

Final Report:
*Current Status of Pro Bono Service
Among Maryland Lawyers, Year 2011*

NOVEMBER 9, 2012

*SUBMITTED BY:
ANASYS, INC.*

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EXECUTIVE SUMMARY

Maryland Rule 16-903 (effective July 1, 2002) requires all Maryland attorneys authorized to practice law in the state to annually report on their pro bono activities. This definition of pro bono service was redefined by the Court of Appeals in Rule 6.1 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. This summary report presents results from the data collected from the Pro Bono Service Report for Year 2011. Below are the highlights of the results.

- Among 36,087 lawyers, 16,405 (45.5 percent) reported some pro bono activity. Maryland lawyers provided 1,163,859 hours of pro bono services, a decrease rate of 1.5 percent over the prior year.
- Among full-time lawyers in Maryland, 57.6 percent provided pro bono service. Lawyers in the Eastern Region ranked at the top with 74.2 percent of their full-time lawyers reporting some pro bono hours, followed by the Western Region at 73.5 percent.
- Among full time lawyers in Maryland, 22.7 percent met the goal of providing 50 or more hours of pro bono service.
- The Eastern Region was, again, the closest to the goal by having 35.6 percent of full time lawyers who provided 50 or more hours of pro bono services, followed by 32.2 percent in the Western Region and 28.0 percent in the Southern Region.
- Caroline County ranked first at 61.5 percent of full time lawyers with 50 or more pro bono hours, followed by Talbot (44.8 percent), Somerset (42.9 percent), and Garrett (42.3 percent) Counties.
- The number of lawyers participating in activities related to improving the law, the legal system, or the legal profession totaled 7,230 lawyers for a total of 402,752.87 hours (compared to 7,274 lawyers for 407,485.21 hours in 2010).
- The total financial contribution to organizations that provide legal services to people of limited means was \$4,060,551.14 from 6,258 contributing lawyers. Compared to 2010, the financial contribution increased by \$399,032, which is an increase of about 11 percent.
- Among lawyers who rendered pro bono service hours, 51.9 percent did so to people of limited means; 16.2 percent to organizations helping people of limited means; 7.3 percent to entities on civil rights matters; and 24.6 percent to organizations such as a “non-profit” furthering their organizational purposes. In comparison to lawyers with out-of-state addresses, lawyers with offices in Maryland rendered a higher proportion of their pro bono service to people of limited means and a lower proportion to entities on civil rights matters.
- Of Maryland’s more than 36,000 lawyers, only 1.5 percent work for a legal services organization.

- Among 16,405 lawyers who reported some pro bono activity, 760 lawyers (4.6 percent) reported providing assistance to homeowners through the Foreclosure Prevention Pro Bono Project (FPPB).
- A total of 12,985 hours (1.1 percent of the total pro bono service hours) was provided for the FPPB.
- By percentage of lawyers who provided assistance through the FPPB, Garrett County ranked first at 20.0 percent, followed by Caroline (15.4 percent), Allegany (13.8 percent), and Calvert (10.1 percent) Counties.

I. INTRODUCTION

Pursuant to Rule 16-903, annual filing of the Pro Bono Legal Service Report is mandatory for all lawyers certified to practice in the State of Maryland. The Maryland Administrative Office of the Courts is responsible for managing the reporting process and for reporting the results to the Court of Appeals. The Maryland Administrative Office of the Courts engaged ANASYS, Inc. (ANASYS) to assist them in managing the reporting process and in compiling and analyzing the data. This report summarizes the results from the Calendar Year 2012.

During Year 2012, four mailings were sent out to all licensed Maryland attorneys for reporting of their pro bono activities during the year 2011.

- First round: An initial mailing was sent out on January 9, 2012, to all 36,474 lawyers who were on the active lawyers' list as maintained by the Maryland Client Protection Fund (CPF).
- Second round: A mailing was sent out on March 16, 2012, to 5,605 lawyers who had not filed their pro bono report by March 12, 2012.
- Third round: A 'Notice of Failure to File' was sent out on May 21 to 2,066 lawyers who had not filed their pro bono report by May 15, 2012, and
- Fourth round: A 'Decertification Order' signed by the Court of Appeals was sent to 196 lawyers who had failed to file the pro bono report by September 15.

This report covers the 36,094 pro bono reports received by September 13, 2011. It excludes data from those attorneys who were determined to be inactive lawyers (law clerks, deceased, etc.), and lawyers in the military. ANASYS set up and maintained a web-based online reporting system throughout the reporting period using individualized identification numbers for each lawyer. The overall percentage of online filing was 79.2 percent (28,590 lawyers) and the remaining 20.8 percent filed the pro bono report through mail. The use of the online filing system has been increasing steadily due to an improved web-based online reporting system and an aggressive promotion of the value and convenience of online filing.

The purposes of this summary report are:

1. to identify and evaluate the status of pro bono service engaged in by Maryland lawyers;
2. to assess whether a target goal of 50 hours of pro bono service for lawyers in the full time practice of law was achieved;
3. to determine the level of financial contribution to legal services organizations by Maryland attorneys; and
4. to identify areas that need to be improved for promoting pro bono services.

II. GENERAL CHARACTERISTICS OF MARYLAND LAWYERS

This section presents an overall picture of Maryland lawyers' practices by providing descriptive statistics from the pro bono report data.

II.1. Geographical Location

The table below shows the distribution of the 36,087 lawyers by their business address as reported in the Pro Bono Legal Service Report for Year 2011. The results are compared with the distributions in previous years.

Table 1. Office Location of Lawyers

	Yr. 2011		Yr. 2010		Yr. 2009		Yr. 2008	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Maryland	21,033	58.3%	20,496	58.3%	20,195	58.6%	19,897	58.7%
Washington DC	8,559	23.7%	8,399	23.9%	8,220	23.8%	8,119	23.9%
Virginia	2,444	6.8%	2,405	6.8%	2,335	6.8%	2,227	6.6%
Other States	3,906	10.8%	3,709	10.6%	3,610	10.5%	3,559	10.5%
Foreign	145	0.4%	144	0.4%	109	0.3%	121	0.4%
	36,087	100%	35,153	100%	34,469	100%	33,924	100.0%

About fifty eight percent of lawyers who are certified to practice in Maryland reported a business address in Maryland, followed by 23.7 percent in Washington D.C. The distributions of office addresses remained stable since 2008.

In addition to the office address information, the pro bono report includes a question on lawyers' jurisdiction. About fifty eight percent of lawyers (20,717 lawyers) indicated they practiced in jurisdictions in the state of Maryland, thirty nine percent (14,176 lawyers) reported an out of state jurisdiction, and the remaining three percent (1,201 lawyers) did not answer the question.

Among those who reported practicing in Maryland jurisdictions, 3,171 lawyers reported 'All of Maryland' as their jurisdiction as opposed to providing county level information. Table 2 shows the reported jurisdictions by county among the remaining 17,546 lawyers who provided specific county jurisdiction information and the comparable information from the previous years. The distribution of lawyers by first-choice jurisdiction is, again, similar to the distributions in previous years. The proportion of lawyers who reported Montgomery County as their primary jurisdiction ranked first, for the first time, at 25.6 percent, followed by Baltimore City 25.4 percent, and about 14.2 percent for Baltimore County.

Table 2. First-choice Jurisdiction

County Name	Year 2011		Year 2010		Year 2009		Year 2008	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Montgomery Co.	4,488	25.6%	4,337	25.6%	4,252	25.5%	4,172	25.2%
Baltimore City	4,454	25.4%	4,228	24.9%	4,255	25.5%	4,348	26.2%
Baltimore Co.	2,496	14.2%	2,449	14.4%	2,386	14.3%	2,260	13.6%
Prince George's Co.	1,758	10.0%	1,708	10.1%	1,661	10.0%	1,674	10.1%
Anne Arundel Co.	1,337	7.6%	1,324	7.8%	1,251	7.5%	1,242	7.5%
Howard Co.	810	4.6%	764	4.5%	716	4.3%	729	4.4%
Frederick Co.	347	2.0%	348	2.1%	345	2.1%	334	2.0%
Harford Co.	339	1.9%	319	1.9%	328	2.0%	325	2.0%
Carroll Co.	228	1.3%	214	1.3%	221	1.3%	220	1.3%
Wicomico Co.	163	0.9%	161	0.9%	160	1.0%	171	1.0%
Charles Co.	150	0.9%	152	0.9%	148	0.9%	147	0.9%
Washington Co.	139	0.8%	140	0.8%	137	0.8%	136	0.8%
Calvert Co.	117	0.7%	118	0.7%	113	0.7%	115	0.7%
Talbot Co.	114	0.6%	113	0.7%	102	0.6%	100	0.6%
Allegany Co.	109	0.6%	102	0.6%	100	0.6%	103	0.6%
Worcester Co.	91	0.5%	89	0.5%	91	0.5%	88	0.5%
Cecil Co.	90	0.5%	95	0.6%	91	0.5%	96	0.6%
Saint Mary's Co.	90	0.5%	86	0.5%	91	0.5%	86	0.5%
Queen Anne's Co.	62	0.4%	64	0.4%	60	0.4%	70	0.4%
Dorchester Co.	37	0.2%	34	0.2%	38	0.2%	32	0.2%
Kent Co.	36	0.2%	34	0.2%	32	0.2%	34	0.2%
Garrett Co.	35	0.2%	29	0.2%	32	0.2%	29	0.2%
Caroline Co.	33	0.2%	32	0.2%	30	0.2%	32	0.2%
Somerset Co.	23	0.1%	21	0.1%	21	0.1%	21	0.1%
Total	17,546	100%	16,961	100%	16,661	100%	16,564	100%

As was the case in previous reports, for the remaining sections of this report, business addresses of the lawyers are used to designate the geographical location of lawyers rather than jurisdiction. To maintain consistency, we have used the identical data source and method over the years. We matched the business address ZIP code with the County code using the LandView IV that was prepared by the Bureau of Census from the U.S. Postal Service City-State file (November, 1999). This file contains all 5-digit ZIP codes defined as of November 1, 1999, the state and county FIPS codes and the Post Office names associated with them.¹ The ZIP code was matched to the Census county information using the FIPS codes. The region level data are presented to account for pro bono activities across the county line.

¹ For ZIP codes that cross county boundaries, the Post Office file assigns that ZIP code to just one of the counties rather than to each county.

II.2. Year of Bar Admittance

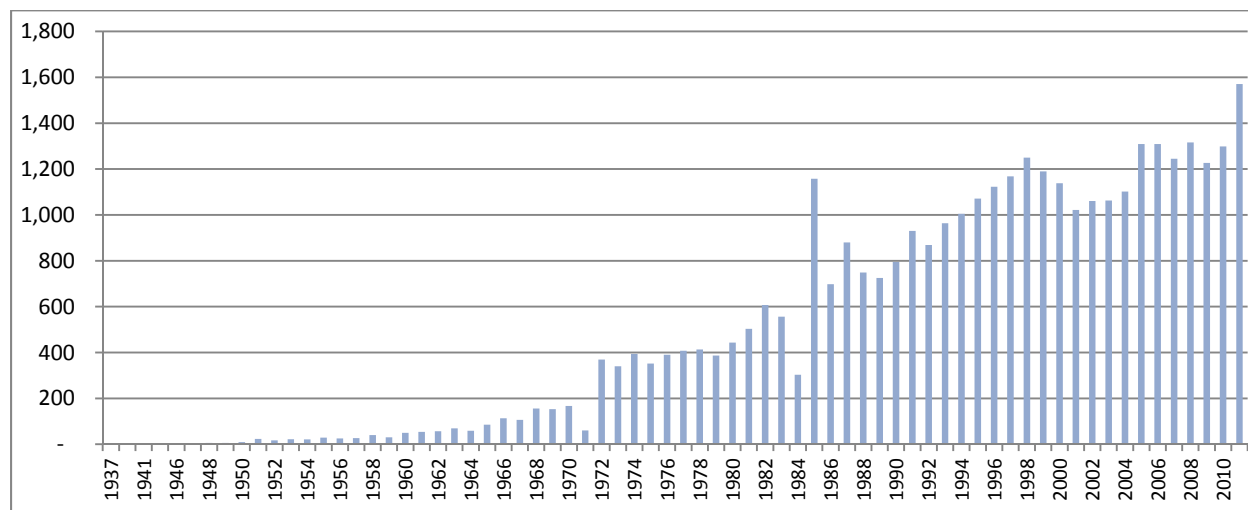
The following table shows the average and median bar admittance year for the lawyers, using the Client Protection Fund (CPF) ID number which reflects the bar admittance year (and dates) of a lawyer. Lawyers with offices in Maryland tend to have practiced law longer than lawyers whose offices are in other states. For example, the median year for bar admittance among the lawyers in Maryland is 1994, while the median for lawyers in Washington DC and Virginia is 2000 and 1998, respectively.

Table 3. Mean and Median Bar Admittance Year by States

	Maryland	Washington DC	Virginia	Other States	Foreign Countries
Number	21,033	8,559	2,444	3,906	145
Mean	1992.7	1998.4	1997.0	1995.7	1997.6
Median	1994	2000	1998	1997	1998

The following chart shows the distribution of active lawyers by their bar admittance year. The number of active lawyers admitted in 2011 totaled 1,571.

Chart 1. Number of Lawyers by Bar Admittance Year



II.3. Primary Practice Area

As is the case for jurisdiction data, we entered up to three practice areas. Table 4 shows the primary practice areas among 34,940 lawyers, excluding 1,154 lawyers who did not provide the practice area information. Overall, the results are similar to the results from previous years, Litigation, Other, and Corporate/Business being the top three most common practice areas.

Table 4. Primary Practice Area

	First choice practice area		All selected practice areas	
	Number	Percent	Number	Percent
Litigation	4,972	14.2%	7,642	13.8%
Other	4,016	11.5%	6,375	11.5%
Corporate/Business	3,663	10.5%	5,829	10.5%
Government	3,227	9.2%	4,145	7.5%
Criminal	3,002	8.6%	4,097	7.4%
Real Estate	2,188	6.3%	3,270	5.9%
Family/Domestic	1,932	5.5%	3,048	5.5%
Employment/Labor	1,508	4.3%	2,240	4.0%
General Practice	1,392	4.0%	2,631	4.7%
Trusts/Estates/Wills	1,307	3.7%	2,499	4.5%
Intellectual Property/Patents	1,196	3.4%	1,533	2.8%
Personal Injury	1,173	3.4%	2,448	4.4%
Administrative Law	897	2.6%	2,024	3.7%
Health	867	2.5%	1,349	2.4%
Taxation	829	2.4%	1,325	2.4%
Insurance	758	2.2%	1,329	2.4%
Bankruptcy/Commercial	696	2.0%	1,251	2.3%
Banking/Finance	617	1.8%	1,125	2.0%
Environmental	557	1.6%	870	1.6%
Elder Law	143	0.4%	379	0.7%
	34,940	100%	55,409	100.0%

III. PRO BONO SERVICE

In this section, we present the results of our analyses of the Year 2011 Pro Bono Report data on pro bono service provided, hours spent to improve the law and the legal system, and financial contributions made by Maryland-certified lawyers.

III.1. Pro Bono Service by Office Location

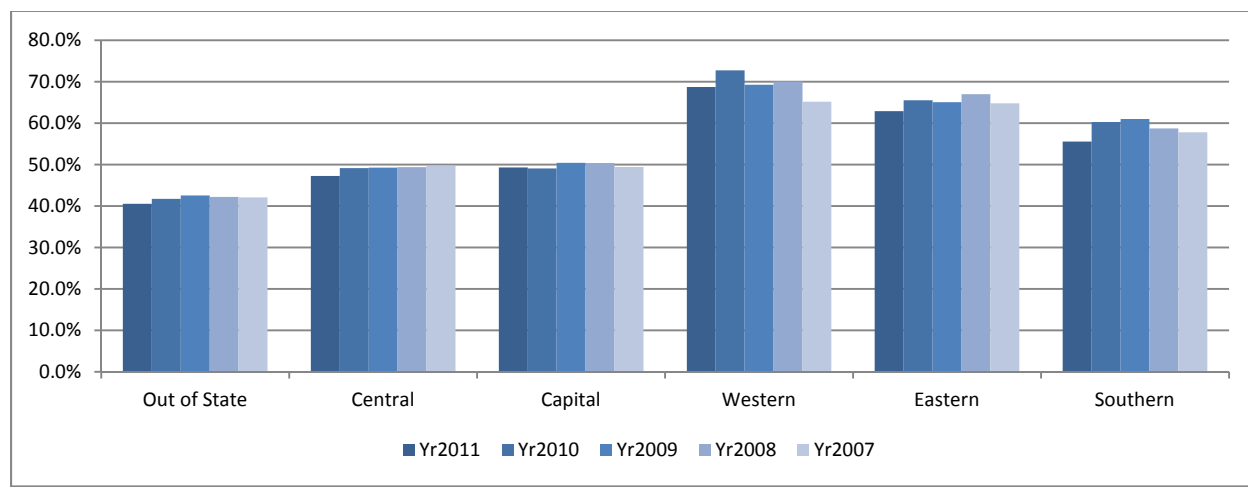
In spite of the continuing difficult economic conditions during the year 2011, the total number of pro bono hours rendered by Maryland-certified lawyers was 1,163,859 (compared to 1,181,028 pro bono hours in 2010). The decrease was 17,169 hours, a 1.5 percent decline. Among 36,087 lawyers, 16,405 (45.5 percent) reported some pro bono activity (Table 6). Among 21,033 lawyers with offices in Maryland, 10,304 (49 percent) rendered pro bono hours greater than '0', compared with to 40.6 percent among lawyers with offices in other states. The following table shows the proportion over the last 5 reporting years.

Table 5. Percent of Lawyers with Pro Bono Activity, 2007 - 2011

	Yr 2011	Yr 2010	Yr 2009	Yr 2008	Yr 2007
All Reporting Lawyers	45.5%	46.7%	47.3%	47.2%	47.0%
Lawyers in Maryland	49.0%	50.2%	50.7%	50.6%	50.5%
Lawyers in Other States	40.6%	41.7%	42.6%	42.4%	42.2%

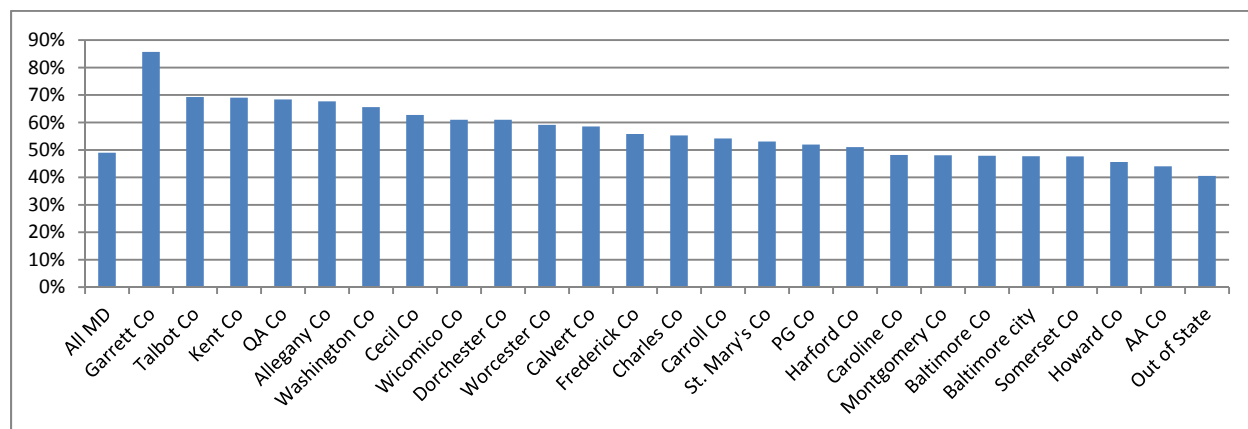
The proportion of lawyers who rendered pro bono service differs by geographical area within Maryland (Chart 2). As was the case in previous years, higher proportions of lawyers in rural areas of Maryland rendered pro bono services when compared to lawyers in central and capital regions.

Chart 2. Percent of Lawyers with Pro Bono Hours by Region



We also looked at pro bono hours by county (Chart 3). Lawyers in Garrett County again reported the highest, with 85.7 percent of lawyers rendering some pro bono hours. Lawyers in Talbot County reported the second highest (69.3 percent of lawyers rendered some pro bono hours), followed by Kent County (69.0 percent).

Chart 3. Percent of Lawyers with Pro Bono Hours by County



Seven counties (Anne Arundel, Baltimore, Charles, Frederick, Harford, Prince George's, and St. Mary's) as well as lawyers out of states showed consistently decreasing percentages of lawyers with pro bono hours over the last three years.

A target goal of 50 hours of pro bono service for lawyers in the full time practice of law was established pursuant to Rule 16-903. Accordingly, we looked into pro bono hours among full time lawyers. As in previous years, we defined the full time lawyers as those who are not prohibited from providing pro bono services (Question 6 in the Pro Bono Service Report), are not retired (Question 7), and do not practice law part time (Question 8). Among 35,162 lawyers, 25,184 were identified as full time lawyers, answering "no" to all three questions. For the purpose of this report, we use the term 'Other Lawyers' for lawyers who are prohibited, or retired, or part time.

Among full time lawyers in Maryland, 22.7 percent met this goal of providing 50 or more hours of pro bono service during the year 2011 (Table 6). The Eastern Region was, again, the closest to the goal by having 35.6 percent of full time lawyers who provided 50 or more hours of pro bono services, followed by 32.2 percent in the Western Region and 28.0 percent in the Southern Region. The lowest percentages of lawyers providing 50 or more pro bono service hours were found in the Central Region (21.1 percent).

In terms of pro bono hours greater than '0', 57.6 percent of all full-time lawyers in Maryland provided some pro bono service. Again, the Eastern Region ranked at the top with 74.2 percent of their full-time lawyers reporting any pro bono hours in 2011, followed by the Western Region at 73.5 percent.

Table 6. Pro Bono Hours by Region

		All Areas	Central Region	Capital Region	Western Region	Eastern Region	Southern Region	All of MD	Other States
All Lawyers	No pro bono hours	54.5%	52.7%	50.7%	31.3%	37.1%	44.4%	51.1%	59.4%
	Less than 50 hours	27.5%	29.9%	30.0%	40.3%	34.8%	34.3%	30.3%	23.5%
	50 or more hours	18.0%	17.3%	19.3%	28.5%	28.1%	21.2%	18.6%	17.1%
Full Time Lawyers	No pro bono hours	47.0%	44.7%	41.2%	26.5%	25.8%	30.7%	42.4%	52.9%
	Less than 50 hours	31.4%	34.2%	35.3%	41.3%	38.6%	41.4%	34.9%	26.9%
	50 or more hours	21.6%	21.1%	23.6%	32.2%	35.6%	28.0%	22.7%	20.2%
Other Lawyers	No pro bono hours	74.1%	72.1%	70.5%	50.0%	60.3%	71.1%	70.9%	79.8%
	Less than 50 hours	17.3%	19.7%	19.0%	36.2%	27.1%	20.7%	19.9%	12.7%
	50 or more hours	8.6%	8.2%	10.4%	13.8%	12.7%	8.1%	9.2%	7.5%

All Lawyers	No pro bono hours	19,664	6,542	3,688	90	259	176	10,755	8,909
	Less than 50 hours	9,906	3,712	2,184	116	243	136	6,391	3,515
	50 or more hours	6,480	2,149	1,404	82	196	84	3,915	2,565
Full Time Lawyers	No pro bono hours	12,205	3,914	2,024	61	121	80	6,200	6,005
	Less than 50 hours	8,165	2,994	1,735	95	181	108	5,113	3,052
	50 or more hours	5,616	1,852	1,158	74	167	73	3,324	2,292
Other Lawyers	No pro bono hours	7,459	2,628	1,664	29	138	96	4,555	2,904
	Less than 50 hours	1,741	718	449	21	62	28	1,278	463
	50 or more hours	864	297	246	8	29	11	591	273

In order to see trends over time, Table 7 shows the difference in the percentage points, from last year (reporting year 2010), of lawyers who provided 50 or more hours of pro bono services.

Table 7. Pro Bono Hours – Change in Percentage Points from 2010

Pro bono hours	All Areas	Central Region	Capital Region	Western Region	Eastern Region	Southern Region	All of MD	Other States
All Lawyers 50 or more hours	-0.7%	-0.6%	0.0%	-1.2%	-2.8%	-1.2%	-0.5%	-1.1%
Full Time Lawyers 50 or more hours	-0.7%	-0.4%	-0.3%	1.1%	-2.8%	-1.7%	-0.4%	-1.1%
Other Lawyers 50 or more hours	-0.7%	-1.0%	0.7%	-10.3%	-2.5%	0.2%	-0.5%	-1.2%

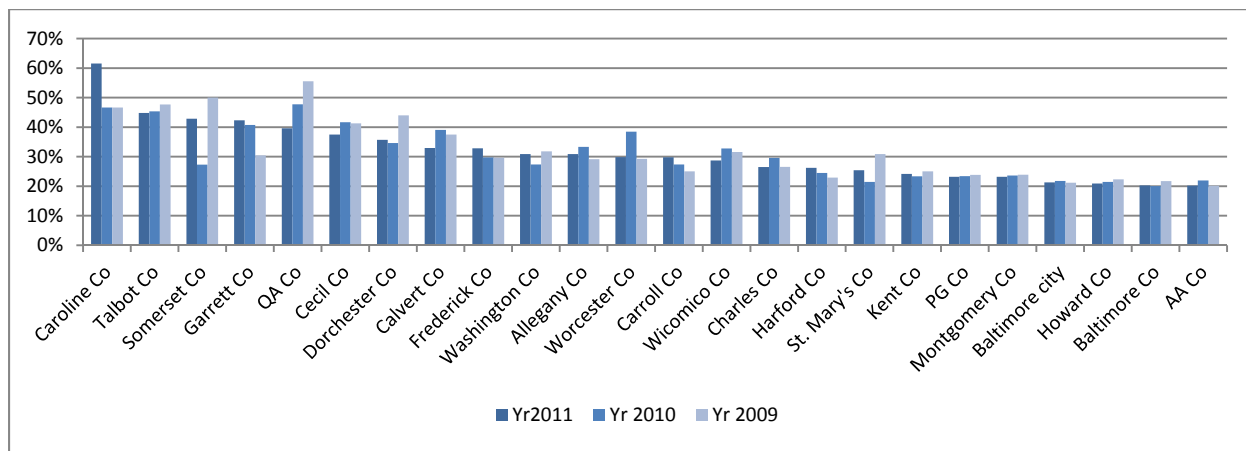
We ranked Maryland counties by percentage of full time lawyers with 50 or more pro bono hours (Table 8). Caroline County ranked first at 61.5 percent, followed by Talbot (44.8 percent), Somerset (42.9 percent), and Garrett (42.3%) Counties.

Table 8. Percentage of Full Time Lawyers with 50 or More Pro Bono Hours by County

Ranking	County Name	Number of FT lawyers	No pro bono hrs	Less than 50 hrs	50 hrs or more
1	Caroline Co	13	30.8%	7.7%	61.5%
2	Talbot Co	87	19.5%	35.6%	44.8%
3	Somerset Co	14	35.7%	21.4%	42.9%
4	Garrett Co	26	11.5%	46.2%	42.3%
5	QA Co	48	18.8%	41.7%	39.6%
6	Cecil Co	64	23.4%	39.1%	37.5%
7	Dorchester Co	28	35.7%	28.6%	35.7%
8	Calvert Co	79	24.1%	43.0%	32.9%
9	Frederick Co	265	26.8%	40.4%	32.8%
10	Washington Co	123	30.1%	39.0%	30.9%
11	Allegany Co	81	25.9%	43.2%	30.9%
12	Worcester Co	57	24.6%	45.6%	29.8%
13	Carroll Co	151	32.5%	37.7%	29.8%
14	Wicomico Co	129	31.0%	40.3%	28.7%
15	Charles Co	117	31.6%	41.9%	26.5%
16	Harford Co	252	38.5%	35.3%	26.2%
17	St. Mary's Co	63	34.9%	39.7%	25.4%
18	Kent Co	29	24.1%	51.7%	24.1%
19	PG Co	1,285	41.5%	35.3%	23.2%
20	Montgomery Co	3,320	41.8%	35.0%	23.2%
21	Baltimore city	4,170	45.7%	33.0%	21.3%
22	Howard Co	704	44.2%	34.9%	20.9%
23	Baltimore Co	2,318	44.0%	35.7%	20.3%
24	AA Co	1,159	45.6%	34.3%	20.2%

The bottom of the list was populated with counties in the Capital and Central Regions. This result is displayed in Chart 4, also showing trends from the results of previous years. Counties that exhibit consistent increases for the last three years include: Garrett, Frederick, Carroll, and Harford Counties. Counties that exhibit consistent decreases include: Talbot, Queen Anne's, and Howard Counties.

Chart 4. Maryland Counties by Percentage of Full Time Lawyers with 50 or More Pro Bono Hours



III.2. Beneficiaries of Pro Bono Service

The pro bono report includes a series of questions regarding to whom (or to which organizations) the pro bono service was rendered (Question 1). The following is the list of possible responses to Question 1:

Q1.a. To people of limited means

Q1.b. To charitable, religious, civic, community, governmental, or educational organizations in matters designed primarily to address the needs of people of limited means

Q1.c. To individuals, groups, or organizations seeking to secure or protect civil rights, civil liberties, or public rights

Q1.d. To charitable, religious, civic, community, governmental, or educational organizations in matters in furtherance of their organizational purposes, when the payment of the standard legal fees would significantly deplete the organization's economic resources or would otherwise be inappropriate

Table 9 shows the results from these questions. Overall, 51.9 percent of all reporting lawyers who rendered pro bono service hours did so on behalf of people of limited means (Q1.a); 16.2 percent to organizations helping people of limited means (Q1.b); 7.3 percent to entities on civil rights matters (Q1.c); and 24.6 percent to organizations such as a "non-profit" furthering their organizational purposes (Q1.d). In comparison to lawyers with out-of-state addresses, lawyers with offices in Maryland rendered a higher proportion of their pro bono service to people of limited means and a lower proportion to entities on civil rights matters.

Table 9. Distribution of Pro Bono Services by Beneficiary Type

	All Reporting Lawyers	Maryland Region					All of Maryland	Other States
		Central	Capital	Western	Eastern	Southern		
Q1.a	51.9%	51.5%	57.1%	58.1%	60.7%	60.4%	57.6%	46.2%
Q1.b	16.2%	16.3%	14.8%	14.1%	13.3%	17.3%	15.2%	17.3%
Q1.c	7.3%	5.6%	6.1%	3.4%	3.1%	3.7%	4.4%	10.1%
Q1.d	24.6%	26.6%	22.0%	24.4%	22.9%	18.7%	22.9%	26.3%
Total	100%	100%	100%	100%	100%	100%	100%	100%

The pro bono report also asks how many pro bono service hours were spent on cases that came from a pro bono or a legal services organization. Among all reporting lawyers, 31.6, 19.3, 25.9, and 9.4 percents of pro bono service hours rendered, respectively for the four types of beneficiaries, were rendered to cases that came from a pro bono or a legal services organization (Table 10). Among lawyers in Maryland, the percentages are higher than those reported in 2010. However, consistent with the previous years' results, lawyers with offices in Maryland tend to get pro bono cases on their own, rather than through a pro bono or a legal services organization.

Table 10. Proportion of Pro Bono Hours on Cases from a Pro Bono or a Legal Services Organization

	All Reporting Lawyers	Maryland Region					All of Maryland	Other States
		Central	Capital	Western	Eastern	Southern		
Q1.a	31.6%	26.6%	25.3%	23.5%	28.2%	21.9%	25.1%	38.2%
Q1.b	19.3%	17.2%	17.8%	12.1%	11.6%	17.2%	15.2%	23.3%
Q1.c	25.9%	22.8%	36.8%	21.4%	13.2%	15.2%	21.9%	29.9%
Q1.d	9.4%	7.9%	9.1%	7.7%	4.0%	7.6%	7.3%	11.6%

III.3. Practice Area and Pro Bono Service

We are interested in identifying the practice areas in which lawyers provide pro bono services in comparison to the most frequently practiced primary practice areas. Table 11 shows the top five primary practice areas and pro bono service areas among full time lawyers. We note that the Family/Domestic practice area is the top pro bono service area, followed by Corporate/Business, Other, Litigation, and Criminal.

Table 11. Comparison of Practice Areas

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

We note that the percent of lawyers who provide pro bono services differ greatly by their practice areas. Table 12 shows that 38.6 percent of lawyers in Elder Law provided more than 50 hours, followed by 35.0 percent among those in General Practice, and 32.1 percent among those in Family Law practice. Compared to the previous year, more lawyers in General, Employment, and Trusts did not provide any pro bono services, while more lawyers in Family, Personal Injury, and Elder law provided more than 50 pro bono hours.

About seventy seven percent of full time lawyers in General Practice provided greater than 0 pro bono hours, followed by 72.9 percent in Litigation and 68.5 percent in Family practice. As before, the bottom practice areas are: Government, Insurance, Administrative, Banking, and Intellectual Property / Patents.

Table 12. Percent of Full Time Lawyers who provide Pro Bono Service – by Practice Areas

Practice Area	Number of Lawyers	Percentage of FT lawyers with more than 50 hours of pro bono service	Percent of FT Lawyers Greater Than '0' Pro Bono Hours
Elder Law	88	38.6%	68.2%
General Practice	1,453	35.0%	76.8%
Family/Domestic	739	32.1%	68.5%
Trusts/Estates/Wills	4,263	27.0%	59.8%
Litigation	862	25.3%	72.9%
Bankruptcy/Commercial	580	24.8%	68.1%
Employment/Labor	1,028	24.7%	63.4%
Criminal	531	23.5%	52.2%
Taxation	415	22.4%	46.0%
Personal Injury	2,232	22.1%	50.3%
Environmental	2,776	21.6%	55.1%
Other	1,170	21.3%	53.1%
Corporate/Business	1,680	21.0%	61.3%
Real Estate	2,564	20.3%	47.7%
Health	588	16.8%	45.6%
Intellectual Property/Patents	946	14.6%	43.0%
Banking/Finance	494	13.6%	43.1%
Administrative Law	675	13.2%	38.7%
Insurance	611	11.3%	39.9%
Government	2,096	7.8%	21.3%
Total	25,791	21.7%	53.3%

III.4. Hours to Improve the Law and Financial Contributions

In 2011, a total of 7,230 (7,274 in 2010) lawyers reported participating in activities related to improving the law, the legal system, or the legal profession (Question 4) for a total of 402,752.87 hours (407,485.21 in 2010). The total financial contribution to organizations that provide legal services to people of limited means (Question 5) was \$4,060,551.14 (\$3,661,518.73 in 2010) from 6,258 (6,170 in 2010) contributing lawyers. Compared to 2010, the financial contribution increased by \$399,032, which is an increase of about 11 percent.

In the table below (Table 13), we present the proportions of lawyers who spent hours improving the law (Question 4) and who made financial contributions (Question 5). As was the case last year, we note that higher percentages of lawyers with offices in Maryland devoted hours to improving the law, the legal system, or the legal profession when compared to out-of-state lawyers (21.1 percent vs. 18.5 percent for all lawyers). In comparison, smaller proportions of lawyers in Maryland, especially in the Eastern and Southern Regions, offered financial support to organizations that provide legal services to people of limited means than lawyers in other states (15.9 percent vs. 19.4 percent for all lawyers).

Table 13. Percent of Lawyers who Spent Hours to Improve Law and who Made Financial Contributions

		All reporting lawyers	Maryland Region					All of MD	Other States
			Central	Capital	Western	East.	South.		
Percent of Lawyers with Hours to Improve Law (Q 4A)	All	20.0%	21.6%	19.7%	29.9%	21.8%	21.7%	21.1%	18.5%
	Full Time	23.6%	26.1%	24.6%	34.3%	25.4%	25.7%	25.7%	21.0%
	Other	10.8%	11.0%	9.5%	12.1%	14.4%	14.1%	10.7%	10.9%
Percent of Lawyers with Financial Contribution (Q5)	All	17.3%	17.2%	14.6%	14.9%	11.0%	6.3%	15.9%	19.4%
	Full Time	19.3%	19.3%	15.5%	15.7%	11.3%	7.3%	17.5%	21.6%
	Other	12.3%	12.2%	12.5%	12.1%	10.5%	4.4%	12.1%	12.6%

We also note that the percentage of lawyers who offered financial contributions differ by their practice areas. As shown in Table 14, the top contributors are in Health, Environmental, Administrative, Banking, and Litigation practices. The bottom contributors are in: Criminal, General, Government, Insurance, and Personal Injury. It is notable that the percentage of lawyers in General practice who contributed is lower than 2010 by 5.2 percent.

Comparing this distribution to the proportion of lawyers who provide pro bono service by their practice area (comparing Table 14 to Table 12), lawyers in Banking, Administrative, and Health rank low in providing pro bono services, but rank high in making financial contributions. However, lawyers in Insurance and Government report lower participation in pro bono service as well as lower rates of financial contribution.

Table 14. Lawyers with Financial Contribution – by Practice Area

Practice Area	Number of Lawyers	Number of Lawyers with Contribution	Percent of Lawyers with Contribution
Health	588	150	25.5%
Environmental	415	103	24.8%
Administrative Law	675	153	22.7%
Banking/Finance	494	111	22.5%
Litigation	4,263	953	22.4%
Other	2,564	573	22.3%
Trusts/Estates/Wills	862	183	21.2%
Employment/Labor	1,170	245	20.9%
Corporate/Business	2,776	575	20.7%
Elder Law	88	18	20.5%
Taxation	531	106	20.0%
Family/Domestic	1,453	271	18.7%
Intellectual Property	946	173	18.3%
Real Estate	1,680	303	18.0%
Bankruptcy/Commercial	580	104	17.9%
Personal Injury	1,028	180	17.5%
Insurance	611	100	16.4%
Government	2,096	342	16.3%
General Practice	739	99	13.4%
Criminal	2,232	256	11.5%
Total	25,791	4,998	19.4%

IV. PRO BONO SERVICE BY FIRM TYPE AND SIZE

The following analyses focus on 35,935 lawyers, excluding 159 lawyers with no information on the firm type. Table 17 shows the distribution of lawyers by their firm type. Overall, about fifty six percent (20,057 lawyers) of all lawyers practiced in a private firm. Among full time lawyers, the percentage practicing in a private firm was higher at 64.8 percent, and among full time lawyers with a business address in Maryland, even higher at 70.2 percent.

Table 15. Distribution of Lawyers by Firm Type

	Private Firm	Corporate Counsel	Govrmt.	Legal Services Org.	Public Interest Org.	Not Practicing	Total
All Lawyers	20,057 55.8%	2,858 8.0%	7,035 19.6%	534 1.5%	568 1.6%	4,883 13.6%	35,935 100%
Full time Lawyers	16,799 64.8%	2,527 9.8%	5,198 20.1%	426 1.6%	448 1.7%	515 2.0%	25,913 100%
Full time MD Lawyers	10,221 70.2%	1,260 8.7%	2,402 16.5%	263 1.8%	156 1.1%	250 1.7%	14,552 100%

Among 20,057 lawyers who reported practicing in a private firm, about 34 percent practice law solo, 21 percent in a small firm, 14 percent in a medium firm, 6 percent in a large firm, and 25 percent in an extra large firm, as Table 16 shows.

The percent of lawyers in various sizes of private firms differ greatly by their business location. As shown in Table 16, proportionally more lawyers with offices in Maryland practiced in smaller firms when compared to lawyers with offices in other states. The difference is most evident among full time lawyers in extra large firms. The proportion of full time lawyers with a business address in Maryland who work for extra large firms with 50 and more lawyers (13.7 percent) is much less than the proportion of full time lawyers in other states, which is 48.3 percent.

Table 16. Distribution of Lawyers in Private Firms by Firm Size

	Unknown	Solo (1 lawyer)	Small firm (2-5)	Medium firm (6-20)	Large firm (21-49)	Extra Large firm (50 and up)	Total
Lawyers in Private Firm	118 0.6%	6,815 34.0%	4,224 21.1%	2,708 13.5%	1,272 6.3%	4,920 24.5%	20,057 100%
FT Lawyers in Private Firm	96 0.6%	4,634 27.6%	3,777 22.5%	2,518 15.0%	1,195 7.1%	4,579 27.3%	16,799 100%
FT MD Lawyers in Private Firm	66 0.6%	3,477 34.0%	2,849 27.9%	1,675 16.4%	755 7.4%	1,399 13.7%	10,221 100%

The pro bono activity varied greatly by firm type. As Table 17 indicates, about eighty percent of all full time lawyers who are in government agencies and seventy three percent of lawyers who do not practice did not provide any pro bono service, as compared to 32 percent of lawyers in private firms. Only 6.4 percent of lawyers in government and 9.3 percent in Corporate

Counsel provided 50 or more hours of pro bono services, as compared to 28.8 percent among lawyers in private firms.

We also note that a higher proportion of the full time lawyers in Maryland provide pro bono services than full time lawyers in other states. Compared to the previous year, an additional 6.4 percent of full time lawyers in Legal Services Organizations provided pro bono services, while proportion of full time lawyers in Public Interest Organizations who provided pro bono services decreased by 6.1 percent.

Table 17. Firm Type and Pro Bono Hours among Full Time Lawyers

		Private Firm	Corporate Counsel	Govt.	Legal Services Org.	Public Interest Org.	Not Practicing
FT Lawyers	No Pro Bono (PB) Hrs.	32.0%	67.5%	80.2%	57.7%	60.5%	72.8%
	Less than 50 PB Hours	39.2%	23.2%	13.4%	25.1%	21.4%	16.9%
	50 or More PB Hrs.	28.8%	9.3%	6.4%	17.1%	18.1%	10.3%
FT lawyers in MD	No PB Hours	29.9%	65.2%	76.3%	57.0%	58.3%	73.2%
	Less than 50 PB Hours	41.6%	23.9%	16.2%	27.0%	25.0%	20.0%
	50 or More PB Hrs.	28.5%	10.9%	7.5%	16.0%	16.7%	6.8%
FT lawyers in Other States	No PB Hours	35.2%	69.8%	83.6%	58.9%	61.6%	72.5%
	Less than 50 PB Hours	35.6%	22.5%	11.0%	22.1%	19.5%	14.0%
	50 or More PB Hrs.	29.2%	7.7%	5.4%	19.0%	18.8%	13.6%

Among the full time lawyers in private firms, the size of the firm is an important determinant of pro bono hours. As Table 18 indicates, with the exception of lawyers in extra large firms, the proportion of lawyers reporting any pro bono hours decreased as the firm size increased. The significance of the firm size is more evident among full time lawyers in Maryland. Compared to the previous year, the proportion of full time lawyers in Maryland in large firms who did not provide any pro bono services increased by 3.9 percent, about the three times higher than lawyers in solo or small firms.

Table 18. Firm Size and Pro Bono Hours among Full Time Lawyers in Private Firm

		Unknown	Solo	Small firm	Medium firm	Large firm	Extra Large firm
FT Lawyers	No PB Hours	25.0%	24.9%	30.2%	41.1%	47.2%	31.8%
	Less than 50 PB Hours	46.9%	41.1%	42.0%	38.6%	35.1%	36.3%
	50 or More PB Hrs.	28.1%	34.0%	27.9%	20.3%	17.7%	31.9%
FT lawyers in MD	No PB Hours	24.2%	23.3%	28.8%	37.4%	44.6%	32.0%
	Less than 50 PB Hours	45.5%	41.7%	43.3%	41.1%	37.6%	40.2%
	50 or More PB Hrs.	30.3%	35.1%	27.9%	21.6%	17.7%	27.8%
FT lawyers in Other States	No PB Hours	26.7%	29.7%	34.4%	48.6%	51.6%	31.7%
	Less than 50 PB Hours	50.0%	39.4%	37.8%	33.7%	30.7%	34.5%
	50 or More PB Hrs.	23.3%	30.9%	27.8%	17.7%	17.7%	33.7%

V. FORECLOSURE PREVENTION PRO BONO PROJECT (FPPB)

The economic condition of the nation during the year 2010 continued to be very difficult for many homeowners, due to the struggling housing market. To offer greater opportunities for homeowners to preserve their homes, emergency legislation related to the foreclosure process was enacted to provide families and individuals a chance to either prevent foreclosure where feasible or to mitigate their losses. The Foreclosure Prevention Pro Bono Project (FPPB) was initiated for homeowners who need legal counsel in the process. Accordingly, the pro bono report began including a question in 2008 to find out what proportion of the pro bono hours that lawyers reported were spent on assisting homeowners in distress through the FPPB. In the following section, we present the results.

Among 16,405 lawyers who reported some pro bono activity, 760 lawyers (4.6 percent, compared to 5.9 percent last year) reported providing assistance to homeowners for a total of 12,985 hours (1.1 percent of the total pro bono service hours in 2011). Table 19 shows the practice areas in which the proportion of lawyers who assisted through the FPPB is ranked, from the highest (Bankruptcy) to the lowest (Administrative).

Table 19. Percent of Lawyers who Provided FPPB Assistance

Primary Practice Area	Number of Lawyers who provided Pro Bono Service	Number of pro bono lawyers who provided FPPB assistance	Percent of pro bono lawyers who provided FPPB assistance
Bankruptcy/Commercial	442	55	12.4%
Real Estate	1,208	136	11.3%
General Practice	738	73	9.9%
Unknown	179	8	4.5%
Government	575	25	4.3%
Corporate/Business	1,825	77	4.2%
Family/Domestic	1,339	52	3.9%
Litigation	2,745	106	3.9%
Banking/Finance	236	9	3.8%
Other	1,564	59	3.8%
Trusts/Estates/Wills	834	31	3.7%
Criminal	1,264	44	3.5%
Personal Injury	711	24	3.4%
Elder Law	89	3	3.4%
Taxation	364	12	3.3%
Employment/Labor	708	16	2.3%
Administrative Law	314	7	2.2%
Intellectual Property	449	9	2.0%
Health	323	6	1.9%
Environmental	229	4	1.7%
Insurance	269	4	1.5%
Total	16,405	760	4.6%

Higher proportions of lawyers provided the FPPB assistance in the Southern, Western, and Capital regions than other regions as Table 20 shows. The proportion of lawyers in Maryland who provided FPPB assistance is about two times higher than those in other states.

Table 20. Percent of Pro Bono Lawyers who Provided FPPB Assistance by Region

	Total	Maryland Region						All of Maryland	Other States
		Central	Capital	Western	Eastern	Southern	Unknown		
Number of lawyers who provided FPPB assistance	760	277	242	21	29	15	4	588	172
Number of Lawyers who provided Pro Bono Service	16,405	5,861	3,588	198	439	220	19	10,325	6,080
Percent of Lawyers who provided FPPB assistance	4.6%	4.7%	6.7%	10.6%	6.6%	6.8%	21.1%	5.7%	2.8%

We ranked Maryland counties by percentage of lawyers who provided assistance through the FPPB (Table 21). Garrett County ranked first at 20.0 percent, followed by Caroline (15.4 percent), Allegany (13.8 percent), and Calvert (10.1 percent) Counties.

Table 21. Percent of Lawyers who Provided FPPB Assistance by County

Maryland County	Number of Lawyers who provided Pro Bono Service	Number of lawyers who provided FPPB assistance	Percent of Lawyers who provided FPPB assistance
Garrett Co	30	6	20.0%
Caroline Co	13	2	15.4%
Allegany Co	65	9	13.8%
Calvert Co	79	8	10.1%
Somerset Co	10	1	10.0%
PG Co	917	90	9.8%
Dorchester Co	25	2	8.0%
Talbot Co	88	7	8.0%
Kent Co	29	2	6.9%
Cecil Co	59	4	6.8%
Howard Co	522	35	6.7%
AA Co	803	53	6.6%
Washington Co	103	6	5.8%
Montgomery Co	2,416	140	5.8%
QA Co	52	3	5.8%
Charles Co	89	5	5.6%
Worcester Co	55	3	5.5%
Frederick Co	236	12	5.1%
Harford Co	201	10	5.0%
Wicomico Co	108	5	4.6%
Baltimore city	2,608	110	4.2%
Baltimore Co	1,582	65	4.1%
St. Mary's Co	52	2	3.8%
Carroll Co	143	4	2.8%
Total	10,285	584	5.7%

We also learn that higher proportions of lawyers in Corporate Counsel were the least likely to have provided assistance through the FPPB (Table 22).

Table 22. Percent of Lawyers in MD who Provided FPPB Assistance by Firm Type

Firm Type	Number of Lawyers who provided Pro Bono Service	Number of lawyers who provided FPPB assistance	Percent of Lawyers who provided FPPB assistance
Private Firm	8,441	490	5.8%
Corporate Counsel	490	19	3.9%
Government	707	37	5.2%
Legal Services Org.	135	8	5.9%
Public Interest Org.	95	6	6.3%
Not Practicing	412	27	6.6%
Total	10,280	587	5.7%

Among lawyers in Private Firms, about seven percent of lawyers who practice solo provided assistance through the FPPB, followed by those in small firms (Table 23). This is in contrast to the fact that about one percent of lawyers in extra large firms provided assistance through the FPPB.

Table 23. Percent of Lawyers in MD who Provided FPPB Assistance by Firm Size

Firm Size	Number of Lawyers who provided Pro Bono Service	Number of lawyers who provided FPPB assistance	Percent of Lawyers who provided FPPB assistance
Solo	4,992	367	7.4%
Small	2,260	144	6.4%
Medium	1,131	41	3.6%
Large	461	12	2.6%
Extra Large	1,082	13	1.2%
Total	9,926	577	5.8%

VI. VOLUNTARY DONATION TO MARYLAND LEGAL SERVICES PROVIDER

Beginning in 2011 reporting cycle, we added one web page where lawyers are asked to consider making one-time voluntary donation to a Maryland legal services provider upon completing online reports. If lawyers would like to make a donation, they can indicate the amount in the box provided, and select the DONATE button for the program to whom they would like to contribute, which leads them to the donation page of the organization. If lawyers prefer not to make a donation, they can simply select the button "NOT AT THIS TIME" button at the bottom of the page.

As the "Amount" field only indicates the amount they plan to donate, the following results should be read carefully as the amount field only provides unconfirmed information about

the donations. We have no way of knowing whether the indicated donations were actually materialized or not.

With the cautionary note, our result shows that 691 donations were indicated from 576 lawyers for a total of \$59,291. Some lawyers indicated that they intended to make donations to multiple organizations, and one lawyer donated \$10 to all 34 organizations on the list. The following table shows the result.

Table 24. Donations to Maryland Legal Services Provider

Maryland legal services provider	Donation Total
Allegany Law Foundation	\$ 235
Alternative Directions, Inc	\$ 260
Asian Pacific American Legal Resource Center	\$ 460
Baltimore Bar Foundation, Legal Services for the Elderly	\$ 795
Baltimore Neighborhoods, Inc	\$ 730
CASA of Maryland	\$ 2,030
CASA, Inc	\$ 470
Catholic Charities DC	\$ 1,875
Catholic Charities of Balt. - Immigration Legal Svc	\$ 2,615
Community Law Center	\$ 755
Community Legal Services of PG Co	\$ 985
Domestic Violence Center of Howard Co	\$ 855
Harford Co. Bar Foundation	\$ 290
Heartly House, Inc	\$ 535
Homeless Persons Representation Project	\$ 2,585
House of Ruth	\$ 8,959
Maryland Crime Victims Resource Center, Inc	\$ 1,446
Maryland Disability Law Center	\$ 2,808
Maryland Legal Aid	\$ 7,792
Maryland Legal Services Corp	\$ 2,520
Maryland Public Interest Law Project	\$ 500
Maryland Volunteer Lawyers Service	\$ 3,680
Mid-Shore Council on Family Violence, Inc	\$ 460
Mid-Shore Pro Bono Project	\$ 510
Montgomery Co. Bar Foundation	\$ 2,705
Pro Bono Resource Center of Maryland	\$ 3,990
Public Justice Center	\$ 655
Sexual Assault / Spouse Abuse Resource Ctr. (Harford)	\$ 105
Sexual Assault Legal Institute – SALI	\$ 586
St. Ambrose Housing Aid Center	\$ 910
Univ. of Baltimore Students for Public Interest (UBSPI)	\$ 1,130
Whitman-Walker Clinic	\$ 1,880
Women's Law Center, Inc	\$ 2,370
YWCA of Annapolis & Anne Arundel Co	\$ 810
Total	\$ 59,291

VII. CONCLUSION

This report provides an objective analysis of information provided by licensed Maryland attorneys reporting on their pro bono activities during 2011 in comparison to previous years. Overall, probably reflecting the economic condition of the nation, lawyers certified to practice law in Maryland reported slightly lower level of pro bono activities as compared to the previous year. The proportion of lawyers who reported greater than '0' hours of pro bono service is down slightly, as well as the proportion of lawyers who reported 50 or more hours of pro bono service. A higher proportion of full time lawyers in Maryland provided pro bono services than full time lawyers in other states.

There were positive developments as well. In 2011, more lawyers reported financial contributions to organizations that provide legal services to people of limited means. For three years in a row, the financial contribution amount significantly increased, by about 11 percent from last year. In addition, beginning in 2011 reporting cycle, a donation web page was added to the online reporting system. Upon completing their online reports, lawyers are asked to consider making one-time voluntary donation to a Maryland legal services provider. Our result indicates 691 donations from 576 lawyers for a total of \$59,291.

The Foreclosure Prevention Pro Bono Project (FPPB) was initiated for homeowners who need legal counsel to prevent foreclosure. Beginning in 2008, the pro bono report included a question to find out what proportion of the pro bono hours that lawyers reported were spent on assisting homeowners in distress through the FPPB. This year's results show that 4.6 percent of lawyers who provided pro bono service reported providing assistance to homeowners. The total number of hours to provide assistance to homeowners was 12,985 hours (1.1 percent of the total pro bono service hours).

This report intended to take a closer look at full time lawyers in Maryland who provide 50 or more pro bono hours. The results show that more effort should be placed not only to promote pro bono service hours among lawyers who do not provide pro bono services - but also to convince full time lawyers in Maryland to provide more than 50 hours of service. We note that there are hurdles to overcome – such as: 1) more Maryland lawyers are in smaller firms than those in other states; and 2) a sizeable proportion of Maryland lawyers serve in government or in other practice areas not traditionally amenable to providing pro bono services.

As the years progress, the pro bono report data have been able to provide concrete answers to many questions, showing changes in pro bono activities among Maryland lawyers and the impact of new pro bono initiatives. The data will serve as a valuable analytical tool to assist the Judiciary in determining how the Maryland Bar is meeting the aspirational pro bono service goals outlined in the Rules.