

CA's Pro Bono Program **Frequently Asked Questions**

1. *What is the CA Pro Bono Program?*

The CA Pro Bono Program is an initiative through which the lawyers in the Worldwide Law Department, as well as other members of the WLD acting under their supervision, perform pro bono (free) legal work for non-profit organizations or for individuals who cannot afford to pay for legal assistance. The Program is designed to provide the necessary resources to perform pro bono work and to help apprise the WLD members of available pro bono opportunities.

2. *Are WLD members required to do pro bono work?*

The CA Pro Bono Program is voluntary, however, all members are encouraged to participate and the lawyers should be aware of their ethical obligations regarding pro bono service. In fact, CA's CEO and President, John Swainson, as well as its co-General Counsel, Kenneth V. Handal, have signed a Pro Bono Pledge expressing their commitment to pro bono work and encouraging participation.

3. *Do I need approval for a project?*

In order to come under the auspices of CA's Pro Bono Program and be covered by malpractice insurance and obtain any necessary resources, you should seek approval from the Pro Bono Committee. Members of the Pro Bono Committee are set forth at the end of these FAQs.

In all situations in which you undertake pro bono work, you are expected to avoid ethical conflicts of interest as well as positional conflicts of interest (the latter are those which, while not necessarily presenting a direct ethical conflict, involve taking a position on an issue that may adversely affect CA's interests in other matters), and to be mindful of multi-jurisdictional practice issues. In addition, you must comply with the CA's Code of Conduct and all corporate policies. In accordance with your ethical responsibilities, you should work to avoid even the appearance of impropriety. If questions arise during the course of your participation in the CA Pro Bono Program, please contact a member of the Pro Bono Committee.

4. *When can I do pro bono work?*

Because CA is committed to allowing its WLD members to promote the public interest and serve under-privileged groups and persons, CA understands that part of your time at work reasonably may be devoted to pro bono activities. CA encourages its lawyers to do pro bono work but they must continue to meet their job expectations. Those performing pro bono work also are expected to make the same high level of professional commitment to those pro bono projects they undertake as they do to their company work.

5. *If I work in a CA legal department but I'm not a lawyer, can I participate in the CA Pro Bono Program?*

Of course. We strongly encourage participation by all members of the department. All legal services must be performed under the supervision of a lawyer. Non-lawyers in the WLD who are interested in working on pro bono matters should consult a member of the Pro Bono Committee about potential opportunities.

6. *How can I find out about pro bono opportunities?*

The CA Pro Bono Program hopes to be of help to you by providing opportunities to perform pro bono services in various areas of interest. If you become aware of pro bono opportunities

that you'd like to refer to others for consideration or areas in which you would like CA to become involved, please let the Pro Bono Committee know about them. The Pro Bono Committee welcomes suggestions about other types of pro bono work and is happy to consider other projects. Certain activities are not considered to be part of the CA Pro Bono Program, however. For example, rendering legal advice to your family and friends or to CA employees on their personal legal issues (such as divorce, child custody, insolvency, real estate, or similar matters) are not considered part of the CA Pro Bono Program.

7. *Am I covered by the CA's malpractice insurance if I do pro bono work?*

Yes, while you are employed by CA as an attorney in the WLD, your pro bono work under the auspices of the CA Pro Bono Program is currently covered for malpractice. Additional insurance may be made available to you by a not-for-profit, bar association foundation, or similar entity from which you receive a referral for pro bono work, in which event CA's insurance policy becomes excess coverage.

8. *Can I use CA resources to do pro bono work?*

You certainly may use resources that generally are otherwise made available to you and do not incur significant out-of-pocket expenses to CA. For example, you may use your computer (e.g., word-processing and PowerPoint), facsimile machines, and, so long as there isn't a disruption to regular CA business, conference rooms. Any overtime expenses must be pre-approved by the Pro Bono Committee and your manager.

9. *How should I identify myself when I do pro bono work?*

Third parties will need to be able to contact you in the course of your pro bono work, and so you should feel free to furnish your work address, telephone number, facsimile number, and e-mail address. You should not, however, convey the impression that CA or any of its subsidiaries or divisions is providing the legal services. Therefore, you should not use the CA name or CA letterhead when corresponding about pro bono matters. We suggest that you reflect your name and address in the following manner:

John Smith, Esq.
One CA Plaza
Islandia, NY 11749

There may be exceptions to the policy about use of CA's name and letterhead. Consult the Pro Bono Committee if you feel that it would make sense in a particular matter to use CA's name when performing pro bono work.

You also should be mindful as to how you characterize your relationship with the pro bono client, by advising the client at the outset of the relationship that you personally are taking on the matter. Accordingly, you are responsible for the matter and if you leave CA or wish to withdraw from the representation, the client should not have expectations that CA will be responsible for finding another attorney to continue working on the matter.

10. *Can I get CLE credit for working on a pro bono matter?*

New York State allows CLE credit for pro bono work, up to a maximum of 6 credits per year, provided certain requirements are met. Because CLE requirements vary from state to state, you should check in the applicable jurisdiction.

11. *I'm pretty busy, but I'd like to help. How can I fit pro bono work into my schedule?*

There are lots of options for busy lawyers and support staff. For example, many projects seek fairly discrete assistance, sometimes only brief telephonic consultation. Other projects may be more time-consuming but have long-term deadlines. You might consider partnering on a

project with outside counsel, with other CA legal folks, or a combination. Such a “pod” approach can facilitate teamwork on both substantive matters and scheduling issues.

12. *I'd like to partner with outside counsel on a pro bono project. What are some of my considerations?*

You should explore whether the firm with which the outside lawyer is affiliated is currently representing a person or entity adversarial to CA. You'll want to avoid situations in which such a lawyer has access to confidential or proprietary CA information. The Pro Bono Committee can assist in this review. It's important as well to be sensitive to situations in which outside counsel may develop expectations that collaboration with you on a pro bono project will lead to future representation of CA. It's important, therefore, to be candid that the decision to collaborate on pro bono work should be made independently of any aspirations for continuing or prospective legal business.

It's also very important, whenever you're collaborating with outside counsel or with another CA WLD member, to be clear as to how tasks will be handled among all of the participants and other personnel working on the matter.

13. *Do I need to keep records of the time I spend on pro bono projects?*

It's helpful to track the time you spend on pro bono projects so that CA can get a sense of the legal and other personnel resources that are devoted to such work. In addition, certain types of pro bono work may be eligible for an award of attorneys' fees, which will be calculated at least in part based on the number of hours spent on the matter. Your hours should be logged into the spreadsheet found under the Pro Bono folder on the O drive.

14. *The pro bono matter I was working on has now concluded. What should I do as I begin to think about another project?*

Tell us! Let us know about your work by contacting a member of the Pro Bono Committee or completing a Pro Bono Program Feedback Form so we can post a description of your work on our webpage. Don't think of this as boasting (even though pride in your work is well-deserved); think of it as a chance to inspire another to take on or partner with you on a new project. It's also a helpful way for CA lawyers to maintain connections with not-for-profits and other entities that may be in need of future pro bono support.

Pro Bono Committee:

Bonnie L. Yeomans, Co-Chairperson (Phone: 631-342-2678; email: bonnie.yeomans@ca.com)

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