

TrustLaw Index of Pro Bono 2026:

Submission guidance

TrustLaw



Use this guidance to understand our **key terms and definitions**, and to review **common scenarios** that will help you accurately complete the survey.

Key definitions covered in this document:

Qualifying Pro Bono

Qualifying Fee Earners

Qualifying Work

Qualifying Clients

Defining Qualifying Pro Bono

For the purposes of the Index, **only Qualifying Work done by Qualifying Fee Earners for Qualifying Clients is considered Qualifying Pro Bono.**

All these elements must be in place for work to be considered Qualifying Pro Bono and therefore count towards a firm's submission for the Index. This standardisation helps to ensure meaningful and accurate analysis.

Defining Qualifying Fee Earners

The following are considered Qualifying Fee Earners:

- Any legal professional who performs fee-earning work for clients.
- Any fee earners employed by a firm or working within a firm. This includes trainees, articled clerks and candidate attorneys, and other fee earners on fixed-term contracts.
- Pro bono coordinators/counsel, whether or not they perform fee-earning work.
- Paralegals. If their hours are taken into account for the purposes of the Index, then all such staff members must also be included as part of the headcount. Firms may opt to exclude all paralegals from the calculations for the purposes of both Qualifying Pro Bono hours and headcount, should they wish to do so.
- Legal professionals who have been seconded or externed to public interest or non-profit organisations, or to public sector entities with limited means, as long as they are seconded into a legal role and remain employees of the law firm throughout their secondment or externship. If they cease to be employed by the firm or are not working in a legal role, they **are not** considered Qualifying Fee Earners.
- When sponsoring a fellowship, the fellow **is not** considered a Qualifying Fee Earner, as the fellow is not an employee of the law firm sponsor.

N.B. Qualifying partner hours are included in Qualifying Fee-Earner hours. Your total fee earner headcount and hours should include both partners and non-partner fee earners.

Defining Qualifying Work

Qualifying Work includes legal advice, assistance, representation and research, as well as drafting agreements, policy documents or legislative instruments. It can be performed as part of a requirement of the local bar association, if it is done without financial return.

The table below outlines what is and isn't considered Qualifying Work.

What IS Qualifying Work	What is NOT Qualifying Work
Nature of Work	
<p>Qualifying Work must be legal work.</p> <p>Travelling time to attend pro bono matters or hearings would also be considered Qualifying Work.</p>	<p>Volunteering in a non-legal capacity. For example, performing manual labour or administrative tasks for a non-profit organisation, would not be considered Qualifying Work in the context of the Index.</p>
<p>Contentious (whether a public interest case or not) and non-contentious matters, as well as legal research or drafting of legislation or legal policy, can be considered Qualifying Work.</p> <p>Providing legal advice in legal clinics can also be considered Qualifying Work, as can interviewing pro bono clients for a legal purpose.</p>	<p>Business development projects and maintenance or production of internal know-how are not considered Qualifying Work, even if they are performed without expectation of payment.</p>
<p>Supervising pro bono matters, attending legal clinics, representing pro bono clients or conducting legal research would all be Qualifying Work.</p>	<p>Work done by pro bono coordinators in coordinating a firm's pro bono programme or other administrative roles related to the pro bono programme is not considered Qualifying Work.</p>
Training and Education	
<p>Attending or running training that is specifically designed to support and/or is essential for the performance of pro bono programmes is considered Qualifying Work.</p>	<p>Attending training sessions on topics that are incidental to pro bono matters or for personal interest is not considered Qualifying Work.</p>
<p>Preparing and running training sessions, seminars or webinars specifically for pro bono clients on legal topics can be considered Qualifying Work.</p> <p>Legal teaching at tertiary institutions can be considered Qualifying Work if the work is undertaken for public interest reasons. Examples of public interest reasons may include:</p> <ul style="list-style-type: none"> • supporting the development of a law school or legal profession in developing countries; 	<p>Mentoring young people or reading at a school is not considered Qualifying Work in this context. Giving presentations to young people about career development or to get them enthused about a career in law would not qualify.</p>

<ul style="list-style-type: none"> • teaching on subjects such as legal ethics and pro bono in an institution where such subjects may not otherwise form part of the curriculum or which would otherwise not be available; • improving the legal skills and employability of underrepresented or disadvantaged groups in order to improve diversity in the legal profession; or • teaching which is aimed at developing the teaching abilities of law lecturers at under-resourced institutions. 	
<p>Providing legal education lessons to students in under-resourced schools is considered Qualifying Work.</p>	
<p>Offering training sessions, seminars or webinars on legal topics at secondary education institutions would be considered Qualifying Work if undertaken for public interest reasons.</p>	
<h3>Committee and Board Membership</h3>	
<p>Time spent acting as a board member of a non-profit organisation is not Qualifying Work, though providing legal advice to or for such non-profit would be. Acting as a member of a committee related to pro bono would not count as Qualifying Work, though again providing legal advice or performing legal work for such a committee would be considered Qualifying Work.</p>	<p>Acting as an observer on protest marches or for elections is not Qualifying Work.</p>
<h3>Payment and Costs</h3>	
<p>Only legal work provided without expectation of payment is Qualifying Work.</p>	<p>If any fees are charged, the work is not considered Qualifying Work.</p>
<p>Charging for disbursements, registration fees or other ancillary costs does not prevent work being Qualifying Work.</p>	<p>Performing work at discounted rates is not considered Qualifying Work. ‘No win no fee’ work does not count as Qualifying Work, unless the firm undertakes to donate any proceeds to an independent charitable cause in advance of work commencing.</p>
<p>Legal work can only be considered Qualifying Work if there is no expectation of payment when the matter commences.</p>	<p>Deferred fee matters are not considered Qualifying Work.</p>

Defining Qualifying Clients

The following are considered Qualifying Clients:

- People and organisations with limited resources.
- Organisations that have a social, environmental, humanitarian, cultural or community focus (as validated by the law firm), referral organisations or pro bono organisations. If the law firm considers that the client meets their criteria for pro bono assistance, and the client fits into the below examples, the client qualifies.
- Registered non-profit organisations, irrespective of their country of registration or their annual income. This includes non-profit organisations and multi-lateral institutions with a social, humanitarian, environmental or community focus.
- Social enterprises (businesses with a social, humanitarian, environmental, cultural or community focus). However, if the social, humanitarian, environmental, cultural or community focus is incidental or a fortunate byproduct of the business, it is not a social enterprise and therefore should not be considered a Qualifying Client. Only when such social mission is the primary aim of the business would it count as a Qualifying Client.
- Governments in developing countries, or other government institutions based anywhere (including judicial, cultural, educational and medical institutions run by the state), as long as the law firm considers that the payment of fees would be a significant barrier for them to receive the advice.

Scenario Table

Scenario	Qualifying Fee Earner?	Qualifying Work?	Qualifying Client?	Qualifying Pro Bono?
A law firm partner reading to children at a local charitable after-school club	✓	✗ Reading to children is non-legal volunteering	✓	✗ Though in this scenario a Qualifying Fee Earner is working for a Qualifying Client, reading is not considered Qualifying Work and therefore this would not be considered Qualifying Pro Bono
A human resources employee at a law firm paints fencing at a hospice	✗ Human resources employees do not provide legal advice to clients and are not Qualifying Fee Earners	✗ Non-legal volunteering	✓	✗

<p>A partner drafts a commercial agreement for a large corporate client for free, in the hope that fee-earning work would follow</p>		 <p>Drafting a commercial contract would count as Qualifying Work. Though there is an expectation of payment on future matters, the fact that there is no expectation of payment for this matter means it could still be considered Qualifying Work</p>	 <p>Providing advice to a corporate client, even without the expectation of payment, would not be considered working for a Qualifying Client</p>	
<p>A paralegal prepares court bundles for a civil liberties case on behalf of an international NGO</p>				
<p>A junior associate drafts an employment contract for a for-profit business devoted to improving access to clean water</p>			 <p>Though the client is for-profit, it has an entirely social focus and therefore could be considered a Qualifying Client</p>	
<p>An associate provides pro bono legal advice to a small startup company that has a minor environmental component to its business model, but its primary focus is profit generation</p>			 <p>The environmental focus is incidental, not the primary aim of the business, so this is not a social enterprise and not a Qualifying Client</p>	
<p>A trainee assisting an NGO working on death row cases attends a training course solely designed to provide them with skills required to assist that NGO with the death row matters</p>		 <p>As training is necessary to be able to work on the death row case here, attending the training course would be considered Qualifying Work</p>		

Additional questions

If you have any additional questions, you can contact the team at probonoindex@thomsonreuters.com.