

What is Pro Bono?

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The term “pro bono” comes from the Latin phrase *pro bono publico* that means for the public good. In the legal field, it is commonly used to describe legal work or services performed voluntarily and free of charge to people or organizations who could not otherwise afford legal assistance.

Are North Carolina attorneys required to provide pro bono service?

In 2010, the North Carolina State Bar adopted Rule 6.1, Voluntary Pro Bono Publico Service, which states in part: “Every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least (50) hours of pro bono publico legal services per year.” Although there is no statewide requirement that attorneys do pro bono, Comment 1 of Rule 6.1 states, “[t]he North Carolina State Bar urges all lawyers to provide a minimum of 50 hours of pro bono services annually.”

My client didn’t pay me. Since I helped them for free, isn’t that pro bono?

Comment 4 of Rule 6.1 states, “Because service must be provided without fee or expectation of fee, the intent of the lawyer to render free legal services is essential for the work performed to fall within the meaning of [pro bono]. Accordingly, services rendered cannot be considered pro bono if an anticipated fee is uncollected. . .” Legal services written off as a bad debt or a case in which an attorney cannot collect a fee do not qualify as pro bono.

What is the difference between community service and pro bono service?

Pro bono service principally involves the provision of free legal services or activities that improve the law or legal system. Attorneys who volunteer with a nonprofit, church, or school or serve on a nonprofit’s board are providing community or public service, not pro bono service, unless they provide free legal assistance as part of their activities. See Rule 6.1 definition.

<http://www.ncbar.gov/rules/printrule.asp?id=111>

If I provide legal help to a nonprofit organization or community group, does it count as pro bono service?

Pro bono legal services to the poor are not limited to individuals. Providing free legal assistance to a charitable, religious, or educational organization, whose overall mission and activities are designed primarily to address the needs of the poor, counts as pro bono service.

Pro Bono Opportunities

How can I get involved?

Contact a legal aid provider in your area. A list of established pro bono programs that use volunteer attorneys to serve clients in need of legal assistance is included on pages 7-8.

What types of pro bono opportunities are available?

Pro bono opportunities range in terms of time commitment and level of experience. Pro bono attorneys can assist with intake, brief advice and counsel via a helpline, or extended representation of clients. Pro bono attorneys may also assist by offering particular services at a legal clinic or presenting on a particular topic at a community education session. Clients frequently need assistance in the following areas:

- Consumer protection cases involving predatory lending, automobile financing, warranties and fraud, unfair and deceptive trade practices, unfair debt collection practices, student loan issues, and credit repair.
- Domestic violence and other family law cases, including guardianship.
- Employment cases involving unemployment benefit claims, wage claims, and Family and Medical Leave Act issues.
- Health care and access to benefits cases including Medicaid, Social Security, tax benefits, veterans benefits and other services.
- Immigration cases involving U and T visas for victims of trafficking and crimes, VAWA petitions, Special Immigrant Juvenile Status, asylum, and other issues.
- Housing cases involving eviction, habitability, foreclosure, predatory lending, and other issues.
- Wills, powers of attorney, and advance directives.
- Expunctions, certificates of relief, and other relief to remove barriers to employment for individuals who have a criminal record.

Why should I participate in an organized pro bono program when I can do it on my own?

Legal aid providers and pro bono programs have developed pro bono projects to address the most pressing legal needs of the community. Clients are screened to ensure that they qualify for pro bono assistance and cases are assessed to confirm that they have merit. Many pro bono programs offer benefits to volunteer attorneys, including training and practice-area resources, CLE credit, mentoring, and professional liability insurance coverage. Programs also record the hours donated by volunteers to demonstrate the public benefit provided by attorney volunteers.

Besides providing pro bono legal services, how can I help?

In addition to volunteering your time to provide legal services to those who cannot afford them, you can help by making a financial contribution to legal aid. Your support is critical to help fund the work of our legal aid programs.

Other ways to support increased access to justice for all: recruit other attorneys to volunteer their time to provide pro bono representation; serve on the board of a legal aid organization; or help advocate for increased resources for legal aid on the local, state, and federal level.

Malpractice Insurance

Do legal aid organizations provide malpractice insurance for participating pro bono attorneys?

Yes, legal aid organizations including Legal Aid of North Carolina, Pisgah Legal Services, and Legal Services of Southern Piedmont provide professional liability insurance for cases that are accepted through their pro bono programs. If you are not sure if a particular pro bono project offers coverage, you should check with the program contact.

New Admittees

I am a newly-admitted NC attorney, how can I participate in your pro bono program?

Congratulations on passing the bar and thank you for your interest in volunteering your time! For new attorneys, pro bono is personally rewarding and can help you build your skills, learn about a different practice area, and expand your professional network.

Pro bono opportunities are available in many areas of law including domestic violence, employment, immigration, landlord tenant, and more. Depending on your experience and background, it may be helpful to attend a CLE training applicable to the type of pro bono case or project you want to take. Legal aid organizations periodically offer CLE trainings in all substantive areas of law in which pro bono clients frequently need legal assistance. Trainings are often offered for free or at a reduced “pro bono rate” in exchange for an agreement to take cases. As a volunteer, you will also have access to resources for all practice areas, staff support, and mentoring to assist in the representation.

If you are employed at a law firm, we also suggest you talk with a managing attorney at your firm or the pro bono coordinator if your firm has one, who can tell you about opportunities the firm supports as well as the process for getting pro bono representation approved by the firm, if applicable.

Training

I haven't worked on a case involving this area of law before – what support can you provide me?

Legal aid organizations periodically offer CLE trainings in all substantive areas of law in which pro bono clients frequently need legal assistance. Trainings are often offered for free or at a reduced “pro bono rate” in exchange for an agreement to take cases.

Legal aid organizations can offer other resources throughout the course of the pro bono case. For example, staff are available to discuss strategy, legal issues, and local court practice and mentor attorneys working on a case in an area of law that is new to them. Staff may also be able to help you identify model pleadings and other materials to assist in the representation. Written training materials and other practice-area resources may be available.

Retired Attorneys

Do you have opportunities available for retired or inactive attorneys?

Yes. If you are a retired North Carolina attorney and want to volunteer, you can continue to contribute through pro bono service. Even if you have an inactive license, there are various ways you can get involved.

Some pro bono opportunities at legal aid do not require attorneys to have an active license in North Carolina. Examples include assisting with intake and working under the supervision of another attorney at an expunctions clinic.

If you want to participate in other pro bono activities that require an active license, NC State Bar rules permit retired, inactive attorneys to serve their community by petitioning for pro bono status. With pro bono status, inactive attorneys can provide pro bono legal assistance to indigent clients under the supervision of an attorney at a nonprofit legal services corporation. Attorneys granted pro bono status do not incur membership dues from the NC State Bar and are not required to complete mandatory continuing legal education, although CLE may be taken if desired. Pro bono attorneys have opportunities to serve indigent clients in a variety of practice areas and levels of service.

For details about how to obtain pro bono status, frequently asked questions, forms and links for more information, visit the NC Equal Access to Justice Commission site:

<http://www.ncequalaccesstojustice.com/pro-bono-status/>.

Who is eligible to serve as a supervising attorney?

The supervising attorney must (1) be a licensed member of the NC State Bar in good standing, (2) work at a nonprofit organization that provides legal services to low-income individuals, and (3) submit a statement agreeing to supervise the inactive NC or out-of-state pro bono attorney. Contact one of the legal services organizations listed on pages 7-8 to inquire about volunteering under their supervision.

Out of State Attorneys

I'm not licensed in North Carolina but am licensed in another state—are there any opportunities for me to do pro bono work?

Yes. If you are an attorney licensed in another state (whether you are active or inactive) who wants to volunteer, we can work together to find a pro bono opportunity for you. Some pro bono activities at legal aid do not require attorneys to have an active license in North Carolina. Examples include assisting with intake and working under the supervision of another attorney at an expunctions clinic.

If you want to participate in other pro bono activities that require an active license, NC State Bar rules permit out of state attorneys (whether active or inactive) to serve their community by petitioning for pro bono status. With pro bono status, out-of-state attorneys can provide pro bono legal assistance to indigent clients under the supervision of an attorney at a nonprofit legal services corporation. Attorneys granted pro bono status do not incur membership dues from the NC State Bar and are not required to

complete mandatory continuing legal education, although CLE may be taken if desired. Pro bono attorneys have opportunities to serve indigent clients in a variety of practice areas and levels of service.

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Other Volunteers/Paralegals

I'm between jobs. Do organizations have any opportunities for me to work or volunteer in your office?

Yes, and thank you for considering volunteering your time to promote access to justice. Availability of pro bono opportunities varies based on space constraints in local offices, volunteer attorney experience and skills, current office needs, and staffing. Ideally, volunteer attorneys commit to the equivalent of a semester time period and a minimum of 10 hours a week to make this a productive experience for all.

Are there opportunities for paralegals to volunteer?

Yes, and thank you for considering volunteering your time to promote access to justice. Some pro bono activities do not require a bar license and are available for paralegals. Paralegals often participate by volunteering on a pro bono case or clinic with a licensed attorney in the firm or office where they work. Availability of other pro bono opportunities for paralegals varies based on space constraints in local offices, experience and skills, current office needs, and staffing.

Volunteer Times/Case Types

Do you have volunteer opportunities on Saturday or outside of working hours?

Yes. Volunteer opportunities with many legal aid organizations can be completed after hours or on the weekend. Examples include a Saturday walk-in legal clinic, providing brief advice by phone, or presenting on a topic of interest like divorce or child custody at an evening community education session.

I am interested in representing veterans, how do I get started?

In order to provide legal assistance with VA Disability claims, it is necessary to obtain certification from the VA, which requires submitting forms to the VA and a specific CLE commitment. More information about VA accreditation can be found at www.ncvetslegal.org. We can assist you in satisfying the CLE

requirement. We also have other opportunities to assist veterans, in areas such as consumer and employment matters, eligibility for non-VA benefits, discharge upgrade requests, and other areas of law.

Do you have opportunities for attorneys who are bilingual in English and another language?

Yes. We serve clients who speak many languages and, depending on your experience and skills, we would welcome your assistance to meet their legal needs. Particular areas of pro bono work for bilingual attorneys include consumer protection, domestic violence, employment, immigration, and landlord tenant, among others.

I am a litigator, what opportunities do you have to get into court?

We have many areas of pro bono work that involve court appearances, including domestic violence, landlord tenant, and consumer protection cases. We have a variety of cases that involve appearances in specialized courts such as U.S. Tax Court and Immigration Court, and administrative courts, including cases regarding Social Security and SSI Disability, Medicaid, and Unemployment Insurance.

What pro bono opportunities are available for transactional attorneys or corporate counsel?

We have opportunities to do pro bono work that are well-suited to transactional attorneys or corporate counsel. Examples of pro bono projects of particular interest to transactional attorneys or corporate counsel include preparation of wills and advance directives for elderly clients and expunctions or expungements which remove barriers to employment.

Who We Are

Legal Aid of North Carolina

Legal Aid of North Carolina is a statewide, nonprofit law firm that provides free legal services in civil matters to low-income people to remove legal barriers to economic opportunity. LANC seeks volunteer attorneys for:

- The Lawyer on the Line program provides an opportunity for private attorneys throughout the state to provide pro bono service to low-income persons by phone. Volunteers with Lawyer on the Line conduct one-hour telephone consultations with screened and eligible clients and provide advice over the phone in a practice area of their choice at a time and location convenient for them. Volunteers commit to one to four calls per month.
- Attorney volunteers are also needed to take cases. Areas of most need are: landlord/tenant, public and subsidized housing, Medicaid, Social Security matters, consumer collections, employee rights, custody, guardianship, and simple estates.

Legal Aid continues to provide malpractice insurance, a mentor, and training to all volunteers.

For contact information for Lawyer on the Line or a pro bono coordinator in your area, visit:

<http://www.legalaidnc.org/public/Participate/pro-bono/pro-bono-coordinators.aspx>.

Legal Services of Southern Piedmont

The Access to Justice Pro Bono Partners Program is a joint program in Charlotte between Legal Services of Southern Piedmont (LSSP) and Legal Aid of North Carolina-Charlotte (LANC). Both LSSP and LANC are non-profit law firms that work together to serve the civil legal needs of low-income clients in the greater Charlotte-Mecklenburg community and provide many opportunities for private attorneys to help. LSSP and LANC also share the same office and have a joint intake program to screen eligible clients.

For a list of current programs and areas of need, visit: <http://lssp.org/wp-content/uploads/2012/12/LSSP-LANC-Program-Board-Final.pdf>.

For more information about volunteering with LSSP / LANC-Charlotte, visit:

<http://www.lssp.org/volunteer/>.

Pisgah Legal Services

Pisgah Legal Services' pro bono program Mountain Area Volunteer Lawyer (MAVL) Program is made up of more than 300 active private attorneys who volunteer their services to help meet the need for civil law representation of low-income residents of Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania Counties. MAVL members select the types of cases they will accept, and initial interviews are scheduled so that the attorney may review the proposed referral prior to accepting. Pisgah asks volunteers to agree to contribute at least 50 pro bono hours per year.

To volunteer, complete the Mountain Area Volunteer Lawyer Application online:

<https://www.pisgahlegal.org/volunteer/mavl-attorney-volunteer-form/>.

For more information about volunteering with the Mountain Area Volunteer Lawyer Program, visit:

<http://www.pisgahlegal.org/volunteer/volunteer-lawyers/>.

Children’s Law Center of Central NC

The Children’s Law Center addresses the legal needs of children in Chapter 50 high conflict custody cases, Chapter 50B civil domestic violence cases, Chapter 7B Juvenile Court cases when the Administrative Office of the Court GAL program has a legal conflict of interest, and educational issues. The CLC represents the “best interests” of children as a GAL in court proceedings.

For more information about volunteering with the Children’s Law Center, visit:

<http://www.childrenslawcenternc.org/>.

Council for Children’s Rights

Volunteer attorneys with the Council for Children’s Rights’ Custody Advocacy Program advocate for children who are caught in the middle of the most contested custody and visitation cases in Mecklenburg County. The volunteer attorney and volunteer advocate work together to represent the best interests of the child with support provided by a staff attorney as needed.

For more information about the Custody Advocacy Program, visit: <http://cfcrights.org/wp-content/uploads/2011/08/Custody-Advocacy-Program-Description.pdf>.

For more information about volunteering with the Council for Children’s Rights, visit:

<http://www.cfcrights.org/make-a-difference/volunteer/>.

Disability Rights North Carolina

Disability Rights North Carolina is a nonprofit organization that advocates for people with disabilities across North Carolina. Disability Rights’ Pro Bono Program seeks volunteer attorneys to provide legal assistance with Medicaid appeals as well as restoration of competency in guardianship cases.

For more information about Disability Rights’ Pro Bono Program, visit:

<http://www.disabilityrightsncc.org/pro-bono-legal-services-program>.

North Carolina Bar Association

The North Carolina Bar Association provides various pro bono opportunities for lawyers and paralegals statewide. During 4ALL Statewide Service Day, volunteer attorneys provide free legal information to callers by phone from sites statewide. The NCBA also sponsors NC LEAP, Lawyers for Entrepreneurs Assistance Program, which provides services to low-wealth entrepreneurs. Sections and divisions also periodically host other opportunities for pro bono service which can be found on the events calendar.

For more information about 4ALL Statewide Service Day, visit: <http://ncbar.org/giving/volunteer-now/4all-statewide-service-day/>.

For more information about other opportunities to provide pro bono service through the NCBA, visit:

<http://ncbar.org/giving/volunteer-now/> (both pro bono and other general community service opportunities are listed here).