

Commitment to Pro Bono

Instruct the Instructor: Materials selected to inform instruction and research.

Lynn A. Addington, Jessica L. Waters, *Public Interest 101: Using the Law School Curriculum to Quell Public Interest Drift and Expand Students' Public Interest Commitment*, 21 Am. U. J. Gender Soc. Policy & L. 79 (2012).

[https://www.westlaw.com/Document/I35eec9d41fd611e28578f7ccc38dcbee/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/I35eec9d41fd611e28578f7ccc38dcbee/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

This article argues that providing law students with opportunities to engage in pro bono work while in law school helps create socially responsible and justice-oriented lawyers. The authors emphasize the importance of pro bono work and include ideas for integrating pro bono work into the law school curriculum through clinics, externships, and by incorporating it into regular law school courses.

Robert Hornstein, *Teaching Law Students to Comfort the Troubled and Trouble the Comfortable: An Essay on the Place of Poverty Law in the Law School Curriculum*, 35 Wm. Mitchell L. Rev. 1057 (2009).

[https://www.westlaw.com/Document/Ic2d272f35a3211de9b8c850332338889/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/Ic2d272f35a3211de9b8c850332338889/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

This article discusses the benefits of pro bono work, such as providing lawyers with a sense of purpose and satisfaction in helping those in need. Additionally, it argues that law schools that engage students in pro bono work expose their students to different areas of law they may not have been exposed to and help students develop practical skills needed for the practice of law.

Larry R. Spain, *The Unfinished Agenda for Law Schools in Nurturing A Commitment to Pro Bono Legal Services by Law Students*, 72 UMKC L. Rev. 477 (2003).

[https://www.westlaw.com/Document/Ic9cd49914b0711dba16d88fb847e95e5/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/Ic9cd49914b0711dba16d88fb847e95e5/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

This article argues that law schools have an ethical obligation to promote pro bono work in their curriculum while recognizing the challenges that law schools must overcome in doing so. Throughout the article, the author explores the benefits of pro bono work for law students, the legal profession, and society as a whole and provides recommendations for schools looking to better nurture a commitment to pro bono among their students

Christina M. Rosas, *Mandatory Pro Bono Publico for Law Students: The Right Place to Start*, 30 Hofstra L. Rev. 1069 (2002).

[https://www.westlaw.com/Document/I0406e75149d311dba16d88fb847e95e5/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/I0406e75149d311dba16d88fb847e95e5/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

This article suggests that law school can promote access to justice and instill a sense of public service in future lawyers through a mandatory pro bono requirement for graduation. The article gives a historical overview of the pro bono movement and discusses the importance of the ethical obligations lawyers have to provide pro bono services.

Kirsten Edwards, *Found! The Lost Lawyer*, 70 Fordham L. Rev. 37 (2001).

[https://www.westlaw.com/Document/I5edeb34149d011dba16d88fb847e95e5/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/I5edeb34149d011dba16d88fb847e95e5/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

In this article, the author argues that the legal profession has lost its sense of public services and has strayed away from its commitment to social justice. The article suggests that lawyers can address social issues and promote the public good through pro bono services and provides recommendations for overcoming the roadblocks lawyers have when engaging in pro bono work.

David Hall, *The Law School's Role in Cultivating A Commitment to Pro Bono*, 42 Boston B.J. 4 (1998).

[https://www.westlaw.com/Document/I939ad0614a7411db99a18fc28eb0d9ae/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/I939ad0614a7411db99a18fc28eb0d9ae/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

This article discusses a law school's responsibility and role in cultivating a commitment to pro bono in their law students. The article examines multiple ways in which schools can support their students to engage in pro bono work, such as offering clinics and connecting students to pro bono organizations.

James L. Baillie & Judith Bernstein-Baker, *In the Spirit of Public Service: Model Rule 6.1, the Profession and Legal Education*, 13 L. & Inequal. 51 (1994).

[https://www.westlaw.com/Document/Ib48881115aef11dbbd2dfa5ce1d08a25/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/Ib48881115aef11dbbd2dfa5ce1d08a25/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

This article talks about the purpose of Model Rule 6.1, which encourages lawyers to provide pro bono legal services and discusses how legal education can promote the spirit of public service. The authors suggest that law schools have a responsibility to instill a commitment to pro bono work in their students and makes suggestions on how they can do so.

Stephen F. Befort & Eric S. Janus, *The Role of Legal Education in Instilling an Ethos of Public Service Among Law Students: Towards A Collaboration Between the Profession and the Academy on Professional Values*, 13 L. & Inequal. 1 (1994).

[https://www.westlaw.com/Document/Ibdb657f15af011dbbd2dfa5ce1d08a25/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cb1t1.0](https://www.westlaw.com/Document/Ibdb657f15af011dbbd2dfa5ce1d08a25/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cb1t1.0)

In this article, the authors maintain that the legal profession and law schools can work together to promote the values of public service and social responsibility. They argue that instilling a commitment to public service should start while aspiring lawyers are in school and provide a variety of ways schools can integrate public service into the curriculum.

Jill Chaifetz, *The Value of Public Service: A Model for Instilling A Pro Bono Ethic in Law School*, 45 Stan. L. Rev. 1695 (1993).

[https://www.westlaw.com/Document/I96b720d14a4e11dba16d88fb847e95e5/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cb1t1.0](https://www.westlaw.com/Document/I96b720d14a4e11dba16d88fb847e95e5/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cb1t1.0)

This article argues that law schools have a duty to fulfill their ethical responsibilities by promoting pro bono work to their students and providing opportunities to do so, including collaboration with legal services organizations. The authors propose a model for integrating pro bono work into their curriculum that includes coursework, clinical programs, and extracurricular activities.

For the Students: Articles tailored to the law student that can be assigned as reading material prior to class.

Fiona Kay & Robert Granfield, *When Altruism Is Remunerated: Understanding the Bases of Voluntary Public Service Among Lawyers*, 56 Law & Soc'y Rev. 78 (2022),

[https://www.westlaw.com/Document/If860f957937a11ec9f24ec7b211d8087/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cb1t1.0](https://www.westlaw.com/Document/If860f957937a11ec9f24ec7b211d8087/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cb1t1.0)

- This article draws on a survey of 845 lawyers, to develop an integrated theoretical model to account for how volunteering takes place in the course of legal work. The analysis reveals psychological traits, collective norms, economic exchanges, and organizational dimensions shape lawyers' pro bono work in intriguing ways with marked distinctions emerging when pro bono is remunerated by firms.

Benjamin C. Carpenter, *A Solution Hidden in Plain Sight: Closing the Justice Gap by Applying to Legal Aid the Market Incentives That Propelled the Pro Bono Revolution*, 25 Chapman L. Rev. 1 (2021).

[https://www.westlaw.com/Document/I799dbb71fc2211ec9f24ec7b211d8087/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cb1t1.0](https://www.westlaw.com/Document/I799dbb71fc2211ec9f24ec7b211d8087/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cb1t1.0)

This article provides students with a deeper understanding of the pro bono movement and discusses what incentivizes lawyers to provide free legal service, such as enhancing professional reputations, opportunities for networking, and the ability to develop skills

from new experiences. The author suggests that pro bono work increases access to justice and believes these incentives can be applied to legal aid organizations, further increasing access to legal services.

Linda F. Smith, *Professional Identity Formation Through Pro Bono Revealed Through Conversation Analysis*, 68 *Cleve. St. L. Rev.* 250 (2020). <https://perma.cc/DA38-AEEM>

Pro Bono work provides an opportunity for law students to use their legal knowledge and skills and to develop their identities as emerging legal professionals. As important as both pro bono work and identity formation are, there has been very little research regarding how pro bono contributes to students' identity formation. This paper utilizes a data set of over forty student-client consultations at a pro bono brief advice clinic that have been recorded and transcribed. The paper mines this rich data set to understand not only the inclinations of the students but also how law schools might best guide and assist students to reflect upon and develop their professional identities in the context of their clinic volunteering.

Melissa H. Weresh, *Service: A Prescription for the Lost Lawyer*, 2014 *Prof. Law.* 45 (2014). [https://www.westlaw.com/Document/I5034d5a007b211e498db8b09b4f043e0/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/I5034d5a007b211e498db8b09b4f043e0/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

This article explores the idea that increasing commitment to pro bono work among lawyers can work to restore public trust and professionalism in the legal profession. Throughout the article, the author discusses the importance of free legal services and the benefits it has on the community. It also discusses the lack of time and resources that lawyers often cite as the biggest force against their commitment to pro bono, and offers ways for them to overcome these challenges.

Kelly Alison Behre, *Motivations for Law Student Pro Bono: Lessons Learned from the Tuscaloosa Tornado*, 31 *Buff. Pub. Int. L.J.* 1 (2013).

[https://www.westlaw.com/Document/I63f18689eb3611e28578f7ccc38dcbee/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/I63f18689eb3611e28578f7ccc38dcbee/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

This article examines how the Tuscaloosa Tornado in 2011 led law students to engage in pro bono work in order to help the affected community. The article further describes the various factors that motivate young lawyers to develop a commitment to pro bono and discusses how understanding these motivations behind pro bono work can help in developing strategies to promote it.

Neil Hamilton, *The Formation of an Ethical Professional Identity in the Peer-Review Professions*, 5 *U. St. Thomas L.J.* 361 (2008). <https://perma.cc/J46B-RKNU>

This article discusses the importance of forming an ethical professional identity in the peer-review professions of law, medicine, accounting, and journalism. The author suggests that pro bono work is a way that professionals in these fields can develop a sense of professional identity and responsibility, which in turn promotes ethical behavior.

Martha F. Davis, *Access and Justice: The Transformative Potential of Pro Bono Work*, 73 Fordham L. Rev. 903 (2004).

[https://www.westlaw.com/Document/I1ab85c016f9d11db855cca24b74cbc1f/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/I1ab85c016f9d11db855cca24b74cbc1f/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

This article addresses the current state of pro bono work and the significant barriers to justice that marginalized communities have. The author argues that pro bono work should be viewed as an opportunity for lawyers to strengthen their commitment to social justice and to form connections to communities that are marginalized and underrepresented.

Deborah L. Rhode, *Cultures of Commitment: Pro Bono for Lawyers and Law Students*, 67 Fordham L. Rev. 2415 (1999).

[https://www.westlaw.com/Document/I6c6d10a149ef11dba16d88fb847e95e5/View/FullText.html?transitionType=Default&contextData=\(sc.Default\)&VR=3.0&RS=cblt1.0](https://www.westlaw.com/Document/I6c6d10a149ef11dba16d88fb847e95e5/View/FullText.html?transitionType=Default&contextData=(sc.Default)&VR=3.0&RS=cblt1.0)

This article argues that pro bono legal work should be viewed as a professional obligation for lawyers, rather than a charitable gesture. The author describes the multitude of benefits that pro bono work brings and suggests a variety of ways the legal profession can promote a culture of commitment to pro bono work.

Classroom Focus: Lesson plans and curriculum for use in doctrinal courses or experiential learning.

Oh no! We haven't found any materials focused on the law school classroom. If you have suggestions or would like to volunteer resources from your own lesson plans, we would love to hear from you! Please contact Jerry Organ at JMORGAN@stthomas.edu.