

December 31, 2002

Dear Maryland Lawyer:

The Court of Appeals is interested in determining the amount of pro bono service engaged in by Maryland lawyers. On July 1, 2002 we amended Rule 6.1 of the Rules of Professional Conduct governing the rendering of pro bono legal service by including an “aspirational” or target goal of 50 hours of service for lawyers in the full-time practice of law. The revised Rule defines pro bono service and describes the types of activities that fall within its scope while maintaining a provision for a financial contribution to a legal services organization in lieu of service. The Court also adopted a new rule, 16-903, that *requires* all lawyers licensed in Maryland to report annually their pro bono hours on an approved form. Enclosed is your Pro Bono Legal Service Report form for 2002. **This form must be filed by February 15, 2003.**

Please note that pro bono service is still voluntary--it is only the reporting of the service that is mandatory. Even if you did not provide pro bono legal service in 2002, you must report that. **Failure to report can result in decertification from the practice of law in this state.**

To understand which activities qualify as pro bono service and your reporting obligations, I encourage you to read [Rule 6.1 and Rule 16-903](#), copies of which are enclosed. We expect you to use your best professional judgment in answering the questions. If you have additional questions about the reporting form, visit the judiciary’s website at: www.courts.state.md.us, click on Maryland Pro Bono and then Frequently Asked Questions. If you still cannot find the answer to your question, call 1-800-217-5032 or email the Pro Bono Resource Center at: reporting@probonomd.org.

For a sampling of legal services programs, see the enclosed list of Maryland Legal Services Corporation grantees. Suggested pro bono opportunities can also be found at the Pro Bono Resource Center of Maryland’s website at: www.probonomd.org.

Your form can be filed by mailing it to the address listed. You can also file online by visiting: www.anasys-apr.com and, if necessary, obtain additional copies of the form by fax. Details about these options are provided in the enclosed Instructions for Pro Bono Legal Service Report Form.

Thank you for your cooperation.

Very Truly Yours,

Robert M. Bell

Encl.

Instructions for Pro Bono Legal Service Report Form (for January 1 through December 31, 2002)

General

The reporting form follows Rule 6.1 of the Rules of Professional Conduct. Please read the rule before completing the form. If you are licensed to practice in Maryland, you are expected to complete the form. 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.courts.state.md.us under Maryland Pro Bono. The Standing Committee on Pro Bono Legal Service will regularly update the Frequently Asked Questions section.

Filing Online

You may also file your report online. Go to www.anasys-apr.com. Click on **Maryland Pro Bono Study** on the left navigation menu and enter **probono** for the user information and **mdlawyer** for the password. Please note that the user name and password are case sensitive. You are also given the option of downloading an MS Word version of the reporting form for mail-in purposes.

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 # 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. Legal services organizations funded by the Maryland Legal Services Corporation provide 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 a listing or more specific information about these organizations, visit the MLSC website at: www.mlsc.org.

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 licensed to practice 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 are also given the option of downloading an MS Word version of the reporting form for mail-in purposes. Click on **Maryland Pro Bono Study** on the left navigation menu and enter **probono** for the user information and **mdlawyer** for the password. Please note that the user name and password need to be lower case letters.

The mail-in address for your completed form is:

Administrative Office of the Courts, MD Judicial Center, 580 Taylor Avenue, Annapolis, MD 21401

If you have any further questions regarding the Pro Bono Legal Service Report Form, call 1-800-592-1964 and ask for pro bono or email the Pro Bono Resource Center at reporting@probonomd.org.

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

This is a report of Pro Bono Legal Service under Rule 6.1 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, 2003. FAILURE TO DO SO MAY RESULT IN YOUR DECERTIFICATION TO PRACTICE LAW IN MARYLAND, as provided in Rule 16-903.** Your report is confidential under the Maryland Public Information Act, although the non-identifying data in it is not confidential.

THE REPORTING PERIOD IS JANUARY 1, 2002 THROUGH DECEMBER 31, 2002.

Please print or type your responses.

NAME: _____

FIRM OR ORGANIZATION NAME: _____

BUSINESS ADDRESS: _____

TELEPHONE NUMBER: _____

YEAR ADMITTED TO THE MARYLAND BAR: _____

PRIMARY PRACTICE AREA[S]: _____

PRIMARY PRACTICE JURISDICTION[S]: _____

DURING THE REPORTING PERIOD:

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:

_____ hours, of which _____ hours were in matters that came to me from 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:

_____ hours, of which _____ hours were in matters that came to me from 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:

_____ hours, of which _____ hours were in matters that came to me from 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:

_____ hours, of which _____ hours were in matters that came to me from a pro bono or legal services organization.

(OVER)

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.

Please specify: _____

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

DURING ALL OR PART OF THE REPORTING PERIOD:

5. ____ I was prohibited by statute, ordinance, rule, or regulation from rendering pro bono legal service as described in Rule 6.1(b)(1) of the Maryland Lawyers' Rules of Professional Conduct.

6. ____ I was retired or not actively engaged in the practice of law.

7. ____ I was practicing law part-time.

SIGNATURE OF LAWYER

DATE

RETURN THIS REPORT TO:

ADMINISTRATIVE OFFICE OF THE COURTS

Maryland Judicial Center, 580 Taylor Avenue

Annapolis, MD 21401

(OVER)

MARYLAND LEGAL SERVICES CORPORATION FUNDED PROVIDERS

The following is a list of legal services programs that receive grants from the Maryland Legal Services Corporation (MLSC), the state's IOLTA program. MLSC requires their grantees to use income-eligibility guidelines for their services. There are a number of additional organizations that provide legal services or have a legal services component which would qualify under Rule 6.1. Lawyers are encouraged to participate in or make a financial contribution to the legal services program of their choosing.

Allegany Law Foundation, Inc.	(301) 722-3390
Alternative Directions, Inc.	(410) 889-5072
American Civil Liberties Union	(410) 889-8556
Associated Catholic Charities Immigration Legal Services	(410) 534-8015
Baltimore Neighborhoods, Inc.	(410) 243-4400
CASA of Maryland Employment Rights Project	(301) 431-4185
Community Law Center	(410) 366-0922
Domestic Violence Center of Howard County Legal Assistance Project	(410) 997-0304
Health Education Resource Organization (HERO) Legal Services Program	(410) 685-1180
Harford County Bar Foundation Pro Bono Project	(410) 836-0123
Heartly House Legal Advocacy Project	(301) 662-8800
Homeless Persons Representation Project	(410) 685-6589
House of Ruth Domestic Violence Legal Clinic	(410) 889-0840
Immigration Legal Services of Catholic Charities of the Washington D.C. Archdiocese	(202) 772-4300
Law Foundation of Prince George's County Pro Bono Project	(301) 864-8354
Legal Aid Bureau, Inc.	(410) 539-5340
Maryland Coalition for Inclusive Education	(410) 859-5400
Maryland Crime Victims Resource Center Legal Advocacy Project, Inc.	(301) 952-0063
Maryland Disability Law Center	(410) 727-6352
Maryland Public Interest Law Project	(410) 706-8393
Maryland Volunteer Lawyers Service	(410) 539-6800
Mid-Shore Council on Family Violence Legal Advocacy Project, Inc.	(410) 479-1149
Montgomery County MD Bar Foundation Pro Bono Project	(301) 424-3453
Pro Bono Resource Center of Maryland, Inc.	(410) 837-9379
Public Justice Center	(410) 625-9409
St. Ambrose Legal Services	(410) 366-8537
University of Maryland Law School HIV Legal Representation Project	(410) 706-8316
Women's Center of Southern Maryland Legal Advocacy Project	(301) 862-3636
Women's Law Center of Maryland, Inc.	(410) 321-8761
YWCA of Annapolis & Anne Arundel County Domestic Violence Legal Services Project	(410) 626-7800