

The legalities and the reality

The phrase pro bono publico literally refers to "for the public good"; it is usually shortened to pro bono, a Latin phrase referring to professional work undertaken voluntarily and without payment or at a reduced fee as a public service. Unlike traditional volunteerism, it is service that uses the specific skills of professionals to provide services to those who are unable to afford them.



Moadi

Rule 79A of the Rules of the Law Society of Northern Provinces (which regulates affairs of attorneys practicing within Gauteng, Mpumalanga, North West and Limpopo) was adopted at the 2008 Annual General Meeting of the Law Society of the Northern Provinces (subsequently published in the Government Gazette on 25 March 2010).

With a view to facilitating access to justice in favour of those needy and deserving members of society, Rule 79A was primarily designed to address the needs of persons with limited means, or non-profit organisations where the payment of legal fees will deplete such organisations' economic resources and affect their ability to carry out their charitable or public interest work.

Attorneys who have practised for less than 40 years, and who are less than 60 years of age, are expected to perform *pro bono* services of not less than 24 hours per calendar year. A firm of attorneys with more than one practitioner is ordinarily expected to comply with the requirement of the rule. The *pro bono* hours worked are expected to be equal to the number of practitioners multiplied by 24 hours per practitioner, notwithstanding the fact that, in some firms, only one or more of the practitioners execute *pro bono* work.

There are different ways of practising *pro bono* and Maponya elected to partner with various homes of free legal services such as the Funani Home for Social Justice in Mamelodi. It is mandatory for senior partners, associates and candidate attorneys to assist those without legal representation who would otherwise be prejudice should the matter proceed to litigation.

Practitioners take pride in the *pro bono* initiatives which ensure that justice is not only done but it is manifestly seen to be done.

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