CPBO CHALLENGE REPORT 2022: In-House Pro Bono Report



Covering the Year 2021

Corporate Pro Bono

Founded in 2000, Corporate Pro Bono (CPBO) is the global project of Pro Bono Institute (PBI).

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 1200 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[®] initiative.

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SNAPSHOT OF SIGNATORIES



CPBO Challenge® Signatories (as of June 2022)



Fortune 100 Companies



2021 Survey Respondents



Average U.S. Lawyer Participation Rate (2021)

Advisory Board

Co-chairs

Dev Stahlkopf Executive Vice President and Chief Legal Officer Cisco Systems, Inc.

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INTRODUCTION

The 2022 CPBO Challenge® Report: In-House Pro Bono Report covers the year 2021. This report summarizes the responses of 47 legal departments that responded to the CPBO Challenge® survey in 2022.

At the time of this survey, there were 188 signatories to the Corporate Pro Bono Challenge statement, headquartered in cities around the U.S. and internationally, and with offices and legal staff around the globe. Access previous CPBO Challenge reports here:

2007-2012 CPBO Challenge Report: <u>The Development of In-House Pro Bono</u> 2013 CPBO Challenge Report: <u>The Growth of In-House Pro Bono</u> 2015 CPBO Challenge Report: <u>The Path of In-House Pro Bono</u> 2016 CPBO Challenge Report: <u>Report on In-House Pro Bono</u> 2017 CPBO Challenge Report: <u>The Endurance of In-House Pro Bono</u> 2018 CPBO Challenge Report: <u>The Expansion of In-House Pro Bono</u> 2019 CPBO Challenge Report: <u>Report on the Growth of In-House Pro Bono</u> 2020 CPBO Challenge Report: <u>In-House Pro Bono Rising to Meet the Challenge</u> 2021 CPBO Challenge Report: <u>In-House Pro Bono Rising to Meet the Challenge</u>

Company Headquarters of CPBO Challenge Survey Respondents

U.S. Company Headquarters

California (2) San Diego, Santa Clara

Illinois (6) Bloomington, Chicago (3), Lake Forest, Schaumburg

Kansas (1) Wichita

Louisiana (1) New Orleans

Massachusetts (1) Springfield

Minnesota (5) Minneapolis (3), Minnetonka Richfield

Nebraska (1) Omaha

New Jersey (2) Basking Ridge, Newark New York (9) New York City (8), Rochester

Ohio (2) Columbus

Oklahoma (1) Tulsa

Pennsylvania (4) Malvern, Marlborough, Philadelphia, Pittsburgh

Texas (3) Dallas, Irving, Spring

Virginia (3) Arlington, McLean (2)

Washington (1) Redmond

Wisconsin (1) Madison



International Company Headquarters

England (2)

London

Ireland (1) Dublin

Netherlands (1) Amstelveen



LEGAL DEPARTMENT PARTICIPATION, 2020 AND 2021

When signing the Corporate Pro Bono Challenge statement, legal departments commit to encourage 50 percent of department employees, including attorneys and 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 both 2020 and 2021 decreased by 5 percent.



The percentage of signatories who responded in both 2020 and 2021 that met or exceeded the goal of 50 percent participation in pro bono by attorneys increased from 32 percent to 43 percent.



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

LEGAL DEPARTMENT PARTICIPATION, 2020 AND 2021

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. This includes all staff who sit within the legal department, such as paralegals, legal assistants, and compliance professionals.

U.S. Legal Staff Participation

Participation in pro bono by U.S. legal staff of signatories that responded to the CPBO Challenge survey in both 2020 and 2021 decreased by 5 percent.



The percentage of signatories who responded in both 2020 and 2021 that met or exceeded the goal of 50 percent participation decreased from 18 percent in 2020 to 11 percent in 2021.



LEGAL DEPARTMENT PARTICIPATION, 2021

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

U.S. Lawyer Participation

Forty-eight percent of signatories responding to the 2021 CPBO Challenge survey met or exceeded the goal of 50 percent attorney participation in legal pro bono. The average participation rate was also 48 percent.



U.S. Legal Staff Participation

Legal departments are encouraged to engage all staff members – such as paralegals, legal assistants, compliance experts, and other professionals – in pro bono. Twenty-two percent of signatories responding to the 2021 CPBO Challenge survey met or exceeded the goal of 50 percent legal staff participation in legal pro bono. The average participation rate was 32 percent.



Global Pro Bono, 2021

Locations Where Signatories Engaged In Pro Bono



Countries where legal departments engaged in global pro bono, 2021

Global Pro Bono, 2021



PARTICIPATION OUTSIDE THE LEGAL DEPARTMENT, 2021

Thirty-three percent of signatories responding to the 2021 CPBO Challenge survey reported that some lawyers in the U.S. who work outside of the legal department participate in the legal department's pro bono program. Twenty-one percent of responding signatories reported that some professionals or staff in the U.S. who work for the company outside of the legal department participated in pro bono. No respondents reported that lawyers or staff outside of the legal department participated in global pro bono efforts.



Demographics, 2021







Demographics, 2021



PRO BONO PROGRAMS AND POLICIES, 2021



PARTNERSHIPS WITH LAW FIRMS, 2021



The Law Firm Pro Bono Challenge Initiative

The Law Firm Pro Bono Challenge initiative 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 initiative) 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 Challenge Initiative encouraged outside law firms to join, 2021



Pro Bono in 2021

In 2021, for the second year in a row, CPBO asked questions in the CPBO Challenge Survey to understand the impact on in-house pro bono programs of both the Covid-19 pandemic, and the call for racial justice by many corporations. Seventy-three percent of responding signatories adopted a new or renewed focus on racial justice as reflected in the pro bono program. Forty-one percent of responding signatories were involved in some type of Covid-19 related pro bono in 2021.



ABOUT THE CPBO CHALLENGE INITIATIVE

For years, companies have emphasized corporate social responsibility (CSR) as an integral part of their identify and strategic planning. Recently, more companies have focused on social impact or corporate purpose, often in connection with Environmental, Social, and Governance (ESG) standards. 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, pro bono 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 initiative.

CONCLUSION

The CPBO Challenge celebrated its 15th anniversary in 2021. From the inception of the CPBO Challenge initiative in 2006, the number of new signatories grew steadily. While some signatories departed due to mergers, acquisitions, and other corporate changes, in the past year, the leaders of more than a dozen departments have newly committed to publically support pro bono and access to justice by signing on to the Challenge.

The CPBO Challenge benchmark is the aspirational goal that 50 percent of the legal department will participate in pro bono annually. CPBO views this goal as a useful metric for departments to measure their pro bono progress, compare their current efforts to their past performance, and benchmark their participation against in-house legal departments. After several years of progress with increasing percentages of Challenge signatories meeting this goal, the coronavirus pandemic and shift to remote work resulted in a decline in in-house pro bono participation in 2020. The difficulties continued into 2021.

In 2020, the average U.S. lawyer pro bono participation rate dropped below 50 percent for the first time since 2014, and the decline continued in 2021. An average of 48 percent of U.S. lawyers at responding departments participated in pro bono in 2021 (compared to 49 percent of U.S. lawyers at responding departments in 2020, 59 percent of U.S. lawyers in 2019, and 58 percent in 2018). The average pro bono participation rate for U.S. legal staff increased slightly: an average of 32 percent of U.S. legal staff at responding departments participated in pro bono in 2021 (compared to 26 percent of U.S. legal staff in 2020, 38 percent in 2019, and 42 percent in 2018).

The percentage of responding departments that met the aspirational goal of at least 50 percent pro bono participation by U.S. lawyers ticked up slightly to 48 percent in 2021, compared to 44 percent in 2020, and 67 percent in 2019. The percentage of responding departments that met the aspirational goal of at least 50 percent pro bono participation by U.S. staff also ticked up slightly to 22 percent in 2021, compared to 17 percent in 2020 and 32 percent in 2019.

Because the responding signatories vary from year to year, we also examined the participation rates of the subset of 24 signatories who responded to the CPBO Challenge survey in both 2021 and 2020. The year-to-year comparison for those companies shows that the average U.S. lawyer participation rate dropped from 50 percent in 2020 to 45 percent in 2021, and the average U.S. legal staff participation rate dropped from 30 percent to 25 percent. However, more responding departments in this group met the aspirational Challenge benchmark of at least 50 percent participation among their U.S. lawyers, up from 32 percent in 2020 to 43 percent in 2021. Fewer responding departments in this group met the aspirational Challenge benchmark of at least 50 percent participation among their U.S. staff, declining from 18 percent in 2020 to 11 percent in 2021.

CPBO also compared industry participation rates between 2020 and 2021. The average participation rate declined several percentage points in the financial services and healthcare industries, while it increased several percentage points in the media and insurance industries. Retail and information technology saw the lowest average participation rates in 2021. The "other" category--including a diverse array of companies reflecting manufacturing, food products, transportation, energy, utilities, and sports industries--had the highest average pro bono participation rate. (The report aggregates data for industries with only one or two respondents, to protect the anonymity of their data.)

With regard to department size, CPBO saw a trend that smaller legal departments were more successful in encouraging pro bono participation. Among smaller law departments (1 to 25 attorneys), the average participation rate for U.S. lawyers was 71 percent. The average participation rate was 56 percent for departments with 26 to 100 attorneys. Responding companies with more than 100 attorneys had an average 35 percent participation rate.

CONCLUSION

CPBO saw an encouraging trend that in-house pro bono has expanded to more countries in 2021. Among responding companies with attorneys around the globe, 75 percent did some pro bono outside of the U.S., compared to 48 percent of companies in 2020. Among these companies, the average pro bono participation rate outside of the U.S. was 33 percent, an increase from 19 percent in 2020.

It is heartening to see that companies increased their focus on racial justice in 2021. The Challenge survey revealed that a greater percentage of responding departments engaged in racial justice pro bono in 2021 compared to 2020 (73 percent, up from 60 percent). More departments than ever before are working on criminal justice issues, including expungements and wrongful convictions. Economic empowerment and housing are also receiving significant attention; programs include partnering with Black Chambers of Commerce on nonprofit incorporation, and work to eliminate racist restrictive covenants. Several departments reported that they created a racial justice subcommittee of the pro bono committee in 2021. Other departments reported internal reflection and work to increase diversity among the pro bono committee.

Perhaps not surprisingly, fewer departments focused on pro bono efforts directly related to covid-19 in year two of the pandemic. Only 41 percent of responding departments engaged in pro bono related to legal needs caused by the pandemic in 2021, compared to 58 percent in 2020. Representing clients facing eviction and other housing justice matters, as well as serving nonprofits and small businesses, were the two most common substantive issues addressed.

Respondents' comments provide additional perspective that 2021 was a year of both difficulty and innovation for in-house pro bono. Remote pro bono continued to present a challenge for some pro bono programs, which lost their pre-pandemic in-person pro bono opportunities, and struggled to find comparable remote opportunities or to engage their volunteers virtually. However, many departments reported developing new and impactful project in 2021, such as launching new clinics to serve unmet needs in partnership with legal service organization or community organization partners,

We are hopeful that 2022 will be a year of growth for in-house pro bono. CPBO thanks the Chief Legal Officers and General Counsel who have committed to encourage their departments to participate in pro bono, the dedicated pro bono leaders who run these programs, and the volunteers whose provision of pro bono legal services furthers access to justice.

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 aspirational 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. For the 2021 survey, we asked questions about how the Covid-19 pandemic and corporate commitments to racial justice impacted inhouse pro bono programs. The survey is included in the appendix to 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 2021, 47 out of 188 signatories submitted responses, whereas in 2020, 44 of 182 signatories eligible to participate submitted responses. While the number of respondents in 2021 reached a five-year high, it includes only 25 percent of the signatories eligible to participate in the survey. Moreover, 22 signatories (12 percent) responded in consecutive years (2020 and 2021), further limiting the apples-to-apples comparison. CPBO sent out its survey in February 2022 and extended the response deadline through April 2022.

CPBO Challenge signatories contribute tremendous value by reporting their pro bono work. CPBO continues to encourage signatories to respond to the survey each year. Increasing the number of respondents, and the number of repeat respondents in consecutive years, will allow CPBO to conduct and publish more extensive analysis of the data.

REPORTING COMPANIES

2020 & 2021

Accenture plc American International Group, Inc. AT&T Inc. Barclays Bank PLC Best Buy Co., Inc. Bloomberg L.P. Boston Scientific Capital One Financial Corporation Comcast NBCUniversal **CUNA Mutual Group Entergy Corporation** Mayo Clinic MetLife, Inc. Microsoft Corporation Nationwide Mutual Insurance Company PNC Financial Services Group, Inc., The Target Corporation The Bank of New York Mellon The Williams Companies, Inc. U.S. Bancorp **United Airlines** UnitedHealth Group Incorporated Verizon Communications Inc. Zurich American Insurance Company

2021

Accenture plc Advance American Council on Exercise American International Group, Inc. AT&T Inc. **Barclays Bank PLC** Best Buy Co., Inc. Bloombera L.P. **Boston Scientific** Capital One Financial Corporation Chubb NA Citigroup Inc. Comcast NBCUniversal **CUNA Mutual Group Entergy** Corporation Freddie Mac General Mills GlaxoSmithKline Hewlett Packard Enterprise Company Huntington Bancshares Incorporation Intel Corporation Kimberly-Clark Koch Companies Public Sector **KPMG** Macy's Inc. Massachusetts Mutual Life Insurance Company Mayo Clinic MetLife. Inc. Microsoft Corporation Mondelez International Nationwide Mutual Insurance Company NHL, Inc. PNC Financial Services Group, Inc., The Prudential Financial, Inc. State Farm Mutual Automobile Insurance Target Corporation The Bank of New York Mellon The Williams Companies, Inc. TransUnion **Trustmark Insurance** U.S. Bancorp United Airlines UnitedHealth Group Incorporated Vanguard Corporation Verizon Communications Inc. Willis Towers Watson Zurich American Insurance Company

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 departmen	t, I hereby sign the Cor	porate Pro Bono (C	PBO) Challenge statement:	
Signature (Chief Legal Officer):		Da	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 asaunders@probonoinst.org. For more information about the CPBO Challenge statement, please contact Alyssa Saunders, CPBO director, at 202.729.6695 or asaunders@ probonoinst.org. Thank you for your interest and support.

2021 CPBO CHALLENGE SURVEY, JANUARY 1, 2021 - DECEMBER 31, 2021

Welcome to the 2021 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				
Additional Pro Bono Contact Name(s)				
Additional Pro Bono Contact Title(s)				
Additional Pro Bono Contact Email(s)				
2. Company Information				
Annual Revenue				
Number of Employees				
3. Number of Offices with Legal Department Professionals				
Inside the U.S.				

Outside the U.S.

Participation in Pro Bono

1. Please record the number of legal department professionals in the U.S. as of 12/31/21 and how many of those provided pro bono legal services (not including community service) during the reporting period. If you do not have any participants, please indicate 0.

	Total in Legal Department	Participating in Pro Bono	Percentage
U.S. Lawyers			
U.S. Legal Staff			

2. If there are lawyers or staff in the U.S. and who are outside the legal department providing pro bono legal services as part of the legal department's pro bono program (not including community service) as of 12/31/21, please state the number below. If you do not have any participants, please indicate 0.

Participating in Pro Bono

U.S. Lawyers

U.S. Legal Staff

3. Please record the number of legal department professionals outside of the U.S. as of 12/31/21 and how many of those provided pro bono legal services (not including community service) during the reporting period. If you do not have any participants, please indicate 0.

	Total in Legal Department	Participating in Pro Bono	Percentage
Global Lawyers			
Global Legal Staff			

4. If there are lawyers or staff outside of the U.S. who are outside of the legal department providing pro bono legal services as part of the legal department's pro bono program (not including community service) as of 12/31/21, please state the number below. If you do not have any participants, please indicate 0.

Participating in Pro Bono

Global Lawyers

Global Legal Staff

Global Pro Bono

1. Please list the countries here members of your legal department (lawyers and non-lawyers) are engaged in pro bono.

Active Pro Bono Policies and Programs

- 1. Does your legal department have a written pro bono policy?
- (a). If yes, what 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?

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?

Pro Bono in 2021

- 1. In 2021, did your legal department provide any pro bono legal work directly in response to the Covid-19 crisis?
- (a). If yes, please briefly describe the pro bono legal work that responded to the Covid-19 crisis.

2. In 2021, did your legal department adopt a new or renewed focus on racial justice, as reflected in its pro bono legal work?

(a). If yes, please identify all types of racial justice pro bono work that your department engaged in.



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