

Pro Bono Practices and Opportunities in Lima, Peru¹

I. Introduction

In Peru, the pro bono work of lawyers received greater attention when the Code of Ethics of Lawyers, promulgated by the Board of Deans of the Peruvian Bar Associations, made reference to the social responsibility that all lawyers have in the framework of facilitating access to justice and legal representation of society. In addition, a number of law firms have ratified the Pro Bono Declaration for the Americas, which offers greater scope and obligations to lawyers with regards to the provision of pro bono legal services.

II. Overview of Pro Bono Practices

(a)	Professional Regulation	
	1. Describe the laws/rules that regulate the provision of legal services?	In Peru, the Code of Ethics regulates the provision of legal services. Within this context, this Code of Ethics regulates the freedom of sponsorship, the duties that a lawyer has with its client, professional secrecy, conflicts of interest. Failure to comply with any of them constitutes an administrative offense under sanction.
	2. Describe any licensure requirements governing the provision of legal services.	In order to provide legal services in Peru, an individual must be a licensed attorney and be a member of the Bar Association of Lima.
(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 all contexts, details of any mandatory or minimum fees imposed on provision of legal services.	There are no rules that regulate the provision of pro bono legal services in Peru, except for the ethic norms or rules that apply to all attorneys in Peru (e.g. conflict of interests). There is only a slim reference in the Code of Ethics of the Lima Bar Association, which only applies to its members and that states that lawyers can offer free provision of legal services to people with low resources. For those lawyers / entities who signed the Pro Bono Declaration for the Americas, such agreement shall be applicable. ²
	2. Are lawyers required by such rules to work a minimum number of pro bono hours? If so, how many?	Lawyers in Peru are not required to work a minimum number of pro bono hours unless the firm that they work for has signed the Pro Bono Declaration for the Americas which commits signatories to undertake a minimum of 20 hours of pro bono work per lawyer per year.

¹ This chapter was drafted with the support of Roxana Gayoso of Estudio Ehecopar.

² See http://www.cal.org.pe/pdf/etica/2012/codigo_etica_abogado.pdf (last visited on May 1, 2019)

	<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>Aspiring lawyers in Peru are not required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers.</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>According to our experience, the areas that have the most opportunities to provide pro bono legal services in Peru are the areas of procedural law, constitutional law, civil law and the law that governs the use of natural resources.</p> <p>The main legal needs in Peru are related to the constitution of associations and consultancy on the protection of the rights of vulnerable populations.</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>The main provider of pro bono legal services in Peru is the Alianza Pro Bono Perú, which acts as a link between NGOs or people in a state of vulnerability and law firms, which will be the providers of legal services.</p> <p>The main law firms that are part of the Alianza Pro Bono are the following: Benítez, Vargas & Ugaz Abogados, García Sayan Abogados, Lazo, De Romaña & CMB Abogados, among others.</p>
<p>(c) Obstacles to Provision of Pro Bono Legal Services</p>		
	<p>1. Do lawyers require a license to provide pro bono legal services?</p>	<p>Lawyers in Peru do not require a license to provide pro bono legal services.</p>
	<p>2. Do foreign lawyers require any additional license(s) to provide pro bono legal services?</p>	<p>Additional licenses are not required by the Code of Ethics of the Lima Bar Association for foreign lawyers to provide pro bono legal services in Peru.</p>
	<p>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?</p>	<p>The Code of Ethics of the Lima Bar Association does not explicitly state that lawyers in Peru require professional indemnity legal insurance to cover any pro bono legal services that they provide.</p>
	<p>4. Are there any rules that prohibit advertising of pro bono successes or soliciting new pro bono clients?</p>	<p>There are no rules that prohibit advertising of pro bono successes or soliciting new pro bono clients in Peru.</p>

	5. Do lawyers receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked?	Lawyers in Peru do not receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked.
(d)	Sources of Pro Bono Opportunities and Key Contacts	
	1. Describe any governmental sources of pro bono and/or other legal services in Peru.	Most State Ministries provide free legal services according to their competence. Without prejudice to this, the Ombudsman's Office, an autonomous body of the State, provides advice to citizens for all types of disputes with the State.
	2. Describe the main non-governmental sources of pro bono and/or other pro bono resources in Peru.	Alianza Pro Bono, which acts as a link between NGOs or people in a state of vulnerability and law firms. ³ TrustLaw is the Thomson Reuters Foundation's global pro bono legal program. ⁴
	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?	There are no public or private organizations with which a local or foreign attorney can register in order to be made aware of pro bono opportunities. The Alianza Pro Bono Perú is a platform that connects vulnerable populations and/or NGOs only with the firms that are part the Assembly.

May 2019
Pro Bono Practices and Opportunities in Peru

This memorandum was prepared by **Latham & Watkins LLP** for the **Pro Bono Institute**. This memorandum and the information it contains is not legal advice and does not create an attorney-client relationship. While great care was taken to provide current and accurate information, the Pro Bono Institute and Latham & Watkins LLP are not responsible for inaccuracies in the text.

³ See <http://www.alianzaprobono.pe/> (last visited on May 1, 2019)

⁴ See <http://www.trust.org/trustlaw/> (last visited on May 1, 2019).