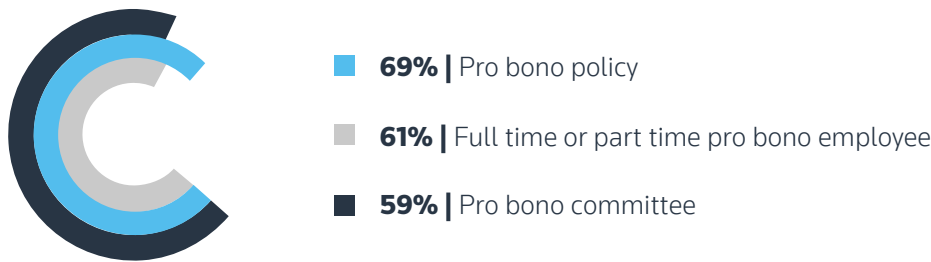


# 5. PRO BONO INFRASTRUCTURE

## PRO BONO INFRASTRUCTURE

PERCENTAGE OF FIRMS WITH EACH ELEMENT OF PRO BONO INFRASTRUCTURE



PERCENTAGE OF FIRMS WITH ALL THREE OR ANY ELEMENT OF PRO BONO INFRASTRUCTURE



\* Q.3 *Does your firm have a formal written pro bono policy in place?* (Yes/No answer)

Q.6 *Over the relevant reporting period, how many people were employed as either full or part-time pro bono professionals in your pro bono practice?* (Yes/No answer)

Q.8 *Does your firm have a pro bono committee(s)?* (Yes/No answer)

Many firms have infrastructure to support their pro bono practice. Pro bono “infrastructure”, as we call it, can include:

✓ **Pro bono employee(s).** A point person or team within a firm employed either part-time or full-time as a pro bono professional whose functions are focused on the support and coordination of pro bono matters and are involved in the administration, coordination and/or assignment of pro bono matters. This includes but is not limited to pro bono coordinators, pro bono administrators, pro bono managers, pro bono associates, and pro bono partners.<sup>5</sup>

✓ **Pro bono committee.** A body whose role is to evaluate potential pro bono matters and/or take the lead on pro bono policy and strategy issues.

✓ **Pro bono policies.** Internal policies designed to guide or set minimum standards for pro bono practices.

89 percent of responding firms have some form of pro bono infrastructure, similar to 87 percent reported in the 2020 Index.

The presence of pro bono infrastructure varies by firm size and geography. 100 percent of Large Firms report having

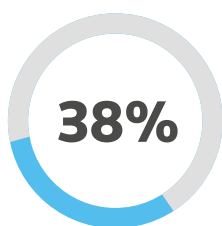
<sup>5</sup> Definitions of these roles may vary from by firm and region.

## HOURS AND ENGAGEMENT FOR FIRMS WITH OR WITHOUT PRO BONO INFRASTRUCTURE

### FIRMS WITH INFRASTRUCTURE



Average hours per fee earner

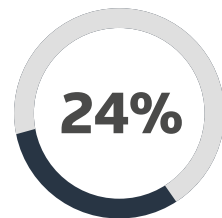


Lawyers performing ten or more hours of pro bono

### FIRMS WITH NO INFRASTRUCTURE



Average hours per fee earner



Lawyers performing ten or more hours of pro bono

at least one element of infrastructure, while 63 percent had all elements. Meanwhile, 96 percent of Medium-sized Firms and 72 percent of Small Firms report having at least one element, and 38 percent of Medium-sized Firms and 12 percent of Small Firms had all elements, respectively.

All responding firms in Australia, the United Kingdom, and the United States had an element of pro bono infrastructure present in their practice. The United States and the United Kingdom had the most firms with all the elements of infrastructure present (69 percent and 62 percent, respectively). These countries have highly developed pro bono sectors, so this is not surprising.

Our data shows that having pro bono infrastructure has an overall positive relationship with a firm's pro bono practice, with fee earners from firms with at least one element of infrastructure recording an average of 32 hours of pro bono compared to 13.5 hours by fee earners in firms with no infrastructure. The presence of pro bono infrastructure also positively correlates with overall lawyer engagement, with 38 percent of fee earners working at firms with pro bono infrastructure in place performing ten or more hours of pro bono, compared with 24 percent at firms with no infrastructure. In firms where all infrastructure elements are present, 41 percent of fee earners did ten or more hours of pro bono, averaging 32 hours of pro bono per fee earner. This data suggests that establishing infrastructure and allocating resources to them may help support higher overall levels of pro bono engagement within firms.

## PRO BONO POLICY

We first asked about pro bono policies in the 2015 Index, where 64 percent of firms indicated they had some form of formal written policy. This result has increased slightly, with 70 percent of responding firms indicating that they have a policy in the 2022 Index. Among firms with a formal policy, 94 percent were Large Firms, 80 percent were Medium-sized Firms, and 38 percent were Small Firms.

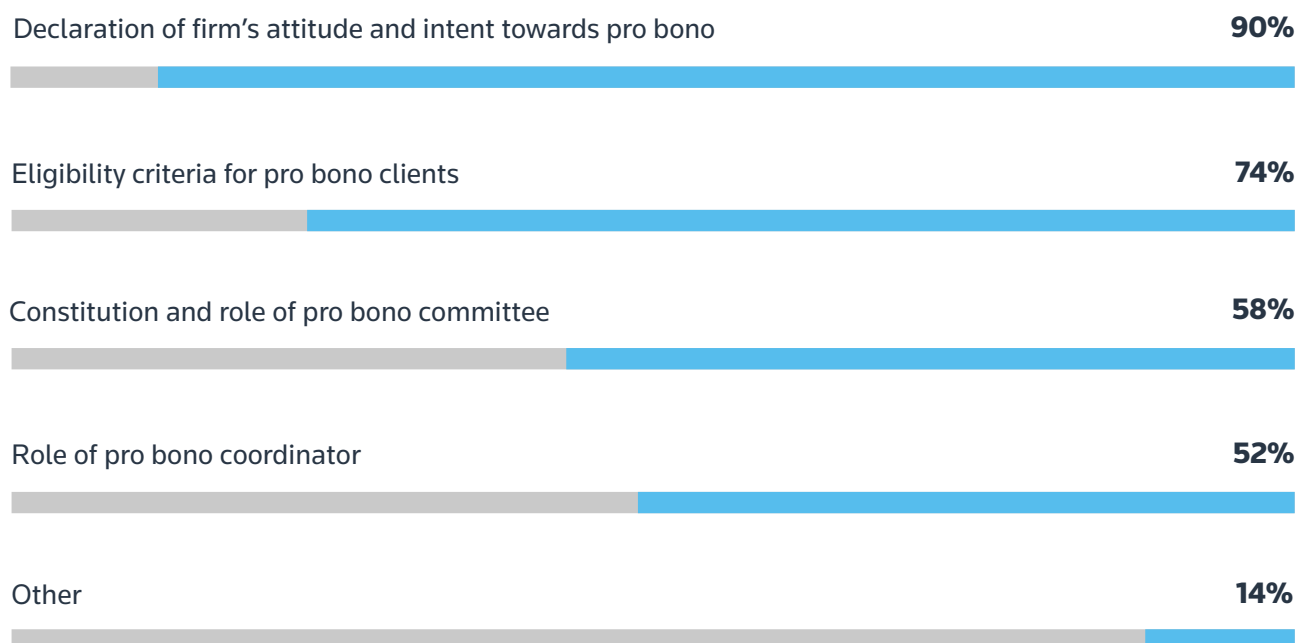
At firms with a pro bono policy, lawyers on average performed 32.3 hours of pro bono over the self-selected 12-month period, significantly more than the 12 average hours performed at firms without such a policy. In terms of overall engagement, 39 percent of lawyers in firms with a formal written policy performed ten or more hours of pro bono compared to 17 percent of lawyers in firms without a policy.

This result varies somewhat by firm size. At Large and Medium-sized Firms, the presence or absence of a formal written policy tended to correlate with a meaningful difference in pro bono hours and engagement. Lawyers at Large Firms with a policy recorded an average of 32.4 hours with 39 percent of them performed ten or more hours of pro bono, compared to Large Firms without a policy, at an average of 10.7 hours with 10 percent performing ten or

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## WHAT DOES THE POLICY COVER?

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\* Q.3 *What does your policy cover? Multiselect/unlimited options* (responses limited to firms that answered yes to having a pro bono policy).

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more hours of pro bono. Medium-sized Firms with a policy reported 21.2 average hours, and 34 percent of lawyers performing ten or more pro bono compared to 5.1 hours on average with 20 percent performing ten or more pro bono hours in Medium-sized Firms without such a policy.

The effect of having a policy was much smaller among Small Firms. Lawyers in these firms performed an average of 24.6 hours compared to 22.1 hours at firms without a written policy. At Small Firms with a policy, 44 percent of lawyers performed ten or more pro bono hours, compared to 36 percent in the firms without a policy.

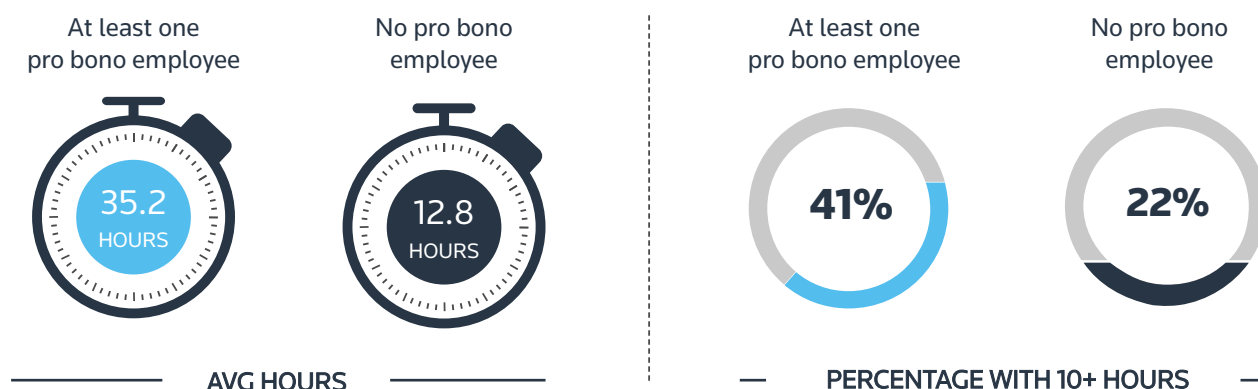
## PRO BONO ROLES

In previous versions of the Index, we focused on pro bono coordinators and the impact that their presence or lack had on a firm's pro bono practice. However, "pro bono coordinator" is one of many types of roles (and titles) that can support, coordinate, and lead on pro bono matters within firms. For the 2022 Index, we are starting to look more closely at the impact of hiring a **pro bono employee(s)**<sup>6</sup>—that is, a person whose function is geared around the support and coordination of pro bono matters, either on a part-time or full-time basis—on average hours and overall engagement.

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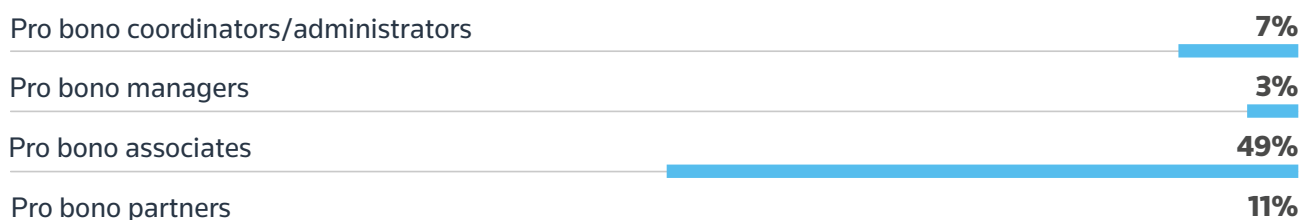
<sup>6</sup> while partners are not always employees of the firm we include them and use the term 'pro bono employee' for simplicity

## DID THE FIRM HIRE SOMEONE FULL TIME OR PART TIME IN THEIR PRO BONO PRACTICE?



\* Q.6 Over the relevant reporting period, how many people were employed as either full or part-time pro bono professionals in your pro bono practice? (Numerical answer)

## HOW MANY EMPLOYEES IN YOUR PRO BONO PRACTICE WERE



\* Q.6(b) How many employees in your pro bono practice were: Pro bono Coordinators/Administrator, Pro bono Managers, Pro bono Associates, Pro bono Partners? (numerical answer)

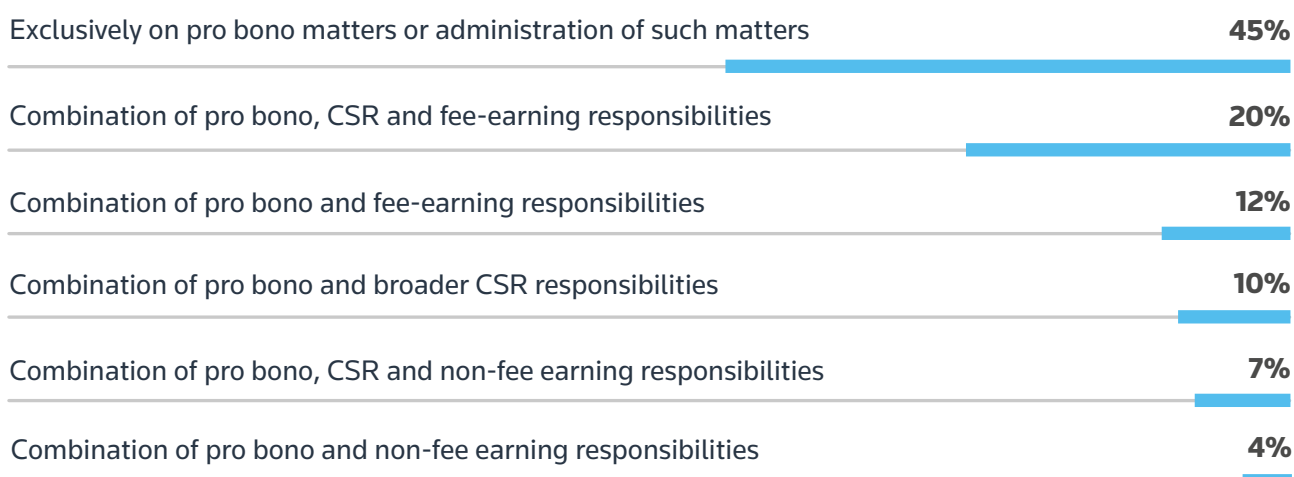
61 percent of firms indicated that they hired at least one pro bono employee (under the titles we suggested) to work either part-time or full-time in the firm's pro bono practice. Having a pro bono employee seems to have a meaningful relationship with the level of pro bono performed, with firms that hired at least one employee averaging 35.2 hours per fee earner, compared with 12.8 hours at firms with no pro bono employee.

78 percent of Large Firms employed at least one pro bono employee, while 49 percent of Small Firms and 56 percent of Medium-sized Firms hired at least one pro bono employee. The presence of a pro bono employee had an impact on overall engagement, with 41 percent of lawyers from firms with at least one pro bono employee recording ten or more hours of pro bono compared to 22 percent in firms without one.

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## PRO BONO COORDINATORS/ADMINISTRATORS

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## PRO BONO ASSOCIATES

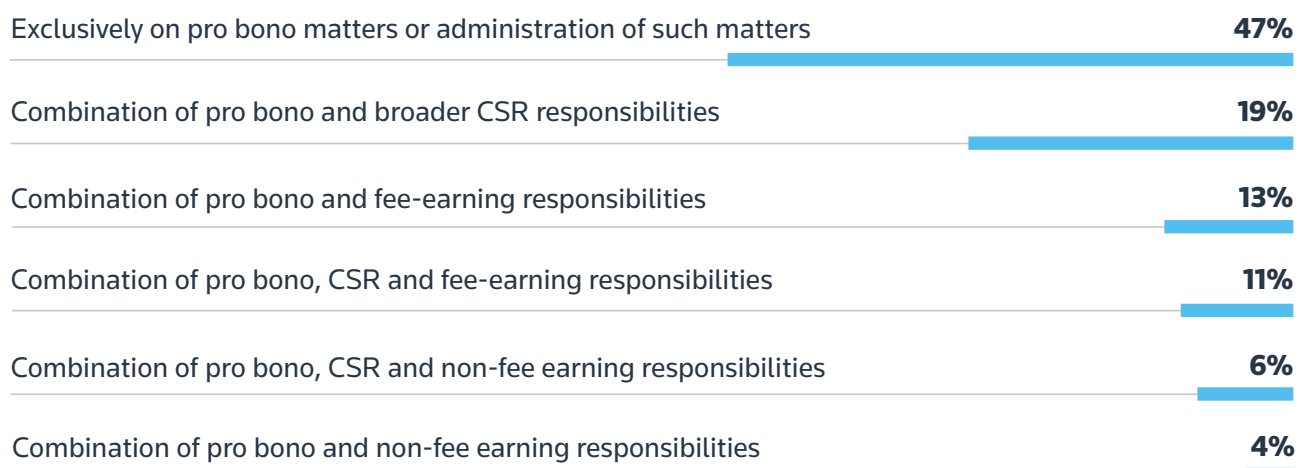
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## PRO BONO MANAGERS

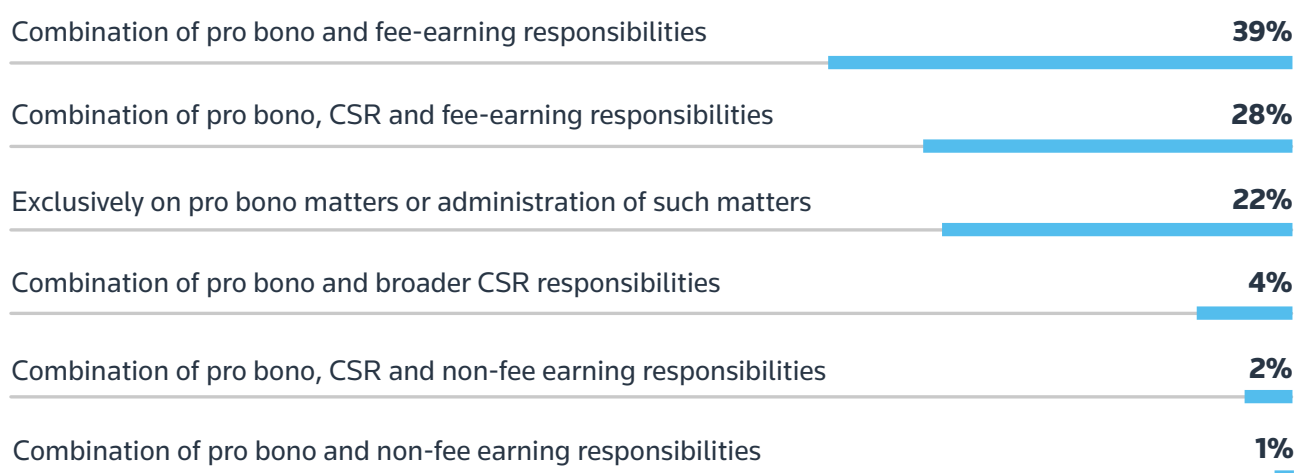
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## PRO BONO PARTNERS

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\* Please indicate whether they worked exclusively on pro bono matters, or have additional responsibilities (Single-select list)

## ROLES AND RESPONSIBILITIES OF PRO BONO EMPLOYEES

Pro bono employees can wear many hats. For example, they may focus on:

- ✓ Exclusively pro bono matters or administration of such matters
- ✓ Combination of pro bono and broader CSR responsibilities
- ✓ Combination of pro bono and fee earning responsibilities
- ✓ Combination of pro bono, CSR, and fee earning responsibilities
- ✓ Combination of pro bono and non-fee earning responsibilities
- ✓ Combination of pro bono, CSR and non-fee earning responsibilities

This is the first year the Index delves into details of the roles and responsibilities of pro bono employees across differing types of roles.

Overall, 45 percent of those with pro bono responsibilities as part of their role worked exclusively on pro bono matters or administration of such matters. Meanwhile, most pro bono employees balance their pro bono responsibilities with other fee-earning or non-fee-earning responsibilities.

A significant proportion of pro bono coordinators/administrators and managers work exclusively on pro bono matters and the administration of pro bono work (45 and 47 percent, respectively). While most pro bono associates and partners perform a combination of pro bono and fee earning work (60 and 67 percent), a sizable number are also exclusively dedicated to pro bono (22 percent, among both pro bono partners and associates). The finding for partners is notable given dedicated pro bono partner roles are a more recent development and are growing in prevalence.<sup>7</sup>

We see a link between pro bono and corporate social responsibility (CSR) efforts within firms. 37 percent of pro bono employees at responding firms had CSR responsibilities as part of their role. With continued and growing focus on corporate social responsibility and related areas such as ESG, we will continue to track the relationship with pro bono roles and efforts within law firms.

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<sup>7</sup> [‘The Nature and Prevalence of Pro Bono Partner Roles Globally’](#) (2020) DLA Piper, the Australian Pro Bono Centre, the Pro Bono Institute in Washington DC and the Thomson Reuters Foundation (TrustLaw).

## PRO BONO COMMITTEE

Unlike pro bono employees who are involved in the day-to-day management and coordination of pro bono matters, pro bono committees tend to play a more oversight and advisory role in shaping a firm's pro bono practice.

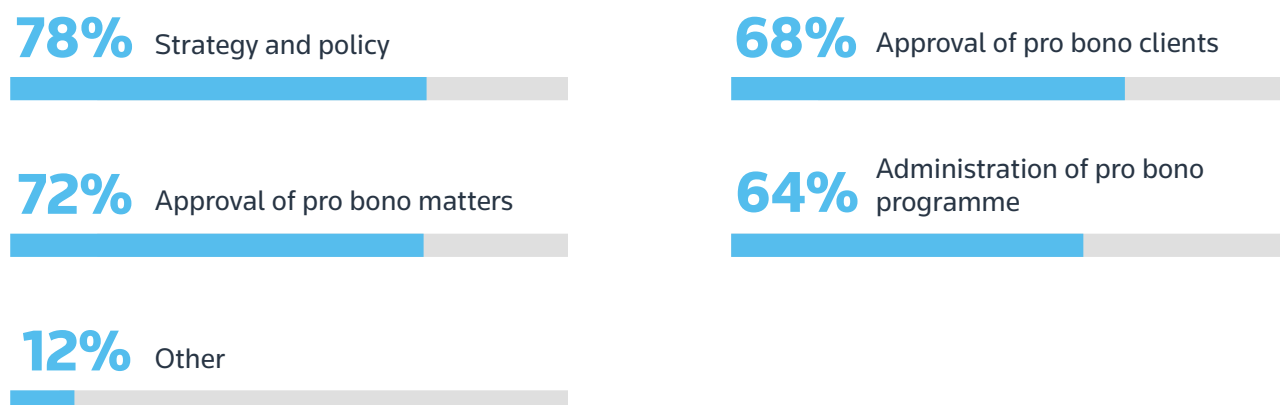
This year, 59 percent of firms reported having a pro bono committee, a slight increase from 53 percent in the 2020 Index. 81 percent of Large Firms had a pro bono committee, followed by Medium-sized and Small Firms at 73 and 29 percent, respectively. The presence of a committee correlates with a slightly higher number of the average hours, with lawyers at firms with a committee performing an average of 33 hours of pro bono compared to 26.2 hours at firms without one. 40 percent of lawyers at firms with a committee performed ten or more hours of pro bono compared to 32 percent at firms that did not have one.

Strategy and policy remain the principal responsibility of pro bono committees, with 78 percent of firms with a committee indicating it as one of the roles of the committee. Approval of pro bono matters remained the most common responsibility among Small Firms (82 percent) and strategy and policy remained the leading responsibility at Medium-sized and Large Firms (73 percent and 83 percent).

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### ROLE OF PRO BONO COMMITTEE

PERCENTAGE OF RESPONDING FIRMS WHO INDICATED THAT THEIR PRO BONO COMMITTEE HAS THE FOLLOWING RESPONSIBILITIES



\* **Q.8 please describe the responsibilities of the committee- Multiselect/unlimited options** (responses limited to firms that answered yes to having a pro bono policy).