

How the Thomson Reuters Foundation
Built the World's Largest Pro Bono
Legal Network to Serve the Poor

Case Study
on Trust
Law



PREPARED BY



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Preface

“Deliberate Leaders act with intention and accept risk and the consequences of their actions.”

This case is a part of a teaching series that examines the strategies global leaders use to tackle the world’s most complex and “wickedly” difficult problems. According to the World Economic Forum’s annual Global Risk Assessment, these are the kinds of threats that keep world leaders across sectors awake at night—poverty and the systemic and devastating consequences of income disparity; climate change and the volatility of energy supplies; food and water scarcity; and cyber attacks. The Wicked Problem framework, developed almost four decades ago, helps leaders be more effective in tackling these seemingly intractable challenges. Since then, much has been learned about what it takes for leaders to “find the win in wicked.”

Because each complex problem is unique, it requires leaders to make choices. Should they command solutions as in a crisis? Should they manage the problem by applying the best practices that have worked on similar problems in the past? Should they become adaptive leaders who adjust and recalibrate their strategy based on open reflection of what is and isn’t working? Can they put their egos aside, challenge themselves through collaborative decision-making, and seek solutions where one might least expect to find them?

We use the term “Deliberate Leaders”¹ to describe those who are acting with intention and who accept not only the risk of the challenge ahead, but also the consequences of their actions. They know they will make mistakes—if Wicked Problems were easy, they would have been solved. The concept of Deliberate Leadership guides this new body of work. It is our goal to pull together examples of Deliberate Leaders in action to help guide 21st-century leaders as they seek out solutions to the biggest challenges of our time.

Each case study in this series offers a unique approach that is intended not to prescribe but to stimulate thinking and discussion among leaders facing similar challenges. The Thomson Reuters Foundation Case Study examines how its CEO and Deliberate Leader Monique Villa worked collaboratively with Thomson Reuters leadership, staff, leading global law firms, activists, and clients and built TrustLaw to help the world’s poor.

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Today the Thomson Reuters Foundation is a global leader in supporting free independent journalism, human rights, women's empowerment, and the rule of law. One of its key programs, TrustLaw, is the world's largest broker of free legal services to NGOs and social enterprises and has organized \$54 million worth of free legal assistance to organizations around the world. This remarkable achievement becomes even more remarkable when you understand the road Thomson Reuters Foundation has traveled since its founding seven years ago.

When the Canadian media-based conglomerate Thomson merged with global news service Reuters in 2008, Thomas H. Glocer, the head of Reuters, became CEO of the combined company. Faced with the challenge of merging the two corporate cultures, he saw integrating their very different corporate giving programs as one way to set the tone of the new Thomson Reuters. He thought corporate giving should be taken seriously—"It's too easy to say it's something we do for a little bit of wallpapering and do-gooderism but it should be seen and not heard. I had the opposite view; I thought we could do a lot with it, and especially when we combined Reuters into Thomson it seemed important to have the foundation mirror some of the skills and capabilities of the company itself."²

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When James C. Smith became chairman in January 2012, he reaffirmed the importance of Thomson Reuters' core values and identity in its philanthropy. "I represent an organization that began with profound journalism principles, with trust, being a trusted brand. I recognize the journalistic roots we have. We are also the world's leading provider of legal and regulatory information; also social justice; also individual screening business. The notion of taking that and applying it to the greater good allows us to participate where we have authenticity to participate."³

To run the new Thomson Reuters Foundation, Glocer selected Monique Villa, a French journalist who had been the London bureau chief for Agence France-Presse. Vivacious and high-energy, Villa had quickly learned business and marketing skills. In her management capacity, she was able to craft some valuable business partnerships for the agency. Among other deals she struck, she persuaded New York media mogul and later mayor Michael Bloomberg to create Bloomberg's first foreign-language television in France, in partnership with Agence France-Presse. Ironically, her pitch had been based on the fact that both organizations would benefit from joining forces against Reuters News Agency, their biggest competitor.

In 2001, Villa had moved to Reuters to head their global business beat. Glocer knew her well and, in his words, "I thought if you have a big company and a relatively small foundation you want something that can punch above its weight. I wanted the person who barges into the CEO's office and says, 'We must do this.'"⁴ The new foundation was to serve the missions of both organizations and define the culture of the newly merged corporation, and Glocer saw it as "important to have the foundation mirror some of the skills and capabilities of the company itself." But it was up to Villa to shape what its activities would be. Her challenge would be to determine what was the greatest amount of good the new Thomson Reuters Foundation could do, consistent with the mission and values of the corporation. The foundation would have a small budget compared to such global philanthropic giants as the Gates, Rockefeller, and Ford foundations. To have an impact, Villa knew it would have to bring more than money to the table.

It was a big job, not made any easier by the fact that Thomson and Reuters had very different cultures of corporate philanthropy.⁵ The Thomson Corporation had a tradition of giving in a less structured way for various things that the owners and employees valued.⁶ The Reuters Foundation, in keeping with its core business of journalism, supported journalism education through fellowships and an institute at the University of Oxford. As a journalist herself, Villa saw the value in training young journalists, particularly those coming from the developing world. And contributing to worthwhile local organizations and causes is a respected tradition in corporate philanthropy, as well as building goodwill for the organization in the communities where it does business. But, she wondered, could she deploy the resources of the foundation more strategically, to have greater impact than the direct giving of \$5 million or so a year throughout Thomson Reuters' global service area? Glocer gave her a year to investigate and to develop a plan.

Villa began a whirlwind program of interviewing everyone she could think of who might have ideas to share. She set a few parameters to guide the search, however.

First, she knew what she didn't know: "I knew nothing about charity, but I knew Reuters well."⁷ So it would be important to meet as many leaders in the not-for-profit world as she could, to understand what were the issues and concerns they had and what, from their perspective, might be most helpful.

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“I thought giving back to society was important, but I also thought charity work would benefit from having some business sense injected into what they do.”

– MONIQUE VILLA, CEO, THOMSON REUTERS FOUNDATION

Second, she was looking to inject some of the rigor she had learned from her time in business into the operations of the foundation. “I thought giving back to society was terribly important, but I also thought the foundation’s work would benefit from having some business sense injected into what they do.” She was determined to bring to the new foundation the business acumen and metrics she had learned as a manager with Agence France-Presse and Reuters.

Third, Villa was very clear on the values and capacities of the Thomson and Reuters businesses. Because of the two organizations’ history in education and journalism, transparency and access to unbiased, reliable information were core values. The Reuters Corporation had adopted a set of Trust Principles in 1941, and those principles were a touchstone for the new corporation:⁷

1. That Thomson Reuters shall at no time pass into the hands of any one interest, group or faction;
2. That the integrity, independence and freedom from bias of Thomson Reuters shall at all times be fully preserved;
3. That Thomson Reuters shall supply unbiased and reliable news services to newspapers, news agencies, broadcasters and other media subscribers and to businesses governments, institutions, individuals and others with whom Thomson Reuters has or may have contracts;
4. That Thomson Reuters shall pay due regard to the many interests which it serves in addition to those of the media; and
5. That no effort shall be spared to expand, develop and adapt the news and other services and products so as to maintain its leading position in the international news and information business.

These values would guide the foundation’s activities, as well.

Fourth, Villa knew that in addition to a budget of approximately \$5 million per year, she had access to the infrastructure of the corporation—definitely an added asset that she could draw on. Thomson Reuters had offices around the globe, so she wouldn’t need to think about where and how to house staff. They had a world-class team of journalists—how might the reporting from around the world add value to the philanthropy she was creating? They had core competencies in business and law—how should that shape the fledgling program? They had phenomenal resources in the form of photographic and video archives. She could use those resources to expand the foundation’s reach and amplify its impact.

Fifth, as a manager, Villa believed in hiring smart people and empowering them. She frequently said, “A people hire A people. B people hire C people, because they don’t want competition.” Her staff—once she knew what skills she wanted them to have—were going to be the most entrepreneurial, smart, capable people she could find.

Finally, Villa had no intention of starting with baby steps. She wanted the foundation to have a global vision, to match the global reach of Thomson Reuters, right from the start.

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The First Phase: Partnering and Planning

Late in 2008, Monique Villa set out to learn about charity, opportunities to have a philanthropic impact within the global sphere of the Thomson Reuters Company, and what were the current capabilities of the foundation she inherited. She began to form some hypotheses that would guide her in this search. Glocer had encouraged her to find a charitable role that would relate to the informational services to business and lawyers that were a core part of the Thomson business in the way that the journalism fellowships reflected a key part of the Reuters side. The business information side of Thomson Reuters did not prove to be promising for linking to the charitable activities, but the legal services side of the business might offer more opportunities.

A chance meeting in the headquarters of Thomson Reuters legal services in Eagan, Minnesota, was to suggest a direction that would fulfill all the criteria Villa had set for the foundation. In 2009 she happened to be in the Eagan offices, as part of her exploration of options for philanthropic activity. Someone suggested that she might like to talk with Jim Jones, who also happened to be in the company headquarters that day.

Jones was a partner in Hildebrandt consulting, a Thomson Reuters subsidiary that provides strategic services to law firms. He had had a successful career with Arnold & Porter, a venerable Washington, DC-based law firm. More important, Arnold & Porter had a long and distinguished history of pro bono service—dedicating a portion of its skilled legal team’s billable hours to taking cases “for the public good.” Jones was a strong believer in pro bono service, and in 1996 he had co-founded the Pro Bono Institute, a Washington-based “global thought leader in exploring, identifying, evaluating, catalyzing, and taking to scale new approaches to and resources for the provision of legal services to the poor, disadvantaged, and other individuals or groups unable to secure legal assistance to address critical problems.”⁹

Jones and Villa found an empty office and sat down for a talk that lasted hours and excited them both. Villa was wondering if the Thomson Reuters Foundation could launch a web-based portal where not-for-profits could seek pro bono legal help and law firms could find cases to take on. Initially, Jones was skeptical—the Pro Bono Institute had looked at providing a similar service, but had resisted. They feared it would put them in a gatekeeper role and require more staff time than they would be able to devote to it. However, recalls Jones, “the more we talked about it, the more I saw that there could be an intermediary role that wasn’t strictly matchmaking—this was Monique’s great insight.”¹⁰ They began to sketch out what TrustLaw could be.

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UNDERSTANDING THE WORLD OF PRO BONO

The practice of devoting a portion of lawyers' time to unpaid legal assistance was well established in the United States and to a somewhat lesser extent in the United Kingdom, as was the Latin phrase for it, "pro bono publico" (for the public good). This was no coincidence—both had legal systems based on British common law, and shared a view that (as the Chicago Bar Association phrases it), "pro bono attorneys are a critical part of the effort to make the justice system fair and accessible for everyone."¹¹ Jim Jones's firm in Washington, Arnold & Porter, had had a strong pro bono ethic since its founding soon after World War II. Many of the biggest US firms and bar associations recognized and valued pro bono service. The in-house legal departments of large corporations began to devote a portion of their time to pro bono work, as well. Lawyers were generally encouraged to give 50 hours a year (or one week of their professional time).

About ten years before Monique Villa began her quest to define a new charitable role for the Thomson Reuters Foundation, how law firms were organized, and the world of pro bono services, began to change. The big US and UK firms were globalizing, merging with partners around the world or recruiting home-grown attorneys and establishing a presence in far-flung cities like Beijing, Brussels, and Rio de Janeiro.¹² They brought with them their business model and their familiarity with the concept of pro bono. Marcia Maack, assistant director of pro bono practices for global legal services provider Mayer Brown, notes that as law firms globalized, there has been more pro bono outside the US.¹³

At the same time, international aid agencies and philanthropies were investing in building civil society globally. That had produced, in many developing countries, an infrastructure of not-for-profits that had some capacity to take advantage of the assistance pro bono attorneys could provide.¹⁴ What they didn't have was an understanding of the ways to connect with large firms of busy lawyers, particularly in countries where large firms and corporations did not encourage their employees to become involved with charities as board members or volunteers. The need to connect them existed, particularly outside the US and UK. Maack credits TrustLaw with helping to create opportunities outside the US for non-US lawyers to do more pro bono.

Several intermediary organizations had begun working to expand pro bono participation and provide services to law firms in the pro bono space. Among them were:

1. The Pro Bono Institute, co-founded by Jim Jones and led by a former American Bar Association staffer, Esther Lardent, which does research and offers programs to encourage law firms and lawyers to commit to devoting 3 percent or 5 percent of their hours as a lawyer to pro bono work. The Institute has had great success publicizing the concept with a Pro Bono Challenge to law firms launched in 1995, and a Corporate Challenge to in-house corporate legal departments launched in the mid 2000s. It defined pro bono somewhat strictly—the purpose of pro bono is to provide legal services to the underserved—and it hosts an annual dinner and other events to bring lawyers together around pro bono practice.¹⁵
2. The American Bar Association and state and local bar associations throughout the US. Through their efforts, standards for lawyers and law students have been established, and special committees carry out special projects and research about policy issues affecting pro bono practice in the US.

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3. The Public Interest Law Network, or PILNet, was founded by Ed Rekosh as a project of the Ford Foundation in Eastern Europe, and later spun off as a freestanding project. Hugh Verrier, chair of global law firm White & Case and a member of TrustLaw's Advisory Board, recalls working with PILNet in the 90s as a lawyer in Russia: "It launched fruitful collaborations . . . and began to draw Russian lawyers in. . . it began creating a pro bono culture [outside the commonlaw countries] for the first time."¹⁶ Today PILNet's ultimate goal is to promote local advocacy on rights issues through civil society organizations, but it has invested substantial resources into developing pro bono in developing countries as a way to support civil society.¹⁷

Villa met with as many of these entities as she could, pitching and refining her idea. Ed Rekosh, who participated in a meeting hosted by Thomson Reuters in New York in 2009, recalled that, "What she was pitching was making a market using TR's strengths in information technology and market making. Her concept was just to be that connection point; she had a powerpoint slide of a switchboard operator. We were doing similar things at that time, and I had two reactions/critiques. One was that there are human relationships involved, and it will be hard to scale up using only technology. . . . I [also] wasn't so sure about scaling up pro bono from so far away because everywhere is different."¹⁸

Lawyers from some of the largest pro bono practices in the world reflect that TrustLaw identified and occupied a valuable niche in the world of pro bono. Wendy Atrokhov, public service counsel for Latham & Watkins, notes that "every US city we work in has several organizations that screen and refer pro bono projects. This had not been the case in most jurisdictions outside the US until TrustLaw." She goes on, "The reliability of their distribution list is one of the key points of their success; it's very regular, it's very reliable, it always has a variety of interesting projects."¹⁹ Rene Kathawala, pro bono counsel for Orrick, recalls, "A lot of people thought they would not offer anything unique. To Monique's credit and to the organization's credit, they have figured out what wasn't being offered on a consistent basis. . . They also had to build a stable of lawyers willing to do pro bono work in countries where traditionally there is no sense of what a pro bono relationship is like."²⁰

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BIG QUESTIONS AND WICKED PROBLEMS

As Villa went through the process of hundreds of meetings and refining her ideas, she was gradually assembling a small team. Maria Sanchez-Marin had joined the Thomson Reuters Foundation in autumn 2008, with a background in not-for-profit management and a business degree from the Saïd Business School at the University of Oxford. Sanchez didn't have a legal background but was very interested in what the private sector could bring to the development sector and what the development sector could gain from a more corporate perspective. She and Villa continued to interview law firms and lawyers, trying to understand how a web-based matchmaking platform might best serve their needs.²¹ They presented the legal platform concept, along with other options, to the corporation. The idea of extending pro bono legal services throughout the 100 or so countries in which Thomson Reuters did business proved to be compelling. Once it was approved in principle, Villa and Sanchez settled in to design the platform and understand how the program might operate. Aiming to expand TrustLaw's presence in the US, in 2009 Villa also recruited Sarah Chiles, an expert in social enterprise who had founded a program at NYU's Stern School of Business that helped alumni and students turn their ideas for social change into viable organizations or businesses.²²

In the framework of "Wicked Problems," Villa thought the issues her program might be addressing—global development, women's rights, political corruption—might be "wicked," but she thought the design and operation of the program was primarily a technical problem. A web-based platform would run smoothly, with a relatively small staff based in London. Thomson Reuters Foundation would be "making a market" in global pro bono services, and the market would take on a momentum of its own.

Among the questions Villa knew she would have to answer were:

What kind of staffing do I need to run this program, and where should staff be based?

Villa's theory was that she did not need lawyers, and she didn't think she could afford them. Rather, the staff would learn what the lawyers needed by conducting interviews and polls with the legal network they were building. They could operate out of Thomson Reuters' corporate offices in London where the foundation is headquartered; there were several major global law firms headquartered there, so Thomson Reuters Foundation staff could make connections with their pro bono departments. Basically, a small, technology- and communications-savvy team based in a big Western city was the model.

What kinds of risks are we facing, and how can we prepare to deal with them?

As Villa and her team refined the model that became TrustLaw and consulted with their future partners, they knew they would be guided by the core values of free, independent journalism, human rights, women's empowerment, and the rule of law.²³ But there were three kinds of risks they would be likely to encounter. The Thomson Reuters Corporation, their legal partners, and Villa and her staff needed to be prepared for these risks. They would seek to prevent unnecessary risks and face courageously the risks that were worth running.

Some kinds of risks they would avoid by defining upfront what kinds of activities they would and would not support. For example, their legal partners said they would not offer litigation services, but preferred to focus on the transactional needs of not-for-profit organizations such as drafting incorporation documents, establishing human resources and other kinds of policies, or advising on intellectual property rights

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protection. Thomson Reuters Foundation knew the TrustLaw program should not become involved in political opposition—the core values of the parent company emphasized trustworthiness, transparency, and freedom from bias. And they wanted to make sure that whatever projects they undertook would not place their law firm partners, Thomson Reuters employees, or their client organizations at risk either by compromising their ability to work in a jurisdiction in the future or by putting them at personal risk. So the program was designed to minimize a certain set of risks.

Other risks they were prepared to meet head-on. For example, Villa was interested in anti-corruption, human rights, and women's rights initiatives. She knew projects on human trafficking and women's rights would encounter certain sensitivities and might provoke strong reactions, but was determined to pursue them. In fact, these issues were to become an asset with some law firm partners. Several note that their lawyers value opportunities to contribute to legal solutions to abuse of women and children. Says Simon Davies, managing partner of Linklaters and a member of TrustLaw's Advisory Board, "Diversity and gender diversity is a significant focus for us and we would like to be more involved in shaping the agenda of the conference in the future."²⁴

A third kind of risk involved protecting the integrity of the Thomson Reuters Foundation's brand. Villa knew that if TrustLaw matched a law firm with an organization that wasn't what it represented itself to be, or had an unsavory side, that was a relationship she could never regain. The success of TrustLaw would rest on the firms' absolute confidence that the clients they were matched with would not embarrass them or waste their time. So TrustLaw would have to somehow vet all not-for-profit and social enterprise applicants to join the network.

How will we know if we're having success or not?

Villa was committed to metrics. She wanted from day one to set goals and benchmarks for TrustLaw, and to measure whether the program was achieving them. The Thomson Reuters Foundation sought pro bono assistance from Deloitte, the global consulting firm, which has developed a framework for Assessment, Management, and Evaluation and a specialty in emerging markets, to help it develop an evaluation framework. Says attorney Nick Glicher, "We measure the number of projects we connect each week. We send around surveys to see if people like our service, whether they think we're quick, whether they think we're polite, how they have benefited from the service. We measure how many projects we're unable to find assistance for. We ask law firms to tell us how much they would have charged had the matter they're working on been a fee-earning matter. So we do measure our performance and our growth with lots of different metrics, and ask people for anecdotes to tell us about the impact it has."²⁵

How do we design the program with feedback from our stakeholders, and ensure that we continue to get feedback on its operations?

Also from the start, Villa emphasized building a network to get input from all of the foundation's partners. Fortunately, in 1997 the Reuters Foundation had started a web-based news service called AlertNet, through which 500 of the world's largest humanitarian organizations could share information about disasters based on what they were seeing on the ground. Those organizations became the initial beta group for TrustLaw's NGO client network.

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“To TrustLaw’s great credit, they have a feedback loop with their major partners.”

- LOUIS O’NEILL, PRO BONO COUNSEL AT WHITE & CASE LLP

The program operates with constant formal and informal feedback from its partners, as well. Says Louis O’Neill, who advises the international pro bono and commercial clients at law firm White & Case, “To TrustLaw’s great credit, they’ve had a feedback loop with their major partners, including us. I’ve had conversations with Nick, Serena, and others about how they can best work with their partners. So we’ve had feedback loops that are open where they come to us and ask, ‘Here’s what we’re doing, here’s how our Monday pro bono list looks. Can we do better? Do you like this? Do you like that? We’ve had a very fruitful dialogue.” He also notes “the openness of the organization to accept feedback, to modify its practices if that were necessary, to be flexible.”²⁶

How do we guarantee there is no power imbalance between the global law firms and their often small, not-for-profit or social venture clients?

This was one of the biggest challenges in offering to create the kind of marketplace Villa envisioned. The law firm, metaphorically and often literally housed in the upper stories of a gleaming ivory tower, might have little idea of the difficulties facing a developing country NGO or small social enterprise. The Thomson Reuters Foundation was committed to serving those who in turn serve the poorest of the poor around the world. It also wanted to facilitate the growth of an emerging kind of business: social ventures, which were not structured as not-for-profit but which had social outcomes as a strong mission element. How could TrustLaw ensure that the relationships they created would be sensitive to the needs of the ultimate beneficiary—a Filipina domestic worker who lived in quasi-slavery, or an Indian family whose lack of electricity made it impossible for their children to complete their homework? The solution they came up with is to allow the client organization to be the decision maker, retaining a firm to represent it or rejecting the firm’s offer if it chose. Down the road, this system sometimes made things awkward with the law firms, who had invested time and resources into responding to the NGO’s request. But TrustLaw staff felt strongly that this decision empowered the NGOs to be real clients.

The Second Phase: TrustLaw Launches

By 2010, the new project, which by then was called TrustLaw Connect, was ready to launch. But after a couple of months, the service wasn’t taking off, which prompted some recalibration for Villa and her team.²⁷ For example, it soon became clear that the model of a sophisticated online platform that would handle most if not all the interaction between law firms and NGO clients was not realistic. Many of the NGOs, particularly those based in developing countries, had no idea what a lawyer could do for them. They may have thought they’d need to call one in a crisis, but would never think to have a lawyer draft their human resources policy, review their lease, or draft their articles of incorporation. So it quickly became clear that more handholding was needed than TrustLaw’s staff of three could offer just to get NGOs to sign up.

Second, there were more cultural differences between how law and legal services were viewed in jurisdictions around the world than Villa and her team had anticipated. In some countries, big law firms were regarded with suspicion. In others, people may not generally believe in governance or see that compliance is necessary because the legal system moves so slowly.²⁸ The free legal services needed to be marketed to client organizations, particularly in parts of the world where pro bono legal assistance was not a familiar concept.

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Third, Villa and her advisors had ambitions beyond just solving day-to-day legal problems for NGOs, important as that is. They hoped to find a way to put together higher-leverage projects that would address social problems systemically. As Thomson Reuters CEO Jim Smith puts it, the foundation followed issues aligned with the core values of the company and “the community takes us there. . . . it’s about supporting those movements as they emerge.”²⁹ As the foundation responded to such opportunities, they recognized that more ambitious projects would take much more hands-on management than a staff of three could provide.

So, despite all the consultation with stakeholders, anticipation of risks, care in the selection of initial staff, and consideration of core values in the design of the program, some recalibration was in order. How could Villa and her team redesign the program’s operations and staffing so TrustLaw could become the program they dreamed of its being?

The Third Phase: TrustLaw Recalibrates

Villa and her staff were rethinking two of their original assumptions: first, that TrustLaw didn’t need lawyers on staff, and second, that they didn’t need staff outside the corporate offices in London. The technology-based matching service wasn’t working as expected—it appeared many NGOs needed expert advice to develop their idea for a project into something a law firm could engage with. As Maria Sanchez-Marin describes it, “At the end of the day, the platform is just a tool for our staff to facilitate the service, but it’s our staff, their expertise, that are the key part of the service.”³⁰

So, after a few months, realizing the matching process would not drive itself and that expertise was needed, TrustLaw hired its first lawyer. The team hoped that he would be able to broker more connections between firms and client organizations. (As of the end of 2014, of a staff of 18, 5 are attorneys.)

Nicholas Glicher was a young Brit who had worked at the global law firm Mayer Brown for six years and with the in-house legal team of an international banking firm. Fluent in several languages, Glicher aspired to do international development work and was willing to take a cut in salary to join TrustLaw. When he came on board in January 2011, Glicher saw TrustLaw as a service for lawyers. He understood what lawyers would be looking for, what information they needed, and how the mechanisms within firms would work to determine whether and how to get involved with a particular project. In his view, once TrustLaw had ensured a steady stream of lawyers working on projects, the benefits to the development community as pro bono clients would become evident.³¹

Glicher began developing collegial relationships with partner law firms. It soon became clear, however, that TrustLaw staff needed to work more closely with potential clients to help them frame their requests so lawyers could respond. To do that, and to recruit a broader range of clients, staff needed to be out meeting potential clients face to face. Serena Grant, an experienced lawyer at Baker & McKenzie who had worked in Australia, Japan, and London, joined the team a few months later. In 2012 Glicher relocated in South Africa. As additional staff joined the team, they were placed in Thomson Reuters offices around the world—first in China, in 2012 in India, then in Latin America and Central and Southern Europe—to enable them to better interact in their regions and jurisdictions where TrustLaw wanted to develop fast.

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Alongside this geographic reorientation, TrustLaw made two other significant directional shifts in response to opportunities that emerged.

The first was in response to a request to undertake TrustLaw's first multijurisdictional research project. In 2010, Monique Villa met Maria Nowak, an international development specialist who in 1989 founded ADIE, a Paris-based NGO whose mission was to bring microlending to Europe. Nowak had been inspired by Muhammad Yunus, the Bangladeshi banker who pioneered small loans to the poor that enabled them to start businesses.³² She argued that similar lending could encourage small-scale entrepreneurship in Europe, but that well-intentioned regulatory barriers got in the way. Her dream was to commission a regulatory study that would encourage the EU government to do more to support microcredit.³³

TrustLaw proposed the idea to their network of law firms, and eventually found two that were willing to support it. Ultimately, a team of attorneys from 20 firms and in-house legal departments representing all 27 EU countries produced an authoritative report on how national laws encouraged or stymied micro lending. The team devoted about \$1 million in pro bono time.³⁴ But the payoff was significant: the report informed a meeting of EU Commissioners in December 2011 on how to improve the climate for microcredit in Europe.³⁵ This opportunistic departure from the original vision of TrustLaw taught Villa and her team an important lesson in impact. Says Sanchez, "We saw the power we had by bringing together law firms across countries to contribute to a small NGO that in a million years could not have done that on its own."³⁶

Law firms valued participating in the cross-jurisdictional projects as well. According to Nicolas Patrick, who manages pro bono work for DLA Piper, "pro bono is an important way for us to connect people together. It breaks down a lot of internal barriers, and that's particularly the case for the TrustLaw cases because they often involve working across a number of different jurisdictions, so we get lawyers from different offices and practice groups around the world working on a single project. Not only does the client benefit from multi-jurisdictional advice, but we become a better, more connected global business, so it's a virtuous circle really."³⁷

The microlending report was to become the first of many ambitious, cross-border research projects, which have had substantial impact by bringing forward best practices and lending authority to the efforts of advocates. Among them,

- A study of legal protections for domestic workers, which supported efforts to better regulate household work and protect the rights of household workers in the Philippines;³⁸
- A landscape analysis of domestic violence laws in 24 jurisdictions, for an NGO based in Beijing;³⁹
- An overview of human trafficking and prostitution laws in Africa and the Middle East for Equality Now;⁴⁰
- A report on laws and procedures for dealing with victims of rape, for a grassroots organization seeking to respond to the increase in rape in Haiti following the 2010 earthquake.⁴¹

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Not all cross-jurisdictional research projects were equally successful, however. Patrick reflected this lesson from the perspective of the managing law firm: while the reports are always good, “the clients who requested these reports often either don’t use them effectively or they don’t come back to us to tell us how they used the report.”⁴² Nicholas Glicher recalls that TrustLaw staff were so pleased with the reception of the EU microcredit study that they wanted to replicate the research elsewhere in the world. They proposed a similar project to an NGO in Asia that agreed it sounded interesting, recruited a legal research team, and anticipated a similar result. But the project never got off the ground, and Glicher and his colleagues learned the difference between a client who says, “This is a piece of work I really need; it’s central to our goals,” and one who says, “That would be a study I’d like to read.” The big lesson for TrustLaw: you can’t force even a great idea onto a client who isn’t engaged. The ideas for cross-country research need to come from a client that knows exactly why it needs that information.⁴³

As demand for TrustLaw’s service grew, staff responded to these lessons by becoming more selective about research requests. They now check to make sure something similar doesn’t already exist, and they develop a close relationship with the NGO partner to make sure they know the set of questions being looked at will be of real use.

A second adjustment TrustLaw made early on was to deploy its network to support social enterprise and impact investing. Initially the foundation was to reflect both the business information and legal information sides of the corporation, according to David Binet: “We spent some time trying to figure out a charitable initiative that would be aligned with [the financial information] part of our business,” but the legal side was more promising.⁴⁴ However, Villa and her staff were interested in social enterprise from the start—Maria Sanchez-Marin, who had just completed her MBA at the Saïd Business School, and Sarah Chiles, an expert in social enterprise, saw the potential for harnessing market forces to solve social problems. They soon found that law firms too were interested in the emerging field of social enterprise (SE). Chiles remembers that “there was great demand for [social enterprise and impact investing research programs] because the senior partners, who were more involved in the financial side of the business” were eager to put their finance skills to work on pro bono projects and be a part of building this new field of social finance.⁴⁵ TrustLaw produced a series of legal guides that could help aspiring social entrepreneurs determine the best legal structure for the work they wished to do. They also facilitated the growth of some innovative SEs, among them an organization that spreads solar-powered electric lights in rural India and another that assures the safety of pharmaceuticals made in South Asia.

But the very success of TrustLaw’s work in the social enterprise space forced it back to the drawing board yet again. In the beginning, TrustLaw staff found that it was more difficult to recruit clients for the network than they had anticipated. It also required more handholding, and more iteration between staff and client organizations, to bring the right kinds of projects forward. As the portfolio of projects grew, Villa brought on a manager for TrustLaw, Alisha Miranda, who had a background in consulting as well as international development. In part because of her background, Miranda was committed to placing the client first. She reorganized staff into regional teams (rather than by expertise) to deepen relationships with client NGOs and to ensure staff understood the informal context in which they had to operate. She formalized the

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vetting process and criteria for membership in TrustLaw's client network. And once those criteria were in place, it was necessary to let some clients know they no longer fit. Generally, those were social enterprises that had become so profitable they could pay for legal advice. They were told they would always be welcome to participate in Thomson Reuters' events.

Today, TrustLaw has become the world's largest broker of free legal services to NGOs and social enterprises. It currently has 2,400 members, operates in 170 countries and has organized \$54 million worth of free legal assistance to client organizations around the world. In addition to its 1,500 individual projects and 78 multijurisdictional research programs, in 2014 TrustLaw published the first global Pro Bono Index, presenting data from over 100 law firms, representing 36,000 lawyers in 69 countries. The Index shows that in 2013 lawyers around the world donated 1.55 million hours of free legal assistance, worth \$388 million, to client organizations working for the public good.⁴⁶ Says Thomson Reuters CEO Jim Smith, "whether you call it corporate philanthropy or CSR, I know it means making the world a better place, contributing to things our employees care about. The amount of pro bono is growing around the world, but that's because we were able to supply what we do as an organization, twist it a bit, and apply it to this unmet need. Our employees feel good about it, our clients feel good about it, it's a win-win."⁴⁷

TrustLaw and the Deliberate Leadership Frame

Having told the story of TrustLaw, this case study now examines its growth and evolution through the lens of Wicked Problems, using the Deliberate Leadership framework. The concept of Wicked Problems emerged from the field of urban planning in the early 1970s, and is now used widely by business leaders, particularly in the development field. It was proposed in 1973 by Berkeley professors Horst W.J. Rittel and Melvin Webber to describe "wickedly" complex social problems.⁴⁸ Wicked Problems are large, messy, complex, and systemic, and include many of the most challenging issues we face today, from global issues of poverty and climate change to local issues of failing education systems and lack of financial security and stability. There are no easy solutions to Wicked Problems, and though enormous progress can be made in alleviating them, they will remain with us.

Some scholars distinguish between Critical, Tame, and Wicked Problems.⁴⁹ The first are urgent and require command-and-control leadership (the house is on fire). The second are technical and have been solved many times before and require technical expertise (the road must be built). The third are always being approached for the first time, and require adaptive leadership.

Deliberate Leadership is a response to the challenges posed by Wicked Problems. It is a framework for leaders to use in tackling problems with no easy or consensus solutions. Each characteristic of Deliberate Leadership is based on proven business and social sector theory and practice. They are recognized leadership strategies used in creating lasting positive change within companies and organizations and in the lives of people most affected by the consequences of Wicked Problems.

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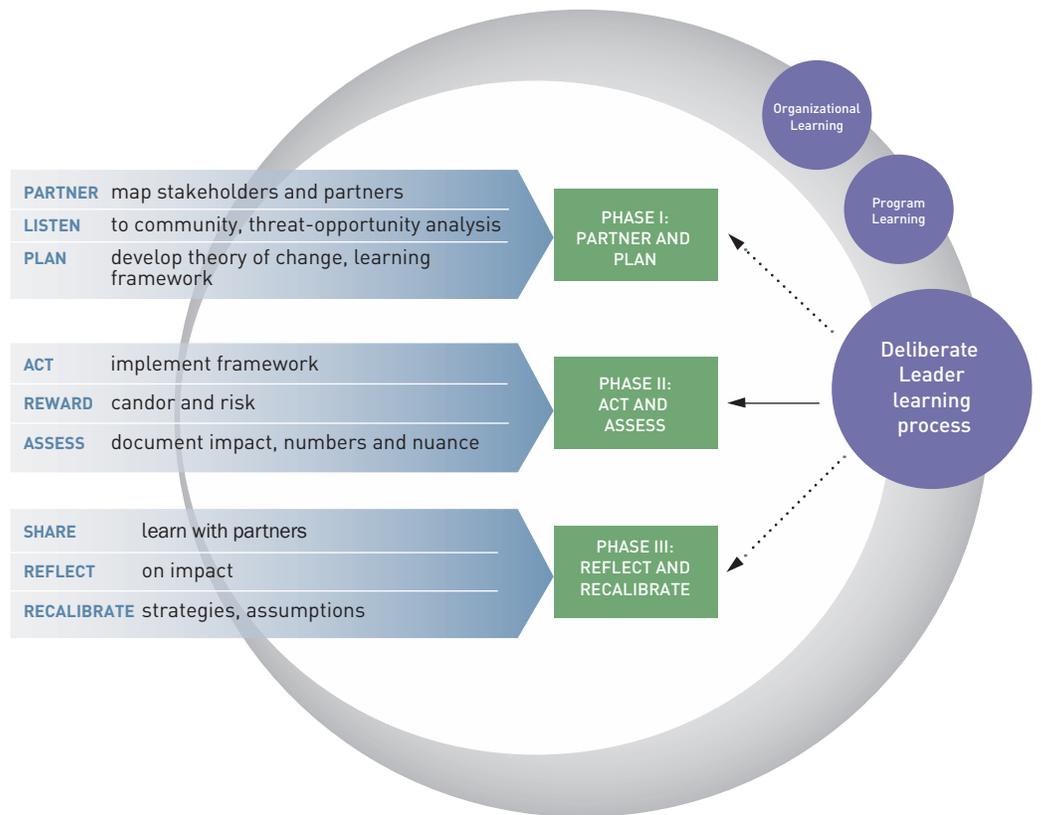
The Seven Core Characteristics of Deliberate Leaders—As an institution and as individuals in that institution, Deliberate Leaders and their partners must consistently display seven core characteristics (the 7 C's):

- **Courage**—to embrace risk and live with the ambiguity. Deliberate Leaders recognize that simple solutions are insufficient to address complex challenges. They also realize that risk is inherent to Wicked Problems; solutions must be tried, tested, and allowed to evolve.
- **Collaboration**—to seek out and listen to divergent viewpoints. Deliberate Leaders recognize that building collaborative solutions may be slow and uncomfortable but essential to understanding options, gaining new knowledge, and building powerful solutions.
- **Community**—to build solutions together from the ground up. Deliberate Leaders recognize that answers to tough issues may already reside in Positive Deviants. They seek uncommon answers to difficult solutions and put people at the center of decision making.
- **Candor**—to speak the truth about what is working and what isn't. Deliberate Leaders embrace failure and success equally—to manage risk and allow for recalibration and innovation.
- **Creativity**—to imagine a new future and to move beyond the constraints of the past. Deliberate Leaders look for “big ideas” and evolving practices through scenarios that envision a different future.
- **Capital**—to examine how financial resources are invested and impact is analyzed.
- **Compassion**—to understand how empathy and partnership, not ego, impact the power dynamics within and surrounding an organization.

The Three Phases—The seven characteristics of Deliberate Leadership apply equally across all three phases of the process by which an organization learns and adapts in order to deal successfully with Wicked Problems. Moreover, learning is important at both the program and the operational levels; the evaluation process must apply to both. The three phases of organizational learning and change are: Phase I—Partner and plan; Phase II—Act and assess; and Phase III—Reflect and recalibrate (see Figure 1 on following page). They can be clearly identified in the story of TrustLaw.

Evolution of
TrustLaw

FIGURE 1. DELIBERATE LEADER LEARNING PROCESS



Phase 1: Partnership and Planning

As Monique Villa took over the Thomson Reuters Foundation, and sought ways to have the greatest possible impact with the resources available to her, the process she followed exemplified Deliberate Leadership and learning.

- Villa undertook extensive fact finding, traveling widely to consult a variety of thought leaders and potential partners. She took care to understand the world into which she was proposing to enter: she knew the corporate cultures of Thomson and Reuters; she made a point of learning about the culture of philanthropy; and as she zeroed in on pro bono legal work, she met with the leaders in that field and with potential client organizations to make sure she identified the gap where Thomson Reuters Foundation’s contribution would matter most.
- In addition to mapping out the field, she listened carefully to other stakeholders. She sought advice from the network of global NGOs Thomson Reuters had put together about how they might use pro bono legal assistance and what kind of platform would facilitate partnerships with law firms. She went through a similar process with global firms. When lawyers told her that they must be very sure the organization they were helping had no hidden issues, she designed a vetting process to reassure them.

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- While Villa thought, based on her consultations with all the stakeholders she could identify, that there was a niche for a service that expanded pro bono globally, she took nothing for granted. Once she had staff in place, they designed polls and surveys to stay in touch with partners and assess how the service was working.

Phase 2: Act and Assess

When TrustLaw finally launched, a learning framework was launched alongside it. Villa had come to the foundation determined to use business-style metrics to constantly track what was being accomplished.

- Villa brought in Deloitte to design measures of success and put in place tools to collect data.
- In addition to “hard” measures (How many clients have been served? How many dollars worth of legal assistance have been leveraged?), TrustLaw implemented constant contact with both client organizations and law firms to get “soft” input about what worked (or not) and why.
- As staff were added, they were organized into teams and shared information with one another and with the rest of the TrustLaw staff, so learning occurred across the organization.
- As opportunities arose to test new ideas and approaches, such as the cross-border research programs, Villa and TrustLaw were quick to seize them. But when something didn’t work, like the attempt to translate microcredit research to Asia, the staff were also quick to recognize the failure and learn from it.

Phase 3: Reflect and Recalibrate

TrustLaw and Thomson Reuters Foundation were constantly adapting their model and adjusting their original theory of change.

- When it became clear that the NGO response to free legal services wasn’t what they had hoped, TrustLaw staff recalibrated. They adjusted their geographic presence and the expertise they sought on staff. They also became more hands-on, actively seeking out potential clients and helping them understand the benefits of pro bono legal services.
- TrustLaw staff and their legal partners stayed in constant touch. They shared ideas and insights, kept projects and programs on track, and identified when they needed to intervene, or even pull the plug.
- Thomson Reuters and TrustLaw shared what they were learning with partners and stakeholders. As it became clear that lawyers were interested in understanding the needs of the social enterprise sector, they organized continuing legal education programs.
- Thomson Reuters Foundation convenes two major events a year, a conference called Trust Women that focuses on global progress on women’s issues and the TrustLaw Awards, which recognize the achievements of and share the learning from pro bono projects. These are valuable opportunities for bringing partners together around issues. Says Simon Davies, “We were involved in the Trust Women Conference in 2012, and we would like to be more involved in shaping the agenda of the conference in the future.”⁵⁰

Throughout these phases, the story of TrustLaw and of Monique Villa’s leadership is a story of Deliberate Leadership.

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“People have to know they are rewarded, not punished, for bringing problems to the table...that is woven into the core business of the company.”

– JIM SMITH, CEO, THOMSON REUTERS

Courage

Both Monique Villa and the leadership of Thomson Reuters—first Tom Glocer and then Jim Smith—accurately assessed the potential risks of launching the TrustLaw platform. They were careful not to take unnecessary risks, such as projects that were too political in countries where no law firms would want to take them or failing to fully vet NGO clients, but they were not afraid to take on controversial issues such as corruption and human trafficking.

Villa and TrustLaw also had the courage to face flaws in the program design. They recognized when the theory of change around which TrustLaw was structured proved to be flawed, when a project wasn't working, and when they needed to let clients and partners take the lead. Moreover, Villa had the ability and the support from her board, the corporation, and from her team to turn things around.

Collaboration

A journalist by training, Monique Villa was instinctively consultative. She reached out widely, both when she first was seeking a mission for the new Thomson Reuters Foundation and iteratively as the foundation's programs grew and evolved. She found ways to work with a variety of organizations that were already established in the pro bono arena, including some that operated a clearinghouse function similar to what she was proposing with TrustLaw. She also collaborated with global NGOs, who advised her on designing the platform. This ensured that Thomson Reuters Foundation was not duplicating existing services or failing to take advantage of the knowledge of other stakeholders. At first, some of these consultations were uncomfortable—others in the field did not always see the need for another pro bono facilitator, and may even have feared the competition—but ultimately they became partners and the field expanded as a result.

Community

Villa and her team listened to the NGO client community, beginning with a network of large international NGOs but also seeking out smaller organizations. They worked hard to understand the needs of those organizations and to tailor the program to them. When a local organization told them that the approach they were proposing just wouldn't work in India, for example, they put staff on the ground to ensure they knew the community and the local context. TrustLaw's approach went further—by empowering client organizations to choose which pro bono attorney to “hire,” they structured the program to learn from the wisdom of the community on the ground. They acknowledged the importance of that community, and what it knew, through the meetings they convened.

Candor

TrustLaw exemplified candor in a number of ways. From the beginning, they sought constant feedback from both parties to each pro bono project, and listened to it. If a project wasn't working, the staff would talk to both the lawyers and the NGO client about why not. They did not hesitate to tell both sides how to make the partnership work. Conversely, when clients told them their service wasn't working, or made it clear by their lack of enthusiasm, TrustLaw staff revisited their assumptions, if the problem had to do with program design, or corrected their actions if the problem were with the way they were providing services. Both the organization and the program constantly sought criticism, listened, and learned. Moreover, candor was an important value of the parent company—according to CEO James C. Smith, “People have to know they're rewarded, not punished, for bringing problems to the table. . . that is woven into the core business of the company.”⁵¹

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Creativity

Villa and the TrustLaw staff were not wedded to their own ideas. They were willing to experiment. Some of the most successful products of TrustLaw's work came from openness to trying something new—from the microcredit finance project in the EU, to venturing into the social enterprise field, to drawing on the resources of the Thomson Reuters Corporation to create a variety of ways to communicate about TrustLaw and its issues of concern.

Capital

TrustLaw began from Monique Villa's bottom-line-oriented desire to make sure she was getting the greatest possible value out of the resources available to the foundation. To that end, she inventoried her financial and communications resources, made a conscious investment in high-quality human capital, and put systems in place to measure the return on that investment. The Thomson Reuters Foundation carefully monitors its impact with the measures put in place by Deloitte in the early days and improved after. They also recognize and celebrate the value of donated services from the world's largest law firms.

Compassion

Despite its careful collection of data, TrustLaw and the foundation—which has built a team of 30 staff journalists covering underreported stories—were also driven by a constant vision of the person on the ground—often a woman or child—who would ultimately benefit from their work. Thus they collected stories as well as data—nuance and numbers—and told them through videos, presentations at the Trust Women conference, and through their news service on trust.org. As Nick Glicher put it, "We measure our service and our growth by lots of different metrics. And it's easy to say the impact of a big cross-border program has been massive because it's been able to influence policy reform and it's a really useful tool for us. . . but if we've been able to work with a really small grassroots women's rights organization and we've been able to provide them with employment contracts which means they've been able to hire a third staff member and reach an additional 50 women per month, that's a massive personal impact on a very localized scale. We can't track that, but we will keep trying to make sure that we never lose sight of the fact that . . . someone who is helped because of something we supported would consider the impact as great as a piece of research that affects regional-national policy."⁵²

The Bottom Line:
Who
TrustLaw
Helps



Story of Change: Girls Rescued from Slavery in the Philippines

In 2012, TrustLaw linked international law firm White & Case with Visayan Forum, a Manila-based organization that advocates for the rights of trafficked workers. Visayan Forum was founded in 1991 by Cecilia Flores-Oebanda, a fierce and articulate advocate for the victims of human trafficking.⁵³ For 20 years, Visayan Forum had urged Filipino lawmakers to extend formal protections to domestic workers, who often work long hours at low pay in unregulated, informal, and frequently abusive situations.

With 2,000 lawyers in offices in 26 countries, White & Case has a global presence, a deep institutional commitment to pro bono work, and an interest in making that a strategic practice. The firm became one of TrustLaw Connect's earliest partners. It had done work on human trafficking, and saw Visayan Forum's interest in establishing best practices for domestic worker rights as a natural fit. White & Case agreed to undertake a landscape study of domestic worker protection laws in eight countries around the world, partnering with Chilean firm Grasty Quintana Majlis & Cia to review Latin American law. Having an international study was an effective lobbying tool—the study was released in November 2012, and the domestic worker protection act, which had been 20 years in the making, was finally signed into law in January 2013.

The Bottom Line: Who TrustLaw Helps

This so-called Magna Carta, also called the Kasambahay law (the Tagalog term for domestic workers), will help an estimated 2 million women and girls in the Philippines, almost 400,000 of them children, exploited as domestic workers.⁵⁴ Cecilia tells the story of one such child, Lilibeth Masamloc. The eighth of twelve children from a poor rural family in the Philippines, Lilibeth began farmwork at age 8, but she aspired to education. Household work in a larger city seemed her only path forward, so at the age of 13 she was recruited by a neighbor's relative to become a domestic worker in Davao City, earning P800 (US\$17) per month. She soon found the reality was not what she had been promised. She had no time for school. And, by deducting pay for mistakes she made, her employer reduced her earnings to as little as P200 (US\$4.50) per month. In addition to working long days, she was also "lent" to other households while her employers were away.

Lilibeth found another employer who at least gave her Sundays off and allowed her to participate in a Sunday High School Education Program. But this situation became more threatening when the family began making her work in their videoke bar at night. Harassed by drunks and frightened of what might come next, Lilibeth confided in her teachers, who introduced her to the Visayan Forum. With Visayan's help, she received life skills training, completed her education, and recently took a degree in social work. Lilibeth was the first child domestic worker to offer input to the UNICEF-led interagency working group on the civil and citizenship rights of children. And, she has been a key figure in the drafting of the Philippines' groundbreaking Magna Carta for domestic workers.⁵⁵ Another young girl, who had been a domestic worker since the age of 13, found Visayan Forum after the Magna Carta passed. She contacted Visayan because of the news about the law, and was rescued. Thanks to the new law, it's been much easier to extend the support she needs. Cecilia Flores-Oebanda says, "When we found her, she was very thin because she hadn't been fed well, she had no understanding of her rights, and she was without hope. Now, because of the law, she gets economic support from the government, and additional social services. We have helped her re-enroll in school, and she won't have to be a domestic worker all her life."⁵⁶

The Bottom Line:
Who
TrustLaw
Helps



Story of Change: Families Living in “Energy Poverty” in Rural India

In 2013, TrustLaw matched Pollinate Energy, a startup renewable energy company started by four young Australians, with HSA Advocates, one of India’s most respected law firms. Pollinate is a social venture, aiming to serve some of the 306 million people in India—25 percent of India’s population—who lack reliable electricity and clean cooking facilities.⁵⁷ HSA, which has 70 attorneys and offices in Delhi, Mumbai, Bangalore, Kolkata, and Goa, specializes in several aspects of corporate law, including regulation and tax, transport, infrastructure, and clean development alternatives.⁵⁸

Pollinate Energy was launched when a friend of one of the founders came to India to teach. She soon learned that many of her students’ families had no access to electricity, making it difficult for them to do homework at night. Moreover, most relied on kerosene for cooking and light, which burdened these impoverished households economically and harmed respiratory health.⁵⁹ The Pollinate Energy founders had a vision—they wanted to distribute solar energy in India through networks of franchisees—but they were engineers, and quickly found that starting a business in India presented legal and regulatory challenges they were not prepared for.

The Bottom Line: Who TrustLaw Helps

Fortunately, Monique Alfris, a Pollinate Energy co-founder who focuses full-time on compliance, was invited to a workshop in Hyderabad where a representative of TrustLaw would be presenting. She attended, and immediately saw the possibilities. “I got to really sell our case and talk about how much we needed their services.”⁶⁰ When TrustLaw agreed to take on Pollinate Energy, “from the beginning we were given help in designing our application, what it would look like on the website, they helped us write up all the information and posted our profile, gave us really specific feedback.”⁶¹

Ultimately, TrustLaw matched Pollinate Energy with HSA, which has helped Pollinate Energy negotiate the complexities of India’s regulatory environment. Says Alfris, “a more business-oriented advisor might say that we should just set up a separate company or put the compliance burden on the franchisees, but we can’t do that because we are a social business, and we have brought people on board that we’re educating and training and who come from backgrounds where they are more vulnerable. It’s our responsibility to make sure they are being looked after. That’s part of our mandate, and HSA really get it, and in all the advice they give us that is part of their thinking.”⁶²

As a result of this partnership, Pollinate has been able to bring solar electricity to 15,800 people in 470 communities, and employment to 22 franchisees and helpers who sell and service the lights. Their customers are the poorest of the poor—93 percent of participating households have an income of less than US\$10 per day, with 43 percent at less than US\$5 per day. Customers reap financial, social, and health benefits as well as benefitting the planet: 91 percent of Pollinate’s customers use only solar lighting, reducing air-borne soot in their homes (and incidentally the risks of burns and the presence of rats and snakes) and eliminating 13,684 tons of CO2 each year.⁶³ And that’s just the beginning. Pollinate aims to be in 50 Indian cities by 2020 and to expand its product lines to include solar-powered fans and safe water systems for households.

Stories of individual benefits abound. Amresh, a shopkeeper, purchased the solar light to keep his shop open for more hours of the day. He finds he gets more customers, who are drawn to the shop because they can see when it’s open, and has doubled his income in just four months. Basawraj, one of the first to buy a solar light, reports that his children use it to study every night. He is proud that his oldest son is now first in his class in school.

Conclusion



The story of TrustLaw offers powerful illustrations of many of the elements of Deliberate Leadership. Building on the existing strengths of its parent corporation Thomson Reuters but with relatively limited financial and human capital, it sought to deploy its resources most effectively to “punch above its weight,” as former CEO Glocer put it. Confident in what it brought to the table in terms of skills and contacts, its leadership consulted widely to understand what they did not know, seeking to understand where and how the foundation could fill gaps, how it could most effectively partner with colleagues in the field, law firms, and NGO clients, and—most important of all—how it could do its work in alignment with the institutional values of transparency and trust. It consciously embraced risk but tried to anticipate and avoid the kinds of risks that could limit its effectiveness or imperil its staff or partners. By continuously listening to all its stakeholders, including the recipients of legal services, trying to balance the power dynamics inherent in the relationship between donors and beneficiaries, and accepting disappointments and failures as lessons to be learned, TrustLaw has been able to adapt and evolve. It has adjusted both its operations and its programs in response to feedback from partners. It has grown geographically and in terms of the range of services offered and activities carried out. And it continues to collect feedback both quantitatively and qualitatively, and to remember that the stories of individual lives made better are as important as the statistics that tell those stories in aggregate.

As TrustLaw approaches its eighth year, it is to be hoped that it continues to provide opportunities for lawyers and NGOs around the globe to work together to improve the lives of women and children among the world’s most vulnerable populations for many years to come.

Notes

- ¹ The term was coined by Dawn Robertson, CEO of Strategic Change Resources.
- ² Personal interview with Tom Glocer, January 6, 2015.
- ³ Personal interview with James C. Smith, January 2, 2015.
- ⁴ Personal interview with Tom Glocer, January 5, 2015.
- ⁵ Personal interview with David Binet, October 6, 2014.
- ⁶ Personal interview with David Binet, October 6, 2014.
- ⁷ Personal interview with Monique Villa, September 15, 2014.
- ⁸ <http://thomsonreuters.com/about-us/trust-principles/>
- ⁹ <http://www.probonoinst.org/about-us/>
- ¹⁰ Personal interview with James W. Jones, October 20, 2014.
- ¹¹ <http://chicagobarfoundation.org/pro-bono/>
- ¹² Personal interview with James W. Jones, October 20, 2014.
- ¹³ Personal interview with Marcia Maack, November 11, 2014.
- ¹⁴ Personal interview with Ed Rekosh, October 16, 2014.
- ¹⁵ Personal interview with James W. Jones, October 20, 2014.
- ¹⁶ Personal interview with Hugh Verrier, October 16, 2014.
- ¹⁷ Personal interview with Ed Rekosh, October 16, 2014.
- ¹⁸ Personal interview with Ed Rekosh, October 16, 2014.
- ¹⁹ Personal interview with Wendy Atrokhov, October 21, 2014.
- ²⁰ Personal interview with Rene Kathawala, October 10, 2014.
- ²¹ Personal interview with Maria Sanchez-Marin, October 16, 22, 2014.
- ²² Personal interview with Sarah Chiles, October 9, 2014.
- ²³ <http://about.trust.org/who-we-are-and-what-we-do/>
- ²⁴ Personal interview with Simon Davies, November 5, 2011.
- ²⁵ Personal interview with Nicholas Glicher, October 7, 2014.
- ²⁶ Personal interview with Louis O'Neill, October 3, 2014.
- ²⁷ Personal interview with Maria Sanchez-Marin, October 16, 2014.
- ²⁸ Personal interview with Urvashi Devidayal, October 8, 2014.
- ²⁹ Personal interview with James C. Smith, January 2, 2015.
- ³⁰ Personal interview with Maria Sanchez-Marin, October 16, 2014.
- ³¹ Personal interview with Nicholas Glicher, October 7, 2014.
- ³² A Nobel prize winning economist, Yunus is the subject of many books, including *Banker to the World's Poor* (New York: Perseus Books, 1999).
- ³³ Personal interviews with Maria Sanchez-Marin, October 16, 2014, and Maria Nowak, October 29, 2014.
- ³⁴ Personal interview with Maria Sanchez-Marin, October 16, 2014.
- ³⁵ http://ec.europa.eu/finance/finservices-retail/docs/credit/microcredit/conf_programme_en.pdf
- ³⁶ Personal interview with Maria Sanchez-Marin, October 16, 2014.
- ³⁷ Personal interview with Nicolas Patrick, October 30, 2014.
- ³⁸ <http://www.trust.org/publication/?id=19d35414-86d5-4dea-b5f0-487dcdc8f0d0>
- ³⁹ <http://www.trust.org/publication/?id=fe9c538d-96ae-41c6-9dc8-148f793248fb>
- ⁴⁰ <http://www.trust.org/publication/?id=1035fde5-b945-49ed-8cd4-166bc1ec156b>
- ⁴¹ <http://www.trust.org/publication/?id=e531c966-13c7-4eba-824e-c6cac927101b>
- ⁴² Personal interview with Nicolas Patrick, October 30, 2014.
- ⁴³ Personal interview with Nicholas Glicher, October 7, 2014.
- ⁴⁴ Personal interview with David W. Binet, October 6, 2014.
- ⁴⁵ Personal interview with Sarah Chiles, October 9, 2014.
- ⁴⁶ <http://www.trust.org/trustlaw/>
- ⁴⁷ Personal interview with James C. Smith, January 2, 2015.
- ⁴⁸ Horst W.J. Rittel and Melvin M. Webber, "Dilemmas in General Theory of Planning," *Policy Sciences* #4 (1973).
See, among others, the work of Keith Grint, a professor of public leadership and management at University of Oxford, Said Business School,
- ⁴⁹ http://www.charity-works.co.uk/wp-content/uploads/2013/04/Short_Wicked_Problems_and_Clumsy_Solutions_22.pdf
- ⁵⁰ Personal interview with Simon Davies, November 5, 2014.
- ⁵¹ Personal interview with James C. Smith, January 2, 2015.
- ⁵² Personal interview with Nicholas Glicher, October 7, 2014.
- ⁵³ From an interview with Cecilia Flores-Oebanda published on the website of the Philippines Center for Investigative Journalism, February 2, 2006, <http://pcij.org/stories/ma-cecilia-flores-oebanda/>
Estimates on the precise number of kasambahay in the Philippines vary from 1 million to 2 million, since the relationships have often been unregulated and informal. These numbers come from a report on [rappler.com](http://www.rappler.com), a social network-based news site in Pasig City, Philippines, based on figures from the
- ⁵⁴ Philippine Department of Labor and Employment, <http://www.rappler.com/nation/6369-kasambahay-bill-soon-a-reality>
- ⁵⁵ Personal interview with Cecilia Flores-Oebanda, December 11, 2014.
- ⁵⁶ Personal interview, with Cecilia Flores-Oebanda, December 11, 2014.
- ⁵⁷ <http://pollinateenergy.org/issue/>
- ⁵⁸ RSG India Law Center, <http://rsg-india.com/indian-law-firms/profiles/hsa-advocates>
- ⁵⁹ Personal Interview with Monique Alfris, October 1, 2014.
- ⁶⁰ *Ibid.*
- ⁶¹ *Ibid.*
- ⁶² *Ibid.*
- ⁶³ All data from Pollinate Energy Impact Assessment (June 14, 2014), <http://pollinateenergy.org/wp-content/uploads/2014/07/Impact-Statement-Final-June-2014.pdf> <http://pollinateenergy.org/wp-content/uploads/2014/07/Impact-Statement-Final-June-2014.pdf>

Appendix A:

Interview Participants

Monique Alfris	Co-found and Chief Financial Officer	Pollinate Energy
Juliana Arbelaez	Public Relations - Lawyer	Instiglio
Wendy Atrokhov	Public Service Counsel	Latham & Watkins
David Binet	Chairman	The Woodbridge Companies, Limited. Chairman, Thomson Reuters
Flanny Chiganze	Chief Operating Officer	Southern Africa AIDS Trust
Sarah Chiles	Executive Director	Redlich Horwitz Foundation
Simon Davies	Worldwide Managing Partner	Linklaters. Advisory Board, TrustLaw
Urvashi Devidayal	Program Manager	Thomson Reuters Foundation
Pascale Dubois	Chief Suspension and Debarment Officer	World Bank
Cecilia Flores-Oebanda	Founder and Director	Visayan Forum Foundation
Nicholas Glicher	Legal Director	Thomson Reuters Foundation
Tom Glocer	Former CEO	Thomson Reuters
Serena Grant	Director of TrustLaw	Thomson Reuters Foundation
Carolina Henriquez Schmitz	Legal Officer	Thomson Reuters Foundation
Jim Jones	Board Member	Pro Bono Institute
Rene Kathawala	Pro Bono Counsel	Orrick
Archana Kotecha	Head of Legal	Liberty Asia
Huguette LaBelle	Chair of the Board of Directors	Transparency International
Marcia Maack	Assistant Director of Pro Bono Activities	Mayer Brown
Patricia Mechael	Principal and Policy Lead	HealthEnabled. Former Executive Director, mHealth Alliance
Alisha Miranda	Former Director, TrustLaw Connect	Thomson Reuters Foundation
Maria Nowak	Chair	ADIE
Lou O'Neill	Pro Bono Counsel	White & Case

Appendix A:

Interview Participants

Nakul Pasricha	CEO	Pharmasecure
Nicolas Patrick	Partner, International Head of Pro Bono and Corporate Responsibility	DLA Piper
Jessica Perrin	Head of NGO and Social Enterprise Membership, TrustLaw	Thomson Reuters Foundation
Ed Rekosh	Founder and Senior Advisor	PILNet
Maria Sanchez-Marin Melero	Chief Operating Officer	Thomson Reuters Foundation
James C. Smith	President and CEO	Thomson Reuters
Abdul Varachhia	Legal Counsel	Islamic Relief Worldwide
Hugh Verrier	Chairman	White & Case
Monique Villa	CEO	Thomson Reuters Foundation
Liesl Williams	Head of Public Interest Law, South Africa	Norton Rose Fulbright

INTERVIEW QUESTIONS

As background, Partners for Change uses a “wicked problem” frame to analyze and understand social change. A “wicked” problem is one that doesn’t have an off-the-shelf, technical solution—for example, if the recurrence of polio is simply a matter of a lack of vaccine, a well-understood solution is to make more vaccine and get everyone vaccinated. But if there are other, more complex reasons people are not being vaccinated—for example, if vaccinations violate some people’s religious beliefs, raise complex issues of cross-cultural trust, or if because of lack of equipment (sterile syringes, refrigeration) and safe vaccine they introduce or transmit other diseases—the problem is “wickedly” complex. It requires the actor who is trying to solve the problem to take a more nuanced approach, be willing to take risks and try new things, listen carefully to the community on the ground to whom aid is being given to ensure the nature of the problem is fully understood, carefully monitor what is happening on the ground so that if necessary the approach can be recalibrated, and not be afraid to admit failure and start over when necessary. We call a leader who takes this approach a “Deliberate Leader.”

In developing our case study of Thomson Reuters Foundation’s work, particularly in organizing TrustLaw, we are using “wicked” problems as an analytical framework to explore how the foundation took risks, listened to stakeholders, monitored what was happening, recalibrated when necessary, possibly encountered failure, and learned from it.

Appendix B

INTERVIEW QUESTIONS FOR EMPLOYEE

The specific questions we would like to ask you for the case study are:

1. What is the nature of your relationship and history with TrustLaw? How has it changed since you first joined the organization?
2. What is your understanding of the problem or problems TrustLaw seeks to address?
3. Are you aware of any particularly challenging “wicked” problems that have arisen in the course of your work with TrustLaw? What was the nature of those problems and how did TrustLaw approach them?
4. How do you, as a representative of TrustLaw, work with stakeholders? Can you give examples of how you may have learned from their on-the-ground experience and knowledge, and modified your approach or behavior based on that input? Are there examples of problems you have solved together?
5. Have you observed or experienced any instance where TrustLaw and/or its partners had to rethink its approach? Have there been “aha” moments when an important lesson was learned from something not going as anticipated, and it was necessary to recalibrate?
6. How do you think about measuring success, learning from failure, and feeding that information back into the operational approach of TrustLaw? How has your approach evolved based on outcomes, encountering unanticipated barriers, and /or possibly outright failure?

If there are other insights you have, I hope that you will bring them forward.

Appendix B

INTERVIEW QUESTIONS FOR CLIENT

The specific questions we would like to ask you for the case study are:

1. What is the nature of your relationship and history with TrustLaw?
2. What is your understanding of the problem or problems TrustLaw seeks to address? How do they intersect with the problems that your organization works on?
3. Are you aware of any particularly challenging “wicked” problems that have arisen in the course of your relationship with TrustLaw? What was the nature of those problems and how did TrustLaw approach them?
4. How has TrustLaw worked with you as a stakeholder? Can you give examples of their learning from your on-the-ground experience and modifying their approach or behavior based on that input, or of problems you have solved together? Have you ever experienced your TrustLaw partners imposing their judgment on you?
5. Have you observed or experienced any instance where TrustLaw (or you and your TrustLaw partners) had to rethink its approach? Have there been “aha” moments when an important lesson was learned from something not going as anticipated, and it was necessary to recalibrate?
6. How do you, in your partnership with TrustLaw, track and measure outcomes, identify and address barriers, and assess success or failure?

If there are other insights you have, please feel free to bring them forward.

INTERVIEW QUESTIONS FOR PARTNER

The specific questions we would like to ask you for the case study are:

1. What is the nature of your relationship and history with TrustLaw?
2. What is your understanding of the problem or problems TrustLaw seeks to address?
3. Are you aware of any particularly challenging “wicked” problems that have arisen in the course of TrustLaw’s history? What was the nature of those problems and how did TrustLaw approach them?
4. How do you think TrustLaw has worked with stakeholders? Can you give examples of their learning from stakeholders’ on-the-ground experience and modifying their approach or behavior based on that input, or of problems that have been solved jointly? Have you ever known Thomson Reuters Foundation or TrustLaw to impose top-down judgments on their stakeholders?
5. Can you think of examples where TrustLaw has pursued a high-risk strategy, understanding that it risked failure but believing the payoff would be great if the strategy succeeded?
6. Have you observed or experienced any instance where TrustLaw had to rethink its approach? Have there been “aha” moments when an important lesson was learned from something not going as anticipated, and it was necessary to recalibrate?
7. How do you think TrustLaw tracks and measures outcomes, identifies and addresses barriers, and assesses success or failure?

If there are other insights you have, please feel free to bring them forward.

Appendix B

INTERVIEW QUESTIONS FOR RESEARCH PROJECT CLIENT

The specific questions we would like to ask you for the case study are:

1. What is the nature of your relationship and history with TrustLaw?
2. What is your understanding of the problem or problems TrustLaw seeks to address?
3. Are you aware of any particularly challenging “wicked” problems that have arisen in the course of your relationship? What was the nature of those problems and how did TrustLaw approach them?
4. How has TrustLaw worked with you as a stakeholder? Can you give examples of their learning from your on-the-ground experience and modifying their approach or behavior based on that input, or of problems you have solved together? Have you ever experienced your TrustLaw partners imposing their judgment on you?
5. Have you observed or experienced any instance where TrustLaw (or you and your TrustLaw partners) had to rethink its approach? Have there been “aha” moments when an important lesson was learned from something not going as anticipated, and it was necessary to recalibrate?
6. How do you, in your partnership with TrustLaw, track and measure outcomes, identify and address barriers, and assess success or failure?

If there are other insights you have, please feel free to bring them forward.

Appendix B

INTERVIEW QUESTIONS FOR LAW FIRM PARTNER

The specific questions we would like to ask you for the case study are:

1. What is the nature of your relationship and history with TrustLaw?
2. What is your understanding of the problem or problems TrustLaw seeks to address?
3. Are you aware of any particularly challenging “wicked” problems that have arisen in the course of your relationship? What was the nature of those problems and how did TrustLaw approach them?
4. How has TrustLaw worked with you as a stakeholder? Can you give examples of their learning from your on-the-ground experience and modifying their approach or behavior based on that input, or of problems you have solved together? Have you ever been aware of power imbalances becoming a concern in the relationship between TrustLaw’s legal partners and client organizations, and if so, how might those have been addressed?
5. Have you observed or experienced any instance where TrustLaw (or you and your TrustLaw partners) had to rethink its approach? Have there been “aha” moments when an important lesson was learned from something not going as anticipated, and it was necessary to recalibrate?
6. How do you, in your partnership with TrustLaw, track and measure outcomes, identify and address barriers, and assess success or failure? Has your definition of success or failure changed in any way in the course of that relationship, based on lessons learned?

If there are other insights you have, please feel free to bring them forward.

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