

A big thanks goes out to Marcia Pereira*, a member of the BBA Pro Bono Committee, for writing this pro bono message. Marcia has graciously taken several pro bono cases through the BBA and thought it might be helpful to “debunk” myths commonly associated with pro bono work. Let the record reflect the following myths and truths about pro bono service!

Myth #1: Pro bono representation takes a tremendous amount of time.

Fact: The vast majority of pro bono cases are No-Asset Chapter 7s with simple facts.

Fact: The Bankruptcy Bar Association works with multiple legal aid organizations in our district to prescreen clients and prepare them for their visit with attorneys. The clients are income eligible and understand some of the basics before they ever come to your office.

Myth #2: There is too much liability in a pro bono case.

Fact: Most of these cases are very simple. But if you are concerned about malpractice insurance, take heart in knowing that cases assigned through the BBA are done in partnership with local legal aid organizations. These organizations have malpractice insurance which covers claims arising from the pro bono case assignment.

Myth #3: I am a partner at a busy firm and don't have the time to dedicate to pro bono cases.

Fact: Taking a pro bono case can be a great teaching tool for younger associates. They get experience interacting with clients, attending hearings and drafting pleadings. If you don't have the time, encourage your younger associates to participate – many of them may just be waiting for your guidance!

Myth #4: I can't compromise my busy schedule with 341 meetings.

Fact: Most, if not all, chapter 7 trustees give pro bono cases priority at 341 meetings and will try to hear them first on that time slot's calendar. You will walk in and out of that 341 meeting as quickly as possible.

Myth #5: I don't have time/resources to research issues that are novel to me.

Fact: The BBA has connections with students working in Bankruptcy Clinics at the University of Miami, FIU and St. Thomas (and coming soon – Nova!) law schools who can assist you with pro bono case work.

Fact: It is always time to learn something new!

Myth #6: The client can afford an attorney.

Fact: All of the prescreened clients must meet income requirements, which means they must earn less than 125% of the federal poverty guidelines.

Myth #7: Pro bono clients are difficult.

Fact: While it is impossible to always guarantee a great client, the fact is that most pro bono clients are grateful, appreciative and work hard to meet their responsibilities. They are often struggling single parents, individuals who recently lost work, or individuals suffering from serious medical conditions – and they all need our help.

“FACT: In my experience, pro bono debtors are always very grateful for all I do to help them. They are very cooperative and understanding. It is rewarding to be able to help them save their homes. I also learn a LOT with these cases!” ~ Marcia Pereira, Esq.

*** Marcia Pereira, Esq.**

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