

## **Six Key Principles for Creating an Effective and Sustainable Pro Bono Program: Insights from Ken Handal, Executive Vice President, CA, Inc.**

With all of the pressures and pulls on in-house lawyers in their daily work, why allow time and devote resources for pro bono legal services for others? Ken Handal, Executive Vice President of CA, Inc. (formerly Computer Associates) explains, “because it energizes people and allows us to give back to the community; it makes work more satisfying, helps them do their jobs better and learn new skills, and fosters teamwork.”

Indeed, within his first few months on the job as General Counsel for CA, Handal created and launched in December of 2004 a pro bono legal services program within the company’s Worldwide Law Department. The program is open to all staff within the worldwide legal group, and although CA’s pro bono program is less than two years old, it’s already considered a best practice by [Corporate Pro Bono](#), a joint program between the Association of Corporate Counsel and the Pro Bono Institute. As part of CA’s program, members of the law department have the opportunity to work on a wide range of pro bono legal services, including uncontested divorces, supplemental needs trusts, juvenile drug court hearings, asylum and guardianship cases, and creating not-for-profit organizations.

Handal’s vision and leadership inspired the program and have been critical to its success, and together with Bonnie Yeomans, Vice President & Assistant General Counsel for CA and co-chair of the Pro Bono Committee, they share below their perspectives on the key principles for creating and sustaining an effective program.

### **Principle 1: Support from the Top**

“It is critical that senior management—both within and outside the law department—support the program,” emphasizes Handal. At CA, both Handal and the company’s CEO and President, John Swainson, signed a [Pledge](#) communicating their strong commitment to the Worldwide Law Department’s pro bono program, and recognizing performance of pro bono work as an element of good corporate citizenship. The Pledge is prominently exhibited in the law department’s headquarter offices. In addition, Handal devotes time to attend internal meetings relating to the program and speaks about the importance of and his support for the program.

### **Principle 2: Partner-Up**

Partnering with outside organizations such as law firms and service organizations is a ‘win-win’ for everyone: organizations love it because they get legal assistance; law firms like it because they get the opportunity to work closely with in-house lawyers; and in-house lawyers appreciate it because they’re able to achieve a greater comfort level with the substantive practice areas in which they’re providing services and have back-up as part of a team. When it comes to undertaking pro bono, the fear of competing demands with daily legal work for the organization and time management can hamper interest in getting involved in the first place. Yeomans explains that partnering with outside organizations and law firms can help address this concern. “In-house lawyers and staff can sometimes be intimidated by the prospect of reaching beyond their traditional expertise areas and delving into areas of law with which they’re less familiar. The time commitment can also be a challenge. Partnering-up with law firms and organizations helps to build expertise and provide the comfort of having back-up and support that enables legal staff to provide pro bono services while also performing their jobs for the company,” says Yeomans.

As part of its pro bono program, the CA law department has partnered with organizations such as the Suffolk Legal Aid Society and Nassau/Suffolk Law Services Committee, Inc. to provide legal support on a broad spectrum of issues, including family law, drug abuse, and disability benefits. In addition, CA's law department has partnered with the law firms of Farrell Fritz and Nixon Peabody on various matters. Members of these organizations and firms have come to CA's offices and provided training to legal staff on providing pro bono services, and law firm lawyers work with CA in-house legal staff as a team to help handle court appearances and serve as back-ups for each other to help balance schedules and workload.

### **Principle 3: Train for Success**

"It is important to provide the right kind of training for people to be able to step outside of their daily roles and take on new areas of expertise," says Handal. As part of its pro bono program, CA has brought in members from partner service organizations and outside lawyers to provide needed training on areas such as setting up non-profits, family law and human rights issues. Handal notes that "people sometimes crave learning things that are not part of their daily grind, and having the opportunity and management support to perform pro bono services can help fill that need and enhance overall job satisfaction while also providing a mechanism to do good for others."

### **Principle 4: Provide a Range of Service Possibilities**

Different people like and feel comfortable with different things. Some may prefer helping to set up non-profit organizations; others may want to work on family law or asylum issues; still others may want to handle court appearances or perform more traditional contract or lease work. Having a broad range of service possibilities from which to choose helps create and sustain a program that can appeal to a diverse group of people within the law department.

How do these opportunities come into the law department? At CA, the law department's Pro Bono Committee (described below) is on point for advising the Worldwide Law Department of approved available pro bono matters and researching and screening referral agencies and organizations. While the Pro Bono Committee has a list of possible projects from which to choose, individuals are also encouraged to bring projects of interest to the committee for consideration. To take on a pro bono matter, an interested individual notifies a member of the committee about interest in a pro bono opportunity (either with a specific project in mind or a general desire to get involved) and together they discuss which project would be most appropriate.

### **Principle 5: Try to Involve Everyone**

CA's pro bono program is open to everyone within the Worldwide Law Department, including lawyers, paralegals, support staff, and staff in other functions that are part of the department such as audit, compliance and global security. Indeed, the department's Pro Bono Committee is comprised of two lawyers and two paralegals, demonstrating the inclusiveness and reach of the program. And, staff may perform pro bono services during the workweek. Handal shares that providing a range of service possibilities with varying ways of contributing such as face-to-face meetings, court appearances, or desktop work on legal documents helps to offer opportunities to involve everyone in the department's program. "Creating a program that is open to everyone within the department helps bring together people who may not traditionally work together on a day-to-day basis because of their corporate expertise areas. This additional avenue for teamwork is good for the department, and people really like it," says Handal.

## Principle 6: Keep at it

“To be successful, the program needs constant attention,” explains Yeomans. While the Pledge of leadership support mentioned above is an important element, sustainability requires commitment, communications, some structure and designated people within the organization who can be on point for overseeing implementation of the overall program. Among some of the ‘nuts-and-bolts’ aspects that help drive and sustain the program are:

- **Pro Bono Committee:** CA’s Pro Bono Committee currently consists of two Chairpersons and two Coordinators. Together, they collectively perform functions that include overseeing the program, researching and screening referral agencies and organizations, providing supervision and training, communicating available pro bono matters, and monitoring the progress of the program and handling policy issues that may arise.
- **Pro Bono Policy:** The department’s [Pro Bono Policy](#) sets forth important elements of the program, including participation, procedures, teams, availability of malpractice insurance, training, CLE, working with cooperating firms, and links to information on CA’s community service programs.
- **Provide training/ lunch’n’learns:** Bring speakers from partner organizations in to speak about pro bono and train on legal subject areas, and include department leaders in the discussion to reinforce the commitment to providing pro bono.
- **FAQs:** Having an FAQ document can help with day-to-day questions and serve as a handy guide. CA’s [FAQ](#) document is modeled after the FAQ created by Time Warner.
- **Celebrate Success:** CA held a first anniversary celebration to recognize what members of the law department have done. As part of the celebration, individuals participating in pro bono received awards for their efforts. The law department is also in the process of creating an intranet where it can post information on its pro bono initiatives and successes.

## Getting Started

Handal created the CA pro bono program from scratch, but he was able to leverage his experience from before since he had created a pro bono program for Altria before joining CA. “Call Esther Lardent of Corporate Pro Bono if you’re interested in getting started,” suggests Handal. He notes that Corporate Pro Bono can provide resources to help write a pro bono policy, provide a list of organizations to partner with, help navigate insurance offerings, and is a tremendous all-around resource for pro bono. For information on Corporate Pro Bono, including links to resources, best practices, and upcoming events, go to: <http://www.cpbo.org>.

In addition, Yeomans describes a new initiative called the Corporate Counsel Pro Bono Coordinators program, created by a group of in-house counsel in the New York metropolitan area to act as a resource for corporate counsel and legal departments interested in legal pro bono work. The CCPBC will hold a meeting on October 12, 2006 in conjunction with the New York City Bar on pro bono opportunities for in-house counsel. For information on CCPBC, its mission, and this upcoming CCPBC event, go to: <http://www.probono.net/corporatecounsel>.