# IN THE SUPREME COURT OF TENNESSEE AT NASHVILLE

# IN RE PETITION TO AMEND TENNESSEE SUPREME COURT RULE 9, SECTION 10.10 and SECTION 10.2

No. ADM2014-02187

FILED

DEC - 2 2014

Clerk of the Courts

## ORDER

On November 10, 2014, the Access to Justice Commission ("the Commission") filed a petition asking the Court to amend Tennessee Supreme Court Rule 9, Sections 10.10 and 10.2. In summary, the Commission's petition observes that Tennessee is a leader in accessto-justice efforts and that "the Commission and its partners, with the support and assistance of the Court, have implemented a number of new initiatives designed to increase significantly the availability of legal services to needy Tennesseans." The petition goes on to state that "[m]ost of the new initiatives have focused on increasing the number of lawyers performing pro bono work and amount of pro bono work done by those lawyers." The Commission states in its petition, however, that it needs "better data regarding available legal resources to serve those in need of the services." In that regard, the Commission asks the Court to amend Rule 9, Section 10.10(a) and (b) to require Tennessee attorneys to annually report the extent of their pro bono work, if any. (Under the current rule, Tennessee attorneys are requested – but not required – to report such information.) If the Court were to approve the Commission's proposed amendments, a lawyer's failure to report pro bono hours would result in an administrative sanction. The Commission stresses in its petition that the Commission does not support and is not recommending "mandatory pro bono."

The Commission's petition also asks the Court to amend Rule 9, Section 10.2 to implement a new funding mechanism for access-to-justice programs. Under the Commission's proposed amendment, the annual registration form completed by licensed Tennessee lawyers for the Board of Professional Responsibility would include an "opt out" line item for lawyers to make a contribution (with \$50 as the suggested contribution) to support access-to-justice programs.

A copy of the Commission's petition, with its exhibits, is set out in the Appendix to this order. The Court hereby solicits written comments from judges, lawyers, bar

associations, members of the public, and any other interested parties concerning the Commission's petition and proposed amendments. The deadline for submitting written comments is Monday, February 2, 2015. Written comments should be addressed to:

James Hivner, Clerk Re: Rule 9, Sections 10.10 and 10.02 Tennessee Appellate Courts 100 Supreme Court Building 401 7th Avenue North Nashville, TN 37219-1407

and should include the docket number set out above.

The Clerk shall provide a copy of this order to LexisNexis and to Thomson Reuters. In addition, this order, including the Appendix, shall be posted on the Tennessee Supreme Court's website.

IT IS SO ORDERED.

PER CURIAM

## **APPENDIX**

## TENNESSEE ACCESS TO JUSTICE COMMISSION'S

# "PETITION TO AMEND TENNESSEE SUPREME COURT RULE 9, SECTION 10.10 GOVERNING PRO BONO REPORTING AND SECTION 10.2 GOVERNING THE ANNUAL REGISTRATION FEE"

Supreme Court Docket No. ADM2014-02187 (filed November 10, 2014)

FILED
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Clerk of the Courts
Rec'd By

## IN THE SUPREME COURT OF TENNESSEE, AT NASHVILLE

| IN RE: PETITION TO AMEND | ) | A /                      |
|--------------------------|---|--------------------------|
| TENNESSEE SUPREME COURT  | ) | No. <u>ADM2014-02187</u> |
| RULE 9, SECTION 10.10    | ) |                          |
| AND SECTION 10.2         | ) |                          |

# PETITION TO AMEND TENNESSEE SUPREME COURT RULE 9, SECTION 10.10 GOVERNING PRO BONO REPORTING AND SECTION 10.2 GOVERNING THE ANNUAL REGISTRATION FEE

The Tennessee Supreme Court Access to Justice Commission ("the Commission") respectfully petitions this Court to amend Supreme Court Rule 9, Sections 10.10 and 10.2. The proposed amendment is described more fully below and is set forth in attached Exhibit A. The proposed amendment will provide the Court and the Commission with needed and more complete information regarding the voluntary pro bono service provided by members of the Tennessee bar and increase pro bono resources by raising funds for access to justice initiatives. The grounds supporting the Petition are as follows:

### Introduction

Thanks to the leadership of the Court, Tennessee has made great strides toward more equal access to justice. Tennessee is now recognized as a national leader in access to justice efforts. The Commission and its partners, with the support and assistance of the Court, have implemented a number of new initiatives designed to increase significantly the availability of legal services to needy Tennesseans. Most of the new initiatives have focused on increasing the number of lawyers performing pro bono work and amount of pro bono work done by those lawyers.

### **Need for Better Information**

As outlined in the Commission's 2014 Strategic Plan, the Commission wants to maintain and build on those successful efforts. To do so, however, we need to better measure and assess the effectiveness of our work to date. There are two aspects to our assessment strategy.

First, we need better information about the legal needs of our citizens, so that our deployment of legal resources is in alignment with those needs. A new legal needs study is now nearing completion, funded through a generous grant from the Frist Foundation. As a result, we will soon have a much better and more up to date understanding of our citizens' current legal needs -- where the needs exist, the types of needs that exist, and the types of resources which can most effectively meet those needs.

Second, we need better data regarding available legal resources to serve those in need of the services. Our annual Pro Bono Report represents a meaningful step in that direction. The volunteer work documented in the Report is impressive and represents a diverse patchwork quilt of volunteer initiatives at the city, county, judicial district, and state-wide level. The reporting that is done now voluntarily shows that over 42% of Tennessee lawyers report performing some pro bono. But it is an incomplete picture. We do not have sufficient data to enable us to fully assess how to more effectively allocate pro bono resources or to determine the best ways to recruit and inspire additional pro bono attorneys. As a result, the Commission unanimously requests that the Court approve a rule change to require attorneys to report their pro bono work, if any.

Nine other states require annual reporting of any pro bono work provided by members of the bar. In those states, over 99% of the lawyers report. The information provided gives the courts, the bar associations, and access to justice related entities, the ability to assess accurately who is doing pro bono work, what kind of pro bono work is being done, and where the work is being provided. ABA Access to Justice staff members have informed Commissioners and Commission staff that having more complete reporting data is a critical tool for those states in better allocating resources to meet the legal needs of their citizens.

### **Minimal Burden of Reporting**

The proposed rule change would require lawyers to perform a task that would likely take less than two minutes to complete. Precise time records are not required; lawyers need only make a good faith estimate of time expended on pro bono work. Lawyers who have not done any pro bono work that year can indicate that fact in just a few seconds. The task is simple, but one that will provide invaluable information that will help the Commission better accomplish its mission.

Implementing a reporting requirement always gives rise to unfounded fears that mandatory pro bono is not far behind. No member of the Commission supports a mandatory pro bono requirement. In fact, the Commission shares the concern expressed by many in the access to justice community that mandatory pro bono could lead to poor services for the clients and destroy the goodwill that has developed for the pro bono cause in Tennessee. Quite simply, the Commission does not support mandatory pro bono. The Commission does not recommend mandatory pro bono. And the Commission certainly does not see a reporting requirement as a step towards mandatory pro bono.

<sup>1</sup> Florida, Hawaii, Illinois, Indiana, Maryland, Mississippi, Nevada, New Mexico, and New York.

The mechanics of implementing required pro bono reporting are quite simple. The Commission proposes amending Supreme Court Rule 9, section 10.10 to replace the "requested also to file" language with "shall also file." Exhibit A, attached to this memorandum, is a redline version of the rule setting forth the minor changes proposed.

Sandy Garrett, Chief Disciplinary Counsel of the Board of Professional Responsibility, has advised the Commission that her staff can implement the requirement relatively easily if approved by the Court. For efficiency and effectiveness, the Commission recommends that the Court treat compliance with the reporting requirements similar to the way it treats compliance with the IOLTA trust fund requirement. Lawyers would be asked to indicate compliance on their registration. If compliance is not part of their registration, they would be notified that they are out of compliance and given an opportunity to complete the registration form. Only after failing to do so would the lawyer face administrative sanctions.

Unlike IOLTA compliance, which may involve the opening of new bank accounts or negotiating with bank personnel regarding interest rates paid on lawyers trust accounts, compliance with a reporting requirement literally takes minutes. The Commission expects that soon after implementation, very few lawyers will fail to comply. The Commission stands ready to undertake an informational campaign to inform the bar of the change, explain the need for and value of the information, and call attention to the rule change.

The Maryland Access to Justice Commission reports that in the first year of required probono reporting in Maryland, 97.8% of lawyers complied. After that first year, compliance has always exceeded 99%. See Exhibit B attached, at p.3.<sup>2</sup>

<sup>2</sup> To the extent the Court is concerned about compliance during the first year of required reporting, the Commission would be willing to handle post-registration compliance issues directly. As an alternative to administrative suspension the first year, a letter from the Commission explaining the requirement could be used with the standard process going into effect in subsequent years.

### **Access to Justice Fund**

The Commission also requests that the Court approve a change to the annual registration form completed by licensed Tennessee lawyers for the Board of Professional Responsibility ("BPR"), to include an item for lawyers to make a voluntary contribution to support access to justice programs.

The Commission's Pro Bono Advisory Committee is comprised of a statewide, diverse group of attorneys and other professionals, including representatives of numerous local legal aid programs. The Commission, through the Pro Bono Advisory Committee, has carefully researched the use in other states of the annual attorney renewal or registration form to raise funds for access to justice initiatives. The Committee's research showed that this type of fundraising at the state level did not detract from the fundraising efforts of local legal aid programs. The Committee determined that using the BPR Registration Packet as a way to generate funds for access to justice initiatives is appropriate for Tennessee and developed a proposal which the Commission subsequently approved.

### **Summary of Funding Proposal**

The Commission, through the Pro Bono Advisory Committee, reached out to the ABA and other states for information on the structure and administration of those states' access to justice fundraising mechanisms. The Commission learned that states that have an optout mechanism with a suggested contribution amount raise more money than those that have an opton mechanism. Based on these findings, the Commission determined that \$50.00 is an appropriate initial amount for the suggested access to justice contribution.

## Modifications to the BPR Registration Form

The proposed modification to the registration form is attached as Exhibit C. The form would include an "Optional Access to Justice Contribution" line and a supporting section that provides brief information about the Court's Access to Justice Initiative and the proposed use of the funds. The attorney is advised of the suggested \$50.00 amount, how to opt out, and how to change the amount if desired.

The Commission contacted BPR to inquire as to the cost of adding an additional page to the Registration Packet. BPR advised that an additional page would increase their annual postage costs by over \$5,000. As a result, the Commission successfully crafted a modification that will not increase the page length.

### Funding Mechanism Allocation Method

The Commission proposes to allocate funds using the programs' revenue reported on their most recent tax return. The reported revenues of the four programs funded by the Legal Services Corporation ("LSC-Funded organizations") will be combined to determine their percentage of the total revenue and funds will be allocated to them as a group. For example, if the four LSC-funded organizations' combined revenue is equal to 75% of the total of all the reported revenues of organizations eligible to receive funds, the LSC-Funded organizations, as a group, will receive 75% of all contributions. The LSC-funded organizations' share will be distributed to each organization in accordance to the percentages contained in Supreme Court Rule 11, Section V, the Civil Legal Representation of Indigents Fund.

Non-LSC-funded organizations will further allocate their remaining share of the total amount donated according to their percentage of the combined revenue measured by the last tax return.

The Commission looked to the Board of Directors of the Tennessee Alliance for Legal Services as a guide to determine which non-LSC-funded organizations should be eligible to receive contributions. The Commission settled upon the following list:

- Justice for Our Neighbors
- Community Legal Center
- Southeast Tennessee Legal Services
- Tennessee Justice Center
- Volunteer Lawyers for the Arts
- Tennessee Coalition to End Sexual and Domestic Violence
- Tennessee Disability Law and Advocacy Center

The Commission recommends that the Commission be empowered by the Court to revisit the list periodically after the ATJ Fund is established, in consultation with the Tennessee Alliance for Legal Services, in order to provide opportunities for funding to new organizations.

### **Benefits of Amendment**

As noted above, the primary benefits of the proposed amendment will be to provide invaluable information to the Commission, the Court, and our access to justice partner organizations regarding the nature, distribution, and efficacy of pro bono programs and to provide funding to support access to justice initiatives across Tennessee. The information contained in Exhibit B, the Maryland Longitudinal Analysis of Pro Bono Reporting: 2012-2013, demonstrates the kinds of valuable information that will become available.

Second, the Commission believes that required reporting represents a strong message from the Court about its commitment to access to justice and its hope and expectation, as set forth in Rule 6.1 that all lawyers will engage in some pro bono service. The increased attention

should lead to a significant increase in the number of lawyers engaged in pro bono work. In Maryland, for example, the number of hours of pro bono services provided by Maryland lawyers has increased nearly 17% since reporting began in 2002. See Exhibit B, p. 2. Moreover, the financial contributions made by attorneys to legal services programs (as encouraged by Rule 6.1(c)), should increase significantly as well. Again using Maryland as an example, financial contributions made by attorneys to organizations that provide legal services to people of limited means increased by 89% after required reporting was implemented.<sup>3</sup>

No state that has adopted a reporting requirement has reported regretting having done so. All states who have done so report that the information captured is extremely useful. The Tennessee Bar Association made a similar recommendation regarding reporting in 2008. The Court decided to defer a decision at that time. In the Commission's judgment, the growth of voluntary reporting and the widespread acceptance of and support for the leadership of the Court on access to justice generally have created a supportive environment to take this step. The additional funding for access to justice initiatives will further emphasize the Court's commitment to access to justice.

### Conclusion

For the foregoing reasons, the Tennessee Supreme Court Access to Justice Commission respectfully requests that this Honorable Court grant the Commission's Petition to amend Tennessee Supreme Court Rule 9, sections 10.10 and 10.2. In support of the Petition, the following Exhibits are attached to and referenced in this Petition:

Exhibit A – Proposed amendments to Tenn. Sup. Ct. R. 9 (redline and clean versions);

**Exhibit B** – Longitudinal Analysis of Pro Bono Reporting: 2002-2012, A Joint Report of the Maryland Access to Justice Commission and the Court of Appeals Standing

Committee on Pro Bono Legal Services (April 2014);

**Exhibit C** – Proposed changes to the Annual Registration Form.

Respectfully Submitted,

# TENNESSEE SUPREME COURT ACCESS TO JUSTICE COMMISSION

By:

Douglas & Blaze, B.P.R. 016356

Chair, Tennessee Supreme Court Access To Justice Commission

### PROPOSED AMENDMENT TO TENN. SUP. CT. R. 9, SECTION 10.2 AND SECTION 10.10

**Section 10.2.(a)** Every attorney admitted to practice before the Court, except those exempt under Section 10.3, shall pay to the Board on or before the first day of the attorney's birth month an annual fee.

- (b) All funds collected hereunder shall be deposited by the Board with the State Treasurer; all such funds, including earnings on investments and all interest and proceeds from said funds, if any, are deemed to be, and shall be designated as, funds belonging solely to the Board. Withdrawals from those funds shall be made by the Board only for the purpose of defraying the costs of disciplinary administration and enforcement of this Rule, and for such other related purposes as the Court may from time to time authorize or direct.
- (c) The annual fee for each attorney shall be One Hundred Seventy Dollars (\$170), consisting of a One Hundred Forty Dollar (\$140) Board of Professional Responsibility annual registration fee, a Ten Dollar (\$10) annual fee due under Tenn. Sup. Ct. R. 25, Section 2.01(a) (Tennessee Lawyers' Fund for Client Protection), and a Twenty Dollar (\$20) annual fee due under Tenn. Sup. Ct. R. 33.01 C (Tennessee Lawyer Assistance Program), and shall be payable on or before the first day of the attorney's birth month, and a like sum each year thereafter until otherwise ordered by the Court.
- (d) In connection with the payment of the annual fee, every attorney shall have the opportunity to make a financial contribution to support access to justice programs. Funds raised through optional contributions will be distributed to access to justice programs which provide direct legal services to low income Tennesseans.

**Section 10.10.(a)** Every attorney who is required by Section 10.1 to file an annual registration statement with the Board shall also file a pro bono reporting statement, reporting the extent of the attorney's pro bono legal services and activities during the previous calendar year. The pro bono reporting statement shall be in substantially the format provided in Appendix A hereto, and shall be provided to the attorney by the Board with the attorney's annual registration statement.

- (b) In reporting the extent of the attorney's pro bono legal services and activities, the attorney is requested to state whether or not the attorney made any voluntary financial contributions pursuant to RPC 6.1(c), but the attorney need not disclose the amount of any such contributions.
- (c) The Board may promulgate such forms, policies and procedures as may be necessary to implement this Section.

(d) The individual information provided by attorneys in the pro bono reporting statements filed pursuant to this Section shall be confidential and shall not be a public record, unless the attorney waives confidentiality on the reporting statement solely to be considered for recognition by the Tennessee Supreme Court for pro bono work the attorney completed in the previous calendar year. The Board shall not release any individual information contained in such statements, except as directed in writing by the Court or as required by law. The Board, however, may compile statistical data derived from the statements, which data shall not identify any individual attorney, and may release any such compilations to the public.

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- (b) The attorney is requested to complete the pro-bono reporting statement and file it with his or her annual registration statement.(b) In reporting the extent of the attorney's pro-bono legal services and activities, the attorney is requested to state whether or not the attorney made any voluntary financial contributions pursuant to RPC 6.1(c), but the attorney need not disclose the amount of any such contributions.
- (c) The Board may promulgate such forms, policies and procedures as may be necessary to implement this Section.

(d) The individual information provided by attorneys in the pro bono reporting statements filed pursuant to this Section shall be confidential and shall not be a public record, unless the attorney waives confidentiality on the reporting statement solely to be considered for recognition by the Tennessee Supreme Court for pro bono work the attorney completed in the previous calendar year. The Board shall not release any individual information contained in such statements, except as directed in writing by the Court or as required by law. The Board, however, may compile statistical data derived from the statements, which data shall not identify any individual attorney, and may release any such compilations to the public.

# Longitudinal Analysis of Pro Bono Reporting: 2002-2012

A Joint Report of the Maryland Access to Justice Commission and the Court of Appeals Standing Committee on Pro Bono Legal Service

April 2014

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**Reporting Compliance Rate** 

**Executive Summary** 

Page 1

| Page 24<br>Page 25  | Page 23                       | Page 22   | Page 20   | Page 19   | Page 18                                  | Page 17   | Page 16  | Page 15  | Page 14  | Page 13                                  | PRO BONO SERVICE: |
|---|-------------------------------|---|---|---|--|---|--|--|--|--|-------------------|
| Percentage Making Financial Contributions<br>Total Hours and Percentage of Pro Bono Lawyers Providing Foreclosure Project (FPPB) Assistance | Total Financial Contributions | Percentage of Full-Time Lawyers from Selected Primary Practice Areas Meeting 50 Hours | Percentage of Pro Bono Hours Spent in Matters Referred From a Pro Bono or Legal Services Agency (2 pages) | Percentage of Total Hours Devoted to Types of Individuals and Organizations | Total Hours of Pro Bono Service Provided | Number of Lawyers Doing Pro Bono by Region: Full-Time Lawyers | Number of Lawyers Doing Pro Bono by Region: Al Lawyers | Percentage of Full-Time Lawyers Meeting 50 Hour Goal | Percentage of Full-Time Lawyers Doing Pro Bono | Percentage of All Lawyers Doing Pro Bono | SERVICE:          |

# DONATIONS:

Page 26 Total Donations Made Through Donations Page

# Executive Summary

at: http://mdcourts.gov/probono/reportsinfopackets.html Office of the Courts publishes a report compiling the data from the Pro Bono Legal Service Reports submitted by individual attorneys. Those annual on their pro bono activities. There is a greater than 99% reporting compliance rate by attorneys statewide. Each year the Maryland Administrative reports are entitled Current Status of Pro Bono Service Among Maryland Lawyers, and are available Maryland Rule 16-903, which took effect on July 1, 2002, requires all Maryland attorneys authorized to practice law in the state to annually report

presented without analysis, but by looking at the results reported over this eleven-year period of time, several trends are notable. This report presents a compilation of the results from the annual Current Status reports prepared for Calendar Years 2002 through 2012. The data is

# **Demographic Changes and Observations**

- The bar has grown significantly over this period. The number of active lawyers went up by 6,625, an increase of 22%. (Page 4)
- Many Maryland lawyers work outside the State. Consistently, only about 60% of lawyers have their primary office in Maryland. (Page 5)
- Maryland attorneys report working for government in record high numbers. Those identifying as government attorneys equaled 19.8% in 2012, an increase from 17.8% in 2005. (Page 11)
- A high number of lawyers report they do not actively practice law. In 2012 that number reached 14% of the bar. (Page 11)
- about 10% while those reporting they worked in small, medium and extra-large firms decreased. (Page 10) Solo practitioners have become a relatively larger percent of those working in firms. Those reporting they worked solo increased by
- Montgomery County has eclipsed Baltimore as the area where the greatest number of lawyers practice. (Page 6)

# Types of Legal Work Lawyers Do

- Primary practice areas have been consistent over time, and do not clearly align with pro bono demand. The top legal area where lawyers prevalent practice area for lawyers. Family practitioners make up about 5.6% of all active lawyers. (Pages 7 and 8) provide pro bono assistance has consistently been family law (Page 9), yet family has consistently been ranked as only the 7th most
- reported are Family, Corporate/Business, Real Estate, Litigation and Criminal. (Pages 7-9) The top five practice areas include Litigation, Corporate/Business, Other, Criminal, and Government; the top pro bono practice areas
- A very small percent (about 1.4%) of Maryland lawyers work for a legal services organization providing legal help to people of limited is severely limited, increasing demand for the pro bono contributions of private counsel. (Page 12) means. About another 1.6% report they work for a public interest organization. The pool of lawyers available to serve the needs of the poor

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# Exhibit B

# The Pro Bono and Financial Contributions of Maryland Lawyers

- attorneys reported providing 1.16 million hours of service. (Page 18) The number of hours of pro bono services provided by Maryland lawyers has increased by 16.75% since reporting began in 2002. In 2012,
- matters, in that order of prevalence. (Page 19) Consistently, about one-half of those hours were provided to people of limited means. The remainder were to non-profit organizations to further their organizational purposes, to non-profits in matters that address the needs of persons of limited means, and to civil rights
- of attorneys who make any financial contribution has increased since 2002 by about 14.65%. Approximately 18% of all lawyers reported dramatically, by 89% since 2002. In 2012 attorneys reported providing over \$4.1 million to these organizations. (Page 21). The percentage Financial contributions made by attorneys to organizations that provide legal services to people of limited means have increased making financial contributions in 2012. (Page 23)

# Performance in Light of the Aspirational Goals of MRPC 6.1

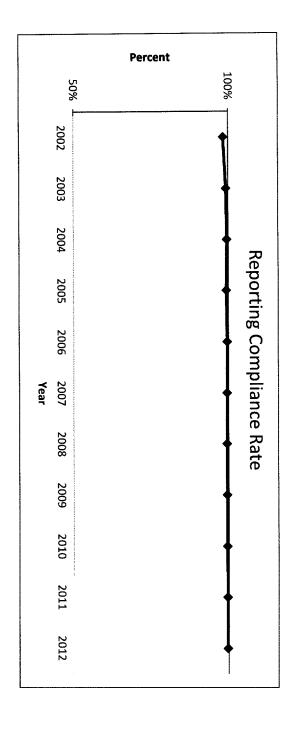
- The percentage of full-time lawyers doing any pro bono has averaged 57.37% over the last eleven years. While all lawyers are required to report on their pro bono activity, the aspirational standard of 50 hours per year articulated by Rule 6.1 applies only to those who practice law full-time. (Page 14)
- 17.7% of full-time lawyers met that goal. By 2012 that had risen to 22.2%. (Page 15) The percent of full-time lawyers meeting the 50-hour aspirational goal increased by a relative 25.42% since reporting began. In 2002
- 1.89% over that same period. (Page 14) decreased by a relative 6.49% over that period. (Page 13). The percent of full-time lawyers doing any pro bono decreased by a relative percent of all lawyers doing pro bono work over the eleven years averaged 46.99%. (Page 13) The percent of all lawyers doing pro bono The percent of all lawyers and full-time lawyers reporting doing any pro bono has decreased slightly during the last eleven years. The
- other parts of the state. (Page 16 and 17). Attorneys in the Western and Eastern regions of the state consistently report higher pro bono participation rates than their colleagues in
- Elder law and family law attorneys are more likely to meet the 50-hour goal than their colleagues in other practice areas. Government attorneys are the least likely to meet the goal. (Page 22).

# Exhibit B

# **Reporting Compliance Rate**

| edi |              | Reporting Compilative Nate |  |
|-----|--------------|----------------------------|--|
|     | 2002         | 97.80%                     |  |
|     | <b>20</b> 03 | 99.02%                     |  |
|     | 2004         | 99.36%                     |  |
|     | 2005         | 99.08%                     |  |
|     | 2006         | 99.40%                     |  |
|     | 2007         | 99.37%                     |  |
|     | 2008         | 99.31%                     |  |
|     | 2009         | 99.35%                     |  |
|     | 2010         | 99.40%                     |  |
|     | 2011         | 99.46%                     |  |
|     | 2012         | 99.59%                     |  |
|     |              |                            |  |

Maryland Rule 16-903 requires all Maryland attorneys authorized to practice law in the state to annually report on their pro bono activities. These charts illustrate the percentage of lawyers who complied with the rule by completing a Pro Bono Legal Services Report.



# Number of Lawyers on Active Status in Maryland

| Year       |      | Number of Lawyers |
|------------|------|-------------------|
|            | 2002 | 30,763            |
|            | 2003 | 31,469            |
|            | 2004 | 31,430            |
|            | 2005 | 32,290            |
|            | 2006 | 32,985            |
|            | 2007 | 33,68 <b>8</b>    |
|            | 2008 | 34,393            |
|            | 2009 | 34,967            |
|            | 2010 | 35,568            |
|            | 2011 | 36,474            |
|            | 2012 | 37,388            |
| Increase   | Se . | 6,625             |
| Increase % | se % | 22%               |

Exhibit B

# Geographic Location of Maryland Lawyers (Office Location)

| Year | Maryland | DC     | Virginia | Other States | Foreign |       |
|------|----------|--------|----------|--------------|---------|-------|
| 2002 | 63.60%   | 19.30% | 7.10%    | 9.60%        |         | 0.30% |
| 2003 | 59.40%   | 23.90% | 6.30%    | 10.10%       |         | 0.10% |
| 2004 | 59.40%   | 23.70% | 6.30%    | 10.30%       |         | 0.30% |
| 2005 | 59.20%   | 23.60% | 6.60%    | 10.20%       |         | 0.30% |
| 2006 | 60.50%   | 22.10% | 6.90%    | 10.30%       |         | 0.30% |
| 2007 | 58.80%   | 23.70% | 6.60%    | 10.50%       |         | 0.30% |
| 2008 | 58.70%   | 23.90% | 6.60%    | 10.50%       |         | 0.40% |
| 2009 | 58.60%   | 23.80% | 6.80%    | 10.50%       |         | 0.30% |
| 2010 | 58.30%   | 23.90% | 6.80%    | 10.60%       |         | 0.40% |
| 2011 | 58.30%   | 23.70% | 6.80%    | 10.80%       |         | 0.40% |
| 2012 | 57.80%   | 23.70% | 6.90%    | 11.20%       |         | 0 40% |

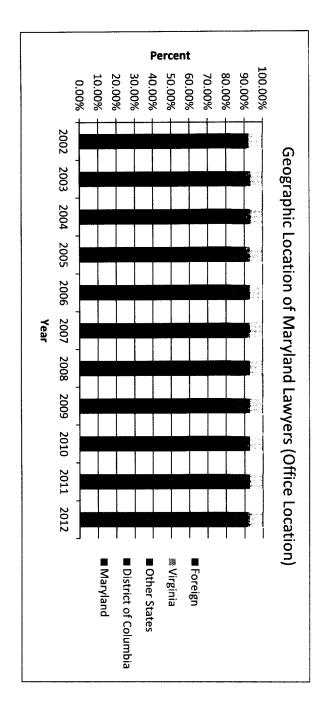


Exhibit B

# Percentage of Lawyers in Top 5 Counties: First Choice Jurisdiction

| Ύe   | ar   | Anne Arundel Balti | more City Baltimo | ore County Princ | e George's Montgo | mery Rest of | Rest of Maryland |
|------|------|--------------------|-------------------|------------------|-------------------|--------------|------------------|
| -4.1 | 2002 | 7.80%              | 31.50%            | 12.60%           | 9.60%             | 20.00%       | 18.50%           |
|      | 2003 | 7.70%              | 27.80%            | 13.30%           | 10.10%            | 23.00%       | 18.10%           |
|      | 2004 | 7.90%              | 26.80%            | 13.90%           | 10.10%            | 23.50%       | 17.80%           |
|      | 2005 | 7.50%              | 27.20%            | 13.80%           | 10.00%            | 24.50%       | 17.00%           |
|      | 2006 | 7.60%              | 27.20%            | 13.50%           | 10.00%            | 24.60%       | 17.10%           |
|      | 2007 | 7.60%              | 26.40%            | 14.10%           | 9.80%             | 25.10%       | 17.00%           |
| 23 - | 2008 | 7.50%              | 26.20%            | 13.60%           | 10.10%            | 26.20%       | 16.40%           |
|      | 2009 | 7.50%              | 25.50%            | 14.30%           | 10.00%            | 25.50%       | 17.20%           |
|      | 2010 | 7.80%              | 24.90%            | 14.40%           | 10.10%            | 25.60%       | 17.20%           |
|      | 2011 | 7.60%              | 25.40%            | 14.20%           | 10.00%            | 25.60%       | 17.20%           |
|      | 2012 | 7.80%              | 25,10%            | 14.10%           | 10.00%            | 25.60%       | 17.40%           |

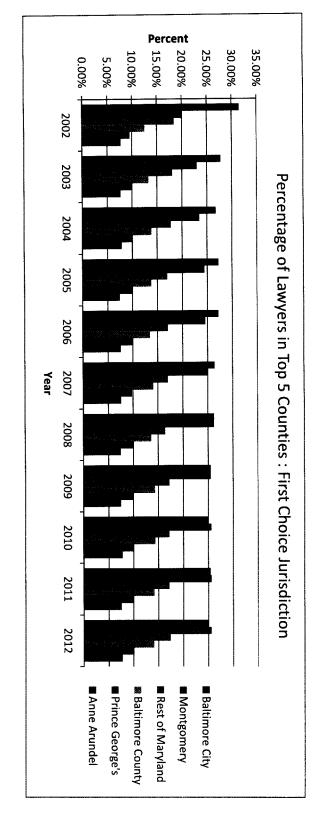


Exhibit B

# Percentage of Lawyers Reporting an Area as their Primary Practice Area: First Choice

| Average  | 2        | 2     | ୍<br>2 | 2     | 2     | 2     | 2     | 2     | 2     | 21     | . 21  | Year               |
|----------|----------|-------|--------|-------|-------|-------|-------|-------|-------|--------|-------|--------------------|
| ge       | 012      | 011   | 2010   | 009   | 800   | 007   | 006   | 005   | 004   | 003    | 002   |                    |
| 13.51%   | 13.90    | 14.20 | 14.00% | 13.90 | 14.10 | 14.40 | 13.70 | 14.10 | 13.90 | 13.50% | 8.90% | gation             |
| %        | %        | %     | %      | %     | %     | %     | %     | %     | %     | %      | %     | Corpo              |
|          |          |       |        |       |       |       |       |       |       |        |       | Corporate/Business |
| 10.      | 10.      | 10.   | 10.60% | 10.   | 11.   | 10.   | 10.   | 10.   | 11.   | 11.00% | 9.    | ısiness            |
| 10.67%   | 50%      | 50%   | 60%    | 60%   | %00   | 90%   | 80%   | 90%   | 10%   | 00%    | 9.50% | Go                 |
|          |          |       |        |       |       |       |       |       |       |        |       | Government         |
| 8.49%    | 9.50%    | 9.20% | 9.30%  | 8.90% | 8.50% | 8.30% | 8.20% | 7.90% | 9.50% | 9.10%  | 5.00% | nt C               |
| <b>∞</b> | <b>∞</b> | 8.0   | 8.8    | 9.0   | 8.8   | 8.8   | 8.    | 8.6   | 8.0   | 8.     | 7.    | Criminal           |
| 8.50%    | 8.70%    | 50%   | 8.80%  | 00%   | 30%   | 80%   | 8.70% | 8.60% | %00   | 8.10%  | 7.40% | Real               |
| 6.       | 6.       | 6.    | 6.     | 6     | 6.    | 7     |       | 7.    | 7.    | 7.     | 6.    | Estate             |
| 6.98%    | 6.20%    | 30%   | 6.40%  | 70%   | 90%   | 50%   | 00%   | 80%   | 60%   | 7.20%  | 6.20% | Fa                 |
|          |          |       |        |       |       |       |       |       |       |        |       | mily/Do            |
| 5-       | 5.0      | 5:-   | 5.5    | 5.0   | 5.0   | 5     | 5.2   | 5     | 5.1   | 5:-    | 4.4   | Domestic           |
| 5.53%    | 60%      | 50%   | 50%    | 60%   | 60%   | 70%   | 80%   | 70%   | 50%   | 50%    | 4.80% | _                  |
| 4.31%    | 3.90     | 4.00  | 3.90%  | 4.00  | 4.10  | 3.90  | 3.90  | 4.30  | 5.30  | 5.40   | 4.70  | General            |
|          |          |       |        |       |       |       |       |       | _     |        |       | Other              |
| 10.20%   | 1.50%    | 1.50% | 11.50% | 1.60% | 1.30% | 1.10% | 1.10% | 0.90% | 9.20% | 9.00%  | 3.50% |                    |

# Top 8 Practice Areas:

- 1. Litigation
- 2. Corporate/Business
- 3. Other
- 4. Criminal
- 5. Government
- 6. Real Estate
- 7. Family
- 8. General

page reflects the percent of lawyers who selected an area as their first choice practice area. The chart on the following When completing the Pro Bono Legal Service Report, lawyers may select up to three practice areas. The table on this page reflects the percent of lawyers who selected an area as one of their three practice areas.

# Percentage of Lawyers Reporting an Area as their Primary Practice Area: **All Selected Practice Areas**

| Average | li e   |        | ) N)           |        | N)     | N)     | N      |        | 2      | 2     | Year               |
|---------|--------|--------|----------------|--------|--------|--------|--------|--------|--------|-------|--------------------|
| ige     | 012    | 011    | 2009           | 800    | 007    | 006    | 2005   | 004    | 003    | 002   | Ę                  |
| 13.33%  | 13.70% | 13.80% | 13.70%         | 14.00% | 14.40% | 14.20% | 14.10% | 13.40% | 13.60% | 8.10% | tigation           |
|         |        |        |                |        |        |        |        |        |        |       | Corporate/Business |
| 10.67%  | 10.30% | 10.50% | 10.60%         | 10.80% | 10.90% | 11.00% | 11.00% | 11.20% | 11.10% | 9.50% |                    |
| 6.95%   | 7.80%  | 7.50%  | 7.40%<br>7.60% | 7.10%  | 6.70%  | 6.70%  | 6.50%  | 7.50%  | 7.40%  | 4.30% | Government         |
| 7.42%   | 7.40%  | 7.40%  | 7.60%          | 7.60%  | 7.60%  | 7.50%  | 7.60%  | 7.40%  | 7.30%  | 6.70% | Criminal           |
| 6.50%   | 5.90%  | 5.90%  | 6.40%<br>6.10% | 6.50%  | 6.90%  | 7.20%  | 7.20%  | 7.00%  | 6.80%  | 5.60% | Real Estate        |
| 5       | Ų,     | OT (   | л О            | 5      | 5      | 5      | 5      | Ų.     | 5      | Çī    | Family/Domestic    |
| 5.64%   | .50%   | .50%   | 5.60%          | .60%   | .70%   | .80%   | .90%   | .80%   | .80%   | .30%  |                    |
| 4.74%   | 4.80%  | 4.70%  | 4.70%<br>4.80% | 4.70%  | 4.50%  | 4.50%  | 4.60%  | 5.30%  | 5.20%  | 4.30% | General C          |
| 9.95%   | 11.40% | 11.50% | 11.30%         | 11.20% | 11.00% | 10.70% | 10.30% | 8.90%  | 8.60%  | 3.20% | Other              |

# Top 8 Practice Areas:

- 1. Litigation
- Corporate/Business
   Other
- 4. Criminal
- 5. Government
- 6. Real Estate
- 7. Family 8. General

Exhibit B

# **Top 5 Pro Bono Practice Areas**

| Year               | 2002     | 2003 | 2004 | 20 <b>05</b> | 2006      | 2007 | 2008       | 2009 | 2010 | 2011 | 2012     |
|--------------------|----------|------|------|--------------|-----------|------|------------|------|------|------|----------|
| Family/Domestic    |          |      |      |              |           |      |            |      |      |      |          |
| Corporate/Business | <u> </u> |      | دب   |              | <b></b> - | ₽    | <b>-</b> → |      | ₽3   | ם    | <b>ь</b> |
| Litigation         | 2        | 2    | 2    | 2            | ω         | 2    | ω          | 2    | ω    | 2    | ω        |
| Real Estate        | 0        | 5    | 5    | 5            | 5         | 5    | 5          | 4    | 5    | 4    | 4        |
| Other              | 4        | 4    | 4    | 4            | 4         | 4    | 4          | 5    | 4    | 0    | 0        |
| Criminal           | 0        | ω    | 3    | ω            | 2         | ω    | 2          | 3    | 2    | 3    | 2        |
|                    | ω        | 0    | 0    | 0            | 0         | 0    | 0          | 0    | 0    | 5    | , UT     |

Top 5 Pro Bono Practice Areas Over Time:

- 1. Family
- 2. Corporate/Business and Other (tie)
- 3. Real Estate
- 4. Litigation
- 5. Criminal

On the Pro Bono Legal Service Report, lawyers are asked to indicate the areas of law in which they provided pro bono legal assistance. This table reflects the areas that were most often reported, with 1 being the most frequent and 5 the 5th highest for a given year.

Exhibit B

# Firm Size of Lawyers Reporting Practice in a Private Firm

| Year                     | 2005<br>2006<br>2007<br>2008<br>2009 | Solo<br>30.70%<br>30.50%<br>30.90%<br>31.80%<br>32.70% | Small Firm 22.20% 22.10% 21.50% 20.90% 21.10% | Medium Firm<br>13.80%<br>13.40%<br>13.40%<br>13.70% | Large Firm 6.50% 6.90% 7.20% 6.80% 6.80% | Extra-Large Firm  26.30%  26.40%  26.30%  26.40%  26.30%  26.30%  26.30%  25.30% |
|--------------------------|--------------------------------------|--|---|---|--|--|
|                          |                                      | 30.90%   | 21.50%  | 13.409  |  |  |
|                          |                                      | 31.80%   | 20.90%  | 13.70%  |  |  |
|                          |                                      | 32.70%   | 21.10%  | 13.709  |  |  |
|                          | _                                    | 33.50%   | 21.10%  | 13.80%  |  |  |
|                          | •                                    | 34.00%   | 21.10%  | 13.50%  |  |  |
|                          |                                      | 34.00%   | 21.20%  | 13.40%  | 6.60%                                    | 24.30%   |
| Percent Change Over Time |                                      | 10.75%   | -4.50%  | -2.90%  | -  | 1.54% -7.60%   |

relatively fewer lawyers are practicing in extra-large, small and medium firms. Large firms show a slight increase. The data suggests that over time, solo practitioners have become a relatively larger percent of those who work in firms, and This table reflects the response law-firm lawyers gave when asked to report the size of the firm for which they work.

# Firm Type:

# All Lawyers

| Percent Change Over Time |             |             |             |             |             |             |             |             | Year                       |
|--------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|----------------------------|
| ime -3.83%               | 2012 55.20% | 2011 55.80% | 2010 56.20% | 2009 56.50% | 2008 56.90% | 2007 57.70% | 2006 57.60% | 2005 57.40% | Firm Corporate Counsel     |
| 3.90%                    | 8.00%       | 8.00%       | 7.80%       | 7.60%       | 7.80%       | 7.90%       | 7.90%       | 7.70%       |                            |
| 11.24%                   | 19.80%      | 19.60%      | 19.70%      | 19.30%      | 18.70%      | 18.30%      | 18.10%      | 17.80%      | Government Legal Ser       |
| -6.67%                   | 1.40%       | 1.50%       | 1.40%       | 1.50%       | 1.40%       | 1.50%       | 1.40%       | 1.50%       | Legal Services Org. Public |
| 0%                       | 1.60%       | 1.60%       | 1.70%       | 1.70%       | 1.60%       | 1.60%       | 1.60%       | 1.60%       | Public Interest Org. Not F |
| 0.72%                    | 14.00%      | 13.60%      | 13.20%      | 13.40%      | 13.50%      | 13.00%      | 13.40%      | 13.90%      | Not Practicing             |

# Full-Time Lawyers

|                          | Corporate Couns | Governm   | Legal Services Or | Public Interest Org. 1.70% 1.70% 1.70% 1.70% |
|--------------------------|-----------------|-----------|-------------------|--|
|                          |                 |           |                   | 1.70   |
|                          |                 | 0% 19.10% |                   | 1.70   |
|                          |                 | 0% 19.70% | 6 1.60%           | 1.90   |
|                          | 65.10% 9.40%    | 0% 20.30% |                   | 1.809  |
|                          |                 | 0% 20.10% | 6 1.60%           | 1.709  |
|                          | 64.20% 9.80%    | 0% 20.40% | 6 1.60%           | 1.80%  |
| Percent Change Over Time | -6.00% 5.38%    | 8% 17.24% | 6 0%              | 5.88%  |

Exhibit B

# Legal Services & Public Interest Lawyers as a Percent of All Lawyers

Number Reporting They Work for a Legal Services or Public Interest Organization

| Average |                |        |                |        |                |        |                |        | Year                              |
|---------|----------------|--------|----------------|--------|----------------|--------|----------------|--------|-----------------------------------|
|         | 2012           | 2011   | 2010           | 2009   | 2008           | 2007   | 2006           | 2005   | Legal Se                          |
| 487     | 528            | 534    | 483            | 505    | 462            | 482    | 440            | 465    | Legal Services Orgs. Public I     |
| 552     | 590            | 568    | 578            | 572    | 546            | 530    | 517            | 515    | Public Interest Orgs. All Lawyers |
| 34,128  | 36,8 <b>92</b> | 35,935 | 35,0 <b>08</b> | 34,327 | 33,7 <b>64</b> | 32,923 | 32,4 <b>25</b> | 31,752 | wyers                             |

# Percent of All Lawyers

| Year    | Legal Services | Public Interest Orgs. | S.    |
|---------|----------------|-----------------------|-------|
|         | 2005           | 1.50%                 | 1.60% |
|         | 2006           | 1.40%                 | 1.60% |
|         | 2007           | 1.50%                 | 1.60% |
|         | 2008           | 1.40%                 | 1.60% |
|         | 2009           |                       | 1.70% |
|         | 2010           | 1.40%                 | 1.70% |
|         | 2011           |                       | 1.60% |
|         | 2012           | 1.40%                 | 1.60% |
| Average |                | 1.45%                 | 1.63% |

Exhibit B

# **Percentage of All Lawyers Doing Pro Bono**

| Percent Decrease | Average | . ment |        |        |        |        |        |        |        |        |        |        | Year             |
|------------------|---------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------------|
| ecrease          |         | 2012   | 2011   | 2010   | 2009   | 2008   | 2007   | 2006   | 2005   | 2004   | 2003   | 2002   | 7% [             |
| -6.49%           | 46.99%  | 44.70% | 45.50% | 46.70% | 47.30% | 47.20% | 47.00% | 47.40% | 48.00% | 47.90% | 47.40% | 47.80% | % Doing Pro Bono |
| %et              | 99%     | 70%    | 0%     | 70%    | %0%    | 20%    | 0%     | 70%    | 0%     | %0%    | %OI    | 30%    |                  |

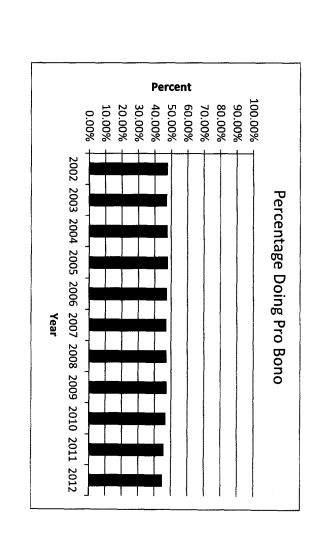
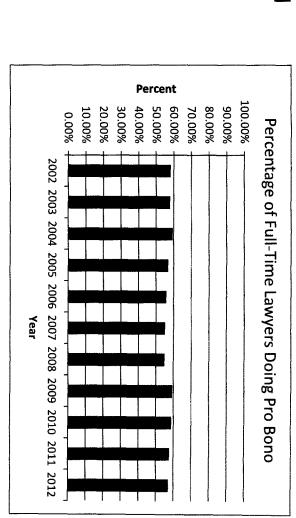


Exhibit B

# **Percentage of Full-Time Lawyers Doing Pro Bono**

| Percent Decrease | Average |        |        | 100    |        |        |        |        |        |        |        |        | Year             |
|------------------|---------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------------|
| ·ease            |         | 2012   | 2011   | 2010   | 2009   | 2008   | 2007   | 2006   | 2005   | 2004   | 2003   | 2002   | % Doing Pro Bono |
| -1.89%           | 57.37%  | 57.20% | 57.60% | 58.80% | 59.30% | 54.90% | 55.00% | 55.90% | 56.80% | 59.40% | 57.90% | 58.30% | Pro Bono         |

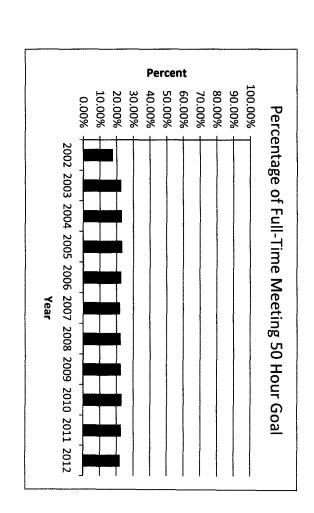


articulated by MRPC 6.1 applies only to those who practice law full-time. This table and chart reflect the percent of lawyers who report they did any pro bono during the reporting period. While all lawyers are required to report on their pro bono activity, the aspirational standard of 50 hours per year

Exhibit B

# Percentage of Full-Time Lawyers Meeting 50 Hour Goal

| 20<br>Average<br>Percent Increase |        |        |        |        |        |        |        |        |        |        | Year                   |
|-----------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|------------------------|
| 2012<br>ease                      | 2011   | 2010   | 2009   | 2008   | 2007   | 2006   | 2005   | 2004   | 2003   | 2002   |                        |
| 22.20%<br>22.25%<br>25.42%        | 22.70% | 23.10% | 22.60% | 22.40% | 22.00% | 22.80% | 23.30% | 23.10% | 22.90% | 17.70% | % Meeting 50 Hour Goal |



who report they are engaged in the full-time practice of law who met the aspirational goal of 50 hours for the year. articulated by MRPC 6.1 applies only to those who practice law full-time. This table and chart reflect the percent of lawyers While all lawyers are required to report on their pro bono activity, the aspirational standard of 50 hours per year

Exhibit B

# **Number of Lawyers Doing Pro Bono by Region: All Lawyers**

| Year  |      | Central | Capital | Western | Eastern | Southern |
|-------|------|---------|---------|---------|---------|----------|
|       | 2005 | 50.90%  | 50.80%  | 69.30%  | 62.90%  | 59.30%   |
|       | 2006 | 49.80%  | 50.20%  | 68.70%  | 64.60%  | 58.40%   |
|       | 2007 | 49.70%  | 49.40%  | 65.20%  | 64.70%  | 57.80%   |
|       | 2008 | 49.40%  | 50.40%  |         | 67.00%  | 58.80%   |
|       | 2009 | 49.30%  | 50.40%  | 69.30%  | 65.00%  | 61.00%   |
|       | 2010 | 49.10%  | 49.10%  | 72.70%  |         | 60.30%   |
| Taris | 2011 | 47.20%  | 49.30%  | 68.80%  | 62.90%  | 55.50%   |
|       | 2012 | 47.20%  | 48.90%  | 67.00%  | 63.40%  | 7 000    |

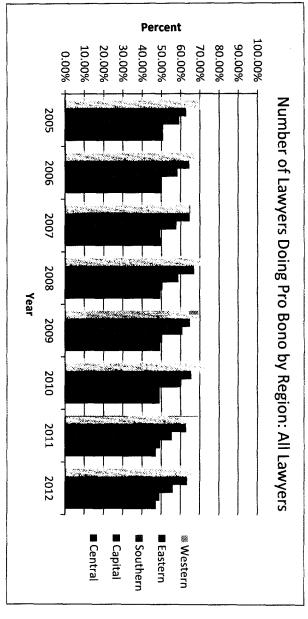


Exhibit B

# Number of Lawyers Doing Pro Bono by Region: Full-Time Lawyers

| /ear |      | Central | Capital | Western | Eastern | Southern |
|------|------|---------|---------|---------|---------|----------|
|      | 2005 | 60.40%  | 62.70%  | 79.00%  | 80.40%  | 72.90%   |
|      | 2006 | 58.90%  | 61.10%  | 77.60%  | 79.50%  | 68.80%   |
|      | 2007 | 58.10%  | 59.70%  | 73.80%  | 78.30%  | 73.40%   |
|      | 2008 | 57.60%  | 59.70%  | 78.20%  | 80.10%  | 71.50%   |
|      | 2009 | 57.00%  | 60.30%  | 76.00%  | 77.30%  | 75.50%   |
|      | 2010 | 56.90%  | 58.90%  | 76.40%  | 78.30%  | 73.50%   |
|      | 2011 | 55.30%  | 58.90%  | 73.50%  | 74.20%  | 69.40%   |
|      | 2012 | 54.80%  | 58.60%  | 75.00%  | 75.10%  | 66.20%   |

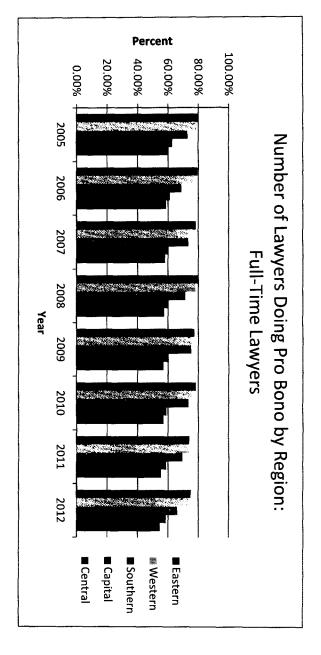


Exhibit B

# **Total Hours of Pro Bono Service Provided**

| Total Hours Provided |   |
|----------------------|---|
| 2002                 | 995,615   |
| 2003                 | 1,031,216   |
| 2004                 | 1,071,968   |
| 2005                 | 1,098,609   |
| 2006                 | 1,097,662   |
| 2007                 | 1,069,666   |
| 2008                 | 1,109,686   |
| 2009                 | 1,139,866   |
| 2010                 | 1,181,028   |
| 2011                 | 1,163,859   |
| 2012                 | 1,162,232   |
|                      | 1,101,946   |
| Increase over Time   | 16.74%  |
|                      | 02<br>000<br>000<br>000<br>000<br>000<br>000<br>000<br>000<br>000 |

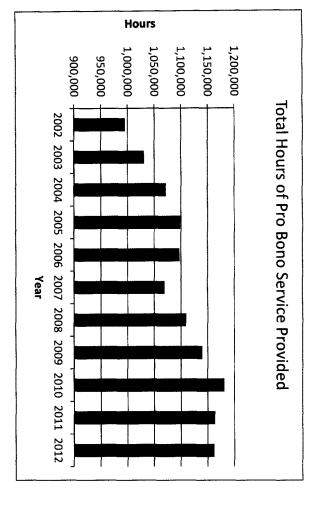
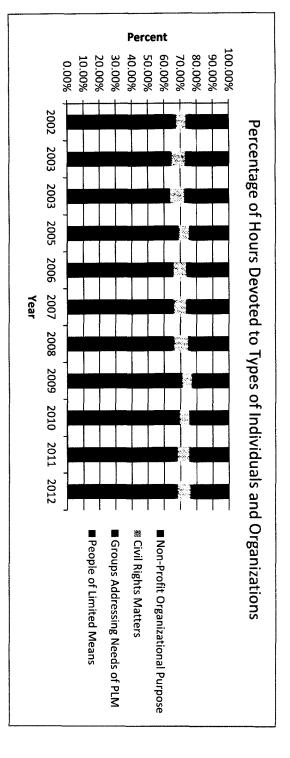


Exhibit B

# Percentage of Total Hours Devoted to Types of Individuals and Organizations

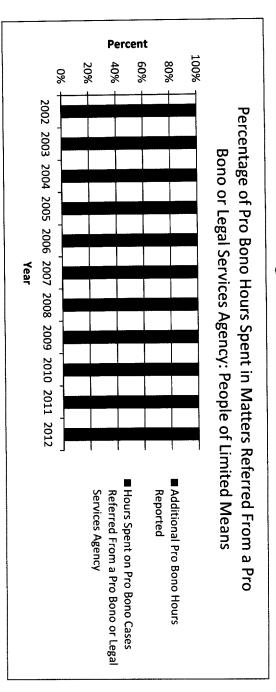
| Year People of Limited | ed Means Groups Addressing Needs of PLM | ng Needs of PLM C | ivil Rights Matters | Non-Profit Organizational Purpose |
|------------------------|---|-------------------|---------------------|-----------------------------------|
| 2002                   | 54.10%                                  | 13.40%            | 5.70%               | 26.70%                            |
| 2003                   | 50.20%                                  | 14.50%            | 8.00%               | 27.00%                            |
| 2003                   | 48.90%                                  | 14.80%            | 8.70%               | 27.60%                            |
| 2005                   | 53.20%                                  | 15.90%            | 6.20%               | 24.70%                            |
| 2006                   | 49.40%                                  | 16.30%            | 8.00%               | 26.30%                            |
| 2007                   | 49.80%                                  | 16.10%            | 7.50%               | 26.50%                            |
| 2008                   | 49.50%                                  | 16.60%            | 8.50%               | 25.40%                            |
| 2009                   | 54.00%                                  | 17.20%            | 5.70%               | 23.20%                            |
| 2010                   | 53.40%                                  | 16.20%            | 5.80%               | 24.70%                            |
| 2011                   | 51.90%                                  | 16.20%            | 7.30%               | 24.60%                            |
| 2012                   | 52.20%                                  | 16.20%            | 7.60%               | 24.10%                            |
|                        |   |                   |                     |                                   |

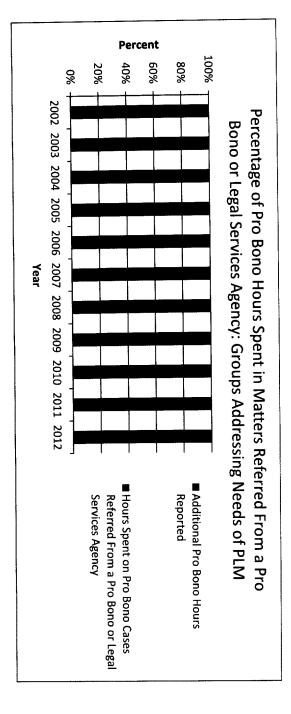


of individuals and organizations. This table and chart reflect the percent of hours reported in service to each type. Lawyers are asked to report the number of hours of pro bono legal service they donated to various types

# Exhibit B

# Percentage of Pro Bono Hours Spent in Matters Referred From a Pro Bono or Legal Services Agency

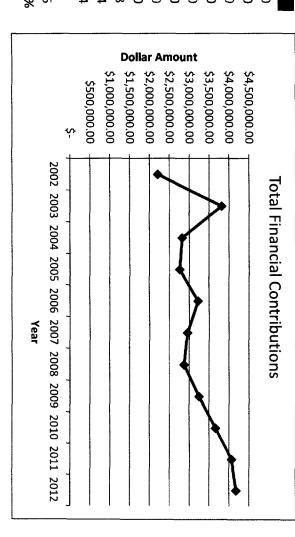




# Exhibit B

# **Total Financial Contributions**

| 89.07%                         |                | Increase over Time |
|--------------------------------|----------------|--------------------|
| 3.254.003.75                   | <b>w</b>       | Average            |
| 4,174,712.34                   | ♦              | 2012               |
| 4,060,551.14                   | \$ 1           | 2011               |
| 3,661,518.73                   | \$             | 2010               |
| 3,244,816.00                   | \$             | 2009               |
| 2,872,919.00                   | %<br>❖         | 2008               |
| 2,957,450.00                   | 7 \$           | 2007               |
| 3,220,691.00                   | \$<br>\$       | 2006               |
| 2,759,360.0 <b>0</b>           | ς.<br>Υ        | 2005               |
| 2,821,759.00                   | \$             | 2004               |
| 3,812,263.00                   | \$             | 2003               |
| 2,208,001.00                   | ,<br>\$        | 2002               |
| Local Fillancial Contributions | I oral culture | I cal              |



In 2003, the top 5 contributions totaled more than 42% of the total contribution amount. The large amount of contributions for this year may be attributable to multiple individuals reporting firm contributions.

Exhibit B

# **Percentage Making Financial Contributions**

| Increase<br>Relative Increase | 2012   | 2011   | 2010   | 2009   | 2008   | 2007   | 2006   | 2005   | 2004   | 2003   | 2002   | Year Percent                              |
|-------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---|
| 2.30%<br><b>14.60</b> %       | 18.00% | 19.40% | 16.60% | 19.20% | 17.10% | 17.50% | 17.80% | 17.70% | 18.20% | 16.00% | 15.70% | Percentage Making Financial Contributions |

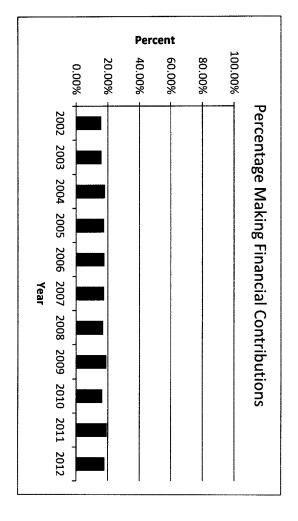


Exhibit B

# **Total Hours and Percentage of Pro Bono Lawyers Providing Assistance Through the Foreclosure Prevention Pro Bono Project**

| 2012     | 2011   | 2010     | 2009   | 2008     | Year                        |
|----------|--------|----------|--------|----------|-----------------------------|
| 2 11,791 | 12,985 | ) 20,778 | 23,826 | 3 13,737 | <b>Total Hours</b>          |
| 4.10%    | 4.60%  | 5.90%    | 7.20%  | 5.70%    | % Providing FPPB Assistance |

# Exhibit B

# **Total Donations Made Through Donations Page**

| Year |      | Total D | Total Donations |
|------|------|---------|-----------------|
|      | 2011 | \$      | 59,291.00       |
|      | 2012 | S       | 70,952.00       |

Beginning in the 2011 reporting cycle, lawyers were given an opportunity to make a one-time, voluntary contribution to a Maryland legal services provider after completing their online pro bono reporting. Amounts are unverified as lawyers were then directed to a separate webpage set up by the organization they chose, where they could confirm and finalize their donation payment. Neither the vendor nor the Administrative Office of the Courts had access to those separate payment pages, any monies that were collected, or data verifying payment.

### Exhibit C



## **BOARD OF PROFESSIONAL RESPONSIBILITY**

of the

### SUPREME COURT OF TENNESSEE

10 Cadillac Drive, Suite 220 Brentwood, TN 37027 (615) 361-7500

All of the pages in this packet and your fee payment must be received by the Board of Professional Responsibility (BPR) by the <u>first day of your birth month</u>, either via regular mail or online through the Attorney Portal at <u>www.tbpr.org</u>.

NAME: BPR No.:

STATUS: Active Email:

**20XX FEE:** \$220.00

# **Due Date:**

## Fee Summary

|           |   | Amount          |
|-----------|---|-----------------|
| <u>1.</u> | BPR Registration Fee  | <b>\$170.00</b> |
| <u>2.</u> | Access To Justice Contribution (See page 4)                 | \$50.00         |
|           | To opt-out or donate a different amount, strike through the |                 |
|           | \$50.00 and enter a different amount.                       |                 |
|           |   |                 |
|           |   |                 |
|           | TOTAL AMOUNT PAID   | <b>\$</b>       |

Pursuant to Supreme Court Rules 9, 25 and 33.

Please pay and register online at <u>www.tbpr.org</u> using MasterCard or Visa. If not paying and registering online, please return this completed packet with a check made payable to "Board of Professional Responsibility" to the address above.

**To use the Attorney Online Portal:** Go to <a href="www.tbpr.org">www.tbpr.org</a> In the upper right-hand corner of the webpage click on the 'Attorney Portal' link.

W-9 is available online.

BPR cards are issued every two weeks. Your BPR card will be mailed to you after your XXXX Registration process has been completed.

# Exhibit C

| NAME:                            | BPR No.:   | Page 2      |
|----------------------------------|--|-------------|
| NOTE: Pursuai<br>Profess         | nt to Rule 9, Sec. 20.5, you must provide written notification to the Board of ional Responsibility within 30 days of any change in contact information. |             |
| BUSINESS CON                     | ITACT INFORMATION:   |             |
| If your busines                  | s address has changed, please provide your new address below):   |             |
| Firm Name:                       |  |             |
| Physical Street<br>You must prov | Address:ide a physical address, which will be displayed on the Board's website.  |             |
| РО Во                            | x:   |             |
| City:                            | ST: Zip Code:  |             |
| elephone:                        | _() Fax #: _()   |             |
| ESIDENCE CO                      | INTACT INFORMATION:  |             |
|                                  |  |             |
| lf your residen                  | ce address has changed, please provide your new address below):  |             |
| hysical Street                   | Address:   |             |
| pt No.:                          | PO Box:  |             |
| -                                | State: Zip Code:   |             |
| -                                | _() Mobile #:()  |             |
| RIMARY ADDI<br>*You mi           | RESS PREFERENCE FOR MAILINGS: Business: Residence:<br>ust provide a physical address, which will be displayed on the Board's website                     | e.          |
| E-mail addres                    |  |             |
|                                  | dress (only one):  |             |
| THOM Ciliali da                  | areas (only one).  | <del></del> |
| cortify that the                 | information provided in this Registration Packet is accurate and com   | nleto       |
| oluly ulat ult                   | information provided in this registration racket is accurate and comp  | piele.      |
|                                  |  |             |
| ignature)                        | (Date)   |             |

<u>To avoid penalties and possible suspension, ALL lawyers with a Tennessee license MUST complete and submit this information either using this paper form OR on the Attorney Portal.</u>

# Exhibit C

# 20XX ANNUAL REGISTRATION PACKET Page 3

| NAME   | <u>:</u>                                       | BPR No.:  |  |
|--------|--|---|--|
| FIRM   | I/ORGANIZATION NAM                             | ΛE:   |  |
|        |  | MANDATORY STATE   | MENT   |
|        |  | <b>IOLTA Compliance Re</b>  |  |
|        | (TENN  | . SUP. CT. RULE 43, SECTION   | 14; and RPC 1.15)  |
|        | or expected to be                              | held a short period of time, that can   | nt or third party funds nominal in amount<br>nnot be made productive for the client or<br>report out-of-state accounts; see 2D.) |
|        | List all IOLTA Ac                              | counts: (Enclose a separate sheet for   | more accounts.)  |
| Financ | cial Institution                               | Account Name  | Account Number   |
|        |  |   |  |
|        |  |   |  |
|        | 2. <u>If you are claimi</u>                    | ng an exemption, check ONE box  | only (mark the box that best fits).  |
|        | <b>A</b> . I/my firm hold(s) no                | funds that are required to be deposited   | in an IOLTA account.   |
|        | <b>B.</b> I am not engaged in the              | he private practice of law in any jurisd  | iction.  |
|        | C. Occupation: I am no                         | t engaged in the private practice of law  | . I serve in the following capacity:   |
|        | Judge  | Attorney General Pu   | blic Defender  |
|        | U.S. Attorne                                   | yDistrict AttorneyIn  | -house counselTeacher of Law   |
|        | On full-time                                   | active duty in the armed forces   |  |
|        | Employed by                                    | state, local, or federal government in  | a capacity not listed above  |
|        |  | Ç   | ses of this Rule, a lawyer who practices as  |
|        | a principal, employee,<br>be deemed to have an | of counsel, or in any other capacity<br>office in TN if the lawyer utilizes one | with a firm that has an office in TN, shall<br>or more offices of the firm located in TN   |
|        | more than the lawyer u                         | itilizes one or more offices of the firm  | n located in any other single state.)  |
|        | •  | t(s) - Bank records must demonstrate easonable bank fees. (Enclose an expla     | that the account(s) did not accrue interest or unation on a separate sheet.)   |
|        |  | I am exempt because no eligible final<br>(Enclose an explanation on a separate  | ncial institution is located within reasonable sheet.)   |

 $For additional \ information \ regarding \ mandatory \ IOLTA \ compliance, see \ \underline{www.tnbarfoundation.org}$ 

# 20XX ANNUAL REGISTRATION PACKET Page 4

| J  |  |
|--|--|
| NAME:  | BPR No.:   |
| Pro Bono Reporting (   | Tenn. Sup. Ct. Rule 9, Section 10.10):   |
| Many attorneys freely give the communities. Gathering infound and maintain funding for civilegal profession. The Supremental Community of the Supremental Communi | neir time and talents to improve our profession, our system of justice, and our rmation about volunteer work done by attorneys is essential to efforts to obtain all and criminal legal services for the indigent and for promoting the image of the ne Court of Tennessee requests that you estimate and Please report the extent of the preceding calendar year. For further description of the categories described |
| (1) I <u>estimate</u> that I worked the  |  |
| Substantially  | ing Legal Services to Persons of Limited Means Without a Fee or at a Reduced Fee; ing Legal Services to Non-Profit Organizations Serving Persons of Limited  |
| Means Without  |  |
|  | ing Legal Services to Groups and Organizations at a Reduced Fee when Payment Fees would create a Financial Hardship; and   |
| Hours Providir   | ng Legal Services to Improve the Law, the Legal System, or the Legal Profession.   |
| (2) I voluntarily contributed means:   | financial support to organizations that provide legal services to persons of limited   |
|  | o not disclose the amount.)  |
| No.  |  |
| (3) Pursuant to Tenn. Sup.   | Ct. R.9, Section 10.10, this reported information remains confidential unless you  |

## Optional Access To Justice Contribution: \$50.00\*

purpose of pro bono award recognition.

waive it solely for purposes of public pro bono recognition by the Supreme Court.

There exists a growing legal needs gap in Tennessee. Indigent and working-poor families face more legal problems caused by unemployment, predatory loans, uninsured medical bills, domestic violence, evictions and foreclosures. In response to this growing need, the Tennessee Supreme Court has declared access to justice for all Tennesseans its number one strategic priority. As a part of the Court's Access To Justice Initiative, all Tennessee attorneys are asked to give a voluntary contribution which will be used to fund direct legal service providers across the state. This donation will help to provide access to justice for the over 1 million low-income Tennesseans who have civil legal problems.

☐ I would like to have my reported pro bono hours submitted to the Supreme Court solely for the

A suggested voluntary donation of \$50.00 is included in your total amount due. If you wish to give a larger donation, strike through the \$50.00 in the fee summary on the first page and write a new amount. If you do not wish to donate at all, strike through the \$50.00 in the fee summary on the first page.

\*This donation may be tax-deductible. Consult a tax expert.

If not registering/paying online at www.tbpr.org, you must forward this completed form with fee payment to: