

INSTRUCTIONS FOR COMPLETING THE PRO BONO LEGAL SERVICE REPORT FORM For Calendar Year 2016

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. Under “**HOW TO**” click **File Pro Bono/IOLTA Reports**. On the next page in the middle, click **ONLINE FILING**. Finally, type in your ID number, and click Pro Bono Service Report. **Your ID number** was provided on the report forms and on the cover letter. You will be prompted to complete the IOLTA Compliance Report as soon as you finish the Pro Bono Legal Service Report. **YOU MUST COMPLETE AND SUBMIT BOTH FORMS**. Print the confirmation page upon completion and retain it for your records. If you are unable to file online, you may download and print a Word or PDF version of the reporting forms from the website which you can mail in to the address provided on page two of these instructions. Retain a hard copy of your forms for your records.

GENERAL

This report is **due on February 15** of every year for the prior year’s reporting. *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/probono/.

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.

Question #3 - 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 #4 - 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 can download the form from www.mdcourts.gov under Pro Bono.

IF YOU CHOOSE TO FILE BY MAIL:

Send both your Pro Bono Legal Service Report and your IOLTA Compliance Report 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, please call the Pro Bono Resource Center at 410-837-9379 or 800-396-1274, or send an email to reporting@probonomd.org.

**It is recommended that you schedule a one month reminder for reporting requirements in your own calendar for January 15 of each year, and include the website www.mdcourts.gov with your ID number.*

**COURT OF APPEALS OF MARYLAND
LAWYER PRO BONO LEGAL SERVICE REPORT**

ID No: _____

This is a report of Pro Bono Legal Service under Rule 19-306 of the Maryland Lawyers' Rules of Professional Conduct. **YOUR COMPLETED LAWYER PRO BONO LEGAL SERVICE REPORT MUST BE SUBMITTED TO THE ADMINISTRATIVE OFFICE OF THE COURTS BY FEBRUARY 15, 2017. FAILURE TO DO SO MAY RESULT IN YOUR DECERTIFICATION TO PRACTICE LAW IN MARYLAND, as provided in Rule 19-503** [formerly Rule 16-903]. Your report is confidential under the Maryland Public Information Act, although the non-identifying data in it is not confidential. You may also file this report online at: www.mdcourts.gov/probono.

THE REPORTING PERIOD IS JANUARY 1, 2016 THROUGH DECEMBER 31, 2016.

Please print or type responses.

COMPLETE NAME: _____

BUSINESS ADDRESS: _____

City _____ State _____ ZIP _____

TELEPHONE NUMBER(S): _____

PRACTICE: Please select one of the following to indicate *where* you practice:

Private Firm* Corporate Counsel Government Agency Not Practicing
 Legal Services Org. Public Interest Org. Office of the Public Defender

***If "Private Firm" is selected above, please select one of the following:**

Solo Practitioner (1 lawyer) Small Firm (2-5 lawyers) Medium Firm (6-20 lawyers)
 Large Firm (21-49 lawyers) Extra Large Firm (50+ lawyers)

PRIMARY PRACTICE AREA(S): _____

PRIMARY PRACTICE JURISDICTION(S): _____

(List your top three jurisdictions to include Maryland County names, Washington, DC, or Out of State)

PRO BONO SERVICE AND SUPPORT PROVIDED DURING THE REPORTING PERIOD (calendar year 2016)

1. I rendered the following number of hours of *pro bono* legal service *without fee or expectation of fee*, or at a substantially reduced fee:
 - a. To people of limited means, I donated _____ hours in total, and out of these total hours, _____ hours were spent in matters that was referred through a pro bono or legal services organization.
 - b. To charitable, religious, civic, community, governmental, or educational organizations in matters designed primarily to address the needs of people of limited means, I donated _____ hours in total, and out of these total hours, _____ hours were spent in matters that was referred through a *pro bono* or legal services organization.
 - c. To individuals, groups, or organizations seeking to secure or protect civil rights, civil liberties, or public rights, I donated _____ hours in total, and out of these total hours, _____ hours were spent in matters that was referred through a pro bono or legal services organization.
 - d. To charitable, religious, civic, community, governmental, or educational organizations in matters in furtherance of their organizational purposes, when the payment of the standard legal fees would significantly deplete the organization's economic resources or would otherwise be inappropriate, I donated _____ hours in total, and out of these total hours, _____ hours were spent in matters that was referred through a pro bono or legal services organization.

2. The pro bono legal service hours reported above were rendered in the following areas of law: _____

3. I devoted ____ hours to participating in activities for improving the law, the legal system, or the legal profession.

Specify Activities: _____

4. I *contributed* a total of \$ _____ to one or more agencies that provide legal services to people of limited means.

5. Most legal services organizations provide training, mentoring, malpractice insurance, eligibility screening of clients, and a litigation fund, to name a few benefits. If you did pro bono **outside** of an organized program, why?
____ In-house pro bono program ____ Clients come to me directly ____ Control over client selection
____ Too much paperwork/bureaucracy ____ Negative past experience ____ Was unaware of benefits
____ Lack of interest in case-types ____ Never contacted by an organization

6. If you **did not** engage in pro bono this past year, what prevented you?

____ Prohibited by employer ____ Lack of training/expertise ____ Conflict of interest
____ Prefer non-legal charitable work ____ Financial constraints ____ Lack of time
____ Unaware of opportunities ____ Unrealistic client expectations ____ Lack of interest

LAWYER'S STATUS DURING ALL OR PART OF THIS REPORTING PERIOD (calendar year 2016)

7. Please check all that apply:

- I was prohibited by statute, ordinance, rule, or regulation from rendering *pro bono* legal service as described in Rule 19-306.1 [formerly Rule 6.1(b)(1)] of the Maryland Lawyers' Rules of Professional Conduct.
- I was retired or not actively engaged in the practice of law.
- I was practicing law part-time.
- I was a Judicial Law Clerk or a Sitting or Senior Judge from January through December.
If at any time in 2016 you were not a Judge or Clerk, then you are required to file Pro Bono and IOLTA reports.

SIGNATURE OF LAWYER

DATE

RETURN THIS REPORT BY FEBRUARY 15, 2017, TO:

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

PLEASE DO NOT SEND THE REPORTING FORMS TO THE CLIENT PROTECTION FUND, TO THE CHIEF JUDGE, OR TO THE COURT OF APPEALS AS THIS WILL DELAY CONFIRMATION OF YOUR COMPLIANCE.

FOR MORE INFORMATION ON PRO BONO OPPORTUNITIES:

Visit www.probonomd.org, visit www.MDCourts.gov/probono/opportunities.html, or call the Pro Bono Resource Center of Maryland at 410-837-9379 or 800-396-1274.

TO UPDATE CONTACT INFORMATION WITH THE CLIENT PROTECTION FUND (CPF):

Visit www.MDCourts.gov/CPF/ and Log In (box on right) to "Update your CPF Personal Information" OR mail to the Client Protection Fund of Maryland, 2011 Commerce Park Drive, Annapolis, MD 21401-2956. For additional information, you may contact the CPF at 410-260-3635 or via fax to 410-260-3636.

FOR 2017 ONLY

PLEASE GO ONLINE NOW AND COMPLETE THE ABA'S ONLINE PRO BONO SURVEY:

www.americanbar.qualtrics.com/SE/?SID=SV_7PQDhFv5kiEbBiJ