

## **CPBO GUIDE TO SUCCESSION PLANNING AND SUSTAINABILITY FOR IN-HOUSE PRO BONO PROGRAMS**

### **Introduction**

For an in-house legal department's pro bono program, succession planning is an ongoing effort to ensure continuity in key pro bono positions. In-house pro bono leaders develop institutional knowledge about the program and maintain important relationships with external stakeholders. This knowledge and these relationships need to be handed off when program leadership changes. Change may be expected – such as when leaders roll off the committee because their term is up – or unexpected, including when employees leave the company or leaders step down because they are no longer able to serve in the same capacity. Because change is inevitable, it is a best practice to have a succession plan in place.

Effective succession planning increases the likelihood that a pro bono program will have the strong leadership and resources required to sustain the program's capacity, effectiveness, and long-term stability. A succession plan should be part of strategic planning so that even in unexpected transitions, a pro bono program continues to thrive. Without succession planning, a pro bono program can fall by the wayside when current leaders leave the company. This translates to losing progress and institutional knowledge and, down the road, wasting time retracing steps, rebuilding programs, and reestablishing relationships.

Furthermore, to ensure the program's sustainability, it is a best practice for the pro bono program to institutionalize itself within the department through relationships and policies. The pro bono program can build relationships with the GC or CLO, the team that supports the GC or CLO, the legal operations team, corporate responsibility leaders, and other executive sponsors. Additionally, legal department policies about pro bono can ensure that the pro bono program outlasts any one individual leader.

This Guide to Succession Planning and Sustainability is part of CPBO's continuing development of effective tools for in-house pro bono programs at all stages. This guide proceeds in four parts: (1) creating continuity through succession planning; (2) communication strategies about succession; (3) addressing common challenges involved in succession planning; and (4) other actions to support the sustainability of the program.

### **I. Creating Pro Bono Program Continuity through Succession Planning**

#### ***A. Who is Involved in Succession Planning?***

The pro bono leaders – which could include a volunteer chair or co-chairs, a pro bono committee, and/or a pro bono professional – should helm succession planning for the pro bono program. This includes preparing the organization for a possible transition, and where applicable, preparing the successor for the imminent transition. The pro bono leader(s) can involve committee members and other internal stakeholders where appropriate.

### ***B. Clearly Define Pro Bono Program Leadership Roles***

Formalizing the pro bono program is helpful for creating continuity. For departments with pro bono committees, creating a structure within the committee is a good first step in promoting continuity. For example, departments with a chair or co-chairs could identify a vice chair or vice co-chairs who could step into the top position if needed, or on a predetermined schedule. This transition can be after a set amount of time or at the end of a “term limit.” This practice helps leadership changes to happen more seamlessly than when a colleague is leaving the department or the role. Ideally, the former leaders are still around and able to provide guidance as needed.

Codifying the roles, responsibilities, and qualities associated with the leadership position is also useful. A dedicated pro bono professional would require a job description. Similarly, a “role description” could be created for volunteer pro bono leaders: either the program chair or co-chairs, committee chair or co-chairs, and members of the pro bono committee. ([Request Sample Job Description](#) and [Request Sample Job Roles & Responsibilities](#))

### ***C. Content to Include in the Succession Plan***

A department should have guidelines for leadership transition and succession planning, which could be in a formal pro bono policy or in an informal FAQs or guidelines document. This creates a plan for the pro bono program.

Whether a formal policy or a more informal plan, the succession plan should address:

- 1) structure and governance of the pro bono program (including a process for selecting new pro bono leadership);
- 2) decision-making processes for the pro bono program;
- 3) cadence of meetings (including committee meetings and meetings with department leadership);
- 4) short-term and long-term goals of the pro bono program;
- 5) information about record-keeping for the pro bono program, including key systems used and where records are stored;
- 6) a current list of pro bono program leaders (including regional or office-based leaders);
- 7) a current list of strategic partners and contacts, including both internal stakeholders (*e.g.*, points of contact for Corporate Social Responsibility, Communications, the Foundation, and other departments) and external stakeholders (*e.g.*, pro bono counsel and coordinators at law firm partners; in-

house pro bono leaders at peer departments; pro bono managers at legal services organization partners; and Corporate Pro Bono staff).

Ideally, minutes should be taken at all pro bono meetings, whether a meeting of the pro bono committee, a meeting of program leaders with other department leaders, or a meeting with external partners. These minutes create an ongoing record of pro bono activity on which future leaders can rely for historical information and institutional knowledge.

Committee meetings could also be recorded and archived, though written minutes facilitate easier review of past meetings.

#### ***D. Identifying New Pro Bono Leaders***

The succession plan should cover how to identify new pro bono leadership. As discussed, having formal “vice chairs” can be helpful, as a second line of leadership that is learning and training from the current chairs.

Another option to consider is having one or two people as informal understudies in training for each role in the pro bono program. This includes pro bono committee members, regional or office-based leaders, and designated contacts with partner organizations. Although less formal than identifying vice chairs, this process ensures that other department members are equipped with the information necessary to take over the role if needed.

Volunteer engagement can directly tie into succession planning. Current pro bono leaders may consider which pro bono volunteers are making significant contributions to the pro bono program who can be “promoted” within the structures in place to lead initiatives and events.

Even if there is not a current leadership vacancy, it is useful to start discussing interest in leadership roles with potential future leaders. Encouraging leadership within the pro bono program lends itself to a smoother succession.

#### ***E. Updating the Succession Plan***

A succession plan should be regularly assessed and updated. Whether on an annual, biannual, or quarterly basis, the pro bono leader or committee should review whether the plan still reflects the program’s current processes, contacts, and goals, and update as needed. Even if there are no immediate plans for a turnover, planning should be ongoing to ease the transition for successors. Waiting to make updates until the current leader has given two weeks’ notice or there is a vacancy on the committee will make the transition more challenging.

As part of this review, consider whether the program has the right number of pro bono leaders for the size of the department, and whether the length of any leadership term is a good fit. If pro bono leaders are facing burnout, consider adding another co-chair or reducing the length of their leadership term.

## II. Communication Strategies

It is imperative in succession planning to communicate with both internal and external stakeholders clearly and effectively. The succession plan should include a communication strategy for disclosing departure plans. This strategy should detail whom an outgoing leader tells about their plans and when to make the announcement.

Ideally, the outgoing pro bono leader becomes a “transition leader” and helps directly transition their successor. If not, an incoming pro bono leader or other person should be designated as the “transition leader.”

### *A. Internal Communications*

Internally, the transition leader should convey to other pro bono stakeholders—including the chair or co-chairs, committee members, and volunteers—when they plan to leave and who will become the new pro bono lead. This can be accomplished through an in-person meeting, company intranet, or email.

### *B. External Communications*

The outgoing pro bono leader should send an introductory email to all the legal services organizations and other pro bono partners with whom the leader or committee works. Below is a template email that can be customized:

Subject: *Company Name* - Pro Bono Contact

Hello, \_\_\_\_\_,

I hope you are doing well! I’m writing to let you know that *new leader*, copied here, has taken over my role as Chair of the Pro Bono Committee within *company*. *New leader* will be your best contact for pro bono related activities, including project planning and sponsorship, going forward. She and I have been working internally to make this transition a successful one, so she’s aware of *company’s* history with *LSO name*, and the relationship between our organizations. If you have any questions, don’t hesitate to reach out. Thanks.

If the outgoing pro bono leader is unable to complete this before departing the company (or the pro bono leadership role), then the transition leader or new pro bono contact should send a modified version of this introduction. Here is a template email:

Subject: *Company Name* - Pro Bono Contact

Hello, \_\_\_\_\_,

I hope you are doing well! I'm writing to let you know that *former leader* has rolled off the Pro Bono Committee/has left the *company*. I have taken over the role as Southeast Regional Chair of the Pro Bono Committee within *company* and will be your best contact for pro bono related activities, including project planning and sponsorship, going forward. If you have any questions, don't hesitate to reach out. Thanks.

### **III. Common Challenges for Succession Planning**

There are several common challenges when it comes to succession planning for an in-house legal department's pro bono program.

First, consider whether there is an overall commitment to and support for executing the plan. It is a waste of resources to develop a plan if no one implements it. For the plan to work, current pro bono leaders need to be accountable for implementation. For example, putting sustainability and succession planning on the pro bono program meeting agenda once a quarter can prevent these goals from slipping through the cracks.

Second, lack of time or resources dedicated to planning also interferes with succession planning. The business case for investing this time in succession planning is that it would take far more time to rebuild the program if institutional knowledge is lost. Following the initial investment of time to develop a plan, the time needed to maintain the plan becomes minimal (*i.e.*, an annual, biannual, or quarterly brief review).

Third, changing staffing structures necessitate changes to the succession planning. For example, if a department hosts a pro bono fellow for a set term, the fellowship may not be renewed due to a lack of financial resources or other change in circumstances. In this case, the pro bono fellow should work with colleagues to tap a successor before the fellowship terminates—whether through developing a pro bono committee, identifying a volunteer program chair, or some other structure that works well for the department. That allows the fellow to transition their roles and responsibilities to other pro bono leaders before their departure. Or, if the department hires a pro bono professional to supplement the volunteer pro bono leadership, the roles and responsibilities of the volunteers may change, necessitating changes to the succession plan.

### **IV. Beyond Succession Planning: Supporting the Sustainability of the Program**

In addition to succession planning, there are other steps the pro bono leaders can take to institutionalize the program within the department through relationships and policies. For example, the program leaders can, once or twice a year, have a routine check-in with the GC or CLO, and/or the team that supports the GC or CLO (such as the Chief of Staff and the Executive Assistant). Similar touchpoints with the legal operations team, corporate responsibility leaders, and any executive sponsors of the pro bono program will ensure that institutional knowledge resides throughout the department.

Additionally, the pro bono program leaders can create a pro bono policy, if the department does not have one, and review the existing policy at regular intervals for any needed changes. The pro bono leaders can routinely circulate the pro bono policy and answer employees' questions about the policy. When new employees join the department, they should receive the pro bono policy with their orientation materials. These actions help to embed pro bono in the culture of the department and ensure that the program is greater than the efforts of any one individual.

## **Conclusion**

Succession planning is key to building a sustainable in-house legal department pro bono program. A thorough succession plan should be in place and regularly updated in the event of an unexpected departure. When done well, a succession plan formalizes and preserves institutional knowledge for the next point person to transition smoothly and successfully into leading the pro bono program. Planning ahead for the sustainability of the program helps to entrench pro bono in the legal department.

Developed by Corporate Pro Bono

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