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ASSESSING A LAW FIRM'S COMMITMENT TO PRO BONO

You need to be proactive if you are thinking about working at a law firm and would like to choose a firm with a strong pro bono program, including policies that allow you to do substantial pro bono during the summer or as an associate. Most firms will claim to encourage pro bono but not all really do. This guide will help you determine which firm is right for you. No one piece of information is necessarily dispositive of a firm's pro bono commitment or culture. You must make this determination for yourself in interviews and by talking to people who work or have worked there. Timing is important. It probably is best to wait until after you receive an offer to press the issue but you can raise it at an EIP interview, or during callback visits. It often is useful to call or e-mail the people who coordinate the firms' pro bono program and ask to meet with them and with associates and a partner who do pro bono.

Evaluating the Program

Does the firm have a full-time person (or people) coordinating the pro bono program? Most firms serious about pro bono will have a pro bono coordinator, manager, director, associate, counsel, or partner. Ask to talk to that person.

Is this person an attorney? / Do other attorneys take part in pro bono management?

Is this person a partner?

Does this person work full- or part-time on pro bono matters? Is there a pro bono committee? / How often does it meet? / Who is on it?

Is pro bono described or highlighted in the law firm's materials?

Does the firm's webpage describe the pro bono program? Is it specific or general?

Does it look like a marketing piece or is it substantive?

Is there a regular section on pro bono in the firm newsletter?

Is pro bono work voluntary or required at the firm?

Does the firm encourage attorneys to perform a minimum number pro bono hours?

Do pro bono hours count as billable hours? / Do they count towards the firm's minimal billable hours goal?

If there are different salary tracks for different hour commitments at the firm, do pro bono hours count towards that commitment?

Does the firm have a bonus system that is tied to hours? / Do pro bono hours count towards that?

Are pro bono cases really treated the same as other cases when assigning work?

How does pro bono factor into compensation, performance reviews, and partnership decisions?

Does the firm encourage attorneys to perform a minimum number of hours?

Will your pro bono accomplishments be taken into account at review time?

Does the firm evaluate summer associates on pro bono?

Are partners supervising your pro bono work expected to evaluate you in a similar manner as partners with whom you work on cases for paying clients?

What percentage of the lawyers who made partner this year handled a pro bono case?

What resources are made available to attorneys who perform pro bono work?

Is training available?

Are there attorneys in-house who have substantive legal expertise in areas of pro bono practice that interest you?

Are support staff permitted to work on pro bono cases?

Does the firm provide similar resources (translators, expert witnesses, court fees, use of inhouse resources such as document production or catering) as it would on a billable case?

How does the firm get its pro bono work?

If the response to this question is that you can do anything you want, that may translate to "you're on your own to find the work," which isn't easy to do.

Does the firm work on pro bono cases with certain public interest organizations on a regular basis?

How is a pro bono matter screened and selected?

Can you bring in your own cases?

What kind of pro bono cases does the firm usually offer?

Make sure you will be able to do pro bono work that interests you.

Does the firm specialize in a specific area of pro bono work?

Are there any issues/areas that the firm doesn't take on?

Participation and Firm Culture

What percentage of the lawyers/partners in the firm did pro bono work last year? Look at the number of lawyers doing pro bono, and the number of hours per lawyer. Check the firm's pro bono ranking in the *American Lawyer* magazine (see below). Look at the rankings as part of the overall picture of the firm's commitment; the numbers aren't everything and sometimes don't accurately reflect the firm's pro bono culture.

Do partners do pro bono work and/or supervise pro bono matters? Focus on partner involvement. If partners are not committed to the work, they may feel that associates are working on pro bono matters over paying client matters rather than seeing pro bono as part of a balanced caseload.

How are the people who do pro bono viewed/respected in the firm?

Do people on the firm's management committee or in other leadership positions do pro bono work?

Is pro bono work done by other departments besides litigation? Which other departments?

What opportunities has the firm developed for corporate/transactional lawyers?

Are pro bono victories/awards publicized within the firm?

What are the types of pro bono work the firm has been involved in this year? Ask this at an interview to find out how familiar attorneys are with pro bono cases. You will also learn the substance of the work being performed.

Ask the interviewer if he/she has the chance to do much pro bono work. The interviewer should be able to speak intelligently and knowledgeably about the pro bono work of the firm generally and about his/her own pro bono efforts. Ask questions about how he/she incorporates pro bono into his/her caseload.

Do you have any Columbia graduates currently doing pro bono work?

Ask for names.

Is the firm a signatory to the Pro Bono Institute Law Firm Pro Bono Challenge®?

The PBI Law Firm Pro Bono Challenge® lists those firms that have agreed to commit either 3% or 5% of their firm's total billable hours to pro bono work. The list is available via the Law Firm Pro Bono Project web site at <http://www.probonoinst.org/projects/law-firm-pro-bono/law-firm-pro-bono-challenge/>.

Other Resources:

- “The Path to Pro Bono: An Interviewing Tool for Law Students,” ABA Standing Committee on Pro Bono and Legal Services and the Center for Pro Bono: https://www.americanbar.org/content/dam/aba/administrative/probono_public_service/as/path.pdf
- The 2017 Vault Guide to Law Firm Pro Bono Programs, available on Vault using your CLS login: <https://www.vault.com/vault-guides/vault-guide-to-law/9781438171616/view-guide>
- The American Lawyer Pro Bono Scorecard 2020 available through the Law Library (you will be prompted for your UNI login & password): <https://www-law-com.prx.law.columbia.edu/americanlawyer/2020/07/06/the-2020-pro-bono-scorecard-the-national-rankings/>