

A photograph of the Abraham Lincoln statue in front of the District of Columbia Court of Appeals building. The statue is a full-length marble figure of Lincoln, standing on a large, multi-tiered granite pedestal. He is wearing a long, dark coat and a bow tie. The building behind him is a grand, classical structure with a portico supported by several columns. The pediment above the columns is inscribed with the words "DISTRICT OF COLUMBIA COURT OF APPEALS". The sky is overcast.

DISTRICT OF COLUMBIA COURT OF APPEALS

D.C. Bar Pro Bono Initiative

2018 Pro Bono Initiative Report

An Overview of Pro Bono in D.C. | August 2019

OUR MISSION

The Pro Bono Initiative's mission is to improve the delivery of pro bono legal services in the District of Columbia. Signatory Firms agree to:



1.

Set a minimum pro bono goal for the firm's D.C. office (3% or 5% of total client billable hours, or alternatively, an average of 60 or 100 hours per lawyer each year).

2.

Manage to the pro bono goal.

3.

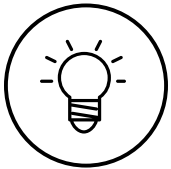
Sign up for, and/or develop, specific pro bono opportunities that help D.C.'s indigent population.

4.

Report the firm's D.C. office results to the D.C. Bar Pro Bono Center.

The D.C. Bar Pro Bono Initiative is a unique, aspirational pro bono standard for D.C. firms.

OUR BACKGROUND



In 2001, 41 of the District's largest law firms joined the D.C. Bar Pro Bono Initiative ("Initiative") and pledged to provide pro bono legal services at specified levels.*



The number of Signatory Firms has varied over the years due in part to mergers. Peak participation occurred in 2009, when all 64 Signatory Firms responded to the survey.



In April 2019, the D.C. Bar Pro Bono Center circulated a survey to all 64 Signatory Firms, gathered survey responses, and aggregated the statistics in this report. This reporting year, 63 Signatory Firms responded to the survey, at least in part.**



* The Initiative's standards were created by, and are used with permission from, the Pro Bono Institute and modeled on the Institute's Law Firm Pro Bono Challenge®: <http://www.probonoinst.org/resources/what-counts/>. The D.C. Bar Pro Bono Center thanks the Pro Bono Institute for permission to use and affiliate with the Law Firm Pro Bono Challenge®. The Law Firm Pro Bono Challenge® name is the property of the Pro Bono Institute and may not be further used or cited, in whole or in part, without prior written permission from the Pro Bono Institute.

** Some firms have policies against providing information on their number of billable hours. As was the case in previous years, not all firms responded to all questions.

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2018 Reporting Signatory Firms

The D.C. Bar Pro Bono Center thanks the Signatory Firms whose commitment to pro bono service is reflected in this Pro Bono Initiative Report.**

Akin Gump Strauss Hauer & Feld LLP

Arent Fox PLLC

Arnold & Porter LLP

Baker Botts LLP

Beveridge & Diamond

Blank Rome LLP

Bryan Cave LLP

Cooley LLP

Cleary Gottlieb Steen & Hamilton LLP

Covington & Burling LLP

Crowell & Moring LLP

Davis Wright Tremaine LLP

Debevoise & Plimpton LLP

Dechert LLP

DLA Piper US LLP

Drinker Biddle & Reath LLP

Duane Morris LLP

Epstein Becker & Green

Eversheds Sutherland US LLP

Finnegan, Henderson, Farabow, Garrett & Dunner, LLP

Foley & Lardner LLP

Fried, Frank, Harris, Shriver & Jacobson LLP

Gibson, Dunn & Crutcher LLP

Goodwin Procter LLP

Hogan Lovells US LLP

Holland & Knight LLP

Hunton Andrews Kurth LLP

Jenner & Block LLP

Jones Day

Kelley Drye & Warren LLP

Kilpatrick Townsend & Stockton LLP

King & Spalding LLP

Kirkland & Ellis LLP

K&L Gates LLP

Latham & Watkins LLP

Mayer Brown LLP

McDermott, Will & Emery LLP

Miller & Chevalier Chartered

Mintz Levin Cohn Ferris Glovsky & Popeo PC

Morgan Lewis & Bockius LLP

Morrison & Foerster LLP

Nixon Peabody LLP

Norton Rose Fulbright LLP

O'Melveny & Myers LLP

Orrick, Herrington & Sutcliffe LLP

Paul, Hastings, Janofsky & Walker LLP

Perkins Coie LLP

Pillsbury Winthrop Shaw Pittman LLP

Reed Smith LLP

Ropes & Gray LLP

Shearman & Sterling LLP

Sidley Austin LLP

Skadden, Arps, Slate, Meagher & Flom LLP

Squire Patton Boggs LLP

Steptoe & Johnson LLP

Venable LLP

Vinson & Elkins LLP

Weil Gotshal & Manges LLP

Wiley Rein LLP

Williams & Connolly LLP

WilmerHale LLP

Winston & Strawn LLP

Zuckerman Spaeder LLP

** 64 Signatory Firms were sent the PBI survey, and 63 Signatory Firms reported their progress. Dentons US LLP did not submit a survey.

2019 New Signatory Firms

The D.C. Bar Pro Bono Center thanks the new firms that have signed on to the D.C. Bar Pro Bono Initiative.

Ballard Spahr LLP

Buckley LLP

Cozen O'Connor P.C.

Hughes Hubbard & Reed LLP

White & Case LLP

Please Note: These five firms' D.C. offices joined the D.C. Bar Pro Bono Initiative in May 2019, and their pro bono figures are not included in this report.

2018 EXECUTIVE SUMMARY

The 2018 Pro Bono Initiative Report examines the 2018 calendar year pro bono performance of reporting firms signing on to the D.C. Bar Pro Bono Initiative. Signatory Firms have committed to contribute 3% or 5% (or alternatively, 60 or 100 hours per attorney) of their annual total paying client billable hours to pro bono activities and report their performance to the D.C. Bar Pro Bono Center each year.



Overall Performance

Total pro bono hours reached an all-time high in 2018. 63 firms reported performing an aggregated total of 967,626 hours of pro bono work in 2018. A year-to-year comparison of the 59 firms that reported in both 2017 and 2018 showed an approximate 3% increase in total pro bono hours.



Attorney Participation

The percentage of attorneys engaged in pro bono increased slightly in 2018. The participation rate was 81% in 2018, up from 80% in 2017. The total number of attorneys participating in pro bono increased in 2018 from 8,128 to 8,850 attorneys.



Pro Bono for Those of Limited Means

In 2018, firms reported approximately 649,011 pro bono hours for those of limited means or organizations serving them. 67% of all pro bono time was devoted to those of limited means or organizations serving them.



Innovative Activities

Several firms reported engaging in one or more new pro bono activities in D.C., including: a partnership with a corporate in-house department (6); a D.C. office-wide signature project (5); a rotation/fellowship/externship program (4); or other (8).

2018 Highlights

Average Pro Bono Hours as a Percentage of Billable Hours

4.9%

Attorney Participation in Pro Bono

81%



Average Pro Bono Hours Per Attorney

89

Pro Bono Percentage Devoted to Persons of Limited Means or Organizations That Serve Them

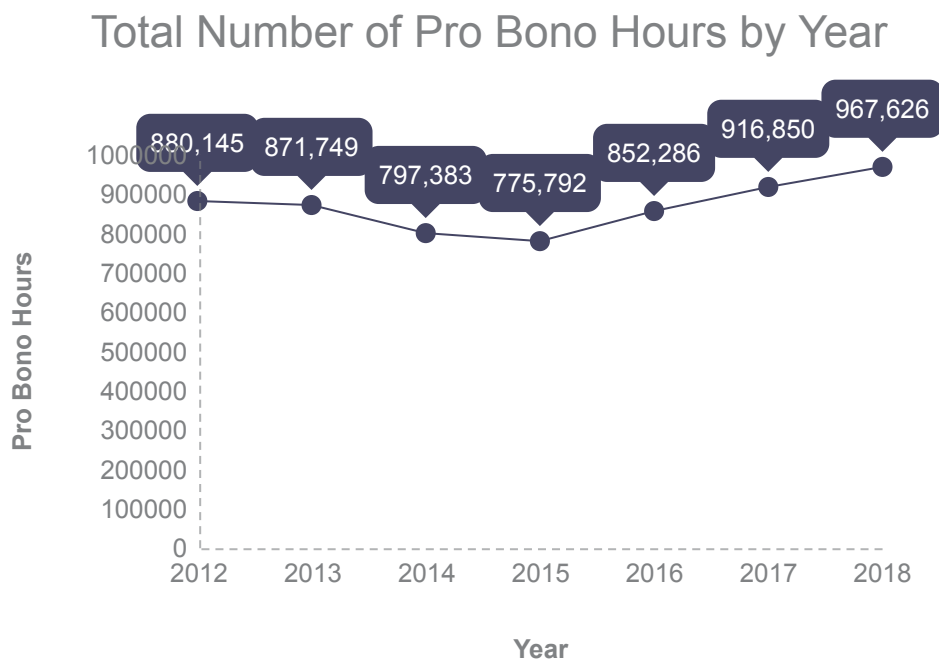
67%

2018 Initiative Performance Data

Total Pro Bono Hours

In 2018, 63 firms performed an aggregated total of **967,626 hours** of pro bono service -- the highest total pro bono hours ever and approximately 50,776 hours more than in 2017, when 59 firms reported an aggregated total of 916,850 pro bono hours.

Total pro bono hours **increased** in 2018.



In a year-to-year comparison, the 59 firms that provided both their 2017 and 2018 figures reported a total of 916,850 pro bono hours in 2017 and 967,626 pro bono hours in 2018 -- an approximate **3% increase.**

2018 Initiative Performance Data

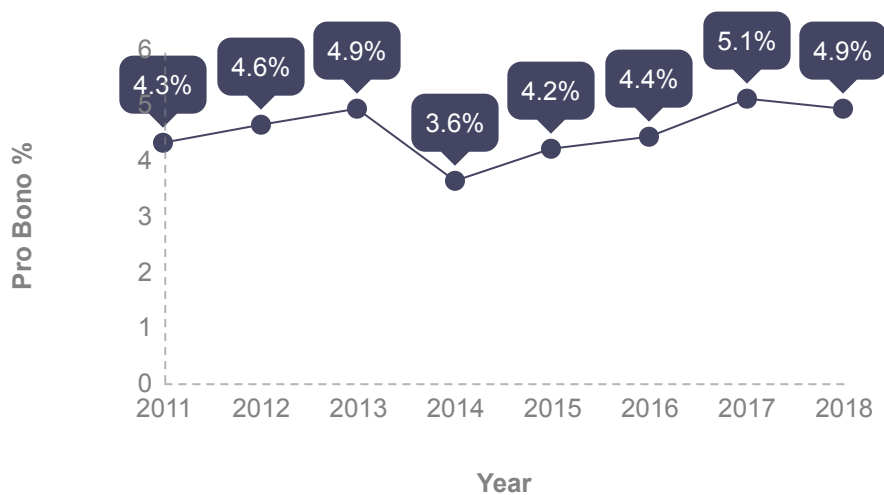
Average Pro Bono Percentage

In 2018, 56 of the 63 reporting Signatory Firms provided enough information to verify whether they achieved the 3% or 5% benchmarks set by the Initiative.

Viewed as a percentage of total paying client billable hours, Signatory Firms contributed an average of **4.9%**

of their billable hours to pro bono work, a slight decline from the previous year.

Average Pro Bono Percentage by Year



22 reporting firms contributed between 3% and 4.9% of their billable hours to pro bono work in 2018 -- meeting or exceeding the first benchmark set by the Pro Bono Initiative. 19 reporting firms contributed between 3% and 4.9% of their billable hours to pro bono work in 2017.

24 reporting firms contributed 5% or more of their billable hours to pro bono work in 2018 -- meeting or exceeding the highest benchmark set by the Pro Bono Initiative. 27 reporting firms contributed 5% or more of their billable hours to pro bono work in 2017.

From 2017 to 2018, there was a 11% decrease in the number of Signatory Firms that met or exceeded the 5% benchmark.

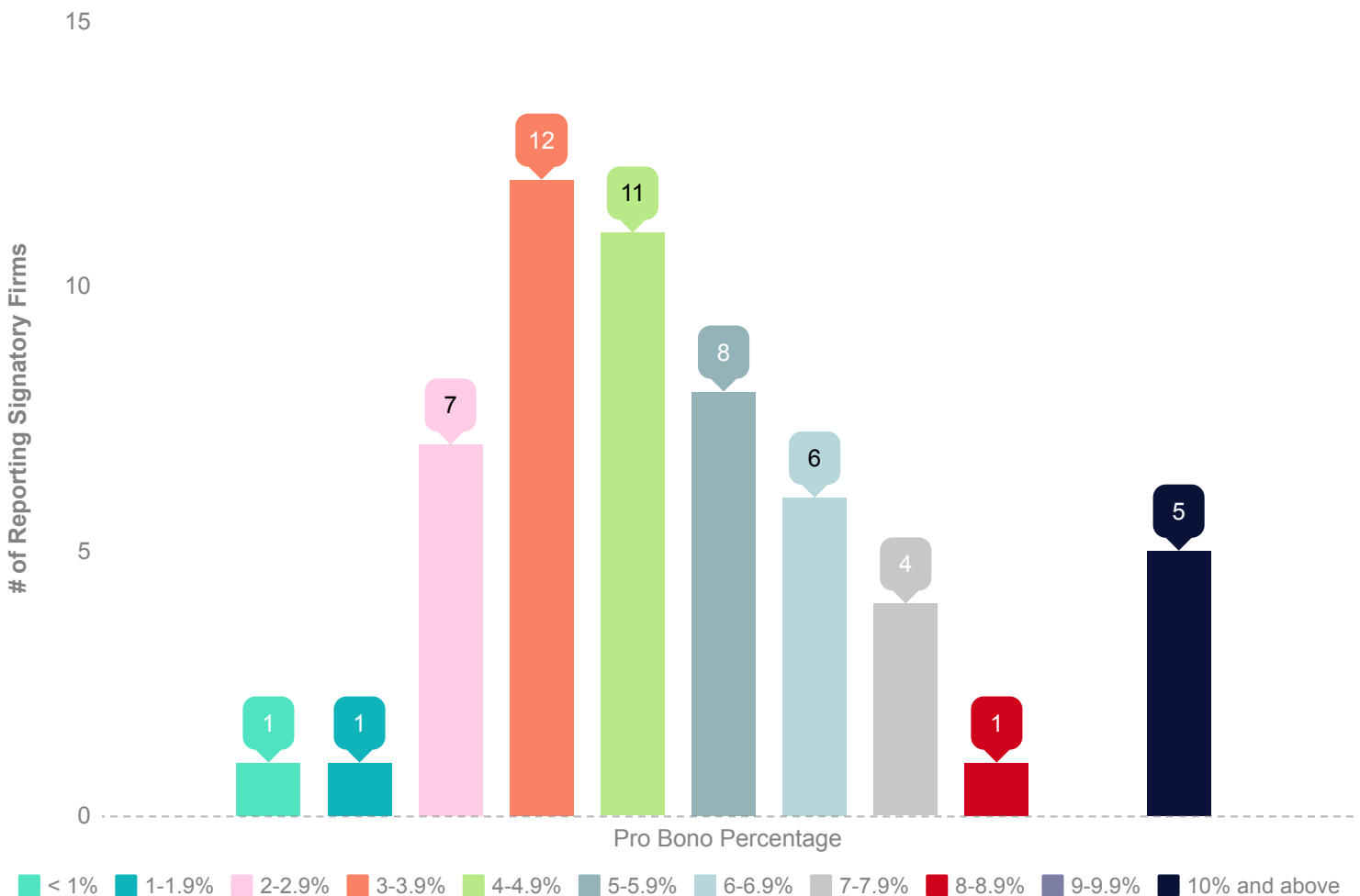
2018 Initiative Performance Data

Distribution of Pro Bono Percentages

In 2018, 56 of the 63 reporting Signatory Firms provided enough information to ascertain their percentage of total paying client billable hours dedicated to pro bono work ("pro bono percentage"). The chart below reflects the pro bono percentage distribution of those 56 firms.

Signatory Firms set a minimum pro bono goal of 3% or 5% of total paying client billable hours, and 5 firms reported exceeding the 5% benchmark by dedicating more than 10% of paying client billable hours to pro bono work, demonstrating their outstanding commitment to pro bono service. On the other hand, the chart shows that 9 firms did not meet the minimum 3% benchmark set by the Initiative.

Pro Bono Percentage Distribution



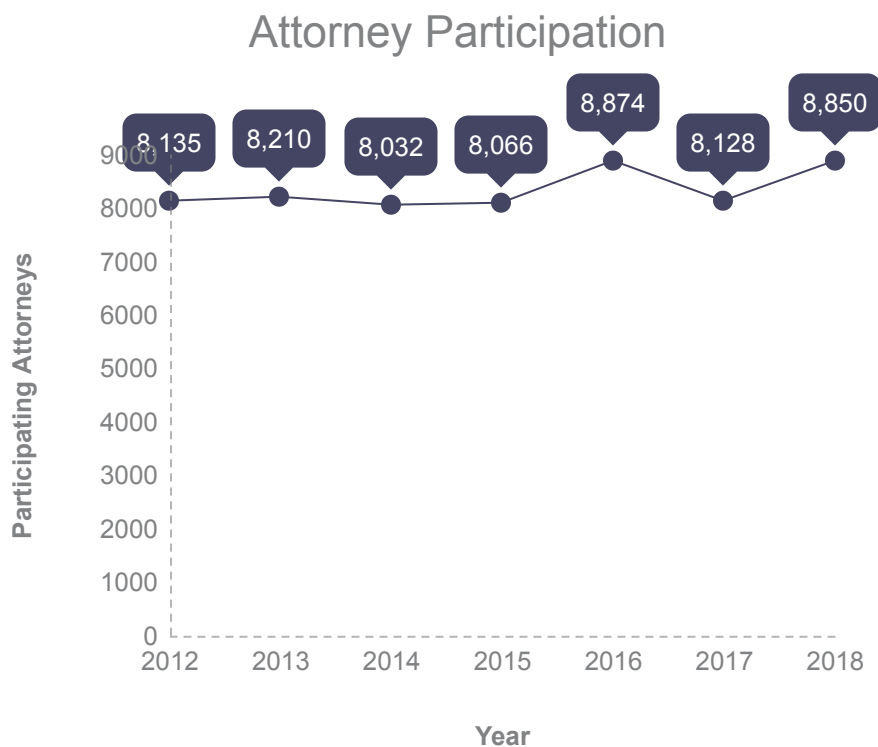
2018 Initiative Performance Data

Attorney Participation

In 2018, Signatory Firms reported 10,891 attorneys in their D.C. offices, an increase from 10,200 attorneys in 2017.

In 2018, a total of **8,850 attorneys** participated in pro bono at reporting Signatory Firms, including 3,008 partners, 4,440 associates, 1,102 counsel, and 300 staff and other attorneys. By comparison, a total of 8,128 attorneys at reporting Signatory Firms participated in pro bono in 2017.

The number of attorneys participating in pro bono legal work **increased** between 2017 and 2018.

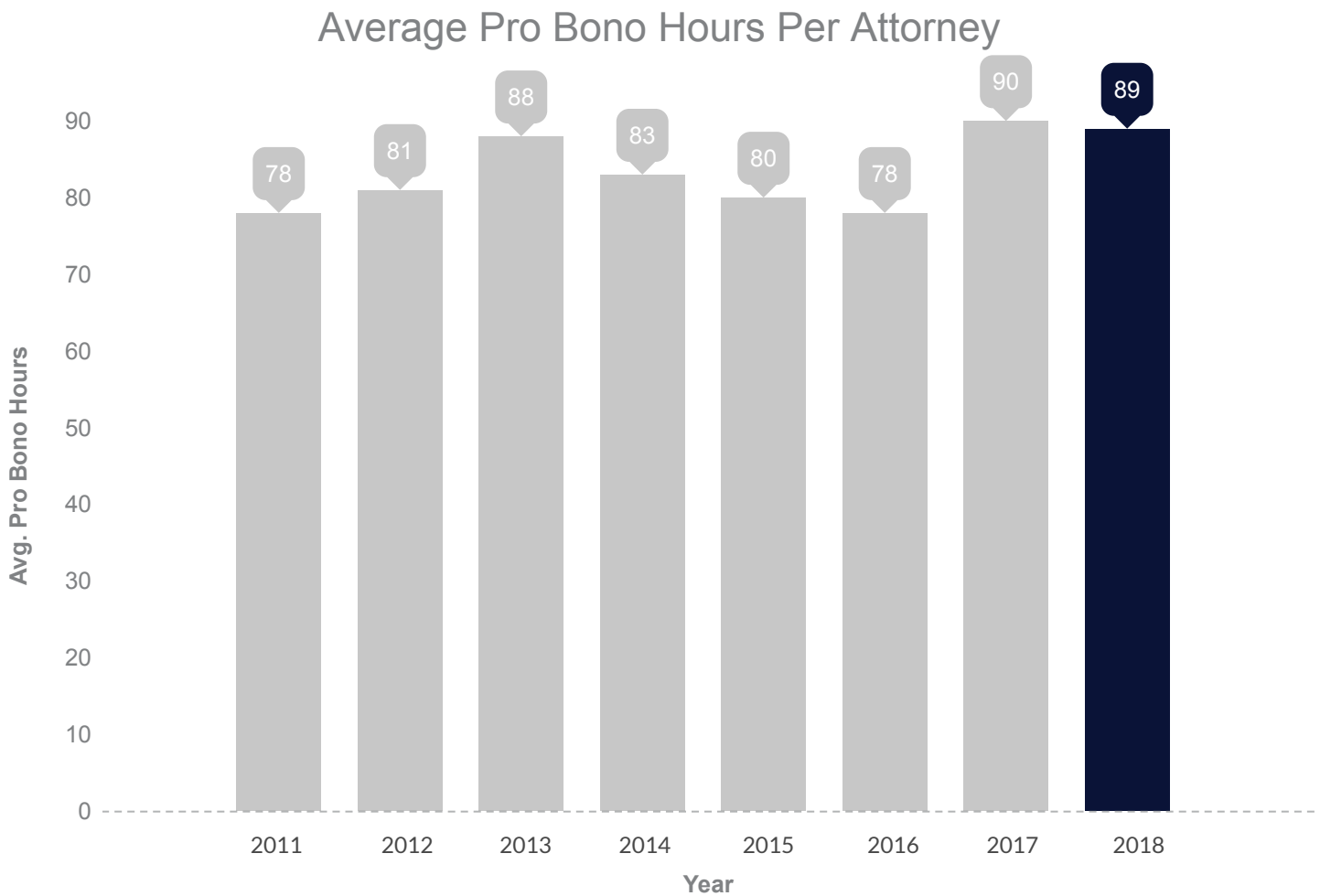


Approximately **81%** of attorneys in the reporting firms participated in pro bono work in 2018, an increase of approximately 1 percentage point from attorney participation in 2017.

2018 Initiative Performance Data

Average Pro Bono Hours Per Attorney

In 2018, the average number of pro bono hours was **89 hours** per attorney, which is a slight decrease from last year's average of 90 pro bono hours per attorney.



2018 Initiative Performance Data

Service to Persons of Limited Means or Organizations That Serve Them

In 2018, 56 firms reported approximately **649,011**

actual or estimated hours of pro bono service to persons of limited means or the organizations that serve them.

Approximately **67% of all pro bono time** in 2018 was devoted to those of limited means or organizations serving them, showing that, collectively, Signatory Firms are meeting their Initiative commitment to devote a majority of their pro bono time to persons of limited means.

50 out of 56 of these same reporting Signatory Firms dedicated at least 50% of their pro bono hours to persons of limited means or organizations that serve them.

2018 Initiative Performance Data

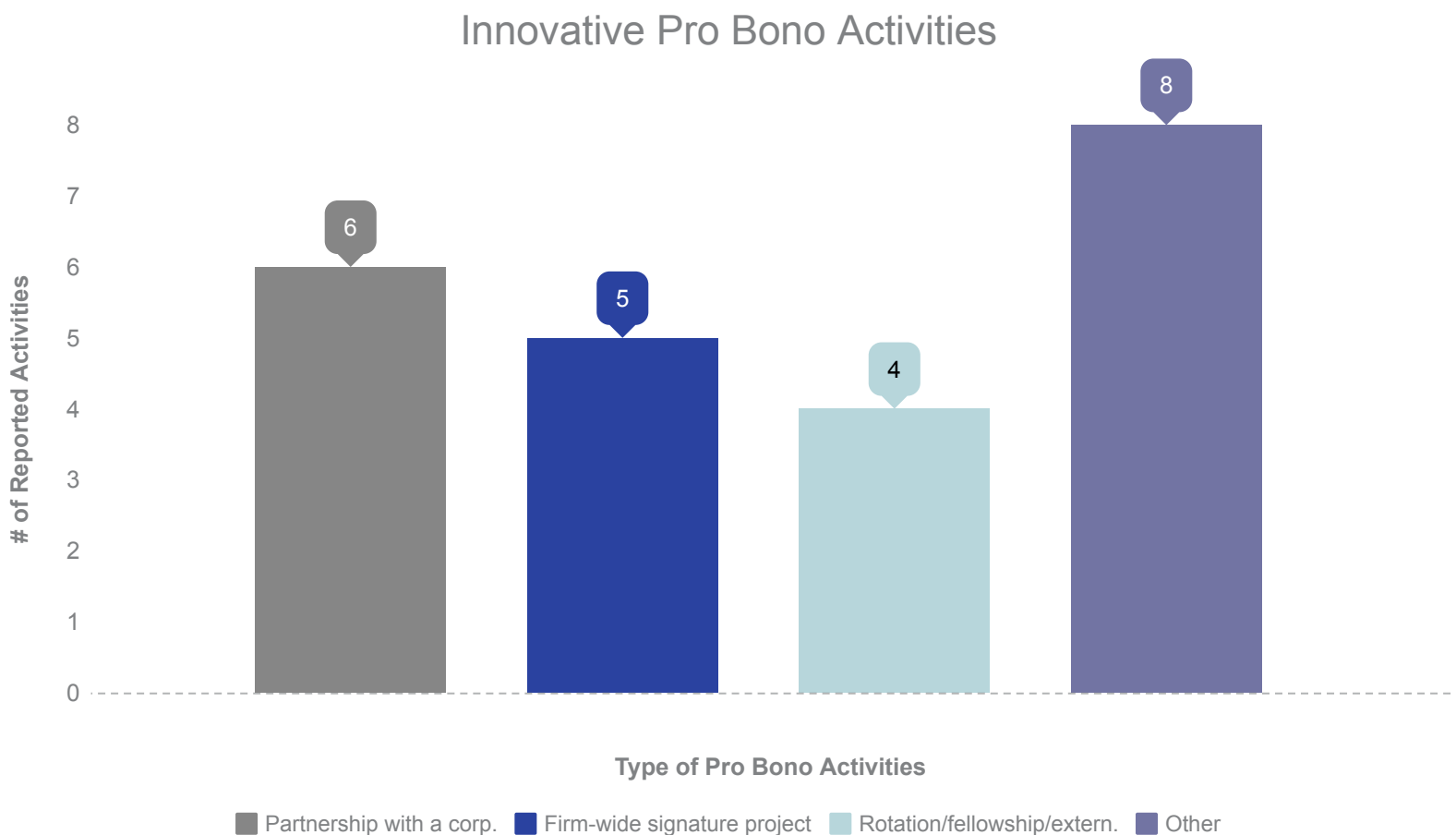
Innovative Pro Bono Activities

In 2018, Signatory Firms strove to meet the Initiative goal of undertaking or increasing their involvement in

one or more specific pro bono activities

to increase their pro bono legal services. Of the firms that responded, the following indicates the number of innovative pro bono activities undertaken in 2018:

- a partnership with a corporate in-house department (6)
- a D.C. office-wide signature project (5)
- a rotation/fellowship/externship program (4)
- other (8)



2018 Initiative Performance Data

Innovative Pro Bono Activities

The following are examples (reprinted with permission from each firm) of innovative pro bono activities that the Signatory Firms undertook in 2018:



In 2018, the D.C. office of King & Spalding launched an innovative virtual clinic to serve beneficiaries of the Deferred Action for Children Arrivals (DACA) program with their renewal applications.

The D.C. team reached out to other King & Spalding offices and formed an impressive team of lawyers spanning multiple offices. The clinic was designed to provide legal assistance to clients on a real-time, expedited basis.

With the help of over 60 King & Spalding partners, counsel, associates, and staff attorneys, the team provided pro bono assistance to almost 200 Dreamers in 2018, and continues to provide services in 2019.

- King & Spalding LLP

We make available to associates, on a periodic basis, a 4-6 month public interest full-time externship at the Office of the Federal Public Defender, Eastern District of Virginia. The associates continue to receive their salary and benefits from the firm.



- Cleary Gottlieb Steen & Hamilton LLP



In late 2018, we began a partnership with Tzedek DC in which we committed to represent defendants, often judgment-proof, in D.C. Small Claims Court. This initiative is led by a tax partner, with a particular focus on recruiting transactional attorneys from various practice groups to use their negotiation and settlement skills in a new way; specifically, to protect members of our local community from the consequences of falling into a "debt spiral."

We began by establishing protocols for screening and engagement followed by an on-site training, and now have several active cases underway. Litigators will support the teams as needed in those cases that do not settle.

- Fried, Frank, Harris, Shriver & Jacobson LLP

2018 Initiative Performance Data

Innovative Pro Bono Activities



In 2018, the leadership of the firm's Pro Bono Committee started a new initiative, which we continued in 2019, to recognize individuals who exceed 75 hours of pro bono work, as defined by the Pro Bono Institute's Law Firm Pro Bono Challenge, during the calendar year. As part of this initiative, pro bono hours are reviewed on a quarterly basis and those who qualify are awarded "Pro Bono Champion" door plates, which are installed above their name plates. Our hope is that this visual marker will help employees, candidates, and visitors easily identify members of the firm who have exceeded the firm's and the D.C. Bar's expectations for pro bono work in our community.

- Wiley Rein LLP



In 2018, lawyers in our D.C. office engaged in a wide variety of pro bono activities and projects, including an important freedom of speech matter on behalf of journalist Aaron Miguel Cantu's First Amendment rights. Mr. Cantu had been arrested and charged with several felonies in connection with the 2017 Inauguration Day protest.

Gibson Dunn filed a motion to dismiss his indictment, arguing that the charges against him infringed his First Amendment rights as a journalist and that the indictment was unconstitutionally vague as applied to his news-gathering activities.

In July 2018, faced with Gibson Dunn's motion to dismiss on First Amendment grounds, the government voluntarily dismissed all of the charges against their client.

- Gibson, Dunn & Crutcher LLP

REFLECTIONS

2018 law firm pro bono trends were generally consistent with our 2017 findings, indicating a sustained commitment to pro bono legal services in the District of Columbia. The findings in this report provide important insights into the role of D.C.'s largest law firms in addressing the public's unmet need for legal services.

Notable Trends in 2018

- An increase in the total number of pro bono hours -- the highest ever. A direct comparison of only the 59 firms that reported in 2017 and 2018 demonstrates a 3% increase in pro bono hours, equivalent to 26,479 hours.
- A slight decrease in the average pro bono percentage from 5.1% (2017) to 4.9% (2018).
- A fairly consistent number of average pro bono hours per attorney: 89 in 2018 compared to 90 in 2017.
- 67% of all pro bono time in 2018 was devoted to persons of limited means or organizations that serve them.
- An increase in the absolute number of attorneys participating in pro bono, and a one percentage point increase in the percentage of attorneys devoting time to pro bono work (81% up from 80%).

Key Takeaways

Our report found that Signatory Firms' pro bono efforts in 2018 remained largely consistent with their efforts in 2017. In some respects, these sustained pro bono efforts are praiseworthy: Total pro bono hours increased to a record-breaking 967,626 in 2018, reflective of the increase in the number of reporting Signatory Firms (63). Nevertheless, a comparison of only the 59 Signatory Firms that reported in 2017 and 2018 also shows a 3% increase in total pro bono hours.

Similarly, key pro bono metrics like Signatory Firms' average pro bono percentage (4.9% in 2018 and 5.1% in 2017), average pro bono hours per attorney (89 in 2018 and 90 in 2017), and attorney participation rate (81% in 2018 and 80% in 2017) remained consistent.

This conclusion of "stable" law firm pro bono efforts is itself consistent with findings in the [Pro Bono Institute's 2018 Report on the Law Firm Pro Bono Challenge® Initiative](#), demonstrating that D.C. pro bono trends largely match national trends.

However, one crucial pro bono metric suffers even among stable pro bono trends: the percentage of total pro bono hours devoted to persons of limited means or organizations that serve them. This percentage increased only modestly from 65% in 2017 to 67% in 2018, and although D.C. pro bono metrics are generally higher than the national pro bono metrics captured in the Pro Bono Institute's report, the national law firm pro bono percentage dedicated to those of limited means is 68.10% -- higher than our own. Considering that the District of Columbia is home to both the highest concentration of lawyers in the nation as well as extraordinary economic inequality, we stress that Signatory Firms must do more to focus pro bono efforts on serving those of limited means within our own city. The D.C. Bar Pro Bono Center is ready to help Signatory Firms find pro bono opportunities to help our own neighbors in need.

2018 Pro Bono Initiative Survey Questions



Pro Bono Initiative Survey for Calendar Year 2018

This survey is intended to measure the level of pro bono activity of law firms with offices in the District of Columbia. For purposes of this survey, we use the definition of "pro bono work" in the Pro Bono Institute's® Law Firm Pro Bono Challenge, Statement of Principles No.

7: http://www.probonoinst.org/wpps/wp-content/uploads/law_firm_challenge_commentary.pdf.

* 1. Firm Information

Firm Name	<input type="text"/>
D.C. Street Address	<input type="text"/>
Address 2	<input type="text"/>
Zip Code	<input type="text"/>
Phone	<input type="text"/>
Primary Pro Bono Initiative Contact	<input type="text"/>
Primary Contact Email	<input type="text"/>
Secondary Pro Bono Initiative Contact	<input type="text"/>
Secondary Contact Email	<input type="text"/>

* 2. Please state the **total** hours the attorneys in your firm's D.C. office spent on pro bono work in 2018. Please do not use commas, percentage signs, or decimals when entering your values.

2018 Pro Bono Initiative Survey Questions

* 3. In addition to the number of pro bono hours, please also provide **one** of the following metrics:

% of total paying client billable hours dedicated to pro bono work (from 0 to 100) for your firm's D.C. office in 2018

Total paying client billable hours for your firm's D.C. office, including hours dedicated to pro bono clients, in 2018

* 4. Does your firm's D.C. office track the number of pro bono hours dedicated to those of limited means or organizations that serve them, or are you providing an estimate?

Tracked

Estimated

* 5. Of the total number of attorney pro bono hours performed during the reporting period, how many hours were provided to those of limited means or organizations that serve them?

For purposes of Questions 6 and 7, "staff/other attorneys" refers to practicing attorneys who are employees of the firm but who are not on a partnership track. This category does not include attorneys employed via an agency who are not firm employees.

Enter 0 if there are no attorneys for a category.

* 6. Please state the number of attorneys in your firm's D.C. office as of December 31, 2018.

Enter 0 if there are no attorneys for a category.

Partners

Associates

Counsel

Staff/Other Attorneys

2018 Pro Bono Initiative Survey Questions

* 7. Please state the number of attorneys in your firm's D.C. office who participated in pro bono legal work during the reporting period.

Enter 0 if there are no attorneys for a category.

Partners

Associates

Counsel

Staff/Other Attorneys

8. Has your firm developed any innovative pro bono activity or project in D.C. since the last reporting period? (Please check all that apply.)

- A partnership with a corporate in-house department
- A D.C. office-wide signature project
- A rotation/fellowship/externship program
- Other D.C.-based activity or project

Describe your office's D.C.-based innovative pro bono activity or project:

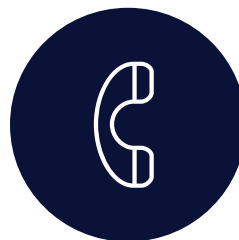
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