



The Law Society

Solicitors' pro bono work
Law society annual individual omnibus survey 2010
Report 5

supporting
solicitors

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1.0 Executive Summary

In spring 2010 a random sample of 1,200 solicitors were interviewed by telephone about issues affecting their working lives. In order to calculate the approximate value of pro bono work provided by private practice a series of questions were placed on the survey to identify the number of hours solicitors spent working for clients on a pro bono basis¹ and their charge out rates.

- Almost three fifths of practising certificate (PC) holders (59 per cent) had conducted pro bono work at some point during their legal career. One-half of private practice solicitors (42 per cent of all PC holders) had undertaken pro bono work in the 12 months prior to the survey. This represented a slight, but not statistically significant, increase in the proportion of private practice solicitors conducting pro bono work in 2009 (48 per cent).
- In 2010 just less than one half of assistant / associate solicitors (45 per cent) had undertaken pro bono work during the 12 months prior to the survey, representing half of all private practice solicitors conducting pro bono work. Around one third of solicitors offering pro bono services were equity partners (34 per cent), nine per cent were salaried partners, four per cent were sole practitioners and two per cent were consultants.
- Within private practice, almost two thirds of equity partners (64 per cent), around half of sole practitioners (52 per cent) and salaried partners (46 per cent) had undertaken pro bono work during the previous 12 months.
- Overall, private practitioners conducting pro bono work over the past year had spent on average 45 hours working with pro bono clients, the same as in 2009. The number of pro bono hours reported was greater in 2010 than in 2009 for sole practitioners, equity partners and consultants. Salaried partners in 2010 reported working fewer pro bono hours than their counterparts in 2009. The number of hours worked by assistant / associate solicitors in 2010 remained the same as in 2009.
- The estimated value of pro bono work provided by private practitioners over the past 12 months was £475m. This was an increase of 19.1 per cent on the value of pro bono work provided by private practice solicitors in 2009 and represents an estimated 2.3 per cent of the total gross fee income for private practice in 2010.

¹ For the purpose of this survey, 'pro bono work' was defined as the 'delivery of free legal services to individuals, organisations and communities in need'.

2.0 Method

Telephone interviews were conducted with 1,200 PC holders across England and Wales during spring 2010. A random sample was taken from the Law Society's REGIS database of PC holders working in private practice, central and local government, as well as commerce and industry. Each interview lasted approximately 20 minutes. The overall response rate for the survey was 83 per cent. For more detail, please refer to Appendix 1.

3.0 Findings

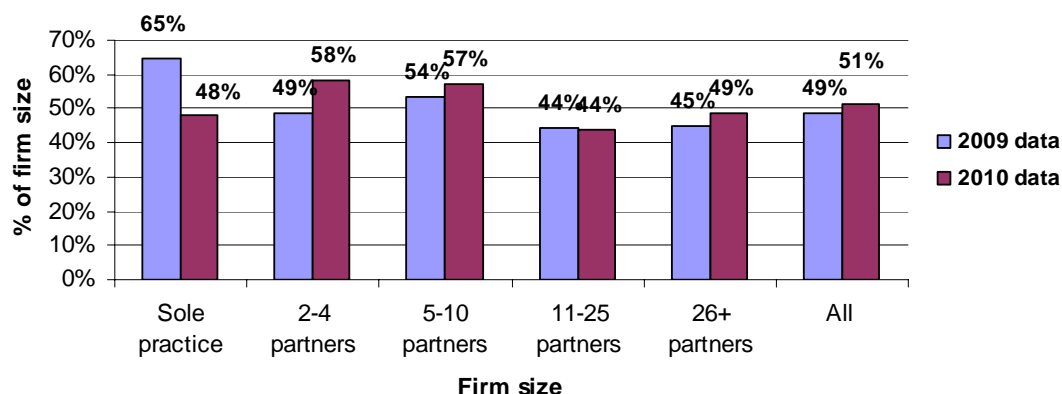
3.1 Pro bono work undertaken by all PC holders

- Almost three-fifths of all PC holders (59 per cent) indicated they had undertaken pro bono work at some point in the past and around two-fifths (42 per cent) had conducted pro bono work during the 12 months prior to the survey.
- Solicitors working in private practice were around three times more likely to have undertaken pro bono work in the previous 12 months (50 per cent) than those working in commerce and industry (15 per cent) or in government (17 per cent). Of all solicitors doing pro bono work, 91 per cent worked in private practice, six per cent worked in commerce and industry and two per cent worked in the government sector.
- The proportion of solicitors who had conducted pro bono work during the 12 months prior to the survey was largely consistent with 2009 figures. Government solicitors in 2010 were almost twice as likely as their 2009 counterparts to have undertaken pro bono work in the previous 12 months (2009 being nine per cent with 2010 being 17 per cent).

3.2 Pro bono work undertaken by private practitioners

- The proportion of solicitors working in private practice having conducted pro bono work during the twelve months prior to the survey had increased slightly, (although not significantly) from 48 per cent in 2009 to 50 per cent in 2010.
- As in 2009, a similar proportion of solicitors working within each firm size band had undertaken pro bono work during the past year. Chart 1 below.

Chart 1: Proportion of solicitors conducting pro bono work in past year, by size of firm (2009-2010)



Unweighted bases (2009=683, 2010=602)

- Almost two-thirds (64 per cent) of equity partners and around half of sole practitioners (52 per cent) had conducted pro bono work in the previous 12 months compared to just under one-half of salaried partners (46 per cent) and about one-third (45 per cent) of assistant/associate solicitors.

3.3 Hours of pro bono work undertaken

Table 1 below provides the proportion of each private practice grade undertaking pro bono work during the 12 months prior to each respective survey and the average number of hours spent on pro bono clients over the same period. The mean number of pro bono hours worked by sole practitioners and equity partners was influenced by outliers² in 2010. With the exception of assistant / associate solicitors, the proportion of each practice grade conducting pro bono work in 2010 was smaller than in 2009. The proportion of assistant / associate solicitors in 2010 was nine percentage points greater than in 2009. The average number of pro bono hours reported was greater in 2010 than in 2009 for sole partners, equity partners and consultants, was the same for assistant / associate solicitors and smaller for salaried partners.

The overall average number of hours worked by solicitors in 2010 remained the same as in 2009 at 45 hours (using the mean). This is a likely reflection of the number of assistant / associate solicitors conducting pro bono work, half of all solicitors working for pro bono clients within the last year were assistant / associate solicitors (Chart 2).

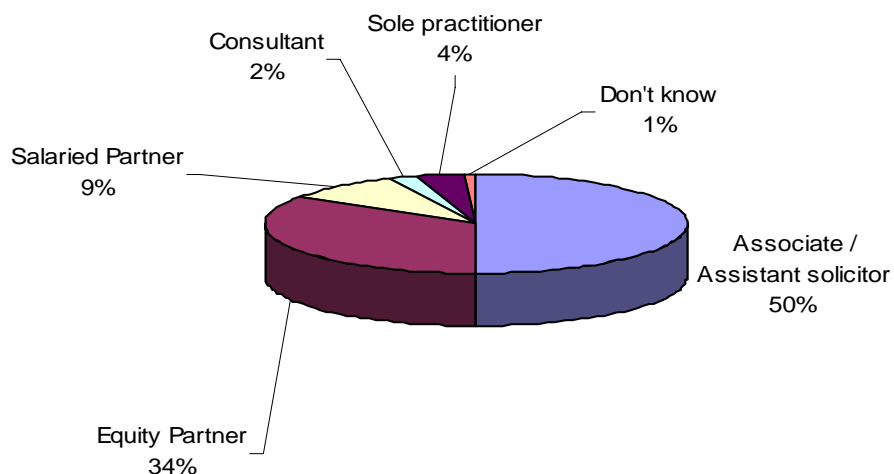
² On equity partner reports conducting 1056 hours and one sole practitioner reports working 700 hours for pro bono clients.

Table 1: Proportion of practice grade undertaking pro bono work and average number of hours (mean) undertaken in the previous twelve months, (2007, 2009 and 2010)

	2007		2009		2010	
	% of private practice grade	Average number of hours (mean)	% of private practice grade	Average number of hours (mean)	% of private practice grade	Average number of hours ³ (mean)
Sole Practitioner	34	61	68	70	52	122
Equity partner	34	48	69	51	64	58
Salaried partner	40	49	52	58	46	39
Assistant/associate	66	32	36	34	45	34
Consultants			52	35	46	86
All	51	43	48	45	50	45

Unweighted bases, 2009=342, 2010=351

Chart 2: Private practice grade of solicitors conducting pro bono work 2010



Unweighted base=354

³ Based on 274 individuals (74 individuals were unable to state how many hours of pro bono work they had undertaken).

- Solicitors in senior positions reported undertaking a greater number of pro bono hours compared to assistant/associate solicitors, a likely reflection of the relationship between seniority and autonomy (Table 1 above). Sole practitioners, on average had undertaken 122 hours of pro bono work, compared to the 34 hours reported by assistant / associate solicitors.
- Whilst overall there appeared to be no change in the average number of hours of pro bono work reported in 2009 and 2010, differences were found in relation to the size of firm in which pro bono solicitors worked (Table 2 below). In 2009 solicitors working in two to four partner and 11 to 25 partner firms had reported the highest number of pro bono hours on average. In 2010, solicitors working in firms with 5 to 10 partners reported the highest average (71 hours) followed by those working in sole practices (68 hours).
- In both 2009 and 2010, individuals working in the largest firms with 26 or more partners reported spending the least time on pro bono clients (33 hours on average in 2009 and 31 hours in 2010).
- The largest positive difference between hours spent on pro bono work in 2009 and 2010 was found in relation to individuals working in firms with 5 to 10 partners. In 2009 respondents working in such firms reported undertaking on average 44 hours of pro bono work, in 2010 this figure was greater at 71 hours. The largest negative difference reported came from respondents from firms with 11 to 25 partners. In 2009 the average number of pro bono hours worked was 58 in 2010 this number was a much lower 33 hours.

Table 2: Average (mean) number of hours of pro bono work undertaken over the previous year (2007-2010)

Size of firm in which respondent works	Average (mean) number of pro bono hours worked			2009-2010 Difference in hours
	2007 (n=342)	2009 (n=305)	2010 (n=313)	
Sole practice	52	55	68	13
2-4 partners	55	60	53	-7
5-10 partners	49	44	71	27
11-25 partners	38	58	33	-25
26+ partners	31	32	31	-1
All	43	45	45	0

3.4 The financial value of pro bono work

The estimated value of pro bono work provided by private practitioners over the past 12 months was £475,726,032. This was an increase of 19.1 per cent on the value of pro bono work provided by private practice solicitors in 2009 (£399m) and represents an estimated 2.3 per cent of total gross fee income for 2010⁴. This is a similar proportion to that found in 2009, 2.1 per cent of total gross fee income.

The 2010 calculation was based on the 259 respondents who gave an absolute number of pro bono hours undertaken over the past twelve months and their charge out rate. The average number of pro bono hours for this group was 45 hours and the average charge out rate was £258. The financial value of pro bono work was £11,191 (2009 was £9,983), which taken over all private practitioners represents approximately £5,484 (2009 was equal to £4,791).

Table 3: Trends in the value of pro bono work - 2007, 2009 and 2010

	2007	2009	2010
Average charge out rate	£192	£232	£258
Average number of hours	43 hours	45 hours	45 hours
% undertaking pro bono	51%	48%	50%
All in private practice	82,557	83,329	86,748
Total value (sample)	£8,200	£9,983	£11,610
Total value (all)	£4,100	£4,791	£5,805
Value for all Private practice	£338,483,700	399,229,239	£475,726,032
% of total gross fee income	1.9	2.1	2.3
Estimated total GFI £m	£18b (estimated)	£19b (estimated)	£20b (estimated)

⁴ Estimated gross fee income for 2009-2010 was approximately £20bn based on annual change (2009-2010) in private practice solicitors and change in the Retail Price Index (Jan-June 2010).