



## HISTORIC VIRGINIA PRO BONO SUMMIT

On April 27, Virginia Supreme Court Chief Justice Leroy Rountree Hassell, Sr. called to order an historic event – the first Virginia Pro Bono Summit. The Summit’s morning session was held in the Supreme Court chambers – a clear indication of the seminal importance of the event. The gathering, coordinated by the Virginia State Bar, featured regional updates, best practices, and presentations by Virginia's Attorney General and general counsel of two of the state's largest corporations. The Pro Bono Institute (PBI) provided assistance in the planning and content of the event, and PBI’s Esther Lardent was the only non-Virginia speaker at the Summit. For more information or assistance in planning a summit in your community, please contact [Esther Lardent](#).

In his remarks last year on the state of the judiciary, Chief Justice Hassell acknowledged the crisis in civil legal services and called for a statewide pro bono summit to expand the availability of legal services for the poor. That historic and moving event took place, before Justice Hassell and his colleagues on the Virginia Supreme Court, on April 27. Preceded by regional meetings organized by the Virginia State Bar and attended by Supreme Court justices, the Summit included formal presentations to the Court and the attendees on the findings of those regional meetings. Participants in the invitation-only event included members of the judiciary, many of the state's former Attorneys General as well as the current holder of that office, local bar leaders, law school representatives, legal services and pro bono leaders, partners from the state’s largest law firms, and representatives from a number of the corporate legal departments housed in Virginia. Justice Hassell’s passion for and commitment to access to justice was evident. He noted that Constitutional guarantees and protections of rights are meaningless if there is no legal assistance available to enforce those guarantees and protections. The Chief Justice spoke movingly of the impact of the lack of availability of counsel in cases like those involving the termination of parental rights. The lack of counsel in those cases impacts not only the individuals involved, but has an impact that lasts generations. He also noted that without lawyers, our democratic system of government would disappear.

The morning program, held in the Supreme Court chamber itself, featured the findings of the regional pro bono events held across the state. Those presentations made it clear that the recession and budgetary crisis in Virginia, as in other states, has had a devastating impact on legal services programs and the availability of legal services statewide. It also became apparent, however, that pro bono participation rates vary widely throughout the state, and that the current pro bono system is not as efficient, streamlined, and effective as it could and should be.

The Summit luncheon featured remarks by Virginia Attorney General Kenneth T. Cuccinelli, II, who noted that studies revealed, even before the recent recession, only 20 percent of low-income Virginians who had a legal problem found a lawyer to assist them. He indicated that meeting the need will require more organized and efficient ways of providing pro bono representation and pledged the assistance of his office and staff in that effort. The support for access to justice and

pro bono evidenced by Cuccinelli, a nationally-known conservative, combined with the announcement of pro bono support by 14 of his predecessors in the office of the Attorney General, underscored that access to justice is not a partisan or political issue. Other luncheon speakers included the general counsel of Capital One, John Finneran. Capital One has been a leader in non-legal pro bono services, making the skills of its IT, marketing, and other professionals available free of charge to the communities in which it is located, as well as expanding its legal department's pro bono offerings. Finneran announced that, in addition to responding to the need for pro bono services, Capital One will also work to implement the Summit's recommendations and findings by developing a vehicle that streamlines and improves communications between and among legal services programs and potential volunteers.

Also speaking at the Summit luncheon was Randal Milch, executive vice president and general counsel of Verizon Communications Inc., a Signatory to the Corporate Pro Bono (CPBO) Challenge<sup>SM</sup>, a joint partnership between the Pro Bono Institute and the Association of Corporate Counsel (ACC), which recently launched its first formal pro bono program. In speaking of the importance of pro bono work, Milch underscored the obstacles faced by in-house counsel in Virginia seeking to do pro bono work. Attorneys licensed in other jurisdictions but working for a legal department in Virginia face significant regulatory hurdles in the state, and he urged the court and the bar to make the changes needed to take full advantage of the time and expertise of in-house lawyers.

The afternoon session focused on best practices in pro bono. Speakers included James Villa, assistant general counsel of AOL Inc., a Signatory to the CPBO Challenge<sup>SM</sup>, which created a pro bono partnership through an RFP process with McGuireWoods LLP, a Signatory to the Law Firm Pro Bono Challenge<sup>®</sup>, that resulted in a legal clinic at the Reston Interfaith center that provides legal assistance to hundreds of low-income clients. Several legal services and pro bono leaders outlined the work of their organizations. George Hettrick, Pro Bono Partner at Hunton & Williams LLP, also a Signatory to the Law Firm Pro Bono Challenge<sup>®</sup>, reported on how that firm achieved 100 percent participation in pro bono (the firm received PBI's 2009 John H. Pickering Award for their pro bono service) and noted that "great firms have great pro bono programs" and "the most profitable law firms are the ones that do the most pro bono work." One of the most notable legal services/pro bono best practices was the restructuring of the pro bono program in Northern Virginia reported on by Jim Ferguson, head of Legal Services of Northern Virginia. A shift in the model for recruiting and utilizing pro bono counsel in domestic violence cases resulted in a ten-fold increase in the number of clients who obtained orders of protection in just two years. Other speakers focused on successful and replicable models for providing transactional legal assistance to community-based nonprofit groups that serve the low-income community and making the large numbers of potential volunteers in urban areas of Virginia available to legal services providers in rural parts of the state.

The final speaker in the afternoon session was Esther Lardent, president and CEO of PBI, who reported on national trends and best practices. Noting the overall low percentage of pro bono participation in the state, she called for profound change – a paradigm and cultural shift – and urged a focus on collaboration, major signature projects, ending the disconnect between the need for pro bono assistance and those willing to provide assistance, and finding more streamlined and creative methods for utilizing volunteers. The day ended with a touching tribute to long-time

Virginia legal services leader Henry W. McLaughlin, III who retired last month after decades in service to the state and the justice system.

Both Chief Justice Hassell and the Summit leaders made it clear that the April 27 event was a beginning and called for a plan of action and accountability regarding the progress made during the coming year in expanding access to justice through pro bono service. PBI was delighted to provide assistance to the organizers of the Virginia Summit. If you would like more information about how PBI may be of assistance in planning a similar event in your community, please contact [Esther Lardent](#). For more coverage of the Summit, click [here](#).

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