State Bar of Texas Survey of 2009 Pro Bono

Prepared for:
State Bar of Texas

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EXECUTIVE SUMMARY

A survey of 2009 pro bono services by Texas attorneys was administered in interviews of 500 attorney members of the State Bar of Texas. The main findings were as follows:

- Some 51.9 percent of active in-state attorneys provided an average of 57.5 hours of pro bono legal or indirect legal services that benefited the poor in 2009. Based on that average, it is estimated that there was a total of 2.24 million to 2.56 million hours of free legal or indirect services to the poor performed in 2009.
- Some 31.1 percent of attorneys provided an average of 100.8 hours of substantially reduced fee legal services to the poor in 2009. The sum total of hours was estimated to be 2.35 million to 2.69 million hours of substantially reduced legal services to the poor in 2009.
- The largest percentage of respondents who performed free legal services provided services in civil matters (76 percent). This compared to smaller percentages of respondents who provided free legal services to charitable, public-interest organizations (33 percent); to simplify or, increase availability and quality of legal services (21 percent); in criminal matters (23 percent); by unsolicited court appointment (16 percent); and for legislative, administrative or systems advocacy (5 percent).
- Financial contributions or paying out-of-pocket expenses related to legal services to the poor was done by 26.1 percent of attorneys. The average amount contributed by those attorneys was $672.35 in 2009. The sum total of dollars was estimated to be $13.17 million to $15.06 million.

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I. INTRODUCTION

In February and March 2010, a survey of 2009 pro bono by Texas attorneys was administered to attorney members of the State Bar of Texas. The survey was conducted to get an accurate picture of the quantity of pro bono services provided by attorneys in Texas. The survey measured attorney perceptions regarding several areas of interest:

- Whether pro bono or reduced fee services were provided in 2009;
- The types of services provided;
- The incidence of charitable contributions; and
- Comments or suggestions about pro bono services.

The University of North Texas Survey Research Center conducted the survey in response to a request from the State Bar of Texas, Department of Texas Lawyers Care. Technical support was provided by the State Bar of Texas Department of Research and Analysis.

II. METHODOLOGY

Sample

The population for the survey was members of the State Bar of Texas who total 85,815. Active in-state attorneys of the State Bar of Texas, as of December 31, 2009 were divided into five mutually exclusive groups combining occupational differences and an urban versus rural distinction. These five groups are defined below. Because the groups were based partly on occupational identification, not all of the active in-state attorneys could be included in the sampling. Excluded were attorneys for whom no occupational or phone number data was available. Private practitioners were excluded if no firm size information was available. A total of 75,035 attorneys constituted the population from which stratified random sampling was done for the following five groups:

1. Rural, all occupations

This group of attorneys practice in non-metropolitan areas of Texas, and can be in any occupation. Table A shows the number and percentage of these attorneys by occupational group.

Table A
Rural Attorneys by Occupational Group

	Frequency	Percent
Private law practice	2,040	66.7
Government attorney	476	15.5
Full-time Judge	179	5.9
Law faculty	8	0.3
Corporate/in-house counsel	74	2.4
Other law related	59	1.9
Other non-law related	53	1.7
Retired	132	4.3
Unemployed: Currently Looking	6	0.2
Unemployed: Not Currently Looking	15	0.5
Public Interest Lawyer	17	0.6
Total	3,059	100.0

2. Urban, non-private practitioners

These attorneys were non-private practitioners who work in any of the metropolitan regions of Texas. Table B shows the number and percentage of these attorneys by occupational group.

Table B
Urban, Non-Private Practitioners by Occupational Group

	Frequency	Percent
Government Attorney	6,787	32.4
Full-time Judge	1,363	6.5
Law faculty	380	1.8
Corporate/in-house counsel	6,258	29.9
Other law related	1,810	8.7
Other non-law related	1,720	8.2
Retired	1,405	6.7
Unemployed: Currently Looking	412	2.0
Unemployed: Not Currently Looking	393	1.9
Public Interest Lawyer	391	1.9
Total	20,919	100.0

3. Urban, private practitioners in small law firms

Small law firms consisted of 1-5 attorneys.

4. Urban, private practitioners in medium law firms

Medium size law firms consisted of 5-40 attorneys.

5. Urban, private practitioners in large law firms

Large law firms consisted of more than 40 attorneys.

The sample was stratified so that an adequate number of respondents would be included from each of the major practice categories shown in Table C.

Table C
Population and Sample Proportions

Type of Practice	Population			Stratified Sample	
	Attorneys	Percentage	Proportional Sample Size	Actual Sample Size	Actual Sample Proportion
Rural, all occupations	3,276	4.4%	22	75	15.0%
Urban, non-private practitioners	28,851	38.5%	192	120	24.0%
Urban, private practitioners, small firms	25,523	34.0%	170	155	31.0%
Urban, private practitioners, medium firms	8,800	11.7%	59	75	15.0%
Urban, private practitioners, large firms	8,585	11.4%	57	75	15.0%
Total	75,035	100%	500	500	100%

When a statistic that is intended to represent all attorneys licensed in Texas is presented in the report, weights were applied to the data. The weights were designed to make the proportion of respondents in each of the attorney type categories resemble the counts in the column, "Proportional Sample Size." Whenever cross-tabulations of type of practice were analyzed, weights were not used and the proportions of respondents resemble the counts in the column, "Actual Sample Size."

A total of 500 usable interviews were conducted and analyzed. In a random sample, 500 interviews yield a margin of error of ± 4.4 percent. This means, for example, that if 40 percent of the respondents answered "yes" to a question, we can be 95 percent confident that the actual proportion of residents in the population who would answer "yes" to the same question is 4.4 percentage points higher or lower than 40 percent (35.6 percent to 44.4 percent). In a stratified sample, a margin of error is not directly applicable to the aggregate sample, but can be considered as an approximation. Margins of error are applicable within each practice category as each is a random sample (see Table D).

Table D
Margin of Error by Practice Category

	Population	Sample	Margin of Error
Rural, all occupations	3,276	75	±11.2%
Urban, non-private practitioners	28,851	120	± 8.9%
Urban, private practitioners, small firms	25,523	155	± 7.8%
Urban, private practitioners, medium firms	8,800	75	±11.3%
Urban, private practitioners, large firms	8,585	75	±11.3%
Total	75,035	500	± 4.4%

Instrument

The survey instrument used in this study was based on instruments used by the State Bar of Texas in previous years' surveys. The instrument asks several yes/no questions to see if respondents provided pro bono hours or reduced-cost hours. For respondents who did provide pro bono or reduced-cost hours, several follow-up questions were asked regarding specific types of work such as hours on criminal or civil cases. The instrument took 4.3 minutes on average to administer. The complete survey instrument is available in Appendix A.

Data Collection

Trained telephone interviewers who had previous experience in telephone surveys were used to conduct the survey. Each interviewer completed an intensive general training session. The purposes of general training were to ensure that interviewers understood and practiced all of the basic skills needed to conduct interviews and that they were knowledgeable about standard interviewing conventions. The interviewers also attended a specific training session for the project. The project training session provided information on the background and goals of the study. Interviewers practiced administering the questionnaire to become familiar with the questions.

All interviewing was conducted from a centralized telephone bank in Denton, Texas. An experienced telephone supervisor was on duty at all times to supervise the administration of

the sample, monitor for quality control, and handle any other contingencies. Data were collected on February 19 through March 3, 2010.

Analysis by Demographic Groups

Each question in the survey was cross-tabulated with the following 7 demographic categories:

- Gender of respondent
- Age of respondent
- Ethnicity of respondent
- Metropolitan Statistical Area (MSA)
- Occupation
- Years Licensed
- Type of Practice

Some categories were collapsed for crosstabs using ethnicity, MSA, and occupation. (More details are offered in the Sample Characteristics section.) Whenever the responses to a single question are divided by demographic groups, the percentage distribution of responses within one group will rarely exactly match the percentage distribution of another group; there will often be some variation between groups.

The most important consideration in interpreting these differences is to determine if the differences in the sample are representative of differences between the same groups within the general population. This consideration can be fulfilled with a test of statistical significance. The Survey Research Center only reports those differences between groups that are found to be statistically significant.

Report Format

The remainder of the report is arranged in four sections beginning with Section III. This section, “Sample Characteristics,” presents the findings for all respondents except where it is otherwise noted. Section IV, “Services Provided,” presents findings about whether attorneys provided pro bono services either at no charge or at a reduced rate fee. Section V, “Types of Services Provided,” presents findings regarding the types of pro bono work performed by attorneys in 2009 as well as the number of hours spent and financial contributions made in pro bono activities. Section VI is the report Conclusions.

III. SAMPLE CHARACTERISTICS

This section presents basic distributions of demographics among respondents in the sample. All findings are weighted unless noted.

Table 1
Demographics

Demographics	Percentage (n=500)
Age of respondent	
24 to 35	23.3
36 to 45	25.2
46 to 55	22.2
56 to 65	18.9
66 to 88	10.4
Gender of respondent	
Female	29.2
Male	70.8
Ethnicity	
Caucasian/Anglo	82.9
African-American	3.4
Hispanic/Latino	9.0
Asian/Pacific Islander	2.9
Native American	0.4
Other	1.5

- As seen in Table 1, nearly half (48.5 percent) of respondents were age 45 or younger. Ten percent was age 66 or older.
- Seventy-one percent of the sample was male and a little less than one-third (29.2 percent) was female.
- A large majority (82.9 percent) of the respondents were Caucasian.

Table 1
Demographics (Continued)

Demographics	Percentage (n=500)
Work Status	
Private Law Practice	60.3
Government Attorney	11.6
Full-time Judge	1.5
Law Faculty	0.1
Corporate/In-house Counsel	7.8
Other Law Related	3.3
Other Non-Law Related	2.9
Retired-Not Working	0.0
Unemployed-Currently Looking	0.0
Unemployed-Not Currently Looking	0.6
None Specified	11.9
Years Licensed	
2 or less	12.9
3 to 6	13.9
7 to 10	9.0
11 to 15	13.3
16 to 20	12.1
21 to 25	10.3
Over 25	28.6
Type of Practice*	
Rural/All Occupations	15.0
Urban/Non-Private	24.0
Urban/Private/Small Firm	31.0
Urban/Private/Medium Firm	15.0
Urban/Private/Large Firm	15.0

- Sixty percent of the sample worked in a private law practice. Twelve percent were government attorneys. For cross-tabulations, the categories with smaller counts were collapsed in an "other" category leaving Private Law Practice, Government Attorney and Corp/In-house Counsel as intact categories.
- Thirty-six percent of the respondents had been licensed to practice law for 10 years or less.
- Thirty-one percent worked in an urban, small firm, private practice. Twenty-four percent worked in an urban, non-private practice. Fifteen percent worked in each of the other practice types.

* This finding is not weighted.

Demographics	Percentage (n=500)
Metropolitan Statistical Area (MSA) *	
Abilene	0.4
Amarillo	1.0
Austin-Round Rock	9.0
Beaumont-Port Arthur	0.8
Brownsville-Harlingen	0.2
College Station-Bryan	0.4
Corpus Christi	2.4
Dallas-Fort Worth-Arlington	26.6
El Paso	1.0
Houston-Baytown-Sugar Land	29.8
Killeen-Temple-Fort Hood	0.6
Laredo	0.2
Longview	0.4
Lubbock	1.4
McAllen-Edinburgh-Pharr	1.0
Midland	0.6
Odessa	0.6
San Antonio	5.6
Sherman-Denison	0.4
Texarkana	0.2
Tyler	0.4
Victoria	0.6
Waco	1.0
Wichita Falls	0.4
Non-Metro Counties	15.0

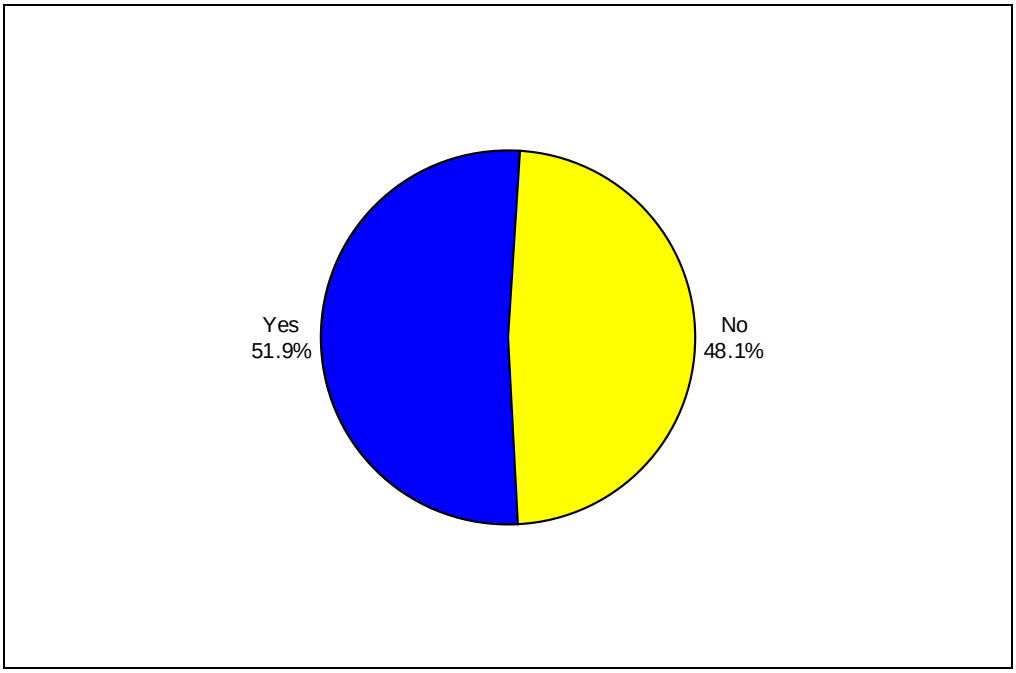
- Over 70 percent of the respondents worked in one of the top four MSAs: Austin-Round Rock (9.0 percent), Dallas-Fort Worth-Arlington (26.6 percent), Houston-Baytown-Sugar Land (29.8 percent), and San Antonio (5.6 percent). For cross-tabulations, MSA categories with less than a count of 20 were collapsed into one "other" category. The crosstab categories are Austin-Round Rock, Dallas-Ft Worth-Arlington, Houston-Baytown-Sugar Land, San Antonio, Non-Metro Counties, and Other.

* This finding is not weighted.

IV. SERVICES PROVIDED

Free Services

Figure 1
Performed Free Legal or Indirect Services in 2009
(n=494)



- Respondents were asked if, in the year 2009, they performed any free legal services for the poor or free indirect legal services that substantially benefited the poor. As shown in Figure 1, 51.9 percent of the respondents who completed the survey reported performing such services.
- There was a significant difference in performance of free legal or indirect services among respondents' type of practice. Urban respondents in non-private practice (25.2 percent) were less likely than other respondents to report performing free legal or indirect services benefiting the poor (see Table 2). Respondents in small, private firm occupations (76.3 percent) were most likely to report performing this type of service.
- The other MSAs (69.6 percent) and non-metro counties (69.3 percent) were most likely to report providing free services.
- Respondents in private law practice (69.4 percent) were more likely than other respondents to perform pro bono work.
- Respondents who have been licensed to practice law for 21 to 25 years (62.0 percent) were more likely to report pro bono work.
- Male respondents (55.6 percent) were more likely than female (43.2 percent) respondents to perform pro bono work.

Table 2
Performed Free Legal or Indirect Services in 2009
by Selected Demographics
(n=494)

	Percentage responding	
	Yes	No
All Responding	51.9	48.1
Type of practice		
Rural/All Occupations	69.3	30.7
Urban/Non-Private Practice	25.2	74.8
Urban/Private/Small Firm	76.3	23.7
Urban/Private/Medium Firm	50.0	50.0
Urban/Private/Large Firm	65.3	34.7
MSA		
Austin-Round Rock	54.5	45.5
Dallas-Ft Worth-Arlington	53.0	47.0
Houston-Baytown-Sugar Land	49.7	50.3
San Antonio	60.7	39.3
Non-Metro Counties	69.3	30.7
Other	69.6	30.4
Occupation		
Private Law Practice	69.4	30.6
Government Attorney	22.4	77.6
Corp/In-house Counsel	20.5	79.5
Other	30.0	70.0
Years licensed		
2 or less	32.8	67.2
3 to 6	49.3	50.7
7 to 10	60.0	40.0
11 to 15	50.0	50.0
16 to 20	56.7	43.3
21 to 25	62.0	38.0
Over 25	54.7	45.3
Gender of respondent		
Female	43.2	56.8
Male	55.6	44.4

Table 3
Total Hours of Free Legal or Indirect Services Provided in 2009
(n=247)

	Percentage responding
1 to 10 hours	19.8
11 to 20 hours	19.7
21 to 30 hours	13.3
31 to 40 hours	10.4
11 to 50 hours	10.7
51 hours or more	26.0

- Respondents who performed free legal or indirect services in 2009 were asked to approximate the total number of hours they provided. As shown in Table 3, 26.0 percent of those respondents indicated that they provided 51 or more hours of service.
- The average number of hours was 57.5 hours (see Table 4). The highest average hours (85.6 hours) were recorded by respondents of other ethnic groups.

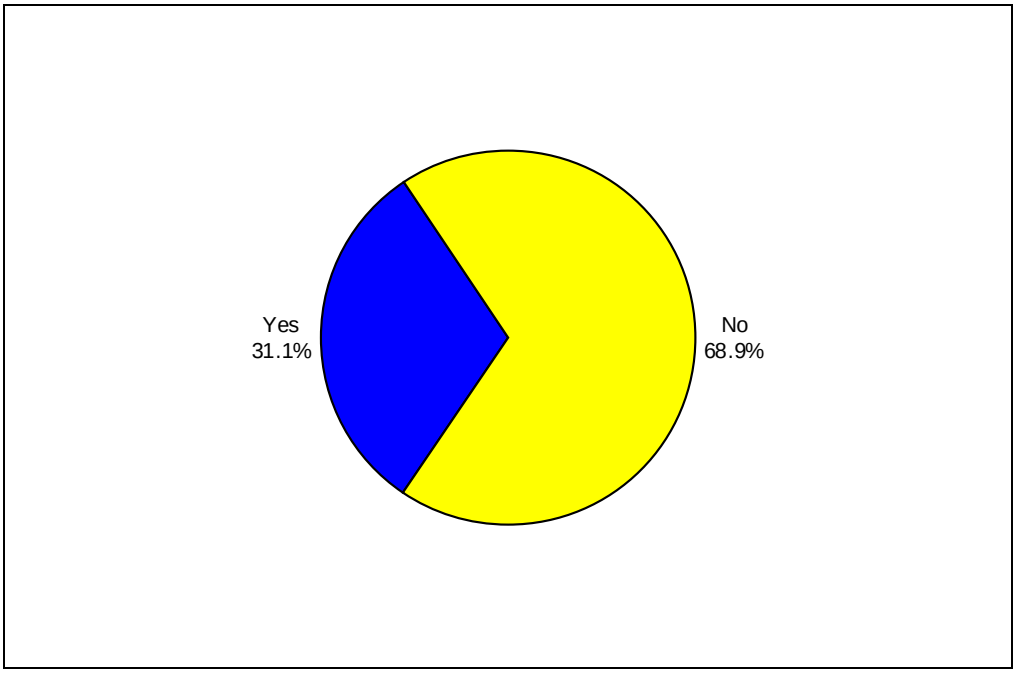
Table 4
Average Total Hours of Free Legal or Indirect Services Provided in 2009
by Selected Demographics
(n=246)

	Average Total Hours
All Responding	57.5
Ethnicity of respondent	
Caucasian	50.6
Other	85.6

- The total estimated hours of free legal or indirect services to the poor in 2009 was 2,239,223 hours. This estimate is obtained by multiplying the estimate of 38,943 attorneys in Texas who provided free legal or indirect services (51.9 percent of active in-state attorneys whose occupation was identified) by the average of 57.5 hours (actually 57.52966245) of free legal or indirect services. If all Texas attorneys – including those whose occupations were not identified – are included in the calculation, the total number of estimated hours of free legal or indirect services provided increases to 2,562,255.

Reduced Fee Services

Figure 2
Performed Legal Services at a Substantially Reduced Fee
(n=498)



- Respondents were asked if, in the year 2009, they performed any legal services at a substantially reduced fee that benefited the poor. As shown in Figure 2, 31.1 percent of the respondents reported performing services at a substantially reduced fee.
- There was a significant difference in performing legal services at a substantially reduced fee among respondents for type of practice. Respondents from small, urban, private practices (60.8 percent) were more likely than other practice types to report performing legal services at a substantially reduced fee (see Table 5). A majority of respondents from non-metro counties MSAs reported performing legal services at a substantially reduced fee compared to smaller percentages of respondents from other MSA's. Respondents in private practice (45.8 percent) were more likely to report performing legal services at a substantially reduced fee. A greater percentage of respondents licensed to practice law for 16 to 20 years (35.6 percent) reported performing legal services at a substantially reduced fee. Performing legal services at a substantially reduced fee generally increased as the age of the respondent increased.

Table 5
Performed Legal Services at Substantially Reduced Fee
by Selected Demographics
(n=498)

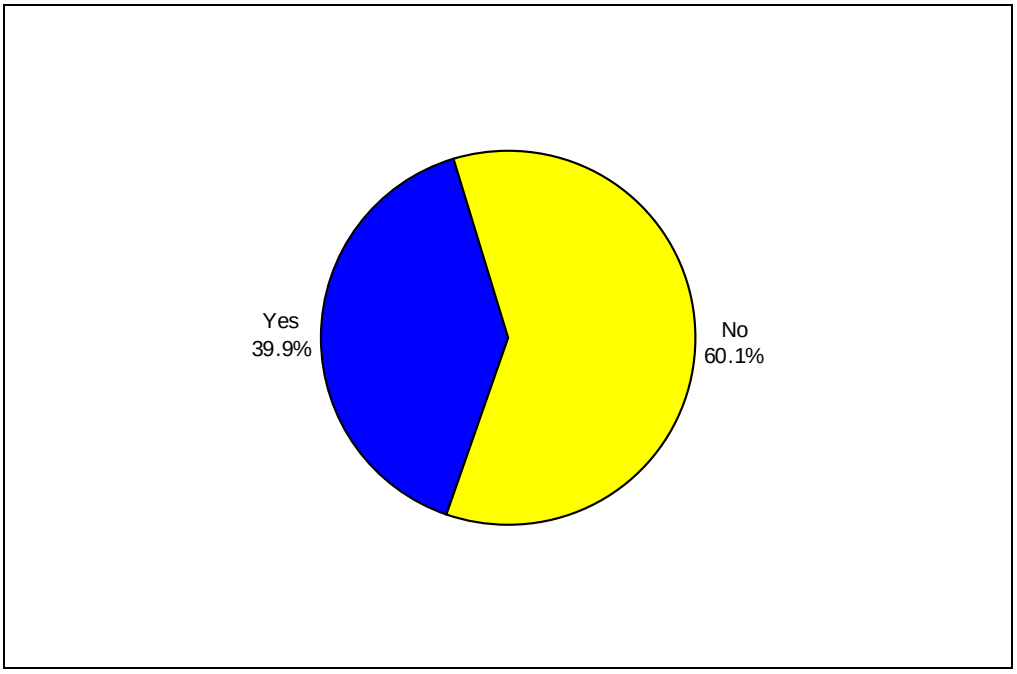
	Percentage responding	
	Yes	No
All Responding	31.1	68.9
Type of Practice		
Rural/All Occupations	50.7	49.3
Urban/Non-Private Practice	8.3	91.7
Urban/Private/Small Firm	60.8	39.2
Urban/Private/Medium Firm	30.7	69.3
Urban/Private/Large Firm	13.3	86.7
MSA		
Austin-Round Rock	33.3	66.7
Dallas-Ft Worth-Arlington	36.1	63.9
Houston-Baytown-Sugar Land	27.0	73.0
San Antonio	21.4	78.6
Non-Metro Counties	50.7	49.3
Other	39.1	60.9
Occupation		
Private Law Practice	45.8	54.2
Government Attorney	6.9	93.1
Corp/In-house Counsel	5.1	94.9
Other	11.9	88.1
Years licensed		
2 or less	23.4	76.6
3 to 6	14.5	85.5
7 to 10	33.3	66.7
11 to 15	31.8	68.2
16 to 20	35.6	64.4
21 to 25	29.4	70.6
Over 25	39.4	60.6
Age of respondent		
24 to 35	17.9	82.1
36 to 45	31.0	69.0
46 to 55	29.1	70.9
56 to 65	43.6	56.4
66 to 88	41.2	58.8

Table 6
Total Hours of Legal Services Provided at Substantially Reduced Fee
(n=144)

	Percentage responding
1 to 10 hours	11.5
11 to 20 hours	19.6
21 to 30 hours	11.9
31 to 40 hours	11.8
41 to 50 hours	10.0
51 hours or more	35.2

- Respondents who performed legal services at a substantially reduced fee in 2009 were asked to approximate the total number of hours they provided. As shown in Table 6, 35.2 percent of those respondents indicated that they provided 51 or more hours of service.
- On average, respondents provided 100.8 hours of service at a substantially reduced fee.
- The total estimated hours of substantially reduced fee legal services to the poor in 2009 was 2,352,257 hours. This estimate is obtained by multiplying the estimate of 23,336 attorneys in Texas who provided substantially reduced legal services (31.1 percent of active in-state attorneys whose occupation was identified) by the average of 100.8 hours (actually 100.83696415) of reduced fee legal services to the poor. If all Texas attorneys—including those whose occupations were not identified—are included in the calculation, the total number of estimated hours of service performed at a substantially reduced fee increases to 2,691,184.

Figure 3
Recorded Hours of Pro Bono Legal Services Rendered in 2009
(n=283)



- Respondents were asked if they had recorded their hours or otherwise kept track of the pro bono legal services they rendered during 2009. Forty percent of the respondents indicated that they had (see Figure 3).
- As shown in Table 7, the percentage of the respondents who said they had recorded their hours of pro bono legal services in 2009 was highest among respondents in an urban, large firm, private practice (67.3 percent), respondents who were corporate/in-house counsel (62.5 percent), and female respondents (58.6 percent). The percentage recording their hours declined with smaller and more rural firms. The percentage generally decreased as the years licensed to practice law and the age of the respondent increased.

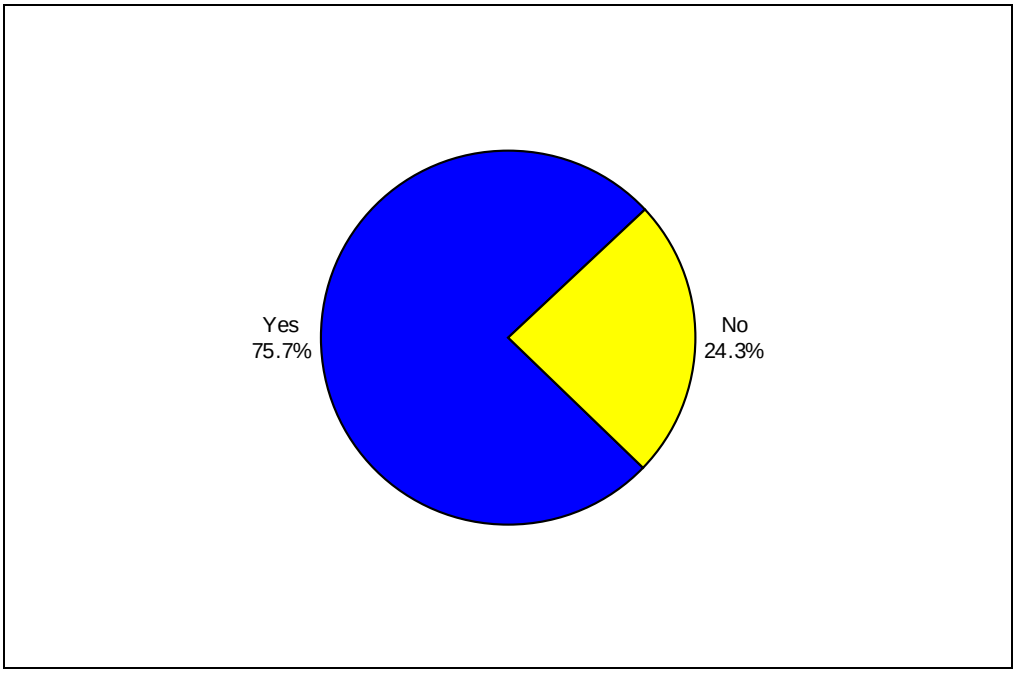
Table 7
Recorded Hours of Pro Bono Legal Serviced Rendered in 2009
by Selected Demographics
(n=283)

	Percentage responding	
	Yes	No
All Responding	39.9	60.1
Type of practice		
Rural/All Occupations	30.9	69.1
Urban/Non-Private Practice	46.9	53.1
Urban/Private/Small Firm	31.0	69.0
Urban/Private/Medium Firm	38.6	61.4
Urban/Private/Large Firm	67.3	32.7
Occupation		
Private Law Practice	38.9	61.1
Government Attorney	15.4	84.6
Corp/In-house Counsel	62.5	37.5
Other	54.5	45.5
Years licensed		
2 or less	72.0	28.0
3 to 6	62.2	37.8
7 to 10	62.1	37.9
11 to 15	22.2	77.8
16 to 20	24.2	75.8
21 to 25	35.3	64.7
Over 25	29.5	70.5
Gender of respondent		
Female	58.6	41.4
Male	33.8	66.2
Age of respondent		
24 to 35	69.1	30.9
36 to 45	37.3	62.7
46 to 55	31.7	68.3
56 to 65	31.7	68.3
66 to 88	28.9	71.1

V. TYPES OF SERVICES PROVIDED

Civil Matters

Figure 4
Performed Free Legal Services in Civil Matters
(n=287)



- Respondents who had performed legal services either free or at a reduced rate fee in 2009 were asked if they provided legal services to the poor in civil matters without compensation and without expectation of compensation. As shown in Figure 4, 75.7 percent of the respondents reported providing free legal services in civil matters.
- Respondents from the Dallas-Fort Worth-Arlington (67.9 percent) and Houston-Baytown-Sugar Land (67.4 percent) MSAs were less likely to report performing legal services in civil matters either free or at a reduced rate fee in 2009 (see Table 8).

Table 8
Performed Free Legal Services in Civil Matters
by Selected Demographics
(n=287)

	Percentage responding	
	Yes	No
All Responding	75.7	24.3
MSA		
Austin-Round Rock	80.8	19.2
Dallas-Ft Worth-Arlington	67.9	32.1
Houston-Baytown-Sugar Land	67.4	32.6
San Antonio	88.2	11.8
Non-Metro Counties	85.5	14.5
Other	88.2	11.8

Table 9
Total Hours of Free Legal Services Provided in Civil Matters
(n=208)

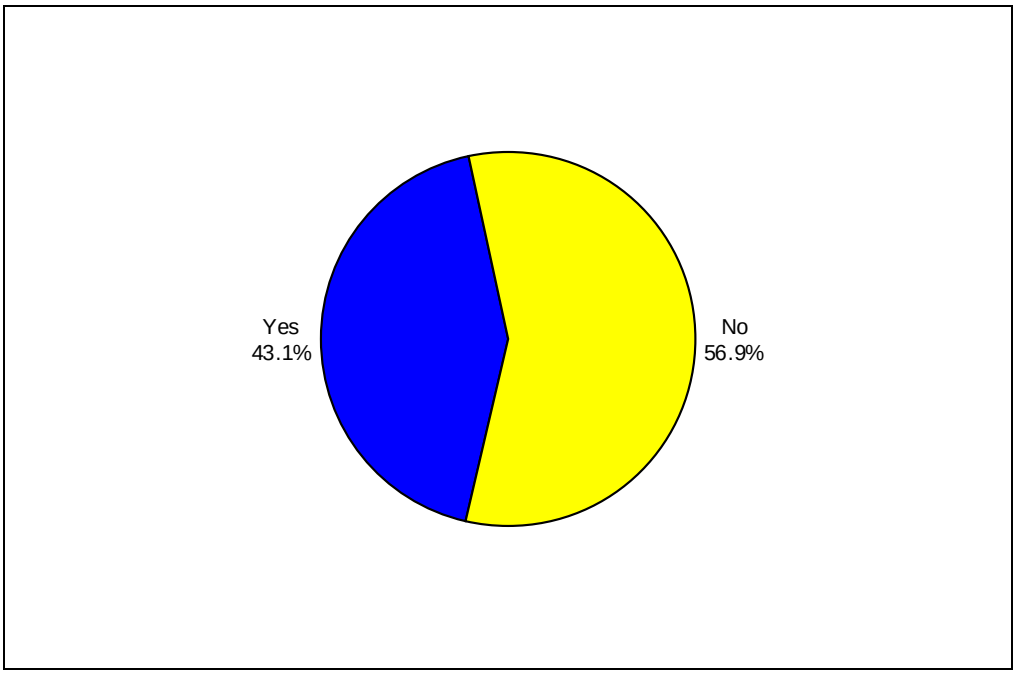
	Percentage responding
1 to 10 hours	24.2
11 to 20 hours	18.8
21 to 30 hours	15.2
31 to 40 hours	12.9
41 to 50 hours	10.4
51 hours or more	18.5

- Respondents who performed free legal services in civil matters were asked to approximate the total number of hours they provided. As shown in Table 9, 24.2 percent of those respondents indicated that they provided 1 to 10 hours of service.
- As shown in Table 10, the average hours of free legal services provided in civil matters was 48.9. Respondents of Other ethnic groups (92.3 hours) provided higher average hours than respondents who were Caucasian (39.5 percent).

Table 10
Average Total Hours of Free Legal Services Provided in Civil Matters
by Selected Demographics
(n=208)

	Average Total Hours
All Responding	48.9
Ethnicity of respondent	
Caucasian	39.5
Other	92.3

Figure 5
Performed Legal Services in Civil Matters at a Reduced Fee
(n=286)



- Respondents who had performed legal services either free or at a reduced rate fee in 2009 were asked if they provided legal services to the poor in civil matters at a substantially reduced fee and without expectation of additional compensation. As shown in Figure 5, 43.1 percent of the respondents answered, "yes."
- Respondents in rural/all occupations practices (63.0 percent) were more likely than respondents in other types of practice to report providing legal services to the poor in civil matters at a substantially reduced fee and without expectation of additional compensation (see Table 11). The percentage of respondents reporting provision of legal services to the poor in civil matters at a substantially reduced fee and without expectation of additional compensation was higher among non-metro counties MSAs (63.0 percent) and private law practice (47.4 percent).

Table 11
Performed Legal Services in Civil Matters at a Reduced Fee
by Selected Demographics
(n=286)

	Percentage responding	
	Yes	No
All Responding	43.1	56.9
Type of Practice		
Rural/All Occupations	63.0	37.0
Urban/Non-Private Practice	21.9	78.1
Urban/Private/Small Firm	58.0	42.0
Urban/Private/Medium Firm	38.6	61.4
Urban/Private/Large Firm	13.2	86.8
MSA		
Austin-Round Rock	50.0	50.0
Dallas-Ft Worth-Arlington	48.1	51.9
Houston-Baytown-Sugar Land	31.8	68.2
San Antonio	23.5	76.5
Non-Metro Counties	63.0	37.0
Other	47.1	52.9
Occupation		
Private Law Practice	47.4	52.6
Government Attorney	16.7	83.3
Corp/In-house Counsel	0.0	100.0
Other	31.3	68.8

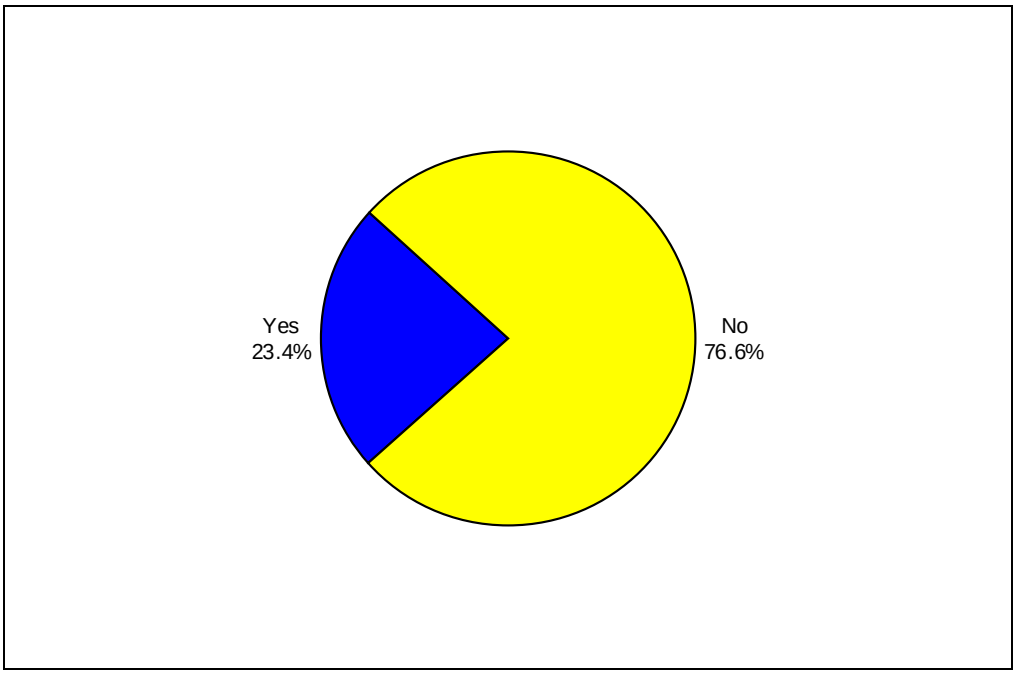
Table 12
Total Hours of Legal Services Provided
in Civil Matters at Reduced Fee
(n=116)

	Percentage responding
1 to 10 hours	16.2
11 to 20 hours	23.6
21 to 30 hours	14.3
31 to 40 hours	9.8
41 to 50 hours	7.5
51 hours or more	28.6

- Respondents who performed legal services in civil matters at a substantially reduced rate were asked to approximate the total number of hours they provided. Twenty-nine percent of those respondents indicated that they provided 51 hours or more of service (see Table 12).
- The average number of hours provided was 74.6. There were no statistically significant differences among demographic groups on the average number of hours provided.

Criminal Matters

Figure 6
Performed Free Legal Services in Criminal Matters
(n=283)



- Respondents who had performed legal services either free or at a reduced rate fee in 2009 were asked if they provided free legal services to the poor in criminal matters without compensation and without expectation of compensation. As shown in Figure 6, 23.4 percent of the respondents indicated they provided free legal services.
- Respondents in a rural/all occupations practice (40.0 percent) were more likely than respondents in other types of practice to report providing free legal services to the poor in criminal matters (see Table 13). The percentage was also higher among respondents in non-metro counties MSAs (40.0 percent), other occupations (42.4 percent), and male respondents (26.5 percent).

Table 13
Performed Free Legal Services in Criminal Matters
by Selected Demographics
(n=283)

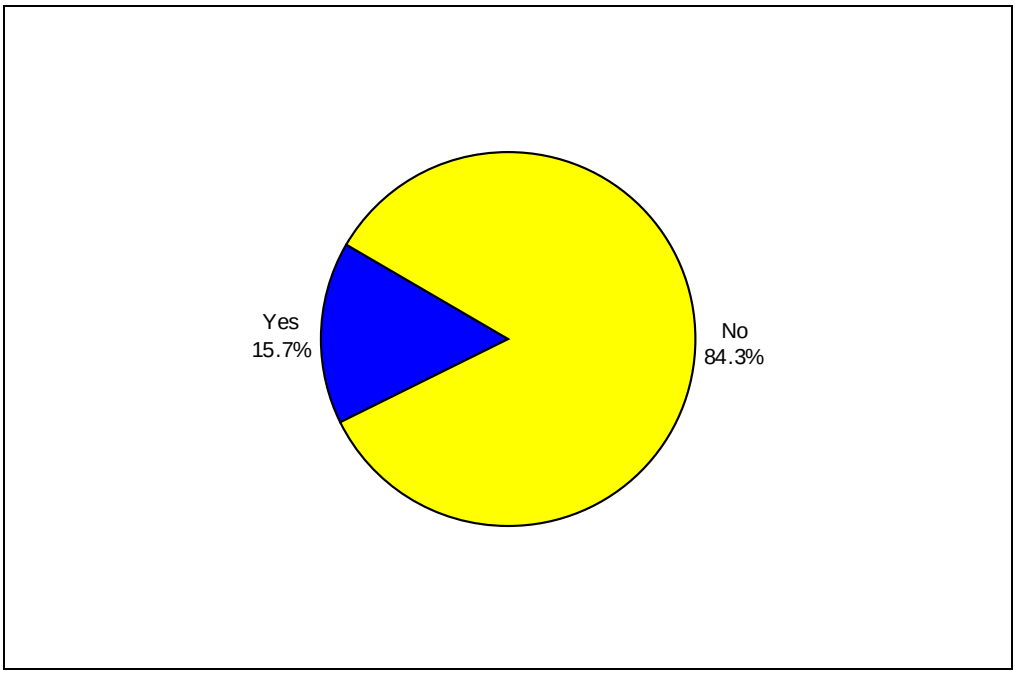
	Percentage responding	
	Yes	No
All Responding	23.4	76.6
Type of Practice		
Rural/All Occupations	40.0	60.0
Urban/Non-Private Practice	29.0	71.0
Urban/Private/Small Firm	26.9	73.1
Urban/Private/Medium Firm	15.9	84.1
Urban/Private/Large Firm	3.8	96.2
MSA		
Austin-Round Rock	11.5	88.5
Dallas-Ft Worth-Arlington	13.6	86.4
Houston-Baytown-Sugar Land	21.2	78.8
San Antonio	29.4	70.6
Non-Metro Counties	40.0	60.0
Other	32.7	67.3
Occupation		
Private Law Practice	22.0	78.0
Government Attorney	18.2	81.8
Corp/In-house Counsel	0.0	100.0
Other	42.4	57.6
Gender of respondent		
Female	13.9	86.1
Male	26.5	73.5

Table 14
Total Hours of Free Legal Services Provided in Criminal Matters
(n=64)

	Percentage responding
1 to 10 hours	37.8
11 to 20 hours	11.6
21 to 30 hours	9.0
31 to 40 hours	1.7
41 to 50 hours	12.4
51 hours or more	27.5

- Respondents who performed free legal services in criminal matters were asked to approximate the total number of hours they provided. Thirty-eight percent of those respondents indicated that they provided 1 to 10 hours of service (see Table 14).
- The average number of hours provided was 47.0 hours. The sample size was too small to provide demographic breakdown findings.

Figure 7
Performed Legal Services in Criminal Matters at a Reduced Fee
(n=285)



- Respondents who had performed legal services either free or at a reduced rate fee in 2009 were asked if they provided legal services to the poor in criminal matters at a substantially reduced fee and without expectation of additional compensation. As shown in Figure 7, 15.7 percent of the respondents answered, "yes."
- Respondents in a rural/all occupations practice (32.7 percent) were more likely than respondents in other types of practice to report providing legal services to the poor in criminal matters at a substantially reduced fee and without expectation of additional compensation (see Table 15). The percentages providing reduced-fee legal services to the poor for criminal matters were higher among non-metro counties MSAs (32.7 percent). Percentages were also higher among male respondents (18.7 percent) compared to female respondents (6.9 percent).

Table 15
Performed Legal Services in Criminal Matters at a Reduced Rate
by Selected Demographics
(n=285)

	Percentage responding	
	Yes	No
All Responding	15.7	84.3
Type of Practice		
Rural/All Occupations	32.7	67.3
Urban/Non-Private Practice	9.7	90.3
Urban/Private/Small Firm	21.2	78.8
Urban/Private/Medium Firm	9.1	90.9
Urban/Private/Large Firm	1.9	98.1
MSA		
Austin-Round Rock	7.7	92.3
Dallas-Ft Worth-Arlington	12.3	87.7
Houston-Baytown-Sugar Land	14.0	86.0
San Antonio	5.9	94.1
Non-Metro Counties	32.7	67.3
Other	22.0	78.0
Gender of respondent		
Female	6.9	93.1
Male	18.7	81.3

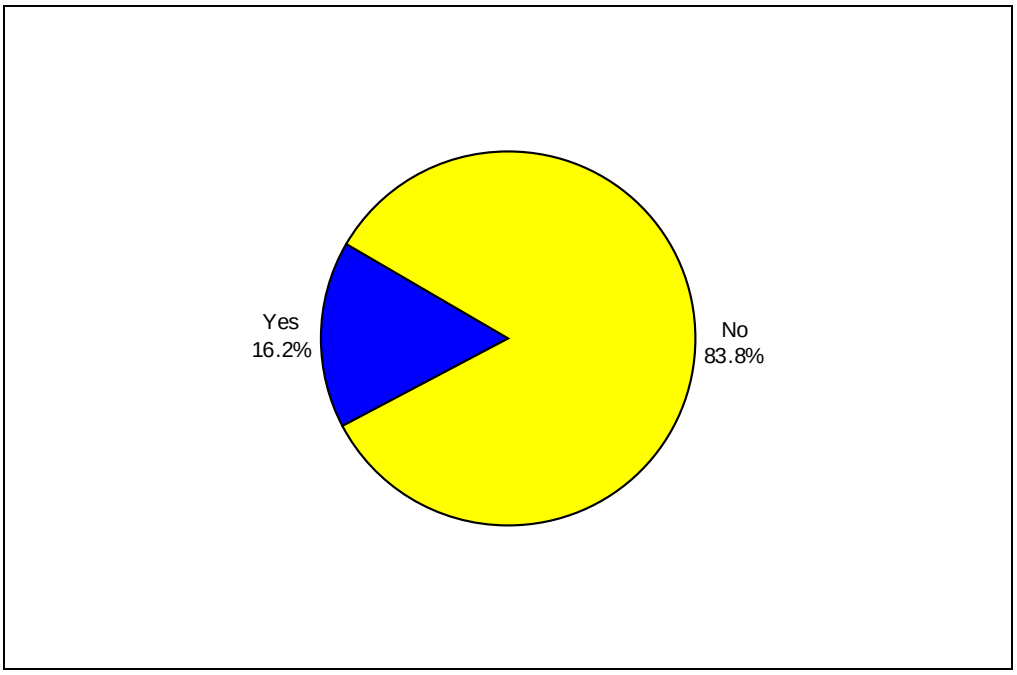
Table 16
Total Hours of Legal Services Provided
in Criminal Matters at Reduced Fee
(n=41)

	Percentage responding
1 to 10 hours	10.7
11 to 20 hours	17.5
21 to 30 hours	6.6
31 to 40 hours	8.7
41 to 50 hours	19.0
51 hours or more	37.4

- Respondents who performed legal services in criminal matters at a substantially reduced rate were asked to approximate the total number of hours they provided. As shown in Table 16, 37.4 percent of those respondents indicated that they provided 51 or more hours of service.
- The average total hours of service provided in criminal matters at a substantially reduced rate fee averaged 84.6. There were no statistically significant differences among demographic groups.

Unsolicited Court Appointment

Figure 8
Provided Legal Services by Unsolicited Court Appointment
(n=292)



- Respondents who had performed legal services either free or at a reduced rate fee in 2009 were asked if they had provided legal services to the poor by unsolicited court appointment. As shown in Figure 8, 16.2 percent of the respondents indicated they provided such services.
- Respondents in a rural/all occupations practice (46.3 percent) were more likely than respondents in other types of practice to report providing legal services to the poor by unsolicited court appointment than other respondents (see Table 17). The percentage was higher among non-metro counties MSAs (46.3 percent) and varied with the age of the respondent.

Table 17
Performed Legal Services by Unsolicited Court Appointment
by Selected Demographics
(n=292)

	Percentage responding	
	Yes	No
All Responding	16.2	83.8
Type of Practice		
Rural/All Occupations	46.3	53.7
Urban/Non-Private Practice	3.2	96.8
Urban/Private/Small Firm	23.3	76.7
Urban/Private/Medium Firm	6.8	93.2
Urban/Private/Large Firm	3.8	96.2
MSA		
Austin-Round Rock	12.0	88.0
Dallas-Ft Worth-Arlington	15.0	85.0
Houston-Baytown-Sugar Land	9.3	90.7
San Antonio	29.4	70.6
Non-Metro Counties	46.3	53.7
Other	16.3	83.7
Age of respondent		
24 to 35	3.7	96.3
36 to 45	24.6	75.4
46 to 55	14.1	85.9
56 to 65	14.8	85.2
66 to 88	24.3	75.7

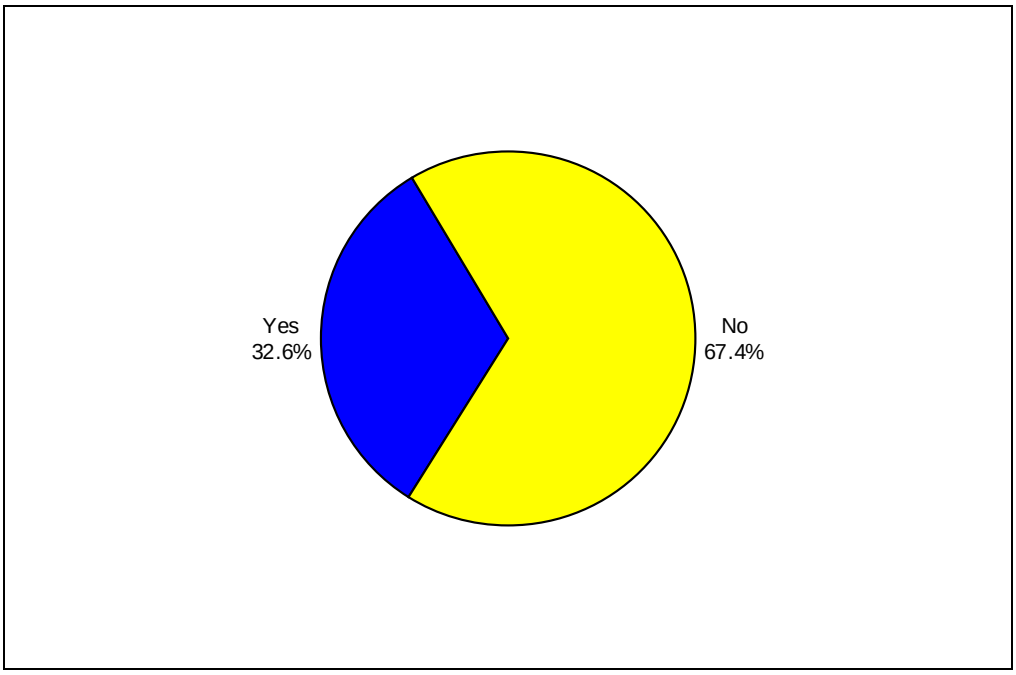
Table 18
Total Hours of Legal Services Provided
by Unsolicited Court Appointment
(n=41)

	Percentage responding
1 to 10 hours	26.9
11 to 20 hours	14.1
21 to 30 hours	10.9
31 to 40 hours	3.4
41 to 50 hours	5.3
51 hours or more	39.4

- Respondents who provided legal services to the poor by unsolicited court appointment were asked to approximate the total number of hours they provided. Thirty-nine percent of those respondents indicated that they provided 51 or more hours of service (see Table 18).
- The average number of hours provided was 135.5. There were no statistically significant differences among demographic groups.

Charitable, Public-Interest Organization

Figure 9
Provided Legal Services to Charitable, Public-Interest Organization
(n=284)



- Respondents who had performed legal services either free or at a reduced rate fee in 2009 were asked if they had provided uncompensated legal services to a charitable, public-interest organization that addresses the needs of poor persons. As shown in Figure 9, 32.6 percent of the respondents indicated they provided uncompensated services to this type of organization.
- Respondents practicing in urban, large, private firms (49.4 percent) and rural, all occupation firms (47.3 percent) were most likely to report providing legal services to a charitable, public-interest organization that addresses the needs of poor persons (see Table 19).

Table 19
Provided Legal Services to Charitable, Public-Interest Organization
by Selected Demographics
(n=284)

	Percentage responding	
	Yes	No
Type of practice		
Rural/All Occupations	47.3	52.7
Urban/Non-Private Practice	25.0	75.0
Urban/Private/Small Firm	30.2	69.8
Urban/Private/Medium Firm	27.3	72.7
Urban/Private/Large Firm	49.4	50.1

Table 20
Total Hours of Uncompensated Legal Services to Charitable, Public-Interest Organization
(n=88)

	Percentage responding
1 to 10 hours	42.9
11 to 20 hours	20.2
21 to 30 hours	8.0
31 to 40 hours	6.8
41 to 50 hours	7.1
51 hours or more	15.0

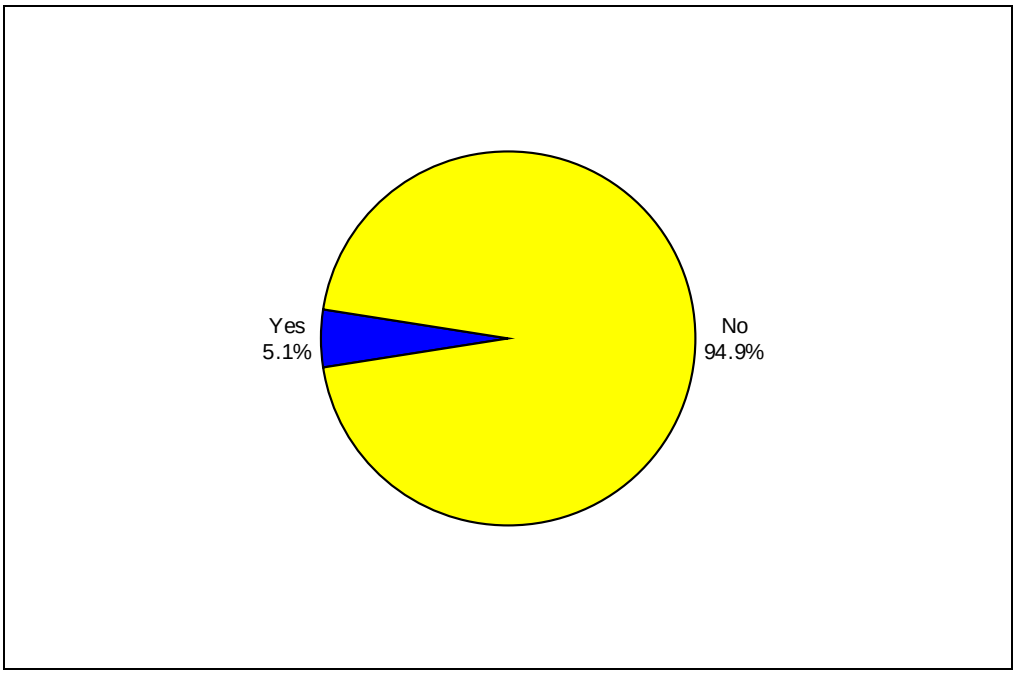
- Respondents who provided uncompensated legal services to a charitable, public-interest organization that addresses the needs of poor persons were asked to approximate the total number of hours they provided. Forty-three percent of those respondents indicated that they provided 1 to 10 hours of service (see Table 20).
- The average number of hours provided was 37.3 (see Table 21). Respondents practicing in the Austin-Round Rock MSA averaged the highest number of hours (113.9 hours).

Table 21
Total Hours Provided Free to Charitable, Public-Interest Organization by Selected Demographics
(n=105)

	Average Total Hours
All Responding	37.3
MSA	
Austin-Round Rock	113.9
Dallas-Ft Worth-Arlington	39.6
Houston-Baytown-Sugar Land	25.8
San Antonio	16.7
Non-Metro Counties	31.5
Other	16.8

Legislative, Administrative or Systems Advocacy

Figure 10
Provided Uncompensated Legislative, Administrative or Systems Advocacy
(n=284)



- Respondents who had performed legal services either free or at a reduced rate fee in 2009 were asked if they had provided uncompensated legislative, administrative or systems advocacy on behalf of poor persons. As shown in Figure 10, 5.1 percent of the respondents indicated they provided uncompensated advocacy.
- There were no statistically significant differences among demographic groups for this type of service.

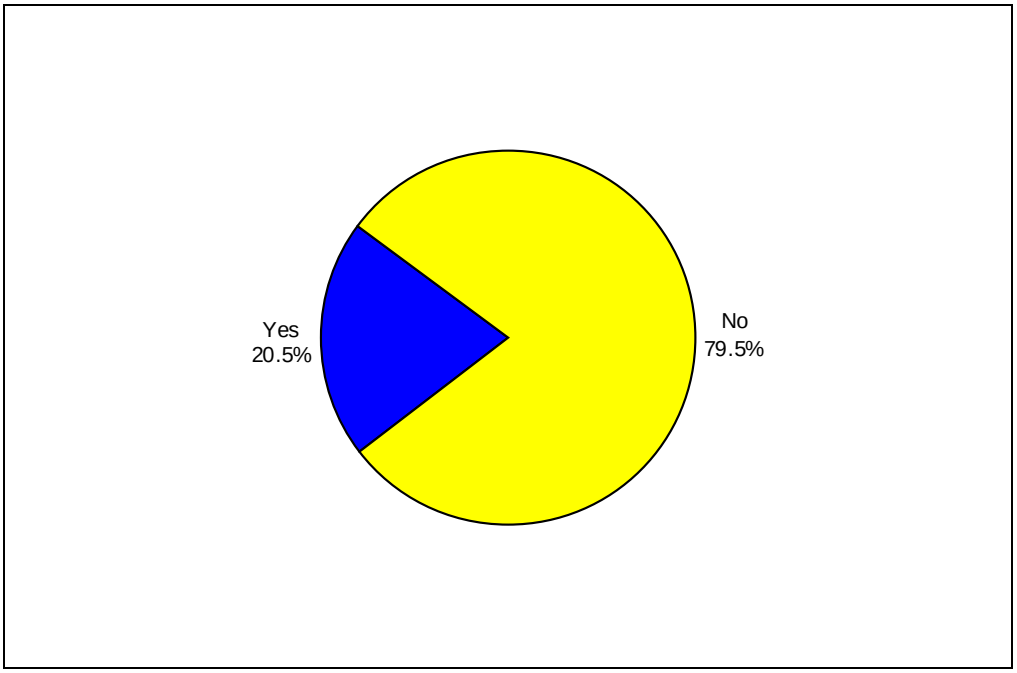
Table 22
Total Hours of Uncompensated Legislative, Administrative Or Systems Advocacy
(n=14)

	Percentage responding
1 to 10 hours	34.9
11 to 20 hours	11.1
21 to 30 hours	2.0
31 to 40 hours	13.0
41 to 50 hours	7.6
51 hours or more	31.4

- Respondents who provided uncompensated legislative, administrative or systems advocacy on behalf of poor persons were asked to approximate the total number of hours they provided. Thirty-five percent of the 14 respondents indicated that they provided 1 to 10 hours of service (see Table 22).
- The average number of hours of uncompensated legislative, administrative or systems advocacy was 58.2 hours. There were no statistically significant differences among demographic groups.

Process, Availability and Quality

Figure 11
Simplify, Increase Availability and Quality of Legal Services
(n=283)



- Respondents who had performed legal services either free or at a reduced rate fee in 2009 were asked if they had provided uncompensated services that help simplify the legal process, or increase the availability and quality of legal services to poor persons. As shown in Figure 11, 20.5 percent of the respondents indicated that they provided these kinds of services.
- There were no statistically significant differences between groups.

Table 23
Total Hours to Simplify, Increase Availability and Quality of Legal Services
(n=57)

	Percentage responding
1 to 10 hours	42.8
11 to 20 hours	14.5
21 to 30 hours	13.1
31 to 40 hours	3.9
41 to 50 hours	12.6
51 hours or more	13.2

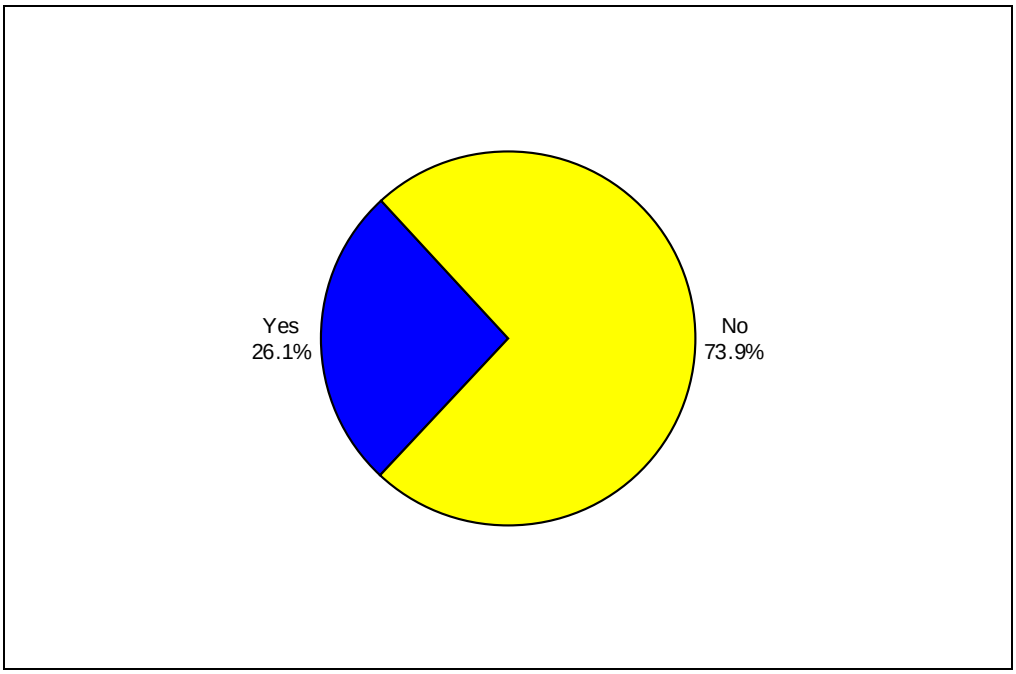
- Respondents who provided uncompensated services that help simplify the legal process, or increase the availability and quality of legal services to poor persons were asked to approximate the total number of hours they provided. Forty-three percent of those respondents indicated that they provided 1 to 10 hours of service (see Table 23).
- The average total hours of uncompensated services that help simplify the legal process, or increase the availability and quality of legal services to poor persons was 43.2 hours (see Table 24). Respondents in other occupations (129.8 hours) and those age 56 to 65 (116.0 hours) reported the highest average hours spent doing these services.

Table 24
Average Total Hours to Simplify, Increase Availability and Quality of Legal Services by Selected Demographics
(n=57)

	Average Hours
All Responding	43.2
Occupation	
Private Law Practice	30.6
Government Attorney	7.5
Corp/In-house Counsel	25.0
Other	129.8
Age of respondent	
24 to 35	17.3
36 to 45	14.2
46 to 55	23.9
56 to 65	116.0
66 to 88	34.0

Financial Contributions

Figure 12
Made Financial Contributions or Paid Expenses
(n=493)



- All respondents were asked if they had made any direct financial contributions and/or paid actual out-of-pocket expenses related to legal services for the poor. As shown in Figure 12, 26.1 percent of the respondents answered, "yes."
- Respondents in an urban, non-private practice (17.5 percent) were less likely than respondents in other types of practice to report making direct contributions and/or paying actual out-of-pocket expenses related to legal services for the poor (see Table 25). Respondents in private practice (31.5 percent), attorneys licensed over 25 years (34.8 percent), and respondents age 66 to 88 (42.0 percent) were more likely than attorneys in other occupations or attorneys licensed for fewer years respectively to report making direct contributions and/or paying actual out-of-pocket expenses related to legal services for the poor.

Table 25
Made Financial Contributions or Paid Expenses
by Selected Demographics
(n=493)

	Percentage responding	
	Yes	No
All Responding	26.1	73.9
Type of Practice		
Rural/All Occupations	33.3	66.7
Urban/Non-Private Practice	17.5	82.5
Urban/Private/Small Firm	33.1	66.9
Urban/Private/Medium Firm	24.7	75.3
Urban/Private/Large Firm	33.3	66.7
Occupation		
Private Law Practice	31.5	68.5
Government Attorney	15.5	84.5
Corp/In-house Counsel	20.5	79.5
Other	18.6	81.4
Years Licensed		
2 or less	21.9	78.1
3 to 6	14.5	85.5
7 to 10	31.1	68.9
11 to 15	27.3	72.7
16 to 20	25.0	75.0
21 to 25	17.6	82.4
Over 25	34.8	65.2
Age of respondent		
24 to 35	19.0	81.0
36 to 45	28.0	72.0
46 to 55	19.1	80.9
56 to 65	32.3	67.7
66 to 88	42.0	58.0

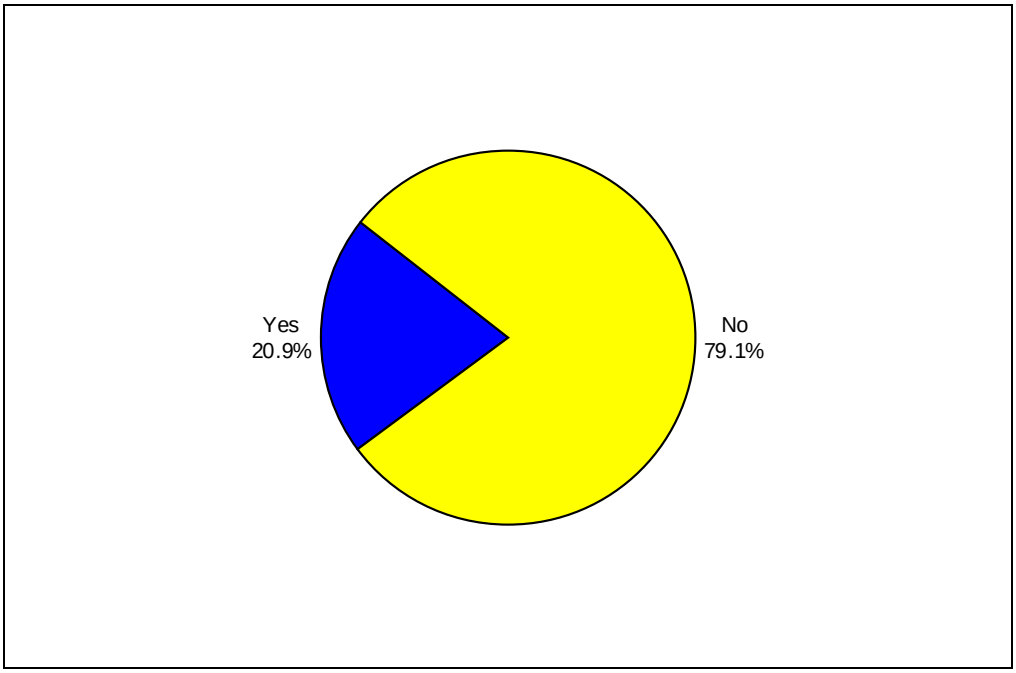
Table 26
Total Amount of Financial Contributions Made
(n=126)

	Percentage responding
$50 or Less	7.9
$51 to $100	21.1
$101 to $200	14.3
$201 to $300	8.4
$301 to $400	7.5
$401 to $500	16.0
$501 to $1,000	9.5
$1,001 to $2,000	7.5
$2,001 to $5,000	7.7

- Respondents who made direct financial contributions and/or paid actual out-of-pocket expenses related to legal services to the poor were asked to approximate the total amount of financial contributions they made. As shown in Table 26, 21.1 percent of the respondents who made financial contributions made contributions between $51 and $100. Sixteen percent of the respondents who made financial contributions paid $401 to $500. Fifteen percent reported paying over $1,000.
- The average financial contribution made was $672.35. The median financial contribution was $300.
- The total estimated contribution to the poor in 2009 was $13,167,372. This estimate is obtained by multiplying the estimate of 19,584 attorneys in Texas who made a financial contribution or paid expenses related to legal services to the poor (26.1 percent of active in-state attorneys whose occupation was identified) by the average of $672.35 (actually $672.3535526). If all Texas attorneys—including those whose occupations were not identified—are included in the calculation, the total number of estimated contribution dollars to the poor increases to $15,058,703.

General Comments

Figure 13
Have Comments/Suggestions about Pro Bono Services
(n=500)



- Respondents were asked if they had any comments regarding pro bono services. As shown in Figure 13, 20.9 percent did have a comment.
- Respondents practicing in urban, private, small firms were more likely to indicate they had a comment or suggestion about pro bono services (see Table 27). The percentage of those with comments or suggestions increased as the number of years licensed to practice law and the age of the respondent increased.
- As shown in Table 28, the most frequent comments included suggested practices to encourage pro bono work (23.2 percent). A complete listing of open-end comments appears in Appendix B.

Table 27
Have Comments/Suggestions about Pro Bono Services
by Selected Demographics
(n=500)

	Percentage responding	
	Yes	No
All Responding	20.9	79.1
Type of practice		
Rural/All Occupations	24.0	76.0
Urban/Non-Private Practice	17.5	82.5
Urban/Private/Small Firm	29.0	71.0
Urban/Private/Medium Firm	9.3	90.7
Urban/Private/Large Firm	18.7	81.3
Years licensed		
2 or less	10.9	89.1
3 to 6	14.5	85.5
7 to 10	15.6	84.4
11 to 15	22.7	77.3
16 to 20	14.8	85.2
21 to 25	21.6	78.4
Over 25	31.5	68.5
Age of respondent		
24 to 35	6.9	93.1
36 to 45	19.8	80.2
46 to 55	18.0	82.0
56 to 65	27.7	72.3
66 to 88	46.2	53.8

Table 28
Topic of Comments/Suggestions about Pro Bono Services
(n=103)

	Percentage responding
Suggested practices to encourage pro bono work	23.2
Should not be required	13.7
Want information about pro bono opportunities	12.4
Should be required	11.0
A good idea but should not be mandatory	10.8
Not all practices lend themselves to pro bono work	7.3
Do not require for financial/business reasons	3.5
Other	18.1

VI. CONCLUSIONS

The 2009 State Bar of Texas survey of member attorneys reveals that fifty-two percent of the respondents performed free legal services for the poor or free indirect legal services that substantially benefited the poor. Thirty-one percent of the respondents reported performing some level of legal services at a substantially reduced fee that benefited the poor.

Forty percent of the respondents indicated that they had recorded their hours or otherwise kept track of the pro bono legal services they rendered during 2009. Twenty-six percent of the respondents reported making financial contributions and/or paid actual out-of-pocket expenses related to legal services for the poor.

The largest percentage of respondents who performed free legal services provided services in civil matters (76 percent). This compared to smaller percentages of respondents who provided free legal services to charitable, public-interest organizations (33 percent); to simplify or, increase availability and quality of legal services (21 percent); in criminal matters (23 percent); by unsolicited court appointment (16 percent); and for legislative, administrative or systems advocacy (5 percent).

In all, it is estimated that Texas attorneys contributed 2.24 million to 2.56 million hours of free legal or indirect services, 2.35 million to 2.69 million hours of substantially reduced legal services, and $13.17 million to $15.06 million of contributions to legal services to the poor in 2009.

APPENDIX A: SURVEY INSTRUMENT

State Bar of Texas Pro Bono Survey (February 2010)

Hello, my name is _____. I'm calling from the University of North Texas on behalf of the State Bar of Texas. May I speak with Mr./Ms. _____. [If they ask what this is in regards to, say: "The State Bar is conducting a voluntary survey about the types of services provided by attorneys in Texas and we would really appreciate Mr./Ms. _____'s feedback."]

[If yes]: Hello Mr./Ms. _____. My name is _____ and I'm calling on behalf of the State Bar of Texas. The State Bar is conducting a short, confidential, and completely voluntary survey of services provided by attorneys in Texas. Do you have a few minutes right now to answer some questions? [If they ask how long it will take, tell them that it will be less than five minutes.]

[If yes, begin interview]
[If no, arrange for a callback or record refusal.]
[If they have questions about why the Bar is doing this survey, use the explanation listed at the end of this document.]

Questions:

1. I'm going to ask about some specific categories of pro bono legal services in a moment, but first I'd like to ask some general questions.

   (a) In the year 2009, did you perform any free legal services to the poor or free indirect legal services that substantially benefited the poor? ❒ yes ❒ no

      (i) [IF YES:] Approximately how many total **hours** of these services did you provide in 2009?

      _____

      (1)[IF 800 or more hours, ask:] Are you a public interest lawyer? _____

      [IF YES to being a public interest lawyer, need to ask question about total hours again to obtain hours beyond normal public interest lawyer work:]
      "Approximately how many total **hours** of these services did you provide in 2009 over and above the normal expectation of your job as a public interest lawyer?"
      _____

   (b) In the year 2009, did you perform any legal services provided at a substantially reduced fee that benefited the poor? ❒ yes ❒ no

      (i) [IF YES:] Approximately how many total hours of these reduced fee services did you provide in 2009? _____

   (c) Did you record your hours or otherwise keep track of the pro bono legal services that you rendered during 2009? ❒ yes ❒ no

[IF THE PERSON ANSWERED "NO" TO QUESTIONS 1(a) AND 1(b), SKIP TO QUESTION 3.]

2. Now, I'm going to ask you some questions about the specific types of pro bono services that you provided. During 2009, did you provide any of the following legal services?

   (a) Legal services to the poor in civil matters without compensation and without expectation of compensation? ❒ yes ❒ no

      (i) [IF YES:] How many hours did you provide? _____

   (b) Legal services to the poor in civil matters at a substantially reduced fee and without expectation of additional compensation? ❒ yes ❒ no

      (i) [IF YES:] How many hours did you provide? _____

   (c) Legal services to the poor in criminal matters without compensation and without expectation of compensation? ❒ yes ❒ no

      (i) [IF YES:] How many hours did you provide? _____

   (d) Legal services to the poor in criminal matters at a substantially reduced fee and without expectation of additional compensation? ❒ yes ❒ no

      (i) [IF YES:] How many hours did you provide? _____

   (e) Legal services to the poor by unsolicited court appointment? ❒ yes ❒ no

      (i) [IF YES:] How many hours did you provide? _____

   (f) Uncompensated legal services to any charitable, public-interest organization that addresses the needs of poor persons? ❒ yes ❒ no

      (i) [IF YES:] How many hours did you provide? _____

   (g) Uncompensated legislative, administrative or systems advocacy on behalf of poor persons?
   ❒ yes ❒ no

      (i) [IF YES:] How many hours did you provide? _____

   (h) Uncompensated services that help simplify the legal process, or increase the availability and quality of legal services to poor persons? ❒ yes ❒ no

      (i) [IF YES:] How many hours did you provide? _____

3. In 2009, did you make any direct financial contributions and/or pay actual out-of-pocket expenses related to legal services to the poor? ❒ yes ❒ no

   (a) [IF YES:] What was the approximate total amount of the financial contributions that you made?_____

4. Do you have any comments or suggestions about pro bono services that you would like us to report to the Bar?

THANK YOU SO MUCH FOR TAKING THE TIME TO ANSWER THESE QUESTIONS. THIS INFORMATION AND YOUR COMMENTS ARE VERY IMPORTANT TO THE BAR.

Reference Information:

1) If the attorney wants an explanation of why the Bar is conducting this survey: "The State Bar of Texas has gathered annual statistics on pro bono work for more than 20 years. These statistics are of interest to the state legislature, the Supreme Court of Texas, and the Bar as a whole. Your participation and confidential responses will help Bar leaders better serve Texas attorneys and the general public. The entire survey should take only a few minutes. Can you help us?"

2) If someone should ask what is being referred to in question 1a as "indirect legal services," you may refer to the services described below from the Pro Bono Policy in sections 3b, 3c, and 3d.

3) **September 22, 2000 State Bar of Texas Pro Bono Policy: Legal services and support to the poor include the following:**

(a) The direct provision of legal services to the poor without an expectation of compensation, or at a substantially reduced fee, whether civil or criminal;
(b) Services without a fee, or at a substantially reduced fee, related to simplifying the legal process for, or increasing the availability and quality of, legal services to poor persons;
(c) Legal services without a fee, or at a substantially reduced fee, rendered to charitable, public interest organizations with respect to matters or projects designed predominantly to address the needs of poor persons;
(d) Legislative, administrative or systems advocacy services without a fee, or at a substantially reduced fee, provided on behalf of poor persons; or
(e) Unsolicited, involuntary appointed representation of indigents in criminal and civil matters.

Financial contributions to organizations that provide legal services to the poor, as well as out-of pocket, non-reimbursed expenses incurred by a lawyer (handling a matter that qualifies under the definition of Legal Services to the Poor outlined above) are included, and may be considered as legal services to the poor. **Also included are all legal services to the poor in Section 6 of the Preamble to the Texas Disciplinary Rules of Professional Conduct, 1995 revision:**

"A lawyer should render public interest legal service. The basic responsibility for providing legal services for those unable to pay ultimately rests upon the individual lawyer, and personal involvement in the problems of the disadvantaged can be one of the most rewarding experiences in the life of a lawyer. Every lawyer, regardless of professional prominence or professional workload, should find time to participate in or otherwise support the provision of legal services to the disadvantaged. The provision of free legal services to those unable to pay reasonable fees is a moral obligation of each lawyer as well as the profession generally. A lawyer may discharge this basic responsibility by providing public interest legal services without fee, or at a substantially reduced fee, in one or more of the following areas: poverty law, civil rights law, public rights law, charitable organization representation, the administration of justice, and by financial support for organizations that provide legal services to persons of limited means."

4) Some lawyers keep detailed time records of their pro bono performance. Those lawyers may ask to call back, or the surveyor may want to indicate that if it would assist the lawyer in giving accurate answers to check those records, a callback can be arranged. A specific return-call time should be set.

APPENDIX B: OPENEND RESPONSES

Question 4: Do you have any comments or suggestions about pro bono services that you would like us to report to the Bar?

Suggested practices to encourage pro bono work

After years of dealing with this, is to try our best to get right work to right attorneys.

Attorneys would be more likely to perform pro bono services if firms would encourage them to perform pro bono services.

Base it on need instead of how much money you got, a lot of people need it that aren't necessarily poor, if you have four kids for example. Also there should be more emphasis on civil cases, the criminal cases will be taken care of, in civil cases the majority of benefit could take place in persons who earn less than $200,000.

Based on experience, there are a lot of low income Hispanics, who need help with legal problems. We need a bilingual clinic in Dallas.

Corporations should be made more aware of supporting pro bono legal services to the poor and their in-house legal system should be more strongly encouraged to pursue pro bono services on a daily basis. In-house lawyers need to be more encouraged.

Do they have a program where if you have to do pro bono you get some kind of coverage, like malpractice coverage? That would be a good thing, I think it would increase participation.

I am in an area east of Waco. It would be nice if state county had legal aid available.

I feel that legal services should be free: filing costs, etc. I get the impression that these people are state employees, and every time I file something it costs a lot of money, and I know that this money goes to operations in facilities. Well, I think that is part of their job and should be paid by the state. Makes justice less accessible.

I have found the court appointing process to be terrible. I would much rather make a contribution and have those people do a good job for the indigent.

I know that their focus is on indigent services, but if they're looking up pro bono services it would be great to include special needs.

I think it is unfair that you have to charge the same amount for people that make more money than those who make 10 times less. There should be a price difference between those who are making more money and those who are barely making money.

I think that the big law firms ought to provide young attorneys of the associate level to do not only civil matters, but criminal defense as well. There ought to be training programs, not only CLE, but if it is CLE it ought to be free.

I think the pro bono college is a good idea. Speakers that give speeches at continuing education events get group study hours. I think it would be good if people who do documented pro bono work could turn those hours in towards their continuing education.

I think there should be more programs where we can actually try to get the attorneys involved in providing these free services to the general public as a unit not as individuals. We can get immigration attorneys to participate as a unit. That is a very functional way to provide these free services. It's hard to do as an individual.

I would say that, from view of a private associate with a large law firm; the higher the bar that the firm sets for billing hours, without making pro bono as billing, the higher the expectations bar is set is in direct correlation to the amount of pro bono work that one is likely to expect from associates in the firm.

If the State Bar could provide malpractice coverage to people who are doing pro bono work, a wider range of lawyers who no longer work in bigger firms would be more willing to do pro bono work.

It would be nice if there were a fund for filing fees.

Most of what my consumer protection division does is to help people who cannot afford lawyers. However the pro bono services are completely inadequate. State Bar needs to produce funds for pro bono especially for those accused of crimes. In a serious criminal accusation there are few that can

afford to defend those cases that Texas funds them for.

Obviously the State Bar is doing a good job and many of the larger firms encourage their people to do pro bono work. Good job.

Once in a while I read in the publication about how some large firms get awards for their pro bono work, but we do not receive any recognition for the pro bono work that we do. However, we do not seek or need this recognition.

Pro bono should be expanded to include services that are for the public good but not necessarily just for the poor. I've given lots of hours to tax exempt/501C organizations and I truly think these hours are pro bono services.

The organizations that currently help the poor need to respond faster. I think they are way too slow, especially when it comes to family abuse/violent cases.

The smaller counties are underrepresented as far as getting free help for civil cases and if they could pay to have somebody to do that sort of thing; either increase legal aide and/or provide money to the DA's office for someone who could do protective orders, it would make a difference. Being a rural county makes a difference.

There are a lot of attorneys that would gladly do pro bono services and are qualified to do it. On court appointment make sure the attorney is qualified to do it.

There's an area that is not entitled to free legal services and they should be.

They need to send something out about reminding us to keep track of pro bono work.

They should give us some continued education, or participation, credit for each hour of pro bono.

We need to find some way to fund pro bono matters equally across the state. I realize that some areas of the state have more need as far as indigent is concerned. But we don't have a vehicle to carry that out statewide since the federal government cut us off 10 years ago or so.

You might expand pro bono to charitable services that aren't directly related to the poor, child advocacy center, YMCA, foundations that support educational activities, pregnancy counseling, family services, churches.

Should not be required

I don't get credit for working with the poor. I don't think it should be mandated but should be voluntary.

I don't think it should be required to provide legal services to the poor. It's kind of obnoxious.

I don't think that it should ever be compelled. If you compel pro bono then it defeats the purpose. Every man should do what's right but they should not be compelled to do it.

I get the impression that the State Bar may want to angle towards a mandatory number of pro bono hours on a yearly basis and I am opposed to that. This is something that is entirely voluntary and is a labor of love. And I would hate to see a mandatory number of hours devoted by each attorney to pro bono work.

I think I should be voluntary and not mandatory

I think it's overrated and a waste of time. Most of the stuff I've seen hasn't been a real case. But I may not be right. The only time I ran into pro bono was on the other side. When I see pro bono it's like a uniform treatment where they are trying to scam people I'm representing. There may be actual poor people, but the only ones I've seen in court aren't.

I would hate to see pro bono be anything than voluntary.

It would be better if it was mandatory (minimum) across the board. It's all well and good to encourage, but I think it would be best for the Bar to step up and mandate that we do work for the indigent. If everyone stepped up and contributed a little, there wouldn't be the need to through[?] in such large amounts.

It's not their business. We shouldn't be interrogated by the State Bar. It implies that I'm not an ethical lawyer and can't distinguish right from wrong. I think the Bar is wasting its time on this. Setting up themselves for an impossible task.

Keep it voluntary.

Lawyers should voluntarily do that. Just do it as a matter of their practice. I think many do.

Pro bono should be voluntary and should never be legislatively mandated. I believe no one has a right to legal services.

State Bar should not be involved in such things, not their purpose in life.

Want information about pro bono opportunities

A good way of matching those with need with those with available time. That would probably be a good start I think.

Better education on organizations you can help, and the different pro bono options.

I don't get notices about opportunities. Better communication would be helpful.

I enjoy doing pro bono work. I would like to maybe find out more avenues or more...however I can find out how I can do pro bono work.

I think it's vital. And I would actually like to know more about what I could do as a government employee to do more. I just don't know exactly what that would be. I'm curious if they have any suggestions.

If we knew of more opportunities then we could give more help.

It would be helpful if they could make attorneys aware of opportunities that are available.

Just to make opportunities more public or more readily available, perhaps by e-mail.

More information on what resources are available for in-house council attorneys to get involved with pro bono.

We have the Dallas Volunteer Attorney Program here in Dallas and they do a good job of letting attorneys know what is available as far as pro bono work is concerned. And they should continue letting attorneys know what the needs are in the community.

Should be required

I think everybody should do it.

I think it's a good idea that all lawyers do it. They should do it for everyone not just wealthy people.

I think that all lawyers should be required to do so many hours, about 10 - 50, of pro bono services. It would make it easier for corporations to allow their attorneys to provide these services.

I think that every attorney who is licensed more than 2 years should do at least a minimum of 40 hours a year to help the poor.

I think that the Bar should make it mandatory for every member to have a certain number of hours attributed to pro bono work. That would be very difficult. Could be set minimally (20 hours a year? some amount) and raised.

It wouldn't be a bad idea to require each attorney to perform a minimum of a specific number of hours of pro bono services each year. I am a City of Austin attorney and am not allowed to take any pro bono cases.

Make pro bono service mandatory as condition for license renewal.

More lawyers should be involved and assist where they can even if only a few hours, to help those of us that do it a lot.

We need a lot more folks doing it. Some are well paid, and when people can't afford it need help. I know several attorneys who make $500 per hour and turn people down. I think the law schools are driving out professional people but leaving the welders in. We cannot consider ourselves professional people anymore.

We should do more.

A good idea but should not be mandatory

I believe that it is the duty of every lawyer to make such efforts when they are able.

I believe that it's a good thing to do if you have a private practice.

I have a very specialized legal transactional practice and I don't feel comfortable providing these services directly. However my associates do, and I support the overall goal in this way. And I donate my time and fundraising for nonprofit arts and education.

I just think that you should just let the lawyers do the pro bono work on their own. I don't think that the State Bar should be setting a number of hours. I think that the lawyers will do this out of the goodness of their hearts instead of being forced to do pro bono. I think voluntary pro bono gets better results.

I think it is a wonderful thing. We should be doing more of it. I work for a HOA law firm. We do not

deal directly for the public, per say, just mainly board of directors of HOA. I am doing something for an HOA now at a reduced cost.

I think it's a necessary part of doing what we do. I'd like to see everybody involved in it. It's a privilege to practice law, and with that privilege comes a responsibility to make sure the system works for everybody.

I think lawyers generally ought to remember that they actually are here to provide services for the general public and not to pad their own personal bank account every day of their lives.

I think that it is a worthwhile activity that all lawyers should engage in. To the extent that the Bar can encourage this activity, I think that they should.

I think that making transactional pro bono work available to the poor would be helpful to the poor.

I think the State went overboard in their attempts to make sure everyone has a lawyer at county expense. They've taken the decision making from the judges, told to me by judges. The judges told me that they can't question the affidavit by the clients and they don't believe them. Too many people are getting free lawyers and they don't deserve them. I believe in pro bono work, I told the president that they needed to do their hours. They wanted us to do it rather than do it themselves. I think it's a good idea for the legal aide to do more because they always take the easy cases and not any of the hard cases.

I would say there are a lot of attorneys with a lot of time on their hands right now, and that is what they should be doing. I happen to be doing a lot of transactional services, for a church in my area. I have the time so that is what I'm doing. I'm preparing corporate documentation, helping them amend bylaws etc.

It's a good thing, more lawyers should do it.

It's helpful. I'm kind of an old school guy. I help out as much as I can. I'd like to see the State Bar never mandate having to do pro bono work. It makes the lawyer jaded and causes resentment, and lessens the quality of pro bono work. In my opinion, it should always be voluntary. You give freely and more if you do it out of your heart.

Not all practices lend themselves to pro bono work

For some of us that do commercial litigation, it's hard to match what we do with some of these folks that are needing help.

How do you reconcile the ability to do pro bono services that don't conflict with someone who is employed by a government agency, specifically a municipality?

I am a sole practitioner, I am my staff. It's burdensome financially on someone like myself to be required to do a certain number of pro bono services.

I work for a small practice in a small town. People show up all the time trying to get free services and it's a burden to try to help them out.

I'm a prosecutor so I'm always worried what I can do for pro bono. I'm confused, because I would like to do it, but have to do it in a different capacity.

My biggest obstacle is lack of training in the areas that they need help. I am a patent attorney, and it is a hard to imagine a need for a patent attorney for the poor.

Not too many indigent people have oil interest.

They should not solely be limited to services to the poor. I work with real estate and there is not a lot of opportunity for me. They should encourage attorneys to donate services to nonprofit organizations, not just the poor.

Do not require for financial/business reasons

I would like to know what the definition of pro bono includes. I have done some cases which I thought were unfair in which there was no expectation of compensation and only took compensation if some profit was made. I think it would be helpful for the State Bar to define exactly what is included in pro bono.

If you're in a small town then it's economically prohibited, specifically pro bono work.

Private lawyers don't get paid a lot of the time even when expected. Forty percent is operating expenses in my practice.

The cutting of our bills is unnecessary and I think it's a huge problem. We are already doing it at a

reduced rate and then they reduce it even more.

Other

All of the legal services I provided were through the NAACP Houston Legal Redress Program.

As a former policeman I am not inclined to provide services to criminal defendants.

Every lawyer needs to make the world a better place every day in every way.

For the Harris County prosecutor's office to have empathy for the accused.

I like the e-mail that was sent; it was very nice.

I think all lawyers ought to do more. At one time I was doing voluntary legal services. I just think we should do more to help poor folks get help. People that come to a lawyer who need help, and you can see they need help, and the lawyer just leaves them with no guidance, and the passage of time can be very injurious. A lot of people are being missed.

I think lawyers provide many services to the community at large. I think lawyers are not appreciated for the many pro bono hours that benefit the community.

I think people need to do more pro bono services.

I think the State Bar is doing a good job.

If everybody just does a little bit it helps. When I practiced in the city that rarely crossed my desk, except for mentally challenged or military servicemen. Now I'm out in rural areas, I get several cases in civil courts every year where they just can pay their bills. So I do several of those.

I'm there, in the Houston Municipal Court, so if someone needs my help, or they look lost or don't speak English and they don't have a lawyer to help them, I do it.

It makes me feel good. It gives me pleasure to give something back. I like championing the cause of the little man or the little woman who is underrepresented because of economic circumstances. Don Quixote syndrome. I'll tilt against windmills because they need battling for time to time. I love a country where you get to do that.

It's very difficult in our county because it takes months to get anything established. A lot of people are needing these services here in Orange County, but aren't able to get any help.

Lot of people who need help who can't afford attorneys. I'm not sure what the answer is. I'd like to do more. I just do what I can.

Very difficult at this time to provide pro bono services to the poor.

We do pro bono but not for the poverty.

When I stand in front of a judge in San Antonio and try to explain to them what it takes to practice law in a small town of an economically distressed environment, they have no capacity to comprehend what I'm talking about, and they're in disbelief that I would do what I do without compensation. Great disparity between small towns and urban places.

You've got a poor person and they fill out a form and get on committees, etc. Whereas real poor people do not get represented. There's a real disconnect there. They're not gonna listen to me, though. It's pitiful, really.

APPENDIX C: FREQUENCIES - WEIGHT COMPARISON

Table C-1
Demographics

Demographics	Percentage (n=500)	
	Weighted	Not weighted
Age of Respondent		
24 to 35	23.3	22.2
36 to 45	25.2	23.6
46 to 55	22.2	23.2
56 to 65	18.9	18.8
66 to 88	10.4	12.2
Gender of respondent		
Male	29.2	27.4
Female	70.8	72.6
Ethnicity		
Caucasian/Anglo	82.9	84.1
African-American	3.4	3.1
Hispanic/Latino	9.0	8.6
Asian/Pacific Islander	2.9	2.3
Native American	0.4	0.4
Other	1.5	1.5
Work Status		
Private Law Practice	60.3	71.8
Government Attorney	11.6	9.2
Full-time Judge	1.5	1.4
Law Faculty	0.1	0.2
Corporate/In-house Counsel	7.8	5.2
Other Law Related	3.3	2.4
Other Non-Law Related	2.9	1.8
Unemployed-Not Currently Looking	0.6	0.4
None Specified	11.9	7.6
Years Licensed		
2 or less	12.9	11.8
3 to 6	13.9	13.6
7 to 10	9.0	9.8
11 to 15	13.3	12.2
16 to 20	12.1	12.2
21 to 25	10.3	10.2
Over 25	28.6	30.2

Demographics	Percentage (n=500)	
	Weighted	Not weighted
Type of Practice		
Rural/All Occupations	4.4	15.0
Urban/Non-Private	38.4	24.0
Urban/Private/Small Firm	34.0	31.0
Urban/Private/Medium Firm	11.7	15.0
Urban/Private/Large Firm	11.4	15.0
Metropolitan Statistical Area (MSA)		
Abilene	0.4	0.4
Amarillo	1.0	1.0
Austin-Round Rock	10.3	9.0
Beaumont-Port Arthur	1.1	0.8
Brownsville-Harlingen	0.2	0.2
College Station-Bryan	0.4	0.4
Corpus Christi	2.5	2.4
Dallas-Fort Worth-Arlington	28.7	26.6
El Paso	1.3	1.0
Houston-Baytown-Sugar Land	34.0	29.8
Killeen-Temple-Fort Hood	0.7	0.6
Laredo	0.2	0.2
Longview	0.5	0.4
Lubbock	1.9	1.4
McAllen-Edinburgh-Pharr	1.2	1.0
Midland	0.5	0.6
San Angelo	0.6	0.6
San Antonio	6.6	5.6
Sherman-Denison	0.6	0.4
Texarkana	0.2	0.2
Tyler	0.5	0.4
Victoria	0.6	0.6
Waco	1.1	1.0
Wichita Falls	0.5	0.4
Non-Metro Counties	4.4	15.0

Figure C-1
Performed Free Legal or Indirect Services in 2009

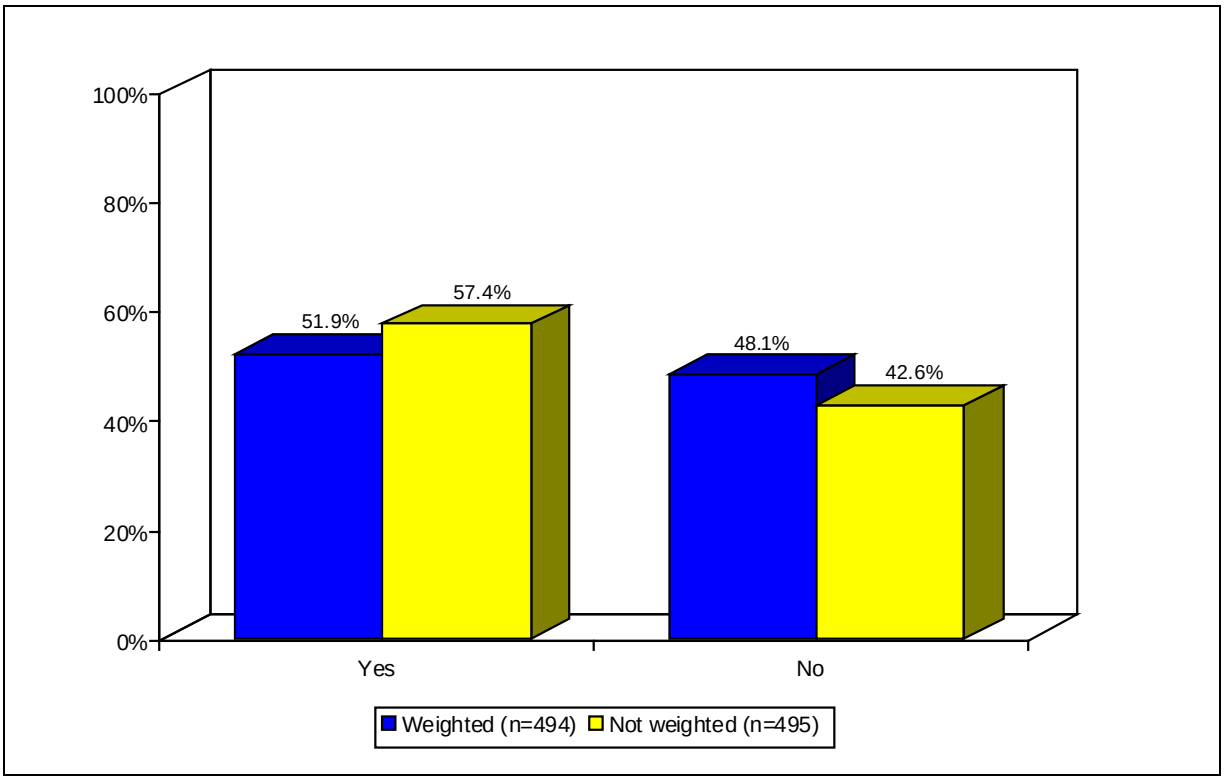


Table C-2
Total Hours of Free Legal or Indirect Services Provided in 2009

	Percentage responding	
	Weighted (n=247)	Not weighted (n=274)
1 to 10 hours	19.8	19.3
11 to 20 hours	19.7	19.0
21 to 30 hours	13.3	13.9
31 to 40 hours	10.4	10.2
41 to 50 hours	10.7	11.7
51 hours or more	26.0	25.9

Figure C-2
Performed Legal Services at a Substantially Reduced Fee

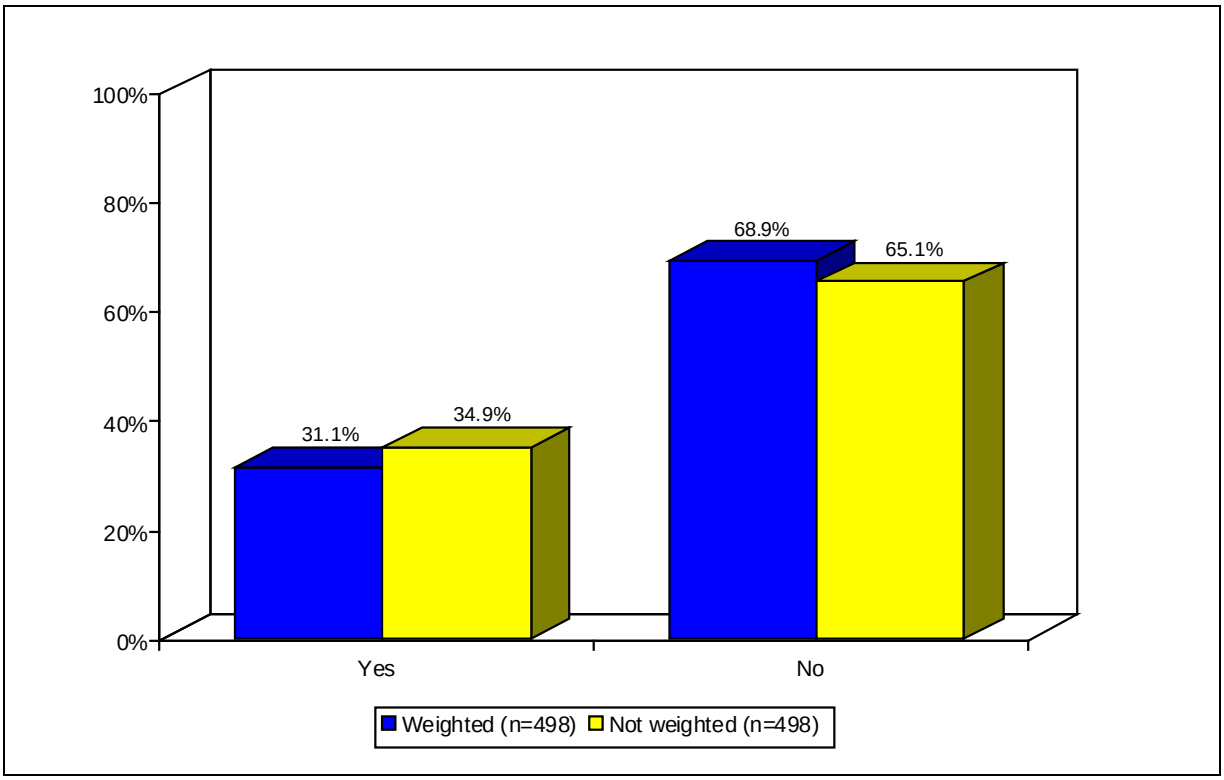


Table C-3
Total Hours of Legal Services Provided at Substantially Reduced Fee

	Percentage responding	
	Weighted (n=144)	Not weighted (n=163)
1 to 10 hours	11.5	11.7
11 to 20 hours	19.6	18.4
21 to 30 hours	11.9	12.3
31 to 40 hours	11.8	11.0
41 to 50 hours	10.0	9.2
51 hours or more	35.2	37.4

Figure C-3
Performed Free Legal Services in Civil Matters

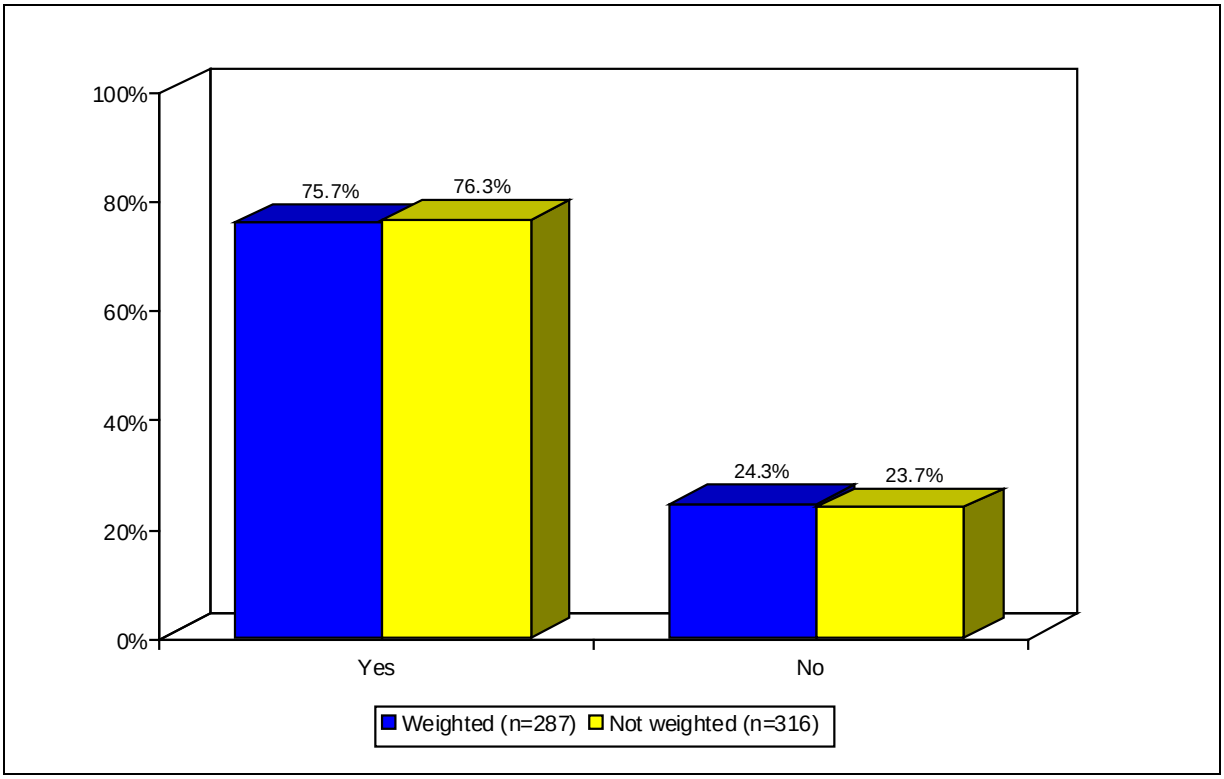


Table C-4
Total Hours of Free Legal Services Provided in Civil Matters

	Percentage responding	
	Weighted (n=208)	Not weighted (n=229)
1 to 10 hours	24.2	24.5
11 to 20 hours	18.8	19.7
21 to 30 hours	15.2	15.3
31 to 40 hours	12.9	10.9
41 to 50 hours	10.4	10.9
51 hours or more	18.5	18.8

Figure C-4
Performed Legal Services in Civil Matters at a Reduced Fee

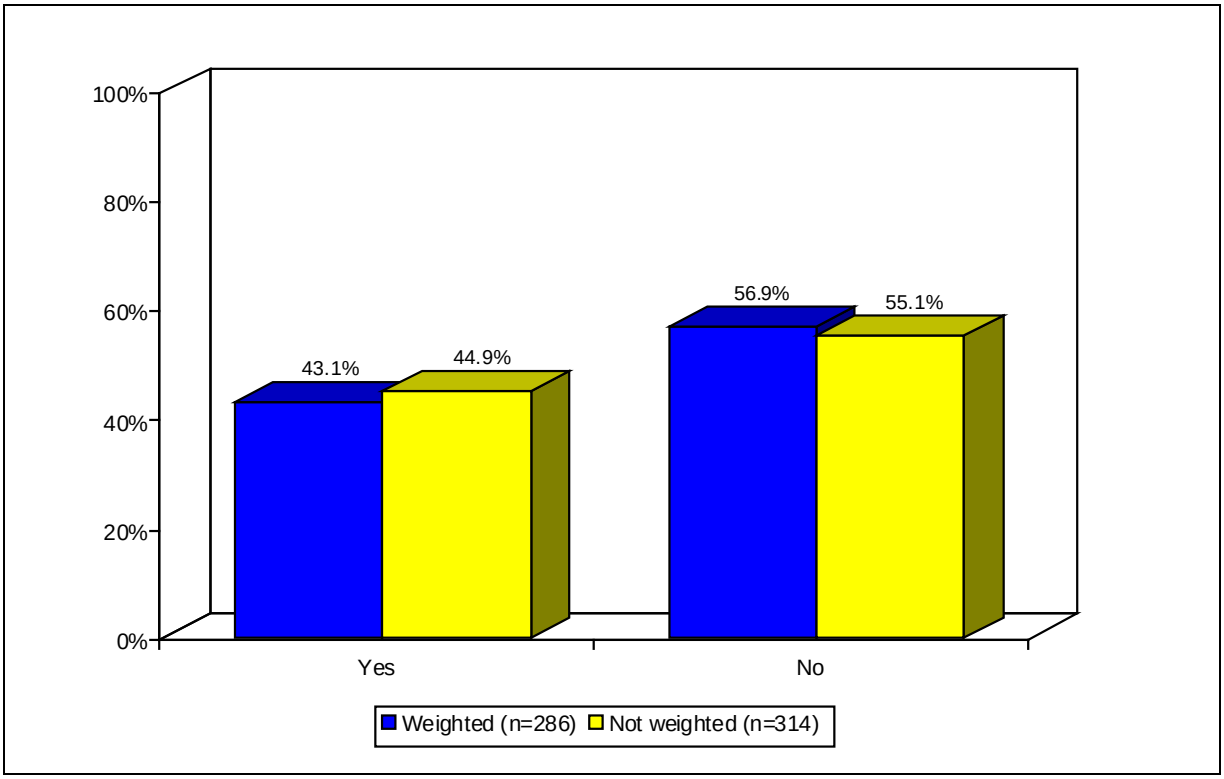


Table C-5
Total Hours of Legal Services Provided in Civil Matters at Reduced Fee

	Percentage responding	
	Weighted (n=116)	Not weighted (n=132)
1 to 10 hours	16.2	15.2
11 to 20 hours	23.6	23.5
21 to 30 hours	14.3	13.6
31 to 40 hours	9.8	9.1
41 to 50 hours	7.5	8.3
51 hours or more	28.6	30.3

Figure C-5
Performed Free Legal Services in Criminal Matters

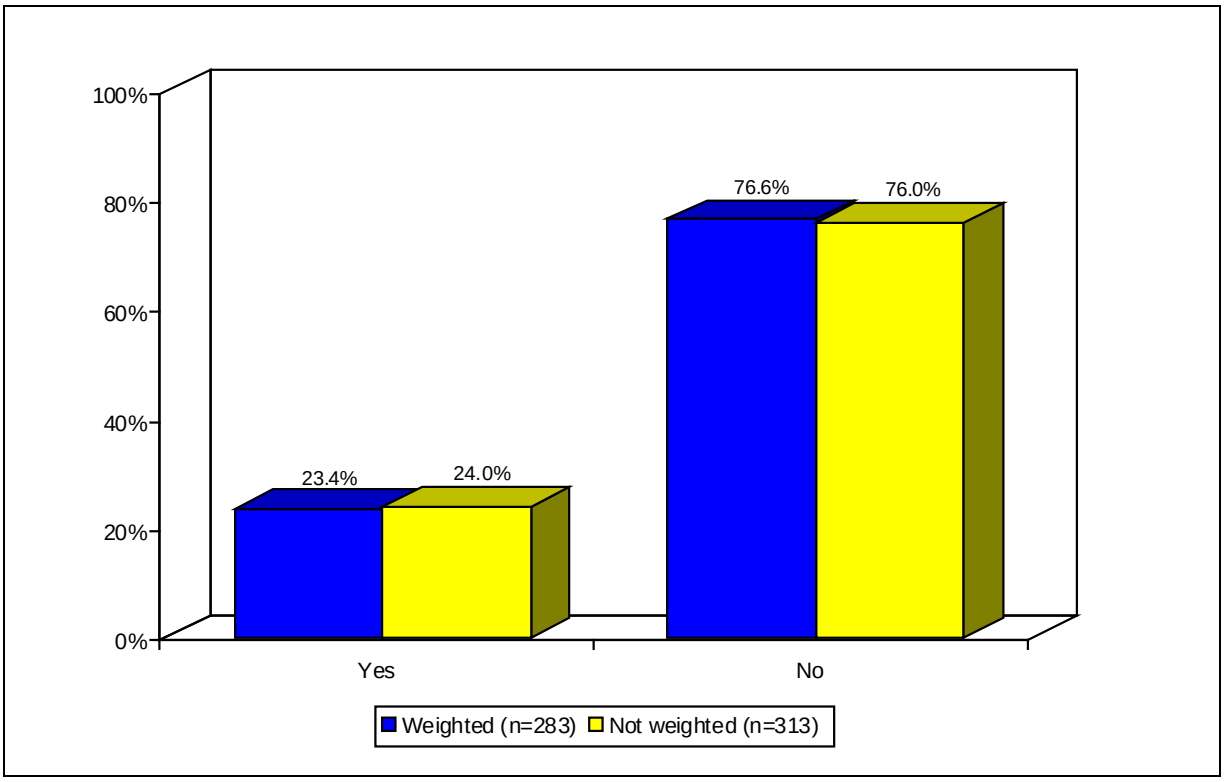


Table C-6
Total Hours of Free Legal Services Provided in Criminal Matters

	Percentage responding	
	Weighted (n=64)	Not weighted (n=71)
1 to 10 hours	37.8	35.2
11 to 20 hours	11.6	14.1
21 to 30 hours	9.0	9.9
31 to 40 hours	1.7	1.4
41 to 50 hours	12.4	12.7
51 hours or more	27.5	26.8

Figure C-6
Performed Legal Services in Criminal Matters at a Reduced Fee

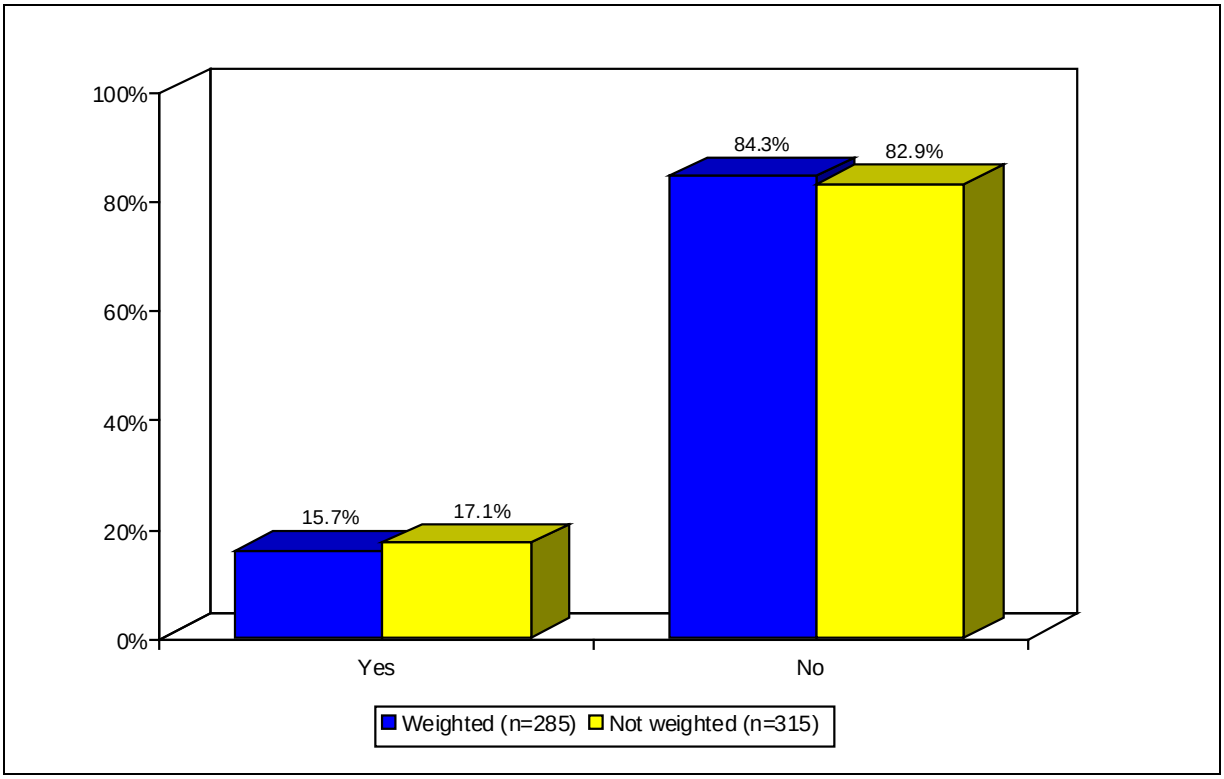


Table C-7
Total Hours of Legal Services Provided in Criminal Matters at Reduced Fee

	Percentage responding	
	Weighted (n=41)	Not weighted (n=49)
1 to 10 hours	10.7	10.2
11 to 20 hours	17.5	18.4
21 to 30 hours	6.6	4.1
31 to 40 hours	8.7	10.2
41 to 50 hours	19.0	20.4
51 hours or more	37.4	36.7

Figure C-7
Provided Legal Services by Unsolicited Court Appointment

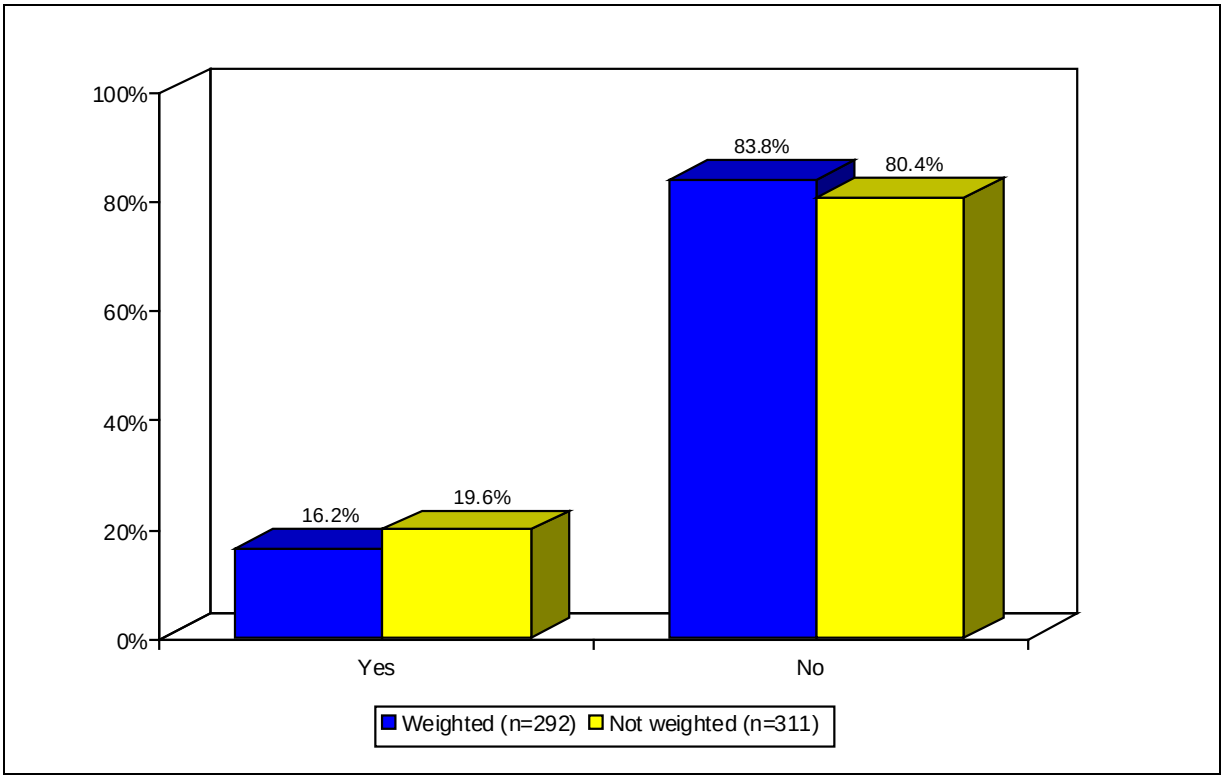


Table C-8
Total Hours of Legal Services Provided by Unsolicited Court Appointment

	Percentage responding	
	Weighted (n=41)	Not weighted (n=55)
1 to 10 hours	26.9	21.8
11 to 20 hours	14.1	12.7
21 to 30 hours	10.9	12.7
31 to 40 hours	3.4	5.5
41 to 50 hours	5.3	5.5
51 hours or more	39.4	41.8

Figure C-8
Provided Legal Services to Charitable, Public-Interest Organization

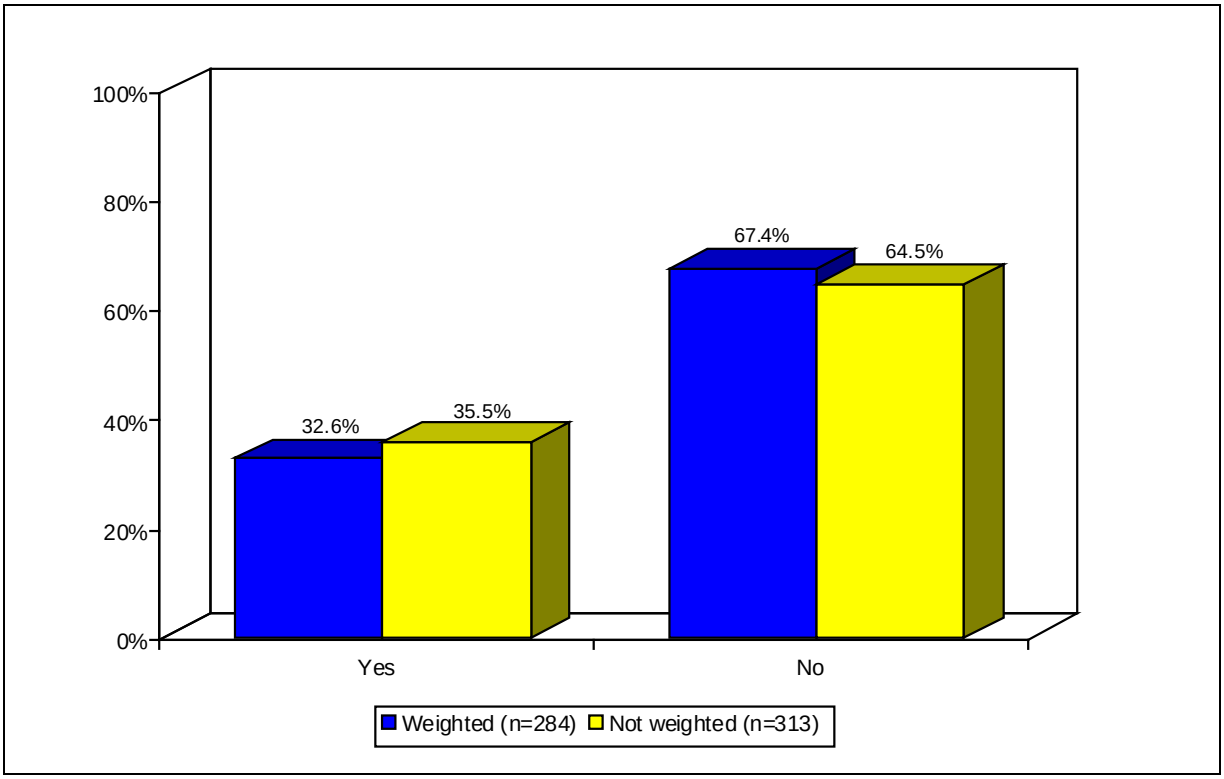


Table C-9
Total Hours of Uncompensated Legal Services to Charitable, Public-Interest Organization

	Percentage responding	
	Weighted (n=88)	Not weighted (n=104)
1 to 10 hours	42.9	43.3
11 to 20 hours	20.2	20.2
21 to 30 hours	8.0	7.7
31 to 40 hours	6.8	5.8
41 to 50 hours	7.1	7.7
51 hours or more	15.0	15.4

Figure C-9
Provided Uncompensated Legislative, Administrative or Systems Advocacy

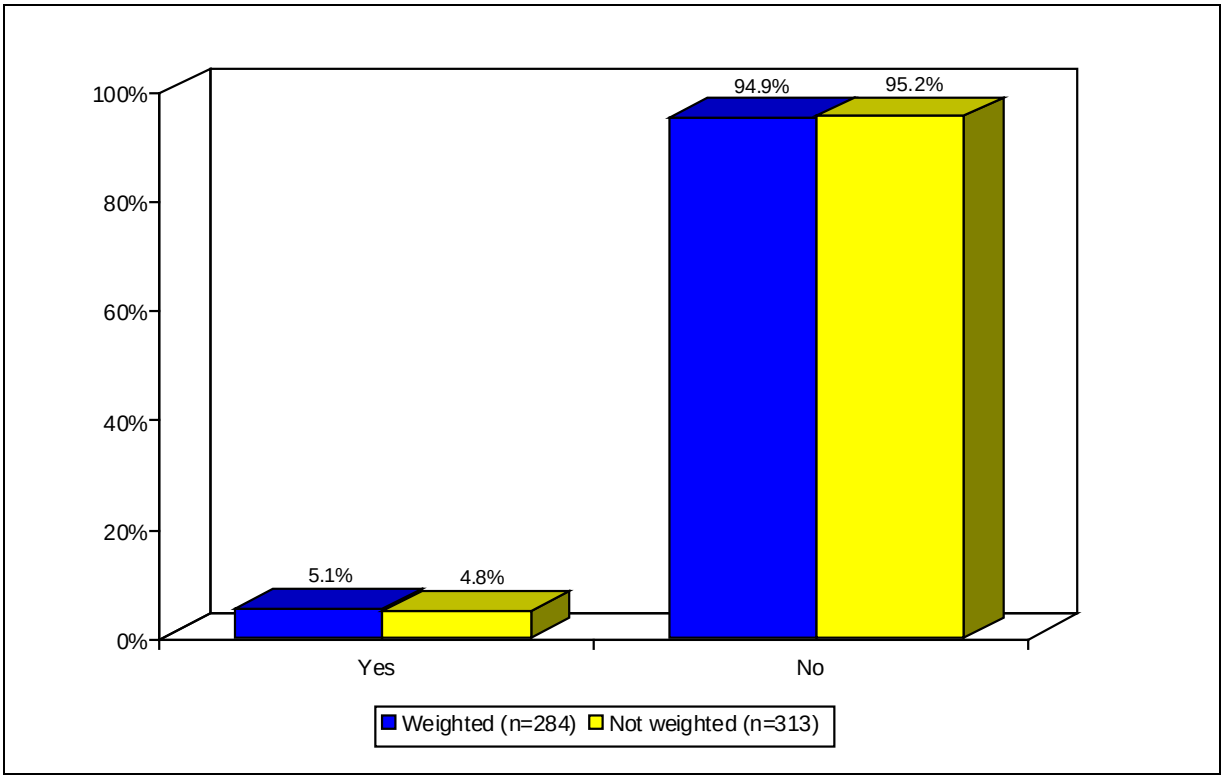


Table C-10
Total Hours of Uncompensated Legislative, Administrative or Systems Advocacy

	Percentage responding	
	Weighted (n=14)	Not weighted (n=15)
1 to 10 hours	34.9	33.3
11 to 20 hours	11.1	6.7
21 to 30 hours	2.0	6.7
31 to 40 hours	13.0	13.3
41 to 50 hours	7.6	6.7
51 hours or more	31.4	33.3

Figure C-10
Simplify, Increase Availability and Quality of Legal Services

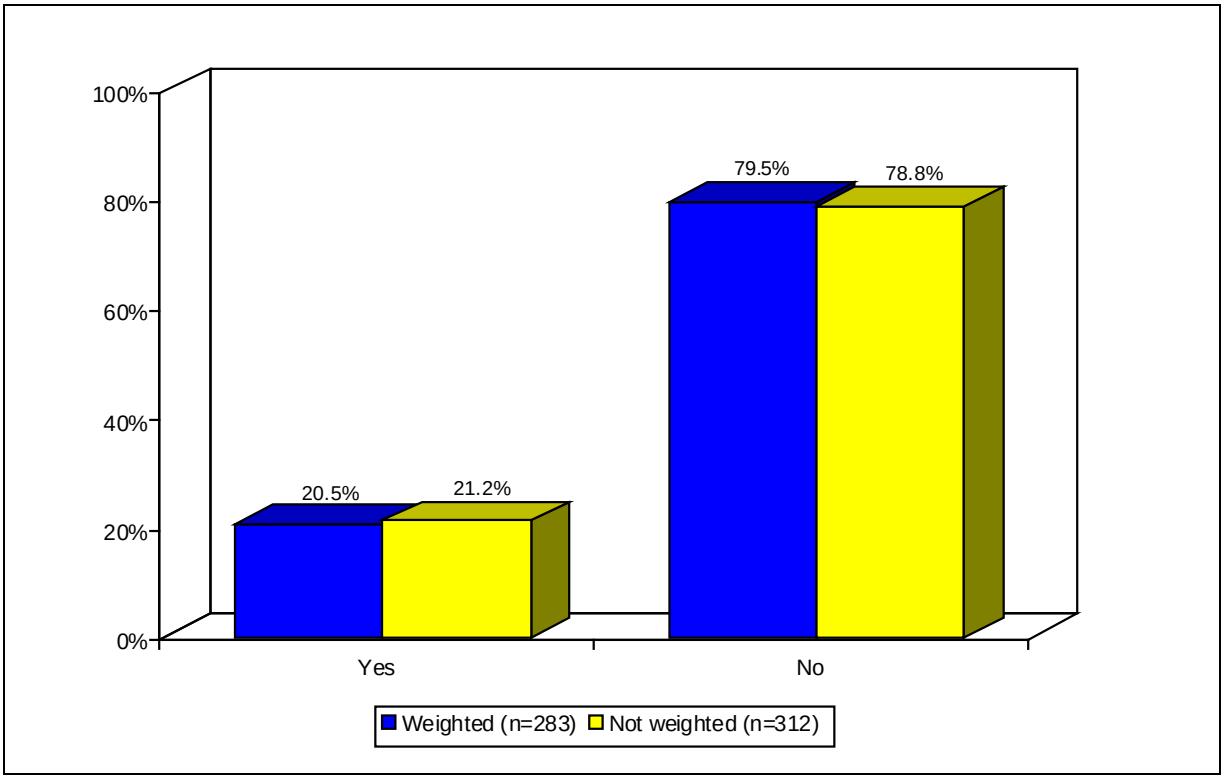


Table C-11
Total Hours to Simplify, Increase Availability and Quality of Legal Services

	Percentage responding	
	Weighted (n=57)	Not weighted (n=62)
1 to 10 hours	42.8	43.5
11 to 20 hours	14.5	16.1
21 to 30 hours	13.1	9.7
31 to 40 hours	3.9	4.8
41 to 50 hours	12.6	12.9
51 hours or more	13.2	12.9

Figure C-11
Made Financial Contributions or Paid Expenses

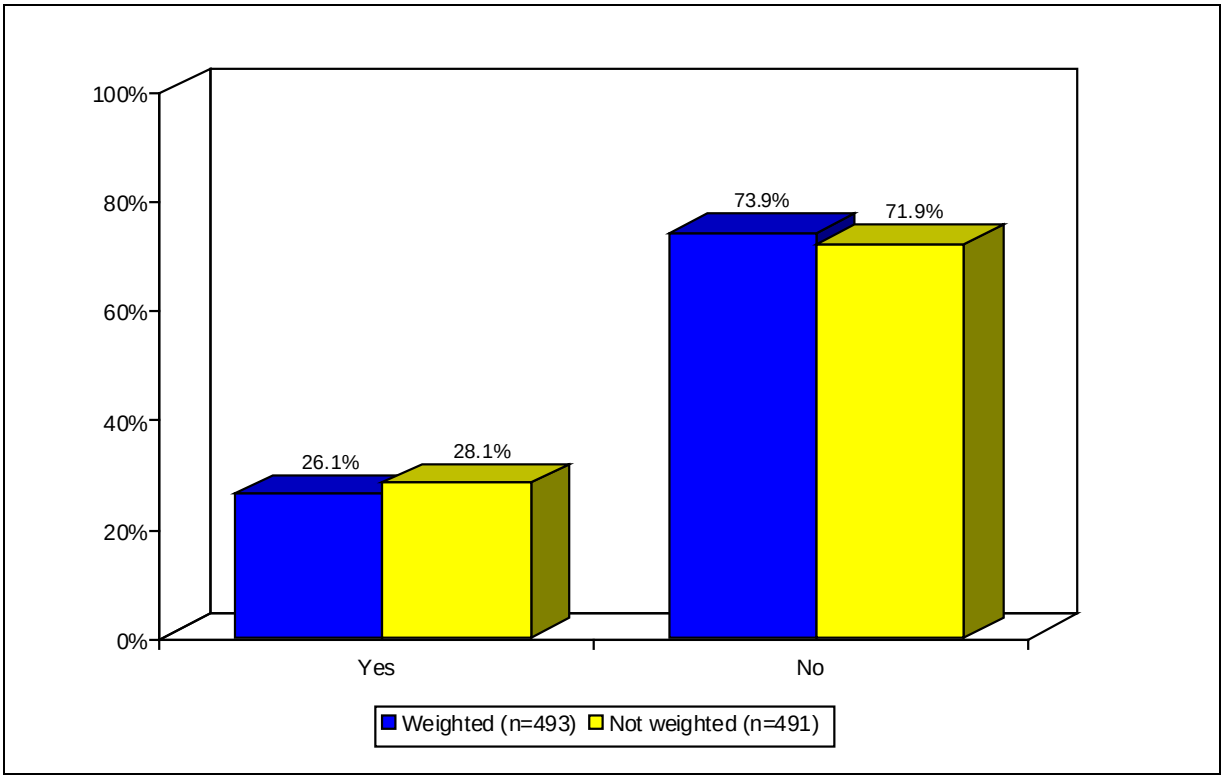


Table C-12
Total Amount of Financial Contributions Made

	Percentage responding	
	Weighted (n=126)	Not weighted (n=135)
$50 or Less	7.9	7.4
$51 thru $100	21.1	21.5
$101 to $200	14.3	13.3
$201 to $300	8.4	7.4
$301 to $400	7.5	8.1
$401 to $500	16.0	16.3
$501 to $1,000	9.5	10.4
$1,001 to $2,000	7.5	8.1
$2,001 to $5,000	7.7	7.4

APPENDIX D: DISPOSITION OF CALLS

Table D-1
Disposition of Calls
(n=2,500)

Disposition Code	Description	Records
1100	English Complete	500
2110	Upfront Refusal	105
2111	Midsurvey Refusal	3
2112	Second Time Refusal	6
2113	Take me off the list	8
2120	Hung up at Intro 1st X ref	8
2310	Deceased/passed away	1
2320	Physically/Ment Unable to talk	3
3120	Busy	18
3130	No Answer	130
3140	Answering Machine	867
3151	Call Block/screen device	0
4200	Fax/Data line	3
4310	Wrong Number	44
4320	Disc/NIS number	68
4410	Number Changed	6
4420	Cell Phone	1
4510	Business/Gov't/Other Org	0
4700	No longer works there	40
4704	Contact is retired	41
4800	Quota Filled	10
5100	Scheduled Callback	624
Total Attempted		**2,486**
	Not Attempted	14
Total Sample		**2,500**