



## **Report on the 2008 Pro Bono Institute Law Firm Pro Bono Challenge<sup>®</sup> Statistics**

### **Introduction**

The Pro Bono Institute's Law Firm Pro Bono Challenge,<sup>®</sup> launched in 1993 and implemented in 1995, is a unique, aspirational pro bono standard. Developed by law firm leaders and corporate general counsel, the Challenge articulates a voluntary, single, unitary standard for one key segment of the legal profession – major law firms. (A copy of the Challenge language and principles may be found at [www.probonoinst.org/challenge.text.php](http://www.probonoinst.org/challenge.text.php).) Challenge Signatories publicly acknowledge their institutional, firm-wide commitment to provide pro bono legal services to low-income and disadvantaged individuals and families and nonprofit groups. The Challenge includes a strict, but thoughtful, definition of pro bono, as well as an accountability mechanism and measurement tool through its annual reporting requirement. The Law Firm Pro Bono Project has compiled the following summary of the 2008 performance of the Signatory Law Firms.

### **Challenge Performance**

The legal profession, and particularly larger law firms, experienced many profound changes and dislocations in 2008, including the dissolution of several well-regarded law firms, the severe contraction of the legal market in the wake of historic economic woes, and, on the positive side, an extraordinary uptick in the

number of hours of legal services donated to the poor and disadvantaged. The roster of Challenge Signatories was not unaffected by these changes, one charter Signatory firm dissolved, several others experienced mergers, and a number of firms had begun to see a marked decrease in revenue – a trend that was accelerated in 2009. Despite the uncertainties and depressing economic conclusion to the year 2008, Challenge Signatory firms donated a record number of hours of legal services to the poor and disadvantaged.

In 2008, 134 of the nation's largest law firms reported their pro bono statistics to the Pro Bono Institute and performed 4,844,097 total hours of pro bono work, as compared to 135 firms that performed 4,285,684 hours in 2007, an increase of 13% in pro bono time contributed by Challenge firms. Eleven firms, 7.5% of all Challenge firms, did not report their 2008 numbers in time to be included in this summary.

In addition to establishing ambitious progressive benchmarks – 3 or 5% of total billable hours – for overall pro bono participation, the Challenge also asks firms to devote a majority of their pro bono time to persons of limited means or to “charitable, religious, civic, community, governmental and educational organizations in matters which are designed primarily to address the needs of persons of limited means.” In 2008, firms donated 3,761,722 hours of pro bono service to individuals of limited means or organizations serving them, over 77% of total pro bono hours, as compared to 2,756,330 hours (64% of total pro bono hours) of pro bono service to individuals of limited means or organizations serving them in 2007. In just one year the number of hours donated to

those of limited means or organizations serving them increased by over 1,000,000 hours a 36% increase – with one less firm reporting in 2008 than in 2007. Clearly, these firms recognized the profound and desperate impact of the economic downturn on the poor and, despite their own economic difficulties strove to focus more of their skills to help the most unfortunate.

Not only has the number of hours donated by firms grown dramatically since 2007, the number of lawyers providing those hours of pro bono service has increased as well. In 2007, 17,514 partners and 29,638 associates (a total of 47,152) participated, while in 2008 19,111 partners and 33,920 associates for a total of 52,912 participating attorneys (an over 12% increase in participation since 2007). This is a 9% increase in participation by partners and a 14% increase by associates.

For the first time in 2008, Challenge Signatory firms were asked to report how many hours they spent on litigation-related pro bono matters as opposed to non-litigation pro bono hours. Of the 134 firms reporting, 102 firms provided a statistical breakdown: over 1,566,586 hours were spent on litigation-related matters for the poor, and 703,367 hours were spent on non-litigation-related matters for individuals of limited means and organizations that serve them. Signatory firms were also asked for the first time to report how many of the pro bono hours they spent serving the poor were to organizational clients (i.e., nonprofit groups) and how many to individual clients. Again, not all firms reported these figures, but 83 firms reported that they donated 580,009 hours to organizations that serve those of limited means while 87 firms reported that they spent over 1,449,794 hours serving individuals. The numbers reflect, for the first time, what

has only been anecdotally reported for years: while the majority of pro bono work is litigation-oriented, there is a significant amount of non-litigation transactional pro bono being undertaken.

As discussed above, the Law Firm Pro Bono Challenge<sup>®</sup>, developed by law firm leaders and corporate general counsel, articulates a single standard for one critical segment of the legal profession – firms ranging in size from 50 to over 3,500 lawyers. The Challenge has become the definitive aspirational pro bono standard for large law firms throughout the world. It is unique for several reasons:

- It uses a progressive standard – i.e., a target of either 3 or 5 percent of a firm’s billable hours (equivalent to 60 or 100 hours per attorney) which ties pro bono performance to firm productivity and profitability.
- It calls for an institutional commitment, rather than an individual lawyer goal, in recognition of the reality that the policies and practices of law firms are keys to the ability and willingness of firm lawyers to undertake pro bono work.
- It creates goals not only with respect to the amount of pro bono work to be undertaken, but also with regard to the structural and policy elements that are essential for the creation and maintenance of a pro bono-friendly firm culture.
- It links Challenge firms to the extensive technical assistance resources available from the Pro Bono Institute and its Law Firm Pro Bono Project.

- It includes an accountability mechanism and an outcome measurement through its annual reporting requirement.

In 2008, 55% or 80 of the Challenge Signatory firms met or exceeded their commitment to the Challenge; indeed, 23 firms surpassed their goal by more than 2% (up significantly from 11 firms in 2007). Of the remaining firms, 10 firms, or over 6%, came within .5% of their goal, while 44 firms failed to reach their 3 or 5% goal by a factor of 1% or more (down from 47).

In addition to the statistical information that Challenge firms are required to report, the firms also have an opportunity to respond to several optional questions, including providing certain supplemental information regarding their financial contributions to legal services organizations. In 1996 (the first year in which this information is available), 81 firms reported that they had donated a total of \$6,800,902 (an average donation of \$83,961 per firm) to legal services organizations. In 2008, 74 firms reported that they had donated \$25,618,672 (an average donation of \$346,198 per firm) as compared to 2007 when 87 firms donated \$30,415,616 (an average donation of \$349,604 per firm), making 2008 the first time that average giving has declined since this information has been reported.

While statistics are clearly an important measurement tool, the Challenge is not limited to quantifiable goals. Rather, it provides a framework, set of expectations, and operational and policy elements that are the keys to major law firms' ability to institutionalize and

strengthen the culture and operations of their pro bono programs. Since the inception of the Challenge, the Pro Bono Institute has worked with law firms to promulgate pro bono policies, enhance their relationships with public interest, legal services, pro bono programs and other groups, including the courts and public legal agencies, improve the oversight and staffing of the firm's pro bono work, design and implement pro bono partnerships with corporate legal departments, improve processes for planning and evaluating pro bono efforts, create more accurate time-keeping mechanisms, incorporate a number of innovative pro bono models – including signature projects, rotation/externship programs, global efforts, integration with other firm goals including professional development, diversity, and associate satisfaction, and more, and successfully encouraged many firms to expand the breadth and depth of their pro bono docket. Most recently, the Challenge's success in enhancing pro bono culture and performance has led our sister project, Corporate Pro Bono, a joint initiative of the Association of Corporate Counsel and the Pro Bono Institute, to launch the Corporate Pro Bono Challenge<sup>SM</sup> in 2005.

With only minimal changes required in the language and principles of the Challenge since its creation, the Law Firm Pro Bono Challenge has become the industry "gold standard" by which firms define, measure, and assess their pro bono achievements. It has also become a rallying point and a catalyst that enable firms to contribute meaningfully to their local communities, to the national justice system, and to communities around the world despite economic cycles and other pressures. We thank and congratulate the 134 Challenge Signatory Firms whose commitment to pro bono is reflected in this report, and we look forward to even greater levels of performance and achievement in 2009.

Alston & Bird LLP  
\*Arent Fox LLP  
Armstrong Teasdale LLP  
Arnall Golden Gregory LLP  
\*Arnold & Porter LLP  
Baker & Daniels LLP  
Baker & McKenzie  
Baker Botts L.L.P.  
Ballard Spahr Andrews & Ingersoll, LLP  
Beveridge & Diamond PC  
\*Bingham McCutchen LLP  
Blank Rome LLP  
Bradley Arant Boult Cummings LLP  
Brown Rudnick LLP  
\*Bryan Cave LLP  
Buchanan Ingersoll & Rooney PC  
\*Carlton Fields, P.A.  
Carrington, Coleman, Sloman  
& Blumenthal, L.L.P.  
Chadbourne & Parke LLP  
\*Cleary Gottlieb Steen & Hamilton LLP  
Coblentz, Patch, Duffy, and Bass LLP  
Cohen Milstein Sellers  
& Toll PLLC  
Cooley Godward Kronish LLP  
\*Covington & Burling LLP  
Cozen O'Connor  
Crowell & Moring LLP  
Davis Wright Tremaine LLP  
Day Pitney LLP  
\*Debevoise & Plimpton LLP  
Dewey & LeBoeuf LLP  
Dickstein Shapiro LLP  
\*DLA Piper LLP (US)  
\*Dorsey & Whitney LLP  
Dow Lohnes PLLC  
\*Drinker Biddle & Reath LLP  
Dykema Gossett PLLC  
Edwards Angell Palmer & Dodge LLP  
Faegre & Benson LLP  
Farella Braun + Martel LLP  
Fenwick & West LLP  
Finnegan, Henderson, Farabow, Garrett &  
Dunner, L.L.P.  
Foley & Lardner LLP  
Foley Hoag LLP  
Foster Pepper PLLC

\*Fredrikson & Byron P.A.  
Fried, Frank, Harris, Shriver  
& Jacobson LLP  
Fulbright & Jaworski L.L.P.  
\*Garvey Schubert Barer  
\*Gibbons P.C.  
Gibson, Dunn & Crutcher LLP  
Goodwin Procter LLP  
Goulston & Storrs PC  
Graves, Dougherty, Hearon  
& Moody, P.C.  
\*Hogan & Hartson LLP  
\*Holland & Knight LLP  
Howard Rice Nemerovski Canady Falk  
& Rabkin  
Howrey LLP  
Hughes Hubbard & Reed LLP  
\*Hunton & Williams LLP  
Husch Blackwell Sanders LLP  
\*Jenner & Block LLP  
Kaye Scholer LLP  
K&L Gates LLP  
Kilpatrick Stockton LLP  
King & Spalding LLP  
*Washington, DC Office Only*  
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Kramer Levin Naftalis & Frankel LLP  
Latham & Watkins LLP  
Leonard, Street and Deinard  
Lindquist & Vennum PLLP  
Linklaters LLP  
*New York Office Only*  
Lowenstein Sandler PC  
Manatt, Phelps & Phillips, LLP  
Maslon Edelman Borman & Brand, LLP  
Mayer Brown LLP  
McCarter & English, LLP  
McDermott Will & Emery  
McGuireWoods LLP  
McKenna Long & Aldridge LLP  
Michael Best & Friedrich LLP  
Milbank, Tweed, Hadley & McCloy LLP  
\*Miller, Canfield, Paddock  
and Stone, P.L.C.  
Miller & Chevalier Chartered  
Miller Nash LLP  
Mintz Levin Cohn Ferris Glovsky  
and Popeo P.C.

Morgan, Lewis & Bockius LLP  
\*Morrison & Foerster LLP  
\*Munger, Tolles & Olson LLP  
\*Nelson Mullins Riley  
& Scarborough LLP  
Nixon Peabody LLP  
Nutter McClennen & Fish LLP  
O'Melveny & Myers LLP  
Oppenheimer Wolff & Donnelly LLP  
\*Orrick, Herrington & Sutcliffe LLP  
Patterson, Belknap, Webb & Tyler LLP  
Patton Boggs LLP  
Paul, Hastings, Janofsky & Walker LLP  
\*Paul, Weiss, Rifkind, Wharton  
& Garrison LLP  
Pepper Hamilton LLP  
Perkins Coie LLP  
Pillsbury Winthrop Shaw Pittman LLP  
\*Proskauer Rose LLP  
Quarles & Brady LLP  
\*Reed Smith LLP  
Robins, Kaplan, Miller & Ciresi L.L.P.  
Robinson & Cole LLP  
Saul Ewing LLP  
Schnader Harrison Segal & Lewis LLP  
Seyfarth Shaw LLP  
\*Shearman & Sterling LLP

\*Shipman & Goodwin LLP  
Sidley Austin LLP  
Simpson Thacher & Bartlett LLP  
\*Skadden, Arps, Slate, Meagher  
& Flom LLP  
Smith, Gambrell & Russell, LLP  
\*Sonnenschein Nath & Rosenthal LLP  
Strasburger & Price, LLP  
Sutherland  
Thompson Coburn LLP  
Troutman Sanders LLP  
Van Cott, Bagley, Cornwall  
& McCarthy  
\*Venable LLP  
Vinson & Elkins L.L.P.  
Vorys, Sater, Seymour and Pease LLP  
Weil, Gotshal & Manges LLP  
White & Case LLP  
Wildman, Harrold, Allen & Dixon LLP  
Wiley Rein LLP  
Williams & Connolly LLP  
\*Wilmer Cutler Pickering Hale  
and Dorr LLP  
Wilson Sonsini Goodrich & Rosati  
\*Winston & Strawn LLP  
Womble Carlyle Sandridge & Rice, PLLC  
Zuckerman Spaeder LLP

These firms did not report in 2008:

\*Akin Gump Strauss Hauer & Feld LLP  
Barnes & Thornburg LLP  
Briggs and Morgan, PA  
Dechert LLP  
\*Holland & Hart LLP  
Loeb & Loeb LLP  
Rodey, Dickason, Sloan, Akin  
& Robb, P.A.  
Schiff Hardin LLP  
Schwabe, Williamson & Wyatt  
Snell & Wilmer L.L.P.  
\*Steptoe & Johnson LLP

*\* denotes Charter Signatories to the Challenge*

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