



AG's Community Law Partnerships – Community Legal Centres and Firms Collaborating for Change

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Pro bono is a venerable feature of the legal profession, and few lawyers would question its intrinsic value. In Victoria, community legal centres (CLCs) enjoy a pervasive pro bono culture – attributable to a range of community, government and private organisation trends and initiatives. Its development is characterised by a combination of the maintenance of the historical origins of the pro bono culture of the legal profession, a growth in corporate citizenship, the current Victorian Attorney General's strong leadership and support of pro bono and related policy and law reform initiatives. Importantly, the AG's Community Law Partnerships has achieved a more common community know-how about the processes and opportunities for developing mutually sustainable partnerships between CLCs and firms. The AG's Community Law Partnerships complements the role of the Public Interest Law Clearing House Victoria (PILCH Vic). PILCH seeks to meet the legal needs of community groups, not-for-profit organisations and individuals from disadvantaged or marginalised backgrounds by facilitating access to pro bono legal assistance from PILCH (firm) members. The AG's Community Law Partnerships aims to develop partnerships that are longer term and multi faceted. Integral to the success of community law partnerships is the shared understanding of their primary purpose: to enhance community capacity for bona fide improvements to the lives of disadvantaged members of the community. In short - community law partnerships are improving access to justice.

History of the Victorian Attorney General's Community Law Partnerships

In June 2000, the Victorian Attorney-General Rob Hulls launched the Attorney-General's Pro Bono Secondment Scheme. This was a scheme whereby solicitors from private law firms were seconded to public legal service providers in Victoria. This was a significant catalyst for the development of a pro bono culture in Victoria. Secondments continue to be a feature of a small number of CLC partnerships –and many have now spawned longer-term multi faceted partnerships that engage firms and CLCs more broadly.

In 2002, the Attorney announced a further measure to encourage and ensconce a pro bono culture in Victoria – the implementation of the government legal services panel arrangements. These arrangements compel private firms to commit to the provision of pro bono services valued at between 5% and 15% of the net worth of a government legal services contract. Panel arrangements are monitored and managed by Government Legal Services, a division of the Victorian Department of Justice. Recent annual reports indicate a strong growth in community legal centres as recipients of pro bono, directly attributable to these arrangements.

To find out more about the Victorian Government Legal Service panel arrangements and annual reports:

<http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/About+Us/Our+Organisation/Business+Area+Profiles/JUSTICE+-+Government+Legal+Services>

In early 2005, Victoria Legal Aid recommended that the Attorney-General's Pro Bono Secondment Scheme be managed by the Federation of Community Legal Centres.

The Federation, in liaison with Government Legal Services, Department of Justice and the Attorney General, proposed an extension of this scheme beyond pro bono secondments, to a broader range of partnerships - big and small - between firms and the community law sector. The Attorney-General's Community Law Partnerships was launched by Attorney-General Rob Hulls in October 2005.

The aim was to contribute to community legal centre capacity by scoping and further developing pro bono relationships. A part-time sector development worker was appointed in late March 2006 to lead the project. The project achieved three key outcomes.

1. A Community Law Partnerships Report and Action Plan.
http://www.communitylaw.org.au/fedclc/cb_pages/managing_the_organisation_pro_php
2. A forum to explore pro bono challenges and opportunities.
3. Sustainable ongoing funding for the project.

In July 2006, Victoria Legal Aid announced ongoing funding for the position of a Sector Development Officer at the Federation of Community Legal Centres (Vic). This ongoing commitment has ensured that the objectives of the AG's Community Law Partnerships and the final report are achievable and sustainable. The Sector Development Officer role encompasses the action plan from this report – alongside a range of other capacity building activities. The broader sector development and capacity building focus, dovetailed with coordinating the AG's Community Law Partnerships, enables the Federation to better match the needs of CLCs with pro bono opportunities.

In September 2006, the Federation, together with Sparke Helmore, hosted the first AG's Community Law Partnerships forum. There were 18 CLCs and 12 firms present. Instigated by aforementioned project, the forum was a collaboration of the National Pro Bono Resource Centre, PILCH (Vic) and the Federation of Community Legal Centres (Vic). The event provided an opportunity for community legal centres to network with pro bono coordinators, and for both sectors to learn about each other and to jointly explore opportunities. Some of the partnerships that evolved from the forum continue to exist today.

In March 2007, the permanent Sector Development Officer was appointed. Since that time the Sector Development Officer and others in the Federation have witnessed and been part of the formation of a range of multifaceted community law partnerships. Notably, the permanent role of the Sector Development Officer has been to undertake a brokerage role and introduce parties to a partnership. This has advanced to become a regular feature of the role, and partnerships now exist in ways not foreshadowed. Whilst the original emphasis was on individual partnerships between CLCs and firms – partnerships have evolved around firms providing longer term multifaceted assistance to Federation working groups and to the sector as a whole.

In September 2008, the Federation, along with Lander Rogers Lawyers and Holding Redlich, jointly hosted the AG's Community Law Partnerships round table. The event was attended by 65 community legal centres and firms - 22 firms and the rest CLCs. Key stakeholders - Victoria Legal Aid, Legal Services Board, Department of Justice and Victoria Law Foundation – were also present. The high attendance – when compared with 2006, demonstrates the momentum and traction gained from the history of successful pro bono forums and initiatives. There were a combination of panel firms and other pro bono firms. The event focussed on experienced community law partners sharing their skills and wisdom with those seeking partnerships. It was all about the 'c' words - community, collaboration, capacity building, cooperation and change.

Ideas generated from the forum included:

- Be clear about what it is that you (CLC) or firm are seeking through a partnership
- Start small to test compatibility – examples include: one-off case work support, shared professional development opportunities, mentoring, litigation support, etc.
- Consider a partnership with a smaller firm - don't head straight to the top end of town – there are a number of small 'boutique' firms seeking to partner with CLCs
- Check out the panel firms on Department of Justice website – this will give you some indication of firms that might be seeking to expend a mandated commitment
- CLCs could better utilise the business management division of firms to build a business case both for partnership and for arguments for better funding – there may be other sections of firms, E.g. human resources with capacity to assist a CLC
- Use the Law Institute (VIC) - (LIV Referral Service) to identify practice areas to better target firms compatible with CLC needs
- The evening legal clinic model of CLCs may not be attractive to some firms willing to provide assistance - consider day clinics to make it easier and more attractive for firms to offer lawyer services

- When partnering rural CLCs with top end of town – consider the impact on relationships with small local firms - consider ways of building on these partnerships as a ‘three way’ opportunity
- MOU’s can be useful but proven not to be necessary if there’s good communication and a shared understanding
- Firms may need greater cultural awareness training to work with indigenous communities
- Reciprocal secondments may pave the way for more secondments
- Shorter term and part time secondments might be more attractive to firms
- Designated lawyers within firms rather than direct secondments may be more attractive to a firm or CLC – think laterally about these opportunities
- There’s a need across many CLCs for more firm assistance with civil matters – motor vehicle accidents, insurance and debt matters particularly, litigation support – this could be an opportunity for young lawyers to gain legal experience and build communication skills with clients
- There was a keen interest in expanding out the clinic models for involvement of firms – fits with the firm objective of hands on legal experience, developing communication and client skills, and a good fit for CLCs attempting to cover big issues and big geographic areas on limited funds
- There’s a vast potential for firms to assist with VOCAT matters in CLCs – again this is an opportunity for firm lawyers to develop case work and communication skills not always available in the firm environment
- There’s no need to be monogamous in your partnerships – CLCs can work with more than one firm

Contemporary examples of innovative partnerships:

- A recurrent partnership with a panel firm to provide state-wide Freedom of Information and Privacy training to CLC lawyers and community stakeholders
- A long term partnership between a city based firm and a rural and regional CLC based on a 3 year memorandum of understanding to provide a range of legal services, research and library support, strategic litigation and a potential secondment
- A firm providing three year funding for a lawyer to be based in a rural CLC
- A non-panel firm commitment to providing strategic advice to a number of CLCs on contractual matters related to funding and service agreements
- Legal advice and support to a centre regularly engaged in coronial inquests on an ongoing basis – agreement to handle one inquest at any given time
- The establishment of legal clinics tailored to needs of indigenous clients - this has been a long term project working with and building the trust of an indigenous community
- Ongoing commitment from a firm to open their internal professional development opportunities free of charge to all lawyers in CLCs in Victoria
- Provision of funding and support for an article clerk position in a CLC
- There are a variety of secondments that build capacity in CLCs and are professional development opportunities for firm lawyers
- A number of CLCs now have a range of partnerships with different firms – this enables the CLC to leverage appropriate support
- The legal clinic model that began with the PILCH Homeless Persons Legal Clinic is now being replicated across a number of different CLCs and their communities

In addition to regular pro bono forums, the Federation conducts an annual survey of Victorian CLCs to gather information about the needs of centres to inform the Federation’s work.

Results related to community law partnerships revealed that 16 of 31 centres who responded have an existing pro bono partnership with a private law firm, and 18 of 31 centres want further assistance from the Federation to develop pro bono partnerships. (There are currently 52 CLCs in Victoria.)

The respondents also identified additional services or support that the Federation could provide to support CLCs seeking to engage in partnerships:

- Continue to convene forums which enable networking and sharing of best practice
- The Federation could provide CLCs with details of the pro bono programs in place at each firm to allow CLCs and firms to match priority areas
- The Federation could provide a prospectus of legal centres to firms. It could include success stories showing different models of pro bono.
- FLC could invite private law firms to CLC functions (like State Conference) or set up regular opportunities for CLCs to explain to private law firms what CLCs do and what CLC needs are

- FCLC could consult with individual CLCs to develop models to be offered to pro bono firms; focus on non-city CLCs to develop new models
- It would be useful to have a list of firms with the type of support they can offer, rather than having to search until you find the service you need
- List of panel members and tips on when to approach them
- Annual partnership forums to showcase the range of programs being delivered
- Inform membership on ways/methods of engaging with the smaller private law firms in rural & regional Victoria

Most of these suggestions were also identified at the recent pro bono forum.

Future Challenges

The Federation believes that pro bono should never substitute a well funded legal aid and community legal service system. However, there are many opportunities to build more and better community law partnerships without undermining the role and purpose of government funding. In continuing the momentum of community law partnerships - we need to look around at what works and aim to strategically build partnerships that are innovative and sustainable. At the heart of our work is our clients best interests. Their needs and aspirations should be at the centre and forefront of our activity. In the future we need to focus more on CLCs with limited in-house capacity to leverage support. Critical to our future success is the willingness of CLCs and firms with flourishing partnerships to share their knowledge, skills and experience. Many CLCs have identified the need for written resources to guide them in their work. In early 2009, The Federation plans to develop and distribute information sheets to guide centres seeking to engage in community law partnerships. We will also provide information to better guide CLCs in instigating partnerships. An extension of existing partnerships could involve the development of effective partnership case studies. These could be shared across firms and CLCs nationally through the National Pro bono Resource Centre. We hope that other states and territories can learn from our experience, and the leadership of our current Attorney-General Rob Hulls.