



PRESIDENT'S PAGE

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A Call to Service

When I was a law student, pro bono was not necessarily on my radar. My world's focus at that time was what classes to take, who were the best professors, how to fit in time for study groups, and still get a few hours of sleep on occasion—the good old days! Happy to have lived them; happy to have them long behind. Nowadays, law schools heavily focus on pro bono opportunities, and students have a thirst to get involved and make a difference. Surprisingly, while most of us feel that pro bono is important, we do not all participate.

We in the legal profession do indeed have a duty to support pro bono with our time or at least our financial support. Not only is it our responsibility as members of this profession, but it is also a rewarding experience to help those in need. For inspiration, I share with you the words of George Burns: “When you stop giving and offering something to the rest of the world, it's time to turn out the lights.”

The ABA's Standing Committee on Pro Bono & Public Service conducted a survey of over 47,000 attorneys in twenty-four states, publishing results in a Report on the Pro Bono Work of America's Lawyers in April 2018. The Standing Committee found:

- 81% of attorneys have provided pro bono services at some point in their lives;
- In 2016, almost 20% provided at least fifty hours of pro bono service;
- Approximately one in five attorneys have never undertaken pro bono service of any kind;
- 81% of attorneys believe that pro bono services are either somewhat or very important, but when asked if they were likely to undertake pro bono in 2017, only 45% indicated that they were either likely or very likely to do so;
- The three top motivators for attorneys include: helping people in need, ethical obligations, and professional duty; and
- 11.3% provided 80+ hours of pro bono services, 8.6% provided fifty to seventy-nine hours, 16.2% provided twenty to forty-nine hours, 15.9% provided one to nineteen hours, and 48% provided no pro bono hours at all.

Periodically, there have been legislative or California State Bar attempts to require mandatory pro bono legal services. For example, this year's AB 3204 would have required (with certain exceptions) attorneys to annually complete, and report, a minimum of twenty-five hours of pro bono legal service. If an attorney failed to perform the required pro bono legal services, there would be a requirement to contribute \$500 to the State Bar to support legal services to indigent persons. Although this bill did not get out of committee, a revised version is always possible.

Another proposal, SB 316, would have required every law firm contracting with the state for legal services exceeding \$50,000 to certify that it would make good-faith efforts to provide a minimum number of hours

of pro bono legal services each year of the contract. Failure to do so may be cause for nonrenewal and may be taken into account when the firm seeks future contracts with the state. This bill also died in committee.

There are various other reiterations for pro bono requirements being floated, including allowing CLE credit for pro bono services.

If pro bono hours become mandatory, many pro bono legal providers have expressed concern over trying to handle and provide enough pro bono opportunities for a huge influx of attorneys trying to comply. Others are concerned that if someone is “forced” to provide pro bono legal services, the services may not be as zealous and professional as they should be, while others have questioned how the State Bar could adequately administer the requirements. But one thing is for sure: there are likely to be some changes regarding this issue that will affect all of our members in the not too distant future.

The OCBA and its members have a long and rich history of providing pro bono legal services. In 1956, then-OCBA President Delbert L. Larsh (and grandfather of now sitting Superior Court Judge Erick L. Larsh), recognized the need for pro bono legal services for those who could not afford attorneys, and established the OCBA Auxiliary, which later became the Legal Aid Society. Furthermore, when the wildfires devastated parts of Laguna Beach in 1993, the OCBA rallied under then-President Michelle Reinglass: the next day, numerous OCBA attorneys provided on-site legal services to those who had just lost their homes and suffered other effects of the fire. Similarly, OCBA members led by then-OCBA President Todd Friedland assisted the Legal Aid Society with providing legal services to Orange County homeless people. When now-Judge Kim Hubbard was President of the OCBA, pro bono efforts to assist the elderly were at the forefront, and when Ashleigh Aitken was President, veterans were the focus; and the list goes on. Through all of these efforts the OCBA has worked closely with the Public Law Center and other pro bono legal providers.

The OCBA has been, and will remain, at the vanguard of pro bono legal services in Orange County. The OCBA has close ties with most of the local pro bono legal providers, including funding many of these organizations through the OCBA Charitable Fund, and will further continue its quest to connect our members with pro bono opportunities.

A great way to honor pro bono month this October would be to check out events and opportunities planned by our newly revamped OCBA Pro Bono Committee co-chairs, Dan Robinson and Larisa Dinsmoor. Get involved! In the words of Charles Dickens, *No one is useless in this world who lightens the burdens of another.*



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