Caterpillar Legal Services

Pro Bono Program:

An Overview

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Agenda

• **Who We Are:** Caterpillar Legal Services Division

• **What We Do:** An Overview of Caterpillar’s Pro Bono Project

• **How We Got Here:** Developing the Program
  - Benchmarking
  - Building Support in the Legal Division
  - Building Support in the Executive Office
  - Clearing the Limited Admission Hurdle
  - Bringing in Work
  - Clearing Conflicts
  - Managing Risk
  - Tracking Results

• **Where Do We Go Now:** Program Evolution
Who We Are: ONE GLOBAL TEAM

218 Attorneys Worldwide

Miami 3  
Peoria 86  
Morton 2  
Aurora 1  
Mossville 5  
Downers Grove 2  
Lisle 1  
LaGrange 3  
Nashville 17  
San Diego 12  
Albertville 5  
Milwaukee 6  
Monterrey, Mexico 1

Kiel 4  
Hockley Heath 1  
Geneva 4  
Zurich 2  
Grenoble 2  
Munich 1  
Peterborough 9  
Brussels 1  
Gosselies 6  
Riazzino 1  
Koningslo 2  
N. Ireland 1  
Luenen, Germany 1

Moscow 4  
Beijing 14  
Shanghai 3  
Bangalore 4  
Singapore 5  
Melbourne 1  
Japan 1
What We Do: An Overview of Caterpillar’s Pro Bono Project

- History
  - Program launched in 2006 and has grown each year

- Key Elements
  - Participation is voluntary
  - Open to attorneys, paralegals and support staff

- Organizational Structure
  - Steering Committee
  - Subcommittees
    - Communications
    - Ladder Up
    - Outreach
    - Section Liaisons
  - Local Office Committees
Developing the Program

How Did We Get Here?

• Benchmarking
• Building Support in the Legal Division
• Building Support in the Executive Office
• Clearing the Limited Admission Hurdle
• Bringing in the Work
• Clearing the Conflicts
• Managing the Risk
• Tracking the Results
• Rewarding the Participants
You Are Not Alone!

- Formal Resources
  - Corporate Pro Bono (CPBO) - Partnership between the ACC and the Pro Bono Institute to assist in-house counsel who want to establish or improve their legal departments’ pro bono efforts (www.cpbo.org has links of corporate programs)
  - State and local bar resources

- Informal Resources
  - Leverage existing contacts that attorneys have with pro bono community (e.g., current pro bono work, former firm, friends and colleagues)
Building Support in the Legal Division

Give the People What They Want!

• Ours was a Legal staff-driven project arising out of team members’ desire to continue firm-based pro bono work
• Make an investment in your people and the project
• Start small and grow big
  – Success breeds success
• Offer training to meet CLE requirements
  – Family Law
  – Orders of Protection
  – Illinois Domestic Violence Act
  – Small Claims
  – Violence Against Women Act (U-Visas)
  – Simple Wills and Advance Directives
Align the Pro Bono Mission with the Corporate Vision!

We Are Pro-Active Members of Our Communities
As individuals and as a company, we contribute significant time and resources to promoting the health, welfare, and economic stability of our communities around the world. We encourage all employees to participate in community activities that promote the common good. We believe that our success should also contribute to the quality of life in, and the prosperity and sustainability of, communities where we work and live.

- Caterpillar Worldwide Code of Conduct

Our Mission
Our Mission is to facilitate the performance of pro bono services by Caterpillar Legal Services Division employees and is aimed at improving the communities in which we work and live by providing those in need with volunteer legal services.

- Caterpillar Pro Bono Program Mission
Clearing the Limited Admission Hurdle

Don’t Let the Rules Get In the Way!

• **California**
  – Only CA-licensed attorneys may provide pro bono services/legal advice.
  – We find opportunities where all Legal staff members (CA-licensed attorneys, RIHC, non-attorneys) may participate.

• **Illinois**
  – Rule formerly restricted limited admission in-house attorneys from performing pro bono services.
  – We assembled a coalition of interested parties, participated in drafting the proposed rule, and testified on behalf of the proposed rule in early 2008.
  – Effective July 1, 2008, registered in-house may provide pro bono service under the auspices of a sponsoring entity (e.g., not for profit legal services organization, government entity, bar association).

• **Florida**
  – We are requesting an amendment to the applicable rules that would allow registered in-house counsel to work on pro bono matters.
Bringing in the Work

Build It And They Will Come: Pro Bono Service by Solar Turbines and Caterpillar

• Individual Client Services
  – Unaccompanied Detained Children’s Docket - Family Immigration Court through Casa Cornelia (San Diego)
  – Court Appointed Special Advocate to represent the voice of assigned foster children (San Diego)
  – Represent individual, low-income clients in family law, debt collection, and other matters (Caterpillar)

• Clinics
  – Stand Down San Diego through the San Diego Homeless Veterans Program - provide counseling of minor legal issues that impact veteran’s lives
  – AIDS Clinic through Legal Aid Society of San Diego - provide legal assistance to low-income clients infected with AIDS/HIV
  – Girl’s Detention Center Remediation Clinic (San Diego)
  – Clinic for Domestic Violence Relief through Casa Cornelia (San Diego)
  – Clinics sponsored by Caterpillar
    • Prepare living wills and healthcare and property powers of attorney for clients
  – Clinics jointly sponsored by Caterpillar and law firms with non-profit support
    • Prepare wills for firefighters and police officers - Wills for Heroes
    • File immigration documents for victims of domestic violence
    • Due diligence review for new non-profit companies - Community Economic Development Project
Bringing in the Work

Build It And They Will Come: Pro Bono Service by Solar Turbines and Caterpillar (continued)

• Partnership Projects
  – Projects sponsored by law firms with non-profit support that allow Caterpillar Legal volunteers to participate in longer term representations and initiatives
    • Research and draft regulations to protect women in Nepal who work in industries often leading to economic and sexual exploitation
    • Assist US Veterans with appeals for benefits claims before the Board of Veterans Appeals
    • Help protect inheritance rights of widows and orphans in Kenya of husbands or fathers who have died of HIV/AIDS (Caterpillar worldwide project with Lawyers Without Borders)

• Legal Representation of Non-Profits
  – Provide direct legal services to specifically designated partner agencies (e.g., Renewal House, Hospital Hospitality House, the League for the Deaf and Hard of Hearing)
  – Business Law, Compliance and Transactional needs

• Board Service
  – Considered part of the program where board service is requested based on volunteer’s legal knowledge or experience
Clearing the Conflicts

Establish a Process!

• Pro Bono Committee at each local office establishes procedure for performing conflicts check to ensure that matter is not adverse to Caterpillar, a subsidiary, a dealer, an employee, a customer, or otherwise impact important business relationships or concerns.

• A project that does not create a conflict but that impacts politically, culturally or socially sensitive issues may be rejected. Our Values in Action and Code of Conduct guide these decisions. See Model Rules of Professional Conduct Rule 6.5
Managing the Risk

Know Your Coverage!

• Many legal services organizations referring matters independently provide professional liability insurance for matters they refer.

• Where coverage not provided by organization, your company’s professional liability insurance coverage may or may not cover pro bono work:
  • Caterpillar’s professional liability insurance coverage applies to pro bono work done through the program.
  • Coverage is not available for pro bono projects that are not pre-approved by the Committee.
Tracking the Results

Be Prepared to Tell Your Story!

- Tracking Hours
  - Hours submitted to local office pro bono coordinator
  - Global Program Coordinator collects hours quarterly

- Reporting Results
  - Annual Pro Bono Report presented to Caterpillar Legal Services Division worldwide
# Results Tracked

## Bottom Line Results

<table>
<thead>
<tr>
<th>2010 Pro Bono Hours</th>
<th>2011 Pro Bono Hours (YTD)</th>
</tr>
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<tbody>
<tr>
<td>San Diego: 253</td>
<td>San Diego: 158</td>
</tr>
<tr>
<td>Peoria: 1576</td>
<td>Peoria: 615</td>
</tr>
<tr>
<td>Caterpillar Worldwide: 2500+</td>
<td>Caterpillar Worldwide: 1176</td>
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</tbody>
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Rewarding the Participants

Celebrate the Successes!

- **Internal Recognition**
  - Chairman’s Community Service Award

- **External Recognition**
  - Awards
    - Association of Corporate Counsel (ACC) Pro Bono Award
    - ACC San Diego Excellence in Pro Bono Award
    - Casa Cornelia Pro Bono Attorney of the Year Award
    - ABA Litigation Section Corporate Counsel Award
    - International Law Office Global Counsel Award
    - Public Law Initiative (PILI) Pro Bono Initiative Award
    - Illinois Amvets Outstanding Firm Veteran’s Pro Bono Legal Services
    - Peoria County Sheriff’s Department Annual Award
    - Illinois Legal Aid Online Attorney of the Month Award
  - Media
    - Internal (Cat Folks)
    - External (ACC Magazine, Peoria Journal Star, Peoria Bar Association)

- **Annual Job Performance Review**
  - Recognition, but not requirement, of charitable work, including pro bono, is an appropriate element of a Performance Review (Value in Action: Commitment – We are proactive members of the community)
Where Do We Go Now: Program Evolution

Embrace the Road Ahead!

• Embedding Pro Bono
  - Making pro bono activity part of the culture – a foundation for improvements
  - Overcoming generational differences in commitment to service

• Expanding Geographic Scope
  - Overcoming regulatory challenges, especially in overseas jurisdictions
  - Overcoming cultural challenges – pro bono is not a familiar concept everywhere

• Defining “Signature” Projects
  - Linking the Program to select high profile projects
  - Making longer term commitments to specific projects

• Sustaining the Commitment
  - Adapting to evolving executive office priorities that may encourage inward focus
  - Ensuring continuity of program through leadership transitions
Discussion