skills such as speaking Vietnamese, understanding Vietnamese culture, and/or understanding issues related to immigrant communities. Or, it may be helpful to place the case of an LGBTQ survivor with an attorney who is aware of and can appropriately respond to issues that LGBTQ survivors often face. Working with culturally specific/underserved populations can require a distinct skill set; pro bono attorneys for such cases should be properly vetted for any aptitudes (or biases) that would impact their ability to serve a particular client.
- 4. Vulnerable clients:** Consider whether it is in the best interest of a survivor to place their case with a pro bono attorney when the client has significant mental health issues or is at risk for suicide. Working with extremely vulnerable clients requires aptitude and at times such cases may be better handled in-house. If a client has serious mental health concerns or suicidality issues that arise over the course of representation, it is important that pro bono attorneys know that they can look to your organization for guidance and recommended resources. Your organization's project coordinator can help assess whether it is best for the case to remain with the pro bono attorney or be returned and handled in-house.
- 5. Requirements for lawyer participants:** All pro bono lawyers must be in good standing, must have liability insurance (if required by your organization), and undergo training (length and topics to be determined by your organization). They also must check their conflict system to ensure they do not have a conflict before accepting a case and comply with VAWA as it relates to confidentiality and releases of information.



6. **Organizational protocol if a client reports that the pro bono attorney is not a good fit:** Have a protocol in place in case a client indicates that their pro bono attorney is not a good fit. While the solution may vary depending on the circumstances, employ a survivor-centered approach to address the misfit. After listening to the survivor's concerns and exploring their needs and wishes, remedy the situation in a way that best addresses the client's desires. Possible remedies include having a conversation with the pro bono attorney to discuss the client's concerns, bringing the case in-house, or placing the case with a different pro bono attorney. If it is determined that the case would be better handled by a different pro bono attorney, discuss any concerns with the current pro bono attorney and determine if they would benefit from additional training, or if they are well-suited to represent survivors in the future.
7. **Creation of policies:** As your organization makes decisions throughout the development of your pro bono project, consider developing policies for your organization. It will streamline the project and serve as a reference for your staff during the implementation of the project.

What are the benefits of building relationships with different types of law firms?

Solo practitioners/Small law firms: Although solo practitioners and small firms may have limited capacity to volunteer for a large quantity of cases, these attorneys may be accessible and interested in developing a close relationship with your organization. Often attorneys working at small firms are willing to help with time-sensitive matters or may offer no-cost case assessments or accept referrals for a reduced fee in specialty areas (e.g., tort, employment discrimination, bankruptcy) that may benefit victims. Small firms and solo practitioners may be eager to partner with your organization, and may appreciate working on sexual assault cases that are outside the scope of their day-to-day work.

NOTE: The VRLC has developed close relationships with many solo practitioners over the years, some who have demonstrated such tremendous commitments to



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survivors that they have been bestowed the VRLC Pro Bono Attorney of the Year award.

Medium/Large law firms: Many large firms have pro bono committees, a pro bono partner, and/or a pro bono coordinator. When building relationships with large firms, first take the time to understand the structure of the firm's pro bono work. Although firms may encourage pro bono hours from their attorneys, it can be a challenge for attorneys in large firms to balance their caseload, personal lives, and pro bono work. Therefore, develop a pro bono project that considers the time limitations of lawyers in big firms. For example, offer a pro bono training that is limited in time (1.5 - 3 hours) vs. an all-day training as it may result in higher attendance by large firm lawyers. In addition, cases that involve compelling legal issues, compelling facts, or set precedent, and those requiring 15-20 hours (e.g., restraining orders, privacy issues) rather than longer, more drawn out cases are likely to be more attractive to firm attorneys. When placing cases, include an estimate of the time commitment necessary and any deadlines or statute of limitations as this will help attorneys with serious time constraints in deciding whether to accept a case.

Large firms often have the resources and capacity to handle appeals, conduct research, and assist in writing amicus briefs in partnership with legal services programs. This kind of assistance can be critical to establishing legal precedent and leadership within the legal community.

NOTE: Large firms often have budgets for pro bono work and are therefore excellent partners to host pro bono trainings at which they may offer to provide audiovisual support for presentations, a conference room, food, and beverages for training participants.

Corporate counsel: Corporate attorneys are often overlooked for pro bono work because it is assumed that pro bono opportunities are limited to litigation. However, corporate counsel attorneys are often eager to conduct legal research, may in fact be seeking litigation opportunities to diversify their practice, and may be interested in working on transactional cases in areas such as immigration law.



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Explore whether your state has an exception in its legal practice rules that allows attorneys to accept pro bono cases if they are licensed in a different state than the one in which they reside. To develop these relationships and to place cases and projects with corporate counsel, connect with the community relations committee, general counsel, or the legal department at the company.

Summary: Regardless of the size of the law firm or company from which you recruit, trust that your pro bono project's contacts will develop over time. A well-organized but small pro bono project may build in reputation, size, and diversity over several years, and may ultimately be more successful than a project that starts large without a strong infrastructure to support its longevity. By cultivating your pro bono project's contacts your organization may develop mutually beneficial long-term partnerships that stand the test of time.

What kind of training will you require for the pro bono lawyers?

It is critical that pro bono attorneys who take direct representation cases are vetted or trained in order to provide sexual assault clients with high quality legal services. When setting up the training component of your pro bono project, be sure to consider these factors:

1. The number of training hours required to be an active project attorney.
2. How the training will be offered (in person, online, live, or pre-recorded).
3. The kinds of training materials you will provide (e.g., training binder, articles, reference information, videos, sample documents, tip sheets, etc.).
4. Whether the training will be offered for Continuing Legal Education (CLE) credit.
5. If pro bono attorneys will be required to periodically attend refresher trainings and/or if advanced trainings on subject matter-specific topics will be offered.

NOTE: Because shorter trainings may draw a larger audience, a recruitment training can be supplemented later by pre-and post-topic specific webinars, tip sheets, and mentorship.



What topics should be included in the pro bono training agenda?



Sample Training Agenda with Timeline

The following are suggested topics to be covered in an initial sexual assault pro bono project attorney training:

1. The dynamics of sexual assault:
 - a. who are the perpetrators
 - b. who are the victims
 - c. how perpetrators choose victims (i.e., vulnerable, accessible, lacking credibility)
2. Civil legal services for sexual assault survivors:
 - a. how your organization supports sexual assault clients in addressing their legal needs;
 - b. how the pro bono project supports sexual assault clients in addressing their legal needs;
 - c. importance of legal process for survivors in reclaiming power, healing, and sense of justice
 - d. importance of each attorney in the pro bono project/how their participation makes a difference.
3. Client overview: who are the sexual assault survivors your organization serves?
 - a. age range
 - b. geographical limitations
 - c. income limitations (imposed by either your organization or the firm accepting the cases)
 - d. culturally specific populations
 - e. languages spoken and use of interpreters
 - f. access challenges



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- g. intimate partner vs. non-intimate partner sexual assault
- 4. Sexual assault compared to domestic violence:
 - a. differences and similarities
 - b. how the differences impact the legal needs of and remedies available for clients
- 5. Challenges specific to representing sexual assault clients:
 - a. dynamics of sexual assault perpetration
 - b. societal/cultural misunderstanding of sexual assault
 - c. “counter-intuitive” survivor behaviors (how to address them in representation and how they might even be used to help establish survivor credibility)
 - d. consent
- 6. How to conduct a Holistic Legal Assessment



VRLC Issue Spotting Checklist; VRLC Model Intake Form; Tips for Conducting a Victim-Centered Intake

- 7. How to provide trauma-informed legal services
- 8. Impact of sexual assault on survivors (*if there is not time in the initial training to watch clips, use in a follow-up webinar or ask participants to watch prior to the training*)



See Dr. Rebecca Campbell interviews on YouTube:

<https://www.youtube.com/watch?v=2C1hYKDxcvY>

<https://www.youtube.com/watch?v=3CI4AckXLU4>

<https://www.youtube.com/watch?v=k7S8CJGQ9XU>



See Dr. David Lisak clip on YouTube:

<https://www.youtube.com/watch?v=py0mVt2Z7nc&t=718s>

- 9. Financial impact of sexual violence on survivors (job loss, hospital bills, trauma-recovery mental health costs, moving, etc.)



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10. Self-care (*this is a great follow-up webinar topic if there is not time in the initial training*)
 - a. Impact of working with survivors of trauma (aka, vicarious trauma/secondary trauma);
 - b. Necessity of doing self-care so that cases don't negatively impact attorneys' lives or dissuade them from wanting to take future cases.
11. VAWA-compliant confidentiality requirements
12. Pro bono project flow and protocols (the project flow and protocols will be impacted based on who your organization determines is ultimately responsible for pro bono cases) (see "Case Responsibility" above).
 - a. For example (you may wish to create a checklist):
 - i. Attorney attends training → completes application → is screened to assure is a good match for project → joins list serve and reads pro bono guide → conflict checks → hears about available case through case placement protocols (*see below*) → volunteers for case → conflict checks → retains client → accesses resources and mentorship available through pro bono project → follows up with organization to provide update on case and client → closes case → reports pro bono hours to organization → fills out project questionnaire to improve the pro bono program → offers a quote for recruitment and grant reports.
 - ii. Other protocols to address:
 - If pro bono attorneys will be required to periodically attend refresher trainings;
 - If your organization's pro bono coordinator will periodically send out updates in relevant case law and statutory changes, and/or new resources to help pro bono attorneys better represent victims sexual assault.



13. Current cases available for placement
14. Evaluations (*see section and tools on evaluations below*)

What kind of mentoring will your organization's pro bono project offer to participating pro bono attorneys?

Offering mentorship to pro bono attorneys is desirable and preferable as it often encourages lawyers to volunteer for cases. However, if your organization does not have expertise in a specific practice area, such as employment or immigration, you will not be able to mentor pro bono attorneys in those areas of law. It is wise to communicate that fact to a potential pro bono attorney or to place those cases only with pro bono lawyers who practice in that area. If you encounter victims who have legal issues that are outside the scope of expertise both within your organization and within your pro bono attorney pool, refer them to lawyers in your community who practice in those areas.

NOTE: Many pro bono attorneys have never represented survivors of sexual violence. While your organization may not be able to offer mentoring on specific practice areas, it may be able to offer mentorship on the dynamics of sexual violence, representing culturally specific populations, and/or survivor-centered legal representation.

Determine the parameters your organization would like to set regarding mentorship for pro bono attorneys before you place your first case. For example: will your organization allow pro bono attorneys to shadow staff attorneys to learn how to best represent survivors; does your organization have the capacity to review written materials pro bono attorneys draft on a client's behalf; is it your organization's desire for pro bono attorneys to be mainly self-sufficient; what kinds of questions from pro bono attorneys is your organization's staff willing to answer, and what is the best way to communicate questions (email, phone, etc.)?



What key factors should your organization consider when administering its pro bono project?

- 1. Pro Bono Project Coordinator:** Selecting a staff person to run your organization's pro bono program is critical. This individual will be responsible for communicating with the pro bono panel about trainings, placing cases, mentoring, and handling all questions about the project. The staff person directing the program should understand the needs of survivor-clients and be comfortable developing relationships with pro bono attorneys; it is optimal if the "go to" person is an attorney as they will comprehend the legal needs of clients and can provide mentorship to pro bono attorneys. The person directing the project should work closely with the staff attorneys representing clients and the senior attorney supervising the legal services program. These opportunities allow the pro bono project coordinator occasions to spot when a pro bono attorney may be needed and identify which attorney on the pro bono panel may be appropriate. Attending case review meetings will also help the pro bono project coordinator stay current with changes in case law and statutes relevant to sexual assault and identify practice tips to share with project attorneys. The pro bono project coordinator should periodically update the pro bono panel of changes in the law and of any upcoming trainings being offered/required.

NOTE: If your organization is an Office on Violence Against Women Legal Aid to Victims (OVW LAV) grantee, staff time that may be dedicated to organizing a pro bono project may be limited by your grant. If you have any questions about this, please review your grant and contact your LAV grant manager.

- 2. Placing Cases and Case Placement Protocols:** How to most effectively place a sexual assault case with an individual pro bono attorney will vary depending on the kind of case you are placing. For example, if a case requires a quick turnaround, send it to individual attorneys with whom your organization has previously forged a relationship. Similarly, if there is a



specific skill set needed for a case, such as immigration law, send individual emails to targeted attorneys. However, group emails cast a wide net that may attract a suitable pro bono attorney for a case while at the same time providing all pro bono attorneys the opportunity to vet cases and receive updates on active cases. Group emails are also useful for drawing in attorneys who have been trained but who have not yet accepted a pro bono case. Announce any available cases at trainings while you have the attorneys' attention and interest. Make sure to include firm pro bono coordinators on list-servs and group emails, unless they specify that they prefer individual emails. In initial emails it is important to include information about the case to help an attorney determine if they are interested and available to take the case; be careful not to include any client identifying information in the email that may then be forwarded. Client privacy and safety should always be at the forefront of your practice.

3. Inform pro bono attorneys in their initial training about:
 - How cases will be made available.
 - How your organization will handle multiple requests for the same case.
 - Expectations for how many cases/hours each pro bono attorney is committing to per year.
 - Tracking and reporting of pro bono hours.
 - Other related case placement issues (e.g., checking conflicts).

In addition, when enrolling pro bono attorneys in your project, check with the attorneys and/or their firms about any restrictions they have on accepting cases, such as income restrictions, etc.

4. **List Serve/Email Group:** For specific areas of law or certain types of cases, it may be useful to administer list serves. For example, individual list serves for employment law, education law, amicus briefs, and appellate cases may be useful. However, while utilizing multiple list serves or email lists may



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allow your organization to target information to specific attorneys, segregating your communications to certain attorneys may cause you to miss potentially interested volunteers. In any case, decide if the project coordinator will monitor the list serves and how closely. Also, discuss organizational capacity to maintain multiple email groups or list serves, and the pros and cons of using staff resources in this way. If managing multiple list serves is overwhelming, a single list serve for all pro bono attorneys may suffice in allowing interested attorneys to respond to appropriate cases.

5. **Malpractice/Liability Insurance Coverage:** It is advisable to provide malpractice insurance for pro bono attorneys who accept cases from your organization's project. Malpractice insurance will protect your organization from claims brought against it pertaining to pro bono cases while at the same time incentivize pro bono attorneys to join your project. While law firms have malpractice insurance that cover their attorneys providing pro bono legal work, many small firms or solo practitioners may not have adequate malpractice insurance. Additionally, new law school graduates, barred attorneys who do not currently practice law, or lawyers who are in between jobs may be well qualified to handle pro bono cases but may not have malpractice insurance. Research whether your state's bar offers coverage for pro bono programs, and if not, make sure to evaluate whether your organization's liability insurance will cover a pro bono attorney handling a specific case. Note that some cases may be more appropriately kept in-house or referred to private practitioners than placed with pro bono attorneys.

6. **Important Project Forms:**

- a. **Bar Certification:** Some states have—or even require—certification for pro bono programs. Contact the local Board of Bar Overseers or Bar Association to determine if your organization's project is required to be certified or if there are benefits for bar-certified projects.
- b. **Release of Information (ROI):** Depending on the structure of your program, if your organization is not listed as counsel of record on a



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case assigned to a pro bono attorney, a ROI may be necessary in order for the pro bono attorney to receive mentorship from or share information with your organization specific to an individual case. If your organization is listed as counsel of record on a case assigned to a pro bono attorney, the ROIs used by the project pro bono attorneys should be VAWA compliant - and all pro bono attorneys should adhere to the privacy protections required under VAWA.



Sample Bilingual ROI

- c. **Retainer and Confidentiality Notice:** All pro bono attorneys in your project should be required to execute a retainer with the pro bono client prior to representation. In the formation of your pro bono project, identify any verbiage that is critical for pro bono attorneys to include in their retainers. It may be helpful to provide a sample retainer. In addition, for VAWA-funded pro bono projects, include a VAWA-compliant Confidentiality Notice, and make sure that pro bono attorneys are trained on VAWA confidentiality requirements. Note that retainer and confidentiality notice protocol will likely be impacted based on who your organization determines is ultimately responsible for pro bono cases.



Sample Retainer and Confidentiality Notice

- d. **Closing Letter:** Make sure you have a case closure protocol for cases placed with pro bono attorneys: who will close the case and send the closing letter? If your organization prefers pro bono attorneys utilize the organization's closing letter, provide pro bono attorneys with a template. Note that closing letter protocol will likely be impacted based on who your organization determines is ultimately responsible for pro bono cases.



Sample Closing Letter

- e. **Pro Bono Hours Tracking Form:** It is advisable to provide a tracking form for attorneys participating in the pro bono project, or the firm



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pro bono coordinators, to capture their pro bono hours. Your organization will likely need record of these hours for grant reports, audits, fundraising, and pro bono recruitment. Tracking forms should be clearly laid out and easy to complete, and should be collected on a consistent schedule. Tracking forms allow the project organizer to monitor pro bono hours over the course of a year and compare year-to-year numbers to help direct pro bono recruitment efforts and to determine the value the pro bono project brings to your organization and its clients.



Sample Pro Bono Tracking Form

- f. **Project Description:** A concise and compelling description of your organization's pro bono project that includes case examples will help with attorney recruitment. Posting the description on your organization's website or social media is a free and simple way to advertise. Local bar associations and the local legal and/or non-profit communities may be willing to advertise your project and may result in the recruitment of a diverse group of pro bono attorneys.
- g. **Request for Pro Bono Representation and Case Assignment Letter for Attorney and Client:** Providing a concise and clear Request for Pro Bono Representation is critical to cases getting placed quickly. Include information that will both entice pro bono attorneys to take the case and help them to assess if they have the expertise and time to take it. Once you have placed the case, send a Case Placement Letter to the client so that they have the pro bono attorney's contact information and understand when and how they will be in contact.



Sample Request for Pro Bono Representation and Case Placement Letter for Client and Attorney

What are pro bono recruitment and retention incentives?



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Whether first initiating or continuing to build your organization's pro bono project, motivate the legal community to accept pro bono cases by promoting the benefits of participation. The following is a list of suggestions that may incentivize the private bar to join your organization's pro bono project. Keep your finger on the pulse of your legal community, however, as incentives for pro bono project participation may vary in different communities.

1. Free legal trainings on interesting topics such as immigration, employment, and education law, and sexual violence;
2. Free Continuing Legal Education (CLE) credits. Many states require attorneys to obtain CLE credits to maintain licensure. In such states, offering pro bono trainings for CLE credit may motivate attorneys to participate. Tailor your CLE training to offer credits in required topics such as ethics, access to justice, and/or mental health, if applicable. Make sure to work with your state bar to accredit your pro bono trainings for CLE credit before advertising free CLE credits.
3. Opportunities to develop junior attorneys' legal skills- litigation, research, writing.
4. Opportunities for a firm to connect with local nonprofits and demonstrate to its clients and colleagues its commitment to “give back” to the community. Your organization may wish to identify pro bono “champions” and celebrate their successes in newsletters or on social media. You may also consider hosting a yearly celebration that publicly presents awards to pro bono champions. Celebration events can serve to not only acknowledge the success of the pro bono project and honor its attorneys, but also to inspire new attorneys to join.
5. Opportunities to connect with a charismatic pro bono project coordinator. In smaller communities, in particular, the reputation of and interest to join your organization's pro bono project may be tied to the positive interactions that local attorneys have with your organization's project coordinator. The opportunity to interact with a personable and



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appreciative person who connects well with the private bar can be an incentive for lawyers, particularly if they are seeking meaningful professional relationships.

NOTE: When promoting your organization’s pro bono project, make sure to clarify that attorneys of any gender are welcome to participate. It may be helpful to communicate that victims of sexual violence do not only identify as female, and that when asked, most victims do not have a gender preference for their attorney.



Sample Verbiage for Pro Bono Recruitment Flyer

How can my organization evaluate the success of its pro bono project?

It is important to regularly evaluate the success of your organization’s pro bono project to determine if it is working for both clients and pro bono attorneys, and is cost-effective for your organization to run. There are several opportune moments to weave evaluations into the course of your project, such as:

1. At the completion of the pro bono attorney training, allot time for evaluations and make sure to review feedback and incorporate suggestions into future trainings.



Sample Evaluation Form for End of Pro Bono Training

2. At the completion of webinars, send a link to a Survey Monkey evaluation (or any other on-line evaluation service) to each of the attendees. Send a certificate of completion upon receipt of evaluation.



Sample Evaluation Form for End of Webinar Training (use unless your state’s CLE department requires you use a standard form)

3. Once every quarter, six months, or annually, send a Survey Monkey evaluation (or any other on-line evaluation service) to members of the pro bono project. Ask for specific suggestions and/or feedback to help improve the project. Make sure to review the feedback and incorporate suggestions.



Sample Feedback Form to Send Quarterly to Pro Bono Panel



Creating a Pro Bono Project



4. When a pro bono case is complete, provide feedback forms to clients to ascertain their experience with pro bono attorneys and your office. Provide separate feedback forms to pro bono attorneys after their pro bono work on a case is complete to help your office better understand the pro bono attorney's experience. Feedback will help your organization understand the ways it can provide better support, mentorship, and/or training in the future.



Sample Feedback Form for Client After Case Completion and Sample Feedback Form for Pro Bono Attorney After Case Completion

Conclusion

We hope this guide provides you with a foundation from which you can launch a successful pro bono legal project for sexual assault survivors in your community. The VRLC is an Office on Violence Against Women training and technical service provider. As you establish, launch, and grow your pro bono project, please feel free to contact the VRLC for technical assistance, webinars, and trainings. The attorney you speak with may just be a former pro bono attorney turned VRLC staff attorney! Thank you for the work you do to increase access to free legal services for sexual assault survivors.