



# Pro Bono Survey | August 2018

Jointly sponsored by the UNLV William S. Boyd School of Law & Nevada’s core legal aid providers  
With special thanks to Samantha Scofield, Public Interest Fellow, UNLV William S. Boyd School of Law



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## Background

As part of the Nevada Supreme Court Access to Justice Commission's ongoing efforts to encourage action in pro bono the Commission, in concert with UNLV William S. Boyd School of Law and Nevada's core legal aid providers, created a survey targeted to Nevada attorneys. The survey was created to gather data that could be used to drive potential action by the Commission to encourage participation in pro-bono activity within the community. Additionally, firms who do have a pro bono policy were asked if their policy can be collected as a resource for the Access to Justice Commission and UNLV William S. Boyd School of Law. To date, four policies have been shared.

## Rule 6.1 Pro Bono Publico Service

The Nevada Rules of Professional Conduct lay out specific guidelines that attorneys should aspire to follow in regards to pro bono legal services. Section A, "Professional Responsibility," of Rule 6.1: Pro Bono Publico Service has been recited below.

**Professional responsibility.** Every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least 20 hours of pro bono publico legal services per year. In fulfilling this responsibility, the lawyer should:

- (1) Provide a substantial majority of the 20 hours of legal services without compensation or expectation of compensation to:
  - (i) Persons of limited means; or
  - (ii) public service, charitable group, or organization in matters that are designed primarily to address the needs of persons of limited means; and
- (2) Provide any additional services through:
  - (i) Delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate;
  - (ii) Participation in activities for improving the law, the legal system, or the legal profession; or
  - (iii) Delivery of services in connection with law-related education sponsored by the State Bar of Nevada, the Nevada Bar Foundation, a county bar association, or a court located in Nevada.
- (3) As an alternative to rendering at least 20 hours of pro bono publico legal services per year as provided in subparagraphs (1) and (2), a lawyer may discharge the professional responsibility to provide legal services to those unable to pay by:
  - i) Providing at least 60 hours of professional services per year at a substantially reduced fee to persons of limited means; or
  - ii) Contributing at least \$500 per year to an organization or group that provides pro bono legal services to persons of limited means.
- (4) When pro bono legal service is performed for an individual without compensation or at a substantially reduced fee, the fee shall be agreed to in writing at the inception of the representation and refer to this Rule.
- (5) The following do not qualify as pro bono legal service under this Rule:
  - i) Legal services written off as bad debts;
  - ii) Legal services performed for family members; and
  - iii) Activities that do not involve the provision of legal services, such as serving on the board of a charitable organization.

## Questionnaire

The survey questionnaire has a total of twenty-two questions, with a mixture of “Yes or No” questions, questions where respondents could provide additional, customized responses, and questions where respondents are asked to rank a provided list of options. The questionnaire was designed to take three minutes to complete.

## Implementation and Sample Pool Makeup

The survey was distributed via email to all members of the State Bar of Nevada. The email was received by 15,434 member emails, opened by 4,860 readers (A 31.5% open rate. Average open rate is 24.5%). 589 clicked through to the email survey and 406 members responded by participating in the survey. Sample set sizes are mixed for each question, as only 310 respondents out of 406 (76 percent), completed the questionnaire in its entirety.

The first questions within the questionnaire gather basic details—the size of their firm and its area(s) of practice—from respondents. The largest percentage of respondents, 41.7 percent, belong to solo firms, while areas of practice varied widely among respondents. This data is shown graphically in Tables 1 and 2.

*Table 1: A breakdown of respondent firm sizes shows that many respondents belong to solo firms.*

Firm Size	Count	Percent
Solo	161	41.7%
2-4 attorneys	70	18.1%
5-14 attorneys	54	14.0%
15-49 attorneys	44	11.4%
50+ attorneys	57	14.8%
Total	386	100%

Table 2: A breakdown of respondent firm areas of practice shows which groups made up the largest and smallest percentages of the sample pool.

Firm Area of Practice	Count (out of 409)
Business Law (W...	25.9% 105
General Practice ...	23.2% 94
Probate & Trust (...)	21.7% 88
Other (What are y...	20.0% 81
Family Law (Wha...	19.2% 78
Criminal Law (Wh...	18.5% 75
Real Property (W...	18.2% 74
Personal Injury (...)	17.5% 71
Labor & Employm...	13.5% 55
Arbitration/Medi...	13.1% 53
Landlord/Tenant ...	12.8% 52
Construction (Wh...	10.8% 44
Bankruptcy (Wha...	10.6% 43
Insurance (What ...)	10.6% 43
Collections (Wha...	7.1% 29
Constitutional (W...	6.7% 27
Elder Law (What ...)	6.7% 27
Intellectual Prope...	6.7% 27
Civil Rights (Wha...	4.9% 20
Immigration & Na...	4.7% 19
Taxation (What ar...	4.2% 17
Environmental (...)	3.7% 15
Entertainment/S...	3.4% 14
Gaming Law (Wh...	2.5% 10

# Results

## Firm Outlook on Pro Bono

Several questions were geared toward understanding how different firms feel and act regarding pro bono. These results are further analyzed later in this report, but the basic findings are shown in Tables 3 through 6.

Table 3: Most firms do not have a written pro bono policy.

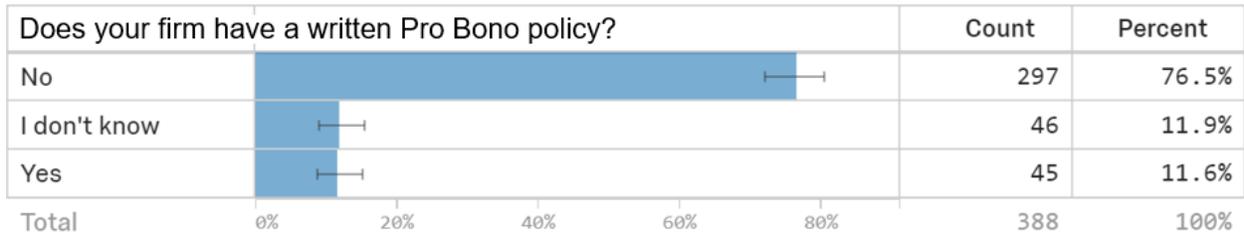


Table 4: Most firms encourage pro bono.

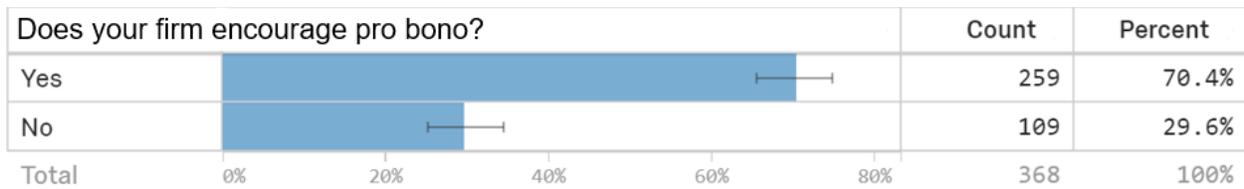


Table 5: Most firms do not specify pro bono hour goals.

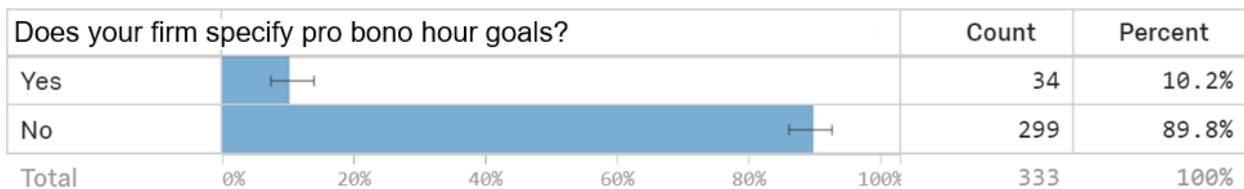
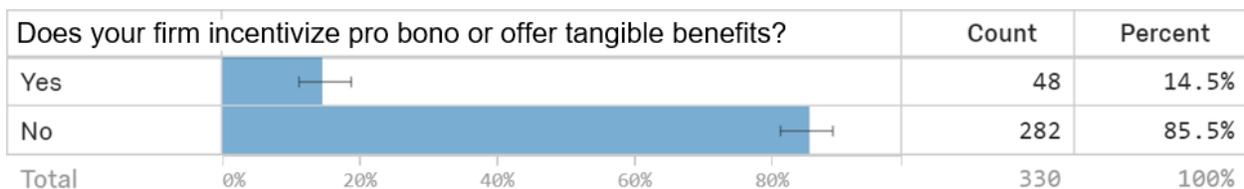


Table 6: Most firms do not incentivize pro bono or offer tangible benefits.



## Which firms encourage pro bono?

A cross-analysis of firm size and firms' areas of practice with whether a firm encourages pro bono shows that firm size has no significant impact on a firm encouraging pro bono (see Table 7). About 70 percent of firms encourage pro bono, while about 30 percent do not, regardless of their size. On the other hand, a firm's area of practice likely does have an impact on whether a firm encourages pro bono (see Table 8).

Table 7: Firm size has no significant impact on whether the firm is likely to encourage pro bono.

		Firm Encourages Pro Bono?		Total
		Yes	No	
Firm Size	Solo	108 70.13%	46 29.87%	154 100.00%
	2-4 attorneys	50 71.43%	20 28.57%	70 100.00%
	5-14 attorneys	32 64.00%	18 36.00%	50 100.00%
	15-49 attorneys	30 76.92%	9 23.08%	39 100.00%
	50+ attorneys	37 71.15%	15 28.85%	52 100.00%
	Total	257 70.41%	108 29.59%	365 100.00%

Table 8: Area of practice makes a large difference on whether a firm encourages pro bono. The darkest red cells indicate the areas of practice where pro bono is encouraged the least.

		Firm Encourages Pro Bono?		Total
		Yes	No	
Firm Area of Practice	Arbitration/Mediation	41 83.67%	8 16.33%	49 100.00%
	Bankruptcy	35 85.37%	6 14.63%	41 100.00%
	Business Law	70 69.31%	31 30.69%	101 100.00%
	Civil Rights	15 75.00%	5 25.00%	20 100.00%
	Collections	19 70.37%	8 29.63%	27 100.00%
	Constitutional	21 77.78%	6 22.22%	27 100.00%
	Construction	32 78.05%	9 21.95%	41 100.00%
	Criminal Law	51 73.91%	18 26.09%	69 100.00%
	Elder Law	23 88.46%	3 11.54%	26 100.00%
	Entertainment/Sports	9 81.82%	2 18.18%	11 100.00%
	Environmental	13 86.67%	2 13.33%	15 100.00%
	Family Law	62 83.78%	12 16.22%	74 100.00%
	Gaming Law	7 77.78%	2 22.22%	9 100.00%
	General Practice	71 81.61%	16 18.39%	87 100.00%
	Immigration & Naturalization	13 72.22%	5 27.78%	18 100.00%
	Insurance	29 70.73%	12 29.27%	41 100.00%
	Intellectual Property	16 64.00%	9 36.00%	25 100.00%
	Labor & Employment	38 74.51%	13 25.49%	51 100.00%
	Landlord/Tenant	36 75.00%	12 25.00%	48 100.00%
	Personal Injury	55 79.71%	14 20.29%	69 100.00%
	Probate & Trust	69 82.14%	15 17.86%	84 100.00%
	Real Property	51 72.86%	19 27.14%	70 100.00%
	Taxation	12 80.00%	3 20.00%	15 100.00%
	Other	42 58.33%	30 41.67%	72 100.00%
Total		256 70.52%	107 29.48%	363 100.00%

## Which firms make monetary donations to pro bono?

A cross-analysis of firm size and firms' areas of practice with whether lawyers make monetary donations to pro bono shows that firm size may have an impact on a lawyer donating to pro bono, (see Table 9). Lawyers belonging to firms with 5-14 attorneys are significantly more likely to donate to pro bono, while lawyers belonging to firms with 2-4 attorneys are significantly less likely to.

A firm's area of practice may make a difference in whether an attorney is likely to donate; for example, attorneys belonging to criminal law firms are significantly less likely to donate than most other areas of practice. See Table 10 for a full breakdown.

Note that some respondents found this question to be ambiguous and may have answered either on behalf of the firm or based upon their own personal actions.

Potential reasons why attorneys and/or firms do not make donations have been further analyzed in the section [Why Not Donate?](#)

*Table 9: Firm size may have an impact on whether attorneys are likely to make monetary donations to pro bono. The darkest red cells indicate the firm sizes where the fewest attorneys donate.*

		Do you make a monetary donation to pro bono?		Total
		Yes	No	
Firm Size	Solo	29 19.86%	117 80.14%	146 100.00%
	2-4 attorneys	8 12.50%	56 87.50%	64 100.00%
	5-14 attorneys	12 26.67%	33 73.33%	45 100.00%
	15-49 attorneys	8 21.62%	29 78.38%	37 100.00%
	50+ attorneys	8 16.67%	40 83.33%	48 100.00%
Total		65 19.12%	275 80.88%	340 100.00%

Table 10: Firms' areas of practice have a significant impact on whether attorneys are likely to make monetary donations to pro bono. The darkest red cells indicate the areas of practice where the fewest attorneys donate.

		Do you make a monetary donation to pro bono?		Total	
		Yes	No		
Firm Area of Practice	Arbitration/Mediation	14 29.79%	33 70.21%	47 100.00%	
	Bankruptcy	12 30.77%	27 69.23%	39 100.00%	
	Business Law	28 28.87%	69 71.13%	97 100.00%	
	Civil Rights	4 20.00%	16 80.00%	20 100.00%	
	Collections	4 17.39%	19 82.61%	23 100.00%	
	Constitutional	5 20.00%	20 80.00%	25 100.00%	
	Construction	9 24.32%	28 75.68%	37 100.00%	
	Criminal Law	8 12.50%	56 87.50%	64 100.00%	
	Elder Law	4 16.67%	20 83.33%	24 100.00%	
	Entertainment/Sports	2 22.22%	7 77.78%	9 100.00%	
	Environmental	4 30.77%	9 69.23%	13 100.00%	
	Family Law	13 19.40%	54 80.60%	67 100.00%	
	Gaming Law	3 42.86%	4 57.14%	7 100.00%	
	General Practice	21 25.00%	63 75.00%	84 100.00%	
	Immigration & Naturalization	2 13.33%	13 86.67%	15 100.00%	
	Insurance	5 12.50%	35 87.50%	40 100.00%	
	Intellectual Property	4 17.39%	19 82.61%	23 100.00%	
	Labor & Employment	13 26.53%	36 73.47%	49 100.00%	
	Landlord/Tenant	11 23.40%	36 76.60%	47 100.00%	
	Personal Injury	11 17.74%	51 82.26%	62 100.00%	
	Probate & Trust	18 22.50%	62 77.50%	80 100.00%	
	Real Property	16 24.24%	50 75.76%	66 100.00%	
	Taxation	4 30.77%	9 69.23%	13 100.00%	
	Other	12 17.14%	58 82.86%	70 100.00%	
	Total		64 18.82%	276 81.18%	340 100.00%

### Which firms specify pro bono hour goals?

A cross-analysis of firm size and firms' areas of practice with whether firms specify pro bono hour goals shows that a firm's size may have a significant impact on whether it specifies pro bono hour goals (see Table 11). Firms with 2-4 attorneys are significantly less likely to specify pro bono hour goals, while lawyers belonging to firms with 50 or more attorneys are more likely to.

A firm's area of practice makes a large difference in whether the firm is likely to specify pro bono hour goals. For example, firms that practice family law and gaming law, among others, are significantly less likely to donate than most other areas of practice. See Table 12 for a full breakdown.

Table 11: A firm size may have a significant impact on whether it is likely to specify pro bono hour goals.

		Firm specifies pro bono hour goals?		Total
		Yes	No	
Firm Size	Solo	14 9.93%	127 90.07%	141 100.00%
	2-4 attorneys	2 3.17%	61 96.83%	63 100.00%
	5-14 attorneys	4 9.30%	39 90.70%	43 100.00%
	15-49 attorneys	5 13.16%	33 86.84%	38 100.00%
	50+ attorneys	8 17.78%	37 82.22%	45 100.00%
Total		33 10.00%	297 90.00%	330 100.00%

Table 12: Firms' areas of practice have an impact on whether they are likely to specify pro bono hour goals. The darkest red cells indicate the areas of practice where the fewest firms specify goals.

		Firm specifies pro bono hour goals?		Total
		Yes	No	
Firm Area of Practice	Arbitration/Mediation	6 12.50%	42 87.50%	48 100.00%
	Bankruptcy	7 18.42%	31 81.58%	38 100.00%
	Business Law	12 12.63%	83 87.37%	95 100.00%
	Civil Rights	2 10.53%	17 89.47%	19 100.00%
	Collections	2 8.33%	22 91.67%	24 100.00%
	Constitutional	4 16.00%	21 84.00%	25 100.00%
	Construction	5 13.51%	32 86.49%	37 100.00%
	Criminal Law	7 11.11%	56 88.89%	63 100.00%
	Elder Law	2 8.00%	23 92.00%	25 100.00%
	Entertainment/Sports	2 22.22%	7 77.78%	9 100.00%
	Environmental	1 8.33%	11 91.67%	12 100.00%
	Family Law	4 5.88%	64 94.12%	68 100.00%
	Gaming Law	0 0.00%	8 100.00%	8 100.00%
	General Practice	7 8.54%	75 91.46%	82 100.00%
	Immigration & Naturalization	1 7.14%	13 92.86%	14 100.00%
	Insurance	5 12.82%	34 87.18%	39 100.00%
	Intellectual Property	5 21.74%	18 78.26%	23 100.00%
	Labor & Employment	7 14.29%	42 85.71%	49 100.00%
	Landlord/Tenant	4 8.51%	43 91.49%	47 100.00%
	Personal Injury	4 6.35%	59 93.65%	63 100.00%
	Probate & Trust	8 10.13%	71 89.87%	79 100.00%
	Real Property	9 13.85%	56 86.15%	65 100.00%
	Taxation	1 7.69%	12 92.31%	13 100.00%
Other	6 9.23%	59 90.77%	65 100.00%	
	Total	32 9.70%	298 90.30%	330 100.00%

### Which firms would consider donating in lieu of pro bono hours?

A cross-analysis of firm size and firms' areas of practice with whether a firm may consider making a donation in lieu of pro bono hours shows that firm's size may have an impact on whether it is likely to specify pro bono hour goals (see Table 13). Smaller firms (those with four attorneys or fewer) are significantly less likely to consider making a monetary donation, while larger firms, such as those with five or more attorneys, are more likely to do so.

A firm's area of practice makes a large difference in whether the firm is likely to consider a monetary donation. For example, firms that practice gaming law and civil rights law are significantly less likely to donate than most other areas of practice. See Table 14 for a full breakdown.

Table 13: Firm size may have a significant impact on whether attorneys are likely to make monetary donations to pro bono.

		Would you consider making a monetary donation for each lawyer in your firm in lieu of pro bono hours?		Total
		Yes	No	
Firm Size	Solo	16 13.91%	99 86.09%	115 100.00%
	2-4 attorneys	8 14.29%	48 85.71%	56 100.00%
	5-14 attorneys	8 25.81%	23 74.19%	31 100.00%
	15-49 attorneys	5 17.24%	24 82.76%	29 100.00%
	50+ attorneys	10 25.00%	30 75.00%	40 100.00%
	Total	47 17.34%	224 82.66%	271 100.00%

Table 14: Firms' areas of practice have a significant impact on whether they are likely to consider making a monetary donation. The darkest red cells indicate the areas of practice where the fewest firms would consider making a monetary donation in lieu of pro bono work.

		Would you consider making a monetary donation for each lawyer in your firm in lieu of pro bono hours?		Total	
		Yes	No		
Firm Area of Practice	Arbitration/Mediation	6 18.18%	27 81.82%	33 100.00%	
	Bankruptcy	6 22.22%	21 77.78%	27 100.00%	
	Business Law	12 17.65%	56 82.35%	68 100.00%	
	Civil Rights	1 6.25%	15 93.75%	16 100.00%	
	Collections	5 26.32%	14 73.68%	19 100.00%	
	Constitutional	2 10.00%	18 90.00%	20 100.00%	
	Construction	6 21.43%	22 78.57%	28 100.00%	
	Criminal Law	10 17.86%	46 82.14%	56 100.00%	
	Elder Law	3 15.00%	17 85.00%	20 100.00%	
	Entertainment/Sports	1 14.29%	6 85.71%	7 100.00%	
	Environmental	1 11.11%	8 88.89%	9 100.00%	
	Family Law	7 12.96%	47 87.04%	54 100.00%	
	Gaming Law	0 0.00%	4 100.00%	4 100.00%	
	General Practice	9 14.52%	53 85.48%	62 100.00%	
	Immigration & Naturalization	3 23.08%	10 76.92%	13 100.00%	
	Insurance	7 20.59%	27 79.41%	34 100.00%	
	Intellectual Property	4 21.05%	15 78.95%	19 100.00%	
	Labor & Employment	8 22.22%	28 77.78%	36 100.00%	
	Landlord/Tenant	5 13.89%	31 86.11%	36 100.00%	
	Personal Injury	9 17.65%	42 82.35%	51 100.00%	
	Probate & Trust	13 20.97%	49 79.03%	62 100.00%	
	Real Property	8 16.33%	41 83.67%	49 100.00%	
	Taxation	2 22.22%	7 77.78%	9 100.00%	
	Other	5 9.09%	50 90.91%	55 100.00%	
		Total	47 17.34%	224 82.66%	271 100.00%

## Key Findings

### Encouragement vs Incentivization

Firms that do encourage pro bono work are slightly more likely to incentivize it than firms that do not encourage pro bono work. Out of 230 responses that indicated their firm encourages pro bono, only 20 percent of firms incentivize it (compared to 2 percent of firms that do not encourage pro bono). See Table 15. *(Please note the percentages represent column totals only.)* However, the survey does not provide a way of gauging the effectiveness of incentives for pro bono. This is listed as a potential future improvement to the survey later in this report.

Table 15: Firms that encourage pro bono are only slightly more likely to incentivize it than firms that do not.

Firm Incentivizes Pro Bono	Firm Encourages Pro Bono	
	Yes	No
Yes	20.0%	2.0%
No	80.0%	98.0%
Total	100%	100%

### Effective Pro Bono Encouragement

Respondents who answered that their firm encourages pro bono were asked which actions are most effective. Many of the respondents ranked the items in a similar fashion. Unquestionably, the strongest response from respondents was that they felt that support from the top is the most effective action. Various personal requests followed as the next three most popular choices. The remaining actions were ranked further down the list. Refer to Table 16 for a more specific breakdown of the responses.

Comments for “Other” responses were largely not provided or did not provide insight. A couple notable responses included billable credit hours or support from the firm.

Table 16: A breakdown of ranked responses shows which actions respondents feel are most effective in encouraging pro bono. The orange bars on the rightmost column show the distribution of ranking that were giving to each individual choice

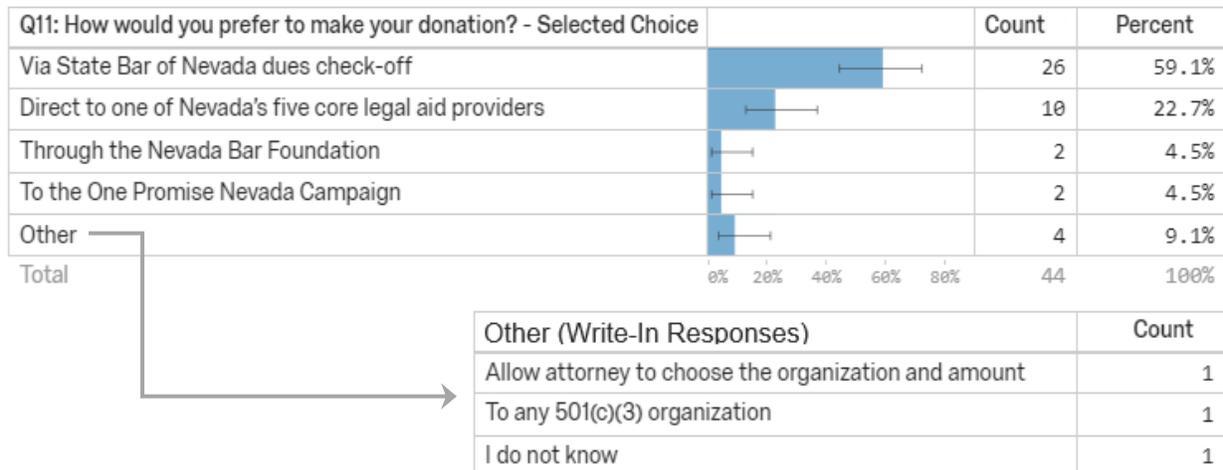
### What actions are most effective in encouraging pro bono? (Drag and drop to rank.)

Variable	Average	Median	%	N
Support from the top	2.51	2.00		
Personal request from a supervisor	3.76	3.00		
Personal request from a colleague	3.77	4.00		
Personal request from legal aid	4.36	4.00		
Help running/clearing conflicts in advance	5.67	6.00		
Showcasing needs of case	5.78	7.00		
Setting first appointment	6.09	6.00		
Having a pro bono “champion” at the firm	6.73	9.00		
Preparing engagement letter	7.76	8.00		
Other	8.57	10.00		
Total (10)	(Based on 191 Responses)	5.50	5.50	1 2 4 6 8 11

## Donation Preferences

If respondents specified that they would consider making donations in lieu of pro bono hours, they were presented with a question asking how they would prefer to make the donation. Responses are shown in Table 17. Most respondents specified that they prefer to make their donations via State Bar of Nevada dues check-off, and the second most-popular option was direct to one of Nevada’s five core legal aid providers.

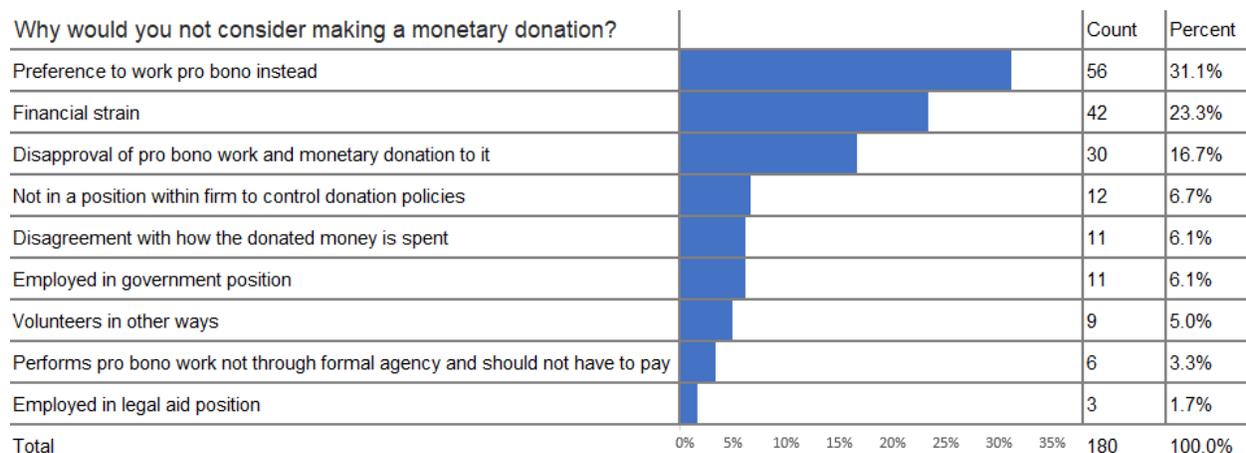
Table 17: A breakdown of responses showing how respondents prefer to make donations.



## Why not Donate?

If respondents specified that they would *not* consider making donations in lieu of pro bono hours, they were presented with a question that asked the respondent to write-in why not. Responses were synthesized into the categories shown in Table 18. The top response was that respondents prefer to work pro bono instead of donating; these responses can be regarded as congruent with the Commission’s mission, but potentially supplemented by also encouraging a donation. The next most popular response was financial strain, followed by a response indicating that some respondents disapprove of pro bono work and feel that they should not be obliged to perform it or donate in lieu of it.

Table 18: Many respondents simply prefer to work pro bono instead. Others provide various reasons why they would not consider donating.



## Why not Engage in Pro Bono?

If respondents specified that their firm does not encourage pro bono, they were directed to a question that asked the respondent to write-in their key reason for not engaging in pro bono. The results were synthesized into the categories shown in Table 19. The top reasons were shortage of time and money. This question was posed in an ambiguous manner which may have skewed the results, as discussed later in this report in the [Potential Revisions to the Questionnaire or Improvements](#) section.

Table 19: The top reasons for not engaging in pro bono are shortage of time and financial strain

What are the key reasons for not engaging in pro bono?	Count	Percent
Shortage of time	27	32.5%
Financial strain	18	21.7%
Employed in government position	9	10.8%
Employed as solo practitioner	7	8.4%
Employed in field not offering pro bono work (e.g. Intellectual Property)	4	4.8%
Potential conflicts of interest	3	3.6%
Lack of experience	3	3.6%
Liability concerns	3	3.6%
Employed as an in-house attorney	2	2.4%
Employed in public interest	2	2.4%
Firm does not provide pro bono hour credit	2	2.4%
Bad past experience	2	2.4%
Programs are administered poorly	1	1.2%
Total	83	100.0%

### Is enough recognition provided?

When respondents were asked whether they feel enough recognition is given for pro bono work, exactly two-thirds of respondents answered that it is, while the other third answered that it is not. If the results are cross-analyzed against firm size, we find that the attorneys within firms with 2-4 attorneys are the most likely to respond yes, whereas attorneys within firms of 50 or more attorneys are the most likely to respond no. These results are displayed graphically in Table 20.

If the results of this question are cross-analyzed against firms' areas of practice, we find that attorneys' thoughts on the subject are widely varied. Attorneys in a few areas of practice, such as Civil Rights and Immigration, are much more likely to feel that enough recognition is *not* provided whereas attorneys in some other areas, such as bankruptcy and intellectual property are much more likely to feel that it *is*. Refer to Table 21 for a more specific breakdown of these results.

Table 20: Firm size may have a small effect on whether attorneys feel enough recognition is provided for pro bono work.

		Do you feel enough recognition is provided for pro bono work?		Total
		Yes	No	
Firm Size	Solo	88 65.67%	46 34.33%	134 100.00%
	2-4 attorneys	43 71.67%	17 28.33%	60 100.00%
	5-14 attorneys	27 67.50%	13 32.50%	40 100.00%
	15-49 attorneys	24 66.67%	12 33.33%	36 100.00%
	50+ attorneys	24 61.54%	15 38.46%	39 100.00%
	Total	206 66.67%	103 33.33%	309 100.00%

Table 21: Firms' areas of practice have a significant impact on whether attorneys are likely to feel that enough recognition is provided for pro bono work. The darkest red cells indicate the areas of practice where the fewest attorneys feel that enough recognition is provided.

		Do you feel enough recognition is provided for pro bono work?		
		Yes	No	Total
Firm Area of Practice	Arbitration/Mediation	27 58.70%	19 41.30%	46 100.00%
	Bankruptcy	31 79.49%	8 20.51%	39 100.00%
	Business Law	64 69.57%	28 30.43%	92 100.00%
	Civil Rights	9 50.00%	9 50.00%	18 100.00%
	Collections	17 73.91%	6 26.09%	23 100.00%
	Constitutional	13 54.17%	11 45.83%	24 100.00%
	Construction	23 63.89%	13 36.11%	36 100.00%
	Criminal Law	34 58.62%	24 41.38%	58 100.00%
	Elder Law	13 59.09%	9 40.91%	22 100.00%
	Entertainment/Sports	5 62.50%	3 37.50%	8 100.00%
	Environmental	7 70.00%	3 30.00%	10 100.00%
	Family Law	43 68.25%	20 31.75%	63 100.00%
	Gaming Law	5 83.33%	1 16.67%	6 100.00%
	General Practice	53 68.83%	24 31.17%	77 100.00%
	Immigration & Naturalization	7 50.00%	7 50.00%	14 100.00%
	Insurance	23 60.53%	15 39.47%	38 100.00%
	Intellectual Property	18 78.26%	5 21.74%	23 100.00%
	Labor & Employment	28 63.64%	16 36.36%	44 100.00%
	Landlord/Tenant	27 61.36%	17 38.64%	44 100.00%
	Personal Injury	41 67.21%	20 32.79%	61 100.00%
	Probate & Trust	54 71.05%	22 28.95%	76 100.00%
	Real Property	39 63.93%	22 36.07%	61 100.00%
	Taxation	7 63.64%	4 36.36%	11 100.00%
Other	39 63.93%	22 36.07%	61 100.00%	
Total		209 67.42%	101 32.58%	310 100.00%

## Attorney opinions on recognition

If attorneys specified that they felt not enough recognition is provided for pro bono work, they were asked to write-in what kinds of recognition they would like to see more of. The results were analyzed and tallied into several categories, as shown in Table 22. The most popular opinions were focused around recognition and publicity.

Table 22: Responses were varied when respondents were asked what kinds of recognition they would like to see. The most popular opinions focused largely on recognition and publicity.

What recognition would you like to see?	Count	Percent
Recognition from legal community	11	17.5%
Publicity in attorney magazines or state bar website	10	15.9%
Public announcements in local media	9	14.3%
No recognition needed	5	7.9%
Recognition for all pro bono, not only that which is through legal aid provider	5	7.9%
Unsure	5	7.9%
Reduced bar fees	4	6.3%
Free CLEs	4	6.3%
Recognizing more than big firm attorneys	3	4.8%
Recognition from clients	2	3.2%
Billable hour credits or internal recognition	2	3.2%
Pro bono cases called first by judges	1	1.6%
Awards	1	1.6%
Personal thank yous	1	1.6%
	63	100.0%

Several individual responses stood out as notable. One such response mentioned that it is “terrible” that pro bono recognition events do not get newspaper coverage, that lawyers are frequently cast as “greedy” and “ruthless,” and that the public never hears about good actions in the legal community such as pro bono work, which is discouraging.

Some respondents also mentioned, in one way or another, that they feel recognition should be provided for all pro bono, not only that which is through a legal aid provider. One attorney, for example, felt that he or she is unable to use a traditional pro bono channel to perform the work that they find the most meaningful.

Conversely, if attorneys specified that they *did* feel enough recognition is provided for pro bono work, they were asked whether internal or external recognition was the most meaningful, and then asked to write in additional information about their response. The responses were analyzed and tallied into several categories for each main choice, as shown in tables 23 and 24.

The results imply that respondents found the meaning of the question to be ambiguous; that is, internal or external in regards to *what*, the firm or the individual? A re-wording of the question is discussed later in this report as a possible improvement.

Table 23: Attorney opinions on the most meaningful external recognition were summed into several categories. The most popular choices included publication and thanks/appreciation from others, along with another large set of respondents who felt that no recognition is needed.

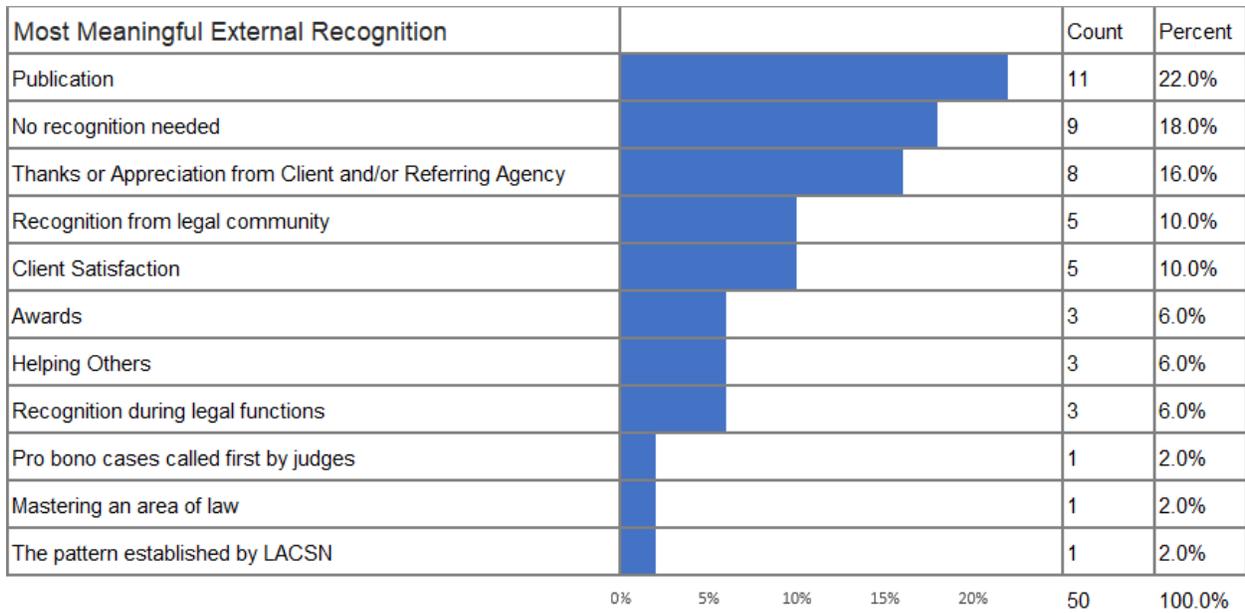
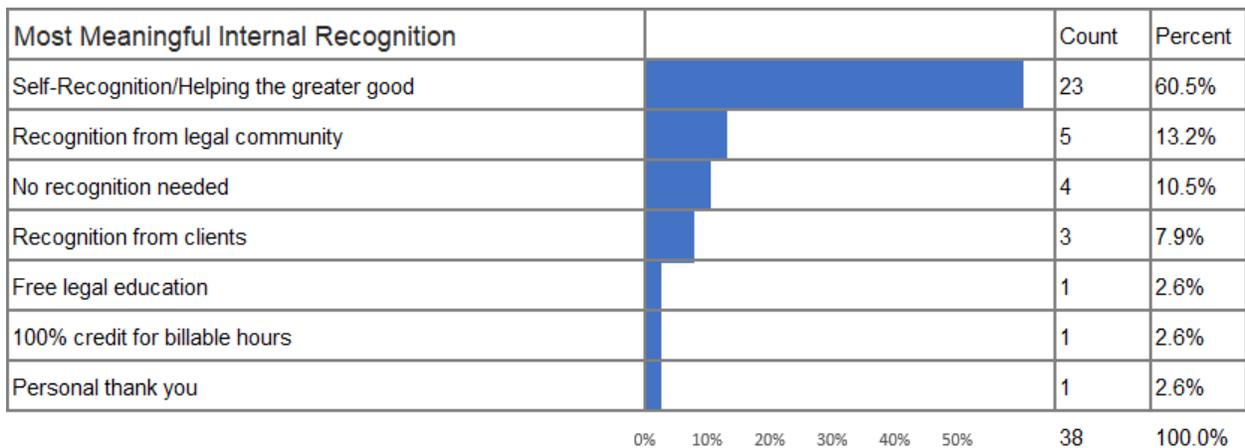


Table 24: Attorney opinions on the most meaningful internal recognition were summed into several categories. The most popular choice by far was self-recognition/helping the greater good.



## Recommendations and Potential Actions/Best Practices

- Encourage firms to adopt pro bono policies/provide a sample policy template
  - On average, around 80 to 90 percent of respondents said that their firms do not specify pro bono hour goals or have pro bono policies. Many said that they would like to see in-firm incentives for pro bono work, such as billable hour credits. Drafting a standard pro bono policy that firms may choose to adopt or modify to suit their needs may provide firms with a good starting point to adopt policies that encourage pro bono. The template pro bono policy should specify hour goals and incentives. The most popular choice chosen by respondents for encouraging pro bono was “support from the top”; a formal policy that incentivizes pro bono work should include this concept and could help to satisfy this need.
- Develop pro bono materials outlining FAQs explaining how to contribute outside specialties
  - Firms in areas of practice with no pro bono need, such as Intellectual Property or Business law, were far less likely to encourage, participate in, or donate in lieu of pro bono. A campaign could be developed to reach out to these firms and inform them that 1) they can take on pro bono cases in other fields, and 2) that the required resources, such as training and mentorship, will be provided to them.
- Address “time and money” concerns
  - Most survey respondents work in firms with four or fewer attorneys. More often than all other firm sizes, these respondents cited lack of time and money as reasons for not taking pro bono cases or donating in lieu of them. Additional free CLE courses, bar discounts, or free publicity (though state bar website, Nevada Lawyer magazine, etc.) may provide enough value to attorneys to adequately offset the cost or time commitment that typically comes with pro bono work. This is an area for further discussion with Nevada’s core legal aid providers.
- Continue work on recognition
  - Some suggestions given by attorneys who felt that there was not enough recognition for pro bono work included publications in the local media. The state bar could reach out to try and get more recognition published regarding pro bono work. Some respondents were specifically adamant about publishing in local news outlets such as newspapers so that the general community is more aware of the good work done by attorneys. One idea surfaced several times of a simple thank you note from clients.
- Disapproval of pro bono work and financial contributions to pro bono
  - A surprising 16.7% of respondents said they disapprove of any requirement for pro bono work on financial contributions to it. This is likely a cultural issue beyond the ability to be addressed in our response to improve and encourage pro bono. However, it is a topic worth more discussion. It is possible that those self-selecting to take the pro bono survey skews this view negatively beyond the total lawyer pool.

## Potential Revisions to the Questionnaire or Improvements

- If the question asking respondents whether they would be willing to contribute funds rather than performing work would be reconstructed into a format where the question is only presented to those who do not perform pro bono work, it would provide more actionable data. In its present state, many respondents answered “No” and specified that they already do pro bono work, which they prefer over contributing funds.
- The question “What are the key reasons for not engaging in pro bono?” was shown only when respondents selected “No” for the question “Does your firm encourage pro bono?” The question does not specify whether respondents should be commenting on their own personal reasons or the reasons of the firm resulting in a decrease in potential for obtaining significant responses.
- Many respondents specified that they practice an “Other” area of law. An additional question asking for clarification on this may help identify additional significant groups. Additionally, “Corporate & Securities” could be added as a significant area of law for respondents to choose from.
- Based on the responses received, it can be assumed that many respondents found the meaning of “external” and “internal” to be ambiguous. The responses imply that respondents took the terms to be in relation either to the firm or to themselves individually. Specifying the subject of the bounds, such as “...to the firm” would clear this up for respondents and provide the ability to extract more useful opinions.
- An additional question asking respondents whether they practice in public, private, or corporate environments would provide an additional level of data that may reveal differences in how practices in different environments feel about pro bono work.

## Conclusion

Overall, the pro bono survey was successful in that several potential courses of action were identified that can be used to increase participation and/or donation to pro bono. A data set has been established regarding attorneys’ various thoughts regarding pro bono which can potentially be utilized for other purposes. The survey also provided a starting point that can be used for future studies to further encourage pro bono work and/or donation.