

# Law Students *for* Strengthening Pro Bono



## Serve to Learn | Learn to Serve

We face an unprecedented crisis in access to justice. Lawyers funded by the Legal Services Corporation report that they turn away at least one client for every client they serve, state courts are crushed under the burden of pro se petitions, and both publicly and privately funded initiatives to provide legal aid are struggling with severe budget cuts. This perfect storm is straining our system of justice and hurting families and communities. The problem is grave, but it is not without workable solutions.

We also face an unprecedented crisis in legal education. Law schools face lower application numbers and greater numbers of unemployed graduates. Employers are frustrated with having to train new graduates extensively. Students, meanwhile, see the rising cost of legal education and the worsening prospects for employment and are choosing to pursue other options. Change is coming to legal education. The question is, how law schools will respond to these pressures? Recently New York State adopted a new rule requiring applicants to the state bar to complete 50 hours of pro bono work prior to admission. The new rule, alone, won't resolve the crisis in the courts or in legal education, but it can make a difference. The rule will bring more people into pro bono initiatives to help those in need. It will guide school resources toward the support of pro bono activities on campuses across the country (clinics, externships, and volunteer initiatives). And, it will help to change legal education by showing that each lawyer and each law student shares in the responsibility for the quality of justice in our justice system. It can help make legal education matter.

We are law students from multiple law schools committed to strengthening law student pro bono by replicating New York's new 50 hour pro bono service rule in states across the country. We are providing support to students and other stakeholders who would like to help replicate the rule in their own communities. We are consulting with and advised by the National Center for Access to Justice.

While the American Bar Association's Model Rule of Professional Conduct 6.1 has long urged lawyers to perform 50 hours of pro bono service each year, the New York rule represents the first time that pro bono has been required as a condition of admission to the bar. We see the rule as a crucial step in responding to the crisis in our courts and in our schools by:

- helping tens of thousands of people with legal needs
- strengthening the pro bono infrastructure at law schools across the country
- enabling more students to acquire legal skills and build links to professionals
- building a creative civic-minded response to fiscal crisis and its repercussions.

If you would like to see your state take a similar step toward strengthening pro bono, please feel free to get in touch with us, and join our campaign.

### What's in it for clients?

The beneficiaries of pro bono work are among our most underserved and vulnerable communities: the poor, the elderly, the disabled, and veterans to name a few. Pro bono offers a critically important opportunity for members of these communities to protect their homes and families. Each case won in housing court is not just a victory for justice in the abstract, but a life-changing moment for the people involved. Every mother or father who secures benefits for her or his children sleeps easier and is better able to provide for the next generation of Americans. Each veteran who secures physical and mental health benefits is partially repaid for the sacrifices she or he has made to keep this country safe and prosperous. Pro bono work changes lives.

### **What's in it for you?**

As an aspiring lawyer, you can directly respond to the access to justice problems in our society. You can make a difference. You can learn the skill of working with clients. Moreover, through your pro bono service you can network with attorneys who practice in your areas of interest. Indeed, leading corporations encourage civic leadership through pro bono service by their employees, and require pro bono service by their partnering law firms. Students can lead in this way too, and prepare to perform pro bono once they graduate by doing so beforehand. A "50 hour rule" can also influence what is taught in our law schools. By requiring pro bono, we create incentives for law schools to prepare students for pro bono by teaching about the justice gap and the kinds of pro bono work that are most needed. The hope is that students who begin doing pro bono work will become lawyers who continue doing pro bono work, and the law schools that educate them will teach about the barriers to justice in our legal system. You want to be a lawyer – why not start learning to practice while learning the law?

### **What's in it for us?**

Across our country we face a crisis in access to justice. Millions of litigants cannot afford representation in civil matters like evictions, child custody proceedings, detentions and deportations, and claims for subsistence benefits. The consequences are significant: neighborhood instability, reduced employment productivity, absenteeism from school, fragmented families, increased health care costs, and more. To make matters worse, our courts have had their budgets slashed at a time when huge numbers of unrepresented people have been forced into court by our economy. Justice that is only available to the few doesn't deserve the name. Drawing more law students into performing pro bono service would generate a substantial new workforce to increase access to justice for all and to help lighten the burden on our courts. We all benefit when our courts can function effectively in enforcing our laws and upholding our principles.

### **What's in it for law schools?**

Law schools are feeling the pressures generated by the dysfunction in our economy and in our legal system. Demands for change in legal education are coming more frequently and from more quarters than ever before. While there are many different ideas about how to reform legal education, a common thread runs through many of them: the need for hands-on experience during law school. This need is being pointed out by potential employers, who are tired of spending a year or more training new lawyers how to actually be lawyers, that is, file papers with a court, depose a witness, or conduct themselves in a trial. Even law students are making this need felt by voting with our feet: as a recent New York Times article notes, law school applications are down dramatically from previous levels, but the schools that have fared best are those that have made a strong commitment to clinics and pro bono projects. Critics of the current model of legal education argue that schools that have not made such investments will need to reassess their priorities and likely spend precious funds playing catch-up. A message emerges. Change is coming to legal education, and those that resist it risk greater declines in both their number of employed graduates and their number of applicants. A 50 hour pro bono service requirement is a useful step that will encourage schools to guide more resources to activities that help students acquire legal skills.

### **Why now?**

The nation's recession imposes pressures on key components of our legal system, but this crisis can be an opportunity if we respond to it creatively. We see a skyrocketing in people's need for legal representation due to evictions, foreclosures, layoffs, domestic violence, divorce, and other economic hardships. And, just as more people knock on the courthouse door, courts find their budgets slashed and hours reduced. Meanwhile, law schools facing lower application and enrollment numbers face calls for legal education reform.

The 50 hour pro bono rule is one step forward.

It responds to these pressures.

It draws in a new workforce to help those in need.

It helps to reduce the burden on our courts.

It offers law students real-world educational experience and meaningful contacts.

It strengthens incentives for schools to support the infrastructure that advances all of these goals.

**\*\* For more information, or to get involved in the conversation, please share your thoughts and join the campaign!\*\***

Visit us & Like our page at [www.facebook.com/lawstudentprobono](http://www.facebook.com/lawstudentprobono).

Contact us via the National Center for Access to Justice, [info@nc4aj.org](mailto:info@nc4aj.org).

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