



## **Illinois Amends State Bar Rules to Allow Inactive and Retired Attorneys to Do Pro Bono**

The Illinois State Bar Rules have been amended to allow inactive and retired attorneys, as well as in-house counsel, to provide limited pro bono services. State Bar Rule 756(j), *Pro Bono Authorization for Inactive and Retired Status Attorneys and House Counsel*, effective July 1, 2008, will allow inactive or retired lawyers or lawyers admitted as house counsel under Rule 716, to perform legal services for persons of limited means, without charge or expectation of a fee, under the auspices of a nonprofit legal services organization, governmental entity, law school clinical program, or bar association.

The proposed change was suggested and supported by a group that included in-house counsel from Caterpillar Inc. - a Corporate Pro Bono Challenge<sup>SM</sup> Signatory – the Chicago Bar Foundation, and Illinois public interest organizations. Read the full story for details of the rule change, as proposed.

### **ISBA Weighs In On Key Supreme Court Rule Proposals Limited Retiree Pro Bono Backed**

*By Stephen Anderson*

*Reprinted with permission from the March issue of the Illinois State Bar Association newspaper, ISBA Bar News.*

An ISBA proposal for authorizing limited pro bono legal services by inactive and retired attorneys, and in-house counsel, received support during the Illinois Supreme Court Rules Committee hearing Jan. 28 in Chicago.

The proposed amendment to add a defining paragraph (j) to Rule 756 was drafted by a coalition that included Prairie State Legal Services, the Chicago Bar Foundation and Caterpillar.

The Committee on Delivery of Legal Services sent the proposal to the ISBA Assembly, which voted unanimously on June 23, 2007, to support it.

Past president Irene F. Bahr, who created the ISBA Senior Lawyers Section Council, hailed the plan as a useful means of providing "a second season of service" to retired members.

At the court rules hearing last month, Chicago Bar Foundation President Thomas Z. Hayward urged adoption of the proposal to permit lawyers on inactive status to provide representation to eligible clients of legal service agencies.

He noted that the ISBA support included a recommendation for malpractice insurance coverage to be provided by the organizations for participating individuals.

Jai-Prakash P. Kumar, corporate counsel for Caterpillar in Peoria, added his "wholehearted support" for a rule that would allow in-house attorneys in Illinois to share legal experience in pro bono programs.

Under proposed Rule 756(j), Pro Bono Authorization for Inactive and Retired Status Attorneys and House Counsel, they would be able to provide services, without charge or expectation of fee, to people of limited means or organizations as defined in paragraph (f).

Further, they would have to participate under the auspices of sponsoring entities that could include not-for-profit legal service providers, governments, law school clinics or bar associations.

Procedures for attorneys seeking authorization, and the duties of sponsoring entities, are spelled out in the proposal.

Participating attorneys would be required to register annually but would not have to pay registration fees. They would be exempted from MCLE requirements, but could have to undergo appropriate training by the sponsoring entity.