

## Improving firm ROI through a pro bono program that efficiently develops law firm associates

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### Executive summary

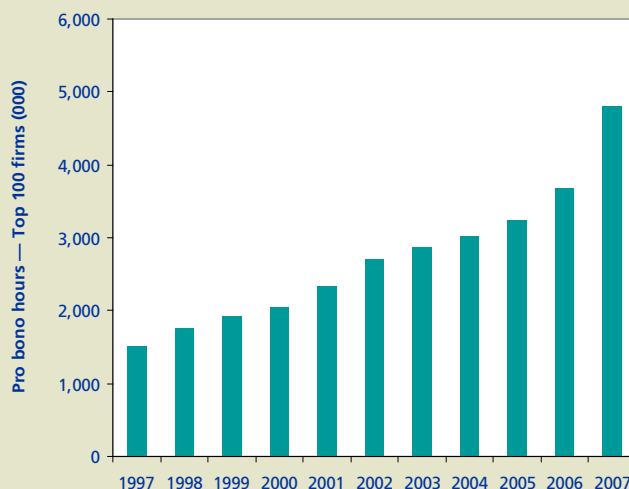
While pro bono work has remained a staple in law firms, growing significantly over time, it has been viewed largely as a means to contribute to communities and individuals in need. Many firms have not yet capitalized on the strategic possibilities and benefits of offering pro bono work. Pro bono work can provide unmatched development opportunities for talented associates — opportunities associates place high value on to grow their careers, develop their personal and professional networks and contribute back to their community. In addition, firms can use pro bono more strategically by aligning project needs to associate development needs, thereby better developing their talent, reducing attrition, and improving overall firm ROI.

Pro bono work has been a growing component of the law firm experience for years. Average pro bono hours at the top 100 U.S. law firms have more than doubled since 2000. Law firms support their associates in engaging in pro bono work for a variety of reasons: to gain an advantage in recruiting; to provide training for new associates; to increase retention by providing varied work that improves satisfaction levels; and to strengthen their marketing and business development efforts. Firms also value the opportunity to have a positive impact in their community.

Because of the ubiquitous nature of pro bono work (among the top 100 firms, the average number of pro bono hours was nearly 26,000 in 2007, up 13 percent from 2006, according to *The American Lawyer*) law firms have developed structures to govern and organize it. Few firms though, have invested in the infrastructure, technology,

and organization necessary to efficiently connect their associates to the right pro bono project at the right development point in their career. Without a systematic way of matching associates with opportunities, cases tend to repeatedly go to a small group of attorneys who become identified as pro bono enthusiasts, rather than being distributed more evenly throughout the firm.

Figure 1: Pro bono work



Source: The American Lawyer

Law firms run into significant challenges in connecting associates to pro bono opportunities, with few providing the systems to support the level and depth of pro bono work necessary to achieve the developmental benefits that it can provide. Currently, firms incent associates to take on pro bono work by offering billable credit, and other implicit and explicit rewards. A pro bono coordinator often works to identify worthwhile pro bono opportunities for associates to self select, without regard to fit or developmental benefits. From that point forward, the process to connect pro bono opportunities to the “right” associate breaks down.

- Individual partners champion pro bono causes, but typically work with a familiar group of associates, not expanding their circles to work with a different set of associates than those they work with on client matters.
- Associates are not connected with cases that address specific performance management/development gaps identified in their client work.
- Associates are not connected with external clients, organizations and contacts that can help them build a network in the community to further their careers

The pursuit of a fulfilling legal career can vary by individual. However, there are certain experiences and opportunities that all lawyers seek, regardless of practice area interest, firm size or type. These experiences include meaningful and substantial client interaction and the opportunity to develop specific skills, e.g., taking depositions, arguing in court, examining witnesses and making strategic decisions about the management of a case. Many attorneys also wish to spend some time on work that contributes to the social good of the community. Pro bono work affords all of these opportunities, and often these experiences come earlier in an attorney’s career than they otherwise would with typical client work. Since these opportunities are so highly valued by attorneys, firms need to champion the programs that provide them to best support their talent. Doing so can positively impact attorney retention and job satisfaction.

Indeed, the reasons for firms to focus on their provision of pro bono opportunities extend far beyond meeting individual associate objectives. As we discuss below, the staggering costs of attorney attrition and the specific reasons associates cite for leaving their firms point to the ROI that can be achieved through successful pro bono programs. Consequently, we believe the business imperative for a robust pro bono program – one that connects the right lawyer to the right opportunity, at the right time – is associate retention and development.

**Associate recruiting and retention:** Pro bono work can improve a firm’s ability to attract associates and to extend an associate’s tenure; the first major area of payback. For many students coming out of law schools, pro bono opportunities are a priority in evaluating potential employers. A strong pro bono program is a major asset in attracting highly qualified candidates; accordingly, most large firms emphasize their pro bono programs to candidates in their recruiting materials, prominently on their Web sites and in reference materials, such as the *Vault Guide to Law Firm Pro Bono Programs*.

The costs involved in replacing associates are staggering, especially once these associates progress to the mid and senior associate levels. In a recent industry study, cumulative attrition for associate hires directly from law school exceeded 50 percent within the first four years of the associate class joining the firm<sup>1</sup> and, using very conservative figures, the cost to replace an associate exceeds \$100,000<sup>2</sup> according to the National Association for Law Placement.

Pro bono work can specifically help firms address retention by providing opportunities for associates to “connect” and “develop” their career, which could reduce the likelihood of attrition. Providing opportunities for associates to deliver meaningful value

to causes they feel deeply about can help create the engagement necessary to differentiate work in their career. This links closely to the next topic, associate development.

**Associate development:** In a recent study by Hildebrandt International,<sup>3</sup> two of the top three reasons for associate attrition related to the ability of law firms to connect lawyers to matters and partners focused on their development. According to the Hildebrandt study “Over the last 10 years [the lack of training, mentoring, and development opportunities] has been the single most common factor cited by departing associates, yet few law firms respond with meaningful programs.” Pro bono work provides tangible opportunities for associates to take on meaningful roles in cases far earlier than otherwise available through typical client work to grow their legal and client relationship skills. For a mid-level associate, leading a pro bono matter can provide the client contact and professional development rarely available on other matters.

In addition to concerns about developmental opportunities, the Hildebrandt study reported that “Associates cite the lack of Partner contact, which is closely linked to the absence of effective mentoring programs, as a primary reason for [attrition].” Pro bono work, especially when linked to causes that Partners feel strongly about, tends to foster on the job training opportunities and lasting bonds between associates and Partners. The opportunity to work in a non-client atmosphere, on a matter where both the associate and the Partner are engaged, facilitates the casual conversation necessary to support a mentoring relationship.

### Developing a talent strategy that includes pro bono work

*Deloitte’s\* Talent Framework* provides a methodology for aligning pro bono opportunities and associate development. Firms can employ a talent strategy that analyzes and differentiates opportunities based on the needs of the associate and their individual career path (corporate, litigation, tax, etc.). Pro bono then becomes the solution that supports “core” talent needs such as learning and development and can become the “differentiating” events that improve retention, support accelerated development and enhance the associate value proposition.

### Efficiently connecting Associates to the “right” opportunity

Associates want the opportunity to engage themselves in pro bono work, but often run into a series of obstacles in finding the right opportunities for their career development. In most firms, the current pro bono assignment process is inefficient, but opportunities exist to automate and improve the process.

Increasing pro bono management efficiency requires a dedicated solution, such as Pro Bono Manager, a hosted application developed by Pro Bono Net, a national nonprofit that works to increase access to justice. Though Pro Bono Net’s big-picture goal is to help firms increase pro bono hours, such an automated solution can yield cost and time savings. Estimates show that such a product can save an average AmLaw 200 firm approximately \$18,000-\$30,000 per year in administrative costs, and can help firms avoid spending \$40,000-\$120,000 in IT costs, according to Pro Bono Net’s estimates. For attorneys involved in administering pro bono programs, automation can save hundreds of hours per year. The found time can be used to develop stronger relationships within the firm and with legal aid organizations. For attorneys the found time can be devoted to billable work, or supporting more people in need by taking on additional pro bono work.

Ultimately, pro bono work can serve a firm just as it can serve a community. The key to extracting value for the firm resides in aligning pro bono needs with attorney development needs and in

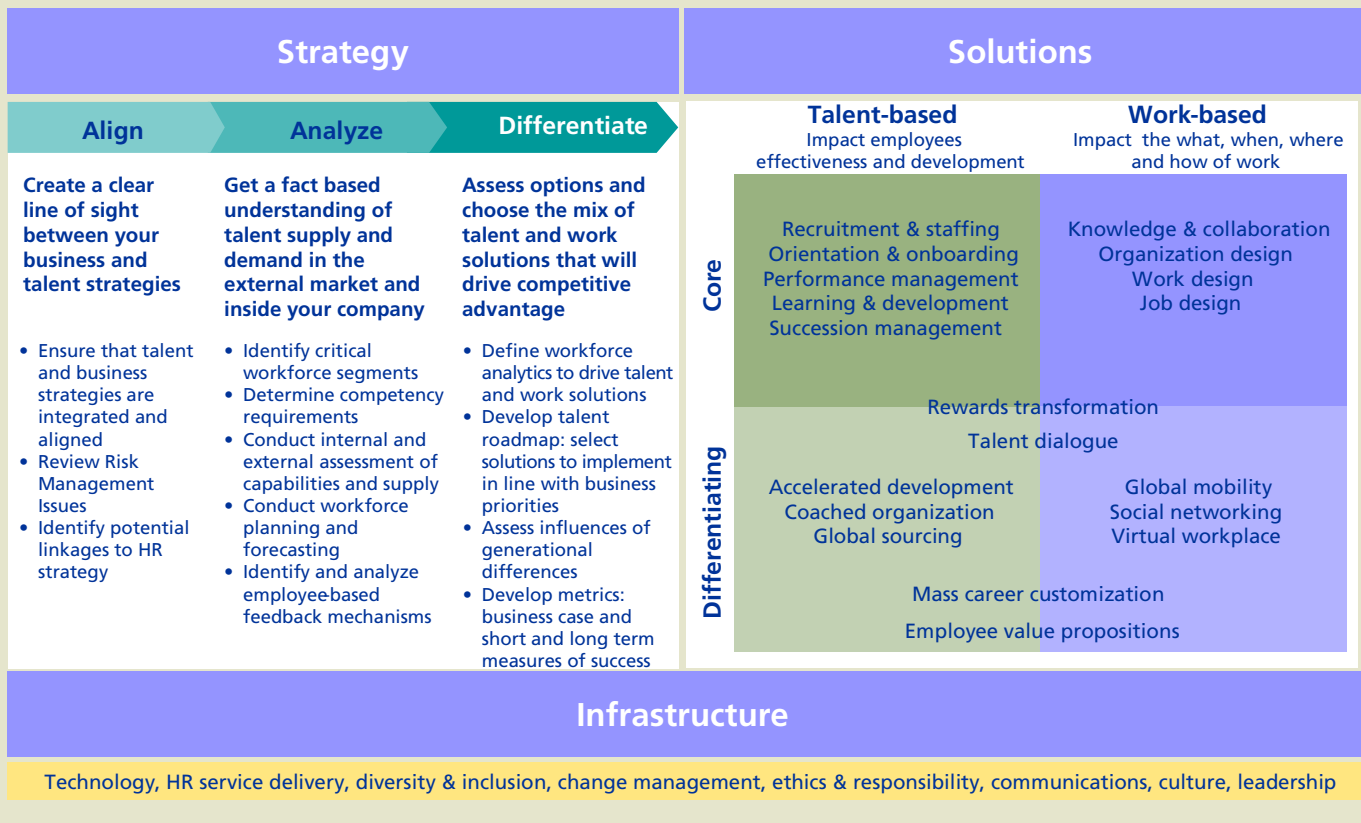
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1 Source: National Association for Law Placement: “Beyond the Bidding Wars”

2 Direct recruiting costs (agencies, referral bonuses and ancillary travel and expenses), indirect costs (partner and associate interview time), new associate ramp-up time to become fully billable and departing associate ramp-down time (as the departing associate becomes less billable in anticipation of resignation)

3 Source: National Association for Law Placement: “Why Associates Bail Out of Law Firm Life — and Why It Matters” November 14, 2007

Figure 2: Deloitte's talent framework



providing skillful management of pro bono opportunities. These can be done without significant cost to a firm, and can result in positive bottom line results for the firm, such as decreasing attorney attrition and improving associate skill development while providing associates with the direct benefits of providing service to the community.

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