

LATIN LAWYER

THE BUSINESS LAW RESOURCE FOR LATIN AMERICA

THE LATIN LAWYER AND VANCE CENTER

PRO BONO SURVEY 2015



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Remarkable progress

On 22 October, a group of law firms in Guatemala came together and agreed to begin the process of setting up a clearing house, sowing the seeds for a structured, cohesive approach to doing pro bono in their country. Their decision follows other hugely important developments for Latin America's pro bono community in 2015. Perhaps the most momentous of these was the relaxing of pro bono restrictions in Brazil this June – a change that has the potential to bring about enormous progress. There are plenty of other reasons to be positive. The Dominican clearing house is going from strength to strength, winning the support of more and more law firms, while the Alianza Pro Bono in Peru continues to grow and the Mexican system is becoming ever more organised. As firms in local communities pull together, there has also been a growing regional movement thanks to the Red Pro Bono de las Americas, whose clearing house members are committed to working more closely together to pool resources and talent to take on multi-jurisdictional cases.

Across the region there is strong evidence of the effect a legal market can have when it has a cohesive pro bono system – ie, a functioning clearing house supported by law firms that have implemented their own, internal systems. That pro bono is becoming institutionalised is thanks to the continued, tireless dedication of the committed individuals across Latin America; the people running the clearing houses, the pro bono coordinators fighting to implement change in their firms, the partners who approve procedures to allow pro bono to be done and the lawyers who make time in their busy schedules to take on cases.

“People are working very hard to keep the process moving forward and there have certainly been huge bright spots,” says **Antonia Stolper**, partner at Shearman & Sterling LLP and vice chair of the Cyrus R Vance Center Committee, who thinks institutionalisation of the pro bono ethos is advancing impressively across the region.

“A big, big achievement”

Many Latin American lawyers have long provided free legal work to the poor, but law firms have only started to institutionalise the practice in recent years in large part thanks to the efforts of the Vance Center.

Since 2001, the Vance Center has played a central role in building the pro bono movement in Latin America, through a series of conferences and, often alongside the Fundación Pro Bono Chile, in supporting legal markets wishing to set up pro bono clearing houses. In 2005, the Vance Center and lawyers from across the region agreed to draft a Pro Bono Declaration for the Americas (PBDA) in order to expand access to justice in Latin America. By signing this declaration, law firms commit to introducing internal systems that allow their lawyers to do 20 hours of pro bono a year.

Ten years on, the PBDA has over 500 signatories, of which 409 are Latin American firms and individual lawyers, and the number is rising every year. Over the last decade the conversation about pro bono has grown ever louder as more and more lawyers join in.

Over the course of 2013 and 2014, **Daniel Bonilla**, a professor at Los Andes University, conducted research into the pro bono systems of Argentina, Chile and Colombia, looking at the kind of work lawyers do and how they interact with foundations and their clients, as well as analysing the pro bono discourse taking place across the region.

During the course of 183 interviews for his study, Bonilla found it particularly striking that every single lawyer had internalised the basic concept of pro bono, as defined by the Vance Center's steering committee, which he puts down to the efforts of the clearing houses. “Before the creation of the foundations, the words pro bono were not known in Latin America,” says Bonilla. “Lawyers did pro bono before but didn't talk about work as pro bono. The practices framed in this concept and thought of as something that should be institutionalised is a big, big achievement of these foundations.”

Bonilla is full of praise for the foundations' staff, who are “truly enthusiastic about promoting pro bono and realising access to justice. It is incredible the work they do.” As always, these clearing houses have been integral to producing this survey by encouraging member firms to participate and providing valuable insight into the pro bono culture in their jurisdiction. *Latin Lawyer* and the Vance Center would like to thank the following for their enormous contributions: the Comisión de Trabajo Pro Bono in

Argentina, Brazil's Instituto Pro Bono, the Fundación Pro Bono in Chile, the Fundación Pro Bono Colombia, the Dominican Republic's Fundación Pro Bono, Fundación Barra Mexicana and Applesed in Mexico, CIDSEP in Paraguay, the Alianza Pro Bono in Peru, and ProVene in Venezuela.

The journey continues

This is the third year *Latin Lawyer* and the Vance Center have conducted a pro bono survey together, both having made separate assessments in the past.

Alexander Papachristou, executive director of the Vance Center, comments that “the partnership with *Latin Lawyer* has been fantastic, bringing together different perspectives and experiences with the legal profession and pro bono practice in Latin America. We've been able to increase the breadth and depth of analysis each year and can offer the profession an important gauge of its progress.”

The findings from this year's survey, based on data from 2014, underscore the importance of having those structures in place. The survey, backed by JPMorgan Chase, BTG Pactual and Credit Suisse, was open to all Latin American law firms and we received a record number of responses this year (a good indication of the attention firms are paying to pro bono). However, the pro bono hours were slightly down on previous years, showing a reduction in both evidence of institutionalisation and the amount of work being done in law firms. This is partly because the firms responding this year make up a greater geographical spread to last year; we are pleased to welcome more firms from countries where the pro bono culture is comparatively nascent. We also acknowledge that the survey is not a true reflection of the reality because not all firms report the work they are doing accurately, and not all firms participate. Meanwhile, the numbers are slightly better in countries that have had a pro bono system in place for some time, providing further proof that having the right infrastructure in place boosts the amount of work being done.

However, the findings show that while progress has been tremendous, there is still considerable work to be done before pro bono becomes part of daily life for Latin American law firms; this is not a time for firms to rest on their laurels.

Both our survey's findings and Bonilla's research show that the gap between the conversation and the practice of pro bono is too big. Bonilla describes this as “disconcerting” given the economic, political and social powers elite firms have. “Everyone talks about it and says they are committed and want to do it, but what we find is they don't do much pro bono,” he says.

Business lawyers in Latin America still overwhelmingly belong to the privileged echelons of society and pro bono is a way for them to give back to the less privileged. It serves as a reminder to many lawyers as to why they chose this profession in the first place – because the law represents justice.

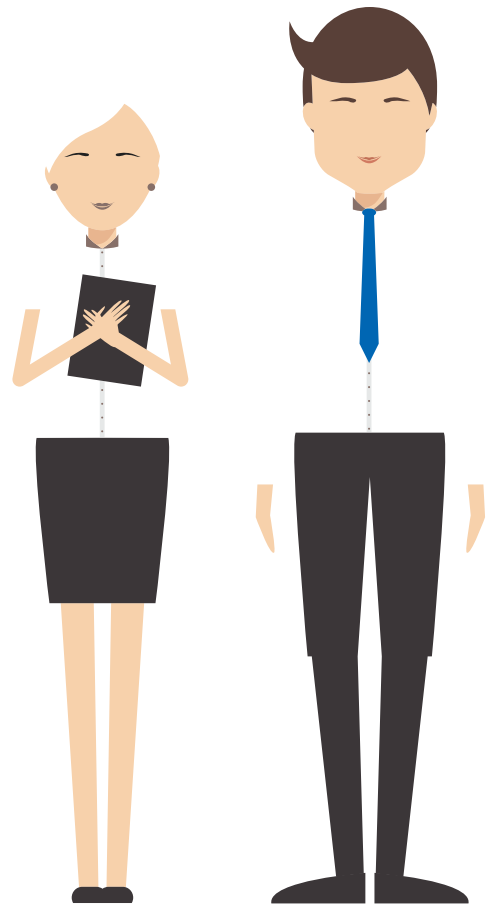
Access to justice is a basic human right; however, many individuals in all societies are denied that right because they don't have the means to pay for it. The number of people in Latin American countries who find themselves in that position is significant. The state provides various means to help the lower sections of society obtain legal representation, such as state-appointed attorneys, while university students provide support through legal clinics. The private sector plays its part through pro bono. In his writing, Bonilla lays out why the legal profession has a duty to provide this service. He argues that in most societies today, being able to retain a lawyer is integral to access to justice as only lawyers have the necessary knowledge, education and qualifications to stand before judges and participate in legal procedures. (In some societies it is possible for individuals to represent themselves in court, but the success rate is low.) But hiring a lawyer is expensive – prohibitively so for people with little or no disposable income. A lawyer's social responsibility is derived from these inequalities.

Meaningful progress has been made over the last decade and thanks to the number of people committed to pro bono in Latin America, the next 10 years undoubtedly offer great promise. “There is a gap between rhetoric and reality, but that's a frequent challenge in human endeavour particularly when trying to alter behaviour. Behavioural or cultural change don't happen immediately or easily,” says **Todd Crider**, partner at Simpson Thacher & Bartlett LLP and vice chair of the Vance Center Committee, who is positive about the direction the region's pro bono movement is headed in.

The focus now must be to continue the push towards making pro bono part of daily life. In the following series of articles, we ask how that can be done. First, we look deeper into the results of this year's survey and ask what needs to be done to close the gap between the pro bono discourse and the practice. As leaders of the legal profession, partners have a key role in institutionalising pro bono, and so we have dedicated an article to this subject. We also take a tour of the region to see what local developments have taken place and hear about the Red Pro Bono de las Americas. Finally, we publish our annual list of Leading Lights – law firms leading the way in the pro bono world.

Part of the routine

While there are commendable efforts to keep the pro bono movement going, our survey suggests there is still a way to go before pro bono is part of Latin American law firms' daily life. Rosie Cresswell asks how firms can make that happen



There are 8,760 hours in a year, which makes the PBDA's commitment to 20 hours of pro bono a year seem like a drop in the ocean. It is really – 20 hours over one year averages to around 23 minutes a week, time that even the busiest of us must be able to find.

When pooled together, these tiny portions of individual lawyers' time can have a tremendous multiplier effect and help to dramatically change the lives of thousands of people. Consider the data collected by clearing houses in two Latin American countries that have comparatively structured pro bono systems in their legal markets. In 2014, Colombia's Fundación Pro Bono assigned 119 cases to its members and a further 93 were closed. Those cases required 4,766 hours of pro bono work, which was provided by 483 of the 1,065 lawyers affiliated to the clearing

house. That's about 10 hours of pro bono work a year each. The most recent study conducted by the Fundación Pro Bono Chile (for 2014 and 2015) found that respondents reported 18,812 hours of pro bono and worked on 430 cases between them. Those hours were completed by 663 of the 1,282 member lawyers, which works out at 28 hours on average for those who participated.

Imagine how many pro bono cases could be taken on if lawyers at law firms and in-house legal departments across Latin America committed to the PBDA requirement of 20 hours a year.

The results of the latest Latin Lawyer – Vance Center's pro bono survey (based on data for 2014) suggest there is still some way to go before that target is met universally. Just one-fifth of firms responding to our survey say they are meeting

the 20-hour target or beating it, which is largely the same as last year. Just like the past two years, around one-fifth said they completed more than 1,000 pro bono hours over 2014 as a firm. Some 48 per cent of firms said they did more pro bono work in 2014 than 2013, but the increase is slightly less than in the past three years, when 55 per cent said they did more. The number of firms saying they did the same amount is almost the same (down ever so slightly from one-third to 27 per cent).

There was a notable dip in the amount of work each lawyer is doing. Just 16 per cent of responding firms said half of their associates or more were reaching the target in 2014, down from 20 per cent in 2013 and 2012. The same is true at partner level – some 58 per cent of the firms answering the survey said less than half the

partners at the firm recorded at least 20 hours of pro bono work in 2014. Only 12 per cent were able to say that more than half of the partnership met this target. (The remaining firms did not have the data.) These numbers seem to be dropping slightly year-on-year. Last year, it was 15 per cent, which was slightly down on the previous year.

Unlocking lawyers' potential to do pro bono on a large scale requires that the legal market and law firms themselves have systems in place. The argument is that if firms collaborate to provide free legal services in a cohesive, organised fashion, then they will reach a greater number of people in need. The clearing houses in Colombia and Chile are able to report such positive findings (as can some others in the region) because they have good working relationships with their

members, which in turn have taken steps to institutionalise the practice in their firms.

Each year, *Latin Lawyer* and the Vance Center ask law firms what measures they have implemented internally. The measures we use are based on the PBDA guidelines for signatory firms that are designed to help law firms do pro bono – for example, appointing someone to bring cases to lawyers and liaise with the clearing house, producing a manual and tying pro bono to lawyers’ evaluation. Regional averages for this year’s survey suggest progress in this area has slowed. The number of firms with a pro bono committee is largely in line with last year at about 50 per cent, but fewer respondents have a pro bono coordinator – 66 per cent compared to roughly three-quarters in the past two years’ surveys. Some 38 per cent have a manual detailing the firm’s pro bono policy, compared to 50 per cent last year.

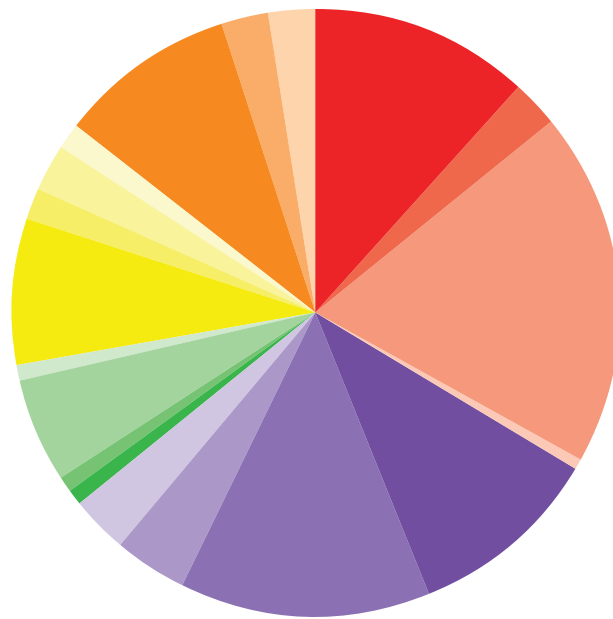
There are no clear conclusions to draw from our survey findings on their own. First, the survey is dependent on data collection, but it’s a known fact that lawyers don’t always report pro bono hours – preferring instead to focus on the work. Second, we must acknowledge that this is a different sample of firms from last year’s participants: only two-fifths of this year’s respondents took part last year. More countries are represented in this year’s survey, and there is a greater spread across those countries. For example, we were pleased to see a higher turnout from Brazil, Costa Rica, Guatemala, Nicaragua and Paraguay – jurisdictions where the process of institutionalising pro bono is comparatively nascent and so the firms’ efforts, while admirable given the obstacles they face, could bring down the averages when put alongside

the work of firms in countries where a pro bono system has been in place for some time. In such countries, the numbers are more encouraging. Indeed, the caseload in countries such as Argentina, Colombia, Chile and Mexico give considerable weight to the argument that the pro bono movement is bigger and better when law firms institutionalise the practice and have a functioning pro bono clearing house to support them. This is an important development and shows that Latin American legal communities are going down the right path.

Reaching this point has required tremendous effort and firms have faced considerable barriers along the way – from bar associations restricting them to a mistrust between lawyers and NGOs. To some extent, they are still held back by factors largely outside of their control. Until this June, Brazilian law firms were mostly banned by the federal bar from doing pro bono work, and the legal market in Costa Rica faced similar restrictions until very recently. These types of constraints will naturally influence a legal market’s pro bono culture. **Todd Crider**, partner at Simpson Thacher & Bartlett LLP and vice chair of the Vance Center Committee, sees the lifting of restrictions in Brazil as an enormously important development. “For a long time, the ethical code’s constraints served to provide an excuse that was readily available to lawyers as to why they were not doing public interest work. That’s appropriately being dismantled, but it takes a while to change.”

In Peru, the Alianza Pro Bono was set up in 2013 and has the backing of a large group of firms that have put a commendable effort into getting it off the ground. Today it is working well, but there is a shortage of work available

Geographical spread 2015



Argentina	11.8%
Bolivia	2.4%
Brazil	18.9%
Central America region, Panama and Dominican Republic*	0.8%
Chile	10.2%
Colombia	13.4%
Costa Rica	3.9%
Dominican Republic	3.1%
Ecuador	0.8%
El Salvador	0.8%
Guatemala	5.5%
Honduras	0.8%
Mexico	7.9%
Nicaragua	1.6%
Panama	2.4%
Paraguay	1.6%
Peru	9.4%
Uruguay	2.4%
Venezuela	2.4%

* One firm provided one response for all countries in which it has offices

because the system is still young. “All the associates know 20 hours is the aim, but because the Alianza is still growing so sometimes there is not enough work... sometimes reaching 20 hours is difficult. But let’s see what happens – one day we will

be talking about 25 hours or another criteria,” says **Viviana Garcia** of Delmar Ugarte Abogados, who is on the board. The role of clearing houses cannot be underestimated. “They are proven over and over again to be a critical element in

institutionalising pro bono,” says **Antonia Stolper** of Shearman & Sterling, who is vice chair of the Vance Center committee. “We know as private sector lawyers that the hardest part of pro bono is sourcing the work. Even in the US, having organisations that can look for cases, screen cases and provide lawyers training remains paramount. That institutional support is critical and always will be. It’s so critical they remain a vibrant force and the local bar supports them. That’s one place we can’t take our foot off the accelerator.”

Entering daily life

Despite the progress, it’s clear that pro bono is still not part of most Latin American law firms’ daily life. Our findings correspond with those of a study carried out by **Daniel Bonilla**, a professor at the Andes University, into the pro bono systems of Argentina, Chile and Colombia. The study

revealed that, on the whole, firms working with the clearing houses are not meeting the PBDA requirement of 20 hours per year.

“The hardest part of pro bono is sourcing the work. Having organisations that can look for cases, screen cases and provide lawyers training remains paramount”

Without the right support framework, young lawyers can’t do pro bono even if they want to. It’s all very well saying pro bono is tied to evaluation, producing a manual or appointing a coordinator, but if those policies are not promoted and utilised routinely, the practice won’t become commonplace. It’s accepted that a large portion of associates want to do pro bono work and most law firm partners support the practice of pro bono, but the reality is that it often slips down the list of priorities. For example, a coordinator is powerless unless he or she has the support of partners who help to open the necessary channels for them to take bring cases to lawyers. Lawyers have enormous workloads as it is, which means finding the time to do it in their working day is difficult. Those who are truly committed often have to do it in their own time or squeeze it in between billable hours.

– Antonia Stolper

While firms support the idea of pro bono and have introduced various measures to help their lawyers do it, they are still some way off making the practice fully ingrained in their

In the United States, every single piece of pro bono work done has to have the oversight of a partner and pro bono hours are part of everyone’s evaluation. This is something that Latin American law firms can replicate.

Bonilla says the single most important decision a law firm partnership can take is to make

pro bono hours equivalent to billable hours. “Without this decision it’s so hard to institutionalise pro bono,” he says. “When partners promote pro bono it’s only a discourse otherwise. They say you have to do pro bono, but after doing billable work. Everyone knows that the load of work lawyers have is tremendous. If lawyers have to do pro bono in the margins, the quality and quantity won’t be enough.” Our survey showed there has also been a slight drop in the number of firms that treat pro bono as billable hours for associates – 55 per cent this year compared to two-thirds previously, while 71 per cent of respondents account for pro bono in their evaluation of associates, down by 10 per cent since 2013 (which had seen an increase from since 2012), and 64 per cent provide recognition to partners and associates for their pro bono work compared to 80 per cent in 2013.

For pro bono work to be part of daily routine, law firms should treat pro bono clients as any other client. For example, Delmar Ugarte Abogados in Peru does not prioritise big fee payers over those who receive services for free. “When we accept a pro bono case it goes in the pipeline like any other client into in the schedule of meetings,” says partner Viviana Garcia. “If we have a pro bono client that calls first and we organise a time for a meeting, you don’t reschedule if a paying client needs that time. One partner tries to be in the meeting or very closely involved.”

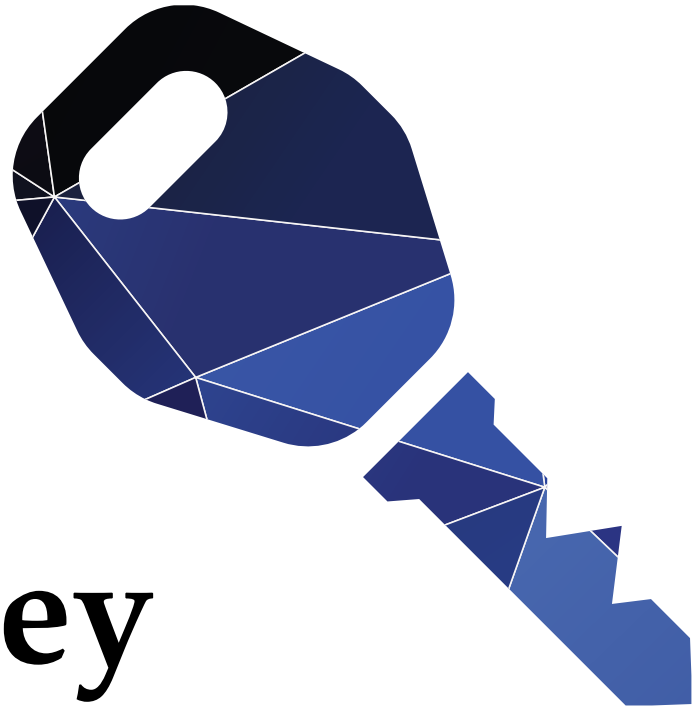
Colombia’s Gómez-Pinzón Zuleta Abogados ensures lawyers are conscious of their duties by including pro bono in their performance bonuses. “If they don’t meet minimum standards for pro bono they forfeit part of their bonuses,” says partner **Andrés Hoyos**.

A good example of how strong leadership from the top translates into pro bono becoming routine can be seen at BLP Abogados in Costa Rica. The firm set up its own pro bono foundation many years ago and now has a steady flow of good projects to keep their lawyers busy and motivated. The firm’s policy is that the service they provide to pro bono clients is as good as that which paying clients receive.

DLA Piper has achieved the same thing on an international scale. Pro bono is encouraged by the top leadership and that permeates throughout its practice group and sectors. The firm provides the necessary infrastructure for lawyers to do pro bono by finding opportunities and making them user friendly, and creating the time for them to do it. It’s clear to every DLA lawyer that pro bono is supported and encouraged because it is treated as billable hours and lawyers are given credit for it so they can build it into their day as they would any other case.

While the survey findings serve as a reminder that there is still much work to be done to make pro bono fully institutionalised in Latin American firms, the good news is that there is a dedicated army of practitioners across Latin America working tirelessly to keep up the momentum, providing hope and inspiration to everyone. Latin America’s pro bono culture is not only alive, its roots are spreading further across the region. A case in point is the group of law firms in Guatemala that have just agreed to centralise their pro bono efforts in an effort to help reach greater numbers of people who cannot access justice on their own. This show of unity is just one example of the collaborative efforts feeding the pro bono movement.

Partners hold the key



If pro bono is the responsibility of the legal profession, then partners hold the power to make it ingrained in law firm cultures

It's easy to spot the Latin American lawyers who have spent time in a New York law firm. Even back in the boardrooms of firms in Mexico City or São Paulo, their tailored suits and slick client service evoke images of Wall Street. Indeed, importing the practices of US law firms into Latin American legal markets is widely considered to be a worthwhile endeavour. Lawyers with experience in leading New York firms tend to be in demand at home because they are familiar with New York law, have had access to innovative legal structures and have observed the workings of sophisticated institutions.

Those who spend a significant amount of time there will also become accustomed to doing pro bono work as a

matter of course. Take **Andrés Hoyos**, head of the M&A practice at Gómez-Pinzón Zuleta Abogados in Colombia. He spent 11 years in New York, working at Skadden, Arps, Slate, Meagher & Flom LLP and Cooley LLP. During that time, he reported 25 pro bono hours a year to the New York State Bar, as every lawyer practising there is required to do.

That experience has stayed with Hoyos back in Bogotá, where he continues to take on pro bono cases. "It's our duty to give back to society what we have been given through our successful practices," he says. "It gives you a lot of satisfaction when you realise you can use that to change lives of people and sometimes, depending on the case, not just individual matters but complicated issues

that can go beyond a particular person and affect major group."

While Hoyos is not unique among partners of Latin American firms, he is in a large minority. There are examples in every country of partners who are truly committed to pro bono work and doing whatever they can to push the practice into the mainstream, but there is a common tendency for partners to say they support pro bono and leave it to associates to actually do the work. Often, a lone partner who is interested will take charge of the practice and liaise with the clearing house. Some sit on the board of NGOs or take on particular cases they are passionate about, but do not necessarily do it on a regular basis.

In our most recent survey, 58 per cent of firms said less than

half the partnership recorded at least 20 hours of pro bono work in 2014, with little more than one-tenth saying that more than half of the partnership met this target. (The remaining firms did not have the data.) These numbers are falling each year. Last year, it was 15 per cent, which was slightly down on the previous year.

Of course, it varies across the region. In its study, the Fundación Pro Bono in Chile found that 50 per cent of pro bono work was done by partners in 2014. Included in the foundation's count of partners doing pro bono work is the number of partners who are directors of non-profit organisations and act as their legal advisers; around three-quarters of their firms said they have partners with such

positions. In Venezuela, very few partners do pro bono work according to ProVene (we did not have sufficient responses from Venezuela to do our own analysis), while Fundación Pro Bono Colombia would also like to see greater partner participation. Around half of the partnership of Gomez Pinzón (the clearing house's most active member) take on pro bono cases, often thanks to **Paula Samper**, a champion of pro bono, knocking on partners' doors with a file in her hand.

Leading by example

Partners who take on cases send a strong message by showing they are also committed in practice. If every partner does pro bono work, it goes without saying that the associates will be compelled to follow suit – even more so if their days are structured to make room for it. “Law firms are deeply hierarchical institutions, so what partners say should be done is what associates do,” says **Daniel Bonilla**, who conducted his own study into pro bono in Chile, Colombia and Argentina.

“If you don't have partners setting example, it's all just words, it's meaningless,” says **Eric Ordway**, partner at Weil, Gotshal & Manges LLP. “The truth is that most lawyers who come to our firm are eager to do pro bono work and are imbued with sense of duty when they get here. We send a notice saying ‘Is anyone interested in doing a pro bono project?’ and we get 30 responses in a couple of hours. The reason we get that is we have people who are interested in this work, and we have partners and a firm structure that support it.”

There is a dogged reluctance among some partners to take on pro bono cases. The reasons are numerous, well rehearsed and in some cases valid up to a point.

A common grumble is that they are too busy, be it working for paying clients or attending to important managerial duties such as results, profitability and growth. “It is very difficult to find the necessary time to work in these matters due to the workload that we have,” concedes **Gustavo Torassa** of Bulló, Tassi, Estebenet, Lipera, Torassa Abogados in Argentina. “Despite that, we make the effort to achieve the pro bono goals. It is essential for our culture and to spread that behaviour as an example for the junior associates.” Linklaters' **Sabrena Silva** enjoys volunteering at legal clinics, which typically require a commitment of a fixed time slot on a specified day. Partners might also point out that they were at law school 30 years ago so don't remember anything about family law or divorces. Others might simply find the prospect of such work mundane. Gomez Pinzón's Samper thinks this is missing the point. “Are they expecting poor people to send them an M&A deal? Of course not. It's not complicated work; it's just different,” she says.

In any case, there are solutions to each of these problems. It's true that partners are busy, but if pro bono clients are treated as any other client, then time should not be an issue. Making time for pro bono work requires discipline and the right structure in the firm – in other words, treating pro bono hours as if they were billable hours. “You have to see pro bono as any other client with the same responsibility, achieving the same goals, saving the same time for meetings and reviewing documents. You can't see pro bono as an additional matter on the sideline,” says Hoyos. “You see them as real clients, as if they are billable.”

Meanwhile, not all pro bono work relates to family law. There

are plenty of examples of cases that are complex, high-impact and even beneficial to a lawyer's practice. Some pro bono cases can have enormous implications for civil and human rights and even end up before a country's Supreme Court. “A sense of belonging, and being not only empowered but privileged to be a legal advocate, creates an irresistible urge to make the community better,” says **Hunter Carter** of Arent Fox LLP, who helped bring about marriage equality for same-sex couples in New York and has since helped in the quest for change in Chile, Colombia and Mexico. Given their standing in society, partners can have a considerable impact in such cases because they are well known by judges. Their arguments will be heard.

Thanks to organisations such as the Vance Center, the

mould the focal point. In these international constitutional analyses, the associate has probably never done anything like that so doesn't know what to look for.” Projects involving multiple countries require coordination with multiple law firms – which requires partners smoothing the way with other partners before passing work onto associates. “It's absolutely vital in international pro bono that partners play a major role,” he says.

Partners also have the power and influence to convey the importance of a research project that an associate might treat as a fun, but in reality could shape how a country perceives an issue. For example, Ordway is working on a convention for disabilities. “This convention really matters to people in wheelchairs or blind people.

“When you are a student you have this strength and want things to change. As the years go by you get far away from that feeling. Pro bono gives that back”

– Viviana Garcia

Red Pro Bono de las Americas and TrustLaw, the pro bono arm of the Thomson Reuters Foundation, there are more and more opportunities relating to corporate matters and international projects, which should pique the interest of partners accustomed to high-level complex work.

Ordway argues that international projects such as comparative analysis could not be done without partner participation. “Partners help to

The commentary provided and published can have an effect. I've seen the effect organisations like Human Rights Watch can have in making presentations to the US. Partners need to say this can have an effect on people – millions of people.”

Finally, pro bono work can be fun – it allows partners to fulfil their social duty and reminds some why they became lawyers in the first place. “When you are a student you have this strength and want things to change. As

the years go by and we are so caught up in our busy day, closing a deal, helping a client, you get far away from that feeling. Pro bono gives that back,” says **Viviana García** of Delmar Ugarte.

“It’s a philosophical matter,” says **Alberto Varillas** of García Sayán Abogados. “Our profession is one of services. Based

is mentioned at any practice group retreat, or when the leadership is speaking to the firm. The message is constant,” says partner **Lisa Dewey**, a pro bono partner at the firm. (DLA even employs pro bono lawyers on a full-time basis.)

Weil Gotshal has also always been an “extraordinarily aggressive” supporter of pro

implemented in their own firms and the support they provide to clearing houses, both in terms of finance and lawyers’ time. The difference this makes is very clear when one compares the pro bono culture of a country where firms have supported a clearing house to those where they have not.

This type of support is something **Claudia Barrero** of Philippi, Prietocarrizosa & Uriá (Colombia) feels particularly strongly about. “Even if only a limited number of partners undertake pro bono work, firms are committed to pro bono and generally partners value and support the pro bono work done by associates,” she says, adding that for her it is more important to have a large number of partners who value and support the pro bono work done by their associates, even if they personally do not do pro bono work.

Partners can provide this support in various ways, for example by supervising the work of younger lawyers. In our survey, 78 per cent of firms say projects are supervised by at least one partner, which, if true, is very encouraging. There are other ways of putting their support into practice. For example, Weil Gotshal partners are expected to keep the firm’s pro bono culture in mind when managing associates – if they need someone to work on a billable matter, they won’t pull an associate from a pro bono cases. They can also participate in pro bono committees and meetings, and communicate their support to young lawyers.

Partners in Buenos Aires firms seem to be taking this on board. This year, all the members of the Comisión Pro Bono signed a new declaration committing them to certain pro bono principles. The document calls for partners to lead by example and demands

that pro bono work is carried out to the same high standards of any other. It also calls for firms to provide room for lawyers to complete pro bono work in their work schedule without jeopardising their career advancement. Partners also agreed to develop clear pro bono policies and provide support to their firm’s pro bono coordinator.

US influence

As the cycle of Latin American associates flowing through US law firms continues, it is likely that the influence of North American practices will continue to make an impression on those going back home. There are other developments from New York that could push things forward. At the start of 2015, the state took further steps to enforce the pro bono culture by ruling that lawyers cannot be admitted to the bar unless they have completed 50 hours of supervised pro bono attested by affidavit. The rule also applies to LLM students, although they can include experience from working at law firms in their home country.

Antonia Stolper has already noticed the associates completing Shearman & Sterling’s exchange programme being inspired by the pro bono work they do. “We take pride in training international associates, and generations are now going home highly motivated and becoming leaders in this area. The technical assistance we, as law firms, are providing on individual cases and sending associates home and firing everyone up is a tremendous act.”

Law firms are notoriously difficult to transform because their structures are so rigid. It is their partners, be they of this generation or the next, who have the power to implant a firm-wide pro bono culture that sticks.

“Even if only a limited number of partners undertake pro bono work, firms are committed to pro bono and generally partners value and support the pro bono work done by associates”

– *Claudia Barrero*

on that, the idea of providing the service to those who need it but can’t afford to pay is what motivates me.”

Extending support

Nick Patrick, a London-based pro bono partner at DLA Piper, recalls a speech by the then CEO at a partner conference a few years ago. “He said to partners that they will never find the pro bono opportunities we have access to in this firm anywhere else. ‘If you are not taking these opportunities you are crazy. It’s up to you to find time in your day to do it.’”

It’s not often that pro bono takes such a headline position at partner conferences, but DLA Piper’s leadership has made sure that it is mentioned at every opportunity possible in order to create a true pro bono culture across the firm. “It’s part of the firm’s strategic plan. It’s not a sideshow. Pro bono

bono work. On partner retreats, partners are criticised if they have not participated in pro bono on a direct basis. It’s also why BLP has been so good at instilling a pro bono culture in Costa Rica. “We have been successful with ours as it comes from the top. Partners are really interested in seeing this work and have devoted a lot of resources into getting our foundation to really work. It makes a difference when partners are involved in the action and not just approving it,” says BLP partner **Vivian Liberman**.

Time and time again, the message is that pro bono will never be part of law firm life without leadership support. This is a key way for partners to play their role in the pro bono movement. It’s true that many partners in Latin America support pro bono, even if they don’t do it. This can be seen in the measures they have

Circle of friends



While clearing houses are working hard to create collaborative pro bono systems at home, they are also busy contributing to a regional platform – the Red Pro Bono Internacional

The Red Pro Bono was created in 2011 after a conference put on by the Fundación Pro Bono in Chile and the Vance Center on how to further strengthen the region's growing pro bono movement by moving it up to the regional level.

The network's core aims are to provide a place for clearing houses in Latin America to exchange best practices and experiences, and to serve as a regional referral system that puts together legal teams for multi-jurisdictional work.

Latin America's clearing houses are all very different in their makeup. They are also at various stages of development – from the very advanced to new organisations that lack funding, and everything in between. The network also serves to support pro bono initiatives

in countries where there is still no formal institutional on the ground. It includes useful information on its website and is producing a handbook on how to set up clearing houses and handle cases.

With regard to the exchange of information, the formalisation of the network is the next rung in a ladder. "In a sense we have always had this informal network to support one another's efforts and collaborate in cross-border projects, but this is an effort to facilitate collaboration with a defined platform," says **Todd Crider**, partner at Simpson Thacher & Bartlett LLP and vice chair of the Vance Center Committee.

Much of the educational exchange of information is thanks to the Chilean Fundación Pro Bono and the

Vance Center, which help members to replicate initiatives carried out in other countries and adapt them to local realities. They facilitate the exchange of ideas through meetings, travel, internships and preparing useful documents.

Supporting human rights

The network's creators believe there is a need for a regional effort in the area of human rights and have identified a growing demand for legal services from social organisations that are expanding on a regional scale.

While each clearing house member has its own objectives and obligations at home, the network allows them to explore opportunities and work together with other

countries. The projects sourced by the Red Pro Bono can act as a useful promotional tool because the work is often the complex, high-impact multi-jurisdictional kind that lawyers favour. The network reaches out to member clearing houses across the region, which can allocate the work to their law firms. For example, a regional group of lawyers was assembled to produce a report on the laws in the region that potentially affect or discriminate against LGBT people. Members have also conducted various comparative analyses for the creation of new law for a country, such as an analysis of legislation for blood bank regulation, and assist NGOs with their regional needs.

A lot of the work centres around the Inter-American

“In a sense we have always had this informal network to support one another’s efforts and collaborate in cross-border projects, but this is an effort to facilitate collaboration with a defined platform”

– Todd Crider

Commission on Human Rights, whose court sits in Costa Rica. Lawyers linked to the network represent individuals whose rights have been violated. The Red Pro Bono also acts as amicus curiae – on its own initiative or on behalf of another party – in proceedings in order to provide an objective, external perspective. There are various other ways in which the network works with the court, including a system of internships.

There are numerous other projects in the mix, such as taking Peru’s Pro Bono Challenge regional. So far it has been replicated in Chile, and the Peruvian firm that created the competition is providing support to other countries that wish to follow suit.

Moving up a level

The Red Pro Bono is in the throes of becoming more institutionalised. “This is a huge endeavour that will bring us to the next level,” says **Adriana**

Ospina, director of pro bono partnerships at the Vance Center, who believes it will allow the network to take on more international, high-impact cases.

In April this year, a meeting was held on how to take the network to the next stage and a committee is in the process of working out how best to do that. For now, it has been decided upon a cooperative and collaborative arrangement where each clearing house will remain independent, but use the network as needed and work to shared principles.

“It’s a long road and first we must understand each clearing house as it is these that will build the network; we must accommodate each of our situations,” says **Marcela Fajardo**, executive director of Fundación Pro Bono Chile. “The first step is to strengthen our ties, facilitate joint work further, and finally move to the formal institutionalisation of the network. We have made good progress.”

Rising to the challenge

The Desafío Pro Bono, or Pro Bono Challenge, was devised by Peruvian firm Miranda & Amado Abogados in 2009. The competition is open to students in law schools across Peru who are invited to put forward pro bono projects. The Alianza Pro Bono member firms then commit to implementing and financing the winning projects.

“The Pro Bono Challenge was conceived with the dual purpose of addressing the vastly unsatisfied demands for justice in regions of Peru that are generally beyond the reach of Alianza Pro Bono, and empowering law students as advocates of pro bono work once they become lawyers,” explains **Enrique Felices**, partner of Miranda & Amado and an Alianza board member.

The competition has gained considerable traction since its creation six years ago. Some 31 projects from more than 15 universities were put forward in 2014, when the winner proposed a programme to assist families of the adolescent population at Lima’s juvenile detention centre. Previous winners have had an enduring impact: the first project to win led to the creation of a legal clinic in partnership with Pontificia Universidad Católica del Perú that has served hundreds of low income individuals and families in San Juan de Lurigancho, Lima’s most populated district.

The competition has since been replicated by the Fundación Pro Bono in Chile with similarly successful results and the Alianza has now been tasked by the Red Pro Bono Internacional to promote the competition regionally. “Desafío Pro Bono aspires to become a platform that contributes to answering the unmet demands for access to justice in Peru and abroad, but also as a way to reward pro bono work among law students,” says Felices. “The Pro Bono Challenge invites law students to recognise themselves as agents of change with the power to create, through the practice of law, a more prosperous, ethical, just, free and caring society.”

Country by country

A tour of some of the larger legal communities from which we received a healthy number of responses to our survey

Argentina

The power of the vote was clear this October in Argentina as the presidential elections went to a second round for the first time in two decades. The run-off provides good material for the lawyers in Buenos Aires who have been teaching school children about the country's constitution. Some 95 lawyers have participated in workshops telling over 3,500 students about constitutional rights, elections and voting, in a project organised by the Comisión de Trabajo Pro Bono e Interés Público, the pro bono arm of the Buenos Aires Colegio de Abogados.

Argentina is known for having a strong pro bono culture and this is shown in the consistently high number of hours the Comisión is able to report – lawyers completed between 15,000 and 16,000 hours in 2014 and took on 463 new cases. Interesting work is being done, often with an international component thanks to collaboration with TrustLaw, the pro bono arm of the Thomson Reuters Foundation. A team at Marval, O'Farrell & Mairal both co-authored and coordinated a multi-jurisdictional comparative study on

	2014	2013
Average size of responding firm	72 lawyers (Range: 3 to 305 lawyers)	85 lawyers (Range: 6 to 320 lawyers)
PBDA signatories	87%	60%
Clearing house membership	93%	90%
Firms with PB coordinator	93%	80%
PB affects salary and advancement	40%	50%
PB treated as billable hours	75%	–
PB included in training	33%	50%
PB work measured	73%	70%
Total PB hours completed in 2014	27% of firms completed more than 1,000 hours	40% of firms completed more than 1,000 hours
Average PB hours/lawyer in 2014	53% of firms averaged 10 to 29 pro bono hours per lawyer in 2014	60% of firms averaged 10 to 29 pro bono hours per lawyer in 2013
Comparison of 2014 and 2013	47% of firms did more pro bono in 2014 than 2013	50% of firms did more pro bono in 2013 than 2012

laws designed to prevent sexual exploitation produced under the initiative of the International Association of Women Judges, while Pérez Alati, Grondona, Benites, Arntsen & Martínez de Hoz (h) was invited to be part of a multi-jurisdictional team coordinated by TrustLaw at the request of housing charity Techo to produce a report on the right to adequate housing in Latin America.

A high number of firms have taken steps to institutionalise

the practice. They tend to have a pro bono coordinator, while the majority measure the work being done. More firms could tie pro bono to salary and advancement although three-quarters say they treat it like billable hours. Our survey suggests there has been a drop in the work being done by firms in the country, with fewer averaging 10 to 29 pro bono hours per lawyer.

The Comisión's findings are more positive, however. Most

firms belong to the clearing house and provide it with regular funding. This May, members signed a commitment to pro bono best practices, through which they agree to follow six principles regarding institutionalisation, organisation, execution, registration and recognition of pro bono work. The Comisión's **María Delfina Balestra** says this represents an important milestone in the cultural evolution the legal market is undergoing.

Brazil

The year 2015 marks a turning point for pro bono work in Brazil because the federal bar association (OAB) finally lifted restrictions that prevented law firms from providing legal advice to individuals on a pro bono basis. This relaxing of the rules has the power to fundamentally change the country's pro bono culture, providing law firms rise to the challenge.

Because the ruling came in June this year and our survey is based on information from 2014, it's too early to see how law firms are adapting from the survey alone – even though the rule was relaxed in 2013 after the OAB issued an injunction lifting the restrictions. But

Marcos Fuchs, the director of the Instituto Pro Bono and a key campaigner for the change, is positive. He says firms are keen to prepare to take on cases for individuals by further institutionalising the practice. “We are receiving many, many calls from individuals, and lawyers are thinking about taking these cases... it's a new era,” he says.

Because Brazilian firms have been banned from doing pro bono work for individuals (only firms in two states, one of which was São Paulo, were able to even provide free legal advice to NGOs), very few have implemented pro bono

	2014	2013
Average size of responding firm	148 lawyers (Range: 2 to 1,022 lawyers)	152 lawyers (Range: 2 to 943 lawyers)
PBDA signatories	26%	32%
Clearing house membership	52%	72%
Firms with PB coordinator	22%	47%
PB affects salary and advancement	30%	32%
PB treated as billable hours	36%	–
PB included in training	35%	26%
PB work measured	40%	58%
Total PB hours completed in 2014	9% of firms completed more than 1,000 hours	11% of firms completed more than 1,000 hours
Average PB hours/lawyer in 2014	30% of firms averaged 10 to 29 pro bono hours in 2014; 4% of firms averaged 30 hours or more	33% of firms averaged 10 to 29 pro bono hours per lawyer in 2013
Comparison of 2014 and 2013	48% of firms did more pro bono in 2014 than 2013	67% of firms did more pro bono in 2013 than 2012

systems. Just one-fifth of firms among this year's respondents have a pro bono coordinator, while around a third account for pro bono in lawyers' salaries and provide training on it. The amount of pro bono work lawyers are doing appears to be largely consistent, with 43% of firms reporting they did more pro bono work in 2014 than 2013. This corresponds with the Instituto's report. In 2014, the IPB provided free legal service to 54 NGOs and 113 individuals, which Fuchs says was an increase on 2013.

Hopefully, funding to the Instituto Pro Bono will also

increase now firms are likely to benefit even more from the service it provides. Just seven out of 62 member law firms provide annual funding to the institute (the number increased by one in 2014), which is markedly lower than in countries with fully fledged systems.

Encouragingly, there was a notable increase in respondents from Brazil this year, who shared stories of interesting pro bono projects. Levy & Salomão Advogados has been providing legal advice to Equality Now in connection with a human trafficking case; Machado, Meyer, Sendacz e Opice Advogados is

part of a regional group of firms working with the Thomson Reuters Foundation and housing charity Techo to produce a study on housing rights in the region; Siqueira Castro – Advogados represents Brazil's National Conference of Bishops before the Supreme Court in its fight to give Quilombolas communities legal ownership of the land they have lived on for many generations; and Demarest Advogados has provided the necessary legal support to a learning institute so it could distribute hearing devices to those in need across Brazil.

Chile

As ever, Chilean law firms continue to lead by example and the workload is high as usual. More than two-thirds of respondents say that they averaged between 10 and 29 hours of pro bono in 2014, which corresponds with the Fundación Pro Bono's own survey of its members. The

clearing house and its members, which also include in-house legal departments and individual lawyers, handled 2,340 cases in 2014. They took on 382 civil cases and brought 109 criminal cases, helped 152 social organisations, and provided more than 1,000 people with assistance

through conversations. The cases Chilean firms take on are varied – from Barahona Castillo Bonacic Abogados' assistance to victims of sexual abuse to Carey's advice on a project financing for a non-profit water company or Morales y Besa's work with an NGO providing

bicycles to children with physical disabilities. Within the 2015 caseload, Guerrero Olivos has helped a group of widows and families of fishermen missing at sea in the south of Chile, Estudio Albagli Zaliasnik worked with the Techo housing charity to help over 100 families

formalise the ownership of their properties, and Cariola, Díez, Pérez-Cotapos & Cía Ltda helped produce a legal handbook for victims of a fire in the city of Valparaiso. These three projects were all winners of Chile's pro bono challenge, a competition based on Peru's "Desafío Pro Bono", in which law students propose pro bono projects with the winning cases being taken on by law firms.

The numbers for our Chilean respondents are slightly down this year with respect to evidence of institutionalisation, but this could be a result of different firms responding this year as Chilean firms are widely noted for their commitment to the practice. The Fundación has 35 law firm members, with the list growing annually. They all support it financially,

	2014	2013
Average size of responding firm	70 lawyers (Range: 6 to 222 lawyers)	70 lawyers (Range: 25 to 186 lawyers)
PBDA signatories	70%	80%
Clearing house membership	85%	100%
Firms with PB coordinator	100%	100%
PB affects salary and advancement	31%	50%
PB treated as billable hours	38%	–
PB included in training	46%	70%
PB work measured	71%	80%
Total PB hours completed in 2014	33% of firms completed more than 1,000 hours	38% of firms completed more than 1,000 hours
Average PB hours/lawyer in 2014	69% of firms averaged 10 to 29 pro bono hours per lawyer in 2014	63% of firms averaged 10 to 29 pro bono hours per lawyer in 2013
Comparison of 2014 and 2013	46% of firms did more pro bono in 2014 than 2013	75% of firms did more pro bono in 2013 than 2012

usually through an annual membership. In 2014, the foundation created a guideline text for firms and in-house

teams wishing to implement a pro bono programme, which lists nine issues to consider. The clearing house also provides

support to partners to help them develop pro bono policies and set up a system to track the programme's implementation.

Colombia

The influence that leading law firms can have in society is on show in Colombia thanks to the group demanding that the country's Constitutional Court recognise same-sex couples' right to marry. The court is yet to rule on the case brought by a gay couple, but the lawyers who worked together in the pursuit of justice show what teamwork can achieve and symbolise the change in thinking in Colombian society, where homosexuals have travelled a long path to see their rights upheld.

Colombia offers a good example of how a smoothly functioning clearing house and pro bono systems in firms can make a substantial difference. Even with a very slight dip from last year's results, the number of firms that belong to the clearing house, have a pro bono coordinator and measure pro bono is impressive. There is one area that could be improved, however;

	2014	2013
Average size of responding firm	50 lawyers (Range: 11 to 168 lawyers)	83 lawyers (Range: 6 to 206 lawyers)
PBDA signatories	64%	89%
Clearing house membership	93%	100%
Firms with PB coordinator	93%	100%
PB affects salary and advancement	43%	67%
PB treated as billable hours	71%	–
PB included in training	57%	67%
PB work measured	71%	75%
Total PB hours completed in 2014	36% of firms completed more than 1,000 hours	38% of firms completed more than 1,000 hours
Average PB hours/lawyer in 2014	50% of firms averaged 10 to 29 pro bono hours per lawyer in 2014	50% of firms averaged 10 to 29 pro bono hours per lawyer in 2013
Comparison of 2014 and 2013	71% of firms did more pro bono in 2014 than 2013	87.5% of firms did more pro bono in 2013 than 2012

while partners are in favour of their firms doing pro bono, more could be taking on cases themselves. Just two firms said half or more of their partnership met the 20-hour target of the PBDA.

Most firms that engage in pro bono belong to the Fundación Pro Bono Colombia, which has grown substantially in the last five years from just five members to 29 member firms. The large majority of them provide

it with annual funding and have agreed to a substantial rise this year. In 2014, the clearing house assigned 119 cases to its members and a further 94 were closed, representing a marked increase in work from 2013.

Some firms do more than others – the firm at the top, Gómez-Pinzón Zuleta Abogados, took on 86 cases, while some take on just a handful. There are five firms that did 30 or more cases, and Bancolombia (one of only five in-house teams belonging to the foundation) handled 34. The four other firms are Philippi Prietocarrizosa & Uría, Cavalier Abogados, Lloreda Camacho and Brigard & Urrutia Abogados.

Thanks to the foundation obtaining the resources to hire a

third lawyer to the team, member firms have also been able to significantly increase the number of high-impact cases (those that have an impact on a wider part of society) they take on, rising to 31 in 2014. Examples of this type of work are obtaining the titles of a rural lot of land donated by two families 50 years ago to workers and neighbours as a community area for children, working with the Red Pro Bono de las Americas on a study for a women’s group at the Interamerican Commission

of Human Rights to identify challenges of obtaining information held by the state on violence and discrimination, and protecting the right to the mobility of disabled people in the public transport system.

Firms source work from the clearing house and elsewhere and cases range in complexity and legal needs. Brigard & Urrutia has been working with the Heart for Change Foundation, which promotes the learning of English in schools with the help of volunteers,

Cavelier Abogados used its IP skills to educate low income musicians on copyright issues, Posse Herrera Ruiz structured a research project for cheap, eco-friendly alternatives for children to be cared for in underprivileged areas, while Philippi Prietocarrizosa & Uría issued a series of injunctions protecting constitutional rights such as health and children’s rights and Baker & McKenzie helped the victim of an acid attack set up a foundation to support others in her position.

Costa Rica

We received a notable uptick of firms responding from Costa Rica this year, allowing us to look a little deeper into the results. Firms report that they are doing pro bono work and are going some way to meet the PBDA commitment of 20 hours per lawyer per year. Examples of work being done include Sfera Legal’s advice to Sonrisas de Esperanza, a foundation that provides temporary shelter for vulnerable children with diseases, or Arias & Muñoz’s assistance to housing charity Techo. Over half of respondents are affiliated to the pro bono commission at the bar and there are the beginnings of a movement to make the commission work as a clearing house, but there is still progress to be made. In part this is because pro bono

	2014
Average size of responding firm	37 lawyers (Range: 18 to 64 lawyers)
PBDA signatories	60%
Clearing house membership	60%
Firms with PB coordinator	40%
PB affects salary and advancement	60%
PB treated as billable hours	20%
PB included in training	60%
PB work measured	40%
Total PB hours completed in 2014	20% of firms completed more than 1,000 hours
Average PB hours/lawyer in 2014	40% of firms averaged 10 to 29 pro bono hours per lawyer in 2014; 20% of firms averaged 30 or more
Comparison of 2014 and 2013	60% of firms did more pro bono in 2014 than 2013
Requirement or target for PB hours	20% of firms have a target

used to be forbidden in Costa Rica, but the bar association’s code of ethics has recently been changed to allow it. The hope is that the movement will gain traction once the amendment

becomes official, which is likely to be before December while Eduardo Calderón is still president of the bar association. His firm, BLP Abogados, is staunchly committed to pro bono and has

its own foundation to source work for lawyers. As it stands, Costa Rican firms are doing pro bono work independently and the majority say the amount of work is on the up.

Dominican Republic

By all accounts, there has been a surge of interest in pro bono among Dominican firms, which are making great strides with respect to institutionalising the practice. Three-quarters of our responding firms belong to the

clearing house and have a pro bono coordinator, while half measure the pro bono work they do and say their lawyers are each completing between 10 and 29 hours of pro bono a year. Of course there are still institutional

steps to be taken, for example by including pro bono when measuring salary advancement.

The Fundación Pro Bono República Dominicana now has nine members which are full law firms, over halfway to reaching

its target of 15. It hopes to reach that number in 2016, at which point an advisory council will be formed with a view to further institutionalisation, including paid membership. 2014 was an important year in this sense

for the foundation, which hosted a pro bono conference with the Vance Center and Fundación Pro Bono Chile and raised more than US\$60,000, including a donation from Latin Lawyer's charity awards dinner.

The foundation's head, Teófilo Rosario, says there has been a significant increase in work, alongside a growing list of organisations they are able to help. Dominican firms have worked on a variety of projects provided by the Vance Center, the Red Pro Bono de las Americas and other sources. These include Russi, Vicchi & Heredia Bonetti and Headrick Rizik Alvarez & Fernández's work with the Nature Conservancy. This year,

	2014
Average size of responding firm	19 lawyers (Range: 5 to 40 lawyers)
PBDA signatories	100%
Clearing house membership	75%
Firms with PB coordinator	75%
PB affects salary and advancement	25%
PB treated as billable hours	50%
PB included in training	25%
PB work measured	50%
Total PB hours completed in 2014	25% of firms completed more than 1,000 hours
Average PB hours/lawyer in 2014	50% of firms averaged 10 to 29 pro bono hours per lawyer in 2014
Comparison of 2014 and 2013	50% of firms did more pro bono in 2014 than 2013
Requirement or target for PB hours	25% of firms have a target

Jimenez Cruz Peña helped to determine the applicable legislation for blood banks as part of a regional project, while

Estrella & Tupete Abogados was part of a group drawing up international standards on the right to humane treatment in

the field of health. These are just some of the examples on an extensive list of work.

Guatemala

At the end of October, Guatemalans voted in a new president after the former incumbent was de-seated because of corruption allegations. Voting took place amid a change in attitude among the population, which is no longer prepared to stand by and watch injustices take place. "It has made all of us aware of the importance of helping and doing things right for a country that respects and helps poor people," says Ruby Asturias of Pacheco Coto.

In the week prior to the election, a group of law firms gathered and agreed to pool their pro bono efforts together and set up a centralised pro bono system following a visit to Guatemalan law firms by the Vance Center. While the details are still to be ironed out, pro bono now has the potential to really take off in Guatemala. While firms already did pro

	2014
Average size of responding firm	29 lawyers (Range: 9 to 64 lawyers)
PBDA signatories	29%
Clearing house membership	0
Firms with PB coordinator	14%
PB affects salary and advancement	29%
PB treated as billable hours	15%
PB included in training	0
PB work measured	57%
Total PB hours completed in 2014	0% of firms completed more than 1,000 hours; 57% of firms completed between 100 and 1,000 hours
Average PB hours/lawyer in 2014	43% of firms averaged 10 to 29 pro bono hours per lawyer in 2014
Comparison of 2014 and 2013	29% of firms did more pro bono in 2014 than 2013
Requirement or target for PB hours	-

bono work independently, they are now willing to take it to the next stage and this momentum is reflected in a good response rate for our survey. Previously, we have not had many responses from Guatemala but this year we have sufficient data to do

some analysis. The majority of respondents measure their pro bono work, which suggests a willingness to institutionalise the practice, while just under half said their lawyers averaged between 10 to 29 pro bono hours in 2014.

The initiative to institutionalise the practice further has the continued support of the Vance Center, which will now provide advice, based on best practices in other countries, on the system that will work best for the Guatemalan legal community.

Mexico

Mexican firms put forward a varied selection of pro bono cases from 2014 that illustrate the growing enthusiasm with which lawyers in the country are taking on projects. Basham, Ringe & Correa helped incorporate New Ventures, which promotes social and environmental entrepreneurship among the Mexican youth, Hogan Lovells BSTL is part of a multi-jurisdictional group of firms working with the International Association of Women Judges and the Thomson Reuters Foundation to research legal frameworks combatting sexual exploitation, and Baker & McKenzie has assisted various organisations including those that help Mexico's underprivileged children and vulnerable groups with disabilities. Sánchez Devanny has obtained legal reforms for the benefit of minors living in housing associations, while Von Wobeser y Sierra SC continues to obtain water concession titles for environmental use in dry regions of Mexico.

Thanks to a legal strategy prepared by lawyers working with the bar association's pro bono division, a mother of two escaped a long prison sentence

	2014	2013
Average size of responding firm	75 lawyers (Range: 6 to 170 lawyers)	54 lawyers (Range: 4 to 200 lawyers)
PBDA signatories	80%	50%
Clearing house membership	70%	69%
Firms with PB coordinator	60%	69%
PB affects salary and advancement	30%	63%
PB treated as billable hours	60%	–
PB included in training	60%	81%
PB work measured	70%	81%
Total PB hours completed in 2014	30% of firms completed more than 1,000 hours	50% of firms completed more than 1,000 hours
Average PB hours/lawyer in 2014	30% of firms averaged 10 to 29 pro bono hours per lawyer in 2014	19% of firms averaged 10 to 29 pro bono hours per lawyer in 2013
Comparison of 2014 and 2013	40% of firms did more pro bono in 2014 than 2013	56% of firms did more pro bono in 2013 than 2012
Requirement or target for PB hours	70% of firms have a target	–

after unwittingly using counterfeit money to buy her daughter stationery. After the case was passed through various courts, her new legal team achieved what the public defendants did not thanks to an amendment to the criminal code.

The energy flowing into Mexico's pro bono movement is in part thanks to Daniel del Río's presidency of the Mexican Bar Foundation. During his tenure the Basham partner

has injected new focus and commitment to the pro bono arm, which has entered into agreements with organisations such as the city board to support private welfare institutions and the Mexican Center for Philanthropy. This push is reflected in firms' output. In 2014, the bar's foundation helped more than 350 families of limited resources with 209 lawyers reporting pro bono work. Some 20 per cent more

NGOs were helped in 2014 than the year previously. More firms committed to doing pro bono, with the foundation receiving requests for support from states across the country. Mexican firms also work closely with Appleseed, another pro bono organisation that has done much to spread the pro bono culture, especially by teaching law firm students about the practice's importance.

Paraguay

The pro bono movement in Paraguay is comparatively underdeveloped, although there are firms who take on projects for those in need. For example, Olmedo Abogados provided vital legal support to help reunite a mother with her two children abducted by their father and taken to New York, making use of the fact that both Paraguay and the United States

are signatories to The Hague Convention on International Child Abduction.

The work that is done tends to be on an individual basis. While there is an organisation serving as a clearing house, El Centro Interdisciplinario De Derecho Social Y Economía Política (CIDSEP), it remains underused. There are five law firm members, but participation

is low; CIDSEP assigned 10 cases and completed six in 2014, involving 11 per cent of its members.

There are signs the number is slowly growing, not least because we welcome Paraguayan respondents to our survey this year after seeing none in 2013. CIDSEP is working hard to engage firms. In 2014, the organisation developed

a document laying out the foundations for a draft law that would regulate voluntary legal assistance by lawyers. The law is inspired by Spain's legal system and has the support of the bar association, the Supreme Court and the ministries of women, public defendants and justice and labour.

Peru

By all accounts, pro bono is enjoying a good moment in Peru after a series of stops and starts in earlier years. Responding firms all show signs of a willingness to institutionalise the practice and importantly support the clearing house, the Alianza Pro Bono.

The Alianza is now two years old and functioning well thanks to the backing of its member law firms. It is still young, which means there is room for growth – for example in its ability to supply sufficient cases to firms looking to meet the PBDA target of 20 hours. It reports that firms overwhelmingly did more pro bono work last year than in 2013, with its own records suggesting 35 per cent of member law firms averaged nine to 25 pro bono hours per lawyer in 2014. The future is bright thanks to an energised board of law firm partners who have been working on various projects, such as approaching the in-house legal teams of companies to join in. The Alianza is also charged with taking Peru's Pro Bono Challenge to other countries in the region. The pro bono competition was the brainchild of Miranda & Amado in 2009 and sees students propose projects and

	2014	2013
Average size of responding firm	60 lawyers (Range: 7 to 136 lawyers)	60 lawyers (Range: 12 to 143 lawyers)
PBDA signatories	92%	73%
Clearing house membership	83%	100%
Firms with PB coordinator	100%	100%
PB affects salary and advancement	33%	36%
PB treated as billable hours	83%	–
PB included in training	50%	64%
PB work measured	67%	82%
Total PB hours completed in 2014	25% of firms completed more than 1,000 hours	18% of firms completed more than 1,000 hours
Average PB hours/lawyer in 2014	42% of firms averaged 10 to 29 pro bono hours per lawyer in 2014, 17% completed 30 or more per lawyer	18% of firms averaged 10 to 29 pro bono hours per lawyer in 2013, 18% completed 30 or more per lawyer
Comparison of 2014 and 2013	50% of firms did more pro bono in 2014 than 2013	81% of firms did more pro bono in 2013 than 2012
Requirement or target for PB hours	50% of firms have a target	–

the winning one is carried out by law firms.

Meanwhile, the law firms have been busy taking on a wealth of cases, for individuals, organisations and as part of multi-jurisdictional teams. Ferrero Abogados advised four native communities in their negotiations with the government to guarantee basic conditions given they live on land which is part of an oil block tender. The government has subsequently agreed

to invest more than US\$300 million that will benefit 100,000 citizens. Lazo, De Romaña & Gagluiffi, Abogados lawyers worked with an interpreter and even learnt sign language to help restructure Assoreli, a deaf and mute association in Lima, while Benites, Forno & Ugaz Abogados helped the family of a murder victim obtain a guilty sentence against the accused. Estudio Echecopar, a member firm of Baker & McKenzie

International, prepared a report into the human rights of young people living on the streets, Rodrigo, Elías & Medrano Abogados advises an NGO helping children in the rainforest and Estudio Olaechea gives advice to a recycler of rubbish. García Sayán Abogados works with housing charity Techo, while Yataco Abogados advised Consumers International in preparing a legal brief regarding the legislation on consumer rights.

Venezuela

In 2014, Venezuelan lawyers helped achieve the first ever judgment in favor of a transgender person wishing to change their name and sex – a landmark case that has wider, important implications for other transgender individuals wishing to uphold their rights. There are other examples of important projects firms are taking on.

Mendoza, Palacios, Acedo, Borjas, Páez Pumar & Cía assists a foundation founded by a nun that provides community services in one of Caracas' most dangerous barrios, while D'Empaire Reyna Abogados acts for Dividendo Voluntario para la Comunidad (the Venezuelan chapter of NGO United Way) and other human rights organisations.

Slowly but surely, a pro bono culture is developing in Venezuela's legal community, thanks in no small part to the hard work of the clearing house, ProVene, which now counts 10 firms and 20 independent lawyers as members. So far two firms provide annual funding, but there is expectation that more will follow suit. Funding

rose by 15 per cent in 2014 thanks to the support of independent practitioners. The foundation now has four clinics located in poor areas in Caracas and aims to open another so it can be based across the city five days a week.

Worthy of mention

Some countries produced too few results for us to do any analysis and do not have pro bono clearing houses for us to consult. Nevertheless, the work of the firms in those jurisdictions must not be overlooked. We received three responses from Bolivia, including from Ferrere, which is assisting an organisation that rehabilitates street children with labour, real estate and corporate matters. The firm has also contributed to a regional comparative analysis into violence against women.

Uruguay and **Panama**

generated similar response rates. In the former, Guyer & Regules does legal and accounting work for Impulso high-school, the country's first free, secular privately managed high school for underprivileged students. The high school was set up by firm partner Nicolás Herrera to provide students with a first-class education. Arias & Muñoz's Panamanian office has worked on various matters, helping obtain legal custody for a child and contributing to legal reform of the country's sexual health education, while Galindo,

Arias & López has helped the 200,000-strong Ngäbe community in western Panama obtain government recognition for their newly alphabetised language and create a foundation to help finance its teaching in local schools.

Arias & Muñoz offices have been active across Central America. Lawyers in **El Salvador** work with the country's food bank, which the firm helped set up, and a team in **Nicaragua** helps small-to-medium-sized businesses with their legal needs. Consortium

Legal is also active in that country, providing assistance to various NGOs. Meanwhile, Central Law in **Honduras** also helps a food bank, assisting in the opening of branches in Tegucigalpa and San Pedro Sula. Finally, Pérez Bustamante Ponce Abogados in **Ecuador** has prepared a proposal to amend the health code in order to recognise Alzheimer's disease and other dementias as a priority issue for the country.

Leading lights

Here we list 55 “Leading Lights” from our survey respondents, celebrating law firms whose efforts towards pro bono during 2014 stood out. The list consists of firms that we feel deserve to be put in the spotlight thanks to their contribution to the development of a pro bono culture in Latin America.

Several factors played a role in drawing up this list. These include firms’ answers to the survey with regards to institutionalisation of the practice and examples of their recent pro bono cases. We also asked for feedback from clearing houses, the Vance Center and other pro bono professionals where possible and considered the development of firms’ pro bono practices if they participated in last year’s survey, as well as further research. The list includes behemoths of regional legal community that bringing significant resources to bear, and small firms from whom personal dedication can make a significant difference.

While this is by no means an exhaustive list (for a start it only mentions firms that participated in our survey), we hope it will give readers an idea of the efforts that firms across Latin America are taking to provide free legal services to those in need.

Of course, it should be noted that simply participating in this survey demonstrates awareness among all participants of the need for pro bono and each one had interesting developments to report. We hope that all respondents will continue to advance their pro bono practices and come back to us to report their efforts in the years to come.

Alessandri Abogados	Estudio Willa / Abogados & Consultores Tributarios	Mayora & Mayora SC
Arias & Muñoz	FerradaNehme	Miranda & Amado Abogados
Baker & McKenzie (Colombia)	Ferrere (Bolivia and Paraguay)	Morales & Besa
Barros & Errázuriz Abogados	Ferrero Abogados	Norton Rose Fulbright (Venezuela)
Basham, Ringe y Correa	Galindo, Arias & López	Olmedo Abogados
Benites, Forno & Ugaz Abogados	Gómez-Pinzón Zuleta Abogados	Pacheco Coto (Guatemala)
BMA – Barbosa, Müssnich, Aragão	Guerrero Olivos	Pérez Alati, Grondona, Benites, Arntsen & Martínez de Hoz (h)
Brigard & Urrutia Abogados	Guyer & Regules	Pérez Bustamante & Ponce Abogados
Bulló, Tassi, Estebenet, Lipera, Torassa Abogados	Headrick Rizik Alvarez & Fernández	Philippi Prietocarrizosa & Uría (Chile)
Carey	Hogan Lovells BSTL	Philippi, Prietocarrizosa & Uría (Colombia)
Cariola, Díez, Pérez-Cotapos & Cía Ltda	Jiménez Cruz Peña	Prias Cadavid Abogados
Carrillo y Asociados	Lazo, De Romaña & Gagluiffi, Abogados	QIL+4 Abogados
Cavelier Abogados	Lloreda Camacho & Co Attorneys	Siqueira Castro Advogados
Central Law	M & M Bomchil Abogados	TozziniFreire Advogados
Consortium Legal	Machado, Meyer, Sendacz e Opice Advogados	Urenda, Rencoret, Orrego y Dorr Abogados
Creel, García-Cuéllar, Aiza y Enriquez SC	Macías Gómez & Asociados	Von Wobeser y Sierra SC
Delmar Ugarte Abogados	Marval, O’Farrell & Mairal	Zang, Bergel & Viñes Abogados
Demarest Advogados	Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advogados	
Estudio Beccar Varela		
Estudio Echeopar, a member firm of Baker & McKenzie International		

Latin Lawyer and the Vance Center would like to thank all of the firms that took the time to complete the survey. We list all of the participants below with the exception of a small number of firms that requested to remain anonymous.

Argentina

Allende & Brea Abogados
Baker & McKenzie
Brons & Salas
Bulló, Tassi, Estebenet, Lipera,
Torassa Abogados
del Carril, Colombres, Vayo &
Zavalía Lagos
Estudio Beccar Varela
Estudio Fontan Balestra
Estudio O'Farrell Abogados
Estudio Willa / Abogados &
Consultores Tributarios
M & M Bomchil Abogados
Marval, O'Farrell & Mairal
Pérez Alati, Grondona, Benites,
Arntsen & Martínez de Hoz
(h)
Raggio & Garcia Mira
Zang, Bergel & Viñes Abogados
Zapiola Guerrico & Asociados

Bolivia

Ferrere
Indacochea & Asociados

Brazil

Antonio Miguel Aith
Neto Advogados
BMA – Barbosa,
Müssnich, Aragão
Contigli e Baldez Advogados
Demarest Advogados
Ennsér Fávaro & Toda
Ernesta Ganzo Advocacia
Frota Advocacia
KLA-Koury Lopes Advogados
Lala Advogados
Levy & Salomão Advogados
Machado, Meyer, Sendacz e
Opice Advogados
Magrini Lawyers
Mallet Advogados Associados
Mattos Filho, Veiga
Filho, Marrey Jr e
Quiroga Advogados
Murray Advogados
Nascimento e Mourão
Sociedade de Advogados
Negrmonete & Prado Advogados
OPL Advocacia
Siqueira Castro Advogados
TozziniFreire Advogados
Veirano Advogados

Central America region, Panama and Dominican Republic

Central Law

Chile

Alessandri Abogados
Barahona Castillo
Bonacic Abogados
Barros & Errázuriz Abogados
Carey
Cariola, Díez, Pérez-Cotapos &
Cía Ltda
FerradaNehme
Guerrero Olivos
Morales & Besa
Pfeffer & Asociados
Philippi Prietocarrizosa & Uría
Silva & Cía
Urenda, Rencoret, Orrego y
Dorr Abogados

Colombia

Baker & McKenzie
Brigard & Urrutia Abogados
Castro Leiva Rendón
Criales Abogados
Cavelier Abogados
Chahin Vargas & Asociados
Contexto Legal
Duarte Gacia Abogados
Duran y Osorio
Abogados Asociados
Gómez-Pinzón
Zuleta Abogados
Lloreda Camacho &
Co Attorneys
Macías Gómez & Asociados
Norton Rose Fulbright
Parra Rodríguez Sanín
Posse Herrera Ruiz
Prias Cadavid Abogados
Philippi, Prietocarrizosa & Uría

Costa Rica

Arias & Muñoz
Consortium Legal
Quiros Abogados
Sfera Legal

Dominican Republic

Distinctive Law
Headrick Rizik Alvarez
& Fernández
Jiménez Cruz Peña
Jorge Prats Abogados
& Consultores
Pérez Bustamante &
Ponce Abogados

El Salvador

Arias & Muñoz

Guatemala

Aguilar Castillo Love
Arias & Muñoz
Carrillo y Asociados
Consortium Legal
Mayora & Mayora SC
Pacheco Coto
QIL+4 Abogados

Honduras

Arias & Muñoz

Mexico

Baker & McKenzie
Basham, Ringe y Correa
Creel, García-Cuéllar, Aiza y
Enriquez SC
Galicia Abogados
Graham Abogados
Hogan Lovells BSTL
Ogarrío Daguerre
Sánchez Devanny
Von Wobeser y Sierra SC

Nicaragua

Arias & Muñoz
Consortium Legal

Panama

Arias & Muñoz
Galindo, Arias & López
Patton, Moreno & Asvat

Paraguay

Ferrere
Olmedo Abogados

Peru

Benites, Forno &
Ugaz Abogados
Delmar Ugarte Abogados
Estudio De la Flor, García
Montufar, Arata &
Asociados Abogados
Estudio Echeopar, a
member firm of Baker &
McKenzie International
Estudio Olaechea
Ferrero Abogados
García Sayán Abogados
Lazo, De Romaña &
Gagluiffi, Abogados
Loli & García Caveró Abogados
Miranda & Amado Abogados
Rodrigo, Elías &
Medrano Abogados
Yataco Arias Abogados

Uruguay

Estudio Bergstein
Guyer & Regules
Posadas, Posadas & Vecino

Venezuela

D'Empaire Reyna Abogados
Mendoza, Palacios, Acedo,
Borjas, Páez Pumar y Cía
Norton Rose Fulbright

The Vance Center advances global justice by engaging lawyers across borders to support civil society and an ethically active legal profession.

The **Vance Center** is a unique collaboration of international lawyers catalyzing public interest innovation. A non-profit program of the **New York City Bar Association**, we bring together leading law firms and other partners worldwide to pioneer international justice initiatives and provide pro bono legal representation to social justice NGOs. In the last year, we represented **49 clients** in **72 matters**, working with **187 lawyers** from **56 law firms** from 30 countries, including 38 firms outside the United States.

The Program on Pro Bono Representation advises clients with projects in:

- **human rights and access to justice**, including transitional justice, anti-corruption, LGBT rights, prisoners' rights, women's rights, atrocity prevention
- **the environment**, including marine, freshwater, and biodiversity conservation, climate change, pollution prevention, and human rights and the environment

In addition, our **Program on Strengthening the Legal Profession** engages law firms, bar associations, law schools, and pro bono clearinghouses with innovative initiatives, including Women in the Profession, African Legal Fellows, and the Pro Bono Initiative for the Americas. In this context, we have partnered with Latin Lawyer this year for the fourth time to survey pro bono practice by law firms in Latin America, including its level of institutionalization. Our partner clearinghouses in the Americas have provided invaluable feedback and support for this year's survey, and we wish to extend our thanks to them for their generous contributions:

- Appleseed (Mexico)
- Centro Interdisciplinario de Derecho Social y Economía Política (Paraguay)
- Comisión de Trabajo Pro Bono e Interés Público Colegio de Abogados de la Ciudad de Buenos Aires
- Fundación Pro Bono de Venezuela
- Instituto Pro Bono Brasil
- Fundación Pro Bono Chile
- Fundación Pro Bono Colombia
- Fundación Pro Bono República Dominicana
- Alianza Pro Bono Perú & Ciudadanos al Día (Perú)
- Fundación Barra Mexicana (Mexico)

The Vance Center, along with Fundación Pro Bono Chile, manages the **Pro Bono Network of the Americas**, and supports international human rights agencies, including United Nations Special Rapporteurs and Working Groups and the Inter-American Commission on Human Rights. Member of the International Coalition on the Responsibility to Protect, the International Legal Assistance Consortium, and the Coalition for an Effective African Court on Human and Peoples' Rights, we have consultative status at the United Nations Economic and Social Council.

The **Vance Center Committee**, composed of leading lawyers from international law firms and the corporate and public sectors in New York City, provides strategic direction, core financial support, and programmatic leadership.

We proudly take our name from **Cyrus R. Vance** – former U.S. Secretary of State, New York City Bar Association President, and prominent private lawyer – who exemplified ironclad commitment to fundamental rights through collaborative problem solving.