



Analysis - Clients and Types of Work

The Index this year looked at the underlying drivers and justifications for undertaking pro bono, as well as the clients and types of work that firms focus on, in a bid to help understand more about the make-up of pro bono practices. This analysis allows the Index to report on broad trends across the industry in areas of pro bono and assess what types of clients are most attractive to firms.

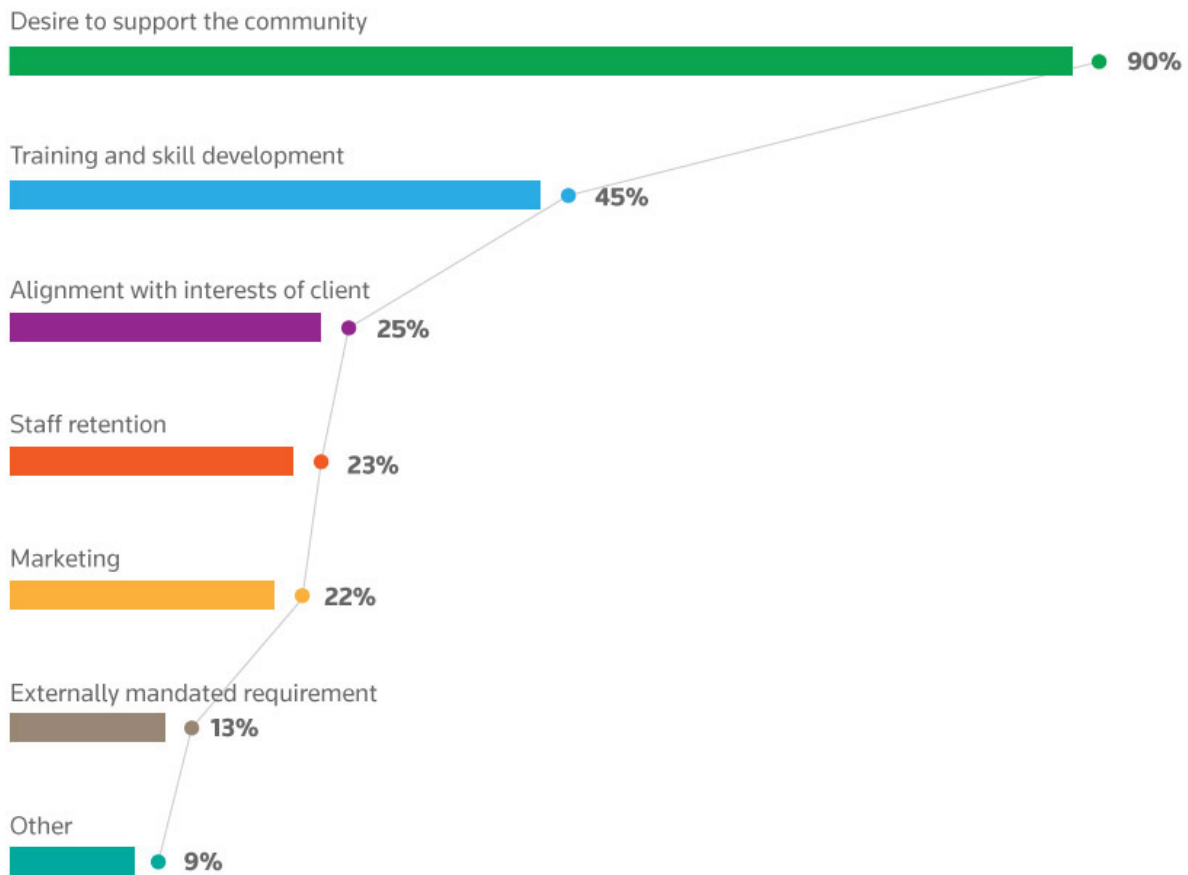
Why Do Pro Bono?

There are many reasons why firms and individual lawyers undertake pro bono. The vast majority of firms said it was due to a desire to support the community. Just under half of firms see pro bono as a useful opportunity for training and developing the skills for their lawyers. The next three most cited reasons were firms aligning themselves with the interests of their clients, staff retention, and marketing.

Although the findings suggest the main driver for pro bono is a social conscience, it is clear there are more commercial and less altruistic reasons for pro bono as well. To compete with other firms, whether for work mandates or to attract the best candidates, pro bono can be seen as a useful tool. If a client has positioned itself as an ethical or socially conscious organisation, a law firm may benefit from being able to demonstrate the same and pro bono is a relatively straight-forward way of doing so. Many young lawyers enter the legal profession through a desire to help people, and having a robust pro bono practice may help attract graduates to a firm. Pro bono cases can also offer unique training opportunities and help lawyers round out their skills by looking through a slightly different prism. Pro bono may help retain talent if a broad variety of projects, particularly those with a social focus, can be offered.

When broken down into firms with offices in just one jurisdiction and international firms, the findings diverge significantly. Among firms with offices in just one jurisdiction, 93.2 percent of respondents cited a desire to support the community as a primary driver for offering pro bono and the next most popular justification was training and skills development (selected by 25.7 percent of domestic respondent firms). Only 16.2 percent said alignment with client expectations was a driver. This shows that the more commercial reasons were less of a priority to domestic firms.

WHY DO PRO BONO?



For international firms, 84.8 percent stated the desire to support the community was a key driving factor but commercial factors proved far more important than they did for their domestic counterparts. Out of international firms, 66.7 percent said training and skill development was an important justification for pro bono, 40.9 percent said that staff retention was key factor, and 34.8 percent cited staff retention and aligning with clients' interests.

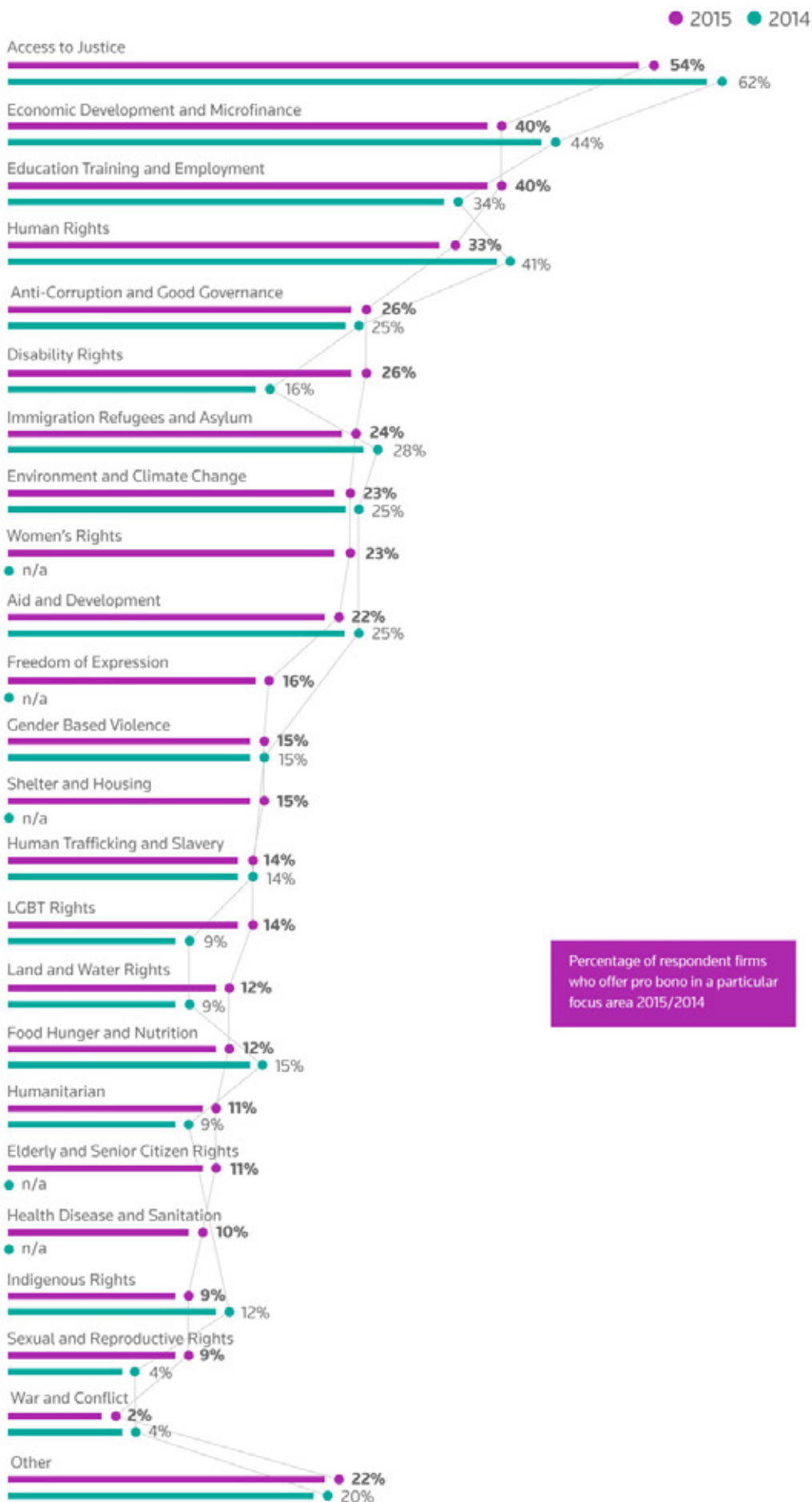
The different levels of importance placed on these justifications highlights a slightly different mindset amongst firms depending on their geographic focus. This is an interesting trend that we will continue to track.

Pro Bono Focus

In line with the 2014 Index, the most commonly supported pro bono focus areas for respondent firms were access to justice at 54.3 percent, economic development and microfinance at 40.3 percent, education, training and employment at 39.5 percent, and human rights at 33.3 percent.

TRUSTLAW INDEX OF PRO BONO 2015

FIRM'S PRO BONO FOCUS



Breaking the findings down by whether a firm operates in more than one jurisdiction or not, the results show that 40.1 percent of domestic firms work on access to justice issues, 39.4 percent work on education, training and employment, 33.8 percent work on matters relating to economic development and microfinance, and 26.8 percent work on human rights matters.

By comparison, 70.7 percent of international firms work on access to justice issues, 48.3 percent work on economic development and microfinance, 41.4 percent on human rights projects, and 39.7 percent on education, training and employment matters. One reason so many international firms work on access to justice matters may be the universality of the topic as it can translate easily between jurisdictions and form the basis of a coordinated and consistent international pro bono practice.

Pro Bono Clients

Again in line with last year's findings, the most common type of client supported by respondent firms is registered charities or non-profits, with 85.0 percent of firms indicating they work with them compared to 87.6 percent last year. In 2014, 67.4 percent of respondents listed individuals in need as their common pro bono clients. This figure dropped slightly in 2015 to 63.2 percent although it remains broadly consistent. The proportion of firms working with social enterprises dropped to 59.4 percent in 2015 from 73.2 percent. With a larger pool of respondents this year, it is not yet clear whether this is a reflection of the attitudes of the different firms that responded in 2015 or whether it is a trend in the sector.

Among international firms, 92.1 percent work with registered charities, while 79.2 percent and 68.3 percent work with individuals in need and social enterprises respectively. For firms with offices in only one jurisdiction, the figures are broadly similar with 76.4 percent working with registered charities and non-profits, and 50.0 percent with both individuals in need and social enterprises. Interestingly, 65.1 percent of international firms work on public interest litigation but this figure drops to 34.7 percent among domestic firms.

TYPES OF CLIENTS SUPPORTED PRO BONO

