



## **Information for OSB Certified Pro Bono Program Application**

OSB Certified Pro Bono Programs are authorized by the Oregon State Bar under the Board of Governors Policies on Pro Bono, Section 13 et seq. The purpose of these policies is to encourage attorneys in Oregon to meet their Professional Responsibility and the OSB Aspirational Standard for Pro Bono and to provide access to the justice system for low-income Oregonians. There are five classifications for Certified Pro Bono Programs:

- Incorporated non-profit organizations that provide direct legal services to low-income individuals; where clients are not charged more than a nominal administrative fee;
- Incorporated non-profit programs that provide direct legal services to clients who are served by programs funded under the Older Americans Act;
- Programs that provide court-sponsored mediation services where the purpose of the program is to improve access to justice;
- Programs that provide law-related educational programs to students;
- Incorporated non-profit organizations or bar-sponsored programs whose purpose is to provide free legal services to an underserved population with special legal needs.

Please return the application to:

Pro Bono Program  
Oregon State Bar  
PO Box 1689  
Lake Oswego, OR 97035

The Executive Director of the Oregon State Bar determines if a program is eligible for certification.



## OSB Certified Pro Bono Program Application

<i>Name of Organization:</i>			
<i>Address:</i>			
<i>Telephone</i>	<i>Fax</i>	<i>Email</i>	<i>Website</i>
<i>Director or Person in Charge of Program:</i>			
<i>Board Chair or Equivalent Officer:</i>			
<i>Authorized Agent for Service of Process and Address:</i>			
<i>Total number of pro bono staff:</i>			
<i>Geographic Area Served:</i>			

### Governance of Organization/Program

1. Is the Program incorporated? \_\_\_\_ Yes \_\_\_\_ No  
If yes, indicate your tax status (e.g., 501(c)(3)): \_\_\_\_\_  
Tax ID number \_\_\_\_\_  
(Please attach a copy of IRS letter and the Articles of Incorporation. If it is a court-sponsored organization, attach authorization for project.)
2. Please summarize your Program's statement of purpose and date of adoption. Attach a copy of the Bylaws or other document stating the structure of the Program.
3. Does your program have a political purpose? If yes, what is it?

**ENROLLMENT OF PARTICIPATING ATTORNEYS, MALPRACTICE INSURANCE, VOLUNTEER ADMINISTRATION, AND ATTORNEY COMPENSATION**

4. Is the program open to all members of the OSB in compliance with the OSB Diversity Policy? If no, explain.

5. Do you have any requirements for attorneys who volunteer? If yes, explain.

6. Does the program require that participating attorneys be covered for malpractice by the Professional Liability Fund? \_\_\_\_\_ Yes \_\_\_\_\_ No

If not, does the program offer malpractice coverage to attorneys who are exempt from PLF coverage? Please attach evidence of such coverage.

7. Describe the process to determine if the volunteer attorney is in good standing.

8. Describe your system for tracking time spent by volunteer attorneys. (The OSB requires that the program reports the hours annually for each attorney.)



13. Please describe the program's procedure for handling client complaints and grievances (or attach policy).

14. Please describe how the program ensures that clients are provided the highest possible quality of service.

I certify that the above information is true and accurate to the best of my knowledge, and I agree to submit the OSB the names of those attorneys who provide pro bono services to clients through the program by February 1 of each year.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date



## **Article 13 Pro Bono Oregon State Bar Bylaws**

### **Section 13.1 Aspirational Standard**

"Pro Bono Publico," or "Pro Bono," service includes all uncompensated services performed by attorneys for the public good. Such service includes civic, charitable, and public service activities, as well as activities that improve the law, the legal system, and the legal profession. The direct provision of legal services to the poor, without an expectation of compensation, is one type of pro bono service.

Each attorney in Oregon should endeavor annually to perform 80 hours of pro bono services. Of this total, the attorney should endeavor to devote 20 to 40 hours, or to handle two cases, involving the direct provision of legal services to the poor, without an expectation of compensation.

If an attorney is unable to provide direct legal services to the poor, the attorney should endeavor to make a comparable financial contribution to an organization that provides or coordinates the provision of direct legal services to the poor.

### **OSB Bylaw Section 13.2 Program Certification**

#### **Subsection 13.200 Procedure**

In order for a pro bono program to obtain bar certification, the program must submit an application and meet the applicable criteria set forth below. The Bar's Executive Director determines whether a program is eligible for certification and this determination is final.

#### **Subsection 13.201 Criteria**

##### **(a) Purpose:**

The pro bono program must be one of the following:

- (1) A program incorporated with nonprofit status that has as its primary purpose providing legal services to low-income clients where clients are not charged more than a nominal administrative fee as a condition of receiving services.
- (2) A program incorporated with nonprofit status that has as one of its purposes providing legal services to clients who are served by programs funded under the Older Americans Act.
- (3) A court-sponsored mediation program where the purpose of the program is to improve access to justice.
- (4) An incorporated, nonprofit or governmental organization that provides law-related educational programs to students.
- (5) A non-profit or bar-sponsored program whose purpose is to provide free legal services to an underserved population with special legal needs.

(b) Compensation:

The pro bono program must not provide any compensation to the participating lawyers, except to cover filing fees or other out-of-pocket expenses or to provide professional liability insurance for the pro bono activity.

(c) Fees:

The pro bono program must not charge fees, except nominal administrative fees, to clients as a condition of receiving services. Donations from clients, whether encouraged or not, are not considered fees. The pro bono program must have a policy that prohibits the handling of and provides for the referral of cases that are clearly fee-generating.

(d) Quality Control:

The program must demonstrate that it has the necessary expertise and quality control to administer a program involving volunteer lawyers. This should include appropriate matching of pro bono lawyers to cases, an effective grievance procedure and adequate tracking and record keeping systems regarding pro bono involvement.

(e) Diversity:

The program must comply with Article 10 of the Bar's Bylaws (Diversity), both in regard to participating lawyers and clients.

**Subsection 13.202 Volunteer Recognition**

Recognition under this paragraph is intended to provide encouragement, in tangible form, to those Oregon Pro Bono programs and their volunteer lawyers, who help meet the need for legal services by providing direct representation to low-income individuals. As part of its annual planning process, the Board will consider the ways in which the Bar can acknowledge the volunteer efforts of Oregon lawyers, particularly those lawyers who provided at least 40 hours of pro bono services through programs certified under this policy. In so doing, the Board will seek input from bar staff and appropriate bar committees.