



Lawyers working free for the public good

Partnership Protocol between LawWorks and the SLG

- 1 Solicitors in Local Government Limited (“SLG”) is the professional association which represents the 4,000 local government solicitors and trainees in England and Wales. Details of its operation are at <http://www.slgov.org.uk/>
- 2 LawWorks is a charity which aims to provide free legal help to individuals and community groups who cannot afford to pay for it and who are unable to access legal aid. LawWorks also aims to provide a wide variety of pro bono opportunities to lawyers through specific projects. Details of its operation are at <http://lawworks.org.uk>
- 3 SLG supports the ethos of pro bono and is interested in developing appropriate pro bono opportunities for its membership.
- 4 LawWorks is a national organization and one of its objectives is to ensure a spread of membership across England and Wales in order to meet unmet legal need as locally as possible. LawWorks is interested to work with SLG in maximizing the potential of the regional profile of the SLG membership.
- 5 SLG is interested in sourcing for its members pro bono opportunities which:
 - do not create conflicts of interest
 - do not require any commitment that any particular case or opportunity should be accepted
 - require expertise in appropriate areas of law
- 6 LawWorks is able to provide opportunities in relation to:
 - Individuals casework
 - Community groups casework
 - Legal advice clinics

- Training to support clinics
- Mediation
- Initial electronic advice
- Public legal education

7 SLG will:

- facilitate communication channels between LawWorks and the SLG National Executive and in particular its regional branches
- promote LawWorks and pro bono work and encourage its membership to participate in appropriate projects
- promote and circulate specific cases or opportunities where appropriate
- provide opportunities to raise LawWorks' profile, such as through regular articles in Noter Up
- endorse and promote the Pro Bono Protocol (below)
- provide a link to this protocol and to the LawWorks website on the SLG website

8 LawWorks will:

- Provide appropriate pro bono opportunities for SLG membership
- Include a link to this protocol and the SLG website on the LawWorks website
- Provide articles when requested
- Provide recognition of pro bono contributions by members of SLG

JOINT PROTOCOL FOR PRO BONO LEGAL WORK

At all stages throughout their career many lawyers regard Pro Bono Legal Work as an integral part of being a member of the legal profession, in providing access to justice and meeting unmet legal need. This Protocol has been agreed to set out the core values of such work and to assist both those who undertake it and their clients. Many lawyers undertake charitable work of many different kinds. However, the purpose of this protocol is to concentrate specifically on the provision by lawyers of their legal skills in the form of Pro Bono Legal Work.

1. *What is Pro Bono Legal Work?*

1.1 When we refer to Pro Bono Legal Work we mean legal advice or representation provided by lawyers to individuals and community groups who cannot afford to pay for that advice or representation and where public funding is not available.

1.2 Legal work is Pro Bono Legal Work only if it is free to the client, without payment to the lawyer or law firm (regardless of the outcome) and provided voluntarily either by the lawyer or his or her firm.

1.3 Pro Bono Legal Work is always only an adjunct to, and not a substitute for, a proper system of publicly funded legal services.

2. *How should Pro Bono Legal Work be done?*

2.1 Pro Bono Legal Work should always be done to a high standard. That means in particular that:

2.2 The availability of appropriate publicly funded legal advice or representation should always be considered before a lawyer undertakes Pro Bono Legal Work.

2.3 When a lawyer is requested to agree to undertake a piece of Pro Bono Legal Work the lawyer should give his/her decision within a reasonable time.

2.4 The terms on which the Pro Bono Legal Work is undertaken including the circumstances in which the relationship may be terminated should be made clear at the outset.

2.5 The Pro Bono Legal Work should only be undertaken by a lawyer who is adequately trained, has appropriate skills and experience and, where necessary, is adequately supervised for the work in question.

2.6 The lawyer undertaking a piece of Pro Bono Legal Work (and where appropriate his or her supervisor) should have no less than the minimum level of legal expertise and experience as would be required if the particular work in question was paid work.

2.7 In no case should the client be misled as to the lawyer's skill or ability to undertake the Pro Bono Legal Work.

2.8 Once a lawyer has agreed to undertake a piece of Pro Bono Legal Work the lawyer (and if appropriate his or her firm) must give that work the same priority, attention and care as would apply to paid work.

2.9 Pro Bono Legal Work must not be undertaken without appropriate insurance.

2.10 A lawyer in doubt or difficulty in relation to a piece of Pro Bono Legal Work should seek advice from a Pro Bono organisation or from the Bar Council, the Law Society or the Institute of Legal Executives.

Ancillary Provisions

1. RELATIONSHIPS BETWEEN PRO BONO ORGANISATIONS AND LAWYERS

- 1.1 Where practical, lawyers able to undertake pro bono work are encouraged to do so through a pro bono organisation, through the not-for-profit sector, or through both.
 - 1.2 Pro Bono Legal Work will be more effectively delivered through co-ordinating the relationships between lawyers, pro bono organisations, and not-for-profit agencies such as Law Centres and CABx.
 - 1.3 When a lawyer is asked by a pro bono organisation or not-for-profit agency to undertake a particular piece of Pro Bono Legal Work, the lawyer is expected to have proper regard to any prior confirmation given to the pro bono organisation or not-for-profit agency that the lawyer was prepared to undertake Pro Bono Legal Work.
 - 1.4 Sets of chambers, law firms and legal departments should, wherever possible, seek to encourage and support the undertaking of appropriate Pro Bono Legal Work by their lawyers, including the undertaking of that work "in-house".
2. THE CONTRIBUTION OF PERSONS WHO ARE NOT FULLY QUALIFIED, OR WHO ARE OTHERWISE UNABLE, TO DO PRO BONO LEGAL WORK
 - 2.1 Non-lawyer staff within a set of chambers or a firm should be enabled to make the same contribution to the undertaking of a piece of Pro Bono Legal Work as they would for a piece of paid work.
 - 2.2 Law students, pupil barristers and trainee solicitors have an important contribution to make to Pro Bono Legal Work. However that contribution must be properly supervised and must be preceded by proper training.
 - 2.3 Where suitably qualified and experienced, academic lawyers and employed lawyers are particularly encouraged to consider providing training to others to enable them to undertake Pro Bono Legal Work if they are not able themselves to provide legal advice or representation. The provision of pro bono legal training without charge is an important contribution to Pro Bono Legal Work.
3. PARTICIPATION IN PRO BONO LEGAL WORK AS A CHARACTERISTIC OF BEING A MEMBER OF THE LEGAL PROFESSION
 - 3.1 A commitment to the delivery of Pro Bono Legal Work is encouraged throughout a lawyer's professional life, as a student and in practice, through to and including retirement.