

*In all criminal prosecutions, the accused shall enjoy the right  
district shall have been previously ascertained by law, and to be  
for obtaining witnesses in his favor, and to have the assistance*

Lewis & Clark Law School  
Public Interest Law

# Pro Bono & Community Service Handbook

Defending justice while building professional skills.



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## **Introduction**

Lewis & Clark Law School's Pro Bono & Community Service Program encourages, supports, and recognizes law student volunteer work. The Program offers students an opportunity to be involved in the community while building practical skills.

## **What is Pro Bono?**

Pro bono, short for *pro bono publico*, translates as "for the public good."

Different people and organizations define pro bono differently, but generally, it is legal work donated by lawyers and law students to help low-income clients with legal problems or organizations involved in social causes.

**For the Pro Bono Honors Award**, pro bono work is:

- Law-related volunteer work that substantially utilizes or contributes to your legal education;
- Work performed without remuneration of any kind, neither monetary nor school credit. Work performed by a student under a stipend, externship, or work study is *not* eligible; however, hours volunteered after the requirements of a stipend have been met or beyond clinic or externship requirements *are* eligible; and
- Work that has a significant effect off campus. Volunteer work for on campus organizations like PILP does not qualify unless the activity has a significant off-campus effect; work with NLG, NEDC, and NCVLI often does count.

Pro bono work falls into two categories: representational and non-representational. Representational pro bono is assisting with the provision of legal representation to governmental entities or under-represented individuals, groups, or causes, and must only be performed under the direct supervision of a practicing attorney. Non-representational pro bono is civic, educational, and community activity that improves the law, the legal system, or the legal profession.

Students are cautioned to review Oregon's Unauthorized Practice of Law rules (discussed later in this handbook) and confirm that their work does not violate these rules before starting. As a law student, you may not provide legal representation or contribute to the legal representation of an individual or entity unless you are under the direct supervision of a practicing attorney. If you are in doubt as to whether or not the work you are asked to do represents the unauthorized practice of law, consult with the Career & Professional Development Center immediately.

Examples of representational pro bono:

- Assisting an attorney with direct representation for or assisting an attorney who works for a civic, charitable, governmental, educational, or other public-service organization with limited income,
- Assisting an attorney with direct representation for low-income clients through a legal aid office, clinic, or pro bono program,
- Assisting an attorney with direct representation for or assisting an attorney who works for a group or organization seeking to secure or protect civil rights, civil liberties, or public rights, or
- Assisting an attorney with direct representation for an indigent client where the attorney intentionally opts not to charge before providing legal services.

Examples of non-representational pro bono:

- Volunteering and performing law-related work for a federal, state, or local government including government agencies, courts, and judges, but not including law enforcement work (law enforcement work is community service),
- Volunteering to participate in the administrative rule-making process or to assist with legislative lobbying activities for governmental organizations or organizations seeking to secure or protect civil rights, civil liberties, or public rights,

- Volunteering for “know your rights” hotlines and volunteering for activities designed to preserve civil and legal rights,
- Volunteering as a coach or judge of an off-campus mock trial team,
- Volunteering as a mediator,
- Volunteering to assist in the delivery of legal educational programming including acting as a witness or juror in non-Lewis & Clark trial advocacy trainings,
- Volunteering as a public speaker on legal issues including court tours, or
- Volunteering to assist court staff or organizations to assist court users.

To verify that your work qualifies, please confer with the Director of Public Interest Law.

### **What is Community Service?**

Different people and organizations define community service in various ways, but generally, community service is non-legal volunteer work.

For the Community Service Honors Award, community service work is:

- Non law-related volunteer work for a civic, charitable, governmental, educational, public-service, or campaign organization;
- Work performed without remuneration of any kind; and
- Work that has a significant effect off campus

To verify that your work qualifies, please confer with the Director of Public Interest Law.

How are the Pro Bono and the Community Service Honors Awards Different?

The only difference between the Pro Bono and the Community Service Honors Awards is the type of work the student is doing; in essence are you doing law-related work or not? Hours for both programs are tracked, and students completing either type of service are eligible for awards.

### **Who Can Participate?**

All Lewis & Clark Law School students can participate. Pro Bono positions require a range of experience levels, so even if you are a first year, there are opportunities. Many organizations provide training for specialized knowledge that is required. You do not need to be working toward the Honors Awards to participate in the Pro Bono Program.

### **Why Do Pro Bono Work?**

#### Need

The need for pro bono work by attorneys and law students is great. In 2000, *The State of Access to Justice in Oregon: An Assessment of Legal Needs* found that fewer than 18% of Oregon's low-income residents are able to acquire a lawyer's help with their legal problem. Today the figure is closer to 15%, according to the Lawyers' Campaign for Equal Justice. Demand for legal services for these residents is overwhelming and Legal Aid offices and other legal non-profits cannot meet the need. Pro bono attorneys and law students help fill the gap and provide access to justice.

Beyond direct legal service organizations, most legal non-profits are underfunded and understaffed. Organizations working to protect animals and the environment, to create equality, and to preserve crime victim's rights depend on pro bono help.

#### Employment

With a tight economy and few public interest jobs available, law students with pro bono experience stand out. A pro bono placement will give you practical experience and exposure to the legal community. The lawyers you work with now will be the references who help you get a job later. Pro bono experience is also an opportunity for you to explore new academic, career, and legal interests.

#### Control of your learning

Pro bono experiences allow you to design your own curriculum and get away from the classroom-based one that may be frustrating you. Decide for yourself

what you want to learn, how you intend to learn it, and how you will evaluate it.

The chance to put theory into practice

Pro bono experiences give you the chance to apply legal theories to real life situations. Find out if the world described in cases really exists.

Awareness and personal growth

You will develop an awareness of the needs of others and a greater understanding of your role and potential contributions to society as an attorney. You will grow from the experience. It may not transform you overnight, but solving problems in unfamiliar situations can bolster your confidence and show you where you need to improve.

Portions of this section come from “The Experienced Hand: A Student Manual for Making the Most of an Internship,” Second Edition, by Timothy Stanton and Kamil Ali published by Sulzberger & Graham Publishing, Ltd., New York, NY.

### **How to Find Volunteer Opportunities**

There are many ways to find opportunities. Start by thinking of the area of the law, the type of organization, or the kind of people you would like to work with (i.e. domestic violence, environmental, animal rights, etc.). Also, think about the skills that you would like to improve (i.e. client contact, research, writing, etc.). Once you have an idea of what you are interested in, finding an opportunity with the following methods will be easier:

Attend the Pro Bono Fair

In early fall semester, there will be a Pro Bono & Community Service Fair where you can talk to representatives from local public interest and environmental organizations. The representatives speak about their organizations and give information about how students can get involved. Look for flyers to see when the fair will be and who is attending.

Sign up to receive information about Pro Bono opportunities

The Director of Public Interest Law coordinates a Pro Bono Email List through Career Connect. Emails inform students about programs, trainings, and pro bono and community service opportunities. Postings are made sparingly, and you may remove yourself from the list at any time. Log into Career Connect at <https://law-lclark.12twenty.com/Login>. Go to your background tab, scroll down to Email Lists and choose Pro Bono to put yourself on the list.

Look in the *Public Service and Public Interest Directory*

*The Public Service and Public Interest Directory* lists public service, environmental, and government organizations in Oregon and Washington. The Career & Professional Development Center updates the directory annually. Look through the Directory and find organizations that interest you. Then check to see if any of the organizations will be at the Pro Bono Fair or do further research by looking at organization websites. Investigate the organizations for what their application process is, what projects they are working on, and what types of pro bono work they have available. Students can also make an appointment to discuss organizations, or tips on contacting organizations.

Take on an Ad Hoc Pro Bono Project

Students who are interested in short-term work can still do pro bono work on Ad Hoc Pro Bono projects. Through Ad Hoc projects, organizations with short-term pro bono projects (such as legal research, document drafting, document review, etc.) connect with students. These positions are advertised through emails from Career Connect.

Sign up at PSJD.org

PSJD.org is a national database of public interest opportunities run by the National Association for Legal Placement (NALP). Lewis & Clark Law School subscribes to PSJD.org, giving our students unlimited access. Through the site, students connect to opportunities (both pro bono and paid) with public interest organizations, government agencies, judges, and private firms with public interest or significant pro bono practices. PSJD also has an extensive

library of information for students interested in public sector careers, summer funding, and fellowships.

#### Visit Volunteer Opportunity Web Sites

Many organizations have web sites with information about volunteering; if you know a place you would like to volunteer, visit their site. There are also sites dedicated to connecting volunteers with service opportunities. A few with opportunities in and around Portland are [idealist.org](http://idealist.org), [handsonportland.org](http://handsonportland.org), and [cnrg-portland.org](http://cnrg-portland.org).

#### Meet with the Director of Public Interest Law

The Director of Public Interest Law is available for individual student counseling. You can sign up for an appointment in person through the Career & Professional Development Center or by emailing [lscs@lclark.edu](mailto:lscs@lclark.edu).

#### **Guidelines for Volunteering**

Your professional reputation starts while you are in law school. The pro bono work you do is important, and it is important that you honor your commitments and complete your projects by their deadlines. There is no minimum or maximum time that you must commit to pro bono work. Therefore, it is important that you communicate with pro bono employers ahead of time regarding the amount of time you have. Be realistic, and do not commit to more than you can handle.

- Find a replacement or give notice far in advance if you cannot make your time.
- Work hard as your efforts could be rewarded with letters of recommendation or a paid position. Remember, dedicated work makes a difference in the community.
- Be clear on the type of responsibilities you will be asked to take on and make sure that it is the kind of work you enjoy and care about doing.

- Communicate with your supervisor. Communicate your expectations clearly and early; this includes the amount of time you are able to devote to the organization and whether that time will decrease around exam period or over the summer.
- Dress appropriately. Generally, public interest organizations are not as formal as firms are and business-casual is the norm. Model your dress after coworkers.
- Ask questions if you do not understand anything or if new issues arise.
- Expect and seek out constructive criticism and learn from it.
- Ask attorneys if you can observe them during court appearances, depositions, etc.
- Attend trainings, conferences, and seminars offered by the organization.
- Proofread your work and communicate professionally in phone calls and emails.
- Ask for feedback and give a reasonable amount of time for review.

Portions of this section come from “Doing Well at Doing Good,” PSJD’s Guide to a Successful Internship Experience and the Harvard Law Office of Public Interest Advising web page “Advice to Law Students from Private Public Interest Lawyers.”

#### Reporting Pro Bono and Community Service Hours

There is no requirement that you report your volunteer hours, but there are good reasons to do so. By reporting, you can become eligible for the Honors Awards and your times may count toward the Oregon State Bar Pro Bono Challenge. Each year the bar recognizes the Oregon firm, attorney, and law student doing the most representational pro bono.

Report your volunteer time online via Career Connect. Log in to Career Connect at <https://law-lclark.12twenty.com/Login>. Click on “Experiential

Learning” in the left-hand sidebar. Complete the form (which may require you to Create a New Contact under the Supervisor heading), save it, and then click the green button called “Submit for Approval.” That will generate a message to the Director of Public Interest Law, who will either approve the experience, or ask for further information. Once the Director approves your submission, you may log into Career Connect and enter your hours.

NOTE: The form requires you to enter a start and end date, and the dates cannot be the same. If the volunteer experience took place on only one day, simply enter the next day as the end date.

At a minimum, you should report your hours at the end of March to meet the deadline for the Honors Awards. Many students report three times: the end of the summer and the end of each semester. If volunteering for projects or single day events, it is best to report as you go.

Reporting is done on your honor subject to Lewis & Clark Law School’s Honor Code.

### **Awards**

Lewis & Clark Law School gives two volunteer awards: the Pro Bono Honors Award and the Community Service Honors Award. Receipt of the awards is noted on your transcript for each year you receive an award and in the graduation program. An annual awards lunch in April honors the year's recipients.

### **Pro Bono Honors Award**

Who is Eligible to Participate?

All Lewis & Clark Law School students are eligible. Pro Bono Honors Awards are given in April for work completed from the beginning of April the prior year to the end of March. First year students *may not* count as pro bono time any hours they completed prior to the start of their first year classes.

### How Do I Qualify?

1. Verify with the Director of Public Interest Law that the work you are doing fits the school's definition of pro bono (see definition above).
2. Complete at least 30 hours of volunteer legal-related, not-for-credit and not-for-compensation work. Second, third, and fourth year students have between April 1 of the prior year and March 31 of the current year. First year students have between the start of classes the prior fall and March 31 of the current year to complete their hours. You do not have to complete all 30 hours with a single employer as you may add hours volunteered with different employers. You are encouraged to track your hours beyond the 30-hour award requirement as those additional hours may count for the Oregon State Bar's Pro Bono Challenge.
3. Report your time by the end of March.

### **Community Service Honors Award**

#### Who is Eligible to Participate?

All Lewis & Clark Law School students are eligible. Community Service Honors Awards are given in April for work completed from the beginning of April the prior year to the end of March. First year students *may* count as community service volunteer work completed during the summer prior to their first year.

### How Do I Qualify?

1. Verify with the Director of Public Interest Law that the organization you wish to volunteer at fits the school's definition of community service (see definition above).
2. Complete at least 30 hours of volunteer, not-for-credit and not-for-compensation work between April 1 of the prior year and March 31 of the current year. You do not have to complete all 30 yours with a single organization as you may add hours volunteered with different offices.
3. Report your time by the end of March.

Students who have reported a total of 30 hours, but not 30 in either individual category, Pro Bono or Community Service, will receive the Community Service Honors Award.

### **Additional Information**

#### **Volunteer Time Commitment**

The amount of time you volunteer is not restricted, and you may set an amount of time that works with your schedule. Many organizations have a set amount of time that they would like you to volunteer. Keep in mind that organizations balance the time it will take them to train you against the amount of time you will work. Consider this balance and discuss your expected volunteer schedule with your supervisor ahead of time. Remember to account for things like final exams and holidays when you will not have time to do volunteer work.

Additionally, be realistic about how much time you have; it is better to estimate time conservatively than to sign on for too much and have to back out.

#### **Training**

Many organizations provide training for volunteers. Trainings vary from extensive and formal sessions, to a brief introduction on your first day. When looking for volunteer work, inquire about training. Your comfort with an organization and the type of work you will be doing should inform your decision to take on a project.

If an organization does not have a formal training program and you would like additional training on a given subject, ask if they have Continuing Legal Education (CLE) materials or other types of materials that you can review. Also, ask the organization if it would be appropriate for you to attend trainings to which they send their other employees. Organizations will appreciate that you are taking the initiative to learn more.

Track training time as this time counts toward the 30 hours for the Honors Awards.

### **Unauthorized Practice of Law (UPL)**

Keep in mind that *law students may only perform representational pro bono work under the supervision of a licensed attorney*. Even when a student receives no compensation for the work, a licensed attorney (one who is a current “active” member of the bar in the state where you will be doing pro bono work) *must* supervise.

Oregon defines the “unlawful practice of law,” as the practice of law by persons not members of the Oregon State Bar and not otherwise authorized by statute. It is unlawful for a person who is not an active member of the Oregon State Bar to engage in the practice of law within the State of Oregon, whether or not for compensation or in connection with any other activity, unless specifically authorized by law or rule. The practice of law includes, but is not limited to, any of the following: 1) holding oneself out, in any manner, as an attorney or lawyer authorized to practice law in the State of Oregon; 2) appearing, personally or otherwise, on behalf of another in any judicial or administrative proceeding; 3) providing advice or service to another on any matter involving the application of legal principles to rights, duties, obligations, or liabilities.

If, without attorney supervision, you are asked to take any action that would be the unauthorized practice of law, you must refuse.

### **Problems / Concerns / Questions**

Volunteering can enhance your legal education. It should be educational and it should be fun! If you have any questions or concerns, please do not hesitate to contact the Director of Public Interest Law at [sahler@lclark.edu](mailto:sahler@lclark.edu).

### **About the Cover Photo**

Library of Congress, Prints & Photographs Division, Ansel Adams, photographer, [reproduction number LC-DIG-ppprs-00370]

Farm workers with Mount Williamson in the background at the Manzanar Japanese Relocation Center in 1943 during World War II taken by Ansel Adams. This photo is part of a series gifted to the Library of Congress by

Adams. Like these photos, your pro bono work brings light to injustice and dignity to those in despair. For more images from the series, see [www.loc.gov/pictures/collection/manz/](http://www.loc.gov/pictures/collection/manz/)

## Appendix

### Tips for Public Interest & Pro Bono Interviews

#### Introduction

The purpose of an interview is to determine whether you and the organization match. The interviewer is looking to hire a law student who has the qualities that suit the organization's goals and style. You are looking for an opportunity that will let you use your talents, time, and energy to work for something you believe in with people you like. You are looking for experience that will help you become a good lawyer regardless of whether you go on to work for a public interest organization.

#### What are employers looking for?

- Demonstrated commitment to the public interest or connection to the work.
- Particular knowledge and skills can be helpful but often are not critical.
- Initiative and responsibility. Employers want those who can work independently and ask for help when needed. Employers want employees to take their job seriously and to honor commitments and deadlines (whether the position is volunteer, for credit, or paid).
- Enthusiasm counts. Offer specifics about why you want *this* job.
- Character is important. Many organizations are small and the people work long hours for little financial reward. By how you act in the interview show that you are someone the interviewer wants to work, eat, and talk with.

#### What are you looking for? Know what your goals are. Think about:

- Whom do you want to serve and whom do you want to work with?

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- What do you specifically want to do?
- What region do you want to work in and what work environment do you want?
- How does the job fit with your goals in the other parts of your life?
- What skills do you want to learn, develop, and improve with this job?

How do you prepare for an interview?

- Research the particular employer and the job for which you are interviewing. Communicate with the Director of Public Interest Law, look at web sites, and talk to those who have worked or volunteered for the organization in the past.
- Think about what the employer wants and how you meet the criteria.
- Prepare to discuss your vision of justice. List what you have done.
- Describe how your skills, knowledge, and experience match the employer's wants.
- Anticipate questions you will be asked and prepare your answers. Be truthful.
- What is your greatest strength? Weakness?
- Are you a team player or do you like to work alone?
- What is the best/worst work experience you had?
- Why did you go to law school?
- What makes you different from other applicants?

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- Provide an example of your on-the-job creativity.
- Why is this job important to you?
- Think about what you still do not know about that is important to your decision and prepare three to five questions about the organization and position.
- Prepare materials the organization requires you to provide: resume, transcript (official or unofficial?), writing sample (length?), references, or recommendations.
- Pick your clothing well. Wear business attire, but keep in mind that many public interest organizations are not as formal as firms are.
- Relax—but be alert, engaging, and confident.

Tips for during the interview:

- Treat everyone with common decency; everyone matters.
- Relax, listen, and be responsive. Be a real person who can connect with others.
- Control body language. Make eye contact and do not slouch or fidget.
- Take time before answering. Have thoughtful answers and articulate them well.
- Avoid being defensive or offensive.
- Be honest about strengths and weaknesses. Make your expectations known.

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What do you do to follow up each interview?

- Know that it is a learning experience. Make a list of the questions you need to think more about. The next interview you will be better prepared.
- Send a thank you note right away. Tailor it to *this* employer. Reaffirm your interest.
- Alert your references that the organization may call them and what information may be of interest to those employers.
- Wait for the employer to contact you, unless:
  - Information relevant to your application becomes available after the interview.
  - The employer delayed an unreasonable amount of time beyond the stated period in which she was to get back to you.
  - You receive another offer but prefer to work for this employer.
  - The employer requested you to contact them.

Remember to relax – it is only a job!

Adapted from: NAPIL Public Interest Job Fair “Public Interest Job Search Strategies”

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Sample Letter of Interest

Ellen Moreland  
345 S.E. 67th Ave., #12  
Portland, OR 97202  
(503) 876-5432  
em@lclark.edu

October 8, 2016

Ned Helper, Pro Bono Director  
Public Interest Advocates  
987 SW 5th Ave., Suite 101  
Portland, OR 97205

Dear Mr. Helper:

I am a first year law student at Lewis & Clark Law School, and I am interested in pro bono opportunities at your organization. I learned about Public Interest Advocates (PIA) from Timothy Chandler, the PIA attorney who spoke at a public interest panel at my school last month.

Working for an organization like Public Interest Advocates is an important goal of mine. I volunteered at a community center doing administrative work my last two years in college. The center was devoted to developing after-school education programs for low-income children, counseling foster children, and advocating on behalf of children from troubled homes. Although my experience was not entirely law-oriented, the issues with which we dealt prompted my interest in juvenile rights and my decision to attend law school. In addition, I am conversational in Spanish, which I found quite helpful in my past volunteer work.

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Once I complete the mandatory training session for PIA volunteers, I am available to work up to ten hours per week until the end of the school year. When summer commences, I hope to continue doing public interest work. I look forward to meeting with you. Thank you for your time and consideration.

Sincerely,

Ellen Moreland

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