



The State Bar of California

Pro Bono Practice Program: Proposed Amendments to State Bar Rules 3.325–3.330

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State Bar Strategic Plan: Increasing Pro Bono Services

- Goal 2 strategy to increase representation through the State Bar's existing regulatory and oversight authority including special admissions and **pro bono practice programs**
- Implementation step to incentivize and support licensees and law firms to increase the number of pro bono hours provided to underserved groups



Pro Bono Practice Program Overview

- The State Bar administers a **Pro Bono Practice Program** (PBPP) which allows attorneys who would otherwise be inactive to remain active licensees, with waived fees, to provide free legal assistance for a legal aid provider exclusively
- The attorney must be in good standing with no record of public discipline in the prior three years, be admitted to practice law in California for at least three years, have practiced law or served as a judge in California for at least three of the prior five years
- Pro bono services must be provided with a qualified legal services provider, the no-fee or pro bono panel of a certified lawyer referral service, or a court-based self-help center



Increasing Pro Bono Services in California

- Increase attorneys' access to the program (and increase access to justice for low- and moderate-income Californians)
- Increase legal aid organizations' access to the program
- Require reporting of pro bono hours delivered through the program
- Clarify existing administrative procedures



Increase Nonprofits' Access to the Program

- Proposed Rules Revisions would
 - Allow attorneys to volunteer with a nonprofit that provides free legal services to indigent or disadvantaged Californians and that annually provides:
 - The organization's mission statement;
 - An active Certificate of Status from the California Secretary of State;
 - The organization's retainer agreement;
 - A list of all current California-licensed attorneys employed at the organization; and
 - Proof of malpractice insurance coverage



Increase Attorneys' Access to the Program

- Proposed Rules Revisions would:
 - Remove requirement that an attorney be licensed for at least three years; and
 - Remove requirement that an attorney have “practice[d] law” or served as a judge for three of the last five years



Require Reporting of Pro Bono Hours

- Proposed Rules Revisions would:
 - Require participating organizations to report the number of hours provided by each PBPP attorney



Clarify Existing Administrative Procedures

- Proposed Rules Revisions would clarify language around:
 - When and how active licensee fees will be waived;
 - Who can waive pro bono practice attorney program eligibility requirements; and
 - When and how organizations submit and certify attorney applications to the program



Next Steps

Staff request 45-day public comment period on proposed revisions to State Bar Rules 3.325-3.330

After the public comment period, the rules will be brought back to the Board to request approval of revisions



Questions

