



Renaissance
of
IDEALISM
IN THE LEGAL PROFESSION

AMERICAN BAR ASSOCIATION
COMMISSION ON THE RENAISSANCE OF IDEALISM
IN THE LEGAL PROFESSION

FINAL REPORT • AUGUST 2006

**THE RENAISSANCE COMMISSION THANKS
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PRESIDENT'S MESSAGE

by Michael S. Greco
President, American Bar Association



Like many lawyers, I was drawn to the law out of a desire to serve the public, to solve problems, and to help those with limited resources who have nowhere to turn. This altruistic spirit of service to others has defined our profession from the earliest days of our nation, and it continues to do so today. But new challenges and pressures in the practice of law have made it more difficult for many in the bar to fill the time-honored role of lawyer as public citizen.

It was in this spirit of public service that I created the Commission on the Renaissance of Idealism in the Legal Profession in August 2005. The Commission has worked very hard over the past year to encourage and enable more lawyers to perform more *pro bono* and public service work in their communities.

The Commission has developed a series of policy recommendations to advance *pro bono* and public service in all practice settings; presented programs and distributed materials at dozens of bar meetings and conferences; placed numerous articles in legal and bar publications; developed an online *Pro Bono* and Public Service Best Practices Guide; and produced and distributed an engaging video featuring the Commission's Honorary Co-Chairs, Associate Supreme Court Justice Ruth Bader Ginsburg and Theodore C. Sorensen, special counsel to President John F. Kennedy, as well as ABA Past President Dennis W. Archer. The Commission has communicated with every state and local bar association and ABA section. It has distributed materials to the managing partners of 700 major law firms, the general counsel of 500 corporations, the deans of every ABA accredited law school, and the general counsel of every federal government agency to solicit their ideas and enlist their participation in the Renaissance. Through this comprehensive outreach effort, the Commission has made great strides in reinvigorating the profession's commitment to *pro bono* and public service.

None of this would have been possible without the commitment and dedication of the Commission members and the outstanding leadership of Commission Chair Mark Agrast and Vice-Chair Doreen Dodson. Our Honorary Co-Chairs Justice Ruth Bader Ginsburg and Theodore Sorensen went above and beyond the call of duty, lending their time and talents to the Commission in countless ways. I thank the Commission's many liaisons who took the lead in organizing their entities' response to my call to action, as well as the many ABA sections and divisions and state and local bar associations that have created projects and initiatives that reflect the spirit of the Renaissance of Idealism. Finally, I thank our generous sponsors: the ABA Sections of International Law, Antitrust, Litigation, Business Law, Tort Trial and Insurance Practice, Health Law, and State and Local Government Law. Without their support, the Commission could not have accomplished its work.

I encourage you to read through this report to learn about the Commission's many and varied activities this year—and perhaps more importantly, to think with us about how the energy and spirit of the Renaissance of Idealism can be carried on in the years to come.

Michael S. Greco is a partner in the law firm of Kirkpatrick & Lockhart Nicholson Graham, LLP, in Boston, and president of the American Bar Association.



TOWARD A RENAISSANCE OF IDEALISM IN THE LEGAL PROFESSION

When he took office as president of the American Bar Association in August 2005, Mike Greco issued a call for a Renaissance of Idealism in the Legal Profession. He appointed a commission to oversee what was to become his signature initiative. Its goal was twofold: to celebrate the spirit of service that has animated the American legal profession from its inception, and to inspire and enable more of today's lawyers to take their place within that tradition by providing *pro bono* assistance to those who cannot afford to hire an attorney and engaging in public service activities that enhance the common good.

The call for a Renaissance of Idealism was prompted by two independent but interrelated concerns: the increasing demand for lawyers to help alleviate the unmet need for legal services for the poor, and the profound changes within the legal profession that have made it harder and harder for lawyers to answer the call to service.

A recent report by the Legal Services Corporation (LSC) confirmed that there is a "major gap between the legal needs of low-income people and the legal help that they receive."¹ Forty-three million Americans currently qualify for civil legal assistance provided by LSC-funded programs.² Yet legal services lawyers can provide assistance to fewer than half of those clients who find their way to a legal services office. The situation is likely to worsen as cuts in LSC funding further impair the availability of legal services to the poor.

Meanwhile, the practice of law has undergone a transformation so sweeping as to cause many to question whether the ideal of service can survive the tyranny of the billable hour and the relentless focus on the bottom line. Some have argued that the profession is losing its soul, that the ideal of the lawyer-statesman has been replaced by what Professor Robert W. Gordon of Yale Law School has called "a whole new style of corporate practice—ruthlessly competitive, powered nearly exclusively by the drive for profits, so demanding as to leave no time or energy for other commitments, and mostly indifferent to social responsibility and public values."³

If this is an accurate picture of the profession today, one might well conclude that "idealism in the legal profession" is a contradiction in terms, and a "renaissance" little more than a pipe dream. But while it is undeniably true that the pace and pressures of modern practice pose serious challenges to the values of the profession, it is equally true that the spirit of idealism needed to meet those challenges is alive and well.

That spirit can be seen in the overwhelming response of the legal profession to the thousands displaced by Hurricanes Katrina and Rita.⁴ And it can be seen every day across America, in ways large and small, as lawyers provide *pro bono* representation to criminal defendants, victims of domestic violence, immigrant children, elderly residents in need of affordable housing and health care, and small business owners struggling with legal problems.

It is this same spirit of idealism that drives lawyers to contribute to their communities by serving on local councils and nonprofit boards; donating their services as teachers, mentors, and coaches; and providing leadership and support to civic, religious, and philanthropic organizations. In these and countless other ways, lawyers are making a difference in the lives of others and finding greater fulfillment in their own lives as well.

So why do we need a Renaissance of Idealism?

We need it because the demands of law practice are making it harder and harder for lawyers to continue to perform these vital roles. Too many enter the profession eager to make a difference, only to become frustrated and disillusioned as they find that they lack the time to do so. If this situation is to change, lawyers must be able to strike a better balance in their lives and law practices.

The key to that balance is persuading the decision makers in America's law offices to free up time for lawyers to volunteer their skills to those in need, to help improve their communities, and in the process to find greater satisfaction in their legal careers.

We were under no illusions as to the difficulty of this mission, nor did we imagine that it could be accomplished in a single year. Our hope was to make a beginning and to lay a foundation on which others might build.

The Commission undertook an ambitious calendar of activities and publications designed to communicate with every segment of the bar about the importance of *pro bono* and public service. In addition, we set ourselves the task of identifying the barriers to *pro bono* and public service that lawyers confront in every segment of our profession and developing policies and resources to promote "best practices" that are appropriately tailored and have proven successful in overcoming those barriers.

Throughout our work, we were greatly aided by the expertise and past efforts of bar leaders, legal scholars, public interest organiza-



PRO BONO AND PUBLIC SERVICE

One of the goals of the American Bar Association is “[t]o preserve and enhance the ideals of the profession and its dedication to public service.”¹ The ABA Model Rules of Professional Conduct seek to implement one aspect of this goal by providing that “[e]very lawyer has a professional responsibility to provide legal services to those unable to pay.”² Such services include legal services to persons of limited means or to organizations in matters that address the needs of such persons, as well as services to individuals or organizations seeking to secure or protect civil rights and civil liberties and activities for improving the law, the legal system, or the legal profession.³

“Public service” also includes many volunteer activities not encompassed by Rule 6.1 by which lawyers can contribute their time and talents to the betterment of their communities. In February 2006, the ABA House of Delegates adopted a policy developed by the Commission calling on lawyers to renew their commitment to the public good through engagement in such community service activities.⁴

In urging lawyers to engage in community service activities, the policy recognizes that such activities are not a substitute but a supplement for the legal services that lawyers have a responsibility to provide in accordance with Rule 6.1 or applicable local rules.

¹Goal X, ABA Policy and Procedures Handbook 2004-2005, page 1

²ABA Model Rules of Professional Conduct, Rule 6.1. In 2003, language was added to the commentary to Model Rule 6.1 noting that “[l]aw firms should act reasonably to enable and encourage all lawyers in the firm to provide *pro bono* services called for by this Rule.”

³*Id.*

⁴Policy encouraging community service by lawyers (adopted February 2006). The recommendation further urges legal providers and employers to adopt policies and practices that make it possible for lawyers to fulfill that commitment and urges law schools and state, local, and territorial bar associations to take all appropriate steps to facilitate and encourage lawyers to undertake such activities.

tions, and many of our sister entities within the ABA. We sought to learn from those efforts and not to reinvent them, to identify the best ideas and develop resources and policies that would advance them, and to work in partnership with other entities in hopes of ensuring the continuity of this effort once the Commission had completed its work.

This has been an exciting and rewarding challenge. We wish to express our thanks to the members of the Commission for their hard work and thoughtful deliberations throughout this eventful year. We also wish to thank the liaisons to the Commission and the entities within the ABA whom they so ably represented for their participation and support. Special thanks are due to Robert L. Nelson, director of the American Bar Foundation, and his excellent staff, for their research support; John C. Cruden, president of the District of Columbia Bar, for the crucial role he played in our outreach to government and military lawyers and the development of our policy recommendations for government and military law offices; and Esther Lardent, president of the *Pro Bono* Institute, who provided invaluable advice and support as special advisor to the Commission.

Enough cannot be said about the dedication and professionalism of Katy Englehart and Steven Scudder, who together served as professional staff to the Commission. They carried out their many responsibilities with diligence, creativity, and grace. Thanks are also

due to Karl Camilucci of the ABA Division for Media Relations, who oversaw the development and implementation of a comprehensive communications plan for the Renaissance.

We are grateful to the two distinguished lawyers who served as our honorary co-chairs, Ruth Bader Ginsburg, associate justice of the U.S. Supreme Court, and Theodore Sorensen, special counsel to President John F. Kennedy. Though their titles were honorary, they have been enthusiastic participants throughout this venture and have been extraordinarily generous in sharing their time and their wisdom with us.

Finally, we wish to express our appreciation to President Michael S. Greco, who gave birth to the Renaissance of Idealism and provided constant support to the Commission as this initiative took shape.

Mark D. Agrast, Chair, Commission on the Renaissance of Idealism in the Legal Profession

Doreen Dodson, Vice-Chair, Commission on the Renaissance of Idealism in the Legal Profession

August 4, 2006

¹Legal Services Corporation, *Documenting the Justice Gap in America: The Current Unmet Civil Legal Needs of Low-Income Americans* (September 2005).

²Eligibility is 125% of the Federal Poverty Income Guidelines, or \$24,188 for a family of four.

³Robert W. Gordon, *Money! Power! Ambition Gone Awry*, LEGAL AFFAIRS, [www.legalaffairs.org/issues/March-April 2006/feature_gordon_marapr06.msp](http://www.legalaffairs.org/issues/March-April%202006/feature_gordon_marapr06.msp), accessed June 13, 2006.

⁴*In the Wake of the Storm: ABA Responds to Hurricane Katrina*, Midyear Activity Report, ABA Task Force on Hurricane Katrina, February 2006.



A YEAR IN REVIEW

Over the past year, the Commission produced a series of events, publications, and policy initiatives and undertook an extensive outreach campaign to reinvigorate the profession's commitment to *pro bono* and public service. The following are some of the Commission's key activities and accomplishments.

RESOURCES

Online Pro Bono and Public Service Best Practices Resource Guide

The Commission developed an online *Pro Bono and Public Service Best Practices Resource Guide*, which brings together in one place hundreds of *pro bono* and community service projects and policies adopted by lawyers in every practice setting, from small firms to large, from corporate law offices to government agencies. The guide provides information on how to develop or expand *pro bono* and public service opportunities in the full range of practice settings. The website also allows users to submit best practices for inclusion so that the resource continues to evolve. The *Guide* can be found at www.abanet.org/renaissance and will continue to be maintained by the ABA Standing Committee on *Pro Bono* and Public Service. (September 2006)

Online Toolkits

The Renaissance Commission is developing a series of online toolkits, designed to serve as a road map for what lawyers in various practice settings can do to advance *pro bono* and public service. The toolkits will be completed by August 2006 and will be maintained by the ABA Center for *Pro Bono*, a project of the Standing Committee on *Pro Bono* and Public Service. (August 2006)

Renaissance of Idealism Film/DVD

A key tool for promoting the Renaissance of Idealism is the 14-minute DVD produced by the Commission, featuring our honorary co-chairs, Associate Supreme Court Justice Ruth Bader Ginsburg and Theodore C. Sorensen, special counsel to President John F. Kennedy, together with President Greco and Past President Dennis

W. Archer. In the course of the film, the speakers describe in their own words why we need a Renaissance of Idealism in the Legal Profession and what the opportunity to serve has meant to each of them. Five thousand copies of the DVD were distributed to bar associations, law schools, and law offices across the country, and it is available for download from the Commission's website. The film has been well received and has played an important role in our efforts to renew the spirit of service within the profession. (February 2006)

COMMUNICATING THE CALL TO ACTION

Throughout the year, President Greco and Commission members and staff have crisscrossed the country carrying the message to audiences large and small. They participated in or provided materials to dozens of bar meetings and conferences, including the ABA Section Officers Conference, the General Practice, Solo and Small Firm Division Fall Meeting, the Business Law Section Spring Meeting, the Litigation Section Annual Conference, the ABA Bar Leadership Institute, the ABA Conference on Employment of Lawyers with Disabilities, the Equal Justice Conference, regional bar conferences, and a New York Fellows of the American Bar Foundation Luncheon. (September 2005–June 2006)

The Commission sent a letter enclosing the DVD to the dean of **every ABA accredited law school**, the general counsel of **every federal agency**, the managing partners of **700 leading law firms**, and the general counsel of **500 corporations**, asking them to organize discussions around the DVD and to consider ways to advance the Renaissance of Idealism within their law school, law firm, or law department by encouraging and creating opportunities for their lawyers to do *pro bono* and public interest work. (December 2005–March 2006)

The Commission also wrote to the president of **every state and local bar** and **the chair of every section of the ABA**, asking that they undertake a special project related to the Renaissance of Idealism and inviting them to submit their projects to the Commission for



inclusion in the *Online Resource Guide*. The letter also requested that these bar leaders make the Renaissance of Idealism a focus of their chair's columns and leadership meetings, conferences, and workshops throughout the year. (December 2005)

The Renaissance of Idealism has been the subject of more than 30 articles and opinion pieces in external (non-ABA) publications, and more than 30 ABA publications included an article or item on the initiative. (September 2005–August 2006)

As a personal memento of the Renaissance of Idealism, a pin bearing the Renaissance of Idealism logo was distributed at the May 2 event with Justice Ginsburg (described below) and to all 2006 Annual Meeting registrants in Hawaii. The accompanying card notes that the pin represents “support for the Renaissance of Idealism and a token of your pledge to be a leader in renewing the profession's commitment to *pro bono* and public service.” (May and August 2006)

In the Bill of Rights, you're not guaranteed a doctor when you're sick, you're not guaranteed a teacher when you want to be educated, you're not guaranteed an accountant when you can't figure out your taxes, but when you're accused of a crime under the Constitution of the United States—the Bill of Rights—you are guaranteed legal counsel. Now, that's a distinction of which our profession ought to be very proud—and we were proud. American lawyers for decades lived up to that high ideal.

Theodore C. Sorensen, Special Counsel to
President John F. Kennedy

PROGRAMS

The Commission presented and cosponsored a series of programs throughout the year to explore and expand upon the theme of the Renaissance of Idealism. Among them were the following:

- “Lawyers as Civic Leaders: Answering the Call to Service,” a presidential showcase program at the ABA Midyear Meeting in Chicago, which featured opening remarks by Illinois Attorney General Lisa Madigan and a keynote address by the Commission's honorary co-chair, Theodore Sorensen. His remarks were followed by a panel that included moderator Joel Daly, retired co-anchor ABC 7 News-Chicago; and panelists Reed Dewey, director, corporate partnerships, Points of Light Foundation and Volunteer Center National Network; James Diggs, senior vice president, general counsel, and secretary, PPG Industries, Inc.; Robert Graham, partner, Jenner & Block LLP; Chauntis Jenkins, immediate past chair, Young Lawyers Section, New Orleans Bar Association; and Mark Surprenant, senior partner in charge of the New Orleans office of Adams and

Reese LLP and the founder of the firm's HUGS and CA&RE programs. (February 2006)

- A “Renaissance track” consisting of programs at the ABA Midyear Meeting sponsored by various ABA entities on themes related to the Renaissance of Idealism (February 2006), including
 - “Government Lawyers as Public Servants Can Do Pro Bono Too,” sponsored by the Military Law Committee of the General Practice, Solo and Small Firm Division, the Standing Committee on Armed Forces Law, and the Government and Public Sector Lawyers Division
 - “Small Investment, Big Impact: Public Service Projects That Pack a Powerful Punch,” sponsored by the Young Lawyers Division and the AIDS Coordinating Council
 - “Pro Bono: It's Not Just Litigation,” sponsored by the Commission on Domestic Violence
 - “Racial and Ethnic Equity for Victims of Katrina,” sponsored by the Council on Racial and Ethnic Justice
- “Toward a Renaissance of Idealism in the Legal Profession: A Conversation with Justice Ginsburg,” featuring the Commission's honorary co-chair, Associate Supreme Court Justice Ruth Bader Ginsburg, in conversation with President Greco. The program was held in conjunction with the annual ABA Day in Washington. (May 2, 2006)
- The Renaissance of Idealism will provide the theme for two of the principal events held during the ABA Annual Meeting in Hawaii: the Opening Assembly, featuring keynote remarks by Associate Supreme Court Justice Anthony Kennedy, and the annual *Pro Bono Publico* Awards Luncheon, featuring keynote remarks by Honorary Co-Chair Theodore Sorensen.

POLICY DEVELOPMENT

The Commission has developed a series of policy initiatives for consideration by the ABA House of Delegates that address practical barriers that impede the ability of lawyers to answer the call to service.

At the 2006 Midyear Meeting, the House of Delegates adopted a policy presented by the Commission that urged all lawyers to engage in community service activities. The policy also urged legal providers and other entities that employ lawyers to adopt policies and practices that afford lawyers the time and opportunity to engage in community service and urged law schools and bar associations to facilitate and encourage lawyers to undertake such service. (February 2006)

At the 2006 Annual Meeting, the Commission will put before the House three additional sets of policy recommendations urging legal



employers, as well as law schools and courts, to adopt effective strategies and specific policies and procedures to support and encourage *pro bono* and public service work. (August 2006)

The first of these reports (121A) urges lawyers in solo and small firms, larger law firms, corporate law departments, and government and military law offices to participate in *pro bono* and public service activities consistent with applicable rules of professional conduct. It further urges the firms, departments, and law offices that employ them to adopt effective strategies to provide them with opportunities to do *pro bono* work and to adopt specific internal policies and procedures to support such work. Finally, it calls on bar associations and legal services providers to assist lawyers in undertaking and carrying out *pro bono* and public service work and urges lawyers to seek out such assistance.

The second report (121B) urges law schools to require legal employers that recruit on campus to make available to the school's students and alumni specific information regarding the employer's *pro bono* policies, practices, and activities. It further urges law schools to make available to their faculty, students, alumni, and prospective students specific information about the policies and practices the law school maintains to enable and encourage *pro bono* work by all members of the law school community.

The third report (121C) urges federal, state, local, and territorial courts to collaborate with bar associations and legal services providers to develop programs to encourage, facilitate, and recognize *pro bono* representation of indigent parties in civil cases. It further urges courts to provide opportunities for their lawyer employees to participate in *pro bono* and public service activities consistent with applicable laws, regulations, and rules of professional conduct.

I know I'm supposed to be urging lawyers that it's your obligation to serve and to sacrifice. But the satisfactions of public service, the satisfactions of pro bono work, you can't receive anywhere else. So there's an upside to it as well as all the obligations and sacrifice.

Theodore C. Sorensen,
Special Counsel to President John F. Kennedy

The full text of the Renaissance Commission's policy recommendations can be found beginning on page 11. Please note that Reports 121A–121C had not yet been submitted to the House of Delegates at the time this report went to press and should not be cited as ABA policy unless and until they are adopted.



“Toward a Renaissance of Idealism in the Legal Profession: A Conversation with Justice Ginsburg”

The Renaissance Commission presented this special program featuring the Honorable Ruth Bader Ginsburg, associate justice of the U.S. Supreme Court and honorary co-chair of the Renaissance Commission, on May 2 in conjunction with ABA Day in Washington, D.C. Following remarks by Justice Ginsburg, President Greco moderated a discussion with members of the audience and Justice Ginsburg on the importance of *pro bono* and public service work by lawyers. The program was attended by more than 200 ABA Day in Washington participants, as well as members of the D.C. legal community and students from area law schools.





“Lawyers as Civic Leaders: Answering the Call to Service”

During the ABA Midyear Meeting in Chicago, the Renaissance Commission presented a showcase program entitled “Lawyers as Civic Leaders: Answering the Call to Service.” The program featured remarks by Illinois Attorney General Lisa Madigan and a keynote address by Theodore C. Sorensen, special counsel to President John F. Kennedy. Mr. Sorensen offered his reflections on President Kennedy’s challenge to the profession and how he has responded to that challenge in his own life of service through the law. The second half of the program featured an interactive panel discussion of the ways that lawyers have enriched their lives and careers through service to their communities and the policies and practices that legal employers have adopted to encourage and facilitate such service. The Commission’s video featuring interviews with honorary co-chairs, Justice Ruth Bader Ginsburg and Theodore Sorensen, was unveiled at the program.





AN INTERVIEW WITH...



JUSTICE RUTH BADER GINSBURG

*Honorary Co-Chair,
Commission on the Renaissance of Idealism in the Legal Profession*

Q: Why do we need a Renaissance of Idealism?

A: Lawyers are sometimes regarded as not the best contributors to the good and welfare of society but in it for themselves or as hired guns, but the truth is that lawyers who regard themselves as professionals and not as mere journeymen have done something beyond the practice that gives them their income. The difference between an artisan, who does a day's work for a day's pay, and a true professional is that the true professional works not simply for his or her own good, but to make his community, his nation, her world a little better because she or he lived. Lawyers, because they have specialized training, have an obligation to their communities to serve on public boards in a variety of endeavors to help repair tears in their communities and to make life a little better for the less advantaged.

Q: What difference has it made that lawyers are using their talents for the betterment of the community?

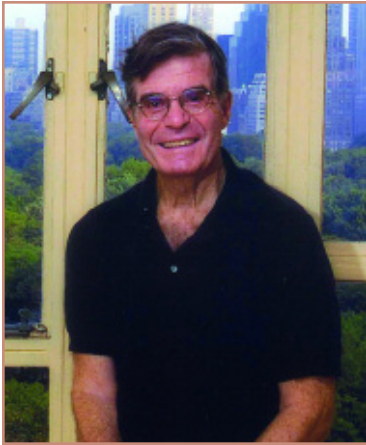
A: Lawyers' contributions show up everywhere, from the representation of the lowliest defendant in the toils of the criminal process to the advancement of great causes such as the civil rights movement and the movements to achieve equal stature of men and women under the law and to help promote understanding of the legal system so that we have a better rapport with our neighbors in the world community. A good example is the CEELI program that has improved the quality of lawyering and judging throughout Eastern Europe.

Q: How important is it to society that lawyers participate in *pro bono* activities?

A: Lawyers' participation in *pro bono* activities in this country has sparked similar efforts abroad. I had the wonderful experience last summer of going to China as a guest of the Supreme People's Court and being permitted by the Chinese government to speak at Beijing University to celebrate the launching of that university's first legal aid training program. So, an idea sparked in the United States is now taking hold all over the world. Lawyers elsewhere who thought of themselves simply as people who do a day's work for a day's pay began to see how rewarding it can be to be a larger figure in the community, to help others pursue justice.

Q: How has your own *pro bono* work enhanced your experience as a lawyer?

A: It has made my experience, my life in the law, ever so much richer. When I think of the ordinary people that I have represented seeking nothing more than equal respect and how they believed that there was a justice system in this country that could right the wrongs they experienced—to see ordinary people: the teacher who was asked to leave her job the moment her pregnancy began to show; the woman unable to purchase family health insurance because for women the only insurance available was solo, single-person insurance; a woman from Boise, Idaho, Sally Reed, who thought that the law was unjust and had enough confidence in the system that she could be vindicated by bringing her complaint to court—to be able to serve people like them was endlessly rewarding for me.



THEODORE C. SORENSEN

*Honorary Co-Chair,
Commission on the Renaissance of Idealism in the Legal Profession*

Q: What most influenced your personal commitment to public service?

A: I was fortunate enough to work for the president of the United States in 1961–64 and fortunate that that president was John F. Kennedy, one of the great presidents and one of the great believers in public service of the last 100 years. My title was special counsel to the president.

Bear in mind that the 1950's were a sleepy era in terms of young people and their interest in public service. There was not as much interest as there should have been in civil rights, in women's rights, in the persistent pockets of poverty in some parts of our country, but John F. Kennedy was different. He said in his State of the Union address, "Let the public service once again be a proud and lively career." Ultimately he proposed the Peace Corps, sending Americans of every age, race, and gender to the hardest places in the world where they were to live among and like the local people. The purpose of the Peace Corps was to help people around the world, to show them the true face of the United States, of the American spirit.

Q: How have you seen the lawyers involved in effectuating significant change through their *pro bono* service?

A. It's hard to remember the status of black Americans prior to John F. Kennedy's presidency. They were forced into ghetto housing and segregated schools. They were not allowed at restaurants, lunch counters, swimming pools, or other places of public accommodation. Kennedy vowed to change all of that. He began by enforcing court orders to make certain that blacks were admitted to segregated southern universities, and then he went on national television and said he was willing to send comprehensive legislation to the Congress. In that nationally televised speech, he said it was an issue for all Americans—not simply a legal issue, not simply an issue of

our standing around the world that is affected by this. It's also a moral issue, he said. But he didn't stop with sending the legislation. Each evening in the White House, he would call together the leaders of America. One day it was the lawyers, another day it was the business leaders, another day it was the labor leaders, another day it was the educators, another day it was the religious leaders, and so on. He told each of these groups, getting Congress to pass a law isn't enough. We've got to change the hearts and minds of Americans. Only you can do that. And the lawyers responded to that by forming an organization called the Lawyers Committee for Civil Rights Under Law. And law firms began to open up to people of all backgrounds and began to pay more attention to providing *pro bono* services to minority groups whose rights were being trampled upon.

Q: Why did you so willingly agree to serve as an honorary co-chair of ABA President Mike Greco's Commission on the Renaissance of Idealism in the Legal Profession?

A: Historically, lawyers provided community service and community leadership in towns and cities and rural areas all across America. It was the local lawyer who often galvanized people to do the right thing when faced with some serious wrong or evil. It was lawyers who, without demanding enormous fees, were able to help those who were in difficulty whether accused of a serious charge or simply in a legal dispute with a neighbor or official. But over time, some of that spirit seemed to diminish. More and more attention was paid to building the bottom line. Some of that spirit of idealism, the obligations of the profession to country and community, seemed to have dimmed, so I thought Mr. Greco's idea of a renaissance of idealism in the legal profession was very much needed, and when he asked if I would be willing to serve as a co-chair of this special commission on an honorary basis, I said, of course, I would be excited and happy to do that.



OVERCOMING THE BARRIERS TO *PRO BONO* AND PUBLIC SERVICE

FINDINGS AND RECOMMENDATIONS

The Commission devoted considerable attention to identifying the barriers to *pro bono* and public service that lawyers confront in every segment of our profession and to developing specific, targeted policy recommendations that, if adopted and implemented, would aid in overcoming those barriers.

As the reports accompanying the Commission's recommendations explain in detail¹, the greatest barrier to lawyers' participation in *pro bono* and public service, regardless of where they practice, is time. Lawyers in firms both large and small face heavy pressures to bill their time to paying clients, and lawyers in many corporate law departments are also expected to meet targets for billable hours. Most government and military lawyers are subject to restrictions that prohibit them from doing *pro bono* work on official time.

Many lawyers also confront other practical barriers, including lack of specialized training and expertise, inadequate resources, reluctance to tackle unfamiliar areas of law, difficulty locating the right opportunity, and lack of malpractice insurance. Government and military lawyers must overcome unique barriers, including restrictions on the use of official time and resources. Many lawyers with the federal government are not members of the bar in the jurisdiction in which they work.

All of these are legitimate concerns. All can be overcome.

For lawyers who choose a legal career in the hope of making a difference, there is a strong correlation between professional satisfaction and engagement in community-oriented service activities.

Renaissance Commission, Report to the House of Delegates, February 2006

The Commission examined and considered many different solutions that might help overcome these barriers. Recommendation 121A represents the Commission's best judgment as to those measures that would be both effective and achievable, either immediately or in the short term. Some of these measures borrow from best practices that have been successfully employed for years. Others seek to "push the envelope" in ways the Commission found to be reasonable and appropriate.

Our recommendations were informed by a number of general findings, among which were the following:

1. A *pro bono* culture can flourish only when the tone is set at the top. It is essential that senior managers actively encourage and participate personally in *pro bono* and public service activities, and that their words are matched by deeds. In large firm settings, for example, this means that a firm should treat *pro bono* hours as billable hours and should consider *pro bono* activity as a favorable factor in advancement and compensation decisions.
2. When it comes to *pro bono* and public service, one size does not fit all. Solutions must be carefully tailored to the needs and circumstances of the individual practice setting.
3. Many barriers can be overcome through partnerships with bar associations and legal services providers, which offer resources, training, malpractice coverage, and access to *pro bono* opportunities.
4. Courts and law schools also play an important role in encouraging and facilitating *pro bono* and public service work.
5. *Pro bono* achievements should be recognized and rewarded.
6. Reporting requirements are a useful incentive. Firms that recruit at law schools should be required to report specific information about their *pro bono* policies, practices, and activities so that students are fully informed of the *pro bono* opportunities offered by prospective employers.

¹ abanet.org/renaissance/HODreports.html



AMERICAN BAR ASSOCIATION

ADOPTED BY THE HOUSE OF DELEGATES

February 13, 2006

RECOMMENDATION

RESOLVED, That the American Bar Association urges all lawyers to contribute to the public good through community service in addition to exercising their professional responsibility to deliver *pro bono* service in accordance with Model Rules of Professional Conduct Rule 6.1, where applicable.

FURTHER RESOLVED, That the American Bar Association urges legal providers and other entities that employ lawyers to adopt policies and practices that afford lawyers the time and opportunity to engage in community service, and urges law schools and state, local and territorial bar associations to take all appropriate steps to facilitate and encourage lawyers to undertake such service.



NOTE: This resolution has not yet been submitted to the House of Delegates and should not be considered as ABA policy until adopted.

121A

AMERICAN BAR ASSOCIATION

COMMISSION ON THE RENAISSANCE OF IDEALISM IN THE LEGAL PROFESSION

STANDING COMMITTEE ON *PRO BONO* AND PUBLIC SERVICE

STANDING COMMITTEE ON LEGAL AID AND INDIGENT DEFENDANTS

SENIOR LAWYERS DIVISION

LAW STUDENT DIVISION

SECTION OF STATE AND LOCAL GOVERNMENT LAW

GOVERNMENT AND PUBLIC SECTOR LAWYERS DIVISION

GENERAL PRACTICE, SOLO AND SMALL FIRM DIVISION

COMMISSION ON DOMESTIC VIOLENCE

SECTION OF LITIGATION

REPORT TO THE HOUSE OF DELEGATES

RECOMMENDATION

RESOLVED, That the American Bar Association urges lawyers in solo and small firms, larger firms, and corporate law departments to serve their communities through *pro bono* and public service activities consistent with applicable rules of professional conduct;

FURTHER RESOLVED, That the American Bar Association urges federal, state, territorial and local government and military lawyers to serve their communities through *pro bono* and public service activities consistent with applicable rules of professional conduct;

FURTHER RESOLVED, That the American Bar Association urges solo and small firms, larger firms, corporate law departments and government and military law offices to adopt effective strategies to provide their lawyers with opportunities to do *pro bono* work and to adopt specific internal policies and procedures to support such work;

FURTHER RESOLVED, That the American Bar Association specifically urges larger law firms, larger corporate law departments, and government and military law offices to adopt the applicable portion of the *Pro Bono* Policies and Procedures, dated August 2006;

FURTHER RESOLVED, That the American Bar Association calls on state, local and territorial bar associations and legal services providers to employ effective strategies for engaging all lawyers in *pro bono* and public service activities including providing training, mentoring, malpractice insurance, assistance in developing best practices, and similar support services; and



FURTHER RESOLVED, That the American Bar Association urges all lawyers and law practices to seek out and utilize the resources and support offered by state, local and territorial bar associations and legal services providers that enable these lawyers to do *pro bono* and public service work.

PRO BONO POLICIES AND PROCEDURES

(AUGUST 2006)

I. POLICIES AND PROCEDURES FOR LARGER LAW FIRMS

Pursuant to Resolution 121-A, the American Bar Association urges larger law firms to adopt effective strategies to provide their lawyers with opportunities to do *pro bono* work and to adopt internal policies and procedures to support such work, including policies and procedures that ensure that firms:

- (a) count *pro bono* hours as billable hours;
- (b) consider attorneys' commitment to *pro bono* activity as a favorable factor in advancement and partner and associate compensation decisions;
- (c) set annual goals regarding the number of hours contributed through firm *pro bono* programs and the number of attorneys who participate;
- (d) establish and maintain systems that ensure that firm *pro bono* programs are managed effectively, that participating attorneys receive training and guidance, and that the highest levels of firm management oversee and participate in their programs;
- (e) support the *pro bono* commitment and involvement of senior and retired lawyers; and
- (f) report to law school placement offices specific information regarding their *pro bono* policies, practices and activities, including:
 - (i) their stated goals regarding the number of *pro bono* hours to be contributed by the firm each year;
 - (ii) the number of actual *pro bono* hours contributed by the firm in each of the last three years;
 - (iii) the average number of *pro bono* hours contributed by junior associates, midlevel associates, senior associates, and partners at the firm in each of the last three years;
 - (iv) whether and to what extent *pro bono* hours are counted as billable hours (if attorneys are expected to meet billable hours targets);
 - (v) whether and to what extent attorneys' commitment to *pro bono* activity is considered a favorable factor in promotion and compensation decisions;
 - (vi) what formal structures the firm maintains to manage its *pro bono* program and to provide training and guidance to participating attorneys; and
 - (vii) whether the firm provides opportunities to participate in *pro bono* activities through sabbatical and part-time *pro bono* programs, fellowships, or rotation programs.



II. POLICIES AND PROCEDURES FOR LARGER CORPORATE LAW DEPARTMENTS

Pursuant to Resolution 121-A, the American Bar Association urges larger corporate law departments to adopt effective strategies to provide their lawyers with opportunities to do *pro bono* work and to adopt internal policies and procedures to support such work, including policies and procedures that ensure that these law departments:

- (a) count *pro bono* hours as billable hours if attorneys are expected to meet targets for billable hours;
- (b) consider attorneys' commitment to *pro bono* activity as a favorable factor in advancement and compensation decisions;
- (c) set annual goals regarding the law department's *pro bono* commitment including, as appropriate, the number of hours contributed, the number of lawyers and legal department staff to be involved, and the number of cases to be handled;
- (d) establish and maintain systems that ensure that law department *pro bono* programs are managed effectively, that participating attorneys receive training and guidance, and that the highest levels of law department management oversee and participate in their programs;
- (e) support the *pro bono* commitment and involvement of senior and retired lawyers; and
- (f) report to law school placement offices specific information regarding their *pro bono* policies, practices and activities, including:
 - (i) their stated goals as described in (c) and their actual *pro bono* performance in achieving those goals each year;
 - (ii) whether and to what extent *pro bono* hours are counted as billable hours (if attorneys are expected to meet billable hours targets);
 - (iii) whether and to what extent attorneys' commitment to *pro bono* activity is considered a favorable factor in advancement and compensation decisions;
 - (iv) what formal structures the law department maintains to manage its *pro bono* program and to provide training and guidance to participating attorneys; and
 - (v) whether the law department provides opportunities to participate in *pro bono* activities through sabbatical and part-time *pro bono* programs, fellowships, or rotation programs.

III. POLICIES AND PROCEDURES FOR GOVERNMENT AND MILITARY LAWYERS

Pursuant to Resolution 121-A, the American Bar Association urges federal, state, territorial and local government and military law offices, insofar as possible, to:

- (a) encourage all government and military attorneys to provide *pro bono* service consistent with applicable law, regulations, and ethical requirements;
- (b) adopt written policies and procedures for the government or military law office that enable and encourage attorneys to engage in *pro bono* work that, at a minimum, define *pro bono*, set forth case approval and conflicts checking procedures and discuss use of office resources;



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- (c) designate a *pro bono* coordinator or committee to manage and oversee such work;
- (d) communicate the extent to which such work is permitted and encouraged;
- (e) identify and work to correct any unnecessary restrictions in law or regulations that impede or deter government or military lawyers from doing *pro bono* work consistent with appropriate rules of professional conduct;
- (f) work with bar associations and legal service providers in identifying opportunities for the government or military law office's lawyers to assist in *pro bono* and legal services projects; and
- (g) develop and maintain programs to facilitate and reward such work.

NOTE: This resolution has not yet been submitted to the House of Delegates and should not be considered as ABA policy until adopted.

121B

AMERICAN BAR ASSOCIATION

COMMISSION ON THE RENAISSANCE OF IDEALISM IN THE LEGAL PROFESSION

STANDING COMMITTEE ON *PRO BONO* AND PUBLIC SERVICE

STANDING COMMITTEE ON LEGAL AID AND INDIGENT DEFENDANTS

SENIOR LAWYERS DIVISION

LAW STUDENT DIVISION

GENERAL PRACTICE, SOLO AND SMALL FIRM DIVISION

COMMISSION ON DOMESTIC VIOLENCE

SECTION OF LITIGATION

REPORT TO THE HOUSE OF DELEGATES

RECOMMENDATION

RESOLVED, That the American Bar Association urges law schools to require legal employers that recruit on campus to disclose, and to make available to the school's students and alumni, specific information regarding the employer's *pro bono* policies, practices and activities;



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FURTHER RESOLVED, That the American Bar Association urges law schools to adopt the *Pro Bono* Disclosure Requirements for Law School Recruiters, dated August 2006;

FURTHER RESOLVED, That the American Bar Association urges law schools to make available to their faculty, students and alumni and prospective students specific information regarding the policies and practices the law school maintains to enable and encourage *pro bono* work by all members of the law school community.

REPORT TO THE HOUSE OF DELEGATES

***PRO BONO* DISCLOSURE REQUIREMENTS FOR LAW SCHOOL RECRUITERS**

August 2006

Pursuant to Resolution 121B, the American Bar Association urges law schools to require legal employers that recruit on campus to disclose, and to make available to the school's students and alumni, specific information regarding the employer's *pro bono* policies, practices and activities, including:

- (a) stated goals regarding the number of *pro bono* hours to be contributed by the employer each year;
- (b) the number of actual *pro bono* hours contributed by the employer in the prior calendar year;
- (c) the average number of *pro bono* hours contributed by junior associates, midlevel associates, senior associates, and partners at the firm in the prior calendar year;
- (d) whether and to what extent *pro bono* hours are counted as billable hours (if attorneys are expected to meet billable hours targets);
- (e) whether and to what extent attorneys' commitment to *pro bono* activity is considered a favorable factor in advancement and compensation decisions;
- (f) what formal structures the employer maintains to manage its *pro bono* program and to provide training and guidance to participating attorneys; and
- (g) whether the employer provides opportunities to participate in *pro bono* activities through sabbatical and part-time *pro bono* programs, fellowships, or rotation programs.



NOTE: This resolution has not yet been submitted to the House of Delegates and should not be considered as ABA policy until adopted.

121C

AMERICAN BAR ASSOCIATION

COMMISSION ON THE RENAISSANCE OF IDEALISM IN THE LEGAL PROFESSION

STANDING COMMITTEE ON *PRO BONO* AND PUBLIC SERVICE

STANDING COMMITTEE ON LEGAL AID AND INDIGENT DEFENDANTS

SENIOR LAWYERS DIVISION

LAW STUDENT DIVISION

GENERAL PRACTICE, SOLO AND SMALL FIRM DIVISION

COMMISSION ON DOMESTIC VIOLENCE

NATIONAL ASSOCIATION OF WOMEN JUDGES

SECTION OF LITIGATION

REPORT TO THE HOUSE OF DELEGATES

RECOMMENDATION

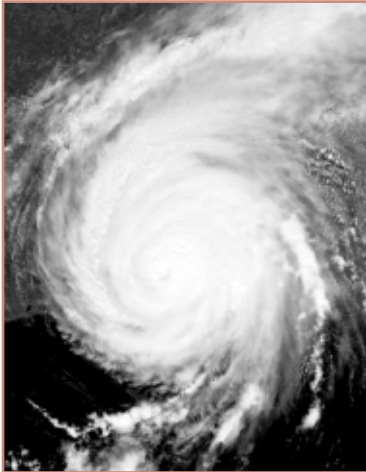
RESOLVED, That the American Bar Association urges all federal, state, local, and territorial courts to develop programs, in collaboration with state, local and territorial bar associations and *pro bono* programs and legal services offices, to encourage, facilitate and recognize *pro bono* representation of indigent parties in civil cases.

FURTHER RESOLVED, That the American Bar Association urges courts to provide opportunities for their lawyer employees to participate in *pro bono* and public service activities consistent with applicable federal, state, local and territorial laws and regulations and applicable rules of professional conduct.



A renaissance is a reinvigoration, a revitalization, a rebirth. I hope that the end result of the Renaissance of Idealism is a reorganization of priorities in all practice settings so that the notion that time must be set aside for lawyers to perform pro bono and public service will become institutionalized and made permanent.

Michael S. Greco, President,
American Bar Association





ANSWERING THE CALL TO ACTION

In the fall of 2005, ABA President Michael Greco asked state and local bar associations and ABA entities to undertake a special project or initiative devoted to the goal of advancing pro bono and community service. Below is a sampling of the responses we received to President Greco's call to action. To view the full list of responses, please visit <http://www.abanet.org/renaissance/survey/search.cfm>

BAR ASSOCIATIONS

District of Columbia Bar

Under the leadership of President John Cruden, the DC Bar has made a significant push this year to expand community service, private *pro bono*, and government *pro bono* efforts. The main project attempts to dispel the myth that government lawyers cannot do *pro bono*. The DC Bar has formed an Interagency *Pro Bono* Working Group and is assisting federal agencies that do not have a written *pro bono* policy to adopt such a policy so that government attorneys have a procedure for receiving permission to participate.

Hawaii State Bar Association

The Hawaii State Bar Association is working with the University of Hawaii Richardson School of Law on an "Adopt a School" program. Lawyers teach such programs as "Professionals for Drug Free Kids," "Junior Judges," and "We The People" civics education modules. The HSBA will also replicate the ABA "Dialogue" program involving a panel of high school students in a discussion about legal rights and democracy. The mission is to teach the students the role and value of the legal system and the courts.

Hennepin County Bar Association

The HCBA developed a new five-year Strategic Plan this year, which emphasizes *pro bono* and public legal services. The bar association is also answering President Greco's call to action by the appointment of a new Fair Response Committee, which is developing a campaign conduct initiative. In addition, the HNBA Bar Foundation is investigating an endowment to fund improved initiatives for public legal education and to facilitate the administration of justice, which includes additional roles for *pro bono* lawyers.

Indianapolis Bar Association

The Indianapolis Bar Association's *Pro Bono* Standing Committee has developed a program to give legal advice to court-qualified witnesses who may incriminate themselves in felony cases. The project helps the Public Defenders Agency by resolving issues of conflict and keeps their caseloads focused on those that need full-blown representation. The bar association created a web-based databank of volunteers, and judges access the databank directly when the need arises either in pre-trial or during the trial.

Kane County Bar Association

In addition to staffing construction crews and donating \$7,200, the Kane County Bar Association made bar members available to do *pro bono* work for Habitat for Humanity. The Kane County Bar also started a program to track the *pro bono* work done by their members. The purpose is to coordinate efforts and support to make it easier for the members to fill unmet legal needs. The bar association posted President Greco's call to action on the Renaissance of Idealism on their web site with a link to the Commission's DVD, and Bar President Michael Doyen's February President's Page included excerpts from President Greco's article in the November-December 2005 issue of *Bar Leader* magazine.



ANSWERING THE CALL

BAR ASSOCIATIONS

Massachusetts Bar Association

In response to Hurricane Katrina, the MBA offered victims support by providing legal information to evacuees at Camp Edwards and the Hynes Convention Center. A hotline was established to organize volunteer efforts, and all of the collections from the MBA annual blood drive were donated to the victims of Hurricane Katrina. The Young Lawyers Section Council also held a relief effort fundraiser in Boston.

State Bar of Michigan

State Bar members and staff presented forums cosponsored by AARP in various parts of the state to educate senior citizens about wills and trusts and combat nonlawyer trust kit seminars that have sometimes resulted in consumer fraud. In another program, 130 attorneys signed up to provide *pro bono* services through the State Bar of Michigan and Michigan Coalition Against Domestic and Sexual Violence's Domestic Violence Training program.

State Bar of Montana

The State Bar of Montana has encouraged law firms to adopt the bar's model *pro bono* firm policy and is doing an assessment of local *pro bono* programs. The bar is also convening a joint session with various stakeholders in the legal community to develop strategies as a result of the recent legal needs study (www.montanabar.org). In addition, the bar is using videoconferencing and clinics to expand the representation for *pro bono* in geographically diverse parts of the state.

Goal X of the American Bar Association—"to preserve and enhance the ideals of the profession and its dedication to public service"

North Carolina Bar Association

NCBA President Mike Colombo followed the lead of President Greco in declaring a "Renaissance of Professionalism" for the North Carolina Bar Association in 2005–06. The NCBA Professionalism Committee, in turn, created the H. Brent McKnight Renaissance Lawyer Award in memory of its former chair, who served the U.S. District Court for the Western District of N.C. prior to his death in 2004. The resolution creating the award cited McKnight's personal integrity, the pursuit of excellence and enthusiasm for intellectual achievement, service to the community and the profession, and the embodiment of professionalism.

Orange County Bar Association

The Orange County Bar Association initiated a public service announcement billboard campaign promoting the *pro bono* service and commitment of the association's lawyers in fighting child abuse, neglect, and delinquency. Original ads have been produced, and 20 billboards have been posted in the Central Florida area.

Tennessee Bar Association

The Tennessee Bar Association created a "Stand Up and Deliver" program featuring a 20-minute film that includes interviews with some of Tennessee's most respected attorneys. The DVD is accompanied by a packet of presentation materials including a CD with a PowerPoint presentation and a model speech on the American legal system. The presentation materials were designed to equip volunteer lawyers as they go out into their communities and educate the public on the importance of our legal system. The "Deliver" portion of the program puts forth the idea that if lawyers are going to call for support for our system of justice, they need to deliver on the promise of equal access to justice. This campaign led to the formation of new access to justice committees in Knoxville and Chattanooga and exploration of such efforts in other jurisdictions.



ANSWERING THE CALL

ABA ENTITIES

Section of Antitrust Law

The Section of Antitrust Law created the Janet Steiger Fellowships to increase law student interest in careers in consumer protection law and to provide state consumer protection offices with resources to assist consumers directly. The program selects law students to spend the summer in state consumer protection offices in need of resources and provides needed help to state consumer protection offices that have limited resources. The program also encourages law students to consider consumer protection law as a public service career.

Section of Business Law

The Section of Business Law created a full program of renaissance activities during its 2006 spring meeting. The section's Committee on *Pro Bono* held a breakfast that allowed attendees to speak with the winners of the section's 2006 National Public Service Award and network with active members of the *pro bono* community. The spirit of idealism was also on display at the section luncheon as section members heard about the importance of volunteerism from keynote speaker Robert K. Goodwin, president and CEO of the Points of Light Foundation. After lunch, the focus shifted to idealism on a global scale with the *Pro Bono* Committee's CLE Program entitled "Microfinance: Leveraging Capital to Reduce Poverty in Developing Countries." During the meeting, attendees also had the opportunity to volunteer at a field-day-style event organized for children temporarily living at a local domestic abuse shelter. Finally, all attendees were invited to show support for the ideals of the profession by wearing an "I Am an Idealist" button.

Standing Committee on Client Protection

The Standing Committee on Client Protection supported the Hurricane Katrina relief effort by gathering and then posting on the ABA website those offering temporary *pro bono* legal services. Also posted were materials on licensing issues affecting lawyers displaced by Hurricanes Katrina and Rita. The committee is continuing its work by conducting research and drafting dual special Model Rules authorizing *pro bono* legal services by out-of-state lawyers to the disaster victims and permitting displaced disaster lawyers to continue their practices out of state. These model rules will be considered by the ABA House of Delegates.

The call to service has deep historical roots in the American legal profession. As early as 1835, Alexis de Tocqueville observed that lawyers "assume[d] a responsibility for the common good through public life" and that they were particularly well suited to this role by their "training and cast of mind."

Renaissance Commission, Report to the House of Delegates, February 2006

Commission on Domestic Violence

The commission hosted a program at the 2006 ABA Midyear Meeting entitled "*Pro Bono: It's Not Just Litigation.*" During the program, speakers discussed the ways in which firms and individual attorneys provide nonlitigation *pro bono* assistance in a wide variety of practice areas. Speakers also discussed how judges can promote *pro bono* representation, as well as ways to develop *pro bono* programs and reference successful courthouse *pro bono* efforts.

General Practice, Solo and Small Firm Division

The General Practice, Solo and Small Firm Division responded to President Greco's challenge by launching a comprehensive effort during the division's fall meeting. President Greco delivered the keynote address at the meeting, and a member of the Renaissance Commission initiated a discussion with the division council about activities it could undertake to advance *pro bono* and public service among solo and small firm lawyers. As a result, the division has assisted the Renaissance Commission in shaping a policy to advance *pro bono* and public service among solo and small firm lawyers and is providing members with a "lawyer's toolbox" that will contain best practices to assist them in becoming more efficient in their work, thus freeing up time for *pro bono* and community service activities.



ANSWERING THE CALL

ABA ENTITIES

Government and Public Sector Lawyers Division

In response to President Greco's call to action, the Government and Public Sector Lawyers Division developed an online toolkit for government and public sector lawyers. The toolkit (1) includes questions and answers about how to set up a *pro bono* program for government law offices; (2) covers the obstacles that public sector lawyers encounter; (3) provides sample *pro bono* policies from various government law offices across the country, including federal, state, and local policies; and (4) provides various links to articles, *pro bono* directories, and programs for those who feel the call and need more information. The toolkit can be accessed at www.abanet.org/govpub/probono.html

Commission on Homelessness and Poverty

Inspired by President Greco's Renaissance of Idealism, the Commission on Homelessness and Poverty will publish "Lawyers Working to End Homelessness," which is a road map on what lawyers from all areas of practice can do to address homelessness in their communities. The book covers a broad spectrum of advocacy, from the basic act of taking on a *pro bono* case to the complex act of creating an advocacy program from scratch. The commission will host a free CLE program based on the book on Friday morning during the ABA Annual Meeting in Hawaii.

Section of International Law

In the fall of 2005, the Section of International Law held a conference entitled "Nuremberg and the Birth of International Law." This one-day program commemorated the 60th anniversary of the commencement of the first of the Nuremberg war crimes trials. The section prepared a one-hour DVD showing the highlights of this program, which was sent to all state and local bars with a suggestion that it would be appropriate to include in 2006 Law Day activities. Copies of the DVD were also sent to all ABA-approved law schools for their use in international law classes and seminars and for their library collections.

Commission on Law and Aging

To enhance the commission's longtime efforts to encourage retired lawyers to volunteer for legal services programs and other providers, the commission has prepared a recommendation and report to the House of Delegates that supports and encourages state bar rules promoting *pro bono* by inactive lawyers in certain circumstances. The resolution will be considered at the 2006 ABA Annual Meeting. Also, to activate the private bar to respond to the monumental task of helping senior citizens cope with the rollout of the complicated Medicare Part D prescription drug benefit, the commission organized and conducted a national telephonic CLE program entitled "Medicare Part D: A Crash Course for Practitioners" held in March of this year. The full program is now available online on the ABA's "CLE Now" web page, allowing anyone to obtain the training for free.

Law Practice Management Section

As part of the nationwide efforts to assist with hurricane relief along the Gulf Coast, the Law Practice Management Section has provided resources to lawyers and firms in the area that are struggling to rebuild their practices so that they may better serve their often disadvantaged clients. The effort includes a program, developed in cooperation with the Louisiana State Bar Association, focusing on the state of the court system in Louisiana, and how law office technology can assist lawyers in rebuilding their practices.

Law Student Division

The Law Student Division has launched the "Pro Bono Partnership Program," which partners law students with local attorneys who are engaged in *pro bono* service. Five pilot schools are currently involved in the program, which is designed to teach law students that *pro bono* work should be part of their careers. The initiative will be rolled out on a national level at the ABA Annual Meeting in Hawaii with a panel presentation on the program.



Standing Committee on Legal Assistance for Military Personnel

During its spring committee meeting, LAMP placed on the agenda a discussion of what military attorneys can do in the *pro bono* arena. Lieutenant Colonel Ferah Ozbek, chief of legal assistance for the Air Force, presented the new Air Force policy on *pro bono* services. The committee also added to the LAMP web page a link to the Renaissance Commission's *Pro Bono and Public Service Best Practices Guide*. The link encourages military legal assistance offices looking to partner with law firms on *pro bono* matters to use the guide's best practices as a criteria set for screening firms.

Section of Litigation

The Section of Litigation is bringing a resolution and report to the ABA House of Delegates in August 2006 on the issue of law firms' mandatory minimum billing requirements and compensation systems. Mandatory minimum billing requirements create enormous tension in the attorney-client relationship and limit the time for *pro bono* and community service. With regard to *pro bono* and public service, the resolution urges "law firms to consider compensation systems that recognize and reward attorneys based on factors in addition to the number of hours they bill to client matters, including *pro bono* work, community service, mentoring and training, speaking, writing and teaching, and other activities that enhance professional development and standing in the legal profession as a whole."

Standing Committee on Professionalism

The Standing Committee completed a survey about law school *pro bono* programs and published a report with the results of that survey and recommendations. The report is posted at www.abanet.org/cpr/LawSchool_ProfSurve.pdf

Commission on Racial and Ethnic Diversity in the Profession

As part of the annual National Conference for the Minority Lawyer held in June, the commission presented a program that encouraged the lawyers in attendance to recall the idealism that inspired them to join the profession and act upon it. Titled "Renaissance!," the program sought to remind the attendees about why they went to law school and to explore the profession's mix of idealism and pragmatism, public service and personal goals.

In addition, the commission and the Charles Hamilton Houston Institute for Race and Justice at Harvard Law School are collaborating to present a program titled "Renaissance of Idealism: Running for Office" to encourage and prepare minority lawyers to extend their public service activities and commitments to running for and serving in elected offices. The two-day program will offer nuts-and-bolts training on how to run for office and information on the impact of current public policy trends and the political process on minority lawyers and their communities.

Real Property, Probate and Trust Law Section

The Real Property, Probate and Trust Law Section has responded to President Greco's call to action through both community service and education. The section's *Pro Bono* Committee continues to support and develop its project in partnership with Habitat for Humanity International, with over 225 section members volunteering their real property expertise and leadership skills to HFH affiliates throughout the country. The project provides opportunities for lawyers to engage with their local communities while contributing to the success of both urban and rural real property developments. The section is also working to develop solutions to preserving real property ownership in many poor families following deaths of the owners without wills.

Tort, Trial and Insurance Practice Section

The section presented a free program in New Orleans with the Louisiana State Bar Association titled "Rebuilding, Reconstruction, and Starting Over after Hurricanes Katrina and Rita." The program focused on insurance and eminent domain issues for Louisiana citizens and provided an opportunity for them to receive free legal advice for assistance in starting over after the hurricanes. Following the program, two scholarships were awarded to New Orleans law students who were displaced by the storm and who have been active in efforts to rebuild the city.



LOOKING FORWARD

The Renaissance of Idealism summons each of us to play our part in ensuring that our profession remains true to its highest ideals. It is a call to service to which each of us has a duty to respond.

That call is being heard. Lawyers throughout America are responding. But the momentum the Renaissance of Idealism has created must not be allowed to dissipate.

We have no doubt that this important work will continue under the leadership of incoming President Karen Mathis, who has identified *pro bono* and public service as one of her priorities as president.

We are also confident that the many partners with whom we have worked throughout this past year, both within the ABA and beyond, will carry on the work we have begun together.

Within the ABA, we have worked closely with a number of sections, divisions, and standing committees. It is to these continuing entities that the commission bequeaths its charge: to encourage and enable lawyers throughout our profession to serve their communities through *pro bono* and public service work. It also falls to these entities to implement the policy initiatives that the commission has developed, including those we are hopeful the House of Delegates will adopt in August 2006.

Much of the work of the commission will be carried on by the Standing Committee on *Pro Bono* and Public Service. The Standing Committee will continue to maintain the “best practices” guide and other tools developed by the commission, and it will have a lead role in implementing the policies we have advanced this year—particularly with respect to lawyers in larger firms.

In addition, the following entities have agreed to serve as the permanent point of contact for *pro bono* and public service initiatives among lawyers in specific practice settings.

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