

PRO BONO POLICY OF THE LEGAL AID SOCIETY BOARD OF TRUSTEES

History

The Orange County Bar Association made its commitment to the poor of Orange County when it began the Legal Aid Society in 1961. The Society's policy of mandatory pro bono was formalized with the incorporation of the Society in 1967. The purpose of the policy was to provide legal assistance to the community with all bar members sharing the responsibility. Each member of the Orange County Bar Association is required to provide pro bono services as determined by the Legal Aid Society's Board of Trustees. The By-Laws of the Orange County Bar Association provide that membership may be terminated because of an attorney's unjustified failure or refusal to accept cases referred to the attorney or to comply with the service or contribution in lieu of service as established by the Society's Board of Trustees. Article II, Membership, Section 7 'Legal Aid Responsibilities', and Section 8 'Termination', (B) 3.

Pro Bono Requirement

All attorneys shall accept two case referrals per year, contribute \$350, or participate in one or more projects sponsored by the Society at participation levels as determined by the Society's Board of Trustees. Currently those projects are: AIDS Special Will Project, Attorneys Fighting For Seriously Ill Children Project, Bankruptcy Pro Se Clinic Project, Citizen Dispute/Settlement or Family Mediation, Community Education Panel, Earned Income Credit Tax Assistance Project, Homeless Advocacy Project, Non-Profit Incorporation Project, Teen Court, Teen Parent Education Project, Telephone Screening, VALOR of Orange County Project. The projects and the amount of pro bono credit given for a project may change from time to time as determined by the Society's Board of Trustees.

Full Time Government Attorneys

No attorneys are exempt from service. However, government attorneys may contact the Legal Aid Society's Pro Bono Department for special accommodations. Many of the projects were created and designed to encourage participation of attorneys in pro bono work without direct representation or litigation. All of the projects which require no direct representation or litigation give a preference to participation by government and corporate attorneys over private attorneys, on a first come basis.

Excused Attorneys

Certain members who are retired or disabled may apply in writing to the Society's Board of Trustees to be excused from the pro bono requirement in accordance with the By-Laws.

Refusal of Cases

All attorneys who do not pay \$350 in lieu of services or participate in projects are expected to take two cases each year. The preferences of subject matter indicated on the annual solicitation is only a preference. If an attorney turns down three assignments, this shall be deemed an election to pay the in lieu of service fee and the attorney will be sent a bill.

Refusal to Provide Pro Bono Services

The name of any attorney who fails or refuses to take two cases, to pay \$350 in lieu of service, or to complete work in the project which they selected, will be presented to the Board of Trustees for review each year. If the Board of Trustees determines that there is no justification for the attorney's failure or refusal to comply with the pro bono requirement, the name of the attorney will be forwarded to the Executive Council of the Orange County Bar Association with a recommendation of termination of membership.