



– National Survey –

**Report on the pro bono legal work of individual
Australian Solicitors**

December 2007

Appendix IV

Responses to Survey Questions; New South Wales

NATIONAL PRO BONO RESOURCE CENTRE

Centres Precinct, Law School Building
University of New South Wales NSW 2052
www.nationalprobono.org.au

This work is licensed under a Creative Commons Attribution-Noncommercial-Share Alike 2.5
Australia licence www.creativecommons.org/licenses/by-nc-sa/2.5/

Acknowledgements

Sincere thanks are due to:

- * Associate Professor Belinda Carpenter, School of Law, QUT
- * Social policy and research company *Urbis JHD*.
- * Online research specialists, *Yellow Squares*, www.yellowsquares.com.au/
- * Queensland Law Society for financial assistance
- * All State and Territory Law Societies for their support
- * Staff at NPBRC especially Jenny Lovric, Olivia Wellesley-Cole, John Corker, Lynne Spender & Laura Soley.

Appendix IV

Responses to Survey Questions; New South Wales

Please indicate the state or territory where your office is located:

Table 1

State	Number	Percentage
ACT	7	1%
NSW	327	37%
NT	9	1%
SA	43	5%
Tas	23	3%
Vic	200	23%
WA	53	6%
Qld	225	25%
Total	887	100%

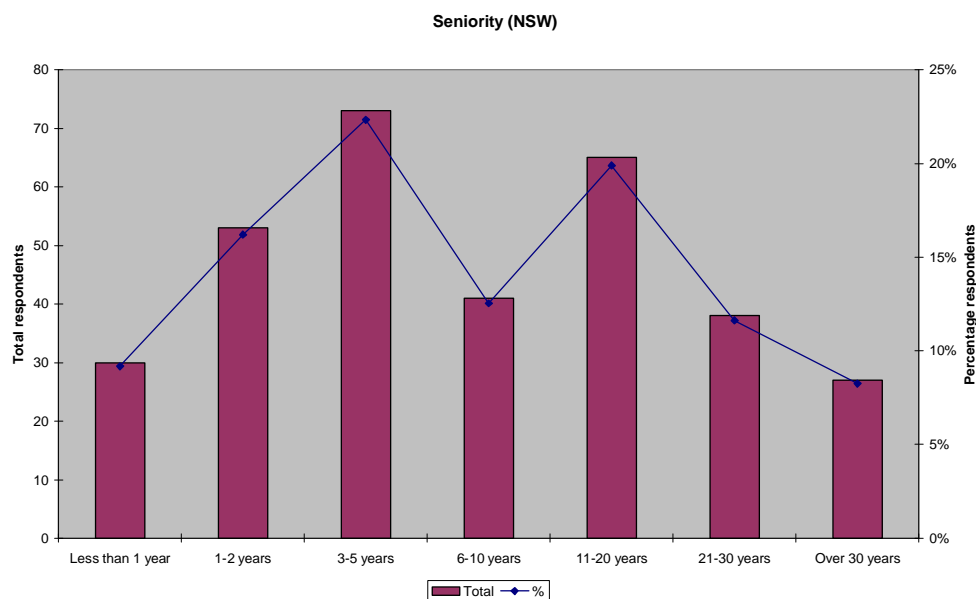
Section 1 - About you

1. How long have you been admitted to practice?

Table 1.1

Seniority	Total	%
Less than 1 year	30	9%
1-2 years	53	16%
3-5 years	73	22%
6-10 years	41	13%
11-20 years	65	20%
21-30 years	38	12%
Over 30 years	27	8%
Total	327	100%

Figure 1.1

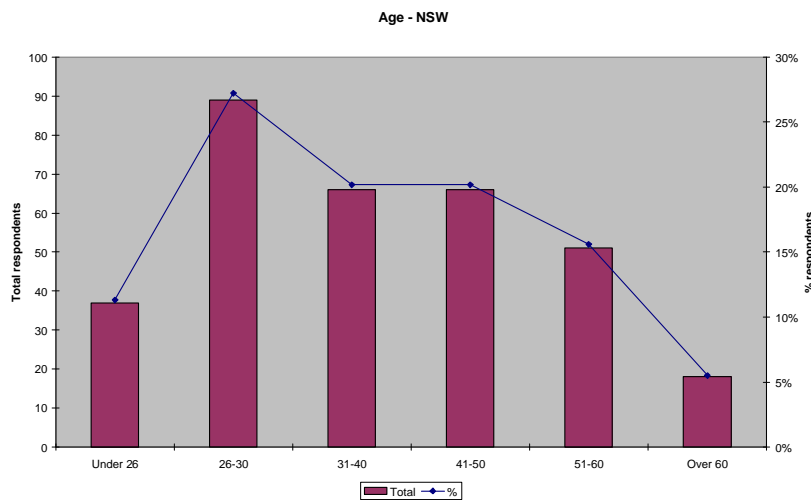


2. How old are you?

Table 1.2

	Total	%
Under 26	37	11%
26-30	89	27%
31-40	66	20%
41-50	66	20%
51-60	51	16%
Over 60	18	6%
Total	327	100%

Figure 1.2

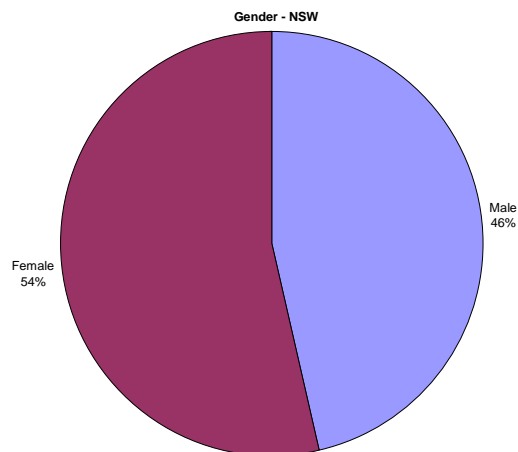


3. Are you...?

Table 1.3

	Total	%
Male	152	46%
Female	175	54%
Total	327	100%

Figure 1.3



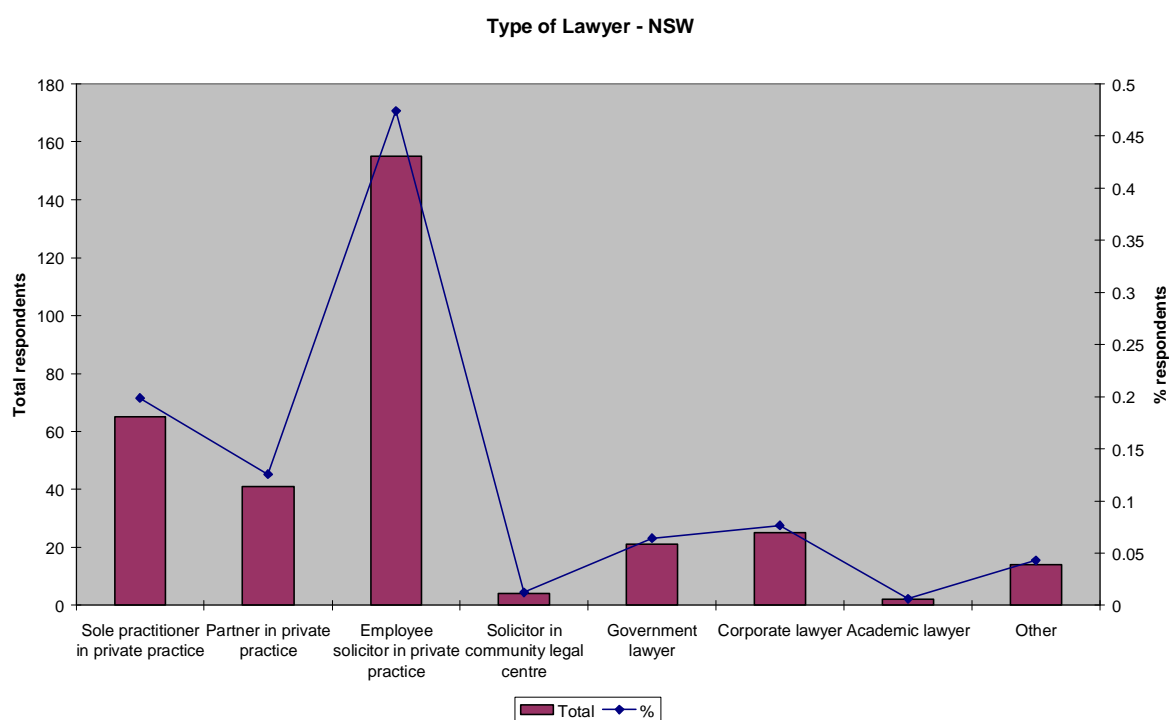
Section 2 - About your job

1. What is your position?

Table 2.1

	Total	%
Sole practitioner in private practice	65	20%
Partner in private practice	41	13%
Employee solicitor in private practice	155	47%
Solicitor in community legal centre	4	1%
Government lawyer	21	6%
Corporate lawyer	25	8%
Academic lawyer	2	1%
Other	14	4%
Total	327	100%

Figure 2.1

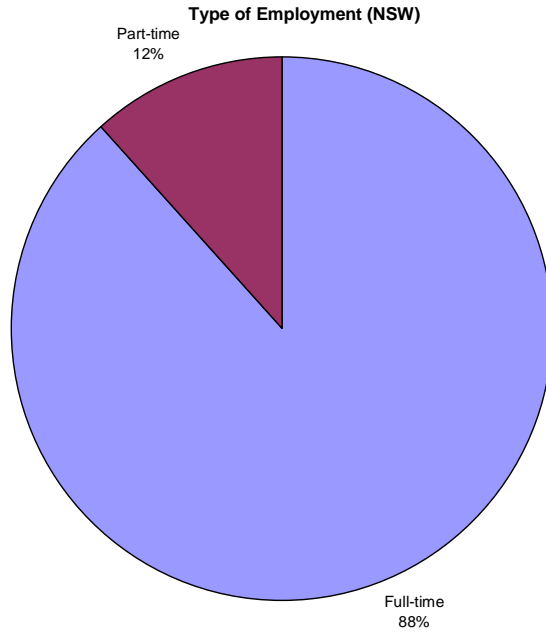


2. Do you work...?

Table 2.2

	Total	%
Full-time	289	88%
Part-time	38	12%
Total	327	100%

Figure 2.2

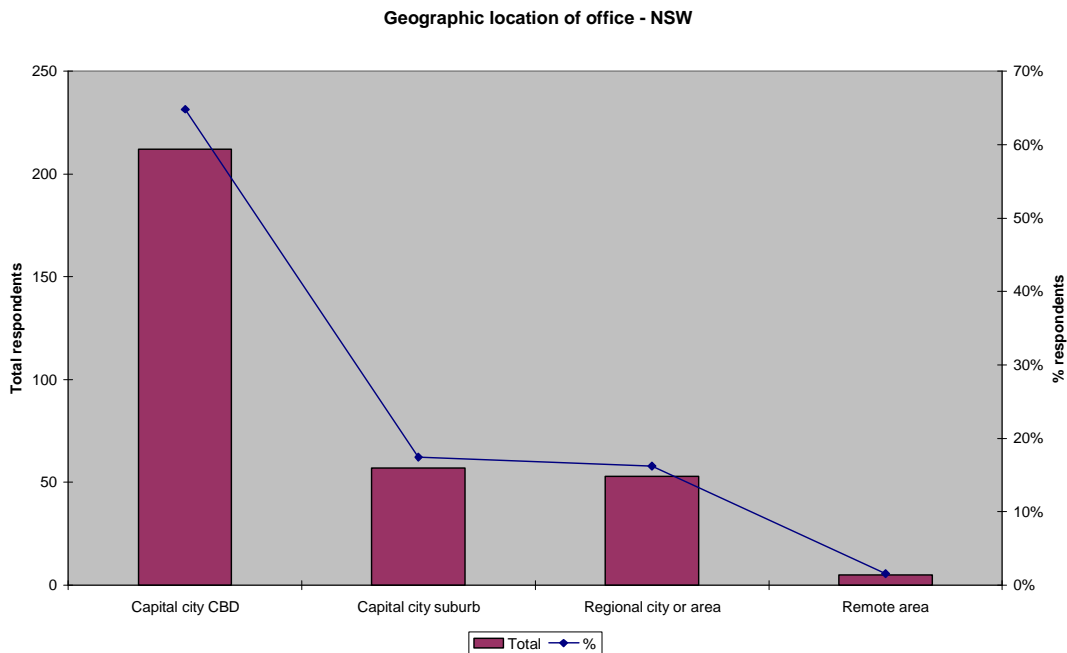


3. Where is your office located?

Table 2.3

	Total	%
Capital city CBD	212	65%
Capital city suburb	57	17%
Regional city or area	53	16%
Remote area	5	2%
Total	327	100%

Figure 2.3

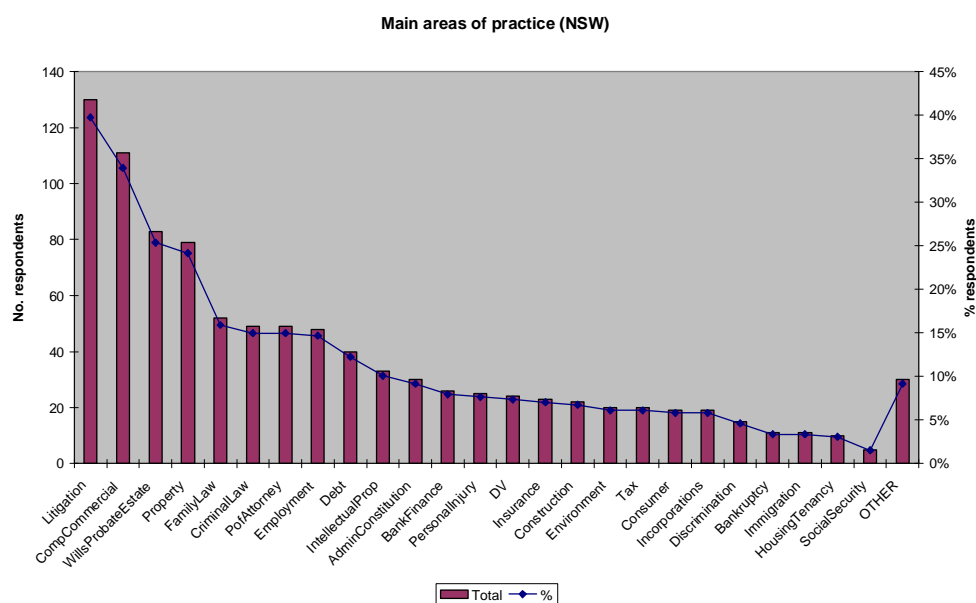


4. In which area(s) do you practice?

Table 2.4

Main areas of practice (NSW)	Total	%
Litigation	130	40%
Company / Commercial	111	34%
Wills \ Probate \ Estate	83	25%
Property	79	24%
Family Law	52	16%
Criminal Law	49	15%
Powers of Attorney	49	15%
Employment	48	15%
Debt	40	12%
Intellectual Property	33	10%
Administration & Constitution	30	9%
Banking & Finance	26	8%
Personal Injury	25	8%
Domestic Violence	24	7%
Insurance	23	7%
Construction	22	7%
Environment	20	6%
Tax	20	6%
Consumer	19	6%
Incorporations	19	6%
Discrimination	15	5%
Bankruptcy	11	3%
Immigration	11	3%
Housing & Tenancy	10	3%
Social Security	5	2%
OTHER	30	9%
Total	327	100%

Figure 2.4



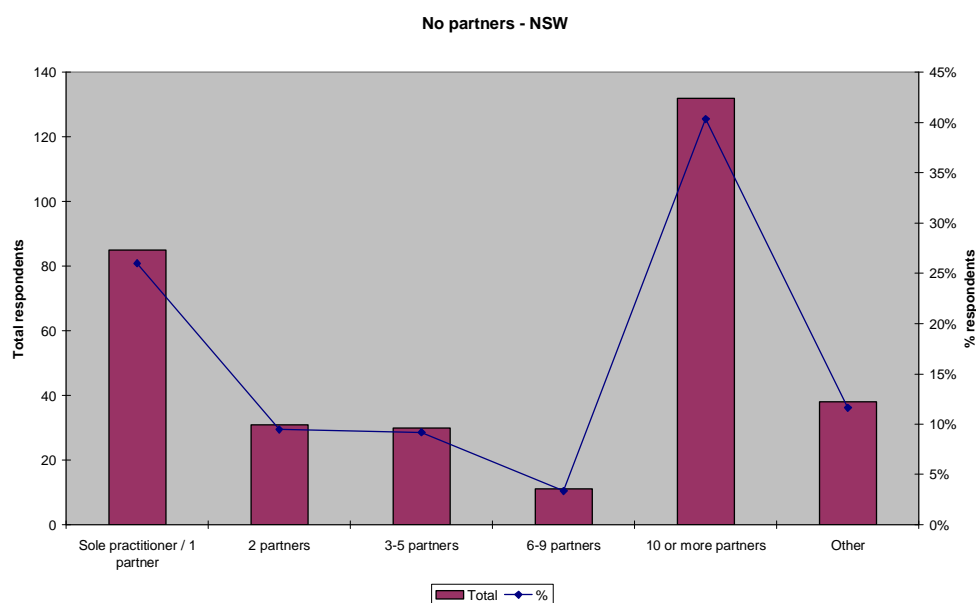
Section 3 - Brief details of your firm/office

1. How many partners are there in your office?

Table 3.1

No. partners (NSW)	Total	%
Sole practitioner / 1 partner	85	26%
2 partners	31	9%
3-5 partners	30	9%
6-9 partners	11	3%
10 or more partners	132	40%
Other	38	12%
Total	327	100%

Figure 3.1

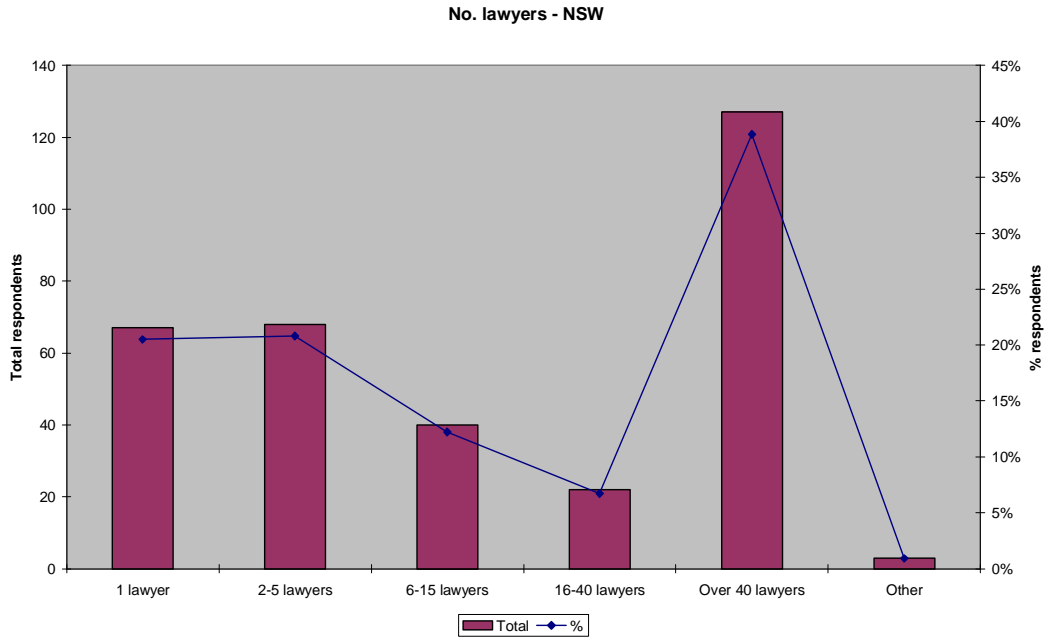


2. How many lawyers (including partners) are there in your office?

Table 3.2

No of lawyers (NSW)	Total	%
1 lawyer	67	20%
2-5 lawyers	68	21%
6-15 lawyers	40	12%
16-40 lawyers	22	7%
Over 40 lawyers	127	39%
Other	3	1%
Total	327	100%

Figure 3.2

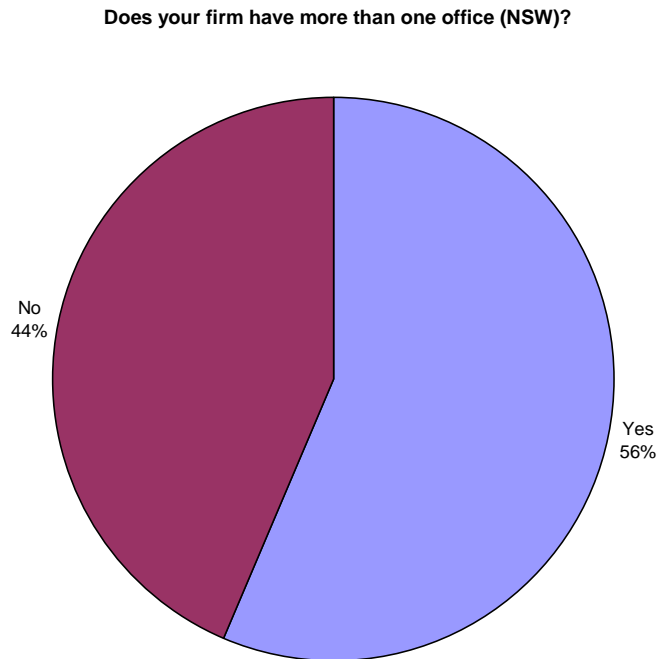


3. Does your firm have more than one office?

Table 3.3

	Total	%
Yes	184	56%
No	143	44%
Total	327	100%

Figure 3.3



4. About your firm's offices...

Table 3.4

Locations of offices of multi-office firms	#	%
My firm has offices in more than one State / Territory	107	58%
My firm has offices in more than one country	68	37%
My firm has more than one office in the State / Territory in which I work	55	30%
My firm has more than one office in another State / Territory	19	10%
Total	184	100%

Figure 3.4



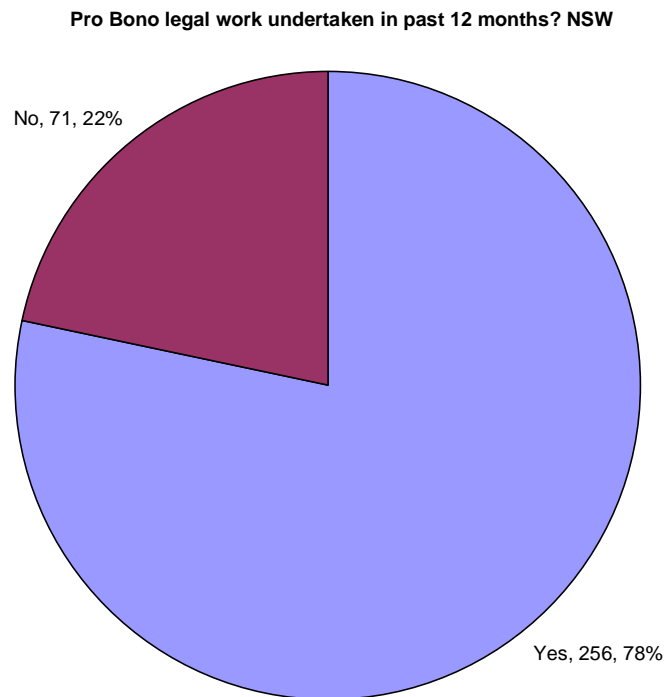
Section 4 - Your Participation

1. In the past 12 months have you spent time doing or coordinating the provision of pro bono legal work?

Table 4.1

Pro Bono legal work undertaken in past 12 months?	Total	%
Yes	256	78%
No	71	22%
Total	327	100%

Figure 4.1

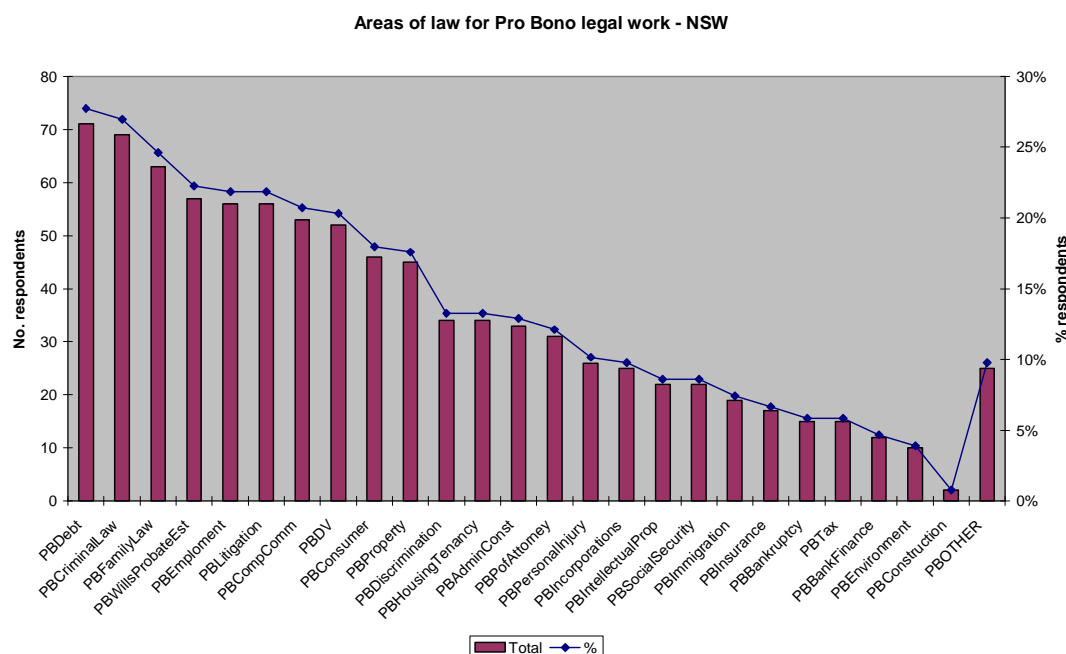


2. In which of the following areas of law have you done pro bono legal work in the last 12 months?

Table 4.2

Areas of law for Pro Bono legal work (NSW)	Total	%
PBDebt	71	28%
PBCriminalLaw	69	27%
PBFamilyLaw	63	25%
PBWillsProbateEst	57	22%
PBEmploment	56	22%
PBLitigation	56	22%
PBCompComm	53	21%
PBDV	52	20%
PBConsumer	46	18%
PBProperty	45	18%
PBDiscrimination	34	13%
PBHousingTenancy	34	13%
PBAdminConst	33	13%
PBPofAttorney	31	12%
PBPersonalInjury	26	10%
PBIncorporations	25	10%
PBIntellectualProp	22	9%
PBSocialSecurity	22	9%
PBImmigration	19	7%
PBInsurance	17	7%
PBBankruptcy	15	6%
PBTax	15	6%
PBBankFinance	12	5%
PBEnvironment	10	4%
PBConstruction	2	1%
PBOTHER	25	10%
Total	256	100%

Figure 4.2

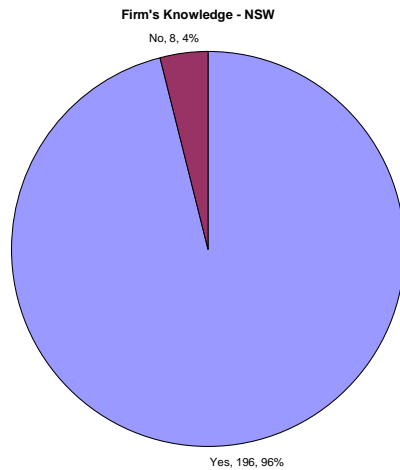


3. Is your pro bono legal work undertaken with your firm's knowledge?

Table 4.3

Firms' Knowledge	Total	%
Yes	196	96%
No	8	4%
Total	204	100%

Figure 4.3

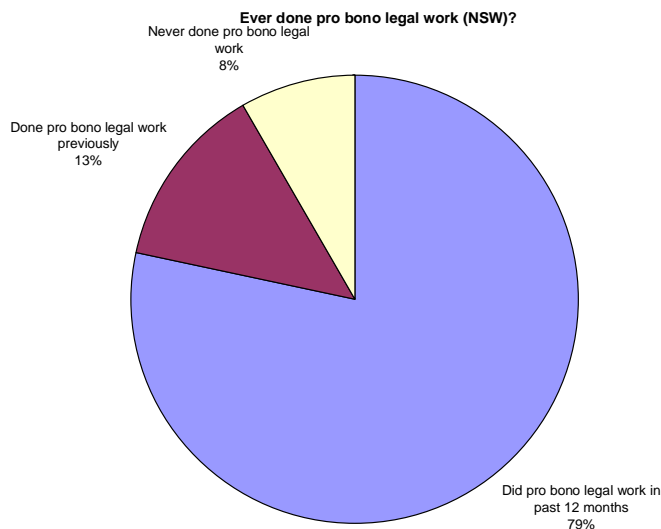


4. Have you ever done pro bono legal work?

Table 4.4

	Total	%
Did pro bono legal work in past 12 months	256	78%
Done pro bono legal work previously	44	13%
Never done pro bono legal work	27	8%
Total	327	100%

Figure 4.4



Section 5 - Types of pro bono legal work

1. How have you done pro bono legal work in the past 12 months?

Table 5.1

How PB work done in past 12 months	Total	%
PB work in firm	210	82%
PB by volunteering	98	38%
PB by being seconded	19	7%
PB in specialist service	14	5%
PB on duty roster	21	8%
Other types	26	10%
Total	256	100%

Figure 5.1

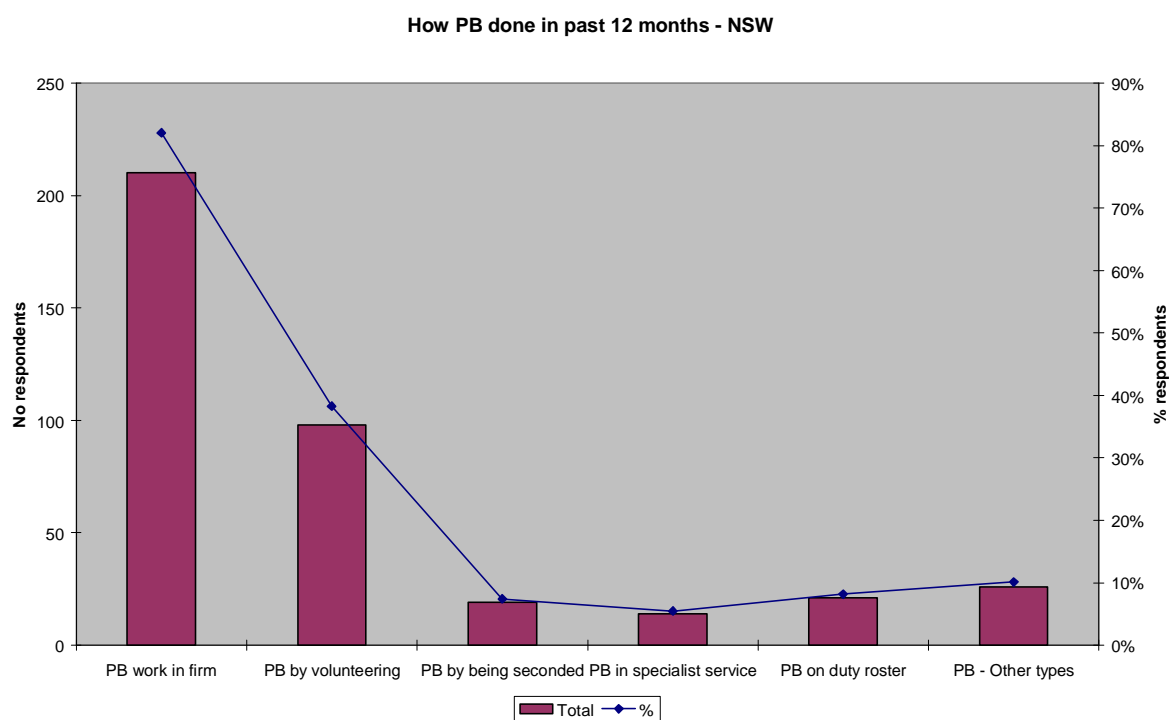
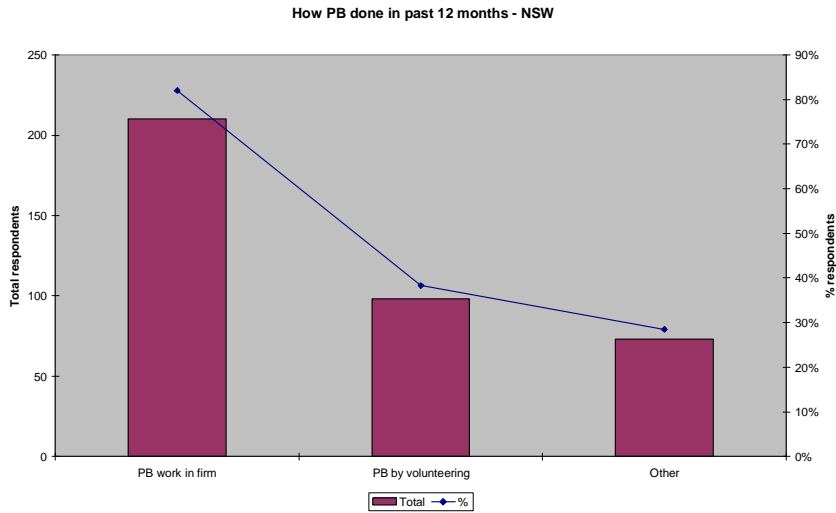


Table 5.2

How Pro Bono legal work was done in past 12 mths	Total	%
PB work in firm	210	82%
PB by volunteering	98	38%
Other	73	29%
Total	256	100%

Figure 5.2

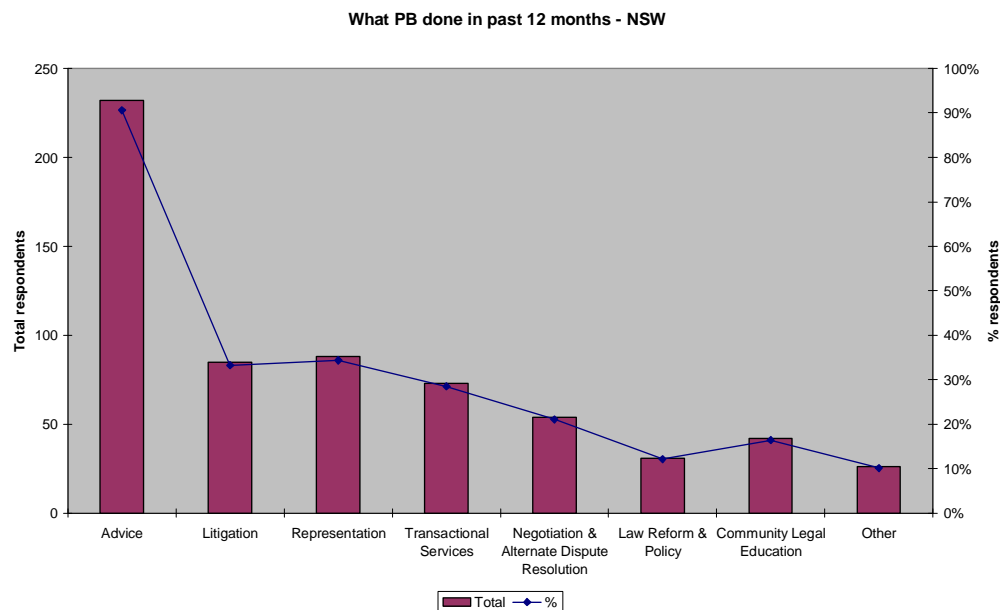


2. Which of the following pro bono legal work have you done in the past 12 months?

Table 5.3

What PB done in past 12 mths	Total	%
Advice	232	91%
Litigation	85	33%
Representation	88	34%
Transactional Services	73	29%
Negotiation & Alternate Dispute Resolution	54	21%
Law Reform & Policy	31	12%
Community Legal Education	42	16%
Other	26	10%
Total	256	100%

Figure 5.3



4. Please could you tell us for whom this pro bono legal work was done?

Table 5.4

PB undertaken in past 12 mths, by 3 client groups	Total	%
Individuals	185	72%
Community Legal Organisations	79	31%
Other Not-for-Profit organisations	146	57%
Clients not Identified	4	2%
Total	256	100%

Figure 5.4

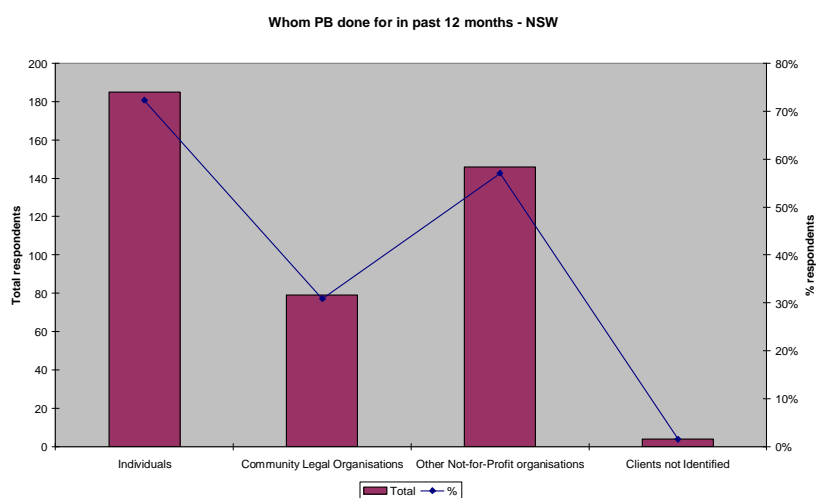
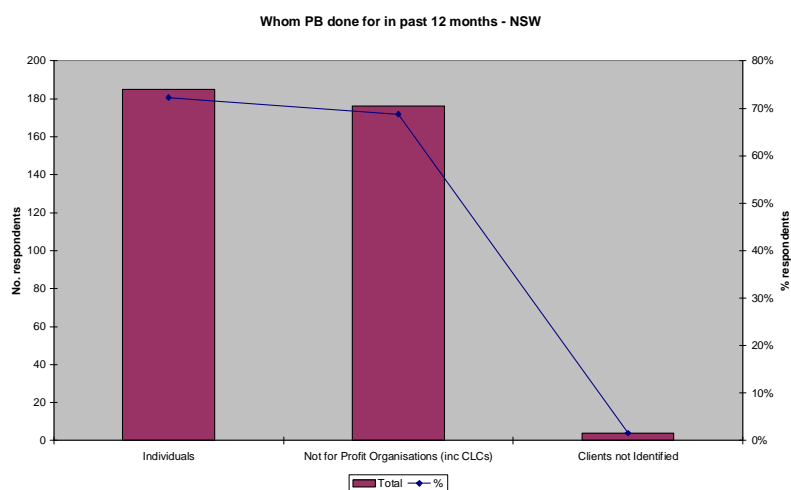


Table 5.5

Pro bono legal work undertaken, by 2 client groups	Total	%
Individuals	185	72%
Not for Profit Organisations (inc CLCs)	176	69%
Clients not Identified	4	2%
Total	256	100%

Figure 5.5



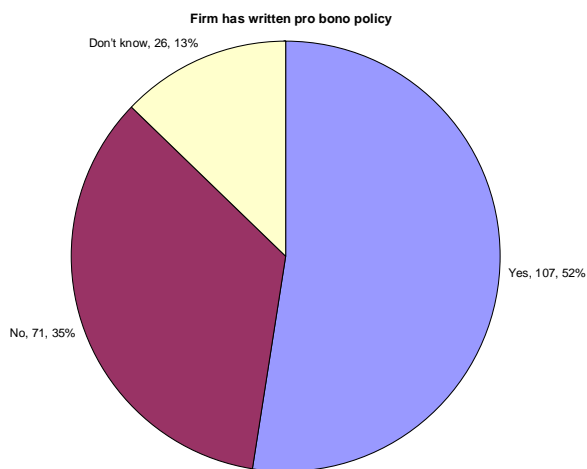
Section 6 - Practice Issues

1. Does your firm have a written pro bono policy?

Table 6.1

Written Policy	Total	%
Yes	107	52%
No	71	35%
Don't know	26	13%
Total	204	100%

Figure 6.1

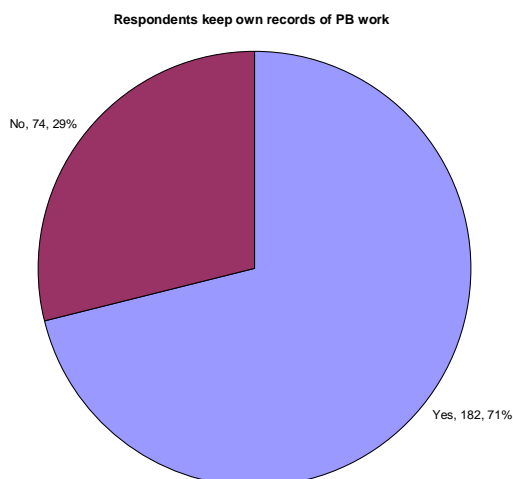


2. Do you keep any record of the pro bono work that you are doing?

Table 6.2

You Keep Record	Total	%
Yes	182	71%
No	74	29%
Total	256	100%

Figure 6.2

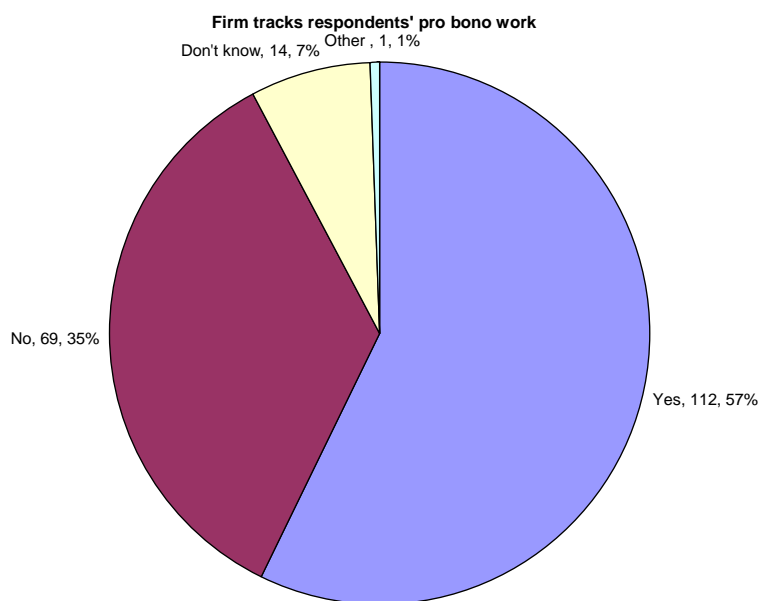


3. Does your firm track how much pro bono work you do?

Table 6.3

Firm track probono work?	Total	%
Yes	112	57%
No	69	35%
Don't know	14	7%
Other	1	1%
Total	196	100%

Figure 6.3



4. Does your firm take your pro bono legal work into account (in a positive manner)?

- In your performance appraisal?
- When considering you for promotion or advancement?
- In your salary reviews?
- In meeting billable hours targets?
- In meeting financial targets?

Table 6.4

PB work taken into account in:	Yes		No		Don't know		N/A		Total	
	#	%	#	%	#	%	#	%	#	%
Performance Appraisal	99	51%	38	19%	35	18%	24	12%	196	100%
Billable Hours Target	78	40%	70	36%	16	8%	32	16%	196	100%
Promotion & Advancement	64	33%	71	36%	32	16%	29	15%	196	100%
Financial Targets	51	26%	53	27%	62	32%	30	15%	196	100%
Salary Review	39	20%	68	35%	58	30%	31	16%	196	100%

Figure 6.4



Figure 6.5

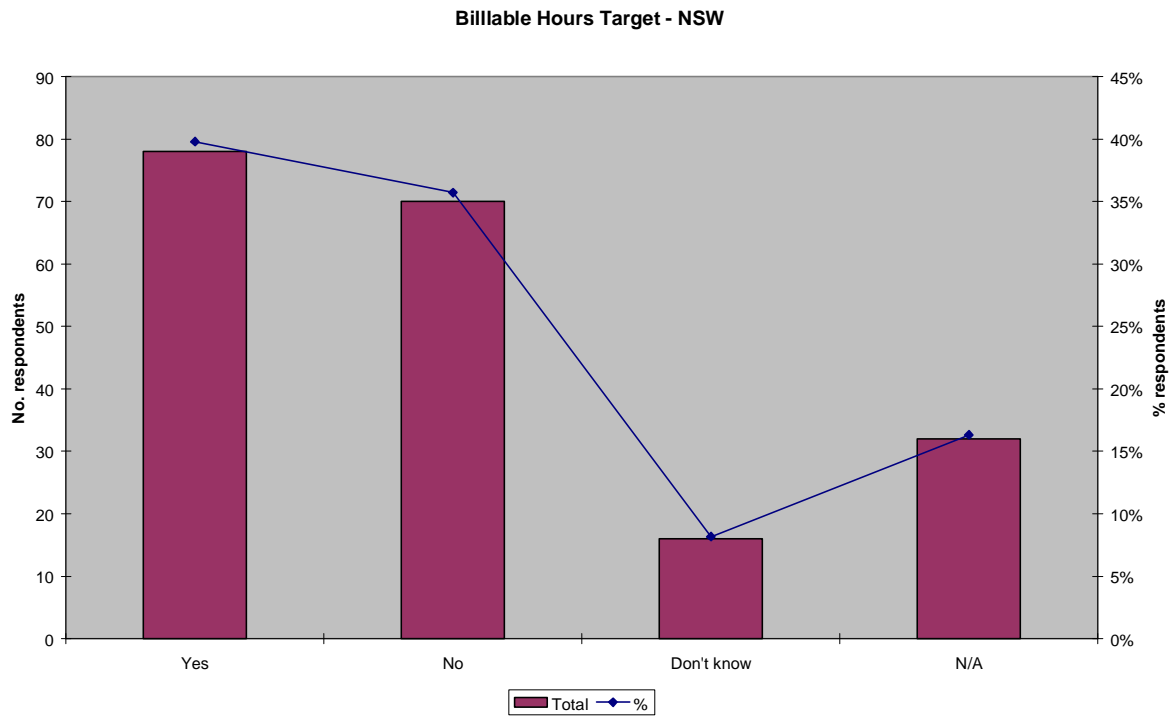


Figure 6.6

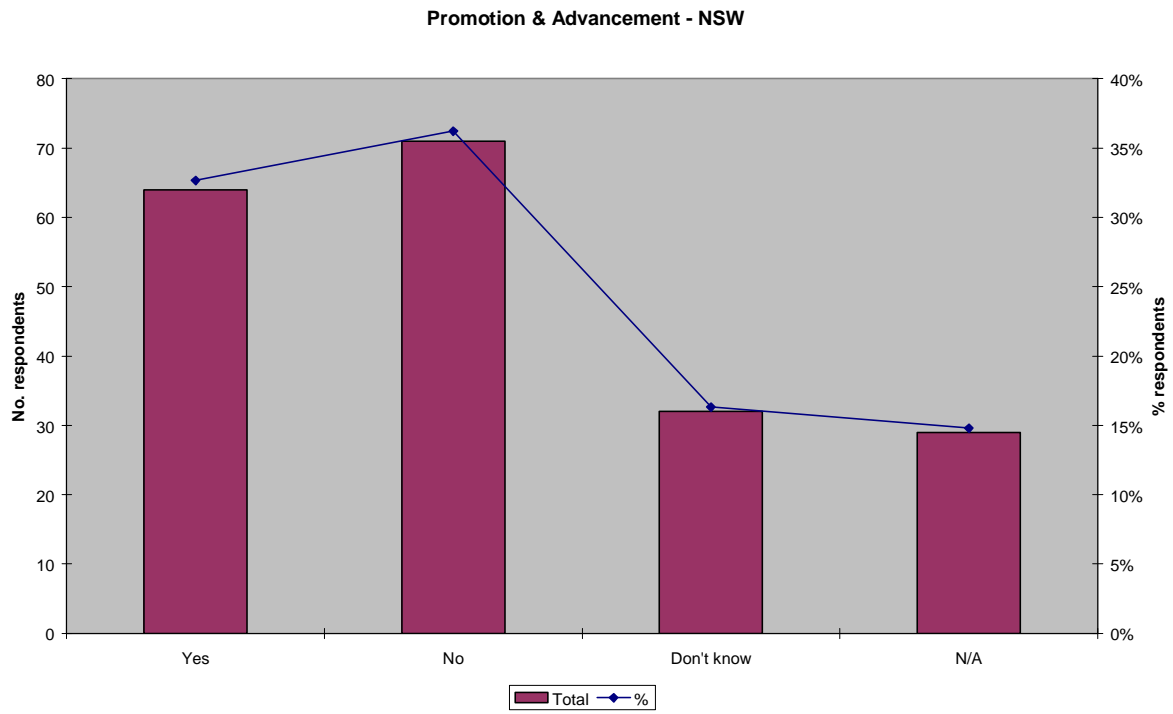


Figure 6.7

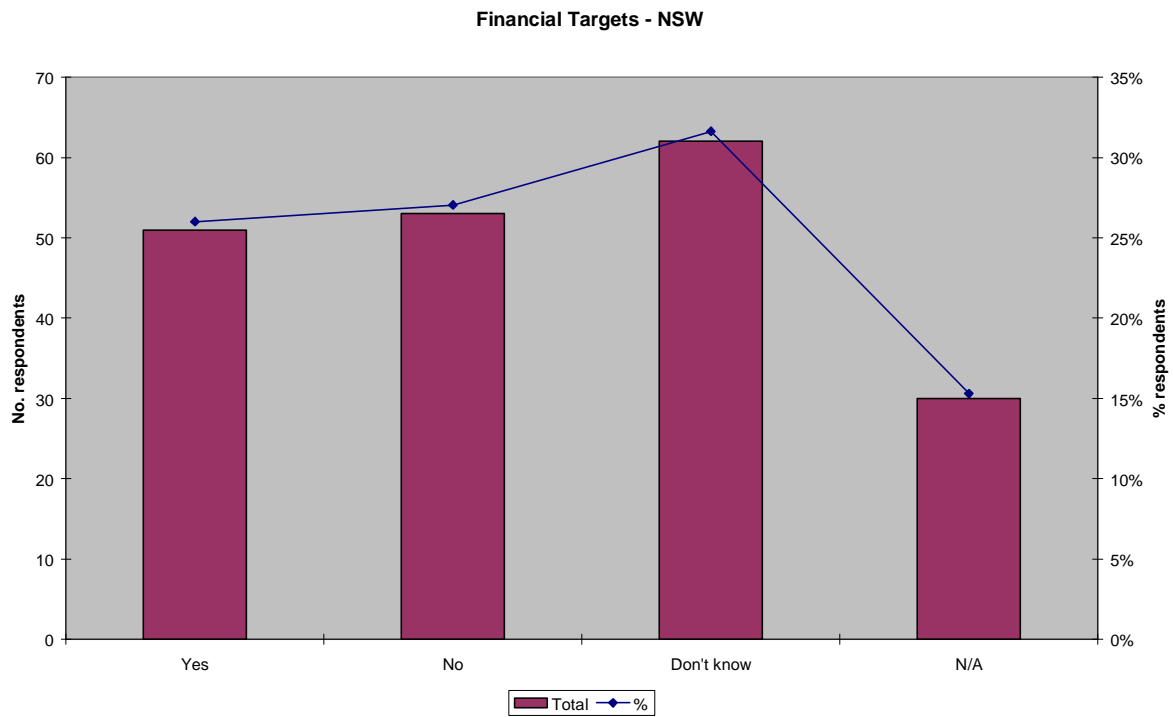
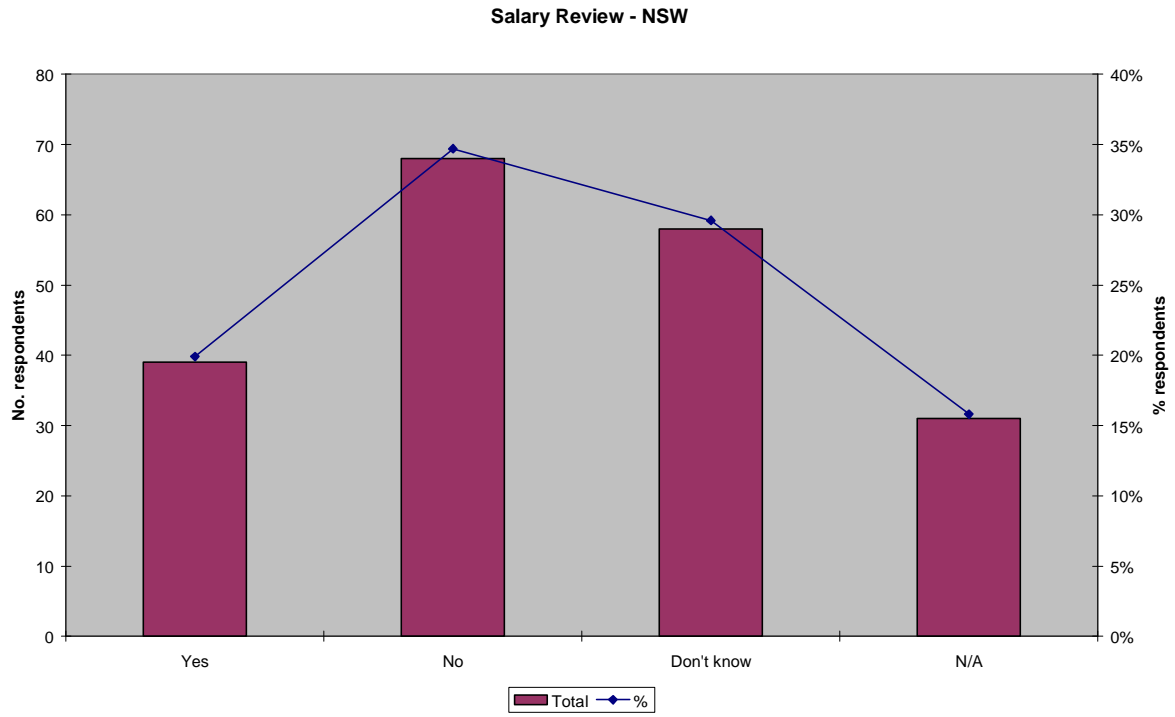


Figure 6.8



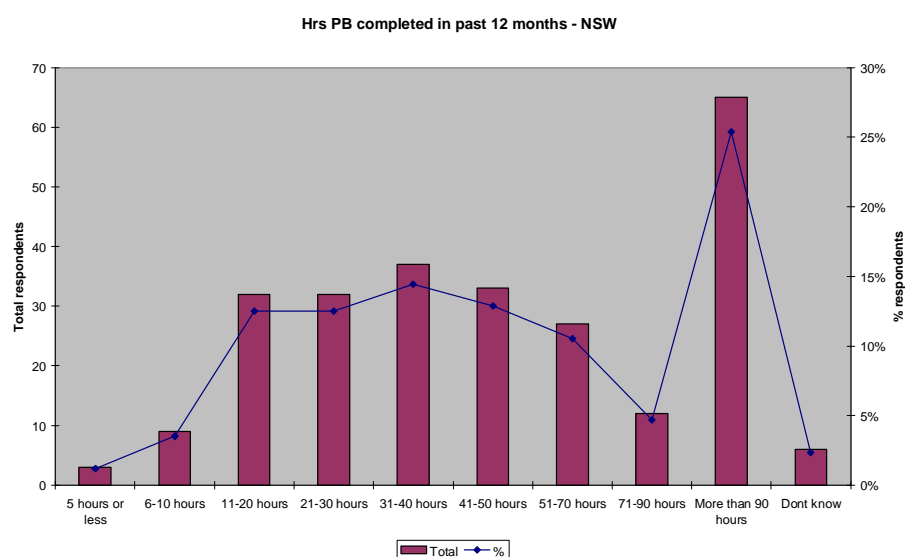
Section 7 - Amount of pro bono work

1. Can you estimate how many hours of pro bono legal work you have completed in the last 12 months?

Table 7.1

	Total	%
5 hours or less	3	1%
6-10 hours	9	4%
11-20 hours	32	13%
21-30 hours	32	13%
31-40 hours	37	14%
41-50 hours	33	13%
51-70 hours	27	11%
71-90 hours	12	5%
More than 90 hours	65	25%
Don't know	6	2%
Total	256	100%

Figure 7.1

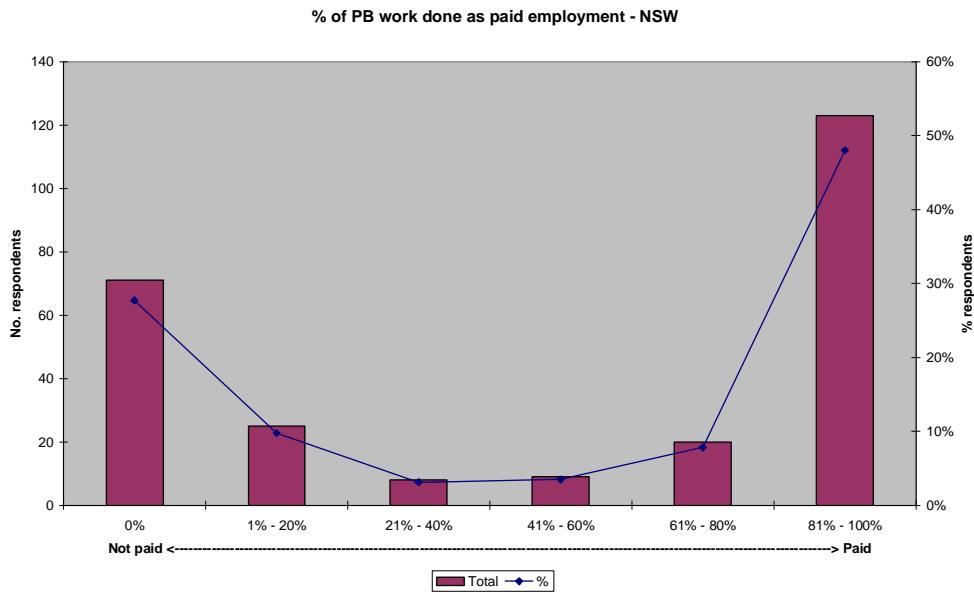


2. How much of this work was done as part of your paid employment?

Table 7.2

% pro bono work as part of paid employment?	Total	%
0%	71	28%
1% - 20%	25	10%
21% - 40%	8	3%
41% - 60%	9	4%
61% - 80%	20	8%
81% - 100%	123	48%
Total	256	100%

Figure 7.2

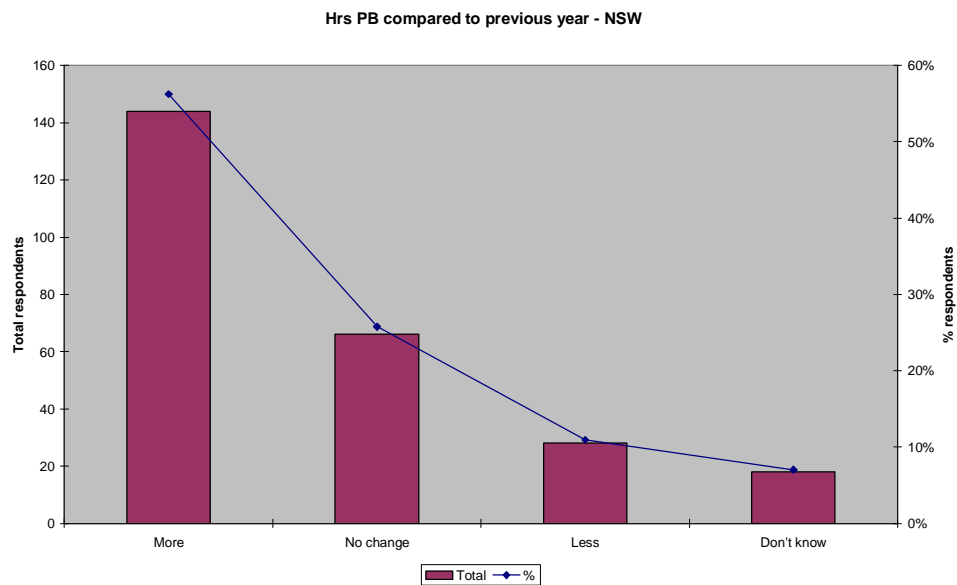


3. Have you spent more or less time in pro bono legal work in the past 12 months than in the previous 12 months?

Table 7.3

	Total	%
More	144	56%
No change	66	26%
Less	28	11%
Don't know	18	7%
Total	256	100%

Figure 7.3



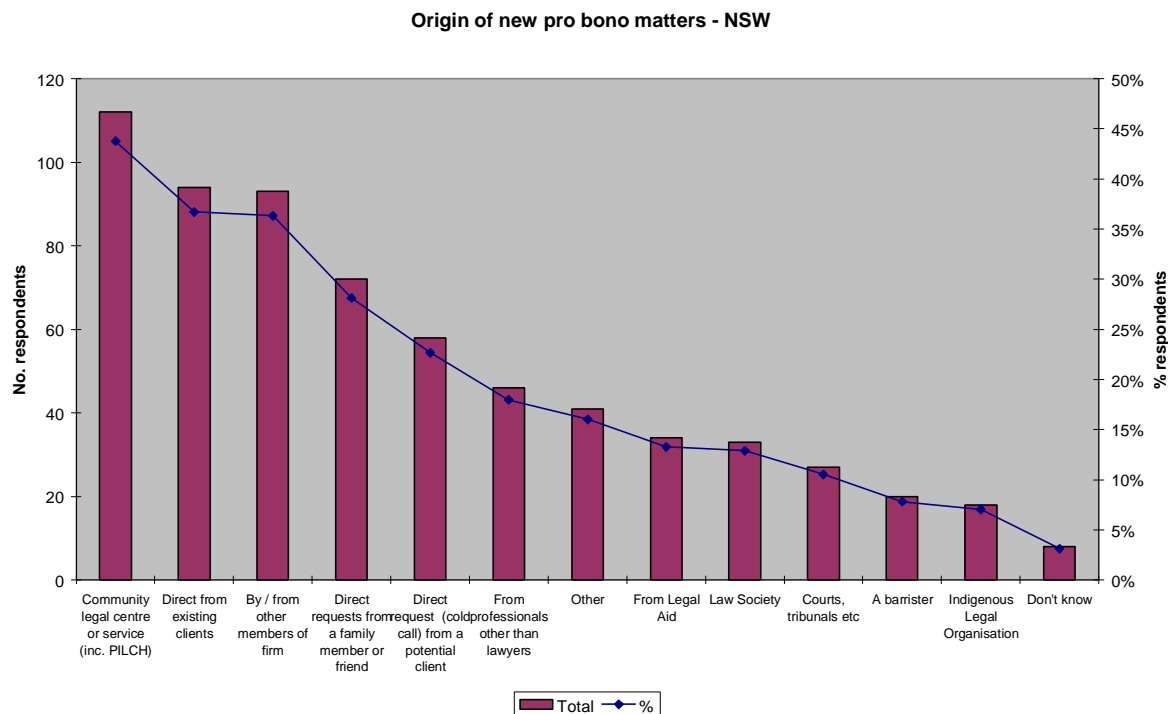
Section 8 - Sources of pro bono work

1. When you take on new pro bono matters, from where do those new matters originate?

Table 8.1

	Number	%
Community legal centre or service (inc. PILCH)	112	44%
Direct from existing clients	94	37%
By / from other members of firm	93	36%
Direct requests from a family member or friend	72	28%
Direct request (cold call) from a potential client	58	23%
From professionals other than lawyers	46	18%
Other	41	16%
From Legal Aid	34	13%
Law Society	33	13%
Courts, tribunals etc	27	11%
A barrister	20	8%
Indigenous Legal Organisation	18	7%
Don't know	8	3%
Total	256	100%

Figure 8.1



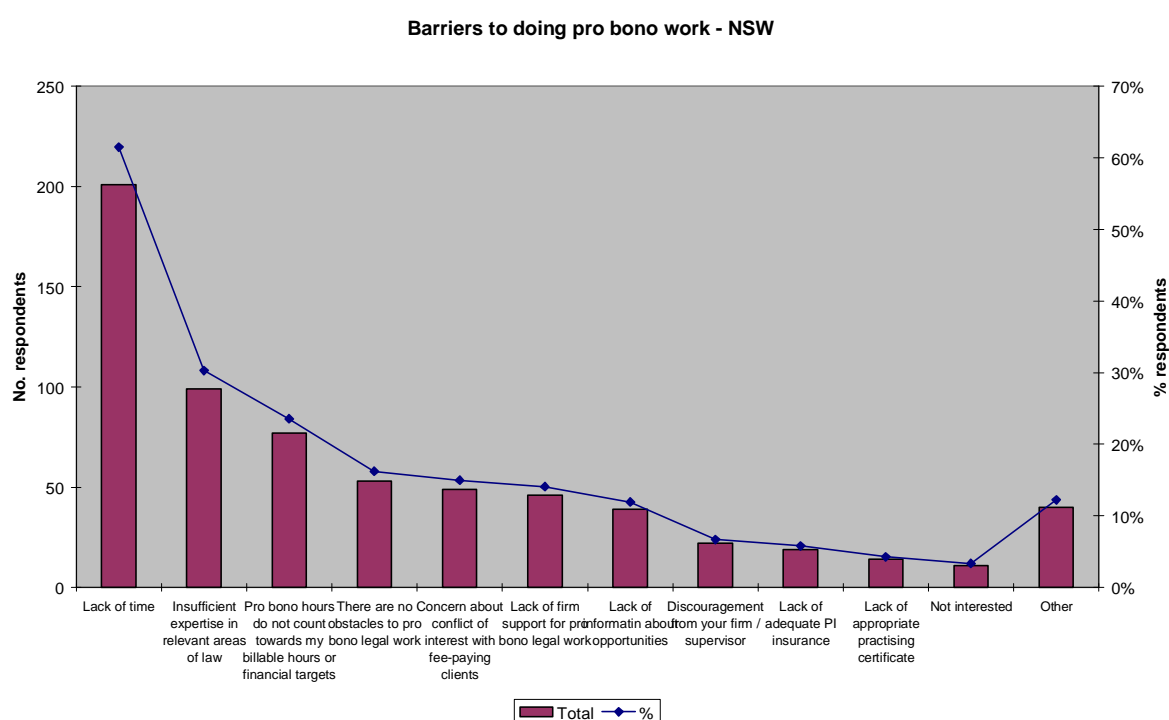
Section 9 - Obstacles to & Encouragement for Pro Bono

1. What gets in the way of you doing pro bono legal work?

Table 9.1

Obstacles to doing pro bono legal work	Total	%
Lack of time	201	61%
Insufficient expertise in relevant areas of law	99	30%
Pro bono hours do not count towards my billable hours or financial targets	77	24%
There are no obstacles to pro bono legal work	53	16%
Concern about conflict of interest with fee-paying clients	49	15%
Lack of firm support for pro bono legal work	46	14%
Lack of information about opportunities	39	12%
Discouragement from your firm / supervisor	22	7%
Lack of adequate PI insurance	19	6%
Lack of appropriate practising certificate	14	4%
Not interested	11	3%
Other	40	12%
Total	327	100%

Figure 9.1

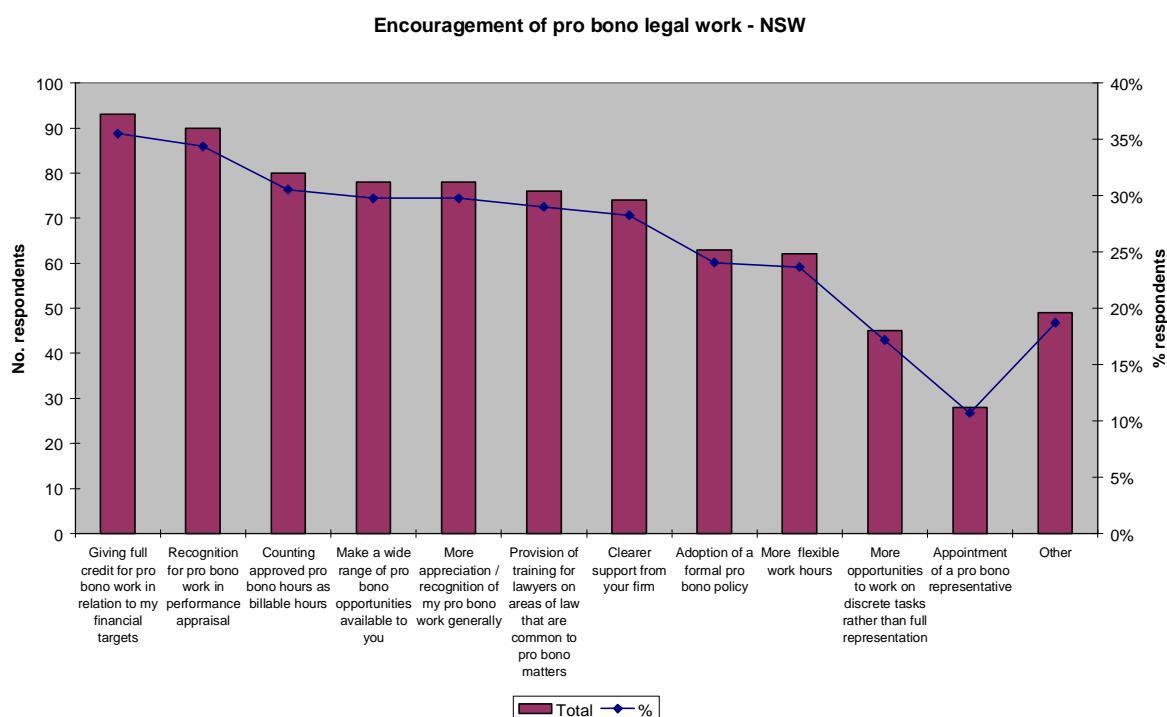


3. What actions could your firm take that would encourage you to do more pro bono?

Table 9.2

Actions firms could take to encourage more pro bono legal work	Total	%
Giving full credit for pro bono work in relation to my financial targets	93	35%
Recognition for pro bono work in performance appraisal	90	34%
Counting approved pro bono hours as billable hours	80	31%
Make a wide range of pro bono opportunities available to you	78	30%
More appreciation / recognition of my pro bono work generally	78	30%
Provision of training for lawyers on areas of law that are common to pro bono matters	76	29%
Clearer support from your firm	74	28%
Adoption of a formal pro bono policy	63	24%
More flexible work hours	62	24%
More opportunities to work on discrete tasks rather than full representation	45	17%
Appointment of a pro bono representative	28	11%
Other	49	19%
Total	262	100%

Figure 9.2



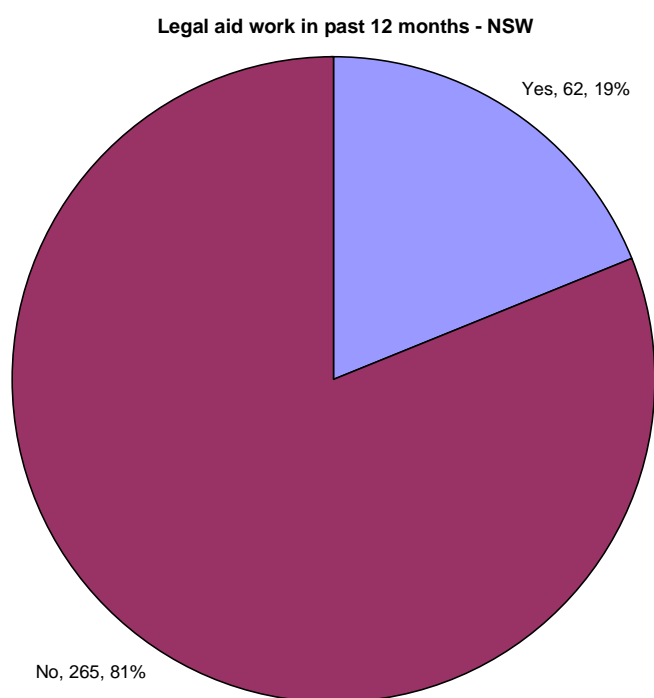
Section 10 - Legal Aid work

1. Did you do any legal aid work in the last 12 months?

Table 10.1

Legal aid work in last 12 mths?	Total	%
Yes	62	19%
No	265	81%
Total	327	100%

Figure 10.1

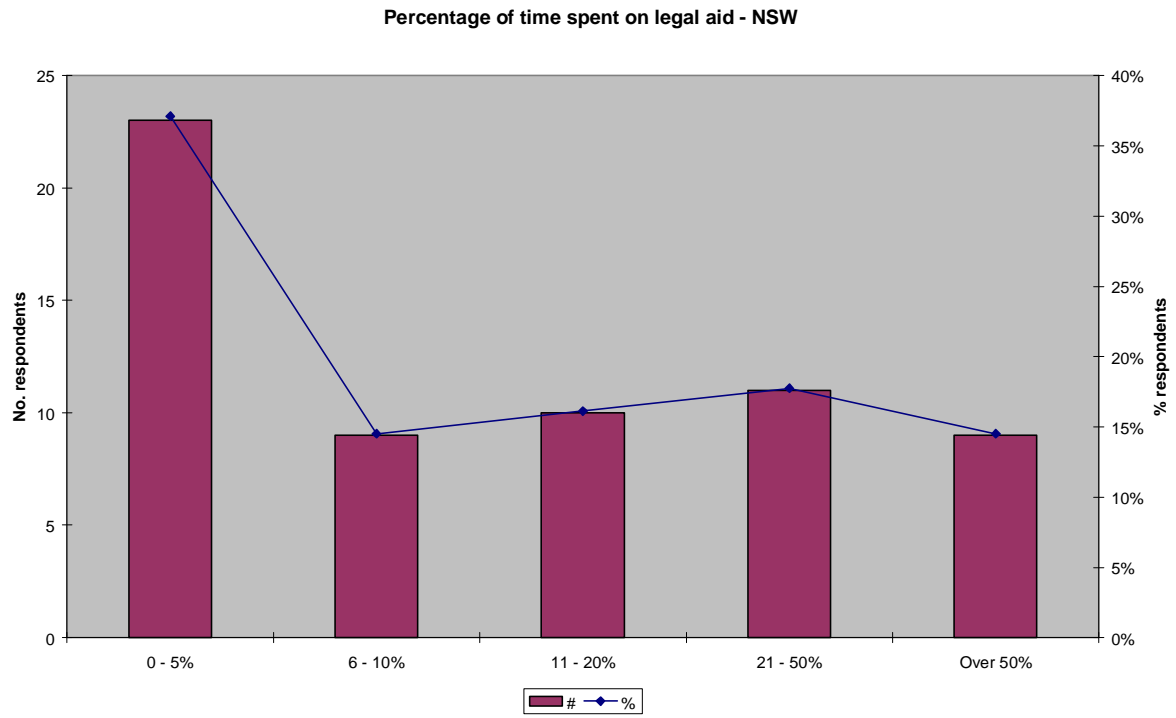


2. In the last 12 months, approximately what percentage of your time was for legally aided clients?

Table 10.2

S10-2. In the last 12 months, approximately what percentage of your time was for legally aided clients?	#	%
0 - 5%	23	37%
6 - 10%	9	15%
11 - 20%	10	16%
21 - 50%	11	18%
Over 50%	9	15%
Total	62	100%

Figure 10.2



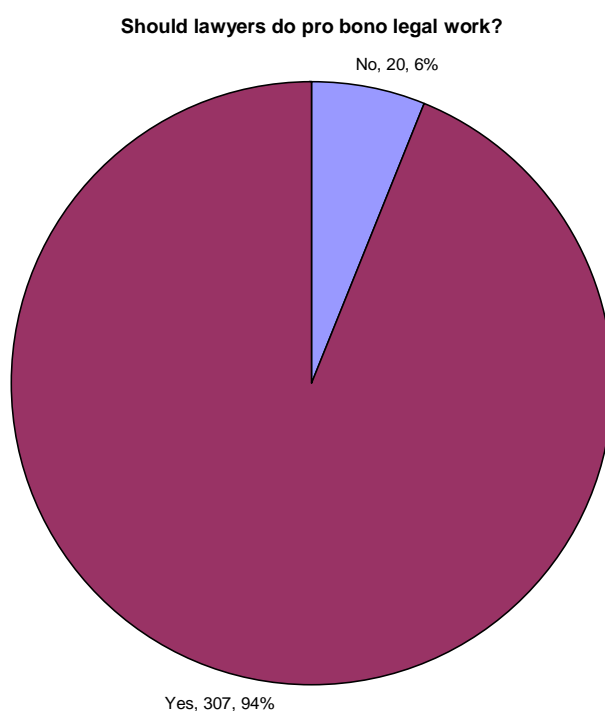
Section 11 - Attitudes to pro bono legal work

1. Do you think that lawyers should do pro bono legal work?

Table 11.1

Should Lawyers do PB?	Total	%
No	20	6%
Yes	307	94%
Total	327	100%

Figure 11.1

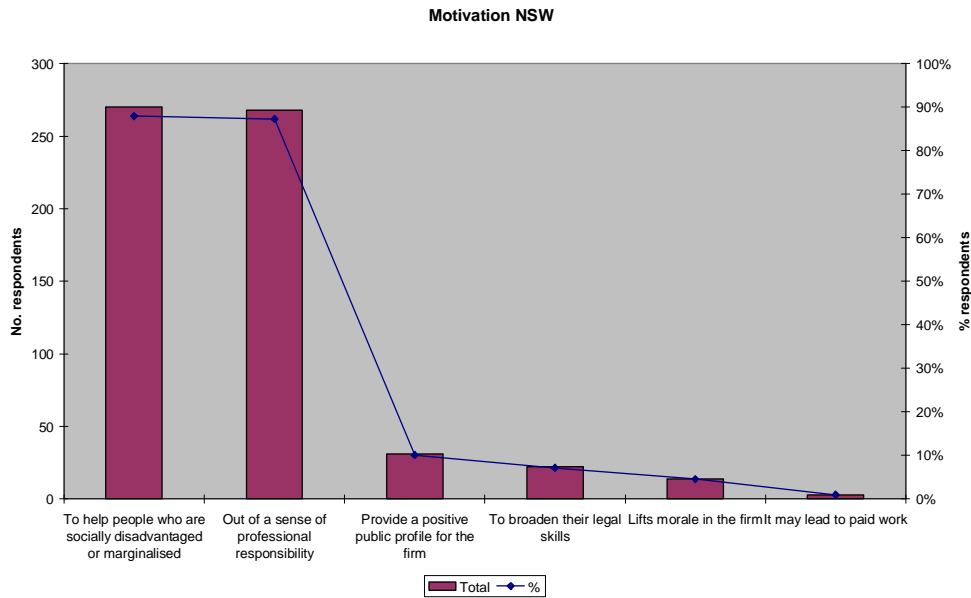


2. Tick the top two factors as to why you think lawyers should do pro bono legal work.

Table 11.2

Why lawyers should do pro bono legal work	Total	%
To help people who are socially disadvantaged or marginalised	270	88%
Out of a sense of professional responsibility	268	87%
Provide a positive public profile for the firm	31	10%
To broaden their legal skills	22	7%
Lifts morale in the firm	14	5%
It may lead to paid work	3	1%
Total	307	100%

Figure 11.2

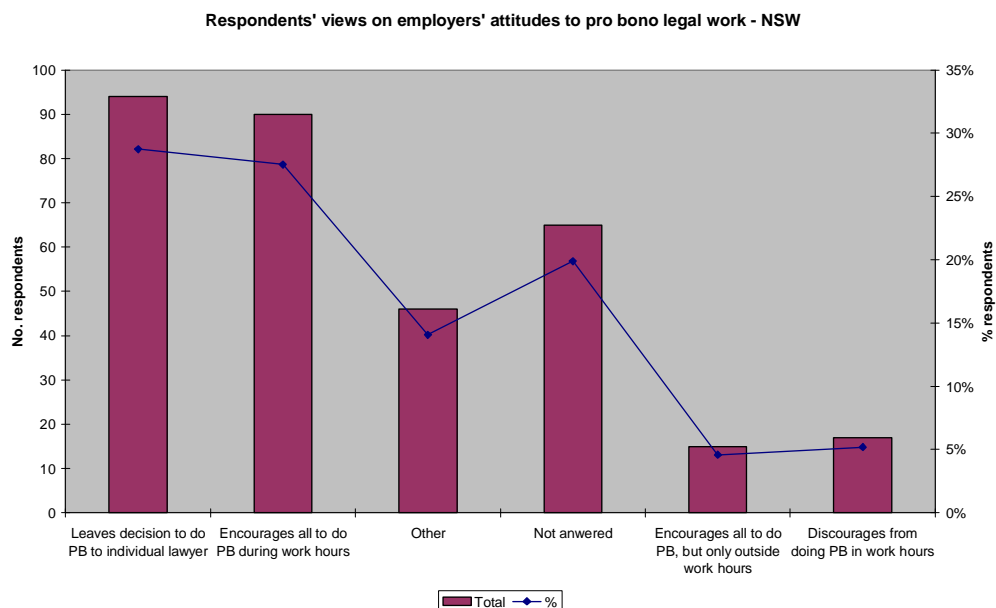


3. What do you think is your firm's/employer's attitude to pro bono?

Table 11.3

What do you think is your firms/employers attitude to pro bono?	Total	%
Leaves decision to do PB to individual lawyer	94	29%
Encourages all to do PB during work hours	90	28%
Other	46	14%
Not answered	65	20%
Encourages all to do PB, but only outside work hours	15	5%
Discourages from doing PB in work hours	17	5%
Total	327	100%

Figure 11.3

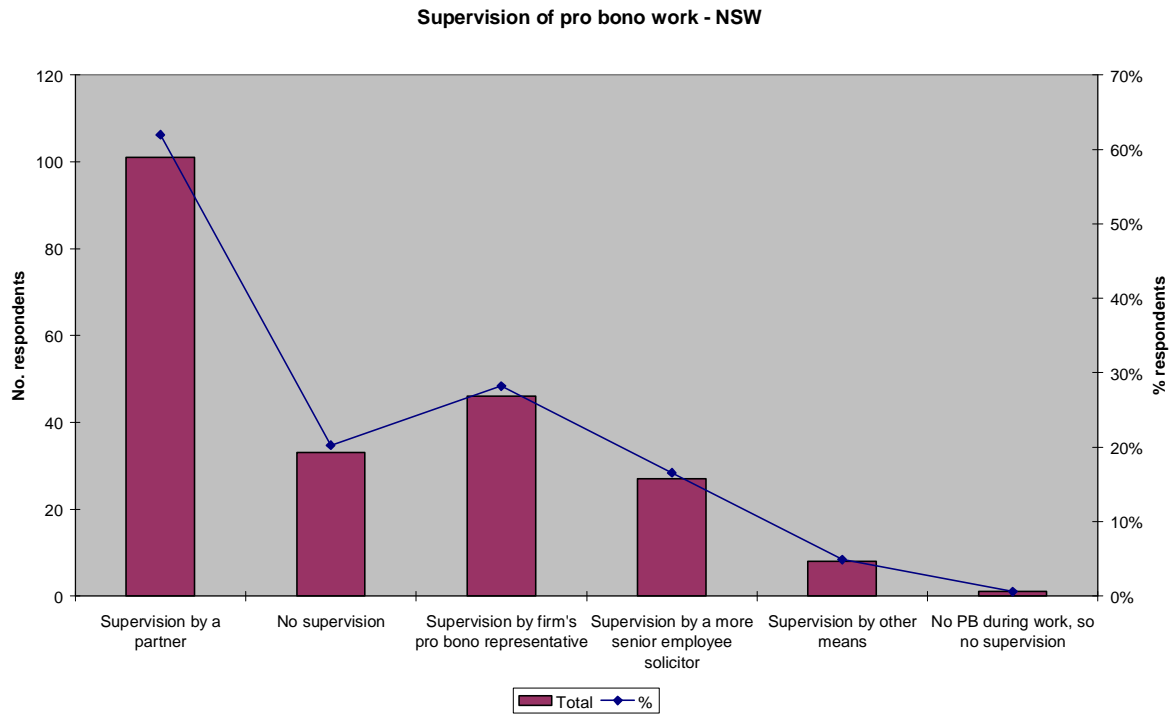


4. In relation to pro bono matters that you carry out during work hours, who supervises that pro bono work?

Table 11.4

Supervision of pro bono matters carried out during work hours	Total	%
Supervision by a partner	101	62%
No supervision	33	20%
Supervision by firm's pro bono representative	46	28%
Supervision by a more senior employee solicitor	27	17%
Supervision by other means	8	5%
No PB during work, so no supervision	1	1%
Total	163	100%

Figure 11.4



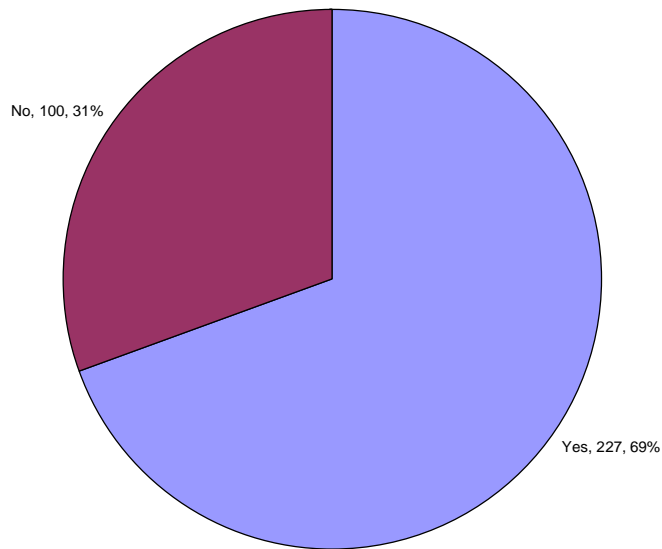
5. Do you think that the Law Society should issue a policy statement about lawyers' commitment to pro bono services?

Table 11.5

	Total	%
Yes	227	69%
No	100	31%
Total	327	100%

Figure 11.5

Should Law Society issue a policy statement about lawyers' commitment to pro bono services? - NSW



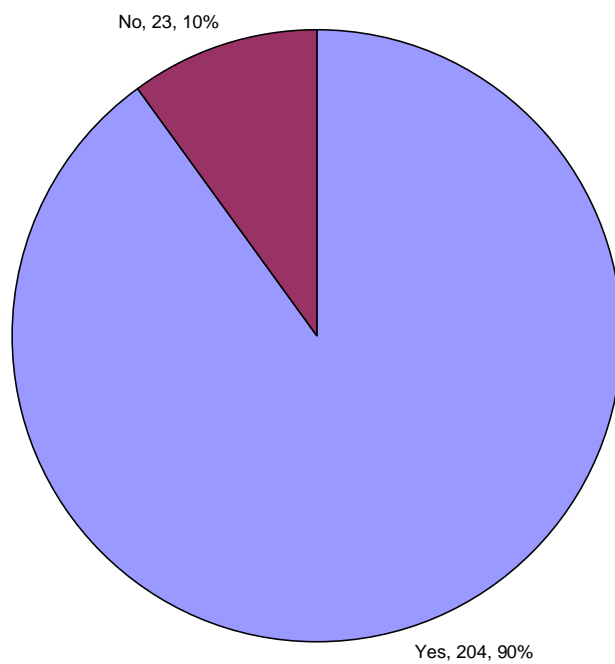
6. Do you think it should include a voluntary pro bono goal to encourage all lawyers to aspire to perform pro bono legal work?

Table 11.6

	Total	%
Yes	204	90%
No	23	10%
Total	227	100%

Figure 11.6

Should statement include a voluntary pro bono goal? - NSW



Section 12 - Australian Pro Bono Manual

1. Are you aware of the Australian Pro Bono Manual – a Practice Guide and resource Kit for Law Firms?

Table 12.1

	Total	%
Yes	63	19%
No	264	81%
Total	327	100%

Figure 12.1

