



## HAVE YOU DONE YOUR PRO BONO WORK TODAY?

*Joan M. Haratani*

We lawyers are not without opinions. We have opinions about everything. And we do not hesitate to express them. So, when the *American Lawyer* decided to rank law firms (the *American Lawyer* A-List) by including pro bono hours as a factor, there was, as Ricky once said to Lucy, “lots of ’splaining to do.”

Pro bono hours, per law firm, are not just counted across the board. In the past, a firm could have one or two lawyers devoted to pro bono, and their contribution was attributed to the firm as a whole. Several years ago, however, the *American Lawyer* decreed that the relative merits of a firm should be determined in part by the percentage of the firm’s attorneys who have done at least twenty hours of pro bono in the past year. This single factor has changed the face of pro bono, especially among the larger law firms.

For some firms (those who have historically valued pro bono work), this requirement did not mark a sea change. For others, however, this created a philosophical examination and a shift in the way that firms viewed (and valued) pro bono work. This shift is one that BASF has supported, because pro bono work contributes to improving the lives and livelihoods of attorneys, as well as our community.

Why? Two reasons. First, when everyone at a given firm (meaning, yes—you, partners!) performs pro bono work, a culture in which pro bono is truly embraced is created. Associates don’t worry about double- and triple-guessing whether the firm’s recruiting materials are true—they see that the partners at the firm are working for the Volunteer Legal Services Program (VLSP) and are doing the great work that the Homeless Advocacy Project (HAP) does. In other words, they are assured that the

firm understands and rewards the value of pro bono—especially when the firm attorneys get billable credit for their pro bono work.

Second, all firms recognize that the fighting question is “Who gets to hire the best talent in town?” Associates, by and large, want to do pro bono work. We at BASF often hear that some associates are hesitant to do pro bono because they fear that doing so might negatively affect their careers. The AmLaw rating system gives these associates an objective standard by which to measure their career (and their firm’s) performance. Pro bono work allows associates not only to work up their own cases but also to get some hands-on experience doing parts of the matter (like court hearings, client meetings, and negotiations) that are oftentimes delegated up to the partner or someone more senior.



*A volunteer attorney interviews a client at Project Homeless Connect.*

Photo by Jim Block

And, did I mention that “happy associates” is another evaluating factor in the AmLaw list? So, double bonus points for the firm that meets the annual twenty-hour standard for pro bono work—the firm is more likely to have happy associates, and so it scores high in two of the

four categories.

Here's where your bar association comes in—and one of the many reasons that being a member of the BASF family (as you are!) is a wonderful experience that pays dividends in the area of pro bono.

With this AmLaw challenge, some firms are discovering that offering a smorgasbord—many choices of pro bono work—to their attorneys can make it difficult to navigate a successful pro bono program. While every firm wants its attorneys to do interesting and challenging pro bono work, simply saying “go forth and pro bono” generally works for only a small percentage of attorneys. In addition, from a business development and branding perspective, the firm that states, “We specialize in X pro bono work,” might resonate over the firm that says, “We do pro bono, generally.” It's like the difference between being a terrific salsa dancer and dancing, kind of, to '80s music.

Also, having a firm specialize in a certain type of pro bono work offers countless other ripple-effect career-enhancing (and firm-enhancing) opportunities. A few: the chance to build true in-house expertise, the chance to “team build” with your firm's attorneys, and the chance for associates to see their partners in action (and vice versa) and to learn and to give and get feedback. Talk about a win-win!

Some firms are good examples of this approach. Morgan, Lewis & Bockius, my firm, for example, specializes in VLSP's Courthouse Project. DLA Piper Rudnick in Chicago picked juvenile criminal justice. Latham & Watkins emphasizes its work on behalf of immigrant children. All three are known specialists in the pro bono world.



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This—the ability to help your firm become a pro bono specialist and build an effective reputation—is one of the many member services that BASF offers. We will consult with and help you to develop your own unique pro bono program and field of expertise. We have plenty of opportunities, and we are delighted to show you those offerings, but part of being a nationally recognized, award-winning program is that we can offer you the professional expertise to help your firm put its own imprint on its pro bono program. For example, joining VLSP's Courthouse Project (where you represent one or more low-income individuals and families facing eviction) is fabulous. The attorneys commit for only one afternoon, but the impact on the lives of their clients is breathtaking. You get to witness, and create, results—97 percent of such cases settle that afternoon. Firms, such as Morgan Lewis, commit to one afternoon a month. We staff that entire afternoon with our attorneys, creating a great team-building opportunity while also making a difference. Further, the project includes training and allows both litigators and transactional attorneys the chance to do twenty hours of pro bono a year. Talk about making an impact—and helping your own bottom line at the same time!

But we know we all have different interests, and, recognizing that, we would love to help you customize your own pro bono program. Please contact Megan Low at [mlow@sfbar.org](mailto:mlow@sfbar.org) and we can help you soar to the top of the A-List.

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