Supporting Justice in Nebraska: A Report on the Pro Bono Work of Nebraska’s Lawyers
Supporting Justice in Nebraska:
A Report on the Pro Bono Work of Nebraska’s Lawyers

Nebraska Supreme Court Committee on
Self-Represented Litigation

Nebraska State Bar Association

Legal Aid of Nebraska

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The author would also like to acknowledge the assistance of research and communications intern, Chelsea Balzer, who was instrumental in following up with Nebraska attorneys to encourage participation in the survey.

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Executive Summary

As part of an effort to expand pro bono services in the state of Nebraska, the Nebraska Supreme Court Committee on Self Represented Litigation, the Nebraska State Bar Association and Legal Aid of Nebraska collaborated to conduct a statewide survey of attorneys. With funding and support from the American Bar Association (ABA) Standing Committee on Pro Bono and Public Service, the present survey was created based on the ABA’s national survey and report published in 2012. The results of the Nebraska survey are summarized in this report.

Background and Objectives

There are two programs in the state of Nebraska that engage the private bar in providing services to low-income populations. Legal Aid of Nebraska’s Private Attorney Involvement (PAI) Program contracts with private attorneys to provide legal assistance to individuals who qualify for Legal Aid services, but who reside in counties generally located more than 1 ½ hours from the nearest Legal Aid office. And, the Nebraska State Bar Association’s Volunteer Lawyers Project (VLP) matches volunteer attorneys with individuals who need legal assistance on a pro bono basis. Additionally, the VLP coordinates and staffs Self Help Desks located in Buffalo, Douglas, Hall, Lancaster, Madison and Scotts Bluff Counties. In an effort to strengthen and expand the efforts to engage the private bar in Nebraska, this study was conducted.

The following specific objectives were defined for the data collection and analysis presented in this report:

1. To quantify the amount of pro bono work done by attorneys in Nebraska, particularly work provided at no cost to persons of limited means or to organizations that address the needs of persons of limited means.
2. To obtain the characteristics of recent and typical pro bono service that can be used to guide the development of new pro bono initiatives and communication surrounding those initiatives.
3. To determine what factors encourage or discourage pro bono service in order to conduct more targeted outreach and recruitment of pro bono attorneys.
4. To obtain key demographic and work environment data that will permit an analysis of findings by subgroups of the attorney population.

The Executive Summary provides an overview of the findings and conclusions of the four major objectives identified above. Further detail on the individual questions asked, the survey methodology and analysis, and the findings can be found in the body of the report.

Defining Pro Bono

A concrete and detailed definition of pro bono was articulated for respondents in this survey. The purpose of the detailed definition was to reduce subjectivity, allowing for more accurate comparisons within the sample. Consequently, pro bono was defined as direct legal representation provided to persons of limited means or organizations that support the needs of persons of limited means for which no compensation was received or expected. Examples of activities that did not fall within the definition were provided, as was a very detailed definition of limited means. Respondents were also given an opportunity to describe other, expanded types of pro bono activities that fell outside this strict definition.
Key Findings

The results of this study reflect Nebraska lawyers’ commitments to pro bono as a professional responsibility and as a way to meet the legal needs of the poor. An analysis by gender, age, practice setting, and office location all suggest that the Nebraska attorney population is quite diverse in terms of their motivations to provide pro bono service and consequently the amount of pro bono service provided in a given year.

How Much Pro Bono Are Nebraska Attorneys Providing?

Nebraska Supreme Court Rule §3-506.1 encourages all lawyers to render pro bono legal services.¹ The comment to the rule states that “[t]he American Bar Association urges all lawyers to provide a minimum of 50 hours of pro bono services annually”.² Based on the survey results, the average annual amount of service provided by attorneys in Nebraska was 28.5 hours, with almost a quarter of those surveyed having provided the suggested 50 hours in 2014. Specifically:

- 41.7% reported not having done any pro bono in 2014 (16% had never done pro bono)
- 14.5% reported having provided 1-19 hours in 2014
- 20.2% reported having provided 20-49 hours in 2014, and
- 23.6% provided at least 50 hours in 2014

Clearly, there was variability in how much pro bono service Nebraska attorneys provided in 2014, and this variability can be described in part by practice setting, gender, age, and office location. Private practice attorneys provided significantly more pro bono hours than did other practice settings. Women in the 30-34 and 45-64 age ranges outperformed their male counterparts, but women in the 35-44 age range underperformed as compared to their male counterparts and women of other ages. Older men generally performed more pro bono than younger men.

The majority (67%) of pro bono services performed in 2014 were provided to persons of limited means as opposed to organizations addressing the needs of persons of limited means. The individuals served commonly included single parents, elderly, non-English speakers, ethnic minorities, victims of domestic violence, and the disabled.

What Are the Characteristics of the Most Typical Pro Bono Service?

The vast majority of attorneys (90.4%) reported that pro bono opportunities typically find them, as opposed to the attorneys seeking them out. Among this group, approximately 1/3 of the clients came to them directly. The remaining 64% who came indirectly were most typically referred through a family member, friend or client, as opposed to a referral organization.

¹ The full text of Nebraska Supreme Court Rule §3-506.1 can be accessed here: https://supremecourt.nebraska.gov/supreme-court-rules/1874/%C2%A7-3-5061-voluntary-pro-bono-service
² Rule 6.1 of the ABA Model Rules of Professional Conduct states that “a lawyer should aspire to render at least 50 hours of pro bono public legal services per year” and that “a substantial majority of the 50 hours” should be to persons of limited means or to organizations that support the needs of persons of limited means. The full text can be accessed here: http://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_6_1_voluntary_pro_bono_publico_service.html
The most typical client was an individual of limited means (84%) as opposed to a class of individuals of limited means (3%) or an organization serving individuals of limited means (13%). And, 43% of the attorneys indicated that they most typically provided legal advice, followed by 37% indicating that they most typically provided full representation. Urban attorneys were more likely to provide full representation and suburban attorneys were more likely to provide limited scope representation.

Although the average amount of time spent on the typical pro bono case was 25.2 hours, time commitments varied greatly according to the type of case handled. Based on estimates by the surveyed attorneys, health care, non-profit organization, public benefits, and real estate were the most time consuming. Meanwhile, the types of cases that took more time than what the attorneys had anticipated were domestic violence, real estate, juvenile and business. The most common areas of the law in which attorneys in Nebraska provided pro bono was family law, with 37.5% of those surveyed indicating that their most typical pro bono case was in this area.

**What Factors Encourage or Discourage Pro Bono Service?**

When considering the legal needs of low-income Nebraskans, most attorneys (78%) reported that providing pro bono was either somewhat or very important. And, overall attorneys were highly motivated by helping people in need, doing pro bono for ethical reasons, viewing these services as their professional duty, wanting to feel like a good person, and helping the profession’s public image. Yet, when asked how likely they were to provide pro bono in 2015, only about 1/3 indicated that they were likely to do so, suggesting that a number of factors influence an attorney’s decision or ability to provide these services.

While attorneys overwhelmingly mentioned time constraints as the top discouraging factor, many managed to find the time to do pro bono despite this barrier. In thinking about what referral organizations can do to facilitate pro bono, understanding the underlying social dynamics might lead to more effective outreach strategies. One of the notable trends in this report is the gender-age dynamic. Family obligations appear to dramatically impact whether and when attorneys provide pro bono, and this was especially true for women. During the ages for which women do provide pro bono (30-34 and 44-54), they significantly outperform their male counterparts. Between ages 35 and 44, however, their pro bono service plummets, and family obligations were predominantly cited as the reason.

Other highly discouraging factors include lacking the skills or experience in the practice areas needed by pro bono clients, the notion that clients have unrealistic expectations, and a lack of clarity on time commitments. Activities that referral organizations can best do to encourage pro bono include involving judges and other attorneys in soliciting help through their social networks, offering CLE credit for pro bono service, making limited scope representation opportunities more available, and providing malpractice insurance.

**Conclusion**

The findings in this report suggest some promising avenues for pursuing innovative pro bono initiatives, and specific initiatives are discussed in the final section of this report. The private bar is a rather heterogeneous population; viewing it in that manner might lead to more targeted efforts to provide support services. Potentially, as we learn more about the social complexity of pro bono and the profession, we can deliver the most useful supports directly to the groups of attorneys who will most likely utilize them. The gender-age trends were significant and thinking about how to make pro bono
opportunities available to attorneys with family commitments could greatly increase the participation of Nebraska attorneys in the 35-44 age range. Other avenues of inquiry to pursue in other data sets could include ethnicity differences, regional differences, and a better understanding of inactive and retired attorneys.
I. Introduction

As seen across the social services, civil legal assistance relies significantly on private supplement (Marwell 2004). In an effort to ensure that the needs of low-income populations are addressed, the Legal Service Corporation (LSC) has encouraged pro bono participation since the early 1980s. Recent surveys of the private bar suggest that over three-quarters of the nation’s attorneys participate in some form of pro bono in a given year (ABA, 2012). A 1997 estimate of full-time equivalent staff providing pro bono service and comparing that to services provided by legal assistance organizations shows that more than a quarter of civil legal assistance in America is reflected by lawyers’ pro bono activity (Sandefur, 2007).

And yet, while pro bono activity has a significant impact on access to justice for many low-income communities, relatively little is known about when, under what conditions and why these services are provided. A classical account suggests that the legal profession has institutionalized an identity that includes ethical commitments to public service (Parsons 1968). Alternatively, assuming a market control lens would suggest that members of the profession act, at least in part out of occupational self-interest (Abel 1988, 1989; Larson 1977; Weeden 2001). Under the latter view, lawyers consider their relationships with their clients, other lawyers, and other occupations in determining the amount and type of pro bono to provide.

A third view, using an institutional perspective, provides additional guidance in understanding the profession’s motivations. This view suggests that the choice to participate in pro bono may not be only related to professional identity or market conditions, but may also be mediated by external factors that frame preferences and behavior as well as opportunities for pro bono (Cummings, 2004; Boon & Whyte 1999). It is likely that pro bono work is institutionalized differently across organizational and cultural sectors within the environment of legal work. That is, the profession in practice does not act in accordance with one coherent abstract set of normative principles to which lawyers unanimously, or by a majority, subscribe. Rather, attorneys are influenced by the communities in which they practice, workplace setting, law school programming, and other social influences (see Heinz et al 2005; Mather, 2001; Rhode 2005; Scheingold & Sarat 2004).

Variations in pro bono experiences among lawyers offer insight into the differentiated ways that lawyers enact professionalism in their daily lives (Sarat 1998). Different meanings of pro bono work are institutionalized across different locations within the legal profession. Therefore, the meaning of pro bono must be understood as being shaped by cultural expectations, market pressures, sociological trends and preferences that exist within different environments. By acknowledging specific sociological categories and practice settings, this report takes the heterogeneity of the profession seriously.
II. Supporting Justice III – Lessons from the National Survey

The pro bono survey effort in Nebraska benefited greatly from the efforts of the American Bar Association Standing Committee on Pro Bono and Public Service (referred to as “the Committee”). In 2012, the Committee published Supporting Justice III: A Report on the Pro Bono Work of America’s Lawyers, which reported on the results of a national survey of attorneys. Based on that survey instrument and lessons learned from the report, the Nebraska survey was created.

The first general modification made involved the definition of pro bono. As noted in the ABA’s Supporting Justice III and reflected in many of the narrative responses to the survey instrument, attorneys do not necessarily agree on the definition of pro bono. After disagreement noted in the ABA’s 2008 study, Supporting Justice III created a dichotomous approach to facilitating pro bono reporting. In that survey, questions were asked about “Category 1” and “Category 2” pro bono services. The former was defined as direct legal representation provided to persons of limited means or organizations to support the needs of persons of limited means for which no compensation was received or expected. The latter included a more expansive sense of pro bono, defining it as “any other law-related service provided for a reduced fee or no cost (without expectation of fee) to any type of client, not including activities performed to develop a paying client or anything that is part of paying job responsibilities.” The concepts included in the Category 2 definition were retained in this survey, however there was a greater focus on the concepts in Category 1 and a more concrete definition was provided.

A second general modification made involved the sampling process. In the ABA’s Supporting Justice III inactive and non-practicing attorneys were not included in the data collection. Here, inactive and retired attorneys were encouraged to complete the survey based on the belief that such populations might be an untapped resource for pro bono services. Although the sample of inactive attorneys reported on here was too low to be generalizable within the state, let alone outside of Nebraska, it is believed that future efforts to survey these populations may be informative.

And finally, the section of the survey that addressed encouraging and discouraging factors was modified to be more streamlined in its presentation. This involved a removal of statements that were thought to be redundant or had generally been rated as low-influence factors. And, additional statements were added to further flesh out some of the insights gained from the results of Supporting Justice III.
III. Overview

A. Objectives and Research Design

The following specific objectives were defined for the data collection and analysis presented in this report:

1. To quantify the amount of pro bono work done by attorneys in Nebraska, particularly work provided at no cost to persons of limited means or to organizations that address the needs of persons of limited means.
2. To obtain the characteristics of recent and typical pro bono service that can be used to guide the development of new pro bono initiatives and communication surrounding those initiatives.
3. To determine what factors encourage or discourage pro bono service in order to conduct more targeted outreach and recruitment of pro bono attorneys.
4. To obtain key demographic and work environment data that will permit an analysis of findings by subgroups of the attorney population.

B. Defining Pro Bono

Consistent with *Supporting Justice III*, pro bono was defined as direct legal representation provided to persons of limited means or organizations that support the needs of persons of limited means for which no compensation was received or expected. The following activities were specifically excluded: 1) legal work performed with an expectation of being paid, 2) activities provided to develop a paying client, 3) activities performed as part of one’s paid job responsibilities, and 4) non-law related volunteer activities.

Based on the responses to *Supporting Justice III*, including comments made in the open-ended narrative sections, it was decided that providing an explicit definition of persons of limited means would be helpful in clarifying the results. This survey, therefore, defined the concept of limited means based on the comment to Nebraska Supreme Court Rule §3-506.1, which provides that persons of limited means are “those who qualify for participation in programs funded by the Legal Services Corporation and those whose incomes and financial resources are slightly above the guidelines utilized by such programs but nevertheless, cannot afford counsel.”³ The following instructions regarding the definition of limited means was provided:

*Defining Limited Means.* You will be asked a set of questions that will ask you to approximate the hours you spent in 2014 on pro bono services to individuals of limited means and/or to organizations that serve the needs of persons of limited means. For this survey, persons of limited means are defined as disadvantaged persons who are unable to pay for legal services. These people might, because of their incomes and financial resources, qualify for free legal services for which one must have an income that falls below 125% of the Federal Poverty Level (see table below). This might also include people whose incomes are slightly above such guidelines but nevertheless, cannot afford counsel. The table provided below is meant to give you guidance in defining a person of limited means.

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³ Nebraska Supreme Court Rule §3-506.1 Comment [3].
### Family Size

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#### C. Research Methodology

In order to ensure the most cost-efficient and effective means of obtaining responses from the greatest number of Nebraska attorneys, a web-based survey was distributed by email to all members of the Nebraska bar for whom contact information was available. It was believed that online administration would allow busy attorneys the opportunity to take the survey at the time and place of their choosing and to more thoughtfully consider their answers. Additionally, as found by the American Bar Association’s pro bono survey efforts, the web-based approach produced nearly three times the number of surveys as previous phone-based surveys had produced.

##### a. Sampling Process

A total of 751 surveys were completed, amounting to a response rate of 14%, well above industry expectations for a study of this nature. This sample was produced based on a 2013 published list of 5,660 licensed attorneys in Nebraska, 5415 of whom had current email addresses. No quotas were applied such that all Nebraska residing licensed attorneys for whom we had contact information, regardless of their current employment conditions or license status were included. Only judges were excluded from the survey.

In the sample collected, it was found that the demographics closely matched the expected attorney demographics, with the exception of practice area. Specifically, attorneys in the private practice setting were slightly underrepresented and the government setting was slightly overrepresented. Statistical weighting was therefore applied to the data based on practice setting for the purpose of allowing the analysis to be adjusted to better represent the population.

Given the vast rural geography of the state, it was important to have a representative response from the rural attorneys as well as the urban attorneys. Since most attorneys are concentrated in the urban areas, leaving a significant shortage of rural attorneys, expanding pro bono efforts in these rural areas must be an integral part of any rural access to justice initiative. Fortunately, a total of 116 attorneys with offices in

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4 Weighting is a standard practice that addresses inconsistencies in distributions between survey responses collected compared with the actual distributions of the population being studied. The weight does not change a respondent’s answer. Instead, it gives appropriate relative importance to the answer. All results in this report are presented based on the weighted data.

5 The urban population of Nebraska accounts for approximately 1 million people that reside in the Eastern part of Nebraska, primarily in and between the cities of Omaha and Lincoln. The other 850,000 people reside elsewhere in the state. Notably the attorney population is not evenly distributed, with more than half of Nebraska’s 93 counties having 1 attorney for every 101 or more people living at or below the poverty level and 11 counties with no attorneys at all.
rural locations responded to the survey. The overall distribution included 69.2% urban, 14.2% suburban, and 16.6% rural, based on office location. Respondents were also asked to indicate all counties in which they conducted legal work in 2014 to determine which of the attorneys are serving rural areas even if their offices are not located in those areas. Based on these responses, 43.6% of the total responding attorneys provided legal work in rural counties in 2014.

b. Survey Format

The survey contained a series of general questions, followed by more specific questions, and was substantially similar to the survey distributed nationally by the American Bar Association in 2012 and reported on in *Supporting Justice III*. The general questions asked about work environment, position, and firm/office size. The specific questions covered the following topic areas: hours and type of pro bono in the past year, characteristics of the most recent pro bono experience, and factors that might encourage or discourage pro bono service.

c. Survey Distribution

The survey was distributed on January 28th, 2015. Distributing at the beginning of 2015 allowed for respondents to easily refer to pro bono done within the calendar year of 2014. The email was distributed from the Nebraska Supreme Court Committee on Self Represented Litigation, the Nebraska State Bar Association, and Legal Aid of Nebraska, and the text of the email described the goals of the survey. Respondents were also offered an incentive: the distribution email indicated that Legal Aid of Nebraska would be randomly selecting 8 respondents who completed the survey to receive a $200 visa gift card. It was believed that this incentive would help defray the time costs of responding to the survey.
IV. FINDINGS

Throughout this report, results were compared to the national results published in 2012 by the American Bar Association in *Supporting Justice III*. In the national survey, much attention was paid to practice setting differences and those trends are noted for this survey as well. Additionally, however, this report makes salient some gender, age, and geographic trends that were also apparent in the national data. It is believed that more clarity on these sociological nuances can help the legal services community better understand the ways in which gender, age, workforce participation, geographic location and family commitments influence how attorneys view and participate in pro bono services.

A. Pro Bono Service in Nebraska

To provide a current snapshot of the quantity and type of pro bono service in Nebraska, attorneys were asked about their experiences in 2014. They reported on the amount of pro bono they did, to whom they provided services, and what services were provided. An analysis by age and gender revealed interesting trends. These results are discussed below.

a. Most Recent Pro Bono Services

Most (58.3%) of the attorneys surveyed reported having done at least some (one hour or more) pro bono service in 2014. This compares to 80% in the national survey having reported doing pro bono during the year prior to the survey. These numbers are not directly comparable, however, because the Nebraska survey provided a more detailed and specific definition of pro bono. The difference between these numbers does suggest that when not restricted to an objective definition, attorneys’ subjective definitions of pro bono might be more expansive.

For those who had not provided such services in Nebraska in 2014, most had provided some pro bono in the past ten years. A small percentage (7.5%) indicated that their most recent pro bono service had been in 2003 or earlier, however.

The average amount of service provided by surveyed attorneys in 2014 was 28.5 hours, with a median of 4 hours. Again, with the more concrete definition of pro bono, the hours attorneys reported were much lower than what was reported in the national data, where the average was 56.5 hours for the preceding year. These averages, however, include the 41.7% of the Nebraska data and the 20% of the national data who had not provided any pro bono in the preceding year.

Among only those attorneys who had provided at least some pro bono service, the average was 54.2 hours for Nebraska and 70.1 hours for the national survey, though the responses in both samples varied considerably (Fig. 1). Of those who had provided some pro bono in Nebraska, 24.9% had provided 1-19

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6 Note that the definitions provided for pro bono and limited means differed from the national to the Nebraska survey and therefore the results cannot be directly compared. Where general trends and differences were clearly apparent, however, these are noted and discussed. All significant results from the Nebraska survey that are noted throughout this report are at the 95 percent confidence level.
hours and 34.7% had provided 20-49 hours. Approximately 2/5 of these attorneys had provided over 50 hours, the amount set as an aspirational pro bono goal by Rule 6.1 of the American Bar Association Model Rules of Professional Conduct and referred to in the comment to Nebraska Supreme Court Rule §3-506.1.\footnote{Comment 1 to Nebraska Supreme Court Rule §3-506.1 states “[t]he American Bar Association urges all lawyers to provide a minimum of 50 hours of pro bono services annually.”}

Figure 1. Pro Bono Hours Provided in Year Prior to Survey, Nebraska and National Samples

Almost 16% of the Nebraska sample indicated that they had never provided pro bono service. This group was most likely to be in either the 40-44 age range (58.1% of the non-providers) or the 55-64 age range (33%), male (66.1%), and in urban areas (74.1%).

\textit{b. 2014 Pro Bono Providers}

\textit{i. Practice Setting}

As in the national sample, private practice attorneys provided significantly more pro bono hours than attorneys in other practice settings (Fig. 2). Almost 70% of private practice attorneys indicated that they had provided pro bono service in 2014, compared to 23% of corporate attorneys and 11% of government attorneys. On average, Nebraska private practice attorneys provided 35 hours of pro bono services in 2014 (27.1 to individuals), compared to 3.5 provided by corporate counsel, 3.4 provided by government attorneys, and 3.1 provided by non-profit attorneys. Curiously, a small subset of the respondents (n=38) who indicated that they did not fall in any of the defined practice areas provided significant pro bono, with an average of 21.9 hours. This group of attorneys indicated a range of employment categories, which tended to fall either in the academic or business settings.
Within the private practice setting, attorneys from very large firms (101 or more attorneys) provided the most pro bono (an average of 62.9 hours), followed by attorneys from very small firms. Specifically, in the small firm setting, those in a setting with 6-10 attorneys provided an average of 46.1 hours, those in a setting of 2-5 attorneys provided an average of 41.6 hours, and solo practitioners provided an average of 31.9 hours. Attorneys from the middle to large-sized firms provided the least amount of pro bono: those in a setting with 51-100 attorneys provided an average of 17.7 hours and those in a setting with 21-50 attorneys provided an average of only 8.4 hours.

ii. Gender and Age

An analysis of respondent demographics reveals a pro bono story that interweaves gender and age. Overall, women were slightly more likely to provide pro bono than their male counterparts, with average 2014 hours for women amounting to 30.1, compared to 27.5 by males.\(^8\)

While the average amount of pro bono service generally increased according to a male respondent’s age, women’s pro bono service varied across age categories (Fig. 3). This data demonstrated that pro bono service is lowest for women in their 20s, higher for women in their early 30s, lower again for the 35-45 age group and then high again for the age range of 45-65. It is important to note that this data is cross-sectional, rather than longitudinal, and therefore does not control for social differences across

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\(^8\) Note that there were 23 respondents who declined to provide their gender; these respondents provided an average of 39.9 hours of pro bono.
However, the final section of this report in which attorneys reflect on the factors that influence their decision to do pro bono suggests that many women cut back on their pro bono service because of family commitments.

![Pro Bono Hours (Nebraska Survey)](image)

**Figure 3. Average Pro Bono Hours in Nebraska, by Age and Gender**

The national data demonstrates a similar, though less extreme trend for women, with pro bono hours being high for the 30-34 age group, lower for the 35-44 age group, and then slightly higher again after 44 (Fig. 4). Although, in the national data set, pro bono hours decline again for the 55+ age group. The national data set did not show the correlation between pro bono and age that is seen in the Nebraska data set for males.

![Pro Bono Hours (National Survey)](image)

**Figure 4. Average National Pro Bono Hours, by Age and Gender**

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9 Cross sectional study involves comparing different population groups at a single point in time. Longitudinal study involves conducting several observations of the same subjects over a period of time, sometimes lasting many years.
c. **2014 Pro Bono Recipients**

The majority of pro bono services performed in 2014 were provided to persons of limited means (67%) as opposed to organizations addressing the needs of persons of limited means (Fig. 5). This closely reflects the national data, for which 72% of pro bono service was provided to individuals rather than organizations. The average hours provided to persons of limited means was 22.6, while the average hours provided to organizations was 4.3. Private practice lawyers provided more service to persons of limited means than did government and corporate attorneys. Specifically, private attorneys provided on average 27.1 hours to individuals, while corporate attorneys provided 2.1 and government attorneys provided 11.2.

![Pro Bono Recipients](image)

*Figure 5. Pro Bono Recipients in 2014, by Practice Setting in Nebraska*

When serving individuals, attorneys helped a range of types of particularly vulnerable people in need (Fig. 6). Of the attorneys who provided pro bono to individuals of limited means, 69.1% indicated that they had helped a single parent, 50.8% had helped the elderly, 42.6% had helped a non or limited English speaker, 38.2% had helped the disabled, 35.6% had helped an ethnic minority, and 35.3% had helped a victim of domestic violence. Other types of clients who had been helped by these attorneys included students, children, rural residents, incarcerated, immigrants, veterans, LGBT, victims of predatory lending, and migrant workers.
There were some notable trends in how attorneys matched up with specific types of clients. In particular, it was the female attorneys who were most likely to report having helped a victim of domestic violence, or a child. Older attorneys (55+), and especially those in rural offices, were more likely to have helped elderly clients. Urban attorneys were more likely to have helped ethnic minorities. Attorneys in suburban offices, especially between the age of 35 and 55, were more likely to have helped students.

d. Expanded Pro Bono Activities

Respondents were given an opportunity to report on their involvement in additional activities that do not fall under the traditional definition of pro bono. The majority (61.9%) of attorneys had provided at least one activity in 2014 that fell into this expanded concept of pro bono. Overall, the attorneys provided an average of 68.2 hours of these types of activities on an average of 8.1 legal matters. Almost 18 percent provided 50 hours or more of such activities. The amount of time attorneys in Nebraska committed to
these activities was proportionally higher than what was reported by attorneys in the national sample where the average was 35 hours.\textsuperscript{10}

Like the national survey, the expanded activity that most attorneys had done during the previous year was providing legal services for a reduced fee (Fig. 7). Over 41% of the attorneys had provided this service, compared to 33% in the national sample. Attorneys who provided this service billed $197 on average per hour and then reduced their fees by 46-50%. This resulted in an average reduced rate of approximately $90-100 per hour.

In both the Nebraska sample and the national sample, the second most provided expanded service was speaking at a legal education event for non-lawyers. However, 32% of the national sample provided this service, compared to 21% of the Nebraska sample. Other activities that attorneys had participated in included teaching or training on legal issues (15.9%), supervising or mentoring another attorney providing pro bono (8.1%), being a member of a board of legal services or pro bono organization (7.3%), policy advocacy (5.7%), grassroots community advocacy (5.3%), being a member of a bar committee related to pro bono (4.4%) and lobbying on behalf of a pro bono organization (1.3%). Almost 6% indicated they had participated in some other type of activity that was not listed in the question. Their narrative explanations of these activities often related to job activities that served people in need.

![Expanded Pro Bono Activities](image.png)

Figure 7. Expanded Pro Bono Activities, Nebraska and National Samples

For these activities, there were some differences by practice setting and attorney demographics. Like the traditional pro bono activities, private attorneys did more of these additional pro bono activities than did attorneys in the corporate or government practice settings. Private attorneys did, on average, 71 hours of

\textsuperscript{10} This difference might be explained by the more restrictive definition of pro bono in the Nebraska survey, such that activities attorneys reported on for this question were likely to have been reported on as part of the traditional pro bono hours by the national respondents.
these types of activities in 2014, compared to 59 done by government attorneys and 25 done by
corporate attorneys.\footnote{A small group of non-profit attorneys reported doing, on average, 45.7 hours of these types of activities. Also, the small group of attorneys who indicated “other” in response to the question about practice setting conducted on average 75.6 hours of these types of activities in 2014.}

The age group that far outpaced other age groups in terms of hours committed to these types of activities was those who fell in the 45-54 range. On average, this group did 105.2 hours of these activities in 2014. Females provided the most hours of these activities in their early 30s and then again in the 45-54 age range and generally provided more hours if they were in urban or rural areas, as opposed to suburban. Females provided 75% more time to these activities than their male counterparts, offering an average of 92.5 hours of these activities in 2014.\footnote{Males provided 55.8 hours. Those who did not indicate a gender significantly outperformed males by providing 117.8 hours of these activities in 2014. The difference between hours provided by this group compared to females could not be determined to be statistically significant due to the small sample size.}

### B. The Typical Pro Bono Experience

Many of the attorneys surveyed provided more than one pro bono service in 2014. These attorneys were therefore able to reflect on what they deemed to be the most typical pro bono experience. The characterizations of these typical experiences are summarized below. They are presented sequentially in the order in which a person would go through a pro bono experience, from the time of referral to the close of the case.

#### a. Receiving Pro Bono Opportunities

The vast majority of attorneys (90.4%) reported that pro bono opportunities have typically found them (as opposed to the attorneys seeking them out). This is a much higher proportion than was found in the national sample, where 75% indicated that opportunities found them rather than the attorneys having sought out opportunities.\footnote{The reason for this difference is not entirely clear. It might either suggest that Nebraska attorneys are more passive when it comes to finding pro bono opportunities or that Nebraska referral agencies are more proactive and therefore it is not necessary for attorneys to seek out opportunities.}

Among the opportunity-receiving attorneys, over 1/3 (36%) indicated that their most recent or most typical client came to them directly (Fig. 8). Attorneys with offices in rural areas were more likely to indicate that their pro bono clients typically come to them directly (51.6%, compared to 29.2% of urban and 30.3% of suburban attorneys). Those who came directly were most typically an acquaintance or an organization with which the attorney was personally involved.

The remaining 64% who came indirectly were most typically referred through a family member or friend, a present or former client. When attorneys were contacted by an organization, specifically, they were most commonly contacted by the State Bar Association (43.1%) or Legal Aid of Nebraska (28.3%) and about 1/5\footnote{about 1/5} were contacted by their Local Bar Association. This sourcing from one’s more personal
connections rather than referral organizations was markedly different in the Nebraska sample. In the national sample, the primary referral source was a legal aid or organized pro bono program.\textsuperscript{14}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure8.png}
\caption{Direct and Indirect Sources for Pro Bono, Nebraska}
\end{figure}

\textsuperscript{14} In the national sample, 27\% of those receiving referrals were contacted by a legal aid/services pro bono program, followed by 13\% by an attorney outside of their organization and 13\% from a bar association pro bono program. Only 11\% received referrals from a family member or friend and 6\% from clients.
When contacted by a referral organization, just under 1/3 (31.3%) took advantage of the opportunity and provided pro bono services, compared to 70% in the national sample. Another 1/3 (36%) did not follow up. Other responses included telling the organization they should make contact again some other time (19.1%), turning down the offer and not asking the organization to make contact again (5%) or some other response (8%). When attorneys did not take advantage of these opportunities, the most common reasons given included a lack of time (40.7%) and that the matter was outside the attorney’s area of expertise (23%).

Of those who received referrals from an organization, 61.1 percent indicated that most or all of the background information received from the referral organization was accurate, complete, and consistent (Fig. 9). The Volunteer Lawyers Project received the highest ratings, with 74.2% of those surveyed agreeing that the information provided with the referral was mostly or entirely accurate, complete and consistent with expectation. In fact, of these, 65% indicated that they believed all of the information from the Volunteer Lawyers Project met this standard. Legal Aid of Nebraska’s referrals came in second, with 71.5% of those surveyed agreeing that the information provided with the referral met this standard, though the majority of these (60%) indicated that they believed most, but not all of the information met this standard. In the comment section provided as a follow-up to this question, the most common comment suggested that more detailed information – both about the client and the legal problem - would have been useful.

Figure 9. Experience with Information Provided by Referral Organization, Nebraska and National Samples

When asked why they decided to take the cases, most attorneys (68%) indicated that they believed if they didn’t help it would be very difficult for the client to solve his or her problem. The second most common answer was that the client’s low-income status motivated the attorney to take the case.

Among those who knew the referral source or client before the legal engagement began, more than a third (35%) indicated that they would still have accepted the matter even if the client or referral source
was unknown to them. Yet, 33.1% would not have accepted the case had they not known the client, even if they had known the referral source.

b. Seeking out Pro Bono Opportunities

Among the attorneys that had ever provided pro bono service, a small group of attorneys (12.5%) specifically have sought out opportunities (compared to 25% in the national sample). This group of attorneys typically contacted the State Bar Association (41.5%) or Legal Aid of Nebraska (25.5%). About 1/5/5th contacted their local bar association. The groups that were most likely to seek out pro bono opportunities were younger attorneys, women, attorneys in large firms, and attorneys who had provided 50 or more hours of pro bono in 2014.

Among those seeking out opportunities, just over half (54%) reported that the referral organization followed up with opportunities of which they took advantage. An additional 14.2% were contacted but unable to take advantage of the opportunity at that time. About 1/5/5th were placed on a list and a small percentage (10.8%) did not receive a response from the referral organization.15

c. Determining a Client’s Eligibility or Need for Pro Bono

Not all attorneys taking pro bono cases make formal determinations of the clients’ low-income status, and most use more impressionistic methods instead. Thirty-four percent indicated that they made these determinations based on their knowledge of the client’s situation and another 31% depended on the word of the client (Fig. 10). Fourteen percent depended on an indication from the referral source. Nine percent said the referral source qualified the client, compared to a much higher 23% in the national sample. And 10% relied on W2 or paycheck information.16

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15 15% indicated “other” to this question. In the national sample, 58% provided the pro bono service requested, 19% turned down the offer but indicated the referral organization could contact them again, 13% did not respond to the contact, 3% turned down the offer but did not indicate the referral organization could contact them again, and 7% indicated “other” to this question.

16 In the national survey, 29% relied on their knowledge of the client’s situation, 26% relied on the word of the client, 23% indicated that the program qualified the client as low income, 7% used financial data such as a W2 or paycheck information, and 2% cited “other” factors.
d. Pro Bono Recipient and Level of Service Provided

For the vast majority of attorneys surveyed, their most typical client was an individual of limited means (84%), as opposed to a class of individuals of limited means (3%) or an organization serving individuals of limited means (13%) (Fig. 11).\textsuperscript{17} And, 43% of the attorneys indicated that they most typically provided legal advice, followed by 37% indicating they most typically provided full representation. Approximately 1/5 attorneys most typically provided limited scope representation. For services provided in 2014 specifically, the proportion providing full representation to individuals was higher: 33.6% provided full case representation, followed by limited scope representation (26.1%) and legal advice (25.6%).

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|c|c|}
\hline
Service & To Individual(s) & To Class of Individual(s) & To Organization(s) & Total Percent \\
\hline
Legal Advice & 33.8 & 1.4 & 7.3 & 42.5 \\
Full Rep. & 34.5 & 0.7 & 1.6 & 36.8 \\
Limited Scope Rep. & 14.1 & 0.5 & 4.2 & 18.8 \\
Mediation & 1.9 & 0.0 & 0.0 & 1.9 \\
\hline
Total Percent & 84.3 & 2.6 & 13.1 & 100 \\
\hline
\end{tabular}
\caption{Pro Bono Recipients and Level of Service Provided in Nebraska, Percentages.}
\end{table}

\textsuperscript{17} In the national sample, 80% were to individuals of limited means, 2% were to classes of individuals of limited means and 18% were to organizations serving individuals of limited means.
Attorneys in urban areas were more likely than their rural or suburban counterparts to indicate that their most typical pro bono experience involved full representation (42.4%). Suburban attorneys were slightly more likely than urban or rural attorneys to indicate that they typically provided limited scope representation (25%). Females were slightly more likely to indicate that they typically provided full representation, while males were slightly more likely to provide legal advice. And finally, age differences revealed an overall decline in full representation and limited scope representation for older age groups (with slight increases in full representation for the age ranges in which women provided more pro bono), and an overall increase in legal advice for older attorney populations.

e. Area of Law

The 6 most typical areas of the law for which pro bono is provided were the same for both the Nebraska and the national samples, however the proportions were different. In Nebraska, family law received a significantly higher percent of attorneys indicating that their most typical pro bono experience was in this area (37.5% compared to 20% in the national sample) (Fig. 12). Meanwhile, 74.8% of the Nebraska sample had provided pro bono in the area of family law in 2014, compared to 28% of the national sample.

Family law cases were more likely to have been provided by females, especially those under age 35. Domestic violence cases, while still most likely to be taken on by females, tended to be taken on by females over age 40.

The second most common practice area was non-profit administration (7.8%), followed by estate planning (4.5%), real estate (4.4%), criminal (4.1%) and contracts (2.4%). Curiously, housing, labor and employment, consumer, and public benefits – areas that are known to be in high demand for legal aid services – were not among the most common practice areas. This might be explained by how cases are filtered or naturally make their way to legal aid services, self-help assistance, and referral organizations.

Suburban males typically did more real estate and non-profit organization. Non-profit administration cases were more likely to be taken on by suburban attorneys between the ages of 35 and 45. Estate planning and real estate cases were more likely to be done by older attorneys, over age 55. Real estate cases, however, were also more likely to be taken by suburban attorneys. Criminal cases were more likely to be taken by male attorneys.

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18 For the national survey, the second most common practice area for the typical pro bono service was contracts (7%), followed by criminal (7%), real estate (7%), estate planning (6%), and non-profit organization (5%).
f. **Legal Tasks Performed**

The most frequently reported pro bono legal tasks consisted of providing legal advice, interviewing and meeting with clients, and reviewing and drafting legal documents (Fig 13). Overall, the attorneys in the Nebraska sample indicated having done more legal tasks for their typical or most recent clients. Females were more likely than males to represent clients in court. Attorneys in urban environments were more likely than attorneys in other settings to negotiate settlements with other parties and represent clients in court. There were also some differences by age, with younger attorneys (under 35) being more likely to indicate that they, typically, interviewed clients and wrote letters. Those in the 35-44 range were more likely to indicate that their typical pro bono experience involved reviewing and drafting documents, speaking with other attorneys, and representing clients in court. Older attorneys, in the 65 and over age range, were more likely than other age groups to indicate that they represented clients in administrative proceedings.
Like in the national sample, these tasks were consistent with attorneys’ expectations for nearly all (95 percent) of the typical pro bono matters provided. The 5% for whom their pro bono cases were not consistent with their expectations more often than not indicated that their case ended up taking more time and being more complicated than they had expected.

The tasks performed were generally within the attorneys’ area of expertise (88%), especially for female attorneys (Fig. 14). Most attorneys (68%) for whom the task was outside of their area of expertise indicated that this did not cause concern. For the 31% who indicated that taking a pro bono case outside their areas of expertise did cause concerns, most addressed their concerns by working with another attorney (81%) and spending extra time conducting independent research (81%).
g. Support Resources

Although approximately half of the attorneys who had received referrals indicated that they did not need support or help throughout the process, those who both needed or welcomed the support received a range of support services (Fig. 15). Attorneys who did need some support from their referral organization were mostly likely to indicate that they received support in the form of document samples (35.7%), malpractice insurance (28.6%), and helping volunteers team up with other volunteers (23.8%). The top support received from referral organizations in the national sample included document samples (21%), CLEs (16%), sample pleadings (15%), and regular check-ins (15%). When asked, almost none of these attorneys indicated that they needed any additional support. Only a small percentage (under 5%) indicated they could have used more support in the form of an interpreter, online support, CLEs and troubleshooting issues that might have come up between them and their clients.
h. **Time Commitment**

Overall, Nebraska attorneys reported an average of 25.2 hours spent on their most typical or most recent pro bono legal matter, compared to 32.7 hours reported in the national sample (Fig 16). Approximately 2/5ths (43.2%) of the attorneys indicated that the hours were within the range of what they had expected. Very rarely did they spend fewer hours than expected, but 14.4% indicated that they ended up spending more time than they had expected.

Generally, when the case ended up taking more time than the attorney expected, the case was most likely to have come as a referral from the attorney’s employer or from a co-worker within the attorney’s organization. Cases with time commitments that were most in line with what the attorneys expected were most likely to have come from a non-profit organization, a referral from an attorney outside of one’s organization, or from a mediation center. The rare occasions for which cases took less time than the attorneys expected were most likely to come from the Volunteer Lawyers Project.

Although health care, non-profit organization, public benefits, and real estate all took the most amount of time, the areas of law that ended up taking more time than what the attorneys had anticipated were domestic violence, real estate, juvenile, and business corporate.
Figure 16. Time Commitments and Expectations, Nebraska
C. Factors that Encourage or Discourage Pro Bono Service

When considering the legal needs of low-income Nebraskans, most attorneys reported that providing pro bono services was either somewhat (38.7%) or very important (38.9%) (Fig. 17). Yet, only about 1/3 indicated that they were likely to provide pro bono in 2015, suggesting that a number of other factors influence an attorney’s decision or ability to provide such services.

Figure 17. Importance and Likelihood of Providing Pro Bono, Nebraska

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19 In thinking about the legal needs of the low-income population in Nebraska and asked how important respondents believed it is for local attorneys to offer pro bono services, 4% said they didn’t know, 3.6% indicated “very unimportant,” 6.4% indicated “somewhat unimportant,” 8.5% indicated “neither important nor unimportant,” 38.7% indicated “somewhat important,” and 38.9% indicated “very important.”
In order to understand the factors that most encourage or discourage pro bono service, a series of questions were asked about personal attitudes and opinions about pro bono as well as perceived barriers. Attorneys were asked to rate provided statements on a scale from 1 to 5, where a 1 indicated that the statement was not at all influential and a 5 was the most influential in an attorney’s decision to do pro bono. Attorneys were asked an array of questions about their personal views, the role of pro bono in professional development, their time commitments, and their access to resources that would support pro bono. It was clear from the results that attorneys are highly motivated by their personal views on pro bono, but most discouraged by a lack of time.

a. Encouraging Factors

Overall, attorneys had very positive views of pro bono and these views were rated as highly influential in an attorney’s decision to provide pro bono service. On average, statements that expressed positive personal views about pro bono received a 3.39 (Fig 18). Attorneys were most motivated by helping people in need (average score of 4.05), followed by ethical obligations (3.5), and pro bono being the duty of being a member of the legal profession (3.47).

Statements related to professional development tended to only slightly motivate attorneys in doing pro bono service, with the average rating being 1.97. The most influential of the professional development statements was that pro bono service provides attorneys with opportunities to work directly with clients (2.11). Gaining experience in an area of law outside the attorney’s expertise and opportunities to go to court both received very low ratings for level of influence (1.97 and 1.6, respectively).

Statements related to more social motivations were also only slightly motivating, with the average rating for these statements being 2.0. The most influential of the social statements was opportunities to act as a mentor to younger attorneys or law students (2.52). Opportunities to interact with low-income populations and opportunities to work with other attorneys both received average ratings of around 2.0. For this category, attorneys were least motivated by recognition, whether from one’s employer (1.62) or from colleagues and friends (1.77).

20 On a scale from 1-5, where a 1 indicated that the statement was not at all influential and a 5 was the most influential in an attorney’s decision to do pro bono, the national average for positive personal view statements was 3.46. Specifically, “I believe pro bono clients really need my help” received a 3.97, “doing pro bono is gratifying” received a 3.74, “I would do more if I could” received a 3.26 and “I am passionate about doing pro bono” received a 2.89.

21 On a scale from 1-5, where a 1 indicated that the statement was not at all influential and a 5 was the most influential in an attorney’s decision to do pro bono, the following were the average responses for the national sample: 2.64 for “one of the best benefits of doing pro bono is getting to work with other attorneys” and 1.75 for “because it is a firm requirement”.

22 On a scale from 1-5, where a 1 indicated that the statement was not at all influential and a 5 was the most influential in an attorney’s decision to do pro bono, the following were the average responses for the national sample: 3.45 for “my firm has a culture of volunteering” and 3.17 for “if I have a question, I can ask a mentor at my firm” received a 3.17.
b. Discouraging Factors

Overall, attorneys were most discouraged by time commitments and balancing other priorities. On average, the statements that expressed concerns about time commitments and preferences for spending time on other things received a 3.26 (Fig. 19). Attorneys were most discouraged by a general lack of time (4.23), followed by commitments to family obligations (3.98). Attorneys also expressed being discouraged by a lack of clarity about the time commitment of a pro bono case (3.18). In terms of other competing priorities, completing billable hours (2.98), a preference for spending volunteer time on non-legal matters (2.95) and a preference for spending time on reduced fee rather than pro bono (2.21) were less influential than family obligations, but were still somewhat influential.

23 On a scale from 1-5, where a 1 indicated that the statement was not at all influential and a 5 was the most influential in discouraging an attorney from doing pro bono, the national average for statements about time constraints and competing time commitments was 3.064. Specifically: lack of time received a 4.17, commitments to family received a 3.33, competing billable hours received a 3.08, a preference for non-legal contributions received a 2.41, and would rather do other things with my time received a 2.33.
Statements related to competing professional concerns, a lack of resources to support pro bono, and negative personal views about pro bono service were somewhat influential, with ratings generally falling between 2 and 3. On average, professional concerns received a 2.82. The most influential professional concern was a lack of skills or experience in the practice area needed by pro bono (3.7), followed by scheduling conflicts (3.02), concerns that doing pro bono would compromise other clients (2.49) and discouragement from one’s employer (2.05).

On average, a lack of resources for pro bono received a 2.7. The most influential resource concern was simply that doing pro bono is too costly (3.11), followed by a lack of malpractice insurance (2.66), a lack of administrative support or resources (2.49) and a lack of information about pro bono opportunities (2.36).

On average negative personal views about pro bono only received a 2.53. In this category, attorneys were most influenced not to do pro bono by clients’ unrealistic expectations (3.38). The second most motivating personal view not to do pro bono was a general lack of interest in pro bono (3.16), followed by the idea that pro bono clients might really be able to afford an attorney (1.95) and general personal objections to pro bono (1.63).

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24 On a scale from 1-5, where a 1 indicated that the statement was not at all influential and a 5 was the most influential in discouraging an attorney from doing pro bono, the national average for statements related to professional concerns was 2.478. Specifically: lack of skills in the area of law needed by pro bono clients received a 3.06, wanting to take on a case outside one’s area of expertise but being concerned about not being able to do the best job received a 2.88, firm discouragement received a 2.09, and discouragement from one’s employer received a 1.88.

25 On a scale from 1-5, where a 1 indicated that the statement was not at all influential and a 5 was the most influential in discouraging an attorney from doing pro bono, the national average for statements related to a lack of resources was 2.19. Specifically, too costly received a 2.87, lack of administrative support received a 2.25, lack of information about opportunities received a 2.24, being concerned that there is no one to help if the attorney has a question received a 2.18, a lack of malpractice insurance received a 2.1, and not understanding how to connect up with organizations to get pro bono opportunities received a 1.67.

26 On a scale from 1-5, where a 1 indicated that the statement was not at all influential and a 5 was the most influential in discouraging an attorney from doing pro bono, the national average for statements related to negative personal views was 1.93. Specifically: doing pro bono is a thankless job received a 2.11, lack of desire or interest in pro bono received a 1.98, the belief that pro bono clients can actually afford an attorney received a 1.98, that pro bono is just a way for attorneys to get publicity received a 1.67.
c. Activities to Promote Pro Bono

Attorneys surveyed were asked to rate statements about actions referral organizations could take to encourage pro bono. The majority of attorneys indicated that they would be highly influenced to take a pro bono case if either a judge (3.45) or a colleague (3.17) asked them to take the case (Fig. 20). Nebraska attorneys were more influenced by a judge or colleague soliciting a case, as compared to the national sample, for which ratings averaged 3.0 and 2.93, respectively. Receiving CLE credit (3.1) or free or
reduced cost CLE (2.69) were also influential. Like the national survey, limited scope representation opportunities (3.04), malpractice insurance (2.87), research support (2.76), and having an online description of cases from which to choose (2.74) were also among the more influential possibilities.

Like the national survey, attorneys were not highly influenced by the prospect of receiving formal recognition (1.84). In this survey, attorneys were also not highly influenced by the prospect of having more support from their firm (1.96), networking opportunities (2.2) and alternative dispute resolution opportunities (2.23).

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27 On a scale from 1-5, where a 1 indicated that the statements regarding activities a referral organization could do to promote pro bono were not at all influential and a 5 was the most influential, the national average for free or reduced cost CLEs was a 2.8.
28 On a scale from 1-5, where a 1 indicated that the statements regarding activities a referral organization could do to promote pro bono were not at all influential and a 5 was the most influential, the national average for limited scope representation opportunities was 3.48, malpractice insurance was 2.82, research support was 2.8, and online review of cases from which to select was 2.95.
29 On a scale from 1-5, where a 1 indicated that the statements regarding activities a referral organization could do to promote pro bono were not at all influential and a 5 was the most influential, the national average for formal recognition was 2.08.
Offering limited scope representation, also known as “unbundled legal services,” can be considered as an alternative to offering full representation pro bono opportunities. These opportunities have lower time commitments and are therefore potentially more appealing to attorneys who are uncertain about their ability to commit to a potentially long term or very time consuming case. As indicated in the above chart, attorneys gave this option a 3.05 out of 5, where a 5 indicates the most influential option. Attorneys were also asked if they had ever provided limited scope representation in a pro bono case. A very small percentage – approximately 3% - indicated that they had done so, suggesting limited scope representation may be an underutilized option in Nebraska. It is also possible, however, that attorneys have provided this service, but had not identified it as limited scope representation.

Figure 20. Activities to Promote Pro Bono, Nebraska
d. Employer Support or Discouragement

In general, pro bono activity is neither encouraged nor discouraged by employers. Compared to the national sample, however, Nebraska employers were less encouraging of pro bono activity. Overall, 23.8% in the Nebraska sample indicated that their employer encouraged pro bono service compared to 49% in the national sample (Fig. 21). A remaining 68% in Nebraska indicated that their employer neither encouraged nor discouraged pro bono, compared to 49% in the national sample. Within private practice, there was a higher degree of encouragement from employers (29.9%) as compared to the corporate (2.6%) or government settings (4.9%).

Attorneys were asked to indicate if their employer engaged in specific activities that might either encourage or discourage an employee’s pro bono service. Of the list of activities that encourage pro bono, allowing the use of internal resources for pro bono was the most highly indicated (37.8%, compared to 64% in the national sample), though private practice attorneys were significantly more likely to provide this response (50.1%) than were corporate (9.8%) or government (5.7%) attorneys. Almost 16% of private practice attorneys reported that their employer has a pro bono policy that supports attorneys providing pro bono, compared to 3.3% of corporate attorneys and 1.9% of government attorneys. Just over 11% of private practice attorneys indicated that their employer provides mentoring for pro bono activities, compared to under 2% for corporate and private practice attorneys.30

Of the list of discouraging activities, disallowing pro bono during regular business hours was the most indicated (8.2%), followed by disallowing the use of internal resources for pro bono (7.1%). Corporate and government attorneys were significantly more likely to indicate discouraging employer activities.31

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30 In the national sample, the most encouraging employer actions were as follows: use of internal resources for pro bono activities (64%), employer has a pro bono policy that supports employee pro bono activities (34%), employer allows billable hour credit for pro bono work (23%), employer has procedures in place for identifying and referring pro bono cases internally (22%), employer has a pro bono manager (18%), and employer requires a specific number of pro bono hours or matters per year (5%)

31 In the national sample, the most discouraging actions were as follows: employer not allowing pro bono during regular business hours (8%), employer disallowing use of internal resources for pro bono activities (7%), and employer placing restrictions on the number of clients or matters in a fiscal year (2%).
e. Population Differences

As was discussed earlier in this report, some significant differences in pro bono provided in 2014 were found by age, gender and practice setting. In order to better understand these and other differences within the surveyed population, several analyses were conducted and are discussed below. The results suggest that attorneys are a diverse population motivated by a range of different factors that can be understood by specific demographic and sociological influences.

i. Age

For the most part, encouraging factors were higher for younger attorneys and lower for older attorneys. The general trend was for the highest ratings to be among attorneys who were under age 35 (Fig. 22). There were some deviations from this trend, however. Being motivated by pro bono as an ethical obligation or it being one’s duty as a member of the legal profession were lowest for the 35-44 age group and highest for the 45-65 age group. Regarding professional development and social factors, opportunities to work with low-income populations and opportunities to work with other attorneys were both higher for the 35-44 age range than for any other age group. 

Figure 22. Top Encouraging Factors, by Age, Nebraska

32 The “under 35” age group provided higher ratings than other age groups for the following statements: pro bono makes me feel like a good person, helping the profession’s public image, participating in reducing social inequalities, opportunities to work directly with clients, gaining experience outside one’s area of expertise, opportunities to go to court, recognition from employer, and recognition from colleagues and friends. Other factors were rated highest for attorneys in both the under 35 and 35-44 age group include: recognition from employer, opportunities to act as a mentor for younger attorneys, gaining experience outside one’s area of expertise, and opportunities to work directly with clients.

33 Although different statements were used in the national sample, a similar trend was found, with higher ratings among younger attorneys. Specifically, attorneys under 40 gave higher ratings to the following statements: I would do more if I could, I am passionate about doing pro bono, and one of the best benefits of pro bono is getting to work with other attorneys. Attorneys in the 65+ age category gave higher ratings to the statement that their employer has a culture of volunteering.
Factors that discouraged attorneys from providing pro bono service varied across age groups. Attorneys under age 45 were more discouraged from doing pro bono by commitments to family obligations (Fig. 2334). Although not one of the top discouraging factors, the belief that pro bono clients might be able to afford legal representation was reported as being more discouraging among the 45-54 age group as compared to other age groups. And, as compared to other age groups, attorneys in the 55-64 age group were more discouraged by personal objections, concerns that doing pro bono might compromise their other clients, a preference for volunteering for non-legal matters, completing billable hours, schedule conflicts, pro bono clients’ unrealistic expectations, a lack of skills in the needed practice areas, and a general lack of interest in pro bono. Overall, attorneys over the age of 65 were less discouraged.

![Top Discouraging Factors](image)

Figure 23. Top Discouraging Factors, by Age, Nebraska.

Because the data set for the national sample was larger, it is easier to see differences within groups of attorneys under age 35. Like the Nebraska sample, lack of time is consistently the top discouraging factor across age groups. However viewing the full spectrum of age groups in the Nebraska sample reveals a more striking effect of family obligations across age. Here, family obligations are low for those under 30, increase dramatically for the 30-34 age group, remain high from age 35 to 45 and then decline (Fig. 24). Competing billable hours are also a major discouraging factor, but slowly decline by age. A concern that a lack of skills in the area of law needed by pro bono clients is also one of the top discouraging factors, and this factor does not decline as significantly for the older age group as did the previously mentioned factors.

34 Only the top 6 factors are displayed in this chart and subsequent charts. Where there were notable differences across groups for factors that did not rank as highly influential, those differences are mentioned in the text sections.
In general, younger attorneys provided higher ratings for the influence of the listed activities that a referral organization could do to encourage pro bono (Fig. 25). For younger attorneys, limited scope representation opportunities and CLE credit were especially compelling. Attorneys under age 45 were more influenced by professional development incentives, such as formal recognition of past volunteer efforts, firm support, networking opportunities (under 35), and mentorship/supervision by another attorney. Attorneys under age 35 specifically also reported being more influenced by pro bono opportunities that gave them some flexibility and agency, such as opportunities to work remotely, being matched with another attorney to share the work, and an online description of cases from which to choose. This age group also appreciated support resources such reduced fee opportunities and malpractice insurance.

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35 This trend is also observed in the national sample.
ii. Gender

Differences between what motivates females and what motivates males to engage in pro bono service were significant. Females were more motivated by professional development and other social motivators than males (Fig. 26). With regard to professional development, females are more motivated by opportunities to go to court, to gain experience outside their areas of expertise, and to work directly with clients. With regard to social motivators, females are more motivated by recognition from their employers and colleagues, opportunities to act as a mentor to younger attorneys, and opportunities to work with other attorneys. With regard to two of the six positive views statements – participating in reducing social inequalities and feeling like a good person – females were more motivated by these factors than their male counterparts. Such differences were found in both the Nebraska and national samples, although the Nebraska survey contained more encouraging factor statements from which to draw conclusions than did the national survey.
Meanwhile, females were also more discouraged than their male counterparts by several factors. The females surveyed were more likely to report having significant competing time commitments, including family commitments and a preference for volunteering for non-legal matters (Fig. 27). They were also more likely to be deterred by the lack of clarity regarding how much time a pro bono case might take and by profession-related factors, such as discouragement from her employer, scheduling conflicts, and a perceived lack of skills or experience in the practice areas needed by pro bono clients. And finally, female attorneys were more likely to be deterred by a lack of malpractice insurance and a lack of administrative support or resources. Females were overall more discouraged about doing pro bono than their male counterparts in the national sample as well.  

The only factor for which males were more discouraged than females was the idea that pro bono clients might actually be able to afford lawyers. In the national sample, males were more discouraged from doing pro bono by the idea that pro bono is a thankless job, a lack of desire or interest in doing pro bono, and the idea that pro bono clients might actually be able to afford attorneys.

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36 Specifically, the typical female was more discouraged by lack of time, commitment to family obligations, competing billable hours, a lack of skills in the areas needed by pro bono clients, concerns about a lack of expertise in the areas needed by pro bono clients, a lack of administrative support, concerns that there would be no one available to help, a lack of malpractice insurance, and discouragement from her employer.
Females were more likely to indicate that they would be positively influenced by the listed actions referral organizations could take to encourage pro bono. Females rated more highly all of the provided statements, with the exception of opportunities to work remotely, the option of selecting clients based on demographic information and having a colleague ask them to take a case, for which there were no differences between males and females. The average difference between female ratings for these statements and male ratings was 0.42 for both the Nebraska and national samples.

iii. Females by Age Group

Based on the questions regarding the amount of pro bono attorneys conducted in 2014 it was apparent that females varied quite a bit by age group. Likewise, an analysis of factors that motivate or discourage females at the various age groups showed variation. Contrary to what was expected, it was not the high performing age groups who reported the highest levels of encouragement to do pro bono. Rather, it was

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37 For the national sample, females were more encouraged by the following activities: limited scope representation opportunities, a wide range of opportunities from which to select, online review of cases from which to select, malpractice insurance, free or reduced cost CLE, research support, the referral organization continuing to check in, administrative support, mentorship by another attorney, being matched with an attorney to share the work, technology to do pro bono remotely, and formal recognition.
the women in the lowest pro bono performing age group (35-44) who provided the highest ratings, as compared to women in the other age groups, for the listed factors (Fig. 28).

In general, females were more encouraged by professional factors, including opportunities to go to court and gaining experience outside her area of expertise. They were also motivated by recognition from colleagues and friends and by feeling like a good person. Women over age 44 were more encouraged by participating in reducing social inequalities as compared to other age groups. The national survey did not ask as many questions regarding encouraging factors, but women in their 30s were more motivated by being passionate about pro bono, wanting to do more pro bono if they could, and getting to work with other attorneys.

Insight into why these highly motivated 35-44 year old women are underperforming compared to other age groups comes from their responses to the question about discouraging factors: many reported family obligations as a top discouraging factor (Fig. 29). An analysis of the national sample also reveals a similar trend (Fig. 30).

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Figure 28. Top Encouraging Factors for Women, by Age, Nebraska

[Graph showing top encouraging factors by age group: Helping people in need, Ethical obligation, It is my duty as a member of the legal profession, It would make me feel like a good person, Helping a profession's public image, Participating in reducing social inequalities.

In general, females were more encouraged by professional factors, including opportunities to go to court and gaining experience outside her area of expertise. They were also motivated by recognition from colleagues and friends and by feeling like a good person. Women over age 44 were more encouraged by participating in reducing social inequalities as compared to other age groups. The national survey did not ask as many questions regarding encouraging factors, but women in their 30s were more motivated by being passionate about pro bono, wanting to do more pro bono if they could, and getting to work with other attorneys.

Insight into why these highly motivated 35-44 year old women are underperforming compared to other age groups comes from their responses to the question about discouraging factors: many reported family obligations as a top discouraging factor (Fig. 29). An analysis of the national sample also reveals a similar trend (Fig. 30).

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38 Average ratings were as follows: 30-34 age group, 2.55; 35-44 age group, 2.85, 45+ age group 2.6.

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Aside from family commitments, the other age groups look relatively similar in terms of the top 6 most discouraging factors. However, when considering some of the other, lower ranked discouraging factors, it is clear that women over age 44 also face a range of negative influences. Women in this age group are
more discouraged by their employers, a lack of administrative support, scheduling conflicts, and a lack of time.

Women in the lower pro bono performing 35-44 age group provided the highest ratings for activities a referral organization could do to encourage pro bono (Fig. 31). Compared to the other age groups, they are more likely to be influenced by a judge soliciting help, limited scope representation opportunities, malpractice insurance, reduced fee opportunities, mentorship/supervision by another attorney, being matched with another attorney to share the work, opportunities to work remotely, the referral organization continuing to check in with her, availability of networking opportunities, more support from her employer, and formal recognition of past efforts. In the national sample, a similar bump in ratings for the 35-44 age group is present as well.

Women over age 44 were motivated by CLE credit, free or reduced CLE, malpractice insurance, research support, administrative support, reduced fee opportunities, being matched with another attorney to share the work, and networking opportunities. The trends for this age group were not apparent in the national sample, however.

![Figure 31. Top Pro Bono Encouraging Activities for women, by Age, Nebraska](image)

iv. Rural, Urban, and Suburban

In terms of motivating factors, rural attorneys were more motivated by pro bono being one’s ethical obligation and a duty as a member of the legal profession, and less motivated by reducing social inequalities (Fig. 32). Meanwhile, urban attorneys were more motivated by opportunities to go to court,
recognition from their employers, and opportunities to interact with low-income populations. The only factor for which suburban attorneys were more motivated than their urban or rural counterparts was by opportunities to work with other attorneys. This was also true specifically of the suburban male group in the 45-54 age range who provided higher levels of pro bono in 2014. Although the national survey asked fewer questions about encouraging factors, it did include a statement about the benefits of working with other attorneys; suburban attorneys in that sample were, like the Nebraska sample, more motivated by this factor.

As compared to suburban and urban attorneys, rural attorneys were more discouraged from doing pro bono by their perception that pro bono clients have unrealistic expectations as well as their own preferences for providing reduced fee services instead. Suburban attorneys were more discouraged by time and resource constraints. Specifically, they reported being more discouraged by time in general, but also with regard to family commitments, scheduling conflicts and completing billable hours. Suburban attorneys, and especially the high pro bono performing males in the 45-54 age group, reported being discouraged by a lack of information about opportunities and a lack of administrative support or resources.39

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39 In the national sample, urban attorneys were more discouraged by competing billable hours and the view that doing pro bono is a thankless job. Suburban attorneys were more discouraged by the costliness of pro bono, a lack of administrative support and a lack of malpractice insurance. Rural attorneys were more discouraged by the costliness of pro bono.
When asked about specific activities referral organizations could do to encourage pro bono, rural attorneys reported being more influenced by reduced fee opportunities than were urban and suburban attorneys (Fig. 34). Meanwhile, urban attorneys reported that they would be more influenced by support from their firm. And, suburban attorneys indicated that they would be more influenced by CLE credit, research support, administrative support, mentorship/supervision by another attorney, and being matched with another attorney to share the work. Likewise in the national sample, suburban attorneys were more influenced than their urban and rural counterparts by resource supports.  

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40 In the national sample, urban attorneys indicated they would be more influenced by a referral organization continuing to check in and by mentorship from another attorney. Suburban attorneys indicated they would be more influenced by malpractice insurance, research support, administrative support, and technology to support doing pro bono remotely.
Private attorneys reported being more encouraged to provide pro bono by feeling as though it is their duty as a member of the legal profession (fig. 35). This group of attorneys tended to be less influenced by professional development or social factors when considering doing pro bono. Meanwhile, corporate attorneys were more motivated by professional and social factors such as recognition from their employer, gaining experience outside their area of expertise, and opportunities to work with other attorneys. Likewise, government attorneys were more motivated by professional development and social factors as opposed to personal views, with higher ratings for recognition from employer, gaining experience outside their area of expertise and, unlike corporate attorneys, opportunities to interact with low-income populations.\textsuperscript{41}

\textsuperscript{41} In the national sample, private practice attorneys were more encouraged by support from their firms. Corporate attorneys and government attorneys were more encouraged by getting to work with other attorneys and the sense that doing pro bono is gratifying.
Private practice attorneys were more discouraged by two of the six personal views statements: pro bono clients’ unrealistic expectations and the idea that pro bono clients might be able to afford an attorney (Fig. 36). They were also more likely to indicate they were influenced by a preference for providing reduced fee services rather than pro bono. Corporate attorneys were more deterred from providing pro bono by professional and time factors, such as a lack of skills or experience in the practice areas needed, scheduling conflicts, and a lack of clarity on the time commitments of taking a pro bono case. Meanwhile, government attorneys were more deterred by a lack of administrative support or resources and a general sense that pro bono is too costly. Both corporate and government attorneys also were deterred by a lack of administrative support or resources, a lack of malpractice insurance, and discouragement from their employers. Similar trends are observed in the national sample, with corporate attorneys being more discouraged by time, professional, and resource factors and government attorneys being more discouraged by professional and resource factors as well.
When asked about what referral organizations could do to encourage pro bono, private practice attorneys were more likely to report that they would be influenced by a judge soliciting participation and by reduced fee opportunities (Fig. 37). Corporate attorneys provided higher ratings for opportunities to work remotely and opportunities to provide alternative dispute resolution and limited scope representation opportunities. Both government and corporate attorneys indicated higher rates of influence for support from their employer, being matched with another attorney to share the work load, mentorship/supervision by another attorney, administrative support and malpractice insurance. Similarly, in the national sample, corporate and government attorneys reported being influenced by a wide range of the listed activities, as compared to private practice attorneys.\textsuperscript{42}

\textsuperscript{42} In the national sample, corporate attorneys reported being more influenced by limited scope representation opportunities and government attorneys reported being more influenced by formal recognition.
Attorneys who performed some amount of pro bono service in 2014 were encouraged by positive personal views of pro bono (Fig. 38). Specifically, they were most encouraged by helping people in need, it being their ethical obligation, and it being their duty as a member of the legal profession. Meanwhile, non-providers of pro bono in 2014 were more encouraged by professional development and social factors. Specifically, they were more encouraged by opportunities to go to court, gaining experience outside of their area of expertise, recognition, and opportunities to work with attorneys and low-income people. In the national sample, those who provided 50+ hours of pro bono service generally indicated higher ratings for encouraging statements.
Those who did not perform any pro bono in 2014 were significantly more discouraged by time, resource, and professional factors (Fig. 39). With regard to time specifically, they were more discouraged by completing billable hours, a lack of clarity on time commitments of taking a pro bono case, and a preference for volunteering for non-legal matters. With regard to resources, they were discouraged by a lack of administrative support, a lack of malpractice insurance, and a lack of information about opportunities. And professional factors influenced them as well, with higher rates of discouragement related to a lack of skills or experience in the practice areas needed by pro bono clients, scheduling conflicts, and discouragement from their employers. Likewise, in the national sample, non-providers gave higher ratings for a range of discouraging factors which included time, resource and professional influences.
While being highly discouraged by a number of factors, those who did not provide any pro bono in 2014 did indicate that there were several things referral organizations could do to encourage them to provide pro bono. In fact, this group provided higher ratings for the influence of many of the referral organization activities than did the group of attorneys who had provided pro bono in 2014. Specifically, the non-providers indicated higher ratings for the following:

- Malpractice insurance (3.23)
- Mentorship/supervision by another attorney (3.04)
- Research support (2.96)
- An online description of cases from which to choose (2.86)
- Administrative support (2.87)
- Being matched with another attorney to share the work (2.87)
- The option of selecting clients based on demographic information (2.6)
- Opportunities to work remotely (2.53)
- Alternative dispute resolution opportunities (2.42)
- Availability of networking opportunities (2.35)
- More support from employer (2.29)

In the national sample, those who had not provided pro bono during the previous year indicated higher ratings for being influenced by malpractice insurance, mentorship from another attorney, being matched with an attorney to share the work, and technology to do pro bono remotely. Those who had provided 1-49 hours of pro bono work indicated they would be more influenced by limited scope representation opportunities. And, those who provided 50+ hours of pro bono indicated they would be more influenced if a colleague asked them to take a case, being offered free or reduced cost CLEs, and formal recognition for their past volunteer efforts.
vi. Inactive Licensed Attorneys

Attorneys with inactive licenses were encouraged to complete the survey as well. Twenty-nine attorneys with inactive licenses, 13 of whom were employed but not practicing law, 8 of whom were retired, 2 of whom were not employed, 2 of whom practiced in another state, and 4 of whom did not provide an explanation, responded to the survey. While the response rate for this group is too low to draw statistically reliable conclusions, their responses may still be informative.

This group of attorneys were asked if they would be inclined to reactivate their license if Nebraska had a pro bono rule whereby some of the licensing burdens would be relaxed for attorneys who agree to limit their practice to pro bono cases. One-third of this group of attorneys indicated that they would be likely (somewhat likely or very likely) to reactivate their licenses under such a rule. And, when asked how many hours of pro bono they would likely provide in the next year were they to reactivate under such a rule, almost 1/3 indicated they would provide 20-50 hours. An additional 1/5 indicated they would provide 1-19 hours.

The active licensed attorneys were also asked to reflect on the idea of a pro bono rule that would ease licensing burdens for specific categories of attorneys who agree to limit their practice to pro bono cases. Most (58.3%) indicated that they thought this rule should apply to attorneys who had practiced in Nebraska, but then decided to retire. Almost 40% thought this rule should apply to other attorneys with inactive Nebraska licenses. Almost 1/3 thought this rule should apply to attorneys with active out of state licenses and 15% thought this rule should apply to those with inactive out of state licenses. Many attorneys, however, indicated that they were unsure rather than opposing such a rule. For the application of the rule to retired, Nebraska licensed attorneys, 29% were unsure; for inactive Nebraska licenses

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44 Attorneys with inactive licenses were not included in the national survey.
35.4% were unsure, for active out of state licenses 40.8% were unsure, and for inactive out of state licenses 42.5% were unsure.
V. Conclusion and Recommendations

Overall, the attorneys surveyed here believe that providing pro bono services is important and are motivated by the idea of helping people in need, a sense of it being an ethical obligation, and the notion that it is one’s duty as a member of the legal profession. Nebraska attorneys, as compared to the national sample were more likely to take cases through direct contacts and social connections, rather than referral sources. They were also more likely to be motivated by a judge or colleague asking them to take a case. Together these findings suggest that Nebraska attorneys may view pro bono as inherently more about personal and social connections than did the national sample.

It was also clear from the results of this survey that the legal profession is quite diverse and varies by institutional and cultural affiliations, as well as varying competing obligations. The environments and contexts within which attorneys exist and practice – being a working parent, practicing in the suburbs, working in the private sector - shape their pro bono motivations and experiences. Additionally, their interactions with, and roles within these environments can change as they age.

Consequently, to maximize participation, a successful pro bono program should be flexible and multifaceted in its outreach efforts and messaging, types of opportunities offered, and resource supports provided. Considering the results reported here, the below program or policy recommendations have been compiled. Nebraska attorney participation in pro bono is likely to be expanded by the following:

1. Cultivation of social and professional networks:
   - Working through professional networks – especially through judges – to solicit attorney participation.
   - Establishing mentorship programs and case sharing for attorneys who are interested in the social aspects of pro bono.
   - Working with local bar associations to establish local outreach efforts (especially in rural areas).

2. Resource support:
   - Easing some of the burdens of law practice and pro bono by providing CLE credit, malpractice insurance to attorneys who do not have it, research support and other administrative support.
   - Working with law firms and other employers to create an environment of support for pro bono. This might include establishing firm pro bono initiatives, policies that allow pro bono services to be provided during work hours, policies allowing the use of company resources for pro bono cases, and publicizing firms whose attorneys do the most pro bono.
   - Establishing procedures for funneling cases through referral agencies that are able to provide malpractice insurance and educating attorneys who do not have their own malpractice insurance about this possibility.
   - Establishing incubator programs to help new attorneys develop skills, access resources, and provide services to those in need.

3. Addressing competing commitments:
   - Providing limited scope representation opportunities so that attorneys are able to commit to smaller portions of a pro bono case, rather than long-term commitments. This approach is likely to resonate well with attorneys under age 35.
Working to accommodate attorneys with significant family commitments by offering flexible pro bono opportunities (work to be done remotely, opportunities to divide the work by being matched with another attorney on a case, limited scope representation opportunities, and allowing the selection of cases from descriptions online).

Establishing expected time commitments, by type of case, so that attorneys will have a better understanding of the commitment before they begin. This is especially important with regard to domestic violence, real estate, juvenile and business cases, which tend to take longer than attorneys expect.

4. Communication and education:

- Working to bolster current positive views of pro bono by educating attorneys about the legal needs of the poverty population and reminding them that pro bono is part of a tradition that addresses one’s ethical obligations and professional duties.
- Articulating the professional development benefits of pro bono to young attorneys and attorneys who have had to take a step back from their careers due to family commitments. Specifically, focusing on pro bono as an opportunity to go to court, gain experience outside one’s area of expertise, and work directly with clients. These attorneys may also be responsive to recognition from employers and colleagues.
- Introducing attorneys to the idea of pro bono by providing discrete and low-commitment opportunities, such as assisting in a self-help clinic or at a self-help desk, through which attorneys might become more comfortable with doing pro bono.
- Providing education to the attorney population about limited scope representation and its use in the pro bono setting.

5. Regulatory changes:

- Working to establish a rule change to encourage inactive and retired attorneys to provide pro bono services. Such a rule change might waive licensing burdens for those who are willing to limit their practice to pro bono.
- Strengthening the current Nebraska rule related to pro bono such that there are clearer expectations of pro bono as a professional responsibility.

Gaining a greater understanding of the meaning behind pro bono for sub-populations within the bar can lead to facilitating better support systems that are tailored towards volunteer needs. This report certainly provides some useful information about some of the trends within the Nebraska attorney population, as well as recommendations for engaging them in the pro bono tradition. However, if this report tells us anything, it is that having a more nuanced understanding of the role that pro bono plays in attorney’s lives, and how that can vary by age, gender, practice setting, geographic location, and ethnicity is necessary for designing an effective pro bono program. Gathering more demographic and situational data about volunteers and potential volunteers may go a long way to helping a program tailor opportunities to the needs of the attorney population. And consequently, thinking creatively about the messaging and delivery of these opportunities will likely expand attorney engagement and improve access to justice.


