FOR THE PUBLIC GOOD:
ENGAGING LAWYERS IN ACCESS TO JUSTICE

REPORT by the Cyrus R. Vance Center for International Justice on the April 7 & 8 “Pro Bono & the Legal Profession: Strengthening Access to Justice” conference held in Santiago, Chile

August 2011
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**Access Pro Bono Society of BC** (Canada)

**Appleseed** (Mexico)

**Asociación de Servicios Legales de la Barra Mexicana** (Mexico)

**CIDSEP** (Paraguay)

**City Bar Justice Center of the 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 Pro Bono** (Colombia)

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**Poder Ciudadano** (Argentina)

**Pro Bono Law Alberta** (Canada)

**Pro Bono Law Ontario** (Canada)

**Pro Bono Law Saskatchewan** (Canada)

**Pro Bono Quebéc** (Canada)

**Provene** (Venezuela)

**Public Counsel** (United States)

**Venezuela Sín Límites** (Venezuela)
The Cyrus R. Vance Center for International Justice, part of the New York City Bar, mobilizes the global legal profession to engage in activities that promote social justice, human rights, and democratic values and institutions. Founded in 2003, the Vance Center performs all its work with the support of the New York City Bar and in partnership with private- and public-sector lawyers, members of the judiciary, law schools, and nongovernmental organizations. It is active especially in Latin America and sub-Saharan Africa. The Vance Center's name honors the memory of Cyrus R. Vance, past president of the City Bar and former United States Secretary of State.

The New York City Bar Association (the "NYC Bar"), since its foundation in 1870, has been dedicated to maintaining high ethical standards among attorneys, promoting legal reform and providing services to the legal profession and the general public.

The City Bar Justice Center is an entity affiliated with the NYC Bar. The City Bar Justice Center has forged a relationship with government institutions, schools, businesses, law firms of all sizes and local, national and international bar associations, putting itself in an excellent position to promote cooperation among different sectors of the legal profession to address the legal needs of the disadvantaged. The City Bar Justice Center yearly provides legal representation and information to nearly 25,000 residents of New York City who are living in a vulnerable situation or poverty.
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PREFACE

There has been a significant increase in the amount of pro bono work engaged in by lawyers in the Americas over recent years. Across the region, more and more lawyers have accepted that they have a responsibility to devote some portion of their time and skills to helping the poor and marginalized and have taken on pro bono assignments. Law firms and law societies have created formal pro bono programs. Pro bono referral organizations have been established to link individuals and communities who are in need of but unable to afford legal assistance to lawyers willing and able to provide such assistance on a pro bono basis. Law schools have started incorporating lessons about a lawyer's responsibility to do pro bono work into their curricula and have created pro bono and human rights clinics. And more than 400 law firms, bar associations, corporate law departments, law schools, and non-governmental organizations throughout the Americas have signed the Pro Bono Declaration for the Americas, or PBDA, since its launch in 2008. The PBDA is the first hemispheric statement of a lawyer's obligation to engage in pro bono work, defined as legal assistance that addresses the needs of poor and marginalized individuals and communities and the organizations that advocate for them.

“By engaging in pro bono work, lawyers help provide access to justice for the poor and marginalized.”

Despite the increase in pro bono work over recent years, there remains a clear and compelling need for more pro bono services. Millions across the Americas continue to suffer violations of their legal rights in their daily lives and have no way of seeking recompense or vindication because they are unable to afford the legal assistance they need or because the institutions of democracy that should ensure access to justice do not exist or are so fragile as to be ineffective. Government-funded legal aid programs can meet these needs to a limited extent only. There exists a desperate need for lawyers, including lawyers from the private sector, also to provide legal services that benefit the poor and marginalized. Their efforts may take the form of providing pro bono legal advice or representation to people who cannot afford counsel, counseling or bringing impact litigation on behalf of organizations that seek to advance social justice and human rights, proposing ways of using existing laws to develop creative solutions to societal problems, or advocating for legal reform that responds to social needs.
Eager to learn about how the pro bono culture and structure in the Americas can be further expanded and strengthened, more than 250 members of the legal profession from across the region convened in Santiago, Chile, on April 7 and 8, 2011, to attend the "2011 International Conference on Pro Bono and the Legal Profession: Strengthening Access to Justice." The conference was organized by the Cyrus R. Vance Center for International Justice of the New York City Bar Association and Fundación Pro Bono Chile.

Participants represented every sector of the legal community: bar associations, law firms, corporate legal departments, law schools and universities, nongovernmental organizations, government, and the judiciary. They came from Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, the Dominican Republic, Mexico, Panama, Paraguay, Peru, Puerto Rico, Spain, the United States, and Venezuela. Drawing from their different experiences, they shared ideas about ways of further promoting and expanding pro bono in the Americas. They discussed ways of strengthening each link of the "pro bono chain": nongovernmental organizations and the individuals and communities they aid; pro bono referral organizations; and lawyers. They explored ways of engaging more lawyers in pro bono work, including not only additional lawyers at larger law firms but also lawyers at smaller law firms and corporate legal departments, and of extending pro bono to new geographical areas. They shared ideas about ways of further involving law schools, bar associations, and the judiciary in the pro bono movement. They talked about ways of addressing specific societal challenges, such as threats to the environment, violations of human rights, and gender- and ethnicity-based discrimination, through pro bono work.

The participants also learned about some of the innovative ways other Conference participants had developed for sourcing pro bono work and delivering pro bono services. They discussed the need for better coordination of pro bono efforts within and across borders and ways of achieving that goal. Finally, they developed concrete plans for using pro bono in the years ahead to narrow the wide gap that continues to exist across the Americas between the legal services that are needed and those that are in fact available.

The Cyrus R. Vance for International Justice was honored to be an organizer of the conference along with its partner Fundación Pro Bono Chile, recipient of the 2010 Vance Center Access to Justice Award. The Vance Center mobilizes lawyers to take steps to advance access to justice, promote human rights, and strengthen democratic values and institutions, with a focus on Latin America and sub-Saharan Africa. In Latin America, these efforts began more than ten years ago, with a conference we organized in 2000 that brought together prominent advocates from 20 countries across the Americas to confront the global crisis in access to justice and chart strategies. We later organized three sub-regional pro bono conferences: in Argentina in 2001, in Chile in 2002, and in
Brazil in 2003. These conferences produced a new understanding of the link between pro bono legal services and the larger idea of access to justice and catalyzed the institutionalization of pro bono work in the Americas. At the region-wide “Strategy Summit for the Americas: A Profession in Support of Democracy” in 2005, also organized by the Vance Center, and which brought the additional participation of Colombia, Mexico and Peru, an agreement was reached to develop the PBDA.

The PBDA sets a standard of 20 hours per lawyer, per year, for providing legal assistance that addresses the needs of poor and marginalized individuals and communities and the organizations that aid them. It has led to an expansion not only of pro bono legal services across the Americas but also of legal education reform, know-your-rights programs, and judicial system reform. It has led as well to the creation of pro bono referral organizations and programs in Colombia, Costa Rica, Mexico, Paraguay, Peru, and Venezuela and to a strengthening of already existing programs in Argentina, Brazil, and Chile.

Participants at the 2005 Strategy Summit also agreed on what they determined to be the key elements of access to justice: a recognition on the part of lawyers that they have a special responsibility to provide and ensure access to justice; access to the legal system; the existence of laws and policies that address social needs; and a fair and equitable judicial system. These "Four Pillars of Access to Justice" provided a framework for many of the discussions about access to justice that took place at the Santiago Conference.

The following is a report on the discussions that took place at the Santiago Conference and on the ideas that were exchanged there for further advancing the Americas pro bono movement. We at the Vance Center hope that this report will serve not only as a recapitulation of what was said and done at the Conference but also as a source of information and inspiration for all members of the legal profession who are committed to expanding access to justice in the Americas.

Elizabeth W. Millard
Acting Executive Director
Cyrus R. Vance Center for International Justice

New York
July 2011
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I) Conference Proceedings

A. Conference Format

The Conference organizers sought to utilize a variety of different programming format, in order to provide varied workspaces in which each attendee would find a place to participate, share expertise, and learn from replicable experiences and successes. The participants hailed from 15 jurisdictions and every sector of the legal profession, including law firms, corporate legal offices, academia, NGOs and social organizations, clearinghouses and pro bono organizations, and bar associations. The Conference was designed to allow each of these groups an opportunity to discuss and address specific challenges and opportunities, but also to build connections and collaboration across geographic and professional boundaries.

The first day began with introductory remarks by distinguished Chilean jurists and representatives of the organizers, Fundación Pro Bono Chile and the Cyrus R. Vance Center. It also included videotaped remarks from Michelle Bachelet, Executive Director of UN Women and former President of Chile. Three panel discussions on major themes in the development of pro bono as a means to achieve access to justice – the Four Pillars of Access to Justice, the role of the legal community, and the Pro Bono Declaration for the Americas – dominated the first day. Each panel was designed to encourage interaction among the speakers, and between the speakers and the audience, which was given the opportunity to submit questions.

Next, participants engaged in rotating presentations of pro bono initiatives. This program consisted of fifteen tables, each hosted by a pro bono initiative or organization from one of the participating countries. Attendees rotated among the fifteen tables every few minutes. This allowed each attendee to interact and have one-on-one contact with a wide variety of initiative organizers and coordinators. This session
served not only to highlight some of the pro bono movement’s successes, but to allow for cross-fertilization of good practices across borders.

The first day closed with strategic dialogues for individual country delegations. Each country gathered into a working group with a US-based coordinator, whose role was to facilitate discussion and record the group’s conclusions. This session was intended to build trust and collaboration between various sectors of the legal profession within each participating country, and to identify country-specific challenges. Each dialogue coordinator discussed the conclusions of his or her working group on the morning of day two.

After this discussion, the second day saw two major workshops in which participants separated into working groups. The first workshop divided participants by professional sector, and the second by important public interest topics. These sessions were designed to build cross-border collaboration among sectors and among those with common access to justice interests, and to share replicable experiences and expertise. Each roundtable was led by experts in the relevant topic, who then reported the workshop’s conclusions in plenary panels.

The second day continued with a roundtable of leaders of bar associations across the Americas, led by the President of the Inter-American Bar Association. Each bar leader was given the opportunity to discuss the efforts that have been made within his or her organization to further pro bono and access to justice, and the challenges their organization has faced.

The Conference concluded with the signing of an agreement among the Inter-American Court of Human Rights, Fundación Pro Bono Chile, and the Cyrus R. Vance Center. Following the signing ceremony, representatives of the organizers gave closing remarks and summarized the goals of the pro bono and access to justice movement in the coming years.
B. Conference Proceedings: Thursday, April 7

i. Opening Remarks

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<td>Pablo Guerrero V., President, Fundación Pro Bono Chile; Barros &amp; Errázuriz Abogados</td>
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<td>Antonia E. Stolper, Chair, Cyrus R. Vance Center; Shearman &amp; Sterling LLP</td>
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<td>Nibaldo Segura P., President, Supreme Court of Chile</td>
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<td>Felipe Bulnes S., Minister of Justice of Chile</td>
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Opening Presentation

Advancing Access to Justice

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<td>Enrique Barros, President, Chilean Bar Association</td>
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Pablo Guerrero and Antonia Stolper opened the Conference by welcoming the attendees and thanking the organizers, sponsors, and collaborators. Mr. Guerrero discussed the founding of Fundación Pro Bono Chile ten years ago, and the work that the Fundación has accomplished in that time. Ms. Stolper stressed the cooperative and international nature of the Conference, stating that a strong commitment to access to justice is the task of legal professionals across every sector and in every country in the region. She praised the hard work and leadership of the Chilean pro bono movement, and expressed her hope that the Conference would produce both concrete, specific project ideas and a strengthened regional access to justice movement.

Nibaldo Segura took up the theme of the complementary roles of the public and private sector in furthering access to justice goals. He emphasized that the
protection of access to justice is an essential function of the judicial branch, a commitment which is established by constitutional mandate. To this end, he said, the Supreme Court of Chile has supported efforts to expedite, streamline, and facilitate access to the courts, and to collaborate with providers of pro bono legal aid to the poor and vulnerable. He also praised the efforts of the private sector, calling the collaborative movement for access to justice essential for the transformation of society. In conclusion, he offered his wishes for the success of the Conference and the continued development of the access to justice movement.

The relationship between justice, democracy, and development formed the basis of remarks by Felipe Bulnes. He noted that a country’s level of development cannot be
ascertained simply by looking at economic indicators: the provision of access to justice and legal representation to citizens is an indispensable element of a developed democratic state. He spoke of the Chilean state’s efforts to advance access to justice, including:

- Civic procedure reforms, which have allowed for more open, accessible, comprehensible, and flexible trials.
- Efforts to strengthen the Judicial Assistance Corporation.
- The reduction of paperwork and bureaucracy, for example, the reform of Law 20.500, which will allow for streamlined incorporation procedures.
- The modification of ethical codes to address the access to justice obligations of lawyers.

“A country’s level of development cannot be ascertained simply by looking at economic indicators: the provision of access to justice and legal representation to citizens is an indispensable element of a developed democratic state.

Mr. Bulnes closed by echoing Nibaldo Segura’s call for greater cooperation between the public and private sector and his identification of the critical role of the private bar in meeting the access to justice needs of our societies.

Samuel Seymour opened by stating that lawyers are the guardians of justice and the protectors of access to the legal system in democracies. A legal system cannot be called just, he added, unless all individuals have equal and efficient access to that system. He focused on the “Four Pillars” of access to justice as a framework for understanding the legal community’s essential obligations in this regard. He

In the United States, justice is usually portrayed as a woman bearing scales and wearing a blindfold. The logo for this conference depicts a woman who is not wearing a blindfold. I like to think of justice as seeing.”

Samuel Seymour
President
New York City Bar
identified these pillars as: the ethical responsibility of lawyers to protect access to justice; laws and policies that address social needs; a fair and equitable legal system; and access to the legal system.

Mr. Seymour gave several concrete examples of how the New York City Bar Association is working, together with its members, to fulfill the obligations of the Four Pillars. These include the unique and vital efforts of the Vance Center, the bar’s vigorous advocacy campaigns on crucial legal themes, and the varied and invaluable work of the City Bar Justice Center in areas as varied as foreclosure, immigration, domestic violence, the training of law enforcement and community organizations, human trafficking, homelessness, and micro-entrepreneurship.

Mr. Seymour noted that democracy is expanding in the Americas, and that lawyers have an obligation to support and protect democracy. In particular, he mentioned lawyers’ efforts to protect transparency and freedom of expression. He also reiterated the importance of access to legal representation. While access to legal counsel has expanded over the last decade, many litigants remain unrepresented. He urged the private sector to fill the gaps where public legal aid resources fall short.
Access to justice is nothing new for the Chilean Bar Association, said its president, Enrique Barros, noting that the Bar has been providing legal services to vulnerable clients since 1925. He discussed the Bar’s work in support of access to justice and democracy, including the establishment of a code of professional ethics that imposes an obligation to undertake pro bono and to carry out pro bono cases with the same level of care and best practices that are required in commercial work.

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**ii. Women and Justice in the Americas**

**Introduction:**
Julissa Mantilla, International Specialist, UN Women (Colombia)

**Speaker:**
Michelle Bachelet J., United Nations Under-Secretary-General; Executive Director, UN Women

Julissa Mantilla opened the presentation by discussing the need to confront gender inequality and promote women’s empowerment through the system of justice.
not only by expanding access to justice, but also by recognizing the specific needs and different perspectives of women within the justice system. She also commented on the importance of increasing the number of female decision-makers at every level of the society.

**Michelle Bachelet**, appearing via video, gave remarks on the crucial interactions between women’s rights and the advancement of access to justice. Ms. Bachelet emphasized that it is impossible to separate women’s rights from human rights and the right to justice. She discussed urgent issues facing women, including sexual trafficking, forced marriages, domestic violence, and verbal abuse, and noted that these issues are severely compounded when women lack access to justice or feel intimidated by the legal system. In order for women to be free of violence and degrading treatment, she stated, they must have effective access to the legal order.

Ms. Bachelet then turned her focus to the conference audience. She explained that a cross-sectional alliance of lawyers, law enforcement, and courts would be necessary in order to confront these issues and lay the foundations for the legal empowerment of women. She told the audience that they held in their hand the opportunity to use domestic and international law to address these problems, and encouraged them to use the Conference as a springboard for that critical effort.
iii. The Four Pillars of Access to Justice

**Moderator:**
Javier de Belaunde, Partner, Estudio Echecopar (Peru)

**Speakers:**
*Ethical Responsibility of Lawyers to Guarantee Access to Justice:*
Julia Maria Morales, General Counsel, Telefónica Peru

*Laws and Policies that Address Social Needs:*
Hernán Vera, Executive Director, Public Counsel (U.S.)

*Fair and Equitable Judicial System:*
Hon. George Daniels, Judge, U.S. District Court for the Southern District of New York

*Access to the Legal System:*
David Baluarte, Practitioner-in-Residence, American University Washington School of Law

Javier de Belaunde opened the day’s first panel by reiterating the Four Pillars of Access to Justice: the ethical responsibility of lawyers to promote access to justice; laws and policies that address social needs; a fair and equitable judicial system; and the accessibility of the legal system. He then focused on the role of lawyers, emphasizing that the crisis in access to justice is not merely a problem of laws or of the official regime, but a problem that depends essentially on the behavior of lawyers. Lawyers must not, he stated, be a part of the problem, but rather should strive to improve the system, to make it as accessible, transparent, open, and efficient as possible, and to maintain high ethical standards.
Mr. de Belaunde looked at the legal disadvantages faced by large, excluded sectors in our societies. He noted that in many regions across the Americas, the poor are cut off by geographical and cultural barriers from many of the benefits of our modern democracies. As an example, he discussed the violence perpetrated against indigenous women in Peru during that country’s armed conflict. These sectors of society are the most vulnerable, he pointed out, and should be the focus of access to justice efforts by the legal community.

“

The crisis in access to justice is not merely a problem of laws or of the official regime, but a problem that depends essentially on the behavior of lawyers.

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The first Pillar, the special ethical responsibility of lawyers to promote access to justice, was discussed by Julia Maria Morales. She first addressed the audience by saying that the presence of so many prominent legal professionals at the Conference was a testament to the growing commitment of the profession to access to justice. Still, she
continued, serious deficiencies remain, and have been exacerbated by the recent financial crisis and by the persistence of financial, cultural, religious, and legal barriers.

“Lawyers must understand that they not only serve the interests of their private clients, but that they also have obligations and responsibilities towards the society as a whole.”

She then discussed the pivotal role lawyers play in a democracy as a result of their effective monopoly in the legal sphere. The danger, she stated, is that lawyers will only use these special privileges on behalf of the elite. Lawyers must understand that they not only serve the interests of their private clients, but that they also have obligations and responsibilities towards the society as a whole.

Next, Hernán Vera discussed the second Pillar, laws and policies that address social needs, and discussed some of the techniques that Public Counsel has used to promote more socially responsible policymaking. He discussed two ways in which Public Counsel has pursued this goal: by lobbying for courts to allow clinics inside
courtrooms to assist low-income clients and through filing class action lawsuits. He described how in-court clinics have helped overcome a major backlog in adoption cases in the Los Angeles family courts, and how class action lawsuits have been used to challenge the unlawful detention of immigrants, to confront bank and mortgage fraud leading to evictions and homelessness, and to address the plight of homeless veterans. Mr. Vera stressed that the pro bono movement cannot content itself with simply helping one individual at a time, but needs to focus on strategic actions to change laws and policy. He noted the critical task of identifying what the most pressing legal needs in our societies are, and the crucial role of law school researchers, think tanks, and other legal experts in undertaking that task.

“...the pro bono movement cannot content itself with simply helping one individual at a time, but needs to focus on strategic actions to change laws and policy.”

The Honorable George Daniels spoke next, addressing the third Pillar, the existence of a fair and equitable judicial system. He began by saying that the two most
serious trips we take in our lifetime are to the hospital and to the courthouse. While we would never expect medical patients to treat themselves, he continued, we all too often expect individuals to handle the complexities of the legal system on their own: even in

“While we would never expect medical patients to treat themselves... we all too often expect individuals to handle the complexities of the legal system on their own...”

the Southern District of New York, which generates more legal fees than any other court in the world, 20% of cases involve a pro se litigant. Judge Daniels framed this not only as a crisis, but also as an opportunity for the increased involvement of lawyers working on a pro bono basis. He reminded the audience that an equitable judicial system is one in which there is a level playing field for all litigants, and that every lawyer has the obligation to work towards such a system. It is the commitment to a fair and equitable legal system, he concluded, that is the lawyer’s equivalent of the Hippocratic Oath.

David Baluarte then discussed the fourth Pillar, the accessibility of the legal system. He opened by emphasizing that law schools have a responsibility to teach students about the crisis in access to justice, and to train young lawyers to help break
down the barriers that prevent people from accessing the legal system. He gave examples of the innovative clinical programs American University has used to help integrate law students into the access to justice movement.

Mr. Baluarte then moved on to list what he sees as the critical barriers to access to justice:

- Lack of legal representation: lawyers can work to overcome this barrier by improving state legal aid programs and by the continued expansion of pro bono work.
- Informational barriers: many individuals are unaware of their rights or of how to vindicate and protect them. The legal profession can help to remedy this situation through legal education and empowerment programs.
- Procedural barriers: legal barriers may be unnecessarily expensive or time consuming, preventing or discouraging less advantaged citizens from making use of formal legal systems and procedures. Lawyers can help the poor and marginalized get past procedural hurdles by taking on pro bono matters on their behalf, and can also lobby the state for streamlined procedures.
- Physical barriers: courtrooms and facilities may be too limited, or may be too far from smaller or isolated communities. Buildings and proceedings may be inaccessible to the disabled. This may be remedied by decentralizing legal offices, by engaging in community lawyering, and by using technology to bring legal resources to every community.
- Cultural and linguistic barriers: legal documents and laws may be written in esoteric languages, or only in a majority language. This reinforces the idea that the legal system only serves the elite or the majority, ignoring poor and marginalized communities. Providing legal information in a form comprehensible by all can help ease problems of understanding.
iv. CSR and the Rule of Law

**Speaker:**
Robert Cusumano, General Counsel, ACE Limited (U.S.)

On behalf of ACE Limited, Robert Cusumano expressed his great pleasure at being able to sponsor and participate in the Conference activities. He then turned to the reasons that ACE has prioritized access to justice in its philanthropic efforts. He noted that access to justice is not, at first glance, the sort of issue that would seem to be of great interest to a corporation like ACE, especially since the interests of corporations may not always align with the interests of pro bono clients. However, he stressed, access to justice is the foundation of the rule of law; without justice and the rule of law, chaos and violence will step into the breach. Capitalism and corporations, he noted, are creatures of the rule of law and democracy cannot survive without them. Moreover, history demonstrates that lawless societies are poor societies. There is a harmony between the twin goals of a democratic society: peace and prosperity.
Mr. Cusumano added that when justice is only available to the wealthy, it does not truly exist at all. ACE has therefore committed itself to the rule of law and the promotion of justice because these are key supports of a prosperous and democratic society.

“By fashioning a better system of justice...lawyers construct society’s answer to violence and poverty.”

As creatures of this system, the rule of law is ingrained in the basic DNA of corporations. Therefore it is the responsibility of corporate counsel to uphold high ethical standards, and to craft answers to the crisis in access to justice. Mr. Cusumano closed by reiterating that selective justice is an oxymoron. By fashioning a better system of justice, he concluded, lawyers construct society’s answer to violence and poverty.
In addition to introducing the panelists, **Sebastian O’Meara** highlighted the critical role of the private sector in the access to justice initiative. He recognized that the state has limited resources and cannot guarantee access to the system on equal terms for every individual. Each sector of the private legal profession must take on responsibility for filling in the gaps left behind in the justice system.
Beatriz Martorello discussed the unique capacity of bar associations to support pro bono work and access to justice. She stressed her view of the importance of mandatory membership in bar associations. Without obligatory membership, she argued, it becomes difficult to update, enforce, and monitor codes of ethics; to ensure that lawyers are capable and professional; to conduct continuing legal education and training; and to promote pro bono legal services. She also highlighted the importance of cross-border collaboration between bar associations. She offered the services of the Inter-American Bar Association, which she said is in a unique position to coordinate bar associations on a hemispheric basis and stands ready to support access to justice initiatives across the region.

José Carlos Ugaz began by listing the key obligations of law firms with regard to pro bono and access to justice. Most fundamental, he stated, is that firms work to create a culture of pro bono service among their lawyers. Firms should also work in support of access to justice initiatives, lobby for streamlined trial and conflict resolution procedures, and secure the funds necessary to ensure the sustainability of pro bono initiatives and especially referral organizations.

Next, Mr. Ugaz addressed some of the differences between the development of pro bono in Latin America and North America. For example, he noted that one major "business case" justification for pro bono work in the United States is that it gives young associates at large firms more practical and hands-on experience, which they do not typically get in their first few years at the firm. This is a much less significant motivation in Latin America, Mr. Ugaz argued, because young lawyers typically take on significant responsibilities in commercial matters at an earlier stage. Rather than concentrating on this rationale, he continued, promotion of pro bono among Latin American firms should focus on other angles, including the attraction and retention of associates, improved marketing and community relations, and the attraction of clients who appreciate and expect a commitment to pro bono from their firms.
Addressing the key challenges faced by law firms in developing pro bono work, Mr. Ugaz discussed conflicts of interest and ideological contradictions that may arise between paying clients and pro bono work. In many cases, he noted, large law firms work on behalf of sectors whose interests are opposed to those of many real or potential pro bono clients. Thus law firms must be observant and take conflicts into account, he noted.

“Most fundamental...is that firms work to create a culture of pro bono service among their lawyers.”

Discussing the role of law schools, Walter Albán stressed the responsibility of schools to expose students to ethics and pro bono early on in their careers. Law faculties must inculcate a sense of solidarity and a strong commitment to ethics in young students. Mr. Alban stated that these goals could be accomplished by increasing the
emphasis on ethics and pro bono in coursework and by developing programs that link students to pro bono work through practical clinical experience.

The role of nongovernmental and civil society organizations was the topic for the next panelist, Ariela Peralta. She began with her conception of the basic goals of NGOs and social organizations generally, and CEJIL in particular: to generate a better life, stronger democracies, and greater dignity for all individuals. To that end, she said, CEJIL has sought cases with a wider social impact that goes beyond the particularities of an individual case. As a part of this process, the organization has taken on the cases of over 3,000 victims of human rights abuses, many of them before the Inter-American System of Human Rights.
Ms. Peralta also discussed ways in which the private sector and pro bono work can be of assistance to NGOs and social organizations, including provision of representation, preparation of clients, and the generation of materials on human rights which can form the basis for strategic litigation. The private sector, she noted, can also help to underwrite the cost of these activities through philanthropic support.

Cristian Toro began by dismissing the idea that pro bono work is incompatible with corporate legal departments. He called on corporate lawyers to take the opportunities of the current moment to join the pro bono movement wholeheartedly. He then elaborated some guidelines that legal departments can use to help identify appropriate pro bono matters: to avoid religious organizations as clients, to take on low-profile cases, and to identify non-profit clients whose social goals are aligned with the values of the corporation. He also expressed the importance of ensuring that all members of the legal and administrative team share a common commitment to pro bono.

Gillian Marriott discussed the key role of clearinghouses and pro bono referral organizations in the pro bono chain. She noted that lawyers cannot be expected to do pro bono work without being provided an ample and varied supply of pro bono opportunities. As the director of a pro bono institution, she said, it is her role to make

The discussion is advancing toward practical, action-oriented work. It is now clear that the pro bono platform is a sustainable one and that seeking ways to tighten the collaboration between the sectors of the profession is on everyone’s agenda.

Gustavo Maurino
Executive Director
ACIJ
sure that those opportunities are there. Furthermore, she stated that the role of pro bono organizations encompasses creating and deepening links between private sector lawyers and the individuals or public sector organizations that need them.

“The role of pro bono organizations encompasses creating and deepening links between private sector lawyers and the individuals or public sector organizations that need them.”

Pro bono organizations and clearinghouses can go beyond simply matching pro bono providers to pro bono clients, Ms. Marriott added. Such organizations can also organize conferences and roundtables; work with law students to inculcate a sense of social responsibility to the underprivileged; and train lawyers to do pro bono work.
She mentioned that in Alberta, Canada, training a private sector lawyer to handle a pro bono family law case can be carried out in about two hours.

**vi. Morning Conclusions**

**Speakers:**
*Taisa Markus,* Partner, Milbank Tweed Hadley McCloy LLP (U.S.) (as of July 1, 2011, with Dewey & LeBoeuf LLP)
*Pedro Pablo Gutierrez,* Director, Fundación Pro Bono Chile; Gutierrez, Waugh, Jimeno & Asenjo

*Taisa Markus* discussed the opportunity presented by globalization to work towards equal justice for all individuals on an international scale. This opportunity, she stated, cannot be wasted. Consequently, every lawyer who works on the pro bono movement must devote the same commitment and care to that work that he or she would give if it were one’s entire career.
Pedro Pablo Gutierrez emphasized that a society cannot be called democratic unless individuals have full and equal access to justice. He focused especially on the theme of ethics, touching on the important role of law schools and bar associations in training and educating lawyers on ethical issues, on the importance of mandatory bar associations in enforcing ethical codes, and on the need to ensure the delivery of quality legal services. He closed with the hope that lawyers will increasingly learn to get satisfaction not just from profitable work, but also from helping another human being.

“...a society cannot be called democratic unless individuals have full and equal access to justice.”
The discussion on the history and future development of the Pro Bono Declaration for the Americas (PBDA) was opened by Todd Crider, who gave a brief summary of the evolution of that document. He restated a few key goals of the PBDA, including inspiring greater motivation and commitment from lawyers, educating law students about pro bono, reminding lawyers of their true obligations as guardians of the justice system, and advocating for higher standards of access to justice.
Guillermo Morales commented on the PBDA’s progress in Chile. A large number of Chilean firms have signed on, Mr. Morales said, but he stressed that it remains more glamorous to sign the PBDA than to execute its obligations properly. In order to comply with the obligations imposed by the Declaration, he stated, firms need to work to create an internal pro bono culture. He emphasized that firms should take more responsibility for the most vulnerable sectors of society, who do not otherwise have the means to understand and exercise their rights. This can be accomplished only, Mr. Morales concluded, by undertaking pro bono work with the same standards of care, passion, and competency that apply to remunerated work.

The situation in Peru was analyzed by Javier de Belaunde, who said that the signatory firms in Lima faced a double challenge: first, to develop internal pro bono structures and procedures, and second, to clarify what organization or organizations can
help to coordinate and channel pro bono work, a role currently occupied by Ciudadanos al Dia. Mr. de Belaunde also expressed his hope that the pro bono movement in Chile, where so many firms have pro bono coordinators and vibrant pro bono programs exist, could serve as a model for Peru and other countries in Latin America.

Martin Zapiola discussed the successes and challenges for the PBDA in Argentina. He talked about the Declaration’s positive effect on firms in that country, and noted that at least ten firms there have a pro bono coordinator and comply with the
PBDA’s hour requirements. While the PBDA’s commitments are modest on a per-attorney basis, he argued, they add up to a significant amount of pro bono work and social impact.

Like Mr. Crider and Mr. Morales, Mr. Zapiola emphasized that the future development of pro bono should be considered in qualitative as well as quantitative terms. He stated that a cultural shift is necessary in the firms, so that firm lawyers will put the same level of focus on pro bono work as they do on their commercial work. He also identified two critical tasks for the PBDA movement in Argentina in the near future. First, he stated that successive generations of lawyers need to be integrated into the movement through collaboration and deepened relationships with law schools. Second, he identified the challenge of sustainable funding for pro bono and pro bono institutions in Argentina.

“

...a cultural shift is necessary in the firms, so that firm lawyers will put the same level of focus on pro bono work as they do on their commercial work.

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The Colombian perspective on the PBDA was given by Paula Samper, who identified three key challenges to pro bono movement in her country. First, she stated, the overwhelming majority of PBDA signatories are corporate firms whose lawyers lack expertise in the areas where most pro bono work arises: family, criminal, and labor law. Second, most of the 23 PBDA signatories are based in Bogota, but the majority of the country’s poorest and neediest individuals are located in other jurisdictions. Third, problems arise with financing, particularly in financing expansion outside of Bogota, which is not a priority for the firms in Bogota. Nonetheless, she said, the support of the signatory firms has been remarkable.
She noted that in Colombia 40% of the population lives below the poverty line, and many have been the victims of civil conflict. In clarifying how pro bono lawyers and Fundación Pro Bono Colombia can have a greater impact under these circumstances, Ms. Samper focused on three ideas: first, that the Fundación take small steps to increase its independence from its rather narrow signatory base; second, that pro bono lawyers take on more high impact cases; and third, that private lawyers and the Fundación work to close the gaps between lawyers and pro bono clients, and take stock of the real social situation in Colombia.

Roberto Arrochi stated that the pro bono culture is not yet institutionalized in Mexico, and that there must be a concerted effort by the private bar to increase activity.
He noted the challenge faced in Mexico because of the lack of mandatory bar associations, which deprives the legal reform and access to justice movement of a valuable tool for organizing, training, and enforcement of ethical practices. He stated that the PBDA is a valuable mechanism for building the pro bono culture in Mexico, since the obligations it imposes are easy to understand. He argued that lawyers at Mexico law firms need to understand that getting involved with a pro bono case is a valuable investment of one’s time. By showing the multiplying and democratizing effects of building a pro bono culture, and by demonstrating the huge social impacts that can be achieved, he concluded, lawyers can be brought to understand that they are fundamental actors in a critical and worthwhile effort.

“...lawyers can be brought to understand that they are fundamental actors in a critical and worthwhile effort.”
Antonia Stolper began her concluding remarks by saying how motivating the day’s program had been. She expressed her pride in the growing and varied projects in each country in the region, and about the increasing trans-border cooperation that was helping to build those projects. She emphasized that the future of the movement lies in international cooperation. She noted with satisfaction that every link in the pro bono chain was represented at the Conference, because no single piece of the chain can function without its complementary parts. For this reason, the type of collaboration embodied in the conference represented the best path forward for the pro bono and access to justice movements.

“...the future of the movement lies in international cooperation.”
ix. Strategic Dialogue by Country

**Facilitators:**

*Argentina:* Elizabeth Millard, Acting Executive Director, Cyrus R. Vance Center (U.S.)

*Brazil:* Todd Crider, Vice-Chair, Cyrus R. Vance Center; Simpson Thacher & Bartlett LLP (U.S.)

*Canada:* Angela Rella, Associate, Morrison & Foerster LLP (U.S.)

*Chile:* Marcia Maack, Pro Bono Coordinator, Mayer Brown LLP (U.S.)

*Colombia:* Nicolás Rodríguez, Of Counsel, Jones Day LLP (U.S.)

*Costa Rica, Dominican Republic, Panama, Paraguay, Puerto Rico:* Jaime El Koury, Partner, Cleary Gottlieb Steen & Hamilton LLP (U.S.)

*Mexico:* Taisa Markus, Partner, Milbank Tweed Hadley McCloy LLP (U.S.) (as of July 1, 2011, with Dewey & LeBoeuf LLP)

*Peru:* Antonia Stolper, Chair, Cyrus R. Vance Center; Shearman & Sterling LLP (U.S.)

*Venezuela:* Hernán Vera, Executive Director, Public Counsel (U.S.)

The Strategic Dialogue by Country session had the objective of garnering a sense of direction for moving the pro bono initiative and PBDA implementation forward in each country. The caucuses ran concurrently, with each discussion guided by a U.S. moderator. Informed by the Vance Center’s 2010 PBDA Implementation Report, each group sought to articulate a country action plan. Discussion topics included:

- An overview of accomplishments to date;
- Ideas on how to continue the momentum created by the PBDA in each country;
- Strategies to draw in new large law firms, small law firms, corporate legal departments, and new countries;
- Strategies to draw in additional segments of civil society;
- Ideas on how to better assess and direct resources to unmet legal needs;
- Strategies to foster cross-border collaboration across law firms, bar associations, law schools, and NGOs;
- The challenges each country is facing and whether laws in specific countries need to be changed to enable pro bono;
- Who should be responsible for overseeing the PBDA initiative locally going forward;
- Methods to track progress over time; and
- Where the movement should be five years from now.
C. Conference Proceedings: Friday, April 8

i. Strategic Dialogue Reports by Country: Conclusions

**Moderator:**
Hunter Carter, Cyrus R. Vance Center; Arent Fox LLP (U.S.)

**Panelists:**
Argentina: Elizabeth Millard, Acting Executive Director, Cyrus R. Vance Center (U.S.)

Brazil: Todd Crider, Vice-Chair, Cyrus R. Vance Center (U.S.)

Canada: Angela Rella, Associate, Morrison & Foerster LLP (U.S.)

Chile: Marcia Maack, Pro Bono Coordinator, Mayer Brown LLP (U.S.)

Colombia: Nicolás Rodríguez, Of Counsel, Jones Day LLP (U.S.)

Costa Rica, Dominican Republic, Panama, Paraguay, Puerto Rico: Jaime El Koury, Partner, Cleary Gottlieb Steen & Hamilton LLP (U.S.)

Mexico: Taisa Markus, Partner, Milbank Tweed Hadley McCloy LLP (U.S.)

Peru: Antonia Stolper, Chair, Cyrus R. Vance Center; Shearman & Sterling LLP (U.S.)

Venezuela: Hernán Vera, Executive Director, Public Counsel (U.S.)

Following an introduction by Hunter Carter each of the Country Caucus Facilitators described the challenges and conclusions discussed in his or her respective caucus.
Elizabeth Millard noted that major strides have been made in Argentina in the last 10 years, largely due to the introduction of the PBDA. The PBDA has been a major driver in the formalization of pro bono programs within firms, she reported. While the PBDA has been signed by most of the large firms in Buenos Aires, she added, it has not significantly expanded into other areas of the country. She also described one of the major challenges to pro bono as the lack of coordination and collaboration between different sectors and links in the pro bono chain.

The unique situation in Brazil was discussed by Todd Crider. Brazil has the most aggressive state-funded legal services to the poor in the region, he explained; in fact, the Brazilian government guarantees and pays for legal representation even in civil cases. This state-funded system financially supports a segment of the legal profession which relies almost exclusively on such cases. As a result, he explained, the bar association in Brazil has a prohibition on pro bono work. Accordingly, he noted, no representatives of the Brazilian Bar Association (OAB) or private bar were present at the Conference. In order to advance the pro bono movement in Brazil, the PBDA must be used to create a shared vision, particularly among the significant group of signatories.

Summarizing the Canadian Country Caucus, Angela Rella discussed some of the most significant challenges identified in that country. The response to the introduction of the PBDA earlier this year has been tepid, she said, with only one firm signing on at the last Canadian Pro Bono Conference; however, another conference is scheduled for October of 2012 and the Canadian participants hope for more enthusiasm.
at that time. Ms. Rella explained that many firms had not signed on because of concern about the PBDA’s hours requirement. One cause of this concern, she explained, is that many Canadian firms do not measure or quantify non-remunerated hours. A valuable first step would be to encourage a registry of pro bono hours.

Another major challenge for the Canadian pro bono movement, Ms. Rella explained, is the difficulty of nationalizing pro bono efforts over such an expansive territory. Canada has only five functioning provincial pro bono organizations, she noted, but ten provinces and three territories. While the pro bono movement is well consolidated in Canada’s large cities, many of the country’s poorest and most underserved communities are extremely remote.

Marcia Maack discussed the results of the Chilean caucus. The pro bono movement is well established in Chile, Ms. Maack said; Fundación Pro Bono has been in existence for ten years, and there has been a pro bono movement in the country even longer than that. The widespread presence of pro bono coordinators in Chilean firms has been a major support to the expansion of pro bono. Ms. Maack said that the Chilean participants felt that the PBDA had been a valuable tool in the development of pro bono. For example, the PBDA had been instrumental in building pro bono institutions in the country, in attracting more firms to do pro bono, and in expanding the pro bono movement to regions of the country outside of Santiago.
With regard to key challenges identified in Chile, Ms. Maack mentioned ensuring the quality of pro bono work, widening the kinds of actors involved in the pro bono movement, and increasing the number of pro bono hours worked.

Nicolás Rodríguez discussed conclusions about the PBDA and pro bono in Colombia. He reported that in Colombia the PBDA movement is off to a good start, but is still in a stage of development. He noted that the majority of the signatories were corporate firms in Bogotá, and consequently had a hard time providing pro bono assistance beyond their areas of expertise and beyond the capital.

Next, Jaime El Koury discussed the situation of a group of jurisdictions whose introduction to the PBDA is more recent, and who are at an earlier stage of implementation: Costa Rica, Dominican Republic, Panama, Paraguay, and Puerto Rico.

He noted that further efforts are required in all these areas in order to attract more support for the PBDA. He then briefly summarized the situations in those jurisdictions:

- **Costa Rica**: Pro bono is beginning to become well established among a few firms, largely through the efforts and programs of the Colegio de Abogados de Costa Rica.
- **Dominican Republic**: A pro bono foundation in the country, ProBonoRD, is facilitating pro bono work in the country. The foundation could benefit from support of the Dominican private bar.
- **Panama**: Only one firm has signed the PBDA. Efforts will be made going forward to introduce the pro bono initiative broadly.
- **Paraguay**: A university-based NGO, CISDEP-UP, has taken the lead in building a pro bono movement in the country, and is forming a pro bono foundation.
- **Puerto Rico**: Pro bono is being done, but only under the auspices of the Colegio de Abogados de Puerto Rico, without support from law firms.

Speaking to the situation in Mexico, **Taisa Markus** said that while the PDBA has been signed by many firms in the country – and two referral organizations exist, Appleseed and Asociación de Servicios Legales de la Barra Mexicana – most of the lawyers at law firms have only taken on pro bono cases related to their areas of professional expertise. Also, the majority of law firms are not supporting the referral organizations. For this reason, she noted, greater pro bono training was necessary in order to allow lawyers working pro bono to handle cases in fields such as domestic violence and labor law. Also, strategies are required to engage the private law firms in a systematic way.

The status of the PBDA in Peru was described by **Antonia Stolper**, who said that while a pro bono culture is beginning to take hold, the movement there is still in a
developmental stage. The clearinghouse in Peru, currently developed and housed by Ciudadanos Al Día, is going through what Ms. Stolper termed “growing pains.” Challenges remain with regard to the financial sustainability of the program.

Hernán Vera next discussed the PBDA’s impact in Venezuela. He first stressed the excellent work being done by Venezuela’s pro bono organization, ProVene. Despite its efforts, he noted, many Venezuelan firms are not fulfilling their PBDA commitments. He reported several suggestions discussed in the caucus for expanding signatories and facilitating implementation by existing signatories. These included surveys, requests for information, enlisting companies doing business in Venezuela to assist, and other types of persuasion.

ii. International Cooperation and Pro Bono

**Speaker:**
**Maria Sanchez-Marín,** Director of Business Development, Thomson Reuters Foundation

**Maria Sanchez-Marín** introduced Trust.org – a project of Thomson Reuters Foundation dedicated to empowering people in need with trusted information. Trust.org is an online hub for TrustLaw and AlertNet. TrustLaw, she explained, is a web-based platform for free legal assistance and news and information on good governance and women’s rights. Ms. Sanchez showcased a presentation of both websites and explained how lawyers and justice advocates can leverage the tool to further their missions and foster collaboration that addresses high impact legal issues affecting the poor and marginalized. She noted that TrustLaw had 400 NGO and law firm members around the world ten months after launching in early 2010.
iii. Workshop One: Sectors of the Legal Profession

Moderators:
Bar Associations:
Elizabeth Millard, Acting Executive Director, Cyrus R. Vance Center (U.S.)
Juan Pablo Viglieri, Director, Comisión Pro Bono; Casal Romero, Victorica & Viglieri (Argentina)

Law Firms:
Michael Grasty, Director, Fundacion Pro Bono Chile; Grasty Quintana Majlis (Chile)
Enrique Felices, Partner, Miranda & Amado (Peru)

Corporate Legal Departments:
Kwanza Butler, Senior Counsel, Time Warner (U.S.)
Carolina Cabrera, Attorney, Hewlett Packard (Chile)

Law Schools:
Beatriz Londoño, Professor of Law, Universidad del Rosario (Colombia)
Luis Miguel Cano, Professor of Law, Universidad Libre de Derecho (Mexico)

Nongovernmental and Social Organizations:
Moisés Sánchez, Executive Director, Fundación Pro Acceso (Chile)
Luz María Sánchez, Researcher, DeJusticia (Colombia)

Pro Bono Institutions and Clearinghouses:
Marcela Fajardo, Executive Director, Fundación Pro Bono Chile
Hernán Vera, Executive Director, Public Counsel (U.S.)
The session on Sectors of the Legal Profession had the objective of bringing together members of each component of the legal profession across borders to share experiences, challenges, and best practices. Participants discussed how, acting collectively across the continent, they could play a role in strengthening the operation and impact of the pro bono initiative. Each sector explored its unique skills and advantages in the access to justice framework. Participants also discussed their sectors’ constraints and challenges. The workshops ran concurrently, with each discussion guided by co-moderators. Informed by the Vance Center’s 2010 PBDA Implementation Report, each workshop developed a sector action plan.

### iii. Workshop One Conclusions

**Moderator:**
Jaime El Koury, Partner, Cleary Gottlieb Steen & Hamilton LLP (U.S.)

**Panelists:**

- **Bar Associations:**
  - Juan Pablo Vigliero, Director, Comisión Pro Bono; Casal Romero, Victorica & Vigliero (Argentina)

- **Law Firms:**
  - Michael Grasty, Director, Fundacion Pro Bono Chile; Grasty Quintana Majlis (Chile)

- **Corporate Legal Departments:**
  - Carolina Cabrera, Attorney, Hewlett Packard (Chile)

- **Law Schools:**
  - Beatriz Londoño, Professor of Law, Universidad del Rosario (Colombia)

- **Nongovernmental and Social Organizations:**
  - Moisés Sánchez, Executive Director, Fundación Pro Acceso (Chile)

- **Pro Bono Institutions and Clearinghouses:**
  - Marcela Fajardo, Executive Director, Fundación Pro Bono Chile

Following an introduction by Jaime El Koury, the moderators from each of the sector-based workshops summarized the conclusions and challenges discussed in each workshop.
Juan Pablo Vigliero discussed the unique advantages and challenges faced by bar associations and similar organizations of lawyers. He described bar associations as having many common problems across the region, including the tension between their responsibility to the state to manage the profession and their ethical responsibility to promote pro bono. He suggested that bars can overcome these challenges through creativity and cooperation with civil society organizations.

The workshop had focused on the importance of training bar associations for lawyers who want to participate in pro bono matters but may lack the specialized legal knowledge or skills necessary for many such cases, Mr. Vigliero reported. The discussion had also touched on the need for bar associations to bring lawyers together to work on impact cases with public resonance. Developing plans for coordinating strategies for litigation and public policy advocacy and generating a common agenda would be key priorities in this effort.
Michael Grasty discussed themes and ideas developed in the workshop on law firms. One point of emphasis, Mr. Grasty said, was increasing the number of attorneys involved in pro bono and, in particular, the involvement and support of influential partners. He reported that there was a consensus that greater education was needed to make young firm lawyers aware of the benefits and satisfaction of undertaking pro bono work. The working group discussed a long list of strategies for introducing young lawyers to pro bono, including: publishing pro bono testimonials; creating opportunities for pro bono collaboration between firms; collaborating with law students who may one day want to work at law firms; forming active and strategic relationships with law schools and universities; and using these relationships to generate a sense among young lawyers that pro bono practice is an essential part of being a lawyer.

Mr. Grasty identified two further important challenges that had been discussed by the group: first, the need to motivate and involve lawyers whose practice area may not naturally coincide with pro bono matters; and two, the need to work with large firms to arrive at a pro bono strategy that does not interfere with their commercial and other interests.

Carolina Cabrera began by discussing some of the difficulties faced by corporate legal departments in identifying and developing pro bono work. She noted that many
lawyers in corporate legal departments lack legal specialization, that financial support for pro bono development in corporate legal departments is often scarce, that some corporations lack a commitment to pro bono work, and that many in-house lawyers feel there is a lack of adequate pro bono opportunities. Consequently, more structure and coordination is needed to give in-house legal professionals more direction.

Ms. Cabrera reported on several concrete proposals that her working group identified as important steps in structuring pro bono work for corporate legal departments. She stressed the need for in-house lawyers to become better at assessing pro bono opportunities and at identifying those pro bono opportunities which they can handle given their particular areas of legal expertise. Moreover, she stated, in-house lawyers should be trained in specific, concrete areas of law which will allow them to do more pro bono work. She noted that corporations should be encouraged to incorporate pro bono into their larger corporate social responsibility platforms. She also discussed the promising possibility of pro bono alliances with law firms.

The conclusions of the working group on the role of law schools were discussed by Beatriz Londoño. She focused her discussion on three topics: the relative strengths of law schools, the difficulties that schools have faced in the pro bono movement, and the challenges facing law schools in the future. Among the key strengths of law schools, she identified their ability to shape the ethical perspectives of young lawyers, to use clinical programs to provide free legal services to the underserved and to introduce law students to the access to justice initiative, and to generate linkages with firms and the public interest sectors.

One major problem that law school participants had experienced, Ms. Londoño reported, was the lack of enthusiasm of some law school faculty for pro bono, which may produce a similar lack of motivation among students. Another serious problem the group had identified was the quality of ethics training offered in many universities; more emphasis needs to be placed on the holistic education of young lawyers, she said. Ms. Londoño suggested that schools should take on the challenges of strengthening clinical programs, strengthening

The “Strengthening Access to Justice” conference was an excellent opportunity for Pro Bono Students Canada to share our program model with law schools from all over the Americas and our insights into the role law students and law schools can play in providing pro bono services. In return, I left the conference with a better understanding of the pro bono movement in South America, new colleagues, and a number of innovative strategies on how my organization and our country can strengthen our own pro bono initiatives.

Nikki Gershbain
Executive Director
Pro Bono Students Canada
relationships with NGOs and firms, including through the use of internships and externships, utilizing alumni who are supportive of the pro bono movement, and increasing the profile of pro bono and ethics in pedagogy.

Moisés Sánchez discussed the conclusions of the workshop on NGOs and social organizations. One major advantage that NGOs and similar organizations have is that they remain close to potential pro bono clients and the issues that affect them, Mr. Sánchez explained. Consequently, they are invaluable in the pro bono chain since they can identify the most vulnerable clients and the most pressing issues of public interest. Legal advice cannot be delivered in a vacuum, he added, but should be combined with NGO expertise in an interdisciplinary manner.

“NGOs are invaluable in the pro bono chain since they can identify the most vulnerable clients and the most pressing issues of public interest.”

Mr. Sánchez explained some of the difficulties that have arisen between NGOs and lawyers. For example, NGOs often lack the stable funding and staffing necessary to maintain continuity and complete projects with law firms. Moreover, NGOs in many cases do not have a comprehensive understanding of the inner workings of law firms and corporate legal departments. He affirmed, however, that collaboration between
firms and NGOs can succeed and be salutary for both parties: NGOs can be a valuable resource and a source of quality control for firm pro bono programs, while working with firms can help to bring greater transparency and accountability to NGOs.

**Marcela Fajardo** discussed issues relating to the role of pro bono referral organizations in the pro bono chain. She began by stressing the important challenge that law firms have in gaining the trust of NGOs and individual clients. Referral organizations can help to bridge that gap. She also discussed the value of the services that clearinghouses provide to firms. The obligation of firms is not simply to provide pro bono services; they must provide pro bono services with high standards of professionalism and quality. Referral organizations are ideally positioned to assist law firms ensure quality control. Referral organizations must also help firms understand the value of the services they provide in order to obtain law firm financial support.

**iv. Workshop Two: Thematic Issues**

**Moderators:**
*Public-Private Partnerships and Human Rights:*
- **Pablo Saavedra**, Secretary, Inter-American Court of Human Rights (Chile)
- **Joaquín García-Romanillos Valverde**, Secretary General, Consejo General de la Abogacía Española (Spain)

*Transparency and Access to Public Information:*
- **Karina Banfi**, Executive Director, Regional Alliance for Freedom of Expression (Argentina)
- **Daniela Hirsch**, Director, Fundación Pro Bono Chile

*Public Interest: Anti-Discrimination and Protection of Vulnerable Populations:*
- **Juan Pablo Olmedo**, Director, Fundación Pro Bono Chile

*Legal Empowerment and Education:*
- **Claudio Valdivia**, Director, Legal Services Corporation (Chile)
- **Gustavo Maurino**, Director, ACIJ (Argentina)
The session on Thematic Issues had the objective of bringing together leaders of the legal profession across sectors and practices to share knowledge and ideas about important public interest issues facing the Americas and how pro bono legal assistance could be leveraged to improve justice and human rights. Topics were derived from a hemisphere-wide survey implemented by the Vance Center in December 2010. The workshops ran concurrently, with each discussion guided by co-moderators. Participants were instructed to attempt to come out of the workshops with potential implementation projects or action plans for each area. Discussion topics included:

- The most important public-interest issues that the region faces today
- How the law can be used to further the public interest on these issues
- The types of pro bono projects that would help resolve these issues
- Strategies to formulate the projects
- Projects that can be carried out at a national level
- Projects that can be done on a regional scale
- Methods to organize regional work, such as task forces
- Tracking progress over time – methodologies and frequency
- Goals to reach in a five-year time period

vi. Workshop Two Conclusions

- Moderator: Paula Samper, Director, Fundación Pro Bono Colombia; Gomez-Pinzón Zulueta Abogados (Colombia)
- Panelists:
  - Public-Private Partnerships and Human Rights: Pablo Saavedra, Secretary, Inter-American Court of Human Rights (Chile)
  - Transparency and Access to Public Information: Karina Banfi, Executive Director, Regional Alliance for Freedom of Expression (Argentina)
  - Public Interest: Anti-Discrimination and Protection of Vulnerable Populations: Juan Pablo Olmedo, Director, Fundación Pro Bono Chile
Legal Empowerment and Education:
Claudio Valdivia, Director, Legal Services Corporation (Chile)

Microenterprise, Inclusive Commerce and Fair Trade:
Carolina Contreras, General Coordinator, Fundación Pro Bono Chile

Environment and Sustainability:
Ana Lya Uriarte, Director, Fundación Pro Bono Chile; Rivadeneira Colombiara Zegers (Chile)

Law and Women:
Verónica Undurraga, Director, Fundación Pro Bono Chile; Universidad de Chile Law School Center for Human Rights

After introductory remarks by Paula Samper, the moderators of the workshops on pro bono and public interest issues reported on the conclusions of those working groups.

Pablo Saavedra addressed the discussions of the working group on public-private alliances and human rights. He discussed the mechanisms by which
international justice can become available when domestic legal and judicial options are exhausted. He noted that the private legal sector is not engaged with the international human rights system. As the workshop concluded, however, private sector lawyers can and should be trained in the international system in order to ensure that ordinary individuals have access to supranational justice, in accordance with the principles of international law.

**Karina Banfi** discussed the workshop on issues of transparency and access to public information. Among the topics of conversation in that workshop, she identified the increasing tension between transparency and the right to privacy. However, she reported that the group remained confident that these tensions could be managed, and that the publication and distribution of information of interest to the public remains an essential societal good. She also pointed out the opportunities that exist for law firms to partner with civil society on transparency efforts.

Next, **Juan Pablo Olmedo** reported on the workshop on anti-discrimination and the protection of vulnerable populations. One major idea he reported on was the creation of pro bono initiatives focused on the protection of children’s rights. Apart from the evident vulnerability of children, this issue is appealing to many pro bono programs because it is unlikely to be politically controversial or create conflicts of interests, as may happen with pro bono initiatives involving environment or transparency issues.
The conclusions of the group on empowerment and education were presented by Claudio Valdivia. He emphasized that individuals must not only know their rights, but must be able to exercise them effectively and efficiently and to secure remedies from the system. As the group concluded, this requires a commitment of resources to legal education and empowerment programs which explain the law intelligibly to those who can benefit from it. Mr. Valdivia also highlighted the important role of universities and law schools in the empowerment effort, but noted that law firm lawyers, with appropriate preparation, also play a key role. He concluded by saying that pro bono must go beyond litigation; by empowering individuals to exercise their rights, pro bono lawyers can prevent violations of those rights, rather than react to violations that have already occurred.

The moderator of the discussion on microfinance, inclusive business, and fair trade, Carolina Contreras, reported on the conclusions of that group. She began by emphasizing the importance, identified by the working group, of empathy and the use of clear language with small business clients. The workshop, she continued, identified this area as an opportunity for commercial and transactional lawyers to contribute much needed expertise on a pro bono basis. She noted that commercial lawyers can carefully explain the benefits of formalization, not only at the initial stage of formation, but throughout the lifetime of a small business. Ms. Contreras also pointed out a key challenge identified by the workshop, namely, the difficulty of ensuring that those businesses that receive pro bono assistance are truly vulnerable and deserving of free legal services.
Ana Lya Uriarte discussed the conclusions of the workshop on sustainability and the environment. The group identified a major obstacle to many types of pro bono work in this field, namely, the conflicts of interest that may arise from representing both corporate clients and environmental organizations or causes. In many litigation cases, these conflicts of interest bar large corporate firms in Latin America from taking on pro bono environmental work. Ms. Uriarte suggested, however, that pro bono lawyers can contribute to the environmental movement in other ways. For example, pro bono lawyers can work for the accessibility of environmental information, advise on state-led environmental protection or conservation projects, and help develop environmental compliance materials for small and medium-sized businesses.

Verónica Undurraga presented the conclusions of the workshop on women and the law. She discussed several strategies pro bono lawyers could utilize to strengthen the rights of women. She noted that firms can work towards legislative change, assisting in the creation and refinement of laws that affect women, including, for example, laws on succession and maternity leave. They can also, she continued, conduct legal empowerment training for women. Such training sessions would not only allow women to effectively exercise their rights, but would also open up new channels of communication between pro bono lawyers and the women who require their assistance. She also emphasized that women’s groups should have the opportunity to train lawyers
and judges involved in litigation on women’s issues. Lastly, she emphasized the importance of forming alliances among lawyers, universities, and labor organizations in order to work together to find solutions to women’s issues in the workplace.

vii. Bar Association Leaders’ Roundtable

**Moderator:**
Beatriz Martorello, President, Inter-American Bar Association (Argentina)

**Participants:**
- Jorge Caceres Mendez (Chile)
- Eduardo Calderón (Costa Rica)
- Diego Jose A. García Ovalles (Dominican Republic)
- Joaquín García Romanillos (Spain)
- Carlos López López (Puerto Rico)
- Gillian Marriott (Canada)
- Oscar Paciello Samaniego (Paraguay)
- Rubén Elías Rodriguez Avila (Panama)
- Osvaldo Toledo Martínez (Puerto Rico)
- Juan Pablo Vigliero (Argentina)
- Martín Zapiola Guerrico (Argentina)

**Conclusions:**
Samuel W. Seymour, President, New York City Bar Association; Sullivan & Cromwell LLP

**Beatriz Martorello** served as the moderator of the session, asking a series of questions about the pro bono efforts of the represented bar associations, and the challenges and opportunities they see for bars in the pro bono sphere. After each question, the bar association leaders present were given an opportunity to share their experiences and opinions.
Ms. Martorello first asked each bar leader to discuss the pro bono programs and initiatives of his or her association.

- **Jorge Caceres Mendez** discussed the work of the Bar Association of Concepción, Chile. He emphasized their collaboration with Fundación Pro Bono and their publication of a magazine that highlights pro bono work. He stressed the enthusiasm for pro bono of the twelve member firms of the Association.

- **Eduardo Calderon** stated that the Costa Rican experience with pro bono is relatively new, and began with support from the Vance Center. He noted that the bar now operates a clearinghouse. He also discussed the fact that pro bono had, until recently, been forbidden by the ethical codes of Costa Rica. However, the bar pressed for reform, which was passed. The clearinghouse commission now has 35 signatory firms and enthusiasm for pro bono is running high.

- **Joaquín García Romanillos** discussed the situation in Spain. He noted that the Spanish context is unique, since Article 24 of the Spanish Constitution guarantees free legal representation to all residents of Spain. This is provided by state funds, routed through the bar association. Nonetheless, the bar is making strong efforts to promote pro bono work outside of the field of direct representation. The bar helps lawyers to do out-of-court and auxiliary legal work for vulnerable clients that state-funded legal aid does not reach. Pro bono lawyers in Spain are also encouraged to assist NGOs. Moreover, the bar association conducts outreach to law students, to inculcate the ideal that being a lawyer is not merely a means to making a living, but also a way to serve society.

- **Gillian Marriott** described the landscape of lawyer associations in Canada. Membership in law associations is mandatory, and law societies operate at the provincial level. In addition to the law societies, the Canadian Bar Association represents 37,000 lawyers, or about half of the legal community. The Bar Association has a pro bono committee, which was created in 2003. Although the bar does not run a clearinghouse, it does conduct a pro bono mentorship program, works with young lawyers to promote pro bono, and acts as a resource bank for pro bono programs. All of these activities are voluntary.
Osvaldo Toledo Martinez began by saying that the Puerto Rican bar was founded in the 1940s with a specific mandate to help the poor. The bar provides services to pro bono clients who register with the bar, and is currently developing a training center for pro bono lawyers. Until 2009, he reported, the bar had relied on the fees from mandatory membership in order to fund these activities; however, membership has not been mandatory since that time, forcing the bar into more stringent budgetary constraints.

Juan Pablo Vigliero and Martín Zapiola Guerrico discussed their bar’s efforts in Argentina. They noted that the Buenos Aires bar is voluntary and private. It has a pro bono committee and provides legal services to individuals who lack adequate resources. It also operates a clearinghouse that refers public interest cases submitted by NGOs to various member law firms. Fifteen firms accept these cases on a volunteer basis. One strategy the bar is considering to promote pro bono is a national pro bono day.

Next, Ms. Martorello asked what could be done to encourage more pro bono work among attorneys. After suggesting the publication of pro bono journals and the presentation of pro bono awards, she turned to the participants.

- Dr. Calderon (Costa Rica) discussed ways that bar associations could maintain the “sexiness” of pro bono work. He suggested rankings along the lines of American Lawyer’s “A-List” as well as profiling the selection of complex, high-impact projects.

- Dr. Martinez (Puerto Rico) discussed his bar’s efforts to make pro bono mandatory. He also noted that the bar has pressed law school administrations to give students credit-hours for time in pro bono courses and clinics.
• **Dr. Vigliero** (Argentina) discussed seminars hosted by the bar on pro bono, as well as the bar’s effort to have stories about notable pro bono cases published in newspapers.

Ms. Martorello then asked the participants if there were particular pro bono subject areas which they think would be of interest to lawyers in their bar associations. She mentioned indigenous rights work as a way to bring bar association services to more remote areas and communities.

• **Dr. Caceres** (Chile) discussed outreach projects to poor communities to educate them about their rights. He noted that the last meeting of his bar association was broadcast by radio.

• **Dr. Calderon** (Costa Rica) reiterated the idea of training lawyers to make pro bono “a part of their DNA.” One goal he identified was getting lawyers to treat pro bono in the same manner that they treat work for paying clients.

• **Dr. Garcia** (Spain) emphasized his bar’s legal education efforts. He discussed the efforts by bar associations in Spain to reach out to children aged 5 to 10 to teach them about the rules of society, as well as efforts to shape the attitudes of law students.

• **Ms. Marriott** (Canada) noted that Canadian pro bono work is not typically done in large-scale, “sexy” cases. Rather, Canada faces a wide variety of smaller cases, often scattered over a vast geographical scale. She particularly mentioned cases involving Inuit communities in Canada’s remote northern communities.

• **Dr. Vigliero** (Argentina) discussed the production of more written materials, the coordination of articles, and the sharing of pro bono experiences.
Closing remarks were offered by Samuel Seymour. He emphasized the potential inherent in the lawyers present. He then discussed the efforts of the Vance Center and the legacy of Cyrus Vance, who was known for furthering the responsibility of lawyers at the global level. Mr. Seymour expressed his confidence that all in attendance recognized the importance of access to justice and the need for pro bono, and touched on obstacles such as training and funding. He urged the participants to take the lessons learned back to their home countries and to continue to share success stories across borders.

Introduction:
Ciro Colombara, Director, Fundación Pro Bono Chile; Rivadeneira Colombara Zegers (Chile)

Testimonials:
José Carlos Ugaz, Partner, Benitez Forno Ugaz & Ludowieg Andrade (Peru)
Aristides Royo, Partner, Morgan & Morgan (Panama)

Signers:
Pablo Saavedra, Secretary, Inter-American Court of Human Rights
Eduardo Vio Grossi, Judge, Inter-American Court of Human Rights
Samuel W. Seymour, President, New York City Bar Association; Sullivan & Cromwell LLP
Pablo Guerrero V., President, Fundación Pro Bono Chile; Barros & Errázuriz Abogados

viii. Signing of the Cooperation Agreement among the Inter-American Court on Human Rights, the Vance Center, and Fundación Pro Bono
Ciro Colombara offered opening remarks on the role and importance of the Inter-American Court of Human Rights as a guarantor of access to justice and remedy at the supranational level. José Carlos Ugaz and Aristides Royo offered personal recollections of crucial, high-impact cases before the Inter-American System that grew out of rights violations in Peru and Panama, respectively.

After these introductory speeches, Mr. Colombara introduced the signers: Pablo Saavedra and Eduardo Vio Grossi on behalf of the Inter-American Court of Human Rights, Samuel Seymour on behalf of the Vance Center, and Pablo Guerrero V. on behalf of Fundación Pro Bono Chile. These four signed the Cooperation Agreement, which will help to integrate the pro bono recruitment, publicity, and coordination activities of the three organizations in order to bring more private sector pro bono assistance to bear on important cases before the Inter-American Court.

ix. Closing Remarks

Speakers:
Pablo Guerrero V., President, Fundación Pro Bono Chile; Barros & Errázuriz Abogados
Antonia E. Stolper, Chair, Cyrus R. Vance Center; Shearman & Sterling LLP (U.S.)

Pablo Guerrero V. and Antonia Stolper each addressed Conference participants thanking them for their involvement, contributions, and dedication to the initiative. Each thanked the sponsors and collaborating institutions from across the hemisphere, emphasizing that the event could not have succeeded without them and noting a new depth to the strategic alliance across the continent of the justice reform network.
Finally, Mr. Guerrero delivered remarks commending the partnership between Fundación Pro Bono Chile and the Vance Center. As a token of gratitude, on behalf of the board and staff of the Fundación, Mr. Guerrero bestowed on Ms. Stolper and the committee and staff of the Vance Center the painting of Lady Justice that had been commissioned specially for the Conference.

Mr. Guerrero and Ms. Stolper then brought the conference to a close.
II. Going Forward

The Access to Justice Conference was an opportunity for leaders of the legal profession in the Americas to reiterate the profession’s commitment to democracy, access to justice, and human rights. Participants agreed that the main challenge at hand is to ensure that democracy works for all. Reducing injustice and eliminating the legal barriers that prevent the poor from accessing justice should be the guiding objective of our collaborative work.

While reflecting on what had been achieved by the pro bono initiative and the justice reform network in the ten years preceding the event, participants were also able to share experiences across sectors and borders and identify key areas where collaboration could make a sustained impact on the lives of the poor and underserved going forward. They were able to clarify the vital role of each of the actors of the profession in the pro bono chain; identify the strengths and weaknesses of the initiative sector by sector and country by country; articulate possible ways of maximizing the strengths and possible ways of remediying the weaknesses; and develop strategies for collective action and impact work at a regional level.

Reducing injustice and the legal barriers that bind the poor should be the guiding objective of our collaborative work.

The Conference was only the beginning of a longer-term dialogue. It was a “launch pad” for work that will continue outside of the scope of the event. Participants developed the following recommendations for their further work:

- **Pro bono referral organizations** should:
  - create an informal region-wide network and more robust cross-border partnerships;
  - seek ways of using the law to craft solutions to bring the poor out of poverty;
  - lead efforts to further institutionalize the pro bono chain at the local level; and
  - work together and, where possible, with bar associations to systematize the tracking of progress.

- **Non-governmental organizations** should:
  - work with pro bono referral organizations to enhance their capacity to identify appropriate clients and projects;
  - work to provide their constituencies with access to legal empowerment programs; and
collaborate as a sector with law firms where a public interest issue can benefit from such collaboration.

- **Law firms should:**
  - continue to create space for their lawyers to do pro bono work;
  - work with pro bono referral organizations and NGOs to identify high impact public interest work; and
  - make a more concerted effort to strengthen their financial support of pro bono referral organizations.

- **Corporate legal departments should:**
  - coalesce as a sector to include pro bono as an important factor in retaining outside counsel;
  - participate in strategic litigation or advocacy to lift tax and regulatory burdens on pro bono; and
  - allow and encourage in-house lawyers to engage in appropriate pro bono work.

- **Bar associations** should:
  - strengthen, or create or support, pro bono referral programs or clinics and know-your-rights projects;
  - promote the concept of legal social responsibility and engage broader spectrums of the profession to serve the public good;
  - carry out data-gathering tasks such as developing a census to identify unmet legal need; and
  - implement training programs to increase the capacity of private bar lawyers in areas of unmet legal need.

- **Law schools** should:
  - collaborate with each other to maximize the impact that legal education can have on the formation of the profession;
  - in collaboration with pro bono referral organizations or bar associations, provide trainings to law firm lawyers on specific human rights challenges requiring legal intervention; and
  - engage private bar lawyers to support or supplement the work of clinical legal aid programs.

- **Judicial institutions** should:
  - promote the concept of legal social responsibility of the profession and
  - ensure that those using the court system have access to pro bono legal assistance if require it.

Justice is central to the effort to help the poor become equal partners in decision-making and poverty alleviation. Without justice, the poor are disenfranchised, disempowered, and denied their basic inalienable rights. Justice is a social and economic imperative for our democracies. Poverty reduction is central to development, peace, and security. In this regard, each sector of the legal profession has its own core competence as regards ensuring equal access for all. Acting collaboratively within
countries and in partnership across borders, members of the legal profession in the Americas can achieve meaningful change and positively affect the lives of the poor, and consequently the security, stability, and vibrancy of society.
## Appendix A: Program

### Day 1  
**April 7th**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
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</table>
| 08:00 – 08:30 | Welcome Coffee *(Courtesy of García Magliona)*  
Registration and Introduction of International Delegation |
| 08:30 – 08:40 | Opening Remarks  
*Pablo Guerrero V. / President, Fundación Pro Bono Chile*  
*Antonia E. Stolper / Chair, Cyrus Vance Center* |
| 08:40 – 08:50 | Remarks by Chilean Administration  
*Nibaldo Segura P. / President, Chilean Supreme Court* |
| 08:50 – 09:00 | Remarks by Chilean Administration  
*Felipe Bulnes S. / Chilean Minister of Justice* |
| 09:00 – 09:20 | Advancing Access to Justice  
*Samuel Seymour / President, New York City Bar*  
*Enrique Barros / President, Chilean Bar Association* |
| 09:20 – 09:30 | Women and Justice in the Americas  
Introduction: *Julissa Mantilla / UN Women, Colombia*  
*Michele Bachelet J. / UN USG and Executive Director, UN Women* |
| 09:30 - 10:30 | **1st PANEL: The Four Pillars of Access to Justice**  
Moderator: *Javier de Belaunde / Echecopar (Peru)*  
Participants:  
*David Baluarte / American University Washington College of Law*  
*Hon. George Daniels / U.S. Courts, Southern District of New York*  
*Julia Maria Morales / Telefónica Peru*  
*Hernan Vera / Public Counsel* |
| 10:30 - 11:00 | Coffee Break  
*(Courtesy of Gutiérrez Waugh Jimeno & Asenjo)* |
| 11:00 - 11:10 | Corporate Social Responsibility and the Rule of Law  
*Robert Cusumano / ACE Limited* |
| 11:10 – 12:30 | **2nd PANEL: The Pro Bono Chain:**  
**The Legal Community and Access to Justice**  
Moderator: *Sebastian O'Meara / LatinLawyer*  
Participants:  
*Walter Alban / Pontifical Catholic University of Peru Law School*  
*Gillian Marriott / Pro Bono Law Alberta (Canada)*  
*Beatriz Martorelo / Inter-American Bar Association*  
*Ariela Peralta / Center for Justice and International Law*  
*Cristian Toro C. / Lan Airlines*  
*Jose Carlos Ugaz / Benitez, Forno, Ugaz & Ludowieg, Andrade (Peru)* |
| 12:30 – 12:45 | Conclusions  
*Taisa Markus / Milbank Tweed Hadley & McCloy*  
*Pedro Pablo Gutierrez / Fundación Pro Bono Chile* |
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<tr>
<th>Time</th>
<th>Event</th>
<th>Details</th>
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<tbody>
<tr>
<td>12:45 – 02:30</td>
<td>Welcome Lunch</td>
<td>(Courtesy of Guerrero Olivos Novoa Errázuriz)</td>
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<tr>
<td>02:30 – 03:45</td>
<td>Rotating Presentation of Pro Bono Initiatives (15 countries)</td>
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<td>03:45 – 04:00</td>
<td>Coffee Break</td>
<td>(Courtesy of Barros &amp; Errázuriz)</td>
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<td>04:00 – 05:00</td>
<td>3rd Panel: Pro Bono Declaration for the Americas...the Road Ahead</td>
<td>Introduction: Todd Crider / Cyrus Vance Center, Simpson Thacher &amp; Bartlett (US)</td>
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<td>Moderator: Martin Bohmer / Universidad de San Andrés (Argentina)</td>
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<td>Participants: Roberto Arochi – Mexico</td>
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<td>Javier de Belaunde – Peru</td>
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<td>Guillermo Morales – Chile</td>
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<td>Paula Samper – Colombia</td>
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<td>Martín Zapiola – Argentina</td>
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<td>05:00 – 05:15</td>
<td>Conclusions</td>
<td>Antonia E. Stolper / Cyrus Vance Center</td>
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<td>05:15 – 05:30</td>
<td>Coffee Break</td>
<td>(Courtesy of Miranda &amp; Amado)</td>
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<td>06:30 – 07:30</td>
<td>Strategic Dialogue by Country</td>
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Day 2

08:30 – 09:00  Registration and Welcome  
Ciro Colombara / Fundación Pro Bono Chile

09:00 – 10:00  Conclusions: Strategic Dialogue  
Reports by Country  
Hunter Carter / Cyrus Vance Center; Arent Fox (US)

10:00 – 10:10  International Cooperation and Pro Bono  
Maria Sanchez / Thomson Reuters TrustLaw

10:10 – 11:10  Workshop One: How Can the Legal Profession Contribute to the Advancement of Access to Justice  
Theme 1: Role of Bar Associations  
Theme 2: Role of Law Firms  
Theme 3: Role of Corporate Legal Departments  
Theme 4: Role of Law Schools  
Theme 5: Role of Social Organizations  
Theme 6: Role of Pro Bono Clearinghouses

11:10 – 11:30  Conclusions: Workshop One  
Jaime El Koury / Cleary Gottlieb Steen & Hamilton

11:30 – 12:00  Coffee Break  
(Courtesy of Philippi, Yrarrázaval, Pulido & Brunner)

12:00 – 01:00  Workshop Two: Pro Bono, Community and Justice  
Theme 1: Public-Private Partnerships and Human Rights  
Theme 2: Transparency and Access to Public Information  
Theme 3: Public Interest: Discrimination and Vulnerable Populations  
Theme 4: Legal Empowerment and Education  
Theme 5: Microenterprise, Inclusive Commerce and Fair Trade  
Theme 6: Environment and Sustainability  
Theme 7: Law and Women

01:00 – 02:30  Lunch

02:30 – 03:00  Conclusions: Workshop Two  
Paula Samper / Gomez- Pinzón Zulueta (Colombia)

03:00 – 04:30  Bar Association Leaders’ Roundtable  
Moderator:  
Beatrix Martorello / President, Inter-American Bar Association  
Conclusions:  
Samuel Seymour / President, New York City Bar

04:30 – 05:00  Closing Remarks  
Pablo Guerrero V. / President, Pro Bono Foundation Chile  
Antonia E. Stolper / Chair, Cyrus Vance Center

05:00 – 06:00  Reception
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<tr>
<th>Country</th>
<th>Moderator</th>
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<tbody>
<tr>
<td>Argentina</td>
<td>Elizabeth Millard / Vance Center</td>
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<td>Brazil</td>
<td>Todd Crider / Simpson Thacher &amp; Bartlett</td>
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<td>Canada</td>
<td>Angela Rella / Morrison &amp; Foerster</td>
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<td>Chile</td>
<td>Marcia Maack / Mayer Brown</td>
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<td>Colombia</td>
<td>Nicolas Rodriguez / Jones Day</td>
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<td>Costa Rica, Ecuador, Panama</td>
<td>Fred Rooney / CUNY - CLRN</td>
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<td>Mexico</td>
<td>Taisa Markus / Milbank Tweed Hadley &amp; McCloy</td>
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<td>Paraguay</td>
<td>Jaime El Koury / Cleary, Gottlieb, Steen &amp; Hamilton</td>
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<td>Peru</td>
<td>Antonia Stolper / Shearman &amp; Sterling</td>
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<td>Venezuela</td>
<td>Hernan Vera / Public Counsel</td>
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</table>
**Day 1  April 7**

**02:30 – 03:45  Rotating Presentations of Pro Bono Initiatives**

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<tr>
<th>ORGANIZATION</th>
<th>INITIATIVE</th>
<th>SPEAKER</th>
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<tr>
<td>Appleseed (Mexico)</td>
<td>Protecting the Rights of Unaccompanied Migrant Children and Adolescents</td>
<td>Francisco Escutia</td>
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<td>Fundación Pro Bono (Colombia)</td>
<td>Providing Free Legal Education on Fiscal and Tax Matters to Micro Entrepreneurs</td>
<td>Juliana Amaya</td>
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<td>Morgan &amp; Morgan (Panama)</td>
<td>Community Legal Assistance Foundation</td>
<td>Aristides Royo</td>
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<td>CIDSEP – UC (Paraguay)</td>
<td>Community Justice Promoters and the Legal Voluntary Network</td>
<td>Gabriela Schwartzman</td>
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<td>Fundación ProVene (Venezuela)</td>
<td>Free Legal Assistance in Poor Communities</td>
<td>Alfonso Seva, Jordy Moncada</td>
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<td>Fundación Pro Bono (Chile)</td>
<td>Post-Earthquake Legal Assistance Program</td>
<td>Marcela Fajardó</td>
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<td>CUNY - CLRN (US)</td>
<td>Community Legal Network: Justice Incubator and Launch Pad</td>
<td>Fred Rooney, Heidi Heine, Enedina Sanchez</td>
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<td>Comisión de Trabajo Pro Bono e Interés Público (Argentina)</td>
<td>PACO &amp; Manuel Projects</td>
<td>Constanza Manfredi, Ma. Victoria Tarzian</td>
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<td>Poder Ciudadano (Argentina)</td>
<td>Cooperation Program with the City of Buenos Aires Office of the Attorney General</td>
<td>Verónica Tarzia</td>
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<td>Comisión Pro Bono (Costa Rica)</td>
<td>“Labora” Project - Omar Dengo Foundation</td>
<td>Eduardo Calderón</td>
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<td>Ciudadanos Al Día (Peru)</td>
<td>Lawyers’ Social Responsibility Clinics</td>
<td>Fernando del Mastro</td>
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<td>Venezuela Sin Límites</td>
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<td>Adriana Echenagucia</td>
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<td>Centro de Responsabilidad Social de la Abogacía (Spain)</td>
<td>“Know Your Rights” Program</td>
<td>Coloma Armero</td>
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<td>Instituto Pro Bono (Brazil)</td>
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<td>Marcos Fuchs</td>
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<td>Pro Bono Students Canada</td>
<td>Pro Bono Students Canada</td>
<td>Nikki Gershbain</td>
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Workshop One: How Can the Legal Profession Contribute to the Advancement of Access to Justice

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<thead>
<tr>
<th>Tema</th>
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<tr>
<td>Bar Associations</td>
<td>Elizabeth Millard / Cyrus Vance Center (NY)</td>
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<td>Juan Pablo Vigliero*/ Comisión Pro Bono (Argentina)</td>
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<td>Law Firms</td>
<td>Michael Grasty* / Grasty Quintana Majlis (Chile)</td>
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<td>Enrique Felices / Miranda &amp; Amado (Peru)</td>
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<tr>
<td>Corporate Legal Depts</td>
<td>Kwanza Butler / Time Warner (US)</td>
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<td>Carolina Cabrera* / HP (Chile)</td>
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<td>Law Schools</td>
<td>Beatriz Londono* / Universidad del Rosario (Colombia)</td>
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<td>Luis Miguel Cano / Escuela Libre de Derecho (Mexico)</td>
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<td>NGOs and CBOs</td>
<td>Moises Sanchez* / Fundación Pro Acceso (Chile)</td>
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<td>Luz Maria Sanchez / De Justicia (Colombia)</td>
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<td>Pro Bono Clearinghouses</td>
<td>Marcela Fajardo* / Fundación Pro Bono (Chile)</td>
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<td>Hernan Vera / Public Counsel (US)</td>
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Conclusions Workshop N° 1

Jaime El Koury / Cleary Gottlieb Steen & Hamilton

*Panelist
## Day 2   April 8

### 12:00 – 01:00  Workshop Two: Pro Bono, Community and Justice

<table>
<thead>
<tr>
<th>Tema</th>
<th>Moderadores</th>
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</table>
| **Public-Private Partnerships and Human Rights** | Pablo Saavedra* / Inter-American Court on Human Rights  
Joaquin Garcia-Romanillos Valverde / General Assembly of the Spanish Legal Profession |
| **Transparency and Access to Public Information** | Karina Banfi* / Regional Alliance for Freedom of Expression (US)  
Daniela Hirsch / Fundación Pro Bono (Chile) |
| **Public Interest: Discrimination and Vulnerable Populations** | Juan Pablo Olmedo* / Fundación Pro Bono (Chile) |
| **Legal Empowerment and Education** | Claudio Valdivia*/ Corporación de Asistencia Legal (Chile)  
Gustavo Maurino / Asociación Civil para la Igualdad y la Justicia (Argentina) |
| **Microenterprise, Inclusive Commerce and Fair Trade** | Nicolas Rodriguez / Jones Day (US)  
Carolina Contreras* / Pro Bono Foundation (Chile) |
| **Environment and Sustainability** | Ana Lya Uriarte* / Rivadeneira Colombara Zegers (Chile)  
Romina Zuñiga / Fundación Pro Bono (Chile) |
| **Law and Women** | Veronica Undurraga* / Centro de Derechos Humanos de la Facultad de Derecho de la Universidad de Chile  
Julissa Mantilla / UN Women (Colombia) |

### 02:30 – 03:00  Conclusions Workshop Nº 2

*Panelist*
Day 2

April 8

03:00 – 04:30
Bar Association Leaders’ Roundtable

Moderator: Beatriz Martorello / Inter-American Bar Association
Conclusions: Samuel Seymour / New York City Bar

Participants:

ARGENTINA
  Juan Pablo Vigliero
  Martín Zapiola Guerrico

CANADA
  Gillian Marriott

COSTA RICA
  Eduardo Calderón

DOMINICAN REPUBLIC
  Diego Jose A. García Ovalles

PANAMA
  Rubén Elías Rodríguez Ávila

PARAGUAY
  Oscar Paciello Samaniego

PUERTO RICO
  Osvaldo Toledo Martínez
  Carlos López López

SPAIN
  Joaquín García Romanillos
Appendix B: Organization Profiles

ORGANIZERS

Fundación Pro Bono Chile
Established in 2000, Fundación Pro Bono is a non-profit organization that aims to facilitate and coordinate pro bono practice within the Chilean legal system. The Fundación’s efforts strengthen the contribution of the legal community to vulnerable social groups of our society and reinforce the right to access to justice. The organization has implemented several programs to offer pro bono opportunities to those in need.

With over 50 law firms and 300 lawyers as permanent members, the Fundación has developed a clearinghouse system that has provided legal assistance in areas such as criminal and family justice, legal reports for the public administration and judicial branch, legal representation throughout the Courts of Justice and other issues relevant to the public interest. During its 11 years of existence, the organization has provided legal assistance to over 7,500 individuals and social organizations.

More information: www.probono.cl

Cyrus R. Vance Center for International Justice
The Cyrus R. Vance Center for International Justice, part of the New York City Bar, mobilizes the global legal profession to engage in activities that promote social justice, human rights, and democratic values and institutions. Founded in 2003, the Vance Center performs all its work with the support of the New York City Bar and in partnership with private- and public-sector lawyers, members of the judiciary, law schools, and nongovernmental organizations. It is active especially in Latin America and sub-Saharan Africa. The Vance Center's name honors the memory of Cyrus R. Vance, past president of the City Bar and former United States Secretary of State.

More information: www.vancecenter.org

SPECIAL SUPPORT

Inter-American Bar Association (IABA)
Founded on May 16, 1940, by a group of lawyers representing 44 professional organizations and 17 countries in the Western Hemisphere, the IABA is an independent professional forum dedicated to the exchange of information and professional opinion, in the interest of supporting the rule of law and democratic institutions throughout the hemisphere.

More information: www.iaba.org
COLLABORATORS

Access Pro Bono, Canada
Access Pro Bono’s mission is to promote access to justice in British Columbia, Canada, by providing and fostering quality pro bono legal services for people of limited means and non-profit organizations that serve them. Access Pro Bono enjoys the active support of over 800 volunteer lawyers.

More information: www.accessprobono.ca

Appleseed, Mexico
Mexico Appleseed’s commitment to spreading the spirit of pro bono is based on the profound belief that partnerships between those who have what others are missing is the path to the “Common Good” based on trust, integrity, honesty and shared values. Our priority for pro bono work is that it benefit groups of less privileged individuals and organizations that assist them, including civic institutions, cultural and educational establishments that serve the public interest, non-governmental organizations (NGOs), and that would otherwise not receive effective representation.

More information: www.mexico.appleseednetwork.org

Asociación de Servicios Legales de la Barra Mexicana, Mexico
Asociación de Servicios Legales, A.C., has been operating for ten years, since the Mexican Bar Association (BMA, for its initials in Spanish, Barra Mexicana Colegio de Abogados, A.C.), founded in 1922, fostered the creation of a social service program rendered through attorney members of the Bar. The mission of the Asociación de Servicios Legales is to facilitate access to justice by offering guidance and legal sponsorship to individuals with low income and entities devoted to supporting the most vulnerable, who cannot afford professional legal services. It is the converging point between the most needy populations in Mexico, and highly prestigious lawyers who devote their time and experience to provide high quality legal consultancy and, as the case may be, sponsorship, pro bono, pursuant to the Code of Ethics of the Mexican Bar.

More information: www.bma.org.mx

CIDSEP, Paraguay
The Centro Interdisciplinario de Derecho Social y Economía Política (CIDSEP UC) is an office of the Catholic University whose mission is to contribute to building the rule of law and enabling Paraguay to be an integral actor in regional and global issues, such as promoting the strengthening of public institutions and civil society organizations, the process of decentralization, access to justice and democratic participation through advice, training, research and publications. Experiences in the implementation of several projects have proven the need for greater access to justice for the poor and the
willingness of a considerable number of lawyers and law students to contribute their knowledge and time to assist the poor. As such, the UC CIDSEP launched in February 2010 a project named “Voluntarios Legales-Abogacia Pro Bono”, to install and promote the culture of pro bono practice in Paraguay.

More information: www.buenaspracticas.uca.edu.py

City Bar Justice Center, New York
The City Bar Justice Center increases access to justice by leveraging the resources of the New York City legal community. Drawing upon its relationship with the New York City Bar, the Justice Center provides legal assistance to those in need; mobilizes lawyers, law firms, corporate legal departments, and other legal institutions to provide pro bono legal services; educates the public on legal issues; fosters strategic relationships; and impacts public policy.

More information: www.abcny.org/citybarjusticecenter

Ciudadanos Al Día, Peru
Since its founding in 2002, Ciudadanos al Día (CAD) has sought to revolutionize the relationship between citizens and their government in Peru. CAD, a Peruvian activist NGO, works to improve the citizen-state relationship at all levels of government office by introducing interventions which lead to a state that is more transparent, efficient and equitable, and to a citizenry that is more informed, demanding and engaged.

More information: www.ciudadanosaldia.org

Comisión de Trabajo Pro Bono e Interés Público – Colegio de Abogados de la Ciudad de Buenos Aires, Argentina
The Pro Bono and Public Interest Commission engages and organizes private bar lawyers to provide pro bono services in public interest cases. It views the law as a tool for social change and modification of public policies. Organized as a pro bono network of 18 law firms, the Commission provides free legal services to public interest cases which involve collective interests and thus project their effects to broad sectors of the community. The Commission was created in December 2000 by the initiative of a group of members of the City of Buenos Aires Bar Association (Colegio de Abogados de la Ciudad de Buenos Aires) and works in diverse areas of interest: disability, microfinance, NGO advice, transparency, childhood and adolescence, social inclusion, and criminal law.

More information: www.probono.org.ar
Comisión Pro Bono — Colegio de Abogados, Costa Rica
The Comisión Pro Bono del Colegio de Abogados de Costa Rica was founded in 2010. This Commission functions as a nexus for law firms and independent attorneys who have registered to do pro bono work. Individuals and non-profit entities that require high-quality free legal services are the primary beneficiaries of this pro bono work, which is directed towards public interest issues which can have a significant social impact or an important legal result. Registration is open to any law firm in the country which wishes to sign up. Member firms commit to handling pro bono matters with the same professionalism, attention, and care with which they handle paid matters for their clients. About 35 firms currently participate in this initiative.

More information: [www.abogados.or.cr](http://www.abogados.or.cr)

Fundación Pro Bono, Colombia
In May 2009, a group of Colombian lawyers decided to launch the Pro Bono Foundation Colombia. Fifteen law firms joined with the firm belief that donating experience and time for important causes could create opportunities for access to justice for Colombians who face threats and suffer violations of their rights. With this in mind, the organization opened its doors in October 2009 and today, after more than a year of working on behalf of the neediest in Colombia, it is proud to say that the project has met expectations. It has succeeded in motivating the Colombian legal profession to do pro bono work, as an essential part of the exercise of the profession. And although pro bono work is currently concentrated in the capital city, more than a hundred people have benefited from the project through alliances that are made daily.

More information: [www.probono.org.co](http://www.probono.org.co)

Instituto Pro Bono, Brazil
This project consists of a databank of volunteer lawyers and law firms that provide pro bono services to NGOs registered with Instituto Pro Bono. Through this project, IPB provides specialized and high quality free legal assistance to nonprofit organizations in need of legal services, allowing these organizations to improve their structure, and consequently improve the quality of services they render to their constituents. In addition, the project gives law firms and lawyers the opportunity to increase their participation in community based activities.

More information: [www.institutoprobono.org.br](http://www.institutoprobono.org.br)

Poder Ciudadano, Argentina
Poder Ciudadano is a nonpartisan and nonprofit organization that was founded in 1989 as an initiative of a group of concerned citizens to defend civil rights in Argentina. It promotes citizen participation, transparency, and access to public information to strengthen democratic institutions through collective action.
The Network of Lawyers for the Public Interest is a project that develops and maintains Poder’s Justice Program, which works to improve the administration of justice and make it more transparent, efficient, and accessible to citizens, encouraging debate and participation.

More information: www.poderciudadano.org.ar

Pro Bono Law Alberta, Canada
This is a charitable organization that promotes access to justice in Alberta by creating and promoting opportunities for lawyers to provide pro bono legal services to persons of limited means. PBLA was formed in 2007 as the legacy project in celebration of the 100th anniversary of the Law Society of Alberta. PBLA’s mission is to improve access to justice by increasing the scope and availability of pro bono legal services for Albertans of limited means. Pro bono legal services are intended to complement, not to replace, a properly funded legal aid system.

More information: www.pbla.ca

Pro Bono Law Saskatchewan, Canada
This is a non-profit corporation that improves access to justice in Saskatchewan by creating, facilitating, and promoting opportunities for lawyers to provide high-quality pro bono legal services to persons of limited means.

More information: www.usask.ca/law/probono

Pro Bono Québec, Canada
This is a not-for-profit organization created in October 2008 on the initiative of the Québécois Bar. Pro Bono Québécois’s mission is to promote and coordinate pro bono legal work to resolve cases that are exceptional, raise issues of public interest, or in which citizens or groups of citizens lacking the financial resources to defend their rights could suffer permanent harm. Pro Bono Québécois hopes to become a meeting place for bringing together and generating pro bono legal initiatives aimed at improving access to justice.

More information: www.probonoqbec.ca

ProVene, Venezuela
ProVene is a public interest law firm working on behalf of the poor. Lawyers from the organization visit poor neighborhoods and offer their legal services pro bono. It has assisted its clients with problems such as municipal taxation, land titles, private property registration, and criminal law. The organization also conducts outreach and street law programs, educating people about the law and their rights, and the legal system. ProVene seeks to create a robust country through creating stronger citizenry. It
works to create devoted, responsible lawyers with strong social consciences, responsible to their communities and their country.

More information: www.provene.org

**Public Counsel, Los Angeles**
Public Counsel is the largest pro bono law office in the United States. Founded in 1970, it is the public interest law firm of the Los Angeles County and Beverly Hills Bar Associations as well as the Southern California affiliate of the Lawyers’ Committee for Civil Rights Under Law. Public Counsel’s activities are far-ranging and impact a wide spectrum of people who live at or below the poverty level. Volunteer attorneys have the opportunity to work on a variety of different projects-large and small, litigation and transactional matters. The staff provides training, model pleadings and forms, and consultations to volunteers.

More information: www.publiccounsel.org/

**Venezuela sin Límites, Venezuela**
This is a non-profit organization aligned to the Millennium Development Goals of the UN. The Foundation is committed to strengthening social entrepreneurs and their causes. In particular, the Foundation focuses on working with NGOs dedicated to improving the living conditions of at risk populations. To achieve these objectives, the Foundation creates partnerships with leaders in four major areas: technology, communications, finance, and volunteerism. Connecting social entrepreneurs and their causes with the companies and people who are able and willing to help them enhance their work is the main reason why VSL signed an alliance with the Schwab Foundation for Social Entrepreneurship to select the Social Entrepreneur of the Year in Venezuela.

More information: www.venezuelasinlimites.org
The Cyrus R. Vance Center of the New York City Bar wishes to thank Thomson Reuters for making possible the publication of this report.