

## Pro Bono Reporting Template

Issued: June 2011

This template is issued by the Office of Legal Services Coordination in accordance with paragraph 6 of Appendix F to the *Legal Services Directions 2005*.

Legal services providers performing Commonwealth legal work in accordance with the common form Deed of Standing Offer entered into after 16 September 2008 must report to OLSC using this template within 30 days after the end of each financial year.

The terms in this template are defined, where necessary, below.

**NOTE:**

*OLSC may publish aggregate and / or subsets of the information reported.*

<b>Relevant Commonwealth legal work</b>		<b>Guidance to complete the template</b>
1. List the names of all agencies and departments for whom the legal services provider performs Commonwealth legal work.		<i>This is intended to demonstrate the scope of the providers' services to the Commonwealth.</i>
2. What was the <u>total value</u> of Commonwealth legal work undertaken by the legal services provider in the previous financial year?	\$0.00	<i>This is the Commonwealth expenditure received by the provider for legal services in the reporting period.</i>
<b>Pro Bono Legal Work</b>		
3. At the end of the previous financial year, was the legal services provider a signatory to the National Pro Bono Resource Centre's Aspirational Target?	YES/NO	
4. If the legal services provider was a signatory, did the provider meet the National Pro Bono Resource Centre's Aspirational Target for the previous financial year?	YES/NO	<i>The aspirational target is currently 35 hours of pro bono per lawyer, per year.</i>
5. How many hours per lawyer (averaged across the number of full-time equivalent lawyers in the firm) of Pro Bono Legal Work did the provider's lawyers undertake in the previous financial year?	XX HOURS	<i>This includes law graduates in accordance with the NPBRC advice</i>
6. What was the total value of the Pro Bono Legal Work undertaken by the provider in the previous financial year?	\$0.00	<i>Value is defined below. This figure is intended to be indicative of how senior the lawyers providing the pro bono services were.</i>
7. What was the total number of hours of Pro Bono Legal Work undertaken by the provider in the previous financial year?		<i>This is intended to capture the firms total hours of pro bono legal work.</i>
8. What was the value of the Pro Bono Legal Work undertaken by the provider in the Asia-Pacific region, including unpaid capacity building work in the Asia-Pacific region?	\$0.00	<i>This should include incidental costs such as travel and accommodation.</i>

## **Pro Bono Reporting Template Definitions**

### Commonwealth legal work

'Commonwealth legal work' has the same meaning as in s55ZF of the Judiciary Act 1903 (Cth), which is:

- (a) any work performed by or on behalf of the AGS in the performance of its functions; or
- (b) any legal work performed by a person for any of the following:
  - (i) the commonwealth;
  - (ii) a body established by an Act or regulations or by a law of a Territory (other than the Australian Capital Territory, the Northern Territory or Norfolk Island);
  - (iii) a company in which the Commonwealth has a controlling interest (including a company in which the Commonwealth has a controlling interest through one or more interposed Commonwealth authorities or Commonwealth companies);
  - (iv) other persons or bodies referred to in subsection 55N(1), to the extent that the work relates to the person's or body's performance of a Commonwealth or Territory function.

### Value

The value referred to here is the value of the services provided, had the client not received the services on a pro bono basis. This may be most effectively measured with reference to the hourly charge-out rate of the lawyer/s providing the pro bono services.

This is not the cost to the law firm of providing the services.

### Pro Bono legal work

'Pro bono legal work' has the same meaning as set out in the paragraph 1.2 of the common form request for tender documents issued by OLSC, which is:

- a. giving legal assistance for free or at a substantially reduced fee to any of the following:
  - i. individuals who can demonstrate a need for legal assistance but cannot obtain legal assistance or otherwise access the legal system without incurring significant financial hardship;
  - ii. individuals or organisations whose matter raises an issue of public interest that would not otherwise be pursued; or
  - iii. charities or other non-profit organisations that work on behalf of low income or disadvantaged members of the community, or for the public good;
- b. conducting law reform and policy work on issues affecting low income or disadvantaged members of the community, or on issues of public interest;
- c. participating in the provision of free community legal education on issues affecting low income or disadvantaged members of the community, or on issues of public interest;
- d. providing a lawyer on secondment at a community organisation (including a community legal organisation) or at a referral service provider such as a public interest law clearinghouse,

but does not include:

- e. giving legal assistance to any person for free or at a reduced fee without reference to whether a person has the capacity to pay;
- f. free first consultations with clients who are otherwise billed at a firm's normal rates;
- g. legal work provided under a grant of legal assistance;
- h. contingency fee arrangements or other speculative work that is undertaken with a commercial expectation of a fee;
- i. the sponsorship of cultural and sporting events, work undertaken for business development, and other marketing opportunities, or
- j. time spent by lawyers sitting on the board of a community organisation (including a community legal organisation) or a charity.

*Note: This definition is based on the definition of 'pro bono legal services' in the National Pro Bono Aspirational Target Statement of Principles developed by the National Pro Bono Resource Centre, as at 1 September 2008.*

Further information regarding completion of the template can be obtained by contacting the Office of Legal Services Coordination at [OLSC@ag.gov.au](mailto:OLSC@ag.gov.au)