

# TOP TIPS FOR DEVELOPING A SUCCESSFUL PRO BONO PROJECT

FOR NGOS AND OTHER NON-PROFITS

## DESIGNING THE PROJECT

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### HAVE A CLEAR PROJECT PURPOSE AND DESIGN

- A successful pro bono project needs to be limited in its scope with a clear task for the volunteer lawyer/s and a concrete outcome for the non-profit organization and/or community involved.
- For direct assistance projects, while the communities you work with may have diverse legal needs, you will not be able to address all of these through one project alone. Involve the community in prioritising a specific legal need to focus on and in the design and implementation of the pro bono project to ensure that the project meets their actual needs.
- When describing your project, be clear about your outcome expectations. If you need research to inform a practical 'Know Your Rights Document' be clear about this. If you are not, you may end up with a 70 page research document covering the history of immigration law in your country! If the outcome is not what you are after, this could be a waste of your time and the law firms and put both of you off engaging in further pro bono projects.
- Consider how you are going to measure the impact of your project. This will help you as you define the project purpose and design, including to ensure the project is designed in a way to gather the impact data you will need..

### CONSIDER WHAT YOU CAN PRACTICALLY OUTSOURCE AND TO WHOM

- Look at the services you provide and/or need support with and carefully consider what areas are best able to be taken on by others. For example, international law firms may be able to support the drafting of documents for submission in countries where the United Nations High Commissioner for Refugees (UNHCR) undertakes Refugee Status Determination (RSD) as minimal knowledge of the local law in the host country is required. On other occasions, you will need a locally qualified lawyer to provide certain services, though they may not need to be a specialist in refugee law.
- International law firms often have significant resources to contribute towards a project, while local law firms will have locally qualified lawyers on staff and know the local legal framework. Explore whether a partnership between an international law firm and a local law firm could work in order to maximize the benefits of working with each.
- Consider also time zones and in which language(s) the work needs to be done. Think creatively about using technology to support your pro bono project (e.g. phone interpreters and interviews).

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## THINK ABOUT WHAT RESOURCES YOU NEED AND HOW YOU WILL SECURE FUNDING

- Consider the resources you will require to facilitate your project. Not all projects will require additional resources to set up or to implement, however, some will require substantial resources, including dedicated staff. Try to think this through as early as possible and consider where the staffing or funds will come from - you will either need to move funding/staffing around to make room for the project or you will need to raise additional funds, especially for supervisory positions for larger projects (e.g. to coordinate regular direct legal representation of asylum claims by private law firm/s).
- There are many potential resource and funding sources out there, from law firm partners, to clinical legal education projects, CSR initiatives and private grants. Sometimes resource needs can be managed by making law firms official partners, with the understanding that every year they will contribute funding and pro bono hours to make the partnership sustainable.
- Outline your funding needs as early as possible, and share it with the law firm partners to see if they are willing to assist with it. It is essential to be open and honest about your needs in order to avoid any conflict or misunderstanding during the partnership.
- Pro bono programmes require an investment of time, including establishing connections, training/preparing the lawyers and supervising them. However, ultimately it can be well worth the investment if you manage to harness your partner's skills, resources, and passion.

## DON'T BE PUT OFF BY THE INITIAL INVESTMENT

## SETTING UP & IMPLEMENTING THE PROJECT

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## BE VERY CLEAR ABOUT ROLES AND RESPONSIBILITIES AT THE OUTSET

- To ensure a high-level and consistency of assistance, especially when working with multiple law firms, you need to provide clear instructions about what is required of the volunteer lawyers.
- Don't assume the law firm you are partnering with has the same processes or understanding of protocols as those you may have worked with before. Try to clarify and standardize practical details like who will provide the interpreter/translator and where the interviews should take place to avoid confusion. Have these conversations as early on as possible and prepare procedure notes and briefings for those involved.
- For written work, provide model documents if possible, so that the pro bono lawyers understand what you are expecting and in what format.

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## **PROVIDE SHORT, SHARP, AND TARGETED TRAINING**

- Partnering with private law firms means you are partnering with professionals who already come with a range of useful skills, whether in research, analysis or document drafting. Your training should hone these existing general skills for the purpose of the project; focus on the areas of law, practice and procedures the lawyers may not know about, which are essential to your project.
- Sometimes, volunteer lawyers may not have adequate expertise or knowledge of the cultural context or of working with vulnerable clients required for the project. Consider also whether volunteer lawyers will be exposed to stories and information not usually experienced in their regular business work. If so, training should also include self-care and protection against secondary trauma.
- It's best to communicate these aspects of a project with the law firm in advance and assess the extent of training/supervision required. You can then make a decision on whether or not your organization has the capacity to provide this support.

## **PRIORITIZE LEGAL SUPERVISION, OPEN COMMUNICATION AND PROJECT COORDINATION**

- Especially with direct assistance projects, it's important to invest in adequate legal supervision, both on-site and ongoing. Some firms will require quite a lot of handholding initially but it is generally a good investment of time.
- A good working relationship, built on open communication, trust, and professionalism is key to a successful pro bono project. Channels of communication and coordination should be clear and established as soon as possible.
- In some successful projects, the NGO designates a central point of coordination for the project (e.g through a volunteer coordinator), who manages the relationships with the firms, organizes logistics, and ensures that the lawyers know what is required and when.. In other successful projects, caseworkers are responsible for undertaking this coordination work for their own cases and will liaise directly with the law firms themselves.
- It is generally helpful to establish check-in(s) and find other ways to stay connected.regularly. For example by scheduling regular online calls, using online tools for giving/receiving feedback, etc.

## **BE MINDFUL OF SCHEDULING AND TIME CONSTRAINTS WHEN ASSIGNING WORK**

- While some pro bono programmes second their lawyers, most pro bono lawyers typically have to balance their pro bono work with their regular paid casework. Therefore, consider assigning work with less pressing and/or more flexible deadlines, breaking bigger pieces of work into smaller tasks and providing estimates for how long tasks may take, so that pro bono lawyers can organize around these estimates. If working with international firms, be mindful of the time difference.

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## CONSULT YOUR CLIENTS AND MANAGE THEIR EXPECTATIONS

- For legal representation work and other projects that require law firms to work directly with asylum-seekers, refugees and other clients, it is important to first check with the client that they are comfortable with the involvement of the firm. Provide an opportunity to ask questions and see if you can answer as many as possible to make them more comfortable.
- Manage the clients expectations and ensure they understand what the lawyer can and cannot help them with as well as what the lawyer will expect of them (e.g. that they are on time to meetings/interviews and communicate honestly and openly).

## INSIST UPON HIGH STANDARDS OF PROFESSIONALISM AND ENSURE CLIENTS ARE AWARE OF THIS

- Sometimes staff or clients may be concerned that involving lawyers who are inexperienced in refugee law means that they will require a lot of hand-holding or they will produce low-quality work. However, lawyers are ethically obligated to be as diligent in their pro bono work as their paid work, and clients should be assured of this. You can explain that they have been trained and will be supervised by your NGO.
- Sometimes a heavy workload of paying clients, may cause lawyers to de-prioritize their volunteer work. This should not be the case. Regular delays should be raised with the law firm so you can find a suitable solution.

## LEVERAGE THE FIRMS TO PROMOTE SUSTAINABILITY

- If you have developed a pro bono model that you are replicating with new law firms or transitioning to new teams, consider having outgoing lawyers create training materials for the incoming lawyers. Encourage peer-to-peer recruiting by the pro bono lawyers - not just recruiting within their firms, but also recruiting lawyers from other firms.
- Try to think of creative ways to build on the partnership such as by organizing collaborative discussion forums/cross-info sessions with the law firms.

## CELEBRATING SUCCESSES AND RAISING PROBLEMS

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### KEEP MOTIVATION AND INTEREST UP

- Remember that lawyers appreciate and are motivated by feedback, especially if you can show them how their work is benefiting people.
- To increase retention, keep them updated about how their cases are progressing, even after their work on the case has concluded (e.g. through follow-up emails or regular newsletters).
- Lawfirms are often motivated by publicity and visibility. Depending on how comfortable you and the law firm are, think about ways you can highlight their involvement and the impact the

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- Law firms are often motivated by publicity and visibility. Depending on how comfortable you and the law firm are, think about ways you can highlight their involvement and the impact the partnership is having (e.g. writing an 'impact story' or applying for a pro bono award such as those recognised annually by LawWorks, TrustLaw and PILnet). Highlighting your pro bono project can also bring your NGO and the work you are doing increased visibility.

## RAISE PROBLEMS IN A CONSTRUCTIVE WAY

- In any partnership there is a potential for things to not go as planned. Law firms might struggle to meet deadlines or there might be other problems around communication. Or you might find yourself in a position where you no longer need pro bono legal advice or the scope of the assistance that you require has shifted. Either way, open communication and raising problems in a constructive way is key.
- When problems occur, do not be afraid to discuss them and come ready with some recommendations on how these problems can be fixed. If your project was matched by PILnet or another clearing house, do consider reaching out to them to help you to navigate any issues you are experiencing,

This document was developed by the following actors to support the implementation of the **Global Refugee Forum Legal Community Pledge**, a pledge made by more than 100 legal and community empowerment organizations, law-firms, bar associations and corporations at the first Global Refugee Forum in 2019 and reaffirmed at the second GRF in 2023..



To learn more about the pledge and PILnet's work with these and other partners to improve access to justice for refugees and other forcibly displaced people, see:

: <https://www.pilnet.org/our-work/forced-displacement/>

If you are interested in scoping your own pro bono project you can learn more and share your legal needs with us at:

<https://www.pilnet.org/forced-displacement-legal-help/>