CPBO | CORPORATE PRO BONO

CORPORATE PRO BONO METRICS GUIDE

Introduction

While the **Corporate Pro Bono (CPBO) Challenge®** initiative and the **Law Firm Pro Bono Challenge®** initiative set quantifiable benchmarks for pro bono, those measurements alone cannot capture and convey the value and importance of pro bono to the volunteers, the institutions for which they work, and the individuals and communities being served. Qualitative and quantitative assessments of in-house pro bono practice are not an end in themselves; tracking benchmarks is a means for evaluation and improvement to the legal services provided, and to the pro bono program itself.

This Metrics Guide is part of CPBO's continuing development of effective tools for measurement and assessment of the value of in-house pro bono programs at all stages. Understandably, metrics may not be the focus of new in-house pro bono programs—but early insights can help programs to thrive, and initial efforts can be designed for future scalability. Pro bono leaders of more mature in-house programs may use this guide to supplement their understanding of metrics selection, data collection, and use of metrics to amplify their pro bono programs.

To help understand in-house pro bono metric measurement and assessment, this guide proceeds in three parts: (1) why track metrics; (2) what metrics a department may consider tracking; and (3) how departments track metrics.

I. Why Track Metrics?

Metrics serve as a data-based evaluation of the strength of your company's pro bono program and community impact. Tracking the right information creates a useful roadmap for future engagement and leverages your company's resources to meet needs efficiently. Data collection is the foundation for an organized, manageable, and well-integrated pro bono program. It requires an investment of time, effort, and resources. Some of the most important factors for consideration include:

Support from Legal Department Leadership

The support of your General Counsel or Chief Legal Officer is a vital pillar to get your department's pro bono program off the ground and sustain it over time. In addition, support from senior leaders within the department can further enhance your team's pro bono efforts. Providing data about the value, reach, and time investment of your pro bono program can give senior management reassurance about volunteer commitments. Furthermore, metrics help senior managers make informed decisions about increasing the scope and breadth of the company's pro bono program through longitudinal data.

Support from Corporate Executives

Garnering support from company leadership beyond the legal department can be a real boon to any pro bono program as well. Expanding the network of influential advocates within the company may attach greater internal value and raise the visibility of pro bono work. Presenting data about the impact of the pro bono program provides a compelling argument for continuation, and even expansion, of the program.

Reporting to Stakeholders

Increasingly, companies are communicating externally to customers and the community about corporate purpose and social impact. Company stakeholders are interested in how businesses are advancing Corporate Social Responsibility (CSR) and Environmental, Social, and Corporate Governance (ESG) efforts. Quantifiable benchmarks for pro bono can be useful tools for highlighting company initiatives and demonstrating the value and impact of its work on the community.

Increasing Internal Engagement

Metrics data may help pro bono leaders refine and develop their pro bono programs, including understanding in what areas employees' pro bono interest is strongest. Metrics can be used to gauge the depth and breadth of participation by attorneys and staff in a single office or region, or across the department. Some examples of how metrics can be gathered and used to redirect company priorities to enhance internal engagement include:

- Surveys: by tracking pro bono interests, it is easier to match volunteer attorneys with the most compatible pro bono projects and service providers.

- Events and Prizes: by setting and tracking pro bono benchmarks, whether participation rates or compelling pro bono outcomes, recognition for exemplary pro bono service through company-wide events and prizes can help boost morale.

- Corporate Philanthropy: at companies that track volunteerism or community service across all business functions, there may be incentives for pro bono engagement such as the promise of company donations for volunteer hours. The pro bono program can tap into these existing company-wide incentives.

Media Spotlight

Once collected, quantitative metrics can be leveraged alongside the power of firsthand stories of pro bono engagement. Showcasing metrics in reports, blog posts, articles, and newsletters, as well as volunteer and client stories, capture the impact of pro bono work and can motivate new volunteers to participate. Internal communications also may grow appreciation for the program among company employees and leaders, while external communications shine a spotlight on the legal department's work to support access to justice. In this respect, media serves a dual function of increasing internal engagement and demonstrating the value of the pro bono program to company stakeholders and the community.

Improving Social Impact

The underlying goal of any pro bono program is to create a positive and tangible impact within communities by providing meaningful, voluntary legal services. Metrics can provide guidance on the important outcomes of your program or its impact on those served. Data collection is foundational in helping verify and improve your pro bono program's effectiveness and reach within the community.

Leaders in Pro Bono

Tracking pro bono metrics is a challenge that continues to be redefined. Being a leader in tracking quantifiable pro bono benchmarks allows your corporation to set new standards for your industry and for in-house pro bono.

II. What to Track?

Frameworks for Metric Measurement

Generally, the most common pro bono metrics to track can be split into two frameworks: inputs and outputs. Inputs track the resources allocated for a pro bono matter (*e.g.*, volunteer participation, hours, valuation of a volunteer's time)—while outputs track the measures directly produced from pro bono work (*e.g.*, number of matters closed, number of clients served, return on investment). Some of these data points may be more challenging to collect than others.

<u>Common Input and Output Metrics for Pro Bono Programs</u>

Input Metrics	**Definition**
Volunteer Engagement	# of employees participating
Volunteer Participation	% of employee participation
Hours	# of hours devoted
Volunteer's Time	Valuation of time spent on pro bono
Output Metrics	**Definition**
Matter Opening & Closing	Intake and matter results
Types of Matters	Substantive legal area of focus

Successful Matters	% of cases which successfully advanced the client's interests (*this could be a "win" as defined by the client's goals or whether the client benefited from the representation)*
Clients Served	# of clients helped
Financial Effectiveness	Return on Investment

Traditionally, quantitative input and output metrics have taken precedence in pro bono tracking. However, greater inputs and outputs do not always correlate to more desired results for clients nor higher volunteer satisfaction and skill development.

A more pronounced emphasis on outcome and impact metrics helps track the value of pro bono. This methodology, in turn, can also provide better evaluation and steps for improvement of the legal services rendered.

Pro Bono Outcomes and Impact

Each metric, whether quantitative or qualitative, is a descriptor of a pro bono program's efficiency and scope. Outcome metrics reveal the effect a pro bono program has on those served. They are not binary success and failure rates. For example, obtaining a continuance in an eviction case, or articulating a client's interests in an immigration matter, are nuanced outcomes. Impact metrics demonstrate the results directly related to the outcomes of a pro bono program. The aggregation of individual outcomes allows for a coherent picture of the impact created by your organization's in-house pro bono practice to emerge.

<u>Common Outcome and Impact Metrics for Pro Bono Programs</u>

Outcome and Impact Metrics	**Definition**
Client Result	Specific result of volunteer's representation
Client Satisfaction	Client fulfillment from pro bono
Skills Development	Volunteer self-evaluation of professional improvement
Volunteer Satisfaction	Volunteer fulfillment from pro bono
Enhanced Reputation	How the legal department or company is valued because of its pro bono work
Improved Standard	How the pro bono program has made positive change for clients and

of Living	communities
Changes in Area of Legal Need	How the pro bono program has contributed to the enactment of new laws, regulations, or policies
Improved Efficiencies in Justice System	How the pro bono program has increased access to justice in the community

Expanding your pro bono program's metrics efforts to include outcomes and impact measures will require increased time and resources, and the ability to measure or quantify these measures can be challenging. However, greater understanding of the outcome and impact of your department's pro bono work will help your program communicate the value of pro bono service and its influence on access to justice.

Common In-House Pro Bono Benchmarks

In its 2020 CPBO Benchmarking Report, Corporate Pro Bono published responses from 55 legal departments about their pro bono policies and evaluations, including the type of metrics tracked. The Report shows that departments currently prioritize the following metrics:

- Participation Rate: 88%*
- Number of Hours: 73%
- Clients Served: 42%
- Volunteer Satisfaction: 17%
- Outcome of Matter: 15%
- Feedback on partner organizations: 13%
- Professional Skills Enhanced: 10%
- Reason Matter Closed: 6%

*Percentages refer to percent of responding departments that track this metric.

Tracking Volunteer Participation Rate

The lifeblood of any pro bono program are the generous volunteer attorneys and legal department staff who help sustain it. Tracking the volunteer participation rate is therefore helpful as a general guideline for the health of the company's pro bono program. Participation can also be extended to attorneys outside the legal department, non-practicing attorneys, and staff in your company for greater diversity. It is useful to look at not only overall participation but also participation in subgroups, to determine in which segments of the department pro bono participation is thriving or lagging.

A detailed breakdown of participation data may include categories such as:

- Office Location (*e.g.*, engagement by city, state, or country; within the United States vs. globally)
- Department Specialty (*e.g.*, employment vs. litigation vs. transactional vs. intellectual property)
- Recurring Volunteer Rate
- First Time Volunteer Engagement
- Participation Rate by Project Type
- Participation Rate by Role (Attorney, Paralegal, Staff, Compliance Professional, etc.)

Corporate Pro Bono Challenge® initiative

The Corporate Pro Bono (CPBO) Challenge initiative provides a benchmark for legal departments to track the participation and growth of their pro bono programs. Becoming a signatory is a public, voluntary, commitment to pro bono participation to help legal departments contribute to corporate social responsibility (CSR) goals. Tracking metrics for pro bono participation is highly encouraged to become a signatory. CPBO conducts an annual survey of pro bono participation among signatories, aggregates and reports the data, while keeping individual results confidential.

The CPBO Challenge initiative sets an aspirational goal that 50 percent of department members, including attorneys and staff, will participate annually in pro bono. It is the only benchmark that allows legal departments to track and measure the growth of in-house pro bono.

The CPBO Challenge reports provide a national benchmark to track cross-industry developments in in-house pro bono.

Tracking Number of Hours

Tracking the number of pro bono hours performed is a common law firm pro bono metric, and less common in-house pro bono metric. There are several limitations and considerations when tracking the number of pro bono hours worked in-house.

- Obstacles: in-house counsel might be more limited in tracking hours judiciously compared to law firms, due to lack of time-tracking tools, or lack of need to track hours in day-to-day business. Consequently, the data might reflect rough averages or estimates—with hours typically going underreported.

- Distinction: many departments that track pro bono hours group all hours in one bucket. To better understand where the volunteer's time is being allocated, instead divide the hours categorically, *e.g.*, between client, administrative, and training hours.

- Delegation: volunteers are not the only ones who can track their hours. To streamline the process, the person within the department responsible for organizing the pro bono engagement can be asked to send out surveys, knock on doors, update matter tracking software, or take other steps to obtain and record participation data.

- Limitations: tracking the number of hours worked, particularly in isolation, is not always representative of a useful pro bono practice. For departments that engage in brief advice legal clinics, for example, the total number of hours of service may be low but the impact may still be great. It should not be assumed that the pro bono opportunities that are naturally more time-intensive are therefore more valuable legal services. This is a particularly important point of consideration when assessing the achievements of your pro bono program and how to best recognize volunteers for their work.

Tracking Clients Served and Matter Outputs

As with other metrics, the utility of tracking the clients served expands with the specificity of the data collected. At the most basic level, your pro bono program can track the number of clients that have been assisted by volunteers. To obtain more representative data of the quality of your pro bono program, some additional parameters include:

- Number of Matters Opened and Closed
    - Includes Matter Outcome
- Substantive Legal Area of Focus
- Partner Organizations or Referring Organizations Helped
- Client Population Served (*e.g.*, income level, students, veterans, homeless, LGBTQ+)

Comprehensive matter opening and closing forms include client demographic, legal need, location, and other data that can be used to track important measures that illustrate the quality of your legal department's pro bono program. This facilitates a more holistic analysis of your company's pro bono services on certain populations or legal areas. Examples of matter opening and closing forms can be requested from CPBO.

Volunteer Satisfaction and Feedback

Surveys and polls that allow volunteers to comment on their satisfaction with their experience are invaluable in shaping the direction of your company's pro bono practice.

- Engagement: being able to identify and offer programming that connects volunteers with meaningful and interesting work can help increase recurring volunteer rates.

- Professional Skills: the other side of the pro bono equation are the skills that volunteers pick up as part of their career development. Direct feedback from employees can help your company cater to their professional progress.

- Reputation: publishing information about your pro bono program's volunteer experience can help with promotion and expansion.

III. How to Track?

The way in which your company tracks pro bono metrics (and the parameters used) will largely depend on the tracking tool used. Whether your program uses internal software or external services—the organization of the tracking system needs to have scalability and flexibility in mind.

Tracking Tools

Recent CPBO Benchmarking Reports identify some of the most popular pro bono tracking tools used by in-house department signatories.

- Surveys: Many companies use surveys, which may be conducted via email, in a web form, or using an online survey program.

- Internal tools: Other legal departments collect data via their pro bono program's intranet site, using their regular time-tracking software, or using other internal or self-built applications or software.

- Commercial tools: Additionally, legal departments report using commercial tools to collect and analyze metrics data, including Benevity, Cybergrant, Excel or other spreadsheet tools, MyGiving Database, Paladin, SharePoint, SmartSimple, Track It Forward, or YourCause from Blackbaud.

Best Practice Profiles

CPBO has worked with legal departments to develop, improve, and document their pro bono programs to educate on successful practices. Our Best Practice Profiles include examples of methods, tools, and policies legal departments use to track pro bono. Information about the size of the legal department, pro bono policy, tracking, and non-lawyer involvement are useful in learning and comparing how in-house pro bono programs approach metrics.

Training

CPBO presents metrics training and informational sessions at the PBI Annual Conference and other conferences and meetings.

Templates

CPBO has developed tools and collected templates that will allow in-house legal departments to create measures that best capture and illustrate the objectives of their pro bono programs. For more information on templates and models created by PBI in partnership with Deloitte, or other metrics resources, contact CPBO.

Conclusion

Tracking pro bono metrics is important because it serves as a means for evaluation of your pro bono program and improvement to the legal services provided. The benefits flow to the clients, the volunteers, and their companies. Legal departments use different methods, tools, and policies to assess pro bono work so there is no single formula for success. The key is to have scalability and flexibility in mind to fit your organization's resources and needs.

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