

RESOLUTION
ADOPTED JUNE 4, 1998, BY THE
JUDICIAL CONFERENCE
OF THE
DISTRICT OF COLUMBIA CIRCUIT

ON

PRO BONO LEGAL SERVICES
BY MEMBERS OF THE BAR OF THE
FEDERAL COURTS OF THE DISTRICT OF COLUMBIA

WHEREAS this Judicial Conference and the Judicial Conference of the District of Columbia have traditionally and consistently encouraged members of the bar to provide pro bono legal services to the economically disadvantaged, as reflected in this Conference's 1981 Resolution setting a recommended standard for pro bono service and in a similar Resolution adopted by the Judicial Conference of the District of Columbia in 1980 and updated in 1997; and

WHEREAS Rule 6.1 of the District of Columbia Rules of Professional Responsibility, including the official comments thereto referencing the 1981 Resolution of this Judicial Conference, Rule 702(a) of the Rules of the United States District Court for the District of Columbia, and Model Rule 6.1 of the ABA Rules of Professional Conduct recognize the professional duty of lawyers to provide pro bono legal representation to the economically disadvantaged; and

WHEREAS a persistent crisis exists in the delivery of legal services to the economically disadvantaged, as demonstrated by studies of communities throughout the United States showing that less than 20 percent of the legal needs of such persons are being met; and

WHEREAS the inability of economically disadvantaged persons to obtain counsel impedes access to the federal courts and leads to increases in pro se filings, with attendant burdens on the courts and on the administration of justice; and

WHEREAS the number of pro se filings in the United States District Court for the District of Columbia continues to be substantial, ranging from 882 in 1993 to 1056 in 1997 and constituting more than one-third of the civil docket filings in 1997; and

WHEREAS funding for legal services to the economically disadvantaged in the District of Columbia, including grants from the Legal Services Corporation, foundations, corporations and United Way, as well as IOLTA funds, is not sufficient for provider organizations to meet the needs for such services, and the competition for available funding has increased; and

WHEREAS the Chief Judges of the United States Court of Appeals for the District of Columbia Circuit and the United States District Court for the District of Columbia, together with the Chief Judges of the District of Columbia Court of Appeals and the Superior Court of the District of Columbia and the President of the District of Columbia Bar, joined in December 1995 to call publicly upon the District's 75 largest law firms to respond to the current crisis in legal services for the economically disadvantaged; and

WHEREAS in 1996, the Attorney General of the United States, in recognition of the significant unmet need for legal services to the economically disadvantaged, adopted a Pro Bono Policy to encourage and support efforts of attorneys employed by the Department of Justice to provide pro bono legal service, including the setting by each attorney of a personal goal of at least 50 hours per year of such service;

THEREFORE, BE IT RESOLVED, that the Judicial Conference of the District of Columbia Circuit

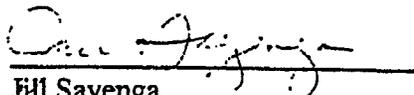
1. Commends the four Chief Judges of the federal and local courts in the District of Columbia and the District of Columbia Bar for issuing their call to action by the private bar to increase ongoing efforts to meet the need for legal services of the economically disadvantaged, and commends the law firms and individual lawyers that have made and are making commitments of lawyer time and financial resources to meet these needs; and
2. Commends the Attorney General of the United States and other departments and agencies of the Federal Government, including the Office of Government Ethics, the General Services Administration, the Department of Labor, the National Aeronautics and Space Administration, the National Labor Relations Board, and the Department of the Navy for issuance of policies encouraging and facilitating pro bono service by staff attorneys; and
3. Updates the recommended standard for pro bono service adopted by this Conference in 1981, so as to provide as follows:

Every lawyer admitted to practice in the Federal Courts of the District of Columbia should each year, at a minimum, undertake to fulfill his or her responsibility under Rule 6.1 of the District of Columbia Rules of Professional Responsibility and Rule 702(a) of the Rules of the United States District Court for the District of Columbia, by:

- (a) Accepting one court appointment to provide pro bono representation for an indigent or disadvantaged client; or

- (b) Providing 50 hours of pro bono legal service in his or her field of practice or through other pro bono cases or programs; or, where personal representation is not feasible,
- (c) Contributing the lesser of \$400 or one percent of earned income to one or more legal service provider organizations which serve the economically disadvantaged members of the District of Columbia community.

ATTEST:



JHI Sayenga
Secretary, Judicial Conference of
the District of Columbia Circuit