

KEY FINDINGS FROM 2016 MARYLAND PRO BONO REPORTING RESULTS

Maryland Rule 19-503 requires all Maryland attorneys authorized to practice law in the state to annually report on their pro bono activities. The definition of pro bono service was redefined by the Court of Appeals in Rule 19-306.1 with an “aspirational” goal of 50 hours of service for full-time practitioners with a “substantial portion” of those hours dedicated to legal services to people of limited means. The Administrative Office of the Courts administers the process for compiling the reporting results. Some of the key findings from the *Current Status of Pro Bono Service among Maryland Lawyers, Year 2016* report are summarized below.

Compliance Rate

- 39,800 Maryland lawyers out of 40,186 filed their pro bono service report by the final cutoff date and were included in the report, representing a 99.9 % compliance.

Demographics of Bar

- Only about 57% of all lawyers reported a business address in Maryland; similarly, 57% stated they practiced in the state (with 41% of lawyers reporting an out of state jurisdiction.)
- Approximately 71% practice full-time (i.e., not retired, part-time, a judicial clerk or judge). Of those full-time lawyers, only 55% reported a business address in Maryland.
- Top five jurisdictions in which identify as primary location (ranked in order of highest):
 - Montgomery County
 - Baltimore City
 - Baltimore County
 - Prince George’s County
 - Anne Arundel County
- Primary areas of practice:
 - Litigation
 - Criminal
 - Corporate/Business
 - Family
 - Real Estate
 - Government (11% of all lawyers; 6.9% of MD lawyers)
- Median admission date of practitioners is 1998 (in practice 22 years)

Amount of Pro Bono Service

- Among **full-time lawyers practicing in Maryland, 53% reported engaging in some type of pro bono activity** (compared to 53.7% in 2015). Among all licensed lawyers, 41.7% reported engaging in some type of pro bono activity.
- The **longer someone had been in practice, the more likely they were to render pro bono** service. In fact, those admitted to the bar within **five to ten years reported the lowest pro bono hours** (followed by those with less than five years).
- Lawyers provided a **total of 1,150,205 hours** of representational pro bono legal service in 2016 (compared to 1,143,992 hours in 2015). This year, for the first time, that figure was broken down further, indicating that the **vast majority of full-time lawyers practicing in Maryland and engaging in pro bono donated somewhere between 10 – 50+ hours** (21.6% reporting 10-49 hours; and 19.9% reporting more than 50 hours).
- Of all **full-time lawyers, 19.2% reported 50 hours or more** of pro bono service. As years of practice increased, so did the percentage of lawyers reporting more than 50 hours of service with the highest being those in practice for more than 25 years (25.4%). The Eastern part of the state demonstrated the highest percentage of lawyers providing over 50 hours (34.1%).

Type of Pro Bono Service

- Tracking Rule 19-306.1, the breakdown of services provided by lawyers practicing in Maryland was as follows:
 - 52.6% rendered their services to people of limited means;
 - 16.7% assisted organizations serving people of limited means;
 - 22% gave organizational help to non-profits; and
 - 8.7% worked with entities on civil rights matters.

Combining those who provided service to individuals of limited means with those assisting organizations serving the low-income community, **approximately 69.3%** of the pro bono services provided **directly impact the poverty population**, a slight increase from last year.

- Of those hours donated to assist people of limited means, 43% (of those to individual clients and to those organizations serving the poor) were referred *through* a pro bono or legal services organization, a slight decrease from last year (44.3%).

Geographic Distribution

- Once again, lawyers in the **Western and Eastern parts of the state reported the highest** percentage of pro bono participation. Lawyers in Garrett County reported the highest percentage of lawyers rendering some pro bono service (68.6%), with Talbot County coming in second (68.1%), followed by Allegany County (63.8%).
- That was similar to the percentages among full-time lawyers in Maryland, where the Eastern Shore (70.7%) and Western Maryland (65.6%) continued to report higher **proportions** of lawyers rendering pro bono services overall than lawyers in other regions. Talbot County topped the ranking at 78.9%, with Somerset (75%) and Wicomico (74%) Counties next in line with the highest percentage of pro bono hours.
- Lowest levels of participation by percentage include: Anne Arundel, Montgomery, Charles, Howard Counties and Baltimore City in that order.

Practice Areas

- The **largest number of pro bono hours** was donated in the **family/domestic** practice area. Primary practice areas identified by lawyers do not necessarily correspond to the areas in which pro bono services are rendered. (See *chart below*).

Comparison of Practice Areas from 2016 Reporting Results

Rank	Pro Bono Service Area	Primary Practice Area
1	Family/Domestic	Litigation
2	Corporate/Business	Criminal
3	Other	Corporate/Business
4	Criminal	Family
5	Real Estate	Real Estate

- Even so, there is a high correlation between practice area and pro bono area of practice. Full-time lawyers generally provide a **high percentage of their pro bono service in their primary practice area**.

Motivational Factors (NEW)

This year for the first time, the Court of Appeals' Standing Committee on Pro Bono Legal Service added two questions to determine why some lawyers chose to work outside of an organized legal services program and why others did not engage in pro bono service.

- Less than one quarter responded to the question as to why they did *not* participate in pro bono through a legal services program. **Their primary reason was that clients come to them directly; that represented 58.2% of the full-time lawyers in Maryland who responded.** The second most common reason was that they were never contacted by an organization. *[It may be assumed that those working with a legal services program did not respond.]*
- As to **why lawyers did not engage in pro bono service**, approximately 50.8% responded, with **53.8% of those responding stating lack of time** as their reason. Another 29.9% reported that they prefer "non-legal charitable work." (see p. 17 of report).

Size and Type of Firm/Office

- As borne out consistently over the years, a **larger percentage of solo and small firm practitioners engage in pro bono work**. Among full-time Maryland-based lawyers, **74% of solos did pro bono; small firms were next highest at 67% followed by extra-large firms at 65.3%. In contrast, 54.5% of those in medium sized firms engaged in pro bono**. In general, as the firm size increases, the pro hours reported decreases. The exception is the extra-large firm.
- **While they constitute about 20% of the lawyers licensed in the state, government lawyers overall provided fewer pro bono hours** than those in other offices. The primary reasons given for not doing pro bono work are that they are "prohibited by their employer" and conflict of interest. Approximately 80% of the full-time Maryland bar members employed by a government agency did not provide any pro bono service.

Hours to Improve the Law and Financial Contributions

- **7,512 lawyers reported participating in activities related to improving the law, legal system or legal profession for a total of 394,301 hours** (an increase over the 379,837 reported in 2015).
- The reported **financial contribution** to a legal services organization serving people of limited means **increased as well, from \$4,723,905 in 2015 to \$4,963,446 in 2016** (an increase of \$239,541). Top financial contributors percentage-wise were in banking, environmental, employment, bankruptcy, and health care practices. In actual numbers, litigation, corporate, family, and real estate lawyers donated the most.

Summarized by: **Court of Appeals' Standing Committee on Pro Bono Legal Service and Pro Bono Resource Center of Maryland**

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