

# Global Pro Bono Guide 2026

## Pro Bono Practices and Opportunities in Brazil

### Introduction

Brazil, Latin America's largest country and arguably the region's leading economy, despite a slow recovery from a recession since 2017 and a global pandemic in 2020, is home to a vibrant and developed legal community. Despite the size of its economy and concentrated efforts to reduce poverty, Brazil has a large amount of economic inequality. The Brazilian Federal Constitution (the Constitution) sets forth, as fundamental rights, the right to access to justice and the right to free state-provided legal assistance for all citizens and foreign persons living in Brazil, but in practice, such fundamental rights are not yet fully accessible for a significant part of the population. While this combination would appear to present meaningful opportunities for the provision of pro bono legal services, the Brazilian legal community does not have a long-standing tradition of providing such services as a result of regulatory restrictions (including restrictions on providing pro bono legal services to individuals) that were in force until 2015 that significantly hindered the development of pro bono work in Brazil. As a result, pro bono legal services are less developed in Brazil than in other Latin American countries. Since these regulatory restrictions were removed, however, law practitioners, as well as larger law firms in Brazil, have been devoting increasing resources to pro bono activities, and pro bono legal services are expected to continue to increase in the future.

### At a glance

Minimum pro bono hours requirement for lawyers?	Specific pro bono licence required?	May foreign lawyers practice pro bono?	Insurance required for law firm pro bono?	Insurance required for in-house pro bono?	Rules to limit advertising pro bono work?	Does pro bono work count to CLE credit?	Limitations for in-house lawyers to do pro bono?
No	No	Yes	No	No	No	No	No

### The landscape

Professional regulation	
<p>1. Describe the laws or rules that regulate the provision of legal services, including any licensing required to provide legal services. Please highlight any differences for lawyers working as in-house counsel.</p>	<p>The key piece of legislation regulating legal services in Brazil is Law No. 8,906/1994 (Bar Association Statute).<sup>1</sup></p> <p>The two main sets of rules governing the conduct of lawyers are:</p> <ul style="list-style-type: none"> <li>• General Rules of the Bar Association, enacted by the Bar Federal Council; and</li> <li>• Ethics and Disciplinary Code of the Bar Association, which sets forth rules of professional conduct and ethics, regulating</li> </ul>

<sup>1</sup> Neil Montgomery and Helena Calderano, [Regulation of the Legal Profession in Brazil](https://montgomery.adv.br/en/regulation-of-the-legal-profession-in-brazil-overview-2/), Practical Law Country Q&A, <https://montgomery.adv.br/en/regulation-of-the-legal-profession-in-brazil-overview-2/> (last visited on 4 January 2025).

	<p>issues such as advertising, client relationships, and fees.</p> <p>Lawyers are regulated by state bar associations, which are overseen by the national bar association known as the Ordem dos Advogados do Brasil (OAB)<sup>2</sup>. There are no differences for lawyers working as in-house counsel and the rules are the same (Bar Association Statute).</p> <p>The OAB and each state bar association (26 in total) may also make binding rules.</p> <p>To be admitted to practise law in Brazil, an individual must:</p> <ul style="list-style-type: none"> <li>• have a law degree from an accredited institution (which is a five-year degree); and</li> <li>• pass the Brazilian Bar Association Examination.<sup>3</sup></li> </ul> <p>It is not necessary to complete an internship,<sup>4</sup> but many prospective attorneys complete a two-year internship at a registered legal practice (usually a law firm) during their legal studies.<sup>5</sup></p>
<b>Regulatory landscape for pro bono</b>	
<p>2. Describe the laws or rules that regulate the provision of pro bono legal services.</p>	<p>In 2015, the Ethics and Disciplinary Code of the Bar Association (Ethics Code) was amended to include a chapter that allowed attorneys to provide pro bono legal services, a practice that had previously been restricted.<sup>6</sup></p> <p>In-house lawyers, who may be restricted from representing third parties, are expressly allowed to provide pro bono legal services.<sup>7</sup></p> <p>Pro bono legal services may not be used for political or partisan services or to gain</p>

<sup>2</sup> OAB Conselho Federal, <https://www.oab.org.br/> (last visited on 4 January 2025).

<sup>3</sup> Law No. 8906 of 4 July 1994, Article 8, available at <https://www.oab.org.br/visualizador/20/legislacao-sobre-ensino-juridico> (in Portuguese) (last visited on 4 January 2025).

<sup>4</sup> Law No. 8906 of 4 July 1994, Article 9, available at <https://www.oab.org.br/visualizador/20/legislacao-sobre-ensino-juridico> (in Portuguese) (last visited on 4 January 2025).

<sup>5</sup> *Id.* at 3.

<sup>6</sup> Ethics Code, Art. 30, available at <https://www.oab.org.br/institucionalconselhofederal/quadroadvogados> (in Portuguese) (last visited on 4 January 2025). See Edward Soares, [Brazil: Bar Association Publishes New Code of Ethics and Discipline](https://www.loc.gov/item/global-legal-monitor/2015-11-10/brazil-bar-association-publishes-new-code-of-ethics-and-discipline/) (10 November 2015), <https://www.loc.gov/item/global-legal-monitor/2015-11-10/brazil-bar-association-publishes-new-code-of-ethics-and-discipline/> (last visited on January 4, 2025).

<sup>7</sup> See OAB edita provimento que regulamenta a advocacia pro bono, <http://www.oab.org.br/noticia/29076/oab-edita-provimento-que-regulamenta-a-advocacia-pro-bono> (in Portuguese) (last visited on 4 January 2025).

	customers. <sup>8</sup>
3. Do lawyers need a license to provide pro bono legal services (beyond usual local qualification to practice law)?	<p>Lawyers must be licensed to practise law in Brazil to provide pro bono legal services.</p> <p>Law firms and lawyers at NGOs may supervise law student participation in legal clinics for the provision of pro bono legal services.</p>
4. Do foreign-qualified lawyers need any additional license to provide pro bono services (beyond their foreign qualification to practice law)?	<p>Foreign lawyers may not advise or consult on matters of Brazilian law, enter into a partnership with a Brazilian lawyer or law firm, or form multi-jurisdiction partnerships.<sup>9</sup></p> <p>A foreign lawyer who wishes to practise law in Brazil must be authorised by the OAB under its Regulation No. 91/2000, which generally restricts the scope of activities in which foreign lawyers may engage and their relationships with local law firms. The authorisation must be renewed every three years.</p> <p>Foreign lawyers are required to register with the state bar association in the state in which they intend to carry out professional activities, and are required, among other things, to hold a residence visa, proof of qualification to practise, and proof of good conduct.</p> <p>Foreign lawyers are subject to the rules of the OAB. Under these rules, foreign lawyers may:</p> <ul style="list-style-type: none"> <li>• Register as a Foreign Law Consultant to practise the law of their home jurisdiction or international law;</li> <li>• Register a foreign law firm followed by the mandatory title of Foreign Law Consultants; and</li> </ul> <p>Qualify as a Brazil lawyer (by re-validating their degree and passing the bar exam).</p>
5. Are lawyers required by such rules to work a minimum number of pro bono hours? If	There is no minimum pro bono hours requirement for lawyers in Brazil.

<sup>8</sup> “Article 30. In the exercise of pro bono assistance, the lawyer needs to employ the usual care and dedication, so that the beneficiary will feel duly assisted and will trust the pro bono lawyer. § 1º Pro bono assistance corresponds to the free and voluntary provision of legal services in favor of non-profit legal entities and of those that the non-profit legal entities represent, whenever they cannot afford to pay for legal assistance. § 2º Pro bono assistance may also be provided in favor of individuals who do not have enough resources to, without impairing their own subsistence, hire a lawyer. § 3º Pro bono advocacy cannot be used for political or election purposes, neither benefit institutions that have such purpose, nor be used as means of advertising to attract clients.”

<sup>9</sup> Brazilian Bar Association Regulation No. 91/2000, available at <https://www.oab.org.br/leisnormas/legislacao/provimentos/91-2000> (in Portuguese) (last visited on 4 January 2025). See also How to Practice in Brazil, Law Society, <https://www.lawsociety.org.uk/topics/international/doing-legal-business-in-brazil#practising-in-brazil> (last visited on 4 January 2024).

so, how many?	
6. Are aspiring lawyers required to complete a minimum number of hours of pro bono legal services to become licensed lawyers?	There is no minimum pro bono hours requirement for aspiring lawyers in Brazil to become licensed lawyers.
7. Aside from mandatory targets (if any), are there aspirational pro bono hours targets for lawyers set by the local bar association, regulatory body or other body?	There are no aspirational pro bono target hours set for lawyers in Brazil.
8. Do lawyers receive any “Continuing Legal Education” (CLE) or equivalent credit for pro bono hours worked?	Not generally, but state bar associations may have differing regimes.
<b>Insurance and advertising</b>	
9. Do lawyers need professional indemnity legal insurance cover for pro bono legal services they provide? Does the requirement differ for in-house lawyers?  If insurance is required, can lawyers meet the requirement by working under the cover of another pro bono provider, e.g. in partnership with a private law firm or organization working on the same pro bono project?	There is no legal requirement for practicing lawyers in Brazil — whether in private practice or in-house — to take out professional indemnity insurance for pro bono legal services they provide. <sup>10</sup>  Some state bar associations regulate professional indemnity insurance generally.
10. Are there any rules that limit or prohibit advertising of pro bono successes or soliciting new pro bono clients?	The OAB generally restricts the types of advertising a law firm may do and limits the purpose of advertisements to information purposes. <sup>11</sup>  Advertisements must include the full name of the lawyer and their OAB registration number. They may also include titles, professional qualifications, technical and scientific expertise, an address, office hours, e-mails, and phone numbers.  Advertisements may not include any mention of civil service, employment relationships, or sponsorships that may attract clients.  Advertisements may not include the cost of

<sup>10</sup> *Id.* at 3.

<sup>11</sup> Renata Garcia, Advertising Regulation for Lawyers in Brazil, *The Brazilian Business* (10 July 2015), <http://thebrazilbusiness.com/article/advertising-regulation-for-lawyers-in-brazil> (last visited on 4 January 2025).

	<p>services or any claim as to the quality of the lawyer.</p> <p>It is important to note that pro bono advocacy may not be used as a tool for client acquisition.<sup>12</sup></p>
<b>Pro bono practice and culture</b>	
<p>11. What are the main areas of law which require or present opportunities for pro bono? What are the major unmet legal needs?</p>	<p>Brazilian law prescribes that persons are entitled to legal aid:</p> <ul style="list-style-type: none"> <li>• Public defenders are appointed to provide a broad array of legal services. However, there is a deficit of public defenders available.</li> <li>• Law No 1060 of 5 February 1950 ensures legal assistance to any person who alleges they are unable to bear legal costs without affecting the financial ability to support themselves or their own family.<sup>13</sup></li> <li>• Many states, however, do not have dedicated public defender's offices, leaving gaps of access to legal services, particularly to those who cannot afford private services but do not meet low financial thresholds and try to fill gaps by working with state bar associations by providing some compensation to attorneys. This process is insufficient to meet the legal need, and pro bono lawyers are needed to fill this gap.<sup>14</sup></li> </ul> <p>In addition, due to the large level of income inequality in Brazil, there are a variety of different needs for pro bono legal services.</p> <ul style="list-style-type: none"> <li>• The Instituto Pro Bono (IPB) serves as a clearinghouse for pro bono cases, such as those relating to public interest rights of action, known as "<i>interesses difusos e coletivos</i>", comparable to a class action.<sup>15</sup></li> <li>• The IPB has advised NGOs in matters concerning the rights of children, women, minorities and persons with special needs, environment law, housing issues, and labour disputes.</li> <li>• The IPB also works with lawyers from top firms to provide legal services directly to clients in the outskirts of São Paulo.</li> <li>• The IPB also works with in-house teams to provide legal services to support local</li> </ul>

<sup>12</sup> *Id.* at 7.

<sup>13</sup> Law No 1060 of 5 February 1950, Article 2.

<sup>14</sup> Marcos Fuchs, Expanding Access to Justice 7 (2004).

<sup>15</sup> Instituto Pro Bono, <https://probono.org.br/> (last visited on 4 January 2025).

	<p>communities.<sup>16</sup></p> <p>There are other “third-sector” NGOs that specialise in provision of social services and human rights, i.e., Plan International<sup>17</sup> and Conectas Human Rights.<sup>18</sup></p>
<p>12. Who are the main providers of pro bono legal services?</p>	<p>Prior to 2015, only public officials and bar associations could provide pro bono legal services.<sup>19</sup> As a result, NGOs such as IPB, the Instituto de Defesa do Direito de Defesa (IDDD),<sup>20</sup> and Viva Rio,<sup>21</sup> used to be the primary providers of pro bono legal services, and are still heavily involved in providing pro bono legal services and coordinating with practitioners in Brazil.<sup>22</sup></p> <p>The IPB, created in 2002, campaigned for 13 years for the OAB to change its position, providing a considerable boost to pro bono legal work by allowing law firms and independent practitioners to participate.</p> <p>Law firms have begun to get involved in pro bono, as the IPB now has more than 60 member firms, with Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advogados launching a dedicated pro bono department.<sup>23</sup></p> <p>IPB and licensed attorneys also work with law students to provide pro bono legal services through clinics and other projects.</p>

<sup>16</sup> See, Why Meta’s Brazilian pro bono project is a call to action for in-house lawyers <https://latinlawyer.com/lacca/article/why-metas-brazilian-pro-bono-project-call-action-in-house-lawyers> (last visited on 4 January 2025).

<sup>17</sup> <https://plan.org.br/>

<sup>18</sup> <https://www.conectas.org/>

<sup>19</sup> Pro Bono Survey: Country by Country, Latin Lawyer (19 November 2015), <https://latinlawyer.com/benchmarking/pro-bono-2015/1097715/pro-bono-survey-country-by-country> (last visited on January 4, 2025).

<sup>20</sup> IDDD, <http://www.iddd.org.br> (last visited on 4 January 2025).

<sup>21</sup> Viva Rio, <http://www.vivario.org.br/en/> (last visited on 4 January 2025).

<sup>22</sup> Pro Bono & the Legal Profession: Strengthening Access to Justice (7/8 April 2011), <https://www.vancecenter.org/wp-content/uploads/stories/vancecenter/brazil%20eng.pdf> (last visited on 4 January 2025).

<sup>23</sup> Pro Bono Profile: Brazil’s Instituto Pro Bono, Latin Lawyer (5 April 2018), <https://latinlawyer.com/benchmarking/12th-annual-awards/1167559/pro-bono-profile-brazils-instituto-pro-bono> (last visited on 4 January 2025).

<p>13. Are there any noteworthy examples of how innovative technology or artificial intelligence is being used to enable access to pro bono or otherwise as part of pro bono cases or matters?</p>	<p>JusBrasil Pro Bono connects lawyers with individuals seeking pro bono assistance by using AI-driven matchmaking algorithms for specific expertise to meet the needs of the individual.<sup>24</sup></p> <p>The TJRJ Pro Bono Initiative has employed AI-driven chatbots to provide initial legal advice to underserved communities, which are available via WhatsApp to enable users to describe their specific issue in their native language and receive tailored information or referrals for pro bono services.<sup>25</sup></p>
<b>Sources of Pro Bono Opportunities and Key Contacts</b>	
<p>14. Describe notable sources of pro bono matters or resources in your jurisdiction.</p>	<p>The main source of pro bono matters is the free governmental legal services offices that are legal aid services provided by public defenders.<sup>26</sup></p> <p>Public defence services are insufficient to cover the demand, so public defenders' offices often partner with state bar associations and private practitioners to provide pro bono legal services.<sup>27</sup></p> <p>IPB, founded in 2002, is a well-established NGO provider of pro bono legal services in Brazil and led the campaign to relax the restrictions on the provision of pro bono legal services in 2015.</p> <p>IPB has also established wide international alliances with similar organisations in the Americas and elsewhere.</p> <p>Other pro bono legal service providers and third-sector entities, which are essentially NGO-driven initiatives meant to provide various forms of social services, including pro bono legal services, include IDDD, Viva Rio, Conectas Human Rights, and Terceiro Setor.</p>
<p>15. Is there any public or private organization with which a local or foreign lawyer can register to be made aware of pro bono opportunities?</p>	<p>Law firms are now developing dedicated pro bono resources. Local practitioners, firms, and students can register their interest with the IPB, which serves as a clearinghouse for pro bono cases, though it also has a number of in-house lawyers who provide pro bono legal services directly.<sup>28</sup></p>

<sup>24</sup> See, JusBrasil Instituto Pro Bono <https://institutoprobono.jusbrasil.com.br/> (last visited on 4 January 2024).

<sup>25</sup> See, TJRJ <https://www.tjrj.jus.br/> (last visited on 4 January 2024).

<sup>26</sup> Law No 1060 of 5 February 1950 ensures legal assistance to any person who alleges they are unable to bear legal costs without affecting the financial ability to support themselves or their own family. Law No 1060 of 5 February 1950, Article 2.

<sup>27</sup> See generally Marcos Fuchs, *Expanding Access to Justice* 6-7 (2004).

<sup>28</sup> See Instituto Pro Bono, <https://probono.org.br/cadastro/> (in Portuguese) (last visited on 4 January 2025).

	<p>While foreign lawyers may not practise Brazilian law, opportunities for an international law firms to provide pro bono legal services in Brazil may still be permissible through relations with established local law firms, with Brazil-based NGOs and other entities of the third sector, as well as through contact with the IPB.</p> <p>There are also websites that list entities in the third sector in Brazil and specify areas in which they may need assistance.<sup>29</sup></p>
<p>16. Are there any awards, lists or rankings related to pro bono work?</p>	<p>Latin Lawyer hosts its annual award event, which includes awards for the following:<sup>30</sup></p> <ul style="list-style-type: none"> <li>• Pro bono law firm of the year</li> <li>• Pro bono project of the year</li> </ul> <p>Latin Lawyer further publishes the Pro bono Leading Lights list for noteworthy contributions to pro bono in Latin America.<sup>31</sup></p> <p>Chambers &amp; Partners further provides recognition for the Pro Bono Outstanding Firm winner and finalists.<sup>32</sup></p>

## Acknowledgements

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## Learn more

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<sup>29</sup> See Terceiro Setor, <http://www.terceirosetor.org.br/> (in Portuguese) (last visited on 4 January 2025); Centro de Voluntariado, <http://www.voluntariado.org.br/> (in Portuguese) (last visited on 4 January 2025); Seja um Voluntário <http://www.voluntarios.com.br/> (in Portuguese) (last visited on 4 January 2025); and Instituto Ethos <http://www3.ethos.org.br/> (in Portuguese) (last visited on 4 January 2025).

<sup>30</sup> See Latin Lawyer 18<sup>th</sup> Annual Awards <https://latinlawyer.com/news-and-features/latin-lawyer-awards/2024> (last visited 4 January 2025).

<sup>31</sup> See Pro bono: Leading Lights, <https://latinlawyer.com/survey/pro-bono/2024/article/pro-bono-leading-lights> (last visited 4 January 2025).

<sup>32</sup> See Chambers Brazil Awards 2024, <https://chambers.com/events/chambers-brazil-awards-2024> (last visited 4 January 2025).