

# CPBO CHALLENGE® REPORT

2015: The Path of In-House Pro Bono



*Covering the Year 2014*



CORPORATE®  
PRO BONO

## CORPORATE PRO BONO

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Founded in 2000, Corporate Pro Bono (CPBO) is the global partnership project of Pro Bono Institute (PBI) and the Association of Corporate Counsel (ACC).

## MISSION

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CPBO'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. CPBO does so by supporting, enhancing, and transforming the pro bono efforts of in-house legal departments in the U.S. and around the world. Since its inception, CPBO has worked with more than 800 legal departments and ACC chapters.

## THE CORPORATE PRO BONO CHALLENGE® INITIATIVE

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In 2006, at the urging of chief legal officers, CPBO launched an initiative enabling legal departments to identify, benchmark, and communicate their support for pro bono service. The Corporate Pro Bono Challenge® initiative is the standard for in-house pro bono. It is a simple, voluntary statement of commitment to pro bono service by legal departments and their lawyers and staff.

Specifically, the CPBO Challenge® statement calls for chief legal officers to:

- » encourage and promote pro bono service by their legal department staff;
- » use their best efforts to encourage their staff, including at least one-half of their legal staff, to support and participate in pro bono service; and
- » encourage the outside law firms with whom they work to acknowledge publicly their support for pro bono by becoming signatories to the Pro Bono Institute's Law Firm Pro Bono Challenge®.

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## SNAPSHOT OF SIGNATORIES

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146

CPBO Challenge® Signatories

45

Fortune 100 Companies

54

2014 Survey Respondents

48%

Average U.S. Lawyer Participation Rate (2014)

## ADVISORY BOARD

### Co-chairs

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**Bradford L. Smith**  
*President and Chief Legal Officer*  
*Microsoft Corporation*

**Laura Stein**  
*Executive Vice President – General Counsel*  
*The Clorox Company*

### Members

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**Brackett B. Denniston III**  
*Senior Vice President, Secretary, and General Counsel*  
*General Electric Company*

**Jonathan Oviatt**  
*Senior Legal Counsel*  
*Mayo Clinic*

**Ona Alston Dosunmu**  
*General Counsel*  
*The Brookings Institution*

**Thomas J. Sabatino Jr.**  
*Senior Executive Vice President, Chief Administrative Officer and*  
*General Counsel*  
*Hertz Global Holdings, Inc.*

**Ivan K. Fong**  
*Senior Vice President, Legal Affairs and General Counsel*  
*3M Company*

**Gloria Santona**  
*Executive Vice President, General Counsel, and Secretary*  
*McDonald's Corporation*

**Elisa Garcia**  
*Executive Vice President and Chief Legal Officer*  
*Office Depot, Inc.*

**John Schultz**  
*Executive Vice President, General Counsel and Corporate Secretary*  
*Hewlett Packard Enterprise Company*

**Brett J. Hart**  
*Acting Chief Executive Officer*  
*United Continental Holdings, Inc.*

**Kenneth Thompson II**  
*Senior Vice President, Global Chief Legal Officer*  
*LexisNexis Group*

**Michael J. Holston**  
*Executive Vice President and General Counsel*  
*Merck & Co., Inc.*

**Amy E. Weaver**  
*Executive Vice President & General Counsel*  
*salesforce.com, inc.*

**James R. Jenkins**  
*Retired, Senior Vice President and General Counsel*  
*Deere & Company*

**Brian Zuckerman**  
*Senior Vice President, General Counsel, and Secretary*  
*The Pep Boys - Manny, Moe & Jack*

**David Leitch**  
*Group Vice President and General Counsel*  
*Ford Motor Company*

## INTRODUCTION

In 2014, Corporate Pro Bono published two important reports: (1) 2007-2012 CPBO Challenge® Report: the Development of In-House Pro Bono, which provided the first statistical picture of pro bono throughout the U.S. and around the globe, examining the pro bono performance of in-house legal departments that were CPBO Challenge® signatories in calendar years 2007 – 2012 and that responded to an annual survey circulated by CPBO; and (2) 2013 CPBO Challenge® Report: the Growth of In-House Pro Bono, which measured for the first time the growth of in-house pro bono across years by comparing pro bono participation rates of CPBO Challenge® signatories that provided responses to the CPBO Challenge® annual survey in 2012 and 2013, as well as the response of all signatories that responded to the annual survey in 2013. These ground breaking reports highlighted the expansion of pro bono within the culture of legal departments and the growth in interest and opportunities for in-house counsel to provide pro bono services.

The 2015 CPBO Challenge® Report: the Path of In-House Pro Bono, which covers the year 2014, is the second report by CPBO that compares the pro bono performance of CPBO Challenge® signatories from year to year. This report considers the performance of 45 CPBO Challenge® signatories that responded to CPBO's annual survey in 2013 and 2014 and summarizes the responses of all 54 legal departments that responded to the CPBO Challenge® survey in 2014.

The achievements of CPBO Challenge® signatories highlighted in this report and those published in 2014 are significant. Despite slight increases or decreases in performance rates, legal departments of all sizes and across all industries consistently engage their lawyers, paraprofessionals, administrative staff, and others within the legal department in important pro bono legal services.

Currently, there are 146 signatories to the Corporate Pro Bono Challenge® statement, headquartered in cities around the U.S. and Canada and with offices and legal staff around the globe.

2007-2012 CPBO Challenge® Report: the Development of In-House Pro Bono: [www.cpbo.org/challengereport2012](http://www.cpbo.org/challengereport2012)

2013 CPBO Challenge® Report: the Growth of In-House Pro Bono: [www.cpbo.org/challengereport2013](http://www.cpbo.org/challengereport2013)

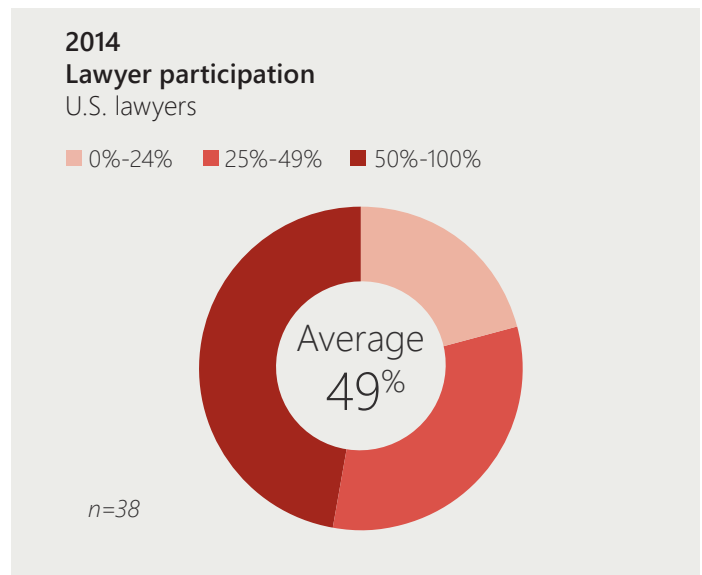
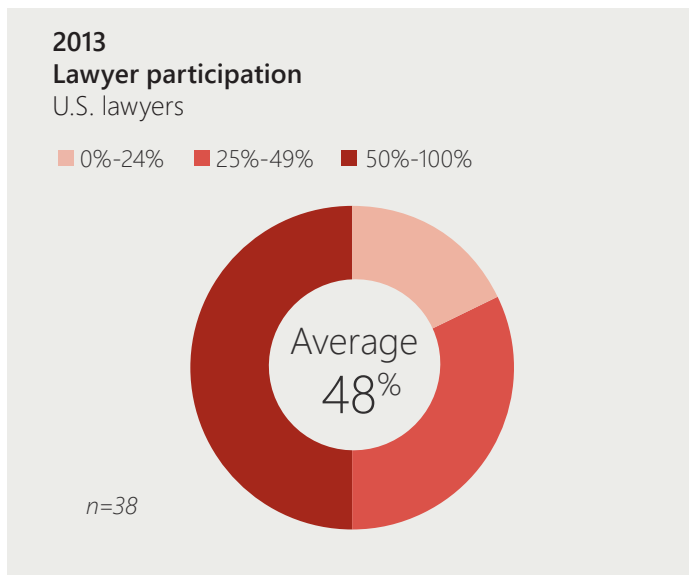


## LEGAL STAFF AND GLOBAL PARTICIPATION, 2013 AND 2014

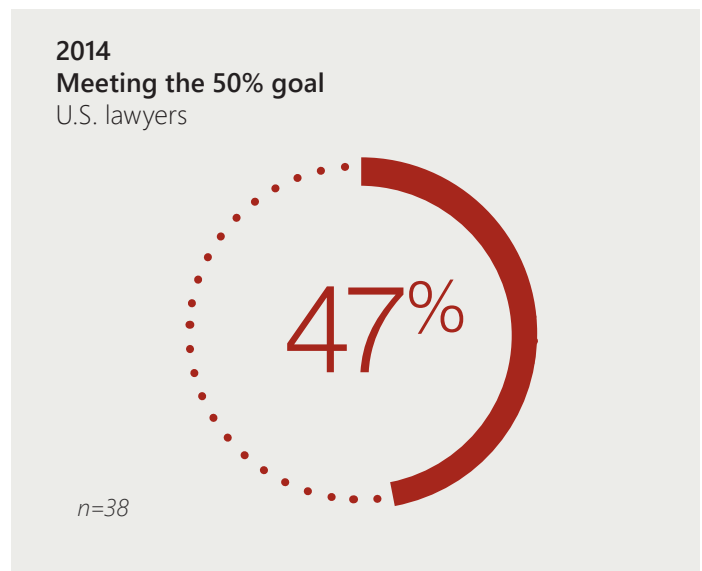
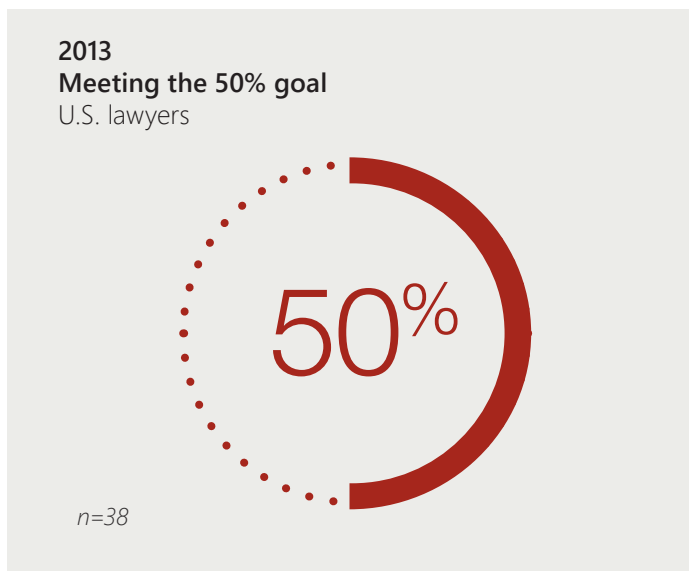
When signing the Corporate Pro Bono Challenge® statement, legal departments commit to encourage 50 percent of their legal staff to engage in legal pro bono work.

### *U.S. Lawyer Participation*

Participation in pro bono by U.S. lawyers of signatories that responded to the CPBO Challenge® survey in 2013 and 2014 slightly increased. In 2014, the average participation rate of U.S. lawyers was 49 percent. In 2013, the average participation rate of U.S. lawyers was 48 percent.



However, the percentage of responding signatories that met or exceeded the goal of 50 percent participation decreased from 50 percent in 2013 to 47 percent in 2014.

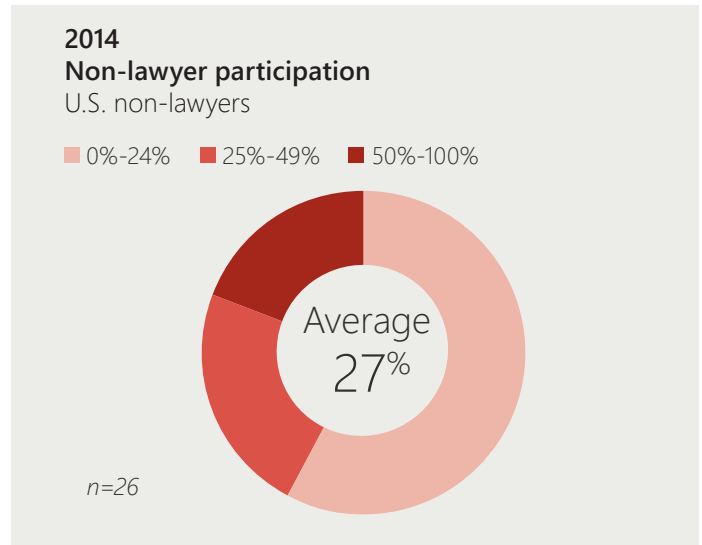
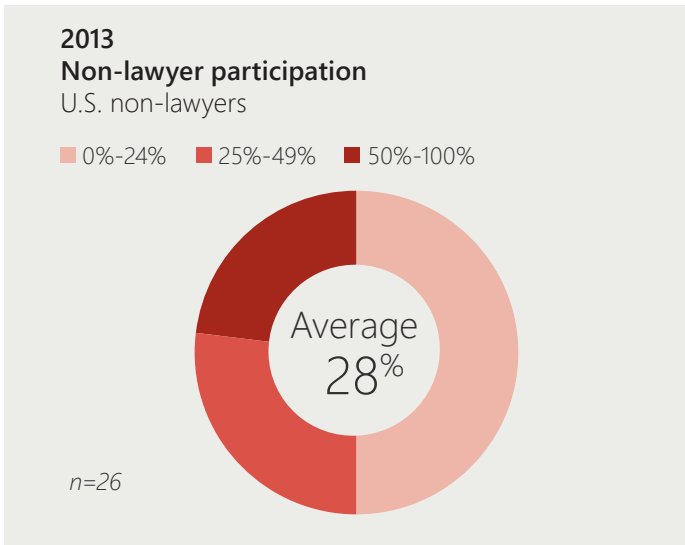


Throughout this publication, “*n*” is used to denote the total respondents in the relevant sample.

## LEGAL STAFF AND GLOBAL PARTICIPATION, 2013 AND 2014

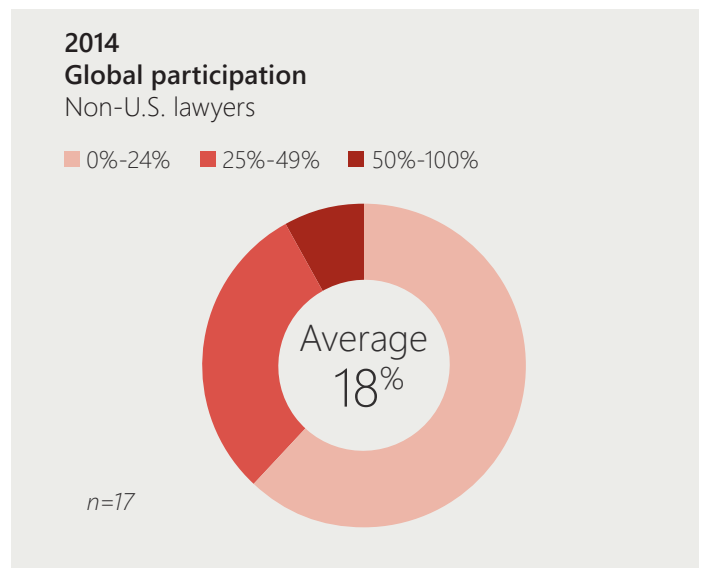
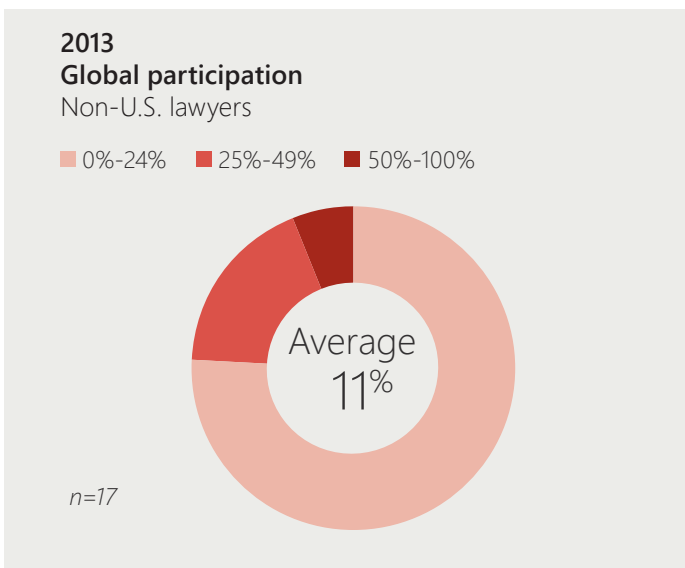
### U.S. Non-Lawyer Participation

Involvement by paraprofessionals, administrative assistants, and other professionals within the legal department continues to be an important element of in-house pro bono. The CPBO Challenge® survey measures both lawyer participation and non-lawyer participation. In 2013, the average participation rate by non-lawyers was 28 percent. In 2014, it decreased slightly to 27 percent.



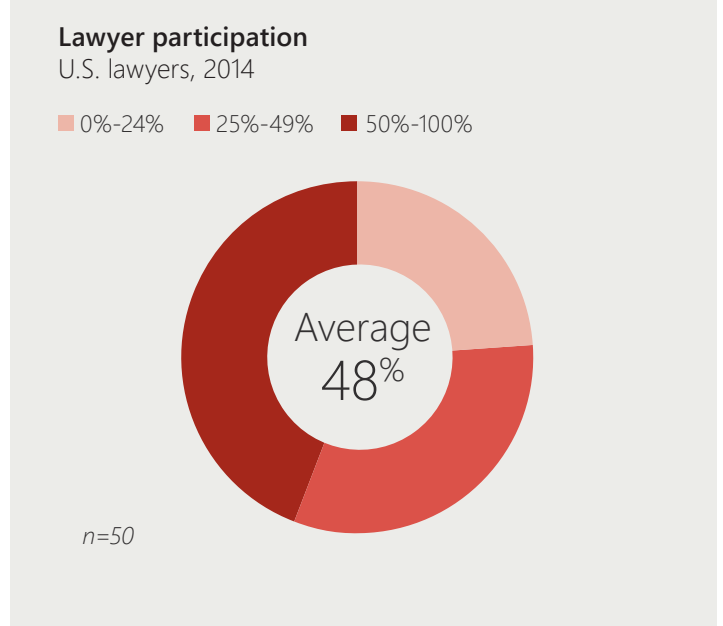
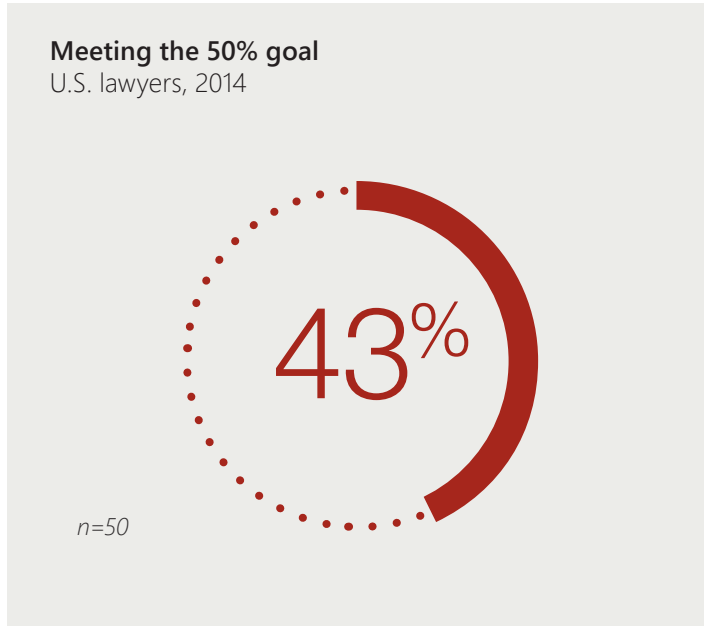
### Global Participation

Most signatory departments apply the CPBO Challenge® goals to pro bono participation by staff only within the U.S. However, some departments have expanded their efforts to include staff in other countries. In 2013, 11 percent of non-U.S. lawyers of responding legal departments participated in pro bono and in 2014, 18 percent of non-U.S. lawyers participated in pro bono.

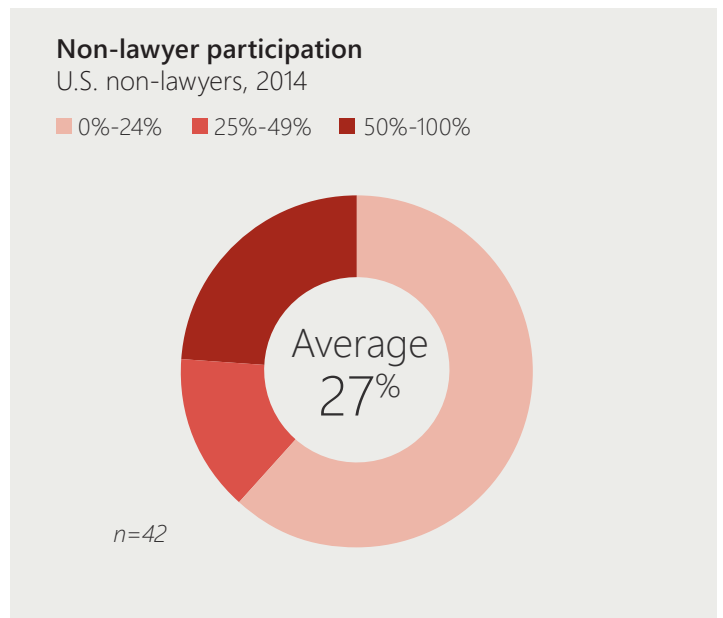
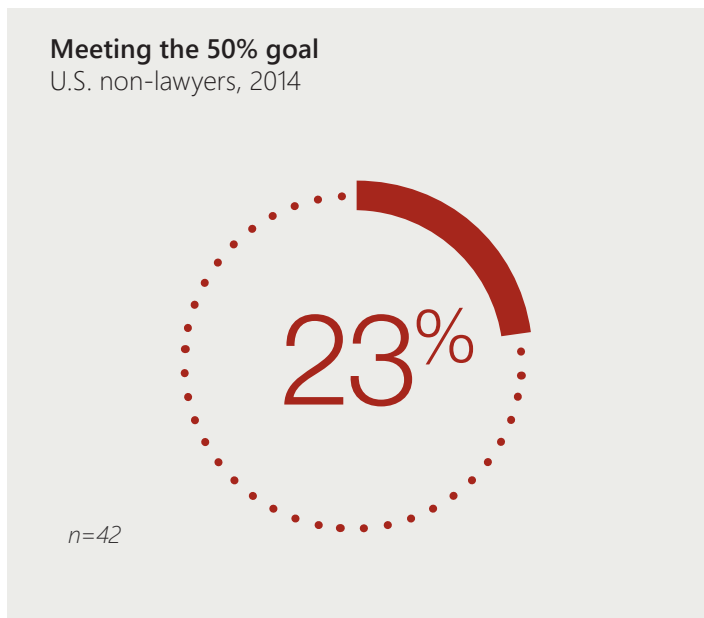


## LEGAL STAFF PARTICIPATION, 2014

### U.S. Lawyer Participation



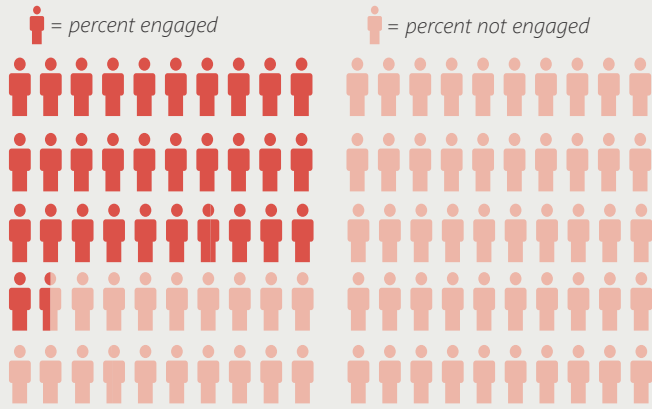
### U.S. Non-Lawyer Participation





# GLOBAL PRO BONO, 2014

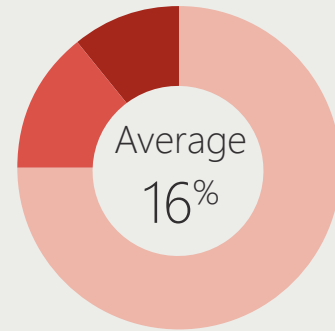
## Percentage of signatories engaged in global pro bono Legal departments, 2014



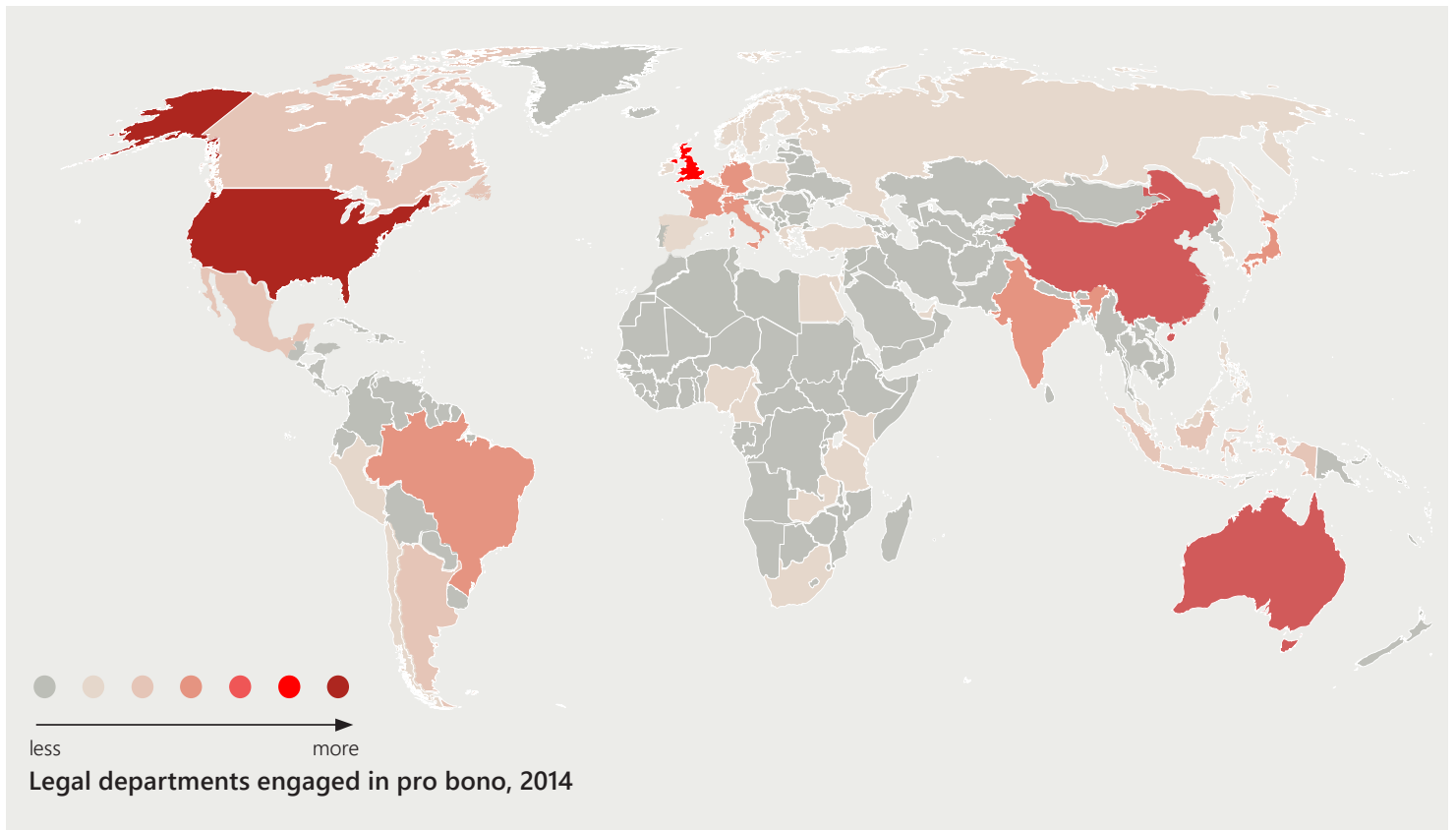
*n=37 respondents with lawyers outside of the U.S.*

## Global participation Non-U.S. lawyers, 2014

0%-24%    25%-49%    50%-100%



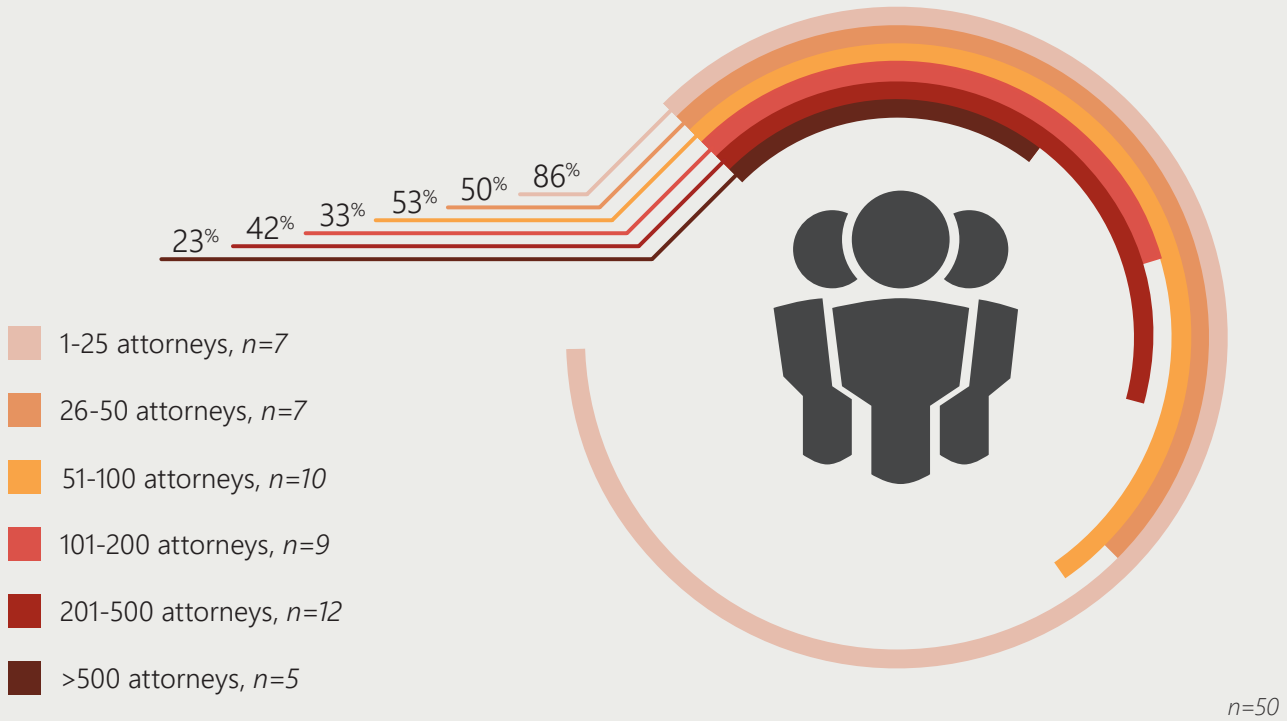
*n=28*



# DEMOGRAPHICS, 2014

## Participation across department size

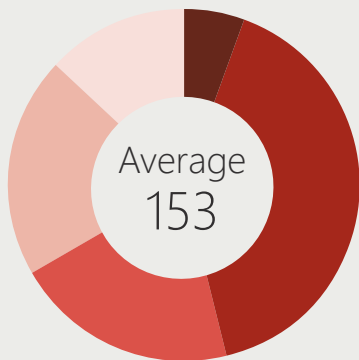
U.S. lawyers, average among respondents, 2014



## Department size

U.S. lawyers, % of all respondents, 2014

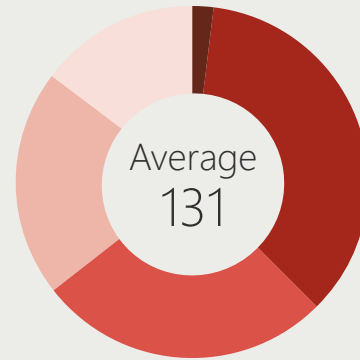
1-20 21-50 51-100 101-500 >500



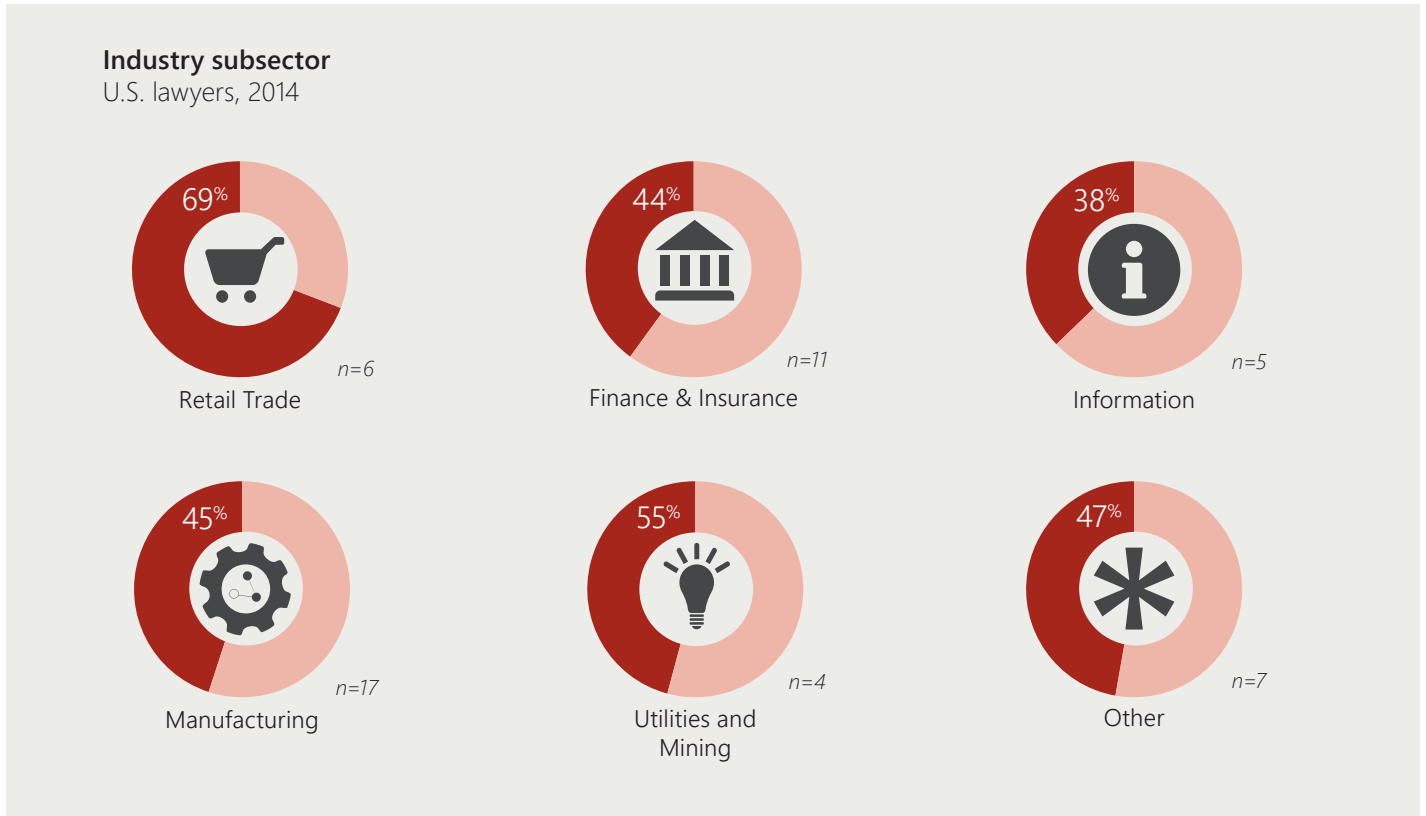
## Department size

U.S. non-lawyers, % of all respondents, 2014

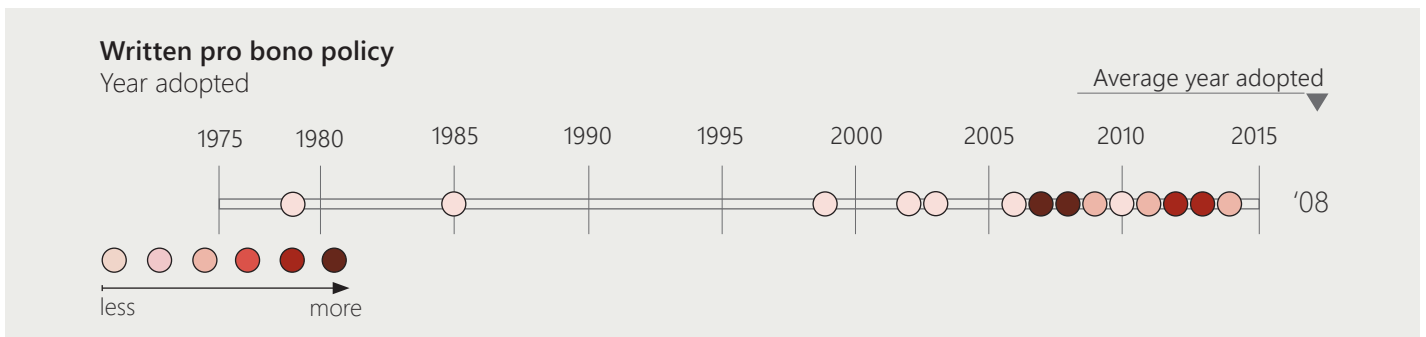
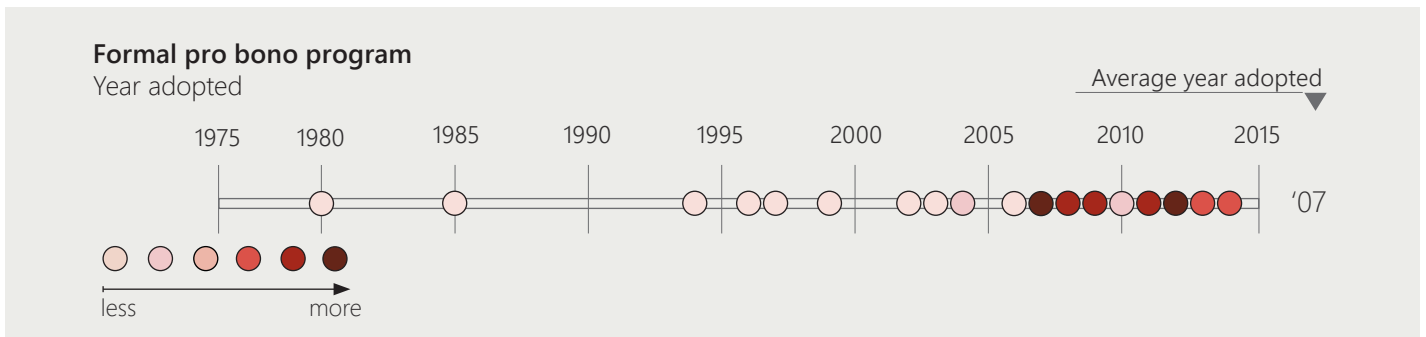
1-20 21-50 51-100 101-500 >500



## DEMOGRAPHICS, 2014



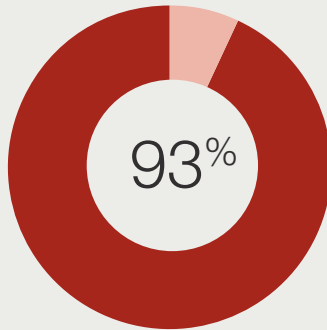
## PRO BONO PROGRAMS AND POLICIES, 2014



## PARTNERSHIPS WITH LAW FIRMS, 2014

**Partnerships**

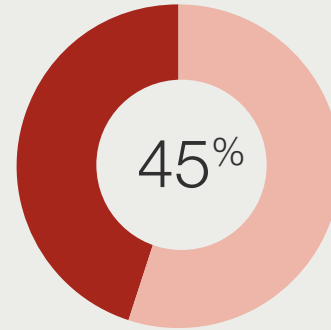
with outside law firms, 2014



n=54

**Law firm pro bono performance**

consider when evaluating outside counsel, 2014



n=53

**The Law Firm Pro Bono Challenge®**

The Law Firm Pro Bono Challenge® is the definitive aspirational pro bono standard for large law firms. By committing to a Statement of Principles, signatories pledge their best efforts to achieve the following goals of the challenge and annually report their progress to PBI:

an institutional commitment to encourage and support participation by all attorneys in the firm;

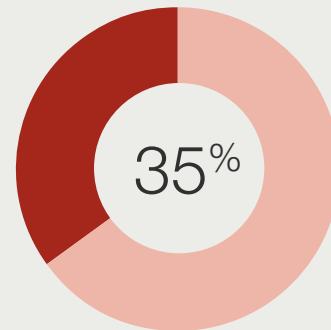
the firm annually contributes to pro bono work (as defined by the Law Firm Pro Bono Challenge®) a minimum of either (i) five percent of total billable hours or 100 hours per attorney or (ii) three percent of total billable hours or 60 hours per attorney;

a majority of such pro bono work is spent representing persons of limited means or charitable, religious, civic, community, governmental, and educational organizations in matters that primarily address the needs of persons of limited means; and

a majority of both partners and associates in the firm participate annually in pro bono activities.

**Law firm pro bono performance**

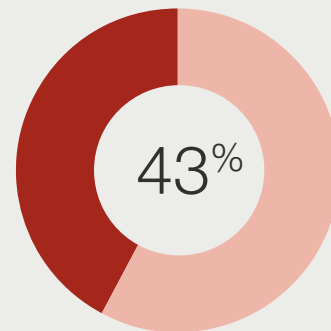
inquire about law firm pro bono in RFPs, 2014



n=54

**Law Firm Pro Bono Challenge®**

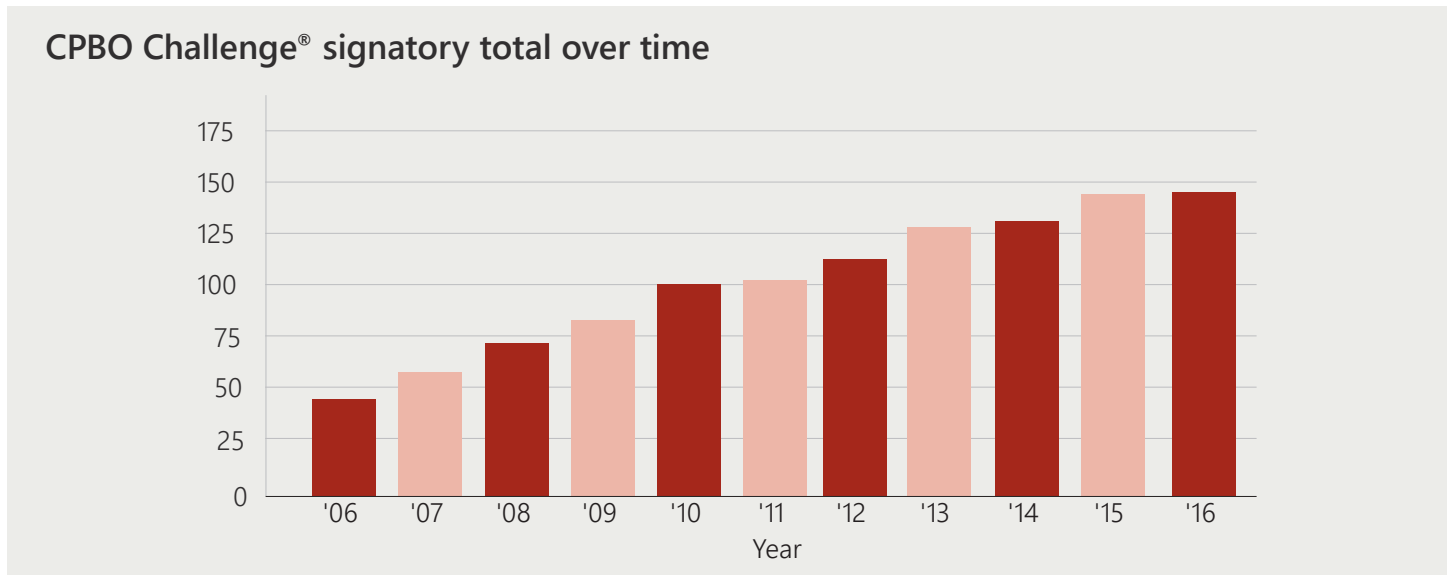
encouraged outside law firms, 2014



n=54

## CONCLUSION

Since its inception, the number of signatories to the CPBO Challenge® initiative has grown steadily and in-house pro bono participation has remained strong.



Examining the responses of the 45 signatories who responded to both the 2013 and 2014 surveys, pro bono participation has remained relatively steady. Slight increases and decreases exist in participation rates for lawyers and other legal staff within departments. However, pro bono participation rates for lawyers in the U.S. have consistently hovered around 50 percent since 2012.

## LOOKING AHEAD: IN-HOUSE PRO BONO

### *Increased Participation*

As pro bono continues to permeate the in-house community, we expect to see growing numbers of legal departments formalizing their pro bono efforts. The range of participation rates among signatories may fluctuate slightly, but the overall trend will remain consistent with departments of all sizes and across all industries continuing to engage legal staff in significant pro bono work.

### *Global Pro Bono*

Interest in global pro bono will continue to expand in the coming years. Participation may fluctuate more so than in the U.S. due to the challenges that continue to exist in many countries. While multi-national companies with offices in countries all over the globe are well-suited to pursue global pro bono projects, much remains to be done to create the infrastructure necessary for such work. However, signatories will continue to expand their reach and will explore pro bono opportunities in more and more countries.

### *Collaboration and Partnerships*

We anticipate ongoing collaboration among legal departments and between legal departments and pro bono partners, including outside law firms. Outside law firms can support the pro bono efforts of their in-house partners as many of the leading large law firms have well-organized and thriving pro bono programs. In addition, signatories will continue to consider pro bono a factor in evaluating outside firms.

## ABOUT THE CPBO CHALLENGE® INITIATIVE

Companies are placing increased emphasis on corporate social responsibility as an integral part of their identity and strategic planning. For their legal departments, moving beyond compliance with operational, ethical, and legal standards to focus on improving the economic and social climate of communities and a broad range of stakeholders is not only the right thing to do but also promotes trust and enhances the companies' business goals.

Many legal departments have found that having a concrete and quantifiable, but voluntary, goal has helped to increase visibility, participation, and performance while assuring legal staff that they will not be disadvantaged because of their pro bono participation. The CPBO Challenge® goals are thus an important tool for corporate social responsibility and good citizenship.

### The CPBO Challenge® Statement

As Chief Legal Officers, we recognize the critical importance of pro bono service as a cornerstone of our professional identity and accept the unique role that we can play in promoting pro bono in our legal departments. As leaders, we understand that the legal and business interests of our clients are furthered when access to the legal system is readily available to resolve disputes.

In recognition of our commitment and as signatories to this Corporate Pro Bono Challenge® statement, we will encourage and promote pro bono service by our legal department staff and use our best efforts to encourage our staffs, including at least one-half of our legal staff, to support and participate, as appropriate, in pro bono service.

To underscore the importance of promoting pro bono service, we will encourage the outside law firms with whom we work to acknowledge publicly their support for pro bono by becoming signatories to the Pro Bono Institute's Law Firm Pro Bono Challenge®.

## METHODOLOGY

All data included in this report is presented in the aggregate to maintain the confidentiality of the Corporate Pro Bono Challenge® survey respondents.

The primary objective of the survey was to determine if CPBO Challenge® signatories met the goal of 50 percent participation in pro bono. In addition, survey questions solicited information about pro bono policies and practices, including partnerships with outside law firms. The 2014 survey consists of twelve questions. A copy of the survey is included in the appendix at the end of this report.

CPBO began surveying CPBO Challenge® signatories in 2007. Each year, the survey response rate has varied with a different combination of departments responding. In 2013, 52 of 131 signatories submitted responses. In 2014, 54 of 133 signatories submitted responses. Forty-five companies responded both in 2013 and 2014. Any comparison data presented in this report considers the responses of these 45 companies.

CPBO hopes that in publishing this data, CPBO Challenge® signatories will continue to see the value in reporting their pro bono work and that, in the future, increased reporting will allow CPBO to publish even more extensive analysis of the data.

## REPORTING COMPANIES

## 2013 and 2014

3M Company  
 Aetna Inc.  
 American International Group, Inc.  
 AOL Inc.  
 AT&T Inc.  
 Bank of America Corporation  
 Best Buy Co., Inc.  
 Capital One Financial Corporation  
 Caterpillar Inc.  
 CIGNA Corporation  
 The Clorox Company  
 Counsel on Call  
 Deere & Company  
 Deloitte LLP  
 Discover Financial Services  
 DuPont  
 Duquesne Light Company  
 Ford Motor Company  
 The Gap, Inc..  
 General Electric Company  
 General Mills, Inc.  
 Hewlett-Packard Company  
 Intel Corporation  
 Massachusetts Mutual Life Insurance Company  
 Mayo Clinic  
 McDonald's Corporation  
 Medtronic, Inc.  
 Merck & Co., Inc.  
 MetLife, Inc.  
 Microsoft Corporation  
 MVG Development, Inc.  
 Nationwide Mutual Insurance Company  
 Office Depot, Inc.  
 The Pep Boys-Manny, Moe & Jack  
 Shell Oil Company  
 Starbucks Corporation  
 Target Corporation  
 TE Connectivity, Ltd.  
 TXU Energy  
 U.S. Bancorp  
 United Continental Holdings, Inc.  
 United Parcel Service, Inc.  
 UnitedHealth Group Incorporated  
 Verizon Communications Inc.  
 Wal-Mart Stores, Inc.

## 2014

3M Company  
 Aetna Inc.  
 American International Group, Inc.  
 AOL Inc.  
 AT&T Inc.  
 Bank of America Corporation  
 Best Buy Co., Inc.  
 Boston Scientific Corporation  
 Capital One Financial Corporation  
 Caterpillar Inc.  
 CBS Corporation  
 CIGNA Corporation  
 The Clorox Company  
 Counsel on Call  
 Deere & Company  
 Deloitte LLP  
 Discover Financial Services  
 Duke Energy Corporation  
 DuPont  
 Duquesne Light Company  
 FactSet Research Systems Inc.  
 Ford Motor Company  
 The Gap, Inc.  
 General Electric Company  
 General Mills, Inc.  
 Hewlett-Packard Company  
 Intel Corporation  
 International Paper Company  
 LyondellBasell Industries, N.V.  
 Massachusetts Mutual Life Insurance Company  
 Mayo Clinic  
 McDonald's Corporation  
 Medtronic, Inc.  
 Merck & Co., Inc.  
 MetLife, Inc.  
 Microsoft Corporation  
 MSA Safety Inc.  
 MVG Development, Inc.  
 Nationwide Mutual Insurance Company  
 Office Depot, Inc.  
 The Pep Boys - Manny, Moe & Jack  
 The PNC Financial Services Group, Inc.  
 Shell Oil Company  
 Starbucks Corporation  
 Target Corporation  
 TE Connectivity, Ltd.  
 TXU Energy  
 U.S. Bancorp  
 United Continental Holdings, Inc.  
 United Parcel Service, Inc.  
 UnitedHealth Group Incorporated  
 Verizon Communications Inc.  
 Viacom Inc.  
 Wal-Mart Stores, Inc.



## JOIN THE CHALLENGE FORM

As Chief Legal Officers, we recognize the critical importance of pro bono service as a cornerstone of our professional identity and accept the unique role that we can play in promoting pro bono in our legal departments. As leaders, we understand that the legal and business interests of our clients are furthered when access to the legal system is readily available to resolve disputes.

In recognition of our commitment and as signatories to this Corporate Pro Bono Challenge<sup>®</sup> statement, we will encourage and promote pro bono service by our legal department staff and use our best efforts to encourage our staffs, including at least one-half of our legal staff, to support and participate, as appropriate, in pro bono service.

To underscore the importance of promoting pro bono service, we will encourage the outside law firms with whom we work to acknowledge publicly their support for pro bono by becoming signatories to the Pro Bono Institute's Law Firm Pro Bono Challenge<sup>®</sup>.

---

On behalf of my legal department, I hereby sign the Corporate Pro Bono (CPBO) Challenge<sup>®</sup> statement:

Signature (Chief Legal Officer): \_\_\_\_\_ Date: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Company: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Contact Person Name and Title: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Please send completed forms to CPBO at [erunyon@probonoinst.org](mailto:erunyon@probonoinst.org). For more information about the CPBO Challenge<sup>®</sup> initiative, please contact Eve Runyon, CPBO director, at 202.729.6694 or at [erunyon@probonoinst.org](mailto:erunyon@probonoinst.org). Thank you for your interest and support.

## 2014 CPBO CHALLENGE<sup>®</sup> SURVEY, JANUARY 1, 2014 - DECEMBER 31, 2014

Welcome to the 2014 Corporate Pro Bono Challenge<sup>®</sup> Survey. Your answers to this survey will be treated in the strictest confidence, and any information published will be only in the aggregate.

### Background Information

#### 1. Company Information

Company Name \_\_\_\_\_

Address (Headquarters) \_\_\_\_\_

Address 2 \_\_\_\_\_

City \_\_\_\_\_

State/Province \_\_\_\_\_

Zip Code \_\_\_\_\_

Pro Bono Contact Name \_\_\_\_\_

Pro Bono Contact Title \_\_\_\_\_

Pro Bono Contact Email \_\_\_\_\_

Pro Bono Contact Phone \_\_\_\_\_

#### 2. Person Completing this Survey (if different than pro bono contact)

Name \_\_\_\_\_

Title \_\_\_\_\_

Email \_\_\_\_\_

Phone \_\_\_\_\_

#### 3. Company Information

Annual Revenue \_\_\_\_\_

Number of Employees \_\_\_\_\_

#### 4. Number of Offices with Legal Staff Onsite

Inside the U.S. \_\_\_\_\_

Outside the U.S. \_\_\_\_\_

## Participation in Pro Bono

1. Please record the number of legal professionals in the U.S. as of 12/31/14 and how many of those provided pro bono legal services (not including community service) during the reporting period.

	Total in Legal Department	Participating in Pro Bono	Percentage
U.S. Lawyers	_____	_____	_____
U.S. Non-Lawyers	_____	_____	_____

2. Please record the number of legal professionals in the U.S. as of 12/31/14 and how many of those provided pro bono legal services (not including community service) during the reporting period.

	Total in Legal Department	Participating in Pro Bono	Percentage
Non-U.S. Lawyers	_____	_____	_____
Non-U.S. Non-Lawyers	_____	_____	_____

## Active Pro Bono Policies and Programs

1. Does your legal department have a written pro bono policy?
2. Does your legal department have a formal pro bono program?

## Pro Bono Partnerships

1. Does your legal department partner with outside law firms to provide legal pro bono work?
  - (a). If yes, with which firms does your legal department partner?
2. Does your legal department inquire as to whether its outside firms perform legal pro bono work in RFPs, beauty contests, and/or retention processes?
3. Does your legal department consider a firm's pro bono performance when evaluating outside counsel?
4. Does your legal department encourage its outside firms to join the Pro Bono Institute's Law Firm Pro Bono Challenge®?



[www.cpbo.org](http://www.cpbo.org)

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Phone: (202) 729-6699 | [cpbo@probonoinst.org](mailto:cpbo@probonoinst.org)

Developed by Corporate Pro Bono  
A global partnership project of Pro Bono Institute and the Association of Corporate Counsel

[www.cpbo.org](http://www.cpbo.org)

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