

PRO *Bono*

The Washburn Law Pro Bono Program, first developed in 2006, recently underwent a substantial redesign. Margann Bennett, director of professional development and pro bono, was appointed to develop and direct a new program to engage students in this important professional obligation. She worked with a faculty committee appropriately chaired by Associate Professor **Lynette Petty, '87**, a recipient of numerous awards for her own pro bono work.

The new program encourages students to understand and embrace their future professional obligation to provide legal services to individuals of limited means. The Pro Bono Program, through the Director of Pro Bono and a Pro Bono Advisory Council, promotes the importance of law-related public service through the administration of several pro bono initiatives within the law school. These initiatives include the Pro Bono Honors Pledge and Recognition, a speaker series, and efforts to recognize and support pro bono activities in the law school and greater legal communities.

Definition of Pro Bono

The definition of “pro bono” is modeled on the definition in the Model Rules of Professional Conduct and includes work which is law related and benefits individuals of limited means; work which is law related and benefits organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in furtherance of their organizational purposes; work on projects which improve the law, the legal system, or the legal profession; and up to six hours spent in training for pro bono service projects. Students may not receive academic credit or compensation for pro bono service.

Pro Bono Opportunities

Pro bono opportunities will be posted through the Professional Development Office or students may identify and propose projects that meet the definition of pro bono. Existing approved projects include work with Kansas Legal Services, private attorneys who are appointed through KLS or by the courts, Court Appointed Special Advocates, Topeka/Shawnee County Youth Court, and other organizations.

Voluntary Recognition Program

The centerpiece of the Pro Bono Program is a Pro Bono Honors Pledge and Recognition program. All students are encouraged, but not required, to participate in a pro bono initiative that rewards pro bono work with recognition at graduation. Students are rewarded at two levels, after completing 50 or 100 hours of pro bono service.

Alumni Involvement

If you have an idea for a project that may be appropriate for inclusion in this program, please contact Margann Bennett at (785) 670-1703 or margann.bennett@washburn.edu.

ALICE FITZGERALD, '79

Senior Counsel, The Western and Southern Life Insurance Company



Alice Fitzgerald, '79, has been involved with the Volunteer Lawyers for the Poor (VLP) project in Cincinnati, Ohio, for the past 26 years.

She has worked in house for The Western and Southern Life Insurance Company since 1981. She handles discrimination complaints, including conduct, discrimination, and sexual harassment. The company has 181 district offices operating in 22 states and the District of Columbia.

The Volunteer Lawyers for the Poor project began in 1982, and she became a volunteer the following year. In all but a few of the past 26 years, Fitzgerald has handled two cases per year.

“Initially I handled divorce cases,” she said. “In those early days, divorce issues were not often complicated and cases went very well. As the years went by, the divorce cases entailed more difficult issues, including custody and support orders and even safety issues for the spouse and children. Although I received assistance from other attorneys and Legal Aid, I decided it would be better for me to handle cases closer to my corporate legal position, which at that time and still is, employment law.

“In October 1993 I changed my involvement to investigating whether discrimination cases warranted an effort by VLP to seek a volunteer attorney to represent the client in filing a lawsuit. I do not personally represent any clients in court. Over the last few years, I have been getting cases to investigate for representation after they have been filed *pro se* by the clients.”

Fitzgerald reviews cases that have been dismissed by the Equal Employment Opportunity Commission (EEOC), the agency that enforces federal employment discrimination laws, to see if they should obtain a lawyer. In most cases, she concurs with the EEOC that discrimination did not occur, but there have been some cases where she recommended pursuing the case in court.

One part of her job is to explain to clients that, even though they may have been treated badly (or think they were), it wasn't discrimination. That's where her involvement ends. If the client pursues the case in court, they will work with a new attorney. Fitzgerald feels fortunate that her employer has allowed her to take on these cases.

“My company generously allows me take regular work time to meet with clients and review files. It allows my secretary to assist me with correspondence and keeping my files,” she said. “My company has been very supportive.”

There are 680 attorneys currently participating in the Volunteer Lawyers for the Poor project.

LYNETTE PETTY, '87

Assistant Dean for Accommodation and Associate Professor of Law, Washburn University



Lynette Petty, '87, is past-president of the Board of Kansas Legal Services (KLS) and has worked for 17 years in the Washburn Law Clinic. Pro bono work is important to her.

“I try to impress upon students the importance of taking pro bono cases as part of our professional obligation

EMBRACING A PROFESSIONAL OBLIGATION TO GIVE BACK

for the privilege of practicing law,” Petty said. “I believe strongly we should give back.”

Petty takes on one case at a time through KLS and tries to always have an open pro bono case, which usually results in about three or four cases per year. The cases are mostly divorces, and almost all involve abuse. Since the Law Clinic’s malpractice insurance does not cover pro bono work, these KLS cases are covered by its own insurance.

Nationwide, the American Bar Association is encouraging law schools to provide opportunities for pro bono work. Petty says the expanded opportunities Washburn Law will provide through its structured program will be exciting, and that students will want to be involved. The program also recognizes the students for their work. Professor Petty is chair of the Washburn Law faculty pro bono committee.

T. LYNN WARD, '90

Ward Law Office, LLC



T. Lynn Ward, '90, (far right) is pictured with client Maryclare McAdams and her daughter who decorated a “thank you” cake for Lynn.

Lynn Ward, '90, Wichita, went to law school because she wanted to help people.

“I went to law school because I love to work with people, and I love to help people,” she said. “Serving others is an obligation I feel as a Christian. Doing volunteer work is a big part of my heart and my life.”

She has volunteered in the “Protection from Abuse” docket, representing plaintiffs. In 2005, she helped her nephew get custody of his three sons. They were living with their mother, had been evicted from their house,

and were living in a vehicle. She and her husband Dale now mentor the youngest of the three sons during the summer, giving him a chance to discover opportunities available to him. He serves as a runner in Lynn’s law office.

Over the past five years, her pro bono work has consisted mostly of uncontested divorces, with one big exception.

In 2006, she took on a case of a mother who wasn’t able to see her daughter. Maryclare McAdams, who is friends with members of the same church as Lynn, didn’t have money to hire a private attorney, but turned to Kansas Legal Services for assistance. Eventually, the mutual friends asked Lynn to take the case. It went to trial in the summer of 2006, and Maryclare was awarded shared residency of her daughter. The case has continued since 2006 and litigation is likely to continue, on and off, for the next decade, until the minor child is 18.

Ward admits that she gets personally involved in her cases. “One of the things I like about family law is that I get to know my clients personally. I’m helping them through huge transitions in their lives.”

ABOUT THE ILLUSTRATION

THE TERM PRO BONO is a phrase derived from the Latin meaning ‘for the public good.’ The cover illustration captures the idea of lawyers contributing not only their time, but also passion for their work, an openhanded approach, and goodwill toward their own communities.

AMANDA WARREN is a Lawrence, Kan., based illustrator and designer. Her work is symbolic, textural, and inspired by the forms and colors of nature. Ideas and concepts that words alone cannot communicate are brought to life through this unique mixed-media/assemblage technique. More of her work can be viewed at www.amandawarren.com.



The annual National Pro Bono Celebration was October 25-31. Sponsored by the ABA Standing Committee on Pro Bono and Public Service, the celebration is a coordinated national effort to showcase the great difference that pro bono lawyers make to the nation, its system of justice, its communities and, most of all, to the clients they serve. The week was also dedicated to the quest for more pro bono volunteers to meet the ever-growing legal needs of this country's most vulnerable citizens.

NATIONAL PRO BONO CELEBRATION WEEK EVENTS AT WASHBURN LAW

Washburn Law launched the Pro Bono Program and celebrated law-related community service during National Pro Bono Celebration Week.

PRO BONO PROGRAM LAUNCH Oct. 27



The Honorable David Bruns, '84, of the Third Judicial District (Shawnee County) discussed the benefits of law-related public service for law students. His comments included an overview of opportunities available with the Topeka/Shawnee County Youth Court Program, which needs volunteers to assist with the program.

The Topeka/Shawnee County Youth Court Program is a diversion program led by teenagers. First time offenders with misdemeanor traffic or vandalism charges agree to stipulate to the facts and have their cases heard by Youth Court. The judge, prosecutor, defense attorney, jurors, bailiff, court clerk, and defendants are all teenagers. The jurors decide the sanctions to be imposed, which can include community service, a written or oral apology to the victim or others, an essay related to the offense, or grade improvement.

To learn more about the Topeka/Shawnee County Youth Court, visit www.topekayouthproject.org/youthcourt.html.

Margann Bennett, director of professional development and pro bono, gave an overview of the newly-redesigned

Pro Bono Program at Washburn Law, through which the law school promotes law-related community service and students can receive recognition upon graduation.



www.washburnlaw.edu/students/probono/

OPPORTUNITIES FOR PUBLIC SERVICE WITH KANSAS LEGAL SERVICES Oct. 30

Attorneys from Kansas Legal Services (KLS) discussed the benefits of serving the public through their statewide, non-profit, legal services firm. Opportunities exist within KLS for students to gain practical experience and for practicing attorneys to give back to their community.

The panel (at right) included Ty Wheeler, managing attorney, Emporia office; **Lynette Petty, '87**, past-president of the Board of KLS and professor in the Washburn Law Clinic; and Marilyn Harp, KLS executive director.



Kansas Legal Services, a statewide non-profit organization, helps low income Kansans meet their basic needs through the provision of essential legal, mediation, and employment training services. KLS tries to eliminate the causes of poverty and mitigate its effects by helping individuals achieve and maintain self-sufficiency and family supporting employment.

KLS needs volunteers who can deal directly with clients and others to do research. Wheeler encouraged students to get involved, stating that not only is working with KLS enjoyable, but volunteers have the opportunity to spend time in the courtroom, gaining valuable experience. In addition, the cases involve individuals under the poverty level who have the need for assistance.

"These are the people that need our help the most," said Wheeler.

To learn more about Kansas Legal Services, visit www.kansaslegalservices.org.