



AUSTRALIAN
PRO BONO CENTRE

MEDIA RELEASE

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NEW GUIDANCE TO ASSIST COMPANIES TO ENGAGE WITH LAW FIRMS ON THE QUESTION OF PRO BONO

The Australian Pro Bono Centre has released its latest guidance aimed at growing participation by law firms in pro bono legal work.

The *'Template Pro Bono Questions for Use by Corporations in the Engagement of Law Firms'* is targeted at companies and other businesses which use a tender process for selecting and engaging private law firms. The Australian Pro Bono Centre recommends that the Template Pro Bono Questions be asked of law firms seeking to be selected as part of the tender process, whether for inclusion on a company's 'panel' or 'list' of pre-approved law firms or in relation to a particular legal matter.

While relatively concise, the Template Pro Bono Questions, **attached**, are focused on:

- the **impact** of the pro bono work undertaken by the tendering law firm;
- the involvement in that pro bono work by the **individual lawyers** who are tendering for the work, **including the partners**; and
- opportunities for **collaboration** between the company and the law firm.

According to Gabriela Christian-Hare, CEO of the Australian Pro Bono Centre: *"We know that the best way to grow and sustain a pro bono program within a law firm is if that program has the support and involvement of the firm's leadership. The requirement to report to prospective clients on precisely who is involved in that work will be game-changing. Gone are the days where partners can simply have their junior lawyers take responsibility for the firm's pro bono work."*

The focus on collaboration within the Template Pro Bono Questions is likely to drive up pro bono work both on the part of law firms and their corporate clients with in-house legal teams. The growth of pro bono legal work is entirely consistent with the move across corporate Australia towards the development of social impact practices.

As Phillip Cornwell, Chair of the Australian Pro Bono Centre, has said: *"I know from my experience in private practice that law firms can spend considerable time and resources responding to legal panel tender requests. This can be an inefficient process when questions covering substantially the same ground are asked in different ways and seeking subtly different information. These model questions on pro bono are not intended to deter clients from seeking information that is important to them, just to avoid wasteful minor differences."*

The Template Pro Bono Questions were formulated by a Working Group comprised of senior leadership of the Australian Pro Bono Centre, the heads of pro bono at Clayton Utz Lawyers and King & Wood Mallesons, senior in-house counsel at Willis Towers Watson and Salesforce, and the President and Immediate Past President of the Association of Corporate Counsel Australia's NSW Chapter. The Centre thanks the Working Group for its involvement.

For further information or comment, please contact the Australian Pro Bono Centre CEO, Gabriela Christian-Hare, at info@probonocentre.org.au.

Template Pro Bono Questions For use by Corporations in the Engagement of Law Firms

The Australian Pro Bono Centre recommends that the following questions be asked by corporations when law firms are tendering to be included on a corporation's 'panel' or 'list' of pre-approved law firms or when tendering to provide services to a corporation for a particular legal matter.

Corporations are encouraged to carefully consider the answers provided by law firms to the following questions when selecting between tendering law firms.

- 1. Pro Bono Program:** Please describe the strategy and impact of your firm's pro bono program. For example:
 - *When did your firm become a signatory to the National Pro Bono Target?*
 - *In the last financial year, did your firm meet or exceed the Target?*
 - *Within your firm's pro bono program, what are the key areas of focus and which client groups are you supporting?*
 - *Please give examples of the impact that your pro bono work is having on your pro bono clients.*

- 2. Involvement in Pro Bono Program:** Please describe the pro bono work undertaken by the lawyers involved in this tender in the last 12 months.

- 3. Collaboration with In-house Team:** Please indicate if your firm has experience collaborating with in-house teams on pro bono work. Would you be interested in discussing opportunities to undertake pro bono work together?

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