
GLOBAL DUE DILIGENCE MANUAL

NAVIGATING THE WORLD OF PRO BONO

Clearinghouses Chapter

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Clearinghouses

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Introduction

Geopolitical tensions on the global economy, rising inequality, climate change and the Covid-19 pandemic resulted in a period of unprecedented global crisis. During challenging times, pro bono clearinghouses play a crucial role in nurturing and expanding legal pro bono work and are well-positioned to leverage emerging technological innovations to drive greater efficiency. Clearinghouses link legal professionals with opportunities to address critical social issues such as immigration, LGBTQ+ rights, and climate change, while also emphasizing the “business case” for engaging in pro bono activities.¹ In spite of global challenges, growth in global pro bono engagement among law firms, NGOs, and legal departments has been resilient. Other continuing drivers of this growth include: the globalization of law firms and corporations (and their in-house departments); an increased focus among firms and corporations on their corporate social responsibility (CSR) efforts, with pro bono activities evolving into a vital component of law firm operations; the decreased funding of state-sponsored legal aid; and outreach efforts by Pro Bono Institute, PILnet, TrustLaw and other key thought leaders to introduce and promote greater understanding of the concept of pro bono in countries where the concept is still developing.² This has resulted in an expansion of the global pro bono network, and pro bono culture continues to blossom worldwide.

Among the biggest impediments to growth in global pro bono remains the limited supply of readily available opportunities for engagement. Specifically, while an increasing number of lawyers are eager to undertake pro bono work, law firms and legal departments generally do not have the experience or infrastructure to identify and screen potential pro bono clients.

Compounding this is the lack of familiarity with pro bono legal services among individuals and nonprofit organizations that may qualify for such services – *i.e.*, potential clients across many jurisdictions remain unaware of the availability of pro bono services and how they may benefit from the same.

A key factor in addressing this disconnect has been the emergence, growth, and expansion of several pro bono clearinghouses across Europe, Asia,³ Africa, and Latin America⁴ in recent years.⁵

This chapter covers the role of clearinghouses in pro bono and their origins, and highlights certain factors that law firms and in-house departments should consider when engaging with clearinghouses, including the evaluation of pro bono projects offered by clearinghouses, evaluation of the clearinghouses themselves, structuring relationships with clearinghouses, and certain challenges that can arise in the course of working with clearinghouses.

¹ [Index of Pro Bono](#), 4, TrustLaw (2022); [Index of Pro Bono](#), Introduction, TrustLaw (2024).

² See the [Global Pro Bono Guide](#) which is a comprehensive resource on pro bono practices and opportunities worldwide, mapping the legal, regulatory, and cultural landscape for pro bono across 103 jurisdictions. The Guide lists clearinghouses in these jurisdictions, where present.

³ In addition to their Global, Hungary, and Hong Kong Clearinghouses, PILnet launched their Eurasia Clearinghouse in June 2019, which serves jurisdictions in Central Asia.

⁴ The International Trademark Association (INTA) pro bono clearinghouse expanded into six Latin America countries in 2020.

⁵ Although this chapter includes a list of example clearinghouses to locate global pro bono opportunities, it should not be considered a comprehensive directory of such intermediaries.

Role of Clearinghouses

At their most basic level, pro bono clearinghouses act as intermediaries between lawyers seeking pro bono opportunities, and individuals and nonprofits who are eligible and in need of free legal services. While clearinghouses may vary in terms of their focus, infrastructure, and procedures, they generally share a common goal of facilitating greater access to justice,⁶ and most provide the following core functions:

- **Outreach:** they undertake outreach to educate potential clients about pro bono and how they may benefit from free legal services.
- **Screening and vetting:** they screen potential pro bono clients based on a set of criteria to ensure that matters referred to law firms and legal departments are meritorious and the clients are legitimate and eligible to receive pro bono services.
- **Matchmaking and resource allocation:** they identify and match the legal needs of nonprofit organizations and underserved communities with the resources of law firms seeking to provide pro bono services. This ensures that lawyers receive the type of pro bono work that fits their expertise and interests and results in the efficient allocation of legal resources.
- **Training:** they provide training and support to law firms and lawyers so they can effectively engage in pro bono work.
- **Follow-up:** they retain varying levels of ongoing involvement – at a minimum, they stay engaged to help facilitate the smooth and successful launch

of a new engagement between the lawyer and client referred by them.

The role of clearinghouses is also evolving in Europe, with an increasing number beginning to adopt a thought leadership role, by re-evaluating the purpose of clearinghouses and the meaning of pro bono as a form of progressive legal policy development.⁷

Origins of Clearinghouses

Clearinghouses vary in mandates and approaches to furthering their pro bono objectives. Some clearinghouses were established specifically as pro bono organizations.⁸ However, they are more often extensions of existing organizations and adopt their character and mission from those institutions. For instance, they may have emerged from grantmaking foundations or resource organizations for civil society,⁹ or corporate foundations and university law clinic foundations,¹⁰ or from broad domestic public interest law organizations.^{11,12}

Evaluating Projects

Various factors come into play when evaluating a potential global pro bono project, regardless of source or location. In addition to the basic interest level in a project, other factors to consider include:

Licensure/qualification

When considering a new pro bono matter, lawyers should review the local practice rules to ensure they are qualified to practice within the relevant

⁶ [Pro Bono Clearinghouse Manual](#), 24, PILnet & Advocates for International Development (2011) (describing the shared goals of pro bono clearinghouses, including “provid[ing] legal advice to all, regardless of race, background or creed,” “promot[ing] the rule of law,” and “promot[ing] the use of law as a tool to achieve social justice”) (hereinafter “Pro Bono Clearinghouse Manual”).

⁷ The international clearinghouses and pro bono organizations such as PILnet, TrustLaw, International Senior Lawyers Project, Pro Bono Institute, A4ID, and the Vance Center are all embracing a thought leadership role in relation to pro bono. National clearinghouses are also beginning to take thought leadership roles. [The Growth of Pro Bono in Europe](#), 8, 48, DLA Piper & PILnet (2016) (hereinafter “Pro Bono Europe Report”).

⁸ For example, Pro Bono Connect in the Netherlands or LawWorks and A4ID in the United Kingdom.

⁹ Such as PILnet and the Civil Society Development Foundation in Romania or Pro Publico in Belgium.

¹⁰ Such as TrustLaw and Centrum Pro Bono in Poland.

¹¹ Such as PILA in Ireland.

¹² *Pro Bono Europe Report*, 44.

jurisdiction. Many countries do not permit attorneys qualified in other jurisdictions to practice within their borders. Others permit limited representation and sometimes require oversight from a locally qualified lawyer. The nature of the pro bono assistance and whether the attorney will be representing a client in court typically affect whether the lawyer may engage without being locally qualified.

Regulatory prohibitions

Understanding the laws and legal culture surrounding pro bono is also important. For example, in the past, it was illegal in some countries to represent an individual client without compensation.¹³ There are also prohibitions on legal advertising and solicitations in some jurisdictions, with many requiring compliance with general regulations governing the advertising of legal services.

Capacity and costs

Pro bono matters can vary significantly in terms of time commitment and costs. Both factors should be evaluated prior to engagement. Clearinghouses typically provide a matter summary that describes the type of work requested by the potential client. While this is sometimes sufficient to assess the scope of work and potential costs, it is often the case that additional information is required to make these assessments, and the clearinghouse should be able to provide supplemental information on request. Out-of-pocket costs may include travel, research database access, printing, telephone and postal charges, court fees, notary or filing fees, and the engagement of experts, among others. Where costs will be incurred, it is important to establish what the firm or in-house department can and cannot pay for and discuss the same with the clearinghouse and potential client in advance. Agreed-upon terms for covering the fees should ultimately be set out in the engagement letter entered into between the legal team and the client.

Subject matter and skill set

Most lawyers have a basic skill set acquired through law school and on-the-job training that enables them to engage responsibly and add value to a wide variety of pro bono clients even where the matters do not neatly overlap with the matters they handle in their day-to-day practices for paying clients. At the same time, however, lawyers should be cautious when evaluating matters in which they have no substantive knowledge of the applicable law or do not understand the nature of the legal work required. Working on matters without the requisite skill set can be more detrimental than helpful to a pro bono client and expose the lawyer and his or her organization to malpractice or bar complaints. These risks are often mitigated by participating in trainings on the relevant topics, obtaining training materials and/or collaborating with experienced co-counsel or experts on the representation.

Geography, language, and culture

It is important to consider where the client is based, whether travel will be required and/or whether “remote representation” via telephone calls, video conference and emails will suffice. Remote and virtual pro bono legal services have evolved to become commonplace in the wake of the Covid-19 pandemic and has allowed pro bono engagement to extend into “pro bono deserts” – *i.e.* places with few lawyers and legal service providers. Consideration should also be given to whether there are any cultural or language barriers that could hinder effective legal representation.

Quality of/need for the project

In order to ensure that resources are used efficiently and effectively, it is worthwhile to speak with the client prior to committing to a new project to ensure that the client is clear on what they are looking for and to find out more about how they intend to use the work product. Based on these discussions, it sometimes emerges that a prospective pro bono client may not yet be ready to effectively utilize legal counsel.

¹³ For example, until June 17, 2013, the Brazilian Bar Association prohibited lawyers from representing individual clients on a pro bono basis. *Conectas Commends Lifting of Ban on Pro Bono Legal Counsel*, Conectas Human Rights, June 26, 2013.

Potential for collaboration

Not all pro bono projects are amenable to collaborations between multiple firms or between a firm and in-house counsel. To the extent a team desires to co-counsel, they should consider whether a particular project is a good fit, including the level of resources reasonably required, whether the work can be divided up or worked on collaboratively, and whether there may be sensitivity on the client side regarding the sharing of information and interaction within a larger group.

Undertaking basic due diligence at the outset can significantly reduce the likelihood of encountering difficulties down the road.

Evaluating Clearinghouses

Legal clearinghouses can vary greatly in their structure and case referral systems. When evaluating a clearinghouse, speaking with counterparts at firms and legal departments about their experiences is often the best starting point in addition to reaching out directly to the clearinghouses. Issues to explore include the following:

Period of operation, geographic coverage, and types of matters

In evaluating a clearinghouse, it is helpful to gather basic information, including how long the clearinghouse has been operating, the law firms and legal departments it works with, where it operates, and the types of clients and matters it refers. Certain clearinghouses offer their services to both organizations and individuals, and others only service one or the other. Whereas some clearinghouses have a singular focus on certain issues (e.g. human rights, intellectual property, or environmental law), others have a broader platform where they refer a variety of qualified clients with diverse needs. Likewise, where some clearinghouses are local and refer matters to locally-qualified lawyers, others operate on a regional scale and often work with local partners to implement projects. International clearinghouses focus on facilitating pro bono work

on a global scale and often require the engagement of a multinational, cross-border team of attorneys. Some bar associations or law societies have also established their own clearinghouses to assist with pro bono engagement among their members. Understanding the structure and geographic coverage of a clearinghouse will be important for law firms and legal departments to determine whether the relevant clearinghouse would fit within their pro bono program and goals.

Client screening

Law firms and in-house legal departments typically depend on legal aid organizations and clearinghouses to screen prospective pro bono clients to ensure that the clients and individual matters qualify for pro bono support and are an appropriate use of resources. It is therefore important to explore a clearinghouse's screening criteria and approach. While criteria may vary by jurisdiction, the baseline expectation is that matters referred will have been screened to determine that the matter is meritorious and well-defined; basic background research has been conducted on the client; the client will be an efficient user of legal services; and the client cannot afford to pay legal fees or that payment of legal fees would be inappropriate.¹⁴ Nevertheless, most firms will conduct additional screening or due diligence on clients and matters to ensure compliance with their internal pro bono policies or public standards, such as the Pro Bono Institute Law Firm Pro Bono Challenge® definition of pro bono and TrustLaw's definition of qualifying pro bono work.

Free or fee-based clearinghouses

Another important up-front consideration is whether a clearinghouse is fee-based or free of charge to its members. Legal clearinghouses generally operate as nonprofit organizations. Whereas free clearinghouses seek funding from various sources, fee-based clearinghouses cover some or all of their operating costs through membership fees. Membership fees vary among clearinghouses and are sometimes based on the size of the participating firm or legal department.

¹⁴ Pro Bono Clearinghouse Manual, 27–28 (describing ways for clearinghouses to evaluate client matters for referral).

Matter dissemination and allocation

Lawyers should also consider how matters are disseminated and ultimately assigned by clearinghouses to attorneys. Regarding dissemination, it is helpful to understand how frequently and regularly new matters are circulated to interested lawyers – *i.e.*, whether the “opportunity lists” are circulated by email and how dependable these distributions are in terms of timing and volume. When it comes to allocation, some clearinghouses operate on a first come, first served basis. Others assign matters with a view to spreading the work equitably among firms and legal departments. TrustLaw, a multi-jurisdictional clearinghouse, has adopted yet another model whereby attorneys receive a weekly update on new projects, they submit an offer for any available pro bono opportunity, and the prospective client is given an opportunity to choose among those who have expressed interest. Each of these approaches has its pros and cons, and all require managing the expectations of the lawyers who may not end up representing the client/matter they requested.

Infrastructure

It is helpful to understand how a clearinghouse operates and whether they have a formal infrastructure in place to facilitate operations. Questions include whether the clearinghouse has an individual or team in place to perform client outreach, screen clients, circulate opportunities, and serve as an ongoing point of contact and resource. Some clearinghouses engage qualified lawyers to scope and refine requests for legal assistance, thereby clarifying legal projects, minimizing the need for follow-up inquiries, and ensuring that the correct legal area of expertise is identified.

Ongoing involvement

It is helpful to understand the level of ongoing engagement by the clearinghouse once a connection to the client is facilitated. It is sometimes the case that further involvement by the clearinghouse in the early stages of engagement is helpful to ensure that a matter launches successfully, particularly where a

client is inexperienced in working with counsel. Likewise, it is good to establish whether the clearinghouse follows up with clients once a matter is completed to establish whether the attorney work product is ultimately put to good use. In recent years, clearinghouses are increasingly concentrating on assessing the outcomes and impact of legal work, sharing success stories, and gauging both client and attorney satisfaction.¹⁵

Developing Effective Internal Infrastructure and Procedures

While the quality and attributes of a pro bono clearinghouse may factor into its efficacy, law firms and legal departments should also position themselves to work with clearinghouses by thoughtfully and deliberately structuring these relationships at the outset. The starting point is establishing clear internal processes for liaising with the clearinghouse and facilitating the organized intake and oversight of new pro bono matters. There are many ways to organize these processes depending on the firm’s or legal department’s size, geographic spread, and preference.

For example, some legal departments and firms opt for a “centralized approach” where there is a primary person or group that is responsible for managing the relationship between the firm/department and the clearinghouse, applying for new opportunities, and generally serving as a liaison between the department/firm and the clearinghouse. Others establish a more “decentralized approach” whereby individual attorneys each establish their own relationship with the clearinghouse and act independently in seeking work directly from the clearinghouse. In either case, establishing some form of central tracking mechanism is advisable in order to maintain oversight and visibility into the volume, quality, staffing, and lifecycle of work sourced from a particular clearinghouse.

¹⁵ [Measuring Pro Bono Impact](#), Thomson Reuters Foundation (2024).

Challenges

Most challenges that arise when working with clearinghouses are common to all legal services organizations that screen and refer matters to private practitioners. These challenges may include:

Allocation of matters

As described above, clearinghouses take various approaches when allocating pro bono opportunities, and it is sometimes the case that a lawyer applying for a particular matter will not be assigned to that matter. Most clearinghouses cast a wide net among volunteers when disseminating pro bono opportunity lists. While this approach may increase the likelihood of finding a match, it also can result in multiple volunteers vying for the same opportunity. Managing the expectations (and, sometimes, disappointment) of volunteer attorneys at the outset can help ensure their continued interest in future solicitations. In addition, where a volunteer attorney is particularly passionate about an opportunity or would bring special skills to the table, it is helpful to communicate this to the clearinghouse as this may affect how a matter is allocated.

Matters failing to materialize

A primary function of clearinghouses is to identify and screen pro bono clients before referring them to volunteer lawyers. From time to time, referred matters may not materialize. This can occur for a variety of reasons – for example, the client may fall out of communication, the nature or timing of the work required may turn out to be different than originally described or the client may decide to go in another direction or not move forward with counsel. Unless it happens with some frequency, these occurrences are not necessarily a testament to the quality of the clearinghouse's screening process.

However, where the issue is recurrent, it may

frustrate and discourage volunteers from further engagement with the referring clearinghouse. To address this, some clearinghouses maintain regular communication with clients and counsel to ensure that everything is proceeding smoothly.

Continued limited supply/variety and limited control

Whereas pro bono opportunities of nearly every variety are available anytime and in abundance in certain jurisdictions, the same is not yet true in many countries. Specifically, even with the emergence of new pro bono clearinghouses and referral org-anizations in recent years, the variety, supply and geographic spread of pro bono matters remains limited. For example, there is little opportunity to engage on behalf of individual clients in many jurisdictions, and the frequency with which pro bono opportunity lists are circulated is not always consistent or predictable. There may also be instances where the specific skills required for a project are not readily available within the firm, or in a jurisdiction with minimal law firm presence and legal support. These factors may result in volunteers having less control over and being allocated projects which do not always align with their expertise or interests, which in turn may lead to concerns expressed by NGO clients in relation to the expertise of volunteers and quality of output.¹⁶ However this is outweighed by the benefit of having access to a wide range of opportunities and projects offered by clearinghouses.

NGO clients vs. individuals

Most clearinghouses in Europe exclusively cater to NGO clients, with a few exceptions in Romania, Ireland and Slovakia. This is primarily because state-sponsored legal aid in Europe has historically served individuals.¹⁷ As law firms mainly rely on clearinghouses for their pro bono activities, pro bono clients in Europe are usually NGOs rather than individuals. However, the decline in state-sponsored

¹⁶ *Pro Bono Europe Report*, 48.

¹⁷ *Pro Bono Europe Report*, 7, 31.

legal aid in recent years with increasingly restricted eligibility in some European countries¹⁸ may result in an increasing number of individuals in need not having access to pro bono services. The foregoing challenges are either intrinsic to the clearinghouse structure or attributable to the nascent state of pro bono in many jurisdictions and do not necessarily attest to the quality and efficacy of a clearinghouse. Understanding these issues is key to managing them and managing the expectations of participating attorneys at a firm or in-house department. Efforts are also being made to improve on some of these challenges – for example, clearing-houses are increasingly experimenting with and making use of technology, including algorithmic matching, AI natural language intake, and digital platforms, to upgrade and facilitate their match-making process.¹⁹ Clearinghouses that traditionally cater to NGO clients are also increasingly exploring ways to provide support to individual clients.²⁰

managing expectations at the outset can empower law firms and legal departments to make more informed choices and lead to productive, longer term relationships with compatible clearinghouses.

Conclusion

The emergence and growth of several new clearinghouses across Europe, Asia, Africa, and Latin America in recent years has galvanized law firm and legal department pro bono programs by sourcing and proliferating pro bono opportunities and bridging the gulf between the supply and demand for free legal services across many jurisdictions.

Clearinghouses can vary greatly in terms of their geographic reach, screening, substantive focus, volume and frequency of new matter offerings, and level of ongoing support following referrals. Exploring clearinghouse attributes, considering the challenges which could arise when working with clearinghouses, and

¹⁸ Such as the United Kingdom, Sweden, the Netherlands, Belgium and Ireland. *Pro Bono Europe Report*, 31.

¹⁹ For example, Justice Connect describes its innovations in “Revolutionising the Pro Bono Landscape in Australia and Beyond” at <https://justiceconnect.org.au/about/innovation/legal-help-experience/pro-bono-portal/> and see the *Global Pro Bono Guide*: <https://probonoguide.trust.org/>.

²⁰ For example, PILnet’s Hungarian clearinghouse has recently commenced a project in collaboration with the Chance for Children Foundation and three law firms to pursue a compensation claim against a school on behalf of 62 Roma children who were unlawfully segregated. *Pro Bono Europe Report*, 44.

Select List of Pro Bono Clearinghouses

Argentina	Luxembourg
Australia	Mexico
Brazil	Netherlands
Canada	Paraguay
Chile	Peru
Colombia	Poland
Czech Republic	Portugal
France	Romania
Germany	Slovakia
Global	Slovenia
Hong Kong	South Africa
Hungary	Spain
India	Switzerland
International	Turkey
Ireland	Ukraine
Italy	United Kingdom

Argentina

La Comisión Pro Bono

www.probono.org.ar

Poder Ciudadano (Argentine Chapter of Transparency International)

<https://poderciudadano.org/>

Australia

ACT Law Society Pro Bono Clearing House

<https://www.actlawsociety.asn.au/for-the-public/legal-help/clearing-house>

Cancer Council NSW Legal Referral Service

<https://www.cancercouncil.com.au/get-support/legal-and-workplace-support/>

Justice Connect

www.justiceconnect.org.au

JusticeNet SA

www.justicenet.org.au

Law Access

<https://lawaccess.org.au/>

LawRight

<https://lawright.org.au/find-legal-help/>

Belgium

Pro Publico

<https://propublico.eu/>

Brazil

Connectas Direitos Humanos

www.conectas.org

Instituto Pro Bono

www.probono.org.br

Canada

Access Pro Bono British Columbia

www.accessprobono.ca

Pro Bono Law Alberta

www.pbla.ca

Pro Bono Ontario

www.pblo.org

Pro Bono Law Saskatchewan

www.pblsask.ca

Justice Pro Bono

<https://justiceprobono.ca/en/>

Chile

Fundación Pro Bono

www.probono.cl

Colombia

Fundación Probono Colombia

www.probono.org.co

Czech Republic

Pro Bono Alliance

www.probonoalliance.cz/cz/

France

Alliance des Avocats Pour Les Droits de L'Homme (AADH)

www.aadh.fr

Droits d'Urgence

<https://www.droitsdurgence.org/>

Barreau de Paris Solidarité

<https://www.barreausolidarite.org/>

Germany

UPJ

<https://probono-rechtsberatung.de/>

Global

Global Pro Bono Guide

<https://probonoguide.trust.org/>

Hong Kong

CLIX

<https://www.clixhk.org/>

Justice Center Hong Kong

www.justicecentre.org.hk

Pro Bono Hong Kong

<https://www.probonohk.org/>

Hungary

Magyar Pro Bono Központ / PILnet Alapítvány

<https://www.pilnet.org/access-legal-help/get-legal-assistance/hungary/>

India

iProBono

www.i-probono.com

International

Advocates for International Development (A4ID)

www.a4id.org

INTA Pro Bono Clearing House (IP and Trademarks)

www.inta.org/

International Senior Lawyers Project (ISLP)

www.islp.org

PILnet

www.pilnet.org

TrustLaw

www.trust.org/trustlaw/

Vance Center

<https://www.vancecenter.org/>

Ireland

Public Interest Law Alliance (PILA)

www.pila.ie

Italy

Pro Bono Italia

<https://probonoitalia.org/en/homepage-english/>

Luxembourg

Pro Bono Luxembourg Association

<https://www.lexgo.lu/en/news-and-articles/13995-pro-bono-luxembourg-association-officially-launched-and-fabio-trevisan-appointed-as-chairman?>

Mexico

Appleseed México

www.appleseedmexico.org

Netherlands

Pro Bono Connect

<https://probonoconnect.nl/en/>

Paraguay

CIDSEP (Interdisciplinary Center for Social Law and Political Economy)

www.cidsep.org.py

Peru

Alianza Pro Bono Peru

<https://www.alianzaprobono.pe/>

Poland

Centrum Pro Bono

www.centrumprobono.pl

Portugal

Aliança Pro Bono

<https://www.aliancaprobono.pt/pt/>

Romania

FDSC (Fundatia pentru Dezvoltarea Societatii Civile)

www.fdsc.ro

Slovakia

Nadácia Pontis

www.nadaciapontis.sk

Slovenia

The Slovenian Clearinghouse (Peace Institute and PIC)

www.mirovni-institut.si/en/

Spain

Fundación Pro Bono España

<https://www.probonoespana.org/>

Fernando Pombo Foundation

<https://www.fundacionpombo.org/cultura-pro-bono/>

South Africa

ProBono.org

www.probono.org.za

Switzerland

Geneva Bar Association

<https://odage.ch/fr>

Turkey

Istanbul Bilgi University

Pro Bono Clearinghouse

<https://probono.bilgi.edu.tr/en/>

Ukraine

Ukrainian Legal Aid Foundation

<https://ulaf.org.ua/>

United Kingdom

Advocate

<https://weareadvocate.org.uk/>

LawWorks

<https://www.lawworks.org.uk/>

National Pro Bono Centre

<https://www.nationalprobonocentre.org.uk/>

Pro Bono Connect

<https://probonoconnect.co.uk/>