

PILA Pro Bono Clearinghouse Proposal

Clearinghouse is a system, which distributes free capacity of the law firms to provide pro bono legal services to non-governmental organizations (NGOs) in need of those services.

Clearinghouse administered by PILA will accept requests for pro bono legal services **only from the NGOs registered within the system.**

NGOs might have two types of requests:

- I. for their clients
- II. for NGOs themselves

Before entering first request NGOs must conclude a framework agreement with PILA, which will regulate the conditions of cooperation. After concluding the agreement the NGO will be registered within the system and will be allowed to use it.

I. Pro bono legal services for NGOs clients

Clearinghouse is not intended to arrange for pro bono legal services directly to individual clients and does not accept applications from individual clients. Application for pro bono legal services can be made only by registered NGOs on behalf of their clients. The pro bono legal services for individual clients might consist of legal counseling, drafting legal documents and legal representation.

How clearinghouse works in case of request for pro bono services for individual clients referred from NGOs

1. NGO fills out electronic application for pro bono legal services on behalf of client.
1. NGO sends copies of documents relevant to the case to the clearinghouse.
2. The clearinghouse lawyer reviews the applications and decides whether it meets the conditions for providing pro bono legal services, whether it will be offered to law firms and what extent of legal services the case requires.
3. The case might be identified first only for pro bono legal counseling and later if it is shown that further legal assistance is needed the case might be identified for other forms of legal services such as legal representation.
4. The case is processed in standard format and distributed to the law firms.
5. The NGO is informed that the case was accepted and distributed to the law firms and in what extent the legal services might be provided if case is taken up by law firm.
6. The NGO is informed when the case is accepted/not accepted by law firm and about extent of the legal services, which will be provided.
7. After NGO is informed that the case was taken up by a law firm, the NGO communicates directly with the law firm.
8. If the case requires additional legal aid, NGO has to contact clearinghouse, provide relevant information and documents and clearinghouse will review if it is justified and reasonable to provide additional legal services in the case.

Conditions under which pro bono legal services might be provided:

- Client's problem is of legal nature.
- It is reasonable to provide pro bono legal services in the case. (seriousness and complexity of the case)
- Client lacks means to pay for legal services.
- Client is unable to obtain legal services otherwise (e.g. within court proceedings, family members can pay, NGO can provide services free of charge).
- Business law cases and criminal cases except of legal services to victims of crime are not accepted.
- The application for pro bono legal services has to be submitted at least 3 weeks before any deadline expires and scheduled date of a court hearing.
- The legal services provided within the clearinghouse are free of charge, but client has to bear the related costs such as court fees and costs of court proceedings if the case is unsuccessful or partly unsuccessful.

The role of registered NGOs

- To assess whether the case is suitable for application for pro bono legal services (seriousness of the problem, legal problem, social situation of client).
- To assist client with filling out the application form and to enclose all necessary documents with the application.
- To make an application for pro bono legal services on behalf of the client.
- NGOs is responsible for communicating with client, submitting additional information or documents.
- NGO informs client about the decision on the application for pro bono legal services.
- NGO communicates with the law firm about the case and assists law firm with the case if needed.

II. Pro bono legal services for NGOs

Pro bono legal services for NGOs consist of technical legal aid to NGOs (such as drafting contracts, tax counseling, intellectual property etc.) and cooperation with NGOs focusing on human rights protection and public interest law issues (legal research, legal analysis, legislation, strategic litigation etc.) The clearinghouse will assist to find pro bono legal services only to the NGOs registered in the system.

- NGOs submit requests for pro bono legal services by electronic application form.
- The request is reviewed, additional information might be requested.
- The request is distributed to the law firms.
- If the request is accepted by law firm, NGO communicates directly with the law firm.