

# GLOBAL CORPORATE PRO BONO MAP

SURVEY OF PRO BONO PRACTICES AND REGULATIONS  
FOR LEGAL DEPARTMENTS

JULY 2017



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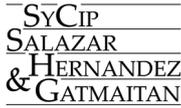


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# ABOUT THE THOMSON REUTERS FOUNDATION

The Thomson Reuters Foundation stands for free, independent journalism, human rights, women's empowerment, and the rule of law. We use the skills, values, and expertise of Thomson Reuters to run programmes that trigger real change and empower people around the world, including free legal assistance, journalism and media training, coverage of the world's underreported stories, and the Trust Conference.

TrustLaw is the Thomson Reuters Foundation's global *pro bono* legal programme, connecting the best law firms and corporate legal teams around the world with high-impact NGOs and social enterprises working to create social and environmental change. We produce groundbreaking legal research, and offer innovative training courses worldwide. Through TrustLaw, over 120,000 lawyers offer their time and knowledge to help organisations achieve their social mission for free. This means NGOs and social enterprises can focus on their impact instead of spending vital resources on legal support.

TrustLaw's success is built on the generosity and commitment of the legal teams who volunteer their skills to support the NGOs and social enterprises at the frontlines of social change. By facilitating free legal assistance and fostering connections between the legal and development communities we have made a huge impact globally.

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. Free legal assistance on these small projects has had a big impact on local communities working to overcome poverty and discrimination. 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.

Legal research reports and other TrustLaw publications are legal resources that take an in-depth look at a legal issue in a number of countries. This may be in the form of a comparative analysis of laws in different countries, or a legal landscape analysis. These resources aim to help TrustLaw members advocate for legal reform, inform policy activities or propose legal amendments. Our resource library can be found on the TrustLaw homepage at [trustlaw.trust.org](https://trustlaw.trust.org).



# ABOUT LATHAM & WATKINS

## PRO BONO & COMMUNITY SERVICE<sup>1</sup>

At Latham & Watkins, the *pro bono* practice has become a hallmark of the firm. It is central to the culture and an important part of life at Latham.

Latham & Watkins has a long-standing commitment to providing *pro bono* legal services, financial support and volunteer time to those most in need within our communities.

Latham's dedication to *pro bono* work is a source of pride and reflects a fundamental part of the firm's culture. Each year, our lawyers and professional staff take on matters in nearly every area of public interest law, including veterans' rights, asylum and immigration, domestic violence, Holocaust reparations, anti-human trafficking, prisoners' rights, microfinance and social entrepreneurialism, children and civil rights.

## OUR PROGRAM

Latham volunteers thousands of hours of time and expertise to help those who might otherwise be denied access to the legal system.

- As a signatory to the Law Firm Pro Bono Challenge™, Latham has committed to provide, at minimum, the equivalent of 60 hours per US lawyer per year in *pro bono* legal services. The firm has surpassed this goal every year since making the commitment.
- Between 2000–2016, Latham provided approximately 3 million *pro bono* hours in free legal services to underserved individuals and families and the nonprofit sector valued at approximately US\$1.3 billion.
- In 2016 alone, over 2,500 Latham employees from 31 offices in 13 countries contributed over 206,000 *pro bono* hours valued at over \$135 million.

We treat our *pro bono* work the same as commercial work, applying the same quality standards and treating associate *pro bono* hours the same as commercial billable hours for purposes of evaluation and bonuses. There is no cap on *pro bono* hours.

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<sup>1</sup>Our 2016 Pro Bono Annual Review can be found at: <https://www.lw.com/admin/Upload/Documents/PBAR-2016-web.pdf>

## OUR PRO BONO WORLDWIDE

**925**

NEW MATTERS  
UNDERTAKEN  
THIS YEAR



APPROX.

**us\$135  
MILLION**

VALUE OF  
FREE LEGAL  
SERVICES  
PROVIDED  
IN 2016



PERCENTAGE OF  
LAWYERS PARTICIPATING  
IN PRO BONO:



IN THE  
UNITED  
STATES



IN ASIA,  
EUROPE,  
AND THE  
MIDDLE EAST



ALL  
LATHAM  
LAWYERS

AVERAGE NUMBER OF  
HOURS PER LAWYER  
DONATED TO PRO BONO  
MATTERS IN 2016:

79 (FIRMWIDE)

94 (US)



APPROX.

**206,000**

HOURS OF FREE  
LEGAL SERVICES  
PROVIDED IN 2016

APPROX.

**3,000,000**

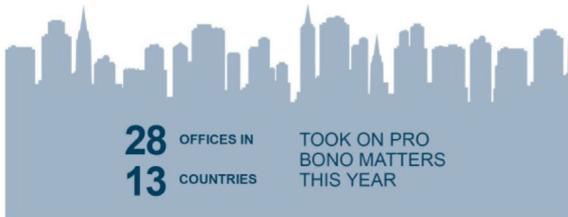
HOURS OF FREE  
LEGAL SERVICES  
PROVIDED SINCE 2000



APPROX.

**us\$1.3  
BILLION**

VALUE OF FREE  
LEGAL SERVICES  
PROVIDED  
SINCE 2000

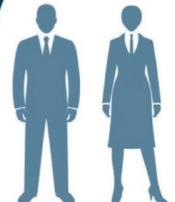


NUMBER OF AWARDS  
RECEIVED BY THE FIRM,  
OUR OFFICES, AND OUR  
LAWYERS IN 2016 FOR  
PRO BONO WORK:



NUMBER OF PARTICIPATING  
LAWYERS, SUMMER ASSOCIATES,  
TRAINEES, AND STAFF:

**2,767**





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# TABLE OF CONTENTS

I. INTRODUCTION .....	11
II. PRO BONO PRACTICES AND REGULATIONS FOR LEGAL DEPARTMENTS 12	
ARGENTINA .....	13
AUSTRALIA .....	15
BELGIUM.....	18
BRAZIL.....	20
BULGARIA .....	23
CANADA .....	26
CHILE .....	28
CHINA .....	31
COLOMBIA .....	33
COSTA RICA .....	35
DENMARK .....	37
EL SALVADOR .....	39
ENGLAND & WALES .....	41
FINLAND.....	44
FRANCE .....	47
GERMANY .....	49
GHANA.....	52
GREECE .....	54
GUATEMALA.....	56
HAITI .....	58
HONG KONG.....	60
INDIA.....	62
INDONESIA .....	64
IRELAND.....	66
ISRAEL .....	68
ITALY .....	70

JAPAN .....	72
KENYA .....	74
LUXEMBOURG .....	78
MEXICO .....	80
THE NETHERLANDS .....	82
NIGERIA .....	84
NORWAY .....	87
PANAMA .....	89
PERU .....	91
PHILIPPINES .....	93
POLAND .....	95
PORTUGAL .....	98
RUSSIA.....	101
SAUDI ARABIA.....	103
SCOTLAND.....	105
SINGAPORE .....	107
SOUTH AFRICA .....	109
SOUTH KOREA.....	111
SPAIN .....	113
SWEDEN .....	116
SWITZERLAND .....	118
THAILAND .....	120
TURKEY .....	122
UGANDA .....	124
UNITED ARAB EMIRATES .....	126
UNITED STATES .....	129
URUGUAY .....	131



# INTRODUCTION

Corporate *pro bono* has seen a dramatic rise in recent years - more and more legal departments around the world are volunteering their time and expertise to serve disadvantaged communities, educate the public about the legal profession and provide assistance to social impact organizations. With their legal skills, business acumen and broad geographic reach, corporate legal departments are well placed to make an exceptional contribution to *pro bono* services globally.

Many companies have established structured and sophisticated *pro bono* programs for their legal departments, but some in-house counsel still face real barriers to engaging in *pro bono*, particularly in countries where the practice of *pro bono* is incipient. It can be challenging, for example, to identify suitable projects and clients and there is often uncertainty around regulatory and insurance requirements.

**TrustLaw's Global Corporate Pro bono Initiative** is dedicated to breaking down these remaining barriers and supporting the growth of corporate *pro bono* around the world. TrustLaw works with corporate legal departments to build, strengthen and expand their *pro bono* programmes, and facilitates access to high quality, high impact *pro bono* work with organisations at the forefront of social change.

As part of this Initiative, Trustlaw develops and provides access to tools and resources for managing global *pro bono* programmes, including this new **Global Corporate Pro bono Map**. The Map is the result of a remarkable collaborative effort –with contributions from over 30 law firms and corporate legal departments in more than 50 jurisdictions–, and is intended to help corporate legal departments navigate the educational, regulatory, licensing and insurance requirements for local and foreign-qualified in-house lawyers delivering *pro bono* services where they work.

We hope the Map will inspire in-house lawyers across the world to do more *pro bono* work, help bridge the access to justice gap by volunteering to serve communities in need and support organizations working to address some of the greatest challenges of our time.



# PRO BONO PRACTICES AND REGULATIONS FOR LEGAL DEPARTMENTS





# ARGENTINA

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except foreign qualified lawyer must validate foreign degree	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The ethical rules that govern the practice of law generally in Argentina are regulated and enforced by bar associations in Argentina, which are organised according to provinces and territories within each province. The exception to this general rule is the City of Buenos Aires, which is regulated by Law N° 23.187.<sup>1</sup> As part of this mandate, bar associations also promote and organize the provision of *pro bono* services by their members.

Some of the bar associations' policies imply that attorney members have a duty to provide free legal services. However, the policies of each bar association may differ and the requirements as to *pro bono* services will depend on the individual policies of each bar association.

Lawyers and law firms are not prohibited from publicising *pro bono* services, but practically speaking, they do not generally do so since they receive cases through *pro bono* clearing houses. Although there is no ethical restriction on *pro bono* lawyers' ability to collect fees for the provision of *pro bono* services (as is the case with the *Consultorio Jurídico Gratuito's* free legal assistance programme), lawyers must comply with the policies of the *Pro bono* Commission or whichever other *pro bono* clearinghouse or referring agency they work with when it comes to charging for the provision of *pro bono* services.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a specific license to provide <i>pro bono</i> services. However, in-house lawyers are required to have a law degree from Argentina and to be registered with a local bar association to be able to practice law (including the provision of <i>pro bono</i> services) in Argentina.</p> <p>According to Law Number 23.187, Section 11, in order to practice law in Argentina, lawyers must have a degree from an accredited university (i.e., authorized by the Ministry of Culture and Education) to register before the Colegio de Abogados (Bar Association) which has federal jurisdiction over all provinces and also regulates Buenos Aires.<sup>2</sup></p>
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<sup>2</sup> See: [http://www.cpacf.org.ar/inst\\_ley\\_23187.php](http://www.cpacf.org.ar/inst_ley_23187.php); [http://www.cpacf.org.ar/inst\\_codigo\\_etica.php](http://www.cpacf.org.ar/inst_codigo_etica.php)

<sup>3</sup> See: [http://www.cpacf.org.ar/mat.php?sec=mat\\_requisitos](http://www.cpacf.org.ar/mat.php?sec=mat_requisitos).

<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>No. Foreign-qualified in-house lawyers do not require any additional license(s) to provide <i>pro bono</i> services in Argentina.</p> <p>However, in order to practise law generally (including the provision of <i>pro bono</i> services) in Argentina, a foreign lawyer is required to obtain the recognition of his/her foreign diploma at a state or private university. Each such university has its own administrative requirements for the recognition of foreign diplomas. Once the relevant foreign lawyer has received such recognition, s/he may register with the Bar Association to practise law in Argentina.<sup>3</sup></p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. There is no specific rule requiring in-house lawyers to work a minimum number of <i>pro bono</i> hours.</p> <p>However, as of 2017, 21 private Argentine law firms have signed the <i>Pro bono</i> Declaration for the Americas (the "Declaration"), spearheaded by the Cyrus R. Vance Center for International Justice of the New York Bar, as well as the Bar Association of Buenos Aires.<sup>4</sup> The Declaration calls for each signatory to commit to an average of no less than twenty hours of annual <i>pro bono</i> work per practising attorney. Corporations with in-house lawyers are also permitted to sign the Declaration.<sup>5</sup></p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. Lawyers (including in-house lawyers) in Argentina do not require professional indemnity legal insurance cover for any legal services (including <i>pro bono</i> services) that they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Other than the requirements referred to in section I.B.1 above, there are no specific limitations on in-house lawyers providing <i>pro bono</i> services in Argentina.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Other than the requirements referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers providing <i>pro bono</i> services in Argentina.</p>

<sup>3</sup> See: [http://www.cpacf.org.ar/mat.php?sec=mat\\_requisitos](http://www.cpacf.org.ar/mat.php?sec=mat_requisitos).

<sup>4</sup> See: <http://www.probono.org.ar/miembros.php>.

<sup>5</sup> See: <http://www.probono.org.ar/en/pro-bono-declaration.php>.



# AUSTRALIA

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No	No	No	Yes	Yes	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

Apart from the requirements to hold a valid legal practice certificate and to obtain and maintain valid professional indemnity insurance, there are generally no rules that specifically regulate the provision of *pro bono* services by in-house lawyers in Australia.

For some general resources on *pro bono* work by in-house lawyers see (i) the Australian *Pro bono* Centre's page on in-house lawyers;<sup>1</sup> and (ii) The Australian In-House Legal Counsel *Pro bono* Guide (2015).<sup>2</sup>

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a specific license to provide <i>pro bono</i> services. However, all lawyers (including in-house lawyers) that wish to provide legal services (including <i>pro bono</i> services) are required to hold a current practising certificate in one of Australia's eight jurisdictions, which has been issued by the relevant body in the relevant jurisdiction. The licensing requirements for in-house lawyers in each of the eight jurisdictions are as follows:</p> <p><b>New South Wales:</b> In-house lawyers are required to hold a specific corporate practising certificate for a corporate legal practitioner. A person holding such a practising certificate is also permitted to provide <i>pro bono</i> legal services (subject to insurance requirements).<sup>3</sup></p> <p><b>Victoria:</b> In-house lawyers hold a corporate practising certificate and such certificate will contain a condition specifying that they are only permitted to provide legal services to their employer and not to clients generally. However, a corporate practising certificate also permits a person to provide <i>pro bono</i> legal services to persons other than his/her employer (subject to insurance requirements).<sup>4</sup></p> <p><b>Western Australia:</b> All lawyers (including in-house lawyers) require a practicing certificate, which allows them to provide <i>pro bono</i> legal services (subject to insurance requirements).<sup>5</sup></p>
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<sup>1</sup> See: <http://probonocentre.org.au/provide-pro-bono/in-house/#resources>.

<sup>2</sup> See: [https://www.dlapiper.com/~/\\_media/Files/Insights/Publications/2012/05/The%20Australian%20Inhouse%20Legal%20Counsel%20Pro%20Bono%20Gu\\_\\_/Files/inhousecounselprobonoguideupdated/FileAttachment/inhousecounselprobonoguideupdated.pdf](https://www.dlapiper.com/~/_media/Files/Insights/Publications/2012/05/The%20Australian%20Inhouse%20Legal%20Counsel%20Pro%20Bono%20Gu__/Files/inhousecounselprobonoguideupdated/FileAttachment/inhousecounselprobonoguideupdated.pdf)

<sup>3</sup> See: <http://www.lawsociety.com.au/ForSolicitors/practisinglawinnsww/yourpractisingcertificate/practisingcertificates/index.htm>

<sup>4</sup> See: [http://lsbc.vic.gov.au/?page\\_id=218](http://lsbc.vic.gov.au/?page_id=218)

<sup>5</sup> See: <http://www.lpbwa.org.au/>.

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p><b>South Australia:</b> All lawyers (including in-house lawyers) require a practicing certificate, which allows them to provide <i>pro bono</i> legal services (subject to insurance requirements).<sup>6</sup></p> <p><b>Queensland:</b> All lawyers (including in-house lawyers) require a practicing certificate, which allows them to provide <i>pro bono</i> legal services (subject to insurance requirements).<sup>7</sup></p> <p><b>Tasmania:</b> In-house lawyers are only permitted to hold a corporate practicing certificate, which does not allow them to provide legal services (including <i>pro bono</i> legal services) to anyone other than their employers.<sup>8</sup></p> <p><b>Northern Territory:</b> In-house lawyers are only permitted to hold a corporate practicing certificate, which does not allow them to provide legal services (including <i>pro bono</i> legal services) to anyone other than their employers.<sup>9</sup></p> <p><b>Australian Capital Territory:</b> In-house lawyers are only permitted to hold a practicing certificate with a corporate condition on it, which does not allow them to provide legal services (including <i>pro bono</i> legal services) to anyone other than their employers.<sup>10</sup></p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Foreign-qualified lawyers who do not hold a practising certificate from one of Australia's eight jurisdictions are prohibited from providing legal services (including <i>pro bono</i> services) that relate to Australian law and are only entitled to practise the foreign law in respect of which they are qualified.</p>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required by external rules in Australia to work a minimum number of <i>pro bono</i> hours.</p> <p>However, individual in-house lawyers are able to sign up to the National <i>Pro bono</i> Aspirational Target, which sets a target of 35 hours of <i>pro bono</i> legal services per lawyer per year. As at 30 June 2015, 11,300 lawyers had signed up to the target.<sup>11</sup></p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in Australia do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

<sup>6</sup> See: [http://www.lawsociety.asn.au/LSSA/Lawyers/Ethics\\_and\\_Practice/Practising\\_Certificates.aspx](http://www.lawsociety.asn.au/LSSA/Lawyers/Ethics_and_Practice/Practising_Certificates.aspx).

<sup>7</sup> See: [http://www.qls.com.au/For\\_the\\_profession/Regulating\\_the\\_profession/Practising\\_Law\\_in\\_Queensland](http://www.qls.com.au/For_the_profession/Regulating_the_profession/Practising_Law_in_Queensland).

<sup>8</sup> See: <http://lst.org.au/public-info/regulation/practising-certificate-conditions/>.

<sup>9</sup> See: <http://lawsocietynt.asn.au/for-the-profession/practising-certificates-and-insurance-2/practising-certificates-1.html>.

<sup>10</sup> See: <https://www.actlawsociety.asn.au/public-information/practising-certificate-conditions>.

<sup>11</sup> See: <http://probonocentre.org.au/provide-pro-bono/solicitor-or-barrister/national-pro-bono-aspirational-target/>.

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>Yes. In-house (and government) lawyers may provide <i>pro bono</i> services only if:</p> <ul style="list-style-type: none"> <li>• they are providing the services through certain community legal centers or pro bono clearing houses,<sup>12</sup> which themselves hold professional indemnity insurance, so that the lawyer is not required to separately maintain professional indemnity insurance; or</li> <li>• they hold professional indemnity insurance, which they would be required to take out separately from any professional indemnity insurance held by their employer generally.</li> </ul> <p>Professional indemnity insurance is available free of charge through an insurance scheme with the National <i>Pro bono</i> Resource Centre (the “NPBRC”). The NPBRC’s National <i>Pro bono</i> Professional Indemnity Insurance Policy is underwritten by LawCover and is held by the NPBRC. The insurance scheme provides cover for both in-house or government lawyers (but not those in private practice).<sup>13</sup></p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>All Australian jurisdictions have a period of restricted practice (between 18 months to 24 months) following a lawyer’s admission to the roll, during which time lawyers cannot provide legal advice (whether paid or on <i>pro bono</i> basis) without supervision by a lawyer holding an unrestricted practicing certificate.</p> <p>In addition, as referred to in section I.B.1 above, the licensing requirements in Tasmania, Northern Territory and Australian Capital Territory do not allow in-house lawyers to provide legal services (including <i>pro bono</i> legal services) to anyone other than their employers.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Other than the requirements referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers in Australia.</p>

<sup>12</sup> See, e.g., <https://www.justiceconnect.org.au/get-involved/lawyers-and-barristers/house-counsel-pro-bono-work>

<sup>13</sup> See: <http://probonocentre.org.au/provide-pro-bono/pi-insurance-scheme/>.



# BELGIUM

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for judicial proceedings	No	No	No, except for judicial proceedings	Yes	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

In Belgium, in-house lawyers should be distinguished from attorneys that are admitted to the bar. The essential difference is that an in-house lawyer operates under an employment agreement whereas an attorney is required to be self-employed. Only attorneys are permitted to represent clients in judicial proceedings.<sup>1</sup>

There are no specific rules regulating the provision of *pro bono* services by in-house lawyers in Belgium. However, in-house lawyers are bound by the general prohibition on misleading information under the Belgian trade law code, which may impact their ability to advertise any *pro bono* work that they have done (although such prohibition does not prevent them from providing *pro bono* services).

On the other hand, self-employed lawyers that are licensed by one of the 26 local bar authorities in Belgium are required to comply with stricter rules on publicity that are prescribed by their respective bar associations. As with the rules under the Belgian trade law code, the rules prescribed by bar associations do not prohibit the provision of *pro bono* services, but they may prohibit the advertisement of *pro bono* successes.

By way of example, members of the Flemish bar association (Orde van Vlaamse Balies), generally are not restricted from advertising *pro bono* services and successes provided that the relevant *pro bono* client has given them the permission to do so.<sup>2</sup> Conversely, members of the French and German-speaking bar association, (Ordre des Barreaux Francophones et Germanophones), are required to comply with strict rules regarding publicity and are not permitted to reveal the identity of any of their clients.<sup>3</sup>

Accordingly, before launching a *pro bono* advertising campaign, it is advisable for self-employed lawyers that are licensed by one of the 26 local bar authorities in Belgium to present the details of such campaign to a representative of the respective orders and to request an informal approval. Such an approval will help to prevent law firms or other legal practitioners from making claims or complaints to the Presidents of the respective orders.

<sup>1</sup> See <http://www.ije.be/debedrijfsjurist/hoewordikbedrijfsjurist/voorwaarden.aspx>.

<sup>2</sup> See : <https://privaat.advocaat.be/Documenten/OVB/Hernummerde%20Codex%20Deontologie%202016%2010%2028.pdf>

<sup>3</sup> See: [http://www.barreaudebruxelles.info/images/publications/recueil\\_codeon\\_rdb.pdf](http://www.barreaudebruxelles.info/images/publications/recueil_codeon_rdb.pdf)

## B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a specific license to provide <i>pro bono</i> services, unless the services in question require representation in judicial proceedings. In Belgium, lawyers that wish to represent clients in judicial proceedings are required to be self-employed for ethical reasons and licensed by one of the 26 local bar authorities in Belgium, whereas in-house lawyers qualify as employees.</p> <p>More information on the licensing requirements in Belgium is available on:</p> <p><a href="https://www.advocaat.be/Advocaat-worden">https://www.advocaat.be/Advocaat-worden</a> (Dutch)</p> <p><a href="http://avocats.be/fr/comment-devenir-avocat">http://avocats.be/fr/comment-devenir-avocat</a> (French and German)</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>No. In-house lawyers (whether foreign- or Belgian-qualified) do not require any additional license(s) to provide <i>pro bono</i> services, unless the services in question require representation in judicial proceedings.</p> <p>See section I.B.1 above on the requirements to be able to represent clients in judicial proceedings.</p>

## C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required by external rules to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked. Such credits can only be received through participation in permanent education initiatives which have been certified by one of the 26 local bar authorities in Belgium.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers are not required to have individual professional indemnity legal insurance cover for any <i>pro bono</i> services they provide. Given that they qualify as employees, any liability will fall on the firm/organisation by which they are employed. It is the responsibility of the relevant firm/organisation to arrange insurance cover for any <i>pro bono</i> services provided by the in-house lawyers employed by it. In addition, in-house lawyers are not prevented from self-insuring or from working under the insurance coverage of another <i>pro bono</i> provider.</p> <p>In-house lawyers registered with the Institute of Corporate Lawyers are automatically insured by way of their membership to the Institute.</p>
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<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services, unless the services in question require representation in judicial proceedings.</p> <p>See section I.B.1 above on the requirements to be able to represent clients in judicial proceedings.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>EU-qualified in-house lawyers who provide legal services (including <i>pro bono</i> services) in Belgium may do so on an unrestricted basis whether they are established in Belgium or not, unless the services in question require representation in judicial proceedings. Such representation requires (i) registration on the EU list of one of the 26 local bar authorities in Belgium and (ii) where required by Belgian law, mandatory cooperation with a qualified Belgian lawyer during the relevant judicial proceedings.</p> <p>Non-EU-qualified in-house lawyers may provide legal services (including <i>pro bono</i> services) in Belgium unless the services in question require representation in judicial proceedings. Such representation requires: (i) registration on the B-list<sup>4</sup> of one of the 26 local bar authorities in Belgium and (ii) where required by Belgian law, mandatory cooperation with a qualified Belgian lawyer during the relevant judicial proceedings (e.g., the agreement between the Brussels Bar (French and Dutch speaking Orders) and the American Bar Association on August 6, 1994).<sup>5</sup></p>

<sup>4</sup> Lawyers who are nationals of a Member State of the European Union are entitled to practise in Belgium and will normally seek registration on the "EU-list". Lawyers who are nationals of third countries (i.e. non-EU Member States) may also practice in Belgium on a permanent basis and, for that purpose, request registration on the "B-list".

<sup>5</sup> See: <http://www.baliebrussel.be/files/media/09f9d7cf9dcc7bb7f1baf766e86b9729.pdf>



# BRAZIL

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for foreign-qualified lawyers	No	No	No, unless the beneficiary doesn't qualify	No	No, unless foreign-qualified

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The rules prescribed by the Brazilian Federal Bar Association regulate the provision of *pro bono* services in Brazil and explicitly allow in-house lawyers to provide *pro bono* services (Provimento n. 166/2015).<sup>1</sup>

*Pro bono* services can only be rendered to legal or natural persons that do not have the resources to hire a professional lawyer (art. 1). In addition, paid legal services may not be provided to any such legal or natural person for a period of <sup>3</sup> years after the completion of the *pro bono* services rendered (art. 4). Moreover, *pro bono* services may not be rendered to political parties or for political purposes (art. 5.).

In relation to advertisement of *pro bono* services, Brazil has a complex system regarding the soliciting of new clients, including *pro bono* clients. According to the Brazilian Bar's Ethics Code,<sup>2</sup> advertising of legal services (including *pro bono* services) should be merely informative and should not constitute active solicitation of clients or "marketing" the legal profession (art. 39). Accordingly, if asked to provide information, lawyers may inform clients about their general past experience, but they should refrain from actively advertising *pro bono* successes or soliciting new *pro bono* clients.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers are required to be members of the Brazilian Bar in the same way as any other attorney in Brazil, but there are no specific licenses required to provide <i>pro bono</i> services in Brazil.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	Yes. Foreign-qualified lawyers (whether in-house or private) are not permitted to provide any type of Brazilian law legal services, including <i>pro bono</i> services. Foreign-qualified lawyers may act as consultants in foreign law, as long as they are registered with the Brazilian Bar for this purpose. <sup>3</sup> Foreign-qualified lawyers may only practice Brazilian law if they validate their foreign law degree with the Brazilian Bar and pass the exam required to become a member of the Brazilian Bar. <sup>4</sup>

<sup>1</sup> See : <http://www.oabsp.org.br/tribunal-de-etica-e-disciplina/legislacao/resolucao-pro-bono>

<sup>2</sup> See: <http://www.oab.org.br/arquivos/resolucao-n-022015-ced-2030601765.pdf>

<sup>3</sup> See: Administrative Ruling No 91, of March 13, 2000.

<sup>4</sup> See: Law No 8906, of July 4, 1994, Article 8.

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. There are no rules in Brazil requiring lawyers (including in-house lawyers) to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. Lawyers (including in-house lawyers) in Brazil are not required to have professional indemnity legal insurance cover for any legal services (including <i>pro bono</i> services) that they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Beyond the general limitations established in in section I.A above, there are no specific limitations on in-house lawyers providing <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Beyond the general limitations established in in section I.A above, there are no specific limitations on foreign-qualified in-house lawyers providing <i>pro bono</i> services.</p>



# BULGARIA

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No	No	No	No	Yes - only for members of the Bar	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

In accordance with Bulgarian legislation, an "in-house lawyer" can be:

1) An attorney-at-law ("Advokat") who is a qualified lawyer and a member of the Bar and provides legal services exclusively to a particular commercial company, NGO or other corporate body under a legal services agreement.

The "Advokat" shall be a qualified lawyer authorized to practice law pursuant to Art. 294 through Art. 301 of the Bulgarian Judiciary System Act ("**BJSA**")<sup>1</sup> and shall be also admitted to the Bar in compliance with the requirements of the Bulgarian Bar Act ("**BBA**").<sup>2</sup> Pursuant to the BBA there is no prohibition on providing *pro bono* services by attorneys-at-law.

However, Art. 42 of the BBA provides for a general prohibition for the attorneys-at-law to advertise their activity including *pro bono* services. At the same time attorneys-at-law may maintain websites with professional information, including information on *pro bono* services and successes. Furthermore, pursuant to Art. 8 of the Code of Ethics of Attorneys-at-law ("**CEA**")<sup>3</sup> enacted by the Supreme Bar Council, attorneys-at-law may inform the public about their professional activities by media or electronic means of communication. Promising results is prohibited as well as comparative advertisement, including in relation to *pro bono* services and successes. Attorneys-at-law are prohibited to provide information on clients, including by providing information on *pro bono* services, or *pro bono* successes.

2) An in-house counsel (BG "Juriskonsult") who is a qualified lawyer but is not a member of the Bar and provides legal services exclusively to a particular commercial company, NGO or other corporate body under the terms of a labour contract.

The "Juriskonsult" shall be a qualified lawyer pursuant to the BJSA but pursuant to the BBA may not be a member of the Bar. The "Juriskonsult" may represent his/her employer in court proceedings pursuant to Art. 32 of the Bulgarian Civil Proceedings Code ("**BCPC**").<sup>4</sup>

There is no legal regulation of the profession of "Juriskonsult". A Bill regulating the profession of "Juriskonsult" was drafted in 2005, but was never enacted. So there are no rules regulating *pro bono* services provided by a "Juriskonsult" and no restrictions regarding advertisements of *pro bono* services or successes or soliciting new *pro bono* clients. The above-mentioned may however be regulated by the labour contract of the "Juriskonsult" and/or company policies.

<sup>1</sup> Promulgated, State Gazette (SG) No. 64/7.08.2007, as amended and supplemented, SG No. 14/10.02.2017 and available online in Bulgarian language: <http://www.lex.bg/laws/ldoc/2135560660>

<sup>2</sup> Promulgated, State Gazette (SG) No 55/25.06.2004, as amended and supplemented, SG No. 32/22.04.2016 and available online in Bulgarian language: <http://www.lex.bg/laws/ldoc/2135486731>

<sup>3</sup> Adopted by the Supreme Bar Council, Decision No. 324/8.07.2005, Promulgated, State Gazette (SG) No. 60/22.07.2005, supplemented, SG No. 43/08.06.2010 and available online in Bulgarian language: <http://www.lex.bg/laws/ldoc/2135507578>

<sup>4</sup> Promulgated, State Gazette No. 59/20.07.2007, as amended and supplemented, SG No. 13/7.02.2017 and available online in Bulgarian language: <http://www.lex.bg/laws/ldoc/2135558368>

## B. Licensure

<p>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</p>	<p>No. There is no specific requirement concerning a license to provide <i>pro bono</i> services. Attorneys-at-law are generally required to be admitted to a Bar in order to provide any kind of legal services. An in-house counsel has to be qualified to practice law under the BJSА in order to provide any kind of legal services and assistance.</p>
<p>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</p>	<p>There are specific requirements provided in Art. 10 of the BBA for a foreign-qualified attorney (who is not a Bulgarian citizen or a citizen of another EU member state, EEA or Switzerland) and is admitted to a Bar in his country, to represent his fellow citizen before Bulgarian courts. No additional licenses are required, irrespective of whether the services are <i>pro bono</i> or not.</p> <p>European foreign-qualified attorneys (citizens of EU, EEA or Switzerland), who are not permanently established in Bulgaria, but have been qualified under the legislation of another EU member state, EEA state or Switzerland may provide legal services (other than representation in court), including <i>pro bono</i> services, without an additional license if they are part of a group of attorneys-at-law. In court proceedings they should be supervised by a Bulgarian attorney, admitted to a Bulgarian Bar (Art. 11 through Art. 15 of the BBA). Permanently established European attorneys shall be registered in the Register of Foreign Attorneys-at-law. They may provide legal services (other than representation in court), including <i>pro bono</i> services, but in court proceedings they should be supervised by a Bulgarian attorney, admitted to a Bulgarian Bar. After 3 years of practice and if they meet the statutory criteria they may qualify under the BBA and be admitted to a Bar.</p> <p>A foreign-qualified lawyer has to qualify as a Bulgarian lawyer pursuant to the requirements of the BJSА in order to practice as an in-house legal counsel ("Juriskonsult").</p>

## C. Education

<p>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>Attorneys-at-law are subject to mandatory professional liability insurance pursuant to Art. 50 through Art. 51 of the BBA and Art. 469 of the Bulgarian Insurance Code.<sup>5</sup></p> <p>In-house counsels are not required to have such professional liability insurance coverage.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. It shall be further noted however that the Supreme Bar Council has enacted a regulation on the minimum legal fees for legal services provided by attorneys-at-law. In addition, pursuant to Art. 38, para. 1 of the BBA attorneys-at-law may (but are not obliged to) provide <i>pro bono</i> legal services and assistance to individuals who are entitled to allowances; individuals experiencing financial difficulty, relatives and relatives of other lawyers. Such rules are relevant to <i>pro bono</i> services but do not impose limitations.</p> <p>No regulations are in place regarding the in-house counsels providing legal services under an employment contract. The employer may impose some prohibitions/limitations in the employment contract or in company policies.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Other than the requirements noted in section I.B.2, there are no additional limitations on foreign-qualified in-house lawyers.</p>

<sup>5</sup> Promulgated, State Gazette No. 102/29.12.2015, as amended and supplemented, SG No. 8/24.01.2017 and available online in Bulgarian language on: <http://www.lex.bg/laws/ldoc/2135514184>



## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No, except for foreign-qualified lawyers	No	In some provinces	No, provided licensed	Yes	No, unless foreign-qualified

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no explicit restrictions on in-house lawyers providing *pro bono* services. However, in-house lawyers are required to be members of the relevant provincial/territorial law society in which they practise, and are regulated by the rules of such provincial/territorial law society.

In-house counsel may be prevented from providing *pro bono* services by the terms of their employment. For instance, there is limited scope for counsel at the Department of Justice to provide *pro bono* services.<sup>1</sup>

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. Provided that an in-house lawyer is already a member of the relevant provincial/territorial law society in which s/he practises, no additional license(s) are required in order to provide <i>pro bono</i> services. <sup>2</sup>
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	Yes. Foreign-qualified lawyers (including in-house lawyers) are not permitted to practise law in Canada, including on a <i>pro bono</i> basis, unless they are licensed to practice in Canada. After they obtain a license to practice law in Canada, they are able to provide <i>pro bono</i> services.  To obtain such a licence, foreign-qualified lawyers (including in-house lawyers) are required to complete the applicable accreditation licensing process and to maintain membership with a provincial/territorial law society. The accreditation licensing process requires taking some courses but does not require obtaining a law degree from Canada.

<sup>1</sup> See: <https://www.canada.ca/en/news/archive/2014/02/policy-pro-bono-services-department-justice-lawyers.html>

<sup>2</sup> See: <https://flsc.ca/about-us/our-members-canadas-law-societies/>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>The practice regarding continuing legal education credit varies between each of the provincial/territorial law societies.</p> <p>Some of the law societies have formal Continuing Professional Development ("CPD") requirements and explicitly exclude <i>pro bono</i> activities.<sup>3</sup></p> <p>Other law societies have less formal CPD requirements and suggest that their membership undertake <i>pro bono</i> services (see, for example, <a href="http://www.lawsociety.ab.ca/lawyers/cpd/cpd_ideas.aspx">http://www.lawsociety.ab.ca/lawyers/cpd/cpd_ideas.aspx</a>).</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>Yes. Insurance is required for the provision of any <i>pro bono</i> services. However, in general, all lawyers in Canada are already required by their relevant law society to maintain adequate insurance in order to practice law (including provision of <i>pro bono</i> services).</p> <p>Some provinces, e.g. Alberta,<sup>4</sup> British Columbia<sup>5</sup> and Ontario,<sup>6</sup> provide an exemption for in-house counsel who only work for their employer so that they are not required to maintain insurance for their day-to-day practice. If in-house counsel does not maintain insurance in reliance upon this exemption, then they may, in certain circumstances, be able to benefit from extended indemnity insurance coverage from their employers when providing <i>pro bono</i> services for certain "approved" services (see, e.g. Alberta,<sup>7</sup> British Columbia<sup>8</sup> Ontario<sup>9</sup>) rather than paying for and maintaining separate individual indemnity insurance. For instance, in Ontario, <i>pro bono</i> services that qualify must be provided through an approved <i>pro bono</i> program associated with <i>Pro bono</i> Ontario.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>There are no explicit restrictions on in-house lawyers providing <i>pro bono</i> services. However, in-house lawyers are required to be members of the relevant provincial/territorial law society in which they practise, and are regulated by the rules of such provincial/territorial law society.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Foreign-qualified lawyers (including in-house lawyers) are not permitted to practise law in Canada, including on a <i>pro bono</i> basis, unless they are licensed to practise in Canada.</p>

<sup>3</sup> See, for example: <https://www.lsuc.on.ca/For-Paralegals/Improve-Your-Practice/Education/Activities-That-Are-Not-Eligible-for-CPD-Hours/> and <https://www.lawsociety.bc.ca/Website/media/Shared/docs/forms/MS-misc/info-cpd.pdf>

<sup>4</sup> See: <http://www.lawsociety.ab.ca/membership/status/insurance/exemption.aspx>

<sup>5</sup> See: <https://www.lawsociety.bc.ca/support-and-resources-for-lawyers/member-services/apply-for-insurance-or-claim-an-exemption/exemptions/>

<sup>6</sup> See: [http://www.lawpro.ca/insurance/Practice\\_type/inhouse\\_counsel.asp](http://www.lawpro.ca/insurance/Practice_type/inhouse_counsel.asp)

<sup>7</sup> See: <http://www.lawsociety.ab.ca/membership/status/insurance/exemption.aspx>

<sup>8</sup> See: <http://accessprobono.ca/insurance-coverage>

<sup>9</sup> See: [http://www.lawpro.ca/insurance/Practice\\_type/Probono\\_exempt.asp](http://www.lawpro.ca/insurance/Practice_type/Probono_exempt.asp)



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except foreign qualified lawyer must validate foreign degree	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no specific rules in Chile that regulate the provision of *pro bono* services.

In relation to advertising *pro bono* services, although the Chilean Ethics Code expressly prohibits the promotion of legal services in certain circumstances, the promotion of, or solicitation for, *pro bono* services is expressly allowed.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	<p>No. There are no specific regulations which impose practice limitations on the provision of <i>pro bono</i> services by in-house lawyers.</p> <p>However, in-house lawyers are required to comply with the <i>pro bono</i> policies of their employers.</p>
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	<p>Foreign-qualified lawyers (including in-house lawyers) do not require any additional licence(s) to provide <i>pro bono</i> services provided that they validate their law degrees in accordance with Chilean law.</p> <p>The procedure for validating a foreign-qualified lawyer's degree in Chile depends on the jurisdiction of qualification of the relevant lawyer. For example, Chile is a signatory to certain international treaties (with Colombia, Ecuador, Spain, Peru and Uruguay, among others), which facilitate the validation procedure for lawyers of other signatory jurisdictions. On that basis:</p> <p>(i) if the foreign-qualified lawyer is qualified in a signatory jurisdiction, such lawyer must present an application before the Chilean Ministry of Foreign Affairs enclosing duly translated and legalized or apostilled documents (as applicable) such as his/her degree certificate, grades and a document issued by the authority of the jurisdiction of provenance certifying the existence of the university or other institution which granted the degree to be validated.</p> <p>Once the application has been processed, the aforementioned Ministry will issue a registration certificate, which must be submitted before the Chilean Supreme Court jointly with a habilitation request. The Supreme Court will then review the application and, if such application is successful, deliver the corresponding validation; or</p>

	<p>(ii) if the foreign-qualified lawyer is qualified in a jurisdiction that is not a signatory jurisdiction, the foreign lawyer is required to apply to the “Universidad de Chile” for revalidation, enclosing duly translated and legalized or apostilled documents (as applicable) such as his/her degree certificate, grades, law school career planning, a transcript of subjects taken during his/her studies at the institution from which s/he graduated, curriculum vitae and habilitation certificate evidencing that s/he is qualified for the professional exercise of law in the jurisdiction of qualification.</p> <p>Once “Universidad de Chile” has reviewed and approved the application, the application must be submitted before the Chilean Supreme Court jointly with a habilitation request. The Supreme Court will then review the application and, if such application is successful, deliver the corresponding validation.</p> <p>Notwithstanding the foregoing, in order to obtain the validation, all applicants must pass an oral exam regarding Chilean Civil law, procedural law and constitutional law (which must be passed within a maximum term of two years and three attempts) and also pass a six month professional practice in a Judicial Assistance Corporation.</p> <p>Once validated, a foreign-qualified lawyer is permitted to appear in court and generally to provide legal services (including <i>pro bono</i> services) in Chile.</p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company’s internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers in Chile are not required by law or regulation to work a minimum number of <i>pro bono</i> hours. However, they must comply with any <i>pro bono</i> policies of their employers in this regard.</p> <p>Notwithstanding the above, Fundación <i>Pro bono</i>, a leading clearinghouse for <i>pro bono</i> work in Chile, and the <i>Pro bono</i> Declaration for the Americas (which generally applies only to law firms), recommend a minimum of 20 <i>pro bono</i> hours annually.<sup>1</sup></p>
<p><b>2. Do in-house lawyers receive any “Continuing Legal Education” or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in Chile do not receive continuing legal education or equivalent credits for <i>pro bono</i> hours worked.</p> <p>Moreover, minimum continuing legal education is not required for the practice of law in Chile.</p>

<sup>1</sup> See: <http://www.probono.cl/wp-content/uploads/2013/08/guia-pro-bono-para-estudios-juridicos-de-latinoamerica.pdf>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b>	No. Lawyers (including in-house lawyers) in Chile do not require professional indemnity legal insurance cover for <i>pro bono</i> services.
<b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b>	There are no specific regulations which impose practice limitations on the provision of <i>pro bono</i> services by in-house lawyers.  However, in-house lawyers are required to comply with the <i>pro bono</i> policies of their employers.
<b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b>	Yes. See section I.B.2 above.



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	No	No	No, except only Chinese qualified lawyers can advise on Chinese law	No	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The concept of *pro bono* services is relatively new to the Chinese legal community, and as such there are no formal or informal regulations governing the provision of *pro bono* services.

In China, in-house lawyers are company employees and, pursuant to the People's Republic of China ("PRC") Lawyers Law, are not permitted to hold a PRC practising lawyer certificate.<sup>1</sup> This means that in-house lawyers cannot represent third parties in judicial proceedings as a licensed attorney. However, the Law on Civil Litigation Procedure allows a litigant to appoint any individual (including an in-house lawyer) as his/her representative in judicial proceedings, as long as the relevant individual does not charge legal fees and is recommended by either (1) the community where the person who needs *pro bono* assistance lives, (2) the employer of such a person, or (3) a properly registered NGO which is relevant to the person or the *pro bono* matter. On this basis, an in-house lawyer can represent a client in judicial proceedings in relation to *pro bono* matters.

In addition, there is no legal restriction under Chinese law on the provision by in-house lawyers of advisory opinions (which can include advice in relation to *pro bono* services) as long as the advisory opinions are not in conflict with PRC laws and regulations or the relevant in-house lawyer's employer's interest.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers do not need a specific license to provide <i>pro bono</i> services in China.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	Under Chinese law, foreign-qualified lawyers without Chinese bar qualification are prohibited from providing legal services (including <i>pro bono</i> services) involving Chinese law, <sup>2</sup> but may provide legal services (including <i>pro bono</i> services) that do not involve Chinese law. Non-citizen lawyers are not permitted to sit for the Chinese Bar Exam <sup>3</sup> (or, accordingly, to become qualified in China).  Apart from the prohibition above – foreign-qualified in-house lawyers do not require any license(s) to provide <i>pro bono</i> services in China.

<sup>1</sup> See Law of the People's Republic of China on Lawyers: [http://english.gov.cn/archive/laws\\_regulations/2014/08/23/content\\_281474983042459.htm](http://english.gov.cn/archive/laws_regulations/2014/08/23/content_281474983042459.htm)

<sup>2</sup> See Regulations on the Administration of Resident Representative Offices in China of Foreign Law Firms: [http://www.npc.gov.cn/englishnpc/Law/2007-12/14/content\\_1384229.htm](http://www.npc.gov.cn/englishnpc/Law/2007-12/14/content_1384229.htm)

<sup>3</sup> Article 15 of Measures for the Implementation of the National Judicial Examination: <http://en.pkulaw.cn/Display.aspx?lib=law&Cgid=107491>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to perform any minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any equivalent training or educational credit for <i>pro bono</i> hours worked. In China, in-house lawyers are not subject to any "Continuing Legal Education" requirement.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers are not required by any law in China to have professional indemnity legal insurance coverage, including for any <i>pro bono</i> services that they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>Yes. In-house lawyers cannot provide <i>pro bono</i> services to third parties except in the narrowly defined scenarios noted in I.A. above.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Yes. Foreign nationals are not permitted to sit for the Chinese Bar Exam<sup>4</sup> (or, accordingly, to become qualified in China).</p> <p>Foreign-qualified lawyers without Chinese bar qualification are prohibited from practising or interpreting Chinese law, although they may perform legal services (including <i>pro bono</i> services) that do not involve Chinese law as long as they have first practiced in another jurisdiction for two years.</p>

<sup>4</sup> See Legal Work in China.: <http://www.top-law-schools.com/legal-work-in-china.html>.



## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No, except for judicial proceedings and foreign-qualified lawyers	No	No	No	No	No, except for judicial proceedings

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no specific rules in Colombia regulating the provision of *pro bono* services by in-house lawyers.

However, lawyers (including in-house lawyers) are required to protect the personal data of their *pro bono* clients in accordance with the terms of a confidentiality agreement (if one was signed), and are not permitted to advertise *pro bono* successes unless they have the authorization of the client.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers in Colombia do not require a license to provide <i>pro bono</i> services, unless the services in question require representation in judicial proceedings.</p> <p>The requirements for representing clients in judicial proceedings are set out in the Decree 196 of 1971 and in the Law 1123 de 2007, Art. 28 onwards,<sup>1</sup> and apply to all lawyers (including <i>pro bono</i> lawyers).</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Yes. Foreign-qualified lawyers are required by law (Resolución N° 5547 de 2005, Art. 4)<sup>2</sup> to validate their foreign legal qualifications in Colombia before they are permitted to practice law in Colombia (including providing <i>pro bono</i> services).</p>

<sup>1</sup> See: <http://www.alcaldiabogota.gov.co/sisjur/normas/Normal.jsp?i=22962>.

<sup>2</sup> See: [http://www.mineducacion.gov.co/1621/articles-91627\\_archivo\\_pdf.pdf](http://www.mineducacion.gov.co/1621/articles-91627_archivo_pdf.pdf)

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required by law in Colombia to work a minimum number of <i>pro bono</i> hours.</p> <p>However, they may be required to work a minimum number of <i>pro bono</i> hours by the <i>pro bono</i> policies of their employers.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in Colombia do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers in Colombia are not required to have individual professional indemnity legal insurance cover for any <i>pro bono</i> services they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules in Colombia that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services, unless the services in question require representation in judicial proceedings.</p> <p>See section I.B.1 above on the requirements to be able to represent clients in judicial proceedings.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Other than the requirements referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers in Colombia.</p>



# COSTA RICA

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for foreign qualified lawyers	No	No	Yes, subject to approval by Costa Rican Bar Association	No	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

In Costa Rica, the legal practice (including the provision of *pro bono* services) is regulated by the Practice Rules and Bar Ethics Code of the Costa Rican Bar Association (Colegio de Abogados). The Practice Rules and Bar Ethics Code apply to all lawyers, including in-house lawyers, and requires all lawyers to charge for their legal services at least the minimum legal fees referred to in the Legal Fees Decree issued by the Costa Rican Bar Association.

However, Article 68 of the Bar Ethics Code provides an exception for "social defense or *pro bono* matters that have been authorised by the Costa Rican Bar".<sup>1</sup> Accordingly, in theory, lawyers (including in-house lawyers) in Costa Rica can only provide *pro bono* legal services if they have authorization from the Costa Rican Bar Association for the specific *pro bono* matter in question.

In practice, however, these regulations have not been enforced by the Costa Rican Bar Association to date.<sup>2</sup>

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	<p>No. In-house lawyers do not require a specific license to provide <i>pro bono</i> services. However, lawyers (including in-house lawyers) in Costa Rica are required to be registered with the Costa Rican Bar Association in order to provide legal services (including <i>pro bono</i> services).</p> <p>Apart from that general requirement, and the requirement for specific <i>pro bono</i> matters to be approved by the Costa Rican Bar Association (as described in section I.A above), in-house lawyers do not require any other specific license(s) to provide <i>pro bono</i> services.</p>
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	<p>Yes. Foreign-qualified lawyers are required by law (ruling 789-94 of the Supreme Court) to be registered with the Costa Rican Bar Association before they are permitted to practice law in Costa Rica (including providing <i>pro bono</i> services).<sup>3</sup></p>

<sup>1</sup> See: [https://www.abogados.or.cr/uploads/CMS/Articulo/2.0Codigo\\_de\\_Deberes\\_Juridicos.pdf](https://www.abogados.or.cr/uploads/CMS/Articulo/2.0Codigo_de_Deberes_Juridicos.pdf)

<sup>2</sup> See: <https://docs.google.com/forms/d/e/1FAIpQLSf0xT1IDiNvfBrDmzA2bL-tMrH5cLz-9exNKBwnsnxDIK9PQ/viewform>

<sup>3</sup> See the following link for the requirements for foreign-qualified lawyers to be incorporated with the Costa Rican Bar Association: <https://www.abogados.or.cr/uploads/CMS/Articulo/5.2Requisitos-incorporaciones-Extranjeros-actualizada-2014.pdf>

### C. Education

<p>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</p>	<p>No. In-house lawyers in Costa Rica are not required by external rules to work a minimum number of <i>pro bono</i> hours.</p>
<p>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</p>	<p>No. In-house lawyers in Costa Rica do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</p>	<p>No. Lawyers (including in-house lawyers) are not required to have individual professional indemnity legal insurance cover for any legal services (including <i>pro bono</i> services) that they provide.</p>
<p>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</p>	<p>Other than the rules referred to in section I above, there are no additional rules in Costa Rica that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</p>	<p>Other than the requirements referred to in I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers in Costa Rica.</p>



# DENMARK

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	No	No	No	No	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The Danish legal profession is governed by the Bekendtgørelse Af Lov Om Rettens Pleje ("Administration of Justice Act")<sup>1</sup>, and various rules and orders created thereunder by the Danish Bar and Law Society (Advokat Samfundet) as permitted by section 127.<sup>2</sup> In-house lawyers are governed by the same regulations as lawyers in private practice. Both private practitioners and in-house lawyers are included in the Danish Bar and Law Society. There are no regulations specifically governing *pro bono* services. This is explained further by e-justice.<sup>3</sup>

The only exception to the equal legal status of private and in-house practitioners concerns whom the in-house lawyer can represent under his/her practising certificate as a lawyer – see II.2 below.

### B. Licensure

<b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b>	Section 119 of the Administration of Justice Act <sup>4</sup> requires a practicing certificate to provide legal services. There is no requirement of an additional license specifically for the purposes of providing <i>pro bono</i> services.
<b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide pro bono services (beyond their foreign qualification to practice law)?</b>	In accordance with sections 119 and 135 of the Administration of Justice Act, lawyers from an EU Member State, EEA country or Switzerland holding a degree equal to a Danish master's degree may provide legal services (including <i>pro bono</i> services) in Denmark without obtaining an additional license under Danish law. However, they are required to register with the Danish Bar and Law Society (Order No. 1431 of 11 December 2007 on EU Lawyers' Establishment in Denmark). <sup>5</sup>  Sections 119 and 135a of the Administration of Justice Act also exclude citizens of non-EU Member States from practicing law in Denmark unless they have obtained a law degree from an EU Member State (see Advokat Samfundet's explanation). <sup>6</sup>

<sup>1</sup> See: <https://www.retsinformation.dk/Forms/r0710.aspx?id=183537>

<sup>2</sup> 'Rules of The Danish Bar and Law Society', available at <http://www.advokatsamfundet.dk/Service/English/Rules/Bye-laws.aspx>. This document includes English extracts of the Administration of Justice Act and the Orders/Rules.

<sup>3</sup> See: [https://e-justice.europa.eu/content\\_legal\\_professions-29-dk-en.do?member=1](https://e-justice.europa.eu/content_legal_professions-29-dk-en.do?member=1)

<sup>4</sup> See: <http://www.advokatsamfundet.dk/Service/English/Rules/Bye-laws.aspx>

<sup>5</sup> Ibid.

<sup>6</sup> See: <http://www.advokatsamfundet.dk/Service/English/Practise/EU%20member%20state%20citizens%20and%20non%20EU%20member%20state%20citizens.aspx>

	However, non-EU lawyers can use their foreign title and provide legal services in relation to the laws of the country in which they are qualified and to international law, provided they register with the Danish Business Authority Register of Foreign Service Providers (see Danske Advokater's explanation (in Danish) <sup>7</sup> and the IBA's Home Country Licensing Questions concerning Denmark <sup>8</sup> ).
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### C. Education

<b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b>	No. The requirements to qualify as a lawyer in Denmark are prescribed under the Administration of Justice Act read together with Order No. 1473 of 11 December 2007 on Mandatory Basic Education as a Condition for Admission to Practise Law. <sup>9</sup> These regulations do not impose any condition of working a minimum number of <i>pro bono</i> hours, on in-house lawyers or otherwise.
<b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b>	No. According to Administration of Justice Act read together with Order No. 1473 of 11 December 2007 on Mandatory Basic Education as a Condition for Admission to Practise Law <sup>10</sup> lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b>	No. Lawyers do not require any professional indemnity legal insurance. There is no such obligation specifically imposed on in-house lawyers either, for <i>pro bono</i> services or otherwise (please see explanation by e-justice). <sup>11</sup>
<b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b>	No. There is no limitation on the ability to provide <i>pro bono</i> services. However, the in-house lawyer may not be able to call himself/herself a lawyer when representing a <i>pro bono</i> client.  This stems from the only exception to the equal legal status of private and in-house practitioners under the Administration of Justice Act. An in-house lawyer can only use the title of lawyer when representing the employing company or organisation. Therefore, if the employer asks the in-house lawyer to provide legal advice to a customer or a member, the title of lawyer cannot be invoked while doing so, unless the in-house lawyer has a law practice separate to his/her employment, and takes on the customer or member in her or his private practising capacity. Nevertheless, it appears that the employer can represent a <i>pro bono</i> client and the in-house lawyer can provide legal advice to the client. The only limitation seems to be that the in-house lawyer cannot invoke the title of a lawyer while doing so. (See further explanation by e-justice <sup>12</sup> ).
<b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b>	Lawyers from an EU Member State, EEA country or Switzerland may provide legal services in Denmark. However, when appearing in court, they must appear along with a Danish qualified lawyer (see Section 3(2) of Order No. 1429 of 11 December 2007 on EU Lawyers' Services in Denmark). <sup>13</sup>

<sup>7</sup> See: <http://www.danskeadvokater.dk/Er-du-advokat-fra-et-andet-land.aspx?ID=19093>

<sup>8</sup> See : [http://www.ibanet.org/PPID/Constituent/Bar\\_Issues\\_Commission/ITILS\\_Denmark.aspx](http://www.ibanet.org/PPID/Constituent/Bar_Issues_Commission/ITILS_Denmark.aspx)

<sup>9</sup> See: <http://www.advokatsamfundet.dk/Service/English/Rules/Bye-laws.aspx>

<sup>10</sup> Ibid.

<sup>11</sup> See : [https://e-justice.europa.eu/content\\_legal\\_professions-29-dk-en.do?member=1](https://e-justice.europa.eu/content_legal_professions-29-dk-en.do?member=1)

<sup>12</sup> Ibid.

<sup>13</sup> See: <http://www.advokatsamfundet.dk/Service/English/Rules/Bye-laws.aspx>



# EL SALVADOR

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No, except foreign-qualified lawyer must validate foreign degree	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no specific rules in regards to *pro bono* services that apply in El Salvador.

For reference, the practice of law in El Salvador is governed by the Judiciary Organization Act,<sup>1</sup> which states the general regulation for the authorization as lawyer/attorney in El Salvador.

Regulations, if any, are established by the entities/companies through their own internal corporate rules and policies regarding *pro bono* activities.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services.</p> <p>However, please note that if said services are meant to be provided by a lawyer and/or a notary public, s/he must be duly authorized as such (lawyer and/or notary public) by El Salvador's Supreme Court of Justice.</p>
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	<p>No. Foreign-qualified in-house lawyers do not require a license to provide <i>pro bono</i> services.</p> <p>However, please note that if said services are meant to be provided as a lawyer and/or notary public, s/he must be duly authorized as such (lawyer and/or notary public) by El Salvador's Supreme Court of Justice.</p> <p>A foreign-qualified lawyer can be authorized by El Salvador's Supreme Court of Justice to practice law in El Salvador but there is a different procedure that said lawyer must fulfill. This procedure includes the validation of a foreign degree for lawyers before El Salvador's Education Ministry, and a validation of legal knowledge of Salvadorian legislation before El Salvador's Supreme Court of Justice. Details on this procedure can be found in El Salvador's Judiciary Organization Act.</p> <p>Additionally, foreign-qualified in-house lawyers may also provide <i>pro bono</i> services on matters not involving Salvadorian law.</p>

<sup>1</sup> See the Judiciary Organization Act: <http://www.asamblea.gob.sv/eparlamento/indice-legislativo/buscadore-de-documentos-legislativos/ley-organica-judicial>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required by law to work a minimum number of <i>pro bono</i> hours.</p> <p>Such a requirement would be established in the company's internal targets/policy.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers do not require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide.</p> <p>In fact, professional indemnity legal insurance cover is not available in El Salvador.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules or limitation on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p> <p>Any limitations would be established in the company's internal targets/policy</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Other than the requirements referred to in section I.B.<sup>2</sup> above, there are no additional limitations on foreign-qualified in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>



# ENGLAND & WALES

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except foreign-qualified lawyers	No	Yes	Yes	Yes	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

In England and Wales, the provision of *pro bono* services by in-house solicitors is governed by the Solicitors Regulatory Authority ("SRA") Practice Framework Rules 2011 (the "Rules").

Pursuant to Rules 4.10(a), (b) and (c), in-house solicitors may provide *pro bono* services to clients other than their employer provided that: (i) the work is covered by an indemnity reasonably equivalent to that required under the SRA Indemnity Insurance Rules, (ii) no fees are charged or a conditional fee agreement is used and the only fees charged are those which are received by way of costs from their client's opponent or other third party, all of which are required to be paid to a charity under a fee sharing agreement, and (iii) such *pro bono* services are not part of their employer's business.

According to the guidance notes to the Rules, to determine whether an activity can be regarded as part of the business of an in-house solicitor's employer, the relevant factors are likely to be:

- (a) relevancy of such work to the employer's business;
- (b) whether the work is required of the employee by the employer;
- (c) how often such work is carried out;
- (d) where such work is carried out;
- (e) when such work is carried out;
- (f) whether such work is explicitly carried out on the employer's behalf;
- (g) who provides the necessary professional indemnity insurance;
- (h) the extent to which the employer relies on or publicises such work;
- (i) whether the employer provides management, training or supervision in relation to such work;
- (j) whether the employer specifically rewards the employee in any way in relation to such work;
- (k) how many employees carry out the work, and the overall proportion of their time spent on such work; and
- (l) the extent to which such work complements or enhances the employer's business.

In addition, Rule 4.11 states that work may not be conducted on a *pro bono* basis in conjunction with services provided by the in-house solicitor's employer under Rules 4.12 (associations), 4.13 (insurers), 4.14 (commercial legal advice services) or 4.19 - 4.21 (foreign law firms).

## B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers in England &amp; Wales do not require a license to provide <i>pro bono</i> services unless such services include advising as to the laws of England &amp; Wales, in which case the relevant in-house lawyer is required to be qualified in England &amp; Wales.</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Yes. Foreign-qualified lawyers (including in-house lawyers) are prohibited from providing legal advice (including <i>pro bono</i> legal advice) as to the laws of England and Wales unless they are also qualified in England &amp; Wales.</p> <p>The Qualified Lawyers Transfer Scheme allows those who are already qualified lawyers in other jurisdictions to qualify as a solicitor of England and Wales.</p>

## C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required by external rules in England &amp; Wales to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>"Continuing Competence" is the SRA's system of assuring competence among solicitors.</p> <p>Although there is no requirement to complete a certain number of hours of education under the Continuing Competence system, solicitors are expected to review their learning needs and address them through continuing professional development activities. They are then asked to reflect on the learning on an annual basis and look at ways they can incorporate this into their practice.</p> <p>As such, if a solicitor identifies the provision of <i>pro bono</i> services as a learning need, any <i>pro bono</i> work then undertaken can be taken into consideration in the solicitor's annual declaration to the SRA that s/he has reflected on his/her practice and addressed any identified learning and development needs.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers can provide <i>pro bono</i> services without insurance provided such services are rendered in a personal capacity.</p> <p>However, pursuant to Rule 4.10, in-house lawyers that provide <i>pro bono</i> services as part of their employer's business (widely interpreted by the SRA to encompass almost any <i>pro bono</i> that is endorsed by a company) are required to have professional indemnity legal insurance cover, which should be provided by their employer. The professional indemnity legal insurance cover must be reasonably equivalent to that required under the SRA Indemnity Insurance Rules.<sup>1</sup></p> <p>Alternatively, in-house lawyers may obtain the benefit of professional indemnity legal insurance as a result of working on a <i>pro bono</i> matter of a private law firm. In-house lawyers must ensure that their involvement in the relevant <i>pro bono</i> matter has been notified to the private law firm's insurers.</p> <p>In addition, certain charities, such as LawWorks, assign <i>pro bono</i> projects to in-house lawyers and provide the required professional indemnity legal insurance.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>The provision of <i>pro bono</i> services by in-house lawyers is also governed by the Legal Services Act 2007 ("LSA").<sup>2</sup></p> <p>Section 15 of the LSA prevents in-house lawyers from providing legal services in connection with "reserved legal activities" to anyone other than their employer, where such activities are carried out as part of their employer's business. Reserved legal activities include the exercise of a right of audience, the conduct of litigation, reserved instrument activities, probate activities, notarial activities and the administration of oaths, as defined in Schedule 2 to the LSA.</p> <p>The main area of concern for <i>pro bono</i> activity is in advocacy and the conduct of litigation. Most in-house lawyers providing <i>pro bono</i> services will not wish to undertake these reserved activities. However, where individual <i>pro bono</i> matters touch on (or are likely to touch on) these areas, in-house lawyers are advised to seek specific advice from the SRA.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Other than the requirements referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers in England &amp; Wales.</p>

<sup>1</sup> See: <http://www.lawsociety.org.uk/support-services/advice/articles/when-do-in-house-lawyers-need-pii/>

<sup>2</sup> See: <http://www.legislation.gov.uk/ukpga/2007/29/contents>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for judicial proceedings	No	No	No, except for judicial proceedings	Yes, if bar member or licensed legal counsel	Yes in the case of judicial proceedings

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no specific rules in Finland that regulate the provision of *pro bono* services by in-house lawyers. However, if the services in question require representation in judicial proceedings, they will be governed by the Code of Judicial Procedure.<sup>1</sup> There are no rules against advertising *pro bono* successes or soliciting new *pro bono* clients.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers in Finland do not require a license to provide <i>pro bono</i> services, unless the services in question require representation in judicial proceedings.</p> <p>Lawyers in Finland can be divided into: (i) in-house lawyers and other persons who have received legal education; (ii) lawyers who are members of the Finnish Bar Association (attorneys-at-law or <i>asianajaja</i> in Finnish and some public legal aid attorneys); (iii) public legal aid attorneys who are not members of the Finnish Bar Association; and (iv) lawyers who are not members of the Finnish Bar Association and do not have the title of attorney-at-law, but have obtained a license to appear in court and represent clients from the Licensed Attorneys Board, pursuant to the Licensed Legal Counsel Act.<sup>2</sup></p> <p>To be eligible as a member of the Finnish Bar Association, attorneys-at-law must, <i>inter alia</i>, be over 25 years old, have completed a Finnish Master of Laws degree or have completed a foreign law degree and have received a decision by the Finnish National Board of Education that the studies are recognized as comparable to the Finnish Master of Laws degree, be resident of Finland or a state within the European Economic Area, have passed the bar exam and have acquired the skills necessary for the profession of attorneys-at-law by practicing for at least four years in the field of judicial administration or in comparable duties requiring legal education but, in any case, for at least two years as an associate, public legal aid attorney or independent legal practitioner and have an independent position in practicing law full-time (Section 3 of the Advocates Act).<sup>3</sup></p>
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<sup>1</sup> See: <http://www.finlex.fi/en/laki/kaannokset/1734/en17340004.pdf>

<sup>2</sup> See: <http://www.finlex.fi/en/laki/kaannokset/2011/en20110715.pdf>

<sup>3</sup> See: <http://www.finlex.fi/fi/laki/kaannokset/1958/en19580496.pdf>

	<p>The conditions for granting a license under the Licenced Legal Counsel Act are principally similar to those of the admittance requirements for the Finnish Bar Association but the sufficient acquaintance with the work of an attorney and legal counsel is easier satisfied.<sup>4</sup></p> <p>Only attorneys-at-law, public legal aid attorneys, and jurists who have obtained a license to appear in court may represent a client in judicial proceedings (including in relation to <i>pro bono</i> matters).</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>No. Foreign-qualified in-house lawyers in Finland do not require any additional license(s) to provide <i>pro bono</i> services, unless the services in question require representation in judicial proceedings. In this sense, foreign-qualified lawyers may provide <i>pro bono</i> services that do not require representation in judicial proceedings without Finnish licensing with respect to matters not involving Finnish law.</p> <p>In order to qualify to be able to represent clients in judicial proceedings (including <i>pro bono</i>) in Finland, foreign-qualified lawyers:</p> <ul style="list-style-type: none"> <li>(a) have to be members of the Finnish Bar Association;</li> <li>(b) have obtained a license to appear in court and represent clients from the Licensed Attorneys Board;</li> <li>(c) can apply to be admitted as a member of the Finnish Bar Association if qualified to practice law in another state within the EEA and if they have completed the Finnish bar exam (section 3(2) of the Advocates Act<sup>5</sup>); or</li> <li>(d) if qualified to practice law in a member state of the European Union, are entitled to be included in the register administered by the Finnish Bar Association of advocates using the professional title of their home state. After been on the register for the minimum of three years and after practicing advocacy in Finland for the minimum of that time, the foreign-qualified lawyers can apply to be admitted as a member of the Finnish Bar Association without completing the Finnish bar exam. (section 5b of the Advocates Act<sup>6</sup>).</li> </ul> <p>In addition to the above, foreign qualified lawyers must be over 25 years old, be known to be honest and suitable for the profession of attorney-at law, not be bankrupt and must have full legal capacity.</p>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required by external rules to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

<sup>4</sup> See: <http://www.finlex.fi/en/laki/kaannokset/2011/en20110715.pdf>

<sup>5</sup> See: <http://www.finlex.fi/fi/laki/kaannokset/1958/en19580496.pdf>

<sup>6</sup> See: <http://www.finlex.fi/en/laki/kaannokset/2011/en20110715.pdf>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers are not required to have individual professional indemnity legal insurance cover for any <i>pro bono</i> services they provide unless they represent clients in court and thus are required to be licensed by the Legal Attorneys Board (as described in section I.B.1 above). Licensed legal counsels are required to have sufficient liability insurance to cover financial loss caused to others (Licenced Legal Counsel Act, Section 8(2)).<sup>7</sup></p> <p>Members of the Finnish Bar Association are required to have professional indemnity legal insurance for at least 200,000 euros. A Finnish language summary is available on the Finnish Bar Association's website.<sup>8</sup> More information on professional indemnity insurance is available in Finnish<sup>9</sup> and Swedish<sup>10</sup> on the Finnish Bar Association's website.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services, unless the services in question require representation in judicial proceedings.</p> <p>See section I.B.1 above for the requirements to be able to represent clients in judicial proceedings.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. There are no additional limitations on foreign-qualified in-house lawyers, unless the services in question require representation in judicial proceedings.</p> <p>See sections I.B.1 and 2 above for the requirements for foreign-qualified lawyers to be able to represent clients in judicial proceedings.</p>

<sup>7</sup> See: <http://www.finlex.fi/en/laki/kaannokset/2011/en20110715.pdf>

<sup>8</sup> See: [https://www.asianajajaliitto.fi/asianajajaliitto/alan\\_valvonta/vastuuvakuutusturva](https://www.asianajajaliitto.fi/asianajajaliitto/alan_valvonta/vastuuvakuutusturva)

<sup>9</sup> See: [https://www.asianajajaliitto.fi/files/643/B\\_08\\_Aasianajajan\\_vastuuvakuutusta\\_koskevat\\_ohjeet\\_15.1.2015.pdf](https://www.asianajajaliitto.fi/files/643/B_08_Aasianajajan_vastuuvakuutusta_koskevat_ohjeet_15.1.2015.pdf)

<sup>10</sup> See: [https://www.asianajajaliitto.fi/files/643/B\\_08\\_Aasianajajan\\_vastuuvakuutusta\\_koskevat\\_ohjeet\\_15.1.2015.pdf](https://www.asianajajaliitto.fi/files/643/B_08_Aasianajajan_vastuuvakuutusta_koskevat_ohjeet_15.1.2015.pdf)

<sup>11</sup> See: <http://www.finlex.fi/en/laki/kaannokset/1734/en17340004.pdf>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There is a distinction in France between (i) advocates, who must be registered with the Bar, must work independently and are not allowed to work as employees for any company<sup>1</sup> and (ii) in-house lawyers, or in-house counsel, who are employed by companies and are not registered with the Bar.

The provision of legal services (including *pro bono* services) by in-house counsel in France is regulated by the consolidated version of the Legal and Judicial Profession Act of 31 December 1971<sup>2</sup> (the "**LJPA**"), article 58 of which provides that an in-house counsel provide legal advice/services only in accordance with the terms of his employment contract for his company/group of companies.

In addition, the combination of articles 54 and 66-2 of the LJPA prohibit in-house counsel from providing legal services for remuneration, only qualified lawyers are entitled to do so.

Furthermore, the *Conseil National des Barreaux* (national bar association) recently published a recommendation that occasional and non-remunerated legal activity (including the provision of unpaid *pro bono* services) does not fall under the remit of these rules. However, this recommendation does not have the force of law, and each *pro bono* matter to be undertaken by an in-house counsel should be assessed carefully to ensure compliance with the LJPA.

### B. Licensure

<b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b>	No. In order to be employed as an in-house counsel, an advocate is required to seek permission to be, and must be, temporarily suspended from the Bar (" <i>demande d'omission</i> ") for the duration of such employment. Accordingly, provided that in-house counsel comply with the LJPA, as described in section I.A above, they do not require any licence to provide <i>pro bono</i> services.
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<sup>1</sup> See Article 1 of the National Internal Regulations, which can be found at [http://cnb.avocat.fr/Reglement-Interieur-National-de-la-profession-d-avocat-RIN\\_a281.html](http://cnb.avocat.fr/Reglement-Interieur-National-de-la-profession-d-avocat-RIN_a281.html).

<sup>2</sup> See the consolidated version of the Legal and Judicial Profession Act of 31 December 1971, at [https://www.legifrance.gouv.fr/affichTexte.do;jsessionid=15297A92E63C92F541AAB2E4A1C091B3.tpdila10v\\_2?cidTexte=JORFTEXT000000508793&dateTexte=20170316](https://www.legifrance.gouv.fr/affichTexte.do;jsessionid=15297A92E63C92F541AAB2E4A1C091B3.tpdila10v_2?cidTexte=JORFTEXT000000508793&dateTexte=20170316)

<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>No. Foreign-qualified in-house counsel do not require any additional license(s) to provide <i>pro bono</i> services in France.</p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house counsel are not required by external rules in France to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house counsel in France do not receive, and do not require, any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house counsel are not required to have individual professional indemnity legal insurance cover for any <i>pro bono</i> services they provide, although it is advisable for their employers to maintain professional indemnity legal insurance cover for any legal services (including <i>pro bono</i> services) provided by such in-house lawyers.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Other than the requirement to comply with the LJPA (as described in section I above), there are no rules that impose limitations on in-house counsel with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Other than the requirement to comply with the LJPA (as described in section I above), there are no additional limitations on foreign-qualified in-house counsel with respect to the provision of <i>pro bono</i> services.</p>



# GERMANY

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for foreign-qualified lawyers	No	No	Yes	Yes	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no professional rules in Germany specifically regulating the provision of *pro bono* services by in-house lawyers. However, the Professional Code of Conduct of Attorneys-at-Law ("**BORA**")<sup>1</sup> passed by the Federal Chamber of Attorneys-at-Law ("**Bundesrechts-anwaltskammer**")<sup>2</sup> regulates the profession of attorneys-at-law in general. In particular, Section 21 BORA refers to the statutory limitations regarding legal fees under the Lawyers' Compensation Act which generally regulates legal fees and sets out certain statutory ranges for legal fees, depending on the legal issue at hand.

In addition, the provision of legal services is subject to various statutory limitations, including the German Code for Attorneys-at-Law ("**BRAO**")<sup>3</sup> and the Legal Out-of-Court Services Act ("**RDG**")<sup>4</sup>.

Finally, legal advertisements are subject to the restrictions of Section 6 BORA and Section 43b<sup>5</sup> BRAO and are required to be objective and profession-related. However, apart from the general rule (Section 6 para. 2 BORA) that the client's consent is required before it is referred to in any advertisement, there are no explicit restrictions regarding advertisement of *pro bono* services.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers do not require a license to provide <i>pro bono</i> services. However, subject to the statutory restrictions described below, in-house lawyers are typically required to be admitted to the bar and qualified as <i>Syndikusanwalt</i> or <i>Rechtsanwalt</i> , in order to provide any legal services, including <i>pro bono</i> services.  The local bar associations ( <i>Rechtsanwaltskammer</i> ) admit candidates that have successfully completed state exams and do not have a criminal record.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	Foreign-qualified in-house lawyers may provide out-of-court <i>pro bono</i> services without an additional license if they are supervised by a qualified person (Section 6 para 2 RDG) <sup>6</sup> . However, any in-court <i>pro bono</i> services are subject to the statutory restrictions specified in II.A below.

<sup>1</sup> See : [http://www.brak.de/w/files/O2\\_fuer\\_anwaelte/berufsrecht/bora-stand-01-01-17.pdf](http://www.brak.de/w/files/O2_fuer_anwaelte/berufsrecht/bora-stand-01-01-17.pdf)

<sup>2</sup> See : <http://www.brak.de/>

<sup>3</sup> See : <https://www.gesetze-im-internet.de/brao/>

<sup>4</sup> See : <http://www.gesetze-im-internet.de/rdg/>

<sup>5</sup> See : [https://www.gesetze-im-internet.de/brao/\\_43b.html](https://www.gesetze-im-internet.de/brao/_43b.html)

<sup>6</sup> See : [http://www.gesetze-im-internet.de/rdg/\\_6.html](http://www.gesetze-im-internet.de/rdg/_6.html)

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p> <p>However, <i>pro bono</i> hours are regarded as legal experience in the same way as charged services for the purposes of obtaining legal specialization in certain legal areas and becoming a "Specialist Lawyer" (<i>Fach-anwalt</i>).</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>In-house lawyers being admitted to practice as individual attorneys (see below) require separate professional liability insurance in accordance with Section 51 BRAO.<sup>7</sup></p> <p>However, pursuant to Section 6 RDG,<sup>8</sup> in-house lawyers are not prohibited from acting as supervisors to laymen who are providing legal advice free of charge and out-of-court pursuant to Section 6 para 2 RDG,<sup>9</sup> e.g., in "law clinics" run by students in Germany universities.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>An in-house lawyer will typically be qualified as <i>Syndikusrechtsanwalt</i> pursuant to Section 46 para. 2 BRAO<sup>10</sup> and is therefore prohibited from providing legal services (including <i>pro bono</i> services) to any third parties other than his employer and its affiliates pursuant to Section 46 para. 5 BRAO,<sup>11</sup> irrespective of whether such services are <i>pro bono</i> or being charged.</p> <p>In-house lawyers, however, are not prohibited from being admitted to practice as individual attorneys with their own practice or working in a private law firm. Accordingly, in-house lawyers may provide legal services (including <i>pro bono</i> services) to third parties, but only in their capacity as individuals and not as in-house lawyers. Such "double" admission requires the consent of the in-house lawyer's employer (Section 7 no. 8 BRAO)<sup>12</sup>. In such case, pursuant to Section 4 para. 1 RVG,<sup>13</sup> the attorney may waive his/her statutory right for minimum compensation against the client for services provided in out-of-court proceedings, in case such client is indigent.</p> <p>In addition, as noted above, the attorney may act in his/her capacity as in-house lawyer supervising laymen providing legal advice.</p>

<sup>7</sup> See : [https://www.gesetze-im-internet.de/brao/\\_51.html](https://www.gesetze-im-internet.de/brao/_51.html)

<sup>8</sup> See : [http://www.gesetze-im-internet.de/rdg/\\_6.html](http://www.gesetze-im-internet.de/rdg/_6.html)

<sup>9</sup> Ibid.

<sup>10</sup> See : [https://www.gesetze-im-internet.de/brao/\\_46.html](https://www.gesetze-im-internet.de/brao/_46.html)

<sup>11</sup> See : [https://www.gesetze-im-internet.de/brao/\\_46.html](https://www.gesetze-im-internet.de/brao/_46.html)

<sup>12</sup> See : [https://www.gesetze-im-internet.de/brao/\\_7.html](https://www.gesetze-im-internet.de/brao/_7.html)

<sup>13</sup> See : [https://www.gesetze-im-internet.de/rvg/\\_4.html](https://www.gesetze-im-internet.de/rvg/_4.html)

**3. Are there any additional such limitations on foreign-qualified in-house lawyers?**

There are specific regulations and certain exemptions for qualified lawyers<sup>14</sup> from European Union and European Free Trade Association member states who are subject to the Act on the Activities of European Attorneys in Germany (EuRAG<sup>15</sup>) and who wish to provide legal services (including *pro bono* services) in Germany.

Apart from the regulations and exemptions referred to above, foreign qualified in-house lawyers are not permitted to use the qualification Rechtsanwalt and/or Syndikusanwalt and are therefore prohibited from providing legal advice without a registration pursuant to Section 12 RDG,<sup>16</sup> irrespective of whether such advice is *pro bono* or on a chargeable basis.

<sup>14</sup> See : <http://www.gesetze-im-internet.de/eurag/anlage.html>

<sup>15</sup> See : <http://www.gesetze-im-internet.de/eurag>

<sup>16</sup> See : [http://www.gesetze-im-internet.de/rdg/\\_12.html](http://www.gesetze-im-internet.de/rdg/_12.html)



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for foreign-qualified lawyers	No	No	No	No	No, unless foreign qualified

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The Legal Professions Act, 1960 (Act 32) generally regulates the practice of law in Ghana. However, the law does not include any specific provisions regulating the provision of *pro bono* services by in-house lawyers in Ghana.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. Any person that provides legal services (including <i>pro bono</i> services) in Ghana is required to be licensed by the General Legal Council. The law does not distinguish between providing chargeable legal services and providing <i>pro bono</i> services. <sup>1</sup> However, there is no requirement of an additional license specifically for the purposes of providing <i>pro bono</i> services.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	Yes. Under Ghanaian law, any person other than the Attorney General or an officer of his department is prohibited from practising as a lawyer unless that person has obtained a valid annual licence issued by the General Legal Council. <sup>2</sup>

### C. Education

1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?	No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.
2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?	No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.

<sup>1</sup> See : <http://www.glc.gov.gh/about-us/licensing-of-lawyers>

<sup>2</sup> Section 8(1) of the Legal Professions Act, 1960 (Act 32).

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. There is no statutory requirement to obtain professional indemnity insurance cover for the provision of legal services in Ghana.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Yes. The Legal Profession Act, 1960 (Act 32), requires any person practicing as a lawyer in Ghana to be enrolled as a lawyer in Ghana.<sup>3</sup> A foreign lawyer can be enrolled as a lawyer in Ghana only after completing a separate course with the Ghana School of Law.</p>

<sup>3</sup> See : <http://laws.ghanalegal.com/acts/id/42>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
N/A – pro bono is prohibited except not involving Greek law	No	No	Yes	No	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The Greek Code of Attorneys-at-Law (Κώδικας Δικηγόρων) enacted in its latest version by Law 4194/2013 (Government Gazette A208)<sup>1</sup> regulates the profession of lawyers in general. In-house lawyers do not lose their status as independent attorneys-at-law when they join a company and continue to be governed by the same regulations as lawyers in private practice. Both private practitioners and in-house lawyers are included in the local Bar and Law Society.

Section 82 of the Code of Attorneys-at-Law establishes an absolute prohibition on attorneys-at-law providing legal services for free. There is no exception or other professional rules in Greece specifically regulating the provision of pro bono services by in-house lawyers.

Legal advertisements are subject to the restrictions of Section 40 and are required to be objective and profession-related. The advertisement of pro bono activities is not regulated as such as not envisaged by the Code.

### B. Licensure

<b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b>	The Greek Code of Attorneys-at-Law requires lawyers to hold a license to provide core legal services and makes no distinction between in-house lawyers and lawyers in private practice. There is no requirement for an additional license specifically for the purposes of providing pro bono core legal services as these are not envisaged by the Code.
<b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide pro bono services (beyond their foreign qualification to practice law)?</b>	Nationals of the EU and the EEA are subject to the same requirements as Greek citizens with regards to licensure to provide core legal services (see section I.B.1 above), and there is no requirement of an additional license specifically for the purposes of providing pro bono services as there is an absolute prohibition to provide legal services for free. However, foreign-qualified lawyers can provide pro bono services that do not involve Greek law. Labor laws on volunteering and taxation for the provision of these services must still to be observed.

<sup>1</sup> See Code of Attorneys-at-Law: <http://www.ministryofjustice.gr/site/LinkClick.aspx?fileticket=X8CCgvbCKpo%3D&tabid=132>

### C. Education

<p>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</p>	<p>No. In-house lawyers do not require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide.</p>
<p>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</p>	<p>Yes. Attorneys-at-law are prohibited to provide services for free.</p>
<p>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</p>	<p>Yes. Attorneys-at-law are prohibited to provide services for free, unless they are foreign-qualified lawyers providing <i>pro bono</i> services that do not involve Greek law.</p>



# GUATEMALA

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except foreign qualified lawyer must validate foreign degree	No	No	No	No	No, unless foreign qualified

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no rules in Guatemala with regards to the provision of *pro bono* services by in-house lawyers. Pro-bono activities are commonly regulated internally in every company.

In general, the practice of law in Guatemala is governed by the Code of Professional Ethics<sup>1</sup> and the Notary Code.<sup>2</sup> There are no explicit restrictions regarding advertisement of *pro bono* services.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services.</p> <p>However, in-house lawyers must obtain an academic degree "Licenciado en Ciencias Juridicas y Sociales" from a Guatemalan University. The applicant must then register with the "Colegio de Abogados y Notarios de Guatemala", the "Supreme Court of Justice" and the "Archivo General de Protocolos".<sup>3</sup></p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide pro bono services (beyond their foreign qualification to practice law)?</b></p>	<p>No. Foreign-qualified in-house lawyers do not require a license to provide <i>pro bono</i> services.</p> <p>However, foreign lawyers can only provide legal services (including <i>pro bono</i>) once their academic law degree is incorporated into the Public University "Universidad de San Carlos de Guatemala" and after they register with the "Colegio de Abogados y Notarios de Guatemala" and the "Supreme Court of Justice".<sup>4</sup></p> <p>Foreign-qualified lawyers who have not registered their law degrees as required above can still provide <i>pro bono</i> services on matters that are not related to Guatemalan law.</p>

<sup>1</sup> See Code of Professional Ethics: [http://www.cang.org.gt/descargas/C%C3%B3digo de Etica Profesional.pdf](http://www.cang.org.gt/descargas/C%C3%B3digo%20de%20Etica%20Profesional.pdf)

<sup>2</sup> See Notary Code of Guatemala, Decree No. 314: [https://www.rgp.org.gt/docs/legislacion\\_registral/Codigo de Notariado Decreto Numero 314.pdf](https://www.rgp.org.gt/docs/legislacion_registral/Codigo%20de%20Notariado%20Decreto%20Numero%20314.pdf)

<sup>3</sup> See Article 196 of the Law of the Judicial Body, and Article 2 of the Notary Code.

<sup>4</sup> See incorporation requirements: [http://www.registro.usac.edu.gt/incorporaciones/info\\_incorporacion.pdf](http://www.registro.usac.edu.gt/incorporaciones/info_incorporacion.pdf)

### C. Education

<p>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours. It will depend on the internal policies of the company.</p>
<p>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</p>	<p>No. In-house lawyers do not require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide.</p> <p>Professional indemnity legal insurance cover is not available in Guatemala.</p>
<p>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</p>	<p>No. There are no rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</p>	<p>No. Other than the requirements referred to in section I.B.2 above, there are no limitations on foreign-qualified in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, but required to be Haitian citizens	No	No	Yes, required to be Haitian citizens	No	Yes, required to be Haitian citizens

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no specific rules in Haiti that regulate the provision of, or advertisements in relation to, *pro bono* services.

However, lawyers (including in-house lawyers) seeking to provide legal services (including *pro bono* services) in Haiti are regulated by the Decree of March 29, 1979 on Regulations of the Profession of Law (the "**Decree**"), which prescribes rules of general application to all Haitian lawyers.<sup>1</sup>

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. As provided in the Decree, in-house lawyers do not require a license to provide <i>pro bono</i> services as long as they are Haitian citizens.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	Yes. The Decree prohibits foreign-qualified lawyers (including in-house lawyers) from practising law (including by providing <i>pro bono</i> services) in Haiti unless they are Haitian citizens.

<sup>1</sup> See the following link for the original French text of the Decree: <http://barreaudeportaurince.ht/documents/Decret%20du%2029%20Mars%20Reglementant%20la%20Profession%20Avocat.pdf>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers do not require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide.</p> <p>There are no rules in Haiti requiring professional indemnity legal insurance cover in relation to the provision of any legal services (including <i>pro bono</i> services) and, in any case, such cover is not readily available in Haiti.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>Other than the requirement under the Decree for providers of legal services (including <i>pro bono</i> services) to be Haitian citizens, there are no other rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Other than the prohibition referred to in section I.B.<sup>2</sup> above, there are no additional limitations on foreign-qualified lawyers (including in-house lawyers).</p>



# HONG KONG

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	No	No	No	Yes	No, unless foreign qualified

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no professional rules in Hong Kong specifically regulating the provision of *pro bono* services by in-house lawyers.

Paragraph 9 of Practice Direction N of the Law Society of Hong Kong ("**Practice Direction N**") provides that, in the course of acting as a solicitor (including when providing *pro bono* services), an in-house lawyer is subject to the same general principles of professional conduct, rules and regulations governing a solicitor in private practice, insofar as they are applicable to him.

The only lawyers to whom Practice Direction N does not apply are:

- (i) solicitors whose appointments fall within the narrow exceptions enshrined in section 75(1)(a) of the Legal Practitioners Ordinance; or
- (ii) solicitors who are employees of statutory bodies and who are empowered by law to act in a legal capacity in the discharge of their duties with such employer.

In addition, an in-house lawyer is required to satisfy the following conditions (which apply to him under section 7 of the Legal Practitioners Ordinance) before he can act as a solicitor in accordance with Practice Direction N:

- (i) his name is for the time being on the roll of solicitors;
- (ii) he has not been suspended from practice; and
- (iii) he has in force a current practicing certificate.

These statutory restrictions described above apply equally to solicitors in private practice and in-house lawyers, and must be complied with in order for the individual concerned to provide any legal services, including *pro bono* services.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers do not require a license to provide <i>pro bono</i> services. However, as described in section I.A above, in-house lawyers require a current practice certificate and registration on the roll of solicitors in order to provide <i>pro bono</i> services.
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<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Foreign-qualified in-house lawyers may provide <i>pro bono</i> services without a license if they are supervised by a qualified person, provided that such <i>pro bono</i> services do not involve representation of clients in judicial proceedings in Hong Kong courts and that they do not provide advice in relation to Hong Kong law matters.</p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers in Hong Kong are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p> <p>However, credit may be given for attending <i>pro bono</i>-related seminars and training sessions, subject to approval by the Hong Kong Law Society.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>According to the provisions of the Solicitors (Professional Indemnity) Rules, subject to certain exceptions, every solicitor practising law in Hong Kong is required to have and maintain professional indemnity legal insurance cover. However, there is a restriction in Hong Kong that permits only corporate entities (such as law firms and companies), and not individual lawyers, to obtain indemnity insurance.</p> <p>Under Practice Direction N, an in-house lawyer acting in the course of his employment as a solicitor for his employer and any related body of such employer is in the same position as a solicitor acting for a client and so must advise the parties involved in the matter in which he is acting as a solicitor that he is not covered by the Professional Indemnity Scheme referred to in the Solicitors (Professional Indemnity) Rules.</p> <p>In-house lawyers who want indemnification protection for <i>pro bono</i> services provided to persons who are not related to their employer must seek their employer's approval before offering such <i>pro bono</i> services. Otherwise, if they provide such advice without their employer's approval, in-house lawyers may find themselves unprotected in the event that a <i>pro bono</i> client seeks compensation for poor legal advice.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Other than compliance with the rules described in section I.A above, there are no specific rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Other than the requirements referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers in Hong Kong.</p>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for judicial proceedings and foreign qualified lawyers	No	No	No, unless foreign qualified	No	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no specific rules regulating the provision of *pro bono* services in India.

The legal profession in India is primarily self-regulating and governed by the relevant State Bar Councils and the Bar Council of India established under the Advocates Act 1961 ("Advocates Act").

In addition, the Bar Council of India has established the Standards of Professional Conduct and Etiquette Rules, which govern the standards of professional conduct for attorneys. Section IV of these Rules prohibits the solicitation or advertisement in connection with cases (including *pro bono* cases) in which an attorney is engaged or concerned, save for very basic information prescribed by the rules that may appear on a website, e.g., the name, contact details, bar enrollment details, qualifications and the areas of practice of the attorney.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers do not require a license to provide <i>pro bono</i> services provided that they are qualified in India. However, in-house lawyers are not permitted to file any documents in their own names or to represent their <i>pro bono</i> clients in judicial proceedings.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	The Advocates Act prohibits foreign-qualified lawyers (including in-house lawyers) from practising law (including providing <i>pro bono</i> services) in India.  Foreign-qualified lawyers may still provide supporting or advisory roles to local firms that provide <i>pro bono</i> services, assisting them in a multitude of ways such as issue-spotting or conducting research. However, foreign-qualified lawyers are not permitted to file any documents in their own names or to represent their <i>pro bono</i> clients in judicial proceedings.

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers in India are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in India do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p> <p>However, in its March 2017 report (discussed below), the Law Commission of India recommended an amendment to the Advocates Act to include the "<i>organiz[ation of] compulsory Continuing Legal Education...</i>" as one of the functions of state bar councils.<sup>1</sup></p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers in India are not required to have individual professional indemnity legal insurance cover for any <i>pro bono</i> services they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>Yes. In-house lawyers are not permitted to file any documents in their own names or to represent their <i>pro bono</i> clients in judicial proceedings.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Foreign-qualified lawyers (including in-house lawyers) are not presently entitled to practice law in India under the Advocates Act.</p> <p>This restriction has been a key issue for the legal profession of India in recent years. In summary:</p> <ul style="list-style-type: none"> <li>• The Indian Government has indicated its intention to allow foreign law firms and foreign lawyers to practice in India in the future to increase companies' ease of doing business in India and the arbitration services offered in India.</li> <li>• In July 2016, the Bar Council of India released draft rules to amend the Advocates Act to allow foreign law firms and foreign lawyers to practise law, but these draft rules were withdrawn in October 2016.</li> <li>• In March 2017, the Law Commission of India delivered a report to the Indian Government calling for amendments to the Advocates Act, including amongst other things, an amendment to allow foreign law firms and foreign lawyers to be recognised and registered to practice in India.<sup>2</sup></li> </ul>

<sup>1</sup> As at the time of writing, this amendment has not been considered nor enacted.

<sup>2</sup> As at the time of writing, this amendment has not been considered nor enacted.



# INDONESIA

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	Yes	No	No, unless foreign qualified	No	Yes, foreign lawyers cannot appear in court or advise on domestic matters

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The practice of law in Indonesia is generally regulated under Law No. 18 of 2003 on Advocates ("Advocates Law").<sup>1</sup> There are no specific rules in Indonesia regarding the provision of *pro bono* services by in-house lawyers.

Lawyers are prohibited from receiving or asking for fee or anything else in whatsoever form from the applicants for *pro bono* services. Article 3(g) of the Code of Ethics of Indonesian Advocates ("**Code of Ethics**"),<sup>2</sup> which identifies an advocate as a respectable profession (*officium nobile*), has also been interpreted as to forbid lawyers from claiming for fees for services they claim to be free. The lawyer who is found to have violated this restriction may be subject to administrative sanctions in the form of verbal or written warnings and/or temporary or permanent termination from his profession as an advocate.

There is no explicit restriction applicable to advertisement of *pro bono* successes, but the Code of Ethics does forbid advertising merely for the purpose of attracting people's attention. In addition, there are also no specific rules on soliciting new *pro bono* clients, but the Code of Ethics does prohibit taking a client from another lawyer or firm. The Code of Ethics is silent as to whether this requirement applies to soliciting *pro bono* clients.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>No. The legal profession is governed by Law no 18 of 2003 in relation to advocates ("<i>undang-undang Republik Indonesia nomor 18 tahun 2003 tentang advokat</i>", the "Law") which provides that lawyers must be licensed to act as advocates, including to provide <i>pro bono</i> services. However, there is no additional or bespoke licensure requirement in relation to <i>pro bono</i> services.</p> <p>PERADI is the recognised body of advocates that regulates the legal profession (but there are competing bodies like KAI).</p>
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<sup>1</sup> See: <http://www.track.unodc.org/LegalLibrary/LegalResources/Indonesia/Laws/AML%20laws/Indonesia%20Law%20Concerning%20Advocates%202003.pdf>

<sup>2</sup> See: <https://maryanorekan.files.wordpress.com/2008/07/kodeetikadvokat.pdf> (Indonesian language)

<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Foreign lawyers need to have a licence to practice law (though, again, there is no specific licence to provide <i>pro bono</i> services). This will be a limited licence, meaning that the licensed foreign lawyers are not permitted to practise in Indonesia to the same extent as an Indonesian lawyer can. For example, they cannot represent clients in local courts or advise on domestic matters. In practice, this acts as a restriction on the extent to which foreign lawyers can provide <i>pro bono</i> services.</p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>The Advocates Law and its implementing regulations are silent on any minimum number of <i>pro bono</i> hours required of lawyers. However, lawyers who are registered at PERADI are recommended to dedicate at least 50 hours every year to <i>pro bono</i> works.</p> <p>Foreign lawyers must dedicate some of their time, on a <i>pro bono</i> basis, to education and research (10 hours a month). In practice, it is unclear as to whether this obligation has been equally enforced on foreign-qualified in-house lawyers.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers are not required to have professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>Yes. The main restrictions are that (i) <i>pro bono</i> services must be provided to those who cannot afford paid legal services and who must provide documentation evidencing a lack of means, and (ii) lawyers are prohibited from requesting or receiving payment for <i>pro bono</i> advice and can face sanctions if in breach.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Other than the requirements referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers.</p>

<sup>2</sup> As at the time of writing, this amendment has not been considered nor enacted.



# REPUBLIC OF IRELAND

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No, except for foreign qualified lawyers	No	No	No	Yes	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The legal profession in the Republic of Ireland is divided between barristers and solicitors.<sup>1</sup> This survey focuses on solicitors only.

All solicitors, whether acting in private practice or in-house, are subject to the same professional conduct regulations in the Republic of Ireland.<sup>2</sup>

Under the Irish professional conduct regulations there are no rules that expressly regulate the provision of *pro bono* services by solicitors.<sup>3</sup>

### B. Licensure

<b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b>	No. In-house solicitors do not require a license to provide <i>pro bono</i> services. However, they are required to be registered and accredited with the Law Society of Ireland. <sup>4</sup>
<b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b>	Yes. Foreign-qualified lawyers are required to be registered and accredited with the Law Society of Ireland in the same way as Irish-qualified lawyers. Foreign-qualified lawyers who wish to practise in the Republic of Ireland must sit the Qualified Lawyers Transfer Test (QLTT) which first requires a certificate of eligibility. <sup>5</sup>

<sup>1</sup> For further detail, see the Republic of Ireland chapter in A Survey of Pro Bono Practices and Opportunities in 84 Jurisdictions <http://www.probonoinst.org/wpps/wp-content/uploads/Global-Survey-2016.pdf>

<sup>2</sup> See Chapter 4 (Professional Practice Issues) of the Guide for Solicitors Employed in the Corporate and Public Sectors by the Law Society of Ireland: <https://www.lawsociety.ie/Documents/committees/corporate/Corporateguide.pdf>

<sup>3</sup> See: <https://www.lawsociety.ie/Solicitors/Regulations/> and Appendix 1 (Schedule of Statutory Instruments relevant to the Conduct and Practice of Solicitors) to A Guide to Good Professional Conduct for Solicitors (3rd Edn) by the Law Society of Ireland <https://www.lawsociety.ie/Documents/committees/conduct-guide.pdf>

<sup>4</sup> See: <https://www.lawsociety.ie/Trainees/Admission-to-the-Roll/>

<sup>5</sup> See: [www.lawsociety.ie/Public/Foreign-Lawyers/](http://www.lawsociety.ie/Public/Foreign-Lawyers/)

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house solicitors in the Republic of Ireland are not required by external rules to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house solicitors in the Republic of Ireland do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.<sup>6</sup></p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>In-house solicitors providing legal services (including <i>pro bono</i> services) only to their employer are exempt from professional indemnity insurance requirements.</p> <p>The regulations do not expressly require in-house solicitors that wish to provide <i>pro bono</i> services to persons other than their employer(s) to obtain professional indemnity insurance cover for such <i>pro bono</i> services.<sup>7</sup></p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules in the Republic of Ireland that impose limitations on in-house solicitors with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. There are no additional limitations on foreign-qualified in-house lawyers.</p>

<sup>6</sup> See, for example, No. 25 of Appendix B (Frequently Asked Questions) to The Continuing Professional Development Scheme 2016/2017 issued by the Law Society of Ireland: [https://www.lawsociety.ie/Documents/cpd%20scheme/CPD%20scheme%20booklet%202016\\_2017.pdf](https://www.lawsociety.ie/Documents/cpd%20scheme/CPD%20scheme%20booklet%202016_2017.pdf).

<sup>7</sup> The Solicitors Act 1954 to 2011 (Professional Indemnity Insurance) Regulations 2016 (i) of "Legal Services" and s.3(g): <https://www.lawsociety.ie/globalassets/documents/committees/pii/2016-17/si-no-534-of-2016.pdf>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The practice of law in Israel is generally regulated by The Bar Association Law, 1961.<sup>1</sup>

There are no rules in Israel that specifically regulate the provision of *pro bono* services by in-house lawyers. However, in-house lawyers and all other attorneys are required to be licensed by the Israel Bar Association or an equivalent legal body in any foreign jurisdiction in order to provide *pro bono* services.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. Apart from the requirement to be licensed by the Israel Bar Association or an equivalent legal body in any foreign jurisdiction, in-house lawyers do not require a license to provide <i>pro bono</i> services.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	No. Foreign-qualified in-house lawyers do not require any additional license(s) to provide <i>pro bono</i> services.  Historically, all attorneys had to be licensed to practice law by the Israel Bar Association. However, restrictions against attorneys licensed in foreign jurisdictions were lifted in 2012. Since then, attorneys licensed to practice in foreign jurisdictions are permitted to practice in Israel (including by providing <i>pro bono</i> services). <sup>2</sup>  In particular, the Israel Bar Association Law Amendment (5709-2009) stipulates that the Bar Association may register foreign attorneys and law firms operating in Israel on the basis of their law license at a foreign bar association.

### C. Education

<sup>1</sup> For further detail, see the Republic of Ireland chapter in A Survey of Pro Bono Practices and Opportunities in 84 Jurisdictions <http://www.probonoinst.org/wpps/wp-content/uploads/Global-Survey-2016.pdf>

<sup>2</sup> See: Israel Bar Association Law Amendment (5709-2009), which stipulates that the Bar Association may register foreign attorneys and law firms operating in Israel on the basis of their law license at a foreign bar association.

<p>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</p>	<p>No. Lawyers in Israel (including in-house lawyers) do not receive any "Continuing Legal Education" or equivalent credit in Israel for <i>pro bono</i> services or otherwise.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</p>	<p>No. In-house lawyers do not require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide.</p>
<p>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</p>	<p>No. Other than the requirements referred to in section I.B.1 above, there are no rules that impose limitations on in-house lawyers with respect to the provisions of <i>pro bono</i> services.</p>
<p>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</p>	<p>No. Other than the requirements referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers.</p>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
Yes	No	No	No	Yes	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The provision of *pro bono* services is not generally promoted in Italy and no specific regulation exists to regulate it.

Any lawyer is entitled to provide free legal advice (art. 13 L.247/2012) but attention should be paid to the general prohibition to carry out any client poaching or other activity in breach of the lawyer's fiduciary and integrity duties (Codice deontologico forense). In past case law, the provision of free legal services to entice clients has been considered a breach of such duties.

The above, however, applies only to self-employed lawyers registered with the local bar association, and in-house professionals generally do not fall in this category (see below).

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>Legal specialists in Italy can be grouped in three categories: (a) self-employed lawyers, (b) in-house lawyers, and (c) in-house counsels.</p> <p>The provision of legal services in Italy has been historically reserved to <i>self-employed lawyers</i>, who are registered with the Italian bar association and subject to specific bar and professional regulations (<i>'self-employed lawyers'</i>).</p> <p>Employees having passed the bar exam are allowed to register with the bar association only if they are employed with a public or publicly controlled entity (<i>'in-house lawyers'</i>).</p> <p>Private employees are not allowed to register with the bar association, and so for a long time they were not formally recognized as legal specialists (<i>'in-house counsels'</i>).</p> <p>The approach to this classification is slowly changing and, following a recent change in the professional law,<sup>1</sup> it was clarified that non-judicial legal activities can be provided not only by self-employed lawyers, but also by in-house lawyers and in-house counsels.</p>
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<sup>2</sup> See art. 2 L.247/2012.

	<p>However, while self-employed employees can freely operate in the legal field, some limitations apply to other legal professionals. In particular, (i) in-house counsels can only undertake non-judicial legal activities (including <i>pro bono</i> services) in favor of their employer or another company of the same group, and (ii) in-house lawyers can carry out any legal activity (including <i>pro bono</i> services) but only in favor of their employer.</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Foreign-qualified in-house lawyers from an EU country can carry out judicial activities (i) on an occasional basis, with the support of a local professional (art. 12 L.31/1982), or (ii) on a stable basis, applying to become an “established lawyer” (EU Directive 98/5/CE). Established lawyers need to be supported by a local professional for the first three years of practice in Italy.</p> <p>Non-EU lawyers need to pass a specific bar exam to practice in Italy.</p> <p>Foreign-qualified in-house counsels and in-house lawyers providing <i>pro-bono</i> services are subject to the same limitations applicable to Italian individuals and mentioned in section I.B.<sup>1</sup> above.</p>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company’s internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. There is no regulation that requires in-house lawyers to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any “Continuing Legal Education” or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>In-house lawyers are not subject to the “Continuing Legal Education” duties applicable to lawyers. As to in-house lawyers, no credit is granted for <i>pro bono</i> hours.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>All self-employed and in-house lawyers operating in Italy are required to have appropriate professional indemnity legal insurance cover. Such cover can be provided also by the association or professional enterprise to which the self-employed lawyer is party (art. 12 L.247/2012).</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Other than the requirements referred to in section I.B1 above, there are no rules that impose limitations on in-house lawyers with respect to the provisions of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Other than the requirements referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers.</p>



# JAPAN

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	No	No	No	No	No, unless foreign qualified

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no rules in Japan that regulate the provision or soliciting of *pro bono* services by in-house lawyers. However, there are rules which prohibit lawyers (including in-house lawyers) from advertising specific *pro bono* successes unless:

- written consent has been obtained from the relevant client(s) for the relevant *pro bono* matter to be advertised;
- the relevant *pro bono* matter is already in the public domain, or the client is not referred to in the advertisement; or
- the advertisement will not be damaging to the client or to have an adverse effect on any benefit received by the client as a result of the *pro bono* services rendered.<sup>1</sup>

As long as lawyers (including in-house lawyers) comply with these advertising rules, they are permitted to provide *pro bono* services.

In addition, although slightly different from offering *pro bono* services, local Japanese bar associations impose on their member attorneys a duty to engage in public interest services (such as criminal public defense and human rights work) and companies allow their in-house lawyers to engage in these public interest services.<sup>2</sup>

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. Lawyers (including in-house lawyers) that are qualified to provide legal services in Japan do not require any additional licence(s) to be able to provide <i>pro bono</i> services.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	No. Foreign-qualified lawyers (including in-house lawyers) do not require any additional licence(s) to provide <i>pro bono</i> services in Japan, provided that such <i>pro bono</i> services do not involve any Japanese law matters.

<sup>1</sup> See: [https://www.nichibenren.or.jp/library/ja/jfba\\_info/rules/pdf/kaiki/kaiki\\_no\\_44\\_160620.pdf](https://www.nichibenren.or.jp/library/ja/jfba_info/rules/pdf/kaiki/kaiki_no_44_160620.pdf).

<sup>2</sup> See: [https://www.nichibenren.or.jp/recruit/lawyer/inhouse/company/qa\\_company.html#11](https://www.nichibenren.or.jp/recruit/lawyer/inhouse/company/qa_company.html#11).

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers in Japan are not required by external rules to work a minimum number of <i>pro bono</i> hours.</p> <p>However, each local bar association may require its member lawyers (including in-house lawyers) to engage in a certain amount of public interest activity.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in Japan do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers in Japan are not required to have individual professional indemnity legal insurance cover for any <i>pro bono</i> services they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules in Japan that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services. However, companies may impose their own internal policies regulating and limiting the provision of <i>pro bono</i> services by their in-house lawyers.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Other than limitations referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers.</p>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for foreign qualified lawyers	No	Yes	No	Yes	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no specific rules that regulate the provision of *pro bono* services in Kenya. However, the Legal Aid Act No. 6 of 2016 (the "**Act**") regulates the provision of legal aid services in Kenya and requires legal aid service providers (which includes in-house lawyers operating under the *pro bono* programme of the Law Society of Kenya or other civil society organization or public benefit organization registered in Kenya) to be accredited by the National Legal Aid Service established under the Act.<sup>1</sup>

There is no statutory definition of the term "*pro bono*" under Kenyan law. However, this is generally accepted as the practice of taking up legal briefs at no charge. Therefore, the advocate does not charge the client for offering legal services. In many cases, this is done where the client is unable to meet the costs incidental to their matter.

The Legal Aid Act has defined "legal aid" as:

- (a) legal advice;
- (b) legal representation;
- (c) assistance in —
  - (i) resolving disputes by alternative dispute resolution;
  - (ii) drafting of relevant documents and effecting service incidental to any legal proceedings; and
  - (iii) reaching or giving effect to any out-of-court settlement;
- (d) creating awareness through the provision of legal information and law-related education; and
- (e) recommending law reform and undertaking advocacy work on behalf of the community.

In-house lawyers must be accredited if they're providing *pro bono* transactional or research support to an organization.<sup>2</sup>

<sup>1</sup> See Part VIII (Accreditation of Legal Service Providers) of the Act on: [http://www.kenyalaw.org/lex//actview.xql?actid=No.%206%20of%202016#part\\_VIII](http://www.kenyalaw.org/lex//actview.xql?actid=No.%206%20of%202016#part_VIII)

<sup>2</sup> See section 32A of the Advocates Act (Cap 16 Laws of Kenya) on [http://www.kenyalaw.org/lex//actview.xql?actid=CAP.%2016#KE/LEG/EN/AR/A/CHAPTER 16/sec\\_32A\\_t12](http://www.kenyalaw.org/lex//actview.xql?actid=CAP.%2016#KE/LEG/EN/AR/A/CHAPTER 16/sec_32A_t12)

## B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services. However, generally lawyers (including in-house lawyers) in Kenya must be licensed to provide legal services (including <i>pro bono</i> services) and qualified to practise as Advocates of the High Court of Kenya. Such qualification requires: (i) admission as Advocates, (ii) entry of their names on the Roll of Advocates, and (iii) a valid practising certificate.</p> <p>However, if an in-house lawyer works in any of the following capacities, they will be deemed to be entitled, in connection with the duties of that office, to act as advocates:</p> <ul style="list-style-type: none"> <li>• an officer in the office of the Attorney-General or the office of the Director of Public Prosecutions;</li> <li>• the Principal Registrar of Titles and any Registrar of Titles;</li> <li>• any person holding office in a local authority established under the Local Government Act, (Cap. 265);<sup>3</sup></li> <li>• such other person, being a public officer or an officer in a public corporation, as the Attorney-General may, by notice in the Kenya Gazette, specify.</li> </ul> <p>These persons are not allowed to charge any fees for acting as advocates (including in the provision of <i>pro bono</i> services).<sup>4</sup></p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Yes. Foreign-qualified in-house lawyers are required to be admitted to practise in Kenya in order to provide <i>pro bono</i> services.</p> <p>The Advocates Act Cap.16 Laws of Kenya sets out the following requirements for admission of Foreign Advocates to practice in Kenya:</p> <p>Foreign-qualified lawyers qualified in Commonwealth countries:</p> <ul style="list-style-type: none"> <li>• must be admitted by the Attorney General, for which they must pay the prescribed admission fee;</li> <li>• must be qualified to appear before the superior courts of any Commonwealth country;</li> <li>• must be instructed/assisted by either the Attorney General or an Advocate qualified to practice in Kenya; and</li> <li>• if they intend to appear before a court in Kenya, they must appear with an advocate qualified to practice in Kenya.</li> </ul> <p>Foreign-qualified lawyers qualified in non-Commonwealth countries (including in-house lawyers) are required to qualify as advocates of the High Court of Kenya in order to provide <i>pro bono</i> services.<sup>5</sup> To be qualified for admission as an advocate of the High Court of Kenya, a person must be a citizen of Kenya, Rwanda, Burundi, Uganda or Tanzania. Additionally, the person must be academically and professionally qualified as follows:</p> <p>a) A person must have passed the relevant examinations of any recognized university in Kenya and he or she holds, or has become eligible for the conferment of, a degree in law of that university; or</p>

<sup>3</sup> See <http://www.kenyalaw.org/lex/actviewbyid.xql?id=KE/LEG/EN/AR/L/CHAPTER%20265#KE/LEG/EN/AR/L/CHAPTER%20265>

<sup>4</sup> See section 9 and 10 of the Advocates Act (Cap. 16 Laws of Kenya) on: <http://www.kenyalaw.org/lex/actview.xql?actid=CAP.%2016#KE/LEG/EN/AR/A/CHAPTER%2016/>

<sup>5</sup> See section 11, 12 and 13 of the Advocates Act on: [http://www.kenyalaw.org/lex/actview.xql?actid=CAP.%2016#KE/LEG/EN/AR/A/CHAPTER%2016/sec\\_11](http://www.kenyalaw.org/lex/actview.xql?actid=CAP.%2016#KE/LEG/EN/AR/A/CHAPTER%2016/sec_11)

	<p>b) The person must have passed the relevant examinations of such university, university college or other institution as the Council of Legal Education (“<b>Council</b>”) may from time to time approve, and he or she holds, or has become eligible for conferment of, a degree in law in the grant of that university, university college or institution which the Council may in each particular case approve.</p> <p>Thereafter, the person:</p> <p>i) must have attended as a pupil and received from an advocate of not less than five (5) years standing, instruction in the proper business, practice and employment of an advocate and attended the Advocates Training Programme for a period which in the aggregate including such instruction, does not exceed eighteen (18) months; and</p> <p>ii) must have passed the examinations prescribed by the Council.</p> <p>Alternatively, a person may be admitted to practice if:</p> <p>a) he or she possess any other qualifications which are acceptable to and recognized by the Council;</p> <p>b) he or she is an Advocate for the time being of the High Court of Uganda, the High Court of Rwanda, the High Court of Burundi or the High Court of Tanzania;</p> <p>c) he or she is for the time being admitted as an advocate of the superior court of a country within the Commonwealth and:</p> <p>(i) has practised as such in that country for a period of not less than five (5) years; and</p> <p>(ii) is a member in good standing of the relevant professional body in that country:</p> <p>The Council may, in addition to the requirements in c) above, require that person to undergo training for a period not exceeding three (3) months, as the Council may prescribe for the purpose of adapting to the practice of law in Kenya.</p> <p>The Council is empowered to exempt any person from any or all of the requirements prescribed in paragraph (i) or (ii) above in lieu of such conditions, if any, as the Council may impose.</p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company’s internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers in Kenya are not required under the Act to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any “Continuing Legal Education” or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>Yes. Subject to the determination of the Continuous Professional Development Committee established under the Advocates (Continuing Professional Development) Rules, 2014, advocates (including in-house lawyers) may receive credit for <i>pro bono</i> hours worked.<sup>6</sup></p>

<sup>6</sup> See Rule 6(11) of the Rules on: [http://www.kenyalaw.org/lex//sublegview.xml?subleg=CAP%2016#KE/LEG/EN/AR/A/CHAPTER 16/SUBLEG/](http://www.kenyalaw.org/lex//sublegview.xml?subleg=CAP%2016#KE/LEG/EN/AR/A/CHAPTER%2016/SUBLEG/)

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>Yes. The Advocates (Professional Indemnity) Regulations, 2004 requires advocates (including in-house lawyers) to have a professional indemnity legal insurance cover in place to compensate clients for loss or damage resulting from claims in respect of any civil liability or breach of trust by the advocate or his employees.</p> <p>The Regulations are not clear as to:</p> <ul style="list-style-type: none"> <li>(i) whether in-house lawyers can be covered by insurance cover provided by their employers; and</li> <li>(ii) whether the mandatory insurance cover relates to both paying and <i>pro bono</i> clients. As such, it is assumed that <i>pro bono</i> clients are also covered by such insurance.</li> </ul> <p>In addition, in-house lawyers are not prohibited from working under the cover of another <i>pro bono</i> provider. If that <i>pro bono</i> provider is a private law firm, such firm is required to have a professional indemnity legal insurance cover of not less than one million Kenya shillings.<sup>7</sup></p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Other than the requirements referred to in section I.B.<sup>1</sup> above, there are no rules that impose limitations on in-house lawyers in connection with providing <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Other than the requirements referred to in section I.B.<sup>2</sup> above, there are no additional limitations on foreign in-house lawyers.</p>

<sup>7</sup> Please see the Regulations on: [http://www.kenyalaw.org/lex//sublegview.xql?subleg=CAP:%2016#KE/LEG/EN/AR/A/CHAPTER 16/SUBLEG/HC\\_LN822004](http://www.kenyalaw.org/lex//sublegview.xql?subleg=CAP:%2016#KE/LEG/EN/AR/A/CHAPTER 16/SUBLEG/HC_LN822004)



# LUXEMBOURG

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There is a distinction in Luxembourg between (i) lawyers, who must be registered with the Bar, must work independently and are not allowed to work as employees for any company<sup>1</sup> and (ii) in-house counsel, who are employed by companies.

There are no rules in Luxembourg that explicitly regulate the provision of *pro bono* services by in-house counsel.

However, articles 2(2) and 2(3) of the Legal Profession Act of 10 August 1991<sup>2</sup> provide that only lawyers are entitled to give legal advice on a regular basis for remuneration or to draft private acts on behalf of others. An in-house counsel is only permitted to provide legal advice or draft private acts when those are directly related to the activity of his/her company.

Accordingly, each *pro bono* matter to be undertaken by an in-house counsel should be assessed carefully to ensure compliance with the Legal Profession Act.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers do not require a specific license to provide <i>pro bono</i> services. Also, since in-house counsel are not permitted to be members of the bar, no license is required for them to be able to provide <i>pro bono</i> services.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	No. Foreign-qualified in-house counsel are not required to obtain any additional license(s) to provide <i>pro bono</i> services.  Generally, foreign-qualified lawyers may practice in Luxembourg under their home country title in the law of their home country or public international law. EEA lawyers may establish under their home title and additionally practice local law in association with a Luxembourg lawyer.

<sup>1</sup> See: Art. 1(5) of the Legal Profession Act of 10 August 1991.

<sup>2</sup> See: <http://legilux.public.lu/eli/etat/leg/loi/1991/08/10/n3/jo>

### C. Education

<p>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</p>	<p>No. There are no rules in Luxembourg that require in-house counsel to work a minimum number of <i>pro bono</i> hours.</p>
<p>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</p>	<p>No. In-house counsel do not receive, and do not require, any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</p>	<p>No. In-house counsel do not require a professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide.</p> <p>However, given that in-house counsel are employed by a company, it is advisable in Luxembourg for the in-house counsel's employer to put in place professional indemnity legal insurance cover for any such <i>pro bono</i> services provided by the relevant in-house counsel.</p>
<p>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</p>	<p>No. There are no rules in Luxembourg that impose limitations on the provision of <i>pro bono</i> services by in-house counsel.</p>
<p>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</p>	<p>No. There are no additional limitations applicable to foreign-qualified in-house counsel.</p>



# MEXICO

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No, except for foreign-qualified lawyers	No	No	Yes, for foreign-qualified lawyers	No	Yes, for foreign-qualified lawyers

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no rules in Mexico that explicitly regulate the provision of *pro bono* services by lawyers (including in-house lawyers).

The legal profession in general is regulated by the federal government in Mexico City and require that any person providing legal services (including *pro bono* services) is required to be a qualified lawyer<sup>1</sup>.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services. However, in-house lawyers are required to be qualified to practice law in Mexico. Qualification entails:</p> <ul style="list-style-type: none"> <li>(i) obtaining a <i>Licenciatura en Derecho</i><sup>2</sup>, a specialized undergraduate degree in law;</li> <li>(ii) filing such degree with the Secretary of Education; and</li> <li>(iii) filing of evidence of social work; and becoming licensed to practice law in Mexico.</li> </ul>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>A foreign-qualified lawyer (including any in-house lawyer) may also be able to practice law (including by providing <i>pro bono</i> services) in Mexico in accordance with international treaties to which Mexico is a party.</p> <p>In the absence of such international treaties, foreign-qualified lawyers (including in-house lawyers) are only permitted to provide legal services (including <i>pro bono</i> services) if a bilateral treaty exists between Mexico and such lawyers' jurisdiction of qualification and if such lawyers comply with any other requirements under Mexican law.</p>

<sup>1</sup> See : <http://www.diputados.gob.mx/LeyesBiblio/pdf/208.pdf>

<sup>2</sup> Ley Organica del Poder Judicial de la Federacion, as amended, available at [https://www.scjn.gob.mx/Transparencia/XIV%20Leyes%20expedidas%20por%20el%20Congreso%20de%20la%20Unin/Ley\\_Organica\\_PJF\\_24-Diciembre-2014.pdf](https://www.scjn.gob.mx/Transparencia/XIV%20Leyes%20expedidas%20por%20el%20Congreso%20de%20la%20Unin/Ley_Organica_PJF_24-Diciembre-2014.pdf)

### C. Education

<p>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</p>	<p>No. In-house lawyers are not required by any rules in Mexico to work a minimum number of <i>pro bono</i> hours.</p>
<p>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</p>	<p>No. In-house lawyers do not require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide.</p>
<p>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</p>	<p>No. There are no rules in Mexico that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</p>	<p>Other than as described in section I.B.<sup>2</sup> above, there are no additional limitations on foreign-qualified in-house lawyers.</p>



# THE NETHERLANDS

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for judicial proceedings	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

In The Netherlands, there are no professional rules specifically regulating the provision of *pro bono* services by in-house lawyers. However, the Act on Advocates (Advocatenwet)<sup>1</sup> and the Regulation on the Legal Profession (Verordening op de Advocatuur)<sup>2</sup> regulate the profession of attorneys-at-law (Advocaten) in general, and also apply to in-house lawyers that are admitted to the bar.

If not admitted to the bar, in-house lawyers are prohibited from the use of the qualification *Advocaat* and may not represent anyone in court (with the exception of court cases that do not statutorily require legal representation).

If an in-house lawyer is not admitted to the bar, the regulations stated above do not apply. If such in-house lawyer is affiliated with the Dutch Association of Company Lawyers (*Nederlands Genootschap voor Bedrijfsjuristen*)<sup>3</sup>, the in-house lawyer is bound by their rules of professional conduct. However, this affiliation is not mandatory.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services, unless the services involve representation in court (again with the exception of court cases that do not statutorily require legal representation).</p> <p>As noted above, in-house lawyers that are admitted to the bar are subject to the regulations with regard to the profession of attorneys-at-law (<i>Advocaten</i>) in general.</p> <p>In The Netherlands, the Dutch Bar Association conditionally admits candidates that have successfully completed both their bachelor's and master's degree in Law and do not have a criminal record.<sup>4</sup> In order to be permanently admitted to the bar, the candidate is required to successfully complete three years of vocational training while practicing as an attorney-at-law (<i>Advocaat</i>).</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide pro bono services (beyond their foreign qualification to practice law)?</b></p>	<p>No. Foreign-qualified in-house lawyers may provide <i>pro bono</i> services without any additional licenses, in so far as the services do not comprise representation in court (again with the exception of court cases that do not statutorily require legal representation).</p> <p>Foreign qualified lawyers can provide <i>pro bono</i> services without Dutch licensing with respect to matters not involving Dutch law, but they may not represent a client in Court in matters that statutorily require legal representation – for example, if a Dutch court accepts jurisdiction over a matter of foreign law.</p>

<sup>1</sup> See <https://www.advocatenorde.nl/document/advocatenwet-engels-definitief-01-05-2016>

<sup>2</sup> See <http://wetten.overheid.nl/BWBR0035981/2017-01-01#Hoofdstuk5>

<sup>3</sup> See <https://www.ngb.nl/index.php/nl/over-het-ngb-2/secties-overzicht>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>According to section 6.6 of the Regulation on the Legal Profession (Verordening op de Advocatuur),<sup>5</sup> an in-house lawyer that is admitted to the bar is required to be adequately insured with regard to the risk of professional liability.</p> <p>This insurance is required to cover the damage arising or resulting from all activities that can be considered the exercise of the professional duties, including <i>pro bono</i> services.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>The provision of <i>pro bono</i> services is not regulated. However, pursuant to article 5.9, paragraph g of the Regulation on the Legal Profession (Verordening op de Advocatuur),<sup>6</sup> an in-house lawyer that is admitted to the bar is only permitted to act on behalf of the employer or the group of associated entities.</p> <p>Those in-house lawyers are however not prohibited from running a legal practice outside the employment, provided that the in-house lawyer sees to prevent a conflict of interest, sees to exclude any confusion with regard to the capacity in which he acts, and reports the legal practice to the Dean of the Dutch Bar Association. If those conditions, as set out in article 5.13, paragraph 3 of the Regulation on the Legal Profession (Verordening op de Advocatuur) are met, an in-house lawyer may also provide <i>pro bono</i> services outside his employment.</p> <p>The limitations described above do not apply to in-house lawyers that are not admitted to the bar.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>The limitations as described above only apply to in-house lawyers admitted to the Dutch Bar, whether foreign or not.</p> <p>A foreign in-house lawyer – registered at another Bar Association in the EU, the EEA or Switzerland – may register to the Dutch Bar. There are specific regulations and exemptions for qualified lawyers from the member states of the European Union, the European Free Trade Association and Switzerland who wish to provide legal services in the Netherlands.<sup>7</sup></p>

<sup>4</sup> See <https://www.advocatenorde.nl/english>.

<sup>5</sup> See: <http://regelgeving.advocatenorde.nl/content/afdeling-66-beroepsaansprakelijkheid>

<sup>6</sup> See: <http://wetten.overheid.nl/BWBR0035981/2017-01-01#Hoofdstuk5>

<sup>7</sup> See: <http://wetten.overheid.nl/BWBR0002093/2017-03-01#Afdeling2b>.



# NIGERIA

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The legal profession is generally regulated by the Legal Practitioners Act ("**LPA**")<sup>1</sup> and the Rules of Professional Conduct ("**RPC**")<sup>2</sup> There are currently no rules regulating the provision of *pro bono* services by lawyers (including in-house lawyers) in Nigeria.

The RPC permits a lawyer to engage in advertising or promotion in connection with his/her law practice, provided that it is fair and proper in all the circumstances. The RPC, however, prohibits any form of advertising that is inaccurate, likely to mislead, likely to diminish public confidence in the legal profession, or makes comparison with or criticizes other lawyers, or includes statement about the quality of the lawyer's work, the size of success of his practice or success rate.<sup>3</sup>

Further, the RPC prohibits a lawyer from soliciting professional employment either directly or indirectly, by print or broadcast media, by permitting comments in the media or in a sound recording in relation to his practice, or by procuring his photograph to be published in connection with matters in which he has been engaged.<sup>4</sup> However, a lawyer is permitted to have his name and biographical data published in a reputable law list or law directory.<sup>5</sup> These rules would apply as well applicable to *pro bono* services.

### B. Licensure

<b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b>	<p>No. In-house lawyers in Nigeria do not require a license to provide <i>pro bono</i> services.</p> <p>However, in order to be entitled to practice (including <i>pro bono</i> services) as a qualified legal practitioner in Nigeria, a lawyer is required to complete all relevant Nigerian law exams and have his/her name entered on the roll of legal practitioners in Nigeria.<sup>6</sup></p>
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<sup>1</sup> See : <http://lawsofnigeria.placng.org/laws/L11.pdf>

<sup>2</sup> See: [http://www.lawyard.ng/wp-content/uploads/2015/11/RULES-OF-PROFESSIONAL-CONDUCT-FOR-LEGAL-PRACTITIONERS-2007-lawyard.ng\\_.pdf](http://www.lawyard.ng/wp-content/uploads/2015/11/RULES-OF-PROFESSIONAL-CONDUCT-FOR-LEGAL-PRACTITIONERS-2007-lawyard.ng_.pdf)

<sup>3</sup> Rule 39(1) and (2), RPC.

<sup>4</sup> Rule 39(3), RPC.

<sup>5</sup> Rule 39(4), RPC.

<sup>6</sup> Section 2(1), LPA.

<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>No. For <i>pro bono</i> services with limited scopes, foreign-qualified lawyers (including in-house lawyers) do not require any additional license(s) to provide <i>pro bono</i> services. However, if the provision of <i>pro bono</i> services by a foreign-qualified in-house lawyer would, in any way, entail holding themselves out to be legal practitioners entitled to practice in Nigeria, or using the title of a legal practitioner, they will be required to comply with the abovementioned requirements for qualification as a legal practitioner “in Nigeria (see section I.B.1).<sup>7</sup></p> <p>Section 22 of the LPA prohibits any person other than a legal practitioner from:</p> <ul style="list-style-type: none"> <li>• practising, or holding himself out to practise, as a legal practitioner; or</li> <li>• using the title of a legal practitioner; or</li> <li>• preparing for a reward, any instrument relating to immovable property, the grant of probate or letters of administration, or relating to any court of record in Nigeria.<sup>8</sup></li> </ul> <p>A “legal practitioner” means a person entitled in accordance with the provisions of the LPA to practise as a barrister or as a barrister and solicitor, either generally or for the purposes of any particular office or proceedings. The LPA does not define what it means to “hold oneself out” to be a legal practitioner, however, based on the literal rule of statutory interpretation, it would appear that this would include any form of public invitation for the purpose of providing legal advice, or attribution or description of the <i>pro bono</i> service provider as being capable of providing the services typically provided by a barrister and solicitor in Nigeria (which would include legal advice).</p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company’s internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers in Nigeria are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any “Continuing Legal Education” or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in Nigeria do not receive, and do not require, any “Continuing Legal Education” or equivalent credit for <i>pro bono</i> hours worked.</p>

<sup>7</sup> Section 2(1), LPA.

<sup>8</sup> See : <http://lawsofnigeria.placng.org/laws/L11.pdf>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers are not required to have individual professional indemnity legal insurance cover for any <i>pro bono</i> services they provide, although it is advisable for their employers to maintain professional indemnity legal insurance cover for any legal services (including <i>pro bono</i> services) provided by such in-house lawyers.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. There are no limitations on foreign-qualified in-house lawyers in addition to those referred to in section I.B.2 above.</p>



# NORWAY

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for advocate services	No	No	No	Yes	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no specific requirements to work as in-house lawyer in Norway or rules that specifically regulate the provision of *pro bono* services by in-house lawyers.

In-house lawyers can either be: (i) qualified attorneys in Norway (Nw. *Advokat*) or (ii) lawyers who are not qualified attorneys.

Qualified attorneys that work in-house are subject to the professional rules for attorneys and have an exclusive right to provide advocate services (Nw. *Advokatvirksomhet*), i.e. provide legal advice under the professional title "Advokat" and litigate all types of cases in lower and appellant courts.

The services of in-house lawyers that are not qualified attorneys are not specifically regulated, but they cannot provide services which constitute advocate services. This excludes them from taking on certain litigation assignments, particularly in appellant courts.

The employer must consent to the provision of *pro bono* services by an in-house lawyer. If a qualified attorney provides *pro bono* services as an in-house lawyer, this can only constitute a small part of that attorney's overall activity.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers in Norway do not require a license to provide <i>pro bono</i> services to the extent that these services do not fall within the ambit of reserved advocate services (Nw. <i>Advokatvirksomhet</i> ) that may only be provided by a qualified attorney.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	No. Foreign-qualified in-house lawyers do not require any additional license(s) to provide <i>pro bono</i> services that involve Norwegian law, foreign law or international law. However, the limitations set out in point I.B.1 apply, and foreign-qualified in-house lawyers may not use the title of "Advokat" or provide advocate services.

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required by rules in Norway to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in Norway do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>In-house lawyers that are not qualified attorneys do not require any form of insurance to provide <i>pro bono</i> services.</p> <p>Qualified attorneys (Nw. Advokat) that work as in-house lawyers and provide <i>pro bono</i> services are required to provide insurance that covers any liabilities that may be incurred during practice.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no specific rules in Norway that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services. However, to the extent that the <i>pro bono</i> service falls within the ambit of advocate services (Nw. Advokatvirksomhet) the services can only be provided by a qualified attorney (Nw. Advokat).</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Apart from the requirements referred to in section I.B.2 above, there are no additional limitations on foreign in-house lawyers in Norway.</p>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	No	No	Yes	No	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no professional rules in Panama specifically regulating the provision of *pro bono* services by in-house lawyers. However, Agreement No. 49, dated April 24, 2001 that approved the Minimum Professional Fees for Legal Services, requires those providing legal services to charge fees for their services, with an express prohibition against reducing or eliminating such fees except where acting in defence of indigent persons.

The only exception to these requirements is for those who qualify for free legal assistance (*patrocinio legal gratuito*).<sup>1</sup> Free legal assistance can be requested by Panamanian citizens who are involved in or about to initiate any kind of legal proceedings and who lack sufficient financial means to carry out the litigation.

Pursuant to article 3 of Law No. 9, of April 18, 1984 (*Ley por la cual se regula ejercicio de la Abogacía*) ("**Law No. 9**"), as amended by Law 8/1993, in order to become a lawyer, a student must obtain a law degree granted by: (i) the University of Panama, Santa María La Antigua University; (ii) any other university established in Panama whose law degree is legally recognized; or (iii) any other university whose law degree is legally recognized, provided that such degree is validated at the University of Panama, unless there is a specific international agreement with Panama that clearly exempts the candidate from complying with this requirement<sup>2</sup>

In addition to the foregoing educational requirements, in order to practice law in Panama, the candidate must (i) be a Panamanian national; and (ii) obtain a certification issued by the Supreme Court of Justice.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers in Panama do not require a specific license to provide <i>pro bono</i> services. However, lawyers (including in-house lawyers) are required to meet the educational requirements described above in order to practice law (including providing <i>pro bono</i> services) in Panama.
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<sup>1</sup> See: [http://panamacna.com/?page\\_id=43093](http://panamacna.com/?page_id=43093)

<sup>2</sup> See: [http://panamacna.com/?page\\_id=43107](http://panamacna.com/?page_id=43107).

<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Foreign-qualified lawyers (including in-house lawyers) are not allowed to practice law in Panama unless they are Panamanian nationals.</p> <p>In addition, such Panamanian foreign-qualified lawyers (including in-house lawyers) are required to have their foreign qualifications validated by the University of Panama, unless there exists an international agreement with Panama that clearly exempts the candidate from complying with this requirement.</p> <p>According to the information available, there are no Panamanian applicable regulations that prevent foreign-qualified lawyers from providing <i>pro bono</i> services in the law they are qualified in.</p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p> <p>However, each company may have its own internal policies regarding <i>pro bono</i> work with which the relevant in-house lawyer is expected to comply.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>Neither Law No.9, the Code of Conduct and Ethics nor the Panama Bar Association By-Laws require lawyers (including in-house lawyers) that are admitted to practice law in Panama to carry professional indemnity insurance in order to provide legal services (including <i>pro bono</i> services).</p> <p>In addition, the Statute of the National Bar of Panama, which was approved by the plenary general assembly of national lawyers on November 26, 2014 (<i>Estatuto del Colegio Nacional de Abogados de Panamá Aprobado en Asamblea General Plenaria en fecha 26 de noviembre de 2014</i>) does not contain any specific provision whereby in-house lawyers are required to be covered by a professional civil liability insurance policy in order to provide services (including <i>pro bono</i> services).</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Other than the requirements referred to in section I.B.1 above, there are no rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Other than the requirements referred to in section I.B.2 above, there are no rules that impose limitations on foreign-qualified in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>

<sup>5</sup> See: <http://regelgeving.advocatenorde.nl/content/afdeling-66-beroepsaansprakelijkheid>

<sup>6</sup> See: <http://wetten.overheid.nl/BWBR0035981/2017-01-01#Hoofdstuk5>

<sup>7</sup> See: <http://wetten.overheid.nl/BWBR0002093/2017-03-01#Afdeling2b>.



## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No, except for foreign qualified lawyers	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no laws in Peru that specifically regulate the provision of *pro bono* services.

The only reference to *pro bono* services is in the Code of Ethics of the Lima Bar Association, which only applies to its members and provides that lawyers are permitted offer free legal services to people with insufficient resources.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers in Peru do not require a specific license to provide <i>pro bono</i> services. However, in-house lawyers are required to be licensed attorneys and members of one of the Bar Associations in Peru.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	Yes. Foreign qualified in-house lawyers are required to be licensed attorneys and a member of any of the Bar Associations in Peru.  In addition, the requirement to be a licensed attorney under Peruvian law does not distinguish between the practise of foreign or local law. Accordingly a foreign-qualified lawyer would need to apply to the Bar Association of Lima to have his/her qualification recognised, following which he/she may apply for a license and membership of the Bar Association of Lima.

### C. Education

1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?	No. In-house lawyers in Peru are not required by law or regulation to work a minimum number of <i>pro bono</i> hours.  Notwithstanding the above, if an in-house lawyer or its employer have signed the <i>Pro bono</i> Declaration for the Americas, they are required to comply with that Declaration's recommendation of a minimum of 20 <i>pro bono</i> hours annually. <sup>1</sup>
2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?	No. In-house lawyers in Peru do not receive continuing legal education or equivalent credits for <i>pro bono</i> hours worked.

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. Lawyers (including in-house lawyers) in Peru do not require professional indemnity legal insurance cover for <i>pro bono</i> services.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>Apart from the requirements referred to in section I.B.1 above, there are no limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Apart from the requirements referred to in section I.B.2 above, there are no limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>

<sup>1</sup> See: <http://www.probono.cl/wp-content/uploads/2013/08/guia-pro-bono-para-estudios-juridicos-de-latinoamerica.pdf>



# PHILIPPINES

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for foreign qualified lawyers	No	No	No	No	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no rules that specifically regulate the provision of *pro bono* services by in-house lawyers in the Philippines. The practice of law is generally governed by the Code of Professional Responsibility (the "**Code**") and rules issued by the Supreme Court.

In-house lawyers may provide *pro bono* services only if they are qualified to practise as lawyers in the Philippines and are permitted to do so by the terms of their employment.

The Code prohibits the commercial advertisement of legal services (including *pro bono* services).<sup>1</sup> However, the solicitation of legal services (including *pro bono* services) is permitted in limited circumstances, including the use of signs and business cards and publication in reputable law lists.<sup>2</sup>

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>In-house lawyers do not require any special license to provide <i>pro bono</i> services. However, they may only provide legal services (including <i>pro bono</i> services) if they are permitted to practice law in the Philippines. This requires admission to the Integrated Bar of the Philippines ("IBP").<sup>3</sup></p> <p>In addition to maintaining membership in good standing with the IBP, in-house lawyers must also comply with certain other requirements. For example, under the Mandatory Continuing Legal Education Rule, an in-house lawyer must attend a minimum of thirty-six (36) hours of "continuing legal education activities" within a compliance period of three years.<sup>4</sup> An in-house lawyer must also pay local professional taxes.<sup>5</sup></p>
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<sup>1</sup> Code of Professional Responsibility, Canon 3.01.

<sup>2</sup> Khan v. Simbillo, A.C. No.5299, August 19, 2003.

<sup>3</sup> Rules of Court, Rule 138, Section 1.

<sup>4</sup> Supreme Court, Bar Matter No. 850, issued October 2, 2001.

<sup>5</sup> Republic Act No. 7160, Section 193 (1991).

<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Under the Philippine Constitution, the practice of professions in the Philippines is generally limited to Filipino citizens.<sup>6</sup> Accordingly, foreign-qualified lawyers are generally not permitted to practice law (including providing <i>pro bono</i> services) in the Philippines, with the limited exception of: (i) US citizens who were licensed members of the Philippine Bar prior to July 4, 1946; or (ii) Filipino citizens who are attorneys in good standing in the US and have practiced for at least 5 years in the US, having begun such practice prior to July 4, 1946.<sup>7</sup></p> <p>The Supreme Court (the body tasked with regulating the practice of law in the Philippines) has not issued any rule with respect to the practice of non-Philippine law by non-Philippine lawyers in the Philippines. Therefore, it is not settled whether foreign-qualified lawyers in the Philippines may provide pro-bono services involving non-Philippine law.</p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p> <p>In 2009, the Supreme Court introduced a requirement through its "Rule on Mandatory Legal Aid Service" that all "practising lawyers" provide a minimum of 60 hours per year of free legal aid or <i>pro bono</i> services to "indigent and pauper litigants".<sup>8</sup></p> <p>However, since the term "practising lawyers" excludes, among others, lawyers "who are employed in the private sector but do not appear for and in behalf of parties in courts of law and quasi-judicial agencies", this requirement does not apply to in-house lawyers (unless the in-house lawyer appears on behalf of his employer in courts of law and quasi-judicial agencies).</p> <p>To date, the Supreme Court has deferred implementation of the Rule on Mandatory Legal Aid Service.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. Lawyers (including in-house lawyers) do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers in the Philippines do not require professional indemnity insurance for <i>pro bono</i> services that they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules in the Philippines that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services, provided that they are duly qualified to practice law in the Philippines.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Apart from the requirements referred to in section I.B.<sup>2</sup> above, there are no additional limitations on foreign in-house lawyers.</p>

<sup>6</sup> 1987 Philippine Constitution, Art. XII, Sec. 14.

<sup>7</sup> Rules of Court, Rule 138, Sections 3 and 4.

<sup>8</sup> Supreme Court, Bar Matter No. 2012, Sections 4(b) and 5(a), issued February 10, 2009.



# POLAND

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for judicial proceedings	No	No	No	No	Yes, in relation to judicial proceedings

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no rules that specifically regulate the provision of *pro bono* services by in-house lawyers in Poland.

The practice of law in Poland is regulated by the Law on Advocates (Prawo o adwokaturze)<sup>1</sup> and the Law on Legal Advisers (Ustawa o radcach prawnych),<sup>2</sup> both of which apply to in-house lawyers providing *pro bono* services.

Moreover, regulations on judicial procedures in Poland contain provisions granting a party of proceedings a professional attorney (an advocate or a legal adviser), provided that the party proves its inability pay the cost of hiring an attorney and submit the relevant motion. If those requirements are met, the court or relevant bar appoints a bar member who is generally obliged to represent the party in the court proceedings and the costs of representation are covered by the State Treasury. The permitted attorney fees in such cases are prescribed by law and are significantly lower than the market standards. Bar members may also volunteer to be appointed by courts or the bar to represent parties in litigation.

While no rules specifically regulate the advertisement of *pro bono* services, the Ethical Code of Advocates<sup>3</sup> and Ethical Code of Legal Advisors<sup>4</sup> impose several restrictions on the bar members (advocates and legal advisors) with respect to advertisement of legal services. Generally, bar members are entitled only to inform about their professional activity (which may include *pro bono* services), but not to advertise themselves. Art. 23 of the Ethical Code of Advocates<sup>5</sup> expressly imposes a prohibition on advertisement regarding advocate's professional activity.

<sup>1</sup> Act on May 26, 1982 Law on Advocates (Journal of Laws of year 1982, no. 16, item.124 as amended), <http://isip.sejm.gov.pl/DetailsServlet?id=WDU19820160124>

<sup>2</sup> Act on July 6, 1982 Law on Legal Advisers (Journal of Laws of year 1982, no. 19, item 145 as amended), <http://isip.sejm.gov.pl/DetailsServlet?id=WDU19820190145>

<sup>3</sup> Ethical Code of Advocates [http://www.nra.pl/dokumenty/Kodeks\\_Etyki\\_Adwokackiej\\_tekst\\_jednolity.pdf](http://www.nra.pl/dokumenty/Kodeks_Etyki_Adwokackiej_tekst_jednolity.pdf)

<sup>4</sup> Ethical Code of Legal Advisors <http://kirp.pl/etyka-i-wykonywanie-zawodu/etyka/kodeks-etyki-radcy-prawnego/>

<sup>5</sup> Ethical Code of Advocates [http://www.nra.pl/dokumenty/Kodeks\\_Etyki\\_Adwokackiej\\_tekst\\_jednolity.pdf](http://www.nra.pl/dokumenty/Kodeks_Etyki_Adwokackiej_tekst_jednolity.pdf)

## B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services in Poland, provided that such services do not involve representation of clients in judicial proceedings.</p> <p>In order to represent a client in judicial proceedings, the relevant in-house lawyer is required to be qualified in Poland and the general rules on the admission to the bar (indicated in section I.A above) apply.</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>No. Foreign-qualified in-house lawyers do not require a specific license to provide <i>pro bono</i> services in Poland, provided that such services do not involve representation of clients in judicial proceedings.</p> <p>There are no rules that would regulate the scope of legal services provided by the foreign qualified in-house lawyers. The restrictions on the provision of legal services in Poland are imposed on the foreign lawyers who provide permanent and systematical legal service in Poland.</p> <p>For a foreign-qualified lawyer (including any foreign-qualified in-house lawyer) to represent clients in judicial proceedings, such lawyer must be admitted to the bar as a “Foreign Lawyer”, in accordance with the Law on Advocates (Prawo o adwokaturze)<sup>6</sup> and the Law on Legal Advisors (Ustawa o radcach prawnych)<sup>7</sup> and with the Law on the provision of legal services in the Republic of Poland by the foreign lawyers.<sup>8</sup></p> <p>Generally, if the qualified lawyer from the other UE country is admitted to the bar, such a lawyer may practice law on the same rules as any other bar member (several restrictions are provided where the party is required to be represented by an advocate or legal advisor).</p> <p>Pursuant to Law on the provision of legal services in the Republic of Poland by the foreign lawyers, a non-UE lawyer is entitled only to give legal advices and to prepare legal opinions only on issues related to the law of their home country or to international law, even if they are admitted to the Polish bar as foreign lawyers. However, abovementioned restriction applies only to the non-UE lawyers who provide permanent and systematical legal service in Poland.</p>

## C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company’s internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required by any statutory rules in Poland to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any “Continuing Legal Education” or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in Poland do not receive any “Continuing Legal Education” or equivalent credit for <i>pro bono</i> hours worked.</p>

<sup>6</sup> Act on May 26, 1982 Law on Advocates (Journal of Laws of year 1982, no. 16, item.124 as amended), <http://isip.sejm.gov.pl/DetailsServlet?id=WDU19820160124>

<sup>7</sup> Act on July 6, 1982 Law on Legal Advisors (Journal of Laws of year 1982, no. 19, item 145 as amended), <http://isip.sejm.gov.pl/DetailsServlet?id=WDU19820190145>

<sup>8</sup> Act on July 5, 2002 on the provision of legal services by foreign lawyers in Republic of Poland (Journal of Laws of year 2002, no. 126, item 1069 as amended), <http://isap.sejm.gov.pl/DetailsServlet?id=WDU20021261069>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers do not require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide, provided that such services do not involve representation of a client in judicial proceedings.</p> <p>However, pursuant to the Law on Advocates (Prawo o adwokaturze)<sup>9</sup> and the Law on Legal Advisers (Ustawa o radcach prawnych)<sup>10</sup>, both advocates and legal advisers (including in-house lawyers) are obliged to possess legal malpractice insurance. If <i>pro bono</i> services are provided by members of the Polish bar, such services are covered by the relevant member's legal malpractice insurance.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Other than the requirements referred to in section I.B.1 above in relation to representation of clients in judicial proceedings, there are no rules in Poland that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Other than the requirements referred to in section I.B.2 above in relation to representation of clients in judicial proceedings, there are no additional limitations on foreign in-house lawyers.</p>

<sup>9</sup> Act on May 26, 1982 Law on Advocates (Journal of Laws of year 1982, no. 16, item.124 as amended), <http://isip.sejm.gov.pl/DetailsServlet?id=WDU19820160124>

<sup>10</sup> Act on July 6, 1982 Law on Legal Advisers (Journal of Laws of year 1982, no. 19, item 145 as amended), <http://isip.sejm.gov.pl/DetailsServlet?id=WDU19820190145>



# PORTUGAL

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for foreign qualified lawyers	No	No	No	Yes	Yes, in certain circumstances

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no rules that specifically regulate the provision of *pro bono* legal services<sup>1</sup> by in-house lawyers in Portugal. There are, nonetheless, two main laws that, generally, regulate the provision of legal services in Portugal: (i) Law no. 145/2015, of 9 September – the Statute of the Portuguese Bar – and (ii) Law 49/2004, of 24 August – which defines what should be considered as legal services.

Legal services in Portugal may only be provided by lawyers enrolled (*inscritos*) with the Portuguese Bar, with exceptions under very limited circumstances. In-house lawyers who are enrolled (*inscritos*) with the Portuguese Bar are considered to be lawyers for the purposes of Portuguese law, so the general rules that apply to the practice of law in Portugal also apply to in-house lawyers providing *pro bono* legal services.<sup>2</sup>

In addition, the rules in Portugal relating to the solicitation of new clients (including *pro bono* clients) are quite straightforward: lawyers are not permitted to solicit clients, either directly or indirectly<sup>3</sup>. Accordingly, the advertisement of *pro bono* services by lawyers (including by *pro bono* lawyers) should be undertaken with caution. Art. 94 of Law 145/2015 requires advertisements in relation to legal services to be objective and accurate, and prohibits any comparative advertisement, self-promotion, making of any promises or presenting unsolicited offers, among others.

<sup>1</sup> For the sake of clarity, the term "legal services" used herein means: (i) The exercise of a "forensic mandate" (*mandato forense*), that is, the judicial mandate to be exercised in any kind of court, including courts of arbitral commissions; (ii) The provision of legal counsel – which shall mean the interpretation and application of legal norms at the request of a third party; (iii) The preparation of contracts and the practice of preparatory acts for the establishment, change, or extinction of legal business, namely those made with registrars and notary offices; (iv) The exercise of a mandate with powers to negotiate the establishment, change, or extinction of legal relations; and/or (v) Negotiation for collection of credits. Please also note that these acts are deemed to be "legal services" only if provided in the interest of third parties (*terceiros*) and in a "professional context" (*profissionalmente*).

<sup>2</sup> See Art. 66 and 73 of Law 145/2015.

<sup>3</sup> See Art. 90(2)(h) of Law 145/2015.

## B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a specific license to provide <i>pro bono</i> services in Portugal. However, lawyers (including in-house lawyers) are required to be members of the Portuguese Bar in order to provide <i>pro bono</i> services.</p> <p>According to Law 49/2004, offices or departments (<i>escritórios ou gabinetes</i>) that are not solely composed by lawyers enrolled with the Portuguese Bar may not provide legal services to third parties.<sup>4</sup> This means that a team composed of non-enrolled in-house lawyers may not, as such, provide legal services to third parties (including <i>pro bono</i> services).</p> <p>Nonetheless, such teams may explore other ways to engage in <i>pro bono</i> services. For example, by partnering with a law firm or an individual lawyer. However, this approach may not be risk-free, and should always be examined and structured on a case-by-case basis.</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Foreign-qualified lawyers (including in-house lawyers) are only permitted to provide legal services (including <i>pro bono</i> services) in Portugal under the following circumstances:</p> <ul style="list-style-type: none"> <li>• If qualified in an EU country – or in countries to which EU law confers the freedom to provide services – such lawyer is deemed to be a lawyer in Portugal for the purposes of the law,<sup>5</sup> subject to certain conditions: <ul style="list-style-type: none"> <li>o Such lawyer may request enrolment (<i>inscrição</i>) as “advogado” before the Portuguese Bar by virtue of the freedom to provide services in the EU,<sup>6</sup> in which case he/she may act as any other Portuguese qualified lawyer.</li> <li>o If intending to provide legal services with his/her title of origin, he/she is required to (i) give prior notice (dar prévio conhecimento) to the Portuguese Bar in order to provide legal services on an ad hoc basis (<i>ocasionalmente</i>),<sup>7</sup> (ii) register (<i>registar-se</i>) with the Portuguese Bar, in order to establish himself/herself in Portugal,<sup>8</sup> and (iii) in either scenario, be assisted by a Portuguese lawyer in judicial proceedings before Portuguese courts.</li> </ul> </li> <li>• If qualified in Brazil, the relevant lawyer is also permitted to request enrolment (<i>inscrição</i>) with the Portuguese Bar, by means of reciprocity.<sup>9</sup></li> <li>• Finally, a person from another foreign country may also request enrolment (<i>inscrição</i>) with the Portuguese Bar as lawyer if (i) he/she has received his/her degree from a Portuguese university, and (ii) his/her country of origin gives a similar right to Portuguese citizens.</li> </ul> <p>If a foreign-qualified lawyer (including in-house lawyer) does not comply with the requirements mentioned above, it may not provide legal services in Portugal, regardless of whether the matters involve Portuguese law or not.</p>

<sup>4</sup> See Article 6(1) of Law 49/2004.

<sup>5</sup> See Articles 203 and following of Law 145/2015.

<sup>6</sup> See Article 204 and 208 of Law 145/2015.

<sup>7</sup> Under Law 9/2009, of 4 March, as amended. See article 205(1) of Law 145/2015.

<sup>8</sup> Under Law 9/2009, as amended. See article 205(2) of Law 145/2015.

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>Portuguese lawyers are required to comply with a general requirement of continuous legal education pursuant to Article 197 of Law 145/2015.</p> <p>However, there does not seem to be any specific regulations establishing a minimum of Continuing Legal Education hours for any Portuguese lawyers, or specifying that <i>pro bono</i> hours worked contribute to such continuous legal education.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>Yes. Any lawyers enrolled before the Portuguese Bar (including in-house lawyers) are required to have legal insurance cover for their activities, including the provision of <i>pro bono</i> services.<sup>10</sup></p> <p>In addition, all lawyers enrolled with the Portuguese Bar (including in-house lawyers) qualify for automatic indemnity insurance for up to EUR 150,000.00.<sup>11</sup></p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules in Portugal that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services, provided that they are members of the Portuguese Bar.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Apart from the requirements referred to in section I.B.2 above, there are no additional limitations on foreign in-house lawyers.</p>

<sup>9</sup> See Article 201(2) of Law 145/2015.

<sup>10</sup> See Article 104 of Law 145/2015.

<sup>11</sup> See : <https://portal.oa.pt/advogados/seguro-profissional/seguro-de-responsabilidade-civil-profissional-2017/>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for criminal proceedings	No	No	No	No	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

Provision of *pro bono* services in Russia is generally regulated by the Federal Law "On Free Legal Aid". Pursuant to this law, *pro bono* services can be provided by any person who has a law degree, except for representation in criminal proceedings which can be provided only by state-licensed attorneys (called "**advocates**").<sup>1</sup>

Advocates are required to complete an examination and application process administered by regional bar chambers.

There is no prohibition under the Federal Law "On Free Legal Aid" against advertising *pro bono* successes or soliciting new *pro bono* clients.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers do not require a specific license to provide <i>pro bono</i> services, provided that such services do not involve representation of clients in criminal judicial proceedings. In any event, however, in-house lawyers are required to have a law degree to provide <i>pro bono</i> services.  In order to represent clients in criminal judicial proceedings, lawyers (including in-house lawyers) in Russia are required to obtain a licence from the state to practise as an advocate in accordance with the Federal Law "On Legal Practice and Advocacy". <sup>2</sup>
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	Beyond the licence referred to in section I.B.1 above in order to represent clients in criminal judicial proceedings, there is no specific requirement for foreign-qualified lawyers (including in-house lawyers) to obtain any licence(s) to provide <i>pro bono</i> services, provided that such services do not involve any Russian law matters. Only Russian-qualified lawyers are permitted to advise on Russian law matters (including <i>pro bono</i> ).

<sup>1</sup> See <http://ivo.garant.ru/#/document/12191964:0>

<sup>2</sup> See <http://ivo.garant.ru/#/document/12126961/paragraph/29070:1>

### C. Education

<p>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</p>	<p>No. In-house lawyers are not required by external rules in Russia to work a minimum number of <i>pro bono</i> hours.</p>
<p>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</p>	<p>No. In-house lawyers in Russia do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</p>	<p>No. Lawyers (including in-house lawyers) in Russia do not require professional indemnity legal insurance cover for <i>pro bono</i> services.</p>
<p>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</p>	<p>No. There are no rules in Russia that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services, provided that such services do not involve representation of clients in criminal judicial proceedings. See section I.B.1 above.</p>
<p>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</p>	<p>Apart from the requirements referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers in Russia.</p>



# SAUDI ARABIA

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for foreign qualified lawyers	No	No	No	No	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no rules regulating the provision of *pro bono* services in the Kingdom of Saudi Arabia.

The legal profession in the Kingdom of Saudi Arabia is regulated by the Code of Law Practice promulgated by Royal Decree no. M/38 dated 28/07/1422H (corresponding to 15/10/2001 G.) and its implementing regulations (the "**Code of Law Practice**").

Pursuant to the Code of Law Practice "*a lawyer may not present himself in an advertising manner by any means*".

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a specific license to provide <i>pro bono</i> services. However, all lawyers (including in-house lawyers) are required to be licensed by the Ministry of Justice in order to provide legal services (including <i>pro bono</i> services) in the Kingdom of Saudi Arabia.</p> <p>Note that the Ministry of Justice does not typically license government lawyers so that such lawyers do not work in private practice.</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide pro bono services (beyond their foreign qualification to practice law)?</b></p>	<p>Foreign-qualified in-house lawyers are not permitted to provide legal services (including <i>pro bono</i> services) in the Kingdom of Saudi Arabia. They may only provide such services as consultants under the supervision of a Saudi-qualified lawyer.</p> <p>Saudi law is silent on the provision of <i>pro bono</i> services by foreign-qualified lawyers on matters not involving Saudi law.</p>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required by external rules in the Kingdom of Saudi Arabia to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in the Kingdom of Saudi Arabia do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. Lawyers (including in-house lawyers) in the Kingdom of Saudi Arabia do not require professional indemnity legal insurance cover for <i>pro bono</i> services.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Apart from the requirements referred to in section I.B.1 above, there are no rules in the Kingdom of Saudi Arabia that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. Apart from the requirements referred to in section I.B.2 above, there are no additional limitations on foreign in-house lawyers in the Kingdom of Saudi Arabia.</p>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	No	Yes	No	No	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

All solicitors in Scotland (including in-house solicitors) must observe the Law Society of Scotland Practice Rules 2011 (the "Rules"), which govern the provision of legal services (including *pro bono* services) by solicitors.

Pursuant to Rule B.2.1.2, in-house solicitors must not act for two or more parties whose interests conflict. As it is the role of in-house solicitors to provide legal advice to the company or organisation that employs them, they should take steps to ensure that the interests of their employer do not conflict with those of any third party to whom they provide, or intend to provide, *pro bono* services.

Rule B.3.2 states that solicitors must not make a direct or indirect approach whether verbal or written to any person whom they know or ought reasonably to know to be the client of another regulated person with the intention to solicit business from that person and, as such, in-house solicitors must consider whether a potential third party *pro bono* client is already a client of another solicitor or law firm before approaching them.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	No. In-house lawyers that are qualified in Scotland do not require a license to provide <i>pro bono</i> services.
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	No. Foreign-qualified in-house lawyers do not require any additional license(s) to provide <i>pro bono</i> services provided that they do not describe themselves as "solicitors" and that such <i>pro bono</i> services do not include any types of work reserved by statute for Scottish-qualified solicitors.  These reserved types of work are set out in section 32 of the Solicitors (Scotland) Act 1980 and include conveyancing of land and/or buildings, litigation (civil or criminal) and obtaining confirmation in favour of executors (the Scottish equivalent of probate).

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers in Scotland are not required by external rules to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>Yes. In-house solicitors and solicitors working in private practice are required to undertake a minimum of 20 hours continuing professional development ("CPD") in each practice year. Of those 20 hours, a minimum of <sup>15</sup> must be verifiable CPD and up to <sup>5</sup> hours may be private study.</p> <p><i>Pro bono</i> work can be considered as CPD provided it is included as part of the solicitor's learning and development plan and it is verifiable. The Law Society of Scotland states that in order to be verifiable, any <i>pro bono</i> work should:</p> <ul style="list-style-type: none"> <li>i. have clear aims and outcomes relevant to the solicitor's professional development;</li> <li>ii. provide interaction and/or the opportunity for feedback;</li> <li>iii. be able to be evidenced; and</li> <li>iv. not be part of the solicitor's daily work.</li> </ul> <p>The provision of advice on a pro-bono basis is not generally allowed as an available method of compiling CPD. In exceptional circumstances a waiver can sought from the Law Society of Scotland.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house solicitors do not require professional indemnity insurance cover for any <i>pro bono</i> services that they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules that impose specific limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services. However, as noted above, they must adhere to and comply with the Rules.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Other than the requirements referred to in section I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers in Scotland.</p>



# SINGAPORE

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are currently no rules in Singapore regulating the provision of *pro bono* services by in-house lawyers. However, in-house lawyers are subject to any relevant disciplinary rules which may be applicable to them in any jurisdiction in which they may have been admitted.

In addition, in-house lawyers that provide *pro bono* services may be subject to the regulations of the *pro bono* agencies whom they are assisting. Such regulations vary from agency to agency and any in-house lawyer seeking to provide *pro bono* services to a *pro bono* agency would need to review the regulations of the relevant *pro bono* agency on a case-by-case basis.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services in Singapore.</p> <p>However, the vast majority of the <i>pro bono</i> schemes administered by the government of Singapore, the Law Society of Singapore and NGOs in Singapore require <i>pro bono</i> providers to be qualified to practise in Singapore i.e., to hold a Singapore practising certificate.</p> <p>Most in-house lawyers in Singapore do not hold a practising certificate and are therefore disqualified from participating in such schemes.</p> <p>In-house lawyers can provide <i>pro bono</i> services on matters that do not involve Singapore law. Under the Legal Profession (<i>Pro bono</i> Legal Services) Rules 2013, in-house lawyers are specifically allowed to provide <i>pro bono</i> legal services under schemes administered by the Law Society or the State Courts of Singapore. Such schemes sometimes involve matters not specific to Singapore law.</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>No. Foreign-qualified in-house lawyers do not require a license to provide <i>pro bono</i> services in Singapore and there are no restrictions on the provision of such services apart from those referred to in section I.B.1 above.</p>

### C. Education

<p>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</p>	<p>No. In-house lawyers in Singapore are not required by external rules to work a minimum number of <i>pro bono</i> hours.</p>
<p>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</p>	<p>No. In-house lawyers in Singapore do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</p>	<p>No. In-house lawyers in Singapore do not require professional indemnity legal insurance cover for <i>pro bono</i> services.</p>
<p>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</p>	<p>No. There are no rules in Singapore that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p> <p>However, as discussed in section I.B.<sup>1</sup> above, specific <i>pro bono</i> schemes may require <i>pro bono</i> providers to hold a Singapore practising certificate.</p>
<p>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</p>	<p>No. There are no additional such limitations on foreign-qualified in-house lawyers, apart from those described in section I.B.1.</p>



# SOUTH AFRICA

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No, except for services reserved for a practising attorney	Yes, though not a statutory requirement	Yes, only if attorney is member of CCASA	No	No	No, except for services reserved for a practising attorney

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The provision of *pro bono* services by lawyers (including in-house lawyers) in South Africa is regulated by (i) the Attorneys Act, and (ii) the government-recognized professional associations of lawyers, the various provincial Law Societies ("the Law Societies").<sup>1</sup> There are no separate requirements relating to the provision of *pro bono* services by in-house lawyers specifically.

In addition, the professional association for in-house lawyers, the Corporate Counsel Association of South Africa (the "CCASA"),<sup>2</sup> sets certain standards and guidelines for in-house lawyers. However, it should be noted that membership to CCASA is voluntary and is not a prerequisite for practising as an in-house lawyer, and CCASA itself is not formally recognized by the South African government.

The legal profession in South Africa will be governed by the Legal Practice Act, which is expected to come into effect in early 2018.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>If in-house lawyers provide <i>pro bono</i> services of a nature that is reserved for practising attorneys, such as court appearances, they will be required to be admitted as an attorney and be a member of one of the Law Societies.</p> <p>For any other <i>pro bono</i> services, no licence or registration is required in South Africa.</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>The same principles as in the previous paragraph apply to foreign qualified lawyers. They may not render any <i>pro bono</i> services of a nature that is reserved for practising attorneys, such as court appearances, unless they are admitted to practice in South Africa. They will be required to be a member of one of the Law Societies.</p> <p>For any other <i>pro bono</i> services, no licence or registration is required in South Africa.</p> <p>Both the Law Society of South Africa (LSSA)<sup>3</sup> and CCASA<sup>4</sup> have accessible foreign qualifications policies that may be consulted by foreign-qualified in-house lawyers wishing to be admitted to practice in South Africa.</p>

<sup>1</sup> For more information, see: <http://www.lssa.org.za>.

<sup>2</sup> For more information, see: <http://www.ccasa.co.za>.

<sup>3</sup> For more information on the LSSA foreign qualifications policy, see: [http://www.lssa.org.za/upload/documents/Career\\_Guide\\_to\\_the\\_Legal\\_profession.pdf](http://www.lssa.org.za/upload/documents/Career_Guide_to_the_Legal_profession.pdf)

<sup>4</sup> For more information on the CCASA foreign qualifications policy, see: <http://www.ccasa.co.za/wp-content/uploads/2016/11/CCASA-Foreign-qualifications-policy.pdf>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>All lawyers (including any in-house lawyers who are members of a Law Society) in South Africa are expected to perform a minimum number of 24 hours of <i>pro bono</i> per calendar year<sup>5</sup>. There is no sanction for failing to meet this requirement, but it would be considered to be unprofessional conduct if an attorney who has not performed the minimum number of hours refuses to accept a <i>pro bono</i> referral from the Law Society.</p> <p>In addition, CCASA members are required to complete CPD credits each year, but providing <i>pro bono</i> services is only one of several ways to fulfill these credits, and <i>pro bono</i> services is not otherwise mandatory.<sup>6</sup></p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>The LSSA's "Continuing Legal Education" equivalent is Continuing Professional Development ("CPD"). <i>Pro bono</i> hours are not included on the list of activities that are eligible for LSSA CPD credit because there is a separate requirement for <i>pro bono</i> hours (24 hours minimum per year), as discussed in I.(c)(1) above.<sup>7</sup> Any Law Society and LSSA requirements are only applicable to in-house lawyers who are admitted to practice in South Africa and are members of a Law Society.</p> <p>In addition, in-house lawyers receive CPD credit for <i>pro bono</i> hours through CCASA.<sup>8</sup></p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers in South Africa are not required to have individual professional indemnity legal insurance cover for any <i>pro bono</i> services they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>Yes. In-house lawyers may not provide <i>pro bono</i> services of a nature that is reserved for practising attorneys, such as court appearances, unless they are admitted to practice in South Africa and are members of one of the Law Societies.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Other than the requirements referred to in the response to I.B.2 above, there are no additional limitations on foreign-qualified in-house lawyers in South Africa.</p>

<sup>5</sup> See: <http://www.lssa.org.za/upload/RulesForTheAttorneysProfession2016.pdf>.

<sup>6</sup> See: <http://www.ccasa.co.za/wp-content/uploads/2016/11/CCASA-CPD-Policy.pdf>.

<sup>7</sup> See: <http://www.lssa.org.za/upload/documents/LSSACPDProposal&implementationplan.pdf>.

<sup>8</sup> See: <http://www.ccasa.co.za/wp-content/uploads/2016/11/CCASA-CPD-Policy.pdf>.

# SOUTH KOREA

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No	Yes	No	No	No	No, unless foreign qualified.

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no specific rules in South Korea that regulate the provision of *pro bono* services by in-house lawyers.

While there is no explicit prohibition on providing free legal services in South Korea, Article 23(2) of the **Attorney-at-Law Act** limits advertising of lawyers in general. Soliciting clients in general is regulated by the same Act, including, *inter alia*, Article 34 and Article 35 thereof.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services. However, in-house lawyers are required to be qualified in South Korea to provide <i>pro bono</i> services. Under Article 7 of the Attorney-at-Law Act, they need to be registered at the Korean Bar Association before 'establishing a legal practice', i.e. practicing law (including providing <i>pro bono</i> services).</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide pro bono services (beyond their foreign qualification to practice law)?</b></p>	<p>Yes. Foreign-qualified lawyers (including in-house lawyers) are required to register as Foreign Legal Consultants ("FLCs") in order to provide legal services (including <i>pro bono</i> services) in South Korea.</p> <p>FLCs may only register as such if their country of license is a member nation of a Free Trade Agreement with South Korea (which currently number fifteen countries, including EU, US, Australia, and China) pursuant to which such foreign-qualified lawyers are permitted to practice law (including providing <i>pro bono</i> services) in South Korea.</p> <p>Pursuant to Article 24 of the Foreign Legal Consultant Act of 2011, FLCs are only allowed to practice law in a limited scope, which is as follows:</p> <ul style="list-style-type: none"> <li>• the laws and treaties of their country of license;</li> <li>• universally approved international customary law; and</li> <li>• international arbitration proceedings whose applicable law is the law of their country of license or international public law and the jurisdiction of the arbitration is the Republic of Korea.</li> </ul>

### C. Education

<p>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</p>	<p>Yes. Pursuant to Article 27 of the 2000 Attorney-at-Law Act, lawyers (including in-house lawyers) in South Korea are required to dedicate a number of hours of <i>pro bono</i> work, as determined by the Korean Bar Association. Currently, Korean Bar Association Regulations on <i>Pro bono</i> Practice require all lawyers to dedicate at least 30 hours of <i>pro bono</i> work annually (which may be reduced to 20 hours by local bar associations, notably Seoul Bar Association).</p>
<p>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</p>	<p>No. In-house lawyers in South Korea do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p> <p>However, Article 21-2 of the Attorney-at-Law Act requires attorneys (including in-house lawyers) who have passed bar exams to undergo 6 months of training before practising law. Such training may include <i>pro bono</i> work.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</p>	<p>No. There is no legal requirement specifically for in-house lawyers (or lawyers in general) to obtain legal insurance cover for <i>pro bono</i> services.</p>
<p>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</p>	<p>No. There are no explicit rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</p>	<p>Apart from the requirements referred to in section I.B.2 above, there are no additional limitations on foreign in-house lawyers in South Korea.</p>



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except foreign-qualified lawyer must validate foreign degree	No	No	No	Yes	Yes

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no professional rules in Spain specifically regulating the provision of *pro bono* services by in-house lawyers. However, Royal Decree 658/2001, of 22 June, approving the Spanish Lawyers' Statute<sup>1</sup> (Real Decreto 658/2001, de 22 de junio, que aprueba el Estatuto General de la Abogacía Española) and the Deontological Code of Lawyers<sup>2</sup> (Código Deontológico) regulate the exercise of law in general for both private practice and in-house lawyers.

In addition, there are no specific prohibitions on providing free legal services, advertising *pro bono* successes or soliciting new *pro bono* clients, provided that the person providing such services is admitted to practise.

Each of Spain's 83 regional Bar Associations has its own *pro bono* program. These programs encourage and coordinate the provision of *pro bono* services but do not impose specific licensing or regulatory requirements for individuals providing *pro bono* services.

In-house lawyers who wish to provide *pro bono* services can either do so individually or through available clearinghouses or local Bar Associations, which are able to match *pro bono* matters with the relevant volunteer.

Bar Associations and clearinghouses, like TrustLaw, have helped to expand the scope of *pro bono* activity in Spain, and in-house lawyers are permitted to join the *pro bono* programs run by any of the Bar Associations or clearinghouses.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services. However, private practice and in-house lawyers are required to be admitted to one of the regional Bar Associations either as practising lawyer (abogado ejerciente) or as non-practising lawyer (abogado no ejerciente).</p> <p>In addition, candidates seeking admission to a Spanish Bar Association are required: (i) to complete a specific LLM (<i>Máster de Acceso a la Abogacía</i>), which includes a period of compulsory work experience (i.e., an internship lasting between four (4) and six (6) months); and (ii) to pass the Spanish Bar Exam (Spanish Law 34/2006, of 30 October, regarding the admission to the bar (<i>Ley 34/2006, de 30 de octubre, sobre acceso a las profesiones de abogado y procurador de los tribunales</i>)).</p>
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<sup>1</sup> See: <http://www.abogacia.es/wp-content/uploads/2013/05/Estatuto-General-de-la-Abogacia.pdf> (last visited on March 31, 2017).

<sup>2</sup> See: [http://www.abogacia.es/wp-content/uploads/2012/06/codigo\\_deontologico1.pdf](http://www.abogacia.es/wp-content/uploads/2012/06/codigo_deontologico1.pdf) (last visited on March 31, 2017).

<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>In order to provide <i>pro bono</i> services in Spain, foreign-qualified lawyers (including in-house lawyers) must hold a law degree, be admitted to practice in Spain and be members of a Spanish Bar Association. In addition, to be admitted to a Spanish Bar Association, any foreign-qualified attorney is required to validate his/her foreign law degree in addition to satisfying the other conditions to admission described in section I.B.1 above.</p> <p>The conditions for foreign-qualified lawyers (including in-house lawyers) to be admitted to practise in Spain vary as follows depending on the nationality of the foreign attorney:<sup>3</sup></p> <ul style="list-style-type: none"> <li>(i) Foreign-qualified lawyers that are EU/EEA nationals are not required to request the waiver of nationality (<i>dispensa de nacionalidad</i>) in order to be admitted to practice in Spain; and</li> <li>(ii) Foreign-qualified lawyers that are not EU/EEA nationals are required to request a waiver of nationality in order to be admitted to practice in Spain.</li> </ul> <p>Similarly, the procedure for validation of a foreign-qualified lawyers' law degree also depends on the jurisdiction where the relevant lawyer is qualified:</p> <ul style="list-style-type: none"> <li>(i) Foreign-qualified lawyers that are admitted to practice in a EU jurisdiction are required to submit to the relevant Spanish Bar Association (A) a law degree certificate issued by their EU university, and (B) a certificate issued by their foreign EU Bar Association (or equivalent); and</li> <li>(ii) Foreign-qualified lawyers that are admitted to practice in a non-EU jurisdiction are required to validate their foreign law degree with the Spanish Ministry of Culture. This validation process may take up to two (2) years.</li> </ul> <p>According to the information provided by the Madrid Bar Association (Colegio de Abogados de Madrid), foreign-qualified lawyers can provide <i>pro bono</i> services on matters not involving Spanish law, provided that (i) they do not appear as Spanish-qualified lawyers before any Spanish courts or governmental authorities; and (ii) they do not purport to be Spanish-qualified lawyers.</p>
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**C. Education**

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours. However, each company may have its internal regulations regarding <i>pro bono</i> work with which the relevant in-house lawyer will be expected to comply.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p> <p>However, each regional Bar Association has its own education initiatives.</p>

<sup>3</sup> N.B.: <http://www.abogacia.es/2016/03/30/ejercicio-de-la-abogacia-en-espana-por-graduados-o-abogados-extranjeros/> (last visited on March 31, 2017).

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>Pursuant to Section 21.1 of the Spanish Lawyers' Statute, any lawyer being admitted to practice in Spain shall be covered by a professional civil liability insurance policy provided by the relevant regional Bar Association. Such professional civil liability insurance policy covers <i>pro bono</i> services provided either through clearinghouses or through the relevant Bar Association.</p> <p>As an example, the professional civil liability insurance policy provided by the Madrid Bar Association (<i>Colegio de Abogados de Madrid</i>) to all its attorneys covers up to an amount of €300,000.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services, provided that such in-house lawyers are admitted to their regional Bar Association as discussed in section I.B.1 above.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Foreign-qualified in-house lawyers cannot participate in the Bar Association <i>Pro bono</i> Programs, unless they are admitted to practise in Spain, as noted in section I.B.2 above.</p> <p>However, as noted in section I.B.2 above, foreign-qualified lawyers can provide <i>pro bono</i> services on matters not involving Spanish law, provided that (i) they do not appear as Spanish-qualified lawyers before any Spanish courts or governmental authorities; and (ii) they do not purport to be Spanish-qualified lawyers.</p>



# SWEDEN

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no rules in Sweden that regulate the provision of *pro bono* services by in-house lawyers.

Lawyers who are admitted to the Swedish Bar Association (Sw. Sveriges Advokatsamfund) have to withdraw from the Swedish Bar Association if they leave a law firm to practise in-house with a company or elsewhere. Once withdrawn from the Swedish Bar Association, they are not governed by the rules and regulations, or under the supervision of, the Swedish Bar Association and can offer legal services (including *pro bono* services) as they wish (subject to the consent of their employer and the terms of their employment agreement).

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	<p>No. In-house lawyers in Sweden do not require a licence to provide <i>pro bono</i> services or to represent <i>pro bono</i> clients in judicial proceedings.</p> <p>However, the members of the Swedish Bar Association have an exclusive right to offer legal advice under the professional title "advokat" and that title is protected by law and exclusively reserved for the members of the Bar.<sup>1</sup></p>
2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?	<p>No. Foreign-qualified in-house lawyers in Sweden do not require any additional license(s) to provide <i>pro bono</i> services or to represent <i>pro bono</i> clients in judicial proceedings.</p> <p>Foreign-qualified in-house lawyers in Sweden can provide <i>pro bono</i> services on matters not involving Swedish law.</p>

<sup>1</sup> See the following link for a summary of the legal profession in Sweden : [https://www.advokatsamfundet.se/globalassets/advokatsamfundet\\_eng/from-scandinavian-studies-of-law.pdf](https://www.advokatsamfundet.se/globalassets/advokatsamfundet_eng/from-scandinavian-studies-of-law.pdf)

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers in Sweden are not required by external rules in Sweden to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in Sweden do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. Lawyers (including in-house lawyers) in Sweden do not require professional indemnity legal insurance cover for <i>pro bono</i> services.</p> <p>However, such insurance is advisable and may be required under their employer's internal policies).</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules in Sweden that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services. See section I.B.1 above.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>There are no additional limitations on foreign in-house lawyers in Sweden.</p>



# SWITZERLAND

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No, except for judicial proceedings	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no professional rules in Switzerland specifically regulating the provision of *pro bono* services by in-house lawyers.

The Federal Act on the Freedom of Movement for Lawyers (the "Lawyers' Act", BGFA) regulates the profession of lawyers in general. The BGFA does not contain any regulations regarding *pro bono* services by in-house lawyers.

In addition, the provision of legal services is subject to various statutory limitations passed by Switzerland's 26 autonomous regions, known as "cantons".

Article 12(b) of the BGFA requires lawyers to be independent in their professional practice, and Article 8 section 1(d) of the BGFA requires such independence as a condition to an attorney-at-law being recorded as such in the cantonal register. Although neither Article 8 section 1(d) of the BGFA nor Article 12(b) of the BGFA oblige lawyers to practice law as a main profession, i.e., they may work as employees provided that any work that they undertake as lawyers (including providing *pro bono* services) remains independent from such employment.

Lawyers working fulltime for banks, insurances, fiduciary companies etc. and working in their capacity as employed in-house lawyers are unlikely to fulfil the condition of independence as any such attorney-at-law is assumed to be practising under the influence of his employer.

If in-house lawyers are not included in the cantonal register due to lack of independence, they are not able to represent their clients in judicial proceedings in any of the cantons (see Article 4 of the BGFA).

Legal advertisement is subject to the restrictions of Article 12(d) of the BGFA and must be objective and inform the public. However, there are no explicit restrictions regarding advertisement of *pro bono* services.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services, provided that such services do not involve representation of clients in judicial proceedings (see Article 2 of the BGFA).</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>No. Foreign-qualified in-house lawyers do not require a license to provide <i>pro bono</i> services,<sup>1</sup> provided that such services do not involve representation of clients in judicial proceedings (see Article 27 of the BGFA).</p> <p>Foreign-qualified in-house lawyers may also provide <i>pro bono</i> services on matters not involving Swiss law.</p>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers do not require professional liability insurance for any <i>pro bono</i> services that they provide as long as such services do not involve representation of clients in judicial proceedings.</p> <p>Only lawyers who represent clients in judicial proceedings in Switzerland are required to have professional indemnity insurance that covers the type and extent of risks that are associated with their activity (see Article 12(f) of the BGFA).</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no limitations imposed on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. There are no such limitations on foreign-qualified in-house lawyers.</p>

<sup>1</sup> Urteil 2C\_897/2015, BOHNET FRANÇOIS, Droit des professions judiciaires, 2014, S. 27 N 29.



# THAILAND

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for judicial proceedings	No	No	No	No	Yes, if foreign qualified

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no professional rules in the Kingdom of Thailand ("Thailand") specifically regulating the provision of *pro bono* services by in-house lawyers.

However, the Lawyers Act B.E. 2528 (1985) ("Lawyer's Act") regulates the profession of lawyers in general. Section 5<sup>1</sup> of the Lawyer's Act provides that lawyers shall abide by applicable regulations on lawyers' conduct. At a minimum, such regulations include the following provisions: (i) conduct towards the court and in the court; (ii) conduct towards clients; (iii) conduct towards fellow lawyers; (iv) conduct towards litigants in general; (v) lawyers' personal behavior; (vi) dress and attire; and (vi) response to an order of the Lawyers Conduct Committee, the Council and/or the President Extraordinary, as the case may be.

Clause 17(1) of the Regulation of the Lawyers Council on Conduct of Lawyers B.E. 2529 (1986) ("Lawyer's Conduct Regulation") provides that a lawyer shall not advertise or allow another person to advertise his/her service fees, or give any notification to the effect that service fees will not be charged, except where the advertisement is related to a legal aid program provided by: (i) the Lawyers' Council; (ii) any relevant institutions, associations, organizations;<sup>1</sup> and/or (iii) government agencies.

Consequently, there are explicit restrictions regarding the advertisement of *pro bono* services unless these relate to a legal program that is provided by any of the aforementioned organizations.

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services provided such <i>pro bono</i> services are not related to court proceedings.</p> <p>However, if such <i>pro bono</i> services are related to court proceedings, in-house lawyers cannot represent their client(s) in court unless they have: (i) been admitted to the Lawyers' Council; (ii) and qualified as a lawyer.</p> <p>The Lawyers' Council may admit a candidate who: (i) is a Thai national; (ii) is not less than 20 years of age on the date of the application; (iii) has graduated with a bachelor's degree, or an associated degree in law, or a certificate in law equivalent to no less than a bachelor's degree or an associate degree from an educational institution accredited by the Lawyers' Council; (iv) is not a person of indecent</p>
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<sup>1</sup> This refers to institutions, associations, or organizations that are related to the Thai Lawyers' Council or the Thai Government.

	<p>behavior, or delinquent morals, or a person whose conduct is indicative of dishonesty; (v) is not imprisoned pursuant to a final judgment for imprisonment; (vi) has never been imprisoned pursuant to a final judgment for an offence which, in the Lawyers' Council's discretion, will impair the dignity of the profession; (vii) is not a bankrupt pursuant to a final judgment; (viii) does not have an illness contagious and repugnant to the public; (ix) is not physically disabled or has a mental defect which may cause professional incompetence; (x) is not a government official or a local government official with a regular salary and position, except for a political official; and (xi) is not being disqualified to submit pursuant to being blacklisted during the preceding five (5) years.</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>No. Since the statutory requirements don't contemplate foreign-qualified in-house lawyers, they cannot undertake any legal practice (including <i>pro bono</i> services) related to matters of Thai law. However, foreign-qualified lawyers may provide <i>pro bono</i> services on matters that do not involve Thai law.</p>

### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p> <p>However, <i>pro bono</i> hours can be regarded as legal experience in the same way as charged services for the purposes of obtaining legal specialization in certain legal areas and thus becoming specialized in a field of law.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. In-house lawyers do not require indemnity legal insurance coverage for any <i>pro bono</i> services they provide.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules imposing limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services, unless they involve representation in court proceedings, as noted in section I.B.1 above.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Foreign-qualified in-house lawyers may be able to provide <i>pro bono</i> services on the assumption that they: (i) do not practice or advise about Thai law; and (ii) comply with applicable visa and work permit requirements.</p>



# TURKEY

## SUMMARY

License required for pro bono?	Minimum number of <i>pro bono</i> hours?	"CLE" credit for <i>pro bono</i> ?	Prohibitions on <i>pro bono</i> ?	Insurance required for <i>pro bono</i> ?	Practice limitations on in-house lawyers
No, except for foreign qualified lawyers	No	No	No	No	Yes, if non-Turkish citizen

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no specific rules in Turkey that regulate the provision of *pro bono* services by in-house lawyers.

However, as a general rule, Article 164/4 of the Lawyers Act (Law No. 1136)<sup>1</sup> provides that: (i) it is not possible to agree on a fee for legal services that is below the Minimum Attorney Fee Tariff; and (ii) if free legal services are provided for disputes, such services be notified to the Management Board of the Bar Association.

Article 55 of the Lawyers Act also prohibits lawyers (including in-house lawyers) from making any attempt or act that may be considered an "advertisement".

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a license to provide <i>pro bono</i> services. However, pursuant to Article 3/a of the Lawyers Act, in-house lawyers that are Turkish nationals are required to be registered with a Bar Association in Turkey to provide <i>pro bono</i> services.</p> <p>Apart from that requirement, in-house lawyers do not require any additional licence(s) to provide <i>pro bono</i> services, although they will need to comply with the terms of their employment with their employer.</p>
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<sup>1</sup> Published in the Official Gazette dated April 07, 1969 and numbered 13168 and amended time to time.

<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Yes. Since non-Turkish foreign-qualified lawyers are not permitted to be registered with a Bar Association, foreign-qualified lawyers (including in-house lawyers) may only provide <i>pro bono</i> services through their employer or in conjunction with a registered Turkish lawyer or foreign Attorney Partnership.</p> <p>Pursuant to Article 44/B of the Lawyers Act regulating Attorney Partnerships, foreign Attorney Partnerships (i.e. a partnership established by more than one attorney of non-Turkish citizenship or an assemblage of attorneys of Turkish and non-Turkish citizenship, within the framework of the legislation on incentives to foreign capital and on a reciprocal basis, in order to render consultancy services exclusively in the fields of foreign laws and international law.) that meet the detailed criteria set out therein are permitted to provide legal services (including <i>pro bono</i> services) provided that such advise only involves foreign laws and international law-related matters.</p> <p>This limitation applies both to Turkish lawyers and non-Turkish lawyers that work with the relevant foreign Attorney Partnership, including to provide <i>pro bono</i> services.</p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. In-house lawyers are not required in Turkey to work a minimum number of <i>pro bono</i> hours, although they will need to comply with the internal policies of their employer.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in Turkey do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. Lawyers (including in-house lawyers) in Turkey do not require professional indemnity legal insurance cover for <i>pro bono</i> services, although they will need to comply with the internal policies of their employer.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules in Turkey that impose limitations specifically on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Apart from the requirements referred to in section I.B.2 above, there are no additional limitations on foreign in-house lawyers in Turkey.</p>



# UGANDA

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for foreign qualified lawyers	Yes	No	No	No	Yes, if foreign qualified

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The legislation that regulates *pro bono* services in Uganda includes The Advocates Act, Cap. 267 and The Advocates (*Pro bono* Services to indigent Persons) Regulations, S.I No. 39 of 2009. There is no explicit limitation or prohibition of free legal services under these regulations.

The Advocates (Professional Conduct) Regulations provide that advocates (including in-house lawyers) are not permitted knowingly to allow articles (including photographs) of themselves to be published in any news media, nor to give any press conferences or statements to publicise their status as advocates without the permission of the Law Council.<sup>1</sup>

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p>No. In-house lawyers do not require a specific license to provide <i>pro bono</i> services. However, in-house lawyers are required to be duly enrolled as advocates of the High Court of Uganda and to possess a valid practicing certificate for the then-current year in order to provide legal services of any nature in Uganda, including <i>pro bono</i> services.</p> <p>The enrolment process (and regulation of advocates as a whole) is overseen by the Law Council, which falls under the purview of the Ministry of Justice and Constitutional Affairs.<sup>2</sup></p> <p>To be eligible for enrollment and issuance of a practicing certificate under The Advocates (Enrollment and Certification) Regulations, a lawyer should have the following;</p> <ul style="list-style-type: none"> <li>• a law degree from a university recognized under The Advocates (Enrollment and Certification) Regulations; and</li> <li>• a diploma in legal practice from the Law Development Centre (i.e., the Bar course)</li> </ul>
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<sup>1</sup> See more at <http://www.uls.or.ug/projects/pro-bono-project/pro-bono-project/>

<sup>2</sup> See : [www.lawcouncil.go.ug](http://www.lawcouncil.go.ug)

<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>No. Provided that a foreign-qualified in-house lawyer has enrolled as an advocate and has obtained a valid practising certificate for the then-current year, there is no requirement for any additional licence(s).</p> <p>A foreign-qualified lawyer that is admitted to practice as a lawyer in another jurisdiction may apply to be enrolled in Uganda and to obtain a practising certificate if s/he has worked for a period of six (6) months in Uganda under a duly enrolled advocate.</p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>Yes. The Advocates (<i>Pro bono</i> Services to indigent Persons) Regulations, S.I No. 39 of 2009 requires every advocate (including in-house lawyers) to provide a minimum of forty (40) hours of <i>pro bono</i> services every year.</p> <p>However, there is no enforcement mechanism or sanction if an advocate fails to meet this target.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers in Uganda do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. Advocates (including in-house lawyers) in Uganda do not require professional indemnity legal insurance cover for <i>pro bono</i> services. However, many advocates have taken up professional indemnity insurance cover even in respect of <i>pro bono</i> services offered.</p> <p>The insurance cover is usually taken out by the company but individuals are not prohibited from taking out their own independent insurance cover.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Apart from the legislation of general application referred to in section I above, there are no specific rules that limit in-house lawyers in respect to provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>Apart from the requirements referred to in section I.B.2 above, there are no additional limitations on foreign in-house lawyers in Uganda.</p>



# UNITED ARAB EMIRATES

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
Yes	No	No	No	Yes, except in the Emirate of Abu Dhabi	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

The United Arab Emirates is a constitutional federation of seven emirates. The constitution allocates governing and executive powers between the federal government and the local governments of each emirate. The legal profession is generally regulated at the federal level,<sup>1</sup> however, all lawyers providing legal services must be licensed in the emirate in which they choose to practice and license requirements vary depending on nationality, type of practise and office location.<sup>2</sup> This section focuses on the three largest legal markets within the UAE.

#### Emirate of Abu Dhabi

There are no rules which expressly regulate the provision of *pro bono* services by in-house lawyers or legal consultants.<sup>3</sup>

#### Emirate of Dubai

There are no rules which expressly regulate the provision of *pro bono* services by in-house lawyers or legal consultants.

In addition, the draft Charter of Conduct for Advocates and Legal Consultants<sup>4</sup> does not address the provision of *pro bono* services.

#### Dubai International Financial Centre

DIFC Courts Practice Direction No. 1 of 2014 sets out the general guidelines for any person wishing to participate in the DIFC Courts *Pro bono* Programme.<sup>5</sup>

<sup>1</sup> See UAE Federal Law 23 of 1991 (Regulating the Legal Profession).

<sup>2</sup> See Essam Tamimi, *Litigation in the United Arab Emirates*, 20, *International Legal Practice* 134, 135 (1995).

<sup>3</sup> See: [http://www.ibanet.org/PPID/Constituent/Bar\\_Issues\\_Commission/ITILS\\_UAE\\_Abu\\_Dhabi.aspx](http://www.ibanet.org/PPID/Constituent/Bar_Issues_Commission/ITILS_UAE_Abu_Dhabi.aspx)

<sup>4</sup> See: [http://legal.dubai.gov.ae/en/Documents/\(f\)CharterfortheConductofAdvocatesandLegalConsultantsintheEmiratesofDubai.pdf](http://legal.dubai.gov.ae/en/Documents/(f)CharterfortheConductofAdvocatesandLegalConsultantsintheEmiratesofDubai.pdf)

<sup>5</sup> See DIFC Courts Practice Direction No. 1 of 2014 <http://difccourts.ae/practice-direction-no-1-of-2014-difc-courts-pro-bono-programme-amendment/>

## B. Licensure

<p><b>1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?</b></p>	<p><b>Emirate of Abu Dhabi</b> Yes. Generally no person is permitted to practise law (including providing <i>pro bono</i> services) in the UAE unless s/he is registered with the Ministry of Justice and the Executive Affairs Authority.<sup>6</sup></p> <p><b>Emirate of Dubai</b> Yes. However, in-house advocates<sup>7</sup> and legal consultants<sup>8</sup> do not need to register with the Government of Dubai Legal Affairs Department if they are not providing legal services to the public. <i>Pro bono</i> services are provided to the public, in-house advocates<sup>9</sup> and legal consultants<sup>10</sup> are required to register with the Government of Dubai Legal Affairs Department in order to provide such services.</p> <p><b>Dubai International Financial Centre</b> Yes. The requirements for the Emirate of Dubai also apply to in-house lawyers and legal consultants practising within the DIFC.</p> <p>In addition, any person wishing to participate in the DIFC Courts <i>Pro bono</i> Programme must be registered with the DIFC Courts or otherwise approved by the <i>Pro bono</i> Programme Leader.<sup>11</sup></p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Yes. Foreign-qualified lawyers are subject to the same requirements as those referred to in section I.B.1 above to provide <i>pro bono</i> services in the Emirates of Abu Dhabi and Dubai or the DIFC.</p>

## C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. Neither in-house lawyers in the Emirates of Abu Dhabi, Dubai nor the DIFC are required by external rules in those jurisdictions to work a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p><b>Emirate of Abu Dhabi</b> No. In-house lawyers in the Emirate of Abu Dhabi do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked.</p> <p>Emirate of Dubai<sup>12</sup> and DIFC<sup>13</sup></p> <p>No. Continuing Legal Professional Development Regulations do not expressly contemplate CLPD credit for <i>pro bono</i> services. However an application could theoretically be made to the Government of Dubai Legal Affairs Department to accredit <i>pro bono</i> services as an "Accredited CLPD Activity".</p>

<sup>6</sup> Art. 4 of UAE Federal Law 23 of 1991 (Regulation of the Legal Profession) and <http://www.eaa.gov.ae/Sites/EAA/Navigation/EN/AdvisoryUnits/legal-affairs.html>

<sup>7</sup> Art. 3(b) (Scope of Application) of the Bylaw concerning the Registration of Legal Advocates in the Emirate of Dubai [http://legal.dubai.gov.ae/en/Documents/\(c\)AdvocatesRegistrationBylaws.pdf](http://legal.dubai.gov.ae/en/Documents/(c)AdvocatesRegistrationBylaws.pdf)

<sup>8</sup> Art. 3(b) (Scope of Application) of the Bylaw concerning the Registration of Legal Consultants in the Emirate of Dubai [http://legal.dubai.gov.ae/en/Documents/\(d\)ConcerningtheRegistrationofLegalConsultants17092015.pdf](http://legal.dubai.gov.ae/en/Documents/(d)ConcerningtheRegistrationofLegalConsultants17092015.pdf)

<sup>9</sup> Art. 6 (Practicing the Profession) of the Bylaw concerning the Registration of Legal Advocates in the Emirate of Dubai

<sup>10</sup> Art. 6(a) (Practicing the Profession) of the Bylaw concerning the Registration of Legal Consultants in the Emirate of Dubai

<sup>11</sup> DIFC Courts Practice Direction No. 1 of 2014 <http://difccourts.ae/practice-direction-no-1-of-2014-difc-courts-pro-bono-programme-amendment/>

<sup>12</sup> Arts. 5 (Required CLPD) and 11 (CLPD Activities Accredited By Another Regulatory Authority) of the Continuing Professional Development Bylaw for Legal Consultants in the Emirate of Dubai [http://legal.dubai.gov.ae/en/Documents/\(e\)ContinuingLegalProfessionalDevelopmentRegulationsforLegalConsultantsintheEmirateofDubai17092015.pdf](http://legal.dubai.gov.ae/en/Documents/(e)ContinuingLegalProfessionalDevelopmentRegulationsforLegalConsultantsintheEmirateofDubai17092015.pdf)

<sup>13</sup> Art. 4(a) (Scope of Application) of the Continuing Professional Development Bylaw for Legal Consultants in the Emirate of Dubai.

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. Lawyers (including in-house lawyers) in the Emirate of Abu Dhabi do not require professional indemnity legal insurance cover for <i>pro bono</i> services.</p> <p><b>Emirate of Dubai and DIFC<sup>14</sup></b>  Yes. Generally in-house lawyers<sup>15</sup> and legal consultants<sup>16</sup> do not need to maintain professional indemnity insurance if they are not providing legal services to the public.</p> <p>However, since <i>pro bono</i> services are provided to the public, in-house advocates and legal consultants may need to maintain professional indemnity insurance to enable them to provide certain <i>pro bono</i> services such as legal opinions and advice, drafting contracts, registering and liquidating companies, concluding settlements, representing clients before arbitration panels and centres, conciliation commissions and other entities and any other legal service except, in the case of legal consultants only, pleading and representing clients before the Dubai courts.<sup>17</sup></p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules in the Emirates of Abu Dhabi and Dubai or the DIFC that impose additional limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. There are no additional limitations on foreign-qualified in-house lawyers in the Emirates of Abu Dhabi and Dubai or the DIFC. See section I.B2 above.</p>

<sup>14</sup> Art. 3(a) (Scope of Application) of the Bylaw concerning the Licensing of Advocacy Firms in the Emirate of Dubai and the Bylaw concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai.

<sup>15</sup> Art. 3(b) (Scope of Application) of the Bylaw concerning the Licensing of Advocacy Firms in the Emirate of Dubai <http://legal.dubai.gov.ae/en/Documents/LicensingofAdvocacyFirms.pdf>

<sup>16</sup> Art. 3(b) (Scope of Application) of the Bylaw concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai [http://legal.dubai.gov.ae/en/Documents/\(b\)LicensingofLegalConsultancyFirmsintheEmirateofDubai17092015.pdf](http://legal.dubai.gov.ae/en/Documents/(b)LicensingofLegalConsultancyFirmsintheEmirateofDubai17092015.pdf)

<sup>17</sup> "Advocacy Firms", "Legal Services", Art. 9(c)(2) (Licensing Requirements) and Art. 10(5) (License Renewal Requirements) of the Bylaw concerning the Licensing of Advocacy Firms in the Emirate of Dubai and "Legal Services", "Legal Consultancy Firm", Art. 9(d) (Licensing Requirements) and Art. 10(5) (License Renewal Requirements) of the Bylaw concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai.



# UNITED STATES

## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except for foreign qualified lawyers	No	Yes (only in some states)	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There is generally no explicit prohibition on in-house lawyers providing free legal services, advertising *pro bono* successes, or soliciting new *pro bono* clients.

However, in-house lawyers are required to be in compliance with all laws and rules of general application to all lawyers, at both the federal and relevant state levels.

The American Bar Association has published model rules relating to conflicts, advertising and soliciting of clients (among other things), which many states follow and/or have adapted with changes. Conflicts are generally addressed by Rules 1.1 through 1.18. Advertising and solicitation are generally addressed by Rules 7.1 through 7.61. However, professional rules regarding conflicts, advertising, and solicitation vary from state to state and may not follow the American Bar Association in all cases, so lawyers (including in-house lawyers) who have questions about any of these issues should consult the applicable state rules.<sup>2</sup>

### B. Licensure

<p><b>1. Do in-house lawyers require a license to provide pro bono services (beyond local qualification to practice law)?</b></p>	<p>Generally, in-house lawyers do not require a license to provide <i>pro bono</i> services, provided they are otherwise licensed to practice law in the United States by the applicable state bar (with few exceptions).</p> <p>In-house lawyers should also note that a lawyer admitted to practice law (i.e., admitted to the bar) in one state is not automatically authorized to practice in any other state and may either be required to become licensed in the applicable state or to obtain <i>pro hac vice</i> status in order to provide legal services (including <i>pro bono</i> services) in the new state.</p> <p>Similarly, federal courts typically require lawyers to apply for admission to practise law before appearing before the federal courts, even if the lawyer is otherwise licensed. Special licensing and admission processes (also known as "accreditation") may also apply to representation of clients before certain administrative agencies, such as in immigration matters before the U.S. Department of Justice Executive Office for Immigration Review or before the U.S. Department of Veterans Affairs.</p>
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<sup>1</sup> These model rules are available at [http://www.americanbar.org/groups/professional\\_responsibility/publications/model\\_rules\\_of\\_professional\\_conduct/model\\_rules\\_of\\_professional\\_conduct\\_table\\_of\\_contents.html](http://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/model_rules_of_professional_conduct_table_of_contents.html)

<sup>2</sup> For reference, the American Bar Association publishes summaries of state-by-state *pro bono* considerations – for example at [https://www.americanbar.org/groups/probono\\_public\\_service/policy/state\\_ethics\\_rules.html](https://www.americanbar.org/groups/probono_public_service/policy/state_ethics_rules.html).

	<p>These rules differ from state to state, court to court, or agency to agency, so lawyers having questions about any of these issues should consult the applicable state, court, or agency rules.</p>
<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>Foreign-qualified in-house lawyers do not generally require any additional license(s) to provide <i>pro bono</i> services in the United States, provided that they are otherwise licensed and admitted or accredited, as applicable, pursuant to the same requirements for locally-qualified lawyers.</p> <p>These rules differ from state to state, court to court, or agency to agency, so lawyers having questions about any of these issues should consult the applicable state, court, or agency rules.</p>

**C. Education**

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company’s internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. There are no mandatory laws/rules requiring in-house lawyers to work a minimum number of <i>pro bono</i> hours, but lawyers (including in-house lawyers) should consult applicable state rules which may impose such a requirement.</p> <p>The American Bar Association Model Rule 6.1 provides that “Every 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 <i>pro bono</i> public legal services per year.”</p> <p>Although the ABA Model Rules are not mandatory or binding, a number of state bars have adopted the model rules or variations thereof into binding state laws.</p>
<p><b>2. Do in-house lawyers receive any “Continuing Legal Education” or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>Yes. Depending on their jurisdiction of licensure, in-house lawyers may be able to receive any “Continuing Legal Education” or equivalent credit for <i>pro bono</i> hours worked.</p> <p>However, most states do not provide for such credit. According to the American Bar Association, as of December 2015, eleven states have adopted rules allowing <i>pro bono</i> work to be credited towards continuing legal education requirements.<sup>3</sup></p> <p>Specific rules regarding continuing legal education requirements and <i>pro bono</i> work vary from state to state, so lawyers having questions about any of these issues should consult the applicable state rules.</p>

<sup>3</sup> A summary of these states and applicable rules is available at [http://www.americanbar.org/groups/probono\\_public\\_service/policy/cle\\_rules.html](http://www.americanbar.org/groups/probono_public_service/policy/cle_rules.html)

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. There is no general requirement for lawyers to obtain legal malpractice insurance for <i>pro bono</i> services that they provide, although most lawyers carry some form of malpractice insurance and a lack thereof must be disclosed to clients.</p> <p>Many legal service providers or referral organizations will offer low- or no-cost malpractice insurance to volunteer lawyers for <i>pro bono</i> matters.</p> <p>For more information on resources regarding the issue of insurance coverage for <i>pro bono</i> work, see the American Bar Association’s <i>Pro bono Work and Malpractice Coverage: A Guide for the Pro bono Attorney</i> (Apr. 2013).<sup>4</sup></p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. Other than licensing and admission or accreditation requirements applicable to all lawyers in the United States and described in section I.B.1 above, there are no additional general rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. There are no additional limitations on foreign-qualified in-house lawyers.</p>

<sup>4</sup> Available at: [http://www.americanbar.org/content/dam/aba/administrative/lawyers\\_professional\\_liability/lsl\\_lpl\\_pro\\_bono\\_work\\_and\\_malpractice\\_coverage.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/lawyers_professional_liability/lsl_lpl_pro_bono_work_and_malpractice_coverage.authcheckdam.pdf)



## SUMMARY

License required for pro bono?	Minimum number of pro bono hours?	"CLE" credit for pro bono?	Prohibitions on pro bono?	Insurance required for pro bono?	Practice limitations on in-house lawyers
No, except foreign-qualified lawyer must validate foreign degree	No	No	No	No	No

## I. OVERVIEW OF THE PRACTICE OF LAW FOR IN-HOUSE LAWYERS

### A. Professional Regulation

There are no rules in Uruguay specifically regulating pro-bono services. Pro-bono activity has nonetheless considerably increased in the past few years.

The Uruguayan bar association promulgated a code of ethics that regulates the practice of law in Uruguay. Notwithstanding, in the absence of a mandatory bar membership, its provisions are not binding.

Regarding publicity of *pro bono* success or soliciting new *pro bono* clients, there is no specific regulation so general rules apply. In such regard, misleading publicity is forbidden.

### B. Licensure

1. Do in-house lawyers require a license to provide <i>pro bono</i> services (beyond local qualification to practice law)?	<p>No. There is no special license required for providing <i>pro bono</i> services.</p> <p>In Uruguay, in order to practice law, lawyers are required to obtain a university degree in law and register their degree before the Supreme Court of Justice by taking an oath before said body, by virtue of which an enrolment ID is granted.<sup>1</sup></p> <p>In addition, it is not a mandatory requirement to be affiliated to a bar association in order to practice law.</p>
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<sup>1</sup> See Art. 137 of the Law No.15.750: In order to practice Law it is required: 1) University degree in Law 2) 21 years old 3) have an enrolment id and taking oath before the Supreme Court of Justice.

<sup>2</sup> See Art. 167 of the Uruguayan Criminal Code, Law No. 9.155: (Usurpation of titles) Whoever pretend to possess an academic degree or practice a profession for which a special authorization it is required, will be punished with a fine of 20 U.R. to 900 U.R.

<p><b>2. Do foreign-qualified in-house lawyers require any additional license(s) to provide <i>pro bono</i> services (beyond their foreign qualification to practice law)?</b></p>	<p>In order to provide <i>pro bono</i> services, foreign lawyers must have their law degree validated in Uruguay (which may require additional studies in Uruguay), and comply with the formalities mentioned in section I.B.1.</p> <p>In Uruguay, there is no express prohibition against a foreign attorney advising on foreign law within Uruguay.</p> <p>Section 167 of the Criminal Code penalizes with a fine and qualifies as a felony the act of pretending to possess an academic degree or practicing a profession for which a special authorization is required.<sup>2</sup></p>
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### C. Education

<p><b>1. Are in-house lawyers required under local laws or regulations (rather than by virtue of a company's internal policy) to work a minimum number of <i>pro bono</i> hours? If so, how many?</b></p>	<p>No. There is no requirement for a minimum number of <i>pro bono</i> hours.</p>
<p><b>2. Do in-house lawyers receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours worked?</b></p>	<p>No. In-house lawyers do not receive any "Continuing Legal Education" or equivalent credit for <i>pro bono</i> hours.</p>

## II. LEGAL REGULATION OF PRO BONO BY IN-HOUSE LAWYERS

<p><b>1. Do in-house lawyers require professional indemnity legal insurance cover for any <i>pro bono</i> services that they provide?</b></p>	<p>No. There is no mandatory requirement for an indemnity legal insurance for <i>pro bono</i> services.</p>
<p><b>2. Are there any rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services?</b></p>	<p>No. There are no rules that impose limitations on in-house lawyers with respect to the provision of <i>pro bono</i> services.</p>
<p><b>3. Are there any additional such limitations on foreign-qualified in-house lawyers?</b></p>	<p>No. There are no additional limitations on foreign-qualified in-house lawyers, other than the general requirement for practicing law mentioned above in section I.B.2.</p>



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