

INTERSECTION OF CORPORATE SOCIAL RESPONSIBILITY AND LEGAL PRO BONO

The Growth of In-House Pro Bono and Corporate Social Responsibility

In-house pro bono has grown exponentially over the past few decades; while in the past only a handful of formal pro bono programs existed, now hundreds of programs work to close the justice gap and effect systematic change. Many of the Fortune 500 companies and the majority of the Fortune 100 companies have either set up or are moving to establish formal pro bono programs for their lawyers and other professional legal department staff. In addition, lawyers in smaller companies and legal departments engage in pro bono legal services through opportunities organized by local legal service organizations, law firms, Corporate Pro Bono (CPBO), local bar associations, and Association of Corporate Counsel (ACC) chapters. Tens of thousands of lawyers practice at legal departments where supporting low-income communities through pro bono assistance is a core value.

Across companies, there also has been a growing focus on corporate purpose, responsible business, and social impact. This focus may occur in conjunction with supporting the “S” in the Environmental, Social, and Governance (ESG) pillars, or alternatively in connection with corporate social responsibility (CSR) programs, which can encompass community service efforts, charitable giving, and skills-based volunteering, including legal pro bono work. Many companies establish CSR programs because of the belief that corporations have an ethical obligation to serve their communities and promote social welfare. CSR can also be beneficial to a company even from a strictly financial viewpoint, aiding employee retention, reputational benefits, and risk management, among other factors.

For many companies, the CSR efforts operate independently from the legal department’s pro bono program. However, in recent years, companies have begun to recognize that even non-legal problems are often interrelated with legal issues, and there has been a trend toward aligning or integrating CSR and pro bono efforts to offer more comprehensive services. By integrating CSR and pro bono, companies can dramatically increase the impact of their service. Below are several examples of how companies have complemented CSR programs with legal pro bono efforts.

Thematic Alignment

One way that legal departments have aligned their pro bono program with the company’s CSR efforts is by identifying projects that support or are consistent with the goals of the CSR program and other social impact initiatives.

- American International Group, Inc.**: AIG’s CSR efforts focus on safety, security, and disaster relief. In keeping with these goals, AIG’s legal department has undertaken a major pro bono program to assist refugees in the Middle East whose lives are in danger because of their assistance to the U.S. government. Specifically, AIG has partnered with the International Refugee Assistance Project (IRAP) to help refugees obtain Special Immigrant Visas (SIVs) and immigrate to the U.S. Applying for a SIV is a highly

complex process, and AIG worked with IRAP to help applicants navigate the system. AIG also helped leverage its policy expertise to make improvements to the SIV process, including the obtaining for applicants the right to counsel in overseas proceedings and the right to appeal rejections.

- Microsoft Corporation**: One of Microsoft's areas of focus for its CSR efforts is the "opportunity divide" among young people – the gap between young people who are prospering and those who lag behind, due to lack of support, skills, or resources. Microsoft's legal department has adopted a similar focus and has dedicated substantial time and resources to assisting children who are facing deportation but lack the resources or capability to secure legal representation. Microsoft has helped found two nonprofit organizations dedicated to providing legal assistance to unrepresented minors in immigration court – Kids in Need of Defense (KIND), a national organization, and Volunteer Advocates for Immigrant Justice, KIND's predecessor organization that was based in Seattle. Since its foundation, KIND has helped thousands of immigrant children find representation and successfully navigate the complex immigration system. In addition to Microsoft's efforts in establishing KIND, volunteers from Microsoft's legal department provide pro bono support to unrepresented children through KIND.
- Verizon Communications Inc.**: Since its foundation in 2009, the Verizon legal department's pro bono program has aligned its mission with the goals of Verizon's CSR program and the Verizon Foundation. In particular, Verizon focuses its legal pro bono efforts on education, domestic violence, and support for returning veterans, and collaborates with CSR efforts to achieve synergies in their work. Verizon attorneys and professional staff have represented schools for disadvantaged children, assisted parents in securing school services for disabled children, helped victims of domestic violence secure lawful immigration status, and advocated to secure appropriate benefits for returning veterans injured during service. Verizon attorneys have also participated in clinics targeted at nonprofits, working to address the unique legal issues facing these organizations. After receiving support at the clinics, the nonprofits can continue to aid underserved communities in areas like education and health care.

Structural Integration

Another way that legal departments align pro bono and CSR is by coordinating the management of the department's pro bono efforts with the company's community affairs initiatives.

- Ford Motor Company**: When Ford's legal department restructured its pro bono program in 2009, it decided to strategically tie its pro bono efforts into the company's larger CSR program, which is organized by the Ford Volunteer Corps (FVC). Each year, FVC designates at least four "Accelerated Action Days" to encourage and provide opportunities for Ford employees to engage in community service work. As a complement to the non-legal community service on Accelerated Action Days, the legal department offers pro bono clinics and other opportunities to its lawyers and other professional staff. The legal department's efforts to support Ford's overall CSR plan have been lauded by company leadership and led to increased visibility for the department.

The clinics also enable legal department staff to take part in company-wide community service efforts that foster deep company pride and strengthen teamwork.

- Goldman, Sachs & Co.: Through its 10,000 Small Businesses program, Goldman Sachs has committed \$500 million to help small businesses by providing them with increased access to business education, capital, and business support services, with the goal of arming them with the tools they need to be successful in today's competitive marketplace. In support of Goldman Sachs' signature CSR program, the legal department provides pro bono legal advice to address the complex legal issues small businesses often face. The legal department also identifies for its lawyers and professional staff monthly pro bono opportunities that fall on the same day as the company's community service efforts. Each month, Goldman Sachs selects one or more community service projects that support the affinity group honored during that month (for example, providing services to women during Women's History Month). Similarly, the legal department sponsors pro bono projects in support of the same affinity group.
- Salesforce**: Salesforce was founded with a 1.1.1 model, meaning it is committed to using one percent of its technology, people, and resources to improve communities around the world, working closely with its foundation Salesforce.org, as well as its legal department to provide pro bono legal services. Giving back is at the core the company and a tenant of being a Salesforce employee. There is complete integration, involving skills-based volunteerism, employee giving, and matching grants. Salesforce.org is a reseller of services from the company, donating a portion of proceeds and selling services to non-profits. One coordinated effort involves work with the United Nations on Project 8 to determine what resources the world will need when there are eight billion people. Salesforce collaborates with another company to develop a website to share information and partners with a law firm to draft the terms and conditions for the website and handle the legal aspects.

Supporting Beneficiaries of CSR Efforts

Providing legal support to the beneficiaries of the company's CSR program is another way departments can align CSR and pro bono.

- Allstate Insurance Company**: Allstate's legal department has aligned its pro bono goals with the company's broader CSR efforts in order to maximize the impact of its work. For example, Allstate is working to end domestic violence through its Economics Against Abuse Program, which integrates the legal department, CSR, and the Allstate Foundation. Domestic violence is a deeply complex problem without easy solutions, so Allstate has brought these groups together to address domestic violence in a comprehensive fashion. Since 2005, Allstate has provided more than \$40 million to organizations and individuals toward financial empowerment for survivors of domestic violence. In addition, attorneys and legal staff volunteer to provide pro bono legal assistance to survivors, while hundreds of Allstate agency owners and personal financial representatives teach financial literacy classes.

- Walmart**: Walmart has been a long-time financial supporter of Arkansas Children's Hospital. When the Walmart legal department launched its pro bono program in 2010, the company's support grew to include legal assistance to patients served by the hospital. With financial support from the Walmart Foundation, the legal department developed a medical-legal partnership (MLP) project with Arkansas Children's Hospital, Legal Aid of Arkansas, and the Advisory Board Company. Volunteers from the legal department, working with Legal Aid of Arkansas, provide onsite and virtual pro bono legal services to patients of the Arkansas Children's Hospital who, in addition to medical needs, require civil legal assistance. Walmart's program was the first corporate-sponsored MLP, and has since grown to include the Advisory Board Company as a partner. Walmart also sponsors an Equal Justice Works fellow in support of the MLP.

Partnering on Projects

By working together on a skills-based volunteer project, a company's CSR team and foundation can provide great support to the legal department's pro bono program.

- The Gap, Inc.**: When Gap launched its pro bono program it decided to create a program that aligned and supported the theme and mission of the Gap Foundation, which supports children living in need and distress. One of the department's first projects was to serve as in-house counsel to two community nonprofit organizations dedicated to supporting children at risk. Gap then teamed up with the Gap Foundation, along with CPBO and a law firm, to host a CPBO Clinic in a Box[®] program. Working in partnership with the Gap Foundation and the other host organizations, members of Gap's legal department planned and hosted a legal audit clinic for several of the nonprofit organizations supported by the Gap Foundation. At the event, members from Gap's legal department and its Foundation worked together to provide support and assistance to the nonprofit clients attending the clinic.
- Capital One Financial Corporation** and Prudential Financial, Inc.**: Several legal departments, including those at Capital One and Prudential, have worked directly with their foundation or community affairs teams to plan and host a CPBO Clinic in a Box[®] program. Typically, legal departments partner with an outside public interest organization to recruit nonprofit clients for participation in the Clinic in a Box[®] program. The departments at Capital One and Prudential are working with their community affairs colleagues to engage their members in providing direct legal services to clients with whom the company already has a relationship or its foundation supports.

Financial Support

Aligning charitable giving and pro bono is another way companies marry CSR and pro bono.

- Intel Corporation**: The Intel Involved Matching Grant Program rewards employees, including legal department staff, who volunteer 20 hours or more at a school or qualified nonprofit organization with a donation from the Intel Foundation to such organization. As Intel puts it, the program "aims to recognize and motivate Intel employees, globally, to engage in outreach and volunteerism to make our communities a better place to live,

work, and play.” Intel’s legal department supports volunteering by employees in their respective areas of expertise, and encourages its lawyers and other legal department staff to support several pro bono projects that align with the company’s emphasis on education. Since the pro bono program’s formation in 2006, Intel attorneys have assisted more than 1000 pro bono clients in the U.S. alone, in such varied fields as debt and housing advice, family guardianship matters, and counseling low-income entrepreneurs. In particular, the company has developed the Intel Advice Clinic, which provides advice to the elderly and others troubled by debt collectors. Their significant contributions are further supported by Intel Involved grants.

- Merck & Co., Inc.**: Merck, which has one of the oldest in-house pro bono programs in the country, works with a number of legal services organizations to provide pro bono legal assistance to individuals and organizations in the communities where its employees live and work. The legal department also works closely with the Merck Company Foundation, which provides financial support to many of legal service partner organizations the Merck legal department works with on pro bono. In 2008, the legal department expanded its program to include a bankruptcy clinic to help low-income individuals and families filing for Chapter 7 in New Jersey and to help manage the backlog of bankruptcy cases pending before the courts. To help support the program, the Merck Company Foundation regularly provides funding to Volunteer Lawyers for Justice, the legal service provider that works with the Merck legal department on this project. The Merck Company Foundation also provides financial support to Community Hope Inc., a nonprofit that assists homeless veterans, among others. Merck identified assisting homeless veterans as a theme of its CSR efforts in 2011. Aligning with the company’s new CSR efforts, the legal department began to provide legal assistance to the clients of Community Hope in 2012. Merck’s in-house attorneys have helped veterans avoid bankruptcy, clear criminal records, and resolve debt issues.

Corporate Pro Bono can help you brainstorm ways to align legal pro bono work with your CSR and other social impact objectives. For technical assistance, please contact CPBO at cpbo@probonoinst.org.

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