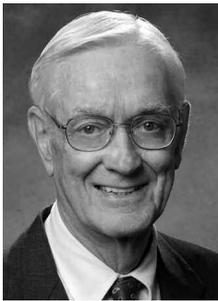


Virginia State Bar Pro Bono Award Goes to Richmond Lawyer and U.Va. Program



John M. Oakey Jr., a lawyer who has dedicated himself to pro bono work in retirement, and volunteer lawyers with the University of Virginia Law School's Mortimer Caplin Public

Service Center have been named 2007 recipients of the Lewis F. Powell Pro Bono Award by the Virginia State Bar's Committee on Access to Legal Services.

Since Oakey's retirement from McGuireWoods LLP, he has taken up many legal projects as a volunteer. His pro bono work has included representation of clients through the Richmond Legal Aid Housing Program; prosecution of child support cases in Richmond; representation of domestic-violence victims in the

Richmond area; and management of court appointments in cases involving family law, insurance coverage, excess judgments and personal injury, where needy clients did not qualify for pro bono help from legal aid.

Oakey serves in the leadership of the Central Virginia Legal Aid Society, the Legal Aid Justice Center and the Greater Richmond Bar Foundation. He participates in the Greater Richmond Bar Foundation's Pro Bono Clearinghouse, which helps nonprofit corporations and he mentors other McGuireWoods lawyers involved in pro bono work.

Oakey was nominated for the Powell Award by W. Reilly Marchant of the Richmond Bar Association and Scott C. Oostdyk of McGuireWoods.

The nomination of the Caplin Center's volunteer attorneys for the Powell Award was endorsed by George H. Hettrick of Hunton Williams. Hettrick works with a program that gives U.Va. students an early introduction to public-interest law by helping domestic-violence victims and immigrants seeking asylum.

In his letter, Hettrick wrote: "The high level of institutional resources and support from the U.Va. Law School for pro bono and public service programs is unmatched in Virginia's legal education."

The Powell Award, named for a former associate justice of the U.S. Supreme Court, recognizes dedication to pro bono legal work in Virginia. It will be presented during the VSB's Pro Bono Conference May 17-18 at the University of Richmond.

Free and Low-Cost Pro Bono Training

Visit the Pro Bono page on the VSB Web site for free and low-cost pro bono trainings and volunteer opportunities: www.vsb.org/site/pro_bono/resources-for-attorneys/.

For confidential toll-free consultation

available to all Virginia attorneys on questions related to legal malpractice avoidance, claims repair, professional liability insurance issues and law office management, call the

VSB's risk manager, McLean lawyer John J. Brandt, at

1-800-215-7854.

Virginia State Bar Publications

The Virginia State Bar publishes pamphlets and handbooks on law-related issues for Virginia's lawyers and Virginia's citizens. Please note that some are available in bulk quantities, and others only in single copies. All publications can be found on the VSB Web site at <http://www.vsb.org/site/publications>.

William & Mary Student Named Pro Bono Award Winner

Maryann P. Nolan, a third-year law student at the College of William & Mary, has been named the 2007 recipient of the Oliver White Hill Law Student Pro Bono Award by the Virginia State Bar Committee on Access to Legal Services.

Nolan performed more than one thousand hours of uncompensated or minimally compensated public service and supervised legal work while in law school. Her projects included:

- The Capital Area Immigrants' Rights Coalition—She visited Virginia detention centers to educate residents about legal rights and to provide legal support services.
- The Fairfax Public Defender office—She interviewed clients, visited jails and wrote legal memoranda for the clients' attorneys.
- An internship in Cordoba, Argentina, with the Center for Human Rights and the Environment.
- America Reads—She tutored Williamsburg elementary-school pupils who struggle with reading and learning English.
- The William & Mary Public Service Fund, which raises and allocates money to help repay tuition loans for students who work in public service.
- The W&M Chapter of the Innocence Project, which works to exonerate convicted persons through DNA testing.
- The Children's Advocacy Law Society—She organized panels and speakers to talk about legal issues that affect children and families.
- The W&M Honor Council—She was a justice.

Nolan, who grew up in Clifton, received bachelor's degrees from the University of Virginia.



The Hill Award, named for the Richmond attorney who led challenges to school segregation as part of *Brown v. Board of Education*, recognizes a student's voluntary and minimally compensated public-service work. Nolan was nominated by Associate Dean Robert E. Kaplan of the W&M School of Law. The award will be presented during the VSB Pro Bono Conference May 17–18 at the University of Richmond.

The Professional Benefits of Pro Bono: Two Portraits

by A. Michael Signer, Samantha Ahuja and Stephen J. Klos

In the December 2006 issue of *Virginia Lawyer*, members of the Pro Bono Commission of the Young Lawyers Conference of the Virginia State Bar published an article that described the results of a survey of select Virginia law firms' pro bono efforts. The article discussed both the pros and cons of Virginia firms' pro bono performance. The next step in the Pro Bono Commission's plan for this year was to interview two Virginia firms to gain more information on the benefits and challenges of pro bono representation for firms. The Pro Bono Commission advocates a larger pro bono role in the for-profit Virginia legal community.

The Pro Bono Commission recently interviewed partners and associates at two law firms: Buchanan Ingersoll & Rooney PC and Sands Anderson Marks & Miller PC. Interview results emphasized the crucial role pro bono has in the professional development of young lawyers across the commonwealth.

Buchanan Ingersoll & Rooney

Buchanan Ingersoll & Rooney PC is an intellectual property practice located in Alexandria with twenty-one partners and eighteen associates. The office has a minimum yearly billable requirement of 1,950 hours, toward which one hundred hours of pro bono representation may be counted. Pro bono also is considered in bonuses. On average, 5 percent of attorneys' total hours are pro bono.

The Alexandria office does primarily intellectual property work. The Pro Bono Commission focused on the firm because of its emphasis on pro bono.

Lloyd S. Smith is a partner in the firm and a member of the firm's intellectual property litigation section. Smith told us, because of the difficulty of finding IP pro bono work, the Alexandria office recently

invited Legal Services of Northern Virginia to brief its attorneys on domestic and consumer issues. Attorneys in the office are currently determining the areas in which they would like to provide pro bono services. LSNV will provide training and support. The firm is also considering joining a "Lawyers on Loan" program, which would allow for a first-, second- or third-year associate to work with a legal aid association. Peter J. Ennis, another partner, said that the firm has infrastructure in its Pittsburgh headquarters that makes it easier for associates to start pro bono work. Ennis said the firm hopes to implement this model in the Alexandria office and provide set times, training and infrastructure with local clinics. These clinics are available to all lawyers at the firm.

Ennis described the firm's approach to the professional benefits of pro bono:

The pro bono efforts within the firm allow for the attorneys to work on something different. It broadens their knowledge of the law, allows junior lawyers to gain more experience, allows better networking within the bar—and all of those lead to the consequence of recognition of the firm.

Ennis said challenges include "demonstrating that many people are involved, not just a few—achieving critical mass."

Jaime S. Tuite, an associate, said Buchanan Ingersoll's approach to pro bono succeeds because "it is not just lip service."

She explained:

The firm makes it a priority. The firm connects real credit to the pro bono services provided by its lawyers. There is an infrastructure in place for the associates to immediately tap into

so that the associates are not hindered by their billable requirements.

Partners and associates find value in pro bono—especially in a firm whose profit base (IP) may not seem connected to pro bono representation. The firm makes pro bono easy for associates to perform, and it builds pro bono into the company's infrastructure.

Sands Anderson Marks & Miller

Sands Anderson Marks & Miller PC is based in Richmond with thirty-one shareholders and forty-three associates. The firm does not have a minimum annual billable requirement. The firm gives 100 percent credit for hours spent on pro bono representation and takes pro bono representation into consideration for bonuses. About half of associates and about 70 percent of shareholders work on pro bono. However, only 1 percent of the firm's billables go to pro bono each year, and the firm's attorneys average twenty-five hours a year.

The Pro Bono Commission interviewed N. Reid Broughton, a counsel in the firm's New River Valley office. He practices in the firm's business, finance and real estate, business and professional litigation, and health-care practices.

Broughton explained his own emphasis on pro bono: "[A] number of friends I have ... are involved in pro bono, which creates a good environment for volunteering." His pro bono practice focuses on family law, which "has provided me the opportunity to be introduced to a completely different area of practice for me."

And his pro bono work has conferred special advantages on his relationships with jurists:

It has given me the opportunity to appear before judges in a family law setting. The judges also understand that you are working on a pro bono case and really appreciate the work that you do.

Sands Anderson has a culture of encouraging pro bono. Broughton said that the firm “provides a great deal of encouragement to get involved in pro bono work.” He explained: “[Pro bono] is an institution at the firm, and the firm provides billing credit for the pro bono work the attorneys do in the community.”

Jayne Ann Pemberton is an associate in the firm’s Richmond office. She explained how she got involved in pro bono work:

It was always an emphasis in my family growing up. My father was a judge in Texas, and public service and volunteering were strongly encouraged. I got involved with Big Brothers/Big Sisters because my brother was involved in the local Texas chapter.

While her volunteer work has not always been strictly legal in nature, Pemberton says that it has provided her with oppor-

tunities to bring balance to her career and her life outside of work:

I have been involved in meetings at school for my little sister from the Big Brothers/Big Sisters program. I have reviewed her education plan and have worked with her parents to make decisions concerning her education. This is a departure from my traditional practice.

Pemberton says that she was drawn to Sands Anderson because of its reputation for being involved in pro bono. Part of the mission for Pemberton is personal. “I also think that I need to do my part to help people see the good work that lawyers do in their communities. Lawyers are often portrayed in a negative light, and this is an opportunity to show that we care about more than the bottom line.”

Sands Anderson Marks & Miller, like any small or midsize Virginia firm, faces challenges in balancing the imperatives of for-profit and pro bono representation. The firm is to be congratulated for building a culture of support for pro bono and for crediting hours, and for recruiting and encouraging attorneys who already

have a leaning toward pro bono. It would be even more admirable if its commitment could be increased to 3 percent from 1 percent. It is hoped the benefits described in this article, as well as enthusiastically described by Sands Anderson’s own attorneys, will convince small and midsize firms across the commonwealth to increase their average pro bono hours to at least the 3 percent goal set by American Bar Association Model Rule 6.1, and to credit all of these hours in both yearly minimums and bonus considerations.

A. Michael Signer is chair of the Young Lawyers Conference’s Pro Bono Commission. He practices with Wilmer Cutler Pickering Hale & Dorr LLP in Washington, D.C.

Samantha Ahuja is vice chair of the Pro Bono Commission. She practices with Womble Carlyle Sandridge & Rice LLP in Washington, D.C.

Stephen J. Klos is on the Pro Bono Commission’s steering committee.