

**WAYNE COUNTY BAR ASSOCIATION
PRO BONO COMMITTEE**

REPORT TO THE WCBA

Date: April 3, 2009

To: Wayne County Bar Association

Re: WCBA Pro Bono Program

The Pro Bono Committee of the Wayne County Bar Association has completed its work and recommends that the WCBA approve the following recommendations for the implementation of the Wayne County Bar Association Pro Bono Program. Numbered paragraphs have been used as a means of facilitating discussion.

1. Rule 6.1 of the Code of Professional Responsibility requires each attorney to provide pro bono publico service.
2. The need for legal services for indigent citizens is not being met by the current level of state funded legal services.
3. The Committee finds that formal documentation of each attorney's compliance with the provisions of Rule 6.1 would assist the WCBA in obtaining funding for pro bono projects, would demonstrate Rule 6.1 compliance by the members of the WCBA as required to the Pennsylvania Bar Association and the Supreme Court of Pennsylvania, and would enhance the reputation of the legal profession in the community.
4. The name of the program shall be "The Wayne County Bar Association Pro Bono Program".
5. The Pro Bono Program shall be administered by a standing committee known as the Pro Bono Committee of the Wayne County Bar Association consisting of the current officers of the WCBA together with such other members as shall be appointed by the President in order to ensure the effective management of the Pro Bono Program. The Committee shall select its chairperson.
6. The stated goal of the Pro Bono Program will be to document 100% participation in the Program by the members of the WCBA in compliance with the requirements of Rule 6.1.
7. The Committee recognizes that attorneys may discharge their obligation to provide pro bono service in a number of different ways. Participation by members of the WCBA on individual pro bono matters may therefore be classified into three tiers.
 - 7.1. Tier One. Cases where the participating attorney assumes direct representation for a pro bono client reviewed and approved by North Penn Legal Services as meeting their established financial qualifications. A Tier One case may either be assigned by the Pro Bono Program after referral from North Penn Legal Services (NPLS), or an attorney may have a potential Tier One pro bono client reviewed

and approved by NPLS as meeting the indigency qualifications for pro bono service.

- 7.2. Tier Two. Cases where the attorney provides legal services for a client for either no fee or a nominal fee in circumstances where the client has not been reviewed and approved for Tier One. Tier Two cases may be identified by the participating attorney through his or her practice or may be presented a on request from the Court.
- 7.3. Tier Three. Direct contribution by a participating attorney by either providing financial or administrative support for the Pro Bono Program.
8. Each WCBA member is encouraged to provide representation in at least one and preferably two Tier One cases each calendar year. Those attorneys whose practices do not encompass the types of matter handled in Tier One cases are encouraged to provide Tier Three participation in the program.
9. Each WCBA member is encouraged to complete a Pro Bono Program participation form identifying the types of cases for which the attorney is willing to provide pro bono representation under the auspices of the Program.
10. Referrals to participating attorneys for Pro Bono Program cases shall be made through a Pro Bono Coordinator.
 - 10.1. The Pro Bono Coordinator shall be a WCBA member who shall receive credit for Tier Three participation in the Pro Bono Program for his or her service as Coordinator.
 - 10.2. The position of Pro Bono Coordinator shall rotate on a regular basis to be decided by the Pro Bono Committee.
 - 10.3. The Pro Bono Coordinator shall receive potential referrals for Tier One cases from North Penn Legal Services and for Tier Two cases from the Court.
 - 10.4. The Pro Bono Coordinator shall contact individual participating attorneys to identify an attorney willing to provide representation on the referred case.
 - 10.5. The Pro Bono Coordinator shall maintain a record of the Tier One and Tier Two cases referred and the attorneys providing pro bono services under the auspices of the Pro Bono Program.
 - 10.6. Participating attorneys are encourage to provide a report to the Pro Bono Coordinator regarding Tier Two and Tier Three matters handled through their private offices so that an accurate record may be maintained of the pro bono services provided in compliance with the requirements of Rule 6.1.
 - 10.7. Attorneys providing representation in Tier One matters are encouraged to record the time allocated to each Tier One matter and to report that time to the Pro Bono Coordinator so that an accurate record may be maintained.
 - 10.8. Upon the completion of a Tier One representation, the participating attorney shall advise the Pro Bono Coordinator accordingly so that an accurate record may be maintained as to the active pro bono cases being handled under the auspices of the Program.

11. The Pro Bono Program shall assist the participating attorneys by providing support services.
 - 11.1. The Pro Bono Program may make arrangements for CLE programs under the auspices of the Pro Bono Program. A stated goal of the pro bono CLE programs shall be to encourage participation by WCBA members by providing CLE credits at no expense to the participant and by offering refreshments during the program.
 - 11.2. The Pro Bono Program shall endeavor to provide participating attorneys with information resources such as forms, online links, and referral to attorneys with practical experience as a means of fostering competent representation in pro bono cases handled under the auspices of the Pro Bono Program.
 - 11.3. The Pro Bono Committee shall endeavor to maintain a culture of support and encouragement for pro bono services by arranging social events and other means of recognizing the participating attorneys for their service to the Pro Bono Program.
 - 11.4. The Pro Bono Committee shall seek appropriate limits on the scope of pro bono representation in specific matters such as child custody by requesting the entry of Administrative Orders that would establish a defined scope of representation. For example, in a child custody matter, the Committee would seek the entry of an Administrative Order permitting with participating attorney to provide representation through the Reconciliation Conference without being obligated to continue representation through any evidentiary hearings that may be required thereafter unless the attorney voluntarily agrees to provide such additional representation.
12. The Pro Bono Committee shall investigate and apply for any state or federal funding that may assist the Pro Bono Program in meeting its goals.

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