

Recap of PBA Board of Governors' and House of Delegates' Action on Pro Bono, 1989-2003

November 2003 Board Meeting ([ATTACHMENT "A"](#))

The final report of the Delivery of Legal Services for the Needy II Task Force was presented to the Board. The Board unanimously approved a motion to accept the report and conclude the work of the Legal Services for the Needy II Task Force and assign all remaining tasks to the Equal Justice to the Poor Committee.

May 1999 House Meeting ([ATTACHMENT "B"](#))

The House approved the Task Force on Legal Services to the Needy, Part II resolution as amended on the floor of the House. The amendment was to point 6 of the Task Force's resolution dated April 13, 1999.

1. The Pennsylvania Bar Association hereby establishes a program to encourage and coordinate the development and expansion of pro bono in each county of this Commonwealth, and to administer a pro bono program itself for counties that are unable to do so themselves.

2. The Pennsylvania Bar Association hereby establishes a program to coordinate Pro Bono Assistance Teams to assist counties without existing pro bono programs to establish such programs, and at the request of the local county bar association, to evaluate and make recommendations concerning existing pro bono programs, to help improve those programs, and to share "best practices" of pro bono programs from wherever they exist.

3. The Pennsylvania Bar Associations calls upon the leaders of the judiciary at all levels of the court system to commit themselves to an active role in the discussion and furtherance of pro bono representation by attorneys.

4. The Pennsylvania Bar Association encourages the deans of Pennsylvania's law schools to assure that all students are education about the responsibility of and benefits from the pro bono representation of the poor, and encourages the law schools to instill a pro bono ethic in their law students.

5. The Pennsylvania Bar Association encourages senior members of the bar to become more active and lead the way in their local county pro bono programs.

The amendment to point 6 as shown in the minutes:

"The add-on charge shall apply only to the annual mandatory credits and is waived on all additional non-bankable credits. The charge is also waived when a non-profit provider waives tuition costs to a speaker or attendee, and further is waived on all credit for attorneys during their first five (5) years of practice."

6. In order to implement recommendations 1 through 5, the Pennsylvania Bar Association recommends to the Supreme Court of Pennsylvania the addition of an add-on charge of \$5 to each mandatory continuing legal education credit for the primary purpose of facilitating the pro bono representation of the poor by attorneys. Through a program established by the Pennsylvania Bar Association, funds from this an add-on would be directed to programs designated by the principal local bar association in the county where the attorney paying the fee has his/her principal office. These programs shall provide lawyers with opportunities to fulfill their professional responsibility to provide pro bono legal services for the poor or provide professionally staff legal services for the poor. For out-of-state attorneys, the designation would be directed by the Pennsylvania Bar Association.

7. To supplement the add-on to MCLE credits to facilitate the representation of the poor, the Pennsylvania Bar Association modifies its existing policy as adopted by the House of Delegates in 1990 and hereby commits itself to the passage of legislation that will increase filing fees for all first filings, for which fees are presently charged, including filings in the appellate civil courts, trial courts by \$5 and in the district justice, and municipal courts by \$4, and by

increasing filing fees for deeds, mortgages and property transfers by \$4, with the revenues generated thereby allocated to the delivery of legal services to the poor through the Pennsylvania Legal Services.

8. The Pennsylvania Bar Association directs its staff to establish a program whereby attorneys general, trial lawyers and the judiciary itself, are educated of the judiciary's authority under the *cy pres* doctrine to direct class action residuals and other unclaimed funds to support professionally staffed poverty law offices.

August 1994 Board Meeting ([ATTACHMENT "C"](#))

The Board approved the resolutions that called upon the legislature to restore funding of \$2.5 million for PA Legal Services and called on all interested groups to work together to develop one resolution which would that restoration of the funding would be of tangible benefit to everyone in Pennsylvania, not just to the clients of legal service programs.

The Board also resolved that PBA will exercise its best effort to encourage lawyers throughout the Commonwealth to increase their pro bono participation.

October 1992 House Meeting ([ATTACHMENT "D"](#))

The House unanimously approved the Legal Services to the Public Committee's recommendation to support a Model Pro Bono Plan for local bar associations.

May 1990 House Meeting ([ATTACHMENT "E"](#))

The House unanimously adopted the report of the Task Force on Legal Services to the Needy

October 1990 House Meeting ([ATTACHMENT "F"](#))

The House unanimously adopted a recommendation of the Legal Services to the Public Committee which proposed that PBA oppose passage of the Federal Legal Services Reform Act of 1990, HR 5336.

November 1989 Board Meeting ([ATTACHMENT "G"](#))

The Committee presented a resolution to the Board endorsing voluntary standards for *pro bono* representation by members. The resolution recommended that each member volunteer 30-50 hours per year, but did not advocate mandatory *pro bono*. A lengthy discussion ensued concerning a provision in the resolution which states that the *pro bono* work must be performed through some legal services program or charitable organization which has serving low income individuals as its principal purpose. After several unsuccessful attempts to amend the resolution, the Committee chair withdrew the recommendation. (B/G 11/89)

June 2007