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HEARING ON PROPOSED RULES TO IMPROVE LEGAL SERVICES TO THE POOR

The Rules Committee of the Illinois Supreme Court will hear comments at a public hearing Friday September 16 on proposals designed to improve legal services to the poor and persons of limited means.

The package of rules was proposed by the Special Supreme Court Committee on Pro Bono Publico Legal Service, formed by the Court upon the recommendation of Justice Thomas L. Kilbride, who serves as the Supreme Court liaison to the Committee. The Committee was formed on June 12, 2001, and has been at work trying to fashion a way to improve legal services for those who can't afford them while taking into account the unique role of lawyers in the adversarial system.

The proposals would add a new rule to the Rules of Professional Conduct, which is the ethical code for lawyers. Proposed Rule 6.1 states that lawyers in Illinois should render at least 20 hours of pro bono legal service to persons of limited means, or make an annual contribution of at least \$250 to a legal aid organization.

Under the proposal, the professional responsibility to provide pro bono legal services is aspirational rather than mandatory in nature. In an attempt to make lawyers more aware of the need for legal services to the poor and to help quantify the actual need, another proposal amends existing rules to require attorneys to report the number of pro bono hours provided or their contribution to a legal aid organization.

The proposed reporting requirement would be fulfilled annually as part of the attorney's renewal of the license to practice law. Failure to report would result in removal of the attorney from the master roll and render the attorney ineligible to practice law in Illinois.

"The reporting requirement . . . is designed to provide a sound basis for evaluating the results achieved by this rule, reveal the strengths and weaknesses of the pro bono plan, and to remind lawyers of their professional responsibility under this rule," the Committee said in comments to the proposed rule.

The voluntary pro bono plan proposed by the Committee would establish a Standing Committee on Pro Bono Legal Service composed of 15 lawyers, judges or other members of the public, and

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also establish a pro bono committee in each judicial circuit of Illinois to monitor services and train lawyers to give needed services.

At the public hearing, the Rules Committee is expected to receive public comment on proposals that would change six other rules ranging from limiting and simplifying discovery in certain cases to making technical changes in procedural areas.

Another proposal would create a new rule setting the amount paid to lawyers appointed to represent indigent parties to \$75 per hour for court time and \$50 per hour for services outside court. The fees would be capped at a total of \$750 for a misdemeanor and \$5,000 for felonies and certain other proceedings.

The hearing will be held at 10 a.m. at 160 N. LaSalle Street, Room C-500 in Chicago.