

PRO BONO DECLARATION FOR THE AMERICAS

WHEREAS, access to justice and legal representation are essential to democratic societies;

WHEREAS, the resources of government and of legal services organizations are insufficient to satisfy the critical legal needs of poor and underprivileged persons and communities, often leaving these needs unmet;

WHEREAS, consequently, not all members of society have meaningful access to justice or effective legal representation, and this is especially the case for poor and underprivileged persons and communities;

WHEREAS, the absence of access to justice and legal representation undermines public confidence in governmental and judicial institutions and democracy;

WHEREAS, the legal profession has a privileged role and is uniquely positioned in matters of justice and therefore has the duty, means and opportunity to promote a fair and equitable legal system and respect for human and constitutional rights in collaboration with the State, the judiciary and legal services organizations;

WHEREAS, traditions exist across the Americas and new efforts are underway in several countries, including collaborations among bar associations, private and public interest law firms, law schools, foundations, governmental actors and non-governmental organizations, to address these pressing and unmet legal needs;

WHEREAS, a concerted movement across the Americas to promote access to justice through pro bono work would strengthen commitments to democracy and public service in the legal profession;

WE, the undersigned, solemnly declare our commitment to pro bono by stating as follows:

Members of the legal profession have a responsibility to provide pro bono legal services. This responsibility stems from the profession's role and purpose in society, and from its implicit commitment to a fair and equitable legal system.

Pro bono is derived from the Latin phrase *pro bono publico*, which refers to actions carried out "for the public good."

For purposes of this Declaration, pro bono legal services are those provided without a fee, or expectation of a fee, principally to benefit poor or underprivileged persons or communities or the organizations that assist them. They may include representation of persons, communities or organizations in matters of public interest who otherwise could not obtain effective representation. In addition, pro bono legal services can also benefit civic, cultural and educational institutions serving the public interest who otherwise could not obtain effective representation.

Pro bono legal services should be provided with the same quality of representation as services provided to paying clients, and in a manner upholding the applicable ethical norms and standards.

Effective delivery of pro bono legal services requires cooperation among the different actors in the legal profession – including bar associations, private and public interest law firms, law schools, foundations, governmental actors and non-governmental organizations.

WE, the undersigned, each in a manner consistent with our respective roles in the legal profession, commit to:

Act to improve effective legal representation for poor or underprivileged persons and communities;

Enhance widespread and effective access to justice and to legal services for persons and communities who lack such access;

Provide, on a pro bono basis, more than 20 hours or three days of legal services per individual lawyer per annum, or in the case of law firms, institutions or other groups of lawyers, an average of more than 20 hours per lawyer per annum. This commitment should be met within three years of endorsing this Declaration;

Strengthen the profession's commitment to the provision and expansion of pro bono legal services by emphasizing its importance and practice in legal education;

Support the establishment, development and operations of non-governmental organizations dedicated to the delivery of legal services in the public interest; and

Advocate and promote within the profession for the recognition and promotion of pro bono legal services as part of lawyers' ethical standards and obligations.

This Declaration is not intended to alter or supersede any existing legislation, resolution or ethical code in any jurisdiction, firm or institution that is more conducive to the provision of pro bono legal services.

This Declaration will be effective from January 1, 2008.

Signatory

Date

SIGNATORY DATA SHEET

COUNTRY:

1. Category:

Institution or

Individual

2. Signatory* (Name of Institution or Individual):

3. Legal Representative (Institution only):

4. Position: _____

5. Address:

6. Phone(s): _____

7. Email(s): _____

*Please check the box if the signatory is not primarily engaged in the private practice of law and thus subscribes this Declaration to manifest its support of the Declaration and commitment to encourage the adoption and observance by the legal profession of the Declaration's principles and commitments.