

**Rule 6.1. Voluntary Pro Bono Legal Service.**

1 Every licensed paralegal practitioner has a professional responsibility to provide legal  
2 services to those unable to pay. A licensed paralegal practitioner should aspire to render at least  
3 30 hours of pro bono publico legal services per year. In fulfilling this responsibility, the licensed  
4 paralegal practitioner should:

5 (a) provide a substantial majority of the 30 hours of legal services without fee or expectation  
6 of fee to:

7 (a)(1) persons of limited means or

8 (a)(2) charitable, religious, civic, community, governmental and educational organizations in  
9 matters that are designed primarily to address the needs of persons of limited means; and

10 (b) provide any additional services through:

11 (b)(1) delivery of legal services at no fee or substantially reduced fee to individuals, groups  
12 or organizations seeking to secure or protect civil rights, civil liberties or public rights, or  
13 charitable, religious, civic, community, governmental and educational organizations in matters in  
14 furtherance of their organizational purposes, where the payment of standard legal fees would  
15 significantly deplete the organization's economic resources or would be otherwise inappropriate;

16 (b)(2) delivery of legal services at a substantially reduced fee to persons of limited means; or

17 (b)(3) participation in activities for improving the law, the legal system or the legal  
18 profession.

19 (c) A licensed paralegal practitioner may also discharge the responsibility to provide pro  
20 bono publico legal services by making an annual contribution of at least \$5 per hour for each  
21 hour not provided under paragraph (a) or (b) above to an agency that provides direct services as  
22 defined in paragraph (a) above.

23 (d) Each licensed paralegal practitioner is urged to report annually to the Utah State Bar  
24 whether the licensed paralegal practitioner has satisfied the LPP's professional responsibility to  
25 provide pro bono legal services. Each licensed paralegal practitioner may report this information  
26 through a simplified reporting form that is made a part of the Bar's annual dues statement.

27 (e) In addition to providing pro bono legal services, a licensed paralegal practitioner should  
28 voluntarily contribute financial support to organizations that provide legal services to persons of  
29 limited means.

31 Comment

32 [1] Every licensed paralegal practitioner, regardless of professional prominence or  
33 professional work load, has a responsibility to provide legal services to those unable to pay.  
34 Personal involvement in the problems of the disadvantaged can be one of the most rewarding  
35 experiences in the life of a licensed paralegal practitioner. All licensed paralegal practitioners are  
36 urged to provide a minimum of 30 hours of pro bono services annually. It is recognized that in  
37 some years a licensed paralegal practitioner may render greater or fewer hours than the annual  
38 standard specified, but during the course of the licensed paralegal practitioner's career, each  
39 licensed paralegal practitioner should render on average per year, the number of hours set forth  
40 in this Rule. Services can be performed in any area in which the licensed paralegal practitioner  
41 is authorized to practice.

42 [2] Paragraphs (a)(1) and (a)(2) recognize the critical need for legal services that exists  
43 among persons of limited means by providing that a substantial majority of the legal services  
44 rendered annually to the disadvantaged be furnished without fee or expectation of fee. Legal  
45 services under these paragraphs include individual representation, the provision of legal advice,  
46 legislative lobbying, administrative rule making and the provision of free training or mentoring  
47 to those who represent persons of limited means.

48 [3] Persons eligible for legal services under paragraphs (a)(1) and (a)(2) are those who  
49 qualify for participation in programs funded by the Legal Services Corporation and those whose  
50 incomes and financial resources are slightly above the guidelines utilized by such programs but  
51 nevertheless cannot afford counsel. Legal services can be rendered to individuals or to  
52 organizations such as homeless shelters, battered women's centers and food pantries that serve  
53 those of limited means.

54 [4] Because service must be provided without fee or expectation of fee, the intent of the  
55 licensed paralegal practitioner to render free legal services is essential for the work performed to  
56 fall within the meaning of paragraphs (a)(1) and (a)(2). Accordingly, services rendered cannot be  
57 considered pro bono if an anticipated fee is uncollected. LPPs who do receive fees in such cases  
58 are encouraged to contribute an appropriate portion of such fees to organizations or projects that  
59 benefit persons of limited means.

60 [5] While it is possible for a licensed paralegal practitioner to fulfill the annual responsibility  
61 to perform pro bono services exclusively through activities described in paragraphs (a)(1) and

62 (a)(2), to the extent that any hours of service remain unfulfilled, the remaining commitment can  
63 be met in a variety of ways as set forth in paragraph (b).

64 [6] Paragraph (b)(1) includes the provision of certain types of legal services to those whose  
65 incomes and financial resources place them above limited means. It also permits the pro bono  
66 licensed paralegal practitioner to accept a substantially reduced fee for services.

67 [7] Paragraph (b)(2) covers instances in which licensed paralegal practitioners agree to and  
68 receive a modest fee for furnishing pro bono legal services to persons of limited means.

69 Participation in judicare programs and acceptance of court appointments in which the fee is  
70 substantially below a licensed paralegal practitioner's usual rate are encouraged under this  
71 section.

72 [8] Paragraph (b)(3) recognizes the value of licensed paralegal practitioners engaging in  
73 activities that improve the law, the legal system or the legal profession. Serving on bar  
74 association committees, serving on boards of pro bono or legal services programs, taking part in  
75 Law Day and other law related education activities, acting as a continuing legal education  
76 instructor, a mediator or an arbitrator and engaging in legislative lobbying to improve the law,  
77 the legal system or the profession are a few examples of the many activities that fall within this  
78 paragraph.

79 [9] Because the provision of pro bono services is a professional responsibility, it is the  
80 individual ethical commitment of each licensed paralegal practitioner. Nevertheless, there may  
81 be times when it is not feasible for a licensed paralegal practitioner to engage in pro bono  
82 services. At such times a licensed paralegal practitioner may discharge the pro bono  
83 responsibility by providing financial support to organizations providing free legal services to  
84 persons of limited means. In addition, at times it may be more feasible to satisfy the pro bono  
85 responsibility collectively, as by a firm's aggregate pro bono activities.

86 [9a] This Rule explicitly allows licensed paralegal practitioners to discharge their pro bono  
87 services responsibility by annually contributing at least \$5 per hour for each hour not provided  
88 under paragraphs (a) and (b). While the personal involvement of each licensed paralegal  
89 practitioner in the provision of pro bono legal services is generally preferable, such personal  
90 involvement may not always be possible. The annual contribution alternative allows a licensed  
91 paralegal practitioner to provide financial assistance to increase and improve the delivery of pro  
92 bono legal services when a licensed paralegal practitioner cannot or decides not to provide pro

93 bono legal services through the contribution of time. Also, there is no prohibition against a  
94 licensed paralegal practitioner's contributing a combination of hours and financial support.

95 [10] Because the efforts of individual licensed paralegal practitioners are not enough to meet  
96 the need for free legal services that exists among persons of limited means, the government and  
97 the profession have instituted additional programs to provide those services. Every licensed  
98 paralegal practitioner should financially support such programs, in addition to either providing  
99 direct pro bono services or making financial contributions when pro bono service is not feasible.

100 [11] Law and law-related firms employing licensed paralegal practitioners should act  
101 reasonably to enable and encourage all licensed paralegal practitioners in the firm to provide the  
102 pro bono legal services called for in this Rule.

103 [11a] Voluntary reporting is designed to provide a basis for reminding licensed paralegal  
104 practitioners of their professional responsibility under this Rule and to provide useful statistical  
105 information. The intent of this Rule is to direct resources towards providing representation for  
106 persons of limited means. Therefore, only contributions made to organizations described in  
107 subsection (a) should be reported. Reporting records for individual licensed paralegal  
108 practitioners will not be kept or released by the Utah State Bar. The Utah State Bar will gather  
109 useful statistical information at the close of each reporting cycle and then purge individual  
110 reporting statistics from its database. The general statistical information will be maintained by  
111 the Bar for year-to-year comparisons and may be released, at the Bar's discretion, to appropriate  
112 organizations and individuals for furthering access to justice in Utah.

113 [12] The responsibility set forth in this Rule is not intended to be enforced through  
114 disciplinary process.

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