

FREQUENTLY ASKED QUESTIONS (FAQs) ABOUT PRO BONO

- 1.) What legal work qualifies as pro bono?
- 2.) Where can I find pro bono opportunities?
- 3.) How much time must I devote to pro bono activities?
- 4.) What about malpractice insurance?
- 5.) How do I know if a legal services provider is “qualified”?
- 6.) Does pro bono always mean taking on an entire case?
- 7.) Can I be trained in an area outside my usual practice?
- 8.) What pro bono work can a transactional lawyer do?
- 9.) What pro bono work can a retired attorney do?
- 10.) I don’t feel that I am an expert, should I take on a client?
- 11.) Can I get any recognition or credit from the State Bar for doing pro bono work?
- 12.) How can I contribute financially instead of volunteering?

1.) What legal work qualifies as pro bono?

The State Bar Board of Governors defines pro bono as providing or enabling “the direct delivery of legal services, without expectation of compensation other than reimbursement of expenses, to indigent individuals, or to not-for-profit organizations with a primary purpose of providing services to the poor or on behalf of the poor or disadvantaged, not-for-profit organizations with a purpose of improving the law and the legal system, or increasing access to justice.” See the [Pro Bono Resolution](#) on the State Bar’s website.

Legal work for clients referred from a qualified legal services program will always qualify as pro bono. Assisting friends or relatives who are not indigent is not pro bono. Similarly, if a client is suddenly unable to pay for legal services, that does not count as pro bono as the attorney expected compensation at the outset of the representation.

2.) Where can I find pro bono opportunities?

There are many places to look for interesting and rewarding pro bono work. The best place to start is www.probono.net/CA to find opportunities in your geographical area and area of interest.

3.) How much time must I devote to pro bono activities?

While the State Bar suggests 50 hours of pro bono activity annually, even a few hours may have extraordinary positive impact on underserved individuals and groups. The goal is aspirational - not a requirement.

4.) What about malpractice insurance?

Many qualified legal services providers provide coverage for your pro bono work. You should always check with your pro bono provider for more specific information about coverage.

5.) How do I know if a legal services provider is “qualified”?

A qualified legal services provider is one that receives funding from the State Bar’s Legal Services Trust Fund (IOLTA) Program. For a list of grantees see the [Legal Services Trust Fund Recipients](#) on the State Bar’s website.

6.) Does pro bono always mean taking on an entire case?

No. There is a broad range of pro bono activities that do not require direct, full representation and court appearances. Many programs run clinics and hotlines; your only commitment is for the time spent at the clinic or covering the hotline. California courts allow unbundled (or limited, discrete) services, so that you can draft pleadings only, or undertake only a portion of the representation, without committing to full representation.

Experienced attorneys can mentor newer legal services staff or other pro bono attorneys, can provide research, serve on boards or advisory committees, raise funds, make monetary contributions, and participate in pro bono policy making at the local, regional or statewide level.

7.) Can I be trained in an area outside my usual practice?

Yes. Many qualified providers offer training in areas with which volunteer attorneys may not already be familiar. You can learn about a new area of law and also, in many cases, be connected with a mentor who is an expert in the field, who can answer questions that may come up as you go along. Pro bono work is a great way to gain both knowledge and experience. Contact the applicable qualified provider to explore the opportunities.

8.) What pro bono work can a transactional lawyer do?

There are a number of legal services providers that have projects specifically designed to use your skills as a transactional lawyer. See [Find a Pro Bono volunteer opportunity](#) . In addition, there are many types of pro bono litigation matters, including some that may be of interest to you. Providers generally offer training and mentoring, so that you will be well supported.

9.) What pro bono work can a retired attorney do?

Retired attorneys can participate in a wide range of pro bono activities including mentoring, participation in a legal clinic or full representation. The State Bar waives the active membership fee for those who practice solely for the purpose of providing pro bono legal assistance through qualified legal services providers and State Bar certified lawyer referral services. For more information and an application see the [Emeritus Attorney Pro Bono Program](#) on the State Bar's website or contact Michael Dayao at (415) 538-2328 or Michael.Dayao@calbar.ca.gov

10.) I don't feel that I am an expert, should I take on a client?

There are only 754 legal aid attorneys in California out of 165,381 active attorneys to address the legal problems of 6.3 million indigent clients. (See "Action Plan for Justice", A Report of the California Commission, April 2007.) That means, that there is approximately *one legal aid lawyer in California for every 8,360 legal aid clients*. You have legal training and a license to practice law, and studies have repeatedly shown that attorneys get better results than clients who are forced to represent themselves. You can make a real difference in people's lives.

11.) Can I get any recognition or credit from the State Bar for doing pro bono work?

Yes. The State Bar recognizes outstanding pro bono legal service contributions annually by awarding The President's Pro Bono Service Awards to lawyers from a wide scope of practice settings. See the [President's Pro Bono Service Awards](#) on the State Bar's website.

The State Bar also issues the Wiley W. Manuel Certificate for Pro Bono Legal Services to lawyers, law students, paralegals and secretaries in California who volunteer their time and expertise on behalf of low-income clients. Pro Bono Coordinators can submit the application for a Wiley Manuel Certificate on behalf of their volunteers who complete fifty hours of pro bono service annually. See [Wiley W. Manuel Certificate for Pro Bono Legal Services](#) on the State Bar's website.

12.) How can I contribute financially instead of volunteering?

Contact [qualified legal services providers](#) or contribute to the [Justice Gap Fund](#). See also California Business and Professions Code §6073. [Pro Bono Services](#).