Right to Practice In-House Pro Bono

CPBO | CORPORATE PRO BONO

Most U.S. jurisdictions permit in-house counsel licensed in other U.S. jurisdictions to represent their in-state employers, often through a registration or certification process (registered in-house counsel), but many do not permit them to provide pro bono services. When they do, the practice rules typically include difficult and unnecessary restrictions that limit and discourage registered in-house counsel's pro bono participation. Across the U.S., in-house counsel have been advocating to change these rules.

How MJP Rules Impact Pro Bono

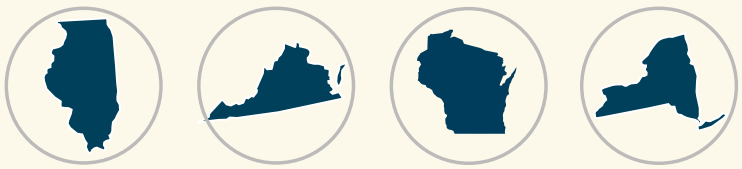
Multijurisdictional practice rules pose a significant obstacle for many in-house attorneys participating in pro bono activities. Registered in-house counsel and their colleagues serve as a vital untapped resource when considering that 92% of the legal needs of low-income Americans go unmet. (2022 LSC Justice Gap Report)

> "In-house counsel are ready, willing, and able to help our communities bridge the justice gap. I urge states to modernize their ethics rules to allow licensed in-house counsel to provide much-needed pro bono legal services."

Ivan Fong
EVP, General Counsel and Secretary
Medtronic

States Empowering In-House Pro Bono

Rules in 4 jurisdictions do not include unnecessary restrictions on registered in-house counsel providing pro bono: Illinois, Virginia (Part 1 Corporate Counsel), Wisconsin, New York.



Progress Made

In July 2012, the Conference of Chief Justices and Conference of State Court Administrators adopted Resolution 11, which states:

> "Be it resolved that the **Conference of Chief Justices** and the **Conference of State Court Administrators** encourage their members to consider promoting the expansion of pro bono legal services, including by amending the practice rules to **allow non-locally licensed in-house counsel** who are permitted to work for their employer **to also provide pro bono legal services** subject to the local rules of professional conduct."

As a result of recent advocacy efforts around the U.S.:

27 jurisdictions have authorized non-locally licensed in-house counsel to do pro bono, through subject to limitation. **10 more jurisdictions** have authorized active out-of-state attorneys, including in-house counsel, to do pro bono, subject to limitations.

Room for Improvement

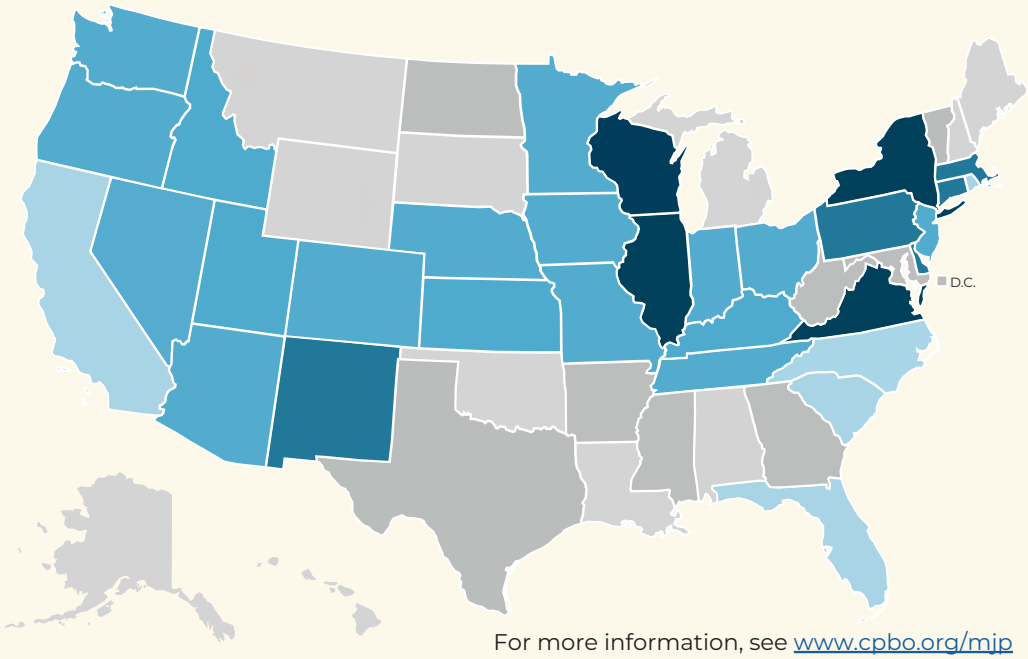
47 jurisdictions have rules that LIMIT PRO BONO services by in-house counsel

Mapping In-House Rights

Registered in-house counsel may provide pro bono legal services:

- broadly, subject to the local professional rules of conduct;
- only in association with an approved legal services organization or with the supervision of a locally licensed attorney;
- only in association with an approved legal services organization;
- only in association with an approved legal services organization and with the supervision of a locally licensed attorney;
- pursuant to an out-of-state lawyer pro bono rule, subject to a number of restrictions.

- Silent with regard to registered in-house counsel and out-of-state attorneys providing pro bono legal services.



For more information, see www.cpbo.org/mjp

Corporate Pro Bono is a project of PBI | PRO BONO INSTITUTE
© 2025 Pro Bono Institute · CPBO® is a registered trademark of Pro Bono Institute
www.cpbo.org