

For the Good of the Public

To the Editor:

When a new State Bar president is elected, he or she inevitably and appropriately at least makes mention in his or her opening article of the importance of pro bono legal services. SBM President W. Anthony Jenkins' article "Looking Ahead" (October 2010) focuses on this need with obvious sincerity, and we should all appreciate that. Nearly every time over the last 12 years that I have read these articles imploring us to support and expand pro bono services I have called the president (though not yet this year) to discuss a 501(c)3 organization that I founded and ran in the mid-1990s that offered sliding scale legal services. Every president I spoke with was enthusiastic about the idea, and most either made a few calls or gave me the name of someone at the State Bar to call to try to re-establish this type of service in Michigan. Nothing came of any of these calls. This mirrors my experiences of over a decade ago.

At that time, I knew of three organizations in Michigan, including mine, that offered sliding scale legal services, one in Lansing and two in the Detroit area. I was asked to volunteer on the State Bar Pro Bono Involvement Committee (which I did for more than a year) and encouraged to expand my organization across the state—but was adamantly denied "approved pro bono organization" status by the State Bar, as were the other organizations offering sliding scale legal services. This sta-

tus was necessary if we wanted to receive support from lawyers and law firms in the state. Without this support, all three organizations eventually closed down.

The State Bar said that pro bono equals free—which it does not. Pro bono publico means for the good of the public. We generally offered our services for less than \$40 an hour, sometimes less than \$5 an hour, payable within any reasonable timeframe that worked for the client. This gave people who could afford it the dignity of paying for services rendered. We used these funds to at least partially support the practice so we could help more clients. And we weeded out some clients who could afford to pay but decided that if they had to pay \$10 an hour for quality legal services then the matter was not worth pursuing.

Free legal aid has an important function, as there are truly indigent people who need those services. But it is time to recognize that there is a huge group of people in need who could benefit from sliding scale pro bono law services.

Joseph Z. Kowalsky
Lathrup Village

Lawyer Glut

To the Editor:

The point/counterpoint in the October *Bar Journal* was like night and day. Tom Oehmke and Joan Brovins ("Too Many Hungry Crows Pecking at a Smaller Pie: Why Law Schools in Michigan Must Shrink En-

rollment to Preserve Quality and Opportunity") were right on the money in pointing out that there is a glut of lawyers and insufficient work for a lot of them, and that the practice of law isn't what it's cracked up to be, with a lot of unhappy lawyers who want to leave the field. They were absolutely correct in recommending a reduction in the number of law schools and law students while making law school more relevant to the practice of law. As one who left the legal field years ago, I easily related to the points made by Oehmke and Brovins.

Nelson Miller's counterpoint ("Legal Education as a Pie-Maker: Why Michigan Benefits from Accessible Law Schools"), on the other hand, was self-serving and dishonest, for he never addressed the lawyer glut.

Dave Hornstein
Birmingham

Articles and letters that appear in the *Michigan Bar Journal* do not necessarily reflect the official position of the State Bar of Michigan and their publication does not constitute an endorsement of views that may be expressed. Readers are invited to address their own comments and opinions to lnovak@mail.michbar.org or to "Opinion and Dissent," *Michigan Bar Journal*, Michael Franck Building, 306 Townsend St., Lansing, MI 48933-2012. Publication and editing are at the discretion of the editor.
