

Pro Bono Practices and Opportunities in Nicaragua¹

I. Introduction

The provision of, and access to, pro bono legal services in Nicaragua has increased in recent years with non-profit legal organizations and private law firms emerging to provide pro bono legal services to individuals and organizations. In particular, with the arrival of international law firms to the country and the expansion of native firms, the volume and diversity of pro bono services have increased. However, lack of public information and legislation promoting bono practices inhibit growth in pro bono engagement in Nicaragua. In addition, recent civil unrest within the country increased demand for free legal services. Nicaragua’s underdeveloped legal aid resources presents a significant opportunity for improvement to access to pro bono legal services throughout the country.

II. Overview of Pro Bono Practices

(a)	Professional Regulation	
	1. Describe the laws/rules that regulate the provision of legal services?	<p>The regulatory framework governing the practice of law in Nicaragua is formed by two laws, the Organic Law of the Judicial Branch (<i>Ley Orgánica del Poder Judicial</i>)² and the Law of Judicial Career (<i>Ley de Carrera Judicial</i>)³.</p> <p>Various government institutions within the judicial branch in Nicaragua regulate the practice of law, including the National Council for Administration and Judicial Career (<i>Consejo Nacional de Administración y Carrera Judicial</i>)⁴.</p>
	2. Describe any licensure requirements governing the provision of legal services.	<p>The national Supreme Court of Justice grants licenses to practice law in Nicaragua.</p> <p>Attorney’s must have a bachelor’s degree in law, sworn references and maintain good standing with the National Council for Administration and Judicial Career in order to receive and maintain a license to practice law in Nicaragua.</p>
(b)	Pro Bono Practice and Culture	
	1. Describe the rules that regulate the provision of pro bono legal services e.g. any explicit regulation or limitation on providing free legal services in some or	Under the Nicaraguan constitution, everyone has a right to representation by an attorney. All persons and entities that are citizens of or reside in

¹ This chapter was drafted with the support of Marcela Deras and Ivania Paguaga at Arias.

² For more information, refer to the Organic Law of the Judicial Branch at <https://www.poderjudicial.gob.ni/arc-pdf/LOPJ.pdf> (last visited on May 1, 2019).

³ For more information, refer to the Law of Judicial Career at https://www.poderjudicial.gob.ni/pjupload/noticia_reciente/ley_de_carrera_judicia_su_normativa.pdf (last visited on May 1, 2019).

⁴ For more information, refer to the National Council for Administration and Judicial Career website at <https://www.poderjudicial.gob.ni/carrerajudnue/default.asp> (last visited on May 1, 2019).

<p>all contexts, details of any mandatory or minimum fees imposed on provision of legal services.</p>	<p>Nicaragua are entitled to free legal services performed by an attorney appointed by the court.</p> <p>There are no explicit regulations or limitations on providing free legal services in Nicaragua, and there are no minimum fees required for providing legal services.</p>
<p>2. Are lawyers required by such rules to work a minimum number of pro bono hours? If so, how many?</p>	<p>There are no laws which require licensed attorneys in Nicaragua to perform a minimum number of pro bono hours.</p>
<p>3. Are aspiring lawyers required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers?</p>	<p>There is no requirement for aspiring lawyers in Nicaragua to complete a minimum number of hours of pro bono legal services in order to become licensed. However, some private universities require students perform social work before granting a degree and the provision of pro bono legal services can fulfill this requirement.</p>
<p>4. What are the main areas of law which require or present opportunities for the provision of pro bono legal services? What are the major unmet legal needs?</p>	<p>The main areas of law which present opportunities for providing pro bono legal services in Nicaragua include human and civil rights, labor, and government welfare benefits.</p>
<p>5. Who are the main providers of pro bono legal services? e.g., NGOs, governmental or other public services, schools and universities, private law firms (local or international) or corporate organizations?</p>	<p>Many private law firms have developed robust pro bono practices, which provide free or low cost legal services for a variety of legal matters including immigration, microfinance, housing, and others. Law firms located in Nicaragua with pro bono practices include Arias Law⁵, Dentons Muñoz⁶, and Alvarado y Asociados⁷.</p> <p>Legal clinics established by universities, namely the <i>Universidad Centroamericana</i>⁸ and the <i>Universidad Politécnica de Nicaragua</i>, allow law students to provide free legal services to clients under the supervision of a licensed attorney. These university sponsored clinics provide representation for a wide array of legal matters including civil lawsuits</p>

⁵ For more information about Arias Law’s pro bono practice, please find more information here <http://ariaslaw.com/en/csr/pro-bono> (last visited on May 1, 2019) or contact Marcela Deras (Marcela.deras@ariaslaw.com)

⁶ For more information about Dentons Muñoz’s pro bono practice, please find the office website here <https://www.dentonsmunoz.com/> (last visited on May 1, 2019).

⁷ For more information about Alvarado Y Asociados pro bono practice, please find their pro bono website here <https://alvaradoyasociadoslegal.com/pro-bono/> (last visited on May 1, 2019).

⁸ For more information about the Universidad Centro Americana’s free legal clinic, please find more information here at <https://fcj.uca.edu.ni/index.php/56-bufete-juridico/799-bufete-juridico> (last visited on May 1, 2019).

		(family, property, trusts and estates, labor, administration), criminal matters and mediations.
(c)	Obstacles to Provision of Pro Bono Legal Services	
	1. Do lawyers require a license to provide pro bono legal services?	Lawyers only need a valid license to provide legal services, assist with legal opinions or perform pro bono legal services. There are no other additional requirements.
	2. Do foreign lawyers require any additional license(s) to provide pro bono legal services?	There are no additional licenses required for foreign lawyers to provide pro bono legal services in Nicaragua. If foreign lawyers provide legal services in Nicaragua, they must validate their university degree with local authorities and register with the Supreme Court of Justice.
	3. Do lawyers require professional indemnity legal insurance cover for any pro bono legal services that they provide? If so, are they prohibited from working under the cover of another pro bono provider, such as a private law firm or organization working on the same pro bono project?	No, lawyers in Nicaragua are not obligated to have indemnity legal insurance to cover pro bono or any other legal services provided.
	4. Are there any rules that prohibit advertising of pro bono successes or soliciting new pro bono clients?	No, there are no rules that prohibit advertising pro bono successes or soliciting new pro bono clients. The only regulation of pro bono legal services are the internal policies of the attorneys, law firms, and NGOs providing such services.
	5. Do lawyers receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked?	No, lawyers in Nicaragua do not receive credit for pro bono hours worked. There is no formal continuing legal education requirement or equivalent in Nicaragua.
(d)	Sources of Pro Bono Opportunities and Key Contacts	
	1. Describe the main non-governmental sources of pro bono and/or other pro bono resources in Nicaragua.	Regional NGOs which specialize in providing pro bono legal assistance include the Lex Mundi Pro Bono Foundation ⁹ , which provides legal resources and advice for social enterprises and entrepreneurs and the Nicaraguan Center for Human Rights (human rights) ¹⁰ .

⁹ For more information, refer to the Lex Mundi Pro Bono Foundation website found here <https://www.lexmundiprobono.org/lexmundiprobono/default.asp> (last visited on May 1, 2019).

¹⁰ For more information, refer to the Nicaraguan Centre for Human Rights website found here <https://www.cenidh.org/> (last visited on May 1, 2019).

	<p>2. Describe the main non-governmental sources of pro bono and/or other pro bono resources in Nicaragua.</p>	<p>Regional NGOs which specialize in providing pro bono legal assistance include the Lex Mundi Pro Bono Foundation¹¹, which provides legal resources and advice for social enterprises and entrepreneurs and the Nicaraguan Center for Human Rights (human rights)¹².</p>
	<p>3. Is there any public or private organization with which a local or foreign attorney can register in order to be made aware of pro bono opportunities?</p>	<p>Currently there are no public or private organizations in which an attorney can register in order to be made aware of pro bono opportunities in Nicaragua.</p>

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¹¹ For more information, refer to the Lex Mundi Pro Bono Foundation website found here <https://www.lexmundiprobono.org/lexmundiprobono/default.asp> (last visited on May 1, 2019).

¹² For more information, refer to the Nicaraguan Centre for Human Rights website found here <https://www.cenidh.org/> (last visited on May 1, 2019).