

p 517-346-6300
 p 800-968-1442
 f 517-482-6248
 www.michbar.org

306 Townsend Street
 Michael Franck Building
 Lansing, MI
 48933-2083

To: Pro Bono Initiative
 From: Robert Mathis
 Date: November 27, 2013
 Re: Pro Bono Month 2013 Final Report

Background

- **History of Pro Bono Month**

For the fifth year in a row, the State Bar of Michigan (SBM) Pro Bono Initiative (PBI) sponsored Pro Bono Month in conjunction with the American Bar Association’s (ABA) Pro Bono Week celebration, a national recognition of pro bono activities. In 2005, Pro Bono Week was first celebrated in Chicago and has since become an annual occasion, celebrated across the United States. In 2009, in an effort to facilitate an increased focus on a wide array of pro bono activities, the decision was made by the PBI to extend Michigan’s Pro Bono Week into Pro Bono Month. The pro bono celebration is an opportunity to recruit more pro bono volunteers, increase legal services to the poor, mobilize community support for pro bono, foster collaborative relationships, and recognize and publicize the pro bono efforts of Michigan’s lawyers.

- **Need for Pro Bono**

Pro Bono Month highlights the need for pro bono, and pro bono is needed more now than ever because at no time in recent memory has the divide been wider between the need for legal services and its availability. Michigan’s dire economy has increased the need for legal help. From 2000 to 2011, Michigan’s poverty population eligible for free legal aid increased 59%. More than 25% of Michigan’s children under the age of 18 live in poverty. Michigan also remains among the top 10 states with the highest number of foreclosures and highest unemployment rate.

Making matters even worse, Michigan’s nonprofit legal aid programs suffered about a 20% cut in funding and related staff reductions from 2010-2012. In 2012, there was one lawyer for about every 300 people in the general population, but only one legal aid lawyer for every 21,073 persons in Michigan living at or below 200% of the federal poverty level. In Michigan, there are nearly 3 million low-income residents who qualify for legal aid.¹ That is approximately one of every three Michiganders. These low-income families include:

- retirees on fixed incomes;

¹ LSC programs use federal income eligibility limits (125 percent of the federal poverty level) to determine income eligibility, which also includes clients with household incomes less than 200 percent of the federal poverty levels with certain eligible expenses.

- veterans who have been denied benefits;
- abused women;
- neglected children;
- immigrants;
- the working poor;
- persons with disabilities;
- laid-off workers; and
- many others who struggle daily for survival, independence, and dignity.

During Pro Bono Month and throughout the year, the SBM asks its members to give back to their communities by providing pro bono legal services to the poor² as only lawyers are qualified to do. Under the SBM's Voluntary Pro Bono Standard, every year each lawyer is asked to take three cases, donate 30 hours or contribute \$300 (\$500 for those attorneys whose income allows) to support legal aid through the Access to Justice Fund (ATJ).

As the State Bar's Voluntary Pro Bono Standard illustrates, in Michigan, pro bono involves both service and money. Making a donation to the ATJ Fund is a way for lawyers who are not able to provide service to meet the pro bono standard. But many lawyers generously give both service and money, which is wonderful because the need for both is so great these days. Since 1997, the ATJ Fund has raised more than \$12 million to support a statewide network of nonprofit legal aid programs³.

In fact, in a recent pro bono report, the SBM found that Michigan lawyers take seriously their obligation to provide significant pro bono legal services and contribute financially to legal aid programs. Michigan attorneys reported doing pro bono for a broad range of reasons including personal satisfaction, assuring access to justice, and connecting with local legal aid programs. Many Michigan attorneys have found that pro bono offers the opportunity to work with a wide variety of clients one may otherwise not encounter, thereby enhancing communication skills and building confidence for inexperienced lawyers. Attorneys in private practice have found that pro bono service leads to paying clients and is an important part of a successful client development plan. Many attorneys have also discovered that providing pro bono legal services enhances their reputation within their firm, within the profession, and within their community. Of the Michigan attorneys that were surveyed, 66 percent reported doing some pro bono work, 30 percent reported making donations for legal aid programs, and many reported doing both.

Despite the generosity and commitment of Michigan's pro bono attorneys, more help is needed to help those in need of civil legal aid. Michigan's legal aid programs lack the resources to serve all who need help, and because of insufficient resources must turn away nearly half of all persons who request help, which is why pro bono legal services are so important during Pro Bono Month, and throughout every other month of the year.

² The PBI defines "poor" as individuals and families with incomes at or below 200 percent of Federal Poverty Guidelines and with liquid assets below \$5,000.

³ The Access to Justice Campaign is a partnership of the State Bar of Michigan, the Michigan State Bar Foundation, and Michigan's nonprofit civil legal aid programs to increase resources for civil legal aid for the poor in Michigan.

- **State Bar of Michigan Planning Process**

The 2013 Pro Bono Month workgroup met frequently to plan and coordinate pro bono events throughout Michigan.

The 2013 Pro Bono Month workgroup included:

- Marilyn Hackett, Legal Services of Eastern Michigan
- Heidi Naasko, Pro Bono and Diversity Counsel—Dykema
- Linda Rexer, Executive Director—Michigan State Bar Foundation
- Amy Sankaran, Director of Externship and Pro Bono Programs—University of Michigan Law School
- Justin Sheehan (Workgroup Chair), Statewide Program Manager—Michigan Community Resources
- Amy Timmer, Associate Dean of Students and Professionalism—Thomas M. Cooley Law School
- Candace Crowley, Director of External Development—State Bar of Michigan
- Robert Mathis, Pro Bono Service Counsel—State Bar of Michigan

Project Objectives

The goal of the Pro Bono Month workgroup was to have substantial recognition of Pro Bono Month 2013 by the diverse members of Michigan’s legal community. This was done through raising awareness, publicizing and streamlining efforts, and overall statewide collaboration.

Pro Bono Month 2013 was an opportunity for attorneys to take part in events to educate the public and the legal profession about pro bono. To recognize Michigan’s dire economic climate and an even greater need for legal services for the poor, the workgroup determined that the theme for Pro Bono Month 2013 would continue to be “now more than ever—pro bono is the right thing to do.” The workgroup had several objectives for Pro Bono Month 2013, including raising overall awareness of the Pro Bono Month and increasing opportunities for members of the legal community to get involved.

To facilitate in the promotion of Pro Bono Month, the SBM encouraged events throughout the Pro Bono Month season, which included the months of August through November. The PBI aggressively publicized Pro Bono Month events on the PBI Pro Bono Month website that were sponsored by organizations all across Michigan, including, but not limited to, legal services organizations, bar associations, law schools, law firms, and solo practitioners.

Key Developments

1. There were more than fifty Pro Bono Month 2013 events held throughout Michigan during the Pro Bono Month 2013 season. Additional Pro Bono Month event information can be viewed by visiting the SBM Pro Bono Month website.⁴
2. The 2013 John W. Cummiskey Award; established in the name of John W. Cummiskey of Grand Rapids, a leading advocate and activist in the cause of making

⁴ <http://www.michbar.org/programs/ProBonoEvent.cfm>.

legal services available to all, without regard to economic status; was presented to Rob Mossel of Ford Motor Credit at the SBM Annual Awards Banquet to recognize Rob's significant pro bono contributions.

3. The PBI was proud to present the 3rd Grand Rapids Pro Bono Fair hosted by Thomas M. Cooley Law School Grand Rapids Campus, the Grand Rapids Bar Association, and the Small Firm & Solo Practice Section of the Grand Rapids Bar Association. Associate Dean Nelson Miller provided a special session at the Pro Bono Fair: *Building Your Practice with Pro Bono* to about 40 attorneys and law school students.
4. The State Bar's Domestic Violence Committee, in partnership with the PBI, provided an intensive in-person training to 22 participants that covered initial client interviews, substantive legal issues, pleadings, and pretrial and trial practices as they relate to family law cases with domestic violence components. The training, held on Friday, Oct. 25, 2013, was hosted by the Lansing Campus of Thomas M. Cooley Law School, with a simultaneous broadcast to Cooley's other Michigan campuses in Ann Arbor, Auburn Hills, and Grand Rapids. The training was free of charge, with the commitment by Michigan licensed attorneys to accept a pro bono family law case from a legal services provider within six months of the training.
5. Michigan Governor Rick Snyder signed a proclamation declaring October 2013 as Pro Bono Month.

Other Events During the Pro Bono Month 2013 Season

Events held throughout Michigan in recognition of Pro Bono Month 2013 included:

August

31 All for One Free Legal Clinic

September

11 Annual State of the Court Luncheon--US District Court Eastern District of MI

13 Strengthening Detroit's Nonprofit Community--Michigan Community Resources

18 State Bar of Michigan Awards Banquet

19 Veterans Stand Down--Macomb

20 Michigan Pro Bono Institute--University of Michigan Law School

October

1 Friends of Legal Aid Lunch with Lansing Law Firms
Thomas M. Cooley Law School Pro Bono Pledge (Grand Rapids Campus)
Thomas M. Cooley Law School Pro Bono Pledge (Auburn Hills Campus)

- 2 MentorJet “Speed Mentoring” at University of Detroit Mercy School of Law
- 4 MSU Chance at Childhood Legal Self-Help Center
- 8 The Homeless Assistance Prevention Project--Legal Advice & Information Clinic
Grand Rapids Pro Bono Fair
- 9 Grand Rapids Bar Association--Ask-the-Lawyer Program
Oakland County Bar Association Legal Aid Mini Clinics
Friends of Legal Aid Lunch with Ann Arbor Law Firms
- 10 MSU Chance at Childhood Legal Self-Help Center
Lawyers for the Creative Economy Attorney Orientation
Ingham County Bar Association Ask-a-Lawyer Day
- 11 Project SALUTE Advanced Attorney Training
2013 Champion of Justice Luncheon
- 15 The Power of Pro Bono Panel Discussion
Oakland County Bar Association Legal Aid Mini Clinics
- 17 Thomas M. Cooley Law School Pro Bono Pledge (Lansing Campus)
Thomas M. Cooley Law School Special Speaker Presentation
Legal Aid of Western Michigan - John N. Vlachos Award
- 18 MSU Chance at Childhood Legal Self-Help Center
- 19 Utility Shut-Off Protection Presentation
- 21 SBM Pro Bono Initiative Meeting
2013-2014 SBM Justice Initiatives Kick-Off Event
Saginaw County Bar Association Ask-the-Lawyer Night
- 22 Oakland County Bar Association Legal Aid Mini Clinics
- 23 Thomas M. Cooley Law School Pro Bono Pledge (Ann Arbor Campus)
Legal Services of Eastern Michigan Legal Advice Clinic
Honigman Miller Schwartz and Cohn LLP - Annual Pro Bono Volunteer
Recognition Luncheon
- 24 Legal Aid of Western Michigan--Michael S. Barnes Award
MSU Chance at Childhood Legal Self-Help Center

Clark Hill, PLC and ArtServe Michigan--Lawyers for the Creative Economy
Attorney Orientation

- 25 SBM Domestic Violence Committee--Pro Bono Family Law Training
Saginaw County Bar Association--Pro Bono Appreciation Luncheon
- 26 Military Avenue Christian legal Aid Clinic--Monthly Free Legal Consultation
- 29 Training on SSI/SSD Overpayment and Cessation Cases--Legal Services of South
Central MI
- 30 The Homeless Assistance Prevention Project--Open Door Ministry of Lansing
The Pro Bono Committee of the Federal Bar Association of the Eastern District of
Michigan--Prisoner Right Civil Litigation Training
- 31 MSU Chance at Childhood Legal Self-Help Center
- 1-31 Pro Bono Council of the U. S. Eastern District Federal Court--Pro Bono Attorney
Recruitment Campaign
- 1-31 Army OneSource Military Legal Assistance Recruitment Campaign
- 2-30 MSU Housing Clinic--Eviction Diversion Pilot Program

November

- 12 Powers of Attorney Clinic--Elder Law of Michigan
- 13 Ingham County Bar Association Annual Dinner and Pro Bono Award
Presentation

Observations

This was the fifth year the Pro Bono Initiative undertook the task of planning Pro Bono Month. Pro Bono Month continues to grow, and 2013 was the most successful Pro Bono Month in terms of events planned and posted on the State Bar's Pro Bono Month website, which included more than 50 events throughout Michigan. Moving forward, pro bono events held in October, as well as all other months of the year, will be posted to the Pro Bono Month website, highlighting the need for pro bono service throughout the year to help ensure access to justice to Michigan's low-income residents.

It is suggested that the PBI continue to promote Pro Bono Month. As more members of Michigan's legal community become aware of Pro Bono Month, Pro Bono Month season will continue to be increasingly successful in recruiting more pro bono volunteers to provide legal services to Michigan's poor.

“Access to justice is a dream. We must make it a reality.”

—John W. Cumiskey