

3. PRO BONO AND FIRM SIZE

SIZE OF FIRMS AND THE AVERAGE NUMBER OF PRO BONO HOURS



LARGE FIRMS
(200 + FEE EARNERS)



MEDIUM - SIZED FIRMS
(50 - 199 FEE EARNERS)



SMALL FIRMS
(FEWER THAN 50 FEE EARNERS)

*Average hours per *lawyer*.

As in previous iterations, the 2022 TrustLaw Index of Pro Bono tracks the relationship between the number of fee earners, including partners, in a firm and the amount of pro bono work done by the firm. Our aim is to understand if, and to what extent, the size of a firm impacts the strength and success of a firm's pro bono practice.

The 245 firms that submitted data for the Index were classified according to firm size and comprised:

- Small Firms (less than 50 fee earners)
- Medium-sized Firms (50 – 199 fee earners)
- Large Firms (200 or more fee earners)

Globally, fee earners at Large Firms tend to do more pro bono compared to Small and Medium-sized Firms. Fee earners in Large Firms performed an average of 33.3 hours of pro bono, while those in Small Firms performed an average of 21.7 hours of pro bono. Medium-sized Firms recorded the lowest average, at 20.4 hours.

This year, the proportion of fee earners in Large Firms doing ten or more hours of pro bono was 40 percent, compared with 34 percent for Medium-sized Firms and 37 percent for Small Firms. Meanwhile, our 2022 data showed that partner participation was highest in Small Firms, with 48 percent of partners performing ten or more hours of pro bono and 56 percent performing any pro bono. Large Firms saw 33 percent of their partners record ten or more hours of pro bono, and 52 percent do any pro bono. As in prior years of the Index, Medium-sized Firms had the lowest participation rates, with 22 percent of partners from these firms recording ten or more hours of pro bono and 41 percent participating in any pro bono work.

4. PRO BONO CLIENTS AND FOCUS AREAS

WHY FIRMS DO PRO BONO

PERCENTAGE OF RESPONDING FIRMS WHO INDICATED THEY OFFER PRO BONO SERVICES FOR THE FOLLOWING REASONS



*Q1- *Why does your firm do pro bono?* (Unlimited multiselect option)

WHY PERFORM PRO BONO?

We regard pro bono as a vital bridge to addressing the most critical issues faced by humanity, including in advancing media freedom, fostering more inclusive economies, and defending human rights. Successful pro bono combines the willingness, capacity, and expertise of lawyers to take on pro bono work with a commitment to building and maintaining a vibrant pro bono practice.

More than **96 percent** of responding firms indicated that **desire to support the community was their primary**

reason for performing pro bono. Pro bono is increasingly seen as a capacity-building tool for lawyers, with 67 percent of respondents indicating training and skill development as a reason to perform pro bono, an increase from 54 percent observed in the last Index. Other commonly selected reasons were staff retention, alignment with client interests and marketing.

All sizes of firm ranked “desire to support the community” similarly highly as a primary reason they do pro bono.

While staff retention is a significant factor for Large and Medium-sized Firms (69 and 42 percent respectively),

only 4 percent of Small Firms selected this as a reason. We observed that Small Firms are gradually embracing more commercial drivers of pro bono, such as alignment with client interests and marketing, which increased, respectively, from 16 and 13 percent in the 2020 Index to 22 and 16 percent in the 2022 Index. For Small Firms, training and skills development leapt to 53 percent from 37 percent, while 86 percent of Large Firms ranked this as a reason.

Medium-sized Firms overwhelmingly (98 percent) indicated a desire to support the community as a reason to do pro bono, alongside a similar commitment from Small and Large Firms (96 percent). Training and skill development is a growing factor for Medium-sized Firms with an increase to 69 percent from 47 percent in 2020. Alignment with clients' interests and marketing were far more frequently selected by Large Firms (59 and 50 percent respectively) than by Medium-sized Firms (29 and 22 percent).

Interestingly, alignment with client interests (59 percent) played a slightly bigger role for Large Firms than marketing (50 percent), though of course these factors will often be related. Externally mandated requirements played a more significant role for Large Firms (21 percent) than Medium-sized (9 percent) and Small Firms (5 percent).

PRO BONO FOCUS

We asked firms what their focus areas were while engaging in pro bono work during the self-selected 12-month period. Responding firms could choose up to five focus areas.

Access to justice continues to be the primary focus of work within the pro bono sector, with 59 percent of firms selecting it as a focus (compared with 65 percent in 2022). **Immigration, refugees and asylum** (42 percent, compared with 40 percent in 2020) and **human rights** (40 percent, compared with 43 percent in 2020) continue to be key areas of focus for many firms, followed by education, training, and employment and economic development, microfinance, and social finance.

This was the first year we asked about **data and digital rights**, and nearly a quarter of respondents indicated this as one of their pro bono focus areas. This is not surprising, given the growing role and complexity of digital technologies in day-to-day life and the need to balance technological benefits with basic rights to freedom of expression, privacy and others.

COVID-19 was included in the 2022 Index to better understand the scale of pro bono response to the pandemic. 19 percent of the respondents indicated that COVID-19 was a focus area in their pro bono work during the self-selected 12-month period. We expect pro bono response to regional and global humanitarian crises to continue to play an important role in the sector's work.

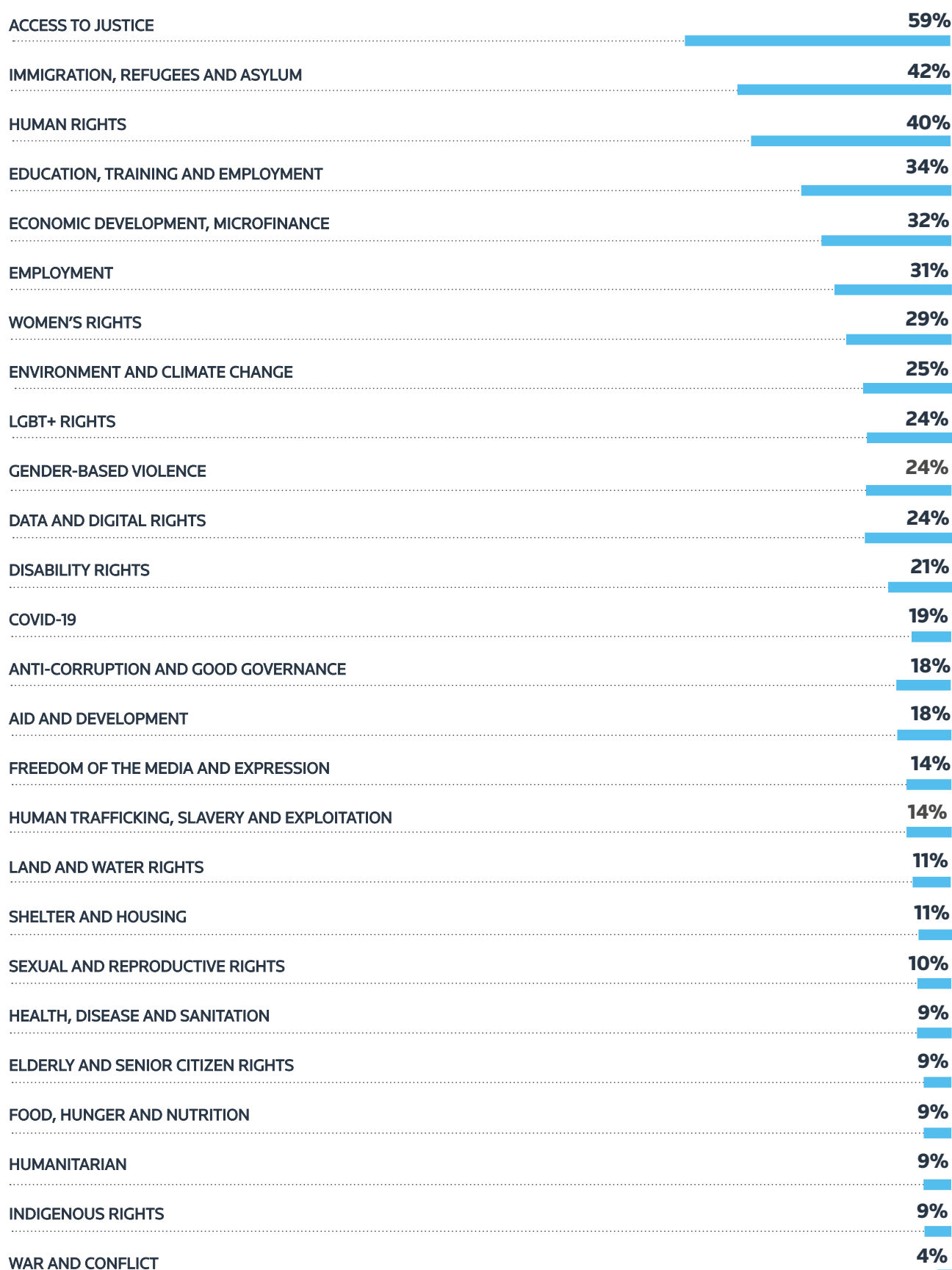
Access to justice was the dominant pro bono focus area across Small, Medium-sized and Large Firms (selected by 51 percent, 58 percent, and 72 percent respectively).

61 percent of Large Firms and 40 percent of Medium-sized Firms indicated human rights among their focus areas. Large Firms maintained a significant focus on immigration, refugees, and asylum projects at 69 percent. We expect immigration, refugee and asylum work to continue as a focus for pro bono interventions given the growing global migration crisis exacerbated by harsh economic circumstances, climate change, and war.

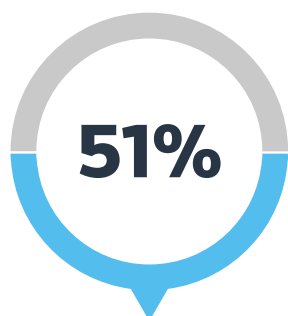
PRO BONO FOCUS AREAS

*Q.11- Please select any particular focus area of your firm's pro bono programme (multiselect question, maximum of five).

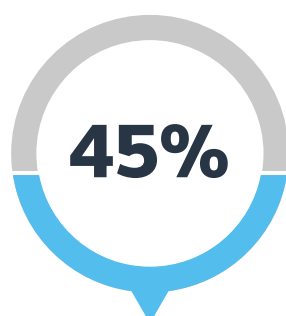
PERCENTAGE OF RESPONDING FIRMS WHO INDICATED THEY OFFER PRO BONO SERVICES IN SUPPORT OF THE FOLLOWING SECTORS



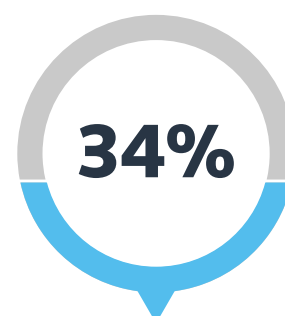
TOP THREE PRO BONO FOCUS AREAS FOR SMALL FIRMS



ACCESS TO JUSTICE



EMPLOYMENT

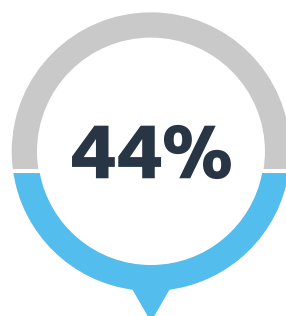


ECONOMIC DEVELOPMENT,
MICROFINANCE AND
SOCIAL FINANCE

TOP THREE PRO BONO FOCUS AREAS FOR MEDIUM-SIZED FIRMS



ACCESS TO JUSTICE

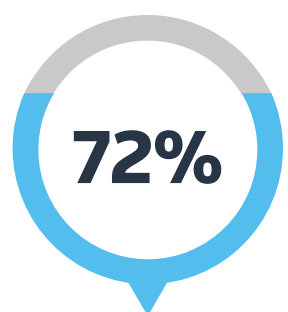


EDUCATION, TRAINING
AND EMPLOYMENT



HUMAN RIGHTS

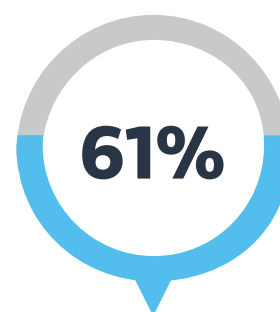
TOP THREE PRO BONO FOCUS AREAS FOR LARGE FIRMS



ACCESS TO JUSTICE



IMMIGRATION, REFUGEES
AND ASYLUM



HUMAN RIGHTS

**Q.11- Please select any particular focus area of your firm's pro bono programme (multiselect question, maximum of five).*



TYPE OF PRO BONO WORK, CLIENTS AND ELIGIBILITY

Registered charities and non-profits continue to be the primary beneficiaries of pro bono services (87 percent across firms of all sizes). Individuals in need continue to benefit from pro bono services, with 69 percent of firms indicating individuals among their pro bono clients. 64 percent indicated they work with social enterprises, a slight decrease from 71 percent in 2020.

Similar to the 2020 Index, 48 percent of firms reported that public interest litigation forms part of their pro bono portfolio of work, along with 47 percent reporting work

on legal training on social justice or development issues. 38 percent of responding firms indicated they give advice to governments, intergovernmental organisations and/or multi-lateral institutions.

67 percent of responding firms have formal eligibility criteria in place for pro bono clients, a slight increase from 63 percent in 2020. Eligibility criteria is more common among Large and Medium-sized Firms (92 and 78 percent, respectively) than Small Firms (34 percent).

PRO BONO CLIENTS AND TYPE OF WORK

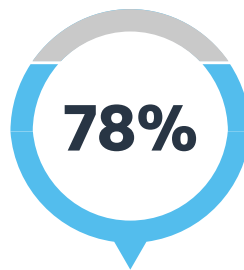


* Q.9 Does your firm prefer to work with certain types of clients or on certain types of matters (multiselect/unlimited options)

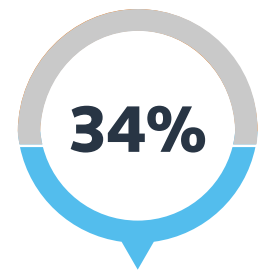
DO YOU HAVE A FORMAL ELIGIBILITY PROCESS?



LARGE FIRMS



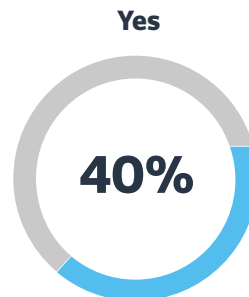
MEDIUM-SIZED FIRMS



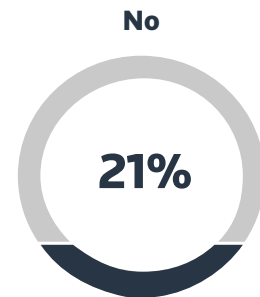
SMALL FIRMS



AVG HOURS



PERCENTAGE WITH 10+ HOURS



* Q.5 Do you have a formal process to determine whether a matter or client is eligible for pro bono? (Yes/No answer)