

INSTRUCTIONS FOR PRO BONO LEGAL SERVICE REPORT FORM (for calendar year 2009)

Filing Online

Online filing of your reports is strongly encouraged for a number of reasons, including ease of use, accuracy of reporting, and automatic filing confirmation. To file online, go to www.mdcourts.gov then click on “**Pro Bono and IOLTA Reporting**” on the navigation menu. When asked, enter **your ID number** provided on the report forms and on the cover letter from Judge Bell. **YOU MUST COMPLETE AND SUBMIT BOTH FORMS**. It is recommended that you complete the Pro Bono Legal Service Report first. You are also given the option of downloading an MS Word or pdf version of the reporting forms for mail-in purposes.

General

The Court expects you to *use your best professional judgment* in answering the questions. If you do not have a system for tracking pro bono service hours, then estimate the number of hours donated to the best of your ability. If you did not perform any pro bono service in a category, simply write “0” in the blank. For a list of **Frequently Asked Questions**, visit the judiciary’s website at: www.mdcourts.gov under Pro Bono Resources.

The following are intended to clarify certain provisions of the reporting form:

Question # 1-Definition of Terms

“Without fee or expectation of fee”-The work must be performed with the intent of waiving your fee and making it clear to the client that there is no expectation of a fee. This does not contemplate lost or unrealized revenue due to a client’s failure to pay a bill for legal services, or a lawyer who does not prevail on a contingency fee case.

1. a.-“People of limited means”-This includes individuals who either qualify for an income-based legal services program or who the lawyer knows cannot afford to pay for legal assistance.

1. d.-When payment would “significantly deplete the organization’s economic resources or would otherwise be inappropriate”-There are occasions when organizations have such limited resources that paying for legal fees would preclude them from providing critical services or jeopardize their existence. In these circumstances, donating legal services may qualify as pro bono.

(over)

Question # 4-Activities for improving the law, the legal system, or the legal profession-

Examples of such activities include: teaching legal education courses without compensation, engaging in public speaking on legal issues, serving as faculty for the MSBA Professionalism Course, or serving on court created committees (such as the Standing Committee on Rules of Practice and Procedure). This list is not exhaustive, as there are many other activities that may qualify.

Question # 5-Financial Contributions-The allowance for discharging your professional responsibility by contributing financial support to organizations that provide legal services to persons of limited means has always been a part of Rule 6.1. There are numerous legal services organizations as well as organizations that have a legal services component. The enclosed list of organizations funded by the Maryland Legal Services Corporation provides examples of organizations that utilize income-eligibility guidelines for legal services. These are not, however, the only entities that would qualify under this rule. For more specific information about these organizations, visit the MLSC website at: www.mlsc.org, or contact the agencies directly.

Prohibitions against the outside practice of law-The commentary to Rule 6.1 recognizes that some lawyers are prohibited by constitutional provision, statute, rule or other regulatory restrictions from engaging in representational pro bono service. When those restrictions apply, you may still fulfill your professional responsibility by engaging in non-representational pro bono service activities, or by making a financial contribution to a legal services organization.

Confidentiality-Rule 16-903 specifies that the reporting forms are confidential under the Maryland Public Information Act and may be released only by order of the Court of Appeals. The reports are filed with the Administrative Office of the Courts and will not be disseminated. Non-identifying information and data culled from the reports are not confidential.

Out of State Lawyers-All lawyers authorized to practice law in Maryland are required to file reports. Pro bono service rendered out of state counts as pro bono service under Rule 6.1. Therefore, if you are a member of the Maryland bar and practice out of state, the pro bono service you provide elsewhere counts toward the target hours.

Additional Copies of Form-You may also obtain the Pro Bono Legal Service Report Form via fax by calling **888-298-1250** and follow the instructions. You can also download the form from www.mdcourts.gov.

If you choose to file by mail, both your Pro Bono Legal Service Report and your IOLTA Compliance Report should be mailed together to:

Administrative Office of the Courts, P.O. Box 319, Simpsonville, MD 21150-0319.

If you have any further questions regarding the Pro Bono Legal Service Report Form, call 1-800-396-1274 or email the Pro Bono Resource Center at reporting@probonomd.org.