

4th Asia Pro Bono Conference and Legal Ethics Forum
Mandalay

**ENCOURAGING AND
COORDINATING PRO-BONO**

Adding value to pro bono

Queensland Public Law Clearing House

QPILCH= civil law pro bono coordination

- Pro bono referrals Service
- Mental Health Law Practice
- Homeless Persons' Legal Clinic
- LegalPod
- Self Representation Service



QPILCH= A2J matchmaking

Individual client needs...

- Hard to reach
- Lack awareness
- Vulnerable

QPILCH

- Professional Insurance
- Access point
- Resources
- Training
- Experiment

Lawyer values.....

- Options
- Training & support
- Time and expertise

Multiple strategies to connect to hard-to-reach individuals

- Online form
- Training and resourcing community agencies
- Legal Health Check = legal needs diagnosis
- Regional offices
- Outreach clinics (homeless and mental health clients) and phone-based casework
- Multidisciplinary clinics in hospitals
- Supporting other CLCs
- Research and **experiment!!**

Legal Health Check=menu

LEGAL HEALTH CHECK

Please note: The Legal Health Check identifies potential legal needs. Please complete the triaging module at www.legalhealthcheck.org.au before using this resource. Completing this document does not create any legal obligation between a community worker, the client or any legal service.

Basic v1.0

CLIENT NAME	
COMMUNITY AGENCY	
WORKER NAME	
DATE	
LEGAL SERVICE	
ADDRESS	
APPOINTMENT DETAILS	

1. Money Troubles (Debt) Yes No Unsure

Is anyone chasing you for money?

Do you have payments due on unpaid accounts?

E.g. phone / Centrelink / Cash converters / electricity / car loan

Complete the table below for each debt, where possible.

Debt	Creditor (who you owe it to)	Amount owed (approx)	Instalment (payment amount and frequency)	Contact (Are you being contacted by phone / text / mail / email?)
1.	Telco	\$2500.00	\$100p/m	yes
2.				
3.				
4.				

Please attach copy of client's Centrelink and/or bank statements if possible

2. Unpaid Fines Yes No Unsure

Do you have any unpaid fines (e.g. SPER/ SDR/ CCV)?

Would you like to explore your options? E.g. smaller instalments/ Work orders/ Waivers?

DETAILS

3. Housing Concerns

Have you recently been evicted? Yes No Unsure

Was your tenancy bond lodged and returned?

Did you leave any belongings left behind at recent accommodation?

Do you have any unpaid rent?

Are you or do you want to apply for government or community housing?

Are you on any tenancy blacklists e.g. TICA

DETAILS

4. Crime

Do you have a Notice to Appear, or are you due in Court? Yes No Unsure

Do you want to deal with any outstanding Warrants?

DETAILS

5. Centrelink and Decision-making

Are you receiving the appropriate Centrelink benefits? Yes No Unsure

Are you under a Forensic or Involuntary Treatment Order?

Does the Adult Guardian look after your personal or health affairs?

Does the Public Trustee make decisions about your money?

Would you like to change or review any of these arrangements?

DETAILS

6. Relationship

Domestic violence orders you?

Arrangements, plans or orders with spend time with, or your State child protection orders?

Your rights in any personal Concerns about your experience adults or institutions?

DETAILS

7. Other

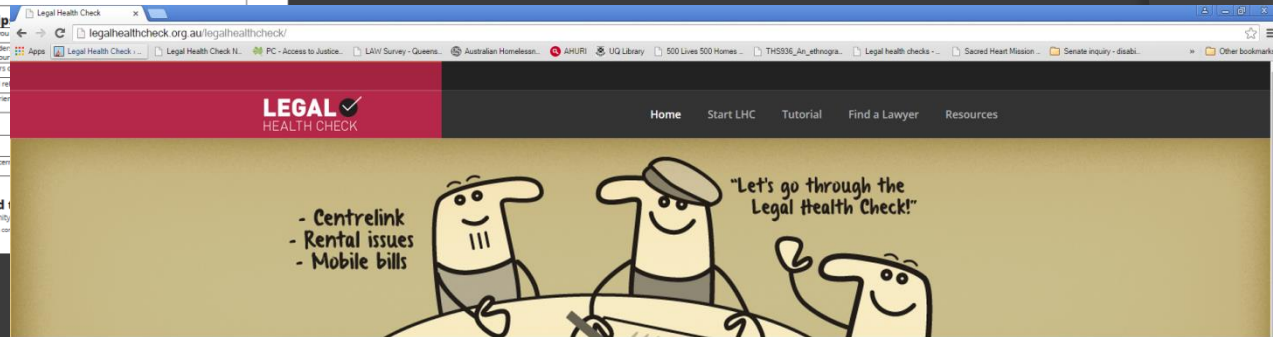
Do you have any other concerns?

Please forward to

For a list of local community workers, please contact your local community legal centre.

Privacy: If you keep a copy of a completed form, please ensure it is stored securely.

www.legalhealthcheck.org.au



What is this all about?

This website trains and supports community workers to assist your vulnerable clients with the many legal problems which impact their lives. The Legal Health Check helps you identify your client's legal needs and collaborate with free community lawyers to resolve these problems; and 4 training videos show you how.

Watch the intro video to get started, or read the FAQs.

This website was developed by QPILCH (Queensland Public Interest Law Clearing House Inc) and NACLCL (National Association of Community Legal Centres).

- LHC Quick intro video (2 mins)
- FAQs for Community workers & Lawyers



[Find out more](#)

Legal Health Checks

In addition to the basic LHC, there are four tailored LHCs for youth at risk, newly arrived clients, clients with mental health concerns and clients with housing concerns.

Choose the LHC that best reflects the circumstances you are assisting the client with, if you are unsure which LHC to use, try the basic LHC first.

You can complete the LHC online and email a completed PDF to yourself or print out a PDF template. Mini LHC postcards are also available to print out.

[Select LHC](#)

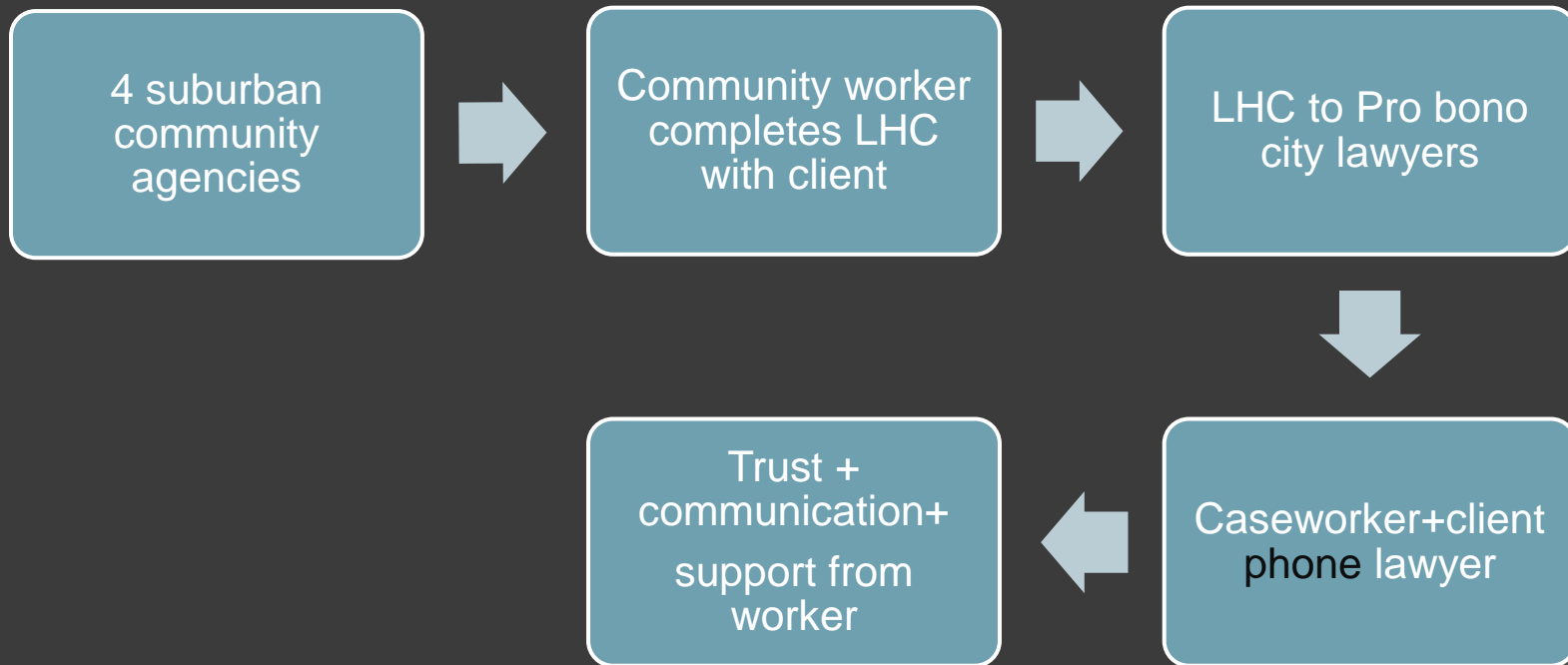
Tutorials

Four short training videos take you through the basics of using the LHC with your clients and you can check your understanding with a quick quiz at the end.

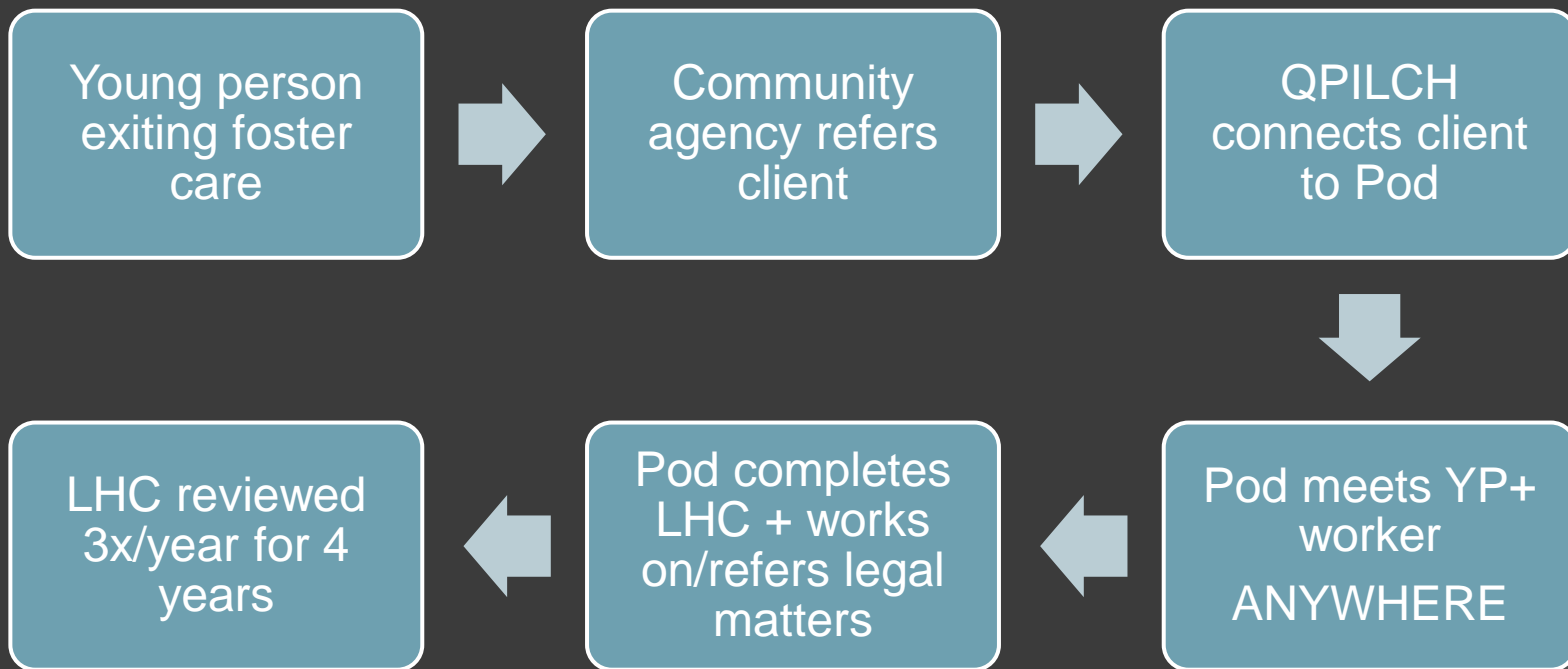
- What is the LHC? (11 mins)
- Is the LHC worth it? (4 mins)
- Issues covered by the LHC (4 mins)
- Placing an order (8 Mins)

[Begin Training](#)

Experiment #1: Legal casework by phone



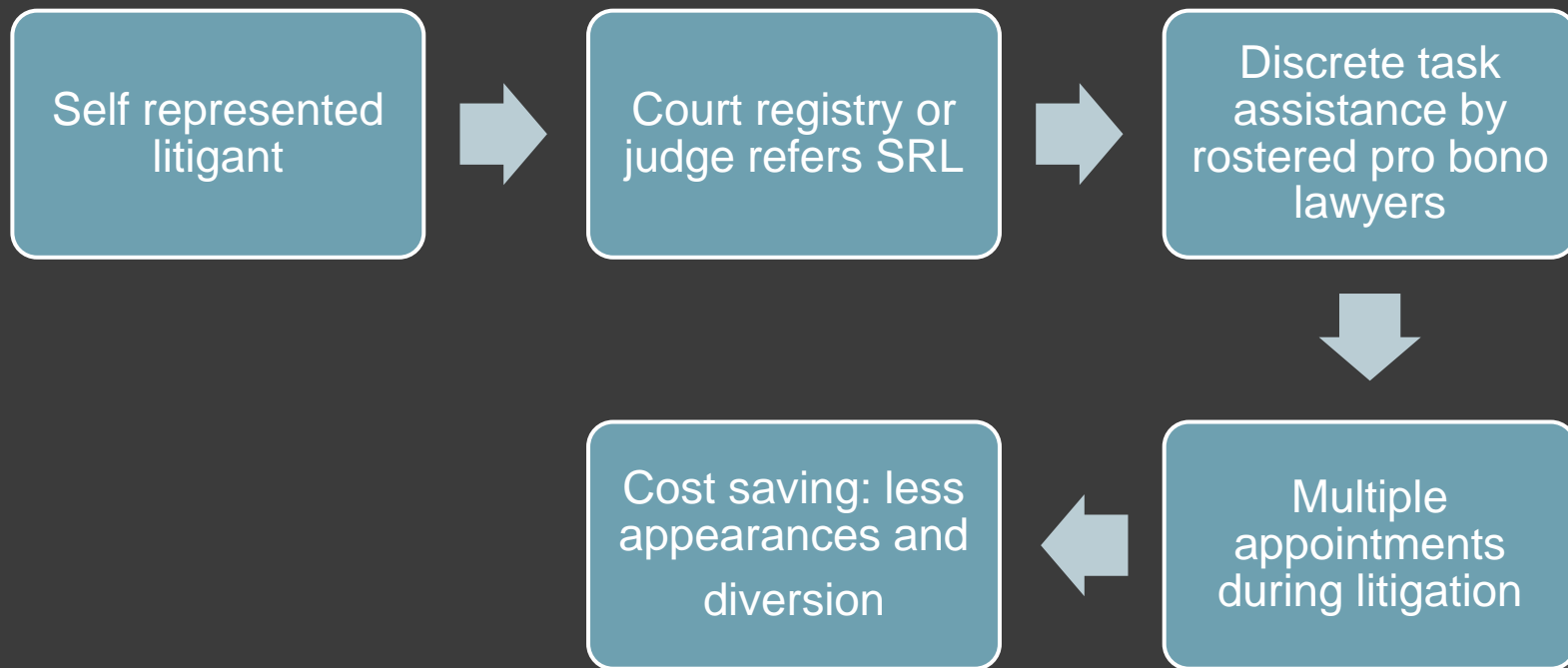
Experiment #2: matching lawyers and vulnerable young people: LegalPod



Variety of options for firms: capacity varies with size//expertise//appetite

- ⦿ LegalPod (3-4 lawyers + young person)
- ⦿ Referrals in area of law with expertise
- ⦿ Training for lawyers beyond expertise (legal and client group)
- ⦿ SRS = discrete task assistance (rostered firms at courts)
- ⦿ Opinions and appearances from barristers
- ⦿ HPLC (firm + outreach location)
- ⦿ Student clinics
- ⦿ Phone clinics
- ⦿ Link firms to RRR services

Experiment #3: Self Representation Service



Training and resourcing lawyers

- ⦿ Pro bono lawyer “magic” =a myth
- ⦿ Active supervision of file work
- ⦿ Online resources:
precedents/templates/fact sheets
- ⦿ Regular inductions
- ⦿ Professional development sessions

Homeless Persons' Legal Clinic resources for lawyers

- Access via QPILCH website
www.qpilch.org.au:
[Outreach Legal Clinics resources page](#)
- Resources for Outreach Legal Clinics
Username: **hplc**
Password: **homeless1**

PINet

Tze-wei Ng



What do we do?

Overall goal:

- Promote the use of law for public interest

Two key pillars to our work:

- Capacity building for **public interest law** NGOs and public interest lawyers
- Promote **pro bono**



PILnet's Pro Bono Clearinghouses

Where?

- Hungary, Russia, Hong Kong
- Global

Who do we serve?

- Non-profit organisations in need of legal assistance

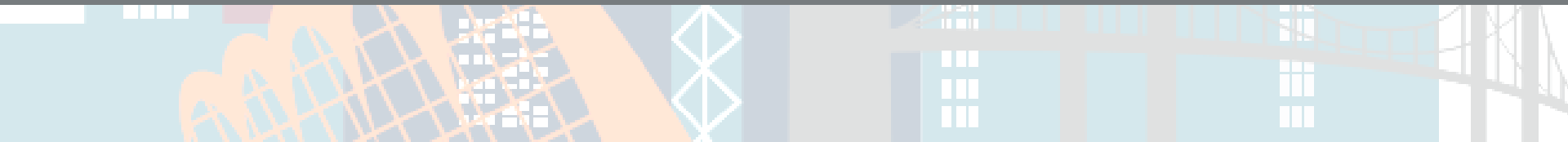
How?

- Mailing list to volunteer lawyers (bi-weekly/monthly)





PILnet advances pro bono culture through a variety of means, including its pro bono clearinghouses.



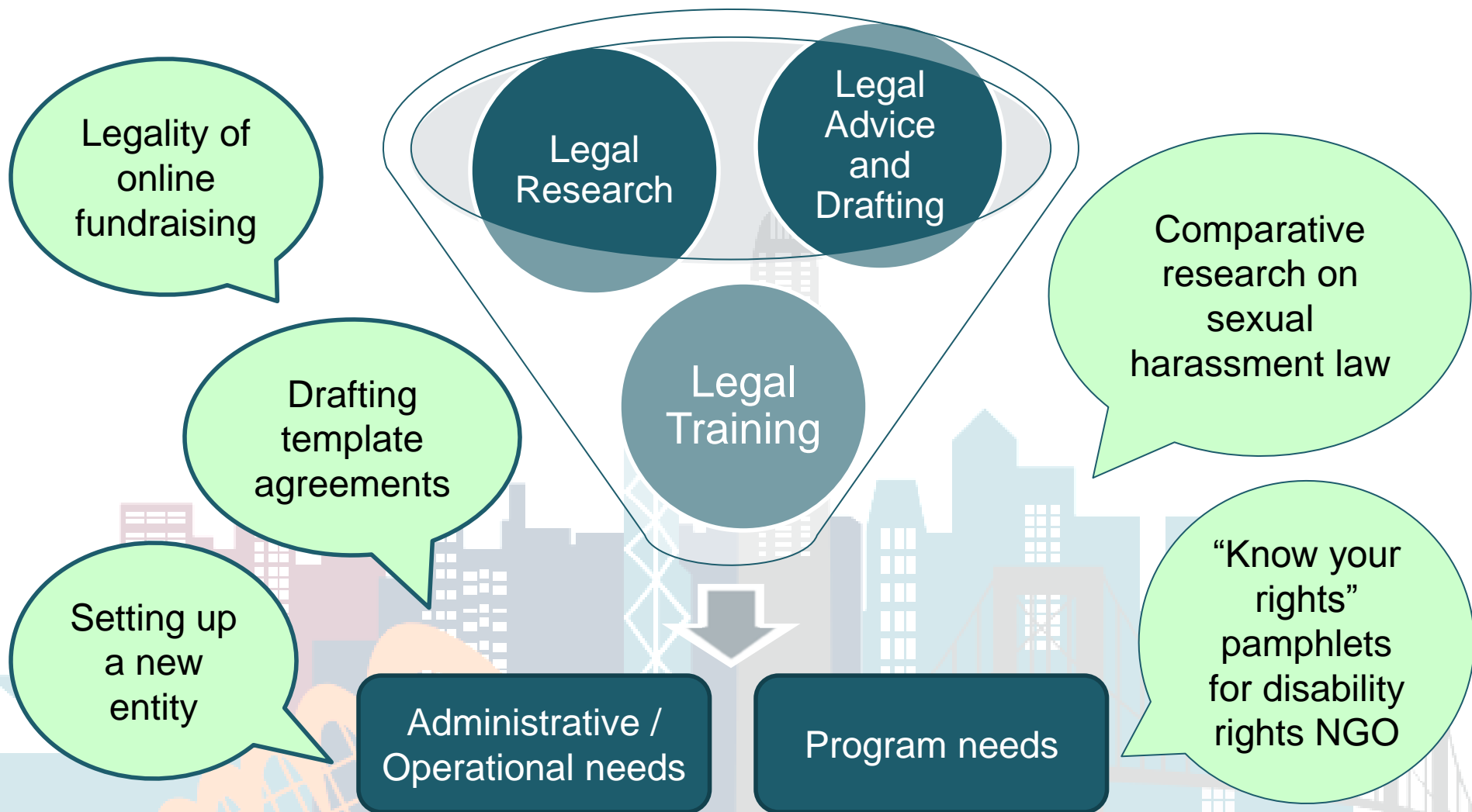
We connect:



Our “Matchmaking” Process:



What kind of needs?



Legal Health Check-up: *For charities / social enterprises*

**Different things
to watch out for
at each stage:**

- **At birth**
- **Growing up**
- **Senior**



Legal Health Checkup Registration:

1. **Your Business:** _____
2. **Age:** _____
3. **Legal Structure (Please tick as appropriate):**
 - Company Limited by Shares
 - Company Limited by Guarantee (Charity)
 - Trust (Charity)
 - Others (Please Specify): _____

What to watch out for?

At Birth

- Incorporation
- Board Formation and Corporate Governance
- Regulatory Compliance
- Employment
- Liability and insurance
- Fundraising
- Website-related issues
- Intellectual property
- Privacy policy etc.

Growing Up

- Corporate Governance
- Intellectual Property
- Etc.

Senior

- Winding Up

**General
Prescription:**

CONTRACT

Quick facts

Operating since April 2014:

NGOs assisted: **51**

Total matches: **71**

Volunteer lawyers: **161**

Representing:

60 law firms

4 chambers

9 corporations

Challenges

Operational challenges:

- awareness amongst NGOs
- interest from lawyers esp. local lawyers
- social enterprises etc.

Other relevant background:

- Strict professional practice and indemnity insurance rules => lawyers with NGOs and law schools cannot give legal advice
- Public interest law is at early stage; only a small number of public interest lawyers and they also need support

How do we add value? (1)

- **Pro Bono Workshops** (interest, skills and network)
 - sometimes led by law firms
e.g. managing legal risks, corporate governance
 - sometimes led by NGOs
e.g. anti-discrimination law, children & youth issues
 - sometimes skills-specific
e.g. basics of juvenile justice
- Work with **law firms or corporations** to help build pro bono interest e.g. pro bono policy, tailor-made projects

How do we add value? (2)

- **Encourage collaboration** to meet more needs and maximise impact e.g.:
 - involve law schools
 - create materials / training for NGOs doing similar work
 - work with law firms or corporations to create projects serving individuals
 - encourage pro bono partnerships that involve both commercial law firms and full-time public interest lawyers
- Help with **overcoming regulatory hurdles** in order to grow pro bono and public interest law in general e.g. through awareness-raising, policy analysis, providing platform for discussions

Greater good

Edwin Rekosh and **Tze-wei Ng** say a more active pro bono culture in Hong Kong will serve the disadvantaged by improving their access to legal justice and will bring us in line with a wider trend

Hong Kong is well recognised as a global financial capital and is blessed with one of the world's most mature legal systems. However, a quick survey of law firms here will show that the amount of pro bono work carried out lags behind peer cities like New York, London and Singapore. Why is this, especially when, despite its glistening image, Hong Kong has one of the most severe wealth gaps among developed regions?

Pro bono derives from the Latin phrase, *pro bono publico*, or "for the public good". When it applies to lawyers, it means voluntary and free legal service by lawyers for the public good.

It is no replacement for legal aid, which is state-funded; but it can help identify and fill the gaps in legal needs. It also addresses a broader spectrum of needs than those covered by legal aid: it can serve a broader social purpose by supporting the work of non-governmental organisations, thus helping them better serve the disadvantaged in society.

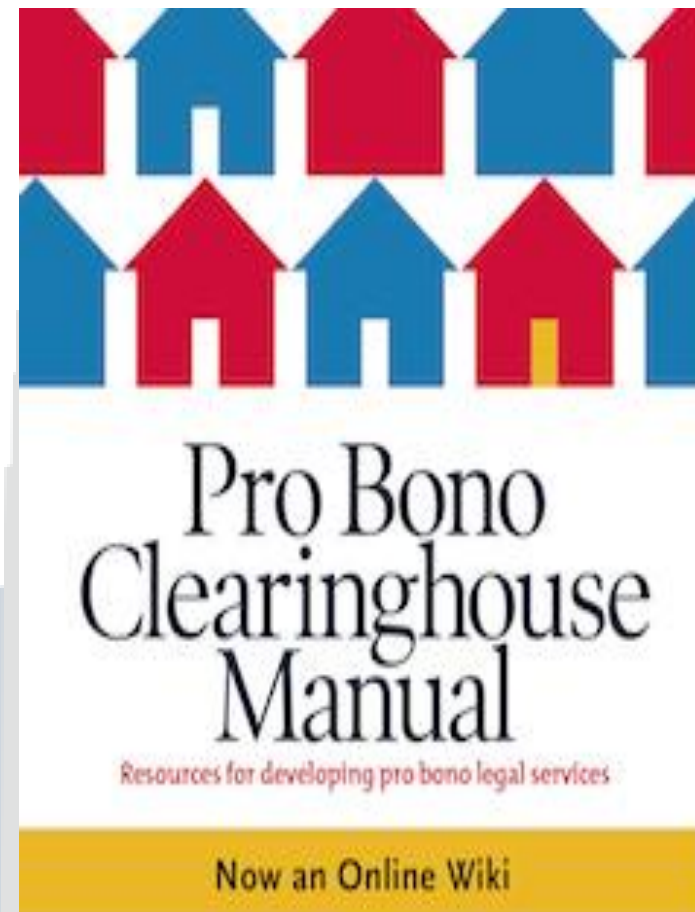
There are various reasons why the culture of pro bono hasn't taken root in Hong Kong: the long working hours of a lawyer practising in Hong Kong, the culture of giving money rather than time, and the strict professional rules on liability insurance coverage, which deter lawyers from taking up pro bono cases unless they have their firm's support, and so on.

It is also hard to set up law school clinics in Hong Kong – which would enable law students to do and learn from pro bono



Globally / Regionally:

- Global Clearinghouse
- Pro Bono Task Forces
 - LGBTI
 - Anti-trafficking
- Pro Bono Roundtables
- European Pro Bono Alliance
- Pro Bono Clearinghouse Workshop (June 22, 2015, Bangkok)



Thank you

For more information

E-mail: hkprobono@pilnet.org

Website: www.pilnet.org



**INFORM.
CONNECT.
EMPOWER.**



THOMSON REUTERS
FOUNDATION

4th Annual Asia Pro Bono Conference
Mandalay, September 2015

TRUSTLAW

SPREADING THE PRACTICE OF PRO BONO WORLDWIDE TO DRIVE SOCIAL CHANGE



THOMSON REUTERS
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REUTERS/Arko Datta

OUR MISSION

TrustLaw's mission is to **spread the practice of pro bono** by connecting NGOs and social enterprises with legal teams offering free legal assistance in over 170 countries.

We support NGOs and social enterprises at the frontlines of **social change** by helping them focus on their mission instead of spending resources on legal expertise. This, in turn, enables them to run their operations more effectively, scale business, and expand into new countries.

OUR GLOBAL REACH



HOW IT WORKS

JOIN THE NETWORK



CONNECT

LEGAL SUPPORT



Types of legal support

The pro bono projects TrustLaw supports range from operational legal issues for NGOs and social enterprises, including general commercial, intellectual property and employment matters, to international cross-border legal research.

LEGAL RESEARCH PROGRAMMES

Domestic Workers Rights and ILO Convention 189

TrustLaw partnered with Visayan Forum, a Philippine NGO that fights modern-day slavery, and White & Case to produce a report that examined existing laws that protect domestic workers in selected countries and identified where new laws will be required in order to provide domestic workers with the rights and protections embodied in ILO Convention 189.

In January 2013, the Philippines passed landmark legislation to protect domestic workers after ratifying the Convention. The research provided through this project was one of the key pillars Visayan used in negotiating with legislators.



A LANDSCAPE ANALYSIS OF DOMESTIC WORKERS' RIGHTS AND ILO CONVENTION 189

Published by the Thomson Reuters Foundation for the TrustWomen Conference

NOVEMBER 2012

WHITE & CASE

GRASTY QUINTANA MAJLIS & CIA.
J. ABOGADOS

TrustLaw
A THOMSON REUTERS FOUNDATION SERVICE

GUIDES TO SUPPORT THE SECTOR

INGO FORUM REGULATORY GUIDE

TrustLaw partnered with the INGO Forum and Tilleke Gibbins to prepare a soon-to-be-released regulatory guide that identifies the basic legal framework currently applicable to NGOs and briefly outlines its practical application. The guide will help NGOs active in Myanmar to understand how to operate as effectively as possible in the country.

2015

Tilleke & Gibbins

INGO REGULATORY GUIDE Myanmar

April, 2015

Prepared for INGO Forum Myanmar

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SOCIAL ENTERPRISE AND IMPACT INVESTING

This course is designed to provide **practical training** for lawyers on two key areas, social enterprise and impact investing, helping lawyers understand the important issues that affect the different agents in the sector and the role they can play in shaping it.



DATES

18 and 19 May, 2015
9.00am - 6.00pm

VENUE

Thomson Reuters Building
3 Times Square
New York
NY 10036

PRICING

The full two-day course will cost \$800. Participants can join for one day for \$500.

The cost of the course goes to support the work of the Thomson Reuters Foundation's global pro bono service, TrustLaw, whose mission is to spread the practice of pro bono worldwide.

CLE

This course has been approved for up to 13 credits in California and 15.5 credits in New York and New Jersey, including 1 ethics credit. Credits issued will be based upon verified attendance and applicable rules.

REGISTRATION

Space is strictly limited. Secure your spot at: trustlawtraining.trust.org

trustlaw@thomsonreuters.com

trustlawtraining.trust.org

TRUSTLAW INDEX OF PRO BONO



Launched in 2014, the **TrustLaw Index of Pro Bono** is the first global survey that looks at the amount of pro bono work law firms are undertaking on a country-by-country basis and identifies global trends in the pro bono marketplace.

TRUSTLAW'S IMPACT

TrustLaw has helped NGOs and social enterprises access \$54 million worth of free legal assistance in 170 countries.

Free legal assistance on small transactional projects has had a big **impact on local communities working to overcome poverty and discrimination**. We have supported grassroots organisations to employ their first staff members, helped vulnerable women access loans to start their first businesses and brought renewable energy lighting to slums.

At a global scale, we have **supported legal reform activities** to protect the rights of millions of domestic workers, changed legislation to support victims of violence, produced guides to protect people who experience street harassment, and crafted tools to support the prosecution of trafficking offenders.

Q&A



CONTACT

CAROLINA HENRIQUEZ-SCHMITZ – LEGAL OFFICER
carolina.h.schmitz@thomsonreuters.com

4th Asia Pro Bono Conference and Legal Ethics Forum Session

Presentation Plan Template

Name of Session: Encouraging and coordinating pro bono

Session Description/Aim: *One of greatest challenges in pro bono across Asia is getting appropriate referrals through to the law firms. Clearinghouses provide a critical point of coordination and advice as between pro bono seeker and pro bono provider. This session will explore ways that this can work better in the Asian region.*

Total Session Minutes: (90 min)

Facilitator:

(Tze-wei Ng), (PILNET), tng@pilnet.org

Co-Presenters:

1. Anne-Françoise Meeùs, (Avocats Sans Frontières 'ASF'), afmeeus@asf.be
2. Carolina Henriquez Schmitz, (TrustLaw), carolina.h.schmitz@thomsonreuters.com
3. Sue Garlick, (QPILCH), deputy@qpilch.org.au

Session Plan:

Activity Step	Activity Description	Time (Min)	Presenters	Materials Needed
1	Intoduction: The Matchmaker! (Brief logistics intro) Ask the participants about their familiarity with matchmaking – traditional, internet-based, etc. – some qualities they expect from good matchmatkers* - and then connect this back to the idea that clearinghouses are like matchmakers. (Format: we'll keep a projected sheet up where we'll jot down key points mentioned)	10		

	<p>* Points from Sue: Reputation Listener Values relationships Dignified process Accessible to all parties Aware of options and offers broad variety Respects clients need and situation etc.</p>			
2	<p>Show of hands from audience (familiarity with PBCH)</p>	5		
3	<p>Brief intro of our four models</p>	15		
4	<p>Common elements: (we should try to link these to the list already generated about good qualities of a matchmaker)</p> <ul style="list-style-type: none"> - reaching out to lawyers / NGOs / other key stakeholders - the matching itself (how? Email? Online?) - following up - others? <p>(Format: ask audience to identify common elements, points recorded on projection, with arrows to existing list)</p>	5		
5	<p>A key question at the outset: What's the supply and demand? <u>Each jurisdiction and client will be different!</u> How do you assess unmet legal needs and maximize existing pro bono resources?</p> <p>(Format: facilitated discussion with sharing from panelists, three column sheet on projection –</p>	10		

	lawyers/clearinghouse/needs – input from audience, preferably different countries)			
6	<p>What each of us do to add value? New trends and challenges</p> <p>PILnet: Challenge: raise general awareness of pro bono; getting local lawyers involved, social enterprise Things we do: pro bono workshops, projectising, connecting different legal actors</p> <p>QPILCH: connecting to hard to reach, individual clients (not just organizations)/providing a large menu of options for different size/focussed firms/training and resourcing lawyers to do pro bono</p> <p>TrustLaw: Things we do: we operate globally, forging connections in over 170 countries; we assist both NGOs and social enterprises; we assist with transactional projects and impactful legal research programs. New trends: social enterprise; pro bono partnerships</p> <p>ASF: ASF believes in the social role of the lawyer as an agent of change Therefore, ASF promotes Pro Bono spirit and work both at international and local level in its countries of intervention; Full integration of pro bono into ASF operations and projects; In-house coordination through the “ILN” with global process: from registration to the ILN network and</p>	25		

	<p>identification of needs, selection of pro bono lawyer, technical (pre-departure briefing) and logistical preparation, to the follow up of missions and debriefing and evaluation of activity.</p> <p>(Format: depends on answers we all give here, it can be a Q&A amongst panelists, rather than each of us just talk in turn?)</p>			
7	<p>Scoping exercise: The over-arching question here is: consider the scenario and outline what you hope a clearing house would do to assist you?</p> <p>Each of us come up with a real example, description of an NGO request as it came into our door, and lead small group discussion on how to frame the request, the various considerations involved in thinking what would be a suitable pro bono lawyer/law firm/law school for the request</p> <p>*We will try to cover different kind of NGOs, different kind of requests (research v.s. setting up a new entity, human rights v.s. corporate law), local v.s. cross-border</p> <p>PILnet: A new student-led social enterprise that focuses on online sex education for young people (Company law, IP, disclaimer online, privacy issues, juvenile justice questions)</p> <p>QPILCH: Our homelessness pro bono service identified that young people transitioning out of state</p>	20		

	<p>child protection orders were at a high risk of homelessness. The young people don't recognize that lawyers might be helpful. How can we connect pro bono resources to this group?</p> <p>Trustlaw: A non-profit working for the welfare of marginalized migrants, particularly around issues of domestic work, child labor and human trafficking, identified inconsistencies in the Philippines' domestic laws with ILO Convention on Decent Work for Domestic Workers. It wants to do some comparative research to develop an advocacy strategy but doesn't know where to start.</p> <p>ASF</p> <p>3 Burundese lawyers want to appeal against several decisions of the National Office for the Protection of Refugees (ONPRA) which violate the recent Burundese Law on Refugees and Asylum Seekers and the 1951 Geneva Convention. However, such an appeal has never been introduced before the Administrative Court in Burundi. They are therefore looking for technical support in the preparation of the appeal and more generally in the development of an innovative legal strategy which will contribute to the evolution of administrative and judicial practices in the Administrative Court.</p> <p>(Format: small group discussion for 10 min, sharing for 10 min)</p>			
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8	Question and answer	5		
Total Time:		90		