

KEY FINDINGS FROM 2017 MARYLAND PRO BONO REPORTING RESULTS

Maryland Rule 19-503 requires all Maryland attorneys authorized to practice law in the state to annually report on their pro bono activities. The definition of pro bono service was redefined by the Court of Appeals in Rule 19-306.1 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. The Administrative Office of the Courts administers the process for compiling the reporting results. Some of the key findings from the *Current Status of Pro Bono Service Among Maryland Lawyers, Year 2017* report are summarized below.

Compliance Rate

- 40,215 Maryland lawyers out of 40,420 filed their pro bono service reports by the final cutoff date and were included in the report, representing a 99% compliance rate. The vast majority filed online (89%).

Demographics of Bar

- Only about 56% of all lawyers certified to practice in the state reported a business address in Maryland. Among full-time Maryland lawyers, **68.1% practiced in a private firm** (as compared to 54% of all lawyers licensed), with 21.4% working in government and 10.8% identifying as corporate counsel. Only approximately 71% of those licensed practiced full-time (i.e., not retired, part-time, a judicial clerk or judge).
- Top five jurisdictions in which lawyers identified as their primary jurisdiction in which they practiced (ranked in order of highest):
 - Montgomery County
 - Baltimore City
 - Baltimore County
 - Prince George’s County
 - Anne Arundel County
- Top five areas of practice:
 - Litigation
 - Other
 - Government (11% of all lawyers; 6.6% of MD full-time lawyers)
 - Corporate/Business
 - Criminal
- Median admission date of practitioners was 1998 (in practice 19 years)

Amount of Pro Bono Service

- Among **full-time lawyers practicing in Maryland**, **52.1% reported engaging in some type of pro bono activity** (compared to 53% in 2016). Among all licensed lawyers, 41.2% reported engaging in some type of pro bono activity.
- The **longer someone had been in practice, the more likely they were to render pro bono service**. In fact, those admitted to the bar within **five to ten years reported the lowest pro bono hours** (followed by those with less than five years).
- Lawyers **provided a total of hours of 1,160,906 hours of representational pro bono legal service in 2017, an increase of 10,701 hours** from the prior year (1,150,205 hours reported in 2016). The **vast majority of full-time lawyers practicing in Maryland and engaging in pro bono donated somewhere between 10 – 50+ hours** (21.6% reporting 10-49 hours; and 19% reporting more than 50 hours).
- Among all **full-time lawyers in Maryland, 19% met the goal of 50 hours or more** of pro bono service. As years of practice increased, so did the percentage of lawyers reporting more than 50 hours of service with the highest being those in practice for more than 25 years (24.5%). The Eastern part of the state demonstrated the highest percentage of lawyers providing over 50 hours (33.3%).

Type of Pro Bono Service

- Tracking Rule 19-306.1, the breakdown of services provided by lawyers practicing in Maryland was as follows:
 - 57.5% rendered their services to people of limited means;
 - 15.5% assisted organizations serving people of limited means;
 - 22.4% gave organizational help to non-profits; and
 - 4.7% worked with entities on civil rights matters.

Combining those who provided service to individuals of limited means with those assisting organizations serving the low-income community, **approximately 73% of the pro bono services provided directly impact the poverty population** (a 3.7% increase from last year).

- Of those hours donated to assist people of limited means, 43.8% (of those to individual clients and to those organizations serving the poor) were referred *through* a pro bono or legal services organization (a slight increase from last year).

Geographic Distribution

- Once again, full-time Maryland lawyers in the **Western and Eastern parts of the state reported the highest** percentage of pro bono participation. Lawyers in Garrett County reported the highest percentage of lawyers rendering some pro bono service (77.8%), with Somerset County coming in second (76.9%), followed by Cecil County (76.2%).

- Lowest levels of participation by percentage in order were: Howard, Anne Arundel, Montgomery, Harford and Charles Counties and Baltimore City.

Practice Areas

- **The percent of lawyers who provide pro bono services differ greatly depending on their practice areas.** For those who claim General Law as their practice area, 32% provided more than 50 hours of pro bono, followed by those practicing Elder Law and Family/Domestic Law. Similarly, more than 73% of the Elder Law lawyers engaged in some pro bono service, followed by 70.7% of those in Family/domestic, 70.1% in Trust and Estates practice and 67.8% doing Bankruptcy Law.
- The **largest number of pro bono hours** was donated in the **family/domestic** practice area. Primary practice areas identified by lawyers do not necessarily correspond to the areas in which pro bono services are rendered. (See chart below).

Comparison of Practice Areas from 2017 Reporting Results

Rank	<u>Pro Bono Service Area</u>	<u>Primary Practice Area</u>
1	Family/Domestic	Litigation
2	Corporate/Business	Criminal
3	Other	Corporate/Business
4	Criminal	Family
5	Real Estate	Real Estate

- Even so, there is a high correlation between practice area and pro bono area of practice. Full-time lawyers generally provide a **high percentage of their pro bono service in their primary practice area.**

Obstacles to Engaging in Pro Bono Service

- About half of the lawyers answered the question as to why they did not engage in pro bono service. Among full-time lawyers in the state, **55.5% stated they lacked the time.** Another 21.3% reported that they prefer “non-legal charitable work.”
- While **government lawyers** constituted over 21% of the full-time lawyers licensed in the state, as a whole they provided the fewest pro bono hours than those in other offices (83% reporting no pro bono hours). In addition to lack of time and preference for non-

legal charitable work, they had higher concerns about being “prohibited by their employer” and conflicts of interest” than their counterparts.

- Less than one quarter of those surveyed responded to the question as to why they did *not* participate in pro bono through an outside organized legal services program. Their primary reason was that clients come to them directly; that represented 67.1% of the full-time lawyers in Maryland who responded. The second most common reason was that they were never contacted by an organization (11.4%). *[It may be assumed that those working with a legal services program did not respond.]*

Size and Type of Firm/Office

- As borne out consistently over the years, a **larger percentage of solo and small firm practitioners and those in “extra-large” firms** (those with 50+ lawyers) **engaged in the most pro bono work**. Among full-time Maryland-based lawyers, 72.7% of the solo practitioners followed by extra-large firms at 67.3% and 64.1% of small firm members reported some pro bono service. In medium sized firms, 51% report some pro bono, and in large firms, 48% reported hours. With the exception of the extra-large firms, in general, as the firm size increased, the pro hours reported decreased.

Hours to Improve the Law and Financial Contributions

- **7,238 lawyers reported** participating in activities related to improving the law, legal system or legal profession for a total of 371,377 hours.
- The reported **financial contribution** to a legal services organization serving people of limited means **increased to \$5,634,476** (up from \$4,963,446 in 2016). Those in Central Maryland and the Capital region contributed the most. Top financial contributors percentage-wise were from those in areas not with the highest pro bono hours, namely; health, other, bankruptcy, employment and environmental practices.

Summarized by:

***Court of Appeals’ Standing Committee on Pro Bono Legal Service
and***

Pro Bono Resource Center of Maryland

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