Cooperative Pro Bono:
Finding and Keeping Partners

EXCELLENCE   INNOVATION   COMPASSION

Cancer Patients' Legal Service

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The Partners

Peter MacCallum Cancer Centre

- Australia's premier specialist cancer centre

- Provides quality treatment and support to cancer patients and their families

- Broadly influences cancer care in the community through multi-disciplinary partnerships, research and education

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The Partners

Baker & McKenzie Melbourne Office

- Global law firm - 70 offices in 32 countries
- "Small" Melbourne office – approx. 70 lawyers
- Pro Bono program initiated in 2002
- By early 2005 - seeking to significantly increase pro bono participation:
  - 50 hours per lawyer per year
  - target unmet need
  - not cut across existing services/partnerships

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The Background

- Baker & McKenzie served as pro bono lawyers to Peter Mac Foundation since 2002
- Attended all their functions, went on tours
- Learned a lot about Peter Mac and what they do
- Learned about cancer and its effect on people
  - ➤ Questions about legal needs
  - ➤ Are these needs being met?

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The Background

- Clients of Social Work Department
  - Long–term illnesses
  - Unable to work
  - Spouse may have left work to care for them
  - "End of life" issues
  - A time of crisis

- Social Workers' time absorbed by legal & quasi-legal issues
  - ➤ Diversion from therapeutic work

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History of the Project

- Asked to meet with Head of Social Work Department
    - Is there a need? Who assists your patients?
    - ➢ Needs Analysis

Wills*	40+
Powers of Attorney (Enduring & Medical)	30+
Early access to super/accessing income protection insurance	20+

* Peter Mac has an existing Bedside Wills Pro Bono Service

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Key Finding

Peter Mac Patients were not seeking legal assistance elsewhere

- Not aware that assistance available
- Too ill
- Too many issues / overwhelmed
- Not enough time prior to death

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Key Elements of Pilot

- Areas of law
  - Superannuation
  - Powers of Attorney
  - Others on a case-by-case basis
- Team Members / Team Leaders
- Means Criteria
- Intake & Communication Protocols
- On-referral Protocols
- Duration of Pilot
- Evaluation Protocols
- Project Activities

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Project Activities

- Referred Client work – pro bono only
- Advice / assistance to Social Workers
- Supported on-referral
- Training
- Reference / Educational Material
- Extranet
- Statistics
- Evaluation
- Law Reform

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Cancer Patients' Legal Service

- Referrals from Social Workers to Baker & McKenzie
- Advice to social workers
- Patients otherwise unable to afford legal assistance
- Key areas of need
  - Access to superannuation
  - Powers of Attorney
  - Other areas on a case-by-case basis
- Joint Learning
  - Train social workers about legal issues/areas of law
  - Train lawyers in the reality of working for cancer patients
- Detailed records
- Law reform

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Statistics to date

- 39 Clients
  - ➢ 25 – Early access to super
  - ➢ 12 – Powers of Attorney
  - ➢ 4 – "Other"
- 1 Law reform submission

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Lessons Learned

Before you start ask:

- Is there a genuine need for this project or partnership?
- Is there an existing program we should join rather than creating a new one?
- Are we the right partners?
- Are we going to make a difference?
- Do we have the right resources and commitment?
- Do they?

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Learn about your partner

- What they do

- Their organisational structure

- What they can (& can't) bring to the partnership

- Assume no knowledge of your organisation or work

- Explode stereotypes

Get together and talk!

As the project develops

- Recognise that you will (and should) learn from each other and build this into the partnership

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Carefully identify all relevant stakeholders

- Who could support the project and who could undermine it?

- Check who can and does sign off on projects and check that everyone knows about the program and supports it

- Avoid a "top down" project where the work/responsibility is imposed from above

- Ensure the people who will have to put in the work establishing and running the project "own" the project (they have to be motivated to do the work)

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- Realise upfront that it is going to be a LOT of work

- The more work you put in upfront, before your project actually commences, and the more frank conversations you have, the better

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Communication

- Develop communications protocols (i.e., who will communicate and when)

- Regular joint team meetings involving all parties

- Lots of discussions about all aspects of the project/partnership and put these on paper so people can take these points away and reflect on it

- Be clear about what you can and cannot do

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- Promote frank, open, honest discussion over polite "feel good" discussion

- Create an environment which encourages constructive feedback

- Ask the hard questions

- Make the "hard" observations

- It can feel great to walk away from a positive meeting, but it is of no use if the issues are not resolved

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Project management is boring but very valuable

- Pilot your project:
  - It will force you to think rigorously about the project
  - Provides triggers for consideration and review
  - Gives you an "out" if you do not want to proceed past the pilot
- Create and sign off on a Pilot document
- The pilot document has to be a living document, not sit at the bottom of a drawer

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- Build procedures and infrastructure
- Ensure the procedures are followed
- Review and update your procedures if they're not working

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Evaluation

- Keep records!
- Build evaluation and reflection into the process
  - Joint team meetings
  - Formal periodic evaluation
- Evaluate your systems/infrastructure as well as your outcomes
- Evaluate from both ends, not just one
- Don't just look for "obvious" outcomes to measure

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As Project Develops

- Do not foreshadow a particular result or outcome at the outset
- Be open to how the program develops
- Recognise that you will (and should) learn from each other and build this into the partnership
- Be prepared to "troubleshoot"
  - Accept that mistakes will arise
  - Learn from them

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- Nurture the relationship
- Have some fun!
- Share the good stories too

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