


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Exclusive Survey: Pro Bono Rankings

Nell Gluckman, The American Lawyer

June 27, 2016

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Illustration by Neil Webb for The American Lawyer.

Hughes Hubbard & Reed leads The American Lawyer's list of top Big Law firms for U.S. pro bono commitment, and Dechert beats other firms its for international pro bono work, according to our latest survey. [The rankings](#) are a shakeup of last year's list; some firms say that they made a

determined effort to improve, while others found themselves inundated with billable work.

The top 10 for U.S. pro bono includes familiar names, including Jenner & Block, Arnold & Porter and Paul Hastings, but each of those consistently high performers saw their score drop several points this year. Jenner & Block, No. 1 for the past two years, dropped to seventh place, Arnold & Porter to fifth and Paul Hastings to sixth, while Irell & Manella, which in recent years had been floating around in the middle of the pack, jumped up 44 spots to second place.

The American Lawyer assesses the commitment of Am Law 200 firms to pro bono work each year by ranking firms on the basis of the average number of pro bono hours its lawyers perform, and the percentage of lawyers with more than 20 hours of pro bono work. Domestic pro bono refers to work by lawyers in the U.S.; international pro bono means work by lawyers at U.S. firms based abroad. Here are key findings from the 2016 survey:

- Lawyers at Am Law 200 firms spent slightly less time on pro bono projects on average than they did in our 2015 survey. Still, the 151 firms that responded to our survey logged nearly 5 million pro bono hours last year. And a higher percentage of lawyers contributed 20-plus pro bono hours than in any year since 2009.

- Law firms increased the number of hours their lawyers in foreign offices logged for pro bono projects last year, though a wide gap remains between international and domestic pro bono.

- In 2015, firms donated their time to an array of issues that included assisting veterans, helping victims of nonconsensual pornography postings and intervening in death penalty cases. But immigration was far and away the topic that firms spent the most time on or considered the most significant as a focus, they noted in the survey.

- Forty-nine percent of firms sponsor pro bono fellowships, with Skadden, Arps, Slate, Meagher & Flom sponsoring 56, the most of any firm in the survey.

- While firms continue to take on big-ticket litigation and invest time in legal clinics, another approach to pro bono is emerging. Firms are selecting an issue and working with each other, nonprofits, clients, government and legal aid groups to address problems from multiple angles.

TOP FIRMS FOR U.S. PRO BONO

Rank	Firm	Pro Bono Score	Average Hours	% with 20+ Hours	Am Law Rank
1	Hughes Hubbard	113.3	130.6	96.0	90
2	Irell	107.7	147.7	67.7	145
3	Patterson Belknap	106.8	112.6	101.0	149
4	Robins Kaplan	97.5	118.9	76.2	154
5	Arnold & Porter	96.5	116.1	77.0	53
6	Paul Hastings	94.2	89.5	98.8	25
7	Jenner & Block	92.5	108	77.0	69
8	Milbank	91.1	96.4	85.8	40
9	Orrick	90.8	91.6	90.0	31
10	Munger Tolles	88.9	120.5	57.4	118

Pro bono plateau

Overall, Big Law's commitment to pro bono seems to have leveled off since the 2008 recession, when a reduction in billable hours yielded a bump in the number of hours lawyers devoted to pro bono work. Last year, U.S.-based lawyers spent an average of 54.1 hours on pro bono projects, slightly less than what we heard from firms in the past two years. But 47.3 percent of those surveyed contributed more than 20 hours, somewhat more than in 2014 and 2015.

54.1

**AVERAGE HOURS U.S.-BASED
LAWYERS SPENT ON PRO BONO
PROJECTS IN 2015**

20.1

**AVERAGE HOURS NON-U.S.-BASED
LAWYERS SPENT**

Before the recession, law firms had steadily increased the number of hours they committed to pro bono each year for at least a decade. In 2001, lawyers at the firms we track logged an average of 38.4 pro bono hours per year, and 31 percent contributed more than 20 hours. Not surprisingly, firms contributed the most hours in 2008 and 2009, while their current contribution of hours roughly mirrors that of 2007.

That doesn't mean that firms haven't remained committed. Lawyers at Hughes Hubbard clocked an average of 130.6 hours, with 96 percent of U.S. lawyers performing more than 20 hours in our latest survey, boosting the firm from sixth to first place. As was the case with several firms this year, Hughes Hubbard's biggest pro bono matter was the Clemency Project 2014, a multiyear joint initiative in which thousands of lawyers are reviewing clemency petitions filed by nonviolent prisoners whose sentences would likely be shorter had they been sentenced today [see "Finally Free," page 44]. Last year, 49 Hughes Hubbard lawyers spent more than 1,600 hours screening petitions from federal prisoners seeking to be

considered for clemency under the federal initiative.

But other pro bono projects were just as consequential, says Chair Candace Beineke. "We secured the exoneration of a woman who had served a 10-year prison term for manslaughter—a crime she did not commit. How does one measure the joy of giving an innocent woman a new lease on life?" she says. "Our unwavering commitment to pro bono service benefits us all. It's a win for everyone."

The firm that made the largest improvement in rank was Fragomen, Del Rey, Bernsen & Loewy, an immigration firm that moved from 143rd to 44th place helping people throughout the globe navigate the U.S. immigration system. Boies, Schiller & Flexner jumped from 131 to 66, while Blank Rome, which initiated a mandatory pro bono policy in 2015, jumped 60 spots to 38. (All Blank Rome attorneys are now required to complete 25 pro bono hours annually, resulting in a 41 percent increase in average pro bono hours at the firm.)

Irell and Munger, Tolles & Olson each made significant jumps and moved into the top 10, taking second and 10th place, respectively. In the case of Irell, which placed 46th last year, the increase in hours stems in part from a policy created in 2012 in which all new lawyers—first-year associates

and lateral partners alike—are asked to commit to a minimum of 60 pro bono hours in their first year at the firm.

"The thinking behind that is that when you do pro bono work, you're going to come back and do more," says civil litigation partner Michael Ermer, who chairs the firm's pro bono committee. (Our survey found that almost all firms count pro bono toward associates' billable hour requirements.)

Irell also took on a number of large new matters in 2015, including a case with Public Counsel on behalf of a group of students and teachers who filed a class action suit against the Compton Unified School District in California. The group alleges that the impact of trauma that results from the students' and teachers' exposure to abuse, discrimination and gang violence is being ignored by the district.

At Jenner & Block, which led the rankings for the past two years, the firm's average pro bono hours dropped from 130.5 last year and a 20-year high of 175 the year before to 108 hours this year. Growth in headcount to fuel more paying projects was a reason, says managing partner Terrence Truax: "The firm was fortunate to be busy." He explained that in 2015, the firm hired a significant number of staff attorneys and discovery attorneys, adding: "We're working at, and making progress at, getting them integrated into our pro bono system."

McDermott Will & Emery; Finnegan, Henderson, Farabow, Garrett & Dunner; and Schulte Roth & Zabel slid the most in this year's rankings, taking slots 53 (from 27 last year), 106 (from 78) and 111 (from 80), respectively.

McDermott partner Todd Solomon, who chairs the firm's pro bono and community service committee, said that 2014 was an outlier for the firm. McDermott aims to have at least 50 percent of its lawyers logging 20 hours or more, which it reached this year. Last year, the firm reported that more than 65 percent of the firm's lawyers had reached that goal, which Solomon said was unusual.

Finnegan partner Paul Browning said the firm's pro bono program is not shrinking in any way, but that its numbers typically fluctuate from year to year. "We don't think it's any kind of trend," Browning says. "We're hoping that those numbers will bounce back again this year."

Pro bono abroad

The American Lawyer has only been tracking international pro bono for three years, but each year pro bono hours have increased. In 2013, non-U.S.-based lawyers donated an average of 17.2 hours of their time, and 18 percent of them spent more than 20 hours on pro bono. This year, the average number of hours was 20.1, and 24 percent of lawyers worked 20-plus hours toward pro bono.

Dechert, Arnold & Porter and Paul Hastings were the firms with 50 or more lawyers working abroad that clocked the most international hours. Those three firms have ranked highly since we started measuring international pro bono.

TOP FIRMS FOR INTERNATIONAL PRO BONO

Rank	Firm	Non-U.S. Pro Bono Score	Average Hours	% with 20+ Hours	Am Law Rank
1	Dechert	67.0	49.0	85.1	34
2	Arnold & Porter	65.9	55.8	76.0	53
3	Paul Hastings	62.5	41.9	83.1	25
4	Katten	50.4	53.6	47.1	59
5	Latham	46.1	41.0	51.1	1
6	Morrison & Foerster	37.8	38.9	36.7	28
7	Gibson Dunn	34.5	32.8	36.3	11
8	McDermott	34.2	31.0	37.4	33
9	Orrick	34.1	27.5	40.7	31
10	Morgan Lewis	31.8	27.8	35.8	8

Even with the increase in international work this year, law firms logged an average of almost three times more pro bono hours domestically as they did abroad. Some of the firms that ranked the highest on our national list also showed the greatest disparity between U.S. and non-U.S. pro bono, including Hughes Hubbard and Jenner & Block.

Historically, firms have struggled to find ways of getting lawyers in foreign offices involved in organized pro bono projects. Pro bono counsel say that there's less infrastructure to facilitate a connection between legal aid organizations and private law

firms. In some jurisdictions, regulations restrict the donation of free legal services or prohibit qualified foreign lawyers from practicing. (Pro bono is especially difficult in China; [read here](#) for more.)

But diminishing funding for state-sponsored legal aid programs in the U.K. and elsewhere has given law firms the opportunity to play a bigger role in the delivery of legal services for the poor, pro bono coordinators say (see our ["Letter from London"](#)). Several firms have put in place mandatory pro bono hour requirements that include non-U.S. offices.

Latham & Watkins public service counsel Wendy Atrokhov says that while lawyers in the U.S. know intuitively where to look for pro bono opportunities, the job of finding projects abroad falls on members of her firm's 69-lawyer pro bono committee. Since Atrokhov began overseeing Latham's global pro bono program five years ago, a big focus has been putting their non-U.S. offices on par with the domestic offices for pro bono.

"It's been a long game," she said. "It's not something where you flip a switch and it suddenly happens."

Latham lawyers in the U.S. devote an average of 81 hours to pro bono per year, compared with about 46 hours for lawyers abroad. The firm is one of the highest scorers for international pro bono, ranking fifth for the past three years.

Dechert, which in 2014 asked its lawyers in all the firm's domestic and international offices to complete a minimum of 25 pro bono hours per year, scored higher than any firm on the international ranking.

Lawyers in Dechert's non-U.S. offices completed an average of 49 pro bono hours last year, and 85

percent contributed more than 20 hours. Suzanne Turner, the firm's pro bono chair, says that it's gotten easier to match attorneys in the firm's non-U.S. offices with pro bono opportunities in the jurisdictions where they live.

"More and more NGOs, especially in Europe and Asia, are more receptive to getting pro bono help," she says of nongovernmental organizations. "There's more trust. There's not a fear that they're going to get what they pay for." A pro bono project might involve helping an international aid organization write a brief to be filed before the European Court of Human Rights, she says.

While European pro bono has typically taken the form of law firms offering their services to nonprofits and NGOs, the growing gap in what legal aid in the U.K. is covering has created an opportunity to offer more bread-and-butter legal services, Turner adds. Pro bono clinics in the U.K. have seen a surge in the number of low-income people seeking assistance who do not qualify for legal aid, according to LawWorks, a network of more than 200 pro bono clinics in the U.K. In 2015, the clinics saw a 55 percent increase in the number of clients who need help.

Pro bono lawyers at big firms say that they are seeking out those clinics to help staff them. Dechert also launched its own free legal aid clinic at a homeless shelter in London where residents can set up appointments once a month to receive legal advice on housing law issues.

Immigration is a theme

The international refugee crisis that swept through Europe and the Middle East last year galvanized lawyers in Latham's foreign and U.S. offices, Atrokhov says. All told, 725 Latham lawyers in Europe, Asia and the U.S. spent more than 31,000 hours on projects including assistance to international NGOs and individual help for 39 unaccompanied minors.

For one project, 70 lawyers spread across the firm's four German offices were retained in asylum law in the European Union and now run bi-weekly legal seminars in Germany for asylum seekers flooding that country. So far, about 200 refugees have attended those seminars. For another project, 30 lawyers in London, Paris, Brussels, Riyadh and Dubai were on call by to answer questions from the International Rescue Committee when it participated in an EU summit with Turkey on the refugee crisis. The Latham lawyers were on call to research and answer questions from the committee as the organization formulated its position on the refugee crisis during the conference.

But immigration projects run by big law firms are certainly not limited to foreign offices. At Hughes Hubbard, all first-year associates are assigned an asylum case through the organization Kids in Need of Defense (KIND), says Vilia Hayes, co-chair of the firm's pro bono committee. The firm asks everyone to contribute 50 hours a year to pro bono, though it's not a mandate.

Paul Hastings lawyers are working with the National Immigration Law Center on a case against U.S. Immigration and Customs Enforcement that stems from what they call an inadequate response to a Freedom of Information Act Request. The firm, like several others surveyed, also does work for immigrant children through KIND.

Group projects

For years law firms have readily taken on big, high-profile cases that require tremendous resources and offer them more than a little publicity. But much of pro bono has been smaller-scale, where legal aid organizations write to their contact at a firm asking for help on their endless supply of cases.

That approach has not gone away, but some firms say that they're getting more organized about how they offer assistance on a local level.

"Firms are getting much more strategic and saying, 'Let's look at a problem and figure what we can do about it, then approach legal aid partners,'" says Dentons pro bono partner Benjamin Weinberg, president of the Association of Pro Bono Counsel, an organization of pro bono lawyers at 95 firms.

For example, the Pro Bono Institute has launched an initiative in Minnesota in collaboration with Dorsey & Whitney, Faegre Baker Daniels, the Minnesota Department of Corrections, the U.S. Attorney's Office for the District of Minnesota and several nonprofits and corporations to reduce the number of formerly incarcerated men and women who return to prison. The group will offer clients legal services, help with finding housing and other benefits.

The Association of Pro Bono Counsel recently launched 13 initiatives around the country that each involve multiple law firms, nonprofit groups and government agencies. The projects vary from a legal services clinic for homeless youth in New York to a project advising residents in Northern California on a variety of issues including immigration, housing and public benefits.

While firms may see fluctuations in their hours and participation rates from year to year, elite firms in the industry take pro bono seriously, says NYU School of Law professor Stephen Gillers, who studies the profession and legal ethics. Firms must compete on their pro bono metrics to attract the best law school graduates and to please their clients, Gillers says. But firm partners also tend to sympathize with the objectives of pro bono, he says.

"We're talking about people who have won the gold ring, who earn at the very top of the profession," says Gillers. "They can afford the modest lost income pro bono requires ... because doing it offers a different sort of currency—the satisfaction that comes from contributing to the public good."

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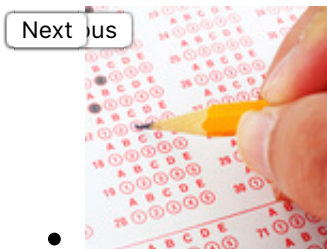
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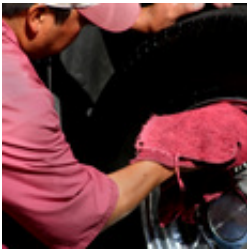
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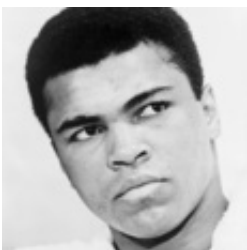
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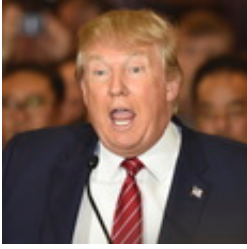
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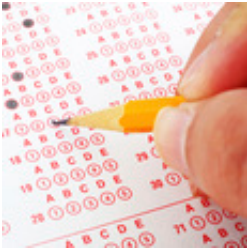
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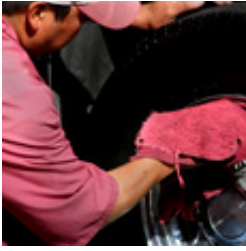
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