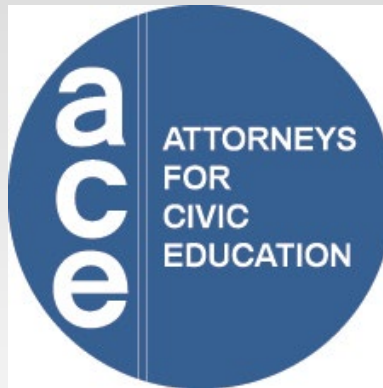


**HELPING GOVERNMENT LAWYERS MEET THEIR  
PRO BONO ASPIRATIONS, WHILE HELPING  
IDAHO'S SCHOOLCHILDREN UNDERSTAND  
THEIR GOVERNMENT**



## **Idaho Rules of Professional Conduct Rule 6.1: Voluntary Pro Bono Publico Service**

Every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least (50) hours of pro bono publico legal services per year. In fulfilling this responsibility, the lawyer should:

- (a) provide a substantial majority of the (50) hours of legal services without fee or expectation of fee to:
  - (1) persons of limited means or
  - (2) charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the needs of persons of limited means; and
- (b) provide any additional services through:
  - (1) delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes;
  - (2) delivery of legal services at a substantially reduced fee to persons of limited means; or . . .

## **Idaho Rules of Professional Conduct Rule 6.1: Voluntary Pro Bono Publico Service**

. . .

- (b) provide any additional services through:
  - (1) delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes;
  - (2) delivery of legal services at a substantially reduced fee to persons of limited means; or
  - (3) participation in activities for improving the law, the legal system or the legal profession.

In addition, a lawyer should voluntarily contribute financial support to organizations that provide legal services to persons of limited means.

**Idaho Rule of Professional Conduct 6.1** reminds us that “[e]very lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least (50) hours of *pro bono publico* legal services per year.

Many lawyers have a difficult time meeting this goal, including government lawyers who have ethical limitations on our ability to provide direct representation to private clients, in-house counsel who face conflicts of interest, and lawyers who practice in areas that do not translate easily to providing services to non-clients.

## **Idaho Rule of Professional Conduct 6.1 Comment [5]**

Constitutional, statutory or regulatory restrictions may prohibit or impede government and public sector lawyers and judges from performing the pro bono services outlined in paragraphs (a)(1) and (2). Accordingly, where those restrictions apply, government and public sector lawyers and judges may fulfill their pro bono responsibility by performing services outlined in paragraph (b).

**Rule 6.1(b)(3)** indicates that a lawyer should “provide additional legal services through: . . . participation in activities for improving the law, the legal system or the legal profession.”

The Idaho State Bar and its members have taken that rule to heart, and demonstrated their commitment to civic education through programs such as the Law Related Education (“LRE”) committee and program.

Visit

<https://isb.idaho.gov/ilf/lre/#:~:text=LRE%20programs%20work%20to%20help,of%20the%20Idaho%20Law%20Foundation>

to learn more about all the programs that ILF provides to the community.

## **WHY BE CONCERNED ABOUT CIVIC EDUCATION?**

National Center for Education Statistics 2022 Civics Assessment

Just 22% of eighth graders performed at or above the proficient level

2023 Annenberg Constitution Day Civics Survey

66% of U.S. adults could name all three branches of government—executive, legislative, and judicial—while 10% could name two of the branches and 7% could name only one. About one in six people (17%) could not name any branches.

## **WHY BE CONCERNED ABOUT CIVIC EDUCATION?**

“New Study Finds Alarming Lack of Civic Literacy Among Americans”  
2/12/24

More than 70% of Americans fail a basic civic literacy quiz on topics like the three branches of government, the number of Supreme Court justices, and other basic functions of our democracy.

Just half were able to correctly name the branch of government where bills become laws.

While two thirds of Americans say they studied civics in high school, just 25% say they are “very confident” they could explain how our system of government works.



## WHY BE CONCERNED ABOUT CIVIC EDUCATION?

United States Supreme Court Chief Justice John Roberts

**“Each generation has an obligation to pass on to the next, not only a fully functioning government responsive to the needs of the people, but the tools to understand and improve it.”**

United States Supreme Court Justice Sonia Sotomayor:

**“Our democracy won’t last unless the people who are in it respect the value that we have and understand their responsibility to maintain it.”**

## WHY BE CONCERNED ABOUT CIVIC EDUCATION?

Former United States Supreme Court Justice David Souter expressed his concern about civic education in the United States when he said, ***"I don't believe there is any problem of American politics in American public life which is more significant today than the pervasive civic ignorance of the Constitution of the United States and the structure of government."***

Former United States Supreme Court Justice Sandra Day O'Connor stated, ***"We are failing to impart the basic knowledge that young people need in order to become effective citizens and leaders when they are of voting age."***

## **HOW CAN ATTORNEYS HELP?**

- **Get involved with LRE programs**
- **Help out in your local schools**
- **Volunteer as a judge or coach of a team**
  - **Mock trial**
  - **We The People**
  - **YMCA Youth Government**
  - **4H Know Your Government**
  - **and lots of others**

**.... And, of course, join ACE!**



- ACE is a public service project of the Idaho State Bar Government and Public Lawyer Section – but anyone can join.
- ACE is a “booster club” for K-12 civic education programs in Idaho. ACE raises awareness, volunteerism, and funds for civic education programs in Idaho.
- ACE has also begun creating content.

## Created in June 2013, ACE's celebrated 10 years last year

- website: [attorneysforciviceducation.org](http://attorneysforciviceducation.org)
- published several articles in *The Advocate*
- host and annual Constitution Day CLE
- hold an annual fundraising event called “Hilarity for Charity”—a night of comedy improv presented by its namesake troupe—that passes every dollar generously donated to support Idaho’s civic education programs
- helps support the Institute for Secondary School Teachers and the Institute for Journalists

# **We the People**

PRESENTED TO THE  
GOVERNMENT AND PUBLIC  
SECTOR SECTION

# Idaho Mock Trial

PRESENTED TO THE  
GOVERNMENT AND PUBLIC  
SECTOR SECTION

# **YMCA**

## **Youth in Government**

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# **4H**

# **Know Your Government**

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# **Institute for Secondary School Teachers**

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# **Institute for Journalists**

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# **Constitution Day CLE**

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# **Hilarity for Charity**

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SECTOR SECTION

# Other Projects

# ***YOU ARE INVITED***

## **NEXT ACE MEETING:**

Thursday, June 13, 2024  
12:00 pm MST

## **I can get you dial in information**

Subsequent meetings – every third Thursday

FOR MORE INFORMATION  
[texiemontoya@boisestate.edu](mailto:texiemontoya@boisestate.edu)