

Frequently Asked Questions About Pro Bono

Are Florida attorneys required to provide pro bono service?

The Florida Pro Bono Rule, Section 4-6 of the Florida Bar Rules, encourages Florida Bar members to provide pro bono legal services to the poor. The professional responsibility to provide pro bono help is aspirational, not mandatory. The Rule suggests attorneys satisfy the responsibility by donating 20 hours or more annually or making an annual contribution of \$350 or more to a legal aid organization.

Although there is no statewide requirement that attorneys do pro bono, all Florida Bar attorneys are required to report whether they have done any pro bono on their annual Bar dues statement. In addition, some local bar associations in Florida do require members to provide pro bono assistance as a condition of membership.

If I help someone for free, isn't that pro bono?

Pro bono service is legal assistance provided without charge or expectation of fees at the time the service commences. Legal services written off as a bad debt or cases in which an attorney cannot collect fees do not qualify as pro bono.

Community service, public service, pro bono service – what's the difference?

Pro bono service involves the provision of free legal services. Participating in bar association activities, volunteering to serve on the board of a charity, or serving on a professional organization's committee are community or public service because attorney volunteers do not provide free legal assistance as part of their activities.

If I provide legal help to a non-profit organization or community group, does it count as pro bono service?

Pro bono legal services to the poor need not be provided only to individuals; it can be provided through legal services to charitable, religious, and educational organizations whose overall mission and activities are designed predominantly to address the needs of the poor.

What if I don't have time to provide pro bono assistance?

Most pro bono programs provide a variety of pro bono opportunities that include options for attorneys who have limited time. Some projects offer hours during lunch time, after work, or on weekends. Donating time to translate legal materials or draft legal information handouts can be done when convenient for the volunteer attorney. Mentoring less experienced volunteer attorneys or legal aid staff can be done by telephone.

What if I don't have the expertise to help indigent clients?

Many pro bono projects require little specialized expertise. Training is offered for some pro bono projects and many projects are supervised by experienced legal aid staff attorneys. Experienced volunteer attorneys are available to mentor less experienced attorneys handling cases. Acting as a guardian ad litem requires no legal expertise.

Why should I participate in an organized pro bono program when I can do it on my own?

Legal aid organizations and pro bono programs have developed pro bono projects to address the legal needs of the community. Clients are screened to ensure that they qualify for pro bono assistance and cases are assessed to confirm they have merit. Many pro bono programs offer liability coverage for volunteer attorneys. Pro bono programs collect and record the hours donated by volunteers and can provide this information to attorneys for reporting to the Florida Bar.