

Pro Bono Program Handbook



Introduction

Pro bono service is the responsibility of all members of the legal profession. Suffolk University Law School's Pro Bono Program allows law students to begin that service now and encourages students to develop a lifelong commitment to pro bono work. By participating in the Pro Bono Program, students have the opportunity to give back to the community by helping underserved clients or groups and participating in work to improve the law, while also gaining practical experience and building a network of professional contacts. The Pro Bono Program is administered by the Office of Professional & Career Development (PCD).

What is Pro Bono?

The term "pro bono" comes from the Latin phrase "pro bono publico" meaning "for the public good." In the legal profession, pro bono refers to work that is performed voluntarily and free of charge.

Rule 6.1 of the American Bar Association's Model Rules of Professional Conduct lays out the obligation of attorneys to engage in pro bono legal work and encourages all attorneys to render at least fifty (50) hours of pro bono legal services per year. Similarly, Rule 6.1 of the Massachusetts Rules of Professional Conduct establishes an aspirational standard that each member of the Bar of the Commonwealth of Massachusetts should provide a minimum of twenty-five (25) hours of pro bono legal services annually.

Why do Pro Bono?

Pro bono service is the responsibility of all members of the legal profession. Suffolk University Law School's Pro Bono Program – administered by PCD – allows law students to begin pro bono service and encourages students to develop a lifelong commitment to pro bono work. By participating in the Pro Bono Program, students have the opportunity to give back to the community by helping underserved clients or groups and participating in work to improve the law, while also gaining practical experience and building a network of professional contacts.

Pro Bono at Suffolk Law

Suffolk Law is committed to the principle that members of the legal community and those aspiring to enter the legal profession have an obligation to assist in providing legal services to persons of limited means, and to individuals, groups or causes that are underrepresented in the legal system. Through our voluntary Pro Bono Program, Suffolk Law seeks to foster in every member of the law school community – including faculty, administrators, staff, and law students – a moral and professional obligation to ensure access to justice for all members of the community. Although law students are not yet members of the legal profession and are

therefore not obligated to render pro bono services, we believe that the commitment to serve others should start here. In furtherance of this principle, Suffolk Law challenges all incoming law students to complete at least 50 hours of law-related volunteer work before they graduate. Suffolk Law also encourages faculty, administrators, and staff who are attorneys to participate in annual pro bono activities.

The Pro Bono Program at Suffolk Law defines “pro bono work” for students in accordance with ABA Model Rule 6.1, which offers a broad definition of pro bono legal services. Note: While ABA Model Rule 6.1 distinguishes between the types of work described in parts (a) and (b) of the Rule, and indicates that the “substantial majority” of the 50 hours should be dedicated to work described in part (a), the Pro Bono Program does not differentiate between the types of pro bono work described in the Rule, and all work will be weighted equally for the purposes of student pro bono hour tracking and recognition. We believe ABA Model Rule 6.1 is most appropriate for student pro bono work because of the Rule’s breadth and applicability to all members of the legal profession, regardless of membership in a specific state bar. Students who plan to become members of the Massachusetts Bar are encouraged to review Rule 6.1 of the Massachusetts Rules of Professional Conduct for future reference.

How to Enroll in the Program

To participate in the Pro Bono Program, we ask that you first sign a Law Student Pro Bono Pledge and a Law Student Acknowledgment of Professional Responsibility by completing the Pro Bono Registration form on Symplicity. By signing this pledge, you commit to contribute at least 50 hours of pro bono legal services during your enrollment at Suffolk Law and you state your commitment to honestly report your pro bono hours. The Acknowledgement sets out the expectations and responsibilities of students participating in the Pro Bono Program and certifies that you have read and understand Rule 1.6 of the Massachusetts Rules of Professional Conduct.

What Constitutes Pro Bono Work

Student pro bono work is defined as:

- Law-related assistance to lawyers providing work without a fee, or at a substantially reduced fee, to persons of limited means or to charitable, religious, civic, community, governmental, and educational organizations in matters that are designed primarily to address the needs of persons of limited means; or
- Law-related assistance to lawyers providing work at no fee or at a 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 that are 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; or
- Participation in activities intended to improve the law, the legal system or the legal profession.

Work must be unpaid (Work-Study and stipends are considered pay). Work on pro bono matters with law firms or private attorneys during paid internships or placements for credit may not count toward accrual of pro bono hours.

Work may not be for credit. No internship, clinic participation or coursework for credit may count toward pro bono accrual. Work performed beyond the requirements for an internship or course, and for which the student does not receive extra course credit, may count as pro bono work as long as the organization qualifies under Suffolk Law's definition of pro bono work and the student receives approval from the Pro Bono Program.

Who May Participate

While first year students are permitted to participate in the Pro Bono Program, we are mindful of the time constraints and pressures of the first year of law school, and encourage all first-year students to be especially cautious about taking on additional responsibilities. PCD will work with interested first year law students to find placements that require a limited time commitment and no advanced research and writing skills.

Finding a Pro Bono Placement

Suffolk University Law School works with a number of non-profit organizations and government agencies through which students may find pro bono opportunities.

- Some postings for pro bono opportunities are listed on Symplicity, the law school's career services management system. All pro bono opportunities listed on Symplicity are pre-approved for pro bono credit. To access a list of current pro bono opportunities directly from Symplicity, log on to the system, click on the "Job Postings" link, and then select "Pro Bono" as the "Position Type." If you have trouble logging on, please contact PCD.
- Students may also initiate their own pro bono projects and arrange their own placements with any organization that qualifies under our definition of pro bono work, as long as students receive prior approval. You must submit your request for approval by emailing Toni Machowsky at toni.machowsky@suffolk.edu

Students are encouraged to make an appointment with Toni Machowsky, Assistant Director for Public Service Advising and Pro Bono Programs, to discuss options for a Pro Bono Program placement. Appointments can be made through Symplicity. Click on 'Request New Appointment' in Symplicity.

Supervision

All placements and pro bono work must be supervised by an attorney. A student's supervising attorney may verify the number of hours completed during the placement by:

- a) Sending an email to PCD, Toni Machowsky, Assistant Director for Public Service Advising and Pro Bono Programs toni.machowsky@suffolk.edu, with confirmation of the number of hours and the date range of the work; or
- b) Signing student's pro bono work log forms printed from Symplicity and student returning signed forms to PCD.

3:03 Certification

Students are prohibited from using certification for student practice under SJC Rule 3:03, or any other state's equivalent, to perform pro bono work.

Accumulating and Reporting Pro Bono Hours

Hours accumulated from work involving client interaction, pro bono work-related trainings, meetings with supervisors, research, and writing may be counted toward a participant's hours.

Time spent traveling to and from placements will not count toward the student's accumulated hours.

Pro bono hours may be accrued during the Fall and Spring Semesters and also during the Summer.

Students enter pro bono hours under 'Pro Bono Reporting' under 'My Account' > 'Pro Bono' in Symplicity. Students can request supervisor approval of hours in two ways:

- a) Supervisor sends an email to PCD, Toni Machowsky, Assistant Director for Public Service Advising and Pro Bono Programs toni.machowsky@suffolk.edu, with confirmation of the number of hours and the date range of the work; or
- b) Students requests signature from supervisor by (1) Print out the 'Pro Bono Hours' page for your placement once you have entered all of your hours; (2) have your supervising attorney sign in the appropriate place; (3) and submit to PCD before the end of the semester in which you completed the placement or project.

Pro Bono Honors

All students who meet or exceed their pro bono pledge goal before graduation will receive recognition for their efforts:

- 50 hours of pro bono work: Notation "Pro Bono Honors" on academic transcript.
- 75 hours of pro bono work: Notation "Pro Bono Honors" on academic transcript and recognition of Pro Bono Honors at commencement.
- 100 hours or more of pro bono work accumulated at time of graduation: Notation "Pro Bono Honors" on academic transcript, recognition of Pro Bono Honors at commencement, and Pro Bono Certificate presented with diploma at commencement.
- Two graduating students (one day division student and one evening division student) who have performed exemplary pro bono service while in law school will be selected to receive a Pro Bono Program Student Award. In the past this award has been presented at graduation.

Frequently Asked Questions

What are the requirements for students participating in Suffolk University Law School's voluntary Pro Bono Program?

Prior to graduation, participating students pledge to complete a minimum of 50 hours of unpaid, meaningful law-related service to: nonprofit organizations, government agencies, or private attorneys serving the legal needs of individuals with limited access to legal representation; groups or causes that are under-represented in the legal system; or the public good.

Can hours worked as clinic participation or as an internship-for-credit count toward my recognition for pro bono work?

No. Work for pay or credit may not count toward pro bono accrual. Work performed *beyond* the requirements for an internship or course, and for which the student does *not* receive extra course credit, may count as pro bono work as long as the organization qualifies under our definition of pro bono work and the student receives prior approval from the Pro Bono Program Director.

The firm at which I'm working requires its interns to perform pro bono work. Can I count those hours toward my recognition?

No, because the time spent on pro bono work during paid internships or jobs is included in a student's pay.

I volunteer for a nonprofit/government agency, but I do not do legal work. Can those hours count toward my recognition?

No. Only law-related pro bono work may count toward recognition.

I intern (or work) at a nonprofit or legal services organization, but I receive a stipend. Can I count those hours toward recognition?

No. Only unpaid work will qualify as pro bono work.

I assist with pro bono work for a private attorney. Can those hours count toward recognition?

Yes, assuming you did not receive pay or credit for your work with the attorney and the work/placement fulfills all other Pro Bono Program requirements.

How do I find pro bono opportunities?

1. Log onto [Symplicity](#), and under 'Jobs' and 'PCD Job Postings' and do an advanced search for postings listed as 'Pro Bono Program Eligible' as a position type.
2. Make an appointment with Toni Machowsky, Assistant Director for Public Service Advising & Pro Bono Programs, via [Symplicity](#). Click on 'Request New Appointment' in Symplicity.

May I find my own pro bono projects?

Yes. Students are encouraged to seek their own pro bono projects based upon their specific interests. However, to count toward Pro Bono Program recognition, all projects must be

preapproved. See the Pro Bono Handbook and the “How to enroll in the Program” section for requirements and instructions.

Is the Pro Bono Program mandatory for Suffolk University Law School students?
No.

What happens if I pledge to participate in the Pro Bono Program but then decide not to do it?

While we strongly encourage students to carefully consider their decision to participate in the Program and to remain committed, there are no repercussions for not fulfilling the full amount of the pledge. However, if a student accepts a pro bono placement and then does not fulfill the obligations of his or her commitment, she or he will be prevented from further participation in the Pro Bono Program. It is critical that Suffolk University Law School maintain its reputation in the community and that students fulfill all professional commitments and responsibilities.

Can 1Ls participate in the Pro Bono Program?

Yes. However, we encourage all first year students to be especially cautious about taking on additional responsibilities. The Director of Public Interest and Pro Bono Programs will work with interested first year law students to find placements that require a limited time commitment and no advanced research and writing skills.

I plan to take the New York Bar Exam. May I count my pro bono placement/project hours towards the pro bono requirement for admission to the New York bar?

Maybe. Suffolk counts things that New York doesn't count as pro bono, and vice versa. Also, your supervisor MUST sign New York's own affidavit in order for the credit to count. Refer to the [Pro Bono Bar Admission Requirements](#) page for the State of New York for information about what counts for New York and how to get the credit. DO NOT rely on the Suffolk pro bono forms for your New York pro bono requirement.

For additional questions, contact Toni Machowsky, Assistant Director for Public Service Advising and Pro Bono Programs, at toni.machowsky@suffolk.edu or visit PCD in Suite 120.