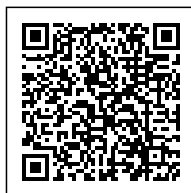


PRO BONO INCREASINGLY A FACTOR IN CLIENTS' CHOICE OF LAW FIRMS

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Sareb, the €50bn Spanish bank, is among the clients adapting procurement procedures to ensure pro bono and CSR work is factored in

A number of major clients in Iberia are increasingly taking into account law firms' pro bono work and corporate social responsibility (CSR) programmes when choosing their legal advisers. It has traditionally been thought that clients in Spain and Portugal generally placed little emphasis on pro bono and CSR when selecting external counsel but the indications are that clients are changing their approach.

Speaking exclusively to Iberian Lawyer, Oscar Garcia Maceiras, general counsel at Sareb – Spain's 'bad bank', which aims to divest €50 billion of assets over a period of 15 years – said that the organisation was taking steps to adopt a new procurement strategy that would take into account law firms' records in the area of pro bono and CSR. "We are going to develop with our procurement

department a model to qualify these factors in our selection processes," he said.

Similarly, RBS head of legal for Southern Europe, Silvia Madrid, acknowledges that, in certain circumstances, a law firm's record in the area of pro bono work could make the difference between winning and losing a client mandate. Though Madrid says that, in general, she does not think pro bono work is considered by clients when choosing external counsels, she adds: "However, it [pro bono] could well become a decisive issue if the considered firms offer similar services and fees."

Portugal: Pro bono/CSR work carried out by leading law firms

Abreu Advogados

2014 Pro bono hours: 1,800

Participating lawyers: 58

CSR highlights: Supporting homeless charity CAIS by providing periodic free lawyer consultation services.

PLMJ

2014 Pro bono hours: 1,011

Participating lawyers: 60

CSR highlights: The firm says it supports 34 "charitable artistic and social solidarity institutions" by providing pro bono legal services.

Vieira de Almeida

2014 Pro bono hours: 5,009 (with an estimated financial value of €650,000)

Participating lawyers: 105 (64 per cent of the firm's lawyers)

CSR highlights: JAP (Junior Achievement Portugal) and GRACE, an entity that promoting corporate citizenship.

There are indications that attitudes are changing in Portugal as well. One in-house lawyer at a leading insurance company in Portugal said that, though "business acumen, price and availability of key lawyers" are the key concerns, CSR could be used "as criteria not to select external counsel". Fernando Ortega, general counsel at Siemens in Spain, says CSR is an extremely important factor to be considered when selecting external law firms. "Pro bono itself is not a specific point of interest for me, but CSR is, of course, crucial," he says. "How the law firm is perceived by our stakeholders and how it is acting within society is a key point when I retain external support." Ortega adds that Siemens "cannot jeopardise the reputation of Siemens dealing with inappropriate firms".

A spokeswoman for Cuatrecasas, Gonçalves Pereira says that clients pay "deep attention" to who the firm assists through its pro bono work. She adds: "It [pro bono and CSR] is a fundamental issue, and little by little, it is coming into force among the pitching criteria."

Linklaters partner Ben Crosse agrees that clients are increasingly considering law firms' pro bono and CSR work when choosing external legal advisers. "In the current world, where companies are judged not solely on performance, but also on their contribution to society, boards are becoming ever more aware of the need to invest in pro bono and CSR work, and consequently expect their

advisers to make similar efforts," he says.

Pro bono and CSR is increasingly taken into consideration by clients when choosing legal advisers, partly because often clients seek to work in partnership with a law firm on pro bono matters, according to a Baker & McKenzie spokesman. "Many of our global clients, many of whom operate in Spain, do care deeply about pro bono and CSR and they ask us to discuss our work in questionnaires, responses to request for proposals and in pitches," he adds. A spokeswoman for Jones Day, whose lawyers have done pro-bono work for a wide range of organisations including "right-to-die" groups, says clients frequently ask for pro-bono information in RFPS [request for proposals].

Clients in Portugal are also adapting their approach to the procurement of legal services. When asked if clients factor in pro bono work when choosing their legal advisers, a spokeswoman for Vieira de Almeida says: "If the question was asked a few years ago, the answer would be, undoubtedly, no. However, there is growing awareness regarding law firms' roles in the community to which they pertain – as such clients tend to be increasingly attentive to a firm's pro bono and CSR projects."

The importance of CSR as a factor influencing clients' choice of law firm will "grow more and more each year", according to PLMJ partner Maria da Conceição Cabaços. She adds: "In the near future [CSR] will be regarded as relevant benchmark criteria in a selection process since it reflects the values promoted by the law firm."

Spain: Pro bono/CSR work carried out by leading law firms

Baker & McKenzie

2014-15 Pro bono hours: 508.3 (with a financial value of €167,000)

CSR hours: 278

CSR highlights: The Coach Project initiative, a corporate volunteering programme offered by Fundación Exit with the aim of improving employment opportunities for young people at risk of social exclusion.

Clifford Chance

2014 Pro bono/volunteering hours: 1,126

Number of participants from the firm: 150

CSR highlights: Supporting Tengo Hogar, a Spanish charity providing temporary housing for families affected by the economic crisis, as well as collaborating with the Balia Foundation, which provides "socio-educational assistance" for children, young people and their families.

Cuatrecasas, Gonçalves Pereira

2014 Pro bono hours: 2,350

Participating lawyers: 153

CSR highlights: In 2002, the firm signed up to the United Nations Global Compact, which encourages businesses to commit to corporate responsibility in the areas of human rights, labour, the environment and anti-corruption.

Garrigues

2014 CSR highlights: Legal advice to 26 not-for-profit entities.

Linklaters

2014 Pro bono/volunteering hours: "It's difficult to quantify, but I would estimate that the number of hours dedicated each year to pro bono work and social responsibility initiatives by the staff as a whole is in the thousands," says partner Ben Crosse.

CSR highlights: In the last year, collaborated with a university to help students provide free legal advice to charities such as Norte Joven, also helped in sorting food bank donations in Madrid in November 2014.

Uría Menéndez

2014 Pro bono hours: A firm spokeswoman said it would not provide figures because "our pro bono work is done because we really believe in it, not for the numbers".

CSR highlights: The firm collaborates with the Professor Uría Foundation, through which it promotes the "development of humanitarian projects and encourages everyone at the firm to become directly involved in charitable and cultural activities".