

# Best Practices in Pro Bono:

## Introduction

The Best Practices in Pro Bono Guides were created to provide a model for pro bono programs and increase consistency in pro bono work across organizations. These guides present concise practical information on implementing and maintaining pro bono projects.

If you're reading this guide as a law student, you'll notice that much of it is written for your administrators. That doesn't mean that you can't make use of these materials yourself! If your school doesn't have a pro bono program—or it has one you'd like to improve upon--we hope this document will be helpful you jump-start conversations with your faculty and administrators.

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## Best Practices in Pro Bono:

### *Cultivating Volunteers*

The Best Practices in Pro Bono Guides were created to provide a model for pro bono programs and increase consistency in pro bono work across organizations. The guides present concise practical information on implementing and maintaining pro bono projects.

Some of this content is provided by Laura G. Burstein, Director of Public Service at SMU Dedman School of Law, and from resources provided by other schools.

#### Who Makes a Good Volunteer?

Participating in the delivery of pro bono legal services is an exceptional learning opportunity for law students and significantly enhances their legal education. In its most basic form, engaging in pro bono provides a platform for students to develop critical lawyering and professional skills, helps improve access to justice, and imparts an understanding of the vital need for legal assistance in the community. Pro bono is not merely an altruistic endeavor, but rather an affirmative responsibility under ABA Model Rule 6.1. Early exposure while in law school enables students to standardize the practice of incorporating pro bono into their professional life, helping to create a culture of ethical, compassionate attorneys committed to civility, public service, and zealous advocacy on behalf of their clients. Having law students participate in pro bono early and often in their training helps produce lawyers who are well informed about the legal needs facing the under-represented, and are committed to increasing access to justice. Therefore, we suggest that all law students should participate in pro bono.

Law schools take many different approaches in their efforts to encourage students to participate in pro bono. Most law schools have formalized public service or pro bono programs, and some even set pro bono hour graduation requirements. Regardless of the programmatic structure, employing a staff member to vet and coordinate pro bono opportunities provides students the necessary support to identify, select, and engage in pro bono legal services that students will find interesting and impactful, while also enhancing their legal skill development. To that end, law schools play a significant role in curating impactful, educational opportunities for students to participate in, as well as training the law students to be ready to assist and make the most out of their volunteer experience.

While many schools encourage law students to engage in pro bono throughout law school, we have found that students are most successful in their efforts to assist in

delivering quality pro bono legal services only after they have completed their first year of law school. The first year of law school provides students a grounding in the US legal system, an early understanding of the rule of law, and most importantly serves as a time where students begin learning the language of law and developing their analytical and problem-solving skills.

Just as important as having a foundation from the first year of law school, we find that students are best prepared to assist the community with legal concerns after receiving a training on the issues facing the low-income and disenfranchised communities. Ensuring that the training covers discussions on professional conduct as well as cultural competency, significantly improves the quality of the volunteer experience by helping to set reasonable expectations of professionalism and awaken an understanding of the importance of the endeavor. In sum, law students make outstanding pro bono volunteers, particularly when they have a foundation in legal study and have received a training on professional and cultural competency.

#### TIPS:

- Early exposure to pro bono service helps law students make pro bono a part of their professional career.
- Having a formal pro bono program at your school fosters a culture of pro bono and helps create the expectation that all students need to participate.
- Before volunteering, students should receive a training geared to developing their understanding of the value of pro bono, the issues facing the under-served, and professionalism.
- The law school should take an affirmative role in training and advising students seeking pro bono opportunities, as well as curating a list of quality placement opportunities.

### What Makes a Great Volunteer Opportunity?

The best pro bono volunteer opportunities are those that align with the student's personal or professional interests, where the impact of the work provided is tangible, and the outcome of the experience leaves the student feeling successful and satisfied with their assistance.

From the viewpoint of a law school professional, the most desirable pro bono volunteer opportunities are those that increase access to justice for marginalized communities while at the same time, offering hands-on experience and learning opportunities for

students that are well-supervised by knowledgeable attorneys. Law schools want to be sure that students will have the opportunity to develop legal and professional skills by engaging in direct legal services (not merely administrative), that hopefully adds to their resume and skill set, increases their awareness of their strengths and weaknesses, and helps them determine what sort of career they are seeking. To accomplish this, it is necessary for the law school to coordinate with the public interest agency to ensure that both the agency's need for assistance and the law school's expectations for their volunteers is mutually successful. Therefore, we strongly recommend that your school adopt a clear definition of pro bono legal service. This gives you set criteria to discuss with your public service placements as you coordinate volunteer opportunities and help set expectations.

Furthermore, we recommend that the law school develop a list of vetted public service placements and make them readily available to law students as they seek out opportunities to volunteer. Law students want to know that their volunteer hours are mutually beneficial. Through that lens, students are most compelled to participate in opportunities that are of specific interest to them, especially if the experience will expand or improve upon knowledge and skills in a particular subject area. As a result, providing a multitude of varied opportunities gives students the freedom to pursue pro bono that is meaningful to them.

As you are compiling a catalogue of placement opportunities for your students, think about creating a robust list that comprises a wide variety of opportunities. You can better reach the breadth of your students if your list of opportunities includes a range of legal practice types, such as litigation, transactional work, and research and writing. Equally important is ensuring your list has a nice sampling of law practice areas, such as family, civil rights, immigration, consumer protection, criminal law, housing, and benefits. As described above, just as important as the variety, is the necessity of ensuring that each of the placements will provide the students with good attorney supervision. This helps to safeguard that students are providing quality work product, are not engaging in unauthorized practice of law, and that the experience is both meaningful and educational.

To help ensure that each of the placement opportunities are successful, it is important to evaluate student experiences at the different placements on your list. Schools with formalized pro bono programs, typically use evaluation forms to track the number of hours students complete at the placement; update contact information of field placement supervisors; receive feedback from the supervisor on the student's performance; and to evaluate the experience generally. This enables the law school to play an active role to ensure that it is providing valuable volunteer experiences for the students.

## TIPS:

- Seek pro bono opportunities that are of interest to the students, where the work has a tangible impact on the community, and the student feels satisfied with the experience.
- The law school should work to compile a comprehensive list of varied pro bono placement opportunities in the communities where students seek to volunteer.
- The law school should coordinate expectations with the pro bono placements so that the students can provide much needed assistance and at the same time, provide quality legal services under direct attorney supervision.
- The law school should track and evaluate student experiences in each placement to ensure that expectations for both the student and placement continue to align.

### How to Make Sure Your Volunteers Return

We have found that law students are most likely to participate in pro bono when it is easy to identify interesting opportunities, when they had a significantly impactful experience in prior volunteer opportunities, and when there is an opportunity to receive recognition for their efforts. As described above, the law school plays an important role in vetting and curating impactful pro bono placements. When the law school also works to ensure the opportunities span the range of student interests, meet the law school's criteria for an appropriate placement experience, provide sufficient attorney supervision, and employ a process of evaluating student and placement performance, students will find their pro bono work more consistently impactful. This increases the chances that students will return and participate in additional pro bono. Furthermore, we have found that recognizing students for significant pro bono contributions has also incentivized students to continue to volunteer far above the school's pledge hours or graduation requirement.

## TIPS:

- Students are most likely to continue to engage in pro bono when it is (1) easy to identify placements; (2) their experience has been impactful; and (3) when they receive recognition for their outstanding efforts.
- The law school should develop relationships with the public interest agencies so that they can provide the students a well-vetted list of impactful placements.
- Recognizing specific students for their outstanding involvement in pro bono while in law school helps incentivize student participation.

### Resources

[https://www.americanbar.org/groups/legal\\_education/resources/pro\\_bono.html](https://www.americanbar.org/groups/legal_education/resources/pro_bono.html)

<https://topnonprofits.com/8-ways-keep-volunteers/>

<https://bloomerang.co/blog/3-must-haves-to-cultivate-donors-as-volunteers/>

<https://www.energizeinc.com/a-z/book-excerpt/11253>

<https://trust.guidestar.org/blog/2015/12/02/4-tips-for-cultivating-corporate-volunteers/>

<http://hls.harvard.edu/content/uploads/2008/07/guide-pro-bono.pdf>

[https://www.americanbar.org/groups/probono\\_public\\_service/policy/aba\\_model\\_rule\\_6\\_1.html](https://www.americanbar.org/groups/probono_public_service/policy/aba_model_rule_6_1.html)

## Best Practices in Pro Bono:

### *Training Volunteers*

The Best Practices in Pro Bono Guides were created to provide a model for pro bono programs and increase consistency in pro bono work across organizations. The guides present concise practical information on implementing and maintaining pro bono projects. The content in this section was gathered by Sande L. Buhai, Clinical Professor, Loyola Law School, Los Angeles.

#### What is the Importance of Training Volunteers?

Volunteers can come from a variety of sources and can have varied background and experiences. Volunteers could be lay people, college students, first year law students, upper division law students, young associates, partners in law firms or retired lawyers or judges. Volunteers could be experts in your area of practice or completely unfamiliar with the practice area. Volunteers may have experience working with your demographic or be completely unfamiliar with the people that you serve. Because of volunteers' varied backgrounds and experiences, training is essential in ensuring quality of service to clients and a positive experience for volunteers.

#### What is the goal of this section?

The goal here is to provide you with some resources to assist in training volunteers for legal services organizations or law schools. Trainings can be general, such as how to select an appropriate project, how to manage your time and resources, how to best work with the agency or law school on the project or how to get specific help when needed. Other trainings can be content specific, for example, how to draft a declaration for a domestic violence TRO or how to help someone with a specific immigration application.

Remembering that different people have different learning styles, it is useful to offer trainings in a variety of methods. A manual that lays out specific steps for filing a particular type of case is great, but having a video that goes along with it would be even better. On-line training can be very effective for some volunteers, but others may find it more accessible to go to a live presentation. Checklists can be very useful. For example, giving a volunteer a checklist that lays out the things they should ask when accepting a new assignment can help them feel empowered to take on the project. Even encouraging volunteers to ask simple questions such as: when is the deadline,

what resources or samples are available, when can we meet to discuss the next steps, and how long should this take, can be very helpful in ensuring a successful experience.

## References

The best guide I have found is provided by OneJustice, a non-profit dedicated to working with legal services organizations. OneJustice provides resources, consulting, and other technical assistance to legal services nonprofits, law firms, corporations, and law schools on developing and managing pro bono programs and partnerships. With stakeholders, OneJustice drafted the [California Pro Bono Best Practices Guide \(2014 ed.\)](#), a tool guiding pro bono coordinators in the nonprofit and private sectors on how to manage pro bono partnerships. Chapter 2 focuses on training for volunteers and has a wealth of information.



## Best Practices in Pro Bono:

### *Managing and Supervising Volunteers*

The Best Practices in Pro Bono Guides were created to provide a model for pro bono programs and increase consistency in pro bono work across organizations. The guides present concise practical information on implementing and maintaining pro bono projects. The content in this section was gathered by Teresa Schmiedeler, Director of Public Interest, University of Maryland Carey School of Law, and Jennifer Tschirch, Assistant Director of Pro Bono Programs, Georgetown Law.

#### How can I help optimize law student supervision?

Law schools employ a range of approaches to pro bono program structure: some develop primarily in-house opportunities whereas others utilize external placements; some recognize work done while academic credit is earned while others do not. Regardless of the model employed, at the heart of a well-administered pro bono program is effective supervision. It not only ensures that appropriate services are rendered but also enhances the students' experience and hopefully as a result engenders more pro bono engagement. This guide provides you with some resources to assist in supervising law students volunteering with legal services providers, whether in-house at law school clinics or with external placements.

#### What are the key elements of effective volunteer supervision?

A number of recurring themes emerge when talking with those who regularly supervise law students. Several are highlighted below and elaborated upon in the Resources section of this guide.

#### **Set clear expectations**

- The Center for Applied Legal Studies at Georgetown Law [sets out the obligations of the student and the supervisor](#) to establish a mutual understanding as to what aspect of the work the parties will be primarily responsible for. In a shorter term pro bono project, this can be similarly achieved through a pre-project email from the supervisor, as well as on-site orientation.
- When working with external placements, be certain there is a dedicated supervisor with a commitment to student oversight. In cases where volunteer attorneys are providing supervision, it is very helpful to have a strong relationship

with the volunteer coordinator at the organization running the project, in case any troubleshooting is needed.

- For the Maryland Volunteer Lawyers Service(MVLS), there are a few key elements that have made the volunteer experience for their program and for the law students successful: holding a weekly check-in with the students (even if brief); setting clear expectations up front and making sure to address potential issues (i.e. unauthorized practice of law and client confidentiality) with clear guidelines; explaining to the student how their task fits into larger work and letting them see the finished product when possible; and giving the student the opportunity to work on a variety of projects and providing them timely and concrete feedback.
- Muneer Ahmad, Clinical Professor of Law and Deputy Dean for Experiential Education at Yale Law School, recommends that supervisors conduct individual student check-ins at the start, middle, and end of the semester/project. These provide the opportunity for one-on-one feedback and tailoring of the students' educational experience in the clinic/on the project. Professor Muneer also suggests that supervisors require students to provide an agenda 24 hours in advance, and to bear responsibility for conducting the supervision meeting. This requires students to prepare in advance and to prioritize the items on which they most seek supervisor engagement. While this isn't feasible in the case of a one-day pro bono project, the same concept of getting off to a strong start with volunteers and checking back in applies. Open communication is critical.
- Establish policies with respect to communication, conduct, expectations, supervision and timeliness. Maryland Volunteer Lawyers Service (MVLS) has created an *Intern Essentials* handbook that details when students should arrive, what they can expect upon arrival, what supervisor meetings will look like, and how to properly wrap up one's work. It is included in the Resources section below. Law school pro bono coordinators can include similar logistical information regarding short-term projects that will ensure students make the most of the time allotted and foster – rather than erode – your law school's reputation with that provider.

### **Make no assumptions**

- While students will during their law school tenure receive training on client confidentiality, unauthorized practice, and other ethical issues, it is important for

the project supervisor to provide an overview at the outset for those who either haven't yet had that classroom training or don't fully grasp their application in a real-world setting. The University of Wisconsin Law School created an [online professionalism and ethics course](#), and the Training Volunteers Best Practices Guide in this series offers additional helpful guidance.

- By the same token, students may be unfamiliar with the dynamics facing the client population to be served. Providing a baseline of information that highlights the particular obstacles your community's low-income population faces to accessing services – transportation time and costs, housing affordability, language barriers, employer inflexibility – can be very enlightening. That is also true of the legal research landscape. In her [article about how to get a better return on investment](#) from law student volunteers, Heather Hodges references a manual that her organization developed to quickly orient students to the relevant rules and regulations governing the work they'll be doing.
- On projects/clinics where students work in teams, Professor Muneer recommends a discussion about team norms. In order to promote equity among students, in terms of both work opportunities and work obligations, encourage students to be explicit in talking with one another about their norms of collaboration, including expectations with regard to gender and race. Also see the Cultural Competency Best Practices Guide in this series.

## Resources

1. Georgetown Law's Center for Applied Legal Studies  
<https://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/CALS/teaching-methods.cfm>
2. MVLS Intern Essentials Handbook: Contact for Handbook: Susan Francis, Deputy Director, Maryland Volunteer Lawyers Service at [sfrancis@mvls.org](mailto:sfrancis@mvls.org).
3. University of Wisconsin Law School's online professionalism and ethics course: <https://law.wisc.edu/probono/ethicscourse.html>
4. Heather Hodges: Ten Minutes | Three Tips: Giving Your Public Interest Law Interns a Better ROI, published on September 12, 2016  
<https://www.linkedin.com/pulse/ten-minutes-three-tips-building-better-internship-public-hodges>

## Best Practices in Pro Bono:

### *Tracking Pro Bono Hours*

The Best Practices in Pro Bono Guides were created to provide a model for pro bono programs and increase consistency in pro bono work across organizations. The guides present concise practical information on implementing and maintaining pro bono programs and projects. The content in this section was created by Diane Fears, Director of Career Services and Student Voluntary Pro Bono Program, Wayne State University Law School, and Tonya Jupiter, Adjunct Lecturer in Law and Assistant Director of Pro Bono Programs, Tulane Law School.

#### What is the Existing Landscape for Tracking Pro Bono Hours?

Currently, there are some 237 law schools in the United States. The majority of them have either a formal pro bono program that requires students to perform a set number of hours of law-related public service or a voluntary program in which the law school offers a referral system and/or administrative support to students who volunteer to provide a certain number of law-related pro bono service hours in the community. See [https://www.americanbar.org/groups/probono\\_public\\_service/resources/directory\\_of\\_la\\_w\\_school\\_public\\_interest\\_pro\\_bono\\_programs/pb\\_programs\\_chart.html](https://www.americanbar.org/groups/probono_public_service/resources/directory_of_la_w_school_public_interest_pro_bono_programs/pb_programs_chart.html), for a list and descriptions of law school pro bono programs.

For a variety of reasons including certification and recognition, it is important for a pro bono program to have internal systems to track student participation. Thus, programs must (1) provide resources to track data; and (2) encourage students and/or supervisors or hosts to track hours. There is wide variation in the way existing pro bono programs track student participation. Many of the respondents to a recent survey conducted by the AALS and NALP Pro Bono Collaboration Group reported the use of paper forms and timesheets to track hours. However, significantly more respondents reported use of commercial platforms such as [Simplicity](#), [12Twenty](#), [Higher Logic](#) and [Mobile Serve](#), proprietary software created by the school, or other methods to track student pro bono hours.

The apparent trend reflects the sentiment expressed by the National Center for Access to Justice in its 2013 policy recommendation for development of a law student software application in an effort to strengthen law student pro bono participation and, thereby, increase access to justice. Among other things, the recommendation stated:

Software is needed to enable students to report the number of hours of volunteer activity performed, and the nature of the activities performed. The system should allow students to easily enter the data, record hours approved by supervisors, and maintain a running total of hours served. Ideally it would enable supervisors to confirm students' hours online.

The goal here is to identify the pros and cons of the principal systems in use for tracking pro bono hours of student participants in law school pro bono programs. Consideration of these factors should better enable you to identify and implement a tracking system best aligned with your budget, and the needs of your program or project.

Notwithstanding the type of pro bono program offered by a law school or kind of volunteer management system (or lack thereof) in place, survey participants consistently expressed a preference for the following helpful features for recording, reporting and supervising volunteer efforts.

### **Ease of Use**

System that supports seamless recordation, tracking, certification and oversight of volunteer service hours in a mobile environment and provides automated communications and surveys to volunteers and sites.

### **Efficiency**

One system to provide centralized and streamlined administrative control (dashboard) to process placement requests, track service hours by individual, class, skills and organizations; allow volunteers to record time and obtain site approval/certification of hours from any device (laptop, desktop, cell phone) anywhere in the world with internet access.

### **Reporting and Analytics Capability**

A feature that provides consistent real-time verification and accurate reporting on service work with exportable and customizable reports on service hours and outcomes, such as individual volunteer service hours, total community service hours provided by the school or each class; major community service partners based on yearly service hours recorded; types of services provided by volunteers; precise end of year reporting at the push of a button that analyzes and summarizes hours contributed to the delivery of legal services by students to individuals or public interest partners.

## Recommendations and References

### ***Use Technology to Transform Volunteer Hours Tracking Efforts***

While some law schools continue to rely on paper forms to manage their pro bono programs, there is a noticeable shift towards the use of reporting/management systems that rely upon technology for efficient data collection and analytics. Paper-based forms, while simple to use, ultimately are rife with problems that can impact efficiency, accuracy and degree of responsiveness. Paper forms can be labor intensive, especially if digitizing the forms; time consuming to collect, process, organize and analyze for

reporting purposes ; often hard to read; and easily lost, ignored or forgotten by busy students!. For a discussion of the hidden costs to paper forms, see:

<https://www.linkedin.com/pulse/20140720202957-137218978-part-2-hidden-costs-of-paper-forms-vs-web-forms>.

On the other hand, the costs (and benefits) of technology based systems can be tailored based upon your budget and ingenuity.

### Free

Some schools reported their use of free and open source technology like Google Forms which allow you to create interactive data entry forms, perform rudimentary time tracking and permit data collection to a spreadsheet and ability to run reports and do math. For further discussion of free tools for volunteer management, see:

<https://blog.capterra.com/free-volunteer-management-software-options/> and <https://www.trackitforward.com/content/google-apps-free-tools-volunteer-management>.

### Commercial

There are number of web-based commercial platforms that can provide a customizable and flexible product for your specific programmatic needs, e.g. [Symplicity](#), [12Twenty](#), [Higher Logic](#) and [Mobile Serve](#). Costs may include initial cost to purchase; monthly or yearly subscription cost and additional fees for support or upgrades and multiple administrators or users.

### Proprietary

Some schools, through their in-house technology departments, have developed their own digital customizable timekeeping system for pro bono programs and externships which mirrors many of the features and functionality of commercially available software without the costs or long-term contracts.

The best practice for you and your program or project depends on a variety of factors including the school's budget; student body size or number of student participants; and the nature and breadth of the program or project (e.g., voluntary or mandatory). Cost should not a determinative factor given the existence of readily available, free volunteer management software and applications. Schools utilizing traditional paper-based forms should consider incorporating mobile technologies to ensure a more efficient, responsive and flexible volunteer tracking and reporting system.

## Best Practices in Pro Bono:

### *Knowledge Management*

The Best Practices in Pro Bono Guides were created to provide a model for pro bono programs and increase consistency in pro bono work across organizations. The guides present concise practical information on knowledge management. The content in this section was created by Pamela Robinson, Director Pro Bono Program, University of South Carolina School of Law.

#### What is Knowledge Management?

Early proponents of the field of “knowledge management” defined it as getting the right knowledge to the right person at the right time. It is not just managing knowledge for knowledge’s sake or about data storage but about the creative and effective flow of information to meet the mission and goals of the pro bono program

#### What is the Importance of Knowledge Management to Pro Bono?

##### ***Why is Knowledge Management Important to Pro Bono?***

Moving from data collection to knowledge management requires regular engagement with your stakeholders and is key to any best practice. Managing the knowledge crucial to your program includes but is not limited to: good planning; strategic utilization of technology, problem solving, historical information, understanding of the programs value, and maximizing productivity.

##### ***How Does Knowledge Management Impact Pro Bono Programs? In What Specific Areas?***

###### Student Data

Whether it is hours performed by students on a pro bono effort or just calculating the number of students engaged, technology is key. The intersection of technology, the processes used and the people involved create best practices. Then technology accelerates our processes, resulting in more engaged students.

Important technology management tools include: Cloud storage, proper and updated security; password access, process checklists, encryption, training, software and hardware.

Each of these tools needs to be current and documentation should be retained for future use. Creating a timeline for implementation of any data collection process is important and helps provide any future manager with an overview of this area of your program. Proprietary software can be very useful and your university should have a process for updating. Horror stories abound about the designer of a wonderful piece of software

leaving and no one else understands how to change the dynamics. Avoid this by consulting with your IT staff and understanding their protocols.

### Project Outcome Data

It is especially important to know your partners as well as to build a strategy on how outcome data will be used. Knowing the usages up front will be vital to developing the data necessary to collect. Again, a checklist and written plan is key.

### Organizational Processes

Technology changes almost daily. Important documents such as task descriptions, memorandums of agreements, and checklists should be saved as a pdf.

PDF (Portable Document Format) is a universally recognized standard format. There is nothing worse than being unable to open an older important document because you no longer have the software. Don't forget the documents you share with partners.

### Organizational Culture

Much of the culture of your pro bono program is tied to Institutional knowledge. The history of the successes and failures of your program are important to document. The stories your present and former students tell can help to capture your culture. Consider using the free StoryCorps app ( [www.StoryCorps.org](http://www.StoryCorps.org)) to collect these stories. To help insure you do not have knowledge loss involve everyone in the practice of your program, from the top echelon of the law school to the outside partners. Collection of knowledge of your program is an ongoing effort not just a one and done kind of thing!

We often hear talk among lawyers about reputation. We explain this to students early in their studies but we also need to think about our program's reputation. A good, strong reputation for quality of service, dependability, creativity and overall organizational skills can enhance not only the program but also the law school.

### ***Next Steps***

Just imagine that you were unable to prepare your program's successor. Ask yourself these questions? Would they be able to start my computer? Would they know where to start? Is the information clear as to how to handle student requests? And the list goes on and on. Avoid overwhelming confusion with a simple folder not only on your computer desktop but in a hard copy- label it START HERE. The folder should have copies of checklists, timelines, key agreements or their location, even a simplified step by step description of how you handle a student request or initiate a new project. Think of all the things you touch on a daily basis or that are core to the operation of your program and include them. A yearly calendar of deadlines and events would be extremely useful. Think basic!

In addition to maintaining organizational processes it is also important to have transition documents. Transition documents are operational fundamentals and will insure a smooth transfer from one person to another. Who are the key contacts for projects?



What colleagues can be depended on to offer mentoring or advise? What kind of support can you expect? Who does what within your program? Who in the law school are your key supporters and what role do they play in your program? These are the types of transition documents that you should retain.

### **Last Word**

Knowledge management is a mindset; it should be a part of your daily return. Start the documentation of processes, culture at the very beginning of a program. Keep up to date on the latest in technology.

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## Best Practices in Pro Bono:

### *Cultural Competency Resources*

The Best Practices in Pro Bono Guides were created to provide a model for pro bono programs and increase consistency in pro bono work across organizations. The guides present concise practical information on implementing and maintaining pro bono projects. The content in this section was gathered by Laura Dym Cohen, Clinical Professor, Southwestern Law School with a sincere thank you to Angela Inzano, Program Manager, The Chicago Bar Foundation for sharing their resources with us.

#### What is Cultural Competency?

A meaningful attorney-client relationship is built on communication and understanding. The world in which legal aid and pro bono attorneys and law student volunteers work to build that attorney-client relationship is increasingly cross-cultural and there is often a gap to bridge between attorneys' life experiences and those of our clients. This gap can be influenced by any number of cultural norms and experiences, including, but not limited to: ethnicity, race, gender, nationality, age, economic status, social status, language, sexual orientation, physical characteristics, marital status, role in family, birth order, immigration status, religion, accent, skin color, or experiences with trauma.

Cultural competency improves the attorney-client relationship and experiences and, as a result, case outcomes.

#### What is the goal of this section?

The goal here is to provide you with many options for incorporating cultural competency into your trainings which may be 15 minutes during your substantive training, as resources supplementing your trainings, or as you prepare an extensive in-depth training program. As way of disclaimer, The Chicago Bar Foundation did not intend the following pages to be an exhaustive list of available trainings and materials - that would very likely be an impossible feat. Instead, consider this a jumping off point for your cultural competency journey.

#### References

The following pages provided by The Chicago Bar Foundation are also available here: <https://chicagobarfoundation.box.com/s/gpmlt0jwrt3mrnuynlawd61wifs0d5mj>

## **Cultural Competency Training Resources for Legal Aid and Pro Bono Attorneys**

As any attorney knows, a meaningful attorney-client relationship is built on communication and understanding. The world in which legal aid and pro bono attorneys work to build that attorney-client relationship is increasingly cross-cultural and there is often a gap to bridge between attorneys' life experiences and those of our clients. This gap can be influenced by any number of cultural norms and experiences, including, but not limited to: ethnicity, race, gender, nationality, age, economic status, social status, language, sexual orientation, physical characteristics, marital status, role in family, birth order, immigration status, religion, accent, skin color, or experiences with trauma.

This collection of resources grew out of national conversations about the importance of cultural competency in lawyering for legal aid and pro bono attorneys and what resources existed for training attorneys on these and related competencies. Cultural competency improves the attorney-client relationship and experiences and, as a result, case outcomes.

The goal here is to provide you with many options for incorporating cultural competency into trainings for legal aid and pro bono attorneys. That might be 15 minutes during your substantive pro bono training, it might be provided resources outside a live training, or it might be extensive in-depth training programs. As way of disclaimer, we don't intend this to be an exhaustive list of available trainings and materials-that would very likely be an impossible feat. Instead, consider this a jumping off point for your cultural competency journey.

*This collection is organized by type of resource and the most comprehensive resources are listed first in each section whenever possible. Length of resources (i.e. for videos or scholarly articles) are noted and resources are free to access unless otherwise noted. Many of these resources qualify for CLE credit. If you have any feedback about the resources included, or the organization of this document, please don't hesitate to let us know by emailing Angela Inzano, Program Manager at the Chicago Bar Foundation, at [ainzano@chicagobar.org](mailto:ainzano@chicagobar.org).*

### **Video Resources**

- [Breaking Poverty Barriers for Equal Justice](#), Dr. Donna Beegle  
Extensive online resources and videos that can be used in a variety of formats and lengths to train attorneys on working with low income clients (free to legal aid organizations; low-cost to others). One of the most comprehensive resources available on this topic geared toward the legal profession.
- [Peanut Butter, Jelly, and Racism](#), The New York Times  
Entertaining, short videos that address implicit bias. Can easily be incorporated into a longer training to introduce the topic of cultural competency.
- [TED Talk: The Story We Tell About Poverty Isn't True](#), Mia Birdsong  
A little over 15 minutes long. Also includes other resources such as the speaker's suggested reading list and related videos.
- [TED Talk: The Danger of a Single Story](#), Chimamanda Ngozi Adichie  
Almost 19 minutes long. Addresses intersectionality in cultural competency.

## Online Trainings

*A note: many of these online programs are through [Practising Law Institute \(PLI\)](#), which is an invaluable resource for cultural competency and other trainings for legal aid and pro bono attorneys. Some programs are free to all and others are free to PLI members. In addition to the on-demand trainings listed, PLI often offers webcast programs on various topics related to cultural competency that interested attorneys should keep an eye out for when released.*

- [How to Become a Culturally Competent Attorney](#), PLI  
About 1 hour long, available on-demand and at no cost with a PLI subscription.
- [The Art & Science of Interviewing Pro Bono Clients](#), PLI  
A little over two hours long, available live and on-demand at no cost with a PLI subscription. Includes practical tips on managing and anticipating communication issues that may arise from a lack of cultural understanding.
- [Public Interest Boot Camp](#), PLI  
6 hours long, available live and on-demand at no cost with a PLI subscription. Includes sections on ethical representation of low-income clients and cultural competency.
- [Advocating for Veterans: The Basics on VA Benefits, Discharge Upgrades and Veteran Cultural Competency](#), PLI  
A little over 6 hours long, available live and on-demand at no cost.
- [Representing Transgender Clients: Practical Skills and Cultural Competency](#), PLI  
6.5 hours, available on-demand and at no cost with a PLI subscription.
- [Hard Conversations: An Introduction to Racism](#), Patti Digh and Victor Lee Lewis  
A four-week intensive online seminar held quarterly (cost: \$99).

## Websites

- [Implicit Bias Initiative](#), American Bar Association  
Resources include videos, a toolkit, and a bibliography of additional resources on the topic of implicit bias and geared toward the legal profession.
- [Project Implicit](#)  
A nonprofit founded by scientists that provide research and services around implicit bias; includes, most notably, a popular series of [implicit bias self-tests](#).
- [White Privilege: Unpacking the Invisible Knapsack](#), The National Seed Project  
Includes an introductory article and a number of suggested activities for trainings.
- [National Implicit Bias Network](#)  
Includes, among extensive additional resources, a helpful [overview and primer of implicit bias](#).

- [Teaching Tolerance](#), Southern Poverty Law Center  
Includes basic definitions and a summary of the concept of bias.
- [Understanding Implicit Bias](#), Kirwan Institute for the Study of Race and Ethnicity, The Ohio State University  
Includes a “[State of the Science](#)” research paper and additional resources.
- [National Center for Cultural Competence](#)  
Extensive resources available; designed originally for health care and mental health care fields but generally applicable information.

### Powerpoints

- [Exploring and Understanding Cultural Competency](#), Samantha Howell and Kelly Anderson  
Includes additional resources such as a scavenger hunt and a presentation outline.
- [Promoting Cultural Competency for Legal Aid and Pro Bono Attorneys](#), Patti Hageman, Angela Inzano, Elizabeta Markuci, Vidhya Ragnathan  
Addresses the basics of cultural competency and how to incorporate it into your trainings.
- [Implicit Bias and Cultivating Cross-Cultural Competence in Legal Practice](#), Sameera Hafiz and Lillian Moy
- [Working with Interpreters](#), Sue Bryant
- [Diversity & Cultural Competency In The Legal Aid Context](#), Ernest Brown and Linda Good
- [Representing and Accommodating People with Disabilities](#), Barry Taylor

### Articles

- [Five Habits for Cross-Cultural Lawyering](#), Sue Bryant and Jean Koh Peters  
16 pages long, one of the go-to resources for lawyers looking to increase their cultural competence. A related longer article (77 pages), also by Sue Bryant, can be found [here](#).
- [Troubleshooting Pro Bono Relationships with Low-Income Clients](#), Public Interest Pro Bono Association  
4 pages, full of specific, practical tips for understanding the challenges unique to working with low-income clients and how to avoid potential miscommunications.
- [Working with Pro Bono Clients](#), Delaney Russell and Scott Russell  
9 pages, Minnesota State Bar Association
- [The Impact of Race on Pro Bono Services](#), Delaney Russell  
3 pages, The Hennepin Lawyer

- [Beyond Bias-Cultural Competence as a Lawyer Skill](#), Nelson P. Miller  
4 pages, Michigan Bar Journal
- [Representing the Whole Client](#), Ellen Hemley  
6 pages, Journal of Poverty Law and Policy
- [Embracing Diversity and Being Culturally Competent is No Longer Optional](#), Blanca Banuelos et al.  
8 pages, American Bar Association
- [Strategies for Confronting Unconscious Bias](#), Kathleen Nalty  
10 pages, Colorado Bar Association
- [Providing Respectful and Competent Services to Low-Income LGBT Clients](#), Catherine Sakimura  
10 pages, Shriver Center
- [Disability Awareness](#), materials compiled by Access Living in Chicago, IL  
14 pages
- [Racial Microaggressions in Everyday Life Implications for Clinical Practice](#), Derald Wing Sue  
16 pages, includes charts, graphs, and example tables that could be utilized as visuals.
- [Emotional Competence, Multicultural Lawyering and Race](#), Marjorie A. Silver  
28 pages
- [Multicultural Lawyering: Teaching Psychology to Develop Cultural Self-Awareness](#), Carwina Weng  
44 pages
- [Practicing Culturally Competent Therapeutic Jurisprudence: A Collaboration Between Social Work and Law](#), Carolyn Copps Hartley and Carrie J. Petrucci  
50 pages
- [Cross-Cultural Lawyering by the Book](#), Asccanio Piomelli  
52 pages
- [Communicating Cross-Culturally: What Teachers Should Know](#), Yvonne Pratt-Johnson  
5 pages, audience is mainly teaching professionals but includes information generally applicable to anyone working in a cross-cultural environment.
- [Cultural Competence and the Legal Profession: An Annotated Bibliography of Materials Published Between 2000 and 2011](#), Annette Demers  
Available with a LexisNexis or HeinOnline subscription

## Books

- [Building Cultural Competence: Innovative Activities and Models](#), Kate Berardo and Darla K. Deardorff  
400 pages; available for purchase
- [Cultural Competence: A Lifelong Journey to Cultural Proficiency](#), Ronnie Leavitt PhD  
288 pages; available for purchase
- [Interviewing Clients Across Cultures: A Practitioner's Guide](#), Lisa Aronson Fontes  
334 pages; available for purchase
- [Scarcity: The New Science of Having Less and How It Defines Our Lives](#), Sendhil Mullainathan and Eldar Shafir  
304 pages; available for purchase
- [Social Stratification: Class, Race, and Gender in Sociological Perspective](#), David Grusky  
1200 pages; available for purchase
- [The Working Poor: Invisible in America](#), David K. Shipler  
352 pages; available for purchase
- [American Dream: Three Women, Ten Kids, and a Nation's Drive to End Welfare](#), Jason DeParle  
432 pages; available for purchase
- [Evicted: Poverty and Profit in the American City](#), Matthew Desmond  
432 pages; available for purchase
- [The Spirit Catches You and You Fall Down: A Hmong Child, Her American Doctors, and the Collision of Two Cultures](#), Anne Fadiman  
368 pages; available for purchase
- [The Glass Castle](#), Jeannette Walls  
288 pages; available for purchase
- [Hillbilly Elegy: A Memoir of a Family and Culture in Crisis](#), J.D. Vance  
272 pages; available for purchase

## In-Person Resources

- [Racial Justice Training Institute](#), Shriver Center  
An extensive training for those admitted; shorter courses and resources also available.
- [Race and the Legal System: Tools for Engaging in Constructive Conversations](#)  
A Minnesota based in-person training presented by the MN Association of Black Lawyers and Volunteer Lawyers Network.



- [Poverty Simulation](#), Tiela Chalmers Consulting  
An interactive role play simulation designed to educate participants on the realities that low-income individuals face day to day. There are costs associated with this training.
- [Poverty Simulation](#), The Center for Community Insight, Inc.  
A guided, live-action experience that promotes a deeper understanding of poverty. There are costs, on a sliding scale, associated with this training.
- [Maria Mercedes Avila, Ph.D.](#), a cultural competency trainer based in Vermont who has presented to attorneys through Vermont Volunteer Lawyers Project.
- [Jennifer Eberhardt Ph.D.](#), a researcher based at Stanford who focuses on the effect of unconscious ideas about race on the workings of the criminal justice system.

### Other Resources to Consider in Putting Together Cultural Competency Trainings

- National, state, or local ethical standards that address an attorney's duty to their client or to competency in representation.
- National, state, or local bar association standards that address similar duties and best practices (i.e. [ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means](#)).

*With many thanks to all who contributed materials to this toolkit and special thanks to those who collaborated on the toolkit from the beginning: Cindy Anderson, Sarah Babcock, Nicole Fidler, Patti Hageman, Samantha Howell, Angela Inzano, Elizabeta Markuci, Vidhya Ragunathan, Delaney Russell, Kelly Tautges, and Cheryl Zalenski.*