

Not Just a Pretty Face

By Janet K. Welch

"A Lawyer Helps." As the State Bar staff was brainstorming how to raise the public's consciousness about the good that lawyers do through pro bono and community service, the phrase just popped. After all, help is the essence of what lawyers do for a living. It is, quite literally, the very point of what we do.

"A Lawyer Helps."

It felt right. It got right in the face of the cultural myth we've been fighting since the beginning of professional lawyering—that attorneys are greedy bloodsuckers. It also took on the big, new twenty-first century Internet delusion—that self-help is a viable option to any and all forms of legal woe.

We were elated. We felt in our bones that our message was in the same league as "Tastes great, less filling," "Don't leave home without it," and "Where's the beef?" Maybe even "Just do it."

It was simple. It had staying power. It was credible. All we needed was great design to drive the message home. And we got it from the State Bar's superb design staff.

The script almost wrote itself. Compelling images of lawyers out in the community, advising on nonprofit arts boards, coaching Little League, serving in soup kitchens, counseling prisoners, volunteering in classrooms. We would take a page from the book of Tom Ryan, 66th president of the State Bar, who said that the best way to improve the image of lawyers is one good lawyer at a time.

Look at us! We're the good guys! A lawyer *helps*.

The best part was, the message is true. In every community across the state, lawyers have always stepped up. There are legions of examples for us to draw from. We didn't need to hire professional models for this campaign; we *are* the models—terrific role

models. Lawyers themselves would be our billboards, using "A Lawyer Helps" gear—t-shirts, baseball caps, buttons, aprons—to show the world what we all know: that lawyers do good things.

But a funny thing happened on the way to launching our public relations campaign. We got serious.

The issue that stopped us in our tracks was this: how do we shine a light on all the ways lawyers selflessly give back to their communities without giving short shrift to our most important voluntary activity—the ethical obligation to help meet the legal needs of the poor? Pounding in nails for Habitat for Humanity is a wonderfully admirable thing to do, but not as a substitute for living up to the obligations of the Michigan Rules of Professional Conduct Rule 6.1:

A lawyer should render public interest **legal** service. A lawyer may discharge this responsibility by providing professional services at no fee or a reduced fee to persons of limited means, or to public service or charitable groups or organizations. A lawyer may also discharge this responsibility by service in activities for improving the law, the legal system, or the legal profession, and by financial support for organizations that provide legal services to persons of limited means. (Emphasis added.)

As Bob Gillett, one of Michigan's pro bono gurus, has observed, Rule 6.1 is prob-

ably too vague to spur many lawyers into pro bono action. So in 1990, the State Bar Representative Assembly adopted a definition of what the voluntary standard should mean in Michigan, the "golden rule of three": three cases, or 30 hours, or \$300 in support of legal aid. While many Michigan lawyers go far beyond the minimum ethical standard, we also know that far too many do not meet this standard. If we did, the Access to Justice Fund's coffers would be considerably larger and the lines outside our legal aid clinics would be considerably shorter.

So we needed to make sure that "A Lawyer Helps" didn't get in the way of our pro bono efforts; indeed, it needed to work in a way that supports pro bono. The State Bar Pro Bono Initiative and many local bars and legal aid programs have worked hard to develop ways to help Michigan's lawyers meet the Rule 6.1 standard more easily and effectively, supporting a broad menu of activities tailored to the ways in which each of us is most comfortable giving help: individual cases for lawyers who want to take individual cases, work in advice clinics and pro se centers for those who prefer it, specialty cases for legal specialists, and training opportunities wherever needed; and, of course, numerous opportunities to provide financial support for legal aid to those in need through donations to the Access to Justice Fund.

We wanted to make sure that these efforts were at the heart of our "A Lawyer Helps" message. While we grappled with

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the problem of crafting the message in a way that put pro bono services and donations front and center, the downward spiral of the economy created a new sense of purpose and urgency. The number of calls to the State Bar for legal help from people who identified themselves as unable to afford a lawyer was growing weekly, as was the desperation of the calls. At the same time, it was clear that, increasingly, lawyers themselves were falling into economic distress. Ironically, over the last 20 years, pro bono service by lawyers had been declining as escalating billable hours requirements have eaten into lawyers' time to spare for pro bono. We began to hear more and more about lawyers with *no* billable hours, and consequently no income; more time to spare for pro bono, perhaps, but only if their own bills could be paid.

All at once, the phrase "a lawyer helps" took on another meaning for us beyond the public service program you see introduced in this *Bar Journal*. We were reminded that an essential function of every bar association is lawyers helping lawyers. So we tackled a whole new set of questions. For lawyers forced by market conditions and firm layoffs to put out a shingle, is our Practice Management Resource Center providing the help they need to make it on their own? Does our Lawyers and Judges Assistance Program have enough resources to serve lawyers who struggle with addiction in the face of rising economic distress? Is our ethics hotline geared up sufficiently for an increased volume of calls precipitated by financial dilemmas? How can our website be more practical and useful? What more can we give to our members to help them help others, including their own colleagues?

The program described on pages 22–29 of this issue is the product of all this thinking, and more. With input from local bars, legal aid leaders, and other partners, and invaluable assistance from the Michigan State Bar Foundation, it has taken on a form with real substance. What began as a simple public relations idea has become a symbol for the culture of giving that has distinguished Michigan lawyers for decades, through good times and bad.

Not just a pretty face. The real thing.

A lawyer helps. ■