



University of Idaho
College of Law
Pro Bono Manual
Academic Year V '2-2

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Pro Bono Director

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University of Idaho College of Law Pro Bono Manual

Introduction

Welcome to the University of Idaho College of Law Pro Bono Program! Your pro bono public service work will not only help build the foundation of your own professional identity and career, but will also serve those for whom access to justice is limited or serve the public legal good. Each student is required to complete at least 50 hours of attorney-supervised pro bono legal work, without compensation, academic credit, or other tangible benefit

GOALS:

- Instill a commitment to lifelong pro bono service.
- Serve the unmet legal needs of our communities.
- Gain practical legal experience and networking opportunities.

What Counts for Pro Bono?

The College of Law Pro Bono Program is guided by the American Bar Association Model Rule of Professional Conduct 6.1 and the Idaho Rule of Professional Conduct 6.1. Both govern the conduct of licensed attorneys and set the expectation that each attorney provide 50 hours of pro bono legal service each year to persons of limited means or organizations serving the needs of persons of limited means. Since you are not yet a licensed lawyer, your pro bono service must take place under the supervision of a licensed attorney. The subsections below spell out more details about each of these requirements- work is legal in nature, conducted under the supervision of a licensed attorney and serving individuals of limited means or organizations that support them.

(1) Legal Work – Your pro bono project must involve performing legal work. This includes but is not limited to the following:

- client and witness interviewing;
- drafting legal documents;
- legislative drafting, analysis and policy interpretation;
- involvement in administrative rulemaking;
- legal research and writing and/or
- preparation for and assistance with trial

IMPORTANT NOTE: *Pure observation, with no other role and exclusively or nearly exclusively benefitting only the student does not count as pro bono.*

Consult the Director if you have any questions about whether your pro bono duties fit into these “legal” categories.

(2) Under the Supervision of a Licensed Attorney-

- A separate handout provides instructions for using ILC. For technical assistance with ILC, contact the Career Development Office - law-careers@uidaho.edu 208-885

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- ¾ For selfplacements, the Pro Bono Director may ask you to complete a Pro Bono Agreement that documents the agreed upon scope of work between the student and the supervising attorney. This helps ensure everyone is on the same page about the scope of work and deadlines.

Is There Any Legal Foundation I Need Before Initiating Pro Bono Service?

YES! Students must review the American Bar Association Model Rules of Professional Conduct and the Idaho Rules of Professional Conduct (any other state that you are working in).

- https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/
- <https://isb.idaho.gov/bar-counsel/irpc/>

Each student participating in the pro bono program agrees to abide by the policies and procedures of the College of Law and each organization for which students will perform pro bono service. This

CONFIDENTIALITY POLICY

All information students receive or are exposed to, either verbally or in writing, as it relates to prospective or existing clients, MUST remain confidential. Accordingly, information provided by a prospective or existing client may not be disclosed to any source outside of the agency without authorization from the client and supervising attorney, including friends, family, other students, colleagues, opposing counsel, or anyone else outside of the agency. Within the office setting, it is important that information about prospective or existing clients is discussed only in the presence of attorneys of that office.

CONFLICT OF INTEREST POLICY

If, during the course of a student's pro bono work, the student is familiar with a current or prospective client, they must disclose that information to their supervising attorney to determine whether a conflict of interest exists. If it is determined that a conflict exists, the student may be reassigned to tasks not involving that client or matter.

If a student is participating in an externship or internship which may be in conflict with a pro bono project, it is the student's responsibility to immediately notify the supervising attorneys for both programs.

UNAUTHORIZED PRACTICE OF LAW

Students must be cautious to avoid the unlawful practice of law including, but not limited to the following:

- Representing themselves, in any manner, as attorneys or lawyers authorized to practice law;
- Appearing, personally or otherwise, on behalf of another in any judicial or administrative proceeding other than as an attorney-supervised certified law student;
- Providing advice or service to another on any matter involving the application of legal principles to rights, duties, obligations, or liabilities.

During a student's pro bono work, a situation is likely to arise where they will be asked for legal advice, opinion, or knowledge of a particular rule of law. It is very important that

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signature of a supervising attorney. Granting of the exception remains in the discretion of the Director on a case-by-case basis.

- ¾ Transfer Students. Students who spend their last four semesters at the school (as opposed to two-semester visitors) are “transfer students” and are subject to the pro bono graduation requirement.
- ¾ Graduation Recognition. Students who complete more than 100 hours prior to the relevant completion deadline (October 31 for December graduates, May for May graduates) receive graduation recognition for *Pro Bono Service with Distinction*.

Student Group Projects – Special Rules.

Projects led and organized by officially recognized College of Law student groups are encouraged. For student group projects which in the Director’s discretion provide adequate training and safeguards, the Director may approve the projects with modified attorney supervision requirements. Additionally, the Director may authorize the student group leader to confirm student work hours via an itemized group report for all participating students, in lieu of a supervising attorney completing an evaluation form. Student organizations should work with the

The program rules and procedures are amended and applied by the Pro Bono Program Director in their discretion, consistent with the general program structure as approved by the Faculty of the College of Law. Please consult the Director regarding any questions, potential ambiguities, or matters not addressed by these Rules.

In the event of a conflict between this document and any other statement on the College of Law web site or the Law Student Handbook, this document shall control.