



## Pro Bono Practices and Opportunities in Denmark<sup>1</sup>

### INTRODUCTION

The provision of pro bono legal services in Denmark is not as established or widespread as in the United States or the United Kingdom. Pro bono opportunities exist for individuals and law firms to participate through the legal aid institutions, *Advokatvagten* and *Retshjælpen* (as described below), which are dependent on volunteer lawyers. In addition, pro bono opportunities exist through partnerships with various national and international NGOs.

### OVERVIEW OF THE LEGAL SYSTEM

#### The Justice System

##### The Constitution and Governing Laws

There are not, as in many European Union states, any civil codes in Denmark. Rather, civil law rules, including those with respect to legal aid, are found in specific legislation or are established by practice. Cooperation between the Nordic countries has also played a key part in the development of Danish law.

##### The Courts

Only lawyers (*advokater*) are able to practice law in the Danish courts. The court system in Denmark has three basic levels: the district courts, the high courts and the Supreme Court (the court of last instance).<sup>2</sup> In most instances the Danish legal system provides for a two-tiered justice system, whereby the ruling of one court may be appealed to a higher court.<sup>3</sup> Cases will typically be brought first in one of the country's 24 district courts and then, if appealed, to one of the two regional high courts.<sup>4</sup> In special instances, and if the Appeals Permission Board so decides, a case from the high court may be appealed to the Supreme Court, thus providing a third tier of justice in limited instances.<sup>5</sup> The Supreme Court also hears appeals from Denmark's specialized court, the Maritime and Commercial Court.<sup>6</sup> There are approximately 380 judges within the Danish courts.<sup>7</sup> Judges are appointed by the monarch on recommendation of the Minister of Justice.

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<sup>1</sup> This chapter was drafted with the support of Malene Frost Larsen and Lars Lindencrone Petersen of Bech-Bruun.

<sup>2</sup> THE DANISH COURT ADMINISTRATION, A Closer Look at the Courts of Denmark 5-6, Version 1.0 (Jul. 2, 2010), available at [https://www.domstol.dk/om/otherlanguages/english/publications/Publications/Domstolsst\\_profilbrochure\\_UK.pdf](https://www.domstol.dk/om/otherlanguages/english/publications/Publications/Domstolsst_profilbrochure_UK.pdf) (last visited on September 4, 2015).

<sup>3</sup> See *id.*

<sup>4</sup> See *id.*

<sup>5</sup> See *id.*

<sup>6</sup> See *id.* There are two specialized courts in Denmark, the Maritime and Commercial Court and the Land Registration Court. Only cases from the Maritime and Commercial Court may be appealed to the Supreme Court. The Maritime and Commercial Court hears international commercial cases and bankruptcy cases. The Land Registration Court hears matters relating to the registration of real estate. In addition to Denmark's two specialized courts, there also exist the Court of the Faroe Islands (rulings of which may be appealed to a high court) and the Courts of Greenland (appeals from which may be brought before the Supreme Court with the permission of the Appeals Permission Board).

<sup>7</sup> See *id.*



## The Practice of Law

### Education

In order to become a lawyer (*advokat*) in Denmark, you must fulfill the educational requirements (a Danish Bachelor's and Master's degree in Law), complete the practical requirements (three years of practical legal work experience) and pass the state sponsored exam.<sup>8</sup> As a result of a recent change in the Administration of Justice Act, trainee lawyers may count a proportion of their hours working for legal aid clinics towards their mandatory *advokat* training commitments. After meeting these requirements and submitting to a hearing with the Danish Bar and Law Society, an individual may then apply to the Minister of Justice for admission to practice law and gain the title "*advokat*."<sup>9</sup> Lawyers in Denmark may practice either as sole practitioners, in house lawyers or in groupings of lawyers, usually in established law firms.

### Licensure

In Denmark, there is no distinction between barristers and solicitors - they are all "lawyers." Whilst you do not need to be a lawyer to provide legal assistance out-of-court, lawyers have a monopoly when it comes to representing a client in the courts.

Lawyers from other EU Member States may practice in Denmark using their homeland title. Representing a client in court, however, requires that you appear together with a Danish lawyer. Lawyers from other countries may provide legal advice out-of-court.

### Demographics

There were approximately 6,000 lawyers registered with the Danish Bar and Law Society (*Advokatsamfundet*) in 2009.<sup>10</sup> No figures exist regarding the number of legal aid lawyers per capita.

### Legal Regulation of Lawyers

The Danish Bar and Law Society (the "**Danish Bar**"), an organization fully independent from the state, was established in 1919 to "ensure that lawyers adhere to the legal and ethical rules regulating the legal profession." To this end, the Danish Bar adopted a Professional Code of Conduct (*Advokatetiske Regler*), which applies to all lawyers and which largely mirrors the provisions of the Code of Conduct for Lawyers in the EU provided by the Council of Bars and Law Societies of the European Union (the "**CCBE**"). The General Council of the Bar supervises compliance with the Code of Conduct, and a 21 person Disciplinary Board (*Advokatnævnet*) hears complaints about attorneys pursuant to the provisions of the Administration of Justice Act. The Disciplinary Board is chaired by a Supreme Court judge and the members are representatives of the public and the legal profession. The chairman and the vice chairmen are appointed by the president of the Supreme Court.

Under the Danish Bar's Code of Conduct, attorneys must preserve absolute independence, comply with confidentiality rules, serve the client's interests diligently, conscientiously and promptly, and cannot act in situations where a conflict of interest exists. Furthermore, attorneys' fees must be "fair and reasonable" pursuant to Section 126(2) of the Administration of Justice Act, and attorneys must keep their clients informed of the basis for their fees, and respond promptly to any fee queries. In accordance with the CCBE Code of Conduct, attorneys cannot enter into a *pactum de quota litis*, or an arrangement in which the attorney's fee is a share of whatever is to be recovered.

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<sup>8</sup> DANISH BAR AND LAW SOCIETY, Rules of the Danish Bar and Law Society (Translating Relevant Sections of the Administration of Justice Act), Sec. 119 (Jan. 1, 2008), available at <http://www.advokatsamfundet.dk/Service/English/Rules/Bye-laws.aspx> (last visited on September 4, 2015) (hereinafter "Danish Bar Rules").

<sup>9</sup> DANISH BAR AND LAW SOCIETY, Sec. 5.

<sup>10</sup> DANISH BAR AND LAW SOCIETY, The Danish Bar and Law Society, Sec. 1, available at <http://www.advokatsamfundet.dk/Service/English/Organization.aspx> (last visited on September 4, 2015) (hereinafter "Danish Bar and Law Society").



## LEGAL RESOURCES FOR INDIGENT PERSONS AND ENTITIES

### The Right to Legal Assistance

In certain circumstances an individual may be eligible for state-sponsored legal aid for in-court proceedings (*fri process*) in Denmark.<sup>11</sup> Legal aid for in-court proceedings covers court costs, an appointed attorney, costs of expert opinions and witnesses (if appropriate), and exemption from paying the legal fees of the opponent if the case is lost.<sup>12</sup> This type of legal aid is available most often in matrimonial or custody cases, as well as in cases where the person seeking aid is a tenant, an employee or the injured party.<sup>13</sup> Legal aid is only exceptionally granted for libel actions, in cases arising from a party's independent commercial enterprises, and in cases concerning the enforcement of undisputed claims. Before granting aid for in-court proceedings, it must be established that you have good reason to pursue the case and a good chance of succeeding. This decision is made by the Civil Law Agency (*Civilstyrelsen*) under the Ministry of Justice and, if denied, may be appealed to the Board of Appeal Permission (*Procesbevillingsnævnet*), whose decision is final.<sup>14</sup> Free legal aid for appellate proceedings is granted by the appeal court, whose decision can be appealed to the Supreme Court, if permitted by the Appeals Permission Board. However, if a party submits a new claim under the appeal proceedings, legal aid for appeal proceedings is granted by the Civil Law Agency and the Appeals Permission Board as the competent instance of recourse.

Many legal aid clinics will not assist in matters arising out of a person's ongoing commercial enterprises, cases concerning the sale of real estate, or defendants in criminal cases. However most of the legal advisory clinics (*Advokatvagten*) offer advice on such matters free of charge and without regard to income.

In addition to free legal aid for in-court proceedings, a legal aid regime established under Section 323(1) of the Administration of Justice Act sets forth three different "steps" in the provision of legal aid. "Step 1" is made up of free legal advisory clinics (*Advokatvagten*), established by the Danish Legal Aid Society, which are open to all people and are not subject to any income limitations. In these clinics, volunteer lawyers make themselves available to offer free, anonymous legal advice on everyday legal issues. Denmark has 88 of these legal aid bureaus. While the clinics have been successful and are used by many, they have faced challenges in maintaining enough volunteer lawyers to sustain the system.

"Steps 2 and 3" in the legal aid regime involve access to oral legal consultation, counseling in regard to negotiation of disputes, and assistance with basic written communications. These services are available at a nominal fee, with the government subsidizing the remainder of this cost. For example, in 2015, Level two assistance would require an individual to pay a fee of DKK 257.50 (VAT included) and the government would then pay a subsidy of DKK 772.50. These private legal aid institutions (*Retshjælpen*) can be found in Denmark's larger towns and most of these institutions will require a person to meet the same financial eligibility requirements as applicants for full legal representation (see above).

Additionally, under "Steps 2 and 3," a lawyer may provide free legal aid directly. A number of lawyers are affiliated with each court and are appointed in cases where free legal aid has been granted. A recipient of free legal aid can request the appointment of a specific lawyer to the case. As a result of a recent change

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<sup>11</sup> DANISH BAR AND LAW SOCIETY, Public Legal Aid (2009), available at <http://www.advokatsamfundet.dk/Service/English/Organisation/Presentation.aspx> (last visited on September 4, 2015).

<sup>12</sup> See id.; see also DANISH BAR AND LAW SOCIETY, Sec. 4.4.

<sup>13</sup> See id.

<sup>14</sup> See id.; See also THE DANISH COURT ADMINISTRATION, The Appeals Permission Board, <http://www.domstol.dk/om/otherlanguages/english/thedanishjudicialsystem/appealspermissionboard/Pages/default.aspx> (last visited on September 4, 2015).



in the Administration of Justice Act, trainee lawyers may count a proportion of their hours working for legal aid clinics towards their mandatory training commitments.

## State-Subsidized Legal Aid

### Eligibility Criteria

#### Immigration Status

There are no eligibility limitations based on immigration status in Denmark.

#### Financial Means

To be eligible for free legal aid in court proceedings, a party must have an annual gross income that is below a certain limit (DKK 289,000 for unmarried individuals, DKK 357,000 for married couples, with an increase limited to DKK 50,000 per child under 18 years of age).<sup>15</sup> Furthermore, persons who hold private legal costs insurance are ineligible for legal aid.<sup>16</sup> There are also free legal advisory clinics (*Advokatvagten*), established by the Danish Legal Aid Society, which are open to all people and are not subject to any income limitations.

#### Merits

Before granting aid for court proceedings, it must be established that you have good reason to pursue the case and a good chance of succeeding, which is determined by the Civil Law Agency.

#### Legal Issues/Case Type

Legal aid at "Steps 2 and 3" in the legal aid regime is not granted to: suspects or defendants in public criminal cases; active business owners' cases of a predominantly commercial nature; cases regarding rescheduling of debt; or cases regarding or cases that are being treated by an administrative authority or a private complaints board or appeals committee approved by the Minister of Family and Consumer Affairs.<sup>17</sup>

#### Applicant Type

Only individuals are granted legal aid.

#### Mandatory Assignments to Legal Aid Matters

At each court in Denmark there is a number of lawyers who have volunteered to represent clients and persons who are charged with criminal offences. These lawyers have to accept the matters assigned to them. Outside of this system, a lawyer is free to accept or decline a representation.

A lawyer assigned to a free legal aid party receives his fee plus VAT from the public purse. The fee is fixed by independent decision by the court that assigned the lawyer. A lawyer may not accept any additional fee from the client to whom he has been assigned.<sup>18</sup>

### Unmet Needs and Access Analysis

Jonathan Smith, Executive Director, Legal Aid Society of DC in 2009 said: "People living in poverty have dramatically increased needs for legal aid caused by rising unemployment, foreclosures, increased reliance on public benefits, and economic insecurity. At the same time, funding for legal aid programs has

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<sup>15</sup> COPENHAGEN LEGAL AID, Who Can We Help, available at <http://www.retshjaelpen.dk/eng/who-can-we-help> (last visited on September 4, 2015).

<sup>16</sup> DANISH BAR AND LAW SOCIETY, Public Legal Aid (2009), available at <http://www.advokatsamfundet.dk/Service/English/Organisation/Presentation.aspx> (last visited on September 4, 2015).

<sup>17</sup> Denmark, Administration of justice act, 2008, Section 323.

<sup>18</sup> ERIC WERLAUFF, Civil procedure in Denmark, Second Revised Edition, p. 104 2009.



been cut by 25%. Rising need and decreasing services is a crisis for the legal community and will create long-lasting problems for the Courts, agencies, and private bar.”<sup>19</sup>

## Alternative Dispute Resolution

### Mediation and Arbitration

There are institutes offering both mediation and arbitration in Denmark. Arbitration has a long tradition, while mediation is a relatively new phenomenon. The institute providing arbitration service is The Danish Institute of Arbitration,<sup>20</sup> which also provides mediation services. There also is an institute specializing in mediation.<sup>21</sup>

### Ombudsman

If a Danish citizen seeks redress against acts of public authorities, he may be entitled to legal support through the Danish Ombudsman (*Folketingets Ombudsmand*). The Danish Ombudsman can initiate actions based on complaints about decisions of authorities or the treatment of citizens in specific cases. Access to review by the Ombudsman is free, and the review may result in a recommendation that legal aid be granted in a case under the auspices of the Ombudsman.

## PRO BONO ASSISTANCE

### Pro Bono Opportunities

#### Private Attorneys

Private attorneys are not mandated to either engage in pro bono work or report it.

#### Law Firm Pro Bono Programs

Lassen Ricard law firm provides pro bono legal services to a number of entrepreneurial organizations, such as Stardust-DTU, a student-run organization that supports entrepreneurship at the Danish Technical University, CSE-Lab and the Foundation for Entrepreneurship.<sup>22</sup> It also provides various free legal services to Kofoeds Skole, which helps the unemployed; the Foundation Allehånde, an employment initiative for the hearing impaired; and the National Association for Multiple System Atrophy.

Lassen Ricard is also strongly engaged in the “India Today/Copenhagen Tomorrow” project. The purpose of India Today/Copenhagen Tomorrow is to link the people of India and Denmark by promoting an exchange of culture, science and trade between the two countries.

In addition, Lassen Ricard has, for example, been very active in the five-year project, called the “Diversity Project” (*Mangfoldighedsprojektet*). The project seeks to promote inclusion of all ethnical and social minorities via education, role models, organized debates and workshops, essay competitions and a stipend to minorities pursuing a legal education.

Plesner law firm provides legal advice in collaboration with law students selected by the association of law students at the University of Copenhagen under the heading “Student Volunteers” for the purpose of supporting law studies in Denmark and making the students aware of the importance of pro bono work.<sup>23</sup>

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<sup>19</sup> BISNOW, Copenhagen Insider pro bono challenges (Dec. 23, 2009) , available at <https://www.bisnow.com/archives/newsletter/dc-legal/copenhagen-insider-pro-bono-challenges> (last visited on September 4, 2015).

<sup>20</sup> See <http://voldgiftsinstituttet.dk/en/> (last visited on September 4, 2015).

<sup>21</sup> See <http://mediationsinstituttet.dk/> (last visited on September 4, 2015) - only available in Danish.

<sup>22</sup> LASSEN RICARD (law firm), pro bono/public service, <http://www.lassenricard.dk/en/the-firm/pro-bonopublic-service/> (last visited on September 4, 2015).

<sup>23</sup> PLESNER(law firm), Provide free legal advice (pro bono). See [http://www.plesner.com/cms/Pro\\_bono-2908.aspx](http://www.plesner.com/cms/Pro_bono-2908.aspx) (last visited on September 4, 2015)



## Bar Association Pro Bono Programs

There are no legal department or Bar Association pro bono programs in Denmark.

## Non-Governmental Organizations (NGOs)

There has recently been an increase in pro bono work for NGOs and similar organizations, as is more common in the United States and the United Kingdom. This trend is particularly noticeable in the case of attorneys at large firms in larger cities. The Association of Danish Law Firms has been moving this trend forward by encouraging Danish law firms to join the United Nations Global Compact (“**UNGC**”).<sup>24</sup> While the UNGC does not directly advise its members to undertake pro bono work, it does encourage them to undertake partnerships with other stakeholders in order to advance UN goals.<sup>25</sup> To this end, many law firms have undertaken partnerships with NGOs, both local and international, with the aim of strengthening their commitment to the ten principles underlying the UNGC.<sup>26</sup>

In the Spring of 2010, the Minister of Justice established a group to examine the reason for the decrease in legal aid cases. At present, the Danish bar is considering whether it should recommend or require lawyers and law firms to provide free legal services through the existing system of legal aid clinics<sup>27</sup> or whether law firms and lawyers should be free to direct their pro bono activities to NGOs and similar organizations. This debate is related to the future funding of the local Danish legal aid system and, in particular, to the practical implementation of Section 323(1) of the Administration of Justice Act, pursuant to which all persons have the right to free legal aid.

## University Legal Clinics and Law Students

There are no Pro Bono University Legal Clinics in Denmark.

## Historic Development and Current State of Pro Bono

### Historic Development of Pro Bono

There have never really been obstacles to pro bono in the form of legislative or systemic hindering in Denmark. The reason that pro bono has not been seen much in Denmark in the past is that it simply was something that lawyers did not think about. With the expansion and growing prevalence of NGOs and similar organizations, as well as increased attention being paid to CSR and the like, the transition to increased pro bono services being rendered to NGOs and similar organizations has been fairly seamless.

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<sup>24</sup> DANSKE ADVOKATER (The Association of Danish Law Firms), Communications on Progress: Implementing UN Global Compact Principles in The Association of Danish Law Firms 2010, available at [http://www.unglobalcompact.org/system/attachments/13471/original/COP\\_-\\_Danske\\_Advokater.pdf?1324289661](http://www.unglobalcompact.org/system/attachments/13471/original/COP_-_Danske_Advokater.pdf?1324289661) (last visited on September 4, 2015).

<sup>25</sup> UNITED NATIONS GLOBAL COMPACT, The Inspirational Guide to Implementing the Global Compact (Jul. 2007), available at [http://www.unglobalcompact.org/docs/news\\_events/8.1/Inspirational\\_Guide.pdf](http://www.unglobalcompact.org/docs/news_events/8.1/Inspirational_Guide.pdf) (last visited on September 4, 2015).

<sup>26</sup> BECH-BRUUN, A Driving Force Behind Responsibility; Corporate Social Responsibility 2012, available at <http://www.bechbruun.com/resources/Corporate%20Responsibility/Maj%202012/En/index.html> (last visited on September 4, 2015).

<sup>27</sup> In a 2009 statement, the Danish Bar and Law Society expressed a preference for pro bono work being directed through the legal clinic work of individual attorneys. (Advokatrådets retssikkerhedsprogram 2009: “Advokatrådet er af den opfattelse, at såvel den enkelte advokat som professionen som sådan har pligt til at medvirke til at sikre borgernes adgang til juridisk rådgivning og hjælp til tvistløsning i såvel den offentlige forvaltning som i retsplejen. Advokaterne i Danmark løser denne opgave ved at give anonym og gratis retshjælp til tusindvis af mennesker om året i advokatvakterne. Hertil kommer, at mange enkeltadvokater vederlagsfrit giver en helt indledende rådgivning til personer, som søger deres råd.”).



## Current State of Pro Bono including Barriers and Other Considerations

The legal aid institutions, *Advokatvagten* and *Retshjælpen*, described above depend on volunteer lawyers to subsist. These institutions can be found throughout Denmark and pro bono opportunities at these institutions exist both for individuals and law firms. By way of example, Copenhagen Legal Aid received 15,000 inquiries from clients in 2010 and sent two to three cases per week to law firms that provided legal aid. In addition, individual lawyers and law students provide more than 40 volunteer hours per day.<sup>28</sup> However, there has been a decrease in legal aid.

According to June Kress, Executive Director, Council for Court Excellence in 2009, “despite an increasing need for legal services, clinics are reducing their hours and staff in the face of dwindling donations. Yet we hear that inside law firms, if you are available for non-billables, you may be considered expendable. If lawyers are not stepping up to the plate, we’re in trouble.”<sup>29</sup>

As discussed above, there has also recently been an increase in pro bono work for NGOs and similar organizations in Denmark, as is more common in the United States and the United Kingdom.

### Laws and Regulations Impacting Pro Bono

#### “Loser Pays” Statute

If the party in possession of free legal aid loses the case, the costs awarded to the other party are also paid by the public purse. If the other party loses the case, he/she must pay costs to the public purse as if there were no legal aid. The other party must also pay a fixed amount assessed to equal the court costs which would have been payable in the absence of legal aid.<sup>30</sup>

#### Statutorily Mandated Minimum Legal Fee Schedule

The fee which is paid by the state is, in principle, DKK 1,650/hour (approx. € 220/\$ 230). There is no requirement for lawyers to charge a minimum fee for their services.

#### Practice Restrictions on Foreign-Qualified Lawyers

Lawyers from other EU Member States may practice in Denmark using their homeland title. Representing a client in court, however, requires that you appear together with a Danish lawyer. Lawyers from other countries may provide legal advice out-of-court.

#### Concerns About Pro Bono Eroding Public Legal Aid Funding

No widespread concerns have been raised about pro bono eroding Public Legal Aid funding in Denmark.

#### Regulations Imposing Practice Limitations on In-House Counsel

There are no laws nor regulations that prohibit in-house counsel working on pro bono work. The only restriction would come from individual company policy.

#### Availability of Professional Indemnity Legal Insurance Covering pro bono activities by Attorneys

For many years it has been a requirement that a lawyer is covered by professional indemnity insurance. These policies also cover pro bono work.

#### Availability of Legal Insurance for Clients

Household insurance policies typically include coverage for certain legal expenses.<sup>31</sup> The majority of people in Denmark have such insurance policies, and therefore, within certain limits, many are covered for legal expenses relating to matters arising in their private life (whereas business-related

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<sup>28</sup> COPENHAGEN LEGAL AID, Statistics, available at <http://www.retshjaelpen.dk/eng/statistics> (last visited on September 4, 2015).

<sup>29</sup> December 23, 2009, Copenhagen Insider pro bono challenges, available at <https://www.bisnow.com/archives/newsletter/dc-legal/copenhagen-insider-pro-bono-challenges> (last visited on September 4, 2015).

<sup>30</sup> ERIC WERLAUFF, *Civil procedure in Denmark*, Second Revised Edition, p. 104 2009.

<sup>31</sup> THE DANISH COURT ADMINISTRATION, *Free Legal Aid*.

disputes are typically not covered).<sup>32</sup> Furthermore, trade unions will often take employment related cases to court for their members.<sup>33</sup> Thus, legal costs in Denmark are spread across various institutions, making the country's legal aid institutions most useful as a first-stop resource for people contemplating legal action and for those who are most in need.

### Socio-Cultural Barriers to Pro Bono or Participation in the Formal Legal System

There are no widespread public concerns about the formal legal system in Denmark. The reason why parties choose arbitration instead of going to the courts may, of course, vary, but it would not be correct to assume that this choice is due to some degree of mistrust in the formal dispute resolution system.

There is also no direct opposition from the Bar but as mentioned above there has been a debate about whether the Danish Bar should recommend or require lawyers and primarily law firms to provide free legal services through the existing system of legal aid clinics<sup>34</sup> or whether law firms and lawyers should be free to direct their pro bono activities to NGOs and similar organizations.

### Pro Bono Resources

There are several entities engaged in pro bono in Denmark including:

- List of *Advokatvagten* offices throughout Denmark: <http://www.advokatsamfundet.dk/Default.aspx?ID=11780> (last visited on September 4, 2015) (Danish)
- *Retshjælpen* legal aid institutions in Denmark:  
Copenhagen: <http://www.retshjaelpen.dk/eng/> (last visited on September 4, 2015)  
Odense: <http://www.retshjaelpenivestergade.dk/> (last visited on September 4, 2015) (Danish)  
Aarhus: <http://www.aarhusretshjaelp.dk/> (last visited on September 4, 2015) (Danish)  
Esbjerg: [http://www.advokathuset-esbjerg.dk/a-22,Retshjaelp\\_\\_hvad\\_er\\_det.html](http://www.advokathuset-esbjerg.dk/a-22,Retshjaelp__hvad_er_det.html) (last visited on September 4, 2015) (Danish)

## CONCLUSION

In Denmark, legal aid and some limited free legal advice is available, but no established pro bono culture exists outside of (i) the encouragement of lawyers to contribute time to legal aid clinics; (ii) some limited advice rendered to charitable organizations and other interest groups by certain law firms and some sole practitioners, whose practice area coincides with the focus of such organizations and groups; and (iii) pro bono partnerships between Danish law firms and various national and international NGOs.

The future of legal aid in Denmark is being discussed at the level of the Danish Bar and Law Society. There are individuals within the Danish Bar and Law Society that believe that pro bono activities should primarily be directed towards legal aid clinics and assistance to low income citizens. This may limit the development of pro bono activities of the type known in the United States and the United Kingdom. However, the outcome of this debate is uncertain.

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<sup>32</sup> See id.

<sup>33</sup> See id.

<sup>34</sup> In a 2009 statement, the Danish Bar and Law Society expressed a preference for pro bono work being directed through the legal clinic work of individual attorneys. (Advokatrådets retssikkerhedsprogram 2009: "Advokatrådet er af den opfattelse, at såvel den enkelte advokat som professionen som sådan har pligt til at medvirke til at sikre borgernes adgang til juridisk rådgivning og hjælp til tvistløsning i såvel den offentlige forvaltning som i retsplejen. Advokaterne i Danmark løser denne opgave ved at give anonym og gratis retshjælp til tusindvis af mennesker om året i advokatvagterne. Hertil kommer, at mange enkeltadvokater vederlagsfrit giver en helt indledende rådgivning til personer, som søger deres råd.")





## LATHAM & WATKINS<sup>LLP</sup>

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