

Right to Practice In-House Pro Bono

Most jurisdictions permit in-house counsel licensed in other U.S. jurisdictions to represent their in-state employers, often through a registration or certification process (registered in-house counsel), but do not extend the same right to providing pro bono services. When they do, the practice rules typically include difficult and unnecessary restrictions that limit and discourage registered in-house counsel's pro bono participation. Across the U.S., in-house counsel have been advocating to change these rules.

How MJP Rules Impact Pro Bono

Multijurisdictional practices rules pose a significant obstacle for many in-house attorneys participating in pro bono activities. Registered in-house counsel and their colleagues serve as a vital untapped resource when considering that 80% of the legal needs of low income Americans go unmet.

"Why is it that as lawyers we can provide legal services to our corporations, yet somehow we are not qualified to help people who are in need?"

Thomas Sabatino

Executive Vice President and General Counsel, Aetna Inc.
2015 ACC Annual Meeting

States Empowering In-House Pro Bono

Rules in these jurisdictions do not include unnecessary restrictions on registered in-house counsel providing pro bono.



Progress Made

In July 2012, the Conference of Chief Justices and Conference of State Court Administrators adopted **Resolution 11**, which states:

"Be it resolved that the Conference of Chief Justices and the Conference of State Court Administrators encourage their members to consider promoting the expansion of pro bono legal services, including by amending the practice rules to allow non-locally licensed in-house counsel who are permitted to work for their employer to also provide pro bono legal services subject to the local rules of professional conduct."

As a result of recent advocacy efforts around the U.S.:

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JURISDICTIONS
HAVE EMPOWERED

7,000+
IN-HOUSE COUNSEL
TO PRACTICE PRO BONO

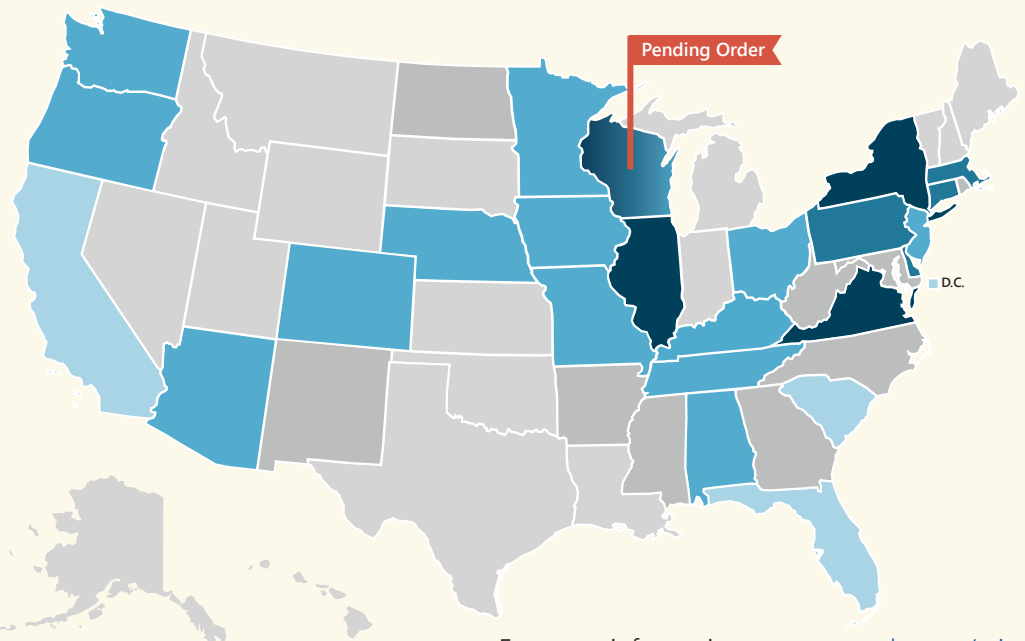
On April 13, the Wisconsin Supreme Court voted to amend its practice rules to remove unnecessary restrictions on registered in-house counsel providing pro bono legal services.



Mapping In-House Rights

Registered in-house counsel may provide pro bono legal services:

- broadly, subject to the local professional rules of conduct;
 - only in association with an approved legal services organization or with the supervision of a locally licensed attorney;
 - only in association with an approved legal services organization;
 - only in association with an approved legal services organization and with the supervision of a locally licensed attorney;
 - pursuant to an out-of-state lawyer pro bono rule, subject to a number of restrictions.
- • • • •
- Silent with regard to registered in-house counsel and out-of-state attorneys providing pro bono legal services.



For more information, see www.cpbo.org/mjp