

PRODUCED BY THE STATE BAR OF TEXAS PRO BONO WORKGROUP,  
PRO BONO TOOLKIT SUBCOMMITTEE



# PRO BONO RESOURCE GUIDE

**For Texas attorneys providing volunteer  
legal services to those in need.**



*This guide is a project of the State Bar of Texas Pro Bono Workgroup,  
Pro Bono Toolkit Subcommittee, the State Bar of Texas Legal Access Division,  
and the Texas Legal Services Center.*

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# WELCOME & OVERVIEW

**Thank you** for devoting your time and talent to providing free legal services to those in need. We are lawyers, just like you, and understand the everyday pressures that can make it difficult to volunteer. Whether it is the need to bill hours, that last minute briefing, or family pressures, we understand that even carving out time to volunteer is a feat in itself. We do not take that effort lightly. The work you do truly can fundamentally change a person's life for the better.

This guide provides:

- Information about the State Bar of Texas Pro Bono Policy.
- Answers to questions about pro bono work.
- Resources to enhance your ability to do pro bono work.



*“Equal justice under law is not merely a caption on the facade of the Supreme Court building; it is perhaps the most inspiring ideal of our society. It is one of the ends for which our entire legal system exists . . . it is fundamental that justice should be the same, in substance and availability, without regard to economic status.”*

**– Justice Lewis F. Powell, Jr.**

# THE VIEW FROM THE BENCH



Dear Pro Bono Attorneys:

Thank you for your unwavering dedication to providing legal services to our fellow Texans pro bono publico – for the public good. Your hard work and commitment to providing pro bono services ensures that all Texans have access to our justice system regardless of their economic status.

Pro bono is essential to our legal system and profession. As representatives of our legal system, we are in a unique position to help make access to justice a reality for all. Dedicating a few hours to review a contract for a local nonprofit business, devoting a day to assist a survivor of domestic abuse file a protective order at the courthouse, or partnering with a local law school clinic to represent a veteran in an eviction case changes lives and betters the community at large.

Only about 10 percent of Texans' civil legal needs are being met. The harsh reality is that many low-income Texans are forced to abandon their rights because they cannot afford an attorney and are fearful of complex legal processes so foreign to them. With the help of pro bono attorneys like you, many low-income Texans can assert their rights and gain access to the legal system. You make the promise of justice a reality to them.

We thank the State Bar of Texas Pro Bono Workgroup and the Pro Bono Toolkit Subcommittee for creating this guide, and for their tireless efforts in encouraging and supporting pro bono efforts across Texas. We urge you to encourage your colleagues in the legal community to volunteer their time and resources to support local and statewide pro bono efforts, and to make pro bono work a regular part of their legal practice.

Thank you for your valuable pro bono service.

Sincerely,

Handwritten signature of Nathan L. Hecht in black ink.

Nathan L. Hecht, Chief Justice

Handwritten signature of Debra H. Lehrmann in black ink.

Debra H. Lehrmann, Justice

Handwritten signature of J. Brett Busby in black ink.

J. Brett Busby, Justice

# A WORD OF THANKS



The Pro Bono Workgroup of the State Bar of Texas was established in 2014 as part of the State Bar's longstanding commitment to fostering a culture of pro bono service in our state. The workgroup's mission includes: supporting local pro bono efforts around the state; educating the legal community in Texas about the value, types, and scope of pro bono service; striving to remove barriers to pro bono service; and facilitating strategic partnerships to meet the demand for civil legal aid in Texas. The workgroup is made up of lawyers, judges, and legal professionals from across Texas and different sectors of our legal community dedicated to enhancing the culture of pro bono in Texas.

The Pro Bono Toolkit Subcommittee is one of the workgroup's five subcommittees and was tasked with creating this guide that provides general information and resources to encourage attorney involvement in pro bono efforts in Texas.

We would like to express our sincerest gratitude to you for your commitment to providing pro bono services to our fellow Texans. Pro bono work is essential and provides invaluable benefits to low-income individuals and communities that otherwise may not be available to them, while also offering experience and a sense of personal fulfillment for pro bono attorneys.

We invite you reach out to the Legal Access Division of the State Bar at [probonotx@texasbar.com](mailto:probonotx@texasbar.com), if you have questions or ideas about what the State Bar should be doing to advance the culture of pro bono or to share your ideas on improving the culture of pro bono in Texas.

Thank you for your time, dedication, and hard work in responding to the urgent needs of our fellow Texans.

Sincerely,

Terry Tottenham  
Former SBOT President  
Co-chair, Pro Bono Workgroup

Roland K. Johnson  
Former SBOT President  
Co-chair, Pro Bono Workgroup

Kevin Dietz  
Chair, Pro Bono Toolkit  
Subcommittee

# STATE BAR OF TEXAS PRO BONO POLICY, PRO BONO, AND THE JUSTICE GAP



*“Certainly, life as a lawyer is a bit more complex today than it was a century ago. The ever increasing pressures of the legal marketplace, the need to bill hours, to market to clients, and to attend to the bottom line, have made fulfilling the responsibilities of community service quite difficult. But public service marks the difference between a business and a profession. While a business can afford to focus solely on profits, a profession cannot. It must devote itself first to the community it is responsible to serve. I can imagine no greater duty than fulfilling this obligation. And I can imagine no greater pleasure.”*

**– Justice Sandra Day O’Connor, 78 Or. L. Rev. 385, 391 (1999)**

## What is the State Bar of Texas Pro Bono Policy?

On September 22, 2000, the State Bar of Texas Board of Directors adopted a revised Pro Bono Policy. The policy sets forth an aspirational goal of 50 hours of pro bono legal services to the poor each year for each Texas attorney. Texas attorneys are not required to meet this goal but are highly encouraged to do so.

<https://www.texasbar.com/Content/NavigationMenu/LawyersGivingBack/LegalAccessDivision/ProBonoFAQ.htm>

## How Does the State Bar of Texas Define Pro Bono?

The State Bar of Texas defines pro bono as:

- (a) The direct provision of legal services to the poor without an expectation of compensation, or at a substantially reduced fee, whether civil or criminal; [or]
- (b) Services without a fee, or at a substantially reduced fee, related to or simplifying the legal process for, or increasing the availability and quality of legal services to poor persons; [or]
- (c) Legal services without a fee, or at a substantially reduced fee, rendered to charitable, public interest organizations with respect to matters or projects designed predominantly to address the needs of poor persons; [or]
- (d) Legislative, administrative or systems advocacy services without a fee, or at a substantially reduced fee, provided on behalf of poor persons; [or]
- (e) Unsolicited, involuntary appointed representation of indigents in criminal and civil matters (superseded by the Fair Defense Act regarding appointment in criminal matters, since appointments are no longer involuntary. However, such appointments may count as “substantially reduced fee” work).

For examples of qualifying service and answers to frequently asked questions about the State Bar’s Pro Bono Policy, see the link below.

<https://www.texasbar.com/Content/NavigationMenu/LawyersGivingBack/LegalAccessDivision/ProBonoFAQ.pdf>

## What is the Pro Bono College?

The Pro Bono College recognizes attorneys who have gone above and beyond the aspirational pro bono goal set by the pro bono policy. To qualify for the Pro Bono College, an attorney needs to complete a minimum of 75 hours of qualified pro bono service.

The Pro Bono College also recognizes paralegals and law students who contribute a minimum of 50 hours of eligible pro bono legal services in a year.

For more information on the Pro Bono College, please see the link below.

[https://www.texasbar.com/AM/Template.cfm?Section=Access\\_To\\_Justice&Template=/CM/HTMLDisplay.cfm&ContentID=29992](https://www.texasbar.com/AM/Template.cfm?Section=Access_To_Justice&Template=/CM/HTMLDisplay.cfm&ContentID=29992)



## What is the Pro Bono Pledge?

Attorneys are encouraged to share their commitment to pro bono by making the Pro Bono Pledge on their MyBarPage:

[https://www.texasbar.com/AM/Template.cfm?Section=Update\\_My\\_Profile&template=/CustomSource/MyProbono/Main.cfm](https://www.texasbar.com/AM/Template.cfm?Section=Update_My_Profile&template=/CustomSource/MyProbono/Main.cfm).

The Pro Bono Pledge encourages lawyers to perform a base level of pro bono work and inspires them to strive toward the State Bar's aspirational goal of performing at least 50 hours of free legal services to the poor each year.

Attorneys who take the pledge receive a pledge badge displayed next to their name on the "Find a Lawyer" page of the State Bar's website.

For more information on the Pro Bono Pledge, see the link below.

<https://probonotexas.org/get-inspired/pro-bono-pledge>





## What is the Justice Gap?

The Justice Gap represents the number of people who need legal help but cannot afford to hire an attorney and are unable to get other meaningful legal assistance.

The U.S. Census Bureau currently estimates that there are nearly 4 million people living below the federal poverty level in Texas. Approximately 5.4 million Texans qualify for civil legal aid at 125% of the federal poverty level. According to the U.S. Census Bureau and the Justice Index, there is approximately one Legal Service Corporation (LSC) legal aid lawyer for every 12,200 Texans who qualify for civil legal aid, yet there is approximately one private lawyer for every 465 Texans living above legal aid income guidelines.

According to the [Texas Unmet Legal Needs Survey](#), due to a lack of resources, only about 10 percent of the civil legal needs of low-income Texans are being met whether through legal aid, pro bono, or the private bar. Furthermore, LSC's [2022 Justice Gap Report](#) states that low-income people who qualify for legal aid did not receive any or enough legal help for 92% of their substantial civil legal problems in 2021.

# COMMON PRO BONO MYTHS



*“The trouble with the world is not that people know too little;  
it’s that they know so many things that just aren’t so.”*

– Mark Twain

## **Myth #1: I can’t volunteer because I don’t have malpractice insurance for pro bono work.**

**Truth:** Most legal service organizations provide malpractice insurance for volunteers at no cost to the volunteer.

Most malpractice insurance policies cover pro bono work. Not sure? Just ask!

## **Myth #2: I can’t volunteer because I am not comfortable practicing outside of my area of expertise.**

**Truth:** Legal service organizations provide mentors and support to volunteer attorneys throughout the duration of a case. Most organizations provide training for interested attorneys, sometimes in the attorney’s own office, and offer CLE credit.

Pro Bono Texas has a directory of mentors available for you to reach out to for help handling a pro bono matter.

<https://probonotexas.org/get-support/mentors>

### **Myth# 3: I can't make a long-term commitment to a pro bono client.**

**Truth:** Pro bono work does not have to involve a huge time commitment. A substantial amount of pro bono work consists of discrete projects that involve fewer than 10 hours of an attorney's time. For example, assisting an elderly person with a power of attorney or living will might involve three to five hours of your time, as does reviewing a lease or purchase contract for a person of limited means. Volunteering at a clinic or legal advice hotline might require only an hour or two of your time.

### **Myth# 4: Pro bono doesn't help the bottom line, and hence does not take priority.**

**Truth:** Pro bono work can improve skills and build relationships. Through pro bono work you can develop an enhanced reputation in the community and with judges. Texas judges have been known to recognize and appreciate the time and effort of those who undertake pro bono work.

### **Myth# 5: I am not licensed to practice in Texas so I cannot volunteer.**

**Truth:** Attorneys residing in Texas but licensed to practice law in another jurisdiction can participate in the New Opportunities Volunteer Attorney (NOVA) Pro Bono Program.



[https://www.texasbar.com/AM/Template.cfm?Section=Legal\\_Access\\_Division&Template=/CM/HTMLDisplay.cfm&ContentID=42304](https://www.texasbar.com/AM/Template.cfm?Section=Legal_Access_Division&Template=/CM/HTMLDisplay.cfm&ContentID=42304)

Attorneys licensed out-of-state may partner with outside counsel. There are also many pro bono opportunities that don't require a Texas license such as federal areas of law.

Finally, during and after a natural disaster the Supreme Court of Texas often gives special authorization to out-of-state attorneys to provide pro bono services to Texans in need.

# PRO BONO: ANSWERS TO FREQUENTLY ASKED QUESTIONS

## Question 1: Who can do pro bono?

**Answer:** All active members of the State Bar of Texas in good standing are eligible to do pro bono work.

Additionally, inactive or emeritus members of the State Bar, and attorneys residing in Texas but licensed out-of-state can provide legal services through the NOVA Program. Information about the NOVA Program is available at the link below.



[https://www.texasbar.com/AM/Template.cfm?Section=Legal\\_Access\\_Division&Template=/CM/HTMLDisplay.cfm&ContentID=42304](https://www.texasbar.com/AM/Template.cfm?Section=Legal_Access_Division&Template=/CM/HTMLDisplay.cfm&ContentID=42304)

Law students and legal advocates such as paralegals, interpreters, court reporters, etc. are also able to provide pro bono services to low-income Texans under certain conditions.

## Question 2: What types of pro bono opportunities are available?

**Answer:** Pro bono opportunities include providing limited scope legal advice at an in-person or virtual clinic, mentoring other attorneys, research and writing, drafting documents, public policy advocacy, developing educational or training materials, adopting a nonprofit legal department, or other creative legal projects. You could also provide full or limited scope representation in cases such as family law, landlord-tenant, consumer, immigration, or other areas of law.

### Question 3: Where can I volunteer?

**Answer:** There are several ways to find a pro bono opportunity or organization to volunteer with:

- **State Bar of Texas Pro Bono Opportunity Portal:**



Search for pro bono opportunities on the Pro Bono Opportunity Portal (<https://app.joinpaladin.com/pbtx/>). Legal aid organizations across Texas have partnered with the State Bar to share their pro bono opportunities on the portal.

- **Local Legal Aid Organizations:** Contact your local legal aid organizations and ask about local pro bono opportunities. Many of these organizations would be more than happy to have you help them and would likely be able to provide you with support throughout your pro bono engagement. Texas has three organizations funded by the Legal Services Corporation (LSC): Legal Aid of NorthWest Texas (<http://www.lanwt.org/>), Lone Star Legal Aid (<http://www.lonestarlegal.org/>), and Texas RioGrande Legal Aid (<http://www.trla.org/>). Each of them has different service areas and a broad civil practice including family law, housing, consumer, domestic violence, and much more.
- There are also several non-LSC funded local legal service organizations that can be found in the **Referral Directory** at the link below.

<https://www.texasbar.com/Content/NavigationMenu/LawyersGivingBack/LegalAccessDivision/ReferralDirectory.pdf>

- **Pro Bono Providers:** Four of the large pro bono providers in Texas are listed below. These organizations specialize in matching pro bono lawyers with clients and have cases in a broad range of practice areas. These organizations also provide mentorship and support throughout the pro bono engagement.

Dallas Volunteer Attorney Program - <http://dallasvolunteerattorneyprogram.org/>  
Houston Volunteer Lawyers - <http://www.makejusticehappen.org/>,  
Volunteer Legal Services of Central Texas - <http://www.vlsoct.org/>, and  
San Antonio Legal Services Association - <https://www.sa-lsa.org/>.

- **Texas Free Legal Answers:**



Texas Free Legal Answers is a virtual legal advice clinic where qualifying low-income Texans post civil legal questions to be answered by pro bono attorneys in Texas. Question topics include Divorce, Child Custody/Support, Housing, Consumer Rights, Employment, Health and Disability, Civil Rights, and more.

On average, it takes a pro bono attorney an hour to answer a question posted on [texas.freelegalanswers.org](http://texas.freelegalanswers.org). Volunteers have flexibility and can take questions as their schedules permit. There is a variety of supplemental materials for volunteers and other types of support.

Those interested in volunteering should email [texas.freelegalanswers.org](mailto:texas.freelegalanswers.org). Texas Free Legal Answers is part of the greater ABA Free Legal Answers program. It is jointly administered by the State Bar of Texas and Texas Legal Services Center (TLSC).

#### Question 4: What resources are available to pro bono attorneys?

**Answer:** Legal service organizations work hard to make volunteering easy.

Most legal service organizations provide:

- Training materials and mentors
- Interpreters, paralegals, and support staff
- Malpractice insurance and more

#### Question 5: How do I report my pro bono hours?

**Answer:** The State Bar encourages attorneys to report their pro bono hours (and financial contributions) to help track the services provided by volunteer attorneys. You can report your pro bono hours online at MyBarPage on texasbar.com at the link below.

<https://www.texasbar.com/AM/Template.cfm?Section=MyPage&Template=/Security/Login.cfm>

# FREE LEGAL INFORMATION AND RESEARCH RESOURCES

The resources listed below are a collection of resources for pro bono attorneys. Some of these resources can also serve as resources to provide to clients.



<https://probonotexas.org/>

**Pro Bono Texas** is a website developed and administered by the State Bar of Texas Legal Access Division for pro bono attorneys. It is your one-stop shop for all your pro bono needs. On Pro Bono Texas, you can find volunteer opportunities, connect with mentors, and review resources to support your efforts.

- **Westlaw Doc and Form Builder:** Pro Bono Texas offers free access to Westlaw Doc and Form Builder (<https://probonotexas.org/get-support/westlaw-doc-form-builder>), an online legal document assembly tool that helps attorneys draft pleadings and other documents. Westlaw keeps all the forms and caselaw updated so you have one less thing to think about. You enter your case-specific information, and it will generate a document that is professional and accurate.

To use to this resource you will need to request access at <https://probonotexas.org/get-support/westlaw-doc-form-builder> and be approved by the website administrator. You will be asked to provide your full name, bar number, email address, mailing address, and phone number.



For a guide to using Westlaw Doc and Form Builder, see the link below.

[https://static.legalsolutions.thomsonreuters.com/product\\_files/westlaw/wlawdoc/wlres/wlnbuild.pdf](https://static.legalsolutions.thomsonreuters.com/product_files/westlaw/wlawdoc/wlres/wlnbuild.pdf)

- **Resource Library:** Visit the Pro Bono Texas resource library (<https://probonotexas.org/get-support/library>) for resources such as guides, trainings, and materials such as the Disaster Manual, which is reviewed annually and used by volunteer attorneys as a reference when handling issues that frequently arise during disasters (<https://probonotexas.org/disaster-manual>).
- **Pro Bono Mentor Program:** Your volunteer organization will likely have a contact member on staff available to answer your questions. Additionally, the volunteer organization may even have a list of attorney mentors for you to contact if you would like to consult with an expert. Do not be afraid to ask for help and mentoring when you need it.

If your volunteer organization does not have a mentor available, Pro Bono Texas has a directory of mentors available for you to reach out to for help handling a pro bono matter. Please see the links below for more information:

<https://probonotexas.org/get-support/mentors>

<https://www.texasbar.com/AM/Template.cfm?Section=2Col&template=/customsource/PBMentorMatch/map.cfm>



<https://texasdisasterlegalhelp.org/>

**Texas Disaster Legal Help** is a pro bono portal developed in partnership with Texas RioGrande Legal Aid, Legal Aid of NorthWest Texas, and Lone Star Legal Aid. The portal is designed to improve the mobilization of pro bono volunteers during and in the immediate aftermath of a disaster. The portal connects pro bono volunteers to educational materials in the Knowledge Resource Library, trainings, forms, instruction sheets, and statewide volunteer opportunities.



To encourage pro bono service among members of the Bar, Texas Bar Books provides free online access to its manuals and legal forms to legal aid providers and to lawyers and organizations that provide free legal services to low-income people. For more information, or to request access to specific materials for use in providing pro bono services, contact Lara Talkington at [Lara.Talkington@texasbar.com](mailto:Lara.Talkington@texasbar.com).

# TEXAS LAW HELP ★.ORG

<https://texaslawhelp.org/>

TexasLawHelp.org is a website dedicated to providing free and reliable legal information to low-income Texans. It contains a wide variety of information, instructions, and legal forms for the public. It has been online since 2002 and has a full staff of attorneys that work every day to draft and develop useful legal information. In 2020, there were more than 3.8 million users and over 13 million page views.



BE AN UNCOMMON LEADER.®

<https://tyla.org/resources/attorneys/>

The Texas Young Lawyers Association's primary purposes "are to facilitate the administration of justice, foster respect for the law, and advance the role of the legal profession in serving the public." Their website has a resource library full of useful legal information on various subjects.

## Law Libraries in Texas

Your local law libraries are a vital source of support and often provide free access to Westlaw or Lexis Nexis at their physical location. Below is a link to a list of law libraries in Texas put together by the Texas State Law Library.

<https://www.sll.texas.gov/legal-help/find-legal-information/law-libraries-of-texas/>

<https://guides.sll.texas.gov/>

The **Texas State Law Library's** mission is to serve “the legal research needs of the Texas Supreme Court, the Court of Criminal Appeals, the Office of the Attorney General, other state agencies and commissions, and the citizens of the state. [It is] a public law library.” Accordingly, it has developed research guides, organized by subject, that contain links to useful legal information for each subject. It also offers remote access to legal research resources under certain conditions.

The Texas State Law Library has a digital collection of up-to-date digital copies of “practice guides, legal treatises, and self-help materials that can be borrowed and read in your web browser.” Additionally, there are legal databases that provide free access to “case law, law review articles, downloadable legal forms and drafting guides and more.” To access these resources for free, [create a free library account online](#). For more information, visit: <https://www.sll.texas.gov/library-resources/collections/digital-collection/>

You will need to download Adobe Digital Editions, a free program, and create a free Adobe password to access some resources. Information on how to do each is linked below.

<https://www.adobe.com/solutions/ebook/digital-editions/faq.html>

<https://helpx.adobe.com/manage-account/using/create-update-adobe-id.html>



As a member benefit, attorneys licensed with the State Bar of Texas have free access to Fastcase. Fastcase has merged with Casemaker to provide a comprehensive set of tools under the Fastcase platform. You will continue to have access to caselaw, statutes, and regulations that were previously on Casemaker, along with Fastcase legal research and an extensive library of briefs, pleadings, motions, and orders through Docket Alarm within the Fastcase platform. The Transition from Casemaker to Fastcase webinar is available here: [https://www.youtube.com/watch?v=CC\\_5zbnN1uM](https://www.youtube.com/watch?v=CC_5zbnN1uM)

Note: To access Fastcase, do not go to the Fastcase website. Instead, login to your [MyBarPage](#) on the State Bar of Texas website. Once you put in a search, you will be automatically redirected to the respective website.

Here's a short video tutorial on how to use briefs, pleadings, and motions in Fastcase for the State Bar of Texas.

<https://www.youtube.com/watch?v=B3R8msA21w0>

The link below contains video tutorials that can help you learn to use Fastcase.

[https://www.youtube.com/watch?v=kQaCpgH2haw&list=PL7BHWI9x-Ze70\\_S89z7ufwHdg3yYBEsO7](https://www.youtube.com/watch?v=kQaCpgH2haw&list=PL7BHWI9x-Ze70_S89z7ufwHdg3yYBEsO7)

Also, the quick reference guide at the link below may help as well.

<https://www.fastcase.com/support/#documentation>

For Casemaker users transitioning to Fastcase, visit the [Fastcase Resource Library](#) for answers to frequently asked questions.

For technical support and other questions, see the contact information below:

Fastcase: call 866-773-2782 or email [support@fastcase.com](mailto:support@fastcase.com)



## ACKNOWLEDGEMENTS

A very special thanks to the State Bar of Texas Pro Bono Workgroup, the Pro Bono Toolkit Subcommittee, the State Bar of Texas Legal Access Division, and Elliott Fontenette, Texas Legal Services Center, for the time and hard work in developing this guide. Thank you for your commitment to encouraging pro bono efforts across Texas.