

Why Firms Should Help Associates Do More Pro Bono Work

By **Rasmeet Chahil** (November 1, 2021, 11:02 AM EDT)

Associates may hesitate to take on pro bono matters due to the added commitment, but pro bono work has tangible benefits for both associates and law firms.

Associates get hands-on experience and learn necessary skills that make them better attorneys. It might be many years until a junior associate obtains courtroom experience on a billable matter, but pro bono matters regularly present the opportunity for associates to argue in court.

Pro bono work also provides associates with a sense of fulfillment and can improve morale.

Firms looking to reap these benefits and recruit more associates for pro bono assignments should consider including pro bono hours in bonus compensation decisions and putting partners at the forefront of pro bono initiatives.



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Benefits for Associates

Real Experience and Skill Building

As a junior associate, I was looking for the elusive courtroom experience that is important for young attorneys who are just beginning their careers at large firms. I knew that getting into a courtroom would be the best way to improve my litigation skills and advance my career, but I also knew that it would likely be many years before I obtained that experience on a client-billable matter.

I thus sought out pro bono projects that offered me the opportunity to argue in court, and handled two such matters as a third-year associate.

First, I drafted and argued a bond motion in immigration court where I got the on-my-feet experience that I was looking for. I visited my client in a U.S. Immigration and Customs Enforcement detention center, interviewed him to put together his motion papers and gathered supporting documents to show his ties to his community.

During the hearing in court, I had to address a new point from opposing counsel, which forced me to think and strategize quickly, a skill that I have been able to repeat many times since.

I won the motion — my client was granted bond — and it was a great feeling knowing that the family would be able to stay together while his immigration case was pending.

Next, I took on a domestic violence matter where my client was seeking a restraining order.

I handled my first-ever evidentiary hearing, during which I gave an opening statement, argued a preliminary motion, and handled the direct examinations of my client and of a police officer.

While the matter was ultimately resolved through a settlement, the experience allowed me to counsel my client through a difficult negotiation process. In the end, my client received enhanced child support and sole custody of her children — a result well worth the time and effort.

These matters, as well as other pro bono projects that I have been a part of, have convinced me that all firms should develop pro bono programs that foster skill building for young associates, as associates will naturally gravitate toward those opportunities.

Pro bono cases allow young associates to be the main point of client contact, to drive the matter forward and to counsel their clients through legal issues that can sometimes be very complex.

While associates may not be getting that experience on billable matters, as they become more senior, they will eventually become the first call that the client makes, and past pro bono experience will allow associates to become comfortable handling client questions or concerns.

In addition to client interaction, associates learn about matter ownership, time management and team leadership on pro bono matters.

Finally, as described above, opportunities that allow for courtroom experience are especially valuable for litigation associates. To this day, I would have no courtroom experience if not for my pro bono matters. I feel much better equipped as a litigator having had that experience.

Pro bono work also allows associates to work with colleagues who are in a different practice group. Building these types of relationships and enhancing one's internal brand is important for junior associates.

Sense of Fulfillment

At times, the practice of BigLaw can seem impersonal — like it makes no real difference in the world. Engaging in pro bono work counterbalances that feeling and provides a sense of fulfillment to associates.

In handling the domestic violence case, for example, I knew that my work would directly provide safety and peace of mind to my client and her young children.

Recently, I won asylum for a father and his young son who faced death threats and had family members beheaded in their home country of Guatemala. Knowing that I likely saved these clients' lives reminded me why I decided to practice law in the first place.

When considering taking on pro bono cases, associates should keep in mind that these matters are well worth the time and that nothing can compare to the great satisfaction that comes with knowing you actually made a difference in a client's life.

If an associate takes on a pro bono matter that they are passionate about, they will not only find the time to complete the project, but will also enjoy themselves in the process.

My advice to associates who are concerned about time management is to treat their pro bono matters like billable matters — create calendar reminders to keep track of major case events, and set weekly team meetings to check in on the status of outstanding items. Once the time is on your calendar, it's much easier to keep yourself accountable on case deadlines.

Similarly, I would encourage associates to make their supervising attorneys aware of the pro bono cases they are working on so that their workloads can be managed appropriately.

For example, an upcoming court hearing on a pro bono matter may need to take precedence over other matters so that the associate is able to carve out time to prepare effectively.

How Law Firms Can Encourage Pro Bono Work

Review and Compensation

My pro bono work was recognized by partners and discussed in my reviews as important substantive experiences where I built a litigation skill set. Firms should ensure that associates' pro bono work is acknowledged by partners and the attorneys to whom the associate reports, such as a practice group

leader.

Partners supervising pro bono work should evaluate associates the same way they do for billable work.

I encourage all firms to have supervisors incorporate pro bono work into associates' reviews, and to have systems that encourage pro bono participation and recognize pro bono accomplishments.

Law firms should also develop compensation models or incentive structures that encourage associates to do pro bono work.

The best way to do this is to treat pro bono hours similarly to client billable hours, making it much easier for associates to incorporate pro bono into their dockets. This way, associates don't have to worry that their pro bono work is taking them away from billable matters and making it difficult for them to reach bonus thresholds.

Partner Participation

Active partner participation in pro bono programs, including from department chairs and practice group leaders, is key to encouraging pro bono work within a firm.

Seeing partners lead by example creates a positive perception of pro bono work among associates, and also assuages the concerns that associates may have that pro bono work is not seen as equal to billable work.

When partners lead pro bono initiatives and actively recruit associates to sign up for their pro bono matters, the number of young lawyers engaging in the program skyrockets.

At my firm, the partners who lead the domestic violence program regularly send personalized emails to the litigation associates about particular available cases, with specifics on the type of skills and experience the associate might gain by taking on that case. This has been a very effective strategy to get associates involved.

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