

## **Launching Ceremony: Legal Entrepreneurship Program**

*Improving Access to Justice for the poor!*



## **Background:**

Rule of Law in Pakistan is getting deteriorated in most parts of the country with increasing rates of human rights violations, particularly in the remote areas. Violence against women, persecution against the religious and ethnic minorities, abuse of blasphemy law, lack of provision of basic and fundamental human rights pervade a large part of the country. Pakistan is a developing country with high frequency of proceedings, larger but under capacitated legal fraternity, insufficient judicial resources, including human resource which adds to the legal pendency and delayed redress through legal system of justice. Such aspect of the legal system in Pakistan indirectly hinders the access to justice by the poor and marginalized victims of this system thereby increasing their vulnerability. The legal system in Pakistan is fractured due to a number of reasons including, but not limited to, the insufficient number of judicial officers and support staff, which multiplies the number of cases being heard by each judicial officer thereby creating a back log of cases which indirectly aggravates the grievances of the victims of legal system. The lack of capacity of legal fraternity, judicial staff and the law enforcement agencies further fuels the pendency of litigation due to enormous gaps in the legal procedures. This broken system of law creates room for ad hoc approaches and manipulation and supports corruption to pervade the system and adversely affects the litigants. The fresh law graduates who enter this domain with high ambitions and compassion to serve the destitute and needy find it difficult to escape this vicious cycle of manipulation and fall prey to the negative and vile competition of client winning approach, which phase out the actual true spirit of legal advocacy towards grievance redress through legal system.

To address these issues, creative new models are emerging that provide law graduates with the tools to start their own firms rather than being left out at the mercy of the ebb and flow of the legal job market. Recent graduates should be taught practical bar vocational skills during the pupillage stage of their training. These recent graduates can also benefit from close peer mentoring through the provision of low bono and pro bono services to underserved communities.

The development of an incubator to train law graduates, first launched in New York City in 2007, has proven to be an effective tool for supporting and

resourcing new lawyers committed to advancing social justice. The survival of solo or small firm practices is predominantly important when the practices focus on serving the unmet legal needs of individuals of moderate to low-income, vulnerable segments of the community or groups traditionally marginalized by society such as survivors of gender-based violence, persons with disabilities (PWD) and minorities. Helping to ensure the economic viability of lawyers in solo or small firms who are committed to addressing the unmet legal needs of economically disadvantaged individuals is essential. Incubators that support new lawyers have been successful in training lawyers to create sustainable practices, in helping to develop their professional skills and ultimately in enhancing access to justice. Once contextualized to meet the specific needs of the Pakistani legal system, incubators will become an indispensable tool for lawyers and for the clients they serve.

### **INSAF Network Pakistan (INP)**

INSAF NETWORK PAKISTAN (INP) is an alliance of 38 civil society organizations registered under the Societies Registration Act 1860, working in 102 districts with advocacy and project implementation experience in all four provinces, AJK and Gilgit-Baltistan. INP's partnership with a variety of community organizations and the government functionaries remains its key strength as it offers deeper and wider access to an every-increasing number of communities and beneficiaries across Pakistan. INP provides a collaborative platform to these government and non-governmental organizations (NGOs) to work together to help the poor, vulnerable and minority communities in areas of basic rights, gender justice and legal empowerment across Pakistan.

INSAF Network Pakistan (INP) with the support of U.S Embassy has established first of its kind Insaf Center for Legal Excellence (ICLE) "an Incubator Model" to support the economic viability of young lawyers, especially female lawyers, who are committed to addressing the unmet legal needs of economically disadvantaged individuals and working in solo or small firm practices. The incubator model enables newly admitted lawyers to acquire the range of skills needed to launch successful practices and ultimately achieve the goal of increased access to legal representation for the legally under-served. ICLE serves as a hub to foster leadership

development, training and mentoring activities for a diverse group of young Pakistani lawyers. ICLE also provides low cost office space for approximately 8 participants and staff support for the 18-month duration of the program. INP has hired 2 mentors (senior attorneys) to provide participants substantial guidance in the practical management of their firms and handling of cases. The mentors are available to participants so that participants can fulfill the pupillage requirement needed to qualify for a law license from the district bar council.

The ICLE was formally launched on Tuesday, 26 April 2016 at Islamabad. The event held diversified representation from Judiciary, legal fraternity, academia, international donor community, civil society organizations promoting rule of law and media. Among the notables were the Father of Incubator declared by American Bar Association (ABA) and Attorney at Law, and former Fulbright specialist Frederick Rooney who conceptualized the idea of legal incubator in the U.S back in 2007, president Islamabad High Court Bar Association (IHCBA) Mr. Tariq Mehmood Jahangiri, Advocate Supreme Court and legal analyst Mr. Naeem Bukhari, Dean School of Law, Hazarah University, Mr. Suhail Shehzad, Incharge School of Law, Quaid-e-Azam University, Mr. Arshad Nawaz, Director U.S Educational Foundation in Pakistan, Ms Rita Akhter and a renowned media analyst, Mr. Rahman Azher. The event also garnered overwhelming interest from various stakeholders which was evident through exuberant participation.

The agenda of the programme comprised of six sessions;

1. Inaugural
2. Program Concept and Design
3. Key note speeches
4. Q & A
5. Recommendations
6. Closing Remarks
7. Event Gallery

## Session I: Inaugural

The event started with the recitation of the Holy Quran followed by a welcome address by Ms Sonia Sahar, Chairperson Executive Committee INP. Ms Sonia greeted the esteemed guests and appreciated their interest in INP's initiative of improving access to justice by the vulnerable and the poor in Pakistan. She elaborated the vulnerability of poor litigants in Pakistan and highlighted the challenges being faced by this population group. She applauded the efforts carried out by the Legal Incubator team and extended her gratitude to the U.S Embassy for entrusting INP to run such an initiative that will open the doors for rights centric professional legal practice in Pakistan. She emphasized the need of concerted efforts by all the relevant stakeholders to improve access to justice by the poorest of the poor and the vulnerable among our society, particularly women, youth and religious minorities.



## Session II: Program Concept & Design

This session consisted of two components; concept and design. The former was elaborated by the American Bar Association (ABA) acclaimed Father of Incubator, Frederick Rooney and the latter was detailed by the head of project Mr. Sheraz Khan Advocate.

### Program Concept:

Fredrick Rooney launched the "Legal Incubator" back in 2007 in the U.S with a small number of young lawyers that went on successfully multiplying and reached to sixty lawyers across the U.S extending pro bono and low bono legal services to the under-served, deserving and low income litigants.



The next destination was the Dominican Republic for establishment of Legal Incubator that is proving a success since its inception and facilitating the access to justice of the poor and marginalized segments of the society. The third incubator is launched in Islamabad, Pakistan and first of its kind in

Asia. The overall goal of the Legal Incubator program is to reintroduce the humanitarian element in legal professional practice by sensitizing and capacitating the young lawyers on professional skills and equipping them to support the needy and low income litigants in accessing legal aid.

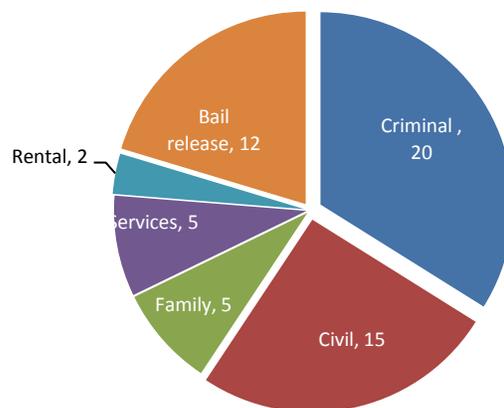
*“Hundreds of thousands of New Yorkers are unable to afford legal access due to poor economic*

### Program Design:

The project head, Mr. Sheraz Khan provided a brief overview of the Legal Incubator in Pakistan, a pilot project catering to the legal needs of poor and marginalized people. Mr. Khan briefed the audience about his team of Legal Incubator consisting of eight young lawyers (four male, four female) and two senior lawyers serving as mentor to build the capacity of eight lawyers. One of the two mentors supported the capacity building on soft professional skills while the other provided mentorship training in actual legal practice in courts. Mr. Khan shared that during last couple of months the Legal Officers of Legal Incubator had provided legal assistance to 47 deserving individuals.



Scope of Project



Project Response

### Session III: Key Note Speeches

This session comprised of the key note speeches by the President Islamabad High Court Bar Association (IHCBA) Mr. Tariq Mehmood Jahangiri, renowned

Politico-legal analyst and Advocate Supreme Court, Mr. Naeem Bukhari, Dean School of Law, Hazarah University, Dr. Sohail Shahzad, In-charge School of Law, Quaid-e-Azam University, Mr. Arshad Nawaz, Director U.S Educational Foundation in Pakistan Ms Rita Akhter and media expert and anchor person, Mr. Rahman Azhar.

### **Tariq Mehmood Jahangiri – President IHCBA**

Mr. Tariq Mehmood Jahangiri, President Islamabad High Court Bar Association (IHCBA), appreciated the initiative of legal empowerment of the poor through enhanced outreach to the poor and vulnerable in our society. He commended the idea about building the capacity of young lawyers on professional skills to equip them in provision of



legal assistance in an efficient and effective manner. He admitted to the pendency in judicial process that aggravated the vulnerability of the poor litigant and also linked it partially with the poor capacity of the lawyers, and reiterated the need for more capacity building initiatives for young lawyers, particularly female lawyers to become efficient tool in access to justice by the poor and marginalized segments. He appreciated the joint venture of INP and the U.S Embassy to facilitate access to justice for the poor and deserving, particularly women and religious minorities.

### **Dr. Suhail Shahzad – Dean School of Law – Hazarah University**

Dr. Suhail Shahzad discussed various aspects of the legal curriculum and highlighted the gaps that the existing legal curriculum is bearing in respect to the needs of current legal practices. He augmented the legal curriculum to be theory savvy and missing the practical component altogether. This gap poses couple of challenges to the fresh law graduates. First of all, it unnecessarily consumes few valuable years of professional practice for these fresh law graduates that they had to spend on learning and familiarizing petty practicalities of the legal practice, which is likely to de-



motivate few fresh lawyers. The second challenge faced by majority of the young lawyers is lack of support from the peers in terms of provision of learning opportunities. Dr. Shahzad applauded the initiative corroborated by INP and U.S Embassy to bridge this gap where young lawyers are provided opportunity to learn practical professional skills and expand the scale of effective legal assistance for the poor in Pakistan.

### **Arshad Nawaz – In-charge School of Law, Quaid-e-Azam University**

Mr. Arshad Nawaz seconded the views presented by his preceding speakers and while further building upon that, opined that the legal curriculum does not include any component which could focus on building the professional skills of the law graduates, which is reflected in the form of various professional challenges faced by these graduates upon their entry into professional legal practice. He reiterated the need of revision of legal curriculum that must include subjects such as client management, legal drafting, solo practice etc. to equip the law graduates in becoming professional lawyers. He praised INP for initiating such a wonderful program and thanked the U.S Embassy and Fred Rooney for providing such a wonderful learning opportunity to the young lawyers in Pakistan.



### **Naeem Bukhari – Politico-legal Expert & Advocate Supreme Court**

Mr. Bukhari, a renowned political analyst and legal expert and a practicing lawyer at Supreme Court was among the key speakers at the event. He enlightened the audience about the challenges and gaps in today's legal practice and how it affected the young lawyers. He admitted to the scarcity of learning opportunities for the young law graduates/lawyers and linked it with the unwillingness of the peers in transferring professional knowledge to their young colleagues, as they see them as potential competitor rather than encouraging them to substantiate the effectiveness of legal assistance in Pakistan. He further iterated that the law profession is not chosen as a



priority by the young students rather opted as a last resort by most associated with this profession, which inherently jeopardizes the qualitative aspect of this profession.

Mr. Bukhari commended the U.S Embassy and INP for launching such a brilliant program that bears the potential to provide a learning platform for the young lawyers in Pakistan and helping enhance the productivity of legal profession to deliver timely, inclusive and efficient justice to the poor and marginalized segments of Pakistani society.

### **Rita Akhter – Director U.S Educational Foundation in Pakistan**

Ms Akhter applauded the legal empowerment initiative by INP and the U.S Embassy and emphasized that this initiative could pave way for future linkages development between the legal professionals in the U.S and Pakistan. She also appreciated Fred Rooney to introduce his brain-child, “Legal Incubator” to Asia in Pakistan to the deserving and low-income litigants. She reinforced the need for bridging the gap in access to justice for the poor, particularly the women and religious minorities. She also briefed the audience about Fulbright Educational Program in Pakistan and how it can provide a life changing opportunity to the young lawyers who could pursue further education in Master degree and/or Ph.D in Law in the United States absolutely free of cost.



### **Rahman Azher – Media Analyst**

Mr. Azher, a well reputed journalist, media analyst and anchor person on Aaj TV elaborated the potential role of media in facilitating the access to justice by the poor. He highlighted the gaps in media reporting and admitted that ironically today’s media is more crime centric rather than exposing the violations of rights. He also raised concerns over the training of media reporters, who needed to be sensitized on human rights issues and their reporting in a humane manner. He also appreciated the idea of legal incubator in Pakistan and assured his full cooperation and



support as a media person to propagate this idea and raise awareness about the program through his program.

#### **Session IV: Experience Sharing by Legal Incubator Team**

The team of Legal Incubator in Pakistan expressed their gratitude for provision of such a wonderful and interactive learning opportunity to enhance their capacity and expertise in professional skill development. They shared great appreciation and acknowledgment towards INP and the U.S Embassy for providing them such platform where they could explore their professional strengths and deliver efficient legal aid to the deserving and low income litigants. The described this program as a life changing opportunity and emphasized the need to replicate such initiatives across the country so that more law graduates could take advantage of such wonderful initiatives and build their career on professional grounds and deliver humane legal assistance.



The mentors also shared their delight and interest in becoming part of such amazing program where they could inculcate professional ethics in the young lawyers to improve the overall productivity of the legal profession in Pakistan and also facilitating the access to justice for the needy, particularly women and the religious minorities, where access to justice poses a grave challenge in meeting their legal needs and having their grievances redressed through legal justice system. The team showed immense trust in the organization of this program and the inspiration that was brought into their professional career by the respected Frederick Rooney; acclaimed Father of Legal Incubator by American Bar Association (ABA) and Attorney at Law.

## **Session V: Q & A**

Key note speeches were followed by Q & A session which was responded by Fred Rooney along with Sheraz Khan. The following queries were raised by the audience and responded by the technical team.

### **Q: How will the program maintain its sustainability?**

The program is working in collaboration with the academia and bar association to build the capacity of young lawyers on professional skills. INP will continue this approach and offer skill development courses for the fresh law graduates or senior law students. This activity will generate revenue that would finance the program operations following the completion of pilot phase of Legal Incubator in Pakistan.

### **Q: How was the legal incubators inducted in the program?**

The INP's core project team coordinated with the academia (Quaid-e-Azam University, Hazarah University and Islamic International University Islamabad and others) and the Bar association to seek applications of interested young law graduates who underwent two rounds of recruitment and selection process and following due process, eight legal officers were finalized and inducted in legal empowerment program.

### **Q: How do you combine theory and practice in your program?**

The program comprises of two components; first component focusing on building capacity of the young lawyers on practical skill development through mentoring in the courts during the morning. The second component of the program, that runs during the afternoon emphasizes on building soft skills such as legal drafting, client management, solo-practice, legal research and referencing and financial management and communication skills.

### **Q: How would you ensure financial security for legal officers following this program, while maintaining the pro-bono and/or low bono services?**

The program revolves around professional ethics building that enhances the client satisfaction, which increases the number of clients for the lawyer. The legal officers are provided training on ethical communication skills that would

serve as a marketing tool for these young lawyers to build a stronger profile and ultimately more business.



## Session VI: Recommendations

The Q & A session was followed by the recommendations and suggestions from the participants. Some of the comments and recommendations are given below;

- *"Such life changing programs should not be limited in scale, rather extended to other parts of the country as well. I would recommend expanding this valuable initiative to Balochistan province to cater to the unmet legal needs of poor litigants in that province."* – Parliamentarian Balochistan Assembly
- *"The program must include a layer of experienced lawyers to provide capacity building refresher and sensitization on ethical legal assistance along with the initially designed layer of fresh law graduates to increase the scale of legal empowerment of the poor"* – Police Official
- *"This initiative must be expanded to the province of Khyber Pakhtunkhwa (KPK) to provide ethical legal assistance to the poor population of KPK"* – Lawyer District Bar Bannu

## Session VII: Closing Remarks

Information Secretary INSAF Network Pakistan, Mr. Asim Wazir closed the event by paying token of thanks and appreciation to the respectable guests and audience and to the generous support of the U.S Embassy for materializing this excellent idea of Legal Incubator in Pakistan to enhance access to justice by the poor and deserving particularly



the women and religious minorities. Mr. Wazir expressed great regard to the untiring and humane efforts by Fred Rooney in trying to bridge the gap between the legal justice system and the unmet needs of low income and poor litigants. He also acknowledged the tremendous support and cooperation from academia and the Bar association in the realization of this valuable program. He also thanked the media expert for providing insightful views on role of media in enhancing access to justice for the poor.





### **Media Coverage:**

1. Daily Tehreek Link:

<http://dailytehreek.com/popup/?img=604>

2. Daily Nai Baat Link:

<http://www.naibaat.com.pk/pre/islamabad/Page03.aspx>

### **Electronic Coverage:**

1. DAWN News
2. Aaj TV
3. Geo NEWS
4. Royal TV
5. 24 NEWS Channel