

THE PRO BONO DECLARATION FOR THE AMERICAS A HEMISPHERIC INITIATIVE PROMOTING ACCESS TO JUSTICE

The Pro Bono Declaration for the Americas (PBDA) is a document that commits signatories to undertake a minimum of 20 hours of pro bono work per lawyer per year. More than 500 law firms, bar associations, corporate law departments, law schools and NGOs have signed the Declaration and committed themselves to making access to justice a reality in the hemisphere. The list of signatories can be viewed at the Vance Center website, www.vancecenter.org.

GENESIS OF THE PBDA

The Vance Center took the primary leadership role in organizing a series of conferences that led to the conception and creation of the PBDA.

Buenos Aires, Argentina 2001

This first regional conference on pro bono and access to justice, planned in conjunction with the Facultad de Derecho de la Universidad de Palermo and the Comisión Pro Bono del Colegio de Abogados de la Ciudad de Buenos Aires, brought together numerous law firms and NGOs from Latin America.

Santiago, Chile 2002

Building on the work of the previous regional conference in Buenos Aires, the Vance Center and Fundación Pro Bono Chile co-hosted this second regional conference, which sought to promote pro bono work in Chile and to support the development of a pro bono movement throughout South and Central America.

São Paulo, Brazil 2003

The Vance Center collaborated with the Instituto Pro Bono de Brasil to plan a third regional conference that focused on the continuing expansion of pro bono in the southern hemisphere and the need to develop pro bono within the context of a state's obligation to provide access to justice.

New York, New York 2005

The Strategy Summit for the Americas brought together lawyers from Argentina, Brazil, Chile, Colombia, Mexico, Peru and the United States to provide an opportunity for leaders of the private bar to examine the accomplishments of the past five years and formulate a future direction for the pro bono movement.

DRAFTING AND LAUNCHING OF THE PBDA



As a result of the growing momentum generated by the conferences, a committee was formed to draft the PBDA. The text of the document was developed over a period of eighteen months by a regional committee of Latin American and U.S. lawyers, and was finalized through consultation meetings

with members of the legal community from the initial eight signatory countries: Argentina, Brazil, Chile, Colombia, Ecuador, Mexico, Peru and the United States. Drafting committee members included: Javier de Belaunde (Peru); Juan E. Cambiaso (Argentina); Todd Crider (New York); Daniel Grunfeld (Los Angeles); Guillermo Morales (Chile); Antonio Meyer (Brazil); Horacio Bernardes Neto (Brazil); Paula Samper Salazar (Colombia); and Claus von Wobeser (Mexico). The PBDA became effective on January 11, 2008. The document can be viewed at our website.

Pro Bono Organizations in the Americas

Access Pro Bono Society of BC, Canada
Asociación de Servicios Legales de la Barra Mexicana, Mexico
CIJSEF, Paraguay
City Bar Justice Center, New York City Bar, United States
Ciudadanos al Día, Perú
Comisión de Trabajo Pro Bono e Interés Público del Colegio de Abogados de la Ciudad de Buenos Aires, Argentina
Comisión Pro Bono del Colegio de Abogados de Costa Rica, Costa Rica
Fundación Aplesseed México, Mexico
Fundación Pro Bono, Chile
Fundación Pro Bono Colombia, Colombia
Instituto Pro Bono de Brasil, Brazil
Poder Ciudadano, Argentina
Pro Bono Law Alberta, Canada
Pro Bono Law Ontario, Canada
Pro Bono Québec, Canada
Pro Bono Law Saskatchewan, Canada
ProVene, Venezuela
Public Counsel, United States
Venezuela Sin Limites, Venezuela

20
HOURS
PER
YEAR

COMMIT.

FOR
THE
PUBLIC
GOOD

EXPANSION

The pro bono initiative in Latin America continues to expand with new PBDA signatories in Canada, Costa Rica, El Salvador, Guatemala, Honduras, Panama, Paraguay, Uruguay and Venezuela. As a result of the PBDA, growing numbers of lawyers are undertaking increasing volumes of pro bono cases, a multiplier effect that is rapidly increasing access to justice in the hemisphere.

THREE YEAR IMPLEMENTATION PHASE

Under the terms of the PBDA, signatories are given a three year period within which to achieve full implementation of the agreement. During this implementation phase, the Vance Center has been actively engaged in efforts to assist signatories to institutionalize a culture of pro bono within their organizations. These efforts, which continue even after the implementation phase, include:

Spotlights: The Vance Center issues *Spotlights*, a lively look at pro bono projects underway in firms throughout Latin America. *Spotlights* helps firms to think creatively about the various needs pro bono work can address. As *Spotlights*' audience grows, we are witnessing a friendly rivalry building among the firms to have a project "spotlighted," thereby encouraging firms to meet their PBDA goals. Published in Spanish under the title *Projectando el Trabajo Pro Bono*, it can be viewed at our website.

The Pro Bono Implementation Guide for Latin American Law Firms: In collaboration with Skadden, Arps, Slate, Meagher & Flom, the Vance Center produced a comprehensive manual for firms to use in establishing pro bono programs. The guide, available at our website, was received enthusiastically throughout the region.

The PBDA Survey: The Vance Center conducted a detailed survey of the implementation of the PBDA in Latin America, consisting of two questionnaires distributed to signatories at intervals during the three year phase-in period. The preliminary results were published in December of 2009 and the final results in April of 2011.

Conferences: A first regional conference on the institutionalization of pro bono was held in Buenos Aires in October 2008. It included representatives from more than 75 law firms from North and South America, as well as members of the New York City Bar Association, the Bar Association of the City of Buenos Aires, Instituto Pro Bono in Brazil, Appleseed Mexico, Fundación Pro Bono Chile and faculty from the University of San Andrés Law School. A second regional conference is being held in Santiago in April 2011 bringing together lawyers, bar associations, law schools, NGOs and public interest institutions from more than 15 countries to bridge remaining gaps in access to justice in the region.

Roundtables: A roundtable was convened in Buenos Aires in October 2008 to focus on the advancement of pro bono work in Argentina. Regional roundtables held in Bogotá in May 2009 and Lima in November 2009 brought lawyers from these countries together with colleagues from the U.S. and other parts of Latin America to solidify pro bono programs within law firms and to encourage NGOs to use pro bono assistance to advance the interests of their constituents. As a result of the Vance Center's collaboration with the legal community in Colombia and Peru, pro bono clearinghouses were launched in both of them. In April of 2010, forty-five lawyers from leading firms throughout the Americas gathered in Santiago to discuss the status of the pro bono initiative in the region. In September 2010, members of the Vance Center participated in a Canadian conference promoting pro bono. In December of 2010 the PBDA effort expanded to Central America, with roundtables in Panamá and Costa Rica bringing new institutions and signatories to the table to advance pro bono in that region.

Consultations: The Vance Center staff has consulted with signatories over the course of the past three years to provide the expertise necessary to ensure that the PBDA becomes fully operative. In addition, a Vance Center public interest attorney spent two months in Colombia and three months in Mexico providing on-site transitional assistance.

Law Schools: Recognizing the key role that law schools play in inculcating in students the concept of the ethical responsibility of lawyers to serve the indigent, we have assisted regional law schools to reform curricula and provide practical clinical experience to promote pro bono.

NGOs: The Vance Center has provided transactional assistance to NGOs and has helped them to identify ways in which pro bono lawyers can advance their objectives.

Teleconferences and Videoconferences: The Vance Center has sponsored teleconferences and videoconferences as an effective vehicle to enable attorneys in different countries to exchange information regarding their respective pro bono experiences.



PROJECTS

The PBDA has had a catalytic effect on the expansion of pro bono in Latin America. Among the many exciting and innovative projects now underway are:

Environment: a hemisphere-wide project to promote sustainable practices in agriculture, forestry and tourism;

Private Land Conservation: a project to preserve privately owned tracts of land in perpetuity for conservation or sustainable uses;

Disability Rights: a project to ensure that disability rights are integrated into strong laws and policies globally;

Disaster Relief: a program to deliver pro bono services in response to environmental crises;

Handicapped Accessibility: a case brought to obtain accessibility for disabled persons in public and private schools;

Juvenile Cancer: a comparative analysis of laws that affect the type and quality of care that juvenile cancer patients receive to be used to identify and advocate for medical practices that will lead to better outcomes for these patients;

Women's Initiative: a program to enable female attorneys in the U.S. and Latin America to develop projects focused on the rights of women;

Eviction: an action to prevent a public auction that would result in the eviction of 200 low income families from their homes; and

Micro-lending: legal representation to provide micro-loans to indigent individuals.