

Pro Bono 2020

Latin Lawyer and the Vance Center's Pro Bono Survey

Christina McKeon Frutuoso

25 February 2021

() () () ()



Steps towards greater institutionalisation demonstrate law firms are embedding a culture of pro bono among both their lawyers and wider communities. Firms that are serious about delivering access to justice are taking things to the next level, fostering higher levels of accountability within their internal processes to make sure they secure meaningful results. We present some of the key findings from the latest Latin Lawyer–Vance Center Pro Bono Survey.

“It’s like a double wave – you give, and you receive. And when you’ve done it once, you want to keep doing it over and over again.”

The compelling nature and value of doing pro bono work is summed up well in these words by Esther Cecilia Blondet, partner at Venezuela’s Despacho de Abogados miembros de Dentons.

Latin America is rife with inequality and very large numbers of people lack the means by which to access justice. But the region is also increasingly home to law firms and lawyers eager to address this fault.

Our annual Latin Lawyer-Vance Center pro bono survey reveals some important areas of progress. The findings are reflective of the Cyrus R. Vance Center for International Justice and local clearing houses in the region making good on their ambition to encourage the spread of pro bono (and the systems required to do it) across law firms in Latin America.

The results show a jump in the number of law firms completing more than 1,000 hours of pro bono work per year – up from 25% in 2018 to 32% in 2019. Our survey also indicates close to 9 out of 10 firms now have designated pro bono coordinators, a figure that is up from 75% in 2016. Almost 9% of coordinators work full-time on pro bono related projects. Coordinators, part-time or full-time, play a pivotal role in connecting their law firm to its clearing house, ensuring a flow of pro bono work.

There are other ways firms are formalising their pro bono efforts: according to our survey, 71% have pro bono committees, a figure that is up nearly 10% from 2018. These teams help decide which lawyers take on which cases and are often a point of call internally for all things pro bono.

Having lawyers dedicated to pro bono is crucial, says Willkie Farr & Gallagher's Latin America practice head Maria-Leticia Ossa Daza, as more and more firms recognise the importance of actively seeking cases that can most benefit from their expertise. "They're also critical for organising internal programmes and training to help other lawyers be in a position to do pro bono," she adds. "To educate people about the critical issues at stake, it's important to raise awareness at your firm of the pro bono work lawyers have been doing."

Over the years, many firms in Latin America have endeavoured to institutionalise pro bono. Now, accountability is coming to the forefront. More firms want to foster a culture among their lawyers that goes beyond having the right structures in place; they want lawyers to be accountable for their participation in pro bono too.

Those who are serious about the practice are incorporating pro bono into remuneration processes, strengthening their collaboration with clearing houses and making pro bono efforts more inclusive. The results of our survey indicate

firms are taking responsibility for their pro bono practices and, in doing so, they are shaping them into forces capable of responding to the challenges and opportunities of today.

Percentage of firms that treat pro bono hours like billable hours in terms of associate compensation (minimum 40 hours per year)

2019
59%

2017
50%

2018
51%

Share

Taking it to the next level

With many firms having appointed dedicated coordinators and committees, the right ingredients are in place for lawyers to get involved in pro bono if they want



Bianca dos Santos Waks

to. But to cement a culture of working pro bono, some law firms serious about the practice have taken steps to reduce the attractiveness of not doing it.

Our survey suggests firms are placing more onus on lawyers to complete pro bono work in order to advance their careers. Four out of five said pro bono contributions are considered in career evaluations for associates (up from the previous year).

Many are taking it a step further. More than half of firms said pro bono hours are taken into account to determine associate salary, bonuses and advancement. Moreover, 59% treat pro bono like billable hours in terms of associate compensation – nearly 10% more than those who reported doing so in 2018. This is an important progression. “If a law firm wants to promote a serious pro bono effort among its lawyers, the only way to do it is to treat pro bono hours like billable hours,” says Morales & Besa pro bono head and partner Edmundo Varas. “Since we founded our pro bono practice, we have always run things this way and we have always had a high rate of commitment and involvement from our team.”

Varas acknowledges that there is a “delicate equilibrium” between doing pro bono hours and traditional, paid-for hours – “firms are businesses and productivity is at the centre of them” – but affirms that pro bono brings value that other practices do not. “Even though pro bono hours don’t generate a direct impact on revenue, there are studies which conclude that the indirect effects of a pro bono programme can have a positive impact on revenue by enhancing and supporting a firm’s goals and activities,” he says.

Further accountability is evidenced by the fact that 84% of firms now measure their pro bono work, while 70% of firms have dedicated mechanisms and methodologies in place to track the work they do. Back in 2016, just over half of firms had these in place.

But measuring without a specified aim is a futile practice. Some 57% of law firms have a target number of pro bono hours they expect every lawyer to complete. These are in place to focus attention on the work at hand and illustrate the commitment of law firm leadership to achieve desired outcomes.



Maria-Leticia Ossa Daza



Edmundo Varas



Esther Cecilia Blondet

Some are hesitant to evaluate pro bono work in purely quantitative terms, however. “Hours don’t tell a full story – impact does,” says Jaime Trujillo Caicedo, chair of the Latin America region and partner in Baker McKenzie’s Bogotá office. He points out that firms could aspire to measure the effect of pro bono by reflecting on the importance of the work, rather than the time it takes to do it.

Indeed, there is an evolving conversation happening globally about the relevance of outcome-based analysis of pro bono work, with many arguing that framing pro bono in this light gets at the heart of what pro bono work means, rather than just viewing it purely quantitatively. “We should have the impact of our work evaluated in a more complex way, but the discussion is just starting and it is easier said than done,” adds Trujillo.

More work to be done

Of the firms surveyed, the average number of hours dedicated to pro bono in 2019 was 17.08 per associate. That number falls short of the 20 hours required of law firms who have signed the Pro Bono Declaration for the Americas (PBDA). Our data indicates partners are further from this target, giving, on average, 14.61 hours of free legal counsel per year.

Partners tend not to be held accountable when it comes to clocking up pro bono hours: just 31% of respondent firms said pro bono work is considered when calculating partner compensation.

In all other practice areas, partners lead the way and are rewarded for doing so; but in pro bono, there is still much more work to be done. Law firm leadership must recognise and promote the value that comes from having partners actively involved in these cases. “Senior lawyers benefit from the experience

Is pro bono women’s territory?

It’s a man’s world, so the James Brown song goes, but in the pro bono field things can look quite different. A large percentage of pro bono coordinators who completed Latin Lawyer’s survey are women, and during the research stage it became obvious that the gender split for leadership positions within pro bono efforts at law firms seems fairly even – a rarity in almost all other practice areas, where male partners tend to dominate.

of working outside their comfort zone, being in contact with clients, cases and subjects that can differ from their daily discussions,” says Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advogados’ pro bono associate Bianca dos Santos Waks.

There are benefits of partners collaborating with younger members of the firm on pro bono matters. “[Partner involvement] not only fosters a greater collegial work environment, but also contributes to a well-rounded training that will certainly be distinctive for the firm’s lawyers,” adds Waks.

The PBDA’s target should be manageable – it equates to working less than three Saturdays a year, or just under four minutes per day.

But it would be too easy to say the main hurdle that stops lawyers – including partners – doing pro bono is lack of time, says Baker McKenzie’s Trujillo. “Great lawyers don’t want to take something on unless they know they can do an excellent job and see it to completion,” he says. “That is what makes lawyers concerned about taking on the responsibility of helping a vulnerable individual with what may be the most important issue in their lives.”

Clearing houses take seriously their role in motivating partners at member law firms to get in on the action. Fundación Pro Bono Chile

One explanation could be that women have historically been the caregivers of society, especially in Latin America, and so might be more drawn to pro bono work and its charitable spirit than men. There is also the stereotype that legal practices like litigation and banking and finance are considered more aggressive in terms of performance and financial compensation, and so have been dominated by men (the stereotypically more ‘aggressive’ sex) who might neglect practice areas like pro bono, which often involves labour, civil rights, human rights and criminal law.

One managing partner suggests men often dominate pro bono litigation cases, but these cases are few and far between; women, on the other hand, often take on more long-term, abundant issues, including those spanning labour and immigration law, which are less publicised.

But times are changing, and fast, as Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advogados’ pro bono associate Bianca dos Santos Waks explains. “Coordinating pro bono requires complex capabilities. Coordinators must combine boldness with empathy – characteristics that can be common in women but not innate or exclusive to us,” she says.

Firms that consider pro bono hours as billable and part of evaluations are ultimately encouraging both men and women lawyers to take part, which is

gives preferential treatment to partners who want to choose what cases they work on, while Centro Mexicano Pro Bono thinks contact with law firm partners directly encourages more of them to get involved, asking for their input on how to improve the process so they feel more involved as a key player in pro bono activities.

Finding the value

Any discussion about how to make lawyers accountable for doing pro bono necessitates thinking about the reasons why lawyers do it in the first place.

Almost all firms told us their biggest motivation was a sense of duty to society. Many recognised that their commitment to the PBDA and retaining talent were important factors too.

Among the many benefits of doing pro bono is that lawyers get to team up with clients, peers from other firms and NGOs, giving them a participatory stake in the wider legal market beyond their immediate sphere.

helping to do away with stereotypes individuals might hold toward practice areas. Indeed, there are men lawyers pioneering pro bono efforts in their jurisdictions who are helping to prove stereotypes do not necessarily reflect the reality.

Gender diverse teams highlight exactly why pro bono work can bring together lawyers of all backgrounds and practice areas for a common fight. “Women – like men – are always willing to risk, create and innovate,” says Waks. “These characteristics – coupled with deep knowledge of the social field, the functions of civil society and human rights litigation – are fundamental to the career of a pro bono lawyer and, like other positions, should be valued and recognised.”

In Peru, law firms have put aside market rivalry to work on the Integrando Horizontes project, led by the Pan American Development Foundation and co-organised by Alianza Pro Bono Perú. The initiative has been giving legal counsel to Venezuelan immigrants and individuals trafficked or suffering domestic violence in Peru since 2019. Law firms Benites, Vargas & Ugaz Abogados; Estudio Echeopar member firm of Baker McKenzie International; Philippi Prietocarrizosa Ferrero DU & Uría (Peru); Miranda & Amado Abogados; Rebaza, Alcázar & De Las Casas; and Osterling Abogados are working together to help individuals fleeing the humanitarian crisis in Venezuela with immigration applications, as well as helping them adapt to the impact of the covid-19 pandemic.



Jaime Trujillo Caicedo



María Alejandra Salazar
Tamayo

Due to widespread lockdowns all immigration offices have closed, so immigrants arriving in Peru and individuals who need to renew previously-approved licences are stuck in limbo, without access to healthcare, shelter or amenities. “The pandemic and its impact have caused a huge wave in illegal immigrants trying to exercise their right to live here, but they can’t do so in the traditional way because public offices are closed, and not all procedures have moved online,” says PPU (Peru) associate Ana Roque. She is one of the lawyers advising volunteers who travel to the border to help immigrants access licensing application forms online and indicate what rights they have to emergency relief.



Ana Roque

The resilience Roque has seen demonstrated, gives her hope. Law firms are not the only ones coming together for a common cause. “It was emotional to see because most of the volunteers were legal immigrants who had gone through this same process themselves; they wanted to help their fellow countrypersons,” she adds.

The tangible impact pro bono work has is hard to find in other practice areas. In representing companies, corporate lawyers deal with numbers, spreadsheets and contracts most of the time; but working for marginalised individuals and groups offers something outside this remit. “With pro bono work – like labour and immigration law – there is always that connection with people,” says PPU’s Roque.

The value of doing this work is hard to fully capture, but its impact is easy to see. “Pro bono work gives us the possibility as lawyers to understand that law is a tool for social change,” affirms Gómez-Pinzón partner and pro bono coordinator María Alejandra Salazar Tamayo.

Practice area: Pro bono

Country: International, Venezuela, Chile, Colombia, Uruguay, Brazil, Argentina, Peru, Mexico, Guatemala

Pro Bono 2020

Pro bono: Leading Lights

Lulu Rumsey 17 February 2021

() () () ()



LATIN LAWYER AND THE VANCE CENTER'S **PRO BONO LEADING LIGHTS** **2020**

Here we celebrate “Leading Lights”, the law firms making a noteworthy contribution to strengthening Latin America’s pro bono culture.

Several factors played a role in drawing up this list. These include firms’ answers to the survey with regards to institutionalisation of the practice, work done and examples of their recent pro bono cases. We also asked for feedback from clearing houses and the Vance Center and considered the development of firms’ pro bono practices if they participated in earlier surveys, as well as further research. The list includes behemoths of the regional legal community bringing significant resources

Methodology

Latin Lawyer and the Vance Center draw heavily on responses to the pro bono survey when compiling the list of Leading Lights, so only law firms that participated in the most recent survey are eligible. Firms are compared against others in their jurisdiction. In countries with functioning clearing houses at the time research was conducted (Argentina, Brazil, Chile, Colombia, Dominican Republic, Guatemala, Mexico, Paraguay, Peru, Uruguay and

to bear, and small firms from whom personal dedication can make a significant difference.

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

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

Argentina

Beccar Varela
Bomchil
Bruchou, Fernández Madero & Lombardi
Cerolini & Ferrari Abogados
Martínez de Hoz & Rueda
Marval O'Farrell Mairal
MBP Partners
Pérez Alati, Grondona, Benites & Arntsen (PAGBAM)
Zang, Bergel & Viñes Abogados
Zapiola Guerrico & Asociados

Bolivia

PPO Abogados

Brazil

BMA - Barbosa, Müssnich, Aragão
Demarest Advogados
KLA Advogados
Machado Meyer Advogados

Venezuela), firms are awarded up to 40 points based on their responses to the survey across the following categories: law firm's pro bono infrastructure (20%), recognition of lawyers' pro bono work (15%), pro bono work done (37.5%), support of clearing houses (27.5%). Clearing houses are also given the opportunity to provide information on the firms they see supporting their organisation and doing a high level of pro bono work. In countries where there was no clearing house at the time of research (Bolivia, Costa Rica, Ecuador, El Salvador, Nicaragua, Honduras and Panama) points are awarded between the first three categories (law firm's pro bono infrastructure, recognition of lawyers' pro bono work, pro bono work done). Those with the most points have a strong chance of being a Leading Light, depending on further considerations and taking into account comparisons within their jurisdiction.

Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advogados
Pinheiro Neto Advogados
SiqueiraCastro Advogados
Tauil & Chequer Advogados in association with Mayer Brown
TozziniFreire Advogados
Trench Rossi Watanabe

Central America

Arias
BLP
Batalla (Costa Rica)
Consortium Legal (Guatemala)
Mayora & Mayora SC (Guatemala)
QIL+4 Abogados

Chile

Albagli Zaliasnik
Baker McKenzie (Chile)
Barros & Errázuriz Abogados
Bofill Mir & Alvarez Jana Abogados
Carey
Cariola, Díez, Pérez-Cotapos
Claro & Cía
Garnham Abogados
Guerrero Olivos
Morales & Besa
Prieto
PricewaterhouseCoopers (PwC) Chile
Rivadeneria Colombara Zegers
Silva

Colombia

Baker McKenzie (Colombia)
Brigard Urrutia
Chahin Vargas & Asociados
Correa Merino Agudelo
Goh
Gómez-Pinzón
Philippi Prietocarrizosa Ferrero DU & Uría (Colombia)
Prias Cadavid Abogados

Dominican Republic

Headrick Rizik Alvarez & Fernández
OMG

Ecuador

Pérez Bustamante & Ponce

Mexico

Aguinaco + Aja
Baker McKenzie (Mexico)
Basham, Ringe y Correa
BGBG - Bello, Gallardo, Bonequi y García, SC
Chevez, Ruiz, Zamarripa y Cía SC
Creel, García-Cuéllar, Aiza y Enriquez SC
Galicia Abogados
Hogan Lovells (Mexico)
Ritch, Mueller, Heather y Nicolau, SC
Sánchez Devanny
Santamarina y Steta
Von Wobeser y Sierra SC

Panama

Morgan & Morgan

Peru

Benites, Vargas & Ugaz Abogados
Estudio Echeopar member firm of Baker McKenzie International
García Sayán Abogados
Payet, Rey, Cauvi, Pérez Abogados
Rebaza, Alcázar & De Las Casas
Rubio Leguía Normand
Rodríguez Angobaldo Abogados

Uruguay

Dentons Jiménez de Aréchaga
Ferrere (Uruguay)
Guyer & Regules
Posadas, Posadas & Vecino

Venezuela

Despacho de Abogados miembros de Dentons

Thank you to all of this survey's participating firms for helping us. Those firms that did not request anonymity are listed here.

Argentina

Alfaro Abogados

Allende & Brea

Baker McKenzie (Argentina)

Beccar Varela

Bomchil

Brons & Salas

Bruchou, Fernández Madero & Lombardi

Bullo Abogados

Cerolini & Ferrari Abogados

Del Carril, Colombres, Vayo & Zavalía Lagos Abogados

Durrieu Abogados

Estudio Fontan Balestra

Estudio Munilla Lacasa, Salaber & de Palacios

Estudio O'Farrell Abogados

Martínez de Hoz & Rueda

Marval, O'Farrell & Mairal

MBP Partners Abogados

Nicholson y Cano Abogados

Pérez Alati, Grondona, Benites & Arntsen

Silva Ortiz, Alfonso, Pavic & Louge

Zang, Bergel & Viñes Abogados

Zapiola Guerrico & Asociados

Bolivia

Ferrere (Bolivia)

Guevara & Gutiérrez – Servicios Legales

Indacochea & Asociados

PPO Abogados

Brazil

Bichara Advogados

BMA – Barbosa, Müssnich, Aragão

Cescon, Barrieu, Flesch & Barreto Advogados

Demarest Advogados

Karina Biazon Sena Sociedade Individual de Advocacia

KLA – Koury Lopes Advogados

Lefosse Advogados

Machado Meyer Advogados

Madrona Advogados
Mattos Filho, Veiga Filho, Marrey Jr e Quiroga Advogados
Pinheiro Neto Advogados
Siqueira Castro Advogados
Stocche Forbes
Tauil & Chequer Advogados in association with Mayer Brown
TozziniFreire Advogados
Trench Rossi Watanabe
TSA Advogados
Vaz Buranello Shingaki Oioli Advogados
Wongtschowski & Zanotta Advogados

Central America

Aguilar Castillo Love
Arias
Batalla
BLP
Carrillo & Asociados
Central Law
Clarity Law
Consortium Legal
EY Law (Costa Rica)
García & Bodán
QIL+4 Abogados

Chile

Abogabir & Cía
Albagli Zaliasnik
Alessandri
Baker McKenzie (Chile)
Barros & Errázuriz Abogados
Bofill Mir & Alvarez Jana Abogados
Carey
Cariola, Díez, Pérez-Cotapos
Claro & Cía
CMS Carey & Allende
DLA Piper (Chile)
Garnham Abogados
Grasty Quintana Majlis & Cia
Guerrero Olivos
Morales & Besa
Peralta Abogados
Philippi Prietocarrizosa Ferrero DU & Uría (Chile)

Prieto
PwC Chile
Rivadeneira Colombara Zegers – RCZ
Silva & Cía
Urenda Rencoret Orrego & Dörr
Vergara Galindo Correa Abogados

Colombia

Ariza & Marín
Arrubla Devis
Baker McKenzie (Colombia)
Brigard Urrutia
Chahín Vargas & Asociados
Contexto Legal Abogados
Correa Merino Agudelo
Dentons Cárdenas & Cárdenas
DG&A
DLA Piper Martínez Beltrán
Escandon Abogados
Godoy Córdoba Abogados member of Littler Global
GodoyHoyos
Gómez-Pinzón
Harold Alberto Castro Florez
Lloreda Camacho & Co
Pacto Abogados
Philippi Prietocarrizosa Ferrero DU & Uría (Colombia)
Pinilla, González & Prieto Abogados
Prias Cadavid Abogados

Dominican Republic

Headrick Rizik Alvarez & Fernández
OMG

Ecuador

Ferrere (Ecuador)
Paz Horowitz Abogados
Pérez Bustamante & Ponce

Mexico

Aguinaco + Aja Abogados
Arámburu, Saldívar y Vázquez
Baker McKenzie (McKenzie)

Basham, Ringe y Correa
Bello, Gallardo, Bonequi y García, S.C.
Bufete Robles Miaja, S.C.
Bufete Rocha SC
Castro Pizaña, S.C.
Chevez, Ruiz, Zamarripa y Cía SC
Creel, García-Cuéllar, Aiza y Enriquez SC
Galicia Abogados
González Calvillo, SC
Greenberg Traurig SC
Hogan Lovells (Mexico)
Holland & Knight (Mexico)
Jáuregui y Del Valle, SC
Maillard Abogados Laborales
Nader, Hayaux & Goebel
Ontier Legal, S.C.
Ritch, Mueller, Heather y Nicolau, SC
Sánchez Devanny
Santamarina y Steta
Thompson & Knight (Mexico)
Von Wobeser y Sierra SC
White & Case SC

Panama

Morgan & Morgan

Paraguay

BKM | Berkemeyer
Ferrere (Paraguay)

Peru

Benites, Vargas & Ugaz Abogados
Estudio Echeopar member firm of Baker McKenzie International
Estudio Rodríguez Angobaldo
Fernandez Heraud & Sanchez Abogados
García Sayán Abogados
Lazo & De Romaña Abogados
Miranda & Amado Abogados
Monroy & Shima Abogados
Payet, Rey, Cauvi, Pérez Abogados
Philippi Prietocarrizosa Ferrero DU & Uría (Peru)
Rebaza, Alcázar & De Las Casas

Rodrigo, Elías & Medrano Abogados

Rubio Leguía Normand

Yataco Arias Abogados

Yon Ruesta, Sánchez Málaga & Bassino Abogados

Uruguay

Dentons Jiménez de Aréchaga

Ferrere (Uruguay)

Guyer & Regules

Posadas, Posadas & Vecino

Venezuela

Araquereyna

Baker McKenzie (Venezuela)

D'Empaire

Despacho de Abogados miembros de Dentons

Mendoza, Palacios, Acedo, Borjas, Páez Pumar y Cía

Odreman & Asociados

Practice area: Pro bono

Country:

Argentina, Brazil, Central America, Chile, Colombia, Dominican Republic, Ecuador, Mexico, Panama, Peru, Uruguay, Venezuela