



“With your help this week and this month, this year can be the one in which lawyers, as a profession, stand up and turn back the tide of unmet legal need in our state.”

Young Lawyers

BY JEREMY REICHENBERG, ESQ., YOUNG LAWYERS CHAIR

SERVICE THROUGH PRO BONO: A TIDE OF UNMET NEED

One of the things that I cherish most about being an attorney is that it is a profession. And, as my father-in-law likes to say, we are in the people business. The purpose of our profession is to help offer guidance to people – our clients – as they go through some of the most difficult times in their lives. We shepherd people through divorces, custody actions, bankruptcy, loss of businesses, loss of property, injuries and the death of family members. The statistics show that at least 40 percent of the people in our state must face these challenges without any help, because they do not have the money to retain our services. October 21 through 27 is National Pro Bono Week. I want to encourage the State Bar of Nevada’s members to make this week, and this month, the start of a professional career dedicated to service.

Nevada Rule of Professional Conduct 6.1 states that every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least 20 hours of pro bono public legal services per year (NRPC 6.1(a)). More than 9,000 members responded as of May 29, 2012, to the 2011 Mandatory Report of Pro Bono Form, pursuant to NRPC 6.1(b). Only 3,368 reported doing pro bono work as described in NRPC 6.1. That means that more than 60 percent of attorneys licensed in the state of Nevada failed to provide any pro bono legal services. Further, the amount of donations to pro bono through the dues check-off on the Mandatory Reporting Form has gone

down over the past two years, with the rural areas of the state being hardest hit.

The 2012 Census numbers place approximately 41 percent of Nevadans living at or below the federal poverty level, which means that more than 1 million people qualify for legal aid. The 2008 Nevada Civil Legal Needs Assessment found that 80 percent of qualifying households reported a civil legal problem. In sum, the number of unmet civil legal needs today is staggering. These unmet civil legal needs affect not only the quality of justice pro se litigants receive, but it also taxes the justice system itself and the ability of court personnel to provide services in a timely manner.

Attorneys and Counselors at Law

As a young lawyer it can be intimidating to sign up to volunteer for a pro bono event. I used to worry that I would show up as the lawyer in the library and be asked to give advice on a question to which I did not know the answer and would not be able to research. However, I have found that even if I am not able to send the person away with an answer to their question(s), I can at least help point them a bit further down the path, or toward someone who can help them. As attorneys, we hold the keys to the judicial process. We know the rules and the procedures and therefore we point those we assist towards justice. Many of the people that you will come in contact with while doing pro bono work are disenfranchised and marginalized. You will be the

most prominent and educated person that they speak to about their problem, and likely the only person they know with any power to help. Take that responsibility seriously, because to them you provide hope.

As my father-in-law also likes to say, your license to practice law states that you are an attorney and counselor at law. At times I find that there isn't a legal claim or remedy that will help a pro bono client accomplish their goals; however, I can listen to their stories and empathize with their plights. They are not just problems to be dealt with or issues to be avoided, but flesh-and-blood human beings with problems and feelings. By taking the time to sit down with them, one human being to another, by listening and, in response, explaining a little bit about the complex legal process in which we dwell, we serve our profession and we serve others.

A Time for Action

The purpose of Pro Bono Week is to help expand services to low-income individuals and groups. In order to expand services to people in need in our state, more than one-third of us must step forward and do our part. The easiest way to help is to reach out to a legal aid group and volunteer. You can find a list of those groups in a legal resource directory brochure on the State Bar of Nevada's website at www.nvbar.org/content/pro-bono. You will also be able to see a list of Pro Bono Week events on the bar's website. You may also choose to donate money when you fill out your Mandatory Reporting Forms. One-Hundred percent of your dues check-off donation goes to civil legal aid for the geographic area where the money originates. With your help this week and this month, this year can be the one in which lawyers, as a profession, stand up and turn back the tide of unmet legal need in our state. ■