



Engaging Law Firm Leaders in Pro Bono & Maintaining Lawyers' Interest

Presenters

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Baker & McKenzie International is a Swiss Verein with member law firms around the world. In accordance with the common terminology used in professional service organizations, reference to a “partner” means a person who is a partner, or equivalent, in such a law firm. Similarly, reference to an “office” means an office of any such law firm.

Three constituencies:

- The Partners
- The Lawyers
- The Community

The “drive” comes from the middle (ie the lawyers), but the needs and expectations of each constituency must be balanced

Two Preliminary Points

- It's a change management/cultural change exercise; it must be supported from the top but is not driven from the top, so programs must anticipate the needs and expectations of firm leadership
- Different types of support – but does it matter to you?
 - Support in principle
 - Actual Participation

Some Potential Motivators: The “WHY?”

Dispel the “Opportunity Cost” Myth:

- Pro Bono is NOT an opportunity cost
- An hour devoted to Pro Bono is not an hour of lost revenue for the firm

(University of Wisconsin study)

The Business Case for Pro Bono

- Make the business case
- A warning:
 - Plant seeds but don't tie yourself to it!
 - Don't assume that everyone needs to be swayed by the business case

Altruistic Motives

Pro Bono fulfils an important professional responsibility of lawyers

Remind your Firm leadership that:

- There is a compelling unmet need for Pro Bono legal services in our community
- Pro Bono work allows us to help meet that need.

The Business Benefits

- Law Firms as part of the CSR supply chain
- Skills acquisition and acceleration
- Staff morale
- Recruitment & retention
- Firm reputation/business development

Corporate Social Responsibility

- Has shifted from the margins to the mainstream of business practice
- Is firmly on the agenda for a significant number of our clients
- Law firms are part of the CSR Supply Chain
 - Corporations now seek to satisfy themselves that the suppliers of their goods & services (including legal services) are socially responsible
 - Increasing incidence of RFP's / RFT's asking questions about pro bono, community investment and diversity

Skills acquisition and acceleration

*Pro Bono matters facilitate skills acquisition” far more independently and at an earlier stage than comparable work for commercial clients”
(Lardent, 2000)*

Skills Acquired:

- Advocacy
- Client interaction (including dealing with difficult clients)
- Issues analysis
- File & case management
- Recognising & handling professional & ethical issues
- Research
- Drafting
- Negotiation
- Autonomy
- Leadership
- Clear Communication

All Skills which are directly transferable to commercial practice.

- Enhances morale as lawyers and staff feel good about giving back to the community
- Supports recruitment & retention of high-calibre lawyers
Cost of replacing a lateral...
- Reputation / Business Development

Appeal to their competitive natures!

The Psychological Profile of the Law Firm...

What are our competitors doing?

“Our local and global competitors are committing significant resources to formalising and expanding their Pro Bono, community service and CSR programs”

Pro bono is not
marketing!

Pro Bono Drivers and Champions: The “WHO?”

Who already supports Pro Bono?

Who can be won over (& who can't)?

Know your Firm!

The partners own the Firm (and the Pro Bono Program)

Building Support: The “HOW?”

“Under the Radar” v “On the Record”

Make your program defensible or
“obstruction proof”

Apply the same rigour to your program as
other parts of the Firm

The “free rider” effect

Collective versus individual action

Manage risk

Diversify your Pro Bono offerings to match:

- The business structure of your Firm
- The interests & passions of your people
- The actual or desired skill–set of your people

Identify the disincentives to Pro Bono participation:

- Partner attitude?
- Fee Credit / Budget?
- Training / Supervision?

Address them

Get the most persuasive of your supporters to communicate regular, strong, consistent messages of support for Pro Bono

Share positive stories

Recognise and Reward participation

Thank in advance

Recognise and be prepared for the
challenges in this space

There are always new challenges!