

Longitudinal Analysis of Pro Bono Reporting: 2002-2012

*A Joint Report of the
MARYLAND ACCESS TO JUSTICE COMMISSION
and the
COURT OF APPEALS STANDING COMMITTEE ON PRO BONO LEGAL SERVICE*

April 2014

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Executive Summary

Maryland Rule 16-903, which took effect on July 1, 2002, requires all Maryland attorneys authorized to practice law in the state to annually report on their pro bono activities. There is a greater than 99% reporting compliance rate by attorneys statewide. Each year the Maryland Administrative Office of the Courts publishes a report compiling the data from the Pro Bono Legal Service Reports submitted by individual attorneys. Those annual reports are entitled *Current Status of Pro Bono Service Among Maryland Lawyers*, and are available at: <http://mdcourts.gov/probono/reportsinfopackets.html>.

This report presents a compilation of the results from the annual *Current Status* reports prepared for Calendar Years 2002 through 2012. The data is presented without analysis, but by looking at the results reported over this eleven-year period of time, several trends are notable.

Demographic Changes and Observations

- **The bar has grown significantly over this period.** The number of active lawyers went up by 6,625, an increase of 22%. (Page 4)
- **Many Maryland lawyers work outside the State.** Consistently, only about 60% of lawyers have their primary office in Maryland. (Page 5)
- **Maryland attorneys report working for government in record high numbers.** Those identifying as government attorneys equaled 19.8% in 2012, an increase from 17.8% in 2005. (Page 11)
- **A high number of lawyers report they do not actively practice law.** In 2012 that number reached 14% of the bar. (Page 11)
- **Solo practitioners have become a relatively larger percent of those working in firms.** Those reporting they worked solo increased by about 10% while those reporting they worked in small, medium and extra-large firms decreased. (Page 10)
- **Montgomery County has eclipsed Baltimore as the area where the greatest number of lawyers practice.** (Page 6)

Types of Legal Work Lawyers Do

- **Primary practice areas have been consistent over time, and do not clearly align with pro bono demand.** The top legal area where lawyers provide pro bono assistance has consistently been family law (Page 9), yet family has consistently been ranked as only the 7th most prevalent practice area for lawyers. Family practitioners make up about 5.6% of all active lawyers. (Pages 7 and 8)
- **The top five practice areas include Litigation, Corporate/Business, Other, Criminal, and Government; the top pro bono practice areas reported are Family, Corporate/Business, Real Estate, Litigation and Criminal.** (Pages 7-9)
- **A very small percent (about 1.4%) of Maryland lawyers work for a legal services organization providing legal help to people of limited means.** About another 1.6% report they work for a public interest organization. The pool of lawyers available to serve the needs of the poor is severely limited, increasing demand for the pro bono contributions of private counsel. (Page 12)

The Pro Bono and Financial Contributions of Maryland Lawyers

- **The number of hours of pro bono services provided by Maryland lawyers has increased by 16.75% since reporting began in 2002.** In 2012, attorneys reported providing 1.16 million hours of service. (Page 18)
- **Consistently, about one-half of those hours were provided to people of limited means.** The remainder were to non-profit organizations to further their organizational purposes, to non-profits in matters that address the needs of persons of limited means, and to civil rights matters, in that order of prevalence. (Page 19)
- **Financial contributions made by attorneys to organizations that provide legal services to people of limited means have increased dramatically, by 89% since 2002.** In 2012 attorneys reported providing over \$4.1 million to these organizations. (Page 21). The percentage of attorneys who make any financial contribution has increased since 2002 by about 14.65%. Approximately 18% of all lawyers reported making financial contributions in 2012. (Page 23)

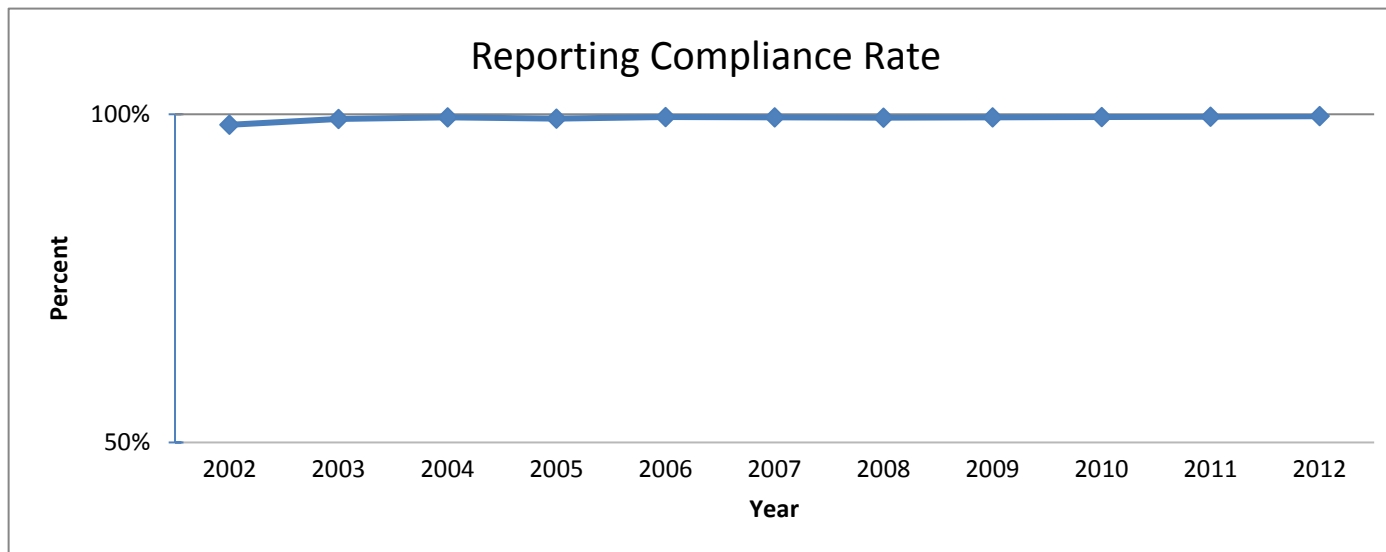
Performance in Light of the Aspirational Goals of MRPC 6.1

- **The percentage of full-time lawyers doing any pro bono has averaged 57.37% over the last eleven years.** While all lawyers are required to report on their pro bono activity, the aspirational standard of 50 hours per year articulated by Rule 6.1 applies only to those who practice law full-time. (Page 14)
- **The percent of full-time lawyers meeting the 50-hour aspirational goal increased by a relative 25.42% since reporting began.** In 2002 17.7% of full-time lawyers met that goal. By 2012 that had risen to 22.2%. (Page 15)
- **The percent of all lawyers and full-time lawyers reporting doing any pro bono has decreased slightly during the last eleven years.** The percent of all lawyers doing pro bono work over the eleven years averaged 46.99%. (Page 13) The percent of all lawyers doing pro bono decreased by a relative 6.49% over that period. (Page 13). The percent of full-time lawyers doing any pro bono decreased by a relative 1.89% over that same period. (Page 14)
- **Attorneys in the Western and Eastern regions of the state consistently report higher pro bono participation rates than their colleagues in other parts of the state.** (Page 16 and 17).
- **Elder law and family law attorneys are more likely to meet the 50-hour goal than their colleagues in other practice areas. Government attorneys are the least likely to meet the goal.** (Page 22).

Reporting Compliance Rate

Year	Reporting Compliance Rate
2002	97.80%
2003	99.02%
2004	99.36%
2005	99.08%
2006	99.40%
2007	99.37%
2008	99.31%
2009	99.35%
2010	99.40%
2011	99.46%
2012	99.59%

Maryland Rule 16-903 requires all Maryland attorneys authorized to practice law in the state to annually report on their pro bono activities. These charts illustrate the percentage of lawyers who complied with the rule by completing a Pro Bono Legal Services Report.

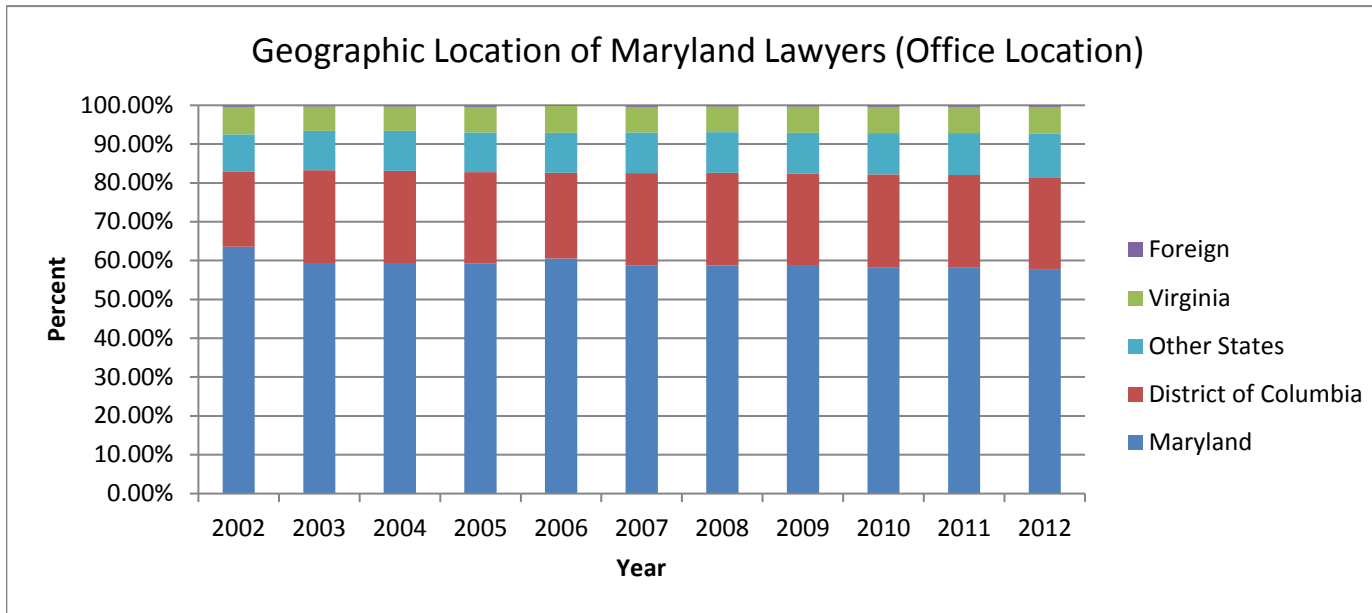


Number of Lawyers on Active Status in Maryland

Year	Number of Lawyers
2002	30,763
2003	31,469
2004	31,430
2005	32,290
2006	32,985
2007	33,688
2008	34,393
2009	34,967
2010	35,568
2011	36,474
2012	37,388
Increase	6,625
Increase %	22%

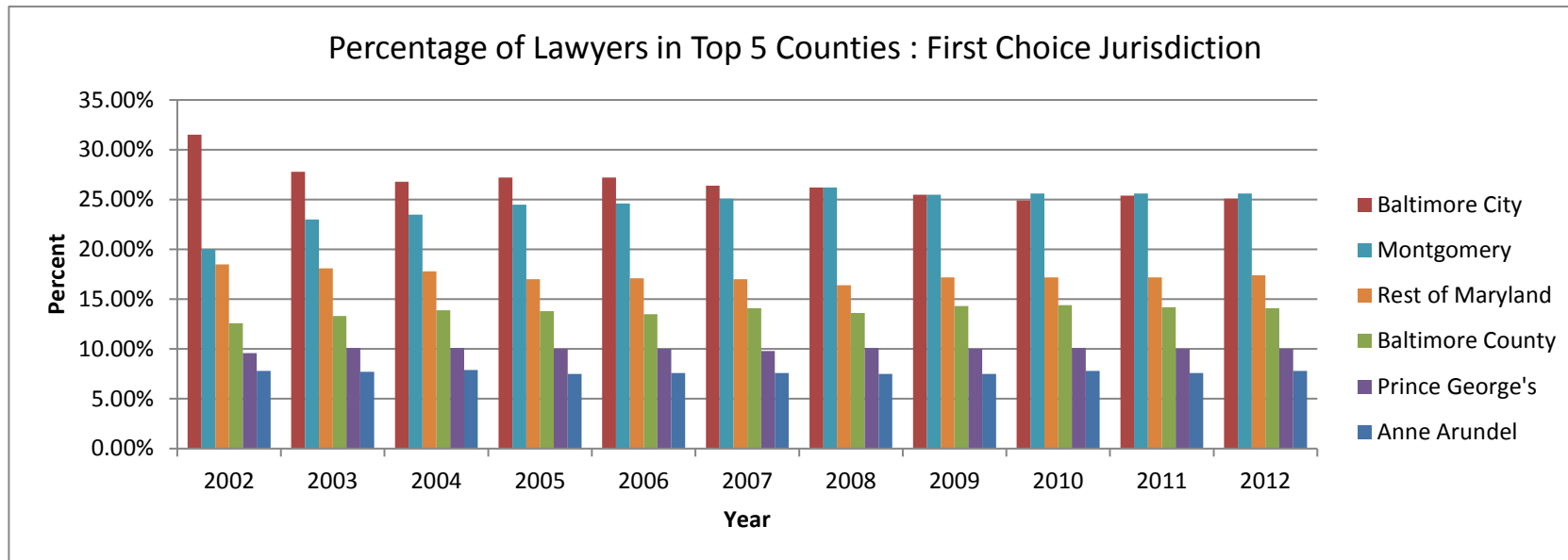
Geographic Location of Maryland Lawyers (Office Location)

Year	Maryland	DC	Virginia	Other States	Foreign
2002	63.60%	19.30%	7.10%	9.60%	0.30%
2003	59.40%	23.90%	6.30%	10.10%	0.10%
2004	59.40%	23.70%	6.30%	10.30%	0.30%
2005	59.20%	23.60%	6.60%	10.20%	0.30%
2006	60.50%	22.10%	6.90%	10.30%	0.30%
2007	58.80%	23.70%	6.60%	10.50%	0.30%
2008	58.70%	23.90%	6.60%	10.50%	0.40%
2009	58.60%	23.80%	6.80%	10.50%	0.30%
2010	58.30%	23.90%	6.80%	10.60%	0.40%
2011	58.30%	23.70%	6.80%	10.80%	0.40%
2012	57.80%	23.70%	6.90%	11.20%	0.40%



Percentage of Lawyers in Top 5 Counties: First Choice Jurisdiction

Year	Anne Arundel	Baltimore City	Baltimore County	Prince George's	Montgomery	Rest of Maryland
2002	7.80%	31.50%	12.60%	9.60%	20.00%	18.50%
2003	7.70%	27.80%	13.30%	10.10%	23.00%	18.10%
2004	7.90%	26.80%	13.90%	10.10%	23.50%	17.80%
2005	7.50%	27.20%	13.80%	10.00%	24.50%	17.00%
2006	7.60%	27.20%	13.50%	10.00%	24.60%	17.10%
2007	7.60%	26.40%	14.10%	9.80%	25.10%	17.00%
2008	7.50%	26.20%	13.60%	10.10%	26.20%	16.40%
2009	7.50%	25.50%	14.30%	10.00%	25.50%	17.20%
2010	7.80%	24.90%	14.40%	10.10%	25.60%	17.20%
2011	7.60%	25.40%	14.20%	10.00%	25.60%	17.20%
2012	7.80%	25.10%	14.10%	10.00%	25.60%	17.40%



Percentage of Lawyers Reporting an Area as their Primary Practice Area: First Choice

Year	Litigation	Corporate/Business	Government	Criminal	Real Estate	Family/Domestic	General	Other
2002	8.90%	9.50%	5.00%	7.40%	6.20%	4.80%	4.70%	3.50%
2003	13.50%	11.00%	9.10%	8.10%	7.20%	5.50%	5.40%	9.00%
2004	13.90%	11.10%	9.50%	8.00%	7.60%	5.50%	5.30%	9.20%
2005	14.10%	10.90%	7.90%	8.60%	7.80%	5.70%	4.30%	10.90%
2006	13.70%	10.80%	8.20%	8.70%	8.00%	5.80%	3.90%	11.10%
2007	14.40%	10.90%	8.30%	8.80%	7.50%	5.70%	3.90%	11.10%
2008	14.10%	11.00%	8.50%	8.80%	6.90%	5.60%	4.10%	11.30%
2009	13.90%	10.60%	8.90%	9.00%	6.70%	5.60%	4.00%	11.60%
2010	14.00%	10.60%	9.30%	8.80%	6.40%	5.50%	3.90%	11.50%
2011	14.20%	10.50%	9.20%	8.60%	6.30%	5.50%	4.00%	11.50%
2012	13.90%	10.50%	9.50%	8.70%	6.20%	5.60%	3.90%	11.50%
Average	13.51%	10.67%	8.49%	8.50%	6.98%	5.53%	4.31%	10.20%

Top 8 Practice Areas:

1. Litigation
2. Corporate/Business
3. Other
4. Criminal
5. Government
6. Real Estate
7. Family
8. General

When completing the Pro Bono Legal Service Report, lawyers may select up to three practice areas. The table on this page reflects the percent of lawyers who selected an area as their first choice practice area. The chart on the following page reflects the percent of lawyers who selected an area as one of their three practice areas.

Percentage of Lawyers Reporting an Area as their Primary Practice Area: All Selected Practice Areas

Year	Litigation	Corporate/Business	Government	Criminal	Real Estate	Family/Domestic	General	Other
2002	8.10%	9.50%	4.30%	6.70%	5.60%	5.30%	4.30%	3.20%
2003	13.60%	11.10%	7.40%	7.30%	6.80%	5.80%	5.20%	8.60%
2004	13.40%	11.20%	7.50%	7.40%	7.00%	5.80%	5.30%	8.90%
2005	14.10%	11.00%	6.50%	7.60%	7.20%	5.90%	4.60%	10.30%
2006	14.20%	11.00%	6.70%	7.50%	7.20%	5.80%	4.50%	10.70%
2007	14.40%	10.90%	6.70%	7.60%	6.90%	5.70%	4.50%	11.00%
2008	14.00%	10.80%	7.10%	7.60%	6.50%	5.60%	4.70%	11.20%
2009	13.70%	10.60%	7.40%	7.60%	6.40%	5.60%	4.70%	11.30%
2010	13.60%	10.50%	7.60%	7.50%	6.10%	5.50%	4.80%	11.40%
2011	13.80%	10.50%	7.50%	7.40%	5.90%	5.50%	4.70%	11.50%
2012	13.70%	10.30%	7.80%	7.40%	5.90%	5.50%	4.80%	11.40%
Average	13.33%	10.67%	6.95%	7.42%	6.50%	5.64%	4.74%	9.95%

Top 8 Practice Areas:

1. Litigation
2. Corporate/Business
3. Other
4. Criminal
5. Government
6. Real Estate
7. Family
8. General

Top 5 Pro Bono Practice Areas

Year	Family/Domestic	Corporate/Business	Litigation	Real Estate	Other	Criminal
2002	1	2	0	4	0	3
2003	1	2	5	4	3	0
2004	1	2	5	4	3	0
2005	1	2	5	4	3	0
2006	1	3	5	4	2	0
2007	1	2	5	4	3	0
2008	1	3	5	4	2	0
2009	1	2	4	5	3	0
2010	1	3	5	4	2	0
2011	1	2	4	0	3	5
2012	1	3	4	0	2	5

Top 5 Pro Bono Practice Areas Over Time:

1. Family
2. Corporate/Business and Other (tie)
3. Real Estate
4. Litigation
5. Criminal

On the Pro Bono Legal Service Report, lawyers are asked to indicate the areas of law in which they provided pro bono legal assistance. This table reflects the areas that were most often reported, with 1 being the most frequent and 5 the 5th highest for a given year.

Firm Size of Lawyers Reporting Practice in a Private Firm

Year	Solo	Small Firm	Medium Firm	Large Firm	Extra-Large Firm
2005	30.70%	22.20%	13.80%	6.50%	26.30%
2006	30.50%	22.10%	13.40%	6.90%	26.40%
2007	30.90%	21.50%	13.40%	7.20%	26.30%
2008	31.80%	20.90%	13.70%	6.80%	26.20%
2009	32.70%	21.10%	13.70%	6.70%	25.30%
2010	33.50%	21.10%	13.80%	6.60%	24.50%
2011	34.00%	21.10%	13.50%	6.30%	24.50%
2012	34.00%	21.20%	13.40%	6.60%	24.30%
Percent Change Over Time	10.75%	-4.50%	-2.90%	1.54%	-7.60%

This table reflects the response law-firm lawyers gave when asked to report the size of the firm for which they work. The data suggests that over time, solo practitioners have become a relatively larger percent of those who work in firms, and relatively fewer lawyers are practicing in extra-large, small and medium firms. Large firms show a slight increase.

Firm Type:

All Lawyers

Year	Firm	Corporate Counsel	Government	Legal Services Org.	Public Interest Org.	Not Practicing
2005	57.40%	7.70%	17.80%	1.50%	1.60%	13.90%
2006	57.60%	7.90%	18.10%	1.40%	1.60%	13.40%
2007	57.70%	7.90%	18.30%	1.50%	1.60%	13.00%
2008	56.90%	7.80%	18.70%	1.40%	1.60%	13.50%
2009	56.50%	7.60%	19.30%	1.50%	1.70%	13.40%
2010	56.20%	7.80%	19.70%	1.40%	1.70%	13.20%
2011	55.80%	8.00%	19.60%	1.50%	1.60%	13.60%
2012	55.20%	8.00%	19.80%	1.40%	1.60%	14.00%
Percent Change Over Time	-3.83%	3.90%	11.24%	-6.67%	0%	0.72%

Full-Time Lawyers

Year	Firm	Corporate Counsel	Government	Legal Services Org.	Public Interest Org.	Not Practicing
2005	68.30%	9.30%	17.40%	1.60%	1.70%	1.70%
2006	67.70%	9.40%	17.90%	1.40%	1.70%	1.80%
2007	67.30%	9.60%	18.20%	1.60%	1.70%	1.60%
2008	66.10%	9.50%	19.10%	1.50%	1.70%	2.00%
2009	65.60%	9.30%	19.70%	1.60%	1.90%	1.80%
2010	65.10%	9.40%	20.30%	1.50%	1.80%	1.90%
2011	64.80%	9.80%	20.10%	1.60%	1.70%	2.00%
2012	64.20%	9.80%	20.40%	1.60%	1.80%	2.20%
Percent Change Over Time	-6.00%	5.38%	17.24%	0%	5.88%	29.41%

Legal Services & Public Interest Lawyers as a Percent of All Lawyers

Number Reporting They Work for a Legal Services or Public Interest Organization

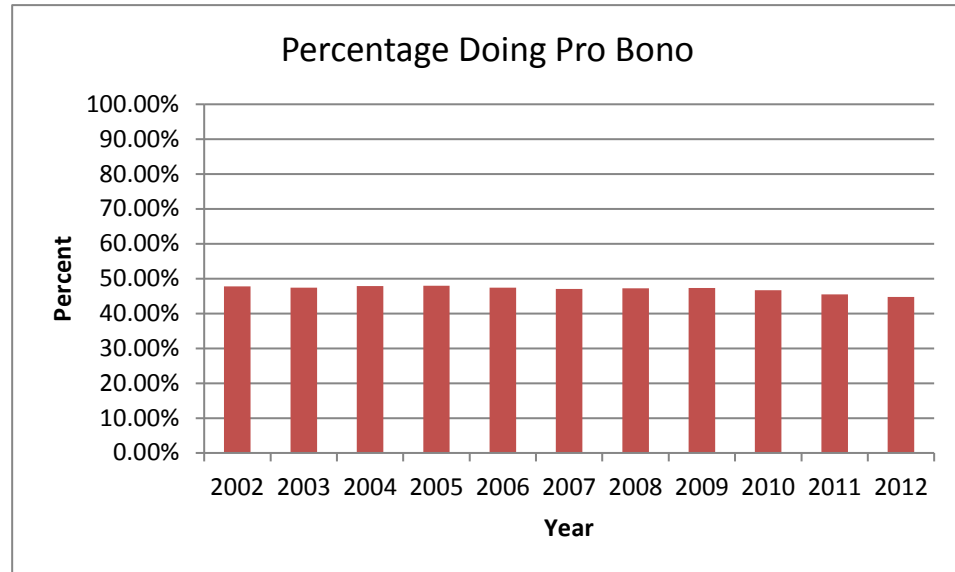
Year	Legal Services Orgs.	Public Interest Orgs.	All Lawyers
2005	465	515	31,752
2006	440	517	32,425
2007	482	530	32,923
2008	462	546	33,764
2009	505	572	34,327
2010	483	578	35,008
2011	534	568	35,935
2012	528	590	36,892
Average	487	552	34,128

Percent of All Lawyers

Year	Legal Services	Public Interest Orgs.
2005	1.50%	1.60%
2006	1.40%	1.60%
2007	1.50%	1.60%
2008	1.40%	1.60%
2009	1.50%	1.70%
2010	1.40%	1.70%
2011	1.50%	1.60%
2012	1.40%	1.60%
Average	1.45%	1.63%

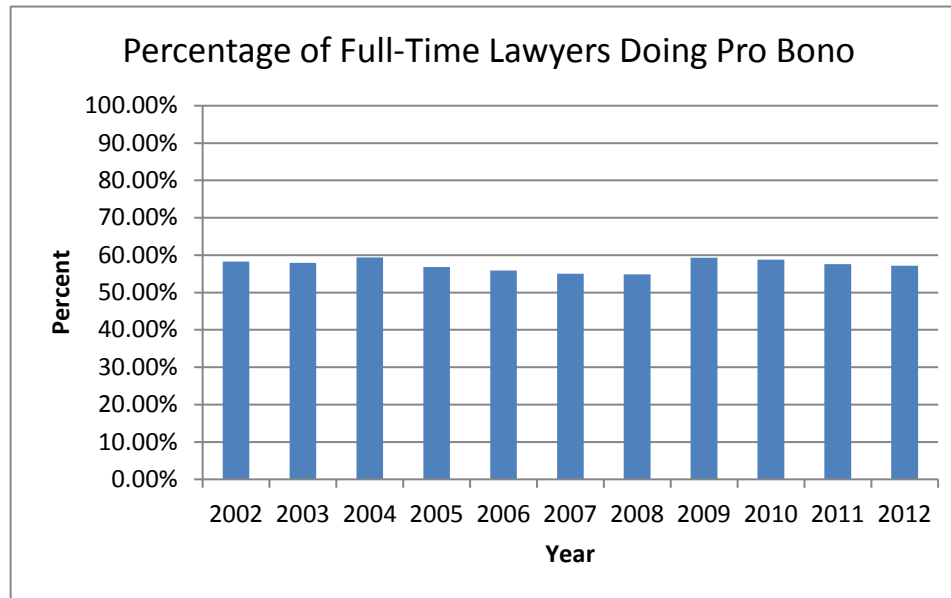
Percentage of All Lawyers Doing Pro Bono

Year	% Doing Pro Bono
2002	47.80%
2003	47.40%
2004	47.90%
2005	48.00%
2006	47.40%
2007	47.00%
2008	47.20%
2009	47.30%
2010	46.70%
2011	45.50%
2012	44.70%
Average	46.99%
Percent Decrease	-6.49%



Percentage of Full-Time Lawyers Doing Pro Bono

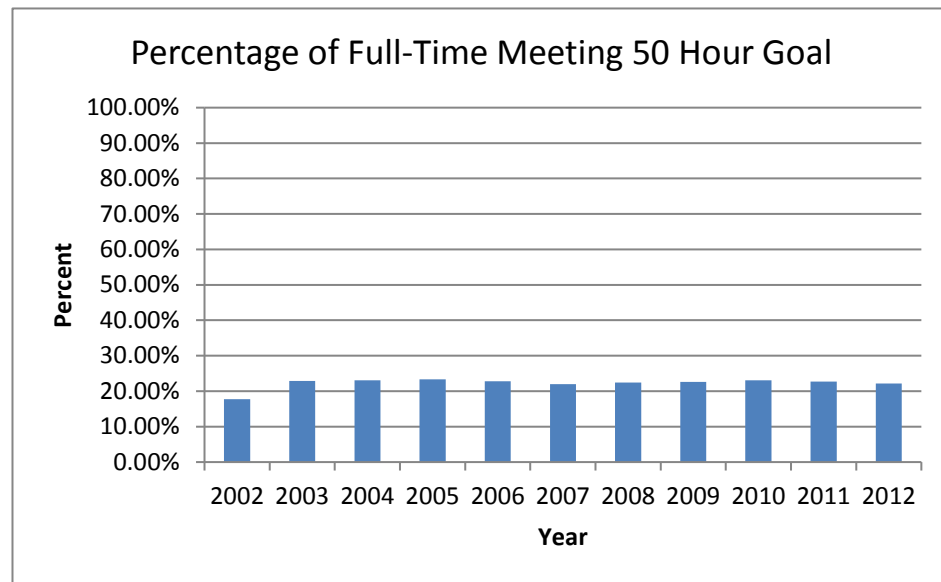
Year	% Doing Pro Bono
2002	58.30%
2003	57.90%
2004	59.40%
2005	56.80%
2006	55.90%
2007	55.00%
2008	54.90%
2009	59.30%
2010	58.80%
2011	57.60%
2012	57.20%
Average	57.37%
Percent Decrease	-1.89%



While all lawyers are required to report on their pro bono activity, the aspirational standard of 50 hours per year articulated by MRPC 6.1 applies only to those who practice law full-time. This table and chart reflect the percent of lawyers who report they did any pro bono during the reporting period.

Percentage of Full-Time Lawyers Meeting 50 Hour Goal

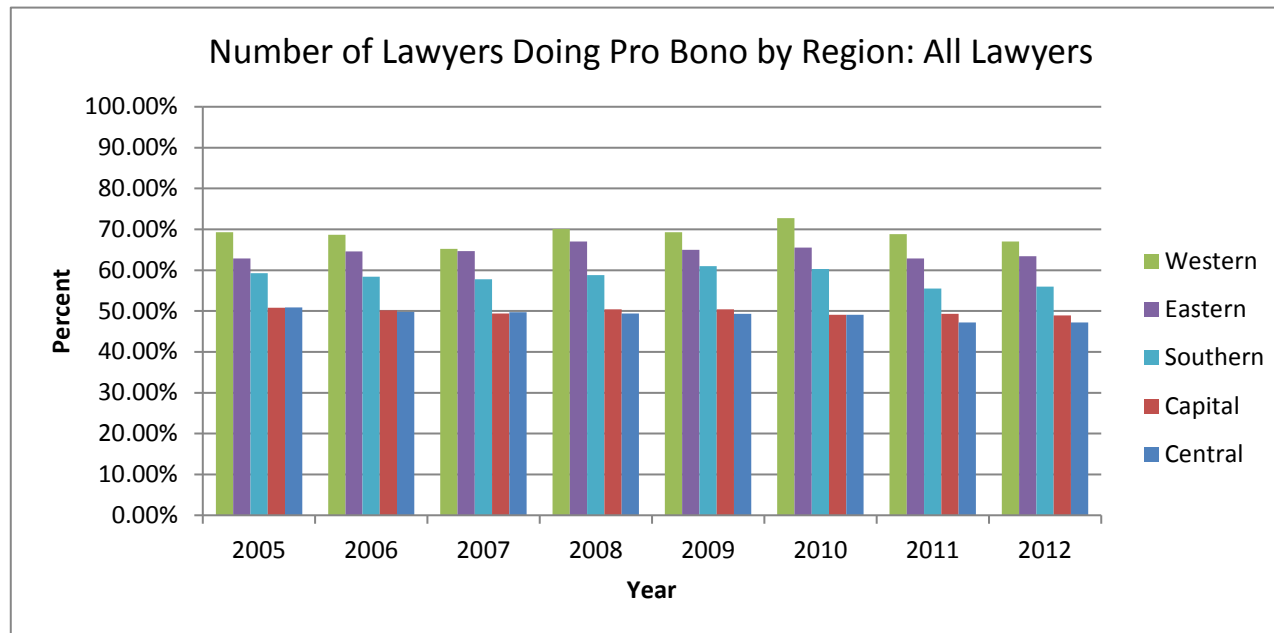
Year	% Meeting 50 Hour Goal
2002	17.70%
2003	22.90%
2004	23.10%
2005	23.30%
2006	22.80%
2007	22.00%
2008	22.40%
2009	22.60%
2010	23.10%
2011	22.70%
2012	22.20%
Average	22.25%
Percent Increase	25.42%



While all lawyers are required to report on their pro bono activity, the aspirational standard of 50 hours per year articulated by MRPC 6.1 applies only to those who practice law full-time. This table and chart reflect the percent of lawyers who report they are engaged in the full-time practice of law who met the aspirational goal of 50 hours for the year.

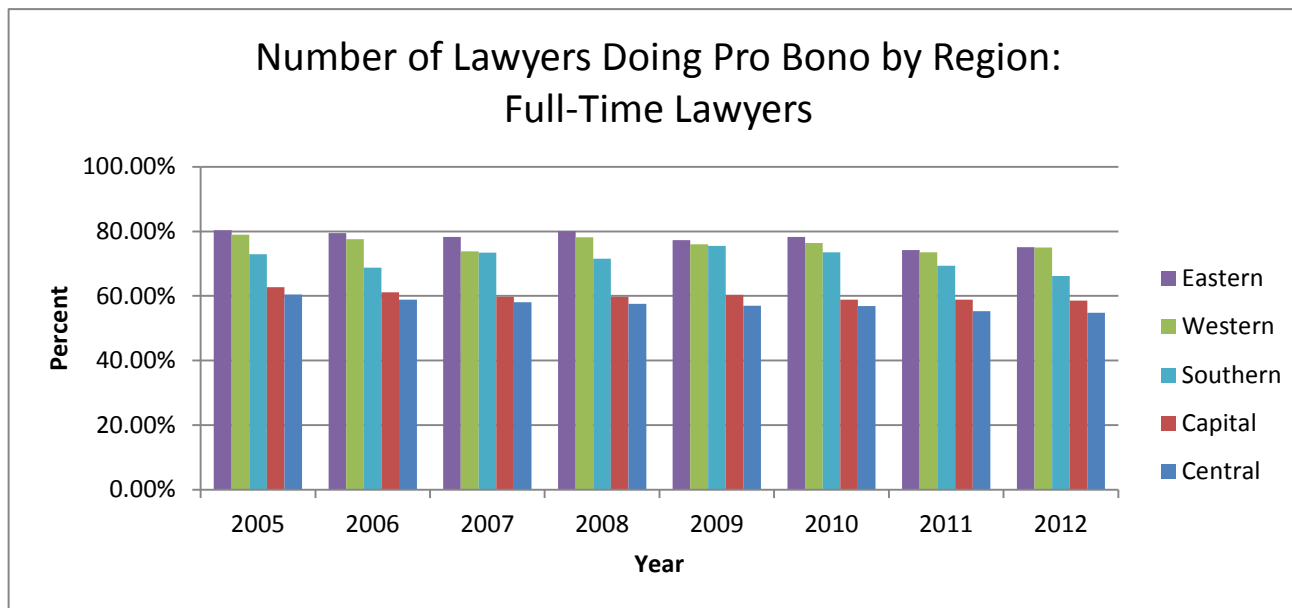
Number of Lawyers Doing Pro Bono by Region: All Lawyers

Year	Central	Capital	Western	Eastern	Southern
2005	50.90%	50.80%	69.30%	62.90%	59.30%
2006	49.80%	50.20%	68.70%	64.60%	58.40%
2007	49.70%	49.40%	65.20%	64.70%	57.80%
2008	49.40%	50.40%	70.10%	67.00%	58.80%
2009	49.30%	50.40%	69.30%	65.00%	61.00%
2010	49.10%	49.10%	72.70%	65.50%	60.30%
2011	47.20%	49.30%	68.80%	62.90%	55.50%
2012	47.20%	48.90%	67.00%	63.40%	56.00%



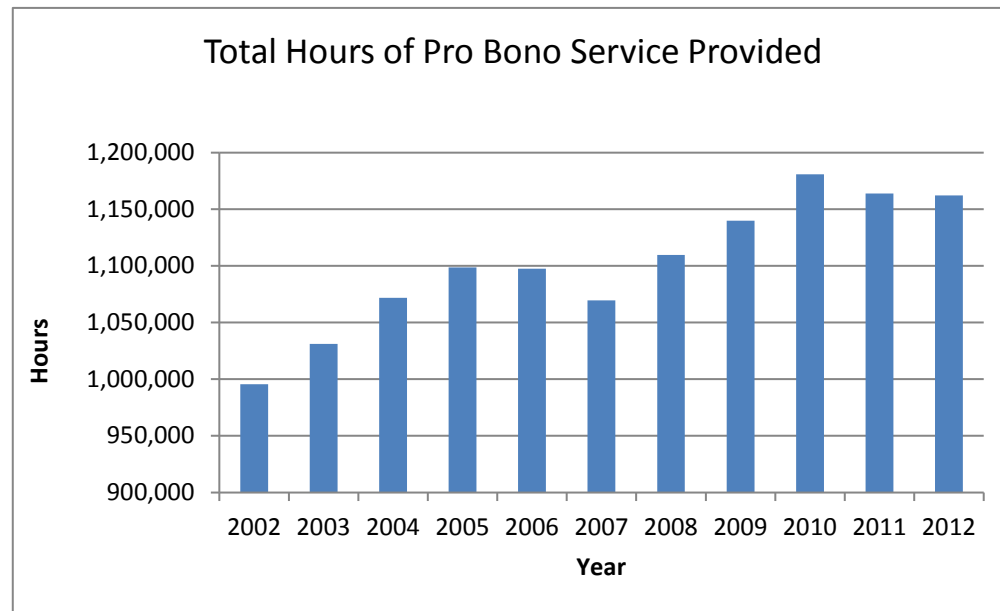
Number of Lawyers Doing Pro Bono by Region: Full-Time Lawyers

Year	Central	Capital	Western	Eastern	Southern
2005	60.40%	62.70%	79.00%	80.40%	72.90%
2006	58.90%	61.10%	77.60%	79.50%	68.80%
2007	58.10%	59.70%	73.80%	78.30%	73.40%
2008	57.60%	59.70%	78.20%	80.10%	71.50%
2009	57.00%	60.30%	76.00%	77.30%	75.50%
2010	56.90%	58.90%	76.40%	78.30%	73.50%
2011	55.30%	58.90%	73.50%	74.20%	69.40%
2012	54.80%	58.60%	75.00%	75.10%	66.20%



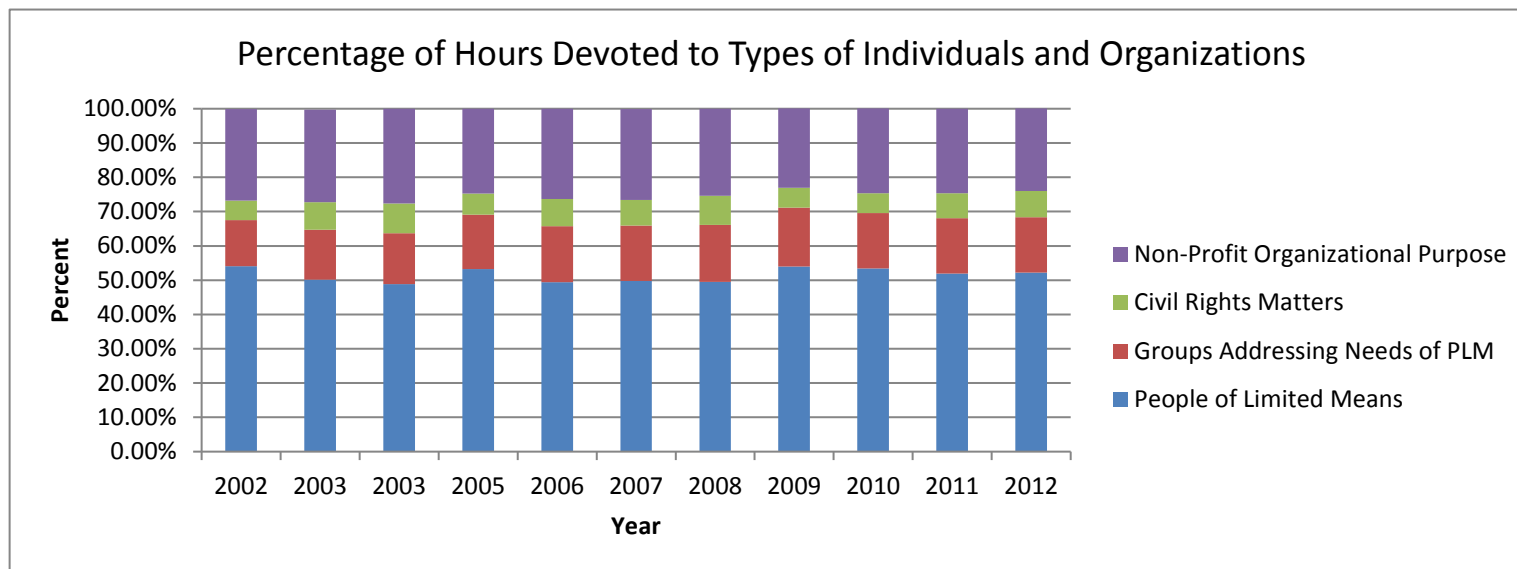
Total Hours of Pro Bono Service Provided

Year	Total Hours Provided
2002	995,615
2003	1,031,216
2004	1,071,968
2005	1,098,609
2006	1,097,662
2007	1,069,666
2008	1,109,686
2009	1,139,866
2010	1,181,028
2011	1,163,859
2012	1,162,232
Average	1,101,946
Increase over Time	16.74%



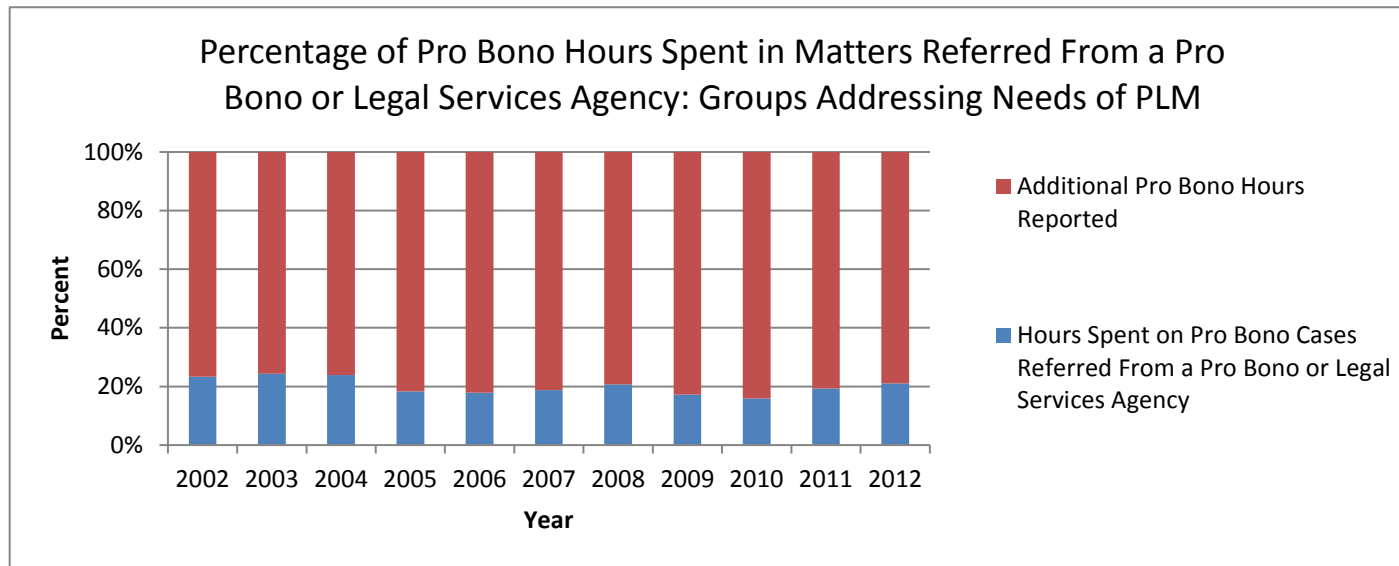
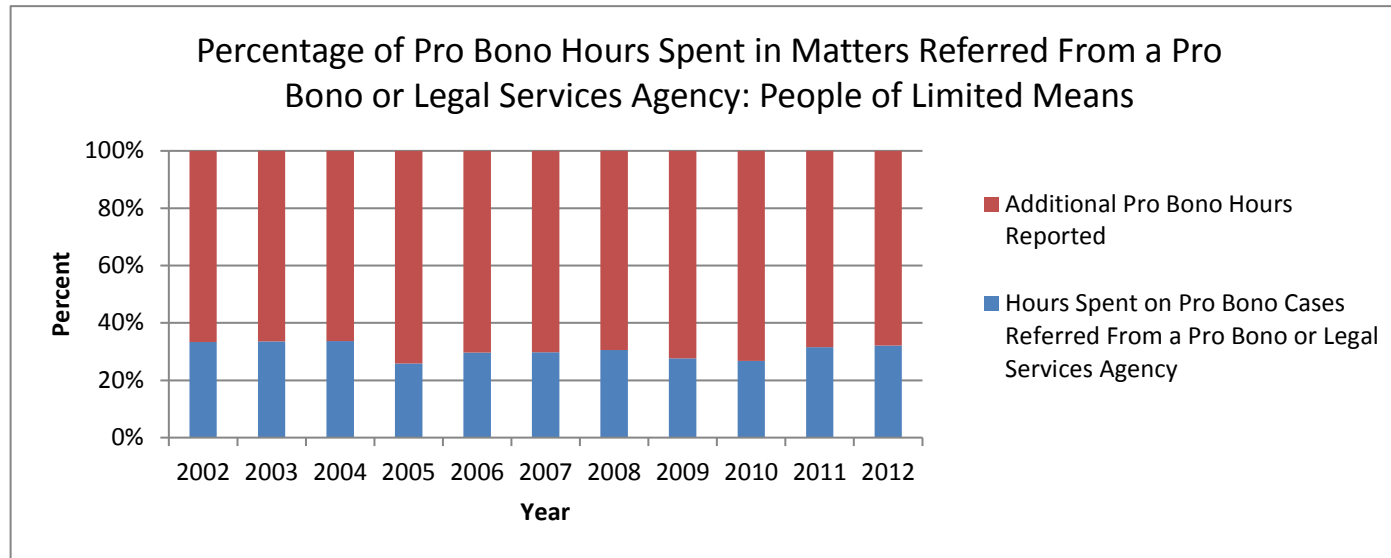
Percentage of Total Hours Devoted to Types of Individuals and Organizations

Year	People of Limited Means	Groups Addressing Needs of PLM	Civil Rights Matters	Non-Profit Organizational Purpose
2002	54.10%	13.40%	5.70%	26.70%
2003	50.20%	14.50%	8.00%	27.00%
2003	48.90%	14.80%	8.70%	27.60%
2005	53.20%	15.90%	6.20%	24.70%
2006	49.40%	16.30%	8.00%	26.30%
2007	49.80%	16.10%	7.50%	26.50%
2008	49.50%	16.60%	8.50%	25.40%
2009	54.00%	17.20%	5.70%	23.20%
2010	53.40%	16.20%	5.80%	24.70%
2011	51.90%	16.20%	7.30%	24.60%
2012	52.20%	16.20%	7.60%	24.10%

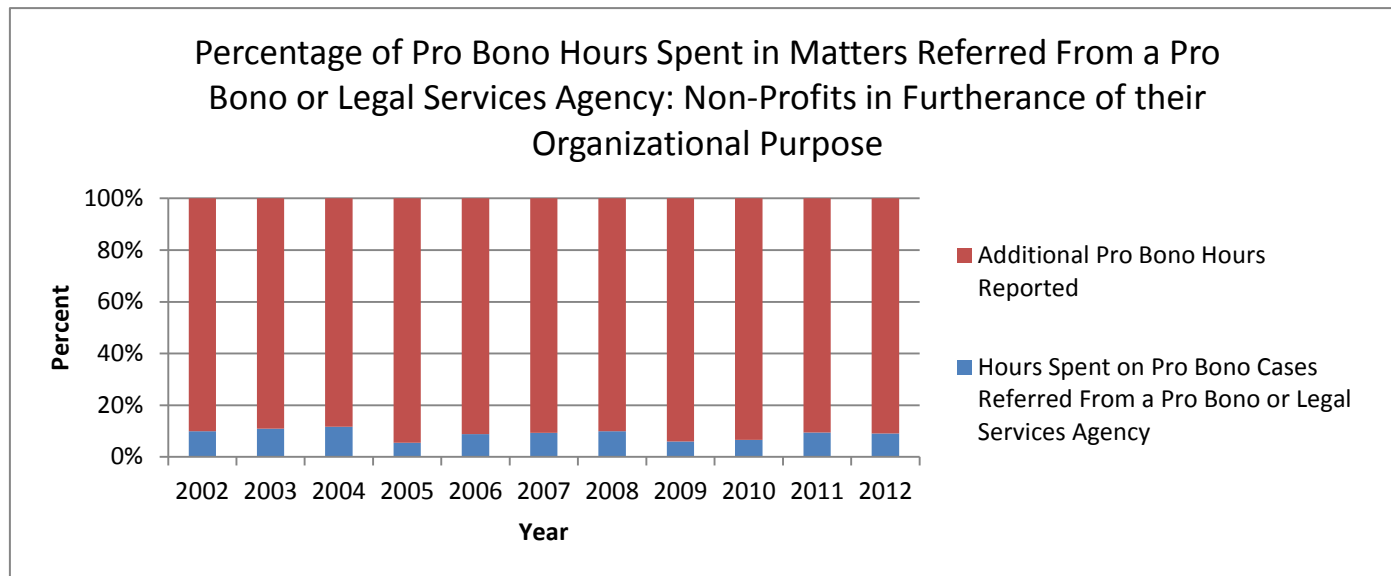
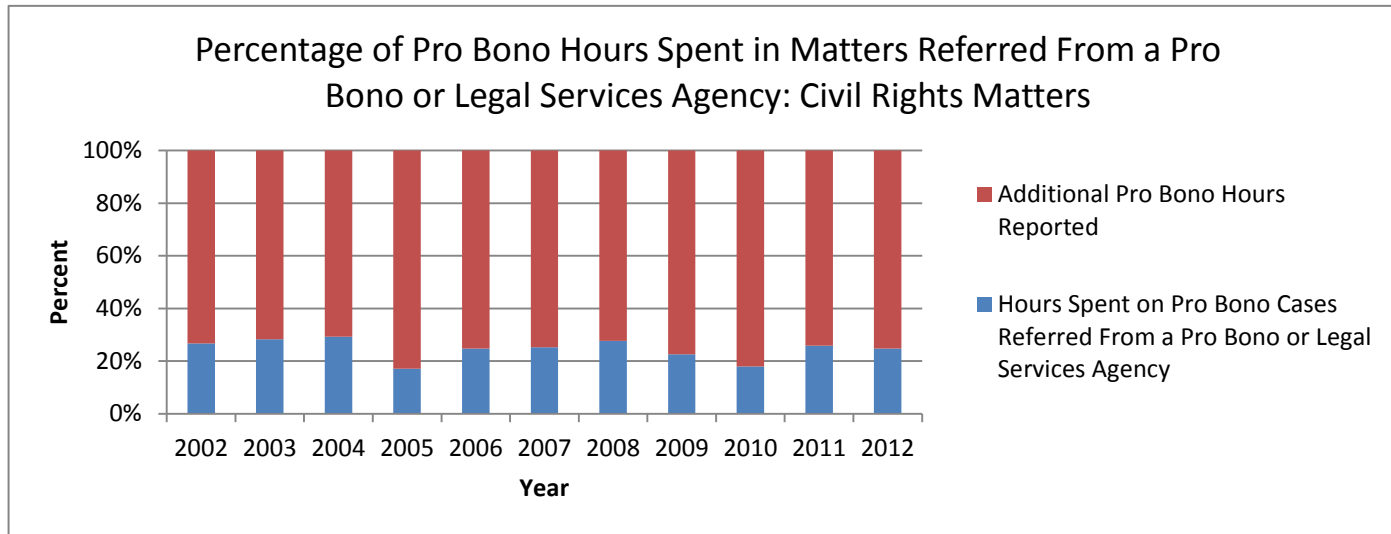


Lawyers are asked to report the number of hours of pro bono legal service they donated to various types of individuals and organizations. This table and chart reflect the percent of hours reported in service to each type.

Percentage of Pro Bono Hours Spent in Matters Referred From a Pro Bono or Legal Services Agency

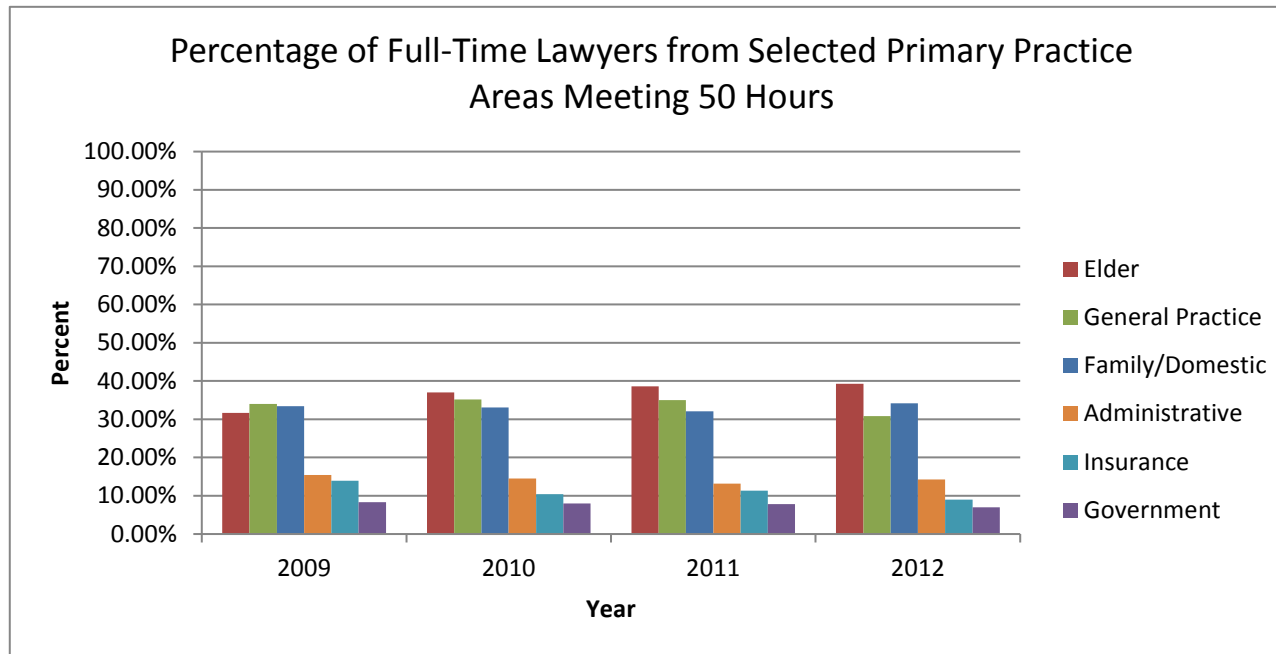


Percentage of Pro Bono Hours Spent in Matters Referred From a Pro Bono or Legal Services Agency



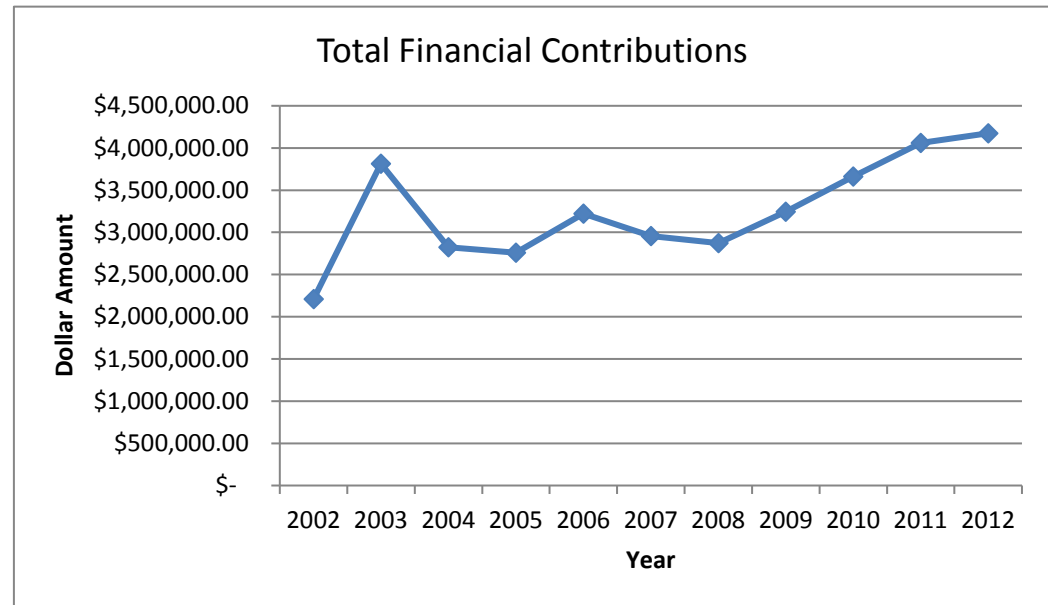
Percentage of Full-Time Lawyers from Selected Primary Practice Areas Meeting 50 Hours

Year	Family/Domestic	Elder	General Practice	Government	Insurance	Administrative
2009	33.40%	31.70%	34.00%	8.30%	13.90%	15.40%
2010	33.10%	37.00%	35.20%	8.00%	10.40%	14.50%
2011	32.10%	38.60%	35.00%	7.80%	11.30%	13.20%
2012	34.20%	39.30%	30.80%	7.00%	9.00%	14.30%



Total Financial Contributions

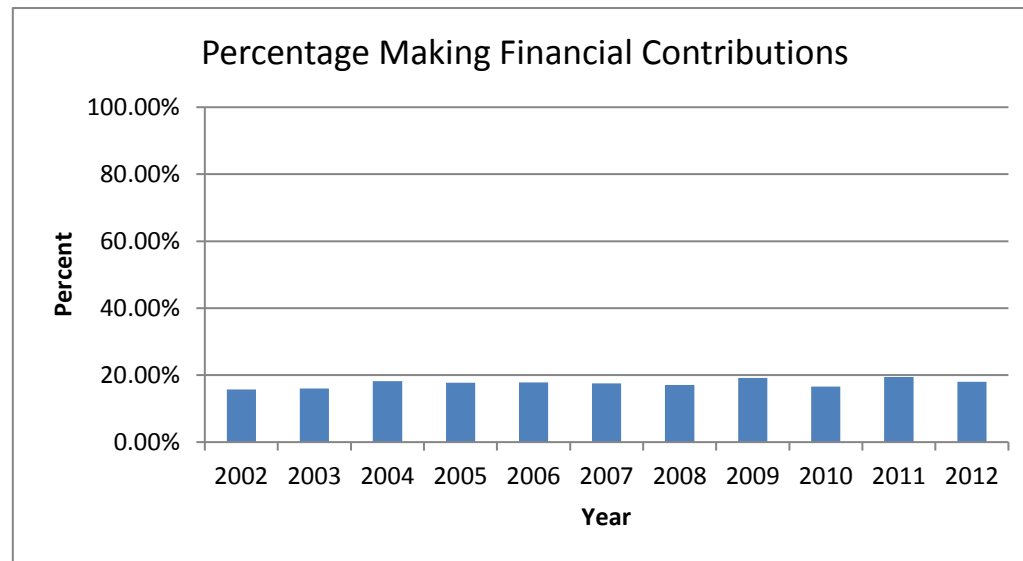
Year	Total Financial Contributions
2002	\$ 2,208,001.00
2003	\$ 3,812,263.00
2004	\$ 2,821,759.00
2005	\$ 2,759,360.00
2006	\$ 3,220,691.00
2007	\$ 2,957,450.00
2008	\$ 2,872,919.00
2009	\$ 3,244,816.00
2010	\$ 3,661,518.73
2011	\$ 4,060,551.14
2012	\$ 4,174,712.34
Average	\$ 3,254,003.75
Increase over Time	89.07%



In 2003, the top 5 contributions totaled more than 42% of the total contribution amount. The large amount of contributions for this year may be attributable to multiple individuals reporting firm contributions.

Percentage Making Financial Contributions

Year	Percentage Making Financial Contributions
2002	15.70%
2003	16.00%
2004	18.20%
2005	17.70%
2006	17.80%
2007	17.50%
2008	17.10%
2009	19.20%
2010	16.60%
2011	19.40%
2012	18.00%
Increase	2.30%
Relative Increase	14.60%



Total Hours and Percentage of Pro Bono Lawyers Providing Assistance Through the Foreclosure Prevention Pro Bono Project

Year	Total Hours	% Providing FPPB Assistance
2008	13,737	5.70%
2009	23,826	7.20%
2010	20,778	5.90%
2011	12,985	4.60%
2012	11,791	4.10%

Total Donations Made Through Donations Page

Year	Total Donations
2011	\$ 59,291.00
2012	\$ 70,952.00

Beginning in the 2011 reporting cycle, lawyers were given an opportunity to make a one-time, voluntary contribution to a Maryland legal services provider after completing their online pro bono reporting. Amounts are unverified as lawyers were then directed to a separate webpage set up by the organization they chose, where they could confirm and finalize their donation payment. Neither the vendor nor the Administrative Office of the Courts had access to those separate payment pages, any monies that were collected, or data verifying payment.