

## PRO BONO SCHOLARS PROGRAM PLACEMENT GUIDE

### Overview

The Pro Bono Scholars Program (PBSP) allows law students to devote their last semester of law school study to performing pro bono service through an approved externship program, law school clinic, legal services provider, law firm, governmental entity or corporation. Pro bono service must be full-time, supervised law-related work that assists in the provision of legal services for:

- (1) persons who are financially unable to pay for legal representation;
- (2) not-for-profit legal service providers that predominantly address the legal needs of indigent clients where the work performed is for such clients; or
- (3) a governmental entity, so long as the work performed is on behalf of identifiable individuals who are financially unable to afford representation or whose unmet legal needs prevent their access to justice.

Students participating in the program will spend 12 weeks in a pro bono placement, receive 12 academic credits and take the New York State bar examination in February. This will afford students the opportunity to learn vital practice skills while helping those unable to afford counsel. All of the requirements for participation in the program, including the types of placements that are acceptable, are set forth in the Pro Bono Scholars Program Guide ([www.nycourts.gov/probonoscholars](http://www.nycourts.gov/probonoscholars)).

This Pro Bono Scholars Placement Guide is designed to complement the Program Guide and provide students, law school faculty members and providers with information related to placement of students with providers and supervision of students during their participation in the program. Law schools may establish additional requirements if desired.

### Pro Bono Placement Opportunities

Placements may be provided through the law school's clinic or externship. Placements also may be provided through civil legal services providers, law firms, corporations, governmental agencies, or the courts.

Placement opportunities include the following:

1. Law School Clinics and Externships - The student and law school will find and agree on the placement site and the law school will oversee the

ongoing externship activities. This may involve an existing or newly created law school in-house clinic, hybrid clinic or externship clinic.

2. Legal Service Providers - The Pro Bono Scholars Task Force will reach out to legal service providers and invite them to request placement of one or more pro bono scholars with their program. The list of legal service provider opportunities will be on the Pro Bono Scholars website and will be made available to the law schools.
3. Governmental Positions - Students may work with the law school faculty member to identify an appropriate placement that satisfies the program requirements.
4. Other Placement Opportunities - The Pro Bono Scholars Task Force also will assist in identifying other possible placement opportunities in law firms, corporations and other organizations and will work with the law school faculty member and students to assist in finding appropriate placements.

### Law Student Requirements

Students participating in the program must be willing to devote their final semester of law school to pro bono work in an approved program and to take the bar exam in February. Specific student requirements follow.

1. Student will have completed 5 semesters of law school prior to the start of the program, be in good academic standing, need no more than 12-15 academic credits for the final semester, and be in compliance with ABA and law school graduation requirements.
2. Student will apply to the law school for participation in the PBSP and meet the requirements of the PBSP and any additional requirements established by the law school. The law school has discretion to approve applications that it deems appropriate. The law school will forward approved applications (with confirmation that, upon completion of the program, the law student will have satisfied the requirements for graduation) to the Executive Director of the PBSP for final review and acceptance into the program.
3. Student will work full-time for 12 weeks during the Spring semester, after taking the February bar exam, in an approved pro bono program and complete the academic requirements of the program for a total of 45 hours per week.
4. Student will spend most of his or her time providing pro bono legal services directly to indigent clients, e.g., work on legal issues and

assignments, client matters, legal research and development of practical legal skills. The remainder of the student's time will be spent meeting other academic requirements and incidental administrative matters. No time may be spent on fee generating matters.

5. Student will be supervised by a placement supervisor and law school faculty member and will complete all of the training, reporting and academic requirements agreed upon at the commencement of the placement.
6. Student will study for the bar exam after completing the fall semester.
7. Student will take the bar exam in February (and register during the preceding November) and, after the exam, begin assembling documentation for the bar admission application.
8. Student will complete a Form Affidavit of Compliance with the Pro Bono Scholars Program Requirements certifying the number of hours completed and describing the nature of the work done.
9. Failure to successfully complete the PBSP may result in invalidation of the student's bar exam results.

### Placement Requirements

Students participating in the program will be supervised by a law school faculty member and a placement supervisor. The law school faculty member and the placement supervisor will meet and decide on their appropriate role in overseeing each student since the roles will vary with the type of placement involved. Specific responsibilities of the placement supervisor follow.

1. Placement supervisor will provide full-time law-related work for those unable to afford counsel for 12 weeks during the timetable set forth in the program.
2. Placement supervisor must be licensed in the jurisdiction where the work is occurring and agree to supervise the student on all substantive matters handled by the student.
3. Placement supervisor will coordinate with the law school faculty member (for in-house programs, this person also may be the placement supervisor) and the student to review and agree to the terms of the PBSP.
4. Placement supervisor and law school faculty member will identify the goals and specific activities to be performed. They will include provisions covering the following topics (and who will be responsible for them): (1)

formal orientation, (2) preliminary and ongoing training, including training on confidentiality requirements, (3) regular meeting requirements for the student with each supervisor, (4) regular reports by the student of law-related work performed (without disclosing specific client information), (5) plans for coordinating the roles of the law school faculty member and the placement supervisor, and (6) mid-term and final written evaluations to be performed, with discussion of the evaluations.

5. Placement supervisor will help the student learn and develop vital practice skills and provide meaningful opportunities for the student to reflect on his or her work and the ethical obligations implicated.
6. Placement supervisor will provide candid feedback on all work performed by the student and ensure that the student sees and has an opportunity to discuss all changes made in the student's work.
7. Placement supervisor will fulfill their role as a "mentor" and engage the student regularly in discussions that go beyond simply producing legal work (e.g., discussions about professional development, tracks for securing legal positions, balancing personal and professional lives, ethics, effective work habits, and other relevant topics).
8. Placement supervisor will evaluate the student and meet with the student to discuss the evaluation.
9. Placement supervisor will complete a Form Affidavit of Compliance with the Pro Bono Scholars Program Requirements for the student at their program at the conclusion of the program certifying the amount and nature of the pro bono work done by the student.

### Law School Requirements

Law schools have an integral role in providing the students with information about the PBSP and working with interested students to complete their applications and fulfill the programmatic requirements. Specific law school requirements follow.

1. Law school faculty member will provide an informational session to students in January or February each year with details about the school's requirements for the program and the application process.
2. Law school faculty member will solicit and require interested students to complete applications in the spring so that students may be matched with a provider as early as possible.

3. Law school faculty member will review each student's application and determine whether it satisfies the requirements for the PBSP and any additional requirements established by the law school, as well as the academic requirements for application and bar admission upon completing the program (section 520.3 - Rule of the New York Court of Appeals). The law school has discretion to approve applications that it deems appropriate for participation in the PBSP and will forward applications (with confirmation that, upon completion of the program, the student will have satisfied the requirements for graduation) to the Executive Director of the PBSP for final review and acceptance into the program.
4. Law school faculty member will forward the applications of approved students to the Executive Director of the PBSP and certify that the students meet the requirements for participation in the PBSP and that, upon completion of the program, they will meet the credit hour and academic requirements for graduation and bar admission.
5. Law school faculty member will advise the student of the placements that will be acceptable to the law school and work with students to identify an appropriate placement opportunity. The court system will send a list of potential placements to the schools. Students also may independently identify a placement. These must be approved by the law school and the PBSP.
6. Law school faculty member will coordinate with the placement supervisor and the student to agree to the terms of PBSP and identify the goals and specific activities to be performed. They will set forth provisions covering the following topics (and who will be responsible for each): (1) formal orientation, (2) preliminary and ongoing training, including training on confidentiality, (3) regular meeting requirements, (4) regular reports by the student of law-related work performed (without disclosure of specific client information), (5) plans for coordinating the roles of the law school faculty member and the placement supervisor, and (6) mid-term and final written evaluations to be performed, with discussion of the evaluations.
7. Law school faculty member will determine the nature of the academic components of the program, including where and how these will be structured, and the appropriate credits for the academic components. This might include regular seminars, weekly entries in student journals on specified topics, weekly electronic discussion boards in which students communicate with each other, and similar learning experiences. Eight hours spent working in the pro bono placement, together with the academic component, must total at least 45 hours per week.
8. Law school faculty will serve as a "mentor" and engage the student

regularly in discussions that go beyond simply producing legal work (e.g., discussions about professional development, tracks for securing legal positions, balancing personal and professional lives, ethics, effective work habits, and other relevant topics).

9. Law school faculty member will evaluate the placement and, if possible, visit the placement site.
10. Law school faculty member will meet with the student to discuss the placement supervisor's evaluation of the student.
11. Law school faculty member will complete a Form Affidavit of Compliance with the Pro Bono Scholars Program Requirements for each student who successfully completes the program certifying the amount and nature of the academic work done by the student.
12. The law school will provide the State Board of Law Examiners, with an interim certification that it appears that the student will meet the requirements for admission to the bar upon completion of the PBSP (section 520.3 of the Rules for Admission of Attorneys and Counselors-at-Law). Law school faculty member will provide a final certification to the State Board of Law Examiners after the student completes the PBSP.

### Court System Role

The Executive Director of the PBSP will work with law schools throughout the year to disseminate information about the PBSP and will maintain a website with updated information.

1. The Executive Director will do an outreach to providers of pro bono service to identify potential placement opportunities for students and share these with the law schools.
2. The Executive Director of the PBSP will approve completed applications by students and work with the law schools in identifying appropriate placements.
3. The Executive Director of the PBSP will provide the State Board of Law Examiners with the names of the students participating in the PBSP in October.

### Timeline

The general timeline is set forth below. Law schools may set earlier deadlines if desired.

## 1. 2023-2024 Timetable

Summer 2023 – October 16, 2023: Law schools continue process of approving placements. Law school coordinators electronically send transcripts, resumes, and letter on letterhead stating that Scholars are approved by the law school and on track to graduate upon completion of the Program. Provider organizations must complete MOUs and submit to the PBSP.

Summer-Fall 2023: We recommend that Scholars take the MPRE and the New York Law Exam before spring semester begins.

October 30, 2023: Final deadline for law student and provider to commit to participate in the PBSP.

November 1-30, 2023: Selected students will submit their application to take the February bar exam in New York.

February 2024: Law school will send an interim certification to the State Board of Law Examiners advising that it appears that the student will meet the requirements for admission to the bar upon completion of the PBSP.

February 27-28, 2024: Pro Bono Scholars will take the bar exam.

March 4, 2024-May 24, 2024: Students will work full-time in their pro bono placements providing pro bono legal assistance in the field placement and complete the required academic components.

April - May 2024: Students who have passed the bar exam submit bar application packages. Students must submit all documentation to the Character and Fitness Committees in a timely fashion. Students who have met all of the requirements for graduation and admission to the bar should expect to be admitted to the New York Bar by the end of June 2024.