

# Developing New Ways to Expand Partnerships with the Private Bar

LSC is committed to promoting effective pro bono service to help close the “justice gap”—the disparity between the legal needs of the poor and the capacity of the civil legal assistance community to meet those needs.

**P**ro bono volunteers supplement rather than replace the excellent work of legal aid lawyers, many of whom are subject matter experts in the issues facing the poor. In this way, the private bar can make important contributions to ensuring that more people have access to a lawyer when needed.

LSC is already seeing results from its efforts to engage the private bar. In 2012, pro bono attorneys closed 80,209 cases for LSC-funded organizations, a 38.9 percent increase from 2008.

LSC’s national Pro Bono Task Force, charged with identifying innovative ways to enhance pro bono throughout the country, released its report and recommendations in 2012 at events in Washington, Boston, Chicago, and Durham.



**Rep. Frank Wolf (R-Va.)**

Rep. Frank Wolf (R-Va.), chairman of the House Appropriations Subcommittee on Commerce, Justice, Science & Related Agencies, and a strong proponent of pro bono, praised the report and

called for its implementation.

“I think it’s a very important opportunity for the legal profession,” Wolf said. “You know, St. Francis of Assisi said, ‘I’d rather see a sermon than hear a sermon,’ and so I think it’s important that we see this sermon carried out.

“I am committed to doing everything I can to make sure the funding for legal services” continues, he added. The combination of legal aid programs and pro bono attorneys



working together to help people in need “will be really good.”

Wolf spoke on October 2 at the U.S. Capitol Visitor Center, where task force members from across the country joined the LSC Board and members of the Washington legal community to celebrate the report’s release.

The task force, co-chaired by board members Dean Martha Minow of the Harvard Law School and Harry J.F. Korrell III of Davis Wright Tremaine LLP, included more than 60 distinguished leaders and experts from the judiciary, major corporations, private practice, law schools, the federal government, and the legal aid community.

The task force’s recommendations to LSC and its grantees include:

- Forming a professional association of pro bono coordinators at LSC-funded organizations;
- Asking Congress to create a new Pro Bono Innovation/Incubation Fund modeled on LSC’s successful Technology Initiatives Grant (TIG) program; and
- Developing a fellowship program for new graduates and emeritus lawyers designed to build support for civil legal services and pro bono within firms, law schools, and the legal profession as a whole.

The task force’s requests of bar leaders, the judiciary, and others include:

- Permitting judges to recruit and recognize pro bono attorneys, consistent with their ethical obligations;
- Allowing lawyers to take on limited-representation matters or unbundle services; and
- Allowing lawyers to take on pro bono matters in jurisdictions other than those in which they are licensed to practice.



**Audience members at the Capitol Hill event.**

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**Speakers at the Boston release of the Pro Bono Task Force report:** (L-R) Task Force Co-Chair Martha Minow, vice chair of the LSC board; Deputy Assistant to the President Michael Strautmanis; former Massachusetts Chief Justice Margaret Marshall; (L-R) Pine Tree Legal Assistance Executive Director Nan Heald, LSC President Jim Sandman, Mary Ryan of Nutter McClennen & Fish, LSC board member Robert J. Grey Jr., and David Wilkins of Harvard Law School (moderator).

The task force's requests of policymakers, funders, and the legal profession include:

- Recognizing that using pro bono lawyers to address the crisis in legal services can be accomplished only with proper infrastructure and support for pro bono programs—which comes at a cost;
- Recognizing that LSC and its grantees should receive adequate funding to develop this infrastructure, and this funding should not come at the expense of supporting existing and critically-needed legal services.

LSC has also empaneled an Implementation

Steering Committee to ensure that these recommendations and findings are translated into action. Co-chaired by board members Robert Grey, a former ABA president, and Victor Maddox, a Kentucky practitioner, the panel is divided into four subcommittees: Pro Bono Toolkit, Technology, and Effectiveness Implementation Subcommittee; Pro Bono Culture Change Subcommittee; Pro Bono Fellowship Subcommittee; and Pro Bono Rules Change Implementation Subcommittee.

Subcommittees are composed of LSC board members, LSC grantees, members of the private bar, and the judiciary as well as interested stakeholder groups.



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**At the Chicago release of the Pro Bono Task force report:** (L-R) LSC Board Chair John Levi, ABA President Laurel Bellows, Joint Chief Executive Officer and Partner Lee I. Miller of DLA Piper, and Chief Justice Thomas Kilbride of Illinois.

### MAINE PRO BONO LAWYER WINS AWARD

Maine lawyer Thomas Cox won a \$100,000 Purpose Prize in 2012 for pro bono work he did with LSC-grantee Pine Tree Legal Assistance (Pine Tree) that uncovered “robo-signing” and other illegal practices in the mortgage industry.

In 2009 Cox took a Pine Tree foreclosure case to help Nicolle Bradbury save her home. Because of his expertise in the foreclosure process, Cox quickly realized that the mortgage company he was suing in court to save the \$75,000 house was mass-producing flawed paperwork to seize people’s homes illegally. This set off investigations that would lead to a \$25 billion settle-

ment that forced the nation’s largest banks to halt improper foreclosures.



The Purpose Prize, distributed by Encore.org, recognizes people older than 60 who work toward the public good. It is funded by the John Templeton Foundation and The Atlantic Philanthropies.

Cox continues to be a force at Pine Tree.

“Tom donated more than 700 hours of legal time to this work in 2012,” said Executive Director Nan Heald. “In addition to serving his clients, Tom has been an extraordinarily generous mentor and trainer for our legal aid staff.”