

Lewis Roca Rothgerber LLP
Pro Bono Policy

Lewis Roca Rothgerber attorneys have a long and distinguished tradition of providing pro bono legal services. Pro bono service is an essential aspect of every attorney's professional responsibility, regardless of professional prominence or workload. Accordingly, Lewis Roca Rothgerber strongly encourages and expects that all attorneys within the firm fulfill this obligation.

Definition of Pro Bono

In accordance with the ethical rules of the states of Arizona, Nevada and New Mexico, the definition of pro bono service is expansive and includes:

- (1) Providing professional services at no fee or at a substantially reduced fee to the poor or near poor or to organizations that have as a principal purpose promoting the interests of the poor or near poor, or to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights; or
- (2) Participation in activities for improving the law, the legal system or the legal profession; or
- (3) Providing professional or other law-related services at no fee or at a substantially reduced fee to charitable groups or organizations in furtherance of their organizational purposes where the payment of the standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate.

See Rule 42, ER 6.1, Ariz. R. Sup. Ct., Rule 16-601, New Mexico R. Prof. Conduct; Rule 6.1, Nev. R. Prof. Conduct.

Pro bono activities do not include non-legal volunteer activities; legal education done primarily for business development purposes; fee generating matters that become uncollectible; or unsuccessful contingency matters.

Pro Bono Commitment

The firm encourages each attorney to meet or exceed the goal of fifty (50) pro bono hours per year. For associates, pro bono hours actually worked will be credited as billable hours toward the minimum billable expectation at the rate of 50% up to a total of 25 billable hours (i.e., 50% of fifty actual pro bono hours); however, pro bono hours will not be credited for productivity bonus purposes. Beyond the credit of 25 billable hours, associates may receive billable credit (at the rate of 50%) upon prior approval from the

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Associates Compensation & Review Committee in coordination with the Pro Bono Committee. Attorneys' participation in pro bono activities will be considered by the firm in performance evaluations and compensation decisions.

Staffing of Pro Bono Matters

Lewis Roca Rothgerber strives to provide superior representation to its clients regardless of the ability of the client to pay for services. Pro bono matters should be handled with the same level of staffing, attention, and resources as other matters. Pro bono matters should be supervised by a partner-level or of counsel attorney.

Pro Bono Committee

All pro bono matters proposed to be handled by an attorney at the firm shall be first reviewed and approved by the Pro Bono Committee, whose Chairman and members are appointed by and serve at the pleasure of the Executive Committee. Attorneys wishing to undertake pro bono matters shall provide the Pro Bono Committee with all relevant information regarding the matter, including, but not limited to, information as to how the matter fits within the definition of pro bono set forth above and information confirming that the attorney or attorneys handling the matter have sufficient capacity and skills to handle the matter appropriately. Prior to incurring costs in excess of \$200 (but less than \$500) on pro bono matters, the attorney responsible for the pro bono matter shall first receive approval from a member of the Pro Bono Committee. Expenditures in excess of \$500 (but less than \$5,000) shall require prior approval of the Chair of the Pro Bono Committee. Expenditures in excess of \$5,000 shall require prior approval of the Managing Partner.

Effective Date

This Pro Bono Policy will become effective on June 1, 2009, and will remain in effect until modified or rescinded by the Executive Committee.