

Downturn no Deterrent to Firms Acting Pro Bono

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Large Australian law firms have continued their strong commitment to pro bono legal work, despite the significant economic pressures of the past two years. Those large firms who are signatories to the National Pro Bono Aspirational Target generally have performed more pro bono work for disadvantaged people and community non-profit organisations, than those firms who have not yet signed the target.

The findings come from the Interim Report on the National Law Firm Pro Bono Survey ("the Survey") launched on 25 August 2010 by the National Pro Bono Resource Centre ("the Centre") for the National Access to Justice and Pro Bono Conference 2010 held in Brisbane from 26-27 August 2010.

Whilst the number of fee-earners in the top twelve firms decreased by 13.3 percent in the last two years, the amount of pro bono work which these firms performed for disadvantaged people and community non-profit organisations has grown during this same period.

Pro Bono work is not some passing fad. Australia's large law firms have demonstrated a real commitment to making the legal system accessible for those who cannot afford legal representation and who cannot obtain Legal Aid. Even while firms have had to tighten their belts, the amount of pro bono work which they are performing has continued to grow.

Twenty nine of the 39 Australian firms with more than 50 lawyers

responded to the survey, including all of the large national firms. Twenty four of them provided data on pro bono hours per lawyer. Between them, their 10,410.3 full time equivalent lawyers in Australia undertook more than 322,000 hours of pro bono legal work in the 2009/2010 financial year, or an average of 29 hours per lawyer. That's equivalent to more than 178 lawyers working pro bono full-time for a year.

Contributions continued to vary greatly between the firms. Some firms averaged less than five hours per lawyer per year with those at the other extreme providing more than 70 hours per lawyer per year.

The firms that continue to make the most significant contributions have dedicated pro bono partners and pro bono coordinators in each office who help to ensure that a pro bono culture is fully integrated into the firm's practice. One of the positive trends observed is that more mid-tier firms are beginning to embrace this approach.

Aspirational Target

The Centre developed the National Pro Bono Aspirational Target in 2006, setting a voluntary goal for lawyers of at least 35 hours per lawyer per year. The third performance report on the Target was also released on 25 August 2010. The report confirms the transformative effect which the target has had on the pro bono culture of Australia's law firms.

Not surprisingly, the firms with

the highest pro bono contribution and lawyer participation rates are generally those which have signed up to the target. On average, signatories to the target compared to non-signatory firms, reported higher average pro bono hours per lawyer (37.8 v 18.6) and a higher level of pro bono participation by their lawyers (66.3% v 42.4%).

The number of lawyers signed up to the target increased by 23.4% in the past year and now covers 5,677 FTE legal professionals, being about 10% of the Australian legal profession. Target signatories now include six of the eight largest Australian firms.

The firms that had the highest number of pro bono hours per lawyer were firms with between 50-200 FTE lawyers, however larger firms had a higher overall average than smaller and mid-tier firms. Although the biggest firms collectively employed only one third of all lawyers reporting their Target performance, they provided more than half of the total pro bono contributions, or an average of 49.4 hours per lawyer per year, well above the law firm average.

This is the second time there has been a national picture of the pro bono work of large and mid-tier law firms. We hope that firms will use this information to benchmark their contribution against their peers and review their pro bono programs.

For further information please contact the Centre at info@nationalprobono.org.au or on (02) 9385 7381. ●