



My grandson, Trevor, had his Bar Mitzvah on Saturday. This is the third grandson in the last few months. No more in the family until 2014! Frankly, I didn't expect any one of them, let alone all three, to go through the process. But, each one did an outstanding job. Yes, for a youngster, it is a "job" if they want to succeed before an audience focused only on them. And, they were all fabulous. You'll permit a little pride on my part.

On another note, I'm interested in learning more about how you plan for the future of your practice. Please take a few minutes to complete our [10-question Management Succession Planning Survey](#). I'll share the survey results with you.

I will be in Chicago on August 23rd. If you would like to join me for a complimentary breakfast on Thursday, August 23rd, please [contact me](#).

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Should *Pro Bono* Be Considered Mandatory?

New York Bar's *Pro Bono* Requirement

Recently the Chief Judge of the New York Appeals Court announced a *pro bono* requirement to gain admission to the New York Bar. Under this requirement, every new lawyer will have to prove their performance of 50 hours of *pro bono* practice before being admitted to the New York State Bar. As the Chief Judge explained this decision, "If *pro bono* is a core value of our profession, and it is-and if we aspire for all practicing attorneys to devote a meaningful portion of their time to public service, and they should – these ideals ought to be instilled from the start, when one first aspires to be a member of the profession."

Is *Pro Bono* a "Core" Value of the Legal Profession?

I believe that characterizing *pro bono* as a "core value" of the legal profession is faulty. While many lawyers "give" many hours freely of their time and talent, that does not define the essence or "core" of the profession's values. Those values are embodied in the Rules of

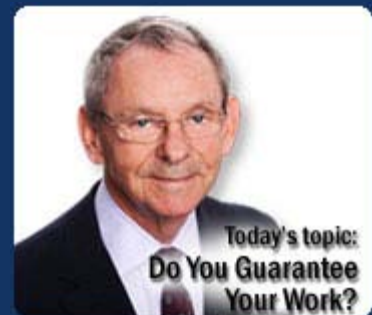
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What Clients Are Saying:

Professional Conduct, and Rule 6.1 calls *pro bono* service a "professional responsibility" that lawyers should "aspire" to. This has been substantiated many times over when bar associations call on their members to provide free services for low and moderate income people. Many do step up to the plate, but not all. Thus, it is distinct from true core values like maintaining client confidentiality.

The "Law Firm *Pro Bono* Challenge"

Years ago the ABA and the Pro Bono Institute launched the "Law Firm *Pro Bono* Challenge" for larger firms with more than 50 lawyers to make an institutional, rather than an individual lawyer, *pro bono* commitment as a percentage of billable hours. By promoting a percentage goal, the Challenge ties *pro bono* activity to firm productivity and profitability.

The *Pro Bono* Requirement Does Not Apply to All Lawyers

This is an important consideration, one acknowledged in the New York announcement itself. The *pro bono* requirement does not apply to all lawyers in the state because, according to the reasoning used, existing lawyers' practices are very diverse and some lawyers already are having difficulty earning enough money to remain solvent and thus should be excused from this requirement. This self-evident truth is one we have discussed numerous times – firms must have adequate billable work before they can assume *pro bono* work for which they will not be paid.

Pro Bono Work: Aspiration or Requirement?

Where does this leave the young lawyer seeking bar admission? The requirement may not be that onerous. Many such lawyers have undertaken *pro bono* work in law school or as summer associates, and in recent years large law firms have paid newly hired "deferred associates" reduced stipends to spend a year doing public interest work *pro bono* until they are brought on full time. These are practical solutions. Arbitrarily seeking to turn an "aspiration" into a requirement is not.

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"Ed Poll created and presented your three-day workshop "Starting, Operating, Growing and Profiting from the Practice of Law" for our Law School, the Continuing Legal Education Committee and the Washington Law School Foundation. Ed's professional management skills and presentation talents provided our alumni and students with an outstanding program. The evaluations, both oral and written, were excellent and demonstrated that his audience agreed. One evaluator was particularly appreciative of the thought-provoking and interesting new concepts. Another said, "I have a much better understanding of what I'm to do -- I'm energized. Thank you!" Ed had a major impact on the future of our attendees; this is a unique quality and we are most appreciative of his efforts to create such an interesting and informative program. I enjoyed working with him and look forward to doing so again."

**John F. Rapp, Director,
CLE
University of Washington**

"Ed Poll's efforts resulted in the success of our Mid Year CLE Program event. During the planning stages of this Mid Year Program, the Section's leadership indicated that if 75 lawyers attended the program, it would be considered a success. With our program attendance at over 100 attendees, the leadership clearly is very pleased with our efforts and want to continue bringing programs to the solo and



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