

SUPPORTING JUSTICE IN WASHINGTON: A Report on the Pro Bono Work of Washington's Lawyers

July 2017

AMERICAN BAR ASSOCIATION
STANDING COMMITTEE ON PRO BONO AND PUBLIC SERVICE
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The American Bar Association’s Standing Committee on Pro Bono and Public Service (referred to as “the Committee”) is charged with the responsibility to review, evaluate and foster development of pro bono publico programs and activity by law firms, bar associations, corporate law departments and other legal practitioners. The Committee works to analyze and define the appropriate scope, function and objectives of pro bono publico programs; to establish an interest in such programs; and to review and propose policy that has an impact on the ability of lawyers to provide pro bono service. Toward that end, the Committee has conducted three national pro bono empirical studies. In 2014 the Committee piloted the survey at the state level in Nebraska. Based on the success of this model, the Committee conducted this survey in 24 states in 2017. Presenting and analyzing the results of this state-level data collection, this report contains the results for Washington. A national report on the aggregate findings from the 24 participating states is forthcoming.

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Section 1: Amount and Type of Pro Bono in 2016

When did attorneys most recently provide pro bono?

The respondents were asked to indicate when they most recently provided pro bono service. Most (74.2%) indicated that they most recently provided pro bono service in 2016, while 10% indicated they have never provided pro bono service.

In what year did you provide your most recent pro bono service?	Number	Percent
2016	560	74.2
2015	32	4.2
2014	21	2.7
2013	9	1.2
2012	6	.8
2011	1	.1
2010	10	1.3
2009	6	.8
2008	5	.7
2007	3	.4
2006	4	.5
2005 or earlier	24	3.2
I have not yet provided pro bono service	76	10.0
Total	755	100.0

Notable Trends:

- **PRACTICE SETTING:** Attorneys in private practice were significantly more likely to have engaged in pro bono service in 2016 (85.2%) compared to attorneys in other practice settings (49% in the corporate setting, 47% in the government setting, and 53.2% in the non-profit setting).

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. Approximately 31.6% of respondents reported not providing any pro bono service, compared to 16.6% of respondents providing 1-19 hours; 19.8% providing 20-49 hours, 13.3% providing 50-79 hours and 18.6% providing 80 or more hours. Overall, the attorneys provided an average of 57.4 (median of 20) hours of pro bono service in 2016. And, the average number of matters was 11.7.

Among respondents who provided pro bono service in 2016 (i.e. omitting respondents who provided no pro bono service), the average number of hours dedicated to pro bono was 77.4 (median of 40). And, the average number of matters was 15.7.

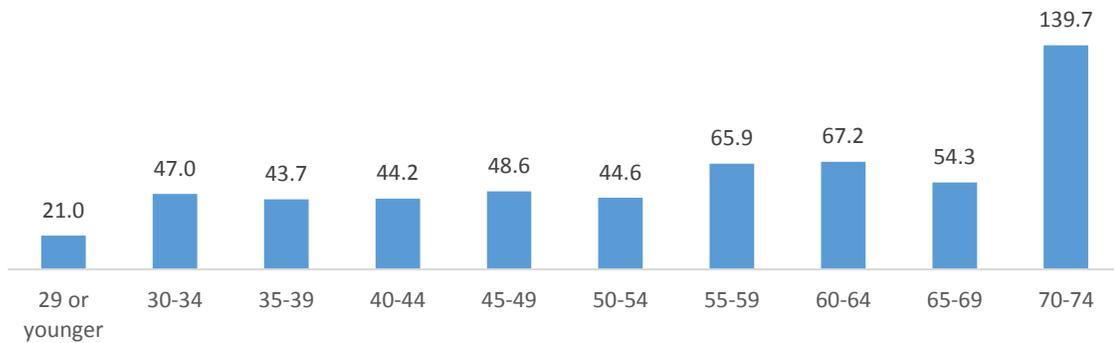
		Number	Percent	
57.4 Average Hours	Pro Bono	None	239	31.6
	Hours in 2016	1-19	125	16.6
		20-49	150	19.8
		50-79	101	13.3
		80+	141	18.6
		Total	755	100.0

77.4
Average
Hours

Notable Trends:

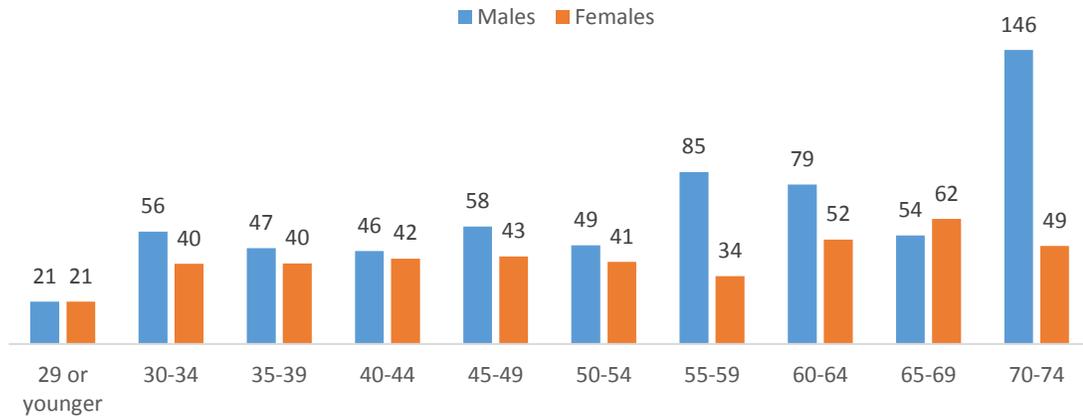
- GENDER: On average, male attorneys provided more hours of pro bono in 2016 (69.3 average hours) than female attorneys did (42.1 hours).
- AGE: There were significant differences in the average pro bono hours completed by various age groups (see below chart). Attorneys 55 and over tended to provide more average pro bono hours than younger attorneys.

Average Pro Bono Hours in 2016



- GENDER AND AGE: As noted in the below chart, gender likewise played a role with respect to attorneys undertaking pro bono service and who fall into certain age groups.

Average Pro Bono Hours in 2016



- URBAN/RURAL: Attorneys living in rural areas and towns provided more pro bono in 2016 (76.3 and 94.7 hours respectively) than urban and suburban attorneys (51.3 and 42.7 hours respectively).
- PRACTICE SETTING: Private practice attorneys reported on average doing significantly more pro bono (73 pro bono hours in 2016) than attorneys in other practice settings (12 hours by corporate attorneys, 11 hours by government attorneys, and 40 hours by non-profit attorneys).

To whom were these pro bono services provided?

Among the attorneys who provided pro bono in 2016, 84.8% provided services to individuals, 12.5% had provided services to classes of individuals, and 43.1% had provided services to organizations. Of the pro bono services provided to individuals in 2016, the average hours were 50.7, compared to an average of 30.8 of services to organizations.

Client Type	Percent of Attorneys Providing Pro Bono to ...	Average Hours	Average Number of Matters
Individuals	84.8%	71.4	15.3
Class of Individuals	12.5%	8.7	1.8
Organizations	43.1%	35.9	5.5

What type of pro bono services were provided?

Limited scope representation was the most prevalent type of service undertaken by respondents. Among respondents who provided pro bono service in 2016 (i.e. omitting respondents who provided no pro bono service), 53.5% provided *only* limited scope representation and 29.5% provided both limited scope and full representation in 2016. Just over 17% had provided only full representation in 2016.

Pro Bono Service Type	Percent of Attorneys Providing ...	Average Hours
Full and Limited Scope Representation	29.5%	150.0
Full Representation Only	17.1%	78.0
Limited Scope Representation Only	53.5%	49.4

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 indicated that they had represent a non or limited English speaker, an ethnic minority, a single parent, or a disabled person compared to the below list of client types.

Type of Client	Percent of Attorneys Indicating Having Represented This Client Type
Non or Limited English Speaker	48.7%
An Ethnic Minority	47.5%
Single Parent	46.7%
Disabled person	38.2%
Victim of Domestic Violence	36.1%
Elderly Person	31.4%
Undocumented Immigrant	25.9%
Documented Immigrant	25.0%
Veteran	24.9%
Homeless	22.8%
Student	22.0%
Rural Resident	20.0%
LGBT	16.7%
Child/Juvenile	13.0%
Victim of Consumer Fraud	12.5%
Incarcerated Person	7.1%
Migrant Worker	4.8%

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 (80.6%) as opposed to a specific class of persons (3.3%) or an organization (16.4%). Additionally, most of these services were limited scope representation (65.9%) as opposed to full representation (32.5%) or mediation (1.2%).

How do attorneys find their clients?

Of the attorneys who provided pro bono service, 17% indicated that their most recent client came directly to them. The remaining 83% were referred from some specific source. The most common referral sources were legal aid pro bono programs, followed by bar association pro bono programs.

How did this client come to you?	Number	Percent
The client came directly to me	91	17.0
A referral from a family member or friend	17	3.1
A referral from your employer	7	1.2
A referral from a co-worker within your organization	8	1.5
A referral from an attorney outside of your organization	5	.9
A referral from a present or former client	19	3.6
A referral from legal aid pro bono program	161	30.2
A referral from an independent pro bono program	14	2.5
A referral from a self-help desk	1	.3
A referral from a public or law library	3	.5
A referral from a law school clinic	5	1.0
A referral from a mediation center	2	.4
A referral from a religious organization	3	.5
A referral from a non-profit organization	54	10.1
A referral from a judge or court administrator	4	.7
Other	54	10.1
A referral from a bar association pro bono program	70	13.2
A referral from a lawyer referral service	1	.3
A referral from a guardian ad litem program	1	.1
A referral from a professional acquaintance	10	1.9
From a posting on a pro bono listserv to which I subscribe	4	.7
Total	533	100.0

Among those respondents whose clients came directly to them, 49.8% reported having no personal relationship with the person, while 13.6% reported that the client was an acquaintance, 13% noted that the client was an organization with whom the attorney was involved, and 6.3% indicated that the client was a personal friend.

How would you describe your relationship with the client before the legal engagement began?	Number	Percent
A personal friend	5	6.3
A relative	2	2.6
A co-worker	1	1.8
An acquaintance	11	13.6
A former client	4	5.5
A class of persons with whom I had a relationship with at least one class member	1	1.8
An organization with which I was personally involved	10	13.0
An organization with which a friend or family member was personally involved	1	1.8
Another relationship	3	3.7
None of the above- no prior relationship	40	49.8
Total	79	100.0

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, most attorneys relied on the referral source to vet the client’s financial eligibility. Otherwise, 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, rather than vetting the client’s financial data.

Low Income Determination (Multiple Choice)	Percent of Respondents
An indication from the referral source	21.2%
The referral source qualified the client	41.4%
Financial data, such as a W2 or paycheck information	8.4%
The word of the client	24.1%
Some other factor	7.9%
My knowledge of the client’s situation	26.0%

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

The most frequently reported pro bono legal tasks consisted of providing advice (84%), reviewing and/or drafting legal documents (76.9%) and interviewing/meeting with the client (74.5%).

Legal Task (Multiple Choice)	Percent of Respondents
Provided advice	84.0%
Reviewed/drafted documents	76.9%
Interviewed/met with the client	74.5%
Spoke with other attorneys	35.8%
Wrote letter	31.7%
Referred to other organization(s)	25.0%
Provided full representation in court (trial or appellate)	20.4%
Negotiated a settlement with other parties	13.5%
Represented the client in administrative proceedings	10.3%
Limited scope representation in court (trial or appellate)	7.4%
Represented the client before a legislative body	0.6%
Other	7.0%

Within the scope of the attorneys’ expertise?

The tasks performed were generally within the attorneys’ area of expertise. Specifically, 59.5% indicated that their recent pro bono experience was within their area of expertise. Attorneys in private practice were more likely to report that their recent case was within their area of expertise.

Consistent with the attorneys’ expectations?

Most (76.5%) of the attorneys indicated that their most recent pro bono experience was consistent with their expectations. Approximately 18%, however, indicated that the case took more time than they had expected and around 7% 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	76.5%
No – it took more time than I expected	18.4%
No – it took less time than I expected	2.8%
No – it was more complex than I expected	7.4%
No – it was less complex than I expected	0.9%
No – it was not what I expected in some other way	1.6%

Hours of service provided?

On average, attorneys spent 26.6 hours on their most recent pro bono case.

Section III: Motivations and Attitudes

The importance of pro bono services?

The vast majority of attorneys (88.9%) 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	9	1.3
Very unimportant	32	4.7
Somewhat unimportant	9	1.4
Neither important nor unimportant	26	3.7
Somewhat important	122	17.7
Very important	490	71.2
Total	688	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. Participating in reducing social inequalities
3. Duty as a member of the legal profession

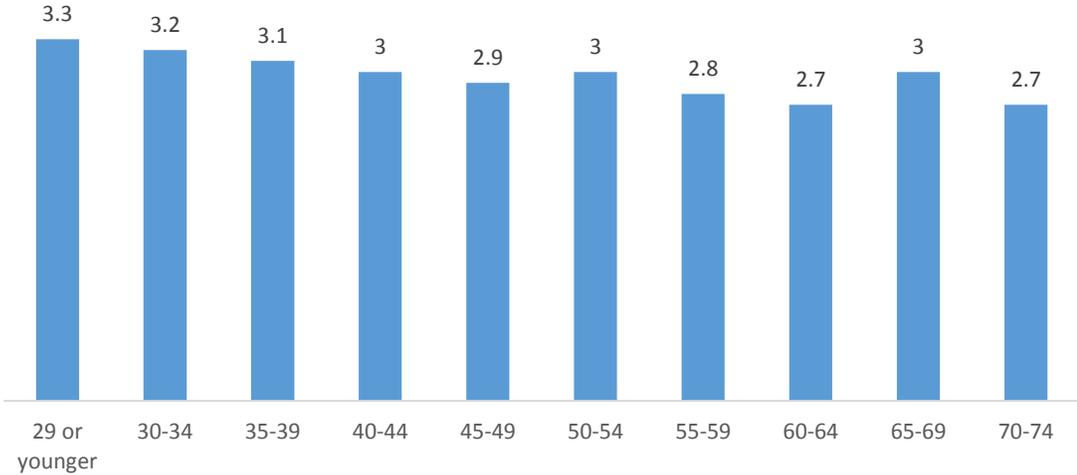
Motivator	Average Rating (on a scale from 1-5, where 1 is the least motivating and 5 is the most motivating)
Helping people in need	4.38
Participating in reducing social inequalities	3.91
Professional duty	3.74
Ethical obligation	3.70
It would make me feel like a good person	3.63
Helping the profession's public image	3.01
A firm culture that encourages pro bono	2.92
Opportunities to interact with low-income populations	2.82
Opportunities to work directly with clients	2.79
Opportunities to work with other attorneys	2.66

Gaining experience in an area outside of my expertise	2.62
Recognition from colleagues and friends	2.03
Opportunities to go to court	1.94
Recognition from employer	1.87
Strengthening relationships with my private practice clients who value pro bono engagement	1.76
Average across all factors	2.94

Notable Trends:

- GENDER: Overall, female attorneys provided higher ratings for the list of motivating factors (with an average of 3.1) than male attorneys (with an average of 2.8).
 - o Females were most motivated by: 1) helping people in need, 2) reducing social inequalities and 3) ethical obligation
 - o Males were most motivated by: 1) helping people in need, 2) reducing social inequalities and 3) professional duty
- 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 70-74 age group provided an average rating of 2.7. See the chart below. Specifically:
 - o For attorneys under age 45, the top three motivating factors were: 1) helping people in need, 2) reducing social inequalities, and 3) feeling like a good person
 - o For attorneys 45 and over, helping people in need was also the primary motivator, but this was followed by “professional duty” and “ethical obligations”

Average Pro Bono Hours in 2016



Are Attorneys Reactive or Proactive Concerning Pro Bono Opportunities?

To identify pro bono opportunities, just under half of the attorneys (73.6%) had reached out to some organization and 79.2% 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	29.6%	47.0%
Local bar association	43.3%	53.1%
A legal aid or pro bono organization	63.7%	62.6%
Some other organization	22.3%	28.9%
At least one of the above	73.6%	79.2%

What can pro bono programs do to engage more attorneys?

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

1. Provide limited scope representation opportunities
2. Provide malpractice insurance
3. Engage judges in soliciting participation

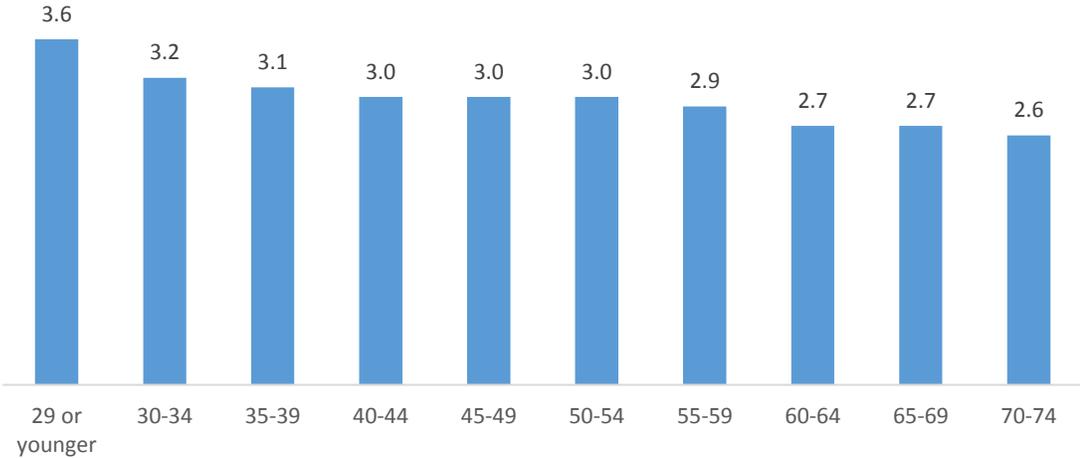
Action	Average (on a scale from 1-5, where 1 is the least encouraging and 5 is the most encouraging)
Limited scope representation opportunities	3.56
Malpractice insurance provided by referral organization	3.46
If a judge solicited my participation	3.43
CLE credit for doing pro bono	3.39
Free or reduced cost CLE	3.25
If a colleague asked me to take a case	3.16
Mentorship/supervision by an attorney specializing in the legal matter	3.14
Online description of case opportunities from which to select	3.10
Administrative or research support	3.07
The option of selecting a client based on demographics/descriptors	2.97
Opportunities to act as a mentor to young attorneys or law students	2.92
Opportunities to do pro bono remotely	2.91
Periodic contact by a referral organization (I'll take a case when I can)	2.86
If I were matched with another attorney to share the work	2.83

Availability of networking opportunities with other attorneys providing pro bono in my community	2.71
Alternative dispute resolution opportunities	2.70
More support from my firm	2.38
Self-reporting and state bar tracking of voluntary pro bono contributions	2.38
Reduced fee opportunities as opposed to free service opportunities	2.29
Formal recognition of my past volunteer efforts	2.06
Average of All Factors	2.93

Notable Trends:

- GENDER: Overall, female attorneys provided higher ratings for the list of actions (3.1 compared to 2.8 for male attorneys). Specifically,
 - o For female attorneys, the top three influential actions were: 1) limited scope representation opportunities, 2) malpractice insurance and 3) CLE credit
 - o For male attorneys, the top three influential actions were: 1) if a judge solicited participation, 2) limited scope representation opportunities, and 3) if a colleague asked/CLE credit (both received the same average rating)
- RACE/ETHNICITY: Asian attorneys provided higher ratings for the list of actions (3.4) as compared to non-Asian attorneys (2.9). For Asian attorneys, the top three actions were: 1) malpractice insurance, 2) limited scope representation, and 3) CLE credit.
- 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 3.6, compared to the 70-74 age group which provided an average rating of 2.6.

Average Rating for List of Actions



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	Average (on a scale from 1-5, where 1 is the least discouraging and 5 is the most discouraging)
Lack of time	4.11
Commitment to family or other personal obligations	3.95
Lack of skills or experience in the practice areas needed by pro bono clients	3.66
Lack of malpractice insurance	3.20
Competing billable hour expectations and policies	3.10
Lack of clarity on how much time I would end up having to commit	3.04
The unrealistic expectations of clients	3.00
Scheduling conflicts making it difficult to be available for court appearances	2.97
Lack of interest in the types of cases	2.93
Lack of administrative support or resources	2.93
Too costly; financially burdensome to my practice	2.83
Lack of information about opportunities	2.71
Discouragement from employer/firm	2.44
A preference for spending volunteer time on non-legal matters	2.38
Concerns that doing pro bono work would compromise the interests of my other clients	2.12
A preference for providing reduced fee assistance rather than no fee assistance	1.86
I feel that a lot of pro bono clients really can afford legal assistance	1.64
Personal or philosophical objections	1.49
Total for all factors	2.81

Notable Trends:

- RACE/ETHNICITY: Asian attorneys provided higher average ratings for discouraging factors (3.2) than did non-Asian attorneys (2.8).

Firm/Employer attitude toward pro bono?

Private practice attorneys were asked about their employers’ attitude towards pro bono. The majority (59.4%) indicated that their employer encourages pro bono activities, while 35.1% indicated that their employer neither encourages nor discourages 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	138	59.4
Employer neither encourages nor discourages pro bono activities	82	35.1
Employer discourages pro bono activities	13	5.5
Total	233	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 (30.7% reported this) or pro bono during regular business hours (28% 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	30.7%
Employer allows pro bono during regular business hours	28.0%
Employer has a pro bono policy that supports employee pro bono activities	20.5%
Employer allows billable hour credit for pro bono work	14.2%
Employer provides mentoring for pro bono activities/matters	13.0%
Employer has a pro bono manager	12.8%
Employer has procedures in place for identifying and referring pro bono cases internally	11.7%
Employer requires a specific number of pro bono hours or matters per year	1.6%
Employer places restriction on number of pro bono clients or matters in a fiscal year	1.7%
Employer does NOT allow pro bono during regular business hours	2.0%
Employer disallows use of internal resources for pro bono activities	1.5%

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

Of the 67.4% of respondents that indicated that they had provided pro bono legal services as a law student, most (67.2%) noted that doing so made them “more” or “far more” likely to provide pro bono services after graduating from law school. Around 31% indicated that it had no impact on their likelihood of providing pro bono services after law school, and just shy of 2% 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?	Number	Percent	Percent of attorneys who had provided pro bono in law school
Far more likely to provide pro bono services	156	25.4	37.7
More likely to provide pro bono services	122	19.9	29.5
It had no impact on my provision of pro bono services	129	21.0	31.2
Less likely to provide pro bono services	7	1.1	1.7
I did not provide pro bono legal services while I was a law student	201	32.6	N/A
Total	615	100.0	100

Interest in Emeritus license status?

Emeritus status provides for a limited license for attorneys who are not currently practicing law to practice on a volunteer basis for a Qualified Legal Service Provider (QLSP). An attorney on Emeritus status cannot practice law outside of providing free legal services through a QLSP. The attorneys were asked to indicate what might encourage them to choose emeritus instead of inactive. See the below chart for the percent of attorneys that chose the indicated response option.

Action Choice (Multiple Choice)	Percent
Reduction of the license fee	14.0%
Training, support and resources to learn a new area of law	14.4%
Finding an opportunity in my practice area	13.5%
Funding an opportunity that is flexible with my schedule	15.7%
Finding an opportunity to mentor attorneys	8.8%
Other	1.5%
None of the above – I intend to keep my current license status for a while	57.5%

Mandatory reporting of pro bono hours?

WSBA members voluntarily report for RPC 6.1 pro bono public hours in the WSBA annual licensing form. Many states require mandatory reporting of pro bono hours. In part, this is to better understand how members engage in pro bono and to shed light on a more accurate reflection of how lawyers give back. The surveyed attorneys were asked to indicate if they would be opposed to mandatory reporting of pro bono hours as part of the WSBA annual licensing form. Approximately 43% said they would not be opposed, 41% said they would be opposed, and 16% indicated “maybe.”

Would you be opposed to mandatory reporting of pro bono hours as part of the WSBA annual Licensing Form?	Number	Percent
Yes	228	41.2
Maybe	86	15.5
No	240	43.3
Total	555	100.0

Likelihood of providing pro bono in 2017?

Overall, 68.5% of the respondents indicated that they were either likely or very likely to offer pro bono services in 2017, while 13.3% 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	42	6.5
Unlikely	44	6.8
Somewhat Unlikely	17	2.7
Undecided	46	7.1
Somewhat likely	54	8.3
Likely	77	11.9
Very Likely	365	56.6
Total	644	100.0

Section IV: Other Public Service Activities

What public service activities did attorneys provide in 2016?

The surveyed attorneys engaged in a range of public service activities in 2016. Approximately 24% of the attorneys reported that they had provided legal services for a reduced fee in 2016, and the average number of hours they provided was 105.4. See the below chart for information on additional public service activities.

Public Service Activity	Percent of Attorneys Providing...	Average Hours
Legal services for a reduced fee	23.8%	105.4
Trainer or teacher on legal issues	21.4%	34.5
Speaker at legal education event for non-lawyers	18.3%	10.6
Grassroots community advocacy	17.5%	30.3
Supervising or mentorship to another attorney providing pro bono representation	14.9%	23.8
Member of board of legal services or pro bono organization	13.7%	37.0
Policy advocacy	13.2%	26.9
Member of bar committee related to pro bono or access to justice	12.1%	36.1
Lobbying on behalf of a pro bono organization	6.5%	9.3
Member of firm committee related to pro bono or access to justice	5.9%	20.6
Other	8.1%	
None of the above	23.0%	

As noted in the below chart, for the legal services provided for a reduced fee, about half of the attorneys had reduced their fees by 46-75%.

Reduced Fee - Average Reduction Percent	Number	Percent
5% or less	5	2.7
6-10%	2	1.2
11-15%	2	.8
16-20%	4	2.0
21-25%	16	8.6
26-30%	7	4.0
31-35%	6	3.3
36-40%	4	2.0
41-45%	5	2.8

46-50%	45	24.0
51-55%	18	9.5
56-60%	11	5.9
61-65%	2	.8
66-70%	7	3.6
71-75%	29	15.4
76-80%	6	3.1
81-85%	1	.8
86-90%	3	1.6
91-95%	4	2.3
96-99%	11	5.8
Total	186	100.0

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	36	19.8
\$51-100	54	29.9
\$101-150	48	26.9
\$151-200	22	12.4
\$200-300	14	7.7
More than \$300	6	3.3
Total	179	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 (61.4%) indicated that none of their cases involve unbundled legal services for a fee. However 26.7% 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%	248	61.4
1-20%	108	26.7
21-40%	21	5.3
41-60%	9	2.2
61-80%	7	1.8
81-100%	10	2.5
Total	404	100.0

What encourages or discourages attorneys from providing unbundling?

Attorneys were provided with a list of things that might encourage unbundling and asked to rank them. The top three actions that attorneys said would encourage them to do more unbundling were:

- 1) more guidance or clarity concerning ethical obligations for unbundled matters
- 2) more guidance or clarity concerning malpractice exposure for unbundled matters
- 3) programs to connect attorneys with prospective clients interested in unbundled legal services

Activity and Ranking	Percent Selecting Activity as #1	Ave Ranking (1 being the most encouraging)
(1) More guidance/clarity concerning ethical obligations for unbundling	22.6%	2.83
(2) More guidance clarity concerning malpractice exposure for unbundled matters	5.1%	3.70
(3) Programs to connect you with prospective clients interested in unbundled legal services	13.1%	4.24
(4) More guidance/clarity concerning court procedures for unbundled matters	2.8%	4.27
(5) Sample limited-scope agreements	8.3%	4.40
(6) Information to better understand fee structures for unbundled legal services	6.5%	5.48
(7) Opportunities to network with lawyers who unbundle	2.8%	5.90
Nothing. Unbundling is just not in my future	38.8%	

For those who had not provided any unbundling, most (69.9%) indicated that “agreed” or “strongly agreed” with the statement: “I don’t think unbundling would work for much of my practice” and many (55.2%) indicated that they “agreed” or “strongly agreed” with the statement “it is difficult to get enough clients to make unbundling worthwhile.”

Statement	Average (1= strongly disagree and 4=strongly agree)
I don’t think unbundling would work for much of my practice	3.00
It is difficult to get enough clients to make unbundling worthwhile	2.54
I worry that unbundling would expose me to more malpractice claims	2.52
Prospective clients are not interested in unbundled legal services	2.41
Unbundled cases do not produce enough revenue	2.40
I am concerned that unbundling may be unethical	2.23
My law firm does not permit me to unbundle	2.04

For those who had provided unbundling, the most (84.3%) 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 (70.8%) also “agreed” or “strongly agreed” with the statement: “unbundling allows them to offer legal services at a more competitive price.”

Statement	Average (1= strongly disagree and 4=strongly agree)
Unbundling lowers the cost of cases so that more people can afford my services	2.98
Unbundling allows me to offer legal services at a more competitive price	2.76
Unbundling lowers receivables and results in fewer uncollectable fees	2.57
Unbundling clients are likely to become full-service clients	2.39
Unbundling clients are more engaged in the process and invested in the outcome than full service clients	2.25
Unbundling clients are more satisfied with their service than full-service clients	2.22
I am less worried about disciplinary complaints for unbundled cases	2.12

Appendix

Methodology: the web-based survey was distributed to all attorneys for whom contact information was available in the 24 participating states. The surveys for Washington were distributed by email in January, 2017. The final sample of surveys amounted to 788, with 756 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 gender and 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	84.8%
Black, Not Hispanic	1.5%
Hispanic	1.9%
Asian, Pacific American, Not Hispanic	5.3%
Gender	
Male	57.9%
Female	41.5%
Gender Non-Conforming	0.5%
Age	
29 or younger	4.3%
30-34	13.3%
35-39	15.5%
40-44	8.3%
45-49	8.2%
50-54	8.9%
55-59	11.2%
60-64	11.6%
65-69	9.8%
70-74	6.4%
75+	2.4%
Practice Setting	
Private Practice	65.9%
Corporate Counsel	6.4%
Government	13.2%
Non-profit	8.4%
Other	6.1%