

PRO BONO SURVEY, Add One

The survey queried lawyers about their pro bono activity during the course of a full year. The survey then asked about lawyers' attitudes about pro bono and factors that influenced their pro bono activity.

“This is the first survey ever to poll lawyers from every state, in every practice area, and of every age and experience level about their pro bono activity,” said Debbie Segal, chair of the committee. “It will be a powerful tool in devising new approaches to encourage pro bono work and reduce inequalities in access to justice.”

Rule 6.1 of the ABA's Model Rules of Professional Conduct defines pro bono as free legal service to the poor and organizations serving the poor and substantially reduced-fee work for such groups, as well as civil rights, civil liberties, public rights, charitable, religious, civic, community, governmental and educational organizations.

The survey found that most lawyers perform some type of pro bono work during a year. Sixty six percent of lawyers provided free legal services to people of limited means or organizations serving the poor, and another 18 percent did pro bono work meeting other aspects of the ABA's definition. Few respondents, 2 percent, reported pro bono activity not meeting the ABA's definition, and only 14 percent said they had not performed any type of pro bono activity.

The average lawyer in the survey performed about 39 hours per year of free legal service for the poor or organizations serving the poor. Almost half, 46 percent, of lawyers polled met the ABA's aspirational goal of providing at least 50 hours of free legal services in a year.

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The survey also provided insight into factors affecting lawyers' decisions to engage in pro bono activities. When asked for the top two factors encouraging pro bono activity, 70 percent of lawyers reported a sense of professional responsibility and personal satisfaction, while 34 percent cited recognition of the needs of the poor. In contrast, when asked about the top two factors discouraging pro bono work, 69 percent of lawyers reported a perceived lack of time, while 15 percent named pressure to work a minimum number of billable hours and 12 percent cited cost concerns.

The survey also measured how variables such as practice area, gender and age impact pro bono activity. The report is available at www.abaprobono.org/report.pdf.

The survey was conducted by an independent polling organization, Calo Research Services, based in Cincinnati, Ohio, and the sample consisted of 1,100 lawyers, with a margin of error of +/- 3 percent. The survey used a representative sample with proportional allocations based on estimates of the United States lawyer population from the American Bar Foundation's 2000 Lawyer Statistical Report. The survey was conducted through telephone interviews and asked lawyers about their pro bono activity during the period from November 2003 to November 2004.

The attorney sample spanned four practice settings: private practice (81 percent), corporate counsel (9 percent), government (8 percent) and academic (1 percent). Because the survey targeted practicing lawyers, the sample excluded retired and inactive lawyers. The sample also excluded members of the judiciary, due to real and perceived limits on their ability to perform pro bono activity, and legal aid, public defender and private association lawyers because they already deliver legal services to the poor and represent a relatively small proportion of the lawyer population.

PRO BONO SURVEY, Add Three

The American Bar Association Standing Committee on Pro Bono and Public Service and the ABA Center for Pro Bono provide national leadership in policy, outreach, implementation and technical assistance activities designed to encourage, activate, expand and improve pro bono activities and programs.

With more than 400,000 members, the American Bar Association is the largest voluntary professional membership organization in the world. As the national voice of the legal profession, the ABA works to improve the administration of justice, promotes programs that assist lawyers and judges in their work, accredits law schools, provides continuing legal education, and works to build public understanding around the world of the importance of the rule of law in a democratic society.

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