

Roger Williams University  
SCHOOL OF LAW

# Pro Bono Experiential Learning Requirement

## Student Information Guide

*Fall 2021*

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## What is Pro Bono?

The term pro bono is derived from the Latin phrase, *pro bono publico*, which means “for the public good.” In the legal profession, the term “pro bono” generally means to provide legal services free of charge.

Below is Rule 6.1 of the **American Bar Association's Model Rules of Professional Conduct**, which outlines the obligation of attorneys to engage in pro bono.

*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:*

1. *provide a substantial majority of the (50) hours of legal services without fee or expectation of fee to:*
  - 1) *persons of limited means or*
  - 2) *charitable, religious, civic, community, governmental and educational organizations in matters which are designed primarily to address the needs of persons of limited means; and*
  
2. *provide any additional services through:*
  - 1) *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;*
  - 2) *delivery of legal services at a substantially reduced fee to persons of limited means; or*
  - 3) *participation in activities for improving the law, the legal system or the legal profession.*

*In addition, a lawyer should voluntarily contribute financial support to organizations that provide legal services to persons of limited means.*

# RWU Law's Pro Bono Experiential Learning Requirement

## *RWU Law's Learning Outcome 8: Public Service*

*Law students will be able to: a. Understand the responsibility of lawyers to improve access to the legal system b. Understand the professional responsibility to provide pro bono legal service in law practice.*

RWU Law's Pro Bono Experiential Learning Requirement ("Pro Bono ELR") is the primary mechanism for fulfilling Learning Outcome 8. The Pro Bono ELR is designed to instill in law students the value and habit of providing pro bono legal service to low-income communities while also providing students an opportunity to gain valuable practical legal skills. RWU Law's Pro Bono ELR requires every student to undertake 50 hours of pro bono legal service, as defined by ABA Model Rule 6.1, in order to graduate. Law students may not receive compensation or academic credit for their qualifying pro bono service and placements must be approved by the Associate Director of Pro Bono Programs.

At RWU Law, pro bono is defined as services provided without pay or academic credit in the following categories:

- Legal services to persons of limited means<sup>1</sup> or charitable, religious, civic, community, governmental and educational organizations in matters which are designed primarily to address the needs of persons of limited means.
- Legal services 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 otherwise be inappropriate.
- Activities intended to improve access to the law, the legal system, or the legal profession.
- Any other legal services deemed by the Associate Director of Pro Bono Programs to benefit an underserved community, the state or federal court system, the state or federal government prosecution of criminal defendants, or other practices of law not engaged for economic profit.

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<sup>1</sup> Persons of "limited means" are those who qualify for participation in programs funded by the Legal Services Corporation (125% of the federal poverty guidelines) and those whose incomes and financial resources are slightly above the guidelines utilized by such programs but who, nevertheless, cannot afford counsel. See ABA Rule 6.1 Comment 3.



## Pro Bono ELR Service Criteria<sup>2</sup>

In order to qualify for RWU Law's Pro Bono ELR, the pro bono service must be:

- law-related;
- with a qualifying organization, agency or project (see previous page)
- supervised by a licensed attorney or other qualified supervisor, as deemed by the Associate Director of Pro Bono Programs;
- without any compensation (no pay or stipends)<sup>3</sup>
- not for academic credit; and
- completed while the student is enrolled at the Law School.

### Quick look at pro bono service that does count:

- Legal Services organization
- Public Defender
- Government legal service (civil or criminal)
- Public policy work supervised by an attorney
- RWU Law Pro Bono Collaborative Projects, including
- Alternative Spring Break
- Volunteer Income Tax Assistance (VITA)
- Pro bono service on matters where your supervising attorney has taken the case on a pro bono basis (not receiving any fee for the case) and you are not getting paid

### Quick look at pro bono service that does not count:

- Community service that doesn't utilize your legal training, e.g., Habitat for Humanity construction, serving at a food pantry, etc.
- Political campaign work
- Mock trial coaching (unless the school is in a low-income community)
- Any service that does not have attorney supervision
- Any service or work done for which you receive compensation (including stipends)
- Externship hours or any service or work for which you are receiving academic credit for the hours. If you would like to provide pro bono service with an organization or agency where you have externed, you must wait until the following semester to begin to accrue your hours.

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<sup>2</sup> Please note Students are responsible for reviewing and complying with individual states' bar admissions requirements involving pro bono service. Currently, New York is the only state with a pro bono requirement. Pro bono hours that count toward fulfillment of RWU Law's graduation requirement may or may not count for state bar admission pro bono hours. You must carefully review the bar admissions requirements for each state to make sure your hours qualify. New York's rule, some helpful FAQs, and the New York Affidavit of Compliance can be found at: <http://www.nycourts.gov/attorneys/probono/baradmissionreqs.shtml>.

<sup>3</sup> Students may not accept any pay or stipends. In very limited situations, parking reimbursements offered by an employer may be permitted upon the prior approval of the Associate Director of Pro Bono Program, Suzanne Harrington-Steppen. Please contact her directly at [sharrington-steppen@rwu.edu](mailto:sharrington-steppen@rwu.edu).

# What Specific Activities Count As Pro Bono When Tracking Hours?

## **Training**

Training hours directly related to the pro bono service can count as long as they do not exceed your service hours. This may include required reading, watching training videos, and/or observing relevant legal practices.

## **Legal Tasks**

Qualifying pro bono service may include: researching, drafting, conducting client intake interviews or phone calls, shadowing attorneys in court or in meetings, representation under state specific student practice rules, community education/presentations, among other work typically done by attorneys and law students.

## **Reflective Writing and Project Meetings**

Students may count law-school initiated reflective exercises (written or during project meetings) as pro bono.

## **Travel**

Travel time never counts toward your pro bono hours.

## **Meal Breaks**

Meal breaks should not be included in your pro bono hours.

## **Minimum Hours per Placement/Project**

RWU Law does not have a minimum number of hours a law student must spend on a Pro Bono ERL project. However, we highly recommend providing at least 20 hours with a project or placement so that you maximize the impact of your service and your learning experience.

# What Are My Pro Bono ELR Options?

## Apply to a Community-Based Organization or Agency

Students can apply directly to one of the over 40 pre-approved organizations and agencies, listed here: <https://law.rwu.edu/academics/feinstein-center-pro-bono-experiential-education/pro-bono-experiential-learning-requirement/pro-bono-forms>. Students can also request pre-approval for a self-initiated pro bono project or placement, prior to beginning service, by submitting the Pre-Approval for Student-Initiated Pro Bono Experiential Learning Requirement Form to Suzy Harrington-Steppen in the Feinsein Center for Pro Bono & Experiential Education, at [sharrington-steppen@rwu.edu](mailto:sharrington-steppen@rwu.edu).

### *Community-Based Placements notes:*

- ✓ Apply to placements anytime of the year.
- ✓ Works best for students with at least one day per week to devote to pro bono.
- ✓ These placement opportunities look like traditional internships.

## Join a Pro Bono Collaborative Project

The Pro Bono Collaborative (PBC) develops and facilitates pro bono legal service projects that match RWU Law students with private law firms and attorneys to provide pro bono legal assistance to community-based organizations and those they serve. For a current list of PBC projects, stop by the Feinsein Center office.

Students are screened by the Feinsein Center, but are supervised by Pro Bono Collaborative partnering law firm attorneys. Students often work in teams. If selected, students are asked to commit two semesters (with the exception of the VITA program) and can expect to work on their project between 4-15 hours per month.

### *Pro Bono Collaborate Projects notes:*

- ✓ Apply in the fall and spring.
- ✓ Works best for students who would like flexible hours and are willing to commit to at least two semesters on a project.



## Participate in Alternative Spring Break

Spend spring break fully immersed in a local or national public interest legal service project. The Alternative Spring Break (ASB) program is organized by The Association for Public Interest Law (APIL). We have several projects, in several states and in various aspects of law.

*Alternative Spring Break notes:*

- ✓ Apply over winter break.
- ✓ Works best for students who prefer to complete their 50 hours in one week.

## Read Your Emails and Bookmark our Pro Bono Opportunities List

Throughout the year, the Feinstein Center sends out pro bono opportunities. These pro bono opportunities are always listed on our [Pro Bono Opportunities List](#). Since these opportunities are not ongoing, they are not listed on Symplicity so make sure you keep your eyes out for emails with the subject “Pro Bono Opportunity.”

# Certifying Your Pro Bono Hours

To receive credit for completion of the 50-Hour Pro Bono ELR, students must complete all required forms online using Etrieve (must use Chrome browser) at <https://rwucentral.etrieve.cloud/>.

The following online forms are required:

## **Law Pro Bono Pre-Approval Request Form 1 (on Etrieve)**

- Must be completed and approved by the Feinstein Center prior to beginning your pro bono service.
- Submit the form online and you will receive approval with next-step instructions by email within one week.
- Once approved, start your pro bono service.
  - Be sure that you have informed your supervisor that you are seeking to satisfy RWU Law's Pro Bono Experiential Learning Requirement and that the supervisor will be required to certify your pro bono hours worked and complete a brief Supervisor Evaluation Form.
  - Review with your supervisor any potential conflicts of interest, including past, current and future employment, internships, externships, clinic enrollment and/or clerkships.
  - **Keep track you your pro bono hours (dates and times). You must keep documentation of your hours.**
  - Have your supervisor sign the Supervisor Evaluation Form at the end of your service and complete the Reflective Journal—links to these forms are included in the approval email and can also be found using the links below or on our website:
    - <https://law.rwu.edu/sites/law/files/downloads/feinstein/docs/Pro-Bono-ELR-Supervisor-Evaluation-of-Student.pdf>
    - <https://law.rwu.edu/sites/law/files/downloads/feinstein/docs/pro-bono-elr-reflective-journal.pdf>

## **Law Pro Bono Completion Certification Form 2 (on Etrieve)**

- After you have completed your pro bono service, you must request certification of your pro bono.
- Upload PDFs of your Reflective Journal and signed Supervisor Evaluation Form with this request.
- The Feinstein Center will review and certify your pro bono hours. You will receive an official email from us confirming that you have met the Pro Bono ELR.

### **Additional Hours Over the Required 50**

- Once students have met the 50-Hour Pro Bono ELR, they can use the simple and quick Form 3 on Etrieve to track hours and earn 100-hour pro bono recognition.
- Form 3 on Etrieve “Additional Hours” does not require pre-approval, a supervisor evaluation form, or a final written reflection.

## What Are the Pro Bono ELR Deadlines?

All candidates for the J.D. degree at RWU Law must have completed at least fifty (50) hours of pro bono service and submit the required paperwork documenting their service in order to graduate.

**May Graduation Candidates** are required to have completed their pro bono service and submitted the required paperwork documenting their service at least 30 days before graduation.

**December Graduation Candidates** are required to complete their pro bono service and submit the required paperwork documenting their service at least 30 days before their last exam.

## How Do I Get the Most Out of My Pro Bono ELR?

### **Understand how your placement or project fits into your professional obligation under ABA Rule 6.1.**

***For students providing service directly to low-income communities and individuals through a legal services organization, public defender's office or law school project:***

Through your service, you'll see firsthand the desperate need for free legal services and you'll learn from expert public interest attorneys. Although your supervisors may be full-time public interest attorneys, the areas of the law that you will be introduced to are often in the same areas of law where you can volunteer your time as a pro bono attorney once you graduate.

***For students providing service directly to low-income communities and individuals, in partnership with a private attorney's pro bono representation:*** Your service is exactly what Rule 6.1 is all about; providing access to justice to those who cannot afford to hire an attorney by assisting a private attorney who is providing pro bono representation.

***For students providing service to a government agency, the judiciary or non-profit organizations:*** Your service falls within 6.1 in that you are assisting with "the delivery of legal services to 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." *See* Rule 6.1

### **Think about your goals for your Pro Bono ELR.**

What do you want to learn? What do you want to observe? What do you want to do? How will you communicate these goals to your supervisor? If you are not sure what experiences will be available to you, think about how you can find this out.

### **Ask for feedback from your supervising attorney.**

**Reflect on what you learned, what you liked and didn't like about the experience, and how this experience fits into your professional development.**

This can be done in your final written journal which must be submitted with your Pro Bono ELR paperwork. Keep in mind your journal should be reflective, not just a description of the legal work you performed.

**Add your Pro Bono ELR to your resume!**

Consult the Career Development Office if you have questions.

# Ethical Issues

## Confidentiality

***Talking About Your Pro Bono Service (Any oral communication about your pro bono service):*** Students must maintain confidentiality for all work done on pro bono matters. Your work should not be discussed with anyone other than your supervising attorney unless express permission is given by your supervisor. You should always err on the side of not disclosing information. If you have questions about what is and is not confidential, ask your supervisor for clarification. Do not discuss any facts—even general facts—related to your pro bono service on any social media forum. Unless you have been explicitly asked by your supervising attorney to do so, NEVER post pictures!

***Documents (hard copies and electronic):*** It is your responsibility to ask your supervising attorney whether you can take documents (original or copies) home with you; whether you can use your personal email account to send confidential matters; and whether you can use your personal computer to work on confidential matters. Always keep in mind that when you are carrying hard copy confidential files in your bag or working on them in public spaces, you must take extra steps to ensure they remain in your control at all times.

## Conflict of Interest

Students should discuss any potential conflicts of interest (based on previous, concurrent or future paid employment, internships, clerkships, clinics or externship, that the student may be engaged in at another law office, agency or organization, including any upcoming interviews) with their supervising attorney at the outset of the pro bono placement. **WRITE DOWN THE MATTERS YOU WORK ON.** In the future you may have to run conflicts checks with future employers or externship placements. You will need to know the names of the cases that you worked on for during your pro bono service. Your supervising attorney will be the final decision maker about whether there are conflicts and how to handle them.

## Unauthorized Practice of Law

You may never give legal information or advice to any person or client without the express prior authorization of your supervising attorney. It is good practice to begin any client meeting by introducing yourself as a law student and stating that you cannot give advice. As a law student, you run a much higher risk than you did before you became a law student that others may perceive you as a lawyer or someone who can give legal advice. Please be careful not to cross the line from being helpful to providing legal advice.

# Professionalism Tips

## **Dress**

The first time you meet your supervising attorney dress formally, or ask in advance about the dress code. If you do not know what "business casual" means, err on the side of formality. When in doubt, wear a suit.

## **Social Media and Cell Phones**

Do not text, Facebook, Tweet, or use other personal forms of communication when you are at a pro bono placement or project. If you must use your phone, be quick and discrete.

## **On Time Means Early**

Always arrive 10-15 minutes early. If you cannot make it to a scheduled pro bono meeting or weekly event, call and email your supervising attorney as far in advance as possible.

## **Stay In Touch**

It is YOUR duty to remain in touch with your supervisor. Emailing once or twice and then giving up is not sufficient. Attorneys are extraordinarily busy. Keep emailing polite reminders.

## **If Problems Arise**

Contact Suzanne Harrington-Steppen, Associate Director of Pro Bono Programs, with any problems or concerns that arise during your pro bono service.

## **Satisfactory Performance**

If a student does not complete the pro bono work or project to the satisfaction of the supervisor and the Associate Director of Pro Bono Programs, the hours worked will not count toward the Pro Bono ELR.



## Pro Bono Graduation Recognition (100+ Hours)

Roger Williams University School of Law values pro bono service as a fundamental part of legal education. The Pro Bono ELR requires all students to complete at least 50 hours of pro bono legal service prior to graduation. Since many students provide more than 50 hours and many students work unpaid summers in public interest settings, serving communities most in need, the Law School recognizes all graduating students who have provided 100 or more hours of uncompensated pro bono legal service during law school. Each year in March, all third year law students are notified about the pro bono graduation recognition and provided with a short application to report their pro bono hours. If you have any questions about RWU Law's 100-Hour Pro Bono Recognition, please contact Suzanne Harrington-Steppen at [sharrington-steppen@rwu.edu](mailto:sharrington-steppen@rwu.edu).

Please report additional pro bono hours completed beyond the 50-hour requirement using Etrieve Form 3 "Additional Hours" (<https://rwucentral.etrieve.cloud/>).