**Model Corporate/In-House Legal Department Pro Bono Policy**

The Pro Bono and Public Service Committee of the Washington State Bar Association, working under the belief that every organization can benefit from a clear policy encouraging pro bono work by its employees, has created the following template policy for corporate and in-house legal departments in Washington state. This document is intended to be a starting point for the creation and adoption of such a policy, with the expectation that each organization will customize the template to best reflect its strengths and goals. All organizations are welcome to reach out to the Pro Bono and Public Service Committee for assistance with finalizing and adopting a policy, or with identifying opportunities for pro bono work for the organization’s attorneys.

**[Corporate/In-House Legal Department]**

Pro Bono Policy

Adopted \_\_\_\_\_\_\_\_, \_\_\_\_\_\_\_.

Over two million Washington households face significant legal challenges in a given year, and many of them are unable to access or afford an attorney’s assistance in navigating these problems. This disconnect is amplified for low-income families, who, according to a recent [Washington State Civil Legal Needs Study](https://ocla.wa.gov/wp-content/uploads/2015/10/CivilLegalNeedsStudy_October2015_V21_Final10_14_15.pdf), receive beneficial legal assistance in just 24% of the instances in which they may require it. Although the Washington legal community has a long tradition of providing pro bono services, more must be done to address the unmet needs.

**[Company Name]** (“Company”) believes that pro bono service is an essential component of every attorney’s professional career, and that Company’s lawyers – like all attorneys – have an opportunity and an obligation to assist those with the greatest need for equal access to justice. The Company acknowledges that individual lawyers meet their professional obligations to perform pro bono and public interest legal services in a variety of ways, but does not explicitly require lawyers to participate in pro bono projects. Nonetheless, we believe that participation in pro bono activities is beneficial for the public interest, for the Company, and for individuals employed by the Company.

**Pro Bono Aspirations**

According to Washington’s Rule of Professional Conduct (RPC) 6.1, “Every lawyer has a professional responsibility to assist in the provision of legal services to those unable to pay…and should aspire to render at least 30 hours of pro bono publico service per year.” Washington State, the American Bar Association Model Rules of Professional Conduct, and many other states have gone even further, adopting a 50-hour goal of pro bono work per year. Lawyers who report a minimum of 50 hours or more of pro bono work to the Washington State Bar Association (WSBA) will receive commendation for such service. The Company encourages all lawyers to dedicate a minimum of **[30/50/\_\_]** hours per year to pro bono work.

**Definition of pro bono**

The Company’s legal department adopts the description for pro bono work outlined in Washington’s Rule of Professional Conduct 6.1, which states that all attorneys should:

* 1. provide legal services without fee or expectation of fee to:
     1. persons of limited means or
     2. charitable, religious, civil, community, governmental and educational organizations in matters which are designed primarily to address the needs of persons of limited means; and
  2. provide pro bono publico service through:
     1. delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, or charitable, religious, civil, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate;
     2. delivery of legal services at a substantially reduced fee to persons of limited means; or
     3. participation in activities for improving the law, the legal system or the legal profession.

**Pro Bono Service Oversight**

Pro Bono activities at the Companyare overseen by a Pro Bono Coordinator and/or Pro Bono Committee. Company Pro Bono oversight responsibilities include:

* reviewing potential conflicts of interest;
* reviewing and approving potential pro bono work to be undertaken by Company attorneys, where appropriate; and
* approving Company expenses associated with pro bono activities (e.g. pro bono clinic expenses).

**Pro Bono Client Representation Standard**

The Company expects its lawyers to provide the same high quality of representation to all clients, including pro bono clients. Pro bono work may be undertaken during the work week, so long as it does not interfere with other assigned responsibilities and Company policies. Individuals doing pro bono work may utilize Company legal assistants, secretaries, and other support staff in a manner consistent with their job responsibilities. Attorneys should possess the knowledge and expertise required for success on any project, including pro bono cases and projects. Attorneys working on pro bono projects outside their area of expertise should seek guidance, training, or supervision from attorneys with the requisite expertise, or request additional resources from a Pro Bono Coordinator or Committee.

**Malpractice Insurance Coverage**

Because pro bono activities may not fall within the scope of the Company’s legal work, attorneys should not assume that the Company’s malpractice coverage will apply to pro bono work. Before agreeing to undertake pro bono legal services, Company attorneys should determine whether the pro bono program or organization has a malpractice insurance policy that covers volunteer attorneys. If coverage is not provided, the individual attorney assumes responsibility for any malpractice liability.

**Pro Bono Opportunities**

The Company encourages attorneys to consider participating in pro bono work via a [qualified legal services provider (“QLSP”)](https://www.wsba.org/connect-serve/volunteer-opportunities/psp) recognized by the WSBA. QLSPs are established programs that often offer fully integrated volunteer opportunities, including training, staffing and resources, MCLE credits, and in some cases malpractice coverage. Other examples of pro bono opportunities include teaching a pro bono CLE, serving on bar association boards or committees mentoring pro bono attorneys, advocating changing laws that impede access to justice for those of low or moderate means, or advising an organization that serves communities experiencing poverty and inequities.

**Recognition for Pro Bono Service**

While non-participation in pro bono cases and projects will not adversely affect Company lawyers, the Company may recognize participation in pro bono activities **[at company meetings and awards ceremonies, in its annual reports and newsletters, and/or with gift cards and donations]**.

**[Optional Paragraph]**

**Benefits of Pro Bono Service**

There are many benefits of doing pro bono work, which include:

* helping to meet critical legal needs and gaining satisfaction by giving back to the community;
* building the attorney’s legal skills and knowledge;
* networking with other attorneys and leaders to enhance individual professional development; and
* if the attorney does pro bono work through a QLSP recognized by the WSBA, the attorney can receive additional benefits including:
  + one CLE credit hour for every hour of pro bono work (maximum 24 per reporting period);
  + access to free online CLEs focused on pro bono topics;
  + training specific to the pro bono case or project; and
  + malpractice insurance for the pro bono case.