

The Importance of a Pro Bono Policy

I. Why a Pro Bono Policy?

There are numerous advantages to adopting a written pro bono policy within your corporation. For example, a written pro bono policy emphasizes your corporation's commitment, and that of your senior management, to pro bono work and to your community. A written pro bono policy can provide guidance and encouragement to members of your corporation as they consider integrating pro bono work into their professional life. A written pro bono policy is a reflection to both your own corporation and to the broader community of your corporation's desire to serve the needs of disadvantaged members of the community.

Developing a written pro bono policy for your corporation promotes a shared understanding of the corporation's pro bono process and its commitment to public interest law. A written pro bono policy documents the corporation's tradition of encouraging pro bono activity and establishes the procedures by which the corporation will handle pro bono cases. A written pro bono policy can establish consistent guidelines and procedures for how the corporation will recognize or "value" pro bono work performed by employees of the corporation. Finally, and oftentimes most importantly, adopting a written pro bono policy can help build and maintain the necessary support for pro bono work among the leaders of the corporation and ensure the sustainability of the program for the future.

II. Components of a Pro Bono Policy

There are many "model" pro bono policies available through the Pro Bono Initiative that can provide your corporation with guidance in drafting its own written pro bono policy. Of course, each corporation will have different reasons for establishing a pro bono program and will have adopted different procedures for implementing and managing that program. Nonetheless, it can be helpful for a corporation that is considering establishing a new pro bono program or revising an existing pro bono policy to review a variety of policies to get an idea what other corporations have incorporated into their pro bono programs.

The first step is to define the corporation's pro bono vision or mission statement. Why is pro bono important and what is the corporation's commitment to pro bono work? In addition to this statement, which is typically found at the beginning of the pro bono policy, a written pro bono policy should address the following:

- Definition of Pro Bono – What type of work will qualify as pro bono work in your corporation? Not all volunteer work typically qualifies as pro bono work. You should consider using the definition of pro bono that has been adopted by the Illinois Supreme Court in Rule 756.
- Process for Taking on a Pro Bono Case – What is the process for preventing business or positional conflicts and taking on a new pro bono matter?
- Professional Liability Insurance – Will the corporation provide it, or must the legal service provider?
- Use of Corporate Resources for Pro Bono Work – What type of support will be available for pro bono work? May pro bono work be done during business hours? If so, is there any limit for work during business hours?
- Recognition of Pro Bono Work – How will pro bono work be recognized? Is it considered in performance evaluations?
- Staffing and Supervision of Pro Bono Projects – How will pro bono matters be staffed and who will supervise these matters?
- Management of Pro Bono Program – Who will be responsible for managing and overseeing the pro bono program, reviewing and approving new pro bono matters, keeping track of the pro bono work being performed by the corporation, encouraging participation in the pro bono program, and working with local pro bono and public interest agencies, other corporations and law firms to identify new projects and cases?