IN-HOUSE PRO BONO IN PRACTICE PROFILE: DUKE ENERGY CORPORATION
October 2017

Duke Energy formalized its pro bono efforts in 2009, when the company's legal department signed on to the **Corporate Pro Bono Challenge®** initiative. Since then, the company has experienced several transitions, including a 2012 merger with Progress Energy, Inc. and a 2016 merger with Piedmont Natural Gas, resulting in a larger department. Through it all, Duke Energy has not only retained its 50% participation goal, but due to increased participation each year, current Executive Vice President, External Affairs, Chief Legal Officer and Corporate Secretary Julie S. Janson raised the department's benchmark to 70% participation in 2015. Contribution to the pro bono efforts of the department is ingrained in the workplace culture at Duke Energy and emphasis is placed on the combined efforts of lawyers, paralegals, and administrative assistants. As Janson has noted, "Volunteer service to the communities we serve is a long tradition at Duke Energy, and we are proud that part of our community service includes our various pro bono activities that advance the legal rights of our community neighbors."

General Program Information	
Offices with Legal Staff	HQ: Charlotte, NC; Seven other U.S. offices: Cincinnati, OH; Columbus, OH; Greenville, SC; Plainfield, IN; Raleigh, NC; St. Petersburg, FL; Tallahassee, FL
Size of Legal Depart.	69 attorneys; 67 non-lawyers
Pro Bono Leadership Structure	Duke Energy's pro bono program is administered by a committee comprised of 15 lawyers and non-lawyers from every geographic region in which Duke Energy operates. It is led by a chairperson who is responsible for coordinating pro bono partnerships and activities and providing reports to the general counsel.
Pro Bono Policy	Duke Energy has a formal pro bono policy, which among other things: • Strongly encourages legal department members to participate in pro bono service in the communities in which the company operates • Defends, indemnifies, and holds harmless all legal department employees against any claim or cause of action • Defines pro bono as providing legal services without charge, including activities that aid legal service organizations, educating lawyers and the public generally on matters of specific legal content, or promoting the administration of justice • Excludes as pro bono legal services activities such as volunteer non legal services work, teaching law courses, professional speaking engagements, and other career advancement projects, and representing family, friends, or associates.

	• Requires a minimum of one hour on pro bono matters for credit towards Duke Energy Legal Department's pro bono participation goals
Mandatory Pro Bono	Participation in Duke Energy's pro bono program is not mandatory, although it is included among various incentive compensation goals within the legal department. The participation goal for 2017 is 70% of all members of the Duke Energy legal department.
Communications	Opportunities, policies, sample forms, training materials, and recognitions are posted to the Duke Energy legal department's intranet. In addition, information is communicated through the department's newsletter, at department meetings, and via email and personal outreach.
Recognitions/Awards	Every year, the pro bono committee publishes an annual report highlighting the legal department's participation in pro bono activities. In addition, participation is recognized at meetings and through the department newsletter.
Tracking Pro Bono	Duke Energy tracks participation in pro bono across all legal department personnel, including paralegals and administrative assistants. Volunteers email a pro bono committee member who compiles the data, including number of volunteers, number of hours of service, and number of clients served.
Partnerships	Duke Energy partners with law firms, churches, legal service providers, and other legal departments on pro bono work.
Professional Liability	Employees operating under the Duke Energy Bono Program are covered by Duke Energy's self-insurance. In addition, if Duke Energy attorney volunteers are working with a legal service provider, then they are also covered by the legal service provider's malpractice insurance in most cases.
Non-Lawyer Involvement	Paralegal and administrative assistants are encouraged to participate in pro bono and are included in the participation goal. Non-lawyers also serve on the pro bono committee.
Key Pro Bono Projects	
Annual Wills Clinics	• **Wills for Schools.** In 2010, Duke Energy partnered with Alston & Bird and Legal Services of the Southern Piedmont (LSSP) to create the "Wills for Schools" program to provide free wills and estate planning documents to employees of the public school system in Charlotte, North Carolina The program was modeled after the popular "Wills for Heroes" program which provides free wills and estate planning documents for first responders. This one-day event was held annually starting in 2011 and continuing in each of 2012, 2013 and 2015. Since its inception, this program has provided wills

	and estate planning documents to several hundred school employees. • **Community.** In 2013, Duke Energy's Raleigh, North Carolina office created an annual wills event in which it partners with local legal service provider organizations, law firms, and churches to provide free estate planning documents to indigent community members, including seniors. Since 2013, Duke Energy volunteers assisted more than 100 clients. • **Wills for Seniors.** In 2014, Duke Energy created another partnership with K&L Gates and LSSP to provide estate planning documents for seniors living in the Charlotte, North Carolina area. During the inaugural "Wills for Seniors" program in 2014, 38 clients were provided with free wills, health care powers of attorney, and other estate planning documents. This event is held annually. • **First Responders.** Duke Energy partners with the Cincinnati Paralegal Association to hold estate planning clinics to serve the needs of first responders in Cincinnati and Northern Kentucky. One or two events are held per year serving 30-50 clients per event.
Assisting Children in Need	• **Guardian Ad Litem Program**. Lawyers from Duke Energy collaborate to serve as Guardian ad Litem counsel for appeals to the North Carolina Court of Appeals on cases involving termination of parental rights. Lawyers spend hundreds of hours each year diving into the facts of the case, researching applicable law, and filing an appellate brief in support of the child's best interests. Six children have been served through this effort in the last 24 months. • **Safe Child Immigration work.** Charlotte legal department teams of attorneys, paralegals, and administrative professionals have taken cases to represent parents of unaccompanied immigrant children from Central America in petitions to state court for legal custody. The clients seek to establish custody as the first step in the legal process after which they will seek special immigrant status for the children in immigration court. If granted, such status would permit the children to remain with the custodial parent. Volunteers have successfully obtained custody orders for four children.
Assisting Small Businesses and Nonprofit Organizations	• **Entrepreneurship and Community Development Clinic (ECDC).** In 2011, Duke Energy's Cincinnati legal department partnered with the University of Cincinnati College of Law's ECDC to provide free legal advice to local small businesses. Since then, Duke Energy volunteers participate in the one-day event each year and have assisted approximately 230 clients.

	• **Pro Bono Legal Advice to Non-profit Associations.** Attorneys in the Plainfield, Indiana office provide pro bono legal services to several local non-profit associations. One of these organizations is Indy Reads, a not-for-profit organization that relies on volunteers to provide basic literary tutoring to illiterate and semi-literate adults in Central Indiana. Another organization is the Phoenix Theatre, a non-profit professional contemporary theatre company that produces unique performances for the Indianapolis community to create dialogues about current affairs. • **Serving as Outside General Counsel.** The Charlotte, North Carolina office provides pro bono legal services to Alexander Youth Network, a charitable organization that provides professional treatment for children with serious emotional and behavioral issues. Attorneys provided pro bono legal assistance ranging from advising on contract matters to employment matters and other corporate law issues. The legal department has continued providing these pro bono legal services each year in response to the needs of the organization.
Criminal Expunction Program	In 2013, Duke Energy partnered with the Charlotte School of Law, Parker Poe Adams and Bernstein, and Legal Aid of North Carolina to create the criminal expunction program that assists pro bono clients in filing petitions for expunction and certificates of relief. Parker Poe conducted a one-hour training attended by more than 80 attorneys, paralegals, and administrative staff. The Charlotte School of Law developed an intake program and hotline which screens potential criminal expunction clients and routes eligible clients to Legal Aid of North Carolina. Legal Aid of North Carolina verifies the eligibility of the client for expunction and routes the case to either Duke Energy or Parker Poe. In its inaugural year, 58 pro bono clients were served. In total, approximately 200 clients have received assistance.
Intake and Brief Advice	• **Partnership with Neighborhood Christian Legal Clinic**. The legal department of the Plainfield, Indiana office partners with the Neighborhood Christian Legal Clinic to provide pro bono legal representation and preventative legal education to low income families, including immigrant families. Duke Energy provides one attorney or paralegal each month from January through November to gather factual and financial information from persons seeking legal assistance. • **Hendricks County Bar Association Intake Program**. For several years, volunteers from the Plainfield, Indiana office also provide assistance at the Hendricks County Bar Association Intake Program for low-income residents who need help filing online applications and forms.

	• **Call4All Program**. The Raleigh, North Carolina legal department participates in the annual Call 4All event, a statewide pro bono program organized by the North Carolina Bar Association, taking calls from pro bono clients seeking legal advice and referrals on North Carolina legal issues. • **Florida State and County Bar Intake Programs**. In St. Petersburg, Florida, members of the legal department routinely participate in intake programs sponsored by the Bay Area Legal Services in Tampa, Community Law Program in St. Petersburg, and Legal Services of North Florida in Tallahassee. These intake programs hold events several times a year and focus on providing pro bono legal assistance to low-income clients on a wide variety of civil legal matters including family law issues, domestic violence, bankruptcy, foreclosure, and probate issues.
Lessons Learned	
Goals Matter	Duke Energy's legal department has set increasing annual goals for participation that have proven to be extremely successful. Initially the goals were 30% by 2011 and 50% by 2012. In 2011, the department exceeded its goal and achieved 54% participation. In 2012 and 2013, the department met its 50% participation goal. Management set a higher goal of 65% for 2014 and 70% for 2015, with a goal of 80% of lawyers reporting to the general counsel participating in pro bono, all of which the department met. The percentage goals remained at 70% for 2016, but the 80% goal for lawyers in department management increased to 100%. The 70% department-wide goal was achieved with 88% participating.
Pro Bono Can Serve the Company's Larger Goals	The legal department's pro bono legal services support two pillars of the company's enterprise-wide "Road Ahead" strategy for 2015: (1) improve the lives of our customers and vitality of our communities and (2) develop and engage employees, and strengthen leadership. With respect to the first pillar, the pro bono legal services often assist individuals and groups that are also Duke Energy customers in its franchised public utility service territories and help to improve their lives and the vitality of the communities in which Duke Energy operates. With respect to the second pillar, the pro bono program engages employees in legal services that commonly differ from the legal services they provide for the corporation, offers development and leadership opportunities when creating new pro bono programs, leading such programs or projects, representing a legal department office, and serving in other leadership roles on the department's pro bono committee. The almost immediate tangible benefits enjoyed by pro bono clients are in contrast to many of the long-term projects

	Duke Energy attorneys and staff often work on. Assisting a pro bono client provides a type of satisfaction that complements what volunteers do for the company.
Partnerships Can be Powerful	Duke Energy's creation of strategic partnerships with law firms, churches, and legal services organizations has greatly expanded the opportunities available to volunteers, increased the level of volunteer engagement, and expanded the number of clients served. Partners add their experience and administrative expertise to greatly enhance the department's efforts.
Engage All Members of the Legal Department	Duke Energy has encouraged and supported the participation of its legal department staff (paralegals and administrative assistants) in providing pro bono legal services in the following key ways: 1. including pro bono participation targets and tracking participation, which apply to all lawyers, paralegals and legal administrative assistants; 2. inviting paralegals and administrative assistants to serve as key members of the pro bono committee; 3. creating pro bono programs that capitalize on the skills that paralegals and administrative assistants can offer (e.g., paralegals and administrative assistants serve as notary publics and witnesses, as well as assist in the preparation of the estate planning documents); 4. providing such staff the flexibility to devote time to working on pro bono cases during normal business hours; 5. offering CLE seminars to all of the legal department staff interested in working on applicable pro bono cases; and 6. pairing up legal department staff members with attorneys to work on pro bono cases together so that staff receive the full support of an attorney. As a result, staff have always participated in pro bono. In 2014, 26 of 29 paralegals (or approximately 90% of paralegals) and 19 out of 30 administrative assistants (or approximately 63% of administrative assistants) participated. The strong participation by Duke Energy paralegals and administrative assistants was instrumental in achieving the departmental goal of 65% participation by attorneys, paralegals, and administrative assistants in 2014. In 2016, 29 of 32 paralegals (or approximately 91%) and 21 of 24 administrative professional (or approximately 88%) participated.
Strong Leadership is Key	A successful pro bono program depends upon multiple factors, most importantly leadership devoted to pro bono service, a supportive corporate environment, incentives to participation (including adding an element of incentive compensation if appropriate), and strong buy-in at all levels of the legal department. The Duke Energy committee meets regularly to monitor participation and exchange ideas about

	how to make meaningful contributions in each of the communities where Duke Energy has legal staff. The legal department's pro bono program must reflect the overall company's willingness to give back to its communities, allowing the legal group to use its specific talents to support a broader corporate mission of service.

Developed by Corporate Pro Bono
A global partnership project of Pro Bono Institute and the Association of Corporate Counsel
www.cpbo.org
Copyright 2017 Pro Bono Institute
CPBO® is a registered trademark of the Pro Bono Institute

1025 Connecticut Avenue, N.W., Suite 205 ● Washington, DC 20036
(202) 729.6699 Phone ● (202) 296.0303 Fax
cpbo@probonoinst.org ● www.cpbo.org