

Pro Bono Initiatives

BACKGROUND

- CBA has a long history of encouraging voluntary pro bono services, while not assuming governments' obligations to provide "essential" legal services through legal aid, as a means of promoting better access to justice for all.
- Young Lawyers – CBA sponsors an annual [Pro Bono Award](#), to recognize outstanding pro bono legal services to the community by a young lawyer in Canada.
- In its 1996 report, the CBA Systems of Civil Justice Task Force recommended that CBA develop a program to monitor, promote and publicize pro bono work. CBA Council adopted this recommendation at the 1997 Mid-Winter Meeting. The Systems of Justice Implementation Committee prepared an Options Paper, *Promoting a Pro Bono Culture in Canada*, in 1998.
- CBA Council adopted a policy at the 1998 Annual Meeting, encouraging members of the legal profession to strive to contribute 50 hours or 3% of billings per year on a pro bono basis.
- At the 2001 Annual Meeting, CBA Council directed the CBA to form a working group on pro bono initiatives, to report on:
 - the nature of pro bono work performed by its members and how to recognize that work;
 - the development of a business plan on how the CBA would coordinate, facilitate and promote the pro bono work of its members; and
 - methods of obtaining and sharing information about the pro bono initiative at the National and Branch levels.
- The Working Group presented its report at the 2003 Mid-Winter Meeting. Its recommendations were based on the premise that CBA National is best placed to facilitate and promote pro bono activities, while locally delivered programs are best placed to meet particular community needs. CBA Council adopted the recommendations and constituted a Pro Bono Standing Committee.
- The Pro Bono Standing Committee came into effect in September 2003.
- In January 2005, the National Citizenship and Immigration Law Section instituted a pro bono project to assist Canadians and permanent residents wishing to sponsor family members from Asian tsunami disaster areas. Following the Haiti earthquakes, it instituted a similar program in January 2010.
- The Pro Bono Standing Committee launched its [website](#) in August 2005. It features model pro bono policies, checklists, and resources from PracticeLink and the National.

- At the 2007 annual meeting in Calgary, Council urged law societies to negotiate free insurance coverage for pro bono legal services. ON, MB, SK, AB and BC have some extended coverage.

CURRENT STATUS

- BC, AB, SK, ON and QC all have an umbrella organization to adopt a coordinated approach to pro bono service delivery. NB and NS are in the preliminary stages of establishing organizations. BC Branch and Law Society of BC played a significant role in the formation of Pro Bono Law of BC.
- The Committee launched a Pro Bono Mentorship Program at the 2008 CLC. This program was concluded by the Committee in Fall 2010. The Program connected lawyers doing pro bono work with mentors with experience in pro bono or an area of law in which the lawyer is performing pro bono work.
- In Fall 2008 the Committee organized a meeting with executive directors of pro bono organizations to discuss how it can facilitate communication, and resource sharing amongst the provincial pro bono organizations.
- [In December](#) 2008, then CBA President J. Guy Joubert encouraged the Minister of Justice to support participation by government lawyers in pro bono work. Justice Canada established a working group to develop a pro bono policy for government lawyers.
- In January 2009, the Committee wrote to law societies and the FLSC asking them to extend free insurance coverage for pro bono legal services across Canada.
- In 2009, the Committee created a website for Pro Bono Week Canada, October 2009, listing CBA Branch and pro bono umbrella organization activities: www.probonoweekcanada.ca The Committee also co-sponsored with the Young Lawyers Division pro bono call-in days in Nova Scotia and Saskatchewan.
- In August 2009, the Committee and Young Lawyers – CBA developed the podcast [Passionate About Pro Bono: Making it Happen in Private Practice](#).
- The CBA-SCC Liaison Committee consulted with the Pro Bono Committee in 2011 about approaching pro bono organizations to establish a roster of counsel for unrepresented litigants applying for leave to the Supreme Court. Pro Bono Students Canada (PBSC) has responded, and a meeting between that organization, the Committee and the SCC Liaison Committee took place. PBSC has agreed to partner with other pro bono organizations in establishing the roster, and discussions are underway in Ontario to establish a relationship.

NEXT STEPS

- The Committee will monitor the response of law societies and the FLSC and continue to advocate for free insurance coverage for pro bono legal services.
- It will continue to foster a partnership with Young Lawyers – CBA and liaise with other pro bono organizations to ensure that the work of the Committee is complimentary to their work.

- It will facilitate ongoing discussions with pro bono organizations to establish counsel rosters.