

In the
Indiana Supreme Court



CAUSE NUMBER: 94S00-1401-MS-57

ORDER AMENDING INDIANA RULES FOR PROFESSIONAL CONDUCT

Under the authority vested in this Court pursuant to Article 7, Section 4 of the Indiana Constitution providing for the admission and discipline of attorneys in this state, Indiana Rules for Professional Conduct, Rule 6.7 is added to read as follows (deletions shown by ~~striking~~ and new text shown by underlining):

Rules of Professional Conduct

...

RULE 6.7 PRO BONO REPORTING REQUIREMENT

(a) Reporting Requirement. As part of each attorney's annual registration, the following information shall be reported:

(1) Pro Bono Hours. I have personally provided approximately _____ hours of reportable pro bono legal services for the previous calendar year ending December 31.

(2) Financial Contribution. I have either (a) contributed approximately \$ _____ to the Indiana Bar Foundation, to any of the local IRC 501(c)(3) pro bono districts listed at <http://www.in.gov/judiciary/probono/2338.htm>, or to a legal service organization located in Indiana that is eligible for fee waiver under I.C. 33-37-3-2(b); or (b) made an in-kind contribution of \$ _____ to one or more of the foregoing qualifying legal service organizations or local pro bono districts.

(3) Exempt Persons. I am exempt from the provision of pro bono legal services because (i) I am currently serving as a member of the judiciary or judicial staff, (ii) I am a government lawyer prohibited by statute, rule, regulation, or agency policy from providing legal services outside my employment, (iii) I am retired from the practice of law, or (iv) I maintain inactive standing with the Clerk of the Indiana Supreme Court.

(b) Definitions.

(1) Reportable pro bono legal services are those legal services rendered directly to or for the benefit of persons reasonably perceived to be of limited means without charge or expectation of

a fee by the lawyer at the time the service commences. For purposes of this Rule persons of limited means are individuals or families whose household incomes are up to 200% of the federal poverty guidelines.

(2) Reportable pro bono legal services performed in other states by a member of the Indiana Bar are reportable as pro bono hours in Indiana.

(3) Reportable pro bono legal services do not include legal services written off as bad debts, and they do not include services rendered to improve the law, the legal system, or the legal profession unless solely aimed at assisting persons of limited means.

(c) **Reporting Required.** While the professional responsibility to provide pro bono legal services is governed by Rule 6.1, the requirement to report voluntary pro bono service is governed by this Rule 6.7 and creates a mandatory reporting obligation, the violation of which may subject a lawyer to discipline.

(d) **Public Disclosure of Information Received.** Information received pursuant to this Rule shall not be publically disclosed on an individual or firm-wide basis.

This amendment shall take effect January 1, 2015, with reporting of pro bono legal services rendered during calendar year 2015 to be made with the fall 2016 annual registration.

The Clerk of this Court is directed to forward a copy of this Order to the clerk of each circuit court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Prosecuting Attorney's Council; Public Defender's Council; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; Indiana Judges and Lawyers Assistance Program; the libraries of all law schools in this state; the Michie Company; and Thomson Reuters. The Clerk is also directed to post this Order to the Court's website.

Thomson Reuters is directed to publish this Order in the advance sheets and bound volumes of this Court's decisions. Thomson Reuters is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit and Superior Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, on September 2, 2014.

/s/Loretta H. Rush
Loretta H. Rush
Chief Justice of Indiana

All Justices concur.