

SINGAPORE IN-HOUSE LEGAL COUNSEL **PRO BONO GUIDE**

All you need to know about establishing or joining an existing pro bono program



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INTRODUCTION



In recent years, pro bono legal projects have experienced a major surge in popularity among in-house legal teams around the world. It's a trend that has emerged from the United States, where the number of in-house pro bono legal projects has substantially increased over the past ten years.

In Singapore, the growth in popularity of pro bono work has recently been met with a number of reforms to the Legal Profession Rules. The reforms enable Singapore Qualified Lawyers without a practising certificate to undertake certain types of pro bono work.

In-house lawyers, who often do not hold a practising certificate, have been able to capitalise on these new opportunities to ensure they contribute to their organisations' broader corporate responsibility objectives. Pro bono programs are known to improve engagement and retention and as such assist employers in remaining competitive in the recruitment market, and moreover, have the potential to make a significant contribution to providing access to justice for the most vulnerable members of society.

At DLA Piper, pro bono is an important aspect of our past and is an increasingly important part of our future. Our culture and policies encourage pro bono service and volunteerism because community involvement is an essential part of who we are. Our goal is to be a leader in the area of pro bono service delivery in the places where we have a presence.

We have gained extensive experience in pro bono partnerships. As an extension of our own commitment to promoting human rights, access to justice and pro bono, we have produced this guide to assist in-house lawyers and corporate legal teams in establishing and managing pro bono projects of their own.

It is our hope that this guide will inspire you and your organisation on your own pro bono journey.

We would also like to thank TSMP Law Corporation for their pro bono support in reviewing this guide.

Nicolas Patrick

International Pro Bono Partner
DLA Piper

FOREWORD

PRESIDENT, LAW SOCIETY OF SINGAPORE



In 2010, the Law Society published the Pro Bono Guide which highlighted to our members the many pro bono volunteer opportunities available in our legal landscape. The Pro Bono Guide served as a handbook for the new lawyer embarking on pro bono service for the first time or the lawyer seeking to fulfil the recommended minimum number of 25 hours per year of pro bono service.

In 2012, the Law Society published the Pro Bono Guide for Law Practices which provided a welcome reference for law practices seeking to establish, develop or expand their pro bono practices.

This year the Law Society is pleased to have partnered with DLA Piper to publish the Singapore In-House Pro Bono Guide. Their commitment to good corporate citizenship in the communities they operate in is an inspiration to all of us.

This guide provides an excellent reference for in-house counsel in Singapore seeking to engage in pro bono work and is a reflection of the vibrant pro bono culture spreading across all the wider legal fraternity.

I have no doubt that this guide will help encourage and energise increasing numbers of in-house counsel to volunteer their skills to support access to justice initiatives for the most needy in our community. In time, with the aggregation of our many programmes, we hope to embed the pro bono DNA in all who call themselves lawyers, to give back to our community in a sustained and meaningful way.

Thio Shen Yi SC

President

Law Society of Singapore

FOREWORD

PRESIDENT, SINGAPORE CORPORATE COUNSEL ASSOCIATION



The Singapore Corporate Counsel Association is excited to be part of the Singapore In-house Pro Bono Guide.

For many years the SCCA has tried to find ways for its members to be engaged in pro bono work. Our members, like members of the Bar, are skilled legal professionals who are willing and able to give back to society what they are best at. The Legal Profession (Pro Bono Legal Services) Rules 2013 were clearly a change in the right direction and this Guide is most timely.

The Guide provides a useful roadmap to all in-house counsel who are interested in pro bono work. It also features three fine organisations that have taken the lead in this adventure and their stories will inspire all those who read the Guide. For those of us without structured organisational support – it is nevertheless easy to be involved. The Law Society's Pro Bono Services Office already has in place excellent programs that allow any in-house counsel whose spirit is willing to step forth and immediately be counted.

And I encourage all in-house counsel to be.

Taur-Jiun Wong

President

Singapore Corporate Counsel Association

WHAT IS PRO BONO **LEGAL ASSISTANCE?**



PRO BONO DEFINED

“Pro bono” is a short form of the Latin phrase, “pro bono publico” which translates to “for the public good”. Pro bono legal work is the provision of legal assistance and advice without fee, or expectation of a fee in situations where:

- (i) The client has no other access to the courts or legal system, and/or the client's case raises a wider issue of public interest;
- (ii) The work involves free community legal education or law reform; or
- (iii) The advice and assistance is to an institution of public character, such as charitable and community organisations.

Ultimately, the objective of pro bono work is to bring free legal assistance to those in need in the community.

WHY SET UP A PRO BONO PROGRAM?

As lawyers we have a privileged position in society. That privilege is the ability to provide legal advice and representation.

With that privilege comes important responsibilities to ensure that everyone is able to access legal advice and to contribute to the administration of justice.

As in-house legal departments grow in size and sophistication, a properly designed and structured pro bono program significantly enhances the ability of in-house lawyers to do good for the community. In addition, it can provide valuable opportunities and training experiences for in-house lawyers.

THE BUSINESS CASE FOR IN-HOUSE PRO BONO PROGRAMS

In some cases, the establishment of pro bono projects and initiatives may involve both an investment of time and money. Some businesses are more sophisticated than others in identifying the business case for investment in Corporate Responsibility (CR) initiatives.

While pro bono work should always be undertaken for the benefit of the client and/or the community, investment in pro bono may deliver business benefits to your organisation. The business case for pro bono includes:

- Improved legal staff recruitment and retention.
- Increased employee engagement.
- Broader professional experience.
- Improved reputation and profile.
- A tangible legal-team contribution to your organisation's broader CR strategy.
- A practical demonstration of your organisation's values.

IN-HOUSE COUNSEL,
PRO BONO LEGAL ASSISTANCE AND SINGAPORE LAW

IN-HOUSE COUNSEL, PRO BONO LEGAL ASSISTANCE AND SINGAPORE LAW



This guide seeks to highlight to in-house counsel the options for pro bono legal assistance available to them in Singapore's legal community and under Singapore laws and regulations.

The guide will take you through the regulations around pro bono legal work, in-house counsel liabilities, and policy and procedural considerations in establishing, running and ensuring the longevity of pro bono legal programs for in-house legal departments. It also discusses the opportunities open to individual in-house lawyers who wish to undertake pro bono legal work independent of their employers. Case studies are provided for explanatory purposes only and should be used as a guide, not a template, because each assignment undertaken either by departments or individuals will require unique input contingent on its merit, purpose, and goal.

AM I ELIGIBLE TO PROVIDE ASSISTANCE?

The types of pro bono work you can engage in will depend, however, on whether you are a Singapore qualified lawyer (“**SQL**”) or foreign qualified lawyer. Lawyers qualified in Singapore who do not hold a current practising certificate can provide pro bono legal services under limited circumstances.

Until recently, SQLs without a practising certificate, including in-house counsel, were limited in their ability to provide legal advice or representation on a pro bono basis. Pro bono legal work was in the main limited to supporting lawyers with a practising certificate, or undertaking research or legal education activities. However, 2013 additions to the rules relating to legal practice in Singapore have meant that there is now a much greater opportunity for SQL in-house counsel to be involved in pro bono work.

The relevant legislation is the *Legal Profession Act (Chapter 161)* which has been in effect since 1967. It was amended in 2013 to give the Minister for Law the power to make rules to allow persons without a practising certificate to provide legal advice in certain circumstances. The Minister subsequently introduced rules governing pro bono legal assistance for lawyers without a practising certificate, through the *Legal Profession (Pro Bono Legal Services) Rules 2013* which came into operation in 2013.

The legislative changes mean that SQLs who do not hold a practising certificate can provide pro bono advice and representation in certain circumstances, including providing pro bono assistance:

- (a) to any scheme administered by the Law Society of Singapore or the subordinate courts;
- (b) to, or for the benefit of, a charity, an institution of a public character or a welfare organisation.

While the above described changes do not extend to foreign qualified lawyers, this does not mean that foreign qualified lawyers cannot participate in pro bono activities in Singapore. Research projects, legal education opportunities or assisting locally qualified lawyers are all possible options for foreign qualified lawyers that can be of invaluable assistance for many clients requiring pro bono legal assistance.

THE LEGAL PROFESSION ACT AND LEGAL PROFESSION (PRO BONO LEGAL SERVICES) RULES 2013.

The relevant sections of the *Legal Profession Act (Chapter 161)* (“**Act**”) and the *Legal Profession (Pro Bono Legal Services) Rules 2013* (“**Rules**”) are outlined below. However, note that the general sections of the Act and Rules still apply and the below extracts should not be considered in a vacuum.

Under the Act and Rules, in-house counsel in Singapore fall into two categories:

- (a) Singapore qualified lawyers who do not hold a practising certificate (“**SQL without PCs**”), and;
- (b) Non-Singapore qualified lawyers (“**all other in-house counsel**”).

Under the Act, both SQL without PCs, and all other in-house counsel, are considered to be “unauthorised persons” for the purposes of the Act.

Under section 32(2) of the Act, a person is an “unauthorised person” if –

- (a) His name is not on the roll;
- (b) He does not have in force a practising certificate; or

- (c) being an advocate or solicitor in a Joint Law Venture or its constituent foreign law practice, a Qualifying Foreign Law Practice or a licensed foreign law practice, he practises Singapore Law otherwise than in accordance with Part IVA and any rules made under section 36M.

Section 32 is read in conjunction with Section 33 of the Act, which established the penalties for practising law as an “unauthorised person”:

S33 – (1) Any unauthorised person who –

- (a) acts as an advocate or a solicitor or an agent for any party to proceedings, or, as such advocate, solicitor or agent –
 - (i) sues out any writ, summons or process;
 - (ii) commences, carries on, solicits or defends any action, suit or other proceeding in the name of any other person, or in his own name, in any of the courts in Singapore; or
 - (iii) draws or prepares any document or instrument relating to any proceeding in the courts in Singapore; or
- (b) wilfully or falsely pretends to be, or takes or uses any name, title, addition or description implying that he is duly qualified or authorised to act as an advocate or a solicitor, or that he is recognised by law as so qualified or authorised,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$25,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a second or subsequent conviction, to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 12 months or to both.

(2) Without prejudice to the generality of subsection (1), any unauthorised person who, directly or indirectly –

- (a) draws or prepares any document or instrument relating to any movable or immovable property or to any legal proceeding;
- (b) takes instructions for or draws or prepares any papers on which to found or oppose a grant of probate or letters of administration;
- (c) *[Deleted by Act 8/2011 wef 03/05/2011]*
- (d) on behalf of a claimant or person alleging himself to have a claim to a legal right writes, publishes or sends a letter or notice threatening legal proceedings other than a letter or notice that the matter will be handed to a solicitor for legal proceedings; or

- (e) solicits the right to negotiate, or negotiates in any way for the settlement of, or settles, any claim arising out of personal injury or death founded upon a legal right or otherwise,

shall, unless he proves that the act was not done for or in expectation of any fee, gain or reward, be guilty of an offence.

(3) Any unauthorised person who, for or in expectation of any fee, gain or reward, offers or agrees to place at the disposal of any other person the services of an advocate and solicitor shall be guilty of an offence.

(See also Sections 33(4) to 33(10)).

Section 33 of the Act limits the actions of both SQL without PCs, foreign lawyers without PCs and all other in-house counsel. However, in exercise of the powers conferred by section 34(2) of the Act, the Minister for Law implemented the Rules in November of 2013. These Rules, most notably Rule 3, have created exceptions to allow SQL without PCs to engage in pro bono work under certain circumstances:

Rule 3 – Section 33 of the Act does not extend to **any non-practising solicitor** in respect only of his provision of any **permitted pro bono legal services** in any of the following circumstances:

- (a) the services are provided under any scheme administered by either or both of the following:
 - (i) the Society; [The Law Society of Singapore]
 - (ii) the subordinate courts referred to in section 3(1) of the subordinate Courts Act (Cap. 321);
- (b) the services are provided directly to, or for the benefit of, any charity registered or exempt from registration under the Charities Act (cap. 37);
- (c) the services are provided directly to, or for the benefit of, any institution of a public character;
- (d) the services are provided directly to, or for the benefit of, any voluntary welfare organisation which is granted membership of the National Council of Social Services under section 15 of the National Council of Social Service Act (cap. 195A).

As a “non-practising solicitor” constitutes “any solicitor who does not have in force a practising certificate”, this exception allows SQLs without PCs to advise on pro bono matters on behalf of charities, institutions of public character or organised through the Law Society of Singapore’s programs. However, this exception does not extend to all other in-house counsel (i.e. foreign qualified lawyers).



**AM I COVERED FOR
PRO BONO
WORK?**

AM I COVERED FOR **PRO BONO** WORK?

Prior to undertaking any pro bono work, lawyers working in-house should ensure they have appropriate professional indemnity (“**PI**”) cover in place. This not only ensures the lawyers are protected but it is incredibly important from a client’s perspective to know that the lawyer providing advice is insured.

While law firms will generally have PI cover in place, the same is not necessarily the case for in-house counsel. There are a number of options available to ensure you are adequately covered:

1. The Law Society of Singapore (“the Law Society”) has insurance cover for any natural person acting in a voluntary capacity on behalf of the Law Society and at the specific direction of the Law Society. This means pro bono services provided by in-house counsel under Rule 3(a)(i) would be covered by the Law Society’s insurance.
2. Request your company to take out PI insurance to cover legal work provided by you on a pro bono basis. As pro bono service can be an important aspect of a business’s corporate responsibility, this may be something that your company is willing to do. For a list of insurance providers who may be able to cover pro bono legal work, please contact the Law Society’s Pro Bono Services Office (“PBSO”).
3. Collaborate with a law firm who’s PI insurance covers work done by volunteers with whom they collaborate, such as DLA Piper. Not all law firms will have extended their PI coverage so you will need to discuss this with the law firms you work with.

HOW DO I ESTABLISH A
PRO BONO
PROGRAM OR PROJECT?



HOW DO I ESTABLISH A **PRO BONO** PROGRAM OR PROJECT?

Before establishing a pro bono project it is important to consider the following:

Is there institutional support for pro bono within the legal department and within the organisation generally?

If not, it will be important to address the lack of internal support before establishing a pro bono project. Finding others within the organisation who are interested in taking on pro bono legal work can be a good start. You can also talk to people in your organisation about the types of community initiatives and charities they already support. Providing employees with community opportunities such as pro bono legal work is also a good way of improving retention and morale within an organisation.

At a minimum you will require the support of the lawyers who will be involved in the pro bono project. From a client service delivery perspective, it is important that the lawyers participating in the delivery of pro bono services are doing so voluntarily.

What skills exist in the legal team, and can those skills be matched to an identified legal need in the community? Depending on the interests of the legal team and the need in the community, the lawyers may be interested in developing new or further skills in particular areas of the law.

Finally, consider the financial and other resources your organisation is willing to invest. Different pro bono programs require different levels of time, skill and financial investment.

HOW WILL I ACCESS PRO BONO CLIENTS?

Many successful pro bono projects are partnerships between law firms, PBSO and community based organisations working at the coal-face that have direct access to people in need of legal assistance.

Given some of the restrictions on in-house lawyers carrying out pro bono work, assistance for individuals will generally need to be through PBSO's schemes or the State Courts' schemes. A first step should therefore be to contact these two organisations to find out what opportunities currently exist and any particular areas that need the assistance of legal counsel on a pro bono basis.

You, or people in your organisation may already have a connection with charitable organisations or welfare organisations that may require legal assistance. Again, a law firm that your organisation works with may also have an ongoing relationship with many charitable organisations that may need additional legal assistance.

DLA Piper has, in recent years, partnered with a number of in-house lawyers to provide advice and training to various charitable organisations in the Asia Pacific region. We often find that the particular skills and knowledge of in-house lawyers complement our own knowledge to provide a better service for our pro bono clients.

UTILISING PBSO

The Legal Counsel from your organisation can compile a list of the areas of law and specific community groups that are often identified as having particular needs which are not fully met by existing services. This information can also be provided by PBSO. Further questions should be asked about the frequency of problems in the area, the degree to which affected people recognise that there may be a legal response available to their problem generally or the relative seriousness of the problem for an affected person or group. An example list identifying areas of need might include:

- Consumer financial services;
- Small debts such as those arising from utilities, credit cards, and telephone services;
- Employment law matters (including unfair dismissal and underpayment);
- People with disabilities; and
- Family law matters.

Collaboration is a key ingredient to undertaking successful pro bono work. More information can be found in the section 'Partnering Opportunities'.

WHAT WILL IT COST?

It is often the case that work carried out on a pro bono basis requires a small financial investment in addition to an investment of time and expertise.

The types of expenses will include travel costs and disbursements on pro bono matters such as travel, copying costs, filing fees, etc. The costs will depend upon the nature of the project or the matters that you undertake.

Even though costs are likely to be minimal, it is important to understand the extent to which your organisation is able to provide funding to facilitate pro bono work. This may impact the types of matters that you are able to take on.

If you are working with PBSO or a law firm they may be willing to bear some of the costs. It is a good idea to ask whether this is a possibility at the outset as this may increase the amount of pro bono support your organisation is willing to provide.

REGULATORY AND COMPLIANCE ISSUES

When performing pro bono work lawyers are required to comply with all regulations applicable in Singapore. The information in this section details some of the key compliance issues which must be considered prior to commencing work on a pro bono project. The information contained in this guide is not exhaustive, and in-house counsel engaging in legal work on a pro bono basis should contact the Law Society or the DLA Piper Asia Pacific Pro Bono team for further information.

Costs agreement

Although you will be acting on a pro bono basis, it is still important to enter into a retainer with the client which sets out the terms on which you will act. The retainer should make clear that no costs will be charged, except (where applicable) any third party disbursements. It is important to ensure the retainer complies with local requirements in your jurisdiction. It is also important to ensure the retainer is drafted in plain, easy to understand language, and is explained to the client, so that they understand the terms on which you are acting. This document should be tailored to suit individual circumstances.

Amongst other things, the retainer should include details of the process by which a pro bono client may make a complaint against a lawyer. It is also advisable to set out the circumstances in which the lawyer may make a decision to cease to act.

Corresponding with pro bono clients

Communications with pro bono clients should be tailored to suit the needs of the client. In Singapore, the four official languages are English, Malay, Mandarin Chinese and Tamil. Certain pro bono clients may have limited language skills; therefore plain language drafting, and face to face meetings to explain the content of written communications may be important.

It is also important to consider the most appropriate letterhead to use when sending communications on a pro bono matter.

When considering this question it is often useful to begin by determining which entity is providing the legal services, and where the professional indemnity risk lies. If you are partnering with a law firm, and the law firm is carrying the risk, then communications should be sent on the letterhead of the law firm, and approved by a partner of the firm.

Where the work is being undertaken as part of a Law Society scheme then the letterhead should be that of the Law Society.

Client money

Solicitors' accounts for the keeping of clients' money are subject to regulation, and any legal practitioner accepting monies must comply with relevant regulations in their jurisdiction. In Singapore the Legal Profession (Solicitors' Accounts) Rules provide:

“ client's money” means money held or received by a solicitor on account of a person for whom he is acting (in relation to the holding or receipt of such money) either as a solicitor, or in connection with his practice as a solicitor, an agent, a bailee or a stakeholder or in any other capacity..... ”

In most cases, it will be possible to deliver pro bono services without the need to deal with trust monies. In relation to projects where it may be necessary to accept monies on trust, a partnership with a law firm which would be able to receive client money will be necessary.

EXAMPLES OF IN-HOUSE PRO BONO PROGRAMS

Below are some case studies of organisations which have embraced pro bono programs within their company. Note that much of this work was done prior to the change in the *Legal Professional Rules* concerning in-house counsel and so they were working within the constraints of the previous rules. This means that many of the examples are also suitable for foreign qualified lawyers.

HEWLETT-PACKARD

Hewlett-Packard, embraces a strong culture of responsible corporate citizenship. This culture is a fundamental tenet in Hewlett-Packard that can be traced back to the words of its founders, Bill Hewlett and Dave Packard:

“The betterment of our society is not a job to be left to a few. It is a responsibility to be shared by all.”

One of the ways in which Hewlett-Packard demonstrates this commitment to give back to the community is by actively participating in pro bono activities. Providing pro bono services to clients unable to afford them is in keeping with the best traditions of the legal profession, and the core values of HP. The attorneys, paralegals and staff from the Office of the General Counsel (“**OGC**”) in Hewlett-Packard make it their goal to ensure that they dedicate a portion of their time to engage with the community by participating in various pro bono activities.

In the year 2012, 67 OGC participants in the Asia-Pacific region contributed a total of more than 1,000 hours of their time to support various pro bono initiatives. It is heart-warming to see colleagues reach out beyond their office walls to make a difference in the life of others.

Here in Singapore, Hewlett-Packard supports various pro bono initiatives such as Community Legal Clinics, the Criminal Legal Aid Scheme and other activities organised by the Law Society of Singapore. In 2012, Hewlett-Packard reached out beyond “traditional” pro bono avenues and participated as well in the Animal Welfare Laws Project organised by the Humane Society of Singapore.

While members of the OGC in Singapore are not current practicing lawyers and thus not able to provide actual pro bono legal services to those in need, this does not stop them from reaching out and actively looking for ways in which they can assist. For example, members of the OGC:

- (a) assist actual practising lawyers who dispense legal advice to applicants during Community Legal Clinics;
- (b) participate in interviews of applicants of the Criminal Legal Aid Scheme and assist in assessing if such applicants qualify for aid under this Scheme;
- (c) assist the Law Society in developing their Pro Bono Website by participating in trial runs and providing feedback on and content for the Website; and
- (d) conducted legal research for the Animal Welfare Laws Project.

HP operates a global pro bono program, overseen by a pro bono committee and administered under a formal pro bono policy. Each operating region then has local pro bono coordinators, who assist in the implementation of local pro bono programs. HP employees are

encouraged to propose new pro bono programs, which then need to meet certain criteria set out in HP’s pro bono policy, and must be approved by the committee before being implemented. HP is keen to ensure that programs do not present potential for conflicts of interest or professional liability risks.

Upon receiving information of approved activities that OGC members can participate in, the pro bono team would send details of such activities to the OGC members, including details on how to sign up. Thereafter, it would be up to the members to sign up for such activities either directly with the organisation arranging it, or with the assistance of the pro bono team.

Participation in pro bono activities is not mandatory in Hewlett-Packard. While managers do encourage their teams to participate actively in pro bono activities, there is no formal direction that would require employees to participate. All participation in such activities is voluntary and arises from the employees’ belief that they should make a difference in whatever way they can.

Of course, that is not to say that participation in pro bono activities is only an act of giving, and that participants receive nothing in return. On the contrary, feedback that the pro bono team has been receiving has always been positive and most if not all participants share that after volunteering their time to assist in pro bono activities, they feel that they too have been enriched by the experience.

Some examples of recent feedback received

“The experience, of going into a high-security building, meeting face-to-face with accused persons, hearing their stories and plight, and harnessing the skill of offering help yet withholding judgment regardless of the circumstances of the allegations against them was, in a word – exhilarating. It was a different world with a different set of problems, and here I was, being able to help even if just a little.” – HP Software Attorney – Singapore

“I would strongly recommend volunteering for both the Community Legal Clinic and the CLAS. Both programs give you a chance to help people who are in need, and enable you to meet other people who work full-time in assisting those who face at times quite serious legal issues.” – HP Services Attorney – Singapore

INTEL

Intel's pro bono program started in 2007. Intel volunteers support efforts that obtain guardianships for neglected children, resolve consumer debt and housing issues in clinical settings, counsel low income entrepreneurs, assist veterans seeking support from the U.S. Department of Veterans Affairs, and internationally support EU pro bono initiatives and conduct interviews for applicants seeking legal representation under the Criminal Legal Aid Scheme in Singapore. More recently, Intel embarked on new programs to assist eligible persons in the arts and inventor community through programs sponsored, in part, by California Lawyers for the Arts and the US Patent and Trademark Office. Collectively all of these efforts enable Intel Legal and Corporate Affairs department personnel to respond to the professional and ethical calls to enhance the access to justice in our communities.

Intel's pro bono program includes both lawyer and non-lawyer volunteers from Intel's four major U.S. sites as well as attorneys at other Intel US

and international sites. Intel partners with numerous legal aid organisations, as well as law firms in various U.S. states and in Europe and Asia. To date, generous volunteers have contributed more than 12,000 hours and an estimated \$3.1 million USD of service benefit to our communities, and, through Intel Foundation matching contributions, the program has provided more than \$110,000 USD to Intel's pro bono agency partners.

Formation of the Pro Bono Committee

Following the approval of Intel's General Counsel to move forward with creating a pro bono program, in January 2006 an informal pro bono committee was formed. This committee was formed by sending a simple department-wide email announcing the effort and requesting both attorney and non-attorney volunteers alike. Within a week, this newly minted group of 10 met for the first time, led by a committee coordinator.

The high-level goal for the committee was to begin cultivating a pro bono program. Initial steps toward that goal were to: (i) discover what sort

of pro bono activities would interest and inspire Intel's attorneys and staff; and (ii) understand what other in-house departments, law firms and legal services organisations were doing in relation to corporate pro bono. Thus, the committee quickly formed two sub-committees: one team to conduct an internal survey and the other team, the benchmarking sub-committee, to conduct benchmarking.

Weeding the varietals – survey results and focusing our program

In creating the survey, Intel leveraged similar surveys compiled by the Corporate Pro Bono Organisation and the Pro Bono Institute. The survey indicated that over 60% of the respondents were interested in doing pro bono work and the four top reasons for “lack of interest” or obstacles to participating were:

- Time constraints;
- Pro bono work doesn't match existing skill sets;
- Lack of resources;
- Unaware of pro bono opportunities.

Therefore, in forming the program, the committee sought to address each of these perceived issues by ensuring that:

- Pro bono volunteer opportunities included discrete, time-limited commitments, in addition to longer-term, more intensive matters.
- Training would be provided for each of the matters or substantive areas adopted by the committee.
- Volunteers would have access to training and subject matter experts, could utilize Intel facilities/resources and could conduct pro bono work during business hours.
- The pro bono program and volunteer opportunities would be well publicised.

A look into the neighbours' gardens – benchmarking

With guidance from the Corporate Pro Bono Organisation and the Pro Bono Institute, the benchmarking sub-committee reviewed a number of in-house pro bono programs of other U.S. corporations. The key findings from this benchmarking work were:

- The General Counsel's support and involvement are critical for creating a "culture of pro bono" (tops down).
- An active "grass-roots" organisation (e.g., committee and "passionate volunteers") is critical for sustainability (bottoms up).
- A formal committee with a coordinator is important for a focused, well-coordinated program.
- Partnering with local legal services organisations and law firms ensures local needs are met and provides synergistic collaboration.

- Actively promoting the pro bono program and focusing on a few "key" initiatives for which there is employee interest sets a strong foundation (a "crawl, walk, run" approach).
- Create a pro bono policy, but keep flexibility as the program develops.
- Once the survey and benchmarking results were reviewed, the committee prepared its recommendations for the launch of Intel's pro bono program.

Pro Bono Committee Structure

In addressing the first three key findings noted in the benchmarking review, the committee decided to formalise the structure of the pro bono committee so that the committee would include: two site representatives from each major legal site in the U.S., a coordinator and an executive sponsor. Again, both attorneys and non-attorneys serve on the committee and the diversity in membership and the resulting perspectives has helped strengthen Intel's pro bono program. The executive sponsor of the program has been Intel's Deputy General Counsel, which has ensured that the program remains highly visible at all levels of the department. In addition, having an executive champion is critical to assist in encouraging management to support the pro bono program and participate on pro bono matters.

In an effort to clarify roles, the following are the general responsibilities for the committee members, the coordinator and the executive sponsor:

- The Committee Members' responsibilities include:

- Meeting periodically to oversee the program and provide general direction (i.e., policies, site programs and partners, annual goals and focus areas, etc.).
 - Leading their respective site programs.
 - Developing and overseeing training programs.
 - Reviewing requests for pro bono services from community referral organisations and employees.
 - Publicising the program and the work done by volunteers.
 - Reporting out to the executive sponsor, legal management and others in the department.
 - Recognising the volunteers.
- The coordinator's (or Co-Chairs') responsibilities include:
 - Overseeing and running the program (i.e., scheduling bi-monthly committee, site and executive meetings, driving initiatives).
 - Coordinating activities and external event participation.
 - Supporting and providing guidance to the site representatives.
 - Reporting to the General Counsel, legal management and others in the department.
 - Preparing the annual budget, getting the budget approved and overseeing all large expenditures.
 - The executive sponsor's responsibilities include:
 - Meeting with the coordinator bi-monthly and the committee.

- Providing high-level guidance to the coordinator and committee.
- Publicly supporting the program, encouraging others (especially department leaders) to participate and recognising the volunteers.
- Attending high-visibility internal and external events.

Intel and McAfee Singapore pro bono efforts

With a formalised pro bono committee, it was easy to initiate an Intel and McAfee Singapore pro bono program by leveraging on the experiences of the committee. An informal survey was conducted among the Singapore legal team (it started with 5 and now it has expanded to 7). Whilst the Singapore team was keen to participate, there were concerns about the lack of a practising certificate and being involved in areas of Singapore laws where the team had no expertise.

Intel's Singapore team sought the assistance of the Law Society of Singapore's Pro Bono Services Office (PBSO) and indicated their interest in pro bono work and at the same time highlighting their concerns. PBSO team was very encouraging and explained the various ongoing pro bono projects available for our legal team to participate in. The Criminal Legal Aid Scheme (CLAS) was identified as a potential project and Jason Kang, Senior Attorney in the Singapore team, did the first CLAS interview to assess if it could meet the requirements and interest of the legal team. The process was documented and shared with the legal team. The entire legal team wanted to join the program!

One of the program participants, Hilbert Lee, Senior Attorney, has commented:

"The CLAS interviews were an eye opener. It feels good helping people who need legal assistance. It is a fulfilling and highly educational experience. I recommend everyone to try it!"

The CLAS interviews were a small but vital step in establishing the pro bono efforts of the Singapore legal team. Intel is now in the midst of evaluating whether we can partner with local law firms on pro bono projects as well as exploring new pro bono projects with PBSO. Intel hope its efforts can inspire other like-minded corporations in Singapore to start forming their own pro bono program to give back to the community.

A group of hands of various skin tones are stacked together in a circle, palms facing up, against a bright blue sky with wispy white clouds. The hands are wearing different types of clothing: a white long-sleeved shirt, a dark blue ribbed sweater, and a light blue and white striped button-down shirt. The overall mood is one of unity and collaboration.

PARTNERING OPPORTUNITIES

An in-house legal department interested in taking on pro bono work has a number of options available to source such work. These include:

- Partnering with a law firm;
- Working with community service organisations and other bodies that have regular contact with disadvantaged clients and communities;
- Volunteering with one of the Law Society's pro bono schemes;
- Informing the Law Society of the organisation's in-house lawyers availability to assist with pro bono matters known to the Law Society, community service organisations, and complaint handling bodies (e.g. CASE);

PARTNERING WITH A LAW FIRM

Law firms often have well established pro bono programs that in-house legal teams can partner with, such as clinics or legal services for charities and not-for-profit organisations. By partnering with a law firm on already established projects, in-house counsel teams can immediately access clients with real, pressing legal problems.

Alternatively it may be possible to partner with a law firm to create a new program that is jointly run by an in-house counsel team and the law firm.

DLA Piper has partnered with a number of in-house legal teams on various projects, for example:

DLA Piper and ITV

In the UK, ITV and DLA Piper teamed up to assist the Text Santa team to put in place all relevant legal documentation

needed for the campaign, as well as supporting the team to expand the appeal. The Text Santa appeal is a core part of ITV's Corporate Responsibility strategy and supports a variety of charities through a combination of public and corporate donations.

DLA Piper and Verizon

DLA Piper and Verizon have launched a global pro bono partnership to provide services in the areas of education, veterans' needs, domestic violence, women's support and ethics training. Throughout Asia Pacific, DLA Piper is working with Verizon to deliver contract and negotiation workshops for our pro bono clients, in order to build their capacity in each jurisdiction. In Brussels, they support Interface3, an organisation that provides disadvantaged women with access to free IT training to help them gain employment in the IT sector. In Moscow, they work alongside partners White & Case, Microsoft and PILnet to design and deliver a Professional Responsibility and Ethics in the Global Legal Market course at Moscow State University. In the United Kingdom, DLA Piper worked with Verizon to deliver a legal and commercial seminar programme for Save the Children, aimed at building the charity's capacity.

WORKING WITH COMMUNITY SERVICE ORGANISATIONS AND LEGAL AID BODIES

One of the best ways to ascertain where legal assistance is most needed, and to develop an effective response to meeting those needs within available resources, is to develop and maintain strong ties with community service organisations (e.g. Family Service

Centres, Community Development Councils) and legal aid bodies (e.g. PBSO, the Community Justice Centre) that have regular contact with the people that lawyers representing an organisation's pro bono legal practice aim to help.

Depending on the nature of the legal pro bono work that lawyers from your organisation wish to develop, they might want to:

- Provide assistance in a particular area or community and therefore develop ties to organisations that provide legal assistance and welfare services in that area;
- Provide a broad range of pro bono assistance within the ambit of the abovementioned *Legal Profession (Pro Bono Legal Services) Rules 2013* and develop ties with a range of community service organisations able and willing to refer appropriate matters to lawyers from your organisation;
- Investigate opportunities to establish a program that focuses on a particular social issue, for example, domestic violence;
- Pursue a community development approach to the legal needs of a particular social group – lawyers from the organisation would undertake a commitment to the particular issue and over time structure and adapt its pro bono legal program in light of changing relationships and increasing understanding of the needs of the client community;
- Explore options for undertaking joint projects with PBSO, the Community Justice Centre, law firms, or with corporate clients in relation to charities and non-profit organisations.

PARTNERING AND VOLUNTEERING OPPORTUNITIES WITH PBSO

Pro bono opportunities come in all shapes. Companies may wish to discover opportunities to assist individuals or organisations in the community from internal and external recommendations or referrals following implementation of their Pro Bono Policy. Alternatively, your in-house legal department or you as an individual in-house counsel may wish to tap into existing sources of pro bono work of which PBSO has many.

PBSO was established in 2007 and is a registered Charity (T07CC2064L) and Institute of Public Character (000571). PBSO was initiated to carry out the Law Society's mission of ensuring access to justice for those in need within Singapore by serving individuals, organisations, and communities.

In aiming to achieve this mission PBSO develops and manages pro bono legal programs. These programs rely heavily on volunteers to give their expertise in provision of advice, research, guidance, talks, content generation, and ad hoc activities. Given the diversity of their programs and the experience of their volunteers it is imperative that the volunteers are appropriately matched with opportunities so their skills are optimally utilised.

PBSO aims to provide all in-house counsel with opportunities to contribute to the community through pro bono legal work. There are opportunities to render pro bono services with PBSO for both those in-house counsel who are SQL without PCs and all other in-house counsel, provided they do not purport to act as practising solicitors. Further opportunities with PBSO can be found in the Appendix.

Those who are SQL without PCs can render pro bono services at clinics, talks, and workshops directed at assisting individuals and organisations. Both SQL without PCs and all other in-house counsel who may be qualified in practical terms to render services in ad hoc clinics, talks, content generation, and workshops can be channelled into PBSO programs as appropriate.

Your organisation may also be interested in its in-house legal team adopting a project, or providing in-house counsel for particular programs and initiatives. If so, please visit the PBSO website for more information:

<http://probono.lawsociety.org.sg>

FOR MORE INFORMATION

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APPENDIX

WORKING WITH PBSO



PBSO has developed, implemented, and administered many successful pro bono initiatives both internally and in partnership with external stakeholders.

By volunteering with PBSO, you on behalf of your in-house legal department can be integral in the provision of legal-related services to needy clients with legal concerns.

Below is a list of campaigns that have been coordinated by PBSO in Singapore to increase law awareness in the general public:

- **legaleSE** – a comprehensive initiative to equip budding social entrepreneurs with relevant legal knowledge for setting up and growing their social enterprise through a legal toolkit, dialogues, and events comprising networking opportunities, talks, workshops and information booths;
- **Law Works** – provision of clinics, legal primers, and a pamphlet series to help employees better navigate the legal landscape of the workplace and be better educated on their rights and responsibilities;
- **Project Schools** – a program which creates awareness of the law and the consequences of juvenile delinquency through an enrichment program produced by PBSO and delivered by teachers in classrooms across Singapore as well as talks by SQLs on related legal issues; and
- **Law Cares** – talks on legal issues at elder care centres, educational institutions and hospices, and on-site legal clinics concerning mental capacity, maintenance of parents, wills, power of attorney, and civil/criminal liabilities in the eldercare industry.

Below is a table which outlines some of PBSO's volunteer opportunities for in-house counsel:

CATEGORY	DESCRIPTION	ACTIVITIES	WHICH IN-HOUSE COUNSEL CAN PARTICIPATE
(a) Direct Aid for Individuals	Advice at legal clinics	<ul style="list-style-type: none"> ■ Rendering face-to-face advice to needy members of the public on personal legal issues at legal clinics. ■ Issues typically involve family, probate, contract, employment and criminal law. 	<ul style="list-style-type: none"> ■ Singapore qualified lawyers only.
(b) Direct Aid for Organisations (i.e. non-profits, charities, social enterprises)	Advice at Community Organisation Clinics	<ul style="list-style-type: none"> ■ Rendering face-to-face advice at legal clinics with the organisation's representatives. ■ Issues typically involve contractual disputes, the review of documents and advice on general corporate affairs, under Singapore law. 	<ul style="list-style-type: none"> ■ Singapore qualified lawyers only.
	Ad Hoc Pro Bono Research Projects	<ul style="list-style-type: none"> ■ Providing academic research support for organisations which encounter complex, non-litigious legal issues, or have identified gaps in the law which require further analysis. 	<ul style="list-style-type: none"> ■ All in-house counsel.

CATEGORY	DESCRIPTION	ACTIVITIES	WHICH IN-HOUSE COUNSEL CAN PARTICIPATE
	<p>The Joint International Pro Bono Committee</p>	<ul style="list-style-type: none"> ■ Providing legal advice or representation to non-profit or non-governmental organisations which have cross-border legal needs. ■ Matters are largely corporate in nature, non-litigious and often involve cross-border legal issues. 	<ul style="list-style-type: none"> ■ All in-house counsel (only Singapore lawyers may advise charities which are registered in Singapore, IPCs or members of the National Council of Social Services. <p>Foreign lawyers should check with their own bar associations/regulators to determine whether they may provide direct external pro bono legal services while working as in-house counsel.</p>
(c) General Legal Awareness	<p>Talks and workshops for members of the public at large; either on an ad hoc basis or in connection with a specific legal awareness initiative (for example, “Project Schools”, “Law Cares”, “Law Works”)</p>	<ul style="list-style-type: none"> ■ Supporting the Law Society’s general mission to promote better legal awareness and access to justice for members of the community. ■ Some examples include (i) giving talks on wills and other end-of-life issues to the elderly in connection with the “Law Cares” initiative; (ii) teacher training in “Project Schools” (whereby teachers are trained on how to communicate basic legal concepts to students); (iii) talks on intellectual property rights to disadvantaged young artists. ■ Volunteers are typically required to speak on relevant Singapore law matters and engage in question-and-answer sessions with participants. 	<ul style="list-style-type: none"> ■ All in-house counsel with specific relevant expertise.

CATEGORY	DESCRIPTION	ACTIVITIES	WHICH IN-HOUSE COUNSEL CAN PARTICIPATE
(d) Supporting Functions	<p>The preparation of materials in support of all opportunities in (a) – (c) listed above, and preparation for matters in the Ad Hoc Pro Bono Scheme (civil and criminal matters) and Criminal; Legal Aid Scheme (criminal matters) which require ultimate representation by SQL with PCs.</p>	<ul style="list-style-type: none"> ■ These activities can be very varied but do not involve the direct provision of any advice on Singapore law by volunteers. ■ Some examples include (i) interviewing CLAS applicants on the basic facts of their cases [and assessing their eligibility for legal aid]; (ii) preparation of technical legal “FAQ” manuals to support volunteer lawyers in clinics; (iii) preparation of supplementary or promotional material (for example, acting in and scripting “re-enactment videos” in Project Schools, as a lesson companion to engage students); (iv) preparation of materials to assist social workers such as the Toolkit on Problem Gambling, commissioned by the National Council on Problem Gambling; (v) preparation of simplified pamphlets on Singapore employment law to assist workers under the “Law Works” programme. ■ All material is vetted or reviewed by Singapore qualified lawyers holding valid practising certificates before dissemination. 	<ul style="list-style-type: none"> ■ All in-house counsel.
	<p>The Pro Bono Research Initiative</p>	<ul style="list-style-type: none"> ■ Providing research support to volunteer lawyers who face complex legal issues during pro bono criminal and civil representation. ■ Final research findings are reviewed by the Singapore qualified lawyer with a PC handling the case. 	<ul style="list-style-type: none"> ■ All in-house counsel.

If you wish to volunteer for any of the above programs, or wish to discuss any other pro bono opportunities with PBSO, please contact them at: volunteer_pbsoc@lawsoc.org.sg | +65 6536 0650

www.dlapiper.com

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