

Law Department Pro Bono Policy

I. Introduction

Northwestern Mutual has a rich history of community service and volunteerism, as shown through its many programs, sponsorships, and volunteer opportunities.

As members of the legal profession, we are bound by ethical obligations and professional responsibilities, including an obligation to provide legal services without charge to those unable to pay. The American Bar Association's Model Rules of Professional Conduct provide that lawyers should aspire to render at least 50 hours of *pro bono publico* legal services per year.

The Wisconsin Supreme Court Rules of Professional Conduct for Attorneys similarly provide that “[e]very lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least 50 hours of pro bono publico legal services per year.” Wis. SCR 20:6.1.

In an effort to support department attorneys who seek to fulfill their professional obligation to provide free legal services to those in need, and to demonstrate our commitment to Northwestern Mutual's values, the Law Department adopts this Pro Bono Policy (“Policy”).

II. Participation

The Policy is intended to encourage and support department attorneys and paralegals (collectively, “department members”) who wish to provide pro bono services. A department member's participation in any pro bono program is completely voluntary; there will be no adverse consequences for anyone whether or not they choose to participate.

III. Facilitation

The Law Department Pro Bono Committee will help to administer the Policy by:

- A. Maintaining the written Policy, including any revisions or amendments;
- B. Providing Law Department attorneys and paralegals with guidance about available pro bono opportunities;
- C. Reviewing non-routine pro bono participation requests to determine appropriateness;
- D. Considering conflicts of interest presented by pro bono matters;
- E. Offering consultation and guidance regarding the handling of pro bono matters, as needed.

IV. Guidelines for Pro Bono Work

A. Matters Accepted

For a variety of reasons, the Pro Bono Committee discourages the acceptance of pro bono matters outside of a structured agency or bar association pro bono program (“non-routine matters”). Rather, department members are encouraged to focus their pro bono participation on volunteer lawyer programs administered by such agencies as The Legal Aid Society of Milwaukee, Legal Action of Wisconsin, The Milwaukee Bar Association, The Milwaukee Young Lawyers Association Volunteer Lawyers Project, and the Wisconsin State Bar pro bono programs because such programs generally provide training and support to interested attorneys. The Pro Bono Committee can provide additional information about available opportunities, or department members may contact agencies of their choice for additional information.

A list of recommended pro bono opportunities, along with examples of non-routine and non-pro bono matters, is attached as Exhibit A.

B. Conflicts of Interest

The Pro Bono Committee, in consultation with the Office of the Corporate Secretary, will resolve all conflict of interest questions raised by attorney participation in pro bono matters. Although one reason for the encouragement of accepting pro bono matters through established programs and agencies is to minimize the risk of conflicts of interest with department attorney representation of Northwestern Mutual and its affiliates, legal matters made available through these programs and agencies may, at times, present conflicts. Department members are asked to be alert to potential conflicts of interest, and to exercise judgment with respect to the nature of any matter accepted. If in doubt, department members should consult with the Pro Bono Committee about a potential conflict of interest *before* accepting a pro bono matter.

C. Malpractice Insurance

It must be recognized that pro bono work will not be done in one’s capacity as an officer or employee of Northwestern Mutual, and that a Law Department member’s association with an agency administering pro bono programs will not be considered to be service at the request of the Company. Therefore, there will be no right to indemnification under Northwestern Mutual’s By-laws, nor will the Company be financially responsible for defense costs or damages incurred in connection with any claim for legal malpractice arising out of a department member’s pro bono work.

However, some of the agencies mentioned in the foregoing section do provide free malpractice coverage to volunteer lawyers. In addition, the Wisconsin State Bar provides free coverage to volunteer attorneys who meet specified guidelines.

Department members are strongly discouraged from taking on any matter for which malpractice coverage is not provided either by the agency administering the pro bono program or by some other means. For more information, please contact a member of the Pro Bono Committee.

D. Bar Membership

Attorneys must be licensed to practice law in any jurisdiction in which they accept or work on pro bono matters.

E. Work Hours and Department Resources

Department members may perform up to 50 hours of pro bono work per year during their regular Northwestern Mutual working hours. Department members may be supported by their administrative assistants in their pro bono work during the administrative assistants' normal working hours as reasonably necessary, but department members should respect administrative assistants' responsibilities to other principals to complete Company legal work.

Department members may judiciously use their department Westlaw account, as well as the department Law Library and/or law clerks, for legal research on their pro bono matters.

Pro bono activities may be supported by Northwestern Mutual supplies and equipment as reasonably necessary (examples include copy paper, blank envelopes, scanning, photocopying, and postage).

The department may reimburse certain reasonable expenses incurred in connection with work on a pro bono matter, but requests for expense reimbursement must be pre-approved by the department member's Team Coordinator.

Department members may hold client meetings in connection with their pro bono activities in conference rooms at Northwestern Mutual's offices but no client or other meetings should take place in individual attorney offices. All Company and department policies and procedures regarding visitors must be strictly observed.



Attorneys representing pro bono clients do so in their individual capacities and should not hold themselves out as being associated with Northwestern Mutual in their representation of pro bono clients. Department members should not use Company letterhead, envelopes or other stationery in connection with pro bono activities. For expedience, it is permissible to use Northwestern Mutual's return mailing address on correspondence (for example, Penny Pro Bono, c/o Northwestern Mutual).

F. FileSite

A workspace for each pro bono matter should be created in FileSite, and all work related to the matter should be stored in the workspace, including copies of incoming and outgoing correspondence, pleadings, discovery, motions, briefs, notes, memos, settlement paperwork, and the like.

Exhibit A to Law Department Pro Bono Policy**Pro Bono Opportunities – Examples**

Attorneys are encouraged to participate in the following types of pro bono opportunities:

Milwaukee Young Lawyers Association/Legal Action of Wisconsin Volunteer Lawyers Project – Legal Action of Wisconsin is the largest staff-based provider of civil legal services for low-income people in Wisconsin. It offers many pro bono opportunities through the Volunteer Lawyers Project. Malpractice insurance is provided.

Legal Aid Society of Milwaukee – Provides free legal assistance in the greater Milwaukee Area to low income persons in a variety of areas, including civil litigation, mental disability law, and guardian ad litem representation. Malpractice insurance is provided.

Marquette University Legal Clinic at House of Peace – Provides basic walk in legal advice and referrals on a variety of issues, but does not take cases or represent clients in an ongoing manner. Malpractice insurance provided through Marquette University.

The Wisconsin Family Justice Clinic (Milwaukee County Courthouse) – Volunteers assist pro se litigants in family law matters. No legal advice is given; volunteers help with forms, language barriers, and logistics.

Centro Legal por Derechos Humanos – Provides bilingual, low cost legal aid to low income residents in the Milwaukee area for family law and misdemeanor criminal matters.

Non-routine matters Requiring Pro Bono Committee approval include:

Representation of indigent individuals who not referred by an established program;

Federal prisoner litigation;

Federal court civil referrals (social security, Title VII, Civil Rights matters).

Pro bono legal services do not include:

Career Advancement Projects, such as teaching law courses, professional speaking engagements, publishing in professional journals, whether paid or unpaid;

Representing family or friends without charge;

Providing services to established non-profit organizations with endowments sufficient to allow them to pay for legal services.