

LAUNCHING A PRO BONO PROGRAM: 5 STEPS TO SUCCESS

Susan J. Feathers, Esq.¹

Assistant Dean, Albany Law School

In recent decades, we have witnessed an emergence of a pro bono “profession” within the legal community. National organizations such as the Association of American Law Schools and the American Bar Association have devoted substantial resources to institutionalizing pro bono through their professional standards. Major Law firms have increasingly promoted pro bono opportunities in law school recruiting efforts and have hired specialized administrators to manage their programs. Organizations such as Equal Justice Works have increased awareness about public service legal careers through post-graduate fellowships. Dramatic and tragic events such as the September 11th terrorist attacks and Hurricane Katrina have also galvanized lawyers into a greater appreciation for and dedication to pro bono work.²

We are also witnessing a legal education reform movement over the future of legal education in which pro bono and service play a critical role. The Carnegie Report for the Advancement of Teaching -- Preparation for the Profession of Law and the Clinical Legal Education Association’s Report address the importance of teaching professionalism and service. Both emphasize the importance of access to justice issues and specifically recommend that law school students should have the opportunity to engage in issues regarding poverty law and to integrate those experiences into their law school curriculum.

Law schools have responded to the pro bono movement both in the professional arena and in the call for curricular reform. Since the founding of the first program in 1989, the majority of law school pro bono programs have become institutionalized. According to the [ABA Directory of Law School Public Interest and Pro Bono Programs](#), 116 ABA approved law schools have formal voluntary pro bono programs, 16 schools have pro bono graduation requirements and 17 require some form of public service as a condition of graduation. Virtually all law schools that have pro bono programs have designated professionals to coordinate and oversee these programs. Indeed, in accordance with the ABA accreditation standard 302(b)(2), law schools must offer students substantial opportunities to participate in pro bono activities. At least for the moment, pro bono work performed by law students has become institutionalized within American law schools.

The task of creating, reorganizing or overseeing a pro bono program may seem overwhelming. This article offers concrete suggestions and sample materials for how to launch a program that both educates law students about the importance of pro bono and provides meaningful legal assistance. To view sample materials or to obtain further information about Albany Law School’s Pro Bono Program, please visit the [Albany Law School Pro Bono and Professionalism website](#) or contact Assistant Dean Susan Feathers at

¹ Susan J. Feathers is an Assistant Dean for Student Affairs at Albany Law School where she is also an Academic Support Professor, the Director of Pro Bono Programs and the Faculty Advisor to Moot Court. She is the former Executive Director of Stanford Law School’s Levin Center for Public Service and served as an Assistant Dean for Public Service at the University of Pennsylvania Law School’s Public Service Program (ABA Pro Bono Publico Award 2000) for nine years. She began her career in academia as a Senior Supervising Attorney for Hofstra Law School’s Constitutional Litigation and Criminal Defense Clinics. She served as Senior Appellate Counsel for the Legal Aid Society of New York City, Criminal Appeals Bureau.

² This overview is adopted with permission from the article in National Association of Law Placement from the Law School Guide to Public Interest Guide (2007), Susan Feathers, Dena Bauman and Theresa Schmiedler. “Administering Pro Bono and For-Credit Public Interest Programs.”

sfeat@albanylaw.edu. Remember that successful pro bono programs evolve over time and by creating a solid foundation from the initial stages, long-term success can be accomplished.

(1) **Host a Pro Bono Fair for Community Partners Seeking Pro Bono Assistance.**

One of the most effective and easy ways to educate students about pro bono opportunities in your community is to invite attorneys seeking pro bono interns to your law school for an informal informational fair. This provides a way for both your students and prospective partners to meet ‘face-to-face’ and get a sense of the broad range of opportunities.

(2) **Develop a Student Handbook.**

In the student handbook you can detail the various components of your program; including your definition of pro bono, the time expectations and the procedure for signing up and giving feedback. In the handbook it is critical to address the many professional responsibility issues that may arise in the context of pro bono placements including confidentiality, conflicts of interest and the potential for unauthorized practice of law. Finally, it is important to have opportunities for student feedback about their experience and how it may have impacted their understanding of substantive law, informed their career choices, and impacted their overall experience at the law school.

(3) **Develop a Supervisory Manual for your Community Partners.**

In addition to describing the parameters of your program, be sure to offer advice about how to recruit, train and supervise pro bono interns. In addition, give thought to how to effectively craft assignments and offer meaningful feedback. In the short run, your partners may find that they are ‘putting in more work than they are getting back.’ But in the long run, an effective pro bono coordinator can insure that the experience is a mutually beneficial one and that the partners are receiving much needed assistance from law students in a way that allows them to better meet the needs of their clients.

(4) **Host Trainings for Student Interns.**

Most community partners will train pro bono interns in the substantive area of the law in which they will be practicing. In addition, it is useful to provide training to student interns on a range of issues that may arise in their pro bono placements -- e.g. cultural competency, client interviewing and ethics in the context of poverty law. These may be lead by faculty and/or community partners and are another way of ensuring that the pro bono experience is an educational one. In addition, faculty leading reflection sessions for students involved in pro bono work can be a useful way to forge links between the pro bono experience and substantive law and classes.

(5) **Create a sustainable model.**

One of the more formidable challenges to launching and sustaining a pro bono program is insuring that your law school makes pro bono an institutional priority. Despite the consensus among law school deans that creating structured pro bono programs is very important, many law schools do not have adequate staffing and resources to insure that students receive a meaningful experience. In order to get authentic institutional ‘buy-in,’ it is critical to educate and build relationships with your Admissions and Career Development Offices, faculty and alumni about the many institutional benefits of pro bono programs which increasingly have become a critical component of experiential and service-learning at law schools nationwide.

In the short term, however, one way of insuring that your pro bono program has adequate staffing and resources is to create a self-sustaining model. One such model is that at [Albany Law School’s Pro Bono Donor Project](#), a student-initiated model for building and sustaining meaningful pro-bono programs at law schools nationwide. Created at Albany Law School, the

program utilizes the fundraising formula used by marathons, but rather than soliciting sponsorship for the number of miles raced, students solicit sponsorship from friends, family and the community for the number of hours of pro-bono related work they complete.

CONCLUSION

The essence of an effective pro bono program is remaining responsive to unmet community needs while also responding to student interests. Ideally, an effective pro bono program has the capacity to provide an important educational experience in professionalism while also expanding the infrastructure of the public interest legal community. Developing an effective and meaningful pro bono program requires considerable time, resources and expertise as well as an authentic commitment from your law school. I hope that you will find these concrete suggestions and sample materials referenced useful and that you will customize them to suit the mission of your particular program.