

Jill Anderson (ed), *The Australian Pro Bono Manual: A Practice Guide and Resource Kit for Law Firms*, Melbourne: Victoria Law Foundation and National Pro Bono Resource Centre, (2<sup>nd</sup> Edition, 2005).

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*The Australian Pro Bono Manual* is an invaluable tool for all lawyers participating in pro bono work and community legal work. The Manual is aptly subtitled 'A Practice Guide and Resource Kit for Law Firms' and is relevant to all law firms undertaking pro bono work whether small, medium or large.

The term *pro bono* is difficult to define. It usually includes the giving of legal advice and legal assistance to persons who are disadvantaged in dealing with the legal system and who are not eligible for legal aid assistance. The legal services are provided either free of charge or for a substantially reduced fee. Pro bono work enhances access to justice for low income and disadvantaged persons and not-for-profit community organisations. It can operate in a variety of ways. Apart from the traditional solicitor or client relationship it can include partnerships between law firms, community organisations and community legal centres. It includes public interest matters which are of community concern, the improvement of laws or the legal system in a manner which will benefit disadvantaged individuals or groups. Regardless of the type of pro bono legal services provided, the legal practitioner owes the same professional and ethical obligations that any paying client would receive.

Law firms are becoming increasingly focused on providing pro bono legal services. The increase in *pro bono* work has obvious benefits to the client and to the law firm providing the service. A deserving client is able to secure legal representation at no cost while the law firm is able to trumpet its provision of pro bono services to a sympathetic paying-client base.

The Australian Bureau of Statistics estimated that in 2001–2002

Australian barristers did a total of 614,100 hours of pro bono legal services without expectation of a fee.<sup>1</sup>

The Manual is a hands on document drawing on the actual experiences of law firms doing pro bono cases. It details what works in pro bono cases and what does not. The Manual carefully analyses the way law firms have undertaken pro bono work over time and gives good suggestions as to how the work can be developed and improved.

A glance at the contents page is revealing. Rather than undertaking a general approach the authors systematically consider the issues and matters that arise when doing pro bono work. Part I of the Manual looks at planning, developing and maintaining a pro bono program. It considers the current models of law firm pro bono and how to foster a pro bono culture within the firm. Part I also looks at identifying the sources and needs of work, setting budgets and targets and coordinating pro bono work within the firm. It also discusses training and skills learning and record keeping. What is clear from Part I is that pro bono work should not be looked at as inferior or as not deserving professional attention to detail.

Part II of the Manual looks at procedures and practice issues. It examines supervision matters and casework procedures. This is a very useful Part of the book. It is written from accounts of people with first hand experience of pro bono work. Issues such as risk management and taxation are of vital importance in handling such cases and are well discussed. The section on troubleshooting is invaluable. It is done in a question and answer format allowing for easy access.

The strength of the Manual is in Part III. This Part has detailed precedents and pro formas of most of the legal documents needed to undertake pro bono cases. They include precedent letters of instruction, policies, agreements, surveys and pro bono databases. It also has sections on applications for assistance, evaluation forms and closure reports. Such a detailed selection of precedents allows law firms to undertake pro bono work without having to invest heavily in costly precedent packages. This Part also discusses the increasing frequency of employment referrals from law firms to community legal centres. Finally, it also provides precedents of strategies used to increase and encourage the role of pro bono within the casework of the law firm.

The final part of the Manual discusses information and resources. This Part includes discussions of the availability of legal aid, the work of community legal centres and indigenous legal organisations. It also has specific sections on pro bono referral schemes which are vital to the success of pro bono work within a firm. Knowing the organisations that have expertise in a particular area of law is fundamental in

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<sup>1</sup> Australian Bureau of Statistics, *Legal Practices, Australia, 2001-2002*, 8667.0, 25.

ensuring that clients do not 'fall between the cracks' and are referred to the appropriate source. This section also includes a discussion on disbursement assistance in obtaining medical and expert reports, filing fees and freedom of information requests.

The straightforward style of the Manual and the detailed index make it a very practical guide to pro bono cases and an important addition to the bookshelf.