

PRO BONO PARTNERSHIP

Transactional Pro Bono: Like Lightning Striking Twice?

By Maurice Segall

You're probably familiar with the common expression "lightning never strikes the same place twice," but did you know that nature has proven otherwise? Some places, like the Empire State Building, get struck more than 100 times a year! Another common myth that needs to be debunked is that meaningful transactional pro bono work is difficult or impossible to find. In fact, Pro Bono Partnership has been providing those opportunities for in-house attorneys and other legal professionals for 20 years!

A Trusted and Proven One-Stop Solution

Pro Bono Partnership (probonopartner.org) is a 501(c)(3) legal services organization that was founded in 1997 by members of the Westchester/Fairfield County Chapter of ACC (WESFACCA), with an initial directive to strengthen nonprofits in Westchester County, New York and Fairfield County, Connecticut while making it as easy and enjoyable as possible for in-house and other transactional attorneys in those areas to provide valuable pro bono services to nonprofits.

Since its founding the Partnership has expanded geographically, now working with nonprofits and attorneys throughout New York, Connecticut and New Jersey. We have four offices: White Plains, N.Y.; Hartford, C.T.; Parsippany, N.J.; and our newest office, located at Touro Law School in East Islip, Long Island. We've also built on the Pro Bono Partnership model with affiliate organizations in Atlanta and Cincinnati.

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Our clients are charitable organizations that serve the disadvantaged and enhance the quality of life in our neighborhoods by feeding the hungry, housing the homeless, promoting the arts, protecting the environment, and providing essential programs to children, the elderly, the disabled, and the unemployed. These organizations have the same business legal needs as for-profit entities. However, many choose to go without legal advice, primarily

because they are unable to pay for necessary business legal services without significantly impacting resources for programs. Other small nonprofits may not recognize the need for counsel. Even when our nonprofit clients have attorneys on their boards, those attorneys might not have the legal expertise required to address the full spectrum of business legal needs that a nonprofit organization may face.



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The Partnership addresses the legal needs of its nonprofit clients by partnering every year with more than 1,300 volunteer attorneys, who provide top-quality pro bono business legal services to these organizations. Our in-house legal staff, experts in the law of nonprofit organizations, recruits and supports attorneys from major corporations and law firms who donate their time to advise pre-screened clients on legal matters. Together, the Partnership and our pool of volunteers help area nonprofits increase their effectiveness and eliminate risks. This work has an enormous positive impact for our clients, their constituents, and communities. An after-school arts organization recently wrote, *"The money we save through your pro bono services will go directly into programming. Your gift makes so much possible: 850 programs for 14,000 students..."* Another client said in a heartfelt note, *"Can't begin to explain what Pro Bono [Partnership] has done for our organization. We would not have bylaws, AOI, policies, and contracts without the dedicated volunteers you have generously provided. To a small nonprofit with a big heart, you are our heroes! Thank you!"*

How Does It Work?

Volunteer attorneys are not asked to handle all of a client's legal needs. Rather, a volunteer takes on an individual project that is typically within his/her existing area of expertise. Pro Bono Partnership volunteers handle the same types of matters that they deal with in their daily practice: contracts; corporate formation and ongoing governance; employment law; real estate; intellectual property; HIPAA and privacy; bankruptcy, merger, and

dissolution; nonprofit/tax exempt issues; and other non-litigation-based projects.

"Many of our projects take a few hours or less to complete, and the benefit it has for these amazing nonprofit organizations is lasting and immeasurable," said Pro Bono Partnership Executive Director Marcia Levy, Esq. "The fact that our clients can use their precious financial resources for expanding and improving programming means that, indirectly, our volunteers are helping the thousands of constituents the nonprofit serves! That's one of the reasons that once people know about our services, it's easy for them to say 'Yes!' to volunteering."

The Partnership's program and its volunteer opportunities are uniquely structured to satisfy not only the volunteer's area of expertise, but also the needs of busy in-house and law firm lawyers:

- Clients and matters are thoroughly screened.
- Because we do not handle litigation, most projects are discrete, manageable, and not time-sensitive.
- Projects can be worked on remotely, from your desk.
- Every project is coordinated and overseen by a Partnership staff attorney experienced in nonprofit law.
- Model documents, training, and other resources are available as needed.
- Where appropriate, counsel can work together as a team—with colleagues and/or with lawyers from outside firms.
- The Partnership provides liability insurance coverage for our volunteer attorneys as needed.
- Attorneys can earn New York CLE credit by performing pro bono for many of our New York clients.

Making It Easy to Volunteer

Prospective volunteers, as well as pro bono managers at corporations and law firms, are emailed a list of pro bono opportunities biweekly. An updated list of volunteer opportunities is also available on the Partnership's website (probonopartner.org). You can sort opportunities by location, practice area, or type of organization to quickly find what interests you most. The Partnership's Pro Bono Manager, Katherine Peden, Esq., actively manages the placement of projects so that volunteers are offered just the right type of project that matches their interest and area of expertise.

The Impact of Volunteering

In 2016 alone, the Partnership's staff and volunteer attorneys resolved more than 1,600 legal matters for 775 nonprofit clients, translating to a more than \$9.4 million value in pro bono legal services for our clients! Of course, clients aren't the only ones that benefit. One of our volunteers recently commented, "*I would give anything to be a full-time Partnership volunteer! Advise on sophisticated transactional matters on behalf of wonderful clients who transform communities (and show so much appreciation for my service), all with behind-the-scenes support from Partnership lawyers who make me smart. Pound for pound, on any given day, the best use of my law degree.*"

In our 2016 Annual Impact Survey, more than 90 percent of our nonprofit clients reported that access to legal counsel through Pro Bono Partnership enabled them to better understand and comply with the law and strengthen their organization. Moreover, 100 percent of our volunteers said that their work with the Partnership provided a rewarding professional experience and the satisfaction of helping a good cause. In the words of one volunteer, "*My experience with Pro Bono Partnership has been excellent. The staff is friendly, knowledgeable, and professional. The clients have also been a delight to work with. I intend to continue working with the Partnership as much as possible.*"

Don't Delay, Become a Pro Bono Partnership Volunteer Today!

Please join us in helping to correct the myth about transactional pro bono opportunities (and lightning, if you're so inspired!). Spread the word about Pro Bono Partnership's services, and please consider joining our volunteer ranks. It promises to be a rewarding and fulfilling experience that you won't forget.

You can learn more at probonopartner.org, or by contacting Maurice Segall, New York and Fairfield County Program Director, at msegall@probonopartner.org or 914-328-0674 x323.

Maurice K. Segall, Esq. is the New York and Fairfield County, CT Program Director at Pro Bono Partnership. He provides direct legal services to nonprofit groups, coordinates and supervises the work of staff and volunteer attorneys, and frequently lectures on legal issues for nonprofits and attorneys. Maurice is admitted to the bar in New York and Connecticut. He can be reached at msegall@probonopartner.org or 914-328-0674 x323.
