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In-House Group Challenges D.C. Pro Bono Restrictions

[Sue Reisinger](#), Corporate Counsel

August 29, 2016 | [0 Comments](#)

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The Association of Corporate Counsel is asking the District of Columbia to reconsider two key restrictions on in-house lawyers doing pro bono work.

The District requires a legal services provider to assign cases and that an active member of the D.C. Bar supervise in-house counsel—restrictions that are a waste of time and resources, according to ACC.

The group wants in-house counsel to be able to work with any public interest organization to develop new pro bono opportunities, Amar Sarwal, ACC's vice president and chief legal strategist, [says in a recent letter](#) to the D.C. Court of Appeals.

The D.C. bar's Committee on the Unauthorized Practice of Law recently [considered amendments](#) to the bar's pro bono rules, but the committee rejected requests to make the rules more in-house counsel-friendly. The committee found the requirements are needed to protect the public interest.

"We are dismayed to see that the committee did not propose substantive changes ... and write to request reconsideration of this issue," Sarwal says in the letter.

The ACC argues that limiting pro bono cases to those assigned by legal services organizations "has an outsized impact on corporate legal departments" whose lawyers specialize in transactional matters. The D.C. area, the letter states, has a limited number of legal services providers offering transactional pro bono opportunities.

The supervision requirements is unnecessary, Sarwal argues, because in-house counsel are already members of the bar and subject to the D.C. rules of professional conduct. "Requiring unnecessary supervision wastes time and diminishes opportunities for additional pro bono assistance," Sarwal writes.

The letter urges the D. C. Court of Appeals to consider further changing the rules.

Earlier this year, the ACC successfully argued in the Wisconsin Supreme Court [for an order](#) supporting the right of registered in-house counsel to perform pro-bono services in that state, beginning Jan. 1, 2017. In Wisconsin, ACC had to overcome opposition from the state Board of Bar Examiners.

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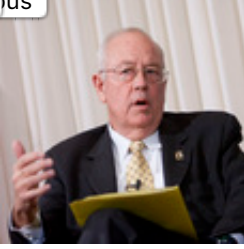
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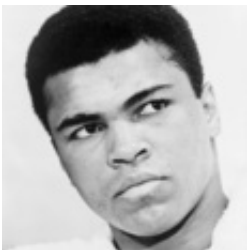
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