

# Sixth National Law Firm Pro Bono Survey Questions 2018

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## Section 1 – About your firm

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1. We would appreciate it if you are able to provide your contact details, as it will assist the Centre to:

- follow up queries or inconsistencies in the data provided
- identify and follow up firms that have not responded by the due date

If you provide your contact details we will:

- send you a PDF copy of your responses to the survey within one business day
- send you an advance copy of the final report
- not contact you with reminder emails in relation to the completion of the survey

*All information will be kept strictly confidential and no firm will be identified by name in the report*

Name	<input type="text"/>
Firm	<input type="text"/>
Email	<input type="text"/>

\* 2. How many full-time equivalent lawyers (including partners and law graduates but excluding paralegals and law clerks) were there in your firm in Australia in the 2017/2018 financial year (2018 FY)?

*Eg. A person working four days per week would be classed as 0.8 FTE. Three lawyers who each work two days per week would count for 1.2 FTE (0.4 x 3).*

To calculate your answer, please average the number of FTE lawyers on the first day and last day of the 2018 FY, i.e.:

(FTE lawyers at 1 July 2017 + FTE lawyers at 30 June 2018) ÷ 2 =

## Section 2 – About your firm’s pro bono program

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\* 3. Does your firm have a primary pro bono coordinator or manager (i.e. someone whose primary responsibility is to coordinate the firm’s [pro bono legal work](#))?

- Yes
- No

\* 4. Is that person:

- A Partner?
- A Special Counsel?
- A Senior Associate?
- An Associate/Lawyer?
- A non-legal staff member?
- Other? (please specify)

\* 5. Do they:

- Perform the role full time?
- Perform the role part time?

\* 6. Do they receive some measure of payment, fee relief or billable credit specifically for acting in the role?

- Yes
- No

\* 7. Does this person undertake any [pro bono legal work](#) (as per the [Centre’s definition](#), i.e. legal work for specific clients/matters)?

- Yes
- No

\* 8. What percentage of the time that this person spends in this role was spent undertaking [pro bono legal work](#) in the 2018 FY?

\* 9. Is this answer an estimate?

- Yes
- No

\* 10. Does your firm have pro bono coordinators in its other offices in Australia, if applicable?

- Yes, all
- Yes, most
- Yes, some
- No
- Not applicable

**\* 11.** Did your firm have any “dedicated pro bono lawyers” (i.e. lawyers whose key responsibility is to undertake and/or manage pro bono legal work for the firm) and other staff allocated to your firm’s formal pro bono practice at 30 June 2018? If so, please count these below (full-time equivalent).

*This does not include lawyers on secondment to other organisation/s, unless they continue as “dedicated pro bono lawyers” when they return to the firm.*

Partners (FTE)

Special Counsel (FTE)

Senior Associates (FTE)

Associates/Lawyers (FTE)

Graduates (FTE)

Paralegals/Administrative Staff (FTE)

Other (please specify below) (FTE)

**12.** If you entered a figure (greater than zero) against "Other" in the question above, please list these role/s:

**\* 13.** Does your firm have a Pro Bono Committee?

- Yes
- No

**\* 14.** Does your firm focus its pro bono program on specific area/s of law or practice, or types of clients? If so, please list these areas.

\* 15. Does your firm have a corporate social responsibility (CSR), community engagement (CE) or community service (CS) program?

- Yes
- No

\* 16. Please describe the relationship between your firm's pro bono legal program and its CSR, CE or CS program. Are they separately managed? Does your pro bono program have its own objectives and budget?

### Section 3 – Sources of pro bono legal work

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\* 17. What percentage of your firm's pro bono legal work (by number of new files opened or new matters commenced on existing files) in the 2018 FY originated from:

**a) Pro bono referral schemes and organisations**(this could include referrals, secondments, joint projects and/or clinics)

**b) Community legal centres** (this could include referrals, secondments, joint projects and/or clinics)

**c) Legal Aid** (this could include referrals, secondments, joint projects and/or clinics)

**d) Aboriginal and Torres Straits Islander Legal Services** (this could include referrals, secondments, joint projects and/or clinics)

**e) Direct requests for assistance** (from individuals and/or not-for-profit organisations)

**f) Other sources** (this could include internal projects)

\* 18. Is this answer an estimate?

- Yes
- No

19. If your firm undertook pro bono legal work originating from at least one pro bono referral scheme/ organisation in the 2018 FY, please indicate all schemes/organisations from which you received a referral:

- ACT Pro Bono Clearing House
- Justice Connect (incl Homeless Persons' Legal Clinic Victoria)
- JusticeNet SA
- Law Access (Western Australia)
- Law Society NT Pro Bono Clearing House
- Law Society of NSW Pro Bono Scheme
- Law Society of Tasmania Pro Bono Clearing House
- Public Interest Advocacy Centre (incl Homeless Persons' Legal Service NSW)
- Queensland Public Interest Law Clearing House (incl Homeless Persons' Legal Clinic)
- Other (please specify)

#### Section 4 – Recording pro bono legal work

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\* 20. What percentage of your Firm's lawyers participated in (i.e. did at least one hour of) [pro bono legal work](#) in the 2018 FY?

Please refer to paragraph 4 of Part 1 of the [Guidance Notes](#).

\* 21. Is this answer an estimate?

- Yes
- No

22. If the data is readily available to you, what percentage of partners in your firm in Australia participated in (did at least one hour of) [pro bono legal work](#) in the 2018 FY?

23. Is this answer an estimate?

- Yes
- No

\* 24. How many hours of pro bono legal work did lawyers in your firm in Australia carry out in the 2018 FY?

Please refer to the [definition of "pro bono legal work"](#), including [Guidance Notes](#), when calculating this figure.

\* 25. How many hours of [pro bono legal work per lawyer](#) (averaged across the total number of full time equivalent lawyers in your firm) were carried out in the 2018 FY?

Please refer to the [definition of “pro bono hours per lawyer per year”](#) when calculating this figure.

\* 26. What percentage of lawyers in your firm in Australia undertook 35 hours or more of [pro bono legal work](#) in the 2018 FY?

 %

\* 27. Is this answer an estimate?

- Yes
- No

\* 28. What percentage of your firm’s total billable hours does its [pro bono legal work](#) represent?

\* 29. Is this answer an estimate?

- Yes
- No

30. (Optional) Are you including any substantially reduced fee pro bono work in your total reported hours of pro bono legal work? Please refer to the [Guidance Notes](#) when answering this and the following question.

- No
- Yes – please specify how many hours in the 2018 FY:

31. (Optional) The Centre is seeking to better understand the nature of substantially reduced fee pro bono work. Please provide details of the substantially reduced fee work your firm has undertaken in the 2018 FY (for example, was the work for individuals or organisations; what was the degree of fee reduction?).

## Section 5 – More about your firm’s pro bono program

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\* 32. What percentage of your firm’s [pro bono legal work](#) (by number of new files opened, or by other measure) in the 2018 FY was devoted to work for individuals or organisations?

### NOTES:

1. For the purposes of this survey, a secondee to a community legal organisation whose primary role is to provide advice to the centre’s clients should be considered to be working “for individuals.”

Alternately, providing advice to the community legal organisation itself (in relation to governance, for example) should be considered to be work “for organisations.”

2. If you have a more accurate measure of the split of work between “individuals” and “organisations”, please provide your answers on this basis (for example, by number of hours rather than by number of new files opened).

- *Pro bono legal work* for individuals (%)
- *Pro bono legal work* for organisations (%)


\* 33. Is this answer an estimate?

- Yes
- No

\* 34. To the best of your knowledge, in which five areas of law and practice did your firm in Australia spend the most time providing pro bono legal services in the 2018 FY (not including work undertaken by lawyers seconded to other organisations)?

- Administrative / Constitutional
- Agreements with / Tenders to Government for pro bono clients
- Animal Law
- Banking / Finance
- Bankruptcy
- Commercial Agreements (e.g. leases)
- Construction Law
- Consumer Law
- Coronial Inquiries
- Corporate Law (including incorporations)
- Criminal Law
- Debt
- Charity and Deductible Gift Recipient (DGR) Status Applications
- Discrimination
- Employment law
- Environment
- Family Law (not including Family Violence)
- Family Violence/Domestic Violence
- Fines
- Governance
- Housing / Tenancy
- Human Rights
- Immigration
- Insurance
- Intellectual Property
- Personal Injury
- Privacy / Freedom of Information
- Powers of Attorney / Guardianship
- Professional Negligence
- Royal Commissions
- Social Security
- Superannuation
- Tax (other than DGR)
- Town Planning / Local Government
- Trusts
- Victims Compensation
- Wills / Probate / Estate
- Other (please specify):

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\* **35.** Within the 5 areas of law and practice you have nominated above, which client groups (if any) has this work been done for or for the benefit of? Please list up to three groups.

*E.g. asylum seekers, Aboriginal and Torres Strait Islanders, victims of crime, children, homeless persons, women, LGBTIQ community, seniors.*

Please enter "n/a" where appropriate.

Special interest group 1

Special interest group 2

Special interest group 3

\* **36.** To the best of your knowledge, in which areas of law or practice in the 2018 FY did your firm reject the most requests for assistance (for reasons **other than** means or merit)?

Please tick the top five.

- Administrative / Constitutional
- Agreements with / Tenders to Government for pro bono clients
- Animal Law
- Banking / Finance
- Bankruptcy
- Commercial Agreements (e.g. leases)
- Construction Law
- Consumer Law
- Coronial Inquiries
- Corporate Law (including incorporations)
- Criminal Law
- Debt
- Charity and Deductible Gift Recipient (DGR) Status Applications
- Discrimination
- Employment law
- Environment
- Family Law (not including Family Violence)
- Family Violence/Domestic Violence
- Fines
- Governance
- Housing / Tenancy
- Human Rights
- Immigration
- Insurance
- Intellectual Property
- Personal Injury
- Privacy / Freedom of Information
- Powers of Attorney / Guardianship
- Professional Negligence
- Royal Commissions
- Social Security
- Superannuation
- Tax (other than DGR)
- Town Planning / Local Government
- Trusts

- Victims Compensation
- Wills / Probate / Estate
- Other, please specify:

\* 37. Has your firm provided any [pro bono legal services](#) for social enterprises in the 2018 FY?

- Yes
- No

\* 38. Does your firm have a Reconciliation Action Plan (RAP)?

- Yes
- No

\* 39. When was the RAP introduced?

### Section 6 – Targets and operational budgets for pro bono legal work

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\* 40. Did your firm set an overall target for its [pro bono legal work](#) in the 2018 FY?

***Please tick all that apply.***

- YES** - it represented a **maximum** or **capped** number of **hours** or **hours per lawyer** to be provided in the year
- YES** - it represented a **minimum** number of **hours** or **hours per lawyer** to be provided in the year
- YES** - it represented a **set number** of **hours** or **hours per lawyer** that the firm aimed to provide in the year
- YES** - it represented a **maximum** or **capped financial value** (i.e. a capped dollar amount or capped percentage of gross billables/net revenue etc)
- YES** - it represented a **minimum financial value** (i.e. a minimum dollar amount or minimum percentage of gross billables/net revenue etc)
- YES** - it represented a **set financial value** (i.e. a set dollar amount or percentage of gross billables/net revenue etc aimed for by the firm)
- NO**
- DON'T KNOW**
- OTHER** (please specify)

\* 41. Was this target larger, smaller or the same as it was two years ago?

- Larger
- Smaller
- Same
- Don't know

\* 42. If your firm set a target that represented a number of **hours** or **hours per lawyer**, did this target represent:

- More than 35 hours of [pro bono legal work per lawyer](#) (e.g. higher than the figure set in the National Pro Bono Target)?
- 35 hours of [pro bono legal work per lawyer](#) (e.g. the figure set in the National Pro Bono Target)?

- Less than 35 [hours of pro bono legal work per lawyer](#) (e.g. lower than the figure set in the National Pro Bono ATarget)?
- A number of hours for the firm to provide as a whole, with no reference to a [pro bono hours per lawyer](#) calculation.
- Not applicable

\* **43.** Did your firm set an annual operational budget for its pro bono program in the 2018 FY?

- Yes
- No
- Don't know

\* **44.** Is this annual operational budget larger, smaller or the same as it was two years ago?

- Larger
- Smaller
- Same
- Don't know

## Section 7 – Crediting and recognising individual lawyers' pro bono legal work

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\* **45.** Are lawyers in your firm required to meet billable hour targets or financial targets?

- Yes, both billable hour targets and financial targets
- Yes, billable hour targets only
- Yes, financial targets only
- No

\* **46.** How is [pro bono legal work](#) treated in your office for the purposes of lawyers' billable hour and/or financial targets?

- Pro bono hours are treated as **billable hours** for the purposes of billable hour targets (and financial targets, if applicable)
- Pro bono hours are treated as **billable hours** for the purposes of billable hour targets but **reduced in value for the purposes of financial targets**
- Pro bono hours are treated as **billable hours** for the purposes of billable hour targets (and financial targets, if applicable) but are **capped** at a certain number of pro bono hours per week/month/year
- Pro bono hours are treated as **non-billable hours** but are recorded as a **special non-billable** (e.g. pro bono) category (and have a lower or negligible value for the purposes of financial targets, if applicable)
- Pro bono hours are treated as **non-billable hours** and are **not recorded** as a special non-billable category (and have a lower or negligible value for the purposes of financial targets, if applicable)
- Pro bono hours are not recorded at all
- Other, please specify

\* 47. If your firm has more than one Australian office, is this a consistent practice across your entire firm in Australia (all offices and practice groups)?

- Yes
- No
- Don't know
- Not applicable

\* 48. Does your firm recognise and/or reward the [pro bono legal work](#) of your lawyers in any of the following ways? **Please tick all that apply.**

- In lawyers' performance appraisals
- When considering promotion or advancement
- When calculating bonuses
- In salary reviews
- Internal awards, events and communication
- Other, please specify

## Section 8 – Secondments

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\* 49. How many pro bono secondments did you provide in the 2018 FY?

- None

My firm provided the following number of secondments

\* 50. Measured in hours, were the secondments provided by your firm:

- All provided on a full-time basis?
- Mostly provided on a full-time basis?
- Provided equally on a full- and part-time basis?
- Mostly provided on a part-time basis?
- All provided on a part-time basis?

51. What was the most common length of full-time secondments provided by your firm, if any?

52. What was the most common part-time secondment arrangement provided by your firm, if any?

*For example, "two days per week for three months" or "three hours per fortnight for six months."*

\* **53.** Are there any other noticeable trends in the form, duration and number of secondments provided by your firm since the last Survey, in July 2016?

## Section 9 – Disbursements

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\* **54.** Did your firm pay for any external disbursements in pro bono matters in the 2018 FY?

If so, please nominate **up to three** categories where your firm incurred the most costs:

- Medical reports and appearance fees
- Other expert witness reports and appearance fees
- Filing fees
- Interpreters' fees
- Travel and accommodation
- Search costs
- Barristers' fees (advice or representation)
- Transcripts
- Other, please specify (you can nominate more than one category of disbursement here):

**55.** If possible, please estimate the total costs of external disbursements incurred by your firm on behalf of its pro bono clients in the 2018 FY:

\* **56.** Has your firm applied to any disbursement assistance scheme in the last two years?

- Yes
- No
- Don't know

\* **57.** Which disbursement assistance scheme/s has your firm applied to?

\* **58.** How was your experience in dealing with the scheme/s?

\* 59. Are there reason/s why your firm has not applied for assistance?

## Section 10 – Evaluating your firm’s pro bono program

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\* 60. Does your firm evaluate its pro bono program?

- No
- Yes – please describe briefly the evaluation methodology

\* 61. Please tick the three most significant factors on which you based that evaluation:

- Social impact?
- Client feedback?
- Feedback from third parties (for example, pro bono referral schemes or organisations)?
- Number of pro bono hours provided?
- Participating lawyer satisfaction?
- Whether the program has assisted the firm in meeting its commercial goals?
- Other, please specify (you can nominate more than one factor here):

\* 62. Did you find this evaluation (or evaluations) useful? In what way?

## Section 11 – International law firms and law firm mergers

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\* 63. Do your Australian offices provide more or less pro bono legal services per lawyer (on average) than your firm’s overseas offices?

- More
- Less
- About the same
- Don’t know

\* 64. Is your firm an “international law firm”?

***For the purposes of this Survey, “international law firm” refers to a firm with more lawyers overseas than in Australia.***

- Yes
- No

## Section 12 – Corporate and government clients

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\* **65.** Has your firm worked with the in-house counsel of a corporate or government client on a pro bono matter or project in the 2018 FY?

- Yes
- No
- Don't know

\* **66.** What was the nature of these pro bono matter/s or project/s?

\* **67.** Has your firm attempted to 'clear' positional/commercial conflicts for potential pro bono matters with your government or corporate clients in the 2018 FY?

- No
- Yes – If so, has this process been successful?

### Section 13 – Government tender arrangements for legal services

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\* **68.** Is your firm on the Commonwealth Government's Legal Services Multi-Use List, the NSW Government Legal Services Panel, the South Australian Government Legal Services Panel and/or the Victorian Government Legal Services Panel?

- Commonwealth Government's Legal Services Multi-Use List
- NSW Government Legal Panel
- SA Government Legal Panel
- Victorian Government Legal Services Panel
- None of the above

**Do you have any comments on the form and operation of the Commonwealth, NSW, SA and/or Victorian government tendering processes, in relation to the requirement to report on pro bono legal work?**

**69.** Commonwealth:

**70.** NSW:

71. SA:

72. Victoria:

### Section 14 –The National Pro Bono Target

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\* 73. Are you aware of the National Pro Bono Target of at least 35 [pro bono hours per lawyer per year](#)?

- Yes
- No

\* 74. Is your firm a signatory to the National Pro Bono Target?

- Yes
- No

\* 75. Why are you not a signatory to the National Pro Bono Target?

\* 76. Do you wish to report on your performance on the National Pro Bono Target in the 2018 FY in conjunction with this survey?

PLEASE NOTE – reporting on the Target in conjunction with this survey will mean identifying your firm to the Centre and forgoing the anonymity of your survey responses. However, any identifiable information will be kept confidential by the Centre. For the purposes of publication, all responses will be de-identified.

- Yes, I wish to report
- No, I do not wish to report

\* 77. Did your firm meet the Target in the 2018 FY?

- Yes
- No

\* 78. What effect (if any) has being a signatory to the Target had on the [pro bono legal work](#) undertaken by your firm?

Please tick all that apply.

- The Target led to an increase in the [pro bono legal work](#) done by the firm
- The Target increased the firm's focus on the legal needs of disadvantaged people and the organisations that assist those people
- The Target had no effect
- The Target decreased the amount of [pro bono legal work](#) done by the firm
- Other (please specify)

79. (Optional) Total paralegal hours (performed by paralegals on pro bono work of a legal nature):

80. (Optional) The number of full-time equivalent paralegals that undertook the paralegal hours reported in the previous question:

**IF YOU DO NOT WISH TO REPORT ON THE TARGET IN CONJUNCTION WITH THIS SURVEY, YOU WILL STILL NEED TO REPORT SEPARATELY.**

**As a Target signatory, you should receive a separate Target reporting form from us.**

**If, instead, you would prefer to report via this survey, please press the 'Previous' button below and select 'Yes (I wish to report)'.**

**More information on the National Pro Bono Target, including a list of current signatories, can be found [here](#). Alternatively, please feel free to [contact the Centre](#).**

\* 81. Do you anticipate that your firm will reach an annual average of at least 35 pro bono hours per lawyer per year during the 2019 FY?

- Yes
- No
- Don't know

### Section 15 – What else can you tell us?

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\* 82. What is the single most crucial factor in the success of your firm's pro bono program?

\* 83. What are the top three challenges for your firm's pro bono program?

- Lack of information about pro bono opportunities
- Lack of management or partner support within the firm
- Concern about conflict of interest with fee paying clients
- Pro bono hours do not count as billable hours or for financial targets
- Firm capacity
- External economic climate
- Insufficient expertise in relevant areas of the law
- Ability to fund external disbursements
- Significant structural changes within the firm
- Already doing enough pro bono
- Too much work to build the pro bono program
- Other, please specify (you can nominate more than one challenge here):

**84.** Is your firm delivering pro bono legal assistance in any new or innovative ways since the last Survey, in July 2016, which you wish to share?

**85.** Is there anything else that would be useful for us to know about your firm's pro bono program?

\* **86.** The abbreviated version of [\*The Australian Pro Bono Best Practice Guide\*](#) lists ten key elements of a best practice pro bono program. Please tick up to three areas in which you think your firm could most improve:

- 1. A strong social justice and pro bono culture supported by management
- 2. A dedicated pro bono leader
- 3. Broad awareness of the pro bono program within the firm
- 4. Broad engagement of staff and appropriate training
- 5. A pro bono policy and strategic plan
- 6. Performance of pro bono legal work to the same standard as commercial work
- 7. Adequate crediting and recognition of pro bono legal work within the firm
- 8. Setting a firm-wide pro bono target and budget
- 9. Strong and deep relationships with community partners
- 10. A strategic risk management plan including accurate record keeping and a regular evaluation process
- Not applicable, or do not wish to answer

\* **87.** Is there anything that the Australian Pro Bono Centre can do to help your firm with its [pro bono legal work](#), or to assist the pro bono sector in general?

*Thank you for completing the 2018 National Law Firm Pro Bono Survey.*

*We will collate the data collected and report later this year. Previous survey reports are available on the Survey page on the Centre's website ([probonocentre.org.au/information-on-pro-bono/our-publications/survey/](https://probonocentre.org.au/information-on-pro-bono/our-publications/survey/)).*

*If you have any queries please do not hesitate to contact us on (02) 9385 7381 or via [gabriela@probonocentre.org.au](mailto:gabriela@probonocentre.org.au).*

### “Pro bono hours per lawyer per year”

This figure is arrived at by taking the number of hours of pro bono legal work (see below) undertaken by your firm’s lawyers and dividing it by the total number of full time equivalent (**FTE**) lawyers working at your firm. For example, if your firm had undertaken 1,000 hours of pro bono legal work and employed 100 FTE lawyers it would have achieved 10 pro bono hours per lawyer per year.

It should be noted that for the purposes of this survey and of the Target “lawyer” can refer to law graduates not yet admitted to practice, so their work can be included, but does not refer to paralegals or law clerks. To calculate the number of lawyers employed by your firm in the 2018 FY, please average the number of FTE lawyers on the first day and last day of the financial year:

$$(FTE\ lawyers\ at\ 1\ July\ 2017 + FTE\ lawyers\ at\ 30\ June\ 2018) \div 2$$

### “Pro bono legal work” (*n.b. definition as at 30 June 2018*)

For the purposes of this survey, pro bono legal work is time spent by lawyers (including law graduates not yet admitted to practice):

1. Giving legal assistance for **free or at a substantially reduced** fee to:—
  - a. individuals who can demonstrate a need for legal assistance but cannot obtain Legal Aid or otherwise access the legal system without incurring significant financial hardship; or
  - b. individuals or organisations whose matter raises an issue of public interest which would not otherwise be pursued; or
  - c. charities or other non-profit organisations which work on behalf of low income or disadvantaged members of the community or for the public good;
2. Conducting **law reform and policy work** on issues affecting low income or disadvantaged members of the community, or on issues of public interest;
3. Participating in the provision of **free community legal education** on issues affecting low income or disadvantaged members of the community or on issues of public interest; or
4. Providing a **lawyer on secondment** at a community organisation (including a community legal organisation) or at a referral service provider such as a Public Interest Law Clearing House.

The following is **NOT** regarded as pro bono work for the purposes of this statement:

1. giving legal assistance to any person for free or at a reduced fee without reference to whether he/she can afford to pay for that legal assistance or whether his/her case raises an issue of public interest.
2. free first consultations with clients who are otherwise billed at a firm’s normal rates;
3. legal assistance provided under a grant of legal assistance from Legal Aid;
4. contingency fee arrangements or other speculative work which is undertaken with a commercial expectation of a fee;
5. the sponsorship of cultural and sporting events, work undertaken for business development and other marketing opportunities; or
6. time spent by lawyers sitting on the board of a community organisation (including a community legal organisation) or a charity.

#### Guidance Notes

1. Only work that involves the delivery of **pro bono legal services** as defined for the purposes of the Target should be reported.
2. Many firms have Community Service and Corporate Social Responsibility programs under which their lawyers and non-lawyers provide a broad range of community service work.

Examples of this include literacy and mentoring work, and volunteering to provide services at community organisations. These programs may also involve the firm donating to charities. These activities do not fall within the definition of “pro bono legal services” and should not be reported.

3. Signatories should calculate the number of FTE lawyers for the year by using the average of the number of FTE lawyers at the first day and the last day of the reporting financial year.

$$\frac{(\text{FTE lawyers at 1 July} + \text{FTE lawyers at 30 June})}{2}$$

(Where a new Target firm is reporting for a period less than a full financial year, the number of FTE lawyers should be calculated by using the average number of FTE lawyers at the first day and the last day of the reporting period).

4. “Firm’s lawyers”<sup>1</sup> includes law graduates not yet admitted to legal practice and thus their pro bono hours should be reported. It does not include paralegals, and their hours should not be reported as pro bono hours.
5. Signatories have the option of separately reporting paralegal hours where the work performed is of a legal nature and would otherwise be charged to the client if it were a commercial matter.
6. Time recorded for the purpose of delivering pro bono legal services should be treated in the same way that work performed for commercial clients is treated. In this respect, each signatory firm’s policies for the treatment of travel time should apply to their pro bono legal work.
7. Each signatory should have systems in place to ensure that accurate records are kept of the pro bono legal work performed.
8. Pro bono legal services may include international pro bono legal services, that is pro bono legal work undertaken:
  - outside Australia, by lawyers who are supervised by, or provided from, an office based in Australia
  - for clients based outside Australia, by lawyers based in Australia; or
  - for organisations based in Australia where the work concerns an initiative outside Australia.

In this context references to “community” in the definition of “pro bono legal services” include communities outside of Australia.

9. In relation to pro bono legal services provided for a “substantially reduced fee”:
  - Signatories should report separately on pro bono legal services provided for a “substantially reduced fee” compared to pro bono legal services provided for no fee.
  - “Substantially reduced fee” pro bono hours reported to the Centre should only count on a pro rata basis based on the proportion that the reduced fee bears to the fee that would otherwise be charged. For example, if the fee charged is reduced by 75% of what would otherwise be charged for the matter, then 75% of the hours worked on the matter can be counted towards the Target.
  - The Centre will only count “substantially reduced fee” hours reported against the Target if those fees have been reduced by at least 50% of what would otherwise be charged for the matter.
  - The term “otherwise be charged for the matter” as used in this Note 9 refers to what the fee would be if the matter were not considered a pro bono matter.

in future.

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<sup>1</sup> For the purposes of these Guidance Notes, “Firm’s lawyers” refers to lawyers and law graduates at a law firm or at an incorporated legal practice, as appropriate.