

1. The Instituto Pro Bono: a Historical Overview

The Instituto Pro Bono is a non-profit organization founded in 2001 to expand access to justice in Brazil by helping vulnerable groups receive free legal assistance. When the Institute was created, according to the regulations of the Brazilian Federal Bar Association and State Bar Associations, it was illegal for lawyers to provide legal services gratuitously. After the Institute's board members met multiple times with the São Paulo State Bar Association, the "Pro Bono Resolution" was enacted, allowing lawyers and law firms in São Paulo to provide free legal assistance to non-profit organizations. (It remains illegal for lawyers to render free legal services directly to individuals, both in São Paulo and throughout Brazil.)

At its inception, the IPB had fewer than 40 volunteer lawyers and had yet to receive the support of a Brazilian law firm. Since few were aware of the existence of *pro bono* services at that time, it was important to spread the word about how lawyers could volunteer their legal services and how non-governmental organizations (NGOs) could benefit from the new *pro bono* regulations. In light of this need, the Institute created a website where both volunteer lawyers and NGOs could register and provide information about themselves and their needs.

The IPB's first institutional program served the needs of women victims of sexual violence. While the Institute provided legal assistance, there was a coordinated effort to enlist the services of physicians, nurses, psychologists, psychiatrists and sociologists to help women who had suffered sexual violence. The Institute continues to provide legal assistance to these women and has a law student intern who works full-time on this project, helping the victim communicate with the police officers investigating the crime.

Between 2001 and 2009, the IPB has grown substantially, having provided legal assistance to more than 400 NGOs. Presently, there are more than 500 individual lawyers and 30 law firms registered to volunteer in the Institute's database. These lawyers have provided their legal expertise in areas including contract law, tax law, labor law, and administrative law. The NGOs that have benefited from their legal help serve a range of vulnerable groups, including abandoned children, the physically disabled, indigenous communities, and the elderly.

The legal culture of pro bono advocacy has not yet fully caught on in Sao Paulo. Law firms are still cautious about engaging in pro bono advocacy, as until recently it was considered a breach of the lawyer's code of ethics. In 2002, the IPB spearheaded efforts to draft a pro bono resolution for the state of Sao Paulo, which was approved in August of that year. Nevertheless, because pro bono legal culture is still relatively weak, some law firms are still hesitant to practice pro bono law, and the Institute's work as a clearinghouse helps enlist attorney's who would otherwise be reluctant to offer their services on a volunteer basis.

In addition, the law firms in Sao Paulo have not yet developed the infrastructure to deal with the day-to-day challenges of pro bono work. Rarely does one find, for example, a pro bono and public interest law committee in Brazilian law firms. Furthermore, whereas law firms in the United States often require their associates to take on pro bono work as part of their responsibilities, no such requirement exists in Brazil. In fact, Brazilian attorney's who choose to do pro bono work are not recognized in any way by their law firms.

Finally, lawyers who want to engage in pro bono advocacy sometimes complain that the cases passed on to them are too dry or bureaucratic, and that they have difficulty feeling fully invested in the case.

The Instituto Pro Bono serves as part of the solution. It is the only organization that functions as a clearinghouse, screening and linking non-governmental organizations in need of legal assistance with lawyers and law firms interested in doing pro bono work. Nowadays, the Brazilian Bar Association recognizes the importance of the Institute's work and how fundamental it is in expanding access to justice throughout Brazil.