

AJP's 2023-24

PRO BONO MANUAL

a quick guide to pro bono at IU Maurer School of Law

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Introduction

Pro bono service is a cornerstone of the legal profession. So much so that Model Rule 6.1 was crafted to give lawyers a duty to render legal services for those unable to pay, and The American Bar Association encourages members to perform 50 hours of pro bono service per year. Maurer has adopted a 60-hour aspirational goal for all students during their enrollment in the J.D. program. New York has made 50 hours of pro bono a requirement for admission to its bar so therefore this pro bono manual is a great guide to how you can achieve that here at Maurer.

While in law school, you will make many hard decisions about time allocation. When deciding what to cut and what to keep pro bono service is a great choice, as it gives back more than the time it takes. Pro bono service enables you to:

- Deepen your understanding of legal doctrine and procedure
- Develop professional skills, values, and traits
- Connect with your community and other practitioners
- Serve clients who have difficulty accessing justice
- Increase marketability for jobs
- Enhance your reputation
- Explore career paths and opportunities

These areas of growth are important for any lawyer to develop in law school. This is why the Access to Justice Pro Bono Program (AJP) was created, and why we put together this book to help law students navigate pro bono opportunities at Maurer School of Law.

What is Pro Bono?

ABA Rule 6.1

Every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least (50) hours of pro bono publico legal services per year. In fulfilling this responsibility, the lawyer should:

- provide a substantial majority of the (50) hours of legal services without fee or expectation of fee to:
 - persons of limited means or
 - charitable, religious, civic, community, governmental and educational organizations in matters which are designed primarily to address the needs of persons of limited means; and
- provide any additional services through:
 - delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, 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;
 - delivery of legal services at a substantially reduced fee to persons of limited means; or
 - participation in activities for improving the law, the legal system or the legal profession.

Who We Are

AJP raises awareness about pro bono opportunities at IU Maurer and beyond. Our aim is to promote service to others in the legal profession. What does this mean? We aid pro bono organizations by providing trainings, coordination for events, publicity for pro bono organizations, and hour tracking services. We also recognize student achievement and invest in new opportunities.

The 2023-2024 Pro Bono Fellows are Andrew Parra (3L), Beka Schwartz (3L), and Anne Marie Bonds (2L). You can reach them at wedogood@indiana.edu. The AJP Pro Bono Fellowship is funded by Faegre Drinker Biddle & Reath.



Andrew Parra
3L Fellow



Beka Schwartz
3L Fellow



Anne Marie Bonds
2L Fellow

What We Do

AJP hosts several events during the academic year. Below is a list of the main events AJP organizes, but be on the look-out for new events.

The Pro Bono Call-Out Meeting

Each year at the beginning of the fall semester, the student-run pro bono programs and a number of community partners come together to explain their work and solicit law student volunteers to the student body. This is a great opportunity for Maurer students to explore diverse pro bono opportunities.

Ethics Training

Before starting pro bono work, all students must complete the mandatory ethics training organized by AJP. The ethics training is meant to provide students important tools for dealing with common ethical issues. The online ethics training is offered each year during fall orientation. If you missed this training at orientation, contact AJP at wedogood@indiana.edu for instructions on where to find the virtual training.

Pro Bono Recognition Ceremony

Each fall, AJP and the Dean's Office honors the students from each class who have reported the most pro bono hours at an annual lunch. We also celebrate a community partner and invite a speaker from the pro bono community.

Opportunities

Pro bono opportunities at Maurer are hosted by student organizations (called “projects”) and community partners. Students are also able to participate in opportunities they find themselves. Projects are generally less time intensive and are designed around law student schedules. Please note: not all of the opportunities at Maurer count as pro bono for the New York Bar so be sure to use this guide to make sure you meet the requirements. More information about New York is provided in the following section. Below is a list of some of the projects hosted by student organizations:

Incarcerated Individual Legal Assistance Project (ILAP)

ILAP provides research to clients who are incarcerated at the federal correctional center in Terre Haute, IN and other prisons across Indiana with a wide range of legal issues, from filling out paperwork to filing federal habeas petitions. Most client requests come by mail. ILAP also makes a number of visits to the correctional center to meet with clients in person.

Contact: ilap@indiana.edu

Time Commitment: Students must respond to one letter per year. The level of involvement a student has with ILAP is flexible.

Opportunities Continued

LGBT+ Project ("The Project")

The LGBT+ Project ("The Project") provides pro bono legal research and advocacy services to Indiana LGBTG+ organizations and LGBTQ+ Hoosiers. The Project engages law students, attorneys, scholars, and LGBT advocates to address the unmet legal needs of the LGBTQ+ community.

Contact: lgbtpro@iu.edu

Time Commitment: Monthly availability for all-member meetings. Participation in at least one of each semester's research projects or presentations. Students need not identify as LGBTQ+ to join.

Outreach for Legal Literacy (OLL)

OLL sends law students to local Bloomington schools to teach the basics of the American Constitution and legal system in 5th grade classrooms. Law students begin by teaching civics in the fall semester and progress to tort law over the course of the year. The program generally culminates in a mock trial for each participating 5th grade class at the end of spring semester.

Contact: ollexecboard@gmail.com

Time Commitment: OLL is a year-long commitment. Volunteers must pass a background check and complete an hour-long mandatory training session before beginning lessons in the schools. Volunteers are expected to teach 10-12 hour-long lessons per year, 5-6 in the fall semester and 6-7 in the spring semester, with an estimate of 25-30 hours total time over the course of the year.

Opportunities Continued

Protective Order Project (POP)

POP helps victims of intimate partner violence, sexual assault, and stalking obtain civil protective orders.

POP strives to prevent further abuse by both restraining the abuser and empowering the victim.

Contact: POP@indiana.edu

Time Commitment: Attend training and complete 5 hours of service per semester.

IU Wills and Advanced Directives Program

Student participants of the Wills and Advanced Directives Program draft estate planning documents for eligible Indiana University employees, parents of employees, students, parents of students, and retirees.

Interest Form: <https://vpgc.iu.edu/our-services/wills-program.html>

Opportunities Continued

The International Law Society's Lawyers Without Borders Student Division

This project allows students to engage with an international non-profit while doing public international legal research. This is a great opportunity for students interested in international law. Common research topics include gender-based violence, wildlife crime, and terrorism.

Contact: lwob@iu.edu

Estimate of hours: Flexible

Community Justice and Mediation Center (CJAM)

Students will use mediation, restorative justice, and education to provide legal services for the underserved and vulnerable.

Contact: greeneba@indiana.edu

Opportunities Continued










Volunteer Income Tax Assistance Project (VITA)

The Indiana University IRS VITA program offers free tax preparation services in the spring semester to qualifying low-income taxpayers. Each year, it is our privilege to help hundreds of low-income Bloomington residents and nonresident students file tax returns with the federal government, the state of Indiana, and many other states.

Contact: amy@monroeunitedway.org

What Counts as Pro Bono?

If you plan to sit for the New York Bar, you must complete 50 hours of pro bono work and properly track those hours. Not all pro bono hours the school counts as pro bono count for New York. Below is a chart of what qualifies as pro bono hours at Maurer and for admission to the New York bar. IMPORTANT: Maurer follows ABA Model Rule 6.1 for its definition of pro bono. For Maurer, pro bono activities cannot be paid. Some of the following are frequently done for pay or credit, and under those circumstances the hours cannot be counted as pro bono hours for Maurer. If you are receiving academic credit, only hours above 52 hours per credit are pro bono. As a result, some of the categories have an check mark and an asterisk.

Activity	Maurer?	New York Bar?
ILAP/POP/ Expungement Desk/ Will Preparation Program/ CJAM/ LGBT+ Project/ Clerking for a Judge/ Working for a government organization/ ILS-LWOB	 	
OLL		
VITA		
PILF		

What Work is Pro Bono? Continued

Activity	Maurer?	New York Bar?
Indiana Legal Services	✓ *	✓
SLS	✓ *	✓
Doing pro bono work at a law firm	✓ *	✓
Community Legal Clinic	✓ *	✓
Conservation Law Clinic	✓ *	✓
Elmore Entrepreneurship Clinic	✓ *	✗
Independent Clinical Project	✓ *	✓ *
Intellectual Property Clinic	✓ *	✗
Non-Profit Legal Clinic	✓ *	✓
Viola J. Taliaferro Family and Children Mediation Clinic	✓ *	✓ *

Frequently Asked Questions

Can I log my unpaid internship hours as pro bono if I receive a stipend?

You may log your hours if you received a stipend that paid federal minimum wage (\$7.25) or below. For example, if your stipend is \$2,900 for a 40-hr-per-week, 10-week internship, then you would be able to log all the hours because this amounts to \$7.25 per hour. If your stipend amounts to more than \$7.25 per hour, then you will not be able to log those hours as pro bono.

Can I log my unpaid internship/clinic hours if I am getting academic credit?

You must meet the hour requirement for each credit before you can log them as pro bono. So, if you are earning 1 academic credit for your summer job, you can log any qualifying hours as pro bono after you work 52 hours in the position.

Do all hours I work at my unpaid internship/clinic count for tracking purposes?

Alternatively, does training for a pro bono project count as pro bono hours?

Generally, yes. When you are 'on the clock' for your job, you can count your hours. If the training is specifically for the legal services you will provide, then, for Maurer, yes. However, this may not be true for New York Bar purposes.

Frequently Asked Questions Continued

Does any unpaid internship count for pro bono hours?

No; pro bono is for work in furtherance of the public good, which is typically within the public interest field or government. See ABA Model Rule 6.1 and the next page for more information.

Does doing pro bono work at a law firm count, even if I am getting paid?

Yes! Just like post-law school, if you do pro bono work at a law firm, and the client is not paying a fee for your work, then you may count it as pro bono hours. (Note: if doing the externship for credit, then you must abide by the guidance on the previous page)

Can AJP certify my New York Bar pro bono hours?

Unfortunately, AJP is unable to certify your New York Bar hours. To ensure your hours are properly recorded, you should record your hours separately from our database and get signatures from your supervising attorney for all hours worked. If you are finding the process confusing, AJP is happy to help. Just email us at wedogood@iu.edu.

I forgot to record my fall hours and missed the deadline. Is it too late to record my hours?

Our portal accommodates late hours. The deadlines for hours are mostly for the purpose of awards. If you want to ensure you are recognized for all of your work, try to meet the deadline. But always record your hours, even if you are recording them late!

Frequently Asked Questions Continued

What states have mandatory pro bono hours for bar admission? What are their hour requirements?

New York is the only state with mandatory pro bono hours. New York requires fifty hours of pro bono to apply to the bar. The New York Bar has separate pro bono requirements. A detailed explanation of those requirements can be found at: http://ww2.nycourts.gov/sites/default/files/document/files/2018-07/FAQsBarAdmission_0.pdf.

Qualifying pro bono work generally falls into three categories: (1) work performed in the service of low-income or disadvantaged individuals whose unmet legal needs prevent their access to justice, (2) work involving legal skills for a non-profit organization, and (3) the use of legal skills for the court system, legislative bodies, or other government agencies.

Some examples of qualifying work are:

- Law school sponsored clinics providing legal services to those who cannot afford representation
- Externships that fit into any of the three above categories
- Law-related work for a non-profit that provides legal services or otherwise promotes access to justice for disadvantaged groups
- Law-related work or legal research for an international non-profit or foreign government with the goals of economic development
- Other legal services done that were supervised according to New York's provisions

Tracking Hours

Whether your goal is to receive recognition at graduation, AJP awards, personal satisfaction, or to apply for the New York bar, tracking hours is an essential component of your pro bono experience. Without tracking your hours, you won't receive the full benefit of any of the goals above. Additionally, pro bono projects benefit when students log their hours; they can quantify their impact!

Many students postpone recording their hours, and this leads to headaches as they try to tally up all of their hours at the end of the year or worse—at the end of their law school career.

For Maurer recognition purposes, and to assist with students' own record keeping, AJP offers students a time tracking program.

Students applying for the New York Bar: As part of your bar application, you are required to complete an affidavit form, including certification by your attorney supervisor, for the qualifying pro bono project(s) that you do. If you use more than one project to make up the 50 hours, you will need to file an affidavit for each project. It is much easier to complete the form(s) -- especially the supervisor certification -- at the time you do the pro bono work. *AJP cannot certify New York Bar hours, but students can use TickSpot as a general tracking tool.*

Tracking Hours Continued

IU Maurer uses the app, Tick Spot, to track hours. You will be invited to Maurer's TickSpot page after you complete your mandatory ethics training. You will receive an email from TickSpot with instructions on how to sign up; please do this as soon as you receive the email (it expires). You will create an account to input your pro bono hours, to check the number of hours you have worked, and to track your pro bono project hours through an imbedded timer.

Follow the images below to see how you should track your hours. Note, each class, LLMs, and graduate students will have their own "Project." Make sure you use the drop down menu and select the correct project (e.g., Class of 2022 Pro Bono Hours).

[Switch person](#) [View Calendar](#)

Your Timecard

Mon Aug 19 Tue Aug 20 Wed Aug 21 Thu Aug 22 Fri Aug 23 Sat Aug 24 Sun Aug 25

Project
Maurer School of Law: Pro Bono Projects

Task
// Available Tasks //

Time to enter

Notes

ENTER TIME

Time entered for the day: **0.00 hours**

Time entered for the week: 0.00 hours ([View weekly timesheet](#))

Enter Time or Start a Timer.

Some people prefer to work first, then log their time. That's what the green button is for.

Others prefer to select a task and then start a timer. If that's you, click the blue button.

Both methods stay fully in sync with the Tick [mobile](#) and desktop applications.

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Mon Aug 19 Tue Aug 20 Wed Aug 21 Thu Aug 22 Fri Aug 23 Sat Aug 24 Sun Aug 25

Project
Maurer School of Law: Pro Bono Projects

Task
Inmate Legal Assistance Project

Time to enter

Notes

Flexible time entry notation.

You can enter your time in whatever format makes the most sense to you.

1.5, 1:30, 1,5 all equal 1 Hour and 30 Minutes.

Tick will standardize all time entries into decimal notation for easy reporting.

Time entered for the day: **0.00 hours**

Tracking Hours Continued

You can check the hours you have previously logged and view your activity by day or week.

Time entered for the day: 6.00 hours

6 hr 00 min
6.00 hours

Maurer School of Law
Pro Bono Projects
Inmate Legal Assistance Project

Time entered for the day: 6.00 hours
Time entered for the week: 11.00 hours ([view weekly timesheet](#))

Luis Torres's Weekly Timesheet
August 19 - 25, 2019
[Previous week](#) | [Next week](#)

	MON / 19	TUE / 20	WED / 21	THU / 22	FRI / 23	SAT / 24	SUN / 25	TOTALS
Maurer School of Law								11.00
Pro Bono Projects								
Inmate Legal Assistance Project				6.00			5.00	11.00
Day totals:				6.00			5.00	

Total time for the week: 11.00 hours

For your convenience, Tick Spot tracks the projects you frequently use. If you click on any project under "Recently Used", a timecard will be automatically prepared for the chosen project.

Recently Used

Maurer School of Law

Pro Bono Projects

[Inmate Legal Assistance Project](#)

These links are your friend.

The Recently Used links keep track of the last 15 tasks you entered time to.

With one click you can populate the Client, Project, and Task.

Tracking Hours Continued

Tick Spot has a timer that can be used to track your hours as you are performing them. If you want to use this function, enter in the "Project" (your class year) and "Task" (pro bono activity) and hit the timer.

◀ Mon Aug 05 ● Tue Aug 06 ● Wed Aug 07 ● Thu Aug 08 ● Fri Aug 09 ● Sat 10 ● Sun 11 ▶

Project

Maurer School of Law: Pro Bono Projects × ▼

Task

Outreach for Legal Literacy × ▼

Time to enter

Notes

ENTER TIME

or ⌚ START

Once you hit start on the timer, Tick Spot will begin tracking your hours. Hit "Enter Time" when you are finished, and a timecard will be generated for the hours you worked.

00:00:05 ⏸

Maurer School... Pro Bono Projects
Inmate Legal Assistance Project

ENTER TIME

Tracking Hours Continued

Tick Spot requires hours be input into specific days. While it is best practice to keep track of the exact days you are doing your pro bono work, we understand there will be times where you cannot remember what day you completed your hours. If you need to record hours and you do not know the day(s) that you completed the hours on, ensure the hours are recorded in accordance with the semester or summer in which they were completed. Below is a guide to recording to hours with unknown dates.

Fall

For hours completed in the fall, log hours between 9/1 and 12/15.

Spring

For hours completed in the spring, log hours between 1/20 and 5/1.

Summer

For hours completed in the summer, log hours between 6/1 and 8/20.

If you have any questions on reporting your hours, please contact us at wedogood@indiana.edu

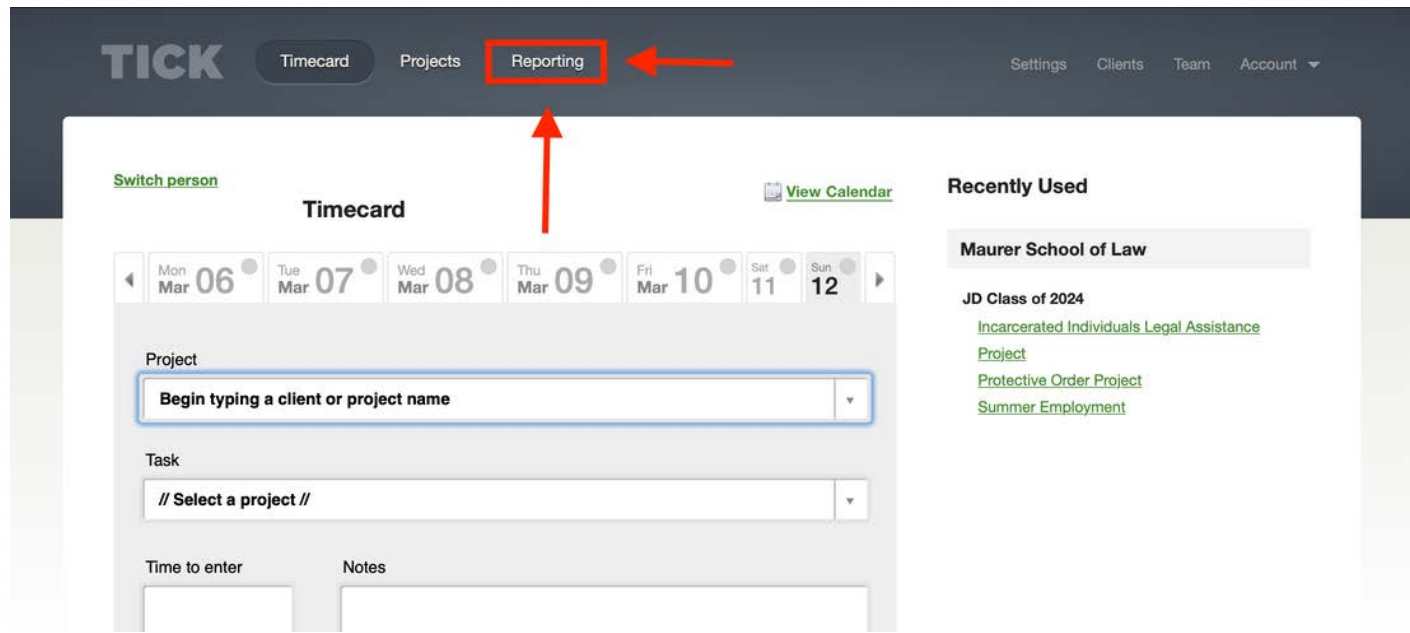
Reporting Hours

At the end of your 2L and 3L year (or an equivalent when LLM/SJD), you will be asked to complete Qualtrics survey and input your total TickSpot hours. Although we are abiding by the honor system with this process, we will be auditing the Qualtrics reports and comparing select reports to their respective TickSpot account to ensure accurate reporting. The Qualtrics link will be distributed via OSA, email, flyers, ILA, and the AJP LinkTree.

In order to find your total hours, follow these steps:

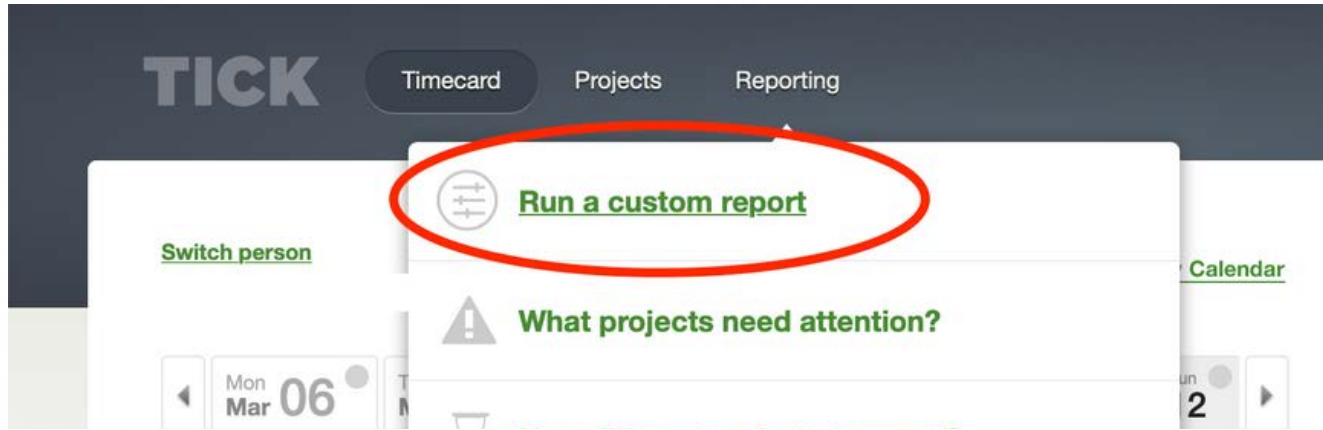
Step 1: Log-in to your TickSpot account.

Step 2: At the top of the screen, click “Reporting”

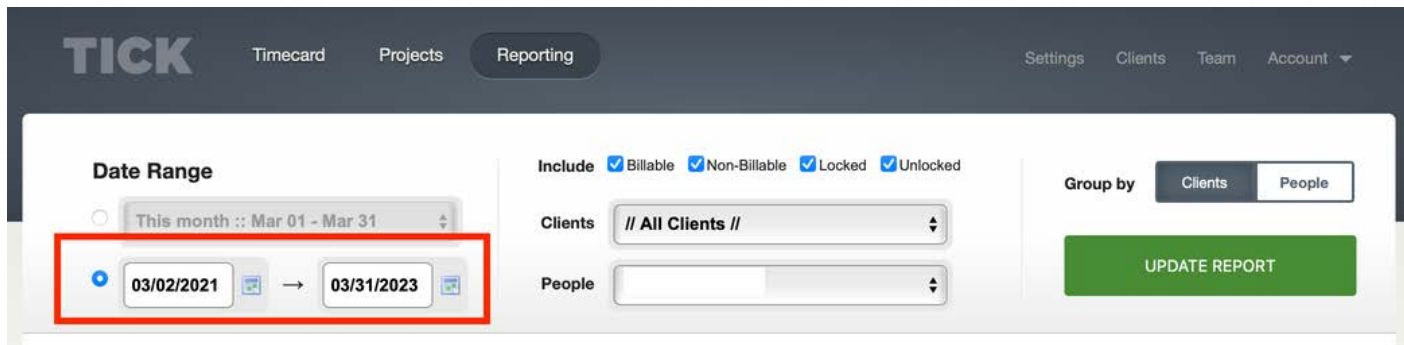


Reporting Hours Cont.

Step 3: Select “Run a Custom Report”



Step 4: Select a custom date range (any date before you started school to today's date)



Reporting Hours Cont.

Step 5: Be sure that you have selected “All Clients”

The screenshot shows the TICK Reporting interface. The 'Date Range' section has two radio buttons: 'This month :: Mar 01 - Mar 31' (selected) and '03/02/2021 → 03/31/2023'. The 'Include' section has four checked checkboxes: 'Billable', 'Non-Billable', 'Locked', and 'Unlocked'. The 'Clients' dropdown menu is highlighted with a red box and contains the text '// All Clients //'. The 'People' dropdown menu is empty. The 'Group by' section has two tabs: 'Clients' (selected) and 'People'. A green 'UPDATE REPORT' button is visible on the right.

Step 6: Select your name.

The screenshot shows the TICK Reporting interface. The 'Date Range' section has two radio buttons: 'This month :: Mar 01 - Mar 31' (selected) and '03/02/2021 → 03/31/2023'. The 'Include' section has four checked checkboxes: 'Billable', 'Non-Billable', 'Locked', and 'Unlocked'. The 'Clients' dropdown menu is highlighted with a red box and contains the text '// All Clients //'. The 'People' dropdown menu is highlighted with a red box and contains the text 'YOUR NAME HERE'. The 'Group by' section has two tabs: 'Clients' (selected) and 'People'. A green 'UPDATE REPORT' button is visible on the right.

Step 7: Click “Update Report”

The screenshot shows the TICK Reporting interface. The 'Date Range' section has two radio buttons: 'This month :: Mar 01 - Mar 31' (selected) and '03/02/2021 → 03/31/2023'. The 'Include' section has four checked checkboxes: 'Billable', 'Non-Billable', 'Locked', and 'Unlocked'. The 'Clients' dropdown menu contains the text '// All Clients //'. The 'People' dropdown menu is empty. The 'Group by' section has two tabs: 'Clients' (selected) and 'People'. A green 'UPDATE REPORT' button is visible on the right. Two red arrows point from the 'Clients' dropdown menu to the 'UPDATE REPORT' button.

Reporting Hours Cont.

Step 8: Find your total hours listed under “Time Entered: Totals”

Date Range

This month :: Mar 01 - Mar 31

03/02/2021

 →

03/31/2023

Include

☒ Billable

☒ Non-Billable

☒ Locked

☒ Unlocked

Clients

// All Clients //

People

Group by

Clients

People

UPDATE REPORT

Results for March 02, 2021 - March 31, 2023:

[Print View](#) [Export CSV](#)

Client name	Time entered	Total	Projects
<div><div></div> Maurer School of Law</div>	501.75		1
Totals: 501.75		\$0.00	

Lock or Unlock these entries

Locked entries cannot be edited or deleted.

Step 9: Report your total hours in the AJP Qualtrics!

Pro Bono Awards

JD students who reports 60 hours of pro bono during their time at Maurer will be recognized at graduation. Maurer will also recognize students who report 250 hours and 500 hours. Students who are at Maurer for less than three years will be recognized if they log a proportionate number of hours. For example, an LLM student at Maurer for one year will be recognized if they log 20 hours. And finally, the graduating student who completed the most pro bono hours will receive a special award at graduation!

Additionally, every year AJP honors the student from each returning 2L, 3L, and SJD/LLM class who completed the most hours during the previous academic year at the Pro Bono Ceremony.

Finally, AJP is going to reward the 2L (class of 2025) who has logged the most hours so far in their Maurer career with a free bar prep course from Kaplan! The 2L with the most hours by April 1, 2024 will earn this reward as a way to recognize the hard, unpaid work that they have done.

(Note: In the interest of fairness, joint degree students who have had two summers to log pro bono hours will only be able to count the summer with the most pro bono hours toward their total hours for the Bar Prep Competition. If the joint degree student is still neck-and-neck with a non-joint-degree student, it may be appropriate to only count the semesters that the the joint degree student was enrolled with the law school full time. However, joint degree students will be recognized for all of their hours at graduation, without adjustment.)

Ethics

Overview

During law school, students are often fully immersed in studies and removed from clients and from the realities of engaging with people while practicing law. Pro bono is a unique opportunity to break away from textbooks and gain client-centered skills. However, as Uncle Ben once said, "With great power comes great responsibility." Students at Maurer therefore must attend an ethics training before they begin pro bono work. The training covers the most important and typical ethical dilemmas that students encounter while working with pro bono clients. The Ethics Training date can be found on the Maurer events calendar, in the ILA, and will be announced at the Pro Bono Call Out.

For your convenience, this book explores some common ethical dilemmas and provides an approach to resolving them. With each ethical dilemma, there is often no simple answer. At a minimum, check the rules of professional conduct for the jurisdiction in which you are working and with your supervisor or an ethics expert at the law school. When in doubt, start with the ABA's Model Rules, found at: https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/model_rules_of_professional_conduct_table_of_contents/.

As your career advances, you will further develop your own ethical and professional compass. Please note, the common ethical dilemmas on the next page are not a replacement for the ethics training.

Ethics Continued

Common Ethical Dilemmas: The Questions

To answer these questions, first identify the core ethical dilemma (conflict of interest, etc) Next, spend time thinking about what you would do in this situation. Finally, compare your answer to the answer provided. Are they different?

1. A client with POP asks you during an intake whether they also can sue a local business for not shoveling the sidewalk in front of the business after a major snow storm. The client says that she slipped and fell on the icy sidewalk. You have studied negligence in Torts and received an A in the course. What can you tell the client?
2. Client 1 comes into the Counsel in the Court walk-in family law clinic. Client 1 signs a consent that indicates the clinic does not do conflict of interest checks and does not provide full representation due to the limited services it provides. Client 1 wants information about Indiana law on moving out of state with a child for whom Client 1 has primary physical custody. You inform Client 1 of the law (how to get permission) without offering legal advice. The next week, Client 2 comes into the clinic to ask how to stop a custodial parent from leaving the state with a child. Client 2 identifies Client 1 as the other parent. Since you are not representing either client or giving them legal advice, can you see Client 2 even though you suspect they are the other parent to Client 1's child?

Ethics Continued

Common Ethical Dilemmas: The Questions Continued

3. Over Thanksgiving break, your grandparents ask you what kind of work you do in law school. They ask you to tell them about what you do for your pro bono clients and whether there's any one client whose problem was particularly interesting. How much detail can you give them?
4. You are helping a client with a protective order at the Protective Order Project. You and the client connect well, and she tells you that she doesn't want to speak to other law students because she is comfortable only with you. She asks for your personal cell phone number and your email so she can contact you if she needs to. Should you give her your number? What should you tell her about meeting with other students?
5. You are working at the expungement desk when a client comes in seeking help with an expungement. He tells you he is looking forward to getting his DUI expunged so that he can get into Maurer next year and start life as a law student. When he finds out you're a Maurer student, he asks you not to disclose his DUI to the Dean of Students. How should you respond?

Ethics Continued

Common Ethical Dilemmas: The Answers

1. The core issue is unauthorized practice of law. You are not an attorney and cannot give advice about the client's legal options.
2. The core issue is conflict of interest, in the scope of a limited representation court-based project. The consent that CITC clients sign is premised on a court clinic's lesser ability to check for conflicts (increasingly less an issue given cloud-based databases). Here, you know that you personally (not even someone else in the CITC program) has spoken with Client 1. Assuming that the informed consent to limited representation and waiver of conflict of interest is valid (and both Clients 1 and 2 have signed it), then you may in fact tell Client 2 what the law requires. Regardless of the "may," however, if you are not sure whether you can appropriately talk to Client 2 (will you find yourself reacting to Client 2's story in light of what Client 1 told you? will you be tempted to reveal information from Client 1 to Client 2?), then you should talk to your supervisor about the situation. Most likely, the supervisor will find a different volunteer, who does not actually have access to Client 1's information, to talk to Client 2.
3. The core issue is confidentiality. You are not permitted to disclose information about a client to others. You might be tempted to disclose information to your grandparents, believing they are unlikely to figure out a client's identity. It is better not to do that either. Instead, you may generally identify the kinds of work you do (assisting with family law issues, drafting petitions for orders of protection, etc.)

Ethics Continued

Common Ethical Dilemmas: The Answers Continued

4. The core issue is the scope of representation, including the role of the lawyer. Here, you need to understand the way that POP operates and the consequences to the client, you, and POP if you accede to the client's request. Because POP relies on many volunteers to serve clients, it does not necessarily assign one volunteer to a client; it is not your place to change their policy. In addition, it is usually not a good idea for a volunteer to give out personal contact information to a client. Think about the consequences: will you take the client's call 24/7? Does your voicemail message sound professional? If you give out your personal contact info, what further requests might the client make of you and where do you stop helping her? So, tell the client that you appreciate your comfort with you and that you may work with her again, but that POP's policy is that whoever is staffing the phone is the one who assists the caller, and that each volunteer is trained and supervised, as you have been. YOu might also assure the client that you will leave detailed notes in the file for whichever volunteer might contact her next.

5. The core issue is confidentiality. You may not disclose information to a third party except with consent of the client or other limited exceptions. Here, the client is expressly prohibiting you from disclosing information to a third party. You may answer that, with a few exceptions, all information from the client relating to the expungement matter is confidential, and currently you see no applicable exception. You might, however, inform the client that not every expungement law protects a defendant whose record has been expunged from disclosure to a school or to a licensing entity and that, in the legal profession, inconsistencies between disclosures to a licensing entity and a law school, can cause character and fitness problems for a bar applicant. You could then inform the client that, once in law school, the client might find it useful to talk to the dean of students at the law school about the situation.

Best Practices

In addition to being mindful about ethics, it is important to be mindful of other best practices when doing pro bono. Some of these may seem like common sense, but it is easy to overlook the simple things. Here are some of the best practices when doing pro bono projects.

1. **Be on time:** Punctuality is key. While life is busy and slip ups happen, you should strive to arrive ten minutes before any engagement. This is especially true when you have clients who will be waiting for you to arrive.
2. **Be empathetic:** You will be dealing with clients who are facing prison sentences, are survivors of abuse, or are dealing with another difficult experience. Even with a project that appears to be free of emotionally charged dilemmas, like OLL, your clients are often still new to the legal system and can find it intimidating. Listen and respond to the emotional content of their stories. You can anticipate situations and practice responses that will show the clients that you hear all they are sharing, not just the words. Remember that empathy is not pity: clients want you to understand how, why, and what without your feeling sorry for them. A helpful resource is:
<https://www.psycholawlogy.com/2012/11/25/emotional-intelligence-lawyers-and-empathyusing-the-power-of-listening-with-care-to-build-better-professional-relationships-and-satisfy-clients/>

Best Practices Continued

3. Be knowledgeable: This requires more than getting an A* in criminal law. To be knowledgeable, you should become familiar with the subject you are going to be working in substantively, procedurally, and practically. Learning to become adept at speaking the language of your clients will benefit your career greatly. Listen to podcasts, read a book, watch the news. Rely on the expertise of fellow students leading your pro bono organization, or better yet, your supervising attorney. Being knowledgeable about your client's world and the issues impacting them will make you a much better advocate.

4. Be sensitive to culture: Each encounter with a client involves the interaction of two unique cultural identities, yours and the client's. These identities are not monolithic or one dimensional but encompass the interplay of factors such as country of origin, ethnicity, sex, gender, sexual orientation, age, (dis)ability, socioeconomic class, faith/spirituality, and political identity. You should strive to respond to a client as a whole human being and to be aware of how your assumptions about any aspect of the client's identity might affect your interaction. Remembering that you have assumptions will help to check them, and asking the client how best to work with them will assist in developing a culturally informed relationship. If you make a mistake, apologize.

Best Practices Continued

5. **Bite off only what you can chew:** It is easy to become impassioned and overlook the reality of what you can take on. This is a common mistake, but, in the end, it has negative effects on you and your clients. Assess what you can take on prior to signing up for hours. Assess your obligations, both personal and professional. Being honest with yourself now will save you from an uncomfortable conversation with your supervising attorney later. This is not to suggest that you skip pro bono altogether; rather, you should make sure you take on a reasonable load. You should challenge yourself, not kill yourself working too hard.
6. **Improve:** Some organizations may have formal mechanisms for giving you feedback on your work. Others will not, but this does not mean you should avoid assessing your weaknesses and strengths. You can ask your supervising attorney for informal feedback or you can assess yourself. Either way, look for key areas of improvement.
7. **Remember what it is all about:** You are engaging the community and providing members with a resource they might not otherwise have. It is easy to get burned out when you are juggling obligations but thinking of the people you are helping and the experience you are gaining can keep you going. Be proud of yourself!
8. **Take care of yourself:** Sometimes the problems clients face can overwhelm you as well. Take care of yourself so that you can provide quality legal services for your client. Find people to help you process your clients' situations, systemic injustices, etc. Stay professional and avoid entanglements that take you too far into the client's life.