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Amount and Type of Pro Bono in 2016

When did attorneys most recently provide pro bono?

Respondents were asked to indicate when they most recently provided pro bono service. Over half (56.5%) indicated that they most recently provided pro bono service in 2016, while 19% indicated they have never provided pro bono service.

In what year did you provide your most recent pro bono service?	Number	Percent
2016	25035	56.5
2015	2712	6.1
2014	1535	3.5
2013	874	2.0
2012	772	1.7
2011	463	1.0
2010	568	1.3
2009	308	.7
2008	295	.7
2007	240	.5
2006	184	.4
2005 or earlier	2939	6.6
I have not yet provided pro bono service	8409	19.0
Total	44335	100.0

Notable Trends:

- **GENDER:** Male attorneys and gender non-conforming/transgender attorneys were more likely to indicate that they had most recently done pro bono in 2016 compared to female attorneys (59.5% and 67.9% respectively, compared to 51.4% of female attorneys). Note that there was no statistically significant difference between the male attorneys and the gender non-conforming/transgender attorneys. Female attorneys were more likely to have indicated that they never provided pro bono (22.4%) compared to male attorneys (17%).
- **RACE/ETHNICITY:** Attorneys that identified as White (not Hispanic) were more likely to have done pro bono most recently in 2016 (56.7%) compared to non-White attorneys (55.1%). Specifically, Asian attorneys were less likely have done pro bono in 2016 (46%) and as many as 24.6% of them indicated they had never provided pro bono.

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- **AGE:** Older attorneys were more likely to indicate that they had done pro bono in 2016 and younger attorneys were more likely to indicate that they had *never* provided pro bono service than other age groups. The below chart reflects the percentage of respondents indicating if and when they completed pro bono service, by age group.

Year of Most Recent Pro Bono Service:

YEAR	29 or younger	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70-74	75-79	80-84
2016	44.9%	48.1%	49.9%	52.7%	55.0%	57.8%	61.5%	62.9%	65.7%	66.5%	62.2%	57.0%
2015 or earlier	15.3%	21.5%	27.2%	28.7%	28.0%	26.3%	24.5%	24.2%	23.3%	23.8%	24.8%	31.0%
Never	39.8%	30.4%	22.9%	18.6%	17.0%	15.9%	14.0%	12.9%	11%	9.7%	13.0%	12.0%

- **URBAN/RURAL:** Attorneys in rural areas and towns were more likely to have most recently provided pro bono in 2016 (62.5% and 65% respectively) compared to city and suburban attorneys (55.8% and 55.2% respectively). And, attorneys in rural areas and towns were less likely to indicate that they had never done pro bono (15.2% for both groups) compared to attorneys in cities and urban areas (19.5% and 18.9%).
- **PRACTICE SETTING:** Attorneys in private practice were significantly more likely to have engaged in pro bono service in 2016 (68.1%) compared to attorneys in other practice settings (35.4% in the corporate setting, 20.5% in the government setting, and 49.1% in the non-profit setting). Private practice attorneys were likewise less likely to indicate that they had never provided pro bono (12.2%) compared to attorneys in other practice settings (25.7% in the corporate setting, 43.1% in the government setting and 26.8% in the non-profit setting). Trends for the academic attorneys looked much like the non-profit attorneys, with 53.2% having done pro bono in 2016 and 19.4% having never provided pro bono.
- **LICENSE STATUS:** Attorneys in a pro bono licensure program were more likely to indicate that they did pro bono in 2016 compared to active licensed attorneys (64.8%). Only 8.8% of this group indicated that they had never provided pro bono.

Footnote this (categories of inactive):

	Number	Percent
I am retired	566	49.8
I am not employed	82	7.3
I am employed, but not practicing law	445	39.2
Other (please indicate)	43	3.7
Total	1136	100.0

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How many hours of pro bono were provided in 2016?

Respondents were asked to complete a grid regarding their pro bono hours and matters for the year. Just under half (48%) indicated they had provided no pro bono service in 2016. Meanwhile, 15.9% provided 1-19 hours; 16.2% provided 20-49 hours, 8.6% provided 50-79 hours and 11.3% provided 80 or more hours. Overall, the surveyed attorneys provided an average of 36.9 (median of 3) hours of pro bono service in 2016. And, the average number of matters was 6.5.

Among those who had provided pro bono in 2016 (as opposed to including the “zeroes” for those who had not provided pro bono in 2016), the average was 65.4 hours (median of 30). And, the average number of matters was 11.4.

		Number	Percent
36.9 Average Hours	Pro Bono		
	Hours in		
	2016	None	21,284 48.0
		1-19	7,046 15.9
		20-49	7,182 16.2
		50-79	3,805 8.6
	80+	5,019 11.3	
	Total	1831 100.0	

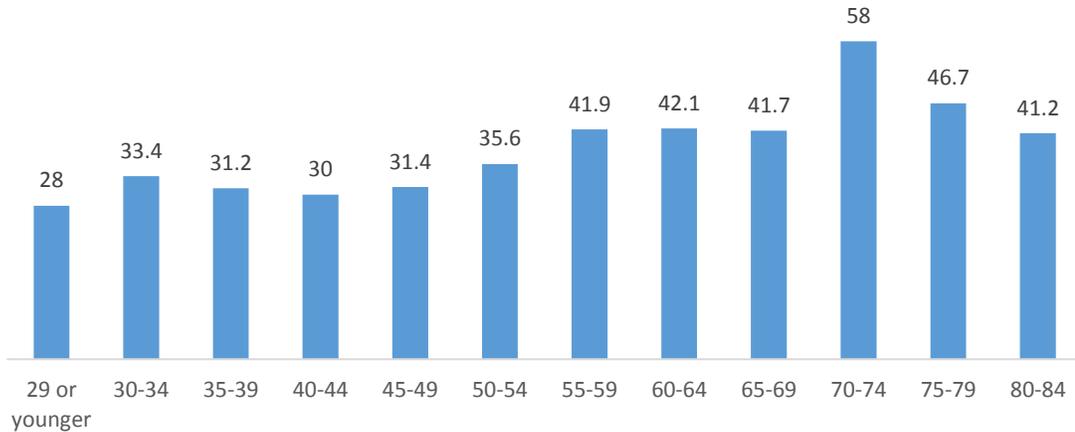
65.4
Average
Hours

Notable Trends:

- **GENDER:** Male attorneys provided, on average, slightly more pro bono in 2016 than female attorneys. Specifically, male attorneys provided an average of 38.3 (median of 6) hours, compared to 34.5 average hours (median of 0) provided by female attorneys. The sample of 81 gender non-conforming/transgender attorneys provided significantly more pro bono - an average of 88.2 (median of 18) hours of pro bono in 2016 – compared to the male and female attorneys.
- **RACE/ETHNICITY:** There were no significant differences between White, Hispanic and Black attorneys in terms of hours of pro bono provided in 2016. Asian attorneys, however, provided fewer hours of pro bono – an average of 28.2 (median of 0) – in 2016.
- **AGE:** There were significant differences in the average pro bono hours completed by various age groups (see below chart). In general, older attorneys provided more pro bono than younger attorneys, with those in the 70-74 age group providing the most average hours of pro bono in 2016.

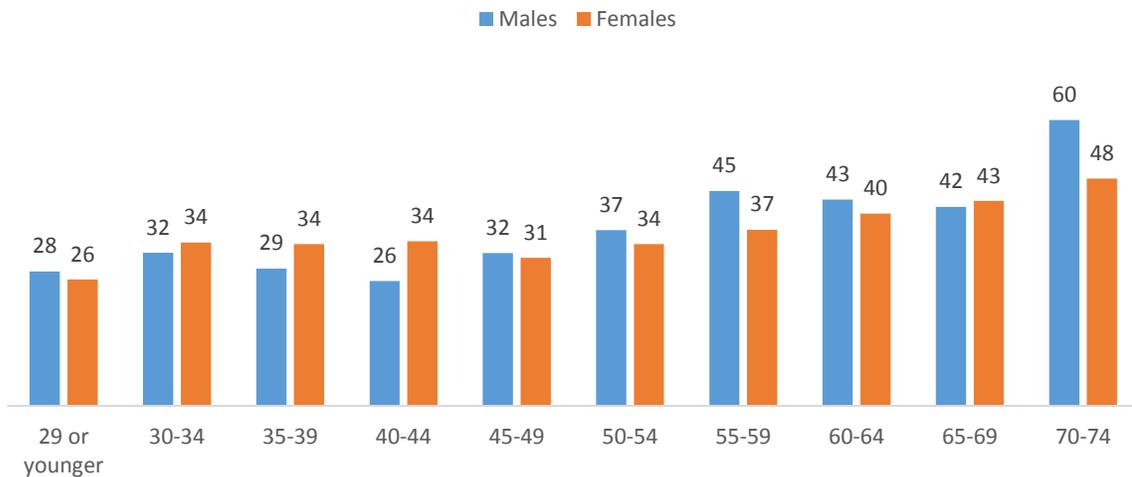
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Average Pro Bono Hours in 2016



- **GENDER AND AGE:** As noted in the below chart, gender played a minor role with respect to attorneys undertaking pro bono service and who fall into certain age groups. These differences were not as extreme, however, as what appeared in the 2012 national data.

Average Pro Bono Hours in 2016



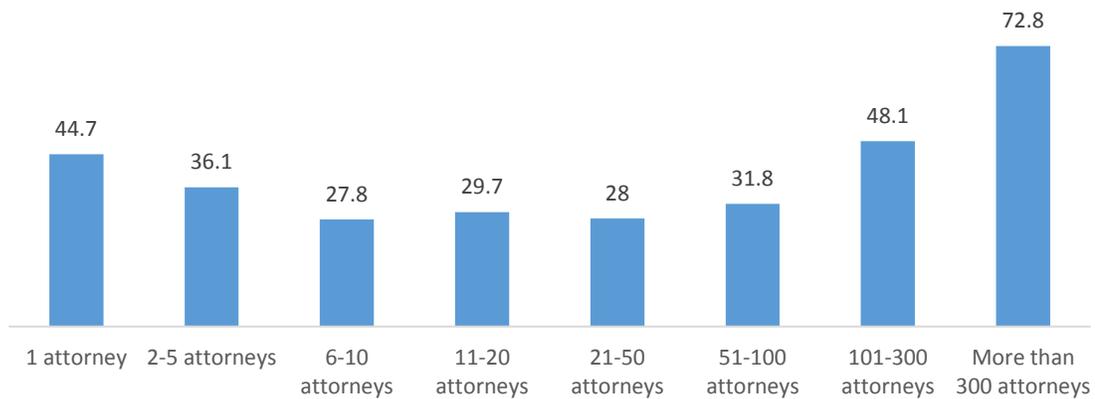
- **URBAN/RURAL:** Attorneys in rural areas and towns provided more hours of pro bono in 2016 (44.6 average hours) compared to attorneys in cities, suburbs and towns (38.8, 30.3 and 36.5 average hours, respectively)
- **PRACTICE SETTING:** Private practice attorneys reported on average doing significantly more pro bono (41.0 average, 12 median hours) compared to corporate (11.4 average hours) and government (10.5 average hours) attorneys. The sample of non-profit and academic attorneys provided significant pro bono in 2016, with non-profit attorneys providing an average of 102 hours and academic attorneys providing an average of 68.7 average hours. It is not entirely clear, however, if non-profit and academic attorneys were reporting on pro bono hours only or if some of them counted hours of services that they were providing under the umbrella of their

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employment. Some of the narrative responses demonstrated some confusion over this distinction.

Within the practice settings, there were some notable differences in hours provided in 2016. In the private practice, attorneys in the largest sized firms did more pro bono than the smaller firms. Solo practitioners also did significant pro bono in 2016 (see chart below). Within the government setting, attorneys at the federal level did more pro bono (68.4 average hours) compared to other levels (49.8 at the state level, 46.2 at the county level, and 32.6 at the city/local level). And, in the corporate setting, attorneys in companies with only one attorney provided more pro bono (43.0 average hours), compared to attorneys in companies with more attorneys (30.8 in companies with 2-9 attorneys, 27.6 in companies with 10-30 attorneys, and 28.4 in companies with more than 30 hours).

Average Pro Bono Hours in 2016



- **AREA OF EXPERTISE:** Attorneys that reported having expertise in the following areas of law tended to do more pro bono in 2016 than other attorneys: poverty (125 average hours), civil rights (86.4), immigration (82.5), housing (81.8), non-profit organization (76.8), domestic violence (72.2), public benefits (71), and disability rights (70.9).
- **LICENSE STATUS:** Attorneys in pro bono licensure programs provided significantly more hours than active licensed attorneys – 107 average hours in 2016 (median of 8).

To whom were these pro bono services provided?

Among the attorneys who provided pro bono in 2016, 85.2% provided services to individuals, 6.4% had provided services to classes of individuals, and 35.5% had provided services to organizations. Of the pro bono services provided to individuals in 2016, the average hours were 57.3, compared to an average of 41.1 hours of services to organizations.

Client Type	Percent of Attorneys Providing to the Client Type in 2016	Average Pro Bono Hours Provided	Average Number of Matters
Individuals	85.2%	57.3	10.7
Class of Individuals	6.4%	15.4	2.0
Organizations	35.5%	41.1	5.8

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What type of pro bono services were provided?

Among those who provided pro bono in 2016, 45.1% provided *only* limited scope representation 25.5% provided both full and limited scope representation in 2016. And, 28.7% provided *only* full representation.

Service Type	Percent of Attorneys Providing this Type in 2016	Average Pro Bono Hours
Full and Limited Scope Representation	25.5%	114.2
Full Representation Only	28.7%	81.8
Limited Scope Representation Only	45.1%	40.1
Mediation Only	0.7%	47.2

Who were the pro bono clients in 2016?

Among respondents who provided pro bono service in 2016 (i.e. omitting respondents who provided no pro bono service), respondents were most likely to indicate that they had represented an ethnic minority, a single parent, a disabled person, or an elderly person compared to the below list of client types. There were some notable differences in the client served based on attorney demographics.

Type of Client	Percent of attorneys having represented this client type in 2016	The below types of attorneys were more likely to represent the corresponding type of client
An Ethnic Minority	30.4%	Female; Black, Hispanic, Asian, or Native American; in the non-profit or academic settings, younger (especially under age 45); in urban areas; participating in an emeritus/pro bono licensure program
Single Parent	25.6%	Female, Black or Hispanic, in private practice or the non-profit setting, in a town or a rural area
Disabled person	25.5%	White; in the non-profit setting; in a rural area or town; participating in an emeritus/pro bono licensure program
Elderly Person	23.8%	In the private practice or non-profit settings; Over age 50; in rural areas or towns; participating in an emeritus/pro bono licensure program
Non or Limited English Speaker	22.5%	Female; Hispanic or Asian; in the non-profit setting; under age 45; in urban areas; participating in an emeritus/pro bono licensure program
Student	16.5%	In the non-profit or academic setting
Victim of Domestic Violence	15.0%	Female; Hispanic or Asian; in the non-profit setting; Under age 40; in a rural area or town
Child/Juvenile	14.8%	Female; Hispanic; under age 55; in rural areas or towns

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Veteran	13.8%	Male; Native American; in the non-profit setting; in a rural area or town; participating in an emeritus/pro bono licensure program
Rural Resident	11.6%	White; in the non-profit setting; in rural areas or towns; participating in an emeritus/pro bono licensure program
Undocumented Immigrant	11.4%	Female or gender non-conforming/transgender; Hispanic or Asian; in the non-profit setting; under age 40; in urban areas
Documented Immigrant	11.4%	Female; gender non-conforming/transgender; Hispanic or Asian; in the non-profit setting; under age 45
Homeless	9.9%	Female or gender non-conforming/transgender; in the non-profit setting; in urban areas
Incarcerated Person	9.0%	Black or Hispanic
Victim of Consumer Fraud	8.2%	Male; in rural areas or towns; participating in an emeritus/pro bono licensure program
LGBT	7.4%	Gender non-conforming/transgender; Hispanic; non-profit setting; under age 50
Migrant Worker	1.8%	Hispanic or Asian; in the non-profit setting

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Section II: Most Recent Pro Bono Case/Experience

Which type of pro bono service is most typical?

The vast majority of pro bono service by respondents was undertaken on behalf of persons of limited means (81.3%) as opposed to a specific class of persons (2.5%) or an organization (16.2%). Additionally, most of these services were limited scope representation (54.6%) as opposed to full representation (43.7%) or mediation (1.7%).

More likely to represent individuals:

- *Hispanic attorneys (82%)*
- *Attorneys in rural areas and towns (77.4% and 78.5% respectively).*
- *Private practice (75.7%) and non-profit (72.2%) and academic (68%)*

More likely to represent organizations:

- *Asian attorneys were more likely to report that they provided services to organizations (20.8%).*
- *Attorneys in urban or suburban areas (15.2% and 15% respectively)*
- *Corporate (22.6%)*

More likely to do limited scope: attorneys in an emeritus/pro bono licensure program. Specifically, litigation limited scope (18.7% did litigation, 44% did non-litigation). Less likely to do full representation (27.5%).

How do attorneys find their clients?

Of the attorneys who provided pro bono service, 27.6% indicated that their most recent client came directly to them. The remaining 72.4% were referred from some specific source, the most common of which were legal aid pro bono programs.

How did this client come to you?	Number	Percent
The client came directly to me	6655	27.6
A referral from legal aid/services pro bono program*	3847	16.0
A referral from a family member or friend	2146	8.9
A referral from a present or former client	2137	8.9
A referral from a non-profit organization*	1750	7.3
A referral from a judge or court administrator	1207	5.0
A referral from a bar association pro bono program*	1176	4.9
A referral from a religious organization*	701	2.9
A referral from an attorney outside of your organization	589	2.4
A referral from a professional acquaintance	547	2.3

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A referral from your employer	513	2.1
A referral from a co-worker within your organization	438	1.8
A referral from an independent pro bono program*	426	1.8
A referral from a law school clinic*	214	.9
From a posting on a pro bono listserv to which I subscribe	160	.7
A referral from a self-help desk*	109	.5
A referral from a mediation center*	109	.5
A referral from a lawyer referral service*	127	.5
A referral from a guardian ad litem program*	71	.3
A referral from a public or law library*	28	.1
Other	1163	4.8
Total	24112	100.0

Notable Trends:

- **GENDER:** Male attorneys were more likely to report that their most recent client came to them directly (29.7% compared to 23.7% among female attorneys). For the attorneys who received their client from some referral source, male attorneys were more likely to have indicated they received their client through a present or former client (10.2% compared to 6.3% of female attorneys) and female attorneys were more likely to have indicated they received their client through a referral from a legal aid program (18.7% compared to 14.5% of the male attorneys) or a non-profit organization (8.9% compared to 6.4% of the male attorneys).
- **RACE/ETHNICITY:** White attorneys were more likely to report that their most recent client came to them directly (28% compared to 25.2% among non-white attorneys). Regarding client referrals, Black and Hispanic attorneys were more likely to report that they received their most recent client from a family member or friend (12.6% and 12.5% respectively, compared to 8.7% of the rest of the attorneys). Hispanic attorneys were also more likely to receive their client through a present or former client (10.6% compared to 8.8% of the rest of the attorneys). Asian attorneys were more likely to have received their recent client through a legal aid program (18.1% compared to 15.9% of the rest of the attorneys) or a non-profit organization (14.2% compared to 7.1% of the rest of the attorneys).
- **AGE:** Older attorneys were more likely to report that their most recent client came to them directly or through a present/former client, compared to younger attorneys. For example, among the 29 or younger age group, 15.9% indicated their client came to them directly, compared to 30.7% of the 55-59 age group. Younger attorneys, meanwhile, were more likely to report that their most recently client came to them through a legal aid program, their employer, or a coworker.
- **URBAN/RURAL:** Attorneys in towns or rural areas were more likely to receive a client directly (38.9% and 39.3% respectively) compared to attorneys in urban and suburban areas (25.3% and 27.6% respectively). When attorneys accepted a client through a referral, urban attorneys were more likely to report that their recent case came to them through a legal aid program (17.2%).

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Meanwhile, attorneys in towns or suburban or rural areas were more likely to report receiving their client through a family member or friend or through a present/former client.

- PRACTICE SETTING: Attorneys in the private practice, government or academic settings were more likely to report that their most recent client came to them directly, compared to corporate and non-profit attorneys. When attorneys received their client through a referral, corporate and government attorneys were more likely to report that their recent client came to them through a family member or friend (11.8% and 14.3% respectively). Private practice attorneys were more likely to have received their recent client through a present or former client (10.1%) or a judge/court administrator (5.4%). Corporate and non-profit attorneys were more likely to have received their most recent client through a legal aid program (20.1% and 18.4% respectively). Non-profit attorneys were more likely to have received their most recent client through a non-profit organization (15.8% - presumably their own organizations).
- LICENSE STATUS: Attorneys in emeritus/pro bono licensure programs were, not surprisingly, not likely to take pro bono cases directly, but instead were more likely to receive their clients through legal aid pro bono programs.

Among those respondents whose clients *came directly to them*, 37.6% reported having no personal relationship with the person, while 18.9% reported that the client was an acquaintance, 11.4% noted that the client was an organization with whom the attorney was involved, and 10.3% indicated that the client was a former client.

How would you describe your relationship with the client before the legal engagement began?

	Number	Percent
An acquaintance	1111	18.9
An organization with which I was personally involved	670	11.4
A former client	606	10.3
A personal friend	538	9.1
A relative	207	3.5
An organization with which a friend or family member was personally involved	114	1.9
A co-worker	69	1.2
A class of persons to whom a friend or family member had a connection	10	.2
A class of persons with whom I had a relationship with at least one class member	24	.4
An organization with which my employer was involved	25	.4
A class of persons to whom my employer had a connection	4	.1
Another relationship	297	5.0
None of the above- no prior relationship	2213	37.6
Total	5888	100.0

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Notable Trends:

- RACE/ETHNICITY: Hispanic attorneys were more likely to report that they had no prior relationship with their recent client (47.3% compared to 37.1% of other attorneys). Black attorneys were more likely to report that their recent client was an acquaintance (24.1% compared to 18.6% of the other attorneys).
- AGE: Younger attorneys (under 45) were more likely to report that their recent client was a personal friend.
- URBAN/RURAL: Attorneys in rural areas and towns were more likely to report that they had no prior relationship with their most recently client (46.9% and 42.2% respectively).
- PRACTICE SETTING: Attorneys in the corporate and government practice settings were more likely to report that their recent client was a personal friend (19.1% and 12.5% respectively). Private practice attorneys were more likely to report that they had no prior relationship with their most recent client (40.1%).

How was the client determined to be low-income?

As noted in the below chart, to determine whether a client qualified for pro bono service, respondents primarily used impressionistic methods, such as relying on the word of the client or on the attorney's knowledge of the client's situation to vet the client's financial eligibility. Otherwise, 41.2% relied on the referral source to vet the client's financial eligibility and 8.3% vetted the client's financial data.

Low Income Determination (Multiple Choice)	Percent of Respondents
An indication from the referral source	17.1%
The referral source qualified the client	24.1%
Financial data, such as a W2 or paycheck information	8.3%
The word of the client	25.5%
Some other factor	6.4%
My knowledge of the client's situation	43.9%

What tasks were performed and what was the scope of the work?

The most frequently reported pro bono legal tasks consisted of providing advice (74.1%), reviewing and/or drafting legal documents (66.2%) and interviewing/meeting with the client (63.7%).

Legal Task (Multiple Choice)	Percent of Respondents
Provided advice	74.1%
Reviewed/drafted documents	66.2%
Interviewed/met with the client	63.7%
Wrote letter	35.6%
Spoke with other attorneys	34.6%
Provided full representation in court (trial or appellate)	29.0%

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Negotiated a settlement with other parties	18.0%
Referred to other organization(s)	13.6%
Limited scope representation in court (trial or appellate)	6.8%
Represented the client in administrative proceedings	8.5%
Represented the client before a legislative body	0.8%
Other	7.2%

In what area of law?

The respondents were asked to indicate what area of the law their most recent case was and how many hours they spent on their case. The below chart presents this information broken down by whether the case was a full representation case or a limited scope case. Note that many of their cases involved multiple areas of law and so these numbers cannot separate out how much time was spent specifically on the areas of law presented below, only that when the case involved the particular area of law, the below numbers are associated with the case.

Area of Law	All Hours		Pure Measure Hours	
	Number of Cases	Average Hours	Number of Cases	Average Hours
Banking	170	34.0	25	12.9
Bankruptcy	583	18.3*	364	12.7*
Business/Corporate	1152	32.3	406	25.3
Civil Rights	868	101.3*	365	68.7*
Consumer	1102	18.7*	447	12.8*
Contract	1428	25.3	396	16.4*
Criminal	2226	43.0*	1596	35.4*
Debt Collection	747	19.8*	210	11.5*
Disability Rights	513	47.9*	150	27.9
Domestic Violence	960	30.3	206	21.7
Education	332	41.8*	118	26.5
Elder	646	24.1	133	16.5
Estate Planning/Probate	2542	15.3*	1453	11.5*
Family	5452	22.8*	3739	20.9*
Health Care	528	40.6*	127	26.2
Housing	1295	25.5	586	15.5*
Immigration	1481	36.7*	1086	34.8*
Intellectual Property	397	26.9	266	19.2
Juvenile	433	57.2*	182	26.7
Labor and Employment	897	32.5	468	21.4
Litigation	1546	67.9	538	38.8*

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Medical Malpractice	93	110.9*	19	39.2
Military	214	69.5*	63	37.4
Non-Profit Organization	1548	40.9*	718	34.4*
Personal Injury	661	30.1	321	26.8
Public Benefits	601	35.7	159	24.0
Real Estate	1707	24.0	744	14.9*
Securities	12	64.3	2	61.3
Tax	471	42.0*	242	39.3*
Technology	52	48.1	11	11.6
Tribal/Native American	54	52.3	11	59.9
Other	1403	40.2*	962	32.4*
All - Total	22113	29.1	16113	25.08

Area of Law	Full Representation		Limited Scope Representation	
	Number of Cases	Average Hours	Number of Cases	Average Hours
Banking	54	54.9	109	23.5
Bankruptcy	330	19.6*	224	13.8
Business/Corporate	233	79.3*	819	19.8
Civil Rights	438	147.0*	371	57.2*
Consumer	314	37.4	706	11.1
Contract	346	48.6	957	18.4
Criminal	1234	55.0*	903	28.0*
Debt Collection	193	41.0	510	11.3
Disability Rights	202	90.6*	268	21.0
Domestic Violence	457	45.6	441	16.8
Education	80	69.5	207	29.0*
Elder	197	41.2	391	16.3
Estate Planning/Probate	836	24.0*	1558	10.9*
Family	2908	32.3*	2192	11.9*
Health Care	139	88.5*	343	23.3
Housing	376	52.5	826	13.7
Immigration	765	50.8	674	22.0
Intellectual Property	91	53.8	281	19.6
Juvenile	259	50.5	144	72.9*
Labor and Employment	192	80.4*	612	19.7

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Litigation	883	99.2*	568	29.2*
Medical Malpractice	37	254.7*	51	16.0
Military	70	161.8*	124	18.4
Non-Profit Organization	260	86.1*	1090	29.3*
Personal Injury	233	55.7	359	17.0
Public Benefits	162	75.0*	392	19.6
Real Estate	497	44.6	1101	14.5
Securities	5	82.6	7	50.4
Tax	157	74.4*	280	23.6
Technology	12	93.0	36	36.6
Tribal/Native American	16	117.8	34	27.2
Other	545	52.8	665	26.5*
All - Total	9207	45.7	11340	16.4

Within the scope of the attorneys' expertise?

The tasks performed were generally within the attorneys' area of expertise. Specifically, 69.0% indicated that their recent pro bono experience was within their area of expertise. Types of attorneys that were more likely to indicate having taken a case that was outside their area of expertise included: females attorneys; Black, Hispanic or Asian attorneys, younger; urban; those in the corporate or government setting; and attorneys participating in an emeritus/pro bono licensure program.

What support from was received or needed from the referral organization?

The attorneys who indicated that their most recent client came to them through a referral organization were asked about the type of support they either received or needed. The most common type of support received was sample forms/documents, followed by regular check-ins.

Type of Support	Received	Needed or Needed More of
Sample forms/documents	30.5%	4.3%
Regular check-ins	23.2%	3.2%
Mentoring support	18.2%	3.6%
Troubleshooting issues that arise between you and the client	16.5%	2.8%
Malpractice insurance	16.3%	3.3%
Team with another volunteer on the case	14.4%	3.4%
CLE	13.8%	3.9%
Research assistance	10.2%	4.1%
Interpreter	8.2%	3.2%

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Shadowing an experienced lawyer on a case	5.9%	3.9%
Expense reimbursement	4.7%	5.3%
Other	2.7%	0.8%

Consistent with the attorneys' expectations?

Most (71%) of the attorneys indicated that their most recent pro bono experience was consistent with their expectations. Approximately 24%, however, indicated that the case took more time than they had expected and 7.6% said that the case was more complex than they had expected.

Response (Multiple Choice)	Percent of Attorneys Providing Response
Yes – it was consistent in terms of time and complexity	71.0%
No – it took more time than I expected	24.0%
No – it was more complex than I expected	7.6%
No – it took less time than I expected	1.9%
No – it was less complex than I expected	0.8%
No – it was not what I expected in some other way	1.5%

The areas of law for which attorneys were most likely to report that their experience was non consistent with their expectations were: medical malpractice, securities, and banking. Specifically:

- Medical malpractice: 57% consistent; 34.4% said it took longer than expected; 10.8% said it was more complex than expected
- Securities: 58.3% consistent; 41.7% said it took more time than expected; 8.3% said it was more complex than expected
- Banking: 60% consistent; 34.7% said it took more time than expected; .6% said it took less time than expected

The areas of law for which attorneys were most likely to take a case outside their area of expertise were: immigration, military, civil rights, juvenile, education, disability rights, health care, public benefits, and tribal.

Area of Law	Consistent with Expectations		In Area of Expertise	
	Yes	No	Yes	No
Medical Malpractice	57.0%*	43.0%*	61.3%	38.7%
Securities	58.3%	41.7%	83.3%	16.7%
Banking	60.0%*	40.0%*	72.4%	27.6%
Tribal/Native American	62.3%	37.7%	59.3%	40.7%
Technology	63.5%	36.5%	92.3%*	7.7%*

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Litigation	64.2%*	35.8%*	70.3%	29.7%
Civil Rights	65.0%*	35.0%*	51.2%*	48.8%*
Elder	65.0%*	35.0%*	72.1%	27.9%
Military	66.4%	33.6%	47.7%*	52.3%*
Personal Injury	66.6%*	33.4%*	75.2%*	24.8%*
Family	66.7%*	33.3%*	70.5%*	29.5%*
Domestic Violence	66.9%*	33.1%*	68%	32%
Health Care	67.2%*	32.8%*	58.9%*	41.1%*
Juvenile	67.9%	32.1%	57.7%*	42.3%*
Debt Collection	68.1%	31.9%	69.3%	30.7%
Real Estate	68.4%*	31.6%*	80%*	20%*
Public Benefits	68.9%	31.1%	55.1%*	44.9%*
Disability Rights	69.1%	30.9%	59.1%*	40.9%*
Consumer	69.1%	30.9%	65.5%*	34.5%*
Housing	70.3%	29.7%	51%*	49%*
Contract	70.7%	29.3%	75.6%*	24.4%*
Criminal	70.9%	29.1%	71.2%*	28.8%*
Education	71.0%	29.0%	57.8%*	42.2%*
Business/Corporate	71.3%	28.7%	79.9%*	20.1%*
Immigration	71.5%	28.5%	48.8%*	51.2%*
Labor and Employment	71.5%	28.5%	75.9%*	24.1%*
Tax	72.2%	27.8%	77.1%*	22.9%*
Estate Planning/Probate	72.7%*	27.3%*	73.4%*	26.6%*
Intellectual Property	74.6%	25.4%	90.4%*	9.6%*
Non-Profit Organization	77.1%*	22.9%*	66.3%*	33.7%*
Bankruptcy	79.8%*	20.2%*	86.6%*	13.4%*

Hours of service provided?

On average, attorneys spent 29.1 hours on their most recent pro bono case (median of 10 hours). Attorneys in urban areas tended to report having spent more time on their recent case (31.5 average hours); attorneys in towns spent the least amount of time (20 average hours). Non-profit and academic attorneys spent the most time on their recent case (35.1 and 60.2 average hours, respectively) compared to private (29.5), corporate (18.0) and government (18.2) attorneys.

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Section III: Motivations and Attitudes

The importance of pro bono services?

The majority of attorneys (80.6%) believe that pro bono services are either somewhat or very important. Very few attorneys did not believe that pro bono services are important.

Thinking about the legal needs of the low-income population in your state, how important is it for local attorneys to offer pro bono services?	Number	Percent
Don't know	1591	3.9
Very unimportant	2421	5.9
Somewhat unimportant	1699	4.1
Neither important nor unimportant	2279	5.5
Somewhat important	11700	28.5
Very important	21381	52.1
Total	41071	100.0

What motivates attorneys to do pro bono?

As noted in the below chart, the top three motivators for undertaking pro bono included:

1. Helping people in need
2. Ethical obligation
3. Duty as a member of the legal procession

Motivator	1 – not at all	2	3	4	5 = very	Average Rating
Helping people in need	3.6	3.0	11.6	28.6	53.2	4.25
Ethical obligation	11.2	8.8	23.7	26.3	30.0	3.55
Professional duty	11.5	9.3	23.7	26.1	29.5	3.53
Participating in reducing social inequalities	14.9	9.2	19.5	24.7	31.8	3.49
It would make me feel like a good person	13.2	8.6	23.4	28.1	26.7	3.47

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Helping the profession's public image	20.0	13.4	26.0	23.7	16.9	3.04
A firm culture that encourages pro bono	35.7	9.8	20.1	17.7	16.7	2.70
Opportunities to interact with low-income populations	32.0	16.9	26.0	14.9	10.3	2.55
Opportunities to work directly with clients	36.8	14.3	21.9	14.7	12.2	2.51
Gaining experience in an area outside of my expertise	38.4	14.9	19.7	16.7	10.3	2.46
Opportunities to work with other attorneys	39.1	16.8	22.3	14.3	7.6	2.34
Opportunities to go to court	54.6	13.8	15.2	9.1	7.3	2.01
Recognition from colleagues and friends	49.4	20.6	18.6	7.6	3.8	1.96
Strengthening relationships with my private practice clients who value pro bono engagement	54.5	14.8	17.1	8.4	5.3	1.95
Recognition from employer	56.8	13.7	15.0	8.9	5.6	1.93
Average across all factors						2.80

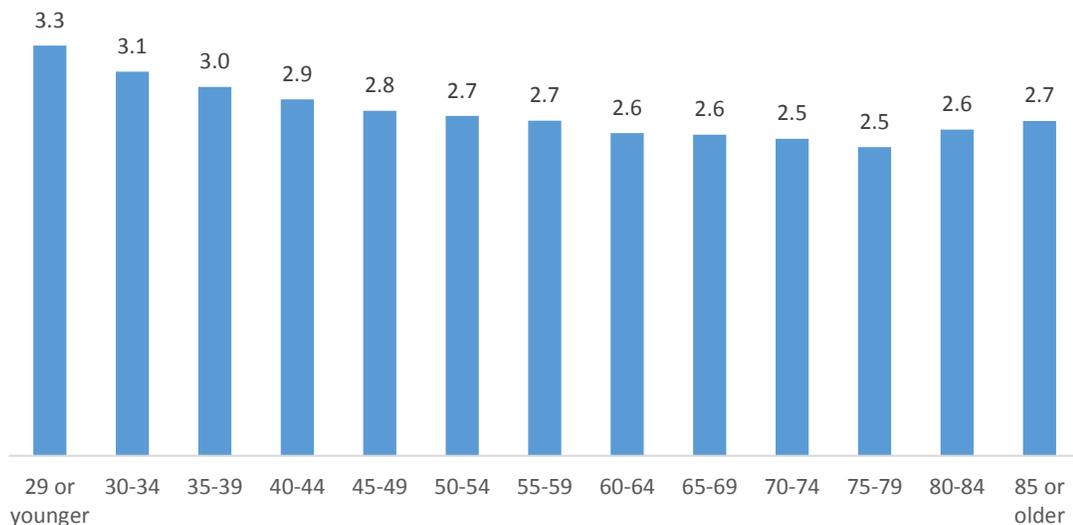
Notable Trends:

- GENDER: Overall, female attorneys provided higher ratings for the list of motivating factors (with an average of 3.0) than male attorneys (with an average of 2.7). Gender non-conforming/transgender attorneys provided a rating of 2.9.
 - o Females were most motivated by: 1) helping people in need (4.4), 2) reducing social inequalities (3.89), 3) ethical obligation (3.7) and 4) feeling like a good person (3.67)
 - o Males were most motivated by: 1) helping people in need (4.16), 2) ethical obligation (3.47) and 3) professional duty (3.46)

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- Gender non-conforming/transgender attorneys were most motivated by: 1) helping people in need (4.28), 2) reducing social inequalities (4.08), and 3) feeling like a good person (3.46)
- RACE/ETHNICITY: Attorneys identifying as Black, Hispanic or Asian provided higher ratings for motivator factors (with average ratings of 3.1, 3.1 and 3.2 respectively) compared to the rest of the attorneys (“white” or “other”).
 - White: 1) helping people in need (4.23), 2) ethical obligation (3.54) and 3) professional duty (3.52)
 - For Black attorneys, the top three were: 1) helping people in need (4.52), 2) participating in reducing social inequalities (4.21), and 3) ethical obligation/professional duty (both 3.65)
 - For Hispanic attorneys, the top three were: 1) helping people in need (4.42), 2) reducing social inequalities (3.93), and 3) ethical obligation (3.74)
 - For Asian attorneys, the top three were: 1) helping people in need (4.4), 2) reducing social inequalities (4.0), and 3) feeling like a good person (3.76)
- AGE: Younger attorneys provided higher average ratings for the motivating factors than older attorneys. The 29 and younger age group, for example provided an average rating of 3.3 across motivating factors, while the 75-79 age group provided an average rating of 2.5. See the chart below.

Average Rating Across Motivating Factors



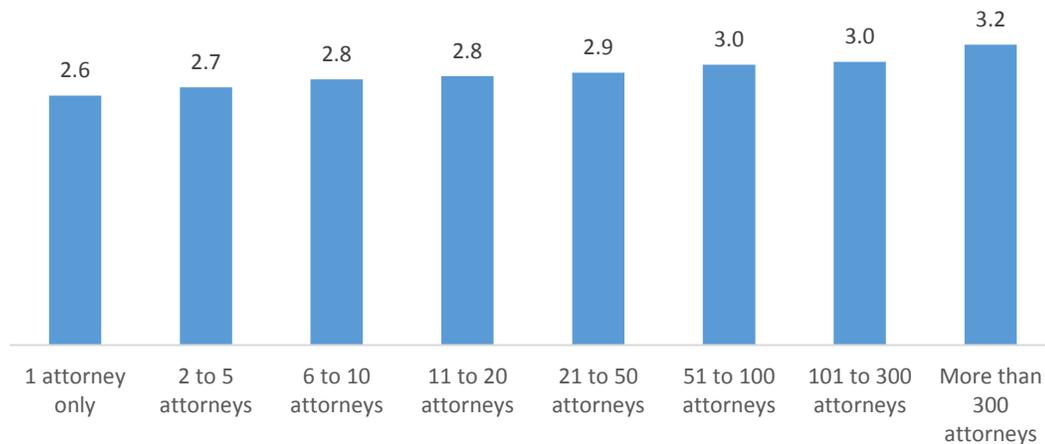
Specifically,

- Attorneys under age 50 were most motivated by helping people in need, feeling like a good person, and reducing social inequalities.
- Attorneys 50 and over were most motivated by helping people in need, one’s ethical obligations and one’s professional duty.

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- URBAN/RURAL: Urban attorneys provided the highest overall ratings for the motivating factors, with an average of 2.9, compared to suburban attorneys (2.7), rural attorneys (2.6) and attorneys in towns (2.7). Specifically:
 - o Urban attorneys were most motivated by: 1) helping people in need, 2) ethical obligation, and 3) professional duty/reducing social inequalities
 - o Suburban attorneys were most motivated by: 1) helping people in need, 2) ethical obligation, 3) feeling like a good person
 - o Rural attorneys were most motivated by: 1) helping people in need, 2) ethical obligation, 3) professional duty
 - o Attorneys in towns were most motivated by: 1) helping people in need, 2) ethical obligation/professional duty, 3) feeling like a good person
- PRACTICE SETTING: Private practice attorneys provided slightly lower ratings (2.7) than corporate (2.8) or government attorneys (2.9). Non-profit attorneys provided the highest ratings, with an average of 3.2. Likewise, the small group (n=226) on academic attorneys provided high ratings – an average of 3.0). Within private practice, attorneys from larger firms provided higher ratings (the average rating for solos was 2.6 and the average rating for 300+ firms was 3.2).

Average for Motivating Factors



Specifically,

- o Attorneys in private practice were most motivated by: 1) helping people in need, 2) ethical obligation, and 3) professional duty
- o Corporate attorneys were most motivated by: 1) helping people in need, 2) feeling like a good person, and 3) reducing social inequalities
- o Government attorneys were most motivated by: 1) helping people in need, 2) reducing social inequalities, and 3) feeling like a good person
- o Non-profit attorneys were most motivated by: 1) helping people in need, 2) reducing social inequalities, and 3) ethical obligation
- o Academic attorneys were most motivated by: 1) helping people in need, 2) reducing social inequalities, and 3) ethical obligation
- BY PRO BONO HOURS PROVIDED: As expected, attorneys who provided 50 or more hours of pro bono in 2016 also provided higher ratings for the motivating factors (2.9 compared to 2.8).

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Attorneys who had never provided pro bono averaged 2.8 for the motivating factors. And specifically:

- Those who provided 50+ hours of pro bono in 2016 were most motivated by: 1) helping people in need, 2) ethical obligation, and 3) professional duty
- Those who had never provided pro bono were most motivated by: 1) helping people in need, 2) reducing social inequalities, and 3) feeling like a good person
- LICENSE STATUS: Attorneys with inactive licenses and those participating in an emeritus/pro bono licensure program were more motivated to do pro bono compared to active attorneys (3.0 and 2.9, respectively).
 - Inactives and emeritus: 1) helping people in need, 2) participating in reducing social inequalities, and 3) ethical obligation/ professional duty

Are Attorneys Reactive or Proactive Concerning Pro Bono Opportunities?

To identify pro bono opportunities, just under half of the attorneys (45.4%) had reached out to some organization and 63.6% had been contacted by an organization regarding a pro bono opportunity.

Organization	Percent of Respondents Who Contacted...	Percent of Respondents Who Were Contacted By...
State bar association	12.0%	29.0%
Your local bar association	18.0%	34.0%
A legal aid or pro bono organization	36.3%	47.5%
Some other organization	12.4%	21.3%
At least one of the above	45.4%	63.6%

What can pro bono programs do to engage more attorneys?

According to respondents, in order to engage more attorneys, pro bono programs should:

1. Engage judges in soliciting participation
2. Provide limited scope representation opportunities
3. Offer CLE credit for pro bono service

Action	1 – not influential				5 – very influential	Average Rating
If a judge solicited my participation	16.6	9.0	20.4	25.1	28.9	3.41
Limited scope representation opportunities	15.4	8.7	22.0	29.8	24.2	3.39

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CLE credit for doing pro bono	20.5	8.8	18.5	23.2	29.0	3.32
Malpractice insurance provided by referral org	25.6	8.4	16.5	19.2	30.2	3.20
If a colleague asked me to take a case	15.6	12.9	29.4	27.9	14.2	3.12
Free or reduced cost CLE	24.5	10.9	20.3	21.5	22.9	3.07
Online description of case opportunities from which to select	22.2	10.4	23.4	26.9	17.3	3.07
The option of selecting a client based on demographics/descriptors	21.3	12.5	25.3	25.5	15.4	3.01
Mentorship/supervision by an attorney specializing in the legal matter	29.2	10.7	19.0	21.1	20.0	2.92
Administrative or research support	26.2	12.9	23.6	22.1	15.1	2.87
Opportunities to act as a mentor to young attorneys or law students	22.7	15.7	27.4	22.1	12.1	2.85
Opportunities to do pro bono remotely	26.7	13.5	23.6	21.2	14.9	2.84
If I were matched with another attorney to share the work	28.5	13.5	24.3	21.5	12.2	2.75
Periodic contact by a referral organization (I'll take a case when I can)	28.2	16.1	26.6	19.3	9.8	2.67
Alternative dispute resolution opportunities	31.8	13.7	23.2	18.2	13.1	2.67
Availability of networking opportunities with other attorneys providing pro bono in my community	33.1	16.9	24.5	17.1	8.4	2.51
Reduced fee opportunities as opposed to free service opportunities	39.2	15.2	21.4	14.2	10.0	2.41
More support from my firm	48.3	8.6	14.8	12.7	15.5	2.39
Self-reporting and state bar tracking of voluntary pro bono contributions	39.9	17.2	24.8	11.5	6.6	2.28

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Formal recognition of my past volunteer efforts	50.8	18.9	18.2	7.9	4.2	1.96
Average of All Factors						2.85

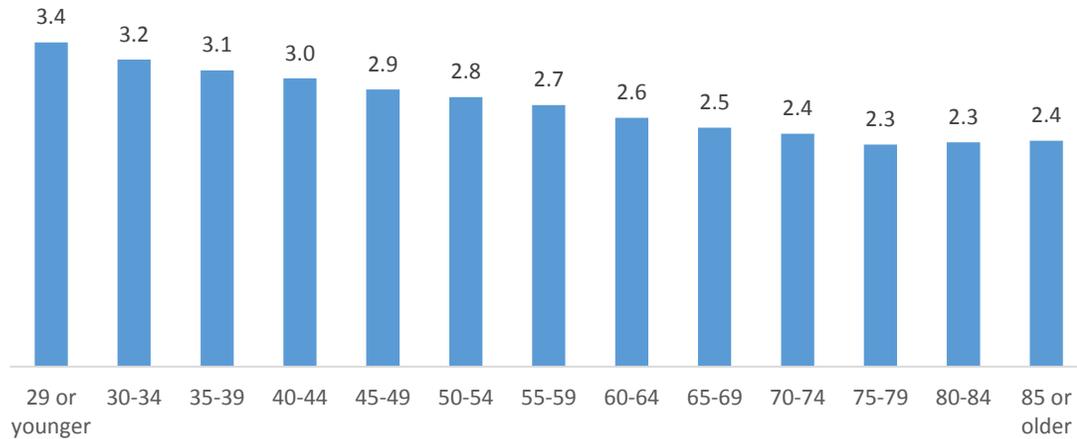
Notable Trends:

- GENDER: Overall, female attorneys provided higher ratings for the list of actions (3.1 compared to 2.7 for male attorneys). Gender non-conforming/transgender attorneys provided an average rating of 3.0. And specifically,
 - o For female attorneys, the top three influential actions were: 1) limited scope representation opportunities, 2) CLE credit for doing pro bono, and 3) malpractice insurance
 - o For male attorneys, the top three influential actions were: 1) if a judge solicited participation, 2) limited scope representation opportunities, and 3) CLE credit for doing pro bono
 - o Gender nonconforming/transgender attorneys were most influenced by: 1) the option of selecting a client to assist based on specific demographics, 2) malpractice insurance, and 3) limited scope representation opportunities
- RACE/ETHNICITY: Attorneys that identified themselves as Black, Hispanic or Asian provided higher ratings for the list of actions (3.2, 3.1 and 3.3 respectively) compared to other attorneys. Specifically,
 - o White attorneys were most influenced by: 1) if a judge solicited participation, 2) limited scope representation opportunities, and 3) CLE credit
 - o Black attorneys were most influenced by: 1) limited scope representation opportunities, 2) free or reduced cost CLE/malpractice insurance, and 3) CLE credit
 - o Hispanic attorneys were most influenced by: 1) CLE credit, 2) free or reduced cost CLE, and 3) limited scope representation opportunities
 - o Asian attorneys were most influenced by: 1) limited scope representation opportunities, 2) CLE credit/mentorship or supervision by an attorney with expertise, and 3) malpractice insurance
- AGE: Younger attorneys provided higher ratings than did older attorneys for the list of actions. For example, attorneys in the 29 and younger age group provided an average rating of 3.4,

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compared to the 75-79 age group which provided an average rating of 2.3.

Average Rating for Factors



Specifically:

- Attorneys under age 35 were most influenced by: limited scope representation opportunities, mentorship by an attorney with expertise in the subject matter and CLE credit
- Attorneys age 35-64 were most influenced by: limited scope representation opportunities, CLE credit, and if a judge solicited participation
- Attorneys 65 and older were most influenced by: if a judge solicited participation, followed by either limited scope representation opportunities or if a colleague solicited participation
- URBAN/RURAL: Attorneys in rural areas provided lower ratings for the list of activities, with average ratings of 2.7 compared to attorneys in urban areas (2.9), suburban areas (2.8) and towns (2.7). Specifically:
 - Urban attorneys were most influenced by: 1) if a judge solicited participation, 2) limited scope representation opportunities, and 3) CLE credit
 - Suburban attorneys were most influenced by: 1) limited scope representation opportunities, 2) if a judge solicited participation/CLE credit and 3) malpractice insurance
 - Rural attorneys were most influenced by: 1) if a judge solicited participation, 2) CLE credit, 3) limited scope representation opportunities
 - Attorneys in towns were most influenced by: 1) if a judge solicited participation, 2) CLE credit, and 3) limited scope representation opportunities
- PRACTICE SETTING: Attorneys in private practice provided slightly lower average ratings for the list of actions (2.8) compared to attorneys in the corporate setting (2.9), the government setting (2.9) the non-profit setting (3.1) and academic (2.9). Specifically,
 - Private practice attorneys were most influenced by: 1) if a judge solicited participation, 2) CLE credit, and 3) limited scope representation opportunities
 - Corporate attorneys were most influenced by: 1) limited scope representation opportunities, 2) malpractice insurance and 3) CLE credit

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- Government attorneys were most influenced by: 1) malpractice insurance, 2) limited scope representation opportunities, and 3) CLE credit
- Non-profit attorneys were most influenced by: 1) malpractice insurance, 2) limited scope representation opportunities, and 3) if a judge solicited participation
- Academic attorneys were most influenced by: 1) malpractice insurance, 2) limited scope representation opportunities and 3) if a judge solicited participation
- BY PRO BONO HOURS: Attorneys who had provided 50+ hours of pro bono in 2016 were most influenced by: a judge solicited participation, a colleague solicited participation and CLE credit. Attorneys who provided under 50 hours of pro bono in 2016 were most influenced by limited scope representation opportunities, if a judge solicited participation and CLE credit. Those who had never provided pro bono were most influenced by limited scope representation opportunities, malpractice insurance, and CLE credit
- LICENSE STATUS: Attorneys with inactive licenses were more encouraged by the list of actions compared to active attorneys (3.1). Attorneys in emeritus programs were no more encouraged by these actions than actively licensed attorneys. Specifically:
 - Inactives: 1) malpractice insurance, 2) limited scope representation opportunities, and 3) online description of case opportunities from which to select/option of selecting clients based on descriptors
 - Emeritus: 1) malpractice insurance, 2) limited scope representation opportunities, and 3) if a judge solicited participation

What discourages attorneys from doing pro bono?

According to respondents, the top three discouraging factors were:

1. Lack of time
2. Commitment to family or other personal obligations
3. Lack of skills or experience in the practice areas needed by pro bono clients

Factor	1 – not discouraging	2	3	4	5 – very discouraging	Average Rating
Lack of time	4.3	3.5	11.8	25.1	55.3	4.24
Commitment to family or other personal obligations	5.1	5.6	17.6	29.9	41.8	3.98
Lack of skills or experience in the practice areas needed by pro bono clients	9.5	8.7	20.6	26.2	35.1	3.69
The unrealistic expectations of clients	14.8	13.5	24.6	22.2	24.8	3.29

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Lack of clarity on how much time I would end up having to commit	15.6	11.0	25.5	26.4	21.6	3.27
Scheduling conflicts making it difficult to be available for court appearances	18.4	11.3	22.1	23.5	24.7	3.25
Lack of malpractice insurance	25.2	9.4	15.7	15.8	33.9	3.24
Competing billable hour expectations and policies	27.2	7.6	14.7	18.9	31.7	3.20
Lack of interest in the types of cases	18.7	13.9	27.1	19.6	20.7	3.10
Too costly; financially burdensome to my practice	23.5	13.1	20.7	18.3	24.4	3.07
Lack of administrative support or resources	21.6	14.5	24.4	21.5	18.0	3.00
Lack of information about opportunities	23.1	17.6	30.0	17.4	11.9	2.77
A preference for spending volunteer time on non-legal matters	29.8	13.8	24.2	16.9	15.4	2.74
Discouragement from employer/firm	40.9	11.2	15.4	11.7	20.9	2.61
Concerns that doing pro bono work would compromise the interests of my other clients	41.5	15.3	18.3	11.9	12.9	2.39
A preference for providing reduced fee assistance rather than no fee assistance	49.6	16.7	21.0	7.3	5.4	2.02
I feel that a lot of pro bono clients really can afford legal assistance	54.9	18.0	16.8	5.3	5.0	1.88
Personal or philosophical objections	70.2	9.5	10.4	3.8	6.0	1.66

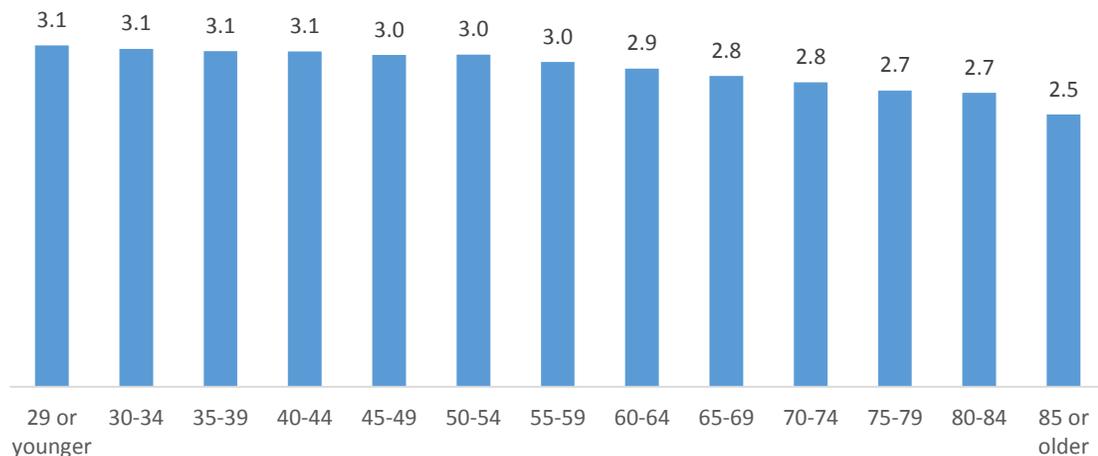
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Total for all factors							2.98
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Notable Trends:

- GENDER: Overall, female attorneys were generally more discouraged than were male attorneys, with an average rating of 3.1 for the list of discouraging factors, compared to 2.9 for the male attorneys.
- RACE/ETHNICITY: Attorneys that identified as Black, Hispanic or Asian were more discouraged (with average ratings of 3.1, 3.1 and 3.2 respectively) compared to other attorneys.
- AGE: Younger attorneys were more discouraged than were older attorneys. Attorneys under age 45, for example, provided an average rating of 3.1, while the attorneys over age 75 provided ratings of 2.7 and lower.

Average Ratings for Discouraging Factors



- Specifically:
 - o For most age groups, the top three discouraging factors were: 1) lack of time, 2) commitment to family and other personal obligations and 3) lack of skills in the areas needed by pro bono clients.
 - o For attorneys over age 65, however, concerns about the lack of skills in the needed areas were more pressing and on average, ranked as their second most discouraging factor, behind lack of time and ahead of commitment to family and other personal obligations.
- BY PRO BONO HOURS PROVIDED: As expected, attorneys who provided 50 or more hours of pro bono in 2016 provided slightly lower ratings for the list of discouraging factors (2.8 compared to 3.0).
- LICENSE STATUS: Attorneys in emeritus/pro bono licensure programs were less discouraged than active or inactive attorneys (2.8)
 - o Inactives: 1) lack of skills (3.85), 2) lack of time, and 3) family and other personal obligations

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- Emeritus: 1) commitment to family or other personal obligations, 2) lack of skills, 3) lack of time

Firm/Employer attitude toward pro bono?

Private practice attorneys were asked about their employers' attitude towards pro bono. Just over half (51.9%) indicated that their employer neither encourages nor discourages pro bono activities, while 42.9% indicated that their employer encourages pro bono activities.

Which of the following best describes your firm's or employer's attitude toward pro bono?	Number	Percent
Employer encourages pro bono activities	6549	42.9
Employer neither encourages nor discourages pro bono activities	7922	51.9
Employer discourages pro bono activities	785	5.1
Total	15256	100.0

According to the surveyed attorneys, the most common ways their employers encouraged pro bono was by allowing the use of internal resources for pro bono activities (23.6% reported this) or by allowing pro bono during regular business hours (23% reported this). Only a small percentage reported that their employers did things that discouraged pro bono.

Employer Activity (Multiple Choice)	Percent
Employer allows use of internal resources for pro bono activities	23.6%
Employer allows pro bono during regular business hours	23.0%
Employer has a pro bono policy that supports employee pro bono activities	13.9%
Employer allows billable hour credit for pro bono work	9.2%
Employer has procedures in place for identifying and referring pro bono cases internally	8.3%
Employer provides mentoring for pro bono activities/matters	8.0%
Employer has a pro bono manager	6.5%
Employer requires a specific number of pro bono hours or matters per year	1.8%
Employer places restriction on number of pro bono clients or matters in a fiscal year	1.4%
Employer does NOT allow pro bono during regular business hours	1.6%
Employer disallows use of internal resources for pro bono activities	1.3%

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Pro bono as a law student and its impact on future pro bono?

Of the 56.7% of respondents that indicated that they had provided pro bono legal services as a law student, around a third (33%) noted that doing so made them “more” or “far more” likely to provide pro bono services after graduating from law school. Around 21.8% indicated that it had no impact on their likelihood of providing pro bono services after law school, and only 1.9% reported that it made them less likely to provide pro bono services after law school.

If you provided pro bono legal services while you were a law student, to what degree did that experience affect your decision to provide pro bono services as a practicing attorney?	Frequency	Percent
Far more likely to provide pro bono services	5511	15.1
More likely to provide pro bono services	6546	17.9
It had no impact on my provision of pro bono services	7943	21.8
Less likely to provide pro bono services	710	1.9
I did not provide pro bono legal services while I was a law student	15802	43.3
Total	36512	100.0

Likelihood of providing pro bono in 2017?

Overall, 45% of the respondents indicated that they were either likely or very likely to offer pro bono services in 2017, while 23% indicated they were unlikely or very unlikely to offer such services.

How likely are you to offer pro bono services in 2017?	Number	Percent
Very Unlikely	5130	13.6
Unlikely	3558	9.4
Somewhat Unlikely	2262	6.0
Undecided	4666	12.4
Somewhat likely	5156	13.7
Likely	5588	14.8
Very Likely	11408	30.2
Total	37769	100.0

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And, the inactives:

Were you to reactivate your license, approximately how many hours do you think you would contribute to pro bono work over the next year?	Number	Percent
None	306	26.9
0-5 hours	139	12.3
6-10 hours	168	14.7
20-50 hours	328	28.9
51-100 hours	139	12.2
101-500 hours (approx. 2-3 months of full-time work)	45	3.9
501-1000 hours (approx. 3-6 months of full-time work)	9	.8
1001+ hours (more than 6 months of full-time work)	3	.3
Total	1136	100.0

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Section IV: Other Public Service Activities

What public service activities did attorneys provide in 2016?

The surveyed attorneys provided a range of public service activities in 2016. Approximately 20% of the attorneys reported that they had provided legal services for a reduced fee in 2016 and that the average hours they had committed to this activity were 73.1.

Activity	Percent of Attorneys	Average Hours in 2016
Legal services for a reduced fee	20.1%	73.1
Trainer or teacher on legal issues	15.4%	34.2
Speaker at legal education event for non-lawyers	14.8%	10.5
Grassroots community advocacy	10.2%	35.4
Policy advocacy	8.4%	34.1
Supervising or mentorship to another attorney providing pro bono representation	7.0%	25.8
Member of board of legal services or pro bono organization	6.1%	44.9
Member of bar committee related to pro bono or access to justice	4.4%	22.8
Lobbying on behalf of a pro bono organization	2.3%	19.0
Member of firm committee related to pro bono or access to justice	2.0%	30.6
Other	7.0%	
None of the above	35.4%	

Notable Trends:

- GENDER: Male attorneys were more likely to have provided reduced fee services in 2016 (21.4%) than female attorneys (18%). Female attorneys were more likely to have provided grassroots community advocacy in 2016 (12.3% compared to 8.9% of the male attorneys).
- RACE/ETHNICITY: White or Black attorneys were more likely to report having provided reduced fee services (20.2% and 22.3% respectively) compared to Asian attorneys (12%). White attorneys were more likely to have acted as a teacher or trainer on legal issues in 2016 (15.8%) compared to Black (13.9%) or Hispanic (12.6%) or Asian (11.2%) attorneys. Black attorneys were more likely to have acted as a speaker at a legal education event for non-lawyers (18.1%) compared to non-Black attorneys (14.6%). Black attorneys were more likely to have provided grassroots community advocacy (12.8% compared to non-Black – 10.1%).
- AGE: Attorneys over age 40 were more likely to have provided reduced fee services in 2016, acted as a teacher or trainer on legal issues. Attorneys in the 40-70 range were more likely to have been a speaker at a legal education event for non-lawyers.

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- URBAN/RURAL: Attorneys in rural areas and towns were more likely to provide reduced fee services (28.2% and 31.1% respectively) compared to attorneys in cities (18.6%) and suburban areas (22%). Attorneys in rural areas or towns were also more likely to have been a speaker at legal education events for non-lawyers (16% and 17% respectively) compared to attorneys in cities (15%) and suburban areas (14%).
- PRACTICE SETTING: Private practice attorneys were significantly more likely to have provided reduced fee services in 2016 (28.5%) compared to attorneys in the corporate, government, nonprofit or academic settings (4%, 2.6%, 5.9% and 3.6% respectively). Nonprofit and academic attorneys were more likely to have acted as a teacher/trainer on legal issues (23% and 54.8% respectively) compared to private (15.2%), corporate (12.4%) and government (16.5%) attorneys. Attorneys in the nonprofit or academic settings were more likely to have been a speaker at a legal education event for non-lawyers (22.6% and 34.3% respectively) compared to private (15.6%), corporate (11.3%) and government (13.1%) attorneys. Attorneys in the nonprofit or academic settings were more likely to have provided grassroots community advocacy (21% and 16%).

See the below chart for the various reductions provided by the attorneys who had reduced their fees. About half reduced their fees by between 46 and 75%.

Average Reduction Percent	Number	Percent
5% or less	229	2.5
6-10%	115	1.3
11-15%	124	1.4
16-20%	260	2.9
21-25%	654	7.2
26-30%	378	4.2
31-35%	380	4.2
36-40%	350	3.8
41-45%	151	1.7
46-50%	2379	26.1
51-55%	846	9.3
56-60%	374	4.1
61-65%	199	2.2
66-70%	432	4.7
71-75%	976	10.7
76-80%	307	3.4
81-85%	138	1.5
86-90%	206	2.3
91-95%	176	1.9
96-99%	437	4.8

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Total	9112	100.0
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And, based on this reduction, the below chart shows the average hourly fees that resulted from the above reductions.

And, based on this reduction, approximately what was your average reduced hourly fee?

	Number	Percent
\$1-50	1585	22.3
\$51-100	2239	31.5
\$101-150	1683	23.7
\$151-200	885	12.4
\$200-300	514	7.2
More than \$300	210	2.9
Total	7114	100.0

How much unbundling are attorneys doing?

The private practice attorneys were asked a series of questions about their use of limited scope representation/unbundling as part of the practice in 2016. The majority of attorneys (69.2%) indicated that none of their cases involve unbundled legal services for a fee. However 22.6% of attorneys indicated that 1-20% of their caseload involves unbundling.

In 2016, approximately what percentage of your overall caseload involved unbundled legal services for a fee?

	Number	Percent
0%	17282	69.2
1-20%	5644	22.6
21-40%	685	2.7
41-60%	460	1.8
61-80%	309	1.2
81-100%	598	2.4
Total	24976	100.0

Trends:

- URBAN/RURAL: Attorneys in rural areas and towns were more likely to provide legal services for a reduced fee, compared to urban and suburban attorneys.

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		Which of the below best describes your office location?				Total
		City	Suburban	Rural	Town	
In 2016, approximately what percentage of your overall caseload involved unbundled legal services for a fee?	0%	70.6% ^{oa}	69.2% ^{oa}	60.3% ^{ob}	62.6% ^{ob}	69.2%
	1-20%	21.2% ^{oa}	22.1% ^{oa}	30.1% ^{ob}	30.2% ^{ob}	22.6%
	21-40%	2.7% ^{oa}	2.9% ^{oa}	3.0% ^{oa}	2.6% ^{oa}	2.7%
	41-60%	1.8% ^{oa}	1.9% ^{oa}	2.3% ^{oa}	1.6% ^{oa}	1.8%
	61-80%	1.2% ^{oa}	1.4% ^{oa}	0.9% ^{oa}	1.0% ^{oa}	1.2%
	81-100%	2.4% ^{oa}	2.5% ^{oa}	3.3% ^{oa}	2.0% ^{oa}	2.4%
Total		100.0%	100.0%	100.0%	100.0%	100.0%

Each subscript letter denotes a subset of Which of the below best describes your office location? categories whose column proportions do not differ significantly from each other at the .05 level.

What encourages or discourages unbundling?

Attorneys were asked to rank a list of actions that might encourage them to provide unbundled services. The top three actions that attorneys said would encourage them to do more unbundling were:

- 1) more guidance or clarity concerning ethical obligations
- 2) more guidance or clarity concerning malpractice exposure for unbundled matters
- 3) more guidance or clarity concerning court procedures for unbundled matters

Activity and Ranking	Percent Selecting as #1	Percent selecting as #2	Percent selecting as #3	Ave Ranking (1 being the most encouraging)
(1) More guidance/clarity concerning ethical obligations for unbundling	29.2%	35%	13.1%	2.52
(2) More guidance clarity concerning malpractice exposure for unbundled matters	8.8%	27.5%	30.8%	3.29
(3) More guidance/clarity concerning court procedures for unbundled matters	5.1%	8.6%	27.0%	3.92
(4) Programs to connect you with prospective clients interested in unbundled legal services	9.6%	6.2%	6.7%	4.49
(5) Sample limited-scope agreements	6.3%	9.8%	10.6%	4.56
(6) Information to better understand fee structures for unbundled legal services	5.6%	7.7%	6.8%	5.73
(7) Opportunities to network with lawyers who unbundle	2.1%	3.8%	4.1%	6.04
Nothing. Unbundling is just not in my future	32.6%			5.45

For those who had not provided any unbundling, most (75.1%) indicated that “agreed” or “strongly agreed” with the statement: “I don’t think unbundling would work for much of my practice” and many

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(66.5%) indicated that they “agreed” or “strongly agreed” with the statement “I worry that unbundling would expose them to more malpractice claims.”

Statement	Strongly disagree (1)	Disagree (2)	Agree (3)	Strongly agree (4)	Average
I don't think unbundling would work for much of my practice	6.3%	18.5%	38.5%	36.6%	3.06
I worry that unbundling would expose me to more malpractice claims	9%	24.5%	42.4%	24.1%	2.82
It is difficult to get enough clients to make unbundling worthwhile	8.9%	28.6%	47.3%	15.3%	2.69
Prospective clients are not interested in unbundled legal services	8.2%	33.9%	40.8%	17.1%	2.67
Unbundled cases do not produce enough revenue	10.5%	36.2%	40.3%	13.0%	2.56
I am concerned that unbundling may be unethical	15.3%	38.9%	32.1%	13.6%	2.44
My law firm does not permit me to unbundle	32.3%	37.4%	17.4%	12.9%	2.11

For those who had provided unbundling, the most (78.4%) indicated that they “agreed” or “strongly agreed” with the statement “unbundling lowers the cost of cases so that more people can afford my services”. Similarly, most (69.7%) also “agreed” or “strongly agreed” with the statement: “unbundling allows them to offer legal services at a more competitive price”. And, 60.2% “agreed” or “strongly agreed” with the statement: “unbundling lowers receivables and results in fewer uncollected fees.”

Statement	Strongly disagree (1)	Disagree (2)	Agree (3)	Strongly agree (4)	Average
Unbundling lowers the cost of cases so that more people can afford my services	3.9%	17.7%	61.1%	17.3%	2.92
Unbundling allows me to offer legal services at a more competitive price	5.3%	25.1%	56.4%	13.3%	2.78
Unbundling lowers receivables and results in fewer uncollectable fees	7%	32.8%	49.8%	10.4%	2.64
Unbundling clients are likely to become full-service clients	11%	39.7%	43.2%	6.1%	2.44

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Unbundling clients are more engaged in the process and invested in the outcome than full service clients	15.2%	48.4%	30.5%	5.9%	2.27
Unbundling clients are more satisfied with their service than full-service clients	13.8%	52.8%	29%	4.4%	2.24
I am less worried about disciplinary complaints for unbundled cases	24.1%	43.4%	26.4%	6%	2.14

Appendix

Methodology: the web-based survey was distributed to all attorneys for whom contact information was available in the 24 participating states. The surveys were distributed by email in January and February of 2017. The final sample of surveys amounted to 47,242, with 45,941 of these responses being from attorneys with active licenses.

The sample fairly closely matched the known demographics of the attorney population, with slight deviations with respect to practice setting. Consequently, weights were applied to adjust the sample to represent the state attorney population. Weighting is a standard practice that addresses inconsistencies in distributions between survey responses collected compared with the actual distributions of the population being studied. The weight does not change a respondent's answer; rather, it gives appropriate relative importance to the answer. The below charts demonstrate the final weighted sample distributions by race/ethnicity, gender, age, and practice setting. All significant results noted throughout this report are at the 95 percent confidence level.

Category	Percent
Race/Ethnicity	
White, Not Hispanic	84.4%
Black, Not Hispanic	4.1%
Hispanic	4.5%
Asian, Pacific American, Not Hispanic	2.9%
Other	4.1%
Gender	
Male	61.6%
Female	37.5%
Gender Non-Conforming	0.2%
Age	
29 or younger	7.7%
30-34	12.1%
35-39	10.6%
40-44	8.8%
45-49	9.8%
50-54	9.8%

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55-59	11.3%
60-64	11.9%
65-69	9.5%
70-74	5.4%
75+	3.3%
Practice Setting	
Private Practice	68.3%
Corporate Counsel	8.7%
Government	12.1%
Non-profit	5.1%
Other	5.9%
License Status	
Active	97.2%
Inactive	2.4%
Emeritus/Pro Bono License	0.4%