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PROMOTING PRO BONO

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The Vance Center has had a seismic impact on the development of pro bono in Latin America. Leire Larracoechea, an integral member of the team, talks to Zach Marzouk about her contribution to creating the region's pro bono infrastructure and her ultimate goal to replicate it in her home country, Spain.



In October 2016, the Cyrus R Vance Center for International Justice hosted members of leading Spanish law firms and the Madrid Bar Association in New York. They had come to the US with a view to understanding more about how to develop a pro bono clearing house in Spain. The trip came about thanks to Leire Larracoechea, a senior fellow in pro bono practice at the Vance Center, who organised the meeting, negotiating with key players and drafting the agenda. She was keen to drive the project forward as it brought her another step closer to achieving her ultimate goal: developing a pro bono clearinghouse in her home country.

Larracoechea joined the Vance Center in 2015, after completing her LLM at Harvard Law School, where she attended having obtained a Fulbright scholarship to study in the US. Before that, she was a lawyer in Madrid at Cuatrecasas, one of Spain's leading law firms.

She joined Cuatrecasas in 2011, where she was inspired to get involved in pro bono work in part because of the difficult moment her country was experiencing. "Spain was going through a huge economic downturn" says Larracoechea. "Legal aid was drastically cut by the government as part of the austerity measures in response to the crisis." The gap between those who could afford legal services and those who couldn't was becoming bigger and bigger. "I think it was a very interesting moment to start working on pro bono as you actually saw that there were many sections of society and many NGOs that were disappearing," she recounts. Her law firm had a well-structured pro bono programme which allowed her to become involved, have an impact and "grant people without resources the possibility of accessing legal services." She worked closely with the partner who set up Cuatrecasas' pro bono department, Javier Carvajal, who has recently moved to Pérez-Llorca, another Spanish firm. The programme is based on the Vance Center's experience, which Carvajal and other Cuatrecasas' partners got to know during a mission trip to New York in 2008. In 2012, Todd Crider, Simpson Thacher & Bartlett LLP partner and Vance Center executive committee member, travelled to Madrid to participate in a pro bono seminar in Madrid that Larracoechea attended. There, she was inspired to go to the US to learn more about the pro bono infrastructure, with a view to finding a way to establish something similar in Spain.

While at Harvard, she did a three-week clinic at the Vance Center and after graduating, she started working at the centre, helping the director of pro bono partnerships to develop pro bono in different countries and set up projects in various law firms. Months later, Larracoechea took the lead of the Vance Center's pro bono partnership programme.

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One of the things that she enjoys most about her work is being the connecting point of a very diverse set of stakeholders. Larracoechea develops and manages relationships with law firms, legal institutions and companies that work with Vance Center lawyers in their pro bono projects. This involves tracking and managing a large portfolio of projects; in the last year alone she has placed over 100 matters in almost 70 countries, working with 600 different lawyers around the world.

Larracoechea says that one of the unique things about the Vance Center is that “we not only get involved in research and legal advice but also in advocacy and in-depth initiatives, I think that is truly interesting for someone with my interests and background.” For example, Larracoechea is substantively involved with projects within the good governance programme, where she has worked on projects relating to anti-corruption and human trafficking.

One of her main responsibilities is managing the Pro Bono Network of the Americas, which she does with Constanza Alvial of the Fundación Pro Bono Chile, Latin America’s most established pro bono clearinghouse. Together, they collaborate with the different clearinghouses across Latin America and take the lead on the Vance Center’s promotional activities and initiatives in the region.

Clearing houses have been proven to play a key role in the development and institutionalisation of pro bono work in legal markets, by helping to bring together law firms in a collaborative fashion. They provide law firms with a community interface and take on administrative burdens, training and the sourcing of suitable cases.

Larracoechea thinks that the challenge is not only building the clearing house but also “to find ways to identify proper work or well-suited projects for law firms of that clearing house.” By assigning the right project to the right team, they can have a big impact in society “which is in the end what matters most.”

Clearing houses can have an enormous impact on a legal market’s capacity for pro bono work. In July last year, Larracoechea spent a week at Fundación Pro Bono Colombia, another of the most advanced clearinghouses in Latin America. “It was very impressive for me to see an organisation that has only been there for six years and basically started from scratch. What they are doing with the peace process in Colombia, and other outstanding projects, to be there witnessing them in their field was very inspiring,” she says. Two people set up the clearinghouse and had no office. They had to build their own tables as they had very limited resources. Now, it’s a well-run organisation that has many law firm members, which not only take on a high number of pro bono cases, they provide regular funding. The in-house team has quadrupled.

Often, members of a legal market will approach the Vance Center and the Pro Bono Network of the Americas for help in setting up a pro bono clearinghouse. “In Uruguay, certain leading firms and universities have been trying to launch a clearinghouse for years and now finally, after the exchanges of ideas and opinions and lots of hard work, they are organising a grand launch in March and have asked us for our support,” says Larracoechea, who will be organising training at the local university and is very happy to be involved. The hope is that law firms will want to join the clearinghouse and provide financial support.

Firms in other countries, such as Ecuador and Panama, are undergoing similar processes. Larracoechea is responsible for sharing information with them and will travel to some of those countries to meet key stakeholders and prove the support that they want. Central America is another priority for the Vance Center.

Over the past 15 years, the Vance Center has helped to develop 13 clearing houses in Latin America and more are on their way. Larracoechea thinks that the pro bono environment in the Americas has improved greatly in that period. The Pro Bono Network of the Americas has reached an important milestone in terms of its institutional framework, which “demonstrates that there’s a lot of cohesion and a very healthy relationship and commitment to collaboration between the different members of the network.” This was underscored at the Instituto Pro Bono Brasil’s Latin American forum last September. There were hundreds of people from NGOs, law firms and clearinghouses providing a visual symbol of how much pro bono has developed over the last 15 years. “Pro bono is a reality of our times, and what the Vance Center and the network have accomplished in Latin America is incredible,” says Larracoechea.

“The work of the Vance Center depends upon relationships with partner organisations across Latin America and with individual lawyers who are active as leaders in public interest matters. Leire’s combination of professionalism, sophistication

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and thought leadership along with her inter-personal skills has been critical to stabilising and advancing our engagement for pro bono across the region,” says Simpson Thacher’s Crider, who has worked closely with Larracoechea on the network and the Spanish initiative, among others.

Alexander Papachristou, the Vance Center’s executive director, agrees. “By virtue of her intelligence, expertise, and personality, Leire has brought order, direction, and positive energy to our work in Latin America,” he says. “She managed deftly and indefatigably the institutionalisation of the Pro Bono Network of the Americas, which involved many participants talking across great distances over many months.”

The Vance Center’s work in Latin America has given Larracoechea valuable experience to channel into the project in Spain. She is now working to establish a new clearing house in her home country using her experience in Latin America and fulfil the goal that she has worked so hard to accomplish. This is the first time that the Vance Center has got involved in developing a pro bono organisation in a European country, which presents different challenges to those of Latin American countries. Larracoechea says a particular issue is the strong legal aid system present, common in most European countries, which she says is different to the US.

Last November, one month after the Madrid Bar Association and law firms’ visit to New York, Larracoechea, Crider and Davis Polk & Wardwell senior counsel and retired partner Andres Gil met them again in Madrid. They agreed to form a working group to develop the business plan for a clearinghouse in Spain. Now they are working on it, with Larracoechea’s supervision and coordination, she describes it as challenging but says “it’s definitely worth the efforts.”

The Spanish delegation’s visit to the US and study of the Latin American experience helped to raise awareness of the benefits a clearinghouse could bring to the pro bono system in Spain. Pérez-Llorca’s Carvajal says there is a core group of firms which are committed to putting together the business plan and a corporate governance structure, with a slightly larger group that is supportive of their work and willing to follow, whereas a far larger group have not yet woken up to the concept. But he recognises that it takes a lot of time to get brand new ideas off the ground and has studied the experience in Latin America enough to see that while their journey was long, they got there in the end. “Some firms are really pushing this. Having the Vance Center is helping,” he says. “When the boat is in the water, everyone will want to be there.”