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HOUSE JOINT RESOLUTION NO. 59

House Amendments in [] — February 3, 1998

Requesting the Virginia State Bar, in conjunction with other voluntary bar organizations, to enhance awareness of pro bono obligations and explore alternative means of increasing lawyer participation in pro bono legal service programs.

Patrons—Almand; Senator: Gartlan

Referred to Committee for Courts of Justice

WHEREAS, the Virginia Code of Professional Responsibility governing lawyers states that every lawyer ". . . should assist the legal profession in fulfilling its duty to make legal counsel available and should render pro bono publico legal services . . ."; and

WHEREAS, those who cannot pay for legal representation in civil or criminal matters nonetheless require legal representation to ensure meaningful access to the courts and protection of their rights; and

WHEREAS, lawyers have the unique authority to represent others within the judicial system; and

WHEREAS, it is incumbent upon each lawyer to ensure that the burden of providing representation to all those who cannot pay for it is borne equitably by all lawyers; and

WHEREAS, more can and should be done to [~~ensure~~ encourage] compliance by lawyers with the obligation to provide pro bono legal services, thereby assuring continued meaningful access to the courts for those in need; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia State Bar, in conjunction with other voluntary bar organizations throughout the Commonwealth, be requested to explore alternative means of enhancing lawyers' awareness of their obligation to provide pro bono services and make recommendations for improving participation in pro bono activities. The bar associations shall consider options, whereby in lieu of [voluntary] service lawyers could [voluntarily] contribute money to legal services programs.

The Virginia State Bar shall submit its findings and recommendations to the Chairmen of the House and Senate Committees for Courts of Justice prior to December 1, 1998.

ENGROSSED

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