



MEDIA RELEASE

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Strengthening the Law Firm Pro Bono Challenge® Definition of Pro Bono

WASHINGTON, May 15, 2023—For more than 25 years, the Law Firm Pro Bono Challenge® initiative (Challenge), administered by Pro Bono Institute (PBI), has served as a polestar for pro bono. Challenge signatory law firms set goals to contribute at least 3% or 5% of their total billable hours to pro bono annually, uphold the principles of the Challenge, and develop their firms' pro bono cultures. The Challenge, and its definition of pro bono, has become an industry standard guiding well over 60,000 attorneys at Challenge signatory law firms (as well as many other organizations).

Innovation in pro bono is at the heart of PBI. Indeed, PBI's mission is "to explore and identify new approaches to and resources for the provision of legal services to the poor, disadvantaged, and other individuals or groups unable to secure legal assistance to address critical problems."

As part of this exploration, PBI turned to its Challenge signatories in the fall of 2020, surveying them to assess the adequacy of the long-standing definition of pro bono found in Principle 7 of the *Challenge Statement of Principles (Challenge Statement)*.

Based on the results of this survey, PBI formed the Defining Law Firm Pro Bono Working Group (Working Group) in August 2021 to further examine the Challenge definition of pro bono. The Working Group included staff from PBI's Law Firm Pro Bon Project® and 13 pro bono leaders (listed below) from Challenge signatory firms, representing different geographic locations and viewpoints.

For more than 18 months, the Working Group met regularly to review the definition of pro bono, as set forth in the *Challenge Statement*, and PBI's key guidance documents (collectively, Challenge Documents). The Working Group identified and recommended changes, which PBI leadership has approved, in four key areas: (1) Impact Finance & Social Enterprise, (2) Global Pro Bono, (3) Public Rights, and (4) Racial Justice.

PBI President and CEO, Eve Runyon, said, “I applaud the Working Group for their important contribution in keeping the definition of pro bono current. Their work ensures that the Challenge reflects the forward movement of our society and PBI’s and the Challenge signatories’ shared commitment to the advancement of access to justice for all.”

The key revisions to the Challenge Documents include:

Impact Finance & Social Enterprise

- Adds guidance to the PBI *Challenge Commentary* document, including an expanded definition of for-profits that are pro bono eligible with examples of community economic development entities, social enterprises, and impact investment transactions, as well as factors to weigh when determining pro bono eligibility.
- Adds guidance to the PBI *What Counts?* (as pro bono) document on time spent providing legal assistance to large for-profit companies in matters that seek to produce strong financial returns as well as positive social and/or environmental returns.

Global Pro Bono

- Expands *What Counts?* with additional guidance on “know your rights” trainings, the dividing line between legal and non-legal support in providing humanitarian aid, legal research projects on behalf of multi-lateral institutions’ initiatives, the impact of accepting nominal fees for court appointed work as provided for by statute, legal assistance to poor nations, and legal capacity building projects.

Public Rights

- Adds guidance to the *Commentary* acknowledging there is no universal definition of “public rights” and provides four factors to consider when analyzing whether a nonprofit entity qualifies to receive pro bono legal services related to such rights.
- Provides guidance in *What Counts?* on representation of well-funded organizations, nonprofit media organizations, work on an appellate case as court-appointed amicus, and other examples that may count as pro bono for purposes of the Challenge.

Racial Justice

- Adds guidance to the *Commentary* addressing Challenge Principle 5(d) acknowledging there is no universal definition of racial justice pro bono and provides considerations for engaging in racial justice pro bono work, along with some examples of racial justice pro bono work provided by law firms in response to the PBI [2022 Annual Law Firm Challenge Report](#). (In January 2022, PBI expanded the Law Firm Pro Bono Challenge Principles by adding provision 5(d), which commits Challenge signatories to combat racial injustices and other systemic injustice through their pro bono work.)

The PBI Board of Directors and Law Firm Pro Bono Project Advisory Committee would like to thank the Working Group for their substantial efforts. Additionally, thank you to the expertise of the Association of Pro Bono Counsel members and select legal service organizations that provided their comments to the Working Group’s initial draft recommendations.

Challenge signatories are requested to consider the guidance in responding to the 2024 Challenge Survey next year.

The fully updated Challenge Documents are available for download using the following links:

- [Statement of Principles](#)
 - [Commentary to Statement of Principles](#)
 - [What Counts?](#)
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Defining Law Firm Pro Bono Working Group

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About Pro Bono Institute

Founded in 1996, Pro Bono Institute (PBI) is a Washington, D.C.-based nonprofit organization. With an unparalleled depth of knowledge, resources and expertise, PBI is *the* respected resource for all things pro bono. Through our work with law firms, in-house corporate legal departments, and public interest organizations, PBI is the global thought leader in exploring, identifying, evaluating, catalyzing, and taking to scale new approaches to and resources for the provision of legal services to the poor, disadvantaged, and other individuals or groups unable to secure legal assistance to address critical problems.

About the Law Firm Pro Bono Project

The Law Firm Pro Bono Project is a global effort designed to support and enhance the pro bono culture and performance of major law firms in the United States and around the world. The Project's goal is to fully integrate pro bono into the practice, philosophy, and culture of firms so that large law firms provide the institutional support, infrastructure, and encouragement essential to fostering a climate supportive of pro bono service and promoting partner and associate participation.

For more information, please visit www.probonoinst.org.

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