



**Pro Bono  
Center**

DISTRICT OF COLUMBIA COURT OF APPEALS

LINCOLN

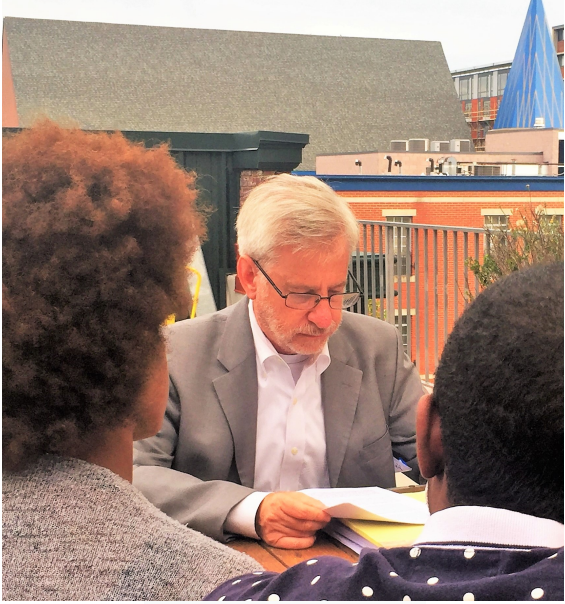
# D.C. Bar Pro Bono Initiative

## 2019 Pro Bono Initiative Report

An Overview of Pro Bono in D.C. | November 2020

# OUR MISSION

The Pro Bono Initiative's mission is to improve the delivery of pro bono legal services in the District of Columbia. Signatory Firms agree to:



1.

Set a minimum pro bono goal for the firm's D.C. office (3% or 5% of total client billable hours, or alternatively, an average of 60 or 100 hours per lawyer each year).

2.

Manage to the pro bono goal.

3.

Sign up for, and/or develop, specific pro bono opportunities that help D.C.'s indigent population.

4.

Report the firm's D.C. office results to the D.C. Bar Pro Bono Center.

The D.C. Bar Pro Bono Initiative is a unique, aspirational pro bono standard for D.C. firms.

# OUR BACKGROUND



In 2001, 41 of the District's largest law firms joined the D.C. Bar Pro Bono Initiative ("Initiative") and pledged to provide pro bono legal services at specified levels.\*



The number of Signatory Firms has varied over the years, due in part to mergers. Peak participation occurred in 2009 when all 64 Signatory Firms responded to the survey.



In June 2020, the D.C. Bar Pro Bono Center circulated a survey to all 69 Signatory Firms, gathered survey responses, and aggregated the statistics in this report. This reporting year, 61 Signatory Firms responded to the survey, at least in part.\*\* We assume that the lower response rate was due -- at least in part -- to pandemic-related disruptions that firms experienced in 2020.



\* The Initiative's standards were created by, and are used with permission from, the Pro Bono Institute and modeled on the Institute's Law Firm Pro Bono Challenge®: <http://www.probonoinst.org/resources/what-counts/>. The D.C. Bar Pro Bono Center thanks the Pro Bono Institute for permission to use and affiliate with the Law Firm Pro Bono Challenge®. The Law Firm Pro Bono Challenge® name is the property of the Pro Bono Institute and may not be further used or cited, in whole or in part, without prior written permission from the Pro Bono Institute.

\*\* Some firms have policies against providing information on their number of billable hours. As was the case in previous years, not all firms responded to all questions.

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# 2019 Reporting Signatory Firms

The D.C. Bar Pro Bono Center thanks the 61 Signatory Firms whose commitment to pro bono service is reflected in this Pro Bono Initiative Report.\*\*\*

Akin Gump Strauss Hauer & Feld LLP

Arent Fox PLLC

Arnold & Porter LLP

Baker Botts LLP

Ballard Spahr LLP

Blank Rome LLP

Bryan Cave LLP

Buckley LLP

Cleary Gottlieb Steen & Hamilton LLP

Cooley LLP

Covington & Burling LLP

Cozen O'Connor P.C.

Crowell & Moring LLP

Davis Wright Tremaine LLP

Debevoise & Plimpton LLP

Dechert LLP

Dentons US LLP

DLA Piper US LLP

Epstein Becker & Green

Eversheds Sutherland US LLP

Faegre Drinker Biddle & Reath, LLP

Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

Fried, Frank, Harris, Shriver & Jacobson LLP

Gibson, Dunn & Crutcher LLP

Goodwin Procter LLP

Hogan Lovells US LLP

Holland & Knight LLP

Hunton Andrews Kurth LLP

Jenner & Block LLP

Jones Day

K&L Gates LLP

Kilpatrick Townsend & Stockton LLP

King & Spalding LLP

Kirkland & Ellis LLP

Latham & Watkins LLP

Mayer Brown LLP

McDermott, Will & Emery LLP

Miller & Chevalier Chartered

Mintz Levin Cohn Ferris Glovsky & Popeo PC

Morgan Lewis & Bockius LLP

Morrison & Foerster LLP

Nixon Peabody LLP

Norton Rose Fulbright LLP

O'Melveny & Myers LLP

Orrick, Herrington & Sutcliffe LLP

Perkins Coie LLP

Reed Smith LLP

Ropes & Gray LLP

Shearman & Sterling LLP

Sidley Austin LLP

Skadden, Arps, Slate, Meagher & Flom LLP

Squire Patton Boggs LLP

Steptoe & Johnson LLP

Venable LLP

Vinson & Elkins LLP

White & Case LLP

Wiley Rein LLP

Williams & Connolly LLP

WilmerHale LLP

Winston & Strawn LLP

Zuckerman Spaeder LLP

\*\*\* We sent the Initiative survey to 69 Signatory Firms and 61 Signatory Firms reported their progress in 2019.

# 2019 EXECUTIVE SUMMARY

The 2019 Pro Bono Initiative Report examines the 2019 calendar year pro bono performance of reporting firms signing on to the D.C. Bar Pro Bono Initiative. Signatory Firms have committed to contribute 3% or 5% (or alternatively, 60 or 100 hours per attorney) of their annual total paying client billable hours to pro bono activities and to report their performance to the D.C. Bar Pro Bono Center each year.



## Overall Performance

Total pro bono hours reached an all-time high in 2019. 61 firms reported performing an aggregated total of 979,280 hours of pro bono work in 2019. This is an increase of an average of more than 191 pro bono hours per firm compared to the 2018 Initiative survey results.



## Attorney Participation

The percentage of attorneys engaged in pro bono increased in 2019. The participation rate was 83% in 2019, up from 81% in 2018. The total number of attorneys participating in pro bono increased in 2019 from 8,850 to 9,091 attorneys.



## Pro Bono for D.C. Residents of Limited Means

In 2019, firms devoted approximately 448,741 pro bono hours (or 46% of total pro bono hours) to serving D.C. residents of limited means or organizations that serve them.



## Innovative Activities

17 firms reported engaging in one or more new pro bono activities in D.C., including:

- a partnership with a corporate in-house department (5);
- a D.C. office-wide signature project (3);
- a rotation/fellowship/externship program (1);
- other (8).

# 2019 Highlights

Reported Average Pro Bono Hours as a Percentage of Billable Hours\*\*\*\*

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**5.4%**

Attorney Participation in Pro Bono

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**83%**



Average Pro Bono Hours Per Attorney

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**90**

Pro Bono Percentage Devoted to D.C. Residents of Limited Means or Organizations That Serve Them\*\*\*\*\*

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**46%**

\*\*\*\* Only 47 of the 69 Signatory Firms reported this metric.

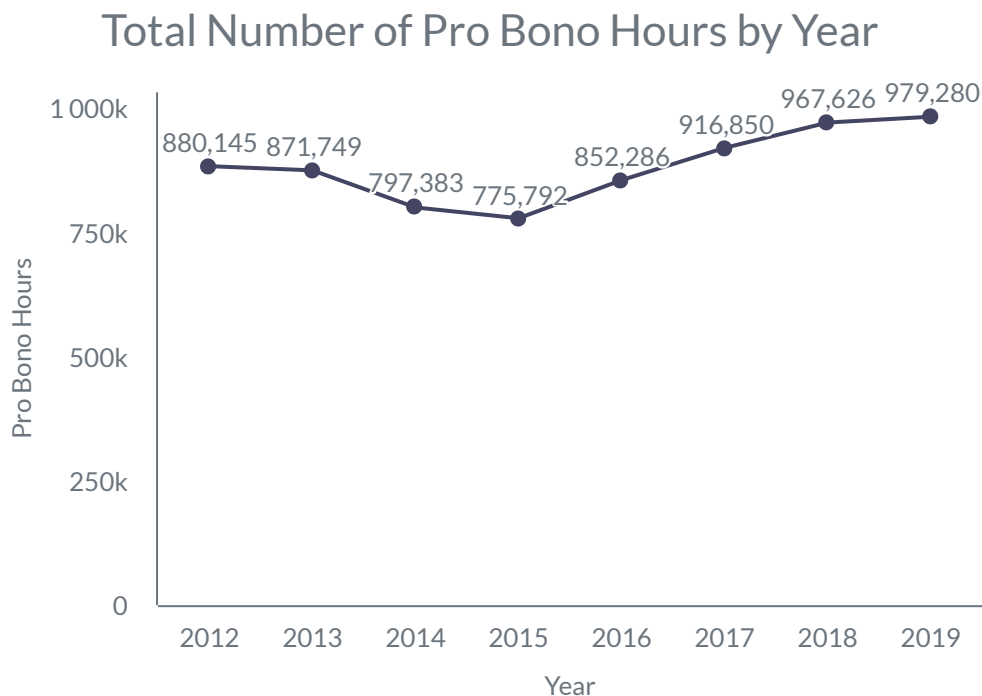
\*\*\*\*\*Only 43 Signatory Firms reported this metric.

# 2019 Initiative Performance Data

## Total Pro Bono Hours

In 2019, 61 firms performed an aggregated total of **979,280 hours** of pro bono service -- the highest total pro bono hours ever and approximately 11,654 hours more than in 2018, when 63 firms reported an aggregated total of 967,626 pro bono hours.

Total pro bono hours **increased** in 2019.



With two fewer firms reporting, the 61 survey respondents still showed a

**1% increase**

in pro bono service from the 63 survey respondents in 2018.

# 2019 Initiative Performance Data

## Average Pro Bono Percentage

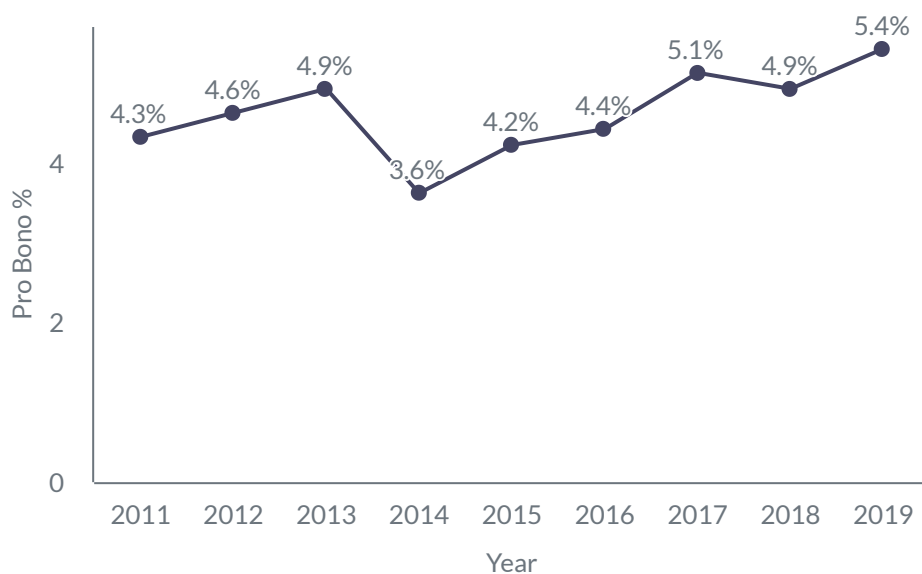
In 2019, 47 of the 61 reporting Signatory Firms provided enough information to verify whether they achieved the 3% or 5% benchmarks set by the Initiative.

Viewed as a percentage of total paying client billable hours, the 47 Signatory Firms reporting this metric contributed an average of

**5.4%**

of their billable hours to pro bono work.

Average Pro Bono Percentage by Year



**15** reporting firms contributed between 3% and 4.9% of their billable hours to pro bono work in 2019 -- meeting or exceeding the first benchmark set by the Pro Bono Initiative. 22 reporting firms contributed between 3% and 4.9% of their billable hours to pro bono work in 2018.

**21** reporting firms contributed 5% or more of their billable hours to pro bono work in 2019 -- meeting or exceeding the highest benchmark set by the Pro Bono Initiative. 3 of the firms contributed more than 10% of their billable time to pro bono work in 2019. In 2018, 24 reporting firms contributed 5% or more of their billable hours to pro bono work.

**11** reporting firms did not meet either benchmark in 2019, compared to nine reporting firms in 2018.

From 2018 to 2019, there was a 9% decrease in the number of Signatory Firms that reported and met or exceeded the 5% benchmark.



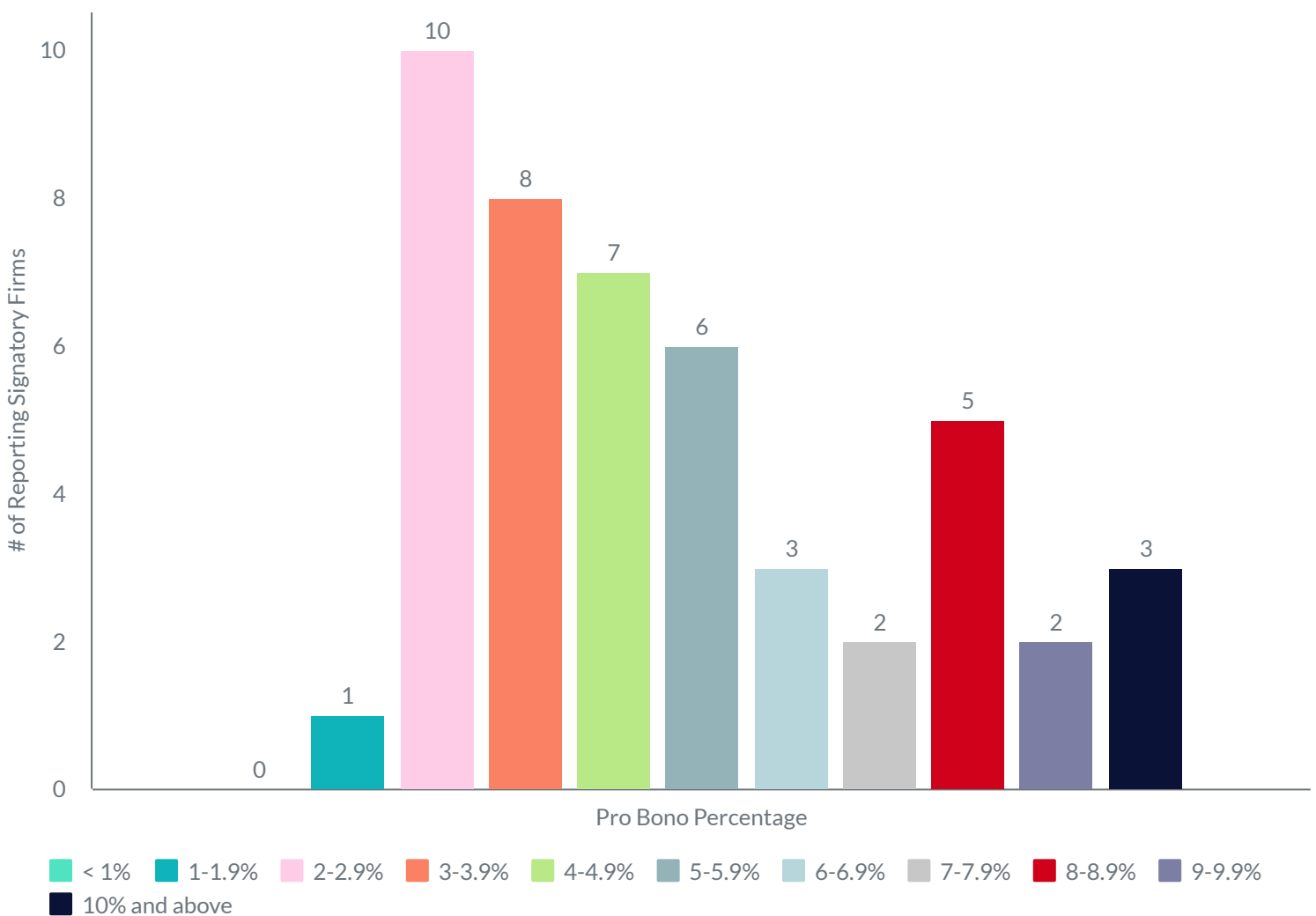
# 2019 Initiative Performance Data

## Distribution of Pro Bono Percentages

36 of the 47 Signatory Firms providing this metric devoted at least 3% of their client billable hours to pro bono service. Three of those firms reported dedicating more than 10% of paying client billable hours to pro bono work, demonstrating their outstanding commitment to pro bono service.

The chart, however, also shows that 11 firms did not meet the Initiative's minimum benchmark of 3%. And because 8 Signatory Firms did not respond to the 2019 survey and 14 reporting Signatory Firms did not respond to this question, we cannot assume that more than 52% of the Signatory Firms met their Initiative goals.

### Pro Bono Percentage Distribution



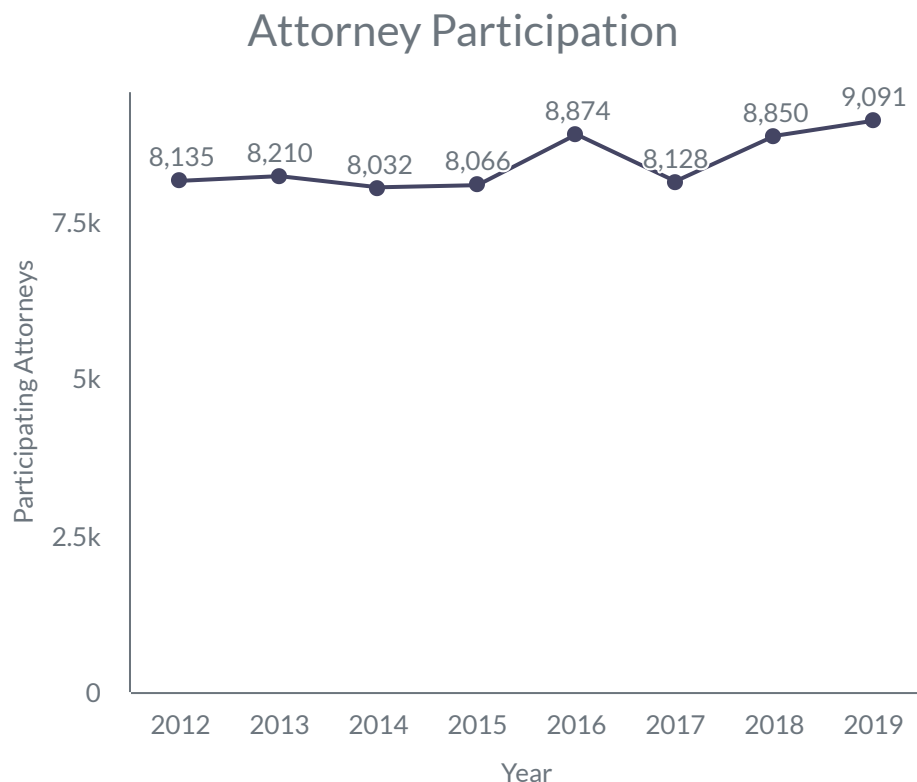
# 2019 Initiative Performance Data

## Attorney Participation in Pro Bono Service

In 2019, Signatory Firms reported 10,933 attorneys in their D.C. offices, a slight increase from 10,891 attorneys in 2018.

In 2019, a total of **9,091 attorneys** participated in pro bono at reporting Signatory Firms, including 2,933 partners, 4,705 associates, 1,025 counsel, and 428 staff and other attorneys. By comparison, a total of 8,850 attorneys at reporting Signatory Firms participated in pro bono in 2018.

The number of attorneys participating in pro bono legal work **increased** between 2018 and 2019.



Approximately **83%** of attorneys in the reporting firms participated in pro bono work in 2019, an increase of 2.7% from attorney participation in 2018.

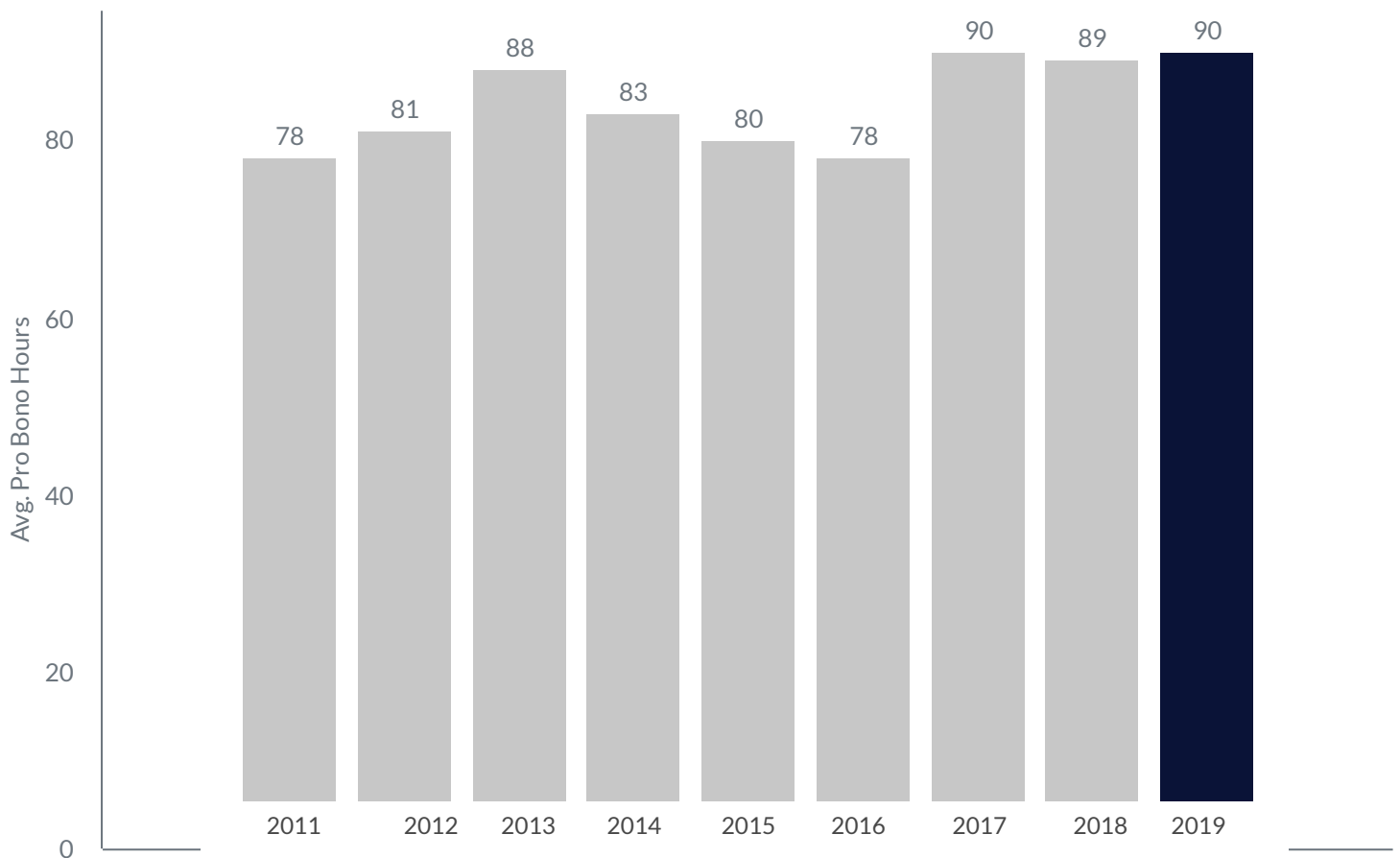
# 2019 Initiative Performance Data

## Average Pro Bono Hours Per Attorney

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In 2019, the average number of pro bono hours was **90 hours** per attorney, which is a slight increase from last year's average of 89 pro bono hours per attorney.

Average Pro Bono Hours Per Attorney



# 2019 Initiative Performance Data

## Service to D.C. Residents of Limited Means or Organizations that Serve Them

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In 2019, 43 firms reported **448,742**

actual or estimated hours of pro bono service to D.C. residents of limited means or the organizations that serve them. Because earlier surveys asked only about service to persons of limited means or organizations that serve them, rather than limiting the response to D.C. residents of limited means as the 2019 survey required, the 2019 responses cannot be compared to prior years' answers.

Approximately **46% of all pro bono time**

in 2019 was devoted to D.C. residents of limited means or organizations serving them. Eighteen of the 61 firms did not report this number, so we cannot discern whether Signatory Firms on the whole devoted a majority of their pro bono time to D.C. residents of limited means.

**33 out of 43** of these same reporting Signatory Firms dedicated

at least 50% of their pro bono hours to D.C. residents of limited means or organizations that serve them.

# 2019 Initiative Performance Data

## Innovative Pro Bono Activities

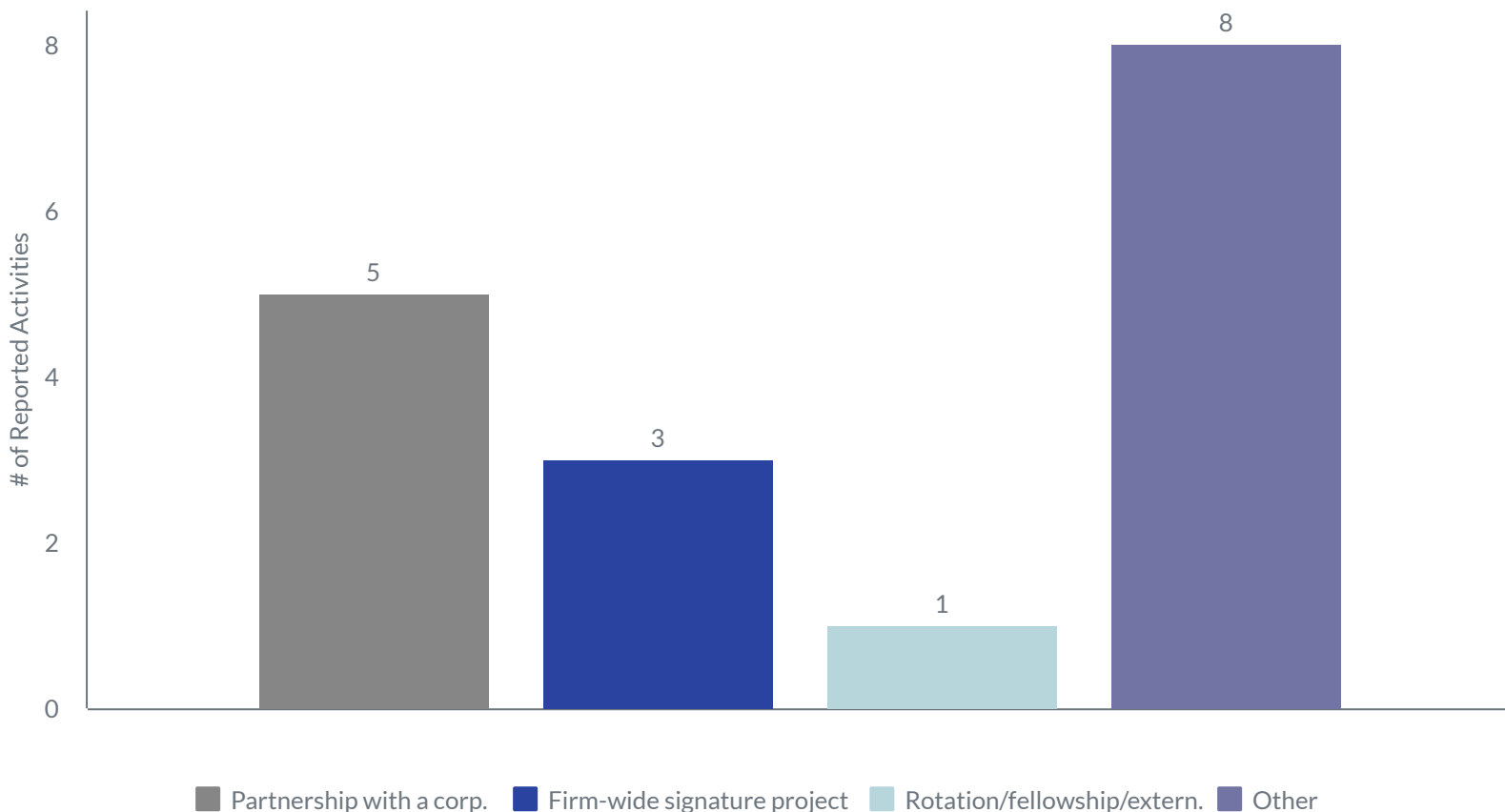
In 2019, Signatory Firms strove to meet the Initiative goal of undertaking or increasing their involvement in

# one or more pro bono activities or projects in D.C.

to increase their pro bono legal services to our community. Of the firms that responded, the following reflects the number of innovative pro bono activities undertaken in 2019:

- a partnership with a corporate in-house department (5)
- a D.C. office-wide signature project (3)
- a rotation/fellowship/externship program (1)
- other (8)

Innovative Pro Bono Activities



# 2019 Initiative Performance Data

## Innovative Pro Bono Activities

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The following are examples (reprinted with permission from each firm) of innovative pro bono activities directed toward residents of our community that the Signatory Firms undertook in 2019:



As a firm we are participating in the Compassionate Release Clearinghouse Project, a collaborative of FAIMM, the Washington Lawyers' Committee for Civil Rights and Urban Affairs, and NACDL.

Firm partners Steve Salky and Paula Junghan, under the auspices of the Washington Lawyers' Committee, recruited and helped train pro bono lawyers to represent incarcerated individuals who seek compassionate release.

Attorneys from our D.C. office and all other offices together handled eleven compassionate release cases in 2019. The D.C. office also represented a Maryland resident in obtaining relief under Section 1983 in an excessive force case involving Baltimore police. This case alone took over 900 attorney hours in 2019.

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- [Zuckerman Saper LLP](#)

We partnered with a corporate in-house law department to provide assistance to the Mid-Atlantic Innocence Project in screening cases for possible DNA testing or re-testing.



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- [Baker Botts LLP](#)



50 or 5 K Challenge: To commemorate the Firm's 40th Anniversary, the Management Board announced a special 40th Anniversary "50 or 5K" Pro Bono Challenge for the partnership.

The "50 or 5K" Pro Bono Challenge asked each partner to pledge to perform 50 or more hours of pro bono work before December 31, 2019, or to contribute \$5000 to a local legal services nonprofit organization. All 12 members of the Management Board and nearly half of the partnership fulfilled the pledge.

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- [Crowell & Moring LLP](#)

# 2019 Initiative Performance Data

## Innovative Pro Bono Activities

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Our D.C. office began two new projects in conjunction with Whitman-Walker Health Legal Services. We began a new partnership with WWH to provide advanced planning services, including wills, living wills, and healthcare and financial powers of attorney, for their clients, the majority of whom are members of the LGBTQ+ community or are living with chronic health conditions.

We also partnered with PEPCO/Exelon to staff a Medicare Part D clinic, where volunteer attorneys worked with WWH clients who receive medical insurance coverage through Medicare to evaluate whether their Part D plan, which covers prescription drugs, meets the client's healthcare needs.

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- [Blank Rome LLP](#)



We held our first Cross-Office In-House Pro Bono Summit in 2019, where we provided information to in-house attorneys on how to start, structure, and/or grow pro bono programs in-house.

Since then, we have been working closely with our clients in different markets to partner on important pro bono projects and initiatives.

There are many other cross-office projects currently in the works. For example, we have 28 KIND cases that we are working on in partnership with Amazon, as well as many NVLSP cases, election protection work, and racial equity and justice projects with other client-partners.

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- [Davis Wright Tremaine LLP](#)

# REFLECTIONS

2019 D.C. law firm pro bono trends were encouraging despite fewer reporting firms. There is a sustained commitment to pro bono legal services in the District of Columbia. The findings in this report provide important insights into the role of D.C.'s law firms in addressing the public's unmet need for legal services.

## Notable Trends in 2019

- An increase in the total number of pro bono hours, resulting in the highest total ever. Firms reported approximately 11,654 more pro bono hours than 2018, even though the survey received two fewer responses than the 2018 survey.
- An increase in the average pro bono percentage from 4.9% (2018) to 5.4% (2019), although only 47 of the 69 Signatory Firms provided this metric in 2019, while 56 firms provided this metric in 2018.
- A consistent number of average pro bono hours per attorney: 89 in 2018 compared to 90 in 2019.
- An increase in the absolute number of attorneys participating in pro bono work and a two percentage point increase in the percentage of attorneys devoting time to pro bono service (83% up from 81%).

## Key Takeaways

This report found that the pro bono efforts of the 61 Signatory Firms that reported their 2019 results improved on their 2018 efforts.

The total number of pro bono hours increased to an all-time high of 979,280 in 2019 while the number of Signatory Firms reporting decreased by two.

In 2019, the average pro bono hours per attorney in the 61 reporting Signatory Firms tied the 2017 record of 90 pro bono hours.

The total number of D.C. office attorneys devoting time to pro bono service also reached a new high at 9,091.

The pro bono metric tracking the percentage of total pro bono hours devoted to D.C. residents of limited means or organizations that serve them is new to the 2019 survey. The 43 firms that responded to this question directed 46% of their pro bono time to those in our community.

**There are more lawyers per capita in the District of Columbia than in any other city in the nation. D.C. also experiences extraordinary economic inequality. We urge Signatory Firms to focus their pro bono efforts more on serving those of limited means within our own city. Signatory Firms should track these numbers to ensure that they direct their pro bono efforts to District residents of limited means or organizations that serve them. The D.C. Bar Pro Bono Center can offer a variety of pro bono opportunities for those firms not achieving this goal.**



# 2019 Pro Bono Initiative Survey Questions

## Pro Bono Initiative Survey: Calendar Year 2019

This survey is intended to measure the level of pro bono activity of law firms with offices in the District of Columbia. For purposes of this survey, we use the definition of "pro bono work" in the Pro Bono Institute's® Law Firm Pro Bono Challenge, Statement of Principles No. 7: [http://www.probonoinst.org/wpps/wp-content/uploads/law\\_firm\\_challenge\\_commentary.pdf](http://www.probonoinst.org/wpps/wp-content/uploads/law_firm_challenge_commentary.pdf).

Section 1

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### Firm Information

1. Firm Name \*

2. D.C. Street Address \*

3. Address 2

4. Zip Code \*

# 2019 Pro Bono Initiative Survey Questions

5. Phone Number \*

6. Primary Pro Bono Initiative Contact \*

7. Primary Contact Email \*

8. Secondary Pro Bono Initiative Contact

9. Secondary Contact Email

Section 2

...

[Pro Bono Hours](#)

# 2019 Pro Bono Initiative Survey Questions

10. Please state the total hours the attorneys in your firm's D.C. office devoted to pro bono work in 2019. Please do not use commas, percentage signs, or decimals when entering your values. \*

The value must be a number

Section 3

...

## Pro Bono Metrics

In addition to the number of pro bono hours, please provide one of the following metrics. Enter "N/A" in the question you do not answer.

11. % of total paying client billable hours your firm's D.C. office dedicated to pro bono work (from 0 to 100) in 2019 \*

Enter your answer

12. Total client billable hours for your firm's D.C. office, including hours dedicated to pro bono clients, in 2019 \*

Enter your answer

Section 4

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## Pro Bono Metrics: Continued

# 2019 Pro Bono Initiative Survey Questions

13. Of the total number of attorney pro bono hours performed during the reporting period, how many hours were devoted to D.C. residents of limited means or organizations that serve them? Please enter a number unless you do not track this metric. If you do not track this metric, enter "N/A". \*

Enter your answer

14. Does your firm's D.C. office track the number of pro bono hours dedicated to D.C. residents of limited means or organizations that serve them, or is this an estimate? \*

- Tracked
- Estimated

## Section 5

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### Pro Bono Participation

Enter 0 if there are no attorneys in a particular category.

For purposes of Questions 18 and 22, "staff/other attorneys" refers to practicing attorneys who are firm employees but who are not on a partnership track.

15. Number of partners in your firm's D.C. office as of December 31, 2019. \*

The value must be a number

16. Number of associates in your firm's D.C. office as of December 31, 2019. \*

The value must be a number

# 2019 Pro Bono Initiative Survey Questions

17. Number of counsel in your firm's D.C. office as of December 31, 2019. \*

The value must be a number

18. Number of staff/other attorneys in your firm's D.C. office as of December 31, 2019. \*

The value must be a number

19. Number of partners in your firm's D.C. office who participated in pro bono legal work in 2019. \*

The value must be a number

20. Number of associates in your firm's D.C. office who participated in pro bono legal work in 2019. \*

The value must be a number

21. Number of counsel in your firm's D.C. office who participated in pro bono legal work in 2019. \*

The value must be a number

22. Number of staff/other attorneys in your firm's D.C. office who participated in pro bono legal work in 2019. \*

The value must be a number

# 2019 Pro Bono Initiative Survey Questions

Section 6

Pro Bono Innovation

23. Did your firm develop any innovative pro bono activity or project in D.C. during the 2019 calendar year? (Please check all that apply.)

- A partnership with a corporate in-house department
- A D.C. office-wide signature project
- A rotation/fellowship/externship program
- Other D.C.-based activity or project

24. Describe your office's D.C.-based innovative pro bono project or activity.

Enter your answer

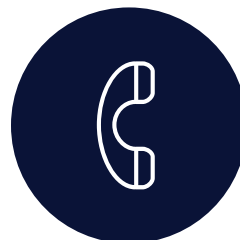
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[www.dcb.org/pro-bono](http://www.dcb.org/pro-bono)



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