

## PRELIMINARY OUTLINE

### GUIDELINES FOR SUPERVISION OF LAW STUDENT PRO BONO WORK

#### **1) INTRODUCTION**

#### **2) TRANSLATING AN ACCESS-TO-JUSTICE ORGANIZATION'S NEED FOR HELP INTO A PRO BONO PROJECT FOR LAW STUDENTS**

- a. Goal Setting
  - i. Project outcomes for clients or organization
  - ii. Student learning
  - iii. Other
- b. Assessing the Resources Available for the Project
  - i. Host Organization Resources (e.g. staff attorneys and other personnel, space, computers)
  - ii. Students (e.g. experience, substantive knowledge, schedule)
  - iii. Other
- c. What Qualifies as Pro Bono in Various Regimes
  - i. New York State 50 Hour Rule
  - ii. California Rules
  - iii. Individual School Rules
- d. Identifying Incentives for Student Participation
- e. Deciding What Form the Project Should Take
  - i. New or Existing Initiative?
  - ii. Advocacy Methodologies To Be Used
  - iii. Student Role(s)
  - iv. Length of Student Service
    1. Project Specific v. General Internship
    2. Duration of Project or Internship
  - v. Location of Student Work (in host office or elsewhere?)
  - vi. Inclusion of Law School Partners
    1. Law School Clinic or Externship
    2. Student-Directed Project
    3. Law School Directed Project
  - vii. Inclusion of Law Firm Partners
  - viii. Determining Whether to Use A Formal Memorandum of Understanding

#### **3) PROVIDING ORIENTATION AND TRAINING**

- a. Orientation
  - i. Providing Adequately Defined and Clear Project Definition and Goals
  - ii. Context In Which Project Is Being Done
  - iii. Relevant Poverty Law Issues
  - iv. Cultural Competency
  - v. Professional Responsibility and Ethics
    1. Confidentiality

- 2. Practicing Law Without A License
- 3. Other
  - vi. Professionalism and Workplace Expectations
- b. Training re Specific Law and Skills Relevant to Project
- c. Factors Relevant to Determination of Specificity of Initial Training
- d. Resources for Assistance with Orientation and Training
  - i. Law School
  - ii. Student Leaders
  - iii. Consortium with Other Providers
  - iv. Technology
- 4) ASSURING COMPETENT PERFORMANCE BY AND MEANINGFUL EXPERIENCE FOR STUDENTS**
  - a. Tailoring Supervision to the Project to Provide Timely and Adequate Supervision
    - i. Frequency of Meetings for Feedback and Questions
    - ii. In Person or Via Technology?
    - iii. Who Provides Supervision?
  - b. Keeping Lines of Communication Open
  - c. Identifying and Communicating about Opportunities for Learning
  - d. Evaluation of Student
  - e. Feedback from Student During and After Project
  - f. Tracking of Hours
- 5) PROJECT EVALUATION – LESSONS FOR THE FUTURE**
  - a. Impact and Accomplishment of Project Goals
  - b. Provision of Meaningful Experience and Learning for Student
  - c. Suggested Improvements in Project Design and Execution for Future Student Pro Bono Projects
  - d. Sources of Information
    - i. Clients
    - ii. Attorneys and Other Supervisors
    - iii. Students
    - iv. Law School Faculty or Administrators
- 6) PROVIDING A NONDISCRIMINATORY, ACCESSIBLE AND SAFE WORKPLACE**
  - a. Workplace Free of Discrimination Based on Color, Race, Religion, Marital Status, Sex, National Origin, Age, Sexual Orientation, Gender Identity
  - b. Workplace Access for Persons with Disabilities
  - c. Workplace Free of Illegal or Unwanted Harassment
- 7) RELATIONSHIPS WITH LAW SCHOOL FACULTY AND ADMINISTRATORS**
  - a. Identifying Contact People and Allies at Law Schools
  - b. Roles Faculty or Administrators Can Play
- 8) SPECIAL ISSUES OF PRO BONO SCHOLARS PROGRAM FIELD COMPONENTS**

## **APPENDIX**

## **Student Pro Bono and the Regulatory State**

### Pro Bono Guidelines

- i. ABA Pro Bono Standards for Law Schools
- ii. New York State Bar 50-Hour Pro Bono Requirement, Rule 520.16
- iii. California Rules

### Other Relevant Statutes

- i. Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq.
- ii. Sexual Harassment Laws, Title VII of the Civil Rights Act, 42 U.S.C. Section 2000 et. seq.  
[Other Federal or NYS]

## **Sample Documents**

- i. Workplace Confidentiality Agreement
- ii. Memorandum of Understanding
- iii. Hours Tracking Form
- iv. Supervisor's Report
- v. Student Exit Questionnaire
- vi. Form Affidavit for New York State Bar