**WORKSHOP**

**LEGAL AID AND PRO BONO**

**Lecturer:** Maria Havelkova[[1]](#footnote-16145)

**Duration of the lecture:** 4 hours

**Recommended pre-lecture reading:**

1. Stevenson, B., 2014, Just Mercy, chapter 8, pp. 147-162.
2. Lithwick, D., 2022, Lady Justice, chapter 3, pp. 39-66.
3. Jüriloo, K., 2015, Free Legal Aid – a Human Right, Nordic Journal of Human Rights, 18 p.

**LECTURE OUTLINE:**

1. **Opening and an introductory exercise:**
   1. Understanding of the term legal aid;
   2. The importance of the right to legal aid;
2. **Development of the right to legal aid:**
   1. Interactive timeline – from understanding legal as a privilege, to legal aid in criminal matters to understanding legal aid in civil matters as a basic human right
3. **Analysis of the ECHR decision**
   1. Mikhaylova v. Russian Federation
4. **Why should we care about access to justice?** 
   1. TED talk video + discussion
      1. The obligation of a state to establish a system of civil legal aid,
      2. Legal aid in criminal v. civil matters
5. **State-funded systems of civil legal aid**
   1. Legal aid schemes around the world;
   2. Introduction to the Slovak civil legal aid system and its shortcomings,
   3. Eligibility criteria,
   4. Alternative methods of legal aid:
      1. Legal clinics, NGOs, municipalities,
      2. Legal expenses insurance,
      3. Pro bono publico.
6. **PRO BONO**
   1. Benefits of pro bono for the society, legal profession, law firms and lawyers
   2. Mandatory v. voluntary pro bono – group work – identification of arguments,
   3. Presentation of the results of research on motivations and limits of pro bono practice.

**LEARNING OUTCOMES:**

After this workshop, the students can:

1. recognize and explain the importance of the right to legal aid as a basic human right, the impact of the EU and the Council of Europe on the concept of the right to legal aid and the difference between systems of legal aid in criminal and civil matters;
2. demonstrate a legal aid system in their home country;
3. explain the benefits of pro bono publico.

1. Fulbright Alumna (California Western School of Law) and Deputy director of the Institute for Clinical Legal Education, Comenius University in Bratislava, Slovakia [↑](#footnote-ref-16145)