



Zainab Muhammad Bello Esq. AICMC, MILA

STEPS NECESSARY FOR THE ESTABLISHMENT OF A PROBONO DEPARTMENT

INTRODUCTION:

The development of a permanent pro bono practice is similar to a firm's development of a new practice area or new department in that it requires the systematic implementation of a formal structure and support system so that pro bono work is fully integrated into the firm. The institutionalization of a formal pro bono program also helps to ensure high quality and efficient legal work with far-reaching impact.

ADMINISTRATION OF PRO BONO PROGRAM:

The first step for the firm in developing a pro bono program is deciding who will manage the program and setting the functions and responsibilities that this person or group of people will have.

The management of a **pro bono program** consists of two main components. The first is routine administration, commonly the responsibility of a **pro bono coordinator**. The second involves developing the broader objectives and direction of the firm's program, often the responsibility of the firm's pro bono chairman.

- **Pro bono coordinator** is usually, someone separate from the partners of the law firm; appointed by the management of the firm. The duties of the coordinator includes:
 - a- **Administrative Management:** The pro bono coordinator is responsible for the daily administration of the pro bono program, which includes opening, maintaining, and closing pro bono matters.
 - b- **Oversight of Pro Bono Cases:** The pro bono coordinator must regularly check rigorously on the status of all pro bono matters that the firm, or lawyers at the firm, handle. This includes knowing the current status of all pro bono matters to ensure that all pro bono work is handled in a timely manner and to address any problems that arise. A good way to keep abreast of each case is through the use of status update reports, which the pro bono coordinator circulates, reviews, and acts upon with regard to things that need attention.

36 Ali Akilu Road,
Kaduna



07011797972,
08069343047



mbzainab@famafirm.
com



Famafirm.com

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- e- Relationships with Pro Bono Organizations: The pro bono coordinator must routinely communicate with organizations with which the firm has formed pro bono partnerships to receive descriptions of available pro bono opportunities and periodically inform them of the status of the pro bono cases that lawyers at the firm undertake.
- f- Notification of available pro bono matter: another responsibility of the coordinator is to inform the firm of available pro bono matters and opportunities.
- g- Accountability: The pro bono coordinator must inform the pro bono chairman of the status of the pro bono program and of notable developments in particular matters.

- **The pro bono chairman** is in charge of overseeing the whole pro bono department. The coordinator reports back to the chairman for final vetting and receiving directions as regards to the program. The chairman is always advised to be the managing partner or one of the partners of the firm.

SOURCES OF PRO BONO MATTERS:

The firm may first concentrate in the following sources of pro bono matters

- Prison decongestion programmes; which includes awaiting trial detainees, in-mates with fine option, good cases that can go on appeal, etc.
- Providing free legal services to the people of a selected area each year.
- Good matters that can go on appeal
- **NOTE: Charitable programs** are part of pro bono. Charitable programs include: awareness campaign and lectures to the general public on certain laws, TV shows, etc. **It is much more advisable to partner with other organisations for charitable programs.**

PRO BONO MANUAL:

A guideline should be drafted for the pro bono department. The manual is to contain how the pro bono program is to be handled, including how many cases a person is supposed to handle in a month.

INCENTIVES:

In order to encourage the lawyers in the firm to diligently take part in the program; an incentive should be introduced. **This incentive is usually in the form of the firm paying the participating lawyers appearance fees. After all, the firm is to handle all the expenses of the cases.**

NOTE: The firm can make it compulsory for its lawyers to handle at most two pro bono matters in a year without paying for appearance fees but the firm will still handle the filing expenses.

In some cases, the firm can accept appearance fees and/or filings fees from pro-bono clients that are capable or able to handle same; it is still pro-bono services as long as the client is not paying for the professional fee.

ESTIMATING A BUDGET FOR A YEAR:

Developing a budget for the pro bono program is a crucial part of institutionalizing the department. Every firm have their own policy of budgeting; although, one thing is certain: **in other not to tax the lawyers of the firm both internal and external costs must be taken into consideration and captured in the budget.**

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NOTE: In other to be on the safer side the estimated amount should be kept separately each year for the pro bono department. After all, if there is surplus, the amount will still remain in the firms account.

ACCESSING OF FUNDS AND ACCOUNTABILITY:

The pro bono coordinator is supposed to have records of how the funds in the department are used. A financial report should be submitted to the pro bono chairman at the end of each year.

As such; before a lawyer is able to access the funds for a case, he should first raise a memo to the pro bono coordinator who is to minute on such memo and then the financial officer/ treasurer of the firm should be given a copy of the memo for him/her to give the said amount contained in the memo to the lawyer.

If the above method is followed, it would handle the issues of misappropriation of pro bono funds which is one of the major problems law firms face.

CONCLUSION:

This article is meant to serve as a guide for law firms and other non-governmental organisations interested in establishing a pro-bono department in their various establishment. A pro-bono department is always rewarding and at times it can even source income to the establishment in the long run.