

Pro Bono Policy

Godfrey & Kahn, S.C.

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I. Introduction

The Firm recognizes that the legal community has a unique responsibility to ensure that all citizens have access to legal representation when needed to ensure that the justice system operates in a fair and just manner. Accordingly, the Firm encourages all its attorneys to devote a minimum of fifty (50) hours each year to pro bono services, or a proportional amount of pro bono hours by attorneys on alternative work schedules. As an incentive for attorneys to provide such services, the Firm will give full billable hours credit for up to fifty (50) hours of Firm-approved pro bono services per year, with the potential for more under certain circumstances.

II. Pro Bono Services Defined

The Firm recognizes there are a variety of ways of providing pro bono services, and it encourages its attorneys and paralegals to seek out pro bono matters that are of interest to them. The following list, while not exhaustive, reflects the types of legal services the Firm, the ABA, and the State Bar believe qualify as “pro bono” and for which the Firm will give billable hours credit:

- A. **Representation or Advocacy On Behalf of Low Income Persons.** Representation of individuals who cannot afford legal services in civil or criminal matters;
- B. **Civil Rights and Public Rights Law.** Representation or advocacy on behalf of individuals or organizations seeking to vindicate rights with broad societal implications;
- C. **Representation of Charitable Organizations.** Representation or counseling to charitable, religious, civic, governmental, educational, or similar organizations in matters where the payment of standard legal fees would significantly diminish the resources of the organization;
- D. **Community Economic Development.** Representation of or counseling to micro-entrepreneurs and businesses for community economic development purposes, to the extent that business development plays a critical role in low income community development and provides a vehicle to help low income individuals escape poverty;
- E. **Administration of Justice in the Court System.** Judicial assignments, whether as pro bono counsel, or a neutral arbiter, or other such assignment, which attorneys receive from courts by virtue of their membership in a trial bar; and
- F. **Law-related Education.** Legal education activities designed to assist individuals who are low-income, at risk, or vulnerable to particular legal concerns or designed to prevent social or civil injustice.

The following activities, while meritorious and also encouraged and recognized as valuable by the Firm, are not subject to this policy and will not count toward fulfillment of any attorney’s billable hours expectations or the Firm’s goal to provide pro bono services:

- Participation in a non-legal capacity in a community or volunteer organization;
- Services to non-profit organizations with sufficient funds to pay for legal services as part of their normal expenses;
- Client development or marketing work;
- Non-legal service on the board of directors of a community or volunteer organization;
- Bar association activities;
- Non-billable legal work for family members, friends, or members or staff of the Firm who are not eligible to be pro bono clients under the above criteria;

- Professional advancement projects, including, for example, speaking engagements, law school teaching or publication writing;
- Work originally taken with the expectation that a fee will be paid but for which the client becomes unable or unwilling to pay; and
- Work performed for existing or potential paying clients without charge.

III. Firm Pro Bono Committee/Coordinators

The Firm has established a Pro Bono Committee responsible for implementing and administering the Firm's pro bono policies and procedures. The Pro Bono Committee consists of a representative group of attorneys of the Firm and will provide general oversight and direction for the Firm's pro bono program. There shall be three Pro Bono Coordinators – one for the Milwaukee and Waukesha offices, one for the Green Bay and Appleton offices, and one for the Madison office.

The Pro Bono Coordinators shall be responsible for day-to-day efforts in:

- Identifying, encouraging and supporting pro bono endeavors;
- Reviewing, pre-approving, accepting and/or rejecting pro bono projects for pro bono credit; and
- Coordinating and monitoring pro bono projects, ensuring, among other things, that appropriate assistance, supervision and resources are available.

No pro bono services shall be considered "Firm-approved" unless and until approved first by a Pro Bono Coordinator in accordance with Section V within this policy.

The Firm's Managing Partner shall appoint the members of the Pro Bono Committee, the Pro Bono Coordinators and the Chair of the Pro Bono Committee. The Committee shall report directly to the Firm's Management Committee.

IV. Firm Recognition of Pro Bono Service.

- A. Performance Review and Evaluation.** The Firm recognizes that the commitment to pro bono services involves a personal expenditure of time. In acknowledgment of this commitment and to support Firm goals, an attorney's efforts to meet the Firm's pro bono policy will be considered by the Firm in measuring the attorney's performance, such as yearly evaluations and bonuses where applicable. An attorney's pro bono work will be evaluated according to the same criteria as applied to client-billable work. As with all client work, there should be an emphasis on effective results for the client and the efficient and cost-effective use of Firm resources;
- B. Credit for Pro Bono Work.** The Firm will give full billable hours credit for up to fifty (50) hours of Firm-approved pro bono services per year, and additional hours as approved by the Chairperson of the Compensation Committee in consultation with the relevant Pro Bono Coordinator, in considering annual billable hours goals and bonus eligibility;
- C. Summer Associate Pro Bono Opportunities.** Summer associates will be encouraged to participate in pro bono activities. The Summer Associate program coordinators of each office will endeavor to provide each summer associate with an opportunity to participate in pro bono work; and
- D. Paralegal Pro Bono Opportunities.** Firm-approved pro bono work for paralegals includes: (1) work taken on in conjunction with and under the supervision of an attorney working on a specific pro bono matter; or (2) work handled independently for an organization that provides

pro bono opportunities, provided, however, that such participation does not create an attorney-client relationship and/or involve the paralegal's provision of legal advice. As with attorneys, a paralegal's participation in the Firm's provision of pro bono services shall be considered as part of that person's evaluations.

V. Administration of Pro Bono Service

- A. Approval of Pro Bono Matters.** The Pro Bono Committee/Coordinators will implement a system for reviewing all proposed pro bono matters to ensure that the matter is appropriate for pro bono representation and meets the Firm's definition of pro bono services; and
- B. Opening a Pro Bono Matter.** It is the responsibility of the attorney seeking to provide pro bono services to complete the conflicts check and open a new matter in accordance with regular Firm procedures. Matters should be appropriately and clearly limited in scope (as by the pro bono engagement letter) so that the potential client does not have an expectation that he or she shall have access to all of the Firm's resources on a pro bono basis for all time and/or for all work.

In addition, all persons seeking Firm-approval of a pro bono project must submit a request to the relevant Pro Bono Coordinator:

- (1) Identifying the client and/or other entity involved;
- (2) Describing the nature of the work to be done; and
- (3) Identifying who will work on the matter.

- C. Staffing of Pro Bono Matters.** Pro bono matters are initially staffed on a voluntary basis. It may become necessary to assign additional attorneys to the matter if the initial staffing arrangements prove to be inadequate, and the Firm reserves the right to make such assignments. Assignments to pro bono work that are involuntary, and due to which, in whole or in part, the assigned attorney exceeds 50 hours of annual pro bono services, will receive special consideration by the Firm for additional billable hours credit.