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FOR IMMEDIATE RELEASE**

NEW SUPREME COURT RULES DESIGNED TO INCREASE PRO BONO LEGAL SERVICES

The Illinois Supreme Court announced Wednesday new rules designed to encourage all Illinois lawyers to improve the delivery of legal services to the poor and to persons of limited means.

The rules will require all licensed Illinois attorneys to state annually whether they have provided pro bono legal services in the past 12 months, and the approximate number of hours provided without charge or expectation of a fee; and the amount of any monetary contribution to a legal services organization which helps persons of limited means.

“This is a critical step in trying to improve the delivery of legal services to unrepresented clients most in need,” said Justice Thomas L. Kilbride, whose recommendation led to the Supreme Court establishment of a Special Supreme Court Committee on Pro Bono Publico Legal Service. “By requiring lawyers to report their pro bono activity, we hope to see an increase in volunteer attorneys for those who would otherwise have no legal representation.”

The Special Committee, which was formed in June 2001 under the chairmanship of Belleville attorney Russell K. Scott, has been at work trying to fashion a way to improve legal services for those who cannot afford them. In an extensive report to the Court in December 2003, the Committee acknowledged the “significant contribution” made by Illinois lawyers toward meeting the legal needs of the poor, but said “much more work remains to be done.”

A series of the Committee’s proposals received close scrutiny by formally organized bar associations and individual lawyers. A public hearing on initial proposals was held in September 2005 by the Supreme Court Rules Committee, chaired by Chicago attorney Martin J. Healy. A final report was forwarded to the Court and the rules were announced Wednesday, effective immediately.

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The rules are not intended to impose upon lawyers a mandatory duty to provide pro bono service but are intended to impose a mandatory reporting requirement “to serve as an annual reminder to the lawyers of Illinois that pro bono legal service is an integral part of a lawyer’s professionalism,” according to comments formally accompanying the rules.

Justice Kilbride said, “The rules give attorneys some flexibility in how they volunteer—whether by directly providing legal services, by making financial contributions to those organizations who provide services, by training other volunteer lawyers, or by some combination. The rules allow us a chance to measure for the first time in Illinois the volume of pro bono efforts.”

“This is a remarkable result from the Court,” said Mr. Scott, chair of the Special Committee. “The critical thing is that these rules embody the spirit of what the Committee was trying to do, and that was to find a way to encourage Illinois lawyers to provide more legal services to people of limited means.”

The new reporting requirement appears as an amendment to Supreme Court Rule 756, which covers the annual registration and licensing of attorneys. The new reporting requirement must be made 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 rule defines pro bono legal services as those legal services “rendered to a person of limited means.” Legal services for which payment was expected, but is uncollectible, do not qualify as pro bono legal services under the rule.

Also qualifying as pro bono legal services are the delivery of legal services to charitable, religious, civic, community, governmental or educational organizations “in matters designed to address the needs of persons of limited means”; the delivery of legal services to charitable, religious, civic or community organizations in matters in furtherance of their organizational purposes; and providing training that is intended to benefit legal service organizations or lawyers that provide pro bono services.

It also includes monetary contributions to an organization which provides legal services to persons of limited means or which contributes financial support to such an organization.

Services that qualify for the reporting requirement include not only those which are delivered to persons whose household incomes are below the federal poverty standard, but also to “those persons frequently referred to as the ‘working poor.’”

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**Pro Bono Rules
Add Two**

The rules do not require an attorney to undertake an investigation to determine client eligibility, but state that , “a good faith determination by the lawyer of client eligibility is sufficient.”

The primary goal of the mandatory reporting requirement is to increase the delivery of legal services directly to persons of limited means, and the support of the organizational infrastructure providing those legal services,” said Mr. Scott.

Pro bono information provided by attorneys as part of their annual registration process will be kept confidential, but the Attorney Registration and Disciplinary Commission, which oversees the process, may report the information in the aggregate. For the first time in Illinois, the Court will get a measure of pro bono activity in the state.

Lawyers in the state who are prohibited from performing legal services because of constitutional, statutory or other regulatory prohibitions are encouraged under the rules to make a financial contribution to support the delivery of legal services to persons of limited means and encouraged to participate in training programs for volunteer attorneys.

“The Court is grateful to the Special Supreme Court Committee on Pro Bono Publico Legal Service, the Supreme Court Rules Committee, the organized bar in Illinois and other individual lawyers who voiced their views about the new rule,” said Justice Kilbride.

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(FOR MORE INFORMATION, Please contact Joseph Tybor, press secretary of the Illinois Supreme Court, at 312-793-2323)