

ACTIVITY OF THE PRO BONO CENTRE



LAW FIRMS' ACTIVITY
IN FAVOUR OF NON-GOVERNMENT
ORGANISATIONS IN 2008



Gide Loyrette Nouel

THE PARTNER OF THIS EDITION IS
GIDE LOYRETTE NOUËL LAW FIRM



Centrum
PRO BONO



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Fundacja Uniwersyteckich
Poradni Prawnych

POLSKO-AMERYKAŃSKA
FUNDACJA WOLNOŚCI



POLISH-AMERICAN
FREEDOM FOUNDATION



Gide Loyrette Nouel

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Centrum PRO BONO

DEAR READERS,



Law firms, especially those well-known, including international firms, are inseparably linked with big business. It may appear that such forum is very distant from the realities of everyday life of Polish non-profit organizations. It turns out, however, that cooperation between those two such different environments - the non-profit organizations environment and the environment of law firms - is not only possible, but also very satisfactory and important for both parties, which will be proved hereinafter. When you read about social engagement of the Law Firms cooperating with us, you will see that pro bono activity is first of all a synergy of extremely important, in most cases innovative, social projects carried out by non-governmental organizations, and expertise of lawyers engaged in such projects. Thanks to that, the non-governmental organizations receive legal services of the highest standard and the lawyers can participate in very interesting social projects in the areas ranging from education, art and culture to health and a broad spectrum of social projects.

Pro bono activities are also the source of satisfaction and pride - both for the lawyers who have a possibility to share their knowledge and experience with organizations, and for the organizations themselves as they could never afford such assistance on commercial terms. For non-governmental organizations, the support of law firms not only means the solution of specific problems, but is also a kind of recognition for their work proving it to be important and appreciated.

We are very pleased to present you with the report describing pro bono activities of the law firms which in 2008 helped 49 foundations and associations through our agency. Instead of general deliberations on the legitimacy and need for development of pro bono activity, we would like to present the impressive pro bono achievements of the law firms cooperating with us.

Enjoy your reading!





CHADBOURNE & PARKE LLP

RADZIKOWSKI, SZUBIELSKA I WSPÓLNICY

The law firm of Chadbourne & Parke is one of 16 law firms which assist Polish non-profit organizations through Centrum Pro Bono. The Firm participates in one of the biggest projects ever submitted to Centrum Pro Bono. The **Foundation for Assistance To Physically Disabled Mathematicians** from Warsaw acts for the disabled and implements projects mainly connected with new technologies. Recently, the Foundation has started a new program with the purpose of eliminating competence-related, psychological and technological barriers in the access to the Internet and teaching computer and Internet skills. It is estimated that the program will cover approx. 6000 disabled people. Local government institutions from Wrocław, Poznań, Opole, Toruń, Radom and Białystok have declared their will to cooperate. Chadbourne & Parke provides the Foundation with support consisting of preparation of the project documentation, consulting partnership agreements and agreements with program participants. The project is run by a team of lawyers coordinated by Mrs. Joanna Bochniarz-Urbańska.

Chadbourne & Parke has also helped the **Association „Wybrani w Górach”** from Wójtowice which promotes the idea of sustainable development of mountain areas, and the case in question concerned, among other things, the analysis of tender procedures carried out by the Association as part of a European Union funded project „Sudety - Opportunities for the Young”. Working on the project were Chadbourne & Parke’s representatives Mr. Sylwester Pieckowski, Mr. Adam Zwierzyński and Mr. Rafał Jung.

A very interesting pro bono project worked on by the Law Firm, Mr. Rafał Jung specifically, was the help provided to the **Ortus Foundation** from Chrzelice in the preparation of a civil law agreement between the Foundation and the owner of a medieval castle in the Silesia region, which stipulated that the Foundation had a longstanding right to use the castle, at the same time protecting the proprietary rights of the

CHADBOURNE
& PARKE LLP

owner. The master agreement and know-how regarding preparation of similar agreements will be made available by Centrum Pro Bono to other persons and institutions interested in lending private properties for social purposes. This is an important step forward supporting private capital in its engagement in social projects.

The Law Firm of Chadbourne & Parke has also participated in the works of an informal expert group representing 16 biggest Polish law firms engaged in preparation of specific proposals of amendments to tax regulations imposing value-added tax on pro bono legal services. The group has been initiated by Centrum Pro Bono and Chadbourne & Parke was represented by Mrs. Dorota Szubielska who prepared one of the three parts of the statement of reasons for the proposed amendments.

The pro bono program at Chadbourne & Parke is headed by Mr. Sylwester Pieckowski.

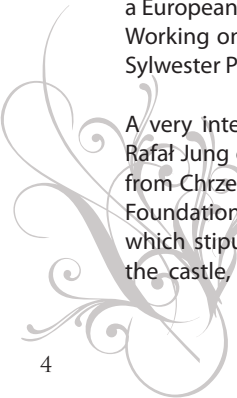
CLIFFORD CHANCE

JANICKA, NAMIOTKIEWICZ, DĘBOWSKI I WSPÓLNICY



Clifford Chance has actively supported Centrum Pro Bono since its creation. It was the first law firm co-operating with Centrum Pro Bono to take part in an international project on comparative law. The programme in which Clifford Chance is involved is conducted by British NGO **British & Human Rights Resource Centre** and its aim is to prepare a comparative report on human rights violations in the business world. The report was prepared by Ms Katarzyna Szymielewicz and Ms Barbara Głowala.

Clifford Chance’s work for **Fundacja Talizman** of Warsaw on a project to support small village schools run by local residents is particularly important. With the direct aim of improving the level of education and an indirect aim of developing community and civic involvement in rural areas, the project supports existing and emerging (in place of closed



state schools) „Small Village Schools“. Clifford Chance has undertaken to provide comprehensive legal advice to the „Small Village Schools“ taking part in the project and is hence one of the first law firms through which Centrum Pro Bono is participating in a community project as an NGO, and it is also involved in systemic changes. The significance of this project can also be seen in the number of initiatives of this type - approx. 350 schools in Poland. Ms Irena Flores, Ms Agnieszka Kozikowska, Ms Anna Łagocka and Ms Katarzyna Szymielewicz work with the Talizman Foundation. Clifford Chance's first case in the field of education was to assist parents belonging to educational association **Stowarzyszenie Oświatowe „Przyszłość Dziecka”**, which is attempting to transform a school in Warka. The association is being assisted by advocate Karolina Kopik-Nagłowska, Ms Agnieszka Kozikowska and Ms Anna Łagocka.

Over the last year, Clifford Chance has helped another two non-profit organisations. Advocate Joanna Młot, Ms Joanna Janicka and Ms Natalia Łepkowska advised **Fundacja Służba Dziecka** of Krynica Morska, which carries out welfare and educational activity for children and young people. The foundation is in a difficult legal situation following the bankruptcy of its founder. Clifford Chance is taking efforts to fight off the attempts of the trustee in bankruptcy to have the foundation liquidated. Clifford Chance also takes part in the work of an informal group of experts representing 16 of Poland's largest law firms involved in preparing specific proposals of amendments to tax provisions, which currently require VAT to be charged on pro bono legal assistance. The group was formed on the initiative of Centrum Pro Bono and Clifford Chance, represented by tax adviser Tomasz Szymura.

Clifford Chance's pro bono programme is managed by advocate Bartosz Krużewski and Ms Katarzyna Szymielewicz.

ERNST & YOUNG SP. Z O. O.

Ernst & Young advisory company participates in a number of social initiatives, especially in the area of education, entrepreneurship and promoting high standards in business and non-government institutions.



Out of the Centrum Pro Bono's activities, Ernst & Young selected a system programme related strictly to tax issues - the company headed an informal group of experts representing 16 law firms that are jointly acting to VAT exempt free-of-charge legal assistance (for full list of persons involved in the project, please go to www.centrumprobono.pl and click on the News tab). Members of the group have drafted an amendment to the VAT Act that has been supported by, e.g. the National Board of Legal Advisers (KRRP), the Supreme Bar Council (NRA), the Stefan Batory Foundation, the Helsinki Foundation for Human Rights, and the Polish National Federation of NGOs (OFOP). In October 2008, the draft was filed with the Sejm Friendly State Committee that launched subsequent works.

Mr Cezary Przygodzki represented Ernst & Young in the course of the project.

GIDE LOYRETTE NOUEL

TOKARCZUK, JĘDRZEJCZYK I WSPÓLNICY
KANCELARIA PRAWNA GLN

The law firm Gide Loyrette Nouel has dynamically developed its pro bono activities. In co-operation with Centrum Pro Bono, the company has participated in as many as five pro bono projects. The largest project was the assistance provided by Michał Kubicz, legal counsel, to the ecological foundation **Arka** from Bielsko-Biała. The activities



Gide Loyrette Nouel

of this foundation are aimed at protecting the natural environment and animal rights, including information and legislation campaigns to promote pollution-free air. Michał performed a comprehensive analysis of legal provisions concerning waste combustion, to be presented to the President of the Council of Ministers. The report will be made available to local authorities and street wardens (Straż Miejska), as well as other entities and individuals campaigning for the protection of clean air.

Another of GLN's important pro bono projects was legal assistance provided to the Warsaw based **Stowarzyszenie Po Pierwsze Rodzina** (Family First Association). The association's aims are to help children with brain damage and their families, by running several non-public educational institutions and physiotherapeutic clinics. Katarzyna Zwierz-Wilkocka provided legal advice to the association on labour law issues, to adapt employment by-laws to the applicable legal provisions and the needs of physiotherapists and counsellors employed by the association. Maciej Grela, tax advisor at GLN, provided legal assistance to the Warsaw based **Fundacja Życzliwy Przedsiębiorca** (Friendly Entrepreneur Foundation), which promotes the development of private enterprise and innovation. Maciej provided legal assistance relating to the preparation of an agreement on loaning for use, and explained the relevant tax implications. In addition, Gide Loyrette Nouel participated in an informal working group of experts representing sixteen of the largest Polish law firms, aimed at preparing proposals for amendments to tax regulations imposing VAT on pro bono assistance. GLN was represented by Marcin Żuk, tax advisor, who actively took part in all stages of preparing the draft amendment.

The most recent pro bono project is the legal advice given by Marcin Żuk to the branch office of **Fundacja Liga Kobiet Polskich** (Polish Women League Foundation) in Ostrołęka, which provides several hundred free meals to people in need in Ostrołęka and the nearby areas. Our law firm prepared an expert opinion for the foundation concerning an interpretation of Article 145 of the Public Finance Act, which is the source of a dispute between the foundation and Ostrołęka Town Council. We hope that the expert analysis drawn up by GLN will help to settle the

dispute and enable the foundation to continue its activities.

The pro bono activities of GLN Warsaw are co-ordinated by Katarzyna Buczkiewicz.

HOGAN & HARTSON JAMKA

2008 was another year of dynamic growth of pro bono practice in the Warsaw office of Hogan & Hartson.

The Firm not only actively participated in the establishment of Pro Bono Center and has dealt with the issues submitted to the Center, but has also conducted its own program of cooperation with Federacja Organizacji Pozarządowych Mazowia (Mazowia Federation of NGOs), associating 50 non-profit organizations from the Mazovian region.

The most significant pro bono project of Hogan & Hartson within the last year has comprised legal assistance provided twice through the Pro Bono Center of **Fundacja Domy Wspólnoty Chleb Życia** (Bread of Life Foundation) run by a nun Małgorzata Chmielewska. Jan Kaczmarczyk, with support from Halina Więckowska, lawyers from Hogan & Hartson, at the request of the Foundation, have carried out free of charge due diligence in respect of the social economy activity conducted by the Foundation (production of food and craft products by persons threatened with social exclusion, for whom such work is a chance to come back to social activity). Piotr Augustyniak has supported the Foundation by way of advising in respect of tax regulations. Thanks to assistance of Hogan & Hartson, the Foundation can develop its activity with trust in law.

Another issue, also associated with social economy, was advising by Hogan & Hartson to **Rokor 1 Foundation** from Gdynia. Hogan & Hartson's assistance comprised an analysis of legal possibilities of organizing by the Foundation of vocational trainings for persons unemployed for a long time in private companies. In this respect, the Foundation was assisted by Bartosz Karolczyk, who also provided assistance to **Stowarzyszenie Inicjatyw Społecznych Asocjacje** (Social Initiatives Association) with



**HOGAN &
HARTSON**

its seat in Lublin, in respect of a dispute with a sponsor, arising from interpretation of the contractual provisions.

Hogan & Hartson also participates in the works of informal group of experts representing 10 largest Polish law firms, dealing with the preparation of specific proposals concerning amendment of tax regulations imposing VAT on pro bono legal assistance. The group was established on the initiative of Pro Bono Center, and Hogan & Hartson was represented by Piotr Augustyniak.

Additionally, Hogan & Hartson provides day-to-day advice and explanations in matters addressed by non-profit organizations associated in **Mazovia Federation**. A majority of issues sent to the law firm refers to corporate, civil and labor law. Jan Kaczmarczyk supports the Foundation on behalf of Hogan & Hartson.

The pro bono program of Hogan & Hartson is led by Agnieszka Suchecka-Tarnacka.

JOANNA ŚWIĄTEK WOJNAROWSKA

The law office of Joanna Świątek-Wojnarowska is the first law office outside of Warsaw that started assisting Centrum Pro Bono. The law office is based in Szczecin and, although it has been co-operating with Centrum Pro Bono only since November 2008, has managed to assist two non-governmental organisations – **Fundacja Forum Odpowiedzialnego Biznesu** (Responsible Business Foundation) and **Stowarzyszenie Forum Literackie Erynie** (Literary Forum Association Erynie). In the first case, the law office helped the foundation to calculate accurate deadlines in proceedings carried out before the National Court Register, and in the second case the law office advised the association on drawing up an agreement for the free of charge loan of a server to be used by the Foundation.

LEŚNODORSKI, ŚLUSAREK I WSPÓLNICY



Leśnodorski Ślusarek
i wspólnicy

The law offices of Leśnodorski, Ślusarek i Wspólnicy has a long-standing tradition of community activity, including legal assistance for foundations and associations, in particular those working with art and culture. Leśnodorski-Ślusarek's pro bono programme consists of comprehensive aid for non-profit organisations requiring professional copyright law assistance.

Over the past year, the firm undertook five pro bono cases in this area. The first was submitted by **Fundacja Harmonia Mundi** (the Harmonia Mundi Foundation) from Wrocław, which supports and popularises creativity and community attitudes. The assistance provided to the Foundation consisted of analysing Polish and international provisions regarding the scope of protection and its ability to use its name, in particular abroad.

The person in charge of helping the foundation was Agnieszka Kądziała. In another case Krzysztof Czyżewski advised **Stowarzyszenie Teatralne Remus** (the Remus Theatrical Association) with regard to concluding agreements with artists that would protect both the rights of the performers and of the association. The activity of Stowarzyszenie Teatralne Remus covers the organisation of theatrical performances and the popularisation of culture through theatre, in particular among mentally handicapped persons, refugees, the elderly, residents of economically depressed rural areas and neglected urban zones.

Another request for assistance regarding agreements with the authors of audiovisual works was submitted by **Fundacja Filmów i Programów Katolickich Video Studio Gdańsk** (Video Studio Gdańsk Foundation for Catholic Films and Programmes). This organisation produces documentary film projects (historical, educational, artistic, journalistic and others).

The question regarded the need to modify specified task and copyright transfer agreements concluded with the authors of films produced by the foundation, in light of the fact that there are more possible fields of use for films now than in the 1990s when the agreements were concluded.

Witor Rainka prepared the expert opinion in that case.

Another exceptionally interesting case was submitted to our Pro Bono Centre by **Fundacja Na Rzecz Kobiet Ja Kobieta** (Ja Kobieta Foundation for Women) from Warsaw, which in organising projects to make persons 50+ years old more active, in particular women, counteracts the social exclusion of women and the elderly. While realising its "Odzyskać od niepamięci" ("Saving from Oblivion") project, consisting of publishing a book of interviews conducted with women survivors of the Ravensbruck labour camp, the foundation needed legal assistance in drafting copyright agreements with the interviewees and people who worked on the book. On behalf of Leśnodorski-Ślusarek, the specimen agreements were drafted by Natalia Bartsch.

The firm also took part in an innovative project by **Stowarzyszenie Edukacyjno - Artystyczne OTO JA** (OTO JA Educational and Artistic Association) from Płock, which promoted the artistic work of handicapped persons. The association sought assistance in determining the legal position of the handicapped artists, including the ownership of copyrights to their works. Witor Rainka provided assistance to the association.

The firm's pro bono programme is headed by Maciej Ślusarek and Jolanta Lisicka.

and visually-impaired adults and children in order to promote their social integration, rehabilitation, and equality in access to information, education and employment. Lawyers assisted the Association in analysing regulations applicable to the taxation of computer equipment received from the POLSAT Foundation and advised on how it could transfer the computers to those under its care. The second matter was brought forward by the Beskid Astronomical Club "Polaris"; a local organisation running educational and social activities for young people. The Club was in need of advice on the requirement of paying VAT on paid activities for the public good. Both organisations were assisted by Mikołaj Bieniasz and Paweł Chodziński, who also represented Linklaters in the work of an informal group of experts representing 16 of the largest Polish law firms which was preparing specific proposals for changes to the tax regulations which require VAT to be charged on pro bono legal assistance.

A third matter was raised by the social foundation **Powiślańska Fundacja Społeczna** in Warsaw, which helps children and parents threatened with social marginalisation. This involved consultation regarding an application to the General Inspector for Personal Data Protection and the formulation of an appropriate policy on personal data protection for those under the Foundation's care, provided on behalf of Linklaters by Ewa Kurowska-Tober and Patrycja Poppe. The firm has also assisted the **Fundacja Centrum Edukacji Obywatelskiej** (Civic Education Centre Foundation) and the **Fundacja dla Śląska** (Silesia Foundation). The Civic Education Centre Foundation suffered considerable property damage at the hands of a company which modernises office equipment. Thanks to free advice from Bartłomiej Kordeczki and Jakub Dąbrowski, the Foundation is considering taking legal steps towards obtaining compensation. In the matter raised by the Silesia Foundation, Anna Kuszewska, Ewa Kołtuniak and Andrzej Tropaczyński prepared an opinion on how to interpret the provisions of the Act on Public Benefit and Voluntary Work.

The firm's pro bono activities are coordinated by Iwona Pikuła.



LINKLATERS

C. WIŚNIEWSKI I WSPÓLNICY

As part of its cooperation with Centrum Pro Bono, Linklaters Law Office has already helped five non-governmental organisations which turned to the Centre for help with legal problems. Two of these cases involved tax advice for the **Polski Związek Niewidomych Okręg Lubelski** (Lublin Branch of the Polish Blind Association) and the **Beskidzki Klub Astronomiczny Polaris** (Beskid Astronomical Club "Polaris") in Sopotnia Wielka. The Lublin Branch of the Polish Blind Association serves blind

Linklaters



MARUTA I WSPÓLNICY

The law firm Maruta & Partners is involved in pro bono activity in two areas: assistance to non-profit organisations in matters and cases reported to the Pro Bono Centre and law education projects targeting managers of non-governmental organisations. The firm's first lecture was delivered by a Partner, Marcin Maruta, who talked about the practical aspects of contracts, such as the most common errors, forms of contracts, addendums, interpretation of contracts, and consequences of non-performance. During the second meeting, Roman Bieda covered the major issues of personal data protection in NGO activity.

In addition to its educational contribution, the firm has provided legal advice, at no charge, to a foundation incorporated as the Polish branch of **Ashoka: Innovators for the Public Good**, an international association looking for and recruiting outstanding personalities to introduce innovative systemic solutions for social problems. Maruta & Partners advised the Foundation on copyright issues involved in an international publication prepared in partnership with the Association of Friends for Integration. Marcin Maruta, Roman Bieda, Michał Barta and Agnieszka Wachowska prepared the legal information and copyright donation agreements required to publish the book. The publication is a compilation of articles about Ashoka members from several countries, involved in disablement issues and international cooperation. The articles describe innovative solutions and strategies used by Ashoka members in 13 countries on 5 continents.

Marcin Maruta has also lent his assistance to the **Viva Foundation**, which submitted a copyright case where a publisher had unlawfully appropriated proceeds from the sale of a book. The Viva Foundation is a very active propagator of an ethical approach to animals and its primary objective is to prevent animal cruelty through information campaigns and direct interventions.

MARUTA

One of the most spectacular cases taken by Maruta & Partners was assistance to the TUS Foundation. Their legal support consisted in representing the Foundation in difficult negotiations regarding a site occupied by it, which the Municipal Bus Authority tried to take over despite the specific terms of their contract to the contrary. The firm's lawyers, Marcin Maruta and Marcin Serafin, demonstrated beyond any doubt that – contrary to the other party's claim – the Foundation had the right to use the site for another 9 years!

The pro bono program is supervised by Marcin Maruta, a Partner.

MAŁGORZATA SUPERA

Supera Law Office joined our team of pro bono attorneys in October 2008 and provided legal aid to a non profit organization Fundacja Wies XXI. The case considered financial means invested into a deficient industrial machine and was of essential importance to the functioning of the organization. Fundacja Wies XXI has its headquarters in Pakosze and supports development and progress in polish rural areas through education, green investments, active help to the unemployed and to children from poverty-stricken families.

The legal aid was provided by Mr. Łukasz Supera.

WEIL, GOTSHAL & MANGES

The law office of Weil, Gotshal & Manges prides itself on its several years of commitment to pro bono activity, for which it has already received a number of awards. The Firm has been cooperating with Centrum Pro Bono since the latter's inception

WEIL GOTSHAL

律师

and has provided free legal advice to several non-profit organizations via the Center's framework.

In May 2008 Mr Artur Zawadowski, a partner and legal advisor, assisted the **Foundation for the Center For Citizenship Education** on structuring agreements between partners seeking EU financing for their projects. Mr Zawadowski has personally advised the Civis Polonus Foundation, which organizes courses for civil servants, on public procurement issues.

Mr Robert Krasnodębski, a partner and legal advisor, together with Mr Marek Kanczew, from Weil Gotshal's tax department have been actively assisting the **Multiple Sclerosis Society of Poland** on tax matters, in particular the taxation of donations intended for the treatment and rehabilitation of members of the Society. The tax opinions prepared for the Society will be made available to other organizations seeking and raising funds for the sick.

Mr Krasnodębski has also participated in the activities of an expert team organized by Centrum Pro Bono which seeks the abolishment of VAT on legal advice provided free of charge. Mr Krasnodębski's contribution included the preparation of an expert opinion responding to the comments made by specialists working for the Bureau of Research of the Chancellery of the Sejm.

For the Warsaw office of Weil Gotshal, commitment to pro publico bono activity is a long-standing tradition. For the last five years Weil Gotshal has been providing legal assistance to the member organizations supported by the **Ashoka Foundation**. The beneficiaries of the Firm's legal advice via the Ashoka Foundation's framework include the Synapsis Foundation, Friends of Integration Society and the Magic Mountain Foundation. The Firm has also cooperated with the Foundation for Social and Economic Initiatives on the preparation of two complex legal opinions for organizations interested in social economy.

In recognition of its social activities Weil, Gotshal & Manges was voted a laureate of the "Benefactor of the Year" Competition organized annually

by the Academy for the Development of Philanthropy in Poland.

The Firm's pro bono program is supervised by Mr Artur Zawadowski.

WHITE & CASE

W. DANIŁOWICZ, W. JURCEWICZ I WSPÓLNICY


White & Case has been working together with Centrum Pro Bono from the very beginning and has been dynamically developing its pro publico bono activity. The Firm has already helped three NGOs through the Center. It has assisted the **Polish Scrabble Federation**, determining whether the name Scrabble is a protected trademark. The matter was handled by Dr. Katarzyna Lasota and Ms. Karolina Smaga. The Firm has also helped **Fundacja Pomocy Ludzie Ludziom** (Aid Foundation People to People) from Rogowiec in connection with the recovery from the Social Security Fund of illegally charged premiums. The Foundation runs a single mother house in Rogowiec and a shelter for domestic violence victims. The legal advice was provided by Mr. Marcin Panek, White & Case. Another pro bono matter conducted by White & Case lawyers, Ms. Aneta Pacek-Łopalewska and Ms. Joanna Kwaśny, involved **Stowarzyszenie Zielona Barycz** (Green Barycz Association) from Kraków. The firm advised in connection with administrative procedure related to the proper implementation of the Regeneration Program in the area affected by the Wieliczka Salt Mine and Barycz municipal waste landfill created as part of the EU RELECOM Project".

White & Case was also involved in the work of an informal group of experts representing sixteen largest Polish law offices which has developed concrete proposals of amendments to tax regulations imposing VAT on pro bono legal assistance. The Group was created upon the Pro Bono Center's initiation and White & Case was represented by Mr. Marcin Panek.

The logo for White & Case, consisting of the company name in white capital letters on a dark blue rectangular background.

The Firm's Pro Bono Program is managed by Ms. Alina Szarlak and Ms. Edyta Ziajowska.

WIERZBOWSKI EVERSHEDES

The law firm of Wierzbowski Eversheds  WIERZBOWSKI EVERSHEDES has been working with Centrum Pro Bono for a year, but the last six months have been a time of particularly intense growth in the firm's pro bono program. Wierzbowski Eversheds has been especially involved in assisting the **Foundation for the Center for Citizenship Education** (Fundacja CEO), which is designed to support other educational institutions working with children and young people and to help establish the foundations for a civic-minded society. The law firm has provided legal support to the foundation so far on three different matters. The foundation's cooperation with the firm began with support in the form of professional know-how provided by Tomasz Zalewski and Witold Sławiński during negotiations with the Education Ministry concerning long-term grants from EU funds. The most challenging stage in the negotiations concerned issues related to public procurement. Continuing the firm's cooperation with the Center for Citizenship Education, Gerard Karp advised the foundation on personal data protection and Agata Mierzwa assisted the foundation in a matter involving labour law. Wierzbowski Eversheds also provided free assistance to the **Warsaw Marathon Foundation**. Paweł Lipski advised the foundation on protection of the organizer's interests in the event of claims by participants, particularly with respect to the difficult issue of legal responsibility for the health of participants during a run. The Warsaw Marathon Foundation organizes the Warsaw Marathon and Half-Marathon each year, and numerous other large running events. It also carries out social campaigns promoting an active lifestyle.

The pro bono program at Wierzbowski Eversheds is coordinated by Aleksandra Makulińska.

WOŹNIAK KOCUR

As part of its pro bono program the Woźniak Kocur Law Firm provides free legal advice to smaller non-profit organizations, particularly those operating locally. In the first year of the Pro Bono Center's existence Woźniak Kocur provided free legal assistance to three organizations. First of all, it was the Interschool Student Sports Club in Nysa, whom Mr. Tomasz Piotrowski advised on solving a dispute between the Club and the local administration with regard to granting a subsidy. With the help of Woźniak Kocur legal uncertainties underlying the dispute have been dispelled and the Club can continue and develop its current activity and organize sports activities for 180 children.

woźniak kocur

The firm also advised the Community of Residents of Golesze Duże, who is considering to apply for EU funding for modernization of the building belonging to the Community, which shall be used for the local community's needs. It is particularly important for the Community to make a youth club, library and sports changing room available to residents.

The last pro bono matter in this year was taken care of by Mr. Tomasz Piotrowski who advised the Mazovian branch of the Polish Association of the Deaf, which is open to deaf people and fights for their equal educational and professional opportunities. The legal advice was related to raising additional funds for the activities of the Association through the lease of premises.

The pro bono program of Woźniak Kocur is led by one of the firm's partners – Michał Kocur, Attorney of Law.



Centrum PRO BONO

Centrum Pro Bono is an institutional solution proposed at the meeting devoted to pro bono activity of lawyers, that took place on June 22, 2007, in the Constitutional Tribunal of the Republic of Poland. Centrum Pro Bono operates as an interface between NGOs and law firms and this is the first project of this kind in Poland. This initiative meets a growing need for the development of the pro bono legal aid in Poland.

We created a network of collaborations including law firms and the NGOs with the Centrum Pro Bono as the coordinating centre, to deal with the issues of free of charge legal support. We believe, this will lead to a synergy effect resulting from joining the expert knowledge of lawyers with the highly valuable ideas of people working in the NGO sector. The pro bono legal support could be a significant contribution of the legal community to building a strong civil society in Poland.

IN WHICH AREAS IS THE LEGAL AID TO THE NGOS MOST NEEDED AND WHY IT SHOULD BE FREE OF CHARGE?

Currently, there are over 50 000 NGOs in Poland and they all function in very difficult legal circumstances. Their day-to-day actions are determined not only by the fundamental acts like the Law on Foundations, Law on Associations and the Public Benefit and Volunteer Work Act, but also by complicated meanders of tax regulations, by civil, commercial and administrative laws, labor legislation and the Act on Freedom of Economic Activity. Dealing with all these regulations is a source of major problems for the NGOs and there is little chance they can cope with them without the expert legal knowledge. Professional legal services are something very few of the NGOs can afford (the turnover of the majority of the registered NGOs does not exceed 10 000 PLN per year and most of the grant sources do not finance administrative costs).

WHY CENTRUM PRO BONO?

- ☞ The people engaged in creating and working for the Pro Bono Clearing House are very knowledgeable about NGOs and about the specificity of the third sector, therefore they are able to accurately determine which of the issues raised by the NGOs require support from a law firm.
- ☞ While most of the major law firms have the resources necessary for the pro publico bono legal activities as well as the willingness to engage in these activities, they do not have time to coordinate them. From January 2008 all the work concerning coordination of the cooperation between law firms and NGOs have been taken over by the Centrum Pro Bono
- ☞ Thanks to the Centrum Pro Bono the law firms participating in the program were given a ready product in the form of a clear-cut case
- ☞ Law firms are offered a list of issues from which they will be able to choose those best suiting their fields of specialization and the company's image.

The Centrum Pro Bono operates as a program managed by the University Legal Clinics Foundation, however its initiators are four non governmental organizations: the University Legal Clinics Foundation, the Ashoka Foundation, the Helsinki Foundation of Human Rights and the Public Interest Law Institute.

We cooperate with:

Chadbourne & Parke LLP, Chajec, Don-Siemion & Żyto, Clifford Chance, Gide Loyrette Nouel, Hogan & Hartson, Joanna Świątek Wojnarowska, Krassowski, Maruta and Partners, Leśnodorski Ślusarek and Partners, Linklaters, Rachelski and Partners, Małgorzata Supera, SALANS, Skoczyński Wachowiak Strykowski, Weil, Gotshal & Manges, White & Case, Wierzbowski Eversheds, Woźniak Kocur



ACTIVITIES OF GIDE LOYRETTE NOUEL TO THE BENEFIT OF NON-PROFIT ORGANISATIONS AND THE PROTECTION OF THE NATURAL ENVIRONMENT

Gide Loyrette Nouel was founded in Paris in 1920. It is one of the largest international law firms, with 24 offices worldwide and employing more than 700 lawyers.

The Warsaw office of Gide Loyrette Nouel was established in 1991. It currently employs more than 50 lawyers and tax advisors, who advise international and Polish companies. The law firm has been providing pro bono assistance for several years. Our lawyers, by sharing their expert knowledge, take part in important social changes, which may be best proven by the co-operation with the ecological foundation Arka. The foundation has been counteracting the illegal combustion of waste for many years, but it is thanks to our law firm, and especially to the support extended by legal advisor Michał Kubicz, that the foundation can benefit from a comprehensive analysis of the binding legal regulations. The expert analysis prepared by Michał will be used by local authorities, street wardens, non-profit organisations, and journalists that are interested in the issue.

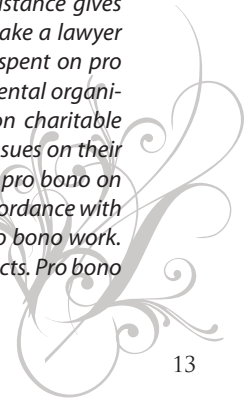
IS IT WORTH HELPING?

“Lawyers can contribute to changing the legal reality by proposing solutions aimed at eliminating absurdities affecting our everyday life, such as VAT imposed on pro bono legal assistance. Obviously it is impossible to create impeccable law, but the degree of complication of certain legal regulations is appalling. We must talk about such inaccuracies and eliminate them. With this purpose in mind, we took part in the work of an expert group that prepared draft legislation to exempt free of charge legal assistance from VAT. It seems that lawyers are prepared to introduce system changes, but are not always listened to. The primacy of policy over reality in our country is absolute, which inflicts great damage on social life.”



Robert Jędrzejczyk
legal advisor and partner
at Gide Loyrette Nouel

“Issues that affect the legal regime change the legal reality, but issues of lesser scope, such as the specific enquiries made by foundations and associations, are by no means of lesser importance. Pro bono assistance gives smaller organisations a chance to spread their wings. It may take a lawyer just one hour, a few hours or even several days, but the time spent on pro bono advice always improves the functioning of non-governmental organisations and enables foundations and associations to focus on charitable activities, rather than engage in disputes or try to settle legal issues on their own. I believe that for these reasons the lawyers who help out pro bono on one occasion are willing to participate in further projects. In accordance with our internal policy, GLN lawyers are not obliged to perform pro bono work. Despite that, most of them are willing to take on pro bono projects. Pro bono



work means a new environment, new challenges and great satisfaction. By providing such assistance, lawyers may grow personally and become involved in issues that are of interest to them, such as animal rights or helping suffering or disabled people. Personally, I am most interested in ecological matters and I would be pleased to see our law firm assisting a foundation that protects animal rights."

Katarzyna Buczkiewicz
Marketing and PR Executive Advisor
at Gide Loyrette Nouel



"Providing assistance to people in need who cannot afford professional legal advice, and supporting the activities of non-profit organisations that serve noble and socially useful aims is an essential supplement to my work as a lawyer. The feeling that, by using my knowledge and through personal involvement, I can support valuable initiatives give me great satisfaction and, equally important, a sense of professional fulfilment."

Maciej Grela, tax advisor at Gide Loyrette Nouel

Maciej Grela
tax advisor at Gide Loyrette Nouel



"Lawyers have a wide range of effective measures to form social reality - the measures of legal protection. By this I mean all available legal institutions designed to protect the rights and the freedom of individuals, such as complaints, motions, appeals, cassations. As a lawyer, you have to react against social injustice, and more importantly against something that is even more dangerous - the bureaucratic absurdity and powerlessness. As a lawyer, I just cannot retreat to the privacy of my office, and deal exclusively with commercial affairs. This would deny the role of a lawyer in society."

tax advisor at Gide Loyrette Nouel

COMMON REALITY – COMMON FUTURE – PRO BONO ACTIVITY AS THE CO-OPERATION PLATFORM

"Our firm is engaged in publishing a brochure on pro bono legal assistance that not only presents the activity of Gide Loyrette Nouel in this area, but also the initiatives taken by other law firms. We are striving to bring about positive change in the legal environment and to bring the vision of law firms fully involved in social matters to culmination. Our objective is to present good practices by giving specific examples and thereby encourage other law firms to join this kind of activity."

Katarzyna Buczkiewicz
Marketing and PR Executive Advisor

"There is no doubt that co-operating pro bono with other law firms strengthens and unifies in fighting a common enemy - ruthless, unfair or nonsensical interpretations or applications of law. I never consider my colleagues from other law firms to be my competitors. Here, it is necessary to distinguish be-



tween the business activity where you fight for your clients, and the pro bono activity where we all share one common objective.

The main challenge in the area of applying environmental provisions should be promoting ecology education and raising the level of ecological awareness in Polish society. "Soft" educational actions still have to be supported by "hard" legal provisions that will persuade citizens to put their knowledge into practice. In my opinion, the most problematic issue is not that administration authorities lack the necessary powers, but that they are unable to exercise those that they already have. Moreover, there are so many provisions that even the officials themselves get confused as to their scope of competencies. This aspect should also be taken into consideration when talking about challenges in the area of ecology education."




Michał Kubicz
legal advisor at Gide Loyrette Nouel

"GLN provides pro bono assistance to emphasise that our lawyers are driven by values that go beyond the current business activity, and our firm encourages such attitudes. The level of legal awareness in Poland is still rather low. Therefore, such initiatives enable a wider group of people to take advantage of free, high level legal assistance."

Robert Jędrzejczyk
legal advisor and partner at Gide Loyrette Nouel



Gide Loyrette Nouel



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