CPBO CHALLENGE REPORT
2017: The Endurance of In-House Pro Bono

Covering the Year 2016
CORPORATE PRO BONO

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

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 900 legal departments and ACC chapters.

THE CORPORATE PRO BONO CHALLENGE® INITIATIVE

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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<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>169</td>
<td>CPBO Challenge® Signatories</td>
</tr>
<tr>
<td>44</td>
<td>Fortune 100 Companies</td>
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<tr>
<td>50</td>
<td>2016 Survey Respondents</td>
</tr>
<tr>
<td>52%</td>
<td>Average U.S. Lawyer Participation Rate (2016)</td>
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</tbody>
</table>
### Advisory Board

#### Co-chairs

<table>
<thead>
<tr>
<th>Name</th>
<th>Title and Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bradford L. Smith</td>
<td>President and Chief Legal Officer, Entergy Corp.</td>
</tr>
<tr>
<td>Laura Stein</td>
<td>Executive Vice President – General Counsel and Corporate Affairs, The Clorox Company</td>
</tr>
</tbody>
</table>

#### Members

<table>
<thead>
<tr>
<th>Name</th>
<th>Title and Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marcus Brown</td>
<td>Executive Vice President and General Counsel, Entergy Corp.</td>
</tr>
<tr>
<td>David Leitch</td>
<td>Global General Counsel, Bank of America Corp.</td>
</tr>
<tr>
<td>Ona Alston Dosunmu</td>
<td>Vice President and General Counsel, The Brookings Inst.</td>
</tr>
<tr>
<td>Thomas J. Sabatino Jr.</td>
<td>Executive Vice President and General Counsel, Aetna Inc.</td>
</tr>
<tr>
<td>Ivan K. Fong</td>
<td>Senior Vice President, Legal Affairs and General Counsel, 3M Co.</td>
</tr>
<tr>
<td>John Schultz</td>
<td>Executive Vice President, General Counsel and Corporate Secretary, Hewlett Packard Enterprise Corp.</td>
</tr>
<tr>
<td>Elisa Garcia</td>
<td>Chief Legal Officer, Macy’s, Inc.</td>
</tr>
<tr>
<td>Craig Silliman</td>
<td>Executive Vice President – Public Policy and General Counsel, Verizon Communications Inc.</td>
</tr>
<tr>
<td>Michael J. Holston</td>
<td>Executive Vice President and General Counsel, Merck &amp; Co., Inc.</td>
</tr>
<tr>
<td>Amy E. Weaver</td>
<td>Executive Vice President &amp; General Counsel, Salesforce</td>
</tr>
<tr>
<td>James R. Jenkins</td>
<td>Retired, Senior Vice President and General Counsel, Deere &amp; Company</td>
</tr>
</tbody>
</table>
INTRODUCTION

The 2017 CPBO Challenge® Report: The Endurance of In-House Pro Bono, covers the year 2016. This report summarizes the responses of all 50 legal departments that responded to the CPBO Challenge® survey in 2016.

At the time of this survey there were 169 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. Access Previous CPBO Challenge® reports here:


CPBO Challenge® Signatories
Geographic location of company headquarters
LEGAL STAFF PARTICIPATION, 2016

U.S. Lawyer Participation

Meeting the 50% goal
U.S. lawyers, 2016

52%
n=48

Lawyer participation
U.S. lawyers, 2016

Average 52%
n=48

U.S. Non-Lawyer Participation

Meeting the 50% goal
U.S. non-lawyers, 2016

31%
n=41

Non-lawyer participation
U.S. non-lawyers, 2016

Average 34%
n=41
Global Pro Bono, 2016

Percentage of signatories engaged in global pro bono
Legal departments, 2016

Global participation
Non-U.S. lawyers, 2016

Average 9%
n=18

n=25 respondents with lawyers outside of the U.S.

Legal departments engaged in pro bono, 2016

Global participation
Non-U.S. lawyers, 2016

Average 9%
n=18

n=25 respondents with lawyers outside of the U.S.
Demographics, 2016

Participation across department size
U.S. lawyers, average among respondents, 2016

- 1-25 attorneys, n=8
- 26-50 attorneys, n=13
- 51-100 attorneys, n=9
- 101-200 attorneys, n=10
- 201-500 attorneys, n=5
- >500 attorneys, n=2

Department size
U.S. lawyers, % of all respondents, 2016

- Average 135

Department size
U.S. non-lawyers, % of all respondents, 2016

- Average 111
Demographics, 2016

Participation across industry subsector
U.S. lawyers, 2016

- **Retail Trade**: 59%, n=5
- **Finance & Insurance**: 49%, n=16
- **Manufacturing**: 46%, n=9
- **Utilities and Mining**: 46%, n=4
- **Other**: 59%, n=13

Pro Bono Programs and Policies, 2016

- **Formal pro bono program**
  - Year adopted
  - Average year adopted: 2008

- **Written pro bono policy**
  - Year adopted
  - Average year adopted: 2008
Partnerships with Law Firms, 2016

Partnerships with outside law firms, 2016

- 88%
  - n=50

Law firm pro bono performance consider when evaluating outside counsel, 2016

- 48%
  - n=50

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, 2016

- 36%
  - n=50

Law Firm Pro Bono Challenge® encouraged outside law firms, 2016

- 42%
  - n=50
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.

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 2016 survey consists of twelve questions. A copy of the survey is included in the appendix at the end of this report.


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

2016

Allstate Insurance Company
American International Group, Inc.
AOL Inc.
Bank of America Corporation
Barclays Bank PLC
Best Buy Co., Inc.
BMO Financial Group
Boston Scientific Corporation
The Brookings Institution
Capital One Financial Corporation
Caterpillar Inc.
CHS Inc.
The Clorox Company
Counsel on Call
Crown Canyon Capital, LLC
CUNA Mutual Group
Deere & Company
Deloitte LLP
Discover Financial Services
Duquesne Light Company
Entergy Corporation
Epoch.com LLC
FedEx Ground Package System, Inc.
Ford Motor Company
Freddie Mac
The Gap, Inc.
General Mills, Inc.
Intel Corporation
LinkedIn Corporation
LyondellBasell Industries, N.V.
Massachusetts Mutual Life Insurance Company
Mayo Clinic
McDonald’s Corporation
Merck & Co., Inc.
Microsoft Corporation
MSA Safety
Nationwide Mutual Insurance Company
PNC Bank, National Association
Shell Oil Company
Target Corporation
TCF Financial Corporation
TE Connectivity, Ltd.
Thrivent Financial for Lutherans
U.S. Bancorp
United Continental Holdings, Inc.
UnitedHealth Group Incorporated
Verizon Communications Inc.
Walmart
Xerox Corporation
Zurich American Insurance
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® 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®.

On behalf of my legal department, I hereby sign the Corporate Pro Bono (CPBO) Challenge® 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 tsun@probonoinst.org. For more information about the CPBO Challenge® statement, please contact Tammy Sun, CPBO director, at 202.729.6680 or at tsun@probonoinst.org. Thank you for your interest and support.
Welcome to the 2016 Corporate Pro Bono Challenge® 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 12/31/15 and how many of those provided pro bono legal services (not including community service) during the reporting period.

<table>
<thead>
<tr>
<th></th>
<th>Total in Legal Department</th>
<th>Participating in Pro Bono</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>U.S. Lawyers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>U.S. Non-Lawyers</td>
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2. Please record the number of legal professionals in the U.S. as of 12/31/15 and how many of those provided pro bono legal services (not including community service) during the reporting period.

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<tbody>
<tr>
<td>Non-U.S. Lawyers</td>
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<td></td>
<td></td>
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<tr>
<td>Non-U.S. Non-Lawyers</td>
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</tr>
</tbody>
</table>

Active Pro Bono Policies and Programs

1. Does your legal department have a written pro bono policy?
   (a). If yes, with year did your legal department adopt a written pro bono policy?

2. Does your legal department have a formal pro bono program?
   (a). If yes, what year did your legal department implement a formal pro bono program?

Global Pro Bono

1. Please list the continents where members of your legal department (lawyers and non-lawyers) are engaged in pro bono.
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 in RFPs, beauty contests, and/or retention processes whether its outside firms perform legal pro bono work?

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®?