

A RESOLUTION

20-140

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 4, 2013

To authorize and establish a Pro Bono Legal Volunteer Program for the Council of the District of Columbia.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Council of the District of Columbia Pro Bono Legal Volunteer Program Establishment Resolution of 2013”.

Sec. 2. The Council finds that:

(1) Equal access to justice, without regard to income, is fundamental to our system of justice and integral to our democratic society. Litigants who are represented by counsel are statistically more successful than their unrepresented counterparts, and legal assistance can be essential to an individual’s ability to access necessary services and programs. The District of Columbia, as our nation’s capital and the seat of democracy, should serve as a model in the provision of legal services and ensure all residents have equal access to the justice system.

(2) Rule 6.1 of the D.C. Rules of Professional Conduct, which is intended to “incorporate[] the legal profession’s historical commitment to the principle that all persons in our society should be able to obtain necessary legal services,” provides that lawyers “should participate in serving those persons, or groups of persons, who are unable to pay all or a portion of reasonable attorney’s fees or who are otherwise unable to obtain counsel.”

(3) An October 2012 Report of the Pro Bono Task Force of the Legal Services Corporation (“Pro Bono Report”) recently noted that “Government lawyers are potentially a major resource for pro bono assistance, but they also face unique obstacles.”

(4) In 1996, President William J. Clinton issued Executive Order 12988, which directed federal agencies to “develop appropriate programs to encourage and facilitate pro bono legal and other volunteer service by government employees.” Since the adoption of the Executive Order, according to the Pro Bono Report, 37 federal agencies within the District have established pro bono programs and 15 have adopted policies that authorize administrative leave for *pro bono* legal work.

(5) In 2009, the Judicial Conferences of the District of Columbia issued a resolution calling on members of the Bar to commit 50 hours of *pro bono* legal service each year.

(6) According to a recent study by the American Bar Association’s Standing Committee on Pro Bono and Public Service, less than half of government attorneys seek out *pro bono* activities. Yet, in a recent survey of Council employees who are attorneys, an

overwhelming majority said that they would participate in *pro bono* activities if the Council offered a program.

Sec. 3. To help facilitate *pro bono* legal activities for Council employees:

(1) The Council hereby authorizes and establishes the Pro Bono Legal Volunteer Program for the Council of the District of Columbia (“Pro Bono Program”).

(2) The General Counsel is authorized to administer the Pro Bono Program.

(3) The Pro Bono Program shall be open to all Council employees who are licensed to practice law in any jurisdiction, subject to rules governing the unauthorized practice of law, and as permitted by statute, regulation, or other rule or guideline.

(4) The Pro Bono Program is authorized to coordinate *pro bono* opportunities with other District offices, agencies, and instrumentalities.

(5) The Council authorizes up to 20 hours of administrative leave per calendar year for Council employees participating in the Pro Bono Program to engage in Pro Bono Program-related activities and responsibilities. Administrative leave will be subject to approval by the employee’s supervisor.

(6) The General Counsel shall adopt Policies and Guidelines for the Pro Bono Program and all Pro Bono Program participants must adhere to the policies and guidelines established by the Pro Bono Program.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.