

WHAT'S YOUR EXCUSE?

THE MOST COMMON MISCONCEPTIONS ABOUT PRO BONO WORK

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Let's face it, you have every excuse in the book. You may feel constrained by a lack of time, training or an absence of malpractice insurance. You might think pro bono work only involves representing low-income individuals in litigation matters. Well, I'm here to tell you that you can do pro bono work, and I want to respond to a few common myths about pro bono.

I do not have time for pro bono work.

You are busy — and that's a good thing. However, pro bono work does not have to involve a huge time commitment. There are plenty of pro bono duties that can be performed in short, discreet blocks of time and do not require full-blown case representation.

As an example, Legal Aid Center of Southern Nevada provides low-income individuals with brief consultations, lasting approximately 15 to 30 minutes, during a series of

“Ask-A-Lawyer” programs. The time commitment required is less than three hours. Opportunities are also available in family law, landlord/tenant, small claims and federal court, as well as through programs serving veterans, small business owners and homeless individuals. Additional special events take place throughout the year; they are posted on Legal Aid Center's website at www.lacsnpobono.org.

I don't have expertise in the areas of law in which pro bono work is available.

While it is true that a significant amount of pro bono legal services are not customarily handled by private firms, you should not be discouraged from branching into areas in which you may have interest but not experience. Legal Aid Center, like many other organized pro bono providers, offers volunteers free CLE trainings, experienced volunteer mentors, sample forms, pleadings, training materials and even complimentary support luncheons.

Additionally, our clients need help in a range of substantive areas extending well beyond the family and immigration

law cases typical of most legal aid programs. Among other things, our pro bono volunteers may find themselves assisting a nonprofit with incorporation or negotiating a building lease, sealing a criminal record, reviewing a business contract, probating a will, appealing a game card denial, or arguing an appeal before the Nevada Supreme Court (this is guaranteed if referring through Legal Aid Center's Supreme Court Pro Bono Appeals Project).

My firm's malpractice insurance doesn't cover pro bono work.

Even if you do not have malpractice insurance, or your employer's policy doesn't cover pro bono work, most legal aid programs, including Legal Aid Center, offer volunteers primary malpractice coverage. So, the fear of being exposed to liability is unwarranted.

My clients do not care about pro bono work.

Your business clients can't care about your pro bono work if they don't know about it! Whether you are in a large or small firm, a solo practitioner or a corporate attorney, client relationships are an important part of your practice. Clients like to know that their attorneys are well-rounded individuals and that their lives do not revolve around sending them bills. Moreover, many in-house corporate counsel attorneys provide pro bono services and expect the same of their outside counsel. Even if your clients are small companies or individuals, they are likely to appreciate that their attorneys are "doing good works" in the community.

I do not maintain an active Nevada bar license/am not a member of the State Bar of Nevada.

This issue is typically raised by in-house counsel, those in professions that do not require an in-state or active bar license, retired members of the bar and stay-at-home parents. Many of these individuals no longer practice and no longer wish to maintain an active license, but are still willing to provide pro bono services. It is with these lawyers in mind that the Nevada Supreme Court Pro Bono Emeritus Program (Rule 49.2) was adopted. Through this program, a lawyer who is either admitted and in good standing in another state or who is Nevada-licensed but no longer an active member of the bar can obtain a limited certification, allowing them to provide pro bono representation through one of Nevada's organized legal aid programs. The application is simple and typically only requires two weeks' processing time once submitted.

Pro bono work will displace our firm's "real" client work.

The "displacement" concern is often raised as a deterrent to taking on pro bono work. However, companies that have studied this issue have concluded that not only does pro bono work not detract from paying-client work, the busiest and most profitable attorneys in an office are the attorneys performing the most pro bono work! The studies confirmed that successful attorneys

who do pro bono work are not turning down regular client work; they have simply figured out a way to integrate pro bono work into their practice.

Additionally, pro bono work can be used as a professional development tool by providing high-quality, skills-based training at a much lower cost than might otherwise be provided through client-paying work. Similarly, a strong pro bono culture can enhance employee satisfaction and benefit the firm through increased marketing exposure, heightened visibility and positive image-building based upon the good work being done in the community.

So, stop making excuses and get busy! There are more clients in need of your services than you can possibly imagine. By giving back to the community in which you live and work, you will feel the satisfaction of knowing what it's like to make a profound impact on the life of a person in need. ■



MELANIE KUSHNIR is Pro Bono Project Director for Legal Aid Center of Southern Nevada. In this role, Kushnir focuses primarily on recruiting, retaining and recognizing volunteer attorneys and law students who provide legal assistance and representation to low-income individuals. She also provides support for volunteers, monitors pro bono placements, maintains project statistics and develops new projects to expand pro bono delivery. Kushnir received her law degree from the Ohio State University Moritz College of Law.