

Pro bono's superpower: radical connection

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Pro bono has a superpower: the possibility of radical connection across difference. In a time of ever-increasing division, pro bono representation of low-income clients offers a rare counterforce of relationship, empathy, and understanding between people of vastly different economic status and sometimes, identities. It also can connect institutions with disparate interests.

Radical connection across difference matters. When pro bono programs get it right, both clients and volunteers are changed for the better by the work.

Pro bono does not come by its superpower automatically. It takes effort, resources, and careful planning to build programs with the proper infrastructure and the right philosophy — one that centers clients and uses the special nature of the attorney-client relationship to disrupt traditional power dynamics that treat low-income people and their legal problems as unimportant.

Radical connection across difference matters. When pro bono programs get it right, both clients and volunteers are changed for the better by the work. On the legal front, clients get better outcomes and volunteers have more effective and meaningful interactions on their pro bono cases. But the impact doesn't stop there. Attorneys often leave their engagement with a different understanding about the systemic challenges that led to the legal need in the first place. Low-income clients — who are so often ignored or mistreated in our legal system — can also be impacted by the respect and engagement that they receive from a dedicated legal team.

Connection brings understanding, empathy, and drive to lawyers

In an industry where time is money, hundreds of thousands of attorneys every year take time to help low-income clients for free. This suggests a precious and optimistic truth: that many people want to help others even when it requires them to go above and beyond what is necessary for their work requirements. Pro bono legal work is special because it can convert those well-meaning impulses into concrete results both for people in need and for those

who help them. Key to that conversion is the nature of the attorney-client relationship.

A good lawyer knows that their client is the most important person in any room. As attorneys, our job is to listen carefully to the people whom we represent, to feel anxious about their cases so that they carry less burden, to explain complicated and challenging legal landscapes, follow the client's direction, and then advocate powerfully to advance their goals. The relationship between attorneys and their clients can stretch for months or years, and delve into some of the most difficult, personal, and triumphant aspects of clients' lives.

Making low-income people the clients of some of the most powerful and highly compensated attorneys turns many of our existing social dynamics on their heads. Granted, not every attorney at a large law firm is from a privileged background and the legal industry still has a lot of work to do to continue to diversify and to promote women, people of color, and others.

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But despite these very real differences, attorneys at large law firms have the privilege that comes from a high-paying job, and access to resources that are unimaginable to most. It is all too easy for many of these attorneys — like others across the country who are lucky enough to have access to wealth — to ignore the lives of low-income people. Easy to never hear directly what it is like to fear losing your home, to not know how to find your next meal, to never feel the brutal impact of discrimination and persecution that so many of our clients face.

Effectively representing a low-income client means taking all of that in, sometimes for the first time. Even more important than the hard stories, these relationships allow lawyers to experience the profound resilience of their clients in the face of such adversity. They learn the creativity, grit, intelligence and strength that it takes to survive as a low-income person in America. Really seeing both the adversity experienced by and the resilience of low-income clients is a radical

act that can help tear down some of the invisible walls that divide so many of us by class, sector, and identity.

Pro bono lawyers who build effective relationships with their clients are in turn inspired to work harder in pursuit of fairness. On many occasions, we have seen lawyers who are as transformed by representing their client as their client is from the legal work. They learn that without universal access to justice, the system that they work in is not fully legitimate. These attorneys build careers — whether private or public — that incorporate deep commitment to increasing equity and building greater connection in their communities.

Connections across the legal profession: shared mission

Pro bono's superpower of connection can also bring together different institutions. At the most basic level, law firms are businesses, and businesses are driven by profit. Legal services organizations are driven by the mission to help low-income people facing legal challenges. On their face the two have little in common.

Despite these countervailing forces, pro bono has created deep relationships among these different types of organizations and their lawyers. Attorneys from law firms who have taken pro bono cases join boards of partnering legal aid organizations. Corporate clients join in the pro bono work to add additional bandwidth and energy to the effort.

The lines between careers in public service and the private bar blur, with law firm attorneys sometimes moving into careers in legal aid, while pro bono teams at firms hire legal services experts to help expand and improve their work.

These institutional connections matter too. They result in increased financial and legal support for nonprofits, while expanding the pool of talent and energy that fights poverty.

Building pro bono that creates radical connection

It is not inevitable that pro bono will create this degree of connection. Making transformative change requires the right mindset from pro bono programs at law firms and legal services

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organizations alike. Consistent with legal ethical standards, clients must truly come first, with the institutions supporting them (nonprofit, law firm, or corporate) playing an equal and complementary role to effectuate the work.

Pro bono programs can build radical connection when they develop the following :

- **Leadership.** Leaders at law firms who state clearly that pro bono clients must always be treated the same as paying clients — when it comes to attention, time, responsiveness, dedication, and resources.
- **Framing.** Framing of pro bono clients and communities that emphasizes resilience and empathy, while simultaneously providing education about the context and cause of the legal problems.
- **Training.** Training for volunteer lawyers on interpersonal skills, client-centered representation, and trauma-informed lawyering.
- **Resources.** Resources for cultural awareness and responsiveness.
- **Honesty.** Candid conversation about power dynamics among pro bono professionals from law firms, legal services organizations, and corporations.
- **Expectations.** Promoting and normalizing expectation-setting with clients and among law firms, nonprofits, and corporations about communication, decision-making, and outcomes.
- **Focus on results.** Thinking beyond the specific legal task at hand to the outcome that the client seeks and considering supplemental non-legal resources to achieve that outcome.

Radical connection from pro bono matters can bring hope, empathy, and change to clients, volunteers, and institutions alike. When there is less distance and more connection there is so much that we can do together.

The opinions expressed in this article are those of the authors and do not necessarily reflect the views of Skadden or its clients.

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