

KEY FINDINGS FROM 2016 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 2016* report are summarized below.

Compliance Rate

- 39,800 Maryland lawyers out of 40,186 filed their pro bono service report by the final cutoff date and were included in the report, representing almost full compliance.

Demographics

- 41% of lawyers reported practicing out-of-state
- Top five jurisdictions in which identify as primary location (ranked in order of highest):
 - Montgomery County
 - Baltimore City
 - Baltimore County
 - Prince George’s County
 - Anne Arundel County
- Median admission date of practitioners is 1998
- Primary areas of practice:
 - Litigation
 - Criminal
 - Corporate/Business
 - Family
 - Real Estate
 - Government (11% of all lawyers; 6.9% of MD lawyers)

Amount of Pro Bono Service

- Among **full-time lawyers practicing in Maryland, 53% reported engaging in some type of pro bono activity** (compared to 53.7% in 2015). Among all licensed lawyers, 41.7% reported engaging in some type of pro bono activity. The longer someone has 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**.
- Lawyers provided a **total of 1,150,205 hours** of representational pro bono legal service in 2016 (compared to 1,143,992 hours in 2015). In breaking these figures down further this year, the **majority of full-time lawyers donated somewhere between 10 – 50+ hours** (19.2% reporting 10-49 hours; and 19.2% reporting more than 50 hours).

- Of the **full-time lawyers in Maryland, 19.9% reported 50 hours** or more of pro bono service. The Eastern part of the state demonstrated the highest percentage of lawyers providing over 50 hours (34.1%).

Type of Pro Bono Service

- Tracking Rule 19-306.1, the breakdown of services provided by lawyers practicing in Maryland was as follows:
 - 52.6% rendered their services to people of limited means;
 - 16.7% assisted organizations serving people of limited means;
 - 22% gave organizational help to non-profits; and
 - 8.7% 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 69.3%** of the pro bono services provided **directly impact the poverty population**, a slight increase from last year.

- Of those hours donated to assist people of limited means, 43% (of those to individual clients and to those organizations serving the poor) were referred *through* a pro bono or legal services organization, a decrease from last year (44.3%).

Geographic Distribution

- The **Eastern Shore (70.7%) and Western Maryland (65.7%)** continued to **report higher proportions** of lawyers rendering pro bono services overall than lawyers in other regions. Lawyers in Garrett County again reported the highest percentage of lawyers rendering some pro bono service (68.6%), with Talbot County coming in second (68.1%), followed by Allegany County (63.8%).
- Among **full-time lawyers in Maryland**, Talbot County topped the ranking at 78.9%, with Somerset (75%) and Wicomico (74%) Counties next in line with the highest percentage of pro bono hours. Lowest levels of participation include: Anne Arundel, Montgomery, Charles, Howard and Baltimore City.

Practice Areas

- 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 (or needed). (*See chart below*).

Comparison of Practice Areas from 2016 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

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- 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.**

Motivational Factors (NEW)

This year for the first time, the Court of Appeals' Standing Committee on Pro Bono Legal Service added two questions to determine why some lawyers chose to work outside of an organized legal services program and why others did not engage in pro bono service.

- Less than one quarter responded to the question as to why they did *not* participate in pro bono through a legal services program. Their primary reason was that clients come to them directly; that represented 58.2% of the full-time lawyers in Maryland who responded. The second most common reason was that they were never contacted by an organization. (*It could be assumed that those working with a legal services program did not respond.*)
- As to why lawyers did *not* engage in pro bono service, approximately 50.8% responded, with 53.8% of those responding stating lack of time as their reason. Another 29.9% reported that they prefer “non-legal charitable work.”

Size and Type of Firm/Office

- As borne out consistently over the years, a **larger percentage of solo and small firm practitioners engage in pro bono work.** Among full-time Maryland-based lawyers, **71.5% reported some pro bono; followed by extra-large firms at 67.1%. Small firms were close behind at 65.5% compared to 52.5% in medium sized firms and 48.1% in large firms.** In general, as the firm size increases, the pro hours reported decreases. The exception is the extra-large firm.
- **While they constitute about 20% of the lawyers licensed in the state, government lawyers overall provided fewer pro bono hours** than those in other offices. The primary reasons given for not doing pro bono work are that they are “prohibited by their employer” and conflict of interest. Approximately 80% of the full-time Maryland bar members employed by a government agency did not provide any pro bono service.

Summarized by:

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

Pro Bono Resource Center of Maryland

For further information, contact:

Sharon E. Goldsmith at: sgoldsmith@probonomd.org

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