

Justice at Risk



More Support Needed for Legal Aid Attorneys in California

*Prepared for the Legal Aid Association of California
January 2020
Carmody and Associates*

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Many thanks to the legal aid organizations and the hundreds of attorneys and law students who made this study possible. Your dedicated participation and honesty are truly appreciated.

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Executive Summary

Legal aid organizations in California are finding it difficult to recruit and retain attorneys to provide legal assistance for low-income individuals, seniors, and persons with disabilities. Although this study is a follow-up to California's 2010 Study, it was undertaken during a very different time. When the 2010 Study was conducted, California was still in the Great Recession. The years prior to and during the 2019 Study are ones of growth. Growth in revenue. Growth in numbers of attorneys. Growth in the cost of living in California. They are also years of growth in turnover at a time of reduced applicants.

This study found many differences in legal aid between 2010 and 2019, and similarities as well. Conclusions about these differences and similarities and about the primary causes and effects of legal aid organizations' recruitment and retention challenges begin with a key overall conclusion:

The Need for Significant Changes in Support of Legal Aid Attorneys

Support for legal aid attorneys must improve in order to successfully recruit and retain attorneys. Many legal aid organizations—particularly the large organizations—are attempting to provide some level of service to almost every eligible individual in every part of their service area. Their services are structured to do this. When legal aid organizations do not have the resources to make the model work, many continue to try to make it work with the attorneys they have or with a few more. Working in a constantly under-resourced system is taking its toll on the attorneys and hence the organizations.

When many legal aid attorneys combine the reality of working in a consistently overwhelmed system with:

- the feeling of not having their work valued enough to be paid sufficiently as an attorney to have a middle-class lifestyle on just their income, and
- the financial stress of living paycheck to paycheck and falling further and further behind because of California's high cost of living, and
- for some, the stress of a second job, and
- for some, the stress of living with family members or a roommate when they do not want to, and
- for many, the reality that they have hundreds of thousands of dollars in educational debt they may have to pay after having been promised the government would forgive it...something has to change.

The primary change currently is that legal aid attorneys are frequently changing jobs, some going to another legal aid organization looking to find a better situation, and others leaving legal aid entirely.

Legal Aid Attorney Turnover: A Growing and Significant Challenge

Turnover is a growing and significant challenge. Nearly a third of the attorneys employed in the study's legal aid organizations on January 1, 2017 were gone by the end of 2018. The median length of employment for those who left during 2017 – 2018 was two years. The Bay Area and Southern California—the regions with the highest costs of living and the greatest numbers of low-income people—have seen the largest increases in turnover rates and largest decreases in length of employment. The San Joaquin Valley and Central California Region continues to have the highest turnover rates, with more than a fifth of their attorneys leaving each year.

Growth in Numbers of Legal Aid Attorneys and Dramatic Change in Generations

In addition to turnover, the organizations have experienced significant growth. As a result, four out of ten of the current legal aid attorneys have worked for their employer for less than two years. The generational differences between the attorneys in the 2010 and 2019 Studies are stark. Baby Boomers and Traditionalists declined from 36 percent to 12 percent. Generation X attorneys declined from 45 percent to 28 percent. Millennials increased from 19 percent to 60 percent.

Many Legal Aid Attorneys May Leave Soon

Nearly one-third of the legal aid attorneys in the 2019 Study's organizations may leave within the next three years, with 92 percent of these attorneys saying they may leave within the next two years. Many of the attorneys who left recently also had been hired recently. In general, the attorneys who think they may leave soon are younger, and more recent law graduates. They also are less likely to live with a spouse/partner and more likely to have a second job than the attorneys who think they will stay.

Low Salaries the #1 Reason to Leave

Financial stress due to their low salary is the number one reason legal aid attorneys give for leaving soon. The median entry level salary for a legal aid attorney is \$57,000. Entry level salaries range from \$46,000 – \$78,000. Only three of the 50+ organizations have a starting salary of \$70,000 or more.

The impact of low salaries is intensified by California's high cost of living and exacerbated by high student loan expenses. The difference in the comments the attorneys made about legal aid salaries between the 2010 Study and the 2019 Study is extraordinary. Whereas in the 2010 Study, the attorneys commented on how hard it was to be in legal aid unless they had a spouse/partner who also had an income, the 2019 Study's attorneys—and some leadership—are now saying it is *financially impossible* without a spouse/partners' income, particularly in the higher cost areas of the state. Some law students who want to work in legal aid say they will "figure it out," but they are unlikely to be able to do that and will leave when the financial realities set in. Others will just give up on legal aid entirely and look to start their legal careers elsewhere.

The Consequences of Low Salaries

Legal aid organizations' low salaries have many consequences beyond financial stress. Nearly one in five of the legal aid attorneys have taken on second jobs to supplement their salaries. Many now realize they and others cannot work in legal aid without the financial support of a spouse/partner. Many report they cannot afford to have children. They are less able to own a home.

Since the 2010 Study, the percentage of legal aid attorneys who are female increased another five percentage points to 72 percent. Some of this gender disparity may be because women are usually the primary caretakers of children and want and/or need a more family-friendly work environment, which many legal aid organizations provide. However, some of the difference may be because males are generally unwilling to work for the salaries offered because they think they are worth more. Legal aid may now be a pink-collar profession where the work women do is less valued, similar to what has happened with teachers and other female-dominated professions.

Cannot Compete with Other Legal Employers' Salaries

Many of the study's law students who were legal aid interns are looking at government careers after learning about the low salaries in legal aid. Some legal aid attorneys also are leaving for government work, in addition to other legal employers. Public defender work is a stark example of the differences in salaries. An entry level salary for a Deputy Public Defender in Sacramento County is more than \$110,000 and in San Francisco is nearly \$122,000. These entry level salaries can be more than double the starting salaries in legal aid and are more than the median salaries for all experienced level attorney positions in legal aid organizations, except for senior legal management in some.

Educational Debt a Far Bigger Problem Now

Legal aid attorneys' educational debt has grown significantly since the 2010 Study because of the increase in law school tuition. In addition, the Public Service Loan Forgiveness (PSLF) program's requirement to put loans in "income-based repayment" plans is causing the amount of debt to balloon for many of the legal aid attorneys after they graduate. More than 60 percent of the attorneys currently have educational debt

with the median amount in the \$125,000 – \$149,000 range. More than one-third of these attorneys have \$200,000 – \$300,000+ in educational debt.

These astonishing and ballooning amounts are causing extreme anxiety for many of the attorneys who know the promise of PSLF's loan forgiveness is currently not working for others as planned. Attorneys were told PSLF is their ticket for staying in legal aid, and now fear is growing when they look at having hundreds of thousands of dollars in debt and no way to pay it off. Some fear has started in the law student community, and if it becomes clear that PSLF is not going to work, they will be less and less likely to look at legal aid as a viable employment option.

Career Advancement is #2 Reason to Leave

A lack of career advancement opportunities is the second highest reason given by legal aid attorneys who think they may leave soon. Some organizations have positions to advance to, but they are only attainable after several years or there is a cap on the number of more senior positions. Other organizations have positions to advance to but they include no or little additional pay. Legal aid attorneys would also like their organizations to be more intentional about professional development for their current positions and career advancement.

High Workload Demands and Burnout

Trying to serve more clients in need than they and their organizations have the resources to serve is taking a toll on legal aid attorneys. They report high levels of emotional exhaustion, demanding client interactions, frustration, and difficulties determining where their job begins and ends. These are all situations that lead to burnout. The attorneys are asking for reduced workloads, more support for their work, and attention to their mental health needs. Some of the organizations are responding.

Diversity, Equity, and Inclusion Progress

Low salaries are the primary impediment to recruiting and retaining attorneys. For most attorneys of color, the challenge of being able to afford working in legal aid is compounded by the weight of educational debt. Eighty-five percent of the attorneys of color in this study who graduated law school in 2014 – 2018 have educational debt, with a median range of \$200,000 – \$225,000.

Although the overall racial/ethnic diversity of legal aid attorneys has been increasing, the proportions of attorneys of color in supervisory and management positions lag far behind. Law students and attorneys of color want to be in organizations that have attorneys of color in leadership. If applicants do not see this, they may not apply. If attorney employees do not experience this, they may leave. Many attorneys of color have other legal and non-legal employers competing for them because those employers are also trying to diversify their workforces. Attorneys of color with bilingual skills are particularly competitive in the job market and know they should be compensated for their additional skills.

Recruitment a Far Bigger Problem Now

Although the 2010 Study identified some similar issues with the recruitment processes of the legal aid organizations as the 2019 Study did, attorneys were still applying for and accepting positions at that time, although there were fewer openings because of the recession. Now recruitment seems to be as much of an issue as retention. Filling open positions is taking a long time for many organizations because of a lack of applicants and acceptances. It is made more difficult by many organizations' recruitment and hiring processes in which the search for applicants sometimes is not as proactive as needed. In some organizations, the hiring processes are delayed because of a lack of human resources staff.

Law students are frustrated with the lack of a clear process for finding and applying for legal aid jobs and the lateness of the legal aid application timeline compared to that of private firms and other legal employers.

Many believe fellowships are the only way into legal aid and that there are few other entry level openings. There is a significant disconnect between law students' beliefs and accurate information about legal aid job openings and application processes.

Law students see the differences in the salaries between legal aid and other legal employers and are making the hard decision to choose another career path to be paid enough. More attorneys are not applying for experienced level legal aid jobs, including some legal aid attorneys who are making the even harder decision to leave a career they love to take a higher paying position with another type of legal employer that allows them to raise children, buy a home, save for retirement, or any of the other things a middle class professional should be able to afford.

Turnover and its Effects Continue in the Future?

If major changes are not made, turnover and its effects will continue to rise and erode services. There is a weariness in many of the thousands of comments the legal aid attorneys made during the study. The attorneys spoke of their love for their work, their clients, and their colleagues. But they also spoke of the financial stress they are suffering, the workload expectations they are under, and the burnout they are experiencing. As the remaining attorneys grow ever more tired of dealing with these conditions, they may leave too.

The attorneys work in legal aid because they have a passion for the work. However, being under financial stress and working in an environment where working more is never enough can cause dedicated and passionate attorneys to reach their limits and leave. Fewer clients will then be served as there are more openings and more "training-up" time. And the cycle will begin again unless major changes are made.

Recommendations

The major recommendations from the study's staff are summarized below. Their full recommendations are in the *Conclusions and Recommendations* section. The report is full of additional recommendations from the legal aid organizations' leadership and attorneys. Together these recommendations provide steps to take to address the barriers threatening the sustainability of legal aid attorneys in the legal aid system.

1. Pay Higher Salaries

This study's findings about legal aid salaries are unambiguous. Almost every legal aid organization needs to increase attorney salaries to (1) be competitive with other legal employers, (2) ensure they meet the high cost of living, and (3) let legal aid attorneys know their work is valued. The amount of the increase needed will vary by position and organization, but the study found an \$11,000 – \$15,000 increase should make a difference for now. Once the salary levels that meet the three criteria noted are met, they must be increased annually to keep pace with increases in the cost of living.

2. Help More with Student Loans

For many of the legal aid attorneys, their educational debt is a heavy burden that is causing financial and emotional stress. The legal aid organizations should work with the California Congressional delegation and others to ensure the federal Public Service Loan Forgiveness (PSLF) works in the way their attorneys thought it would when making career decisions, such that the balance of their federal loans will be forgiven after ten years of employment.

Loan Repayment Assistance Programs (LRAPs) are needed to help the attorneys make their loan payments. The legal aid organizations should work on obtaining funding for the California Public Interest Attorney Loan Repayment Program and work with law schools to improve the law school LRAPs. Legal aid

organizations that do not have a program should start one. Those organizations who have LRAPs should consider improving them if they currently have salary or benefit caps or waiting periods.

3. Provide Career Advancement Opportunities and Professional Development

Some of the legal aid organizations are beginning to develop more positions for advancement. Others need to do so as well. More organizations also should be intentional about providing professional development that helps attorneys improve their skills for their current position and develop their skills for other positions they aspire to inside or outside the organization. Mentorship opportunities should be offered for both professional development and career advancement. Legal aid organizations should work together to create a mentoring pool of attorneys who are willing to mentor attorneys in other organizations.

4. Improve Management of Work and Attorneys

Legal aid organizations need to ensure the attorneys' workloads are manageable. If this means turning away potential clients for services, that should be done. For many attorneys, providing good administrative support would go a long way to reducing their workload and making them more effective in their legal work. If someone is asked to take on additional responsibilities for an extended time (e.g. more than a month) because an attorney is gone temporarily or permanently, they should receive additional compensation.

Supervisors should have reduced legal workloads, so they have the time and energy to supervise. Burnout of them and other attorneys should be prevented by, in addition to ensuring more manageable workloads, providing mental health assistance. Assistance should include formal programs, providing ways for employees to develop supportive relationships in the office, and encouraging regular time off. Attorneys that have been at the organization for an extended time (e.g. five years) should be given a paid sabbatical.

5. Work on Diversity, Equity, and Inclusion (DEI)

Much about the recruitment *and* retention of a diverse group of attorneys is similar. The primary barrier to both is low salaries, making increasing salaries a necessary ingredient for building and sustaining a diverse attorney staff. A workplace having a supportive DEI culture and diverse leadership also affects both. Some of the legal aid organizations have started discussions about how to have a more diverse, equitable and inclusive culture. Involving all attorneys (and other staff) in these discussions is a good first step.

Diversifying legal aid leadership across race, ethnicity, gender, sexual orientation and disability should continue to be a high priority. Legal aid organizations should establish clear pathways for individuals to develop the skills necessary for leadership and management positions and actively encourage attorneys who would make the pool of qualified candidates for these positions more diverse to take advantage of these pathways. Legal aid organizations need to make personal connections to other legal aid organizations and their attorneys to recruit potential candidates, and not view this negatively.

Opportunities for mentorship to aid in retention of a more diverse attorney staff should be considered. Mentors can come from within the employer organization or a different organization. Career advancement opportunities should be more readily available, and attorneys who diversify the applicant pool should be encouraged to apply. Bilingual attorneys need to be compensated for their additional skills and not be asked to translate in situations where it is more appropriate to hire a support staff person do so.

Regular communication and feedback loops for all staff is vital for a healthy organization. Understanding the issues attorneys may face in their communities and the factors impacting retention and providing support for the same is important for all staff but especially important for staff within under-represented groups. All legal aid staff should receive implicit bias training.

6. Improve the Recruitment Processes

Recruitment is another area where working together as a legal aid system will make all the organizations much more effective and efficient, particularly at the law school level. Coordinating efforts to meet with law school students, groups, and classes can lead to students learning about a range of legal aid organizations from varied representatives, many of whom could be alumni of the particular law schools. A recruitment success for one organization is a recruitment success for all. That may be an attorney who will be in the legal aid pipeline and later apply for another position in another legal aid organization.

Legal aid organizations need to make attorney recruitment a prioritized function that is staffed and inclusive, with final decisions made by the executive director or their designee(s). They should collaborate on obtaining training for all who staff recruitment efforts and all staff who interview applicants.

7. Enhance the Intern and Fellowship Pipelines

Internships are a critical pipeline to legal aid, with three-fourths of the attorneys interning in at least one legal aid organization during law school. Legal aid organizations should pay a good salary to every summer legal aid intern so all interested candidates can afford to intern with them and to relieve law students from having to raise money for summer public interest internships during the school year.

More than ten percent of the attorneys hired recently were former fellows, making it another important pipeline also. Legal aid organizations should coordinate their efforts to make internships and fellowships meaningful experiences and to bring those attorneys into post-graduation and post-fellowship positions. They also should build “bridge” funding into their budgets to close the funding gap between the time a fellowship ends for a fellow they would like to keep and when a permanent position becomes available through attrition or new funding.

8. Undertake Specific Recruitment to Increase Diversity

Increasing salaries is a primary strategy that needs to be undertaken to increase the recruitment of a diverse group of legal aid attorneys, particularly one that is racially/ethnically diverse. Having leadership positions filled by a diverse group of leaders will also make an organization more attractive to applicants. Legal aid organizations should work in partnership with the State Bar of California and California LAW, Inc. on their initiatives to increase the diversity of the legal profession. They also should broaden the law schools they recruit from if the schools they normally recruit from are not very diverse, and move up their hiring timeline, making it more likely they will be able to hire candidates who will enhance their organization’s diversity and are being recruited by other legal employers.

9. Conduct Specific Recruitment and Provide Incentives for Rural or Less Attractive Locations

Legal aid organizations in rural or less attractive locations should develop a sustained local effort to recruit individuals from the area—begin a pipeline. The effort should include talking to high school students about a legal aid career, participating in law-related education programs in the local schools, and mentoring interested students. A new rural pipeline program that provides free undergraduate tuition to students from rural areas in Nebraska to practice law in rural areas should be followed for successes and lessons learned. Other financial incentives should be considered. Legal aid organizations should work with law schools and law school groups to have attorneys who work in rural areas or less attractive locations speak to students about their experiences and the benefits of working in those locations. Recruitment should emphasize the many positives about the locations and job, including good support for developing attorneys.

I. Introduction

This Study is a follow-up to a similar study conducted a decade ago, which was reported in *[Shaping the Future of Justice: Effective Recruitment and Retention of Civil Legal Aid Attorneys in California \(April 2010\)](#)*.¹ Now, as then, legal aid organizations in California are finding it difficult to recruit and retain attorneys to provide legal assistance for low-income individuals, seniors, and persons with disabilities.

The purpose of this study is to explore the underlying causes of these difficulties and to recommend actions to improve the recruitment and retention of legal aid attorneys. Some of the primary questions the Legal Aid Association of California (LAAC) and the participating organizations wanted investigated include:

- Why are legal aid attorneys leaving?
- When in their career are they leaving?
- When in their employment are they leaving?
- What is the diversity of the attorneys who are leaving?
- What would keep legal aid attorneys in their jobs?
- What is the effect of turnover on the organizations?

To address these questions, this study's scope was expanded from the previous study in three primary ways.

First, the type and number of organizations were increased. The 37 legal aid organizations that participated in the 2010 Study were Direct Services organizations—those that provide legal services directly to low-income people, seniors, and persons with disabilities. This follow-up study expanded to include Support Centers—those organizations that provide back-up technical assistance, training, and advocacy expertise and support to the Direct Services organizations.

Thirteen of California's 22 Support Centers and 43 of its 77 Direct Services organizations participated in this study. They comprise more than half of the 99 organizations that received funding in 2019 from the Legal Services Trust Fund Commission of the State Bar of California, and they employ more than two-thirds of California's legal aid attorneys.

Second, input from California law students was gathered through an online survey and focus groups. Having more information about the pipeline of law students, and particularly those interested in public interest law, is essential to understanding the recruitment and retention of new attorneys.

Third, more research focused on diversity, equity, and inclusion in the workforce. With California being the most culturally diverse state in the country, having information about these areas is vital to understanding recruitment and retention of a healthy attorney workforce.¹

This study's data was collected in March – August 2019. As a point-in-time study, some salary information is out of date because some organizations increased attorney salaries after the information was collected. More about the study's methodology and participating organizations can be found in Appendix 1.

Note that all comments in this Report are from Current Attorneys, unless otherwise noted.

¹ <http://worldpopulationreview.com/states/most-diverse-states/>

II. Turnover: A Growing and Costly Challenge

The Magnitude of Turnover in Legal Aid

A significant and growing challenge. Retaining attorneys is a significant and growing challenge for the legal aid organizations. Nearly a third of the attorneys employed in the organizations on January 1, 2017 were gone by the end of 2018, with the average annual turnover rate being 16.4 percent.² In one-third of the Direct Services organizations, forty percent or more of the attorneys employed on January 1, 2017 left by the end of 2018.

A particularly disconcerting finding is that the majority of the organizations had more turnover in 2018 than in 2017, resulting in the overall turnover rate climbing from 14.8 percent in 2017 to 18 percent in 2018. This is a 22 percent increase in one year. For Direct Services organizations, the picture is even less positive. Turnover in 2018 reached 18.6 percent, up 25 percent from 2017.³

On a positive note, six of the organizations had no turnover in 2017 or 2018. One of these organizations was new and only hired its first attorney in late 2018. The other five organizations include three Direct Services organizations and two Support Centers. They vary in attorney size with three organizations classified as Very Small, one Small, and one Medium.⁴

Of course, not all turnover is voluntary, unexpected, or unhealthy. Some attorneys are required to leave because they are not meeting performance standards. Others retire or leave for personal or family reasons. Sometimes turnover brings in new energy and new ways of thinking that can be helpful to an organization. While the turnover experienced by the organizations contains all these elements, for the most part, as described later, it is costly to the organization and the fulfillment of its mission.

More Turnover than a Decade Ago

More attorneys leaving Direct Services organizations. The 2010 Study examined turnover among Direct Services organizations from July 2005 through June 2008 and found a 14.0 percent average annual turnover rate.⁵ The intervening years' turnover rates are unknown. However, when this rate is compared to the annual rates of this study's Direct Services organizations, a disturbing trend emerges—from 14.0 percent in 2005 – 2008 to 14.9 percent in 2017 to 18.6 in 2018.

Major turnover increases in Bay Area and Southern California. Turnover rates of the Direct Services organizations in four out of six of California's regions increased since the earlier study. The largest increases were in the regions with the highest costs of living and the greatest numbers of low-income people—the Bay Area and Southern California. The Bay Area Region's turnover rate climbed by more than one-third from 11.8 percent to 16.0 percent, and the Southern California Region's rate climbed nearly 30 percent from 13.9 percent to 18.0 percent. The highest turnover rate was in the San Joaquin Valley and Central California Region, where the rate was essentially unchanged from 21.8 percent to 21.5 percent. The

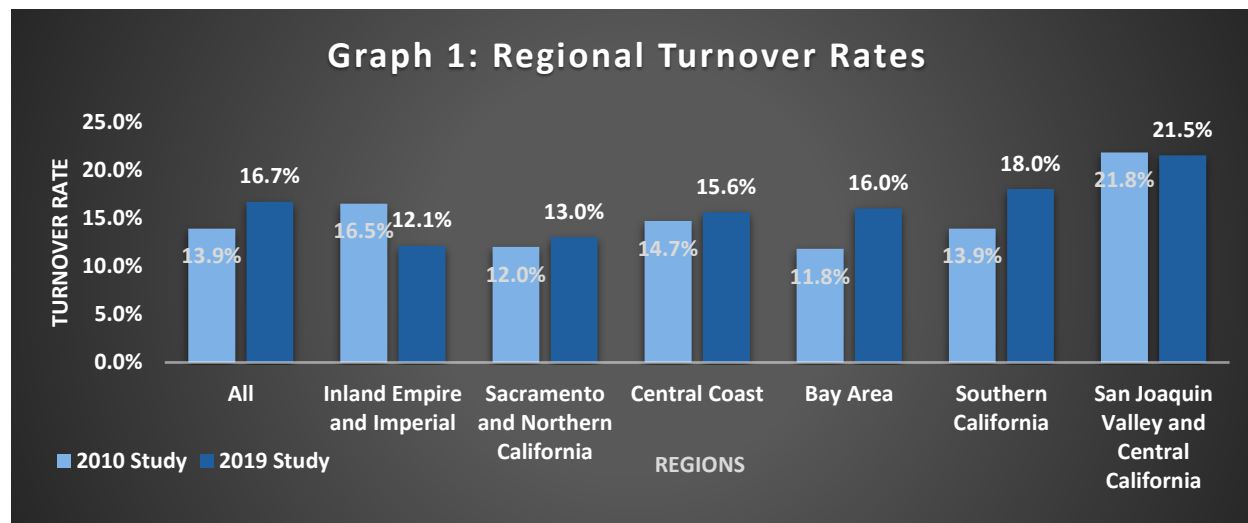
² Annual turnover is calculated as the ratio of the number of attorneys who left an organization during the year to the total number of attorneys employed at any time during that year. For example, if an organization started the year with ten attorneys, and during the year, hired four more and two left, the turnover rate would be two (the number who left) divided by 14 (the original ten plus the four who were hired) or 14.3 percent. The average annual turnover rate was determined by adding the annual turnover rates for 2017 and 2018 together and dividing by two. This method was also used in the 2010 Study.

³ The Study analyzed turnover among both Direct Services organizations and Support Centers. These two types of organizations are defined in Appendix 1: *The Study's Methodology*. The average annual turnover rate for Direct Services organizations was 16.7 percent; for Support Centers, the rate was 13.1 percent (14.3 percent in 2017 and 12.0 percent in 2018).

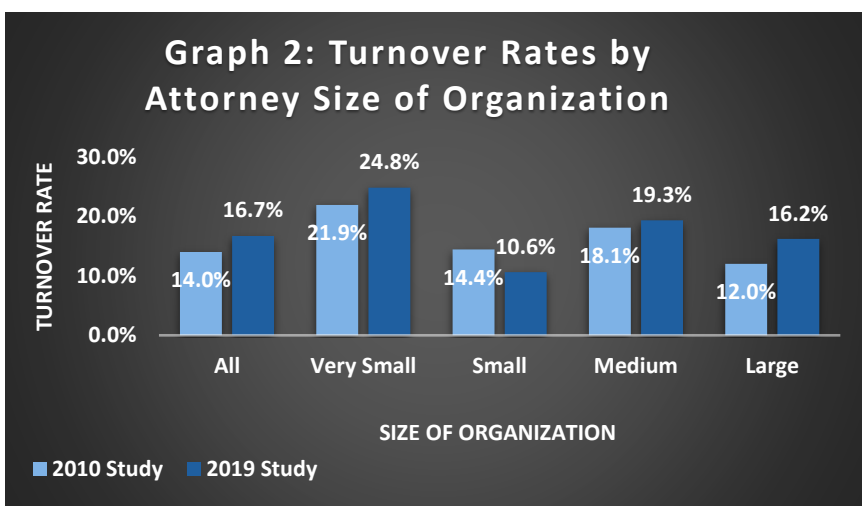
⁴ Classifications by attorney size, budget size and regions are defined in Appendix 1: *The Study's Methodology*.

⁵ Only Direct Services organizations were included in the 2010 Study.

Inland Empire and Imperial Region’s turnover rate declined significantly from 16.5 percent to 12.1 percent. (See Graph 1: Regional Turnover Rates.)



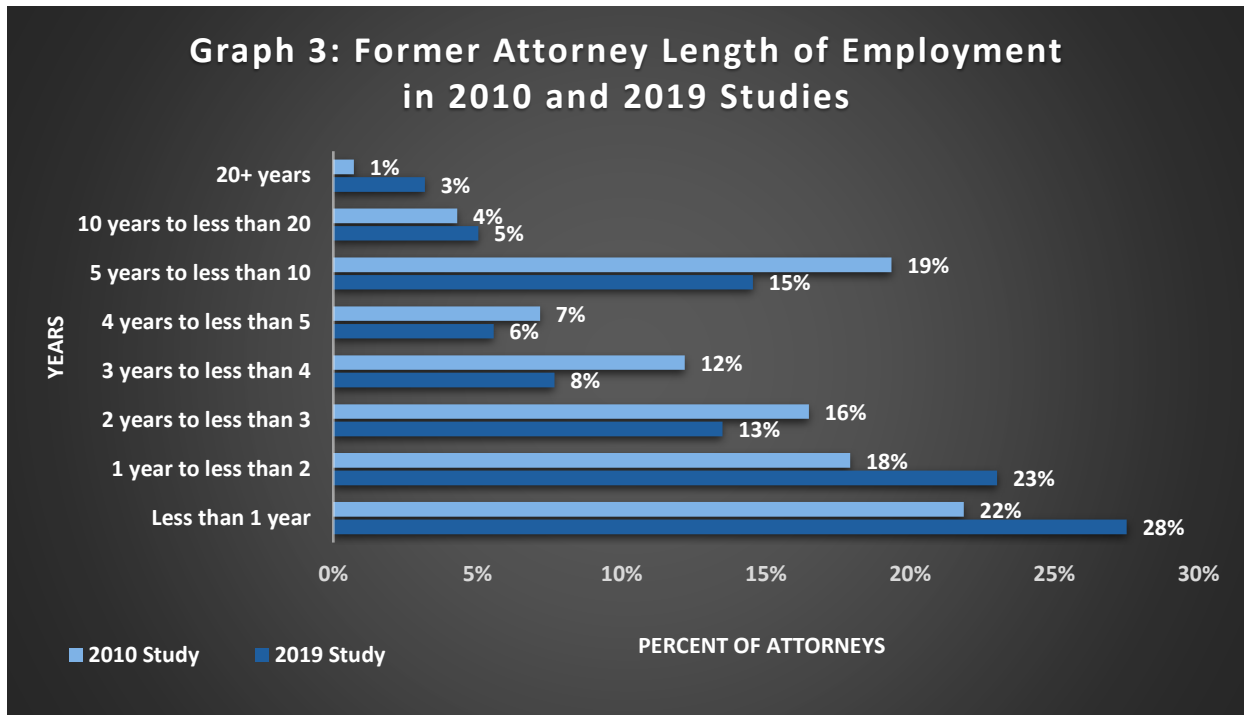
Biggest turnover increases in organizations with the largest number of attorneys. The turnover rates increased by the greatest amounts in the Direct Services’ Large organizations, rising by 35 percent from 12.0 percent to 16.2 percent.



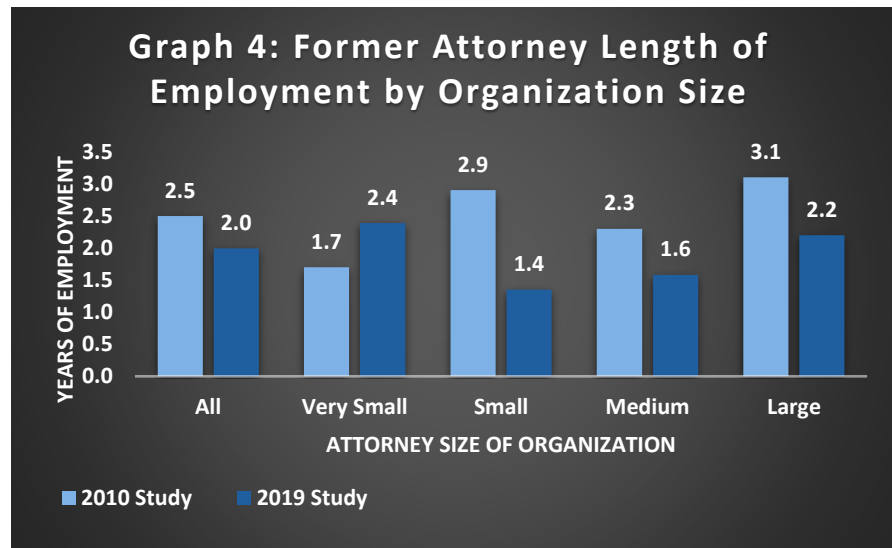
More than two-thirds of the Large organizations (69 percent) show a continuing trend with their individual turnover rates increasing between 2017 and 2018. The next largest change was a decline in the Small organizations’ turnover rates from 14.4 percent to 10.6 percent. (See Graph 2: Turnover Rates by Attorney Size of Organizations.)

Attorneys Leaving More Quickly

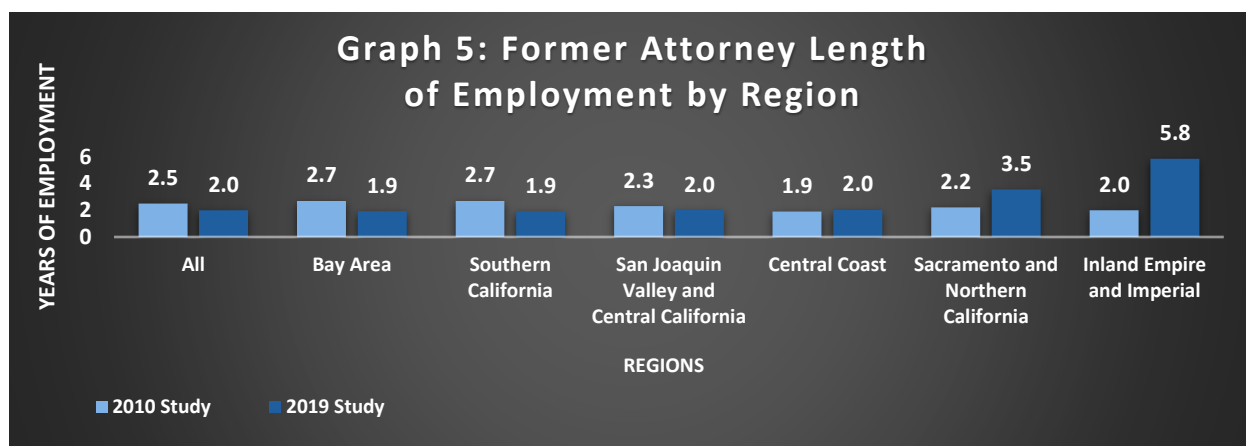
Shorter length of employment. Attorneys who left their Direct Services organizations in 2017 – 2018 (referred to as Former Attorneys) had worked for their employers a median of two years. This is a 20 percent decrease from the median of 2.5 years of attorneys who left during the earlier study’s review period. Analyzed another way, 51 percent of this study’s attorneys left within their first two years, as compared to 40 percent of the attorneys in the 2010 Study. In the 2010 and 2019 Studies, three-quarters (75 percent and 78 percent, respectively) of the studies’ attorneys left within five years. (See Graph 3: Former Attorney Length of Employment in 2010 and 2019 Studies.)



Looking at organization size, the length of employment declined in all but the Very Small organizations. The shortest length of employment was in the Small organizations at 1.4 years and the longest was in the Very Small organizations at 2.4 years. (See Graph 4: Former Attorney Length of Employment by Organization Size.)



Varied regional lengths of employment. The length of time attorneys were employed before they left increased in three regions and decreased in three regions. There were significant regional differences—from a low of 1.9 years to a high of 5.8 years. The Bay Area and Southern California Regions both saw a decline in the median from 2.7 years to 1.9 years, along with their increased turnover rates. Two regions had substantial increases in the length of employment. The Inland Empire and Imperial Region increased from 2.0 years to 5.8 years, and the Sacramento and Northern California Region increased from 2.2 years to 3.5 years. (See Graph 5: Former Attorney Length of Employment by Region.)



Comparable Rates, but Critical Effects

Other non-profits, law firms, and businesses are also experiencing high and increasing turnover rates. A national survey by a major employment data firm found the total turnover rate in all industries in the U.S. rose from 15.7 percent in 2014 to 19.3 percent in 2018.⁶ The same national survey found the rate for non-profit organizations in the western U.S. was 19.2 percent in 2018. A survey of law firms in the U.S. and Canada found an associate attrition rate of 16 percent.⁷

Although California legal aid's turnover rates may be comparable to these employers, the effects of this level of turnover are particularly harmful for legal aid organizations and their clients. The consequences are unlike a private corporation, where the effect on the bottom line or profits is viewed as the most important impact. Although the financial costs are substantial for legal aid organizations, the most important impacts are on the staff and clients of legal aid. The constant turnover increases the stress and burnout of the remaining attorneys, reduces client services, and exacerbates the civil justice gap.

The High Cost of Turnover in Legal Aid

Overall in 2017 and 2018, the legal aid organizations managed the departure of 408 attorneys and the hiring of 556 attorneys. Some of the hiring was for new positions, which is a positive even if it takes time and resources to manage. Turnover, however, is different—it is often unplanned, occurs with relatively short notice, and can ripple through an organization.

When turnover occurs, current cases need to be transferred and new relationships built with clients; remaining staff must take on former colleagues' cases in addition to their current workload. Intake for new clients may be closed or reduced. New attorneys must be recruited, hired and trained, often by the same staff that are taking on the work left behind by the attorney or attorneys who have left. The cost and stress of these after-effects will vary depending upon many factors; the experience level and caseloads of the attorney who leaves, the size of the organization or office in which the attorney works, the level of experience of the remaining staff in the organization or office, and the time it takes to find and train a replacement.

As will be seen, the turnover costs for many of the organizations in this study are particularly high because of the constant churn of relatively inexperienced attorneys. Here is a closer look at these costs:

⁶ 2018 Turnover Report, www.compdatasurveys.com. Note these rates are calculated by a commonly used method that produces a higher turnover number than the method used in this study. If the Compdata survey method was applied to this study's organizations, the 2018 turnover rate would increase from 18.0 percent to 22.5 percent.

⁷ http://www.abajournal.com/news/article/work_quality_is_the_no._1_reason_associates_leave_law_firm_survey_says.

Thoughts of the organizations' leadership on the causes of turnover

- *"I think they are leaving to **make more money**."*
- *"Attorneys leave because of **other job opportunities**."*
- *"We recently lost several of our attorneys, who either left the region (for more affordable areas in the state or country) or **took on higher paying jobs in the government** or at other nonprofits (typically management/supervisory roles)."*
- *"**The primary factor for the loss of attorneys has been the lack of salary competitiveness** in a county which has a drastic lack of affordable housing. If we could afford to offer a more robust benefits package, we surmise that our ability to retain employees more effectively (would increase)."*
- *"Largely due to **low salaries**. Next most common reason is **limited advancement opportunities**."*
- *"**Some want to advance but there isn't an opportunity**, some want higher pay, others want to practice in a different field and others don't fit in for various reasons of interest and personality."*
- *"We have little turnover but when people leave, it is always because **they need to make more money**."*
- *"**Money**, dissatisfaction with the **nature of work** they are doing/desire to do a different kind of work, **conflict with supervisor**. And **salary differential with government jobs**."*
- *"**Higher pay** at jobs elsewhere; **advanced positions** at other legal services (especially when don't get internal position); **family relocation**; pursuing different profession or higher education."*
- *"**Promotion opportunities**."*
- *"Fortunately, we have only had one attorney leave and it was **for family** **However**, I think we **will lose others going forward because they want to move into leadership** and we only have so many available roles. This is something we are working on figuring out and anticipating."*
- *"**Cannot compete with public sector salaries**; disappointed re: **supervision - routine work**; not having a workgroup that provides support/camaraderie."*
- *"Attorneys leave because they move or because they **need to make more money**."*
- *"We do experience more turnover from **new attorneys** as they **gain experience and seek employment elsewhere**."*

High direct and indirect costs. Estimates of the financial costs of turnover vary, and the exact costs are specific to an organization. One national HR firm estimates the average replacement cost of a professional employee is 75 – 125 percent of the employee’s annual salary. The estimate of a supervisor’s replacement cost is even higher at 100 – 125 percent of their annual salary.⁸ Included in these costs are those associated with terminating an employee even if voluntary, hiring and training a new employee, and lost productivity.

*“(Turnover) can be **extremely damaging**, both to clients and to our organization since **attorneys are so hard to replace**.”* (Administrative Director of Small organization)

HR costs, including high opportunity costs. The staff time it takes to close out the employment of an attorney, update a position announcement, advertise an opening, review resumes, determine applicants to screen, screen applicants, choose applicants to interview, conduct interviews, check references, make offers, and on-board an attorney is substantial. Many of the organizations do not have HR professionals, and rely on others, including the executive director and middle managers to perform these functions.

Even if an organization has someone who is responsible for administering the recruitment and hiring process, the executive director, and often many other attorneys, are involved in the interviews. The opportunity cost of this lost time for client services or other management responsibilities is very high.

Departing attorney’s lower productivity. An attorney who is leaving may spend several days reviewing cases, writing case memos, and transferring cases. In addition, they may have lower morale, which can lead to less productivity for them and others.

Training the newly minted attorneys. Nearly one-quarter of the attorneys hired in 2017 – 2018 were 2017 or 2018 law graduates. These 131 attorneys are likely being trained by many of the same attorneys who helped to fill in the gaps in services left by departing attorneys, adding to their workloads again. In many instances, it may make supervisors less available for the other attorneys they are to supervise, which can result in more stress for both the supervisors and the supervisees.

Failure to provide new attorneys with the training they need is problematic. A survey respondent who is a recent graduate provides an example: *“There was nobody in my position for nine months before I arrived and there was no one else in the office doing my exact job. It has been a lot of trial by error.”* If the attorney meant to say *trial and error* is unknown. Either way, it is an example of the lost productivity that occurs until a new attorney masters their job.

Losing the investment in training and incorporation of new hires. Half of the attorneys who left in 2017 – 2018 had been in their position for less than two years. Many of these attorneys had prior legal experience and may have been able to quickly contribute to their organizations and its clients. Even for them, there were the costs of recruitment, supervision, and (if the type or area of legal work was new), the time it takes to learn a new area or type of practice. The attorneys with little experience, especially those right out of law school, may never have become proficient or only became proficient shortly before they left. The investment in getting them to this point is lost, and the process of covering their cases, hiring and training replacements begins again.

Less expertise. The turnover during 2017 – 2018 resulted in a decline in the percentage of experienced attorneys in legal aid.⁹ The organizations’ attorneys who graduated from law school more than five years ago dropped between January 1, 2017 and January 1, 2019 by four percentage points. This may seem like

⁸ <https://www.gnapartners.com/article/how-much-does-employee-turnover-really-cost-your-business/>

⁹ Law school graduation dates are used as approximations of legal experience levels because reliable data about actual legal years of experience was unavailable.

Thoughts of the organizations' leadership on how the rate of attorney turnover has affected their organization and its clients

- *“Clearly, we can see less clients; advocates can be stress/overworked; at times it can be difficult to spend down all the funding.”*
- *“Attorney turnover has absorbed a tremendous amount of Executive Director and administrative staff time. The recruitment and onboarding process takes a great deal of time away from the needed administrative duties of the organization. Clients are impacted when we have gaps in positions being filled.”*
- *“Attorney turnover creates instability. We lose organizational memory and the clients have their cases handed over to someone else, which causes confusion and lessens quality of legal services.”*
- *“It makes it very hard to have vacancies and have to decrease our services.”*
- *“We have had to slow down intake during periods that we are short-staffed. This means that fewer clients are able to receive our services.”*
- *“When it happens, turnover is always difficult and disruptive.”*
- *“There can be a lull in operations until we staff up. We lose experienced attorneys, which then impacts (our) ability to mentor younger lawyers.”*
- *“It makes it difficult to keep up with restricted grants, while also maintaining (the) same level of services.”*
- *“It always impacts our clients and is very hard on the organization if we have large gaps. However, when we have staff who are really ready to do something different, turnover can be really healthy and helpful.”*
- *“(It is) challenging to maintain historical knowledge/expertise needed for effective support; have needed greater investment in training/management; more work to build organization culture/trust.”*
- *“Turnover is bad for the organization and the clients. The attorneys who take on additional responsibilities to cover for departed attorneys are stressed, clients have to wait longer for appointments, and we are out in the community less.”*

a small amount. The inexperience of so many new hires during that period, however, magnifies the loss of experience.

It is estimated it takes at least two years for a recent law graduate to take on a staff attorney's expected responsibilities at a solid performance level. If the new attorney is replacing someone with much more experience, it could take years for the new attorney to get to the same performance level. This learning curve has a particularly high impact on smaller organizations or organizations that regularly hire new graduates to fill staff attorney vacancies no matter the experience level of the attorney who left.

Reduction and disruption in client services. During attorney vacancies, some organizations reduce or stop intake of new clients. This shrinks the number of low-income individuals who receive legal services. The more vacancies and the longer they exist, the more reduced the services are.

Harder to meet funding deliverables.

Attorneys leaving has impacted some organizations' ability to meet the client service requirements needed for reimbursement under a grant or contract. This has led to some direct financial losses to organizations.

*"The rate of attorney turnover has been a stress on the folks who have **to absorb cases constantly**, and (it) is **hard for clients** who then get a new attorney. It has also made it **difficult to hire the number of attorneys we have funding for**, which means we are leaving money on the table with one of our major funders." (Deputy Director of Large organization)*

Toll on the remaining attorneys. The workloads and stress of many of the attorneys who are in the organizations increase as the turnover continues. They participate in, and sometimes administer, the hiring process. They pick up an attorney's open cases and often are asked to take on the new cases or continuing project work that would have been done by the attorney who left. They train the new attorneys, sometimes at the expense of time for training and mentoring other attorneys. Or, they are the attorneys who need supervision and are hesitant to ask because their supervisor is busy with new attorneys. Team-based work is disrupted, sometimes making it hard for attorneys to do their part of the team's work. These increasing demands can affect their morale, as can seeing more low-income clients who cannot be served.

*"We've been **unable to fill vacancies**, which places extra stress on team leaders and advocates, causing **burnout**." (Legal Director of Medium organization)*

Turnover harder on smaller organizations. The loss of even one or two attorneys in a year can have a damaging effect on a smaller legal aid organization. The departing attorney(s) may have specialized legal expertise or experience that no other attorney has. Fewer attorneys are available to cover the departed attorney's work, making it a bigger burden on one or more of the remaining attorneys. A small organization's culture is disrupted more easily by the loss of one person. The organization may have fewer financial resources available to meet recruitment and placement costs.

*"**Because we are so small**, having a few attorneys leave around the same time has a **substantial impact on the work and the morale of the office**." (Executive Director of Medium organization)*

Lost opportunities. Filling the voids left by departing attorneys diminishes the resources available and sometimes the very energy needed to take on new challenges, whether they be more direct service cases, mentoring new attorneys, taking on complex or more time-consuming cases or projects, new technologies, or new funding opportunities. The greater the turnover and the longer it takes to fill a position and bring the new attorney or attorneys up to speed, the greater the cost to the organization, its staff, and clients alike.

The Highest Price of Legal Aid Attorney Turnover

All the turnover effects listed so far can be very costly and harmful. However, the highest price the organizations pay in many instances is the loss of attorneys who are deeply committed to legal aid's mission and work. The comments below, from Current Attorneys who responded to a survey question that they may leave their jobs soon, primarily for financial reasons, are examples of how much they and many others who are likely to leave, love their work. These are answers to the question: *What do you like best about your job?*

- *"I love my clients and that I can help people who would not otherwise be able to pay for an attorney."*
- *"My clients. I love the work that I do and my client relationships are very rewarding."*
- *"Being able to make a concrete difference in the lives of people who otherwise would never be able to afford legal help, while working in a very friendly workplace with a lot of meaningful contact with clients and volunteers."*
- *"The actual work and cases we handle are interesting and meaningful. I enjoy that I have a positive effect on our clients' lives. I like that I am able to positively affect my community. I love my co-workers and we have a very collegial environment. I feel appreciated and respected by my coworkers."*
- *"The ability to provide free legal services and have an immediate beneficial impact for folks who really don't get a lot of help in their everyday lives."*
- *"Being empowered to be a community lawyer, be creative, and take on cases/projects/advocacy that systemically benefits our client communities."*
- *"I get to do meaningful work with great people who inspire me."*

III. A Look at the Attorneys in the Turnover Rates: Who Left in 2017 – 2018

Legal aid's turnover involves the departure of 408 attorneys (Former Attorneys), with more leaving in 2018 (233) than in 2017 (175). They left 50 of the 56 organizations. Most (378, or 93 percent) worked for Direct Services organizations. The demographics of these attorneys were examined to gain a more detailed picture of who is leaving.

| Graduation Year | Percent of Former Attorneys | Median Years | Range of Years |
|-----------------|-----------------------------|--------------|----------------|
| 1969 – 1989 | 8% | 13.4 | 0.1 to 43.8 |
| 1990 – 1999 | 5% | 9.2 | 0.1 to 19.0 |
| 2000 – 2009 | 23% | 3.8 | 0.2 to 13.3 |
| 2010 – 2012 | 18% | 2.6 | 0.1 to 8.1 |
| 2013 – 2016 | 41% | 1.4 | 0.03 to 4.8 |
| 2017 – 2018 | 5% | 0.5 | 0.01 to 1.2 |
| Median/Total | 100% | 2.0 | 0.01 to 43.8 |

Graduation data was supplied for 94 percent of the Former Attorneys.

Higher turnover among less experienced attorneys and those newly hired. Nearly two-thirds (64 percent) of the attorneys who left the Direct Services organizations graduated from law school less than nine years ago. This is an increase from the 2010 Study when 57 percent of attorneys with similar experience levels left. Almost half (46 percent) of the attorneys who left

had five years or fewer years of experience compared to 33 percent in the earlier study. Turnover of the newest attorneys—those who graduated in 2017 and 2018—had already begun, with these two classes

comprising five percent of all who left in 2017 – 2018. (See Table 1: Who Left and Length of Employment by Law School Graduation Year.)

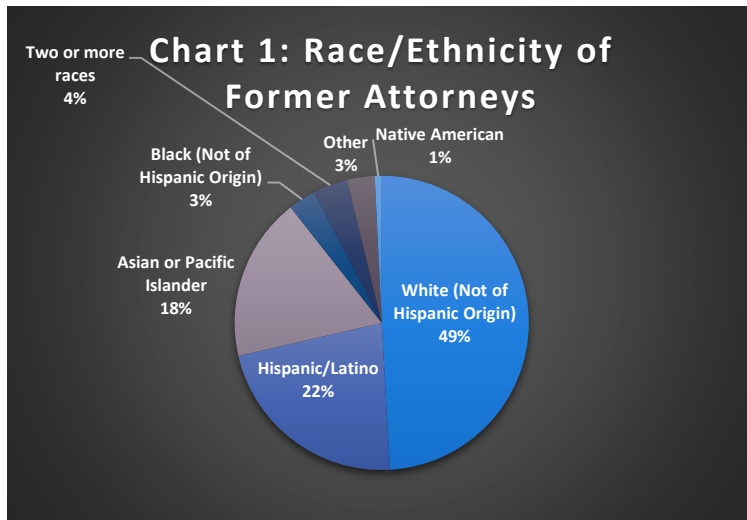
A significant percentage of attorneys left shortly after their hire. Nearly one in three of the attorneys who left (29 percent) began and ended their employment during 2017 – 2018. They included attorneys at all experience levels, from those who graduated from law school recently to those who graduated more than 40 years ago.

The 2013 – 2016 law graduates, who made up more than 40 percent of the attorneys who left, were employed for a median of only 1.4 years. For some of those under this median length of employment, their employment may not have been long enough to make the organizations' investment in training and supervision pay off in the long run. Although the 2017 and 2018 law graduates are a small percentage of the attorneys who left, it is notable that their median length of employment was *six months*. Even at the more experienced levels of those who graduated during the 2000's, the median length of time with the organizations was only 3.8 years.

Most in staff attorney positions. Nearly two-thirds (66 percent) of the Former Attorneys were staff attorneys. Fellows were an additional nine percent of the attorneys who left. At the beginning of the turnover measurement period (January 1, 2017), Staff Attorneys and Fellows were 46 percent of the positions that attorneys held, so they left at a disproportionate rate.

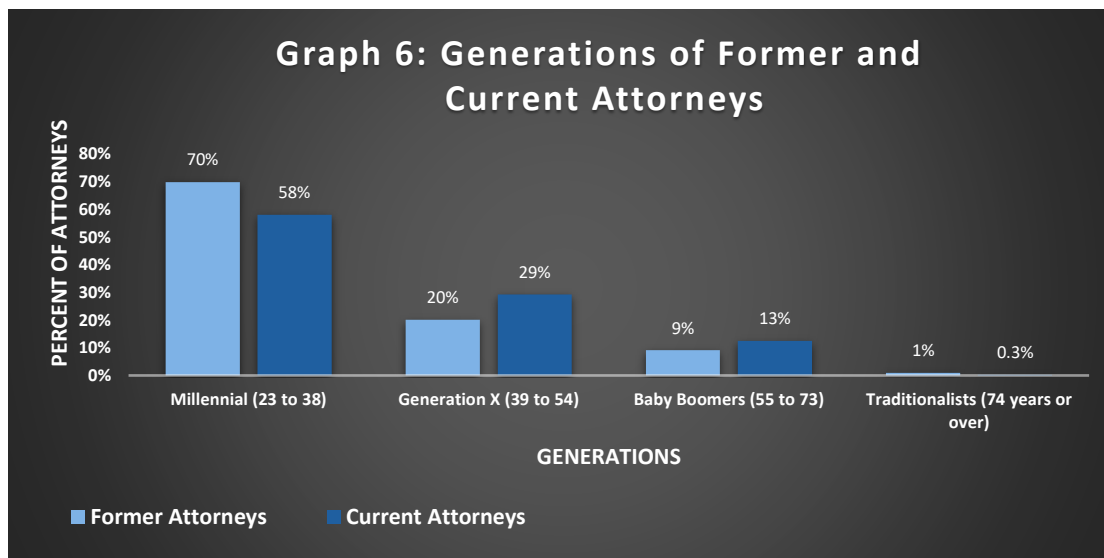
Gender proportional. The gender percentages of the attorneys who left, 73 percent female and 27 percent male, were essentially the same as the percentages of those remaining on January 1, 2019—72 and 28 percent. Three attorneys (less than one percent) who left identify their gender as other than female or male.

Race/ethnicity fairly proportional. More than half (51 percent) of the attorneys who left were persons of color. Nearly one-fourth (22 percent) of the Former Attorneys were Hispanic/Latino. Eighteen percent were Asian/Pacific Islanders, and three percent were Black (not of Hispanic origin).



The percentage of attorneys of color who left is five percent higher than the percentage who were employed at the beginning of 2017. A later section, *Recent Recruitment of Legal Aid Attorneys*, shows the number of new attorneys of color hired during 2017 – 2018 increased the overall percentage of attorneys of color employed on January 1, 2019. (See Chart 1: Race/Ethnicity of Former Attorneys and Chart 3: Race/Ethnicity of Legal Aid Attorneys.)

Primarily the Millennial generation.¹⁰ Millennials (those under 39 years of age) made up the vast majority of the attorneys who left. They were 70 percent of the Former Attorneys. Others who left were members of Generation X (20 percent), Baby Boomers (nine percent) and Traditionalists (one percent). (Graph 6: Generations of Former and Current Attorneys compares the generations of the Former and Current Attorneys.)



IV. A Look at the Current Legal Aid Attorneys

The 2019 Study examined the demographics of the attorneys who were working for the legal aid organizations on January 1, 2019 (referred to as Current Attorneys/legal aid attorneys/attorneys) to help explore who is being recruited and retained and how they compare to the legal aid attorneys in the 2010 Study.¹¹

More than 1,000 attorneys in the 2019 Study’s organizations. The 56 organizations had 1,064 attorneys working for them on January 1, 2019. Ninety percent work in a Direct Services organization and ten percent work in a Support Center.

The organizations vary widely in the number of attorneys they employ. Sixteen organizations employ four percent of the attorneys in Very Small organizations of one to five attorneys.¹² On the other end of the spectrum, 55 percent of the attorneys are employed in nine organizations that had more than 50 attorneys each, with the largest of these employing more than 100 attorneys. (For more information about the organizations’ attorney sizes, see Table 13: Attorney Size Classifications.)

Many newly hired. The organizations hired 438 of these attorneys during 2017 and 2018. This means that four out of ten (41 percent) of these attorneys have worked for their employer for two years or less.

¹⁰ The attorneys’ ages were supplied by the organizations. Attorneys were placed into generations based on an estimate of their birth year, so these percentages are not exact. The Pew Foundation’s definitions of the generations were used: Millennials (1981 – 1996); Generation X (1965 – 1980); Baby Boomers (1946 – 1964); Traditionalists (1927 – 1945).

¹¹ The data in this section up to and including languages was supplied by the organizations. The information about sexual orientation and after was supplied by respondents to a survey conducted in the summer of 2019 of the attorneys who were working in the participating organizations. Appendix 1: *The Study’s Methodology* has more information about the survey, including about its quantitative results having a margin of error of plus or minus 3.15 percentage points.

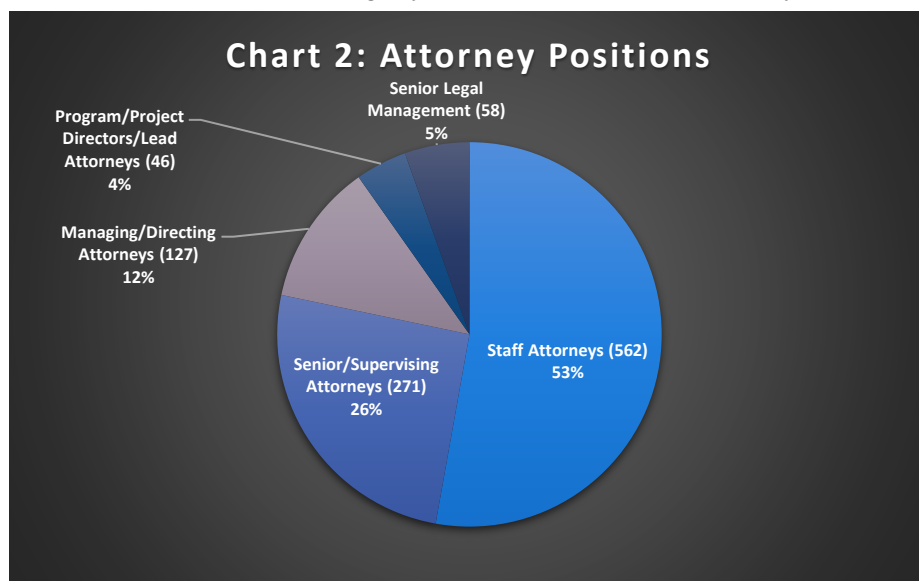
¹² Executive directors were not included in the Study and are not in these numbers.

Positions and Experience

Majority are staff attorneys. The study placed the attorney positions into five categories, based on the titles of positions, and where relevant, their salaries.¹³ Slightly more than half of the attorneys are Staff Attorneys. (See Chart 2: Attorney Positions.)

Fewer part-time attorneys.

Ninety-two percent of the attorneys are full-time employees and eight percent are part-time. The Direct Services attorneys are 93 percent full-time and seven percent part-time, while the Support Centers have a higher percentage of part-time attorneys at 14 percent.



When the Direct Services attorneys are compared to the 2010 Study attorneys who were all Direct Services, there was a 33 percent drop in part-time employees—from 12 percent to eight percent. The percentage of female part-time Direct Services attorneys decreased even more from 14 percent to eight percent. And, the percentage of male part-time Direct Services attorneys dropped even further from nine percent to four percent. Most (82 percent) of the part-time attorneys are female. No attorneys who identify as other than female or male are part-time employees.

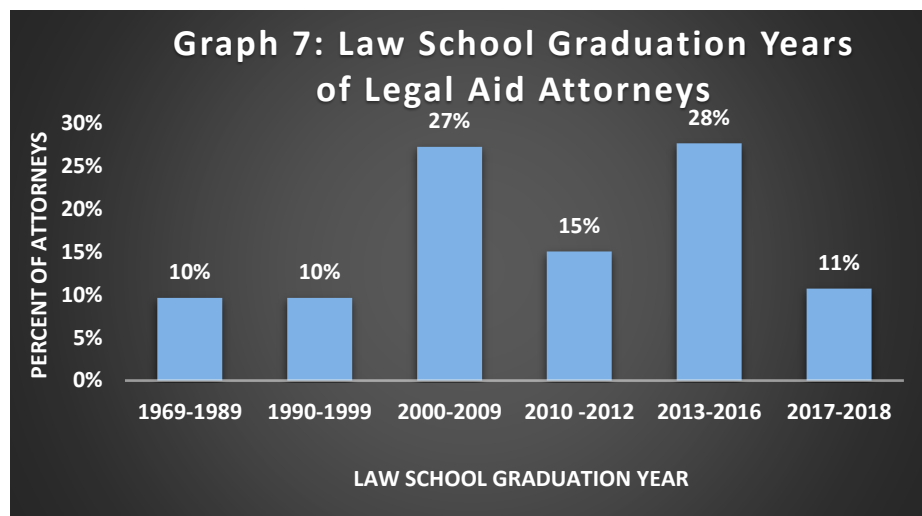
The reason for this decline in part-time employment for Direct Services attorneys was not explored. Two possible explanations are that the organizations may have employed more part-time attorneys during the Great Recession and/or California's high cost of living in 2019 makes part-time employment less viable.

The reason for the higher rate of part-time attorneys in Support Centers—14 percent—also was not explored. A possible explanation is that Support Center work is more flexible, making it more suited to part-time work than Direct Services where attorneys need to be more regularly available for court or clients. Another possible explanation is the larger percentages of Millennials and Baby Boomers in Support Centers may work part-time to have more time for children or other activities.

Experience levels somewhat lower. The 2010 Study's attorneys had a median graduation date of 1999 as of July 1, 2008. The Direct Services attorneys in this study had a median graduation date of 2011 as of January 1, 2019. So, roughly, the earlier study's attorneys had a median of nine years of experience and this study's attorneys have a median of eight years of experience. (See Graph 7: Law School Graduation Years of Legal Aid Attorneys.)

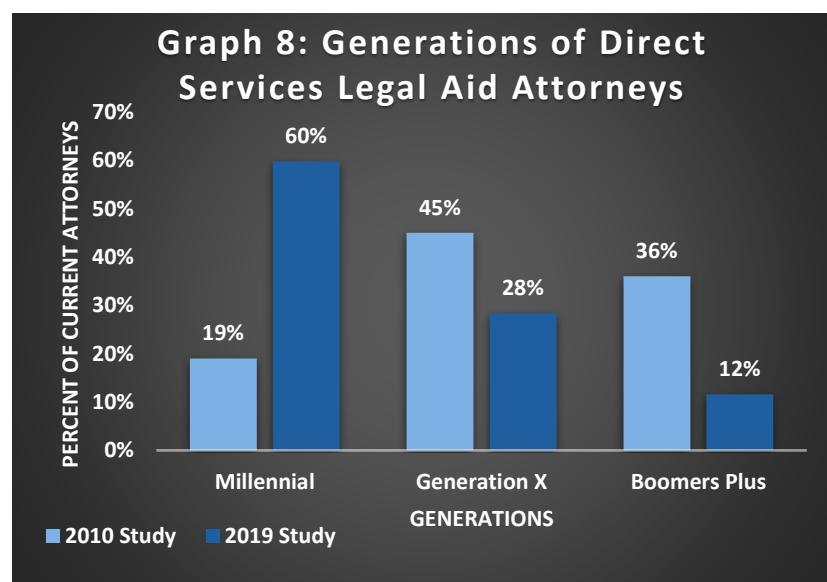
¹³ *Staff Attorneys* include the titles of Attorney, Staff Attorney, Fellows and Law Graduates. *Senior/Supervising Attorneys* includes both of those titles and Policy Advocates. *Managing/Directing Attorneys* includes both of those titles. *Program/Project Directors/Lead Attorneys* includes those titles and Team Leader, Work Group Leader, Pro Bono Manager, Pro Bono Coordinator, Director of Evaluation, and Legal Director. *Senior Legal Management* includes Deputy Director, Litigation Director, Advocacy Director, Regional or General Counsel, Regional Advocacy Director, Special Counsel, Chief Counsel, and Chief Operating Officer/Vice President/General Counsel.

The Support Center attorneys are significantly more experienced, as one would expect given that some of their functions are to support the Direct Services attorneys. Their median law school graduation date is 2006—giving them five more years of experience than Direct Services attorneys.



Demographics

Dramatic change in generations. The generations of the legal aid attorneys have changed significantly since the 2010 Study. Millennials are now the majority (60 percent) of the Direct Services attorneys. In the earlier study, there was no majority. Combined, the Generation X and Baby Boomers Plus (Baby Boomers and Traditionalists) made up 81 percent of the attorneys in the 2010 Study. They have declined to 40 percent of the Current Attorneys. (See Graph 8: Generations of Direct Services Legal Aid Attorneys.)



The Support Center attorneys are older, as a group, than the Direct Services attorneys. Baby Boomers Plus and Generation X make up 59 percent of the attorneys. Combined, the composition of all the Study's organizations is 58 percent Millennials, 29 percent Generation X and 13 percent Baby Boomers Plus.

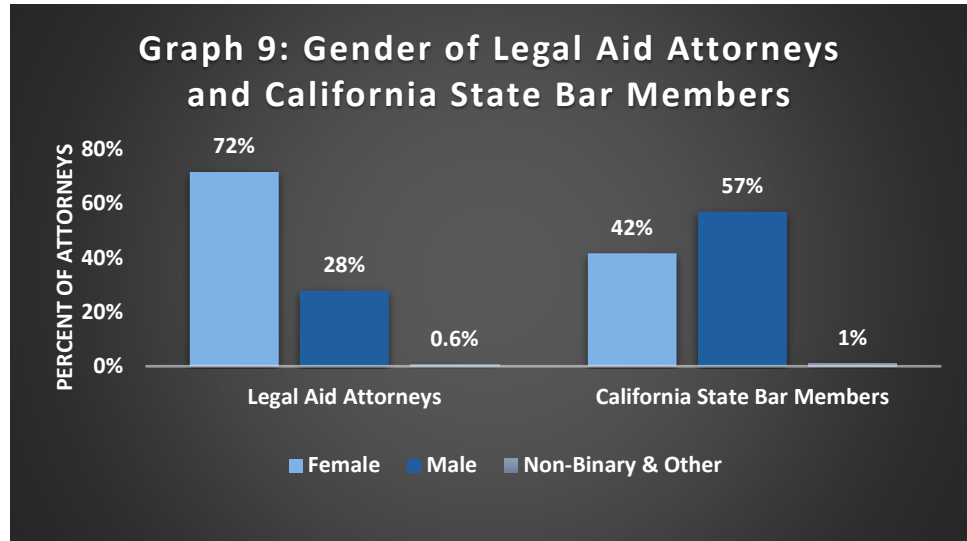
Even more female attorneys. The gender make-up of all of the attorneys is 72 percent female, 28 percent male, and 0.6 percent in other categories.¹⁴ Females increased by five percentage

points from the 2010 Study. This is slightly higher than the attorneys nationally in 2017 in legal aid organizations funded by the Legal Services Corporation, which had 68 percent female attorneys.¹⁵ California's legal aid's gender composition remained significantly higher female than the composition of California State Bar members, who are 42 percent female. (See Graph 9: Gender of Legal Aid Attorneys and California State Bar Members.)

¹⁴ Rounding accounts for a total of more than 100 percent. The 2010 Study had only Female and Male categories. This Study added the categories of Gender Variant/Non-conforming/Non-binary, Transgender and Other. This information was reported by the organizations, so some under-reporting for individuals who do not identify as female or male could have occurred. The Current Attorney Survey Respondents reported at a higher percentage—2.2 percent. See Table 15: Demographics of Current Attorneys and Current Attorney Survey Respondents.

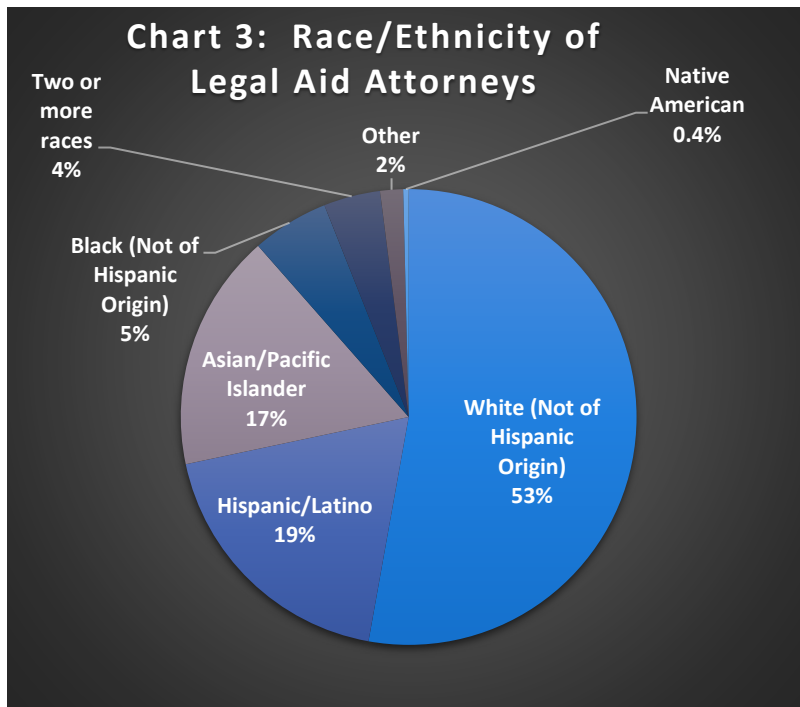
¹⁵ *By the Numbers 2017*, Legal Services Corporation.

The Direct Services organizations had the same percentages as the above for all attorneys—72 percent female, 28 percent male, and 0.6 individuals in other categories. The Support Centers had 76 percent female attorneys, 24 percent male attorneys, and none in other categories.

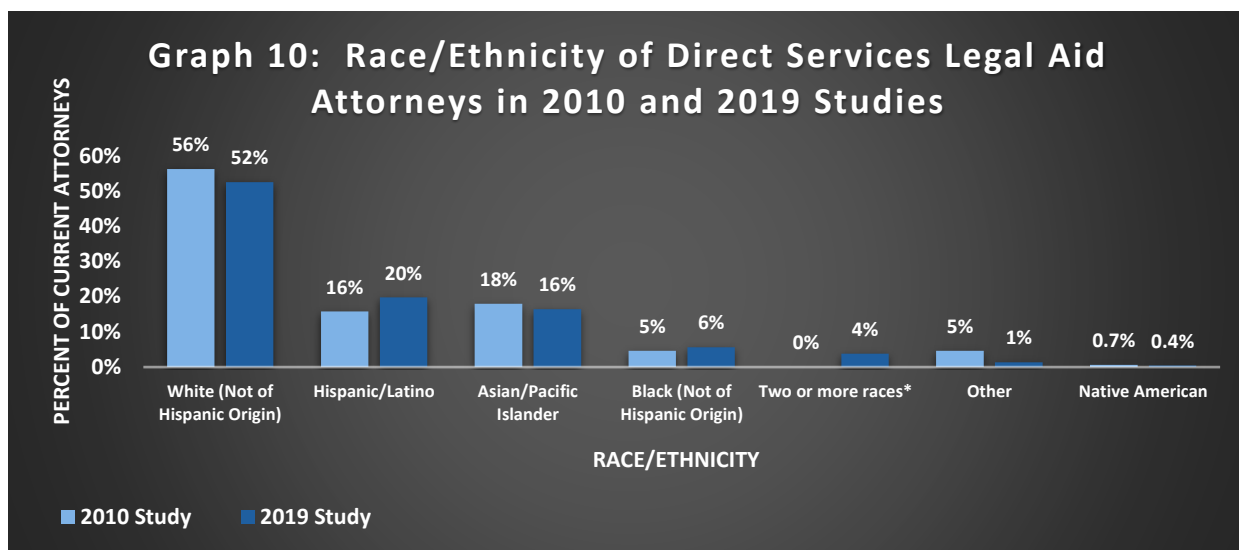


Source: State Bar of California, *Advancing Diversity and Inclusion in the Legal Profession*

More racially/ethnically diverse. Nearly half (47 percent) of the legal aid attorneys are in a racial or ethnic group other than White (not of Hispanic origin). The two largest groups are Hispanic/Latino attorneys at 19 percent and Asian/Pacific Islander attorneys at 17 percent. (See Chart 3: Race/Ethnicity of Legal Aid Attorneys.)

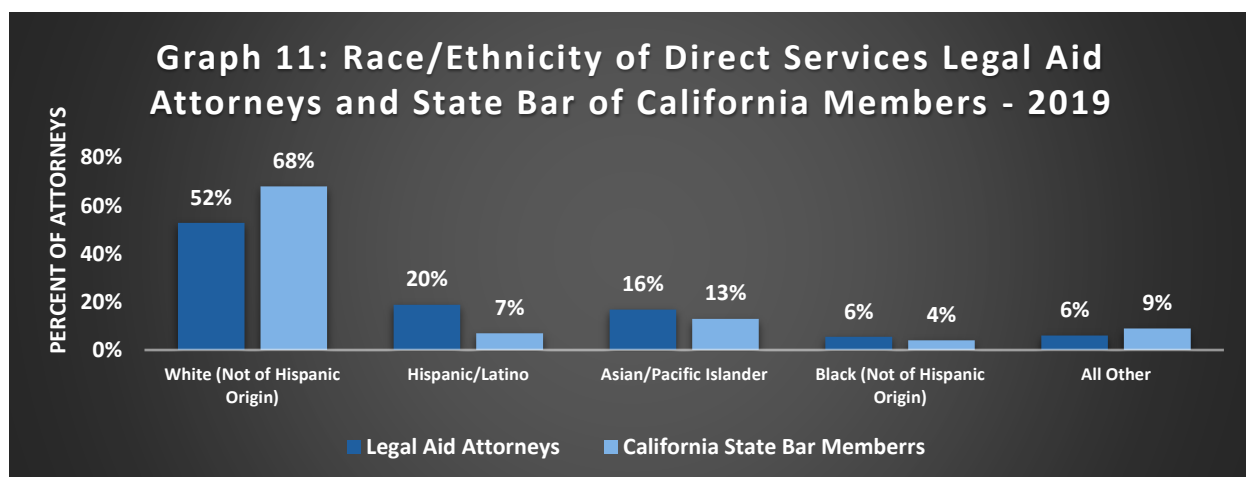


The racial/ethnic diversity of Direct Services and Support Center attorneys are similar at 48 and 44 percent, respectively. The Direct Services attorneys have increased in racial/ethnic diversity since the 2010 Study when 44 percent of attorneys were persons of color. The increase to 48 percent was due to an increase in Hispanic/Latino attorneys from 16 percent to 20 percent and in Black (not of Hispanic origin) attorneys from five percent to six percent. Two other Direct Services attorney groups saw a decline. Asian/Pacific Islanders decreased from 18 percent to 16 percent. Native American attorneys declined from 0.7 percent to 0.4 percent. (See Graph 10: Race/Ethnicity of Legal Aid Attorneys in 2010 and 2019 Studies.)



The 2019 Study added a Two or More Races category. Some individuals who identified as Other in 2010 may not be in this new category.

Legal aid attorneys are far more diverse than State Bar of California members. California attorneys have a composition of 68 percent White (not of Hispanic origin) and 32 percent in other racial/ethnic groups. The largest identified group of color is Asians at 13 percent, which is four percentage points less than Asian/Pacific Islander legal aid attorneys. The second largest group is Latino attorneys at seven percent, which is nearly three times less than the legal aid attorneys. Black (not of Hispanic origin) attorneys are four percent of State Bar members, which is less than the five percent in legal aid. (See Graph 11: Race/Ethnicity of Legal Aid Attorneys and State Bar of California Members - 2019.)



For Legal Aid Attorneys, All Other includes Two or More Races, Native American and Other. The State Bar of California does not provide separate data on Two or More Races or Native Americans.

Fewer bilingual and multilingual attorneys. Nearly one in four (39 percent) of the Direct Services attorneys are bilingual or multilingual. Thirty percent of the attorneys speak Spanish. Eight percent speak at least one of the Asian or Pacific Islander languages, and five percent speak some other language. Four percent of the attorneys are multilingual. All of these percentages are slightly smaller than the percentages

of bilingual and multilingual attorneys in the 2010 Study. (See Table 2: Bilingual and Multilingual Legal Aid Attorneys.)

| Table 2: Bilingual and Multilingual Legal Aid Attorneys | | |
|---|---------------------------------|---------------------------------|
| Language | 2010 Study Percent of Attorneys | 2019 Study Percent of Attorneys |
| Spanish | 32% | 30% |
| Asian/Pacific Islander | 9% | 8% |
| Other | 7% | 5% |

Eighty percent of the attorneys who speak a language besides English graduated from law school in 2010 or later, which is much higher than the proportion of bilingual and multilingual attorneys of all legal aid attorneys (54 percent).

Of the 43 Direct Services organizations, 37 of them have at least one attorney who speaks at least one language in addition to English. Thirty-six Direct Services organizations have at least one Spanish-speaking attorney. Nineteen of them have at least one attorney who speaks

one of the Asian or Pacific Islander languages, and 18 have at least one attorney who speaks Spanish and at least one attorney who speaks one of the Asian or Pacific Islander languages. The seven Direct Services organizations without Spanish-speaking capacity include four Very Small organizations (one to three attorneys), two Small organizations (eight and nine attorneys) and one Medium organization (11 attorneys).

More diverse in sexual orientation. More than 20 percent of the attorney survey respondents identified their sexual orientation as something other than heterosexual. (See Table 3: Sexual Orientation of Current Attorney Survey Respondents.) This comparatively high percentage of individuals whose sexual orientation is other than heterosexual is likely due to the comparatively high percentages of groups of people in the organizations who are generally more diverse in sexual orientation—women, Millennials, and persons of color.¹⁶ Seven percent of the members of the State Bar of California identify themselves as having a sexual orientation as other than heterosexual.¹⁷

| Table 3: Sexual Orientation of Current Attorney Survey Respondents | |
|--|-----|
| Heterosexual | 79% |
| Lesbian or Gay | 9% |
| Bisexual | 8% |
| Pansexual | 3% |
| Asexual or Other | 2% |

Data for 466 of 507 Respondents (92%)

Higher disability prevalence. Slightly less than 10.5 percent of the attorney survey respondents identified themselves as a person with a disability. This is larger than California's 8.3 percent disability rate for non-institutionalized individuals ages 21 to 64.¹⁸ Almost all (94 percent) of the legal aid attorneys who identified as a person with a disability were between 25 and 64 years of age. Notably, more than three-fourths of legal aid's attorneys with a disability are under the age of 40. The percentage of members of the State Bar of California who report they have a disability is one-half that of legal aid attorneys—five percent.¹⁹

Personal and Financial Circumstances

Likely to live with another adult. Approximately 80 percent of the attorney survey respondents live with another adult.²⁰ Of those who do, 77 percent live with a spouse/partner; 10 percent with the attorney's

¹⁶ In 2018, the U.S. LGBT population was estimated at 4.5 percent (5.1 percent for women and 3.9 percent for men). Younger individuals are more likely to identify as LGBT—8.1 percent of Millennials, 3.5 percent of Generation X, and 2.4 percent of Baby Boomers. Persons of color also have higher percentages—6.1 percent of Hispanics, 5.0 percent of Blacks, 4.9 percent of Asians, and 4.0 percent of Whites (non-Hispanic). See <https://news.gallup.com/poll/234863/estimate-lgbt-population-rises.aspx>.

¹⁷ <http://www.calbar.ca.gov/Portals/0/documents/Bar-Brief-1.pdf>

¹⁸ http://www.disabilitystatistics.org/StatusReports/2017-PDF/2017-StatusReport_CA.pdf?CFID=20704677&CFTOKEN=baa20f690323c7f1-C4F3679E-A1D3-0341-C37FB37C6FD0BB34

¹⁹ <http://www.calbar.ca.gov/Portals/0/documents/Bar-Brief-1.pdf>

²⁰ The survey question was not worded well so this percentage may be outside the range of the confidence interval of the other questions at plus or minus 3.15 percent.

parents; two percent with adult children; and nine percent with other family members. Thirteen percent of the attorneys live with a roommate. Some attorneys live with more than one category of individuals.

More females with children. Less than one-third (31 percent) of the attorney survey respondents have children they financially support, including through health insurance. Of those that do, most have one or two children. Female attorneys are almost twice as likely to have children than male attorneys—34 percent as compared to 19 percent. This may be due partially to some differences in age—52 percent of the male attorneys are under the age of 35 compared to 41 percent of the female attorneys.

More male primary wage earners. A slight majority (54 percent) of the attorney survey respondents are the primary wage earner for their family. There is a gender difference with the males at 66 percent, females at 51 percent, and those that identify as other than male or female at 44 percent. Male attorneys who live with a spouse/partner are more likely to be the primary wage earner than female attorneys are—47 percent for males compared to 36 percent for females.

Second jobs taken for additional income. Sixteen percent of the attorney survey respondents have a second job or way of earning income. This is the same percentage as those in the 2010 Study. According to the most recent Census data available, 8.3 percent of workers had a second job in 2013.²¹ Since the Census data includes individuals at all income levels, it would be expected that incomes at the level of the legal aid attorneys would have a lower rate than 8.3 percent. Sixty-two percent of the attorneys who have a second job/income do it because they *need additional income*.

V. A Look at Who May Leave Soon

The survey conducted of the attorneys who were working in the participating organizations in the summer of 2019 asked: *Do you think you will stay with your organization for the next three years?* The survey respondents answered as follows: *yes* (27 percent); *probably* (41 percent); *probably not* (23 percent); and *no* (8 percent).

This study characterizes the 31 percent of the survey respondents who answered *no* or *probably not* as those *who may leave soon*. They were given specific questions that the others were not. Their answers to those questions and to the survey's other questions were analyzed to provide a snapshot of potential future turnover and ways to reduce it.

Of course, not all who indicated they may leave will do so. At the same time, some of the survey respondents who indicated they might stay may leave, particularly some of the 41 percent who answered that they *probably* will stay. To address retention of all the respondents, questions that explore changes that could be made to the workplace or their individual work situations were analyzed and are summarized primarily in the Report's later sections.

Turnover predictions? Turnover within the organizations during 2017 was 14.8 percent. In 2018, it was 18 percent. What does the survey say about the future? In a similar survey conducted in the 2010 Study, 50 percent of the respondents said they would or probably would *leave* in the next three years.²² The turnover rates during the years following the earlier study are unknown. However, the annual average turnover rate in 2017 and 2018 was 16.4 percent, which over three years would be 49.2 or nearly 50 percent.

In the 2019 survey, 31 percent of the attorneys say they will not or probably will not stay for the next three years. Although at first glance this seems to be an indicator of a much lower annual turnover rate in the

²¹ <https://www.census.gov/library/stories/2019/06/about-thirteen-million-united-states-workers-have-more-than-one-job.html>

²² The survey question was worded to ask about *staying* in this Study and about *leaving* in the 2010 Study.

coming years (31 percent divided by three years equals about 10 percent), more than half (57 percent) of these respondents said they think they will leave *within one year* and 35 percent *within two years*. If the combined 92 percent of them leave in the next two years, this would result in a 14.3 percent average annual turnover rate.²³

This rate, however, does not include the departures likely to occur among the attorneys who will be hired in the next two years.²⁴ It is unknown how many attorneys will be in this category. However, one in five of the attorneys hired in 2017 or 2018 also left in those two years. This group made up 29 percent of all the attorneys who left. Looked at another way, the Former Attorneys who were employed at the beginning of the study's turnover period accounted for 71 percent of the turnover. If the future looks similar to 2017 – 2018, then the turnover among current attorneys suggested by the survey answers will also account for roughly 71 percent of the total turnover. In that case, the organizations would be looking at an overall rate closer to 20 percent.²⁵

This higher number is consistent with the upward trend noted by the executive directors who answered a May 2019 survey question asking whether their turnover *was less, the same, somewhat more or a lot more than in 2014 – 2016*. As noted earlier, turnover rose from 14.8 percent at the end of 2017 to 18 percent at the end of 2018 for all organizations combined. Forty-seven percent of the directors said their turnover was *about the same as in 2014 – 2016*. Almost twenty-five percent answered *somewhat higher or a lot higher*. For organizations categorized as Large in the Study, the answers were more ominous; 41 percent said *about the same* and 47 percent answered *somewhat more or a lot more*.

Employed two to three years. Survey respondents who think they may leave soon have a median start year with their employer of 2016, which is also the median start year of all the survey respondents and all the Current Attorneys. Since the survey was administered in the summer of 2019, survey respondents with a median start date of 2016 had been working for their employer between two and a half and three and a half years.

Widespread organizationally and geographically. Survey respondents who think they may leave soon are from 36 of the 50 organizations that had survey respondents. They work in 34 of the 57 cities and 22 of the 30 counties in which all the survey respondents work.

More staff attorneys leaving. Two-thirds of the survey respondents who think they may leave soon have a position as an Attorney/Staff Attorney (61 percent), or Fellow (6 percent). This is disproportionately high for these positions when compared to their being 53 percent of the Current Attorney population. The Fellows may not know if they will be given a different position or they have been told there is no position for them when their fellowship ends. As noted earlier, Fellows were nine percent of the attorneys who left in 2017 – 2018.

Of those who may leave soon:

Less experienced – 58 percent have been out of law school five years or less

Younger – 56 percent between ages 25 and 34

Women – 72 percent

Staff Attorneys – 67 percent

²³ Ninety-two percent of the 31 percent who say they may leave in the next two years equals 28.5 percent. Divided by two years, the turnover rate would be 14.26 percent.

²⁴ The turnover calculation used in this study, as well as the 2010 Study, considers the attorneys who are hired and leave within the same year in addition to the attorneys on staff at the beginning of the year, or in this case, at the time of the survey. See Note 2, *supra* about turnover methodology.

²⁵ If 71 percent of the turnover is attributable to the attorneys on staff at the beginning of 2019, and the rate is a projected 14.3 percent, then the formula for determining the total turnover rate would be: $.71x = 14.3$ percent, where x equals the total rate. In this case, x would equal 20.1 percent.

The percentages of those who are full-time and part-time attorneys are very similar between the survey respondents who think they may leave soon and the Current Attorneys.

Less experienced continue leaving. The majority (58 percent) of the survey respondents who think they may leave soon are more recent law school graduates (2013 – 2018). This is a significantly higher percentage than their proportion of the Current Attorneys—39 percent. These same law school classes made up nearly half (46 percent) of the attorneys who left in 2017 - 2018.

More younger attorneys leaving. The composition of the survey respondents who think they may leave soon is relatively proportional to those of the Current Attorneys with two exceptions. A larger proportion of the attorneys who may leave soon are 30 – 34 years of age—43 percent compared to 29 percent. A smaller proportion of the attorneys who may leave soon are 40 – 44 years of age—8 percent compared to 13 percent.

What age group is most likely to leave soon was examined. The most likely is those ages 65 – 69, but it is a very small group. The attorneys who are 30 – 34 years of age are the next most likely, with 43 percent of the survey respondents in this group saying they may leave soon. The third most likely is the attorneys who are 25 – 29 years old at 36 percent. The fourth most likely group is the attorneys who are 35 – 39 years old at 33 percent.

Continued gender proportionality. The gender percentages of the survey respondents who think they may leave soon (72 percent female) are very similar to the Current Attorneys (72 percent) and the Former Attorneys (73 percent).

Continued racial/ethnicity proportionality. The racial/ethnic composition of the survey respondents who think they may leave soon is White, not of Hispanic origin (50 percent); Hispanic/Latino (18 percent); Asian/Pacific Islander (12 percent); Two or more races (10 percent); Black, not of Hispanic origin (5 percent) and Other (5 percent). These percentages are similar to the composition of the Current Attorneys. The only ones outside the survey's margin of error are Asian/Pacific Islanders who are 17 percent of the Current Attorneys, and the attorneys of two or more races, who are four percent of the Current Attorneys.

More Spanish speakers leaving. Nearly half (48 percent) of the survey respondents who may leave soon speak at least one other language. Of these attorneys, 36 percent speak Spanish and nine percent speak an Asian or Pacific Islander language. This is a higher percentage than the Current Attorneys who speak at least one other language (39 percent) and a higher percentage of Spanish speakers than the 30 percent of the Current Attorneys.

Relatively proportional sexual orientation. The survey respondents who identify their sexual orientation as something other than heterosexual make up a slightly higher percentage (24 percent) of those who think they may leave soon than their 21 percent of the Current Attorney population.

Proportional persons with a disability. The survey respondents who think they may leave soon and identify as a person with a disability are a very similar percentage (11 percent) as their percentage of Current Attorneys (10 percent).

Differing living circumstances. The survey respondents who think they may leave soon are less likely to live with a spouse/partner than those who think they may stay—65 percent compared to 84 percent. They are twice as likely to live with their parents—15 percent compared to seven percent. In addition, they are more than two and half times more likely to live with a roommate—24 percent compared to nine percent.

Less likely to have children. Twenty-two percent of the survey respondents who think they may leave soon have children, compared to 36 percent of those who think they may stay.

Proportional primary wage earners. There was no notable difference in the primary wage earner status of the survey respondents who think they may leave soon and those who may stay. Both are slightly more than a majority.

Less homeowners. Survey respondents who think they may leave soon have a significantly lower homeownership rate of 31 percent than the 50 percent homeownership rate of those who think they may stay.

More with second jobs. Survey respondents who think they may leave soon are more likely to have a second job than those who think they will stay—18 percent compared to 14 percent. They also are more likely to have the job because they *need additional income*—66 percent compared to 55 percent.

Some have personal or family reason. Fourteen percent of the survey respondents who think they may leave soon said *one of the primary reasons* is a *personal reason unrelated to work* or a *family reason unrelated to work*. However, half of these attorneys also said *one of the primary reasons* they may leave soon is *financial pressure due to low salary*.

VI. Improving the Retention of Legal Aid Attorneys

Prior sections of this Report describe the legal aid attorneys who recently left their organizations and those who may leave soon. They generally are younger individuals who graduated from law school since 2010, but also include attorneys of all experience levels. They work all over California and are more likely to be a staff attorney than hold another position. Half of the Former Attorneys worked at their current employer for less than two years.

Many of the reasons these attorneys give for leaving or considering leaving are echoed in what *the attorneys who think they will stay* express about how they would like their jobs improved. Understanding and addressing the factors that affect both sets of attorneys will help the organizations improve their retention of skilled advocates who might otherwise begin thinking of leaving, as well as those who are already leaning in that direction.²⁶

1. Pay Higher Salaries

Low Salaries #1 Reason for Voluntary Turnover

Creating financial pressure. Low salaries are the number one factor that needs to be addressed. More than 60 percent of the attorneys who think they may leave soon reported *financial pressure due to low salary* as a *major* or one of the *primary* reasons they may leave. This was *not* a reason for leaving for only 21 percent of those who think they may leave soon. For Former Attorney survey respondents, *financial pressure due to low salary* was rated the highest out of 23 possible reasons why they left in 2017 and 2018.

*“I think a lot of us are just **broke and tired**. It’s hard work and we **don’t get paid enough** to live without*

²⁶ Comments in this section are from Former Attorneys, Current Attorneys who think they may leave soon, and Current Attorneys who think they may stay. Additional comments are in Appendix 3: *Attorneys’ Comments About Salaries*.

Lowest satisfaction. The attorneys who think they may leave soon rated their satisfaction with 31 aspects of their job. They gave their *current salary* the lowest rating and *salary progression* the second lowest rating. Nearly two-thirds (66 percent) said they were *very unsatisfied* or *somewhat unsatisfied* with their current salary.

Although those who think they may stay might not feel the financial pressure to the same extent—this was not measured—they also gave their *current salary* and *salary progression* very low ratings—second and third lowest, respectively.²⁷ Fifty percent said they were *very unsatisfied* or *somewhat unsatisfied* with their current salary.

Intensified by California’s cost of living. Although low legal aid attorney salaries are a major issue in many parts of the country, they are a particularly critical issue in California because of the high and increasing cost of living, especially for housing, in many parts of the state. The monthly fair market rent for a one-bedroom apartment is \$2,720 in the San Francisco metropolitan area and \$1,517 in the Los Angeles metropolitan area.²⁸ The median price for a home in California ranges from \$345,000 in the Central Valley to \$940,000 in the Bay Area.²⁹

Exacerbated by student loan expenses. Attorneys’ educational debt has ballooned over the last 20 years. For the two-thirds of the Current Attorneys who have educational debt now, it takes up a large portion of their “discretionary” income, even if they are in an income-driven repayment plan. The details of this financial expense and the pressure it causes are discussed in the next section, *Help More with Student Loans*.

“When we received raises, I reduced my weekend job to once a week, so now I typically work 6 days a week rather than seven days a week.”

More Consequences of Low Salaries

Added stress of a second job. Financial pressure and stress is real for many of the attorneys, particularly those with educational debt to pay. As noted earlier, some attorneys take a second job to supplement their legal aid income. Nearly one in five (18 percent) of the attorneys who think they may leave soon have a second job, and two-thirds of these attorneys have the second job because they *need additional income*. Fourteen percent of the attorneys who think they will stay have a second job, and more than half of them (55 percent) have it because they *need additional income*.

“It saddens me that I would not be able to have this job without my spouse’s income.”

The time and energy needed to do a legal aid job well and work a second job can lead to burnout or reduce an attorney’s ability to deal with client problems because the attorneys are tired and/or stressed.

“I understood that my salary would not be live-able when I chose this career. My salary must be supplemented by my spouse. I realize this is not possible for many.”

Need to have a spouse or partner. As noted earlier, approximately 80 percent of the survey respondents live with another adult. Of those who do, three-fourths live with a spouse/partner. The survey respondents who live with a spouse/partner commented repeatedly that they would be unable to support themselves on their legal aid salary. They can only work in legal aid because of their partner/spouse’s income. The survey

²⁷ The lowest rated aspect of their job was *availability of sabbaticals*. *Salary progression* was tied for third with *administrative paperwork*.

²⁸ https://www.huduser.gov/portal/datasets/fmr/fmrs/FY2020_code/select_Geography.odn

²⁹ <https://www.car.org/marketdata/data/countysalesactivity> (October 2019)

respondents who think they may leave soon are less likely to live with a spouse/partner than those who think they may stay—65 percent compared to 84 percent.

Less able to support children. Many survey respondents reported they cannot afford to have children. Less than one-third (31 percent) of the attorney survey respondents have children they financially support. Only half (48 percent) of these attorneys are under the age of 40.

“Within a couple years, I will likely be unable to afford to live in the area that I am working in. I want to have children, but I cannot because I am not financially stable enough and I know that I would have to take a pay cut when I am off FMLA (Family Medical Leave Act). Money doesn’t buy you happiness, but financial security and knowing you can afford to start a family does.”

Less able to own a home. In the 2010 Study, the majority (59 percent) of the attorneys owned their home. This Study found that a minority (43 percent) of the attorneys are homeowners. Although California’s homeownership rate at 55 percent is the third lowest in the country, the legal aid attorneys’ rate is significantly below that now.³⁰ Survey respondents who think they may leave soon have a homeownership rate of only 31 percent.

Less likely to have attorneys from a low-income family, including attorneys of color. Some survey respondents and focus group participants talked about coming from a low-income family and not wanting to struggle financially as an adult. Some also explained that they may need to help financially support family members. Persons of color are disproportionally in poverty with most racial/ethnic groups having twice the poverty rates as whites, and far less wealth.³¹

Feminization of legal aid. As noted earlier, legal aid attorneys are predominately female—they make up 72 percent of the workforce. Although many times increased or significantly higher percentages of women in a profession would be cause for celebration, this ratio may not be only the result of successful recruitment and retention work for gender diversity over the years.

“I don’t know how organizations expect to be able to keep attorneys who are single or don’t come from backgrounds of privilege.”

In 2018, female law students were 56 percent of the law students in California, far below the 72 percent of female legal aid attorneys.³² Some of this differential may be due to women usually being the primary caretakers of children and wanting and/or needing a more family-friendly work environment, which many legal aid organizations provide. The female attorney survey respondents were twice as likely to have children than the male attorney survey respondents—34 percent as compared to 19 percent.

“Diversity does not mean we hire more women than men—ever heard of the term ‘pink ghetto’ for legal aid lawyers?!”

Analyzing the percentages of male attorneys in each age group showed that male legal aid attorneys’ percentage of the workforce declines dramatically to 17 percent for those 35 through 49 years of age—with those younger at 28 percent and those older at 27 percent. It is possible men left to make more money as the primary breadwinner while their spouse/partner has children and works less.

³⁰ <https://www.ocregister.com/2018/10/31/california-homeownership-at-a-7-year-high-and-still-3rd-worst-nationally/>

³¹ <https://www.kff.org/other/state-indicator/poverty-rate-by-raceethnicity/?dataView=1¤tTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D> and <https://calbudgetcenter.org/resources/the-racial-wealth-gap-what-california-can-do-about-a-long-standing-obstacle-to-shared-prosperity/>

³² <https://abaforlawstudents.com/2019/02/28/where-do-women-go-to-law-school-2018-numbers/>

Some of the disparity may be due to males generally being unwilling to work for the salaries offered because they think they are worth more.³³ Legal aid may now be a pink collar profession where the work women do is less valued, similar to what has happened with teachers and other female-dominated professions.

“I love my job and I am clearly dedicated to my agency, my clients, and my practice areas, but I could not do it without the financial support of my husband. It is a constant thorn in our side and truly makes me feel undervalued.”

Huge Salary Gap with Competing Legal Employers

*“My salary is low in comparison to other non-profit and/or government attorney jobs in the San Diego area. Every month it is **difficult to pay bills/rent/student loans, without becoming overdrawn or choosing not to pay some bills.**”*

Data provided by the organizations indicates that the largest number (about one-third) of the attorneys who left their organizations in 2017 – 2018 went to other legal aid organizations. The movement of attorneys from one legal aid organization to another is explored later in the Report. The second and third largest numbers of attorneys went into private practice or a government agency other than a public defender’s office. These are the primary competitors for

attorneys who currently work in legal aid. For law students thinking of going into civil legal aid, one of the primary competitors seems to be public defenders. Based on focus group comments, law students are considering the differences in the starting salaries when considering these two employers.

Legal aid. In legal aid organizations, the starting salaries range from \$46,000 to \$78,000 with a median of *only* \$57,000. One quarter of the organizations pay less than \$50,000. Only three out of 52 organizations had a starting salary of \$70,000 or more. (See more details in the later section, *Recent Salary Actions and Amounts.*)

The median starting salary for legal aid attorneys is only \$57,000, with one-quarter of the organizations paying less than \$50,000.

County Public Defenders. The starting salaries for the Deputy Public Defenders in Fresno, Los Angeles, Riverside and Santa Barbara counties range from a *minimum* in the \$60,000’s to \$102,000. In Sacramento County, the starting salary for Deputy Public Defenders is more than \$110,000, and in San Francisco it is nearly \$122,000. These *salaries can be more than double the starting salaries in legal aid*, depending on the location.

Deputy Attorneys General. Working for the California Attorney General’s Office is another option law students or legal aid attorneys may consider. The *minimum* salary for a Deputy Attorney General with no experience is \$67,224, which is \$10,000 more than the median starting salary for a legal aid attorney. The gap grows larger for more experienced attorneys. Within six years, the *minimum* a Deputy Attorney General is likely to make is \$110,520, and within ten years, it is \$122,076. The salaries of legal aid attorneys with six years of experience range from \$51,002 to \$82,500 with a median of \$72,594, which is *a \$28,000 to \$59,500*

*“In the Bay Area, the **cost of living is exorbitantly expensive.** Especially for us legal aid attorneys with families and small children (with high childcare costs), we need a relatively high salary to even make ends meets, **especially if we don’t have a spouse with higher salaries than our own, like myself.**”*

³³ *Fairness and Justice in Setting Legal Services Attorney Salaries: Finding the Will to Get There*, Catherine C. Carr, MIE Journal, Summer 2007.

difference. The salaries of legal aid attorneys with ten years of experience range from \$71,541 to \$139,000 with a median of \$90,850, a differential of more than \$31,000 with the median.³⁴

*“Honestly, I just **don’t make enough money for legal aid to be a sustainable choice long-term.**”*

Self Help Centers. The starting salary for an Associate Self Help Attorney in the Superior Court’s Self Help Center in Los Angeles is nearly \$70,000—almost \$12,000 above the region’s legal aid median starting salary. For experienced attorneys, the salary differential may be double. A Self Help Center Attorney with five years of experience makes a minimum of \$91,488, while the median salary of a legal aid attorney in Los Angeles County with the same experience is \$70,787—more than \$20,000 below the minimum salary for the Self Help Center Attorney.

Dependency representation. Juvenile dependency work is reportedly another area that legal aid attorneys consider or move to. The starting salary for one of the offices in Oakland is \$65,000 and is more than \$100,000 for experienced attorneys. The median starting salary for the legal aid organizations in the Bay Area is \$57,715, and attorneys’ who have fifteen years of experience have a median salary of \$95,628.

*“My salary is the **lowest of everyone I graduated with**, including friends that work at other types of **nonprofits, government and private firms**. I knew it would be when I went into this line of work, but **as I get older, it feels more and more like a sacrifice and I am less sure that it was the right decision for my life.**”*

Detailed information about salaries for Deputy Public Defenders, Superior Court Self-Help Attorneys, Family Law Facilitators, City Attorneys, County Counsels, Deputy District Attorneys, Deputy Attorneys General, and Deputy State Public Defenders are in Appendix 2: *Government Attorney Salaries*.

Most Executive Directors See a Need to Raise Salaries

The organizations’ leadership were asked whether they thought salaries needed to be increased. Nearly eighty percent (40 of 51) said yes. Among the reasons:

- *“Our **starting salary is 60K** and it is **too low to attract candidates**, and it is **too low to retain staff attorneys**. All salaries need to be increased significantly.”*
- *“Our starting salary for an attorney with no experience is \$64,000. Our **young unmarried attorneys can’t afford a decent studio apartment on their own**. They are **living with roommates**. Eventually they get tired of it and move ... or take a job in the private sector.”*
- *“Cost of living in Bay Area. **Need to retain attorneys who can earn a lot more working in government.**”*
- *“Currently... **struggling with retaining attorneys** as our salary is not realistic for financial stability in the Bay Area.”*
- *“Historically, our **salaries have been very low**. We have experienced **significant turnover** and it is likely a result of (needing to increase salaries).”*
- *“Salaries **are not commensurate with our competitor organizations**, particularly at the lower end (i.e. first few years as an attorney)”*
- *“The ability to recruit and retain has been **drastically harmed by the salaries we can offer.**”*

³⁴ Only one organization pays \$139,000. The next highest is \$112,000, which is \$10,000 under the Deputy Attorney General salary.

What are legal aid attorneys paid?

Current Attorneys. Salary data as of January 1, 2019 was collected for all of the Current and Former Attorneys. Some organizations have raised salaries since, which is summarized in the next subsection. Salaries vary by job position and generally increase with increased experience and/or responsibilities. The largest number of attorneys are Staff Attorneys in Direct Services organizations for whom the median salary is \$62,836. They have a median graduation year of 2014. Senior, Supervising, and Directing Attorney salaries are higher, with Senior Legal Management salaries the highest. Support Center salaries are generally higher than those in Direct Services organizations, which is to be expected, given the greater experience level required in many of the positions. See Table 4: Median Salaries of Legal Aid Attorneys.

“I am fortunate to have a spouse in tech who is supportive of my work here. I would not have been able to stay so long if I didn’t have him. It’s depressing to think as an attorney with 12 years of experience, I wouldn’t be able to support myself if I were on my own and wanted to keep this job.”

Table 4: Median Salaries of Legal Aid Attorneys

| Positions | Direct Services Organizations | | | | Support Centers | | |
|--|-------------------------------|---------------|------------------------|--|-----------------|---------------|------------------------|
| | # Attorneys | Median Salary | Median Graduation Year | | # Attorneys | Median Salary | Median Graduation Year |
| All Staff Attorneys | 522 | \$62,836 | 2014 | | 40 | \$73,120 | 2013 |
| Senior/Supervising Attorneys | 229 | \$85,000 | 2007 | | 42 | \$107,250 | 2005 |
| Managing/Directing Attorneys | 122 | \$95,785 | 2004 | | 5 | \$111,064 | 1980 |
| Program/Project Directors/Lead Attorneys | 40 | \$84,101 | 2005 | | 6 | \$105,750 | 2006 |
| Senior Legal Management | 47 | \$118,574 | 1994 | | 11 | \$129,485 | 2000 |
| All Attorneys | 960 | \$73,190 | 2011 | | 104 | \$99,413 | 2006 |

Salary data for all attorneys; law school graduation data for 912 of 1,064 attorneys

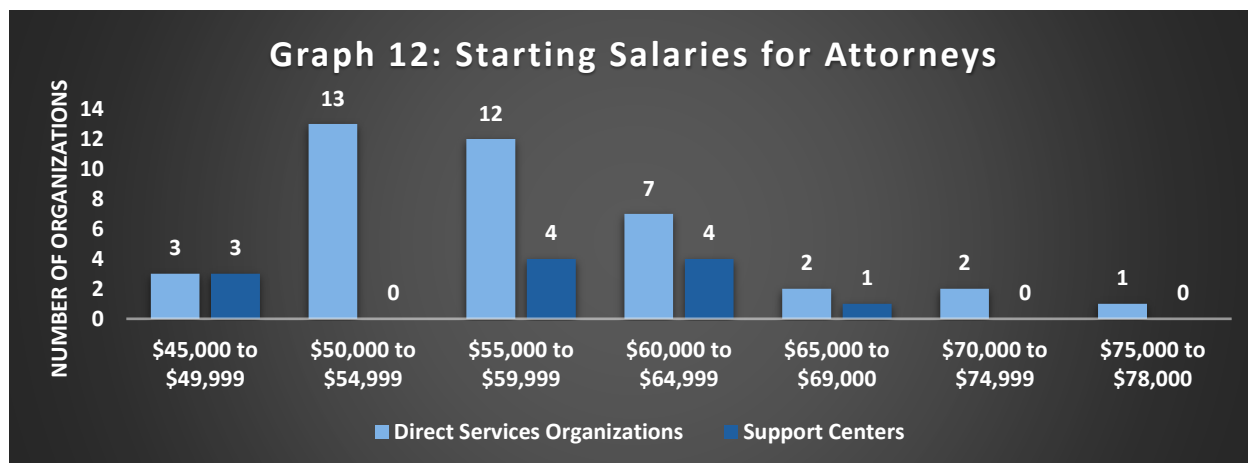
Former Attorneys made less. The median salary for the Current Attorneys who worked in Direct Services on January 1, 2019 was \$73,190. The median salary of the Former Attorneys (those who left in 2017 – 2018) was \$61,859—a difference of \$11,331. A comparison of Table 1: Who Left and Length of Employment by Law School Graduation Year and Graph 7: Legal Aid Attorneys’ Law School Graduation Years shows the Former Attorneys include a greater percentage of less experienced attorneys. For example, attorneys who graduated in the last five years (2013 – 2018) made up 38 percent of the Current Attorneys and 46 percent of Former Attorneys. In addition, attorneys who graduated from 1969 – 1999 made up 20 percent of the Current Attorneys, but only 13 percent of the Former Attorneys.

“We just had an amazing 5th year attorney leave because she could not afford to pay her rent – and she’s in a rent-controlled apartment and is one of the most frugal people I know, cat sitting and babysitting on the side to help pay her bill.”

Recent Salary Actions and Amounts

Entry-level attorney salaries. Three-fourths (74 percent) of the 50 organizations that reported their salary actions, increased their starting salary for attorneys in 2018 or 2019. Eight percent have not increased it in more than four years.

Still, as of May/June of 2019, the starting salaries for attorneys with no experience ranged from only \$46,000 to \$78,000. As noted above, the median starting salary was \$57,000, with one quarter of the organizations paying \$50,000 or less. Only three out of 52 organizations had a starting salary of \$70,000 or more. (See Graph 12: Starting Salaries for Attorneys.)



The starting salaries vary somewhat by the budget size of the organizations. The Very Small organizations' median starting salary was \$49,000. The Small, Medium and Large budget-size organizations had median starting salaries that ranged from \$55,662 to \$57,401. (See Table 5: Starting Salaries for Attorneys Compared to Funding Size.)

| Funding Size | Number of Organizations | Median | Range |
|--------------------------------|-------------------------|----------|---------------------|
| Very Small - Under \$1 Million | 9 | \$49,000 | \$47,600 - \$73,008 |
| Small - \$1-2 Million | 9 | \$55,662 | \$46,000 - \$65,000 |
| Medium - \$2-5 Million | 15 | \$57,401 | \$46,305 - \$78,000 |
| Large - Over \$5 Million | 19 | \$57,000 | \$50,000 - \$70,000 |

Data for 52 of 56 organizations.

Non-entry level attorney salaries. One-third of the organizations increased their attorney salary scale in 2018. An additional six percent who do not have a salary scale increased the starting salary for attorneys. In 2019, 37 percent of the organizations had or were planning on increasing their attorney salary scale(s). About half of these organizations increased it or planned to do it both years. Some or all attorneys in other organizations received a step increase, a COLA, and/or a bonus. The extent to which these more recent actions narrow the gap between salaries in legal aid and their competitor organizations is unknown.

The Organization's Salary Policies³⁵

Supervisor and Manager supplements. Slightly more than half (52 percent) of the organizations give a salary supplement to an attorney who is a supervisor or put them on a separate higher salary scale. Managing or Directing Attorneys are paid higher salaries by all the organizations. The pay differential for each vary widely from a low of \$2,000 to a high of \$30,000.

*“Attorneys are **primarily leaving for higher paying positions and pensions in the government sector.**”*

Special responsibilities. One organization gives a supplement of up to \$5,000 to attorneys who take on special responsibilities. Examples include managing a significant project/grant, assisting in the management of multiple grants, or leading DEI activities. Another organization gives \$500 per month to a staff attorney if they fill in for a managing attorney who is on a leave of absence.

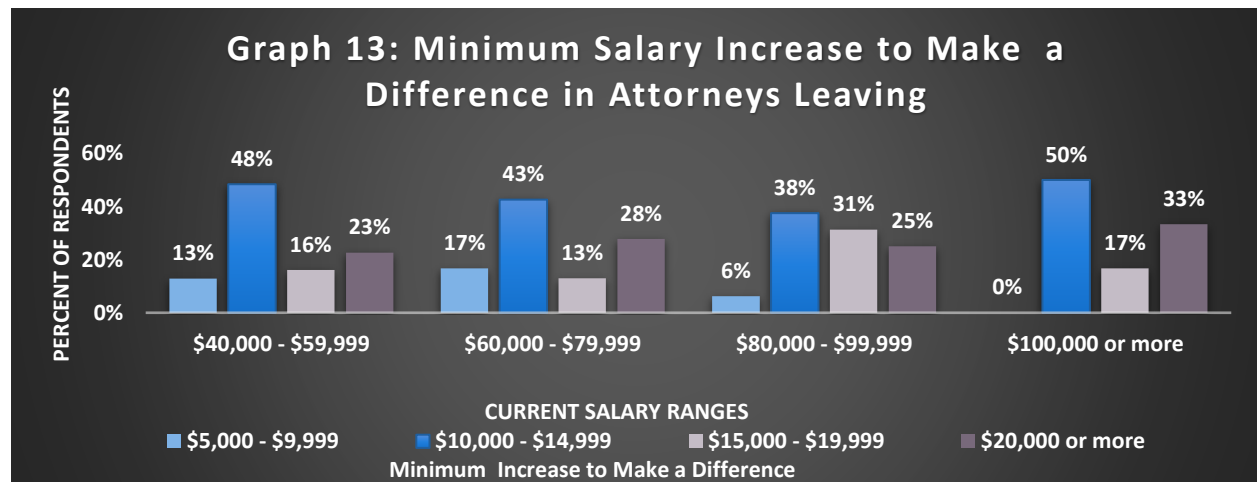
Bilingual supplement. One-third (34 percent) of the organizations provide a salary supplement or annual bonus to an attorney who is bilingual in a language they use in their work. The supplements range from \$500 to \$5,000, with most at the lower end of the range.

*“Even though I am **living in a rural area** and my cost of living is lower than if I was living in a city, I am **still struggling** to make ends meet on the salary that I am paid. I have **no ability to save money** and I am **living on the verge of additional debt.** I have to **live with a roommate** in order to make ends meet.”*

Cost of Living Adjustments. Less than one in four (39 percent) of the organizations give all attorneys an annual COLA or update their salary scale by the cost of living annually.

What changes may make a difference?

Former Attorneys. The majority of the Former Attorney survey respondents said an *increase in their salary* would have *maybe, probably or definitely* impacted their decision to leave their position. The median amount that *would have made a difference* was \$15,000, with a range of \$6,000 to \$30,000+.



³⁵The data in this section is from 50 – 56 of the organizations.

The majority of the Former Attorney survey respondents said *knowing they would receive annual increases in their salary* would have *maybe, probably or definitely* impacted their decision to leave.

Those Who Think They May Leave Soon. The survey respondents who think they may leave soon have a median salary in the \$65,000 – \$69,999 range. When asked what *they thought their salary should be*, the median range was \$80,000 - \$84,999, a \$15,000 difference. When asked what increase in their salary would make a difference in their decision to leave, if one would, the amounts ranged from \$5,000 to \$20,000+, with a median of \$11,000. (See Graph 13: Minimum Salary Increase to Make a Difference in Attorneys Leaving.)

*“My salary is very low, and it is very challenging to survive in the Bay Area on this salary. My low salary has **caused me to not start a family**. My low salary means I cannot plan to own a home. My low salary means that I cannot save for retirement. It is the **number one cause of anxiety, stress and unhappiness** in my life. I think about it all the time.”*

Those Who Think They May Stay. The survey respondents who think they may stay have a higher median salary than those who think they may leave soon—in the \$75,000 – \$79,999 range. When asked what *they thought their salary should be*, the median range was \$90,000 – \$95,000, a \$15,000 difference, like the survey respondents who think they may leave soon.

Recent Law Graduates. The median salary survey respondents who graduated from law school in 2017 think they should have is in the \$70,000 – \$74,999 range, with answers from \$55,000 to \$134,999. The 2018 law graduates think they should have a median in the \$65,000 – \$69,999 range, with answers from \$40,000 to \$170,000+.

*“I am fortunate to have a partner in the tech industry who makes a salary that can support us. Unfortunately, the turnover in our agency comes from attorneys and staff who cannot afford to live on our salaries. This usually means that **anyone who is single, relying only on their own salary cannot work here**. We have **lost some amazing attorneys**.”*

All Attorney Survey Respondents. The amounts that the survey respondents said they *thought their salary should be* varied by position from a median of \$65,000 – \$69,999 for Fellows to \$125,000 - \$129,000 for Senior Legal Management. (See Table 6: Salaries Attorney Survey Respondents Think They Should Have.)

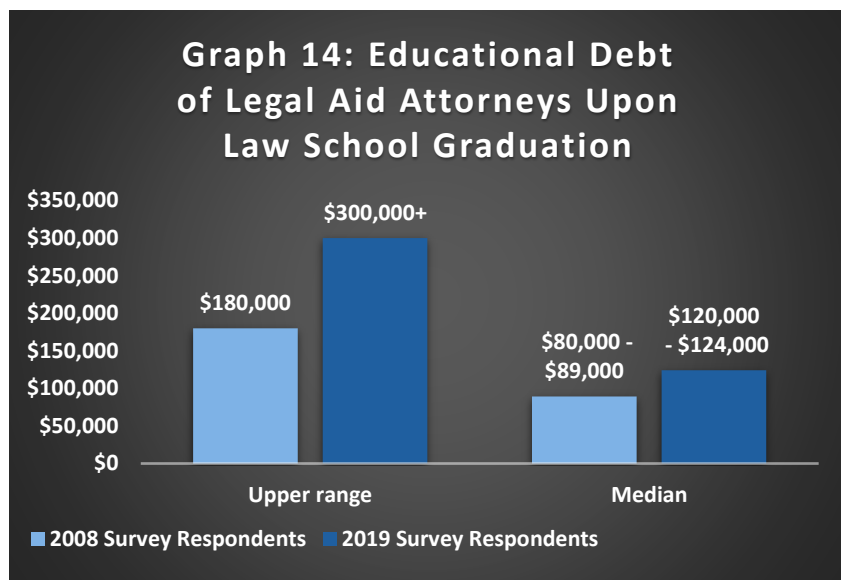
| Table 6: Salaries Attorney Survey Respondents Think They Should Have | | |
|--|-----------------------|-----------------------|
| Position | Median | Range |
| Fellows | \$65,000 - \$69,999 | \$40,000 - \$79,999 |
| Staff Atty | \$75,000 - \$79,999 | \$50,000 - \$170,000+ |
| Lead/ Attorney Program/Project/Pro Bono Manager | \$100,000 - \$104,999 | \$65,000 - \$170,000+ |
| Supervising Atty | \$100,000 - \$104,000 | \$50,000 - \$154,999 |
| Senior Atty | \$105,000 - \$109,999 | \$65,000 - \$170,000+ |
| Managing Atty | \$110,000 - \$114,999 | \$80,000 - \$164,999 |
| Senior Legal Management | \$125,000 - \$129,999 | \$80,000 - \$170,000+ |
| Other | \$100,000 - \$104,999 | \$60,000 - \$170,000+ |

2. Help More with Student Loans

Nearly one in three (28 percent) of the attorneys who think they may leave soon say that *financial pressure due to student loans* is a *major* or *one of the primary reasons* that may cause them to leave. Many legal aid attorneys with educational debt, whether they think they may leave or stay, describe extraordinary stress due to their high debt levels, which is compounded by the uncertainty of Public Service Loan Forgiveness. This stress affects their work and may cause those attorneys who think they will stay to leave in the end.

Substantial Increase in Debt

Although the percentage of attorneys who graduated from law school with educational debt has not increased significantly since the 2010 Study—82 percent then compared to 86 percent in the 2019 Study, the amount of debt they graduated with has risen substantially. The median amount of educational debt upon graduation of the attorney survey respondents in the 2010 Study was in the \$80,000 – \$89,000 range, and only two percent had debt of \$170,000 or more. For the 2019 Study attorney survey respondents, the median amount was in the \$100,000 – \$124,000 range, and 30 percent had educational debt between \$175,000 and \$300,000+. (See Graph 14: Educational Debt of Legal Aid Attorneys Upon Law School Graduation.)



More undergraduate debt. The study’s survey questions only asked about total educational debt, not undergraduate and law school debt separately since both degrees are necessary to become an attorney. In 2017, two-thirds of students in the U.S. who graduated from college had student loans. Estimates of the average student loan debt range from about \$28,000 to more than \$37,000.³⁶ Many students in the past graduated with little or no undergraduate debt, making this additional debt new for many legal aid attorneys.

“When I was in law school it was a different world. Costs were much lower...Further, I and most of my peers did not go to law school with any significant undergraduate debt. The burden on younger attorneys is radically different.”

Huge increases in law school tuition. Much of the increase in educational debt is directly attributable to the dramatic increases in law school tuition. The 2010 Study cited law school tuition costs for 2008 or 2009 (using latest available information) for California’s 21 ABA-accredited law schools. The 2019 Study found that tuition costs in 2017 or 2018 at these schools increased immensely in the intervening years. For example, Hastings College of Law, which is the law school from which the largest number of attorney survey respondents graduated, had an 84 percent increase in tuition to a three-year total of \$143,166. Loyola Marymount University – Los Angeles, from which the second largest number of attorney survey respondents graduated, had a 113 percent increase for a three-

³⁶ <https://www.credible.com/blog/statistics/average-student-loan-debt-statistics/>; <https://www.debt.org/students/>

year total of \$171,690. The most expensive law school tuition was at University of Southern California, where the three-year tuition was \$194,724.³⁷

Some have paid it off. Only 27 percent of the survey attorneys who had educational debt when they graduated from law school have paid it off. Most of them (86 percent) graduated nine or more years ago. More than three-fourths (78 percent) of them paid off their loans in ten years or less, but many of them had far less educational debt, with a median debt in the \$40,000 – \$49,999 range. The majority (57 percent) graduated from a *public* undergraduate school, and the majority (59 percent) graduated from a *private* law school.

*“There are two reasons I was able to pay off my debt quickly: While I was still in law school, **my wife's** grandmother died and left her an **inheritance of about \$30,000**, which she elected to use to pay off a private loan we had taken. Also, **she makes enough to cover our basic expenses**, so in the first few years after I graduated, we **put almost my entire (then part-time) income toward paying off the remainder of my loans.**”*

Some attorneys had family help, either from parents, a spouse/partner, or an inheritance, which allowed them to pay off their loans. Others paid off their loans by working in private practice before coming to legal aid.

Extraordinary Amount of Debt for Many

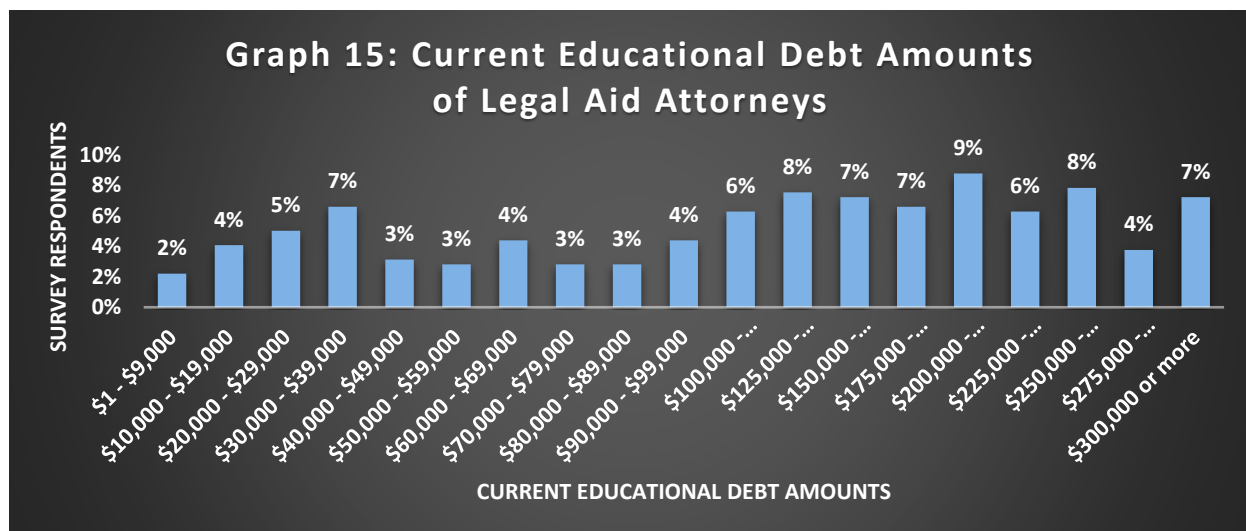
Horrendous...inescapable...unimaginable...insane...excessive...absurd...unconscionable...extreme burden...outrageous...astronomical...mind-boggling...exorbitant...frightening...life-long burden...completely obscene...ludicrously high...soul-crushing...abhorrent...

These are some of the ways attorneys described their educational debt when asked, *What are your comments about your educational debt?*

In the 2010 Study, 55 percent of the legal aid attorneys currently had educational debt. In 2019, that percentage had grown to 61 percent. Nearly two-thirds (66 percent) graduated from a *public* undergraduate school and a similar percentage (64 percent) graduated from a *private* law school. There is a significant difference in the median educational debt between those who graduated from a public and private law school—\$100,000 – \$124,000 range for public law school and \$150,000 - \$174,000 range for private law school.

The debt of those who currently have educational debt ranges up to \$300,000+ with a median in the \$125,000 – \$149,000 range. The largest percentage (nine percent) of the attorneys with debt have a median in the \$200,000 – \$224,000 range. More than one-third (34 percent) have educational debt of \$200,000 to \$300,000+. (See Graph 15: Current Educational Debt Amounts of Legal Aid Attorneys.)

³⁷ ABA 509 Required Disclosures for 2018.



More debt for attorneys of color. A review of the current educational debt of the most recent law graduates (2014 – 2018) finds that attorneys of color are more likely to have educational debt than White attorneys—85 and 80 percent, respectively. They also have more debt. Attorneys of color have a median range of \$200,000 – \$225,000, and White attorneys have a median range of \$175,000 – \$199,000.

Many attorneys’ comments describe the effect of the high cost of law school on persons of color and persons who grew up low-income or poor, but yet want to be legal aid attorneys. Four of those comments are below. Others are in Appendix 4: *Attorneys’ Comments about Educational Debt*.

- *“My law school debt is of great concern to me. It feels like I am **gambling my future** by relying on Public Service Loan Forgiveness to cancel my debt, particularly because I see my principal balance increase with each payment that I make. Undoubtedly, substantial reform is needed regarding study debt generally, but I think it’s **important to also consider how the exorbitant cost of graduate school impacts the first-generation people of color (like myself)**. The cost of graduate school either discourages people like us from going to school to pursue these professions and/or discourages us from pursuing a career in public interest where our salaries will not match our debt.”*
- *“I wish that I did not have educational debt, but I did not have another option. It is also telling that many attorneys with high student loan debt are people of color or first-generation law school graduates like myself.”*
- *“I had huge privilege in having family wealth that made it possible for me to have a small amount of debt, and assistance with paying it off in the first three years out of law school. I recognize that this is exceedingly rare, and that attorneys are often tied to their debt for decades after completing law school, which is **an enormous barrier that reinforces the huge lack of people of color and people from directly impacted backgrounds**. ”*
- *“I worked all through college and law school. Usually 1 – 2 ‘main’ jobs and then several other side hustles, like babysitting or catering or cleaning houses. I never went abroad or anything like that. I **consciously kept loans as low as I could** and **limited them to federal loans**. I grew up in poverty and thought I was doing everything ‘right.’ I still ended up with over 100k in student loans. I can only afford to work in legal aid because my husband works for the government and receives a living wage. He also has over 100k in student debt. We rent our*

home and drive ten-year-old cars and budget carefully. I still am trying to do everything 'right.'"

Higher median debt for those who think they may leave soon. There is a significant difference between the levels of educational debt of attorneys who think they may stay and those who think they may leave soon. Those who think they may stay have a median educational debt in the range of \$100,000 – \$124,000, and those who think they may leave soon have a much higher median debt—\$150,000 – \$175,000. Both groups, however, include at least one-third who have debt of \$200,000 to \$300,000+.

Many with Growing Educational Debt

One-quarter of the attorneys who currently have educational debt have a larger loan balance now than when they graduated from law school, due to capitalized interest—unpaid interest that is added to a loan's balance. Even worse, 82 percent of these attorneys currently have loan balances from \$175,000 to \$300,000+. Half of the attorneys with educational debt at these levels (\$175,000 to \$300,000+) have higher loan balances than they did when they graduated from law school.

Half of the attorneys with educational debt between \$175,000 to \$300,000+ have higher loan balances than they did when they graduated from law school.

For some, this may be due to the loan servicer putting their loans in forbearance or deferral while they changed to an income-driven repayment plan or the attorney put them in forbearance or deferral when they could not afford the payments, but for many it is likely due to their loans being in an income-driven repayment plan. Paying federal student loans in an income-driven repayment plan is required in order to qualify for federal Public Service Loan Forgiveness. In these plans, payment amounts are based on the attorneys' relatively low salaries, which can make the payments more affordable, but they are not enough to cover the interest; therefore, the loan balances increase.

Extraordinary Stress Due to Debt Levels and the Uncertainty of PSLF

Extremely stressful...regret...paralyzing...debilitating...crushing...crippling stress...really depressing...embarrassing...ton of anxiety...incredibly daunting...suffocating...completely overwhelming...drowning...constant nagging worry...

These are some of the words used by the attorneys to describe their emotions about their educational debt. Many attorneys may hide this stress from others, making it even worse. Some of the more complete descriptions of the level of stress these attorneys live with are in Appendix 4: *Attorneys' Comments about Educational Debt*.

Added to the stress of having debt at these levels is the possibility that the program they believed would forgive their debt is not functioning properly currently. Many attorneys relied on the federal Public Service Loan Forgiveness (PSLF) when they went to law school and/or when they took a job in legal aid. The promise is if they work in legal aid or another non-profit or government job for ten years, the balance of their federal loans will be forgiven. Based on the survey comments, at least 40 percent of legal aid attorneys are relying on receiving forgiveness of their loans.

"My educational debt is a source of crippling stress. It literally keeps me up at night."

PSLF began in October 2007, so some attorneys may have been eligible for forgiveness since the end of 2017. Only one survey respondent reported applying so far, and they had yet to be approved nine months after applying. Of all the individuals in the country who applied for PSLF since October 2017, only 1.3

percent have been approved.³⁸ The Department of Education lists the number one reason for a PSLF Application rejection as the applicant not making 120 *qualifying payments*.

Most attorney survey respondents who think they are eligible have submitted the employer certification form and have tried to make sure they are doing the right things to be eligible for PSLF. Many expressed their frustration with the program's administration and described how confusing it is. Some have had their payments counted incorrectly or told they have ineligible loans. Others in disaster areas have had their loans automatically placed in forbearance, without their knowledge, and have even more interest accruing. Some of the comments about the administration, their ballooning balances and their reliance on having their educational debt are below. Others are in Appendix 4: *Attorneys' Comments about Educational Debt*.

- *"I submit yearly employer certification forms and they **consistently miscalculate the number of months of qualifying employment** I have been in. I've made multiple calls and sent multiple letters over the years to get thing corrected, which does not always work. I suspect I will have to fight with them when I hit my 10-year mark on the number of qualifying months I have, because **their record-keeping is so poor.**"*
- *"I have had a lot of difficulty with the servicer... **They...have made mistakes calculating my payments. I believe my forgiveness will be delayed because they had to put me in deferment/forbearance to process my income-based repayment program and it took them quite some time.** During that time I could not make payments. I also live in an area affected by wildfires, which was declared a disaster. As a result, I was in **automatic forbearance** and there was **no way to make a payment**, even a voluntary one, which will delay my 120 on-time payments."*
- *"I (submitted an employer certification form) last October. I had **a very difficult time**...I filled out the paperwork correctly but was **denied for 'not having the right loans.'** I only have Direct Loans and **have confirmed many times that they are eligible for PSLF.** I had a very difficult time getting in touch with anyone that would help me. I finally did speak to someone and got approved a couple of months ago, but **my information has still not been correctly transferred to the FedLoan system, so I have been unable to pay my student loans this month.** Hopefully I won't be penalized, but I have a feeling that I will be and I will be making many more phone calls about PSLF in the future. It is frustrating. I have only just begun the process, but I am **very fearful that the loan forgiveness won't work out.** I feel like doing **PSLF is a HUGE gamble** and I don't know yet if it will be worth it. It is **making me second guess my decision to go into public interest law.**"*
- *"It's utterly unmanageable without assistance. My employer's LRAP covers my main payment for now, but my payment will increase next year, and I'll have to start paying a substantial amount out of pocket. **The interest on my loans has already ballooned dramatically in just three years. If PSLF doesn't work, I have absolutely no idea how I will pay back my loans.**"*
- *"Without the **Public Service Loan Forgiveness** program and income driven payment plans offered by the federal government, I would not have been able to work at a non-profit. **Without these, more than half of my income would go towards paying student loans.**"*
- *"**If PSLF does not pan out, my loans will have negatively amortized to approximately \$250,000 at the end of my 10 years of service and I will have no way to pay them back. The crushing debt and pessimistic news about PSLF causes me great anxiety and is a***

³⁸ <https://studentaid.ed.gov/sa/about/data-center/student/loan-forgiveness/pslf-data>

frequent stressor for my family. It has prevented us from buying a home.”

- *“It's completely overwhelming. I heavily rely on LRAP and the promise of PSLF in order to work in my field as a legal aid attorney. If these options cease to exist, I literally would not be financially able to work in public interest law.”*
- *“Honestly, it (her educational debt) would not concern me at all if I were certain that the Public Service Loan Forgiveness Program will last into the future and that the program was administered in good faith. I went to law school intending to become a legal aid attorney, and knowing that would mean ten years of PSLF servicing, so **I planned my life around that**. I have tried my best to live within my means while making income driven payments, and was able to save enough money for a down payment on a single-family home with four years of saving (and help from California's first-time buyer program...) However, **the uncertainty about the continuation of PSLF is a significant and ever present source of stress in my life**. This program makes all the difference in the world to me, and it is completely unfair that it is constantly threatened for elimination and that it is not administered very well in the first place. I feel like promissory estoppel should protect me from getting turned out of PSLF given that all of my long- and short-term financial planning depends on it, but there is no such assurance and that is profoundly unfair.”*
- *“The well-publicized failures of PSLF weigh heavily on all of us. PSLF gave us the safety net we needed to pursue a career we love, but none of us are sure if the government will accept our 120 payments when the time comes.”*
- *“If PSLF doesn't work out, I expect to die with my student debt. I don't expect to ever own a home in California between my loan payments and the excessive home prices in the Bay Area and elsewhere in the state. I couldn't qualify for a car loan recently in part because of my student debt and had family help to pay for it in full.”*

More Consequences

Like legal aid attorneys' low salaries, high educational debt and the uncertainty of whether PSLF will actually forgive their loans has other major consequences on their life. Many do not get married because their partner's income will make them ineligible for assistance from their law school Loan Repayment Assistance Program. Others do not get married because of the possible effect on their income-driven repayment amounts for Public Service Loan Forgiveness—even if they are eligible, they will need to file separate taxes. Others are forgoing having children. Many cannot afford to purchase a home. Below are descriptions of some of these effects on the legal aid attorneys' lives. Others are in Appendix 4: *Attorneys' Comments about Educational Debt*.

- *“Educational debt is **extremely stressful**. It is **the reason I have delayed getting married and why I cannot afford to buy a house** even though I have been afforded every privilege in my life except for wealth. I still live **paycheck-to-paycheck** because of my student loans.”*
- *“It's stressful. It's embarrassing. It's holding me back from major life decisions, like getting married and buying a house. I don't want my partner to have to be held back by my credit, which is affected by my debt, so we can't buy a home together.”*
- *“...My educational debt is the reason why I have decided to never have children. I simply cannot afford to economically provide for anyone other than myself.”*
- *“I feel like I will never pay it off and it has affected my ability to have more children etc.”*

- *“It is the **number one most stressful thing about my life**. But for my debt and my husband's debt (he also went to law school and is a practicing attorney), I would be able to own a home. I would also more seriously consider having children. **I do not want to bring a child into this world when I am so immensely in debt. I likely will never choose to have children partially because of my law school debt.**”*
- *“It is **exorbitant and unconscionable**, and our salaries do not even begin to address them. **It has caused huge financial burden for my family and my ability to afford childrearing.**”*
- *“It is the **single biggest issue affecting my personal life**. We are **unable to buy a house** because of this debt and it **has affected our family planning** as well.”*
- *“The educational debt is **crushing**. I feel like an indentured servant. I regret going to law school because of the debt. I feel limited. I would like to work part-time to be with my child, but my debt does not permit that.”*

Loan Repayment Assistance Programs Make a Difference

Slightly more than one-third (35 percent) of the attorneys who have paid off their educational debt received assistance from a Loan Repayment Assistance Program (LRAP). The two primary sources were their law school (73 percent) and their current or a former employer (30 percent). Other sources included AmeriCorps (8 percent); Legal Services Corporation (5 percent); other fellowship (3 percent); state LRAP in another state (3 percent) and other (3 percent).

Of the attorneys who currently have educational debt, 54 percent receive assistance from an LRAP. The primary sources are their employer (72 percent) and their law school (32 percent). There is a large difference in receipt of LRAP assistance between the attorneys who think they will stay and those who think they will leave soon. Two-thirds (67 percent) of those who think they will stay are receiving LRAP assistance; whereas, less than half (48 percent) of the attorneys who think they will leave soon are receiving LRAP assistance.

Employer Programs. Fourteen of the 56 organizations have an LRAP for their attorneys. These include nine of the 13 Large—those with 25 or more attorneys—organizations, and all ten of the organizations funded by the Legal Services Corporation participating in the study. Two of the 14 organizations that technically have an LRAP have only one attorney each and are not providing any assistance currently.

Three of the LRAPs have waiting periods before attorneys are eligible.³⁹ The annual assistance ranges from \$1,200 to \$6,000, with most in the range of \$3,600 to \$4,800. Four of the LRAPs have a maximum number of years of assistance, which range from 11 to 20 years.

Many of the attorneys commented that their LRAP in combination with the income-based repayment are critical. When the other organizations who do not have an LRAP for their attorneys were asked if they were considering implementing an LRAP in 2019 or 2020, none answered *yes*. About one-third answered they were *not sure*.

State LRAP. The California Public Interest Attorney Loan Repayment Program, which would provide assistance to legal aid attorneys and other public interest attorneys, has been authorized, but not funded yet. The Legal Aid Association of California continues to advocate for funding through the state budget process for this program.

³⁹ One LRAP's waiting period is six months; another's is one year; and the third is until they pass the bar exam.

Law School Programs. Two-thirds (14) of California's ABA-accredited law schools have an LRAP. They vary in eligibility (including salary caps) and annual benefit amounts. All have time limits. As noted earlier, one-third (32 percent) of the attorneys who currently have educational debt are receiving LRAP assistance from their law school. More than twice as many (73 percent) received this assistance previously, but no longer. This could be because they reached a time limit, a salary cap, or some other restriction.

Many attorney survey respondents expressed their appreciation for their law school LRAPs, which worked for many. Others commented about the detrimental effects of the income restrictions, and particularly how they affect decisions to marry.

- *"...Last year (year 5 of my 10 year law school LRAP), I chose to not get legally married to my partner so that I could remain eligible for my loan repayment program, which felt especially necessary given that I have almost the same amount of debt now as when I graduated."*
- *"I had LRAP for two years before I got married and no longer qualified for the assistance. I think if I had the loans of more recent grads, I would hesitate to get married because I would need the LRAP."*
- *"Even if my loans are forgiven in the end, living under the specter of crushing debt really feels like a psychological weight that is taking a toll in the meantime--whether feeling trapped in a particular position in order to continue to qualify for the program, to whether I can responsibly make other major life decisions or commitments; I reconsidered getting married because of it. Ultimately, I did get married because I can still qualify for payments based solely on my income, but I no longer qualify for LRAP from my law school. I don't think we should have to choose between the two. It's tempting to look into more lucrative employment because the debt is seriously scary, which I think undermines the purpose of the program to promote and sustain public interest work."*
- *"I refinanced my debt to a 30-year loan. I only was able pay it off when I did because a distant family member died, and I used ALL the inheritance to pay off loans. I did not qualify for LRAP...because my school looked at the income of both my parents and my spouse to determine how much of my loans were need based. None of my loans were considered need based although my parents no longer supported me. So, I made the confirmed lowest salary of my graduating class many years in a row and did not qualify. Had I not married, all of my loans would have qualified."*
- *"The payments have been manageable due to Income Based Repayment. I became ineligible for my school's program once I got the raise that came with being a managing attorney. I would have liked to continue the extra support."*
- *"I received (law school LRAP assistance) to help pay off student loan...To qualify...I could not make over a certain amount of money and therefore had to turn down increases for years. (The law school) suggested the turned down raises go into my retirement...the union did not allow me to negotiate this with management. Unions need to be supportive if forgiveness programs have qualifications that vary from negotiated salaries, etc..."*

Additional LRAP assistance would make a bigger difference. Nearly half (48 percent) of the Former Attorney survey respondents said *new or additional LRAP assistance would have definitely, probably, or maybe have impacted their decision to leave their position.* Annual amounts that would have made a difference ranged from \$1,000 to \$15,000+, with a median of \$10,000.

Of those attorneys who think they may leave soon, 61 percent said *new or additional LRAP assistance would definitely, probably, or maybe impact their decision to leave their position*. Each category—*definitely, probably* and *maybe*—had a median of \$10,000 for what annual amount would impact their decision.

Family Assistance and Private Law Firm Work Makes a Difference

Many attorney survey respondents expressed that they were only able to pay their students loans with their spouse/partner's or parents' help. Others described how they chose to work as a private attorney first to pay off their loans.

- *“I think that, unless you have a spouse earning more than you are, it doesn't make sense to do public interest work and/or it's impossible to do public interest work, have a family, and live in the Bay Area. I was lucky that my family was able to help me pay off my school loans, but had I not had that help and if my spouse didn't earn more than me, I would not have felt I could afford to have a child.”*
- *“It is significant and prevents almost everyone who wants to work in legal services from doing so. In my experience there is a high percentage of attorneys working in legal services who have family money, a rich spouse or partner, or some other source of funds to supplement their income. For those of us who do not, it is a real and daily struggle.”*
- *“After graduating from law school, I was not able to accept a public interest job as planned because of my substantial law school debt. Instead I went into private law practice and paid as much of my salary as I could afford toward my loans each month. Despite this, it was not until I got married and had a spouse to help pay expenses that I was able to start paying off my loans in earnest.”*
- *“I struggled to make my loan payments until I was married at which time my husband, who was employed in a government position, assisted me to pay off my loans. If I had gone to law school today, with the huge increase in tuition I'm really not sure I could have afforded to work at Legal Aid.”*
- *“I appreciate the LRAP assistance very much but still probably could not live in my community without my husband's income.”*
- *“The only way I have been able to afford a home and child care is because my spouse does not have education debt.”*
- *“I felt that I needed to work in the private sector to pay down my loans before working for legal aid.”*
- *“I worked in a big law firm initially in order to pay off my debts.”*
- *“When I graduated law school in 2005, loan forgiveness was not generous enough to be able to go straight into public interest. Instead, I had to work at a private firm for a couple years. It made breaking into public interest that much harder.”*

3. Provide Career Advancement Opportunities and Professional Development

Lack of Career Advancement Opportunities

Second highest reason for leaving. A recent national study found that for the eighth year in a row *career advancement* was the number one reason employees left their jobs.⁴⁰ For the legal aid attorneys, it is the second highest reason, below *financial stress due to low salary*. The 2019 Study found *lack of career advancement in the organization* as a *major* (21 percent) or *one of the primary reasons* (24 percent) attorneys think they may leave their organization soon. Thirty-one percent said it was *not a reason* for them.

The legal aid attorneys who think they may stay are more than twice as likely to feel they have advancement opportunities within their organizations than the attorneys who think they may leave soon.

When the attorneys who think they will leave soon were asked *What else would it take for you to stay?*, 42 percent said *advancement to a higher-level position*.⁴¹ This is the exact same percentage as the Former Attorneys who gave this answer.

Table 7: Career Advancement Survey Questions

| Question and Answer Summaries | Current Attorneys Who Think They May Stay | Current Attorneys Who Think They May Leave | Former Attorneys | Current Attorneys in Attorney / Staff Attorney Positions (includes staying and leaving) |
|--|---|--|------------------|---|
| Would like or would have liked to advance to a higher position in their employment | 64% | 66% | 66% | 76% |
| Positions are or were available you would like or would have liked to advance to and feel you have or had the opportunity to advance | 56% | 24% | 19% | 43% |
| Top reasons you feel you do or did not have opportunity to advance or do or did not want to advance in your organization | | | | |
| • Limited advancement opportunities | 43% | 65% | 55% | 61% |
| • Only management positions and don't want to be a manager | 26% | 33% | 31% | 35% |
| • No higher positions besides Executive Director, which I don't want | 23% | 11% | 10% | 10% |
| • Management will/would choose someone else | 11% | 20% | 26% | 18% |
| • Attorney in the position I want will be in it for a long time | 17% | 18% | 21% | 23% |

⁴⁰ <https://www.businesswire.com/news/home/20180501006594/en/Work-Institute-Releases-National-Employee-Retention-Report>

⁴¹ Earlier survey questions asked specifically about salaries and educational debt, which led to the question being, *What else would it take for you to stay?*

Lack of Advancement Opportunities Felt by the Attorneys. Table 7 below provides some details about the Current and Former Attorneys' thoughts about career advancement in their organizations. The similarities between the Former Attorneys who left and the Current Attorneys who think they may leave soon is striking. Two-thirds of each group would like or would have liked to advance, but far less than half of each group feel or felt they have or had the opportunity to do so. Also remarkable is how the attorneys who think they may stay are more than twice as likely to feel they have advancement opportunities within their organizations than the attorneys who think they may leave soon—56 percent and 24 percent, respectively.

About half of the attorneys in the organizations are in *Attorney* or *Staff Attorney* positions, which are the beginning positions for legal aid attorneys, in addition to fellowships. More than three-quarters (76 percent) of the Current Attorney survey respondents in *Attorney* or *Staff Attorney* positions would like to advance in their organizations. More than half (57 percent), however, said they *do not feel they have the opportunity to advance* and 61 percent said one reason they do not feel they have the opportunity to advance is because there are *limited advancement opportunities* in their organization.

- *"In our organization, you are either a staff attorney or a managing attorney. There are no other positions one can advance to."*
- *"We have staff attorneys, team leaders, and upper management. No "senior attorney" in a subject area, no mentor positions, no trainers, very little of the type of middle management that I could aspire to next."*
- *"Opportunities for advancement are very limited; will likely not open up. Should I want to advance to another position, I will need to look elsewhere."*
- *"Many mid-level staff leave when they realize there is no opportunity for advancement."*

Challenges with advancements. Some attorney respondents commented they would like an opportunity to advance while still primarily representing clients. Others said that even though their organization has additional attorney positions where they could primarily represent clients, it can be very difficult to advance because of the number of years of experience required

"To progress to a Senior Attorney takes a lot of years and experience. It is very difficult to reach that level."

or because there is a cap on the number of more senior positions. Some others reported that their organizations have positions to advance to, but they include no or little additional pay. For example, in one of the Large organizations, an attorney may be promoted to a Senior Attorney position but does not receive additional pay. In the same organization, an attorney may be promoted to a Supervising Attorney position but receive only nominal additional pay (\$1,000). Opportunities for advancement are particularly sparse in the smaller organizations. One organizational leader noted, *"There's really almost nowhere to advance. We are small."*

"My last employer was small but having worked at three different legal aid (organizations), I knew that... the only real way to move "up" and/or make more money, was to move into management, which I did not want to do."

Additional Attorney comments can be found in Appendix 5: *Attorneys' Comments on Career Advancement Opportunities and Professional Development*.

Organizations' efforts to address career advancement challenges. The survey of organization leaders conducted in April-May 2019 found organizations attempt to address the shortage of opportunities for advancement in a variety of ways. As indicated by attorney survey comments, sometimes the opportunities are without advancement in title or pay. As one organizational leader remarked: *"We are almost entirely*

flat, so advancement is not in title/salary, but in increased/different work/responsibilities.” Typical efforts by these organizations include “*providing opportunities for skill building,*” “*taking on more advanced legal work,*” “*participating in various organizational committees,*” and the like.

Many organizations offer opportunities for advancement in title and pay, but not necessarily in an organized or planned fashion. For example: “*...we encourage staff to apply for more advanced positions when open,*” or the chance “*to be the lead in an area of law, eventually becoming senior staff attorneys.*”

Some organizations have changed or are in the process of changing their structures in ways which will provide more opportunities for advancement to higher positions with corresponding title and pay changes:

- “*We have **created a managing attorney tier** for all of our programs to create more internal career advancement opportunities - for example, we **now have staff attorneys, senior attorneys, managing attorneys, and program directors.***”
- “*We are **in the process of developing ‘senior’ attorney positions.***”

Others are trying to be more intentional about a process for advancement:

- “***Annual performance management/goal-setting meetings, with 6-month check-ins.** For folks who are nearing the time when they could advance to the next level, show them the job description for Senior Attorney, discuss what they want and what they need to do to get there.*”
- “*We are trying to be **more intentional about helping attorneys gain leadership and supervisory skills as well as substantive knowledge and legal skills.** We are building those components into professional development plans.*”

Professional Development a Related Need

In order to improve and expand their skills in their current position and advance in their careers—whether in their current organization or at another—attorneys have to develop professionally. Many are unsatisfied with the professional development they are receiving. The attorneys who think they may leave soon, gave *opportunity for professional development* the 8th lowest satisfaction rating of 31 aspects of their job or workplace.

Professional development plans needed. One tool to help employees develop their skills and expertise is to have an individual development plan developed with their supervisor. Of the Former Attorney survey respondents, only one-quarter had such a plan. Of the Current Attorney survey respondents, 39 percent—still a minority—have a professional development plan developed with their supervisor.

When Current Attorneys survey respondents were asked *If you would like your supervisor to improve their supervision of you, what would you suggest*, the second highest response was *discuss my professional goals with me*, which was chosen by 39 percent of the attorneys who think they may leave soon and 30 percent of the attorneys who think they may stay.⁴²

*“I think I could convince my employer to pay for additional training if I figured out what I need and why. But **my supervisor is definitely not thinking about what I need or what would be helpful to me.**”*

Training and mentoring wanted. Many legal aid attorneys want more training and mentoring. Nearly half (45 percent) of the attorneys who think they will leave soon said they do not *receive the type and*

⁴² The highest response was *give me more feedback*, chosen by 34 percent of the respondents.

amount of training they would like. A smaller percentage, but still significant at 26 percent, of the attorneys who think they will stay said they do not receive the type and amount of training they would like.

*“I was **not allowed or encouraged to attend any trainings for professional development in my first 3 years** at my firm. This is difficult given there **wasn’t** a clear structure of **mentorship**. When I was **finally able to attend a conference**, I only attended **because I was presenting and the conference fee was waived**. This is **very demoralizing as a newer attorney** because I **missed out on years of training and growth**.”*

Give me more training/mentoring was the number one response given by the attorneys who think they will leave soon to the question *If you would like your supervisor to improve their supervision of you, what would you suggest?* Forty-three percent of them checked this response and more than a quarter (27 percent) of those who think they may stay also checked this response. Many survey respondents described three primary challenges with training, (1) having to find the training opportunities themselves; (2) not having the time to attend training because of their workload; and (3) receiving the training they need, but would like training for further professional development.

*“I feel like **training is not a priority** and that **attorneys have to seek it out ourselves**. With my **crazy workload**, I am **not able to prioritize finding and applying for trainings**.”*

Organizations’ efforts to address professional development. While the organization leaders indicated in their survey wide support for professional development, their definition and degree of intentionality vary considerably. Only a few state that they work with their attorneys to develop actual individual plans. A great many fall into the category of *“we send attorneys to conferences, trainings, webinars,”* or *“we pay for work-related training of employees, section dues and memberships in professional organizations...”* Many organizations have more structured training plans, but many also seem to approach it on an ad hoc basis, e.g. *“some internal mentorship, outside training, and increased levels of responsibility.”*

On the more deliberate side, a few organizations include professional development in annual evaluations, and one has: *“Yearly development plans; a training budget per work group allowing managers to sign staff up for various training opportunities externally; external trainers are often also brought in to give in service training and internal training is arranged for all staff meetings and throughout the year on a quarterly basis.”*

Another organization has developed *“a process for professional development that engages both attorneys and their supervisor to help attorney with their career development. In addition, we provide professional development stipends for all attorneys.”*

4. Improve Management of Work and Attorneys

*“Legal aid salaries will always lag behind the private sector. **You have to make the work and work environment more appealing** be it through high quality skills training, case work, good management, etc. It may be that **legal aid sometimes focuses too much on helping the clients and not enough on helping their employees succeed**. One may need to **scale back client assistance to devote more resources to helping employees**.”*

The point of this comment by a legal aid attorney may be at the heart of why many of the attorneys who think they may leave soon say *poor management* is *one of the primary reasons* (16 percent) or *a major reason* (18 percent) they may leave. Management of a legal aid organization involves dozens of elements,

and many managers put what they think are the clients' best interests at the center of decision-making. Many legal aid attorneys—the linchpins to client services—are feeling the unintended effects of some of those decisions and are asking for changes.

Make Workloads More Manageable

“... More often than not I am performing the work of two attorneys.”

Trying to serve more clients in need than they and their organizations have the resources to serve is taking a toll on legal aid attorneys. When asked how often they experience *unrealistic workload demands*, seven percent of the attorneys who think they may leave soon said *always*, 21 percent said *frequently*, and 21 percent said *about half the time* for a total of half of them experiencing *unrealistic workload demands* at least half the time. A large portion (37 percent) of the attorneys who think they may stay also experience *unrealistic workload demands* at least half the time.

Caseload stress in particular is *one of the primary reasons* for leaving for 11 percent of the attorneys who think they may leave soon. An additional 18 percent said it is *a major reason*.

“I direct a project that relies primarily on grants and contracts with high deliverables and proscribe the types of cases we can take. The lack of flexibility results in staff burnout and high turnover.”

Effect of grant-funded work. Attorney respondents attribute some of the caseload stress they feel to many legal aid organizations' heavy dependence on grant funding, which requires or expects certain numbers of cases or services. Respondents described how if they are not involved in the development of these numbers for grant applications, unrealistically high case or service numbers can be promised, which results in unmanageable caseloads and some of them feeling like a cog in a machine.

Provide More Varied and Impactful Work

More than 60 percent of the attorneys surveyed would like their positions to be more diverse. Half of the attorneys who think they may leave soon say their *work involves less diversity of cases than [they] would like* and/or their *work involves less diversity of types of work than [they] would like* and/or their *work involves less challenges than [they] would like*.

“The volume is so high that it is hard to take on longer-term, more meaningful work. Feels more like I take a lot of small matters and put out a lot of fires versus effect meaningful change.”

When asked *If you would like your position to be more diverse, what would you like to have the opportunity to do?* the number one response, chosen by half of the respondents, was *do more policy advocacy*. Attorneys comment that they would like to have a bigger impact—many of them likely see this possibility through policy advocacy or more litigation. The other changes chosen by 40 percent or more of the attorneys who

“We are understaffed and have been focusing on direct client services. I would love to delegate some of my responsibilities to do more policy advocacy.”

think they may leave soon are *do more litigation*; *learn new areas of law for professional development*; *work more with attorneys in other civil legal aid organizations*; *co-counsel cases*; *do more affirmative litigation*; and *work in more areas of the law*.

Free Up Time for Supervision

When asked the question *What do you like about your supervisor's supervision of you?* many attorneys answered with positive comments using words and phrases like ...*supportive...trusts me...respectful...gives me autonomy...does not micromanage...available*. Attorneys rated their supervisor's supervision of them as *excellent* (26 percent); *above average* (35 percent); *average* (25 percent); *below average* (nine percent) and *poor* (five percent).

Top three requests of supervisors. When asked how they would *like your supervisor to improve their supervision of you*, three answers each were checked by at least one-third of the respondents: *give me more feedback*; *discuss my professional goals with me*; and *give me more training/mentoring*. The highest requested supervision improvement by attorneys who think they will leave soon was *give me more training/mentoring* (43 percent).

Supervisors' lack of time. Several attorneys said their supervisors have too many case or management responsibilities to have adequate time to supervise them:

- *"I have an **excellent supervisor** who **has a completely unrealistic workload so she can't give me the support I need...**"*
- *"I have an **outstanding supervisor** who really cares about mentoring young attorneys. However, I don't feel that he has enough support to support us. With the slow pace of hiring, **he has had to perform the job of at least two people for months. That limits his time and ability to provide the close supervision he is capable of.**"*
- *"My supervisor is stretched way too thin. As much as I would like to have more discussion about my cases, **I don't see how this is humanly possible with her current management load...**"*
- *"**My supervisor is very good. But he has too much on his plate to provide the time and attention that some of my work calls for.**"*
- *"**It's hard for me to fault my supervisor for not adequately supervising me given their absurdly high workload and insufficient staffing levels, but it's nonetheless a constant source of frustration and stress for me.**"*

More respect wanted. Although several attorneys commented positively that their supervisors are respectful of them, not all of the attorneys have that experience or feeling. Nearly one in three (28 percent) of the attorneys who think they may leave soon requested their supervisor *give me more respect*, as compared to nine percent of those who think they may stay. This was the biggest difference in supervision improvement requests between the attorneys who think they may leave soon and those who think they may stay

Additional management/supervision training wanted. When the attorneys commented about what training they would like, some supervisors and managers said they would like training in managing people. One of the executive directors describes one of the challenges of implementing what they learn: *"It's expensive but easy to send all the supervisors to management training. It's much more difficult to implement management best practices day-to-day when all the supervising attorneys are carrying their own caseloads as well as supervising more junior attorneys."*

Increase and Improve Administrative Support

Satisfaction ratings with three administrative aspects of the attorney respondents' job or workplace are notably low. *Administrative paperwork* was ranked the third lowest out of 31 factors—right below *current salary*. *Availability of support staff* was ranked fifth lowest and *skill level of support staff* was ranked tenth lowest.

When asked the questions *Are there changes you would like to see in your job to make it more satisfying or effective? If so, what are they?*, many attorneys included the need for more or better support staff so they can focus on legal work.

- *"I want someone to analyze how I spend my time and realize how inefficient it is to have me spend the majority of my time doing work that could be done by an administrative support professional. It isn't that the work is beneath me, it is just an inefficient use of my time and the organization's resources."*
- *"Attorneys being able to use more time/energy/bandwidth on legal issues vs. clerical/administrative issues."*
- *"I do a lot of work that should be done by an admin or paralegal..."*
- *"Because we're public interest I am also responsible for data entry and schedules. If we had more admin support, I'd have more time available for my attorney responsibilities."*

Address Mental Well-being and Other Issues to Prevent Burnout

Burnout is one of the primary reasons that 22 percent of the legal aid attorneys think they may leave soon. It is a major reason for another 19 percent.

Burnout is a "psychological syndrome emerging as a prolonged response to chronic interpersonal stressors on the job, [which results in] an overwhelming exhaustion, feelings of cynicism and detachment from the job, and a sense of ineffectiveness and lack of accomplishment."⁴³ Job burnout risk factors include when a worker:

- identifies so strongly with work that they lack balance between their work life and personal life
- has a high workload, including overtime work
- tries to be everything to everyone
- works in a helping profession
- feels they have little or no control over their work
- their job is monotonous⁴⁴

Many of these factors are present in the situations and feelings the attorney respondents describe in their ratings and comments about their jobs. One legal aid attorney summed it up this way:

"Attorneys who do civil legal aid often burn out because either (1) their caseloads are too high or (2) their administrative burden is too high. Retention requires: (1) paying attorneys a living salary; (2) ensuring they have a reasonable caseload; and (3) providing sufficient admin/non-attorney staff so attorneys aren't forced to be paralegals, social workers, admin assistants, etc. as well. Providing sufficient admin support also frees up attorneys to pursue interesting, meaningful large-scale projects such as litigation/policy, which can help retain attorneys who are concerned about stagnation."

⁴³ <https://www.sciencealert.com/burn-out-is-now-officially-recognised-as-a-legitimate-syndrome-by-the-world-health-organisation>

⁴⁴ <https://www.mayoclinic.org/healthy-lifestyle/adult-health/in-depth/burnout/art-20046642>

High levels of situations and feelings that lead to burnout. When asked how often they experience certain situations, high percentages of all of the attorney respondents said they experience these feelings or situations at least half the time:

- *emotionally drained* (66 percent),
- *demanding client interactions* (59 percent),
- *frustration* (59 percent), and
- *difficulties determining where your job begins/ends* (43 percent).

The attorneys who think they may leave soon are experiencing these feelings or situations at even higher rates: *emotionally drained* (75 percent), *demanding client interactions* (63 percent), *frustration* (73 percent) and *difficulties determining where your job begins/ends* (57 percent).

Forty percent of the respondents said they experience *cynicism toward their job* at least half of the time. It increases to 64 percent for attorneys who think they may leave soon.

One-quarter of the attorneys who think they may leave soon give the *need for a more balanced life* as one of the primary reasons (5 percent) or a major reason (21 percent).

Lawyer wellness needs. A recent national article described how large law firms are dedicating more resources to lawyer wellness and mental health, while non-profit legal firms are slow to do so, primarily citing budgetary reasons.⁴⁵ Some attorney respondents described the secondary trauma they experience, and many asked for legal aid to take these needs seriously.

- *“Burnout has recently become a legitimate medical diagnosis; we need to recognize this as a serious issue in the legal services community. We do work that takes an emotional toll no matter how long you have been practicing and there is often a stigma from upper management at organizations that attorneys just need to deal with it or that they just aren't cut out for this line of work. There needs to be intention and strategies in place to retain talent and not just use up our attorneys until they break.”*
- *“Not all but most programs run extremely short-staffed at all times and the attitude of management just seems to be “this is legal aid, get over it. No matter how wonderful and dedicated you are, this burns staff out, especially when you factor in the low salary and dealing with multiple litigants per day...”*
- *“Civil legal aid organizations need to destigmatize personal days off, self-care, and mental health issues.”*
- *“There is a lot of talk about secondary trauma and the stress of the job and trying to find work-life balance. But civil legal aid orgs need to find a way to truly implement policies and work culture that support attorneys in taking the time we need to recharge.”*

Organizations' efforts to avoid burnout. When asked *What does your organization do to help attorneys avoid burnout?*, most organization leaders describe a variety of policies and practices regarding leave time and job flexibility. Typical answers include the following:

- *“We have a decent leave policy, and flex time. Scheduling is generally flexible for attorneys, barring court obligations.”*

⁴⁵ https://www.law360.com/access-to-justice/articles/1203581/lawyer-wellness-push-leaves-legal-aid-behind?nl_pk=4a1dd7da-b46c-4fe2-b69a-dcf7acd0f031&utm_source=newsletter&utm_medium=email&utm_campaign=access-to-justice

- “We **try to have a reasonable work/life balance**. We have a friendly, supportive, and collaborative workspace.”
- “**Allow attorneys to set own schedules/work from home, take liberal vacation time, etc.**”

Some organizations are beginning to take more active and specific responses:

- “We have brought in **outside mental health resources for group discussions**, we work with each person to make a **vacation plan**, we **discuss workload and work-life balance at bi-weekly check-ins with supervisors**. We are **implementing more teambuilding and staff breaks**. We are also using our consultant for help in this area.”
- “The topic of ‘selfcare’ has been increasingly mentioned, especially in a tight labor market where it’s hard to get talent when there is turnover. We are about to have an **all staff meeting, where there will be a whole segment on ‘selfcare’ for the attorney**. This should be the **beginning of more focus on this area**.”
- “We’ve begun **providing an EAP benefit** with our health insurance coverage; we **encourage vacations and discourage excessively long hours... but it’s not enough**.”
- “We are including a **self-care plan as part of the annual development plan for attorneys**. Additionally, **supervisors are expected to be monitoring staff caseloads and checking in regularly with staff on work-life balance**. This is a work in progress for us and we are **committed to doing better**.”
- “We received a **grant from a funder to support wellness initiatives**. We solicited volunteers from staff to join and lead a staff wellness committee. The committee decided how to invest the wellness funds. The initial projects selected by staff **include a service to help staff members navigate their health care and mental health counseling options; a financial counseling; and one-minute videos and a wellness series** that staff can watch at work.”
- “Our “**flex day**” program is a key component as is **closing during the last week of the year**. We also have **several social events** throughout the year to help bring staff together outside the office so that they know each other better and are able **to develop closer personal relationships which helps with burnout**.”

5. Work on Diversity, Equity, and Inclusion

Organizations’ Policies and Practices

DEI policies. Attorney respondents were asked to rate their organization’s policies concerning Diversity, Equity, and Inclusion (DEI). Attorneys of color rated the policies higher than White attorneys. On a scale of poor to excellent (1 to 4), 35 percent of the attorneys of color rated the policies as *excellent* (4), compared to 26 percent of White attorneys. White attorneys rated the policies as *fair* or *poor* (2 or 1) more often than attorneys of color did. With a 3 rating being *good*, the attorneys of color’s overall rating of the policies was 3.01, while the White attorneys’ rating was 2.79. Of those who think they may leave soon, the attorneys of color also rated the policies higher than the White attorneys—2.74 compared to 2.59.

The overall rating (2.88) of the policies by respondents who identify their sexual orientation as other than heterosexual was essentially the same as the overall rating (2.90) given by all of the respondents. Respondents who identify as having a disability rated the policies lower at 2.74.

Inclusive workplace. When asked, *Aside from policies, does your organization feel like an inclusive workplace?*, a large majority of attorneys of color (84 percent) and White attorneys (81 percent) said yes. Their organization feels like an inclusive workplace to a higher percentage of attorneys who think they may stay (87 percent) than those who think they may leave soon (72 percent). There were virtually no racial/ethnic differences for attorneys who think they may leave soon. For those who think they may stay, a larger percentage of attorneys of color said the workplace feels inclusive than White attorneys, 90 percent and 85 percent, respectively.

“The organization is in a process of self-reflection and making positive changes, but it is a work in progress.”

The respondents who identify their sexual orientation as other than heterosexual answered yes at the same percentage as the overall percentage of the respondents—83 percent. Those who identify as having a disability answered yes less often—75 percent.

Most respondents who commented said their organizations are working on becoming more inclusive and are improving. Some organizations have been or are being assisted by DEI consultants, audits and/or staff committees. Some respondents commented that although their organization has a diverse staff, it is not always inclusive.

“While everyone has the best intentions, and it is a more inclusive workplace than many others, we can do more to realize the values that are expressed in our policies.”

Call for Improvements

Attorney respondents commented about a number of changes the organizations could make to improve their diversity, equity, and inclusion. Many comments were made about improving the recruitment of a diverse workforce of attorneys, which are discussed in the later section, *Make Internal Changes and Undertake Specific Recruitment to Increase Diversity*.

Management racial/ethnic diversity. Many comments were made about the need to have more attorneys of color in management.

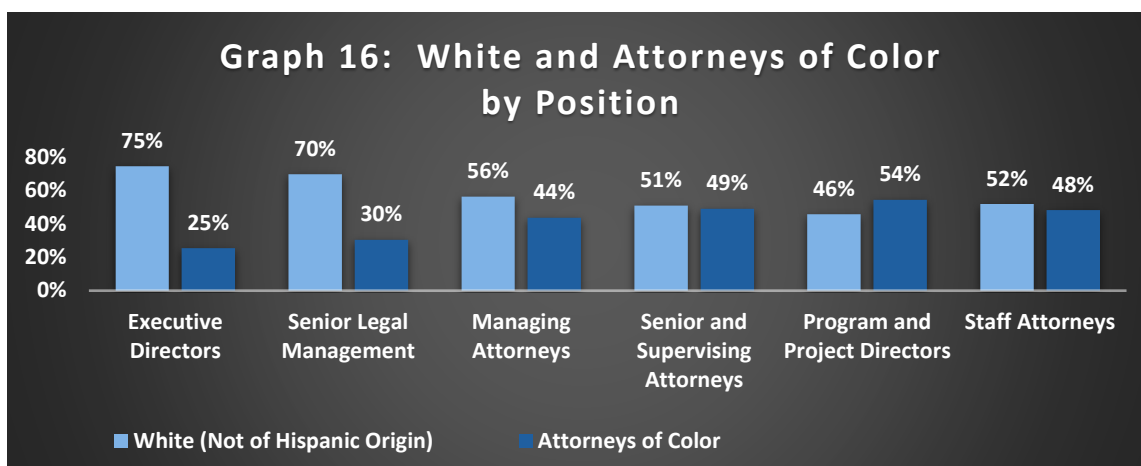
- *“Leadership is not very diverse, which can affect perception and also shape policies that affect the rest of the organization.”*
- *“The organization is still largely white and despite predominately employing women, a disproportionate number of men reach higher leadership positions.”*
- *“I think having a wider variety of backgrounds in management positions would increase inclusivity. Allowing more creativity/independence at all levels would also encourage a wider range of ideas and practices.”*

One respondent believes the lack of diversity in management *“has more to do with the low salaries in public interest and that it's a privilege to work here. People of color usually leave quicker for better paying jobs.”* The Current Attorneys of color are younger as a group than White attorneys. Nearly half (47 percent) of attorneys of color are under the age of 35, compared to 38 percent of White Current attorneys. Data was unavailable to determine how much of this may be due to attorneys of color leaving quicker, or more attorneys now being persons of color, and/or the organizations recruiting more attorneys of color than they did in the past.

Graph 16 shows the White and Attorneys of Color by Position.⁴⁶ The largest racial/ethnic differences between the two groups are in Executive Director and Senior Legal Management positions, where White

⁴⁶ At least one Executive Director is not an attorney, but all are included because they are in the highest level of management.

attorneys are in 75 percent and 70 percent of the positions, respectively. The only position type where attorneys of color are a higher percentage than White attorneys is Program/Project attorneys, some of which may be management positions.



Overall racial/ethnic diversity of attorneys. Table 8, below, details the percentages of attorneys of color in each type of position. Though legal aid attorneys are more racially/ethnically diverse than attorneys generally in California (see the earlier section, *A Look at the Current Legal Aid Attorneys*), this is not the case when compared to the population of California, where persons of color make up 63 percent of the population.

Low-income background. Respondents commented how coming from a less privileged or low-income background can affect legal aid attorneys, including that they may need more mentoring because they did not grow up around lawyers and they may be more prone to secondary trauma because of what they have witnessed in their personal lives. They also commented about the effect of low salaries and retirement benefits.

- *“Recognize that attorneys who are the **first in their families to not only graduate college but also attend law school** will have **additional challenges** as civil legal aid attorneys and **need a broader base of mentors that includes attorneys who have walked in their shoes.**”*
- *“...I love my job, but it is often **very triggering because of my past** (poverty, close family in jail, severe mental illness in the family). I believe **these experiences make me a better attorney, but it can also make some cases hard to work.** You can do everything right and still lose a case which can feel devastating. **I wish my coworkers and organization talked more about how hard it is sometimes,** because it feels like if you mention these things you're seen as weak.”*
- *“...no wonder our orgs suffer with DEI issues when **most individuals from our client communities are not economically privileged enough to survive these unconscionably low salaries!**”*
- *“...we also **don't have employer matching for our retirement contributions. Black and Latinx families in America are twice as likely to have *zero* wealth.** An inclusive workplace needs to help address this.”*

| Table 8: Race/Ethnicity of Californians and Legal Aid Attorneys | | | | | | | | |
|---|----------------------------|------------------------------------|--------------------------|------------------------------|--------------------------|-------------------------------------|---------------------------------|-----------------------|
| Race/Ethnicity | Californians ⁴⁷ | All Legal Aid Attorneys | | | | | | |
| | | All Attorneys including EDs (1100) | Executive Directors (55) | Senior Legal Management (56) | Managing Attorneys (126) | Senior/ Supervising Attorneys (269) | Program/ Project Directors (46) | Staff Attorneys (548) |
| White (not of Hispanic Origin) | 37% | 54% | 75% | 70% | 56% | 51% | 46% | 52% |
| Hispanic/Latino | 39% | 19% | 16% | 20% | 17% | 16% | 24% | 20% |
| Asian or Pacific Islander | 16% | 16% | 2% | 7% | 15% | 21% | 22% | 16% |
| Black (not of Hispanic Origin) | 7% | 6% | 7% | 0% | 6% | 5% | 2% | 7% |
| Two or more races | 4% | 4% | 0% | 4% | 2% | 5% | 7% | 4% |
| Other | n/a | 2% | 0% | 0% | 2% | 2% | 0% | 1% |
| Native American | 2% | 0.4% | 0% | 0% | 2% | 0% | 0% | 0.4% |

Data for 1045 of 1064 (98%) of attys; and 55 of 56 (98%) of Executive Directors

- *“Many of my peers of color were passionate about public interest work but were afraid of not being able to find a job because public interest jobs are more competitive. They were also afraid of paying back massive loans and surviving on a legal aid salary. The truth is that **many legal aid organizations are staffed by people with a certain level of privilege, people who did not come from low income backgrounds and aren't worried about taking care of low-income family members.** Many also have partners who work in high paying jobs and are able to support them. **If you really want to recruit and retain a diverse workforce, and people who come from the communities we serve, then you have to pay them enough.** You also should **provide support and opportunities for advancement** if you want **to recruit and retain people who weren't exposed to the legal field growing up. These attorneys might also be impacted differently by vicarious trauma** because they may be closer to the issues...”*

Discussions and trainings. Many respondents commented that they are in discussions in their organizations or that they would like to have discussions in their organizations, which would be an inclusive step while improving DEI. Implicit bias and other training were also suggested.

- *“As a start we **should be discussing what everyone's goals are for the org and how best we think those goals could be accomplished.**”*
- *“**Have management sit down at a round table and speak with staff** about current issues, etc.”*

⁴⁷ <https://www.census.gov/quickfacts/fact/table/CA/RHI125218#RHI125218>

- “...I think as management, we can also try to foster a more collaborative environment by *finding ways for staff to give feedback beyond taking it up a chain of command.*”
- “The organization *would definitely benefit from periodic trainings* about what it means to be an organization that embraces diversity, equity, and inclusion. The public interest sector is filled with well-meaning people who believe that they value diversity, equity, and inclusion, but we all *should be constantly looking at ourselves to see how we measure up or fall short of our stated values.*”
- “...We also *need veteran staff (20+ years) to recognize that they have implicit bias like all of us*—drawing attention to it isn’t calling them Klan-racists. Yet to a person, every senior attorney I’ve interacted with has been extremely defensive in these discussions. *Bias is something that needs to be discussed and addressed...*”
- “*More transgender and working with people with mental illness trainings.*”

VII. Recent Recruitment of Legal Aid Attorneys

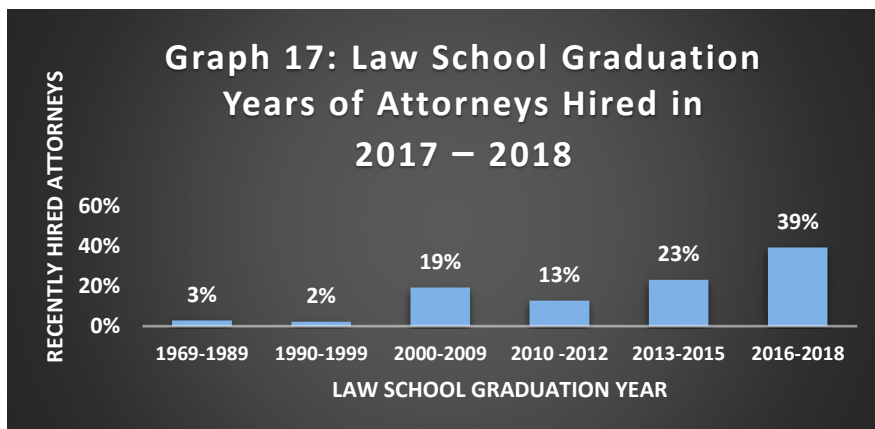
Recruitment needed for turnover and growth. During the two-year period of 2017 – 2018, 408 attorneys left the organizations and 556 attorneys were hired. By the end of the period, there was a 16 percent increase in the number of attorneys employed. Most (34) of the organizations increased the number of attorneys they had. Some had the same number of attorneys and some had less.⁴⁸ The attorneys hired during the period—*recent hires*—were 41 percent of the Current Attorneys on January 1, 2019—four out of ten of the Current Attorneys were hired in the prior two years.

Attorneys Hired in 2017 – 2018

Variety of experience levels. Attorneys at all experience levels were hired by the organizations during the two-year period. Their law school graduation years spanned nearly fifty years—from 1969 to 2018. The median graduation year was 2014, with the largest number graduating in 2017

Nearly 40 percent had zero to two years of experience, while 24 percent had nine or more years of experience. (See Graph 17: Law School Graduation Years of Attorneys Hired in 2017-2018.)

Predominantly female. Hiring in 2017 – 2018 maintained the primarily female composition of the Current Attorneys—72 percent. During the two-year period, 69 percent of the newly hired attorneys were female, 30 percent were male, and one percent were gender variant/non-conforming/non-binary.



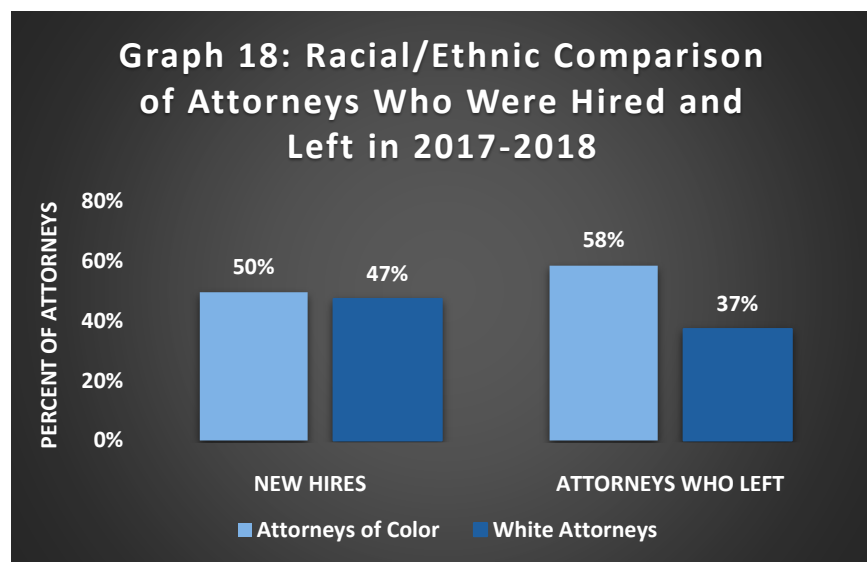
Data for 521 of 556 (94 percent) of the attorneys.

Racially/ethnically diverse hiring, but many attorneys of color left. Fifty percent of the recent hires were attorneys of color—21 percent Hispanic/Latino, 17 percent Asian or Pacific Islander, five percent

⁴⁸ Exact comparisons cannot be made because attorney position vacancy data was not collected at the same time as filled attorney position data.

Black, four percent Two or More Races, two percent Other, and 0.4 percent Native American. Forty-seven percent of the recent hires were White, and three percent did not have their race specified.

The number of attorneys of color grew by 18 percent by the end of 2018, compared to the 16 percent growth in attorneys overall. This is despite one-quarter of the attorneys of color who were hired in 2017 – 2018 leaving by the end of 2018. This is higher than the 17 percent of White Attorneys leaving who were recent hires. Analyzed another way, 58 percent of the attorneys who were hired and left in 2017 – 2018 were attorneys of color. At the end of the period, 46 percent of Current Attorneys were attorneys of color. (See Graph 18: Racial/Ethnic Comparison of Attorneys Who Were Hired and Left in 2017-2018.)



Language. Nearly half (46 percent) of the recently hired Direct Services attorneys spoke at least one language in addition to English. At the end of the two-year period, the recent hires who were still in their positions accounted for 38 percent of the 30 percent of Current Attorneys who speak Spanish, 49 percent of the eight percent who speak an Asian or Pacific Islander language; and 59 percent of the five percent of Current Attorneys who speak another language.

Pipelines to Legal Aid

There are four primary pipelines for attorneys to legal aid organizations—law schools, legal internships, fellowships, and other legal aid organizations.

1. Law School Pipeline

Types of law schools. Two-thirds (67 percent) of the attorney survey respondents graduated from a California law school, which is less than the 74 percent of the attorney survey respondents in the 2010 Study. Sixty percent of the California law school graduates and 71 percent of the graduates from law schools outside of California went to a private law school. The survey respondents who were hired recently (2017 or 2018) had virtually the same percentages.

The California law school attendees graduated from 32 law schools. The majority (52 percent) graduated from six schools:

- University of California, Hastings College of Law (public) 11%
- Loyola Law School, Los Angeles (private) 10%
- University of California, Los Angeles School of Law (public) 9%
- University of California, Berkeley Law (public) 9%
- University of California, Davis School of Law (public) 7%
- Santa Clara University School of Law (private) 6%

Nearly half (47 percent) of the attorney survey respondents who were hired recently attended these six schools, with an additional six percent graduating from California Western School of Law (private).

Career Services Offices. While most of the law student focus group participants felt law schools could do more to promote a public interest career, students at law schools with more robust public interest programs seemed satisfied with the support they were receiving.⁴⁹ Limitations described at other law schools included the general feeling that the schools indirectly discourage public interest careers by giving more information about and assistance for finding other types of jobs, e.g. private firms, government and clerkships.

Law students described having to create their own path to pursue a public interest career, unlike those interested in private law firms. While their career counselors help, they felt it was an imperfect substitute for the greater substantive assistance received by those following a path towards a career in a private firm. Some students at law schools with less robust public interest programs were considering alternative career paths (firms, clerkships, etc.) primarily due to the clarity and ease of doing so.

Generally, the law students felt their career services offices focus too much on Public Interest/Public Service (PI/PS) Day in Northern California or Public Interest/Public Sector Career Day (PICD) in Southern California. Both events primarily help connect law students to summer internships. The law students would rather the career services offices focus more on obtaining funding for summer internships or providing information and resources for finding a post-graduation job.

2. Legal Internship Pipeline

Internships of Current Attorneys. Many legal aid attorneys' first contact with legal aid organizations is through an internship. Twenty percent of the attorney survey respondents *interned, clerked or worked for their present employer during law school*. This is similar to the rate of the recently hired attorneys and the 2010 Study attorney respondents, 19 percent and 21 percent, respectively.

Two-thirds of the attorney respondents had *interned, clerked or worked for another civil legal aid organization during law school*. An even higher percentage—71 percent—of the recently hired attorneys interned/clerked/worked for another legal aid. Both are higher than the 57 percent of the 2010 Study's attorney respondents.

In total, nearly three-fourths (74 percent) of the attorney respondents had interned with their present employer or another legal aid organization. Twelve percent of the attorney respondents and 14 percent of the recently hired respondents had both *interned, clerked or worked for their present employer and for another civil legal aid organization during law school*.

Intern recruitment and pay. The organizations were asked if they *actively seek law student interns*. Seventy percent said they actively seek *both summer and school year interns*. One-quarter (26 percent) actively seek *summer interns*. One Medium organization only has *school year interns*, and one Very Small organization does not actively seek law student interns.

“Without paying them, it is very hard to attract interns. We often have to offer them part-time work to allow for them to hold a paying job at the same time.”
(Organization Leader)

A large majority (62 percent) of the organizations *do not pay law school interns*. One-quarter (24 percent) pay *summer interns*. Twelve percent pay both *school year and summer interns*. One organization pays only *school year interns*. Some of the law student focus group

⁴⁹ Data about which law schools the focus group participants were attending was not kept to provide anonymity and encourage a frank discussion. There is no specific, known correlation between the law schools listed earlier and the focus groups' comments.

participants characterized the organizations at the Public Interest Public Sector day events as looking for free labor.

Nearly one-third (29 percent) of the organizations said they *have difficulty finding law student interns*. Reasons given were because their organization does not pay interns and/or there is more competition now.

“There are fewer law schools in the region compared to nearby metro areas, and there is heavy competition for the students.”
(Organization Leader)

Some believe it is because their organization or some of its offices are located where there are few law schools.

One of the Large organizations that has offices both in areas in which many law students may want to live and in areas many do not, said they do not have difficulty finding law students interns because they *“have an active annual summer intern recruitment program.”* Their recruitment includes going to four or five law

student public interest career fairs across the country to promote their organization and interview students. They also pay their interns.

Value of internships to attorney recruitment and retention. When the organizations’ leaders were asked to comment on how valuable law student internships are to the recruitment and retention of attorneys, their answers ranged from *“extremely”/“highly”/“very valuable”* to *“valuable”* to *“somewhat important”* to *“not particularly valuable.”* Most comments were about the internships being very valuable, particularly because of their promotion of the organization at their law school and as a pipeline for fellows and staff attorneys:

- *“Very valuable. Once they go back to school they serve as a beacon to promote our work and our needs for attorneys.”*
- *“It is valuable in creating the initial pipeline of potential future recruits. It also helps existing staff attorneys develop managerial skills by supervising interns.”*
- *“I think this is a great way to spot talent and get people excited about us. I think ideally our interns would go out and get some experience and then come back to us.”* (Support Center)
- *“It is a valuable recruitment and retention tool. We cultivate and nurture relationships with talented future lawyers. We follow them – stay in touch – and offer to sponsor a post graduate Fellowship. Often times they are funded; we continue to evaluate and as positions open up, we reserve attorney positions for our talented fellows.”*
- *“Very valuable. Law students who stay at (the organization) are often the biggest promoters of (the organization) at their school and elsewhere. They are often asked to speak at career services events and offer insights into a career in public interest.”*

Law students’ internship experience. The survey conducted of 147 summer legal aid interns found that about one-third of them are interested in working in legal aid after they graduate. They generally had a good internship experience. A large majority of them *agreed* or *strongly agreed* with the following statements:⁵⁰

- *The internship strengthened my desire to work in civil legal aid after law school.*
- *The organization provided an appropriate orientation.*
- *The organization’s handling of interns was organized.*
- *The work at the organization was intellectually rigorous.*
- *The work at the organization was rewarding.*

⁵⁰ Specific numbers are not provided because it is unknown whether the interns were representative of all of the interns interested in working in legal aid after graduation.

- *The organization had a good work-life balance.*
- *The internship program had good supervision.*

3. Fellowship Pipeline

Increase in fellows. Nearly three-fourths (72 percent) of the organizations said they *actively seek to sponsor fellowships*. Eleven percent of all of the attorneys hired during 2017 – 2018 were fellows, resulting in a more than doubling (123 percent increase) in fellows during the time period. This increase is more than 7.7 times larger than the 16 percent growth in the number of all Current Attorneys.

*“Fellowships are **incredibly valuable and critical to legal aid**. The sponsorship allows us to train up the fellow so that they become invaluable when it is time to hire them outside the fellowship.”* (Organization Leader)

The 49 current fellows make up 4.6 percent of the Current Attorneys. Nineteen of the Direct Services organizations have a total of 43 fellows, with the number in each organization ranging from one to five. Five of the Support Centers have a total of six fellows. More than a third (36 percent) of the fellows *interned, clerked or worked for their present employer during law school*.

The fellows’ gender and racial/ethnic make-up is similar to the total Current Attorneys with two-thirds female and one-third male, and 51 percent attorneys of color and 49 percent White. Slightly more than three-fourths (77 percent) are 2017 or 2018 law graduates.

Very valuable recruitment strategy for many organizations.

The organizations were asked for their comments about *how valuable employment of fellows is to your organization’s recruitment and retention of attorneys*. Most organizations who commented said it was very valuable. The Support Centers were mixed in their comments with some saying it is not a valuable recruitment strategy because they only hire experienced attorneys and others saying it is valuable because it allows them to test attorneys out.

*“[The fellowship] is **very valuable** because we **rarely hire attorneys out of law school with no legal experience**. The fellowship allows us to attract diverse talent, provide a ‘test’ period, and if circumstances allow, extend a full-time offer now that we’ve seen them operate as a staff member.”* (Support Center Leader)

One organization said they *“have shifted away from externally-funded fellows, given concerns about the diversity of the pool of candidates.”* They have been able to *“bring in a more diverse pool of candidates,”* but have been less successful at retaining the fellows who *“have sometimes left the fellowship early to take more permanent jobs elsewhere.”* Their fellows are paid \$50,000, which also may contribute to their difficulty retaining them. Another organization has employed the opposite strategy—shifting from internally-funded fellowships to externally-funded because they *“do better”* with them.

An organization that serves a specific population said they have *“a history of maintaining the vast majority of [the organization’s] fellows since the 1970s. In some instances, for many years beyond their fellowships... This fosters and cultivates good [specialized] attorneys for the [specialized] community. Most fellows remain on staff 2 – 5 years on average beyond their fellowships. We had a number of fellows stay much longer... Without the fellowship funding, [the organization] would not have been able to hire the fellows.”*

One organization said they generally sponsor two fellows per year, but *“...in 2019 we are not pursuing any fellowships to focus on raising salaries for current employees.”*

Post-fellowship employment. Almost two-thirds (66 percent) of the organizations that have sponsored fellows said they tell the fellows *the organization will try to keep them on after the fellowship ends if they are needed in the organization*. When asked if they have *been able to absorb them into your workforce at the end of their fellowships*, the largest percentage of organizations said *sometimes* (46 percent), followed by *most of the time* (37 percent), *rarely or usually not* (12 percent), and *never* (5 percent).

Thirty-eight fellows left the organizations during 2017 – 2018, making up nine percent of the attorneys who left (Former Attorneys). Thirty-one left 14 Direct Services organizations and seven left five Support Centers. Data about their first employer after their fellowship was available for 63 percent of them. The largest percentage—38 percent—went to work for another legal aid organization, some of whom could be new hires with other organizations in the Study. The second largest percentage (29 percent) went into private practice.

Data about the reason the Former Attorneys who were fellows left was available for 67 percent of them. For most, it was because their fellowship ended. However, 26 percent left for another reason, which sometimes was because they were offered a permanent position with another employer.

Previous fellows. Current Attorneys who are not fellows presently were asked if they had done a fellowship previously, and if they had, where they had done it. Almost one-third (30 percent) of the attorney survey respondents were previous fellows.

Almost one-third of the Current Attorneys were previous fellows at their organization or another legal aid or public interest organization.

Thirty-eight percent of the previous fellows did their fellowship with their present employer. It is unknown if they had continuous employment with their present employer or came back after post-fellowship employment with another organization(s). Slightly more than one-quarter of these attorneys started in 2017 or 2018. More than one-third (34 percent) of the attorneys who were fellows with their present employer had also *interned, clerked or worked for their present employer during law school*.

Nearly half (45 percent) of the previous fellows did their fellowship with another organization in California and 17 percent did it with an organization in another state. These other organizations could be legal aid or another type of public interest practice.

Law Students' Views. Many of the law student focus group participants who were legal aid interns were aware of fellowship programs and considered them to be the primary way to get a legal aid job. Fellowships were, however, almost universally disliked by the students. This is due partially to their negative perception of the application process, including it being *“very overwhelming,” “many steps that could all end in nothing,”* and *“very difficult to come up with a fellowship project.”* They also believe fellowships are virtually unattainable and that once acquired, they entail hard work for low pay with no guarantee of a future job at the organization. Those legal aid interns who did not have much knowledge of fellowships, thought they would need to consider it as a main avenue to a public interest job.

“You do this fellowship, you get paid nothing, and then maybe they’ll hire; they likely won’t.” (Legal Aid Intern)

The legal aid interns also felt they were being funneled into the fellowship process—sometimes as they got the message that it is the only way into legal aid—whether they saw it as viable or not. They expressed frustration at the stark difference between the path to public interest and the path to private practice. Law students see the private firm route as one where you receive more training and it is *“assumed you don’t know anything,”* as opposed to fellowships, where students are expected to develop an innovative and viable project idea, despite being at the beginning of their career.

Examples of comments about fellowships include the following:

- *“I think **until recently [fellowships] seemed like really, really cool and everyone wants one and you get the sense that you can get one. And I think more recently I've realized they're actually really, really hard to get, and they're a lot of work to apply for. I have friends that are applying now, and it just seems like a nightmare.**”*
- *“[I]t's **very overwhelming because...have to...start so early...I was told I had to...start thinking about it in my second year and...I'm just trying to...get a summer job. I don't know what I'm doing.**”*
- *“I feel like **it's overwhelming because each fellowship is different and all the requirements are different. The process is different. And it feels like it's very early. I haven't even started my third year, but I'm signing onto this thing and agreeing to do this project and putting in all this time and effort to create a project proposal that may not even...work out. And then I have to go through a whole job application process in a couple of months when I'm going to be focusing on the bar.**”*
- *“[I]t's definitely **not similar to the attention that they give to the private sector where...every week there are speakers from this firm and...there's a workshop on how to interview and look your best at a reception. . . [T]here's a lot of programming around funneling...students to these big law firm jobs...there's just so little attention [on fellowships]... you might get one workshop on ‘what is a fellowship?’**”*
- *“I think something **kind of scary** about a fellowship can be that **you get a fellowship, you put all this work into it and then a year later you're in the same position or a similar position. But with all this great experience, but you still don't have a paying position.**”*

4. Legal Aid Pipeline

Other legal aid organizations are a major pipeline for new and experienced legal aid attorneys. A substantial percentage of survey respondents have either worked for another legal aid organization during law school or after law school before joining their present legal aid organizations.

- **Interns:** Two-thirds interned, clerked or worked for another civil legal aid organization during law school, including 71 percent of the recently hired attorneys.
- **Fellows and Attorneys:** Of the 75 percent who reported post-law school experience, 52 percent worked for another legal aid organization after law school graduation prior to their present employer.
 - **Other legal aid employment:** Nearly two-thirds (65 percent) of the attorneys who worked for another legal aid organization worked for one other legal aid organization. Twenty-eight percent worked for two others, four percent worked for three others, and three percent worked for four or more other legal aid organizations.
 - **Total length of legal aid employment:** The total number of years they have worked for legal aid in California and other states ranges from less than a year to 30+ years. A quarter (26 percent) have worked *one year*, 33 percent for *two – three years*, and 41 percent for *four or more years*. The median total years is five years.
 - **Previous Fellows:** Some of these attorneys were fellows with other legal organizations.

- **Recent Hires:** Forty-six percent of the attorneys who were hired in 2017 -2018 had worked for at least one other legal aid organization since law school graduation. Of those, 38 percent had worked for two or more legal aid organizations. They were hired in a variety of positions. (See Table 9: Positions of Attorneys Hired in 2017-2018 Who Worked in Another Legal Aid after Law School.)

| Table 9: Positions of Attorneys Hired in 2017 – 2018 Who Worked in Another Legal Aid after Law School | | |
|---|----|------|
| Position | # | % |
| Fellow | 1 | 1% |
| Attorney/Staff Attorney | 45 | 63% |
| Senior Attorney | 6 | 8% |
| Lead Attorney/Team or Work Group Leader | 2 | 3% |
| Project Director | 1 | 1% |
| Supervising Attorney | 6 | 8% |
| Managing Attorney/Directing Attorney | 6 | 8% |
| Litigation Director/Advocacy Director | 1 | 1% |
| Pro Bono Manager/Coordinator | 2 | 3% |
| Other | 2 | 3% |
| TOTAL | 72 | 100% |

- **Departing Fellows and Attorneys Only:** When asked: *What type of employment do you think you will go to or what will you do?*, 51 percent of the attorney respondents who think they may leave soon said another legal aid organization. They also have a five-year median for the number of years they have worked for legal aid organizations in California and other states. Their employment also ranges from less than a year to 30+ years.

VIII. Improving the Recruitment and Hiring of Legal Aid Attorneys

As with attorney retention, legal aid organizations are having significant challenges recruiting attorneys. Many organizations report reduced numbers of attorneys applying for open positions and longer vacancies. An organization in the Bay Area said, *“We used to get over 100 applications for a staff attorney position. Now we can sometimes receive five or less.”* Another organization described their recruitment experience: *“It has been extremely difficult to hire for positions over the last few years. In certain cases, we have open positions that would have yielded dozens of applications, now having none...”* As discussed earlier in this Report, long vacancies create added stress within organizations and fewer clients served.

Addressing this challenge is becoming a high priority for many of the organizations. Organizations’ leadership, current attorneys, and law students all noted the need and identified strategies for increasing the number of attorneys who apply for legal aid positions.

1. Pay Higher Salaries

Low Salaries are the Primary Reason for Recruitment Challenges

The organizations’ leadership attribute the lack of applicants and length of vacancies to the low salaries, the rising cost of living in California, the increasing salary gap between legal aid and other public interest or public service positions, and the growth in legal aid positions at competing legal aid organizations.

“[Reduced applicant pool is due to legal aid’s] low wages and high demand [for attorneys] in both private and public sectors.” (Organization Leader)

Difficult to recruit both new and experienced attorneys. When asked if it is more difficult to recruit new or experienced attorneys, almost one-third (29 percent) said *experienced attorneys* while the majority (53 percent) said *both*. The remainder said *new attorneys* (two percent) or *neither* (16 percent). At least one of the Large organizations does not recruit experienced attorneys because “*with more experience, attorneys expect a higher salary than we can provide.*” Another Large organization typically hires only from third year law school classes “*even if the attorney who left was relatively experienced*” because they do not expect attorneys to stay long in their offices in more rural locations.

*“It is **challenging to recruit both. New attorneys are demanding higher salaries, and of course more experienced attorneys also require higher salaries.**” (Organization Leader)*

Some organizations who practice a specialized area of the law said it can be difficult to find experienced attorneys in those areas. Organizations commented about other challenges recruiting experienced attorneys:

- *“**Experienced attorneys seem to have a lot of choices and we lose people who are not interested in working in San Francisco.**”*
- *“We have had **no success in recruiting attorneys with supervisory experience.**”*
- *“Experienced attorneys are **harder to recruit due to lack of supply and our salaries**; newer attorneys are difficult to recruit largely because of salaries.”*

Difficult to attract a good applicant pool. The attorney respondents continually commented that salaries need to be increased in order to have a good pool of applicants. They again emphasized that a career in legal aid is financially impossible for those who do not have a second source of income, e.g. a spouse making more than them or other family resources. This is particularly true for those with high educational debt, which most of the new law graduates have. See #8 and #9 in this section for comments specifically about the added importance of increasing salaries to recruit attorneys to rural and less attractive locations and increase the diversity of legal aid recruitment.

*“I don't see how (to increase diversity) **unless salaries are increased. You cannot afford to take a job and stay at it for a long period of time unless you are independently wealthy or have another person supporting you financially.**”*

Law students' financial realities and concerns. Most if not all the law student focus group participants enunciated a deep concern with the financial realities of a legal aid career. While salary was clearly the largest and most persistent of the financial concerns, most students reported that it is the *combination* of multiple financial factors—low salary, large loans, lack of advancement/ceiling to salaries, high cost of living, uncertainty of applying for and keeping the job, and other life circumstances (family to take care of, income level of spouse, etc.)—that make a career in legal aid seem unfeasible.

Law students talked about the reality of navigating these financial concerns, whether based on their observations of attorneys at their summer placement or on their own expectations for their future. For example, students discussed: having to go into credit card debt just to do their summer internship or “living small” in terms of keeping costs down; seeing attorneys in their offices work second jobs or commute from far away to make it work in expensive urban areas; and worrying about how the financial well-being of an organization will impact their job (i.e., will my job exist if my organization is trying to save money all the time?).

*“I think if you're trying to **work in legal aid in the Bay Area you either have to be married to someone who works in the private sector or have a trust fund.** (Legal Aid Intern)*

Many law students noted that, oftentimes, those who come from privilege and have a safety net are the only people who can do this work, which means the legal aid organization can look different than the population it is serving. Some students acknowledged privilege played a role in their ability—or the ability of others—to do public interest work at a lower salary for various reasons, such as family financial support or the necessity of supporting their own family.

“...Planning to go into public interest after law school is kind of iffy because my parents are relying on me to exit in a position of stability [with a] good salary so that they can retire safely.” (Legal Aid Intern)

Law students often expressed a “head in the sand” kind of attitude when thinking about planning for the financial realities of a legal aid or public interest career, saying that it will “*work out somehow*.” There was a general lack of consensus on how to “*make it work*,” apart from just applying for jobs, fellowships, and LRAP. As one student put it, they are on the path and sticking with it, and are “*just sort of optimistic, like I’ll figure it all out and it’s all going to work out*,” while acknowledging that “*it’s definitely something that’s on my mind, like all the time*,” as a source of anxiety and stress.

Additionally, many law students articulated a belief about law school culture, saying that it perpetuates the idea that one must be a “martyr” in order to pursue a career in legal aid. They explained that the message they receive is that the burden of being able to do public interest work is on the individual (to pay off their loans, make the financial aspects work), and not only that, but to go down this path it must be a completely selfless pursuit, without concern for financial sustainability. They feel that the sentiment in the sector is that “*you should feel grateful that you get a job*,” that “*this is the salary, just accept it and build your whole life around it because it’s not going to change*,” and “*if you are truly committed to public interest, you won’t question this reality, you’ll just live with it*.”

“I feel like I’m leaning more towards working for the government than a nonprofit. I have to admit that a lot of that is the salary.” (Legal Aid Intern)

Some articulated the ramifications of this reality as motivating a desire to work at a firm and get paid well, pay off loans, and “stabilize” before ostensibly moving into a public interest career. Other students that expressed an interest in this path—working first for a firm and then moving into the public interest field later—reported being motivated by the perception that public interest jobs are less prestigious or stigmatized for being “easier” to get. This is perpetuated and exacerbated by the fact that public interest is the more mystified path, as compared to the “conveyor belt” of the pipeline to firm jobs.

2. Prioritize and Staff the Recruitment, Interviewing, and Hiring Processes

Longer to recruit and hire. In May 2019, the length of time it was taking 42 percent of the organizations to fill an attorney vacancy was *three to four months*; *five to six months* for 16 percent; and *more than six months* for 4 percent. These hiring times were *more time* compared to three or four years ago for 44 percent of the organizations and *a lot more time* for 16 percent of them. Although much of this may be due to the low salaries and small pools of applicants, some is also due to organizations being too busy or not having the right staff to administer and be involved in a proactive, robust recruitment and hiring program.

“[Taking longer to hire due to] lack of candidates and competition for candidates, especially bilingual candidates.” (Organization Leader)

“Average” hiring processes. The attorney survey respondents were asked to rate the recruitment, interviewing and hiring processes of their current employer. Table 10 shows there is a mix of ratings, with the largest number rating all three *average*.

Many of the attorneys’ comments are about the need for HR staff resources to better manage the processes and to involve the appropriate attorneys in recruitment and interviewing.

| Table 10: Attorney Respondents Ratings of Employer’s Processes | | | | | |
|--|---------|---------------|---------|---------------|-----------|
| Process | Ratings | | | | |
| | Poor | Below Average | Average | Above Average | Excellent |
| Recruitment | 7% | 19% | 47% | 20% | 7% |
| Interviewing | 3% | 9% | 53% | 25% | 11% |
| Hiring | 4% | 11% | 52% | 22% | 11% |

- ***“Recruitment, interviewing, and hiring always feels very ad hoc and rushed when it finally happens, but slow to get the ball rolling. It’s no one’s specific job to do this work and it feels like this is a low priority for management even though we fall very behind on grant deliverables. This process needs to be more routine and standardized, and it needs to be written into someone’s job description.”***
- ***“(The organization) lacks basic awareness of and commitment to key recruiting schedules and processes. Nobody is responsible for recruitment, and it is done haphazardly. We do not have a strong recruiting program in place.”***
- ***“HR needs to be more open to working collaboratively with attorneys to improve the recruitment process.”***
- ***“Our human resource director has too much input in the hiring process. It appears that she plays a major role in deciding who will be offered a position even though she does not work with the applicant on a daily basis.”***
- ***“[The organization’s] hiring is done at the individual staff level with little involvement from HR - on one hand, this gives staff a lot of voice in the decisions; on the other, it is VERY time consuming and inconsistent across the different units.”***
- ***“We include entire teams in the interviewing process. We had interviews where there were 10 people interviewing a candidate. We do not have clear guidelines on the criteria that we want to hire someone. We allow people who will be supervised by someone to have complete say over who to hire. This is bad...”***
- ***“We do not receive any training or support on recruitment. We also do not have a recruiter on staff. It would be good to have more guidance...about how to recruit.”***

Progress in improving hiring processes. An executive director described a very active recruitment program developed and administered by a number of their organization’s staff. Offers were made earlier than most organizations—in March or April before law school graduation. In 2019, the organization planned to make offers even earlier—in November of the 3L year. They have enough turnover and growth that they do not wait for vacancies. They have “bridge money” to fund an attorney if there is not one by the time they start.

Some attorney respondents noted their organizations are taking affirmative steps to improve their recruitment and hiring processes.

- ***“Until recently, our HR Department did not effectively recruit because their job listings were vague and they were not widely posted on sites targeting public interest-minded attorneys.”***

Historically, the interviewing and hiring process took an unreasonably long time, which meant that we lost good candidates. We have a new HR team and are improving drastically in this area.”

- *“We form a hiring committee of approx. five which always includes lawyers and non-lawyers, and at least two people of color. We ask an explicit DEI related question on our application. We are working on expanding where we recruit from and our outreach. We have worked to be intentional in our hiring practices around DEI.”*
- *“(The organization) has made dramatic improvements in recruitment practice in the last 12-18 months, including hiring a number of new HR staff and I believe that those changes have put us far above average in terms of overall recruitment process.”*
- *We are working toward a uniform hiring process between our 3 offices, but this didn't exist before. We are working on updating our job posting so they are more inclusive and inviting to individuals in non-dominant groups.*
- *“We devote a great deal of time and effort to every hire, go through a couple of layers of screening and include everyone in the process. We also are patient. If we are not satisfied with the people, we interview, we wait, re-advertise, go down the list, etc. I think that has been crucial and it is hard because often there is a great deal of pressure (workload, grant money, etc.) to get someone on board quickly.”*

3. Be More Pro-active about Recruitment and Start it Earlier

Some attorneys commented that their organizations are not actively recruiting attorneys, but merely posting openings and interviewing who sees the posting. This affects the quality and diversity of the applicants. Lengthy position openings also affect the attorneys who have to pick up the work and whether they get the best candidate.

- *“Getting job descriptions out takes forever.”*
- *“Our process is too slow which means we lose opportunities at good candidates. We never replace personnel until after the person in the position has already left, leaving a gap in coverage so other staff have to pick up the slack in addition to their own jobs and there is no one to ensure the new employee is fully trained to take over.”*
- *“My organization takes a really long time to fill open (and essential) positions. When this happens, it creates a lot of extra work for existing staff.”*
- *“Our recruiting efforts feel more passive; seems like we could do more to identify and actively recruit particularly great candidates.”*
- *“We have had positions stay open for a long time and there often don't seem to be obvious recruitment efforts.”*

The organizations' leaders were asked, *In instances where you have been able to fill positions in a reasonable time with the kind of attorneys you had been looking for, what enabled you to do so?* Making pro-active connections with applicants or individuals who would know applicants was their primary theme. However, some acknowledged the difference made when an applicant has another source of income.

- *“Connections to the candidates from existing staff who were able to recommend (the organization); active recruitment of candidates and participation of the Board in helping encourage candidates.”*
- *“...I reached out to a past law clerk that I had kept in touch with.”*
- *“Proactive outreach to potential candidates (especially those that add diversity) has helped recruitment.”*
- *“Reaching out to people that we know who may be working at other organizations and wanting to move to a new program.”*
- *“For us it’s who we know in the community.”*
- *“Networking with other legal aid groups and publicizing openings. Also, (reaching out to) ethnic bar associations.”*
- *“We conducted an extensive search and people who applied tend to have two income households or less financial restrictions.”*
- *“They’re not the primary source of income, e.g. have a spouse or partner earning a higher income, or we’ve recruited through word of mouth to reach people who are committed to our mission.”*

A quarter (24 percent) of the attorney survey respondents hired in the last five years by their present employer learned of the position from someone inside the organization. Another 12 percent learned of the position from someone outside the organization, and 11 percent worked in the organization already.

4. Make Job Postings Inviting, Informative, and Transparent

Some attorney survey respondents described the need for improvements in the clarity and selling ability of their organization’s job postings:

- *“Our job postings are very boring and do not attract prospective applicants who don’t already know how great we are. We are underselling ourselves.”*
- *“Be clear about job duties/responsibilities in the job posting and be honest in the job posting. If an applicant applies or shows interest in a particular area, do not hire him/her for another area. Do not post temporary positions unless the position is truly temporary.”*
- *“Postings do not clearly define job duties or location.”*
- *“The organization does not do a great job of...describing positions in a detailed and compelling way...”*

Law students interested in a legal aid career felt that between job postings and other sources of information about legal aid jobs, not enough information is provided.

Salary information. While there was clear concern about a lack of transparency with respect to many factors, law students universally expressed a desire to see salary information in a job posting. Whether high or low, they feel that legal aid organizations need to be transparent with salary information. Law students want organizations to give them the information and let them decide what to do with it. It did not seem to matter what the students believed to be the motivation for withholding salary information—whether motivated by the idea that attorneys do this work not for money but for passion, or a result of a perceived cultural impoliteness around providing salary information—law students want this information up-front to make an informed decision.

*“I don’t think I’ve ever been to a legal aid organization website that posts salaries for job openings, that posts **benefits**, that posts the **expectation of the work week**.”* (Legal Aid Intern)

Positives of the positions. While the absence of salary information was a predominant concern, law students felt that information about legal aid jobs was lacking overall, even in the descriptions of the positions themselves. They want to know more about what a job actually involves. They suggested the positives of a legal aid career could be highlighted in advertising positions to attract applications and bolster transparency. Organizations could note the collegial work environment; passionate team; opportunity for advancement, including into policy work; the good work-life balance; opportunity to make an impact on an individual’s life; strong family culture (parental leave); flexible schedules; opportunity to “jump right in” and get hands-on experience; client contact; and autonomy.

*“[T]here’s like a **cultural impoliteness** surrounding asking people how much they make . . . or how they make it work. But then, on the other end of the profession, like **Big Law salaries**, you know exactly what [they make], it’s like they have billboards and say exactly how much you get paid.”* (Legal Aid Intern)

5. Balance Application and Interview Objectivity with Applicant Individuality

Some attorney respondents described how their interviewing process has improved because they use standardized questions to avoid implicit bias. Others, however, commented on the unintended negative effects this can have when it is so rigid that applicants “cannot shine.”

- *“We ask that the cover letter specifically address how the applicant’s **experience/background** would contribute to our organizational goals of **diversity and inclusion**. The answers are helpful but so is the question. **Many applicants**, particularly those who would add diversity to staff, **have noted that having the question impressed them** and attracted them to the organization...”*
- *“We’ve worked on hiring this year, and I think are in a better place. We’ve **implemented procedures for asking all interviewees the same set of questions**, ensuring evaluation rubrics to **avoid** as best as possible the creep in of **implicit bias**.”*
- *“We have a **standardized interview process** in terms of procedure/questions asked, which **increases equity in both the interviews themselves and in the candidates we ultimately hire**.”*
- *“The **interview process is very rigid**. This has come about with good intentions, I think, but **leads to hiring teams feeling paralyzed** and being **afraid to ask obvious follow-up questions**.”*

- *“Our organization has a **very rigid hiring process** that is designed to encourage equity and recruit diverse candidates by ensuring everyone gets the same questions and evaluation metrics. In practice, **however, we have still struggled to recruit more diverse talent and I think something - though I'm not sure what - needs to change in our hiring practices to recruit and retain more staff of color, particularly in senior roles...**”*
- *“Our **interviewing process is intentionally rigid** to ensure all applicants get the same questions and are graded on the same rubric. This is designed to ensure equal opportunity for everyone, but in practice I feel like **it stifles applicants during interviews and prevents us from getting into soft factors about an applicant that may help us recruit more diverse candidates**. By not allowing interviewers to go off script, the interviewers are **not able to dig into topics that might shine more light on a particular candidate's work history**. The rigid nature of the process **can also be very intimidating for people who are nervous interviewers and I have at least one instance of being unable to hire a diverse applicant who had previously been an outstanding volunteer with the organization because they were incredibly nervous interviewing and I was not able to factor in their prior stellar volunteer work at the organization to counterbalance the bad interview.**”*
- *“...We could do a better job of...**getting greater input from staff regarding the types of interview questions that should be asked at each position.**”*

6. Respond to Law Students' Perceptions and Knowledge

Evolution of intent to do public interest work. The legal aid interns who were focus group participants felt their objective to do public interest work had not changed thus far into law school, but many described an evolution in their understanding of what public interest work entails. As they gained more experience through internships, clinics, and other work as well as their classes, their experiences helped them both deepen their knowledge and narrow their choices through exposure to different areas of law. Most appeared to remain committed to public interest but were developing a clearer understanding of what public interest can mean, what jobs exist, how to get those jobs, and what the possibilities—and limitations—are in this field.

This evolution for many law students included grappling with the decision of whether to pursue work in direct service versus advocating for broader change (such as impact litigation), a choice which most students seemed to understand as binary and absolute. Students generally believed they would have to choose one path or the other, and had little awareness that jobs existed at organizations that employ multiple advocacy strategies or types of services. This tension did, in some cases, serve as a motivating driver to understand the complexities of a complicated field working directly with marginalized clients.

This evolution in understanding of public interest work did sometimes, however, have the opposite effect, pushing law students away from public interest work. At the very least, it added some complexity to the decision. Some students reported their clear intent had become more muddled as they learned of the disparity in salaries, issues securing fellowships, and other matters that affected their perceptions of what would come next for their career, as their understanding of how to get a public interest job became more nuanced and potentially negative. In sum, while public interest intent largely remained, it evolved with—and was tested by—this increased knowledge. Students became more open to other possibilities, especially regarding their first job out of law school, due to factors like prestige, salary, and debt.

Law student focus group participants who were not legal aid interns more commonly articulated a vision

*“...First of all, **the money (at a law firm job) is obviously certainly [a] temptation, especially for individuals who are very worried about...their long-term economic sustainability. But, also even just the fact that there's this very neat and tidy process for getting jobs (with) law firms.**”* (Law Student)

of working in large law firms first to pay off loans, and then going to do what they really wanted at a nonprofit. This is appealing, they said, because it provides both career certainty when they graduate as well as the money. Students differed on whether they believed this was possible, or if, once someone experiences the lifestyle the higher paying job gives you, it is less possible to come back to do public interest work. They also said they started to think about public interest and other forms of

employment as being less clearly separate because they could do plaintiffs' work or pro bono, with their law school being a central source in promoting this idea.

Perceptions of a legal aid career. As noted earlier in *1. Pay Higher Salaries*, law students articulated that the financial realities, especially low salaries and educational debt, are dissuading them from considering a legal aid career. Other concerns included the emotional toll of the work (including vicarious or secondary trauma issues) and the need for real conversations around the effectiveness of the work (whether legal aid serves as a “band-aid” rather than meaningfully addressing social injustices). Some considered these issues around burnout and the emotional labor of the job as exacerbating the low salary and other financial issues.

Although law students more readily raised abundant downsides to a legal aid career—most of them financial—they also readily identified positive perceptions of a legal aid career as they discussed their desire to enter the field. Most students easily articulated numerous positive qualities associated with legal aid, citing them as motivation to pursue this line of work.

*“**Something that attracts me to public interest is the capability that you have to really hone in on communities that are under-represented and under-served and under-resourced.**”* (Law Student)

The positive qualities or motivating factors included:

- the meaningfulness and direct, immediate impact of the work;
- good work-life balance through a flexible schedule, leaving at a reasonable time, less work on weekends, sabbaticals, and vacation time;
- strong family culture, making it possible to have a family and career;
- opportunity to “jump right in” and get hands-on experience providing the opportunity to learn quickly;
- ability to make policy changes and have a greater impact as well as make a one-to-one impact doing direct service work; and
- autonomy.

*“**Probably the biggest benefit of legal aid is you never have to disagree with what you're doing. I think it's really hard for me personally to spend 40 hours—or 40 or more hours—a week working on something that I fundamentally disagree with. . . And so I think that's a huge benefit and has been like a breath of fresh air.**”* (Legal Aid Intern)

Connecting this to their original motivation to attend law school, these positive qualities focused on their ability to make a social justice impact. Some—perhaps those who came to law school *just* to do this work—seemed less affected by the dissuading factors described earlier, while others seemed more vulnerable to being swayed, or were already swayed, away from legal aid or public interest more generally.

Lack of knowledge about LRAPs. The vast majority of law students were unfamiliar with Loan Repayment Assistance Programs (LRAPs). Despite broadly raised concerns about managing the financial realities of a legal aid career, most students could not answer whether their law school had a program or not, and those that did know their school had a program often did not know how it worked.

No law students had heard of employer LRAPs.

Marginally more students expressed awareness of the federal Public Service Loan Forgiveness (PSLF) program. Of the students that were aware of PSLF, most expressed concerns that it was not reliable and could not be counted on. Importantly, most students were confused about the difference between LRAP and PSLF, often conflating the two, imbuing their perception of LRAP with their negative perception of

“I don't know much about the [law school LRAP] program and the intricacies of it to know if it's really going to help much.” (Legal Aid Intern)

the precariousness of PSLF. Those who were aware of law school LRAPs generally said it was helpful for them. No law students had heard of employer LRAPs. Students responded positively to the idea that an LRAP could help them in pursuing a legal aid or other public interest career, but lacked knowledge about how these types of programs work.

Many students acknowledged that loan repayment was only one facet of their financial considerations, such that, even if loans were being paid for, the actual salaries were still too low to make a career feasible. LRAP was noted as something that could help calm students down when wavering away from public interest and being tempted by more lucrative salaries that would help them pay off their loans.

Difficult to get a legal aid job. The law student focus group participants consistently reported a belief that finding a legal aid job is difficult. The beliefs shared during the discussions include:

- (1) fewer legal aid organizations are hiring, and they have fewer entry level jobs available than in other legal sectors;
- (2) legal aid has unpredictable hiring patterns/timing, especially compared to the predictable process for firms;
- (3) applicants have to do more to get legal aid jobs—have good grades, experience and a demonstrated commitment to the cause. Some noted that the experience and commitment aspect can impede students who cannot work for free, making them struggle to find other ways to demonstrate their passion for the work.
- (4) a perception that sometimes students need to have these qualifications plus bring their own funding or be willing to work for free.

Unknown process and late timeline. The law student focus group participants overwhelmingly reported that the process of getting a legal aid job is opaque and mysterious to them. They repeatedly stated that the best path forward (or even good first steps) is completely unclear. They contrasted it to the paths for law firms or government jobs, which they feel have clearly delineated, conveyor belt-like processes.

In addition to being less clear, the law students were frustrated that the timeline for seeking legal aid jobs is significantly later than other for jobs, such as the private firms beginning early with On-Campus Interviewing (OCI). They feel that while law students that seek jobs in the private sector are able to go into graduation or bar study (or even their 3L year) with some job security, students who want to work in legal aid have to be willing to proceed with no security and saddled with worries they will not find a job.

“...It's frustrating that it's so much more difficult or just such a different process than (for) people working at big law firms.” (Legal Aid Intern)

7. Enhance the Intern Pipeline

Internships are a critical recruitment tool for many of the organizations. As noted earlier, 20 percent of the attorney respondents had interned with their present employer, and nearly three-fourths had interned with their present employer or another legal aid organization.

Generally, the legal intern focus group participants were positive about their experiences with legal aid and other public interest internships in regard to maintaining their public interest intent. Law students noted, however, that funding of summer internships is critical because it enables those who do not have the privilege to work unpaid to begin to build their public interest career and show their dedication so they are considered a good candidate for post-graduation jobs.

The legal aid interns had positive things to say about their summer supervisors but wanted more guidance from them on how to get a post-graduation job. Specifically, they expressed appreciation that their supervisors supported them by doing things like asking them what kind of work they wanted to do and ensuring they had a writing sample and a reference. What seemed to be lacking to the students, however, was a more robust sense of their summer organizations actually assisting them in getting a job in legal aid.

Many of the attorney respondents commented on the importance of paying interns so they are able to build relationships with law students from all financial backgrounds. They also described components of a good intern pipeline.

- *“...we should start recruiting earlier by all having **paid internships for law students**, and **mentoring programs for college students to help widen the pipeline.**”*
- *“...**focus on choosing law student interns that have an actual interest in working in public interest as a career.** The majority of our offices’ interns are merely looking for general work experience and come here because we take on a lot of interns every year.”*
- *“...take a more **personalized approach and talk to students about their goals for post-graduation** and let them know if their organization will have openings...**accept early applications from students who have worked at other civil legal aid organizations.**”*
- *“**Treat (law students) respectfully...The experience a law student has at an organization greatly impacts their future decision to join the organization.**”*
- *“**Offer** applicants the opportunity to do an **informational interview with a current attorney.**”*
- *“**One-on-one mentoring** would be helpful in getting law students interested in returning to the organization after graduation. Some of my law school friends started out with wanting to work in civil legal services but ended up going to big law or government work because of concerns about educational debt. It would be **good to discuss with law students, financial strategies** if they were to consider working at a civil legal aid organization.”*
- *“...helpful if we could **make offers to students at the end of the summer**, instead of inviting them to participate in our legal grad recruitment process.”*
- *“...**keep a log of great interns** who we can **contact when jobs become available ...**”*
- *“**Better mentorship and follow up from staff attorneys who have supervised their work to monitor progress and career path of students as they finish their law school.**”*

8. Make Internal Changes and Undertake Specific Recruitment to Increase Diversity

More diversity needed. Previous sections' findings point to the need for more gender and racial/ethnic diversity. Nearly three-fourths (72 percent) of the Current Attorneys are female and about half (53 percent) of them are White. Greater racial/ethnic diversity is needed particularly in attorney management positions.

The attorney respondents were asked *How can civil legal aid organizations best recruit and support a diverse group of attorneys?* Many of the comments echoed what they had said about why they may leave soon or what they want to see improved in their organization.

Address financial barriers. The importance of increasing salaries was noted by many of the attorneys. Other financial issues, including educational debt and unpaid internships, were also noted as barriers that should be addressed.

- *“For all three (recruitment) questions, I believe it takes multiple strategies working in concert. I do think that for diversity in particular, strong LRAP policies and higher salaries/benefits are critical.”*
- *“Salary is the big one. We have a pretty diverse work force, but we still have staff that needs to rely on family money or a spouse with a higher income. We have positions open for people that are fluent in other languages, but no applications...I think when legal aid becomes something you can only do because your privilege allows you the freedom to work for what we do we are going to lose a lot of diverse candidates.”*
- *“I think this is very difficult without drastically increasing salaries, as people who don't have the luxury of family support are not likely to be able to enter legal aid at our salaries or stay there for long...”*
- *“I believe attorneys from disadvantaged backgrounds find it harder to remain in public interest because they are often responsible to support extended family...”*
- *“Pay them better. Give them better benefits and more time off. Recognize that they make major real life sacrifices to do the work and reward them...If this means keeping the organization smaller, so be it. Do not serve the community at the expense of the staff, because oftentimes we come from the communities we serve. Make it tenable for a diverse group of attorneys to build a career at the org and they will.”*
- *“We need to be cognizant of the systematic and cultural pressures on diversity candidates, some may have more financial freedom and privilege than others trying to support family or parents...”*
- *“Stress that they are looking to hire people from diverse backgrounds and offer additional pay for people who can speak languages other than English.”*
- *“Pay is a big way in which diverse groups can be recruited and supported. I can speak for Latino/Spanish speaking attorneys, I have been asked to translate for others who do not speak Spanish and are unable to communicate with their clients. Being placed in the position of the translator and not given the other opportunities because you can speak to the client is difficult.”*
- *“...fund low-income legal interns during the summer.”*

Ensure a supportive DEI culture and diverse leadership. Attorney respondents commented that diversifying their organization's leadership was a good way to help recruit and support a diverse group of attorneys. Providing for career advancement and a diverse pool of mentors are seen as a part of this strategy. Some commented that an organization's culture must be supportive of diversity for recruitment to be successful.

- *“Promote people of color within the organization.”*
- *“Take a harsh look at our own practices...Don't try to recruit people in before we've **first** ensured we can **provide a safe and equitable environment**. Those efforts will get out and become their own form of recruitment.”*
- *“Make the workplace supportive and inclusive for current staff who are members of **marginalized groups**, and they will let others that they share networks with know that it is a good place to apply.”*
- *“...legal aid organizations need to **grapple on an institutional scale with the fact that leadership is overwhelmingly white and often very entrenched**. There needs to be **mentorship and transition-planning** to create opportunities. Liberal white attorneys and non-attorneys need to learn to **be less defensive when POC staff raise concerns about internal or external DEI concerns**. Legal aid organizations should **receive more training around DEI issues and more chance for discussion** of these issues.”*
- *“Making sure organizational culture is not predominantly white, having good salaries and training and feedback, having some flexibility in the job, **having women & queer people & people of color in leadership positions**.”*
- *“Ensure that management is diverse. Create a **strong culture of inclusion and cultural competency**. Create standards of cultural competency that are shared by all civil legal aid organizations.”*
- *“Show diversity in upper management. Show diversity **in program management**. If all the (non-decision-makers) are brown, and all the decision makers are white, then there is a problem.”*
- *“Manage the organization well with **a clear path for advancement** - leadership opportunities that are supported. Too many times people are brought in and path is not clear. **There is insufficient mentorship**.”*

Broaden educational and experience criteria and outreach. Expanding the search to include more law schools and work experiences to increase the pool of candidates that could add to an organization's diversity was suggested by several attorney respondents. Many law graduates may not have had the privilege of attending certain law schools or obtaining unpaid internships.

- *“When recruiting, **focus less on the pedigree of the student (grades, graduate schools, law schools) and focus more on the practical experience**...”*
- *“I think legal aid, and most fields generally, **need to give greater weight to diverse applicants' life experience and non-legal work**. Organizations should **be more accepting of non-traditional applicants and people who have taken a longer road to law school**.”*
- *“Recruit from a variety of law schools; redact name, address, and law school from resumes before reviewing.”*

- *“Give more opportunities to lesser known law schools ...”*
- *“...more of a presence on historically black college campuses.”*
- *“Look at the whole picture, not just where they graduated from. Count volunteer experience, not just paid experience. Give people a chance.”*
- *“Stop being so snobby about applicant credentials that are mostly proxies for privilege, e.g., where they went to law school, whether they have a perfect writing sample, whether they did (unpaid) internships at nonprofits”*

Develop relationships with diverse groups. Developing relationships with law school groups and bar associations whose memberships are diverse was suggested by many attorney respondents. Some also suggested that a more diverse group of legal aid attorneys should be doing the recruiting.

- *“Ensure that different groups are being targeted with job descriptions, that specialty bar groups are being targeted with job postings (including LGBTQIA+ associations, Hispanic bar associations, Black law associations, etc.)...”*
- *“... Build meaningful relationships with minority bar associations and minority student groups.”*
- *“...reach out to affiliate bar association and law student groups to inform them about the organization and why they should be involved.”*
- *“Go to law schools, speak to different diversity groups on campus: LA Raza, Black Student Union, APALSA, etc.”*
- *“Attorneys with diverse backgrounds should be going to recruitment events at law schools and making sure that they are visible to rising 3Ls.”*

Other recruitment strategies to increase diversity. The attorney respondents had a wide range of other suggestions for how to recruit a diverse group of attorneys.

- *“It would be helpful starting at law school level. When I was in law school, no civil legal aid organization bothered going to campus interviews or even going to law school classes to talk about their work. I also did not have a mentor from a diverse background when I was a law student or when I was a newly admitted attorney.”*
- *“Presentations on how your work has an effect on the community where most diverse workers were raised. It is there that diverse attorneys can make a better world for poor communities. Make a connection between us and the persons we provide legal services in family, housing, debt collection, probate, expungement, social security and welfare benefits clinics. Continue to bring the services to the people at community centers and be proactive.”*
- *“Civil legal aid organizations should also make a greater commitment to support staff of color who want to go to law school, encourage those ambitions, and follow up with support for those former employees when they do actually make it to law school.”*
- *“Actively seek people with disabilities and anticipate a workplace that will effectively offer reasonable accommodations to disability (in the same way that disability organizations should seek out candidates with other diversity characteristics). It would be useful to have some type of legal services community forum that would offer organizations an opportunity to brainstorm about how to get out of what are sometimes diversity "silos," so that our*

staffs can reflect the intersectionality experience that is a prominent issue in today's civil rights advocacy."

- *"Be present in those communities. We make great connections with groups when we are present in those groups. As someone who is LGBT, I would be 100 times more likely to stay with an organization that I know cares about my community. Attorneys are people who have strong sense of community, just like anyone else. Meet us where we are. If you count on us to come to you, we won't because there is no indication that we would be accepted or supported there."*
- *"...Having a directly stated goal of increasing diversity and values that reflect that goal. Really, it's about the work that the agency does. If an agency is present and benefiting diverse communities (culturally responsive), it has a better chance of recruiting diverse attorneys."*

Law students committed to DEI. The law student focus group participants generally cared about diversity and are committed to improving it. They perceived legal aid as generally more diverse than other legal professions, but not as diverse as expected, primarily in terms of race. Law students noted how many women are in legal aid but acknowledged that many are white. Seeing an Executive Director or supervisors who are people of color was motivating and inspiring for law students of color, and for law students generally. Some students differentiated between "diversity" and "DEI" in the sense that, while diversity of identity is important, it is also important for the workplace culture to integrate DEI values.

In line with perceptions that legal aid and public interest law is more accessible for people with family wealth or other financial means to make the low salary feasible, or can rely on a partner who makes more, some students noted that it can be hard for individuals from marginalized backgrounds to afford to go into legal aid. Put differently, underrepresented law students attending law school who might want to do this work might feel that, beyond just the issue of loans and LRAP, is the issue of being able to take care of their family with their earnings.

9. Conduct Specific Recruitment and Provide Incentives for Rural or Less Attractive Locations

Some of the organizations report that it is increasingly difficult to get any applicants for positions in more rural areas or in areas that attorneys may not find attractive because of the distance from their friends or family, fewer career opportunities for a spouse/partner, or a less accepting community.

Pay higher salaries and other financial incentives. The attorney respondents' primary answer to this challenge is to increase salaries or *"pay them more."* It was not clear whether they meant giving them additional pay. Some respondents who had worked in rural areas also commented on the importance of fully reimbursing them for their work travel or providing an office car so they were not paying out of their own money for the organization's expense. Paying for interview costs and moving expenses were also suggested, as was a recruitment bonus.

Develop local pipeline. Several attorney respondents commented that the most likely attorneys to work in rural areas are those from rural areas or those that have family in the area. They suggested they should be recruited while in law school or before.

- *"...Make connections to the local community...Track local students intending to go to law school after undergrad and provide mentorship and scholarships to return to their home community."*
- *"Possibly start when individuals are fresh out of law school or while they are still in*

law school educating them on the organization and how they can fit into it or learn from an experience working there.”

- *“Prioritize recruiting from our rural communities when possible. Again, make the position more competitive in terms of pay...Also, invest in your rural branches. I work in a rural branch and the difference between our office and the office closest to (an urban area) is significant. Our office is dilapidated and not well cared for.”*

Emphasize the positives. Some attorney respondents encouraged the organizations to talk about the positives of being in a rural area rather than focusing on the negatives. Some of the positives they listed included a more affordable cost of living; less traffic; the profound legal impact of working in a rural area’ and more opportunity to engage in impactful litigation because there are fewer organizations in these areas.

- *“...rural and remote areas have a ton to offer the right law student, but I think so much of our recruiting is about minimizing the downsides of those areas and not highlighting the really cool things about them.”*
- *“Highlight the affordability of living costs and make it sound exciting to be doing work that nobody else is doing in the area instead of being one of a million non-profits in the Bay Area. Set up workspaces that highlight the unique character of the rural area. Basically, just lean in and really embrace it. Drop the attitude of being desperate to find people to staff these offices and instead cultivate an attitude that only the best and brightest should be at these offices since they are going to face higher resource limitations and more challenges. Build up the organizational narratives that make the people who work in these offices sound like they are doing really important and progressive work.”*
- *“In my experience working in two different rural communities, one of the things that attracted me to both positions were the communities themselves. The people in both rural communities I worked in are very proud of the community, enjoy their areas' many outdoor activities, and relish the local culture. The organizations I worked at showed their love for the communities very earnestly in the application process, and did a good job selling me on both the organization and the community I was moving to - so much so that my ultimate career goal is to return to one of those communities in the medium term future.”*

Provide support. One of the attorney respondents expressed one of their primary reasons they did not take a position in a rural area: *“Early in my career, when I was considering an offer from a rural legal services agency, one of my main concerns was feeling like I might be overwhelmed by the caseload and not have enough supervision to competently handle it. I may have misjudged myself and the agency, but I recall that weighing heavily into my decision not to take the offer.”* Law student focus group participants expressed a similar concern. The attorney respondents commented that letting applicants know they will be supported and given a reasonable workload should be a part of recruiting.

- *“...make clear that opportunities to connect with colleagues and receive training in more urban, resourced areas will be provided.”*
- *“Have more hands-on supervision.”*
- *“Include them more in the central office activities or case conversations.”*
- *“...Do more to connect rural attorneys across organizations (perhaps a section of LAAC dedicated to rural attorneys? Do an annual conference?”*
- *“Offer training, supervision, one-on-one mentoring...”*

- *“Check in with them re: struggles of the job and follow through with resources when someone asks for help.”*
- *“They need to develop roots in the community. They need a reasonable workload so they are getting out of their offices and doing plenty of networking. Giving them lots of autonomy is exciting and a way rural legal aids can offer something unique to urban ones.”*
- *“...Offer mentorship and professional development inside and outside the organization. Make time for attorneys to be involved in their local rural community so they are not buried at work in an area where it may be hard to get to know people.”*
- *“...make sure they have enough supervisory support and a manageable caseload, ensure they work a decent number of hours, and that their work is recognized.”*

Law students need a major reason to do rural work. Most of the law student focus group participants and survey respondents indicated they would not move to a rural area to work, even if there were a financial incentive, although that did increase interest. Factors contributing to this lack of willingness included:

- physical and social isolation;
- lack of connections/network in urban area/ability to transition back to urban area after working in rural area;
- lack of diversity/homogeneity;
- leaving community;
- need to be close to family; and
- need to be close to spouse’s job.

Individuals self-identifying as being from a rural place were more likely to be willing to consider working in a rural place at some point in their career than others with no preexisting connection to rural places. For those who might consider it, they said they would need:

- a significant financial incentive;
- a temporary placement;
- a prestigious or otherwise helpful position for their career;
- a truly unique opportunity
- work on or with an interesting issue or population;
- autonomy; and/or
- something that allows them to bring their spouse or otherwise integrate their life into this rural community.

“I’m not opposed to (living in a rural area) because that’s where I’m originally from. So, I understand there’s very, very high need in those areas that usually isn’t going to be accommodated. So, I’m not opposed to that. But, I also really love the city.”
(Law Student)

“...maybe...if I was (given) the right resources and the right support, I can see myself (working in a rural area) but it’s going to take a huge push.”
(Legal Aid Intern)

Legal aid intern survey respondents were asked what they would consider a good starting salary in a rural area. The answers ranged from \$50,000 - \$100,000. A few comments about the salary and other considerations:

- *“What I consider a good salary is influenced by my school’s LRAP. Lower is ok for me, because my school will pay for my loan payments if I make (less than) \$75K. I also come from a poor to lower middle-class background, so I never had much money in the first place. \$50-\$80K is a nice spot I’d say. Above that is nice \$ (to me). And interest in the work is a big factor...”*

- *“I consider a good starting salary to be \$80,000. I have lived in rural areas and urban areas and prefer rural areas that are driving distance from “weekend getaways.” I grew up in a rural area and see an unmet need.”*
- *“A good starting salary would be \$70K or more, and a slower lifestyle in order to raise a family. I would like the ability to volunteer or be a member of boards or groups that work on a specific area of law, thus lifestyle balance would be very important. This includes good amounts of vacation.”*

Additional considerations about rural jobs made by the law students included the support in the office and community:

- *“I would have to mesh really well with the office staff as they would likely be a large part of my community, at least initially.”*
- *“Really the fact that there is no or very little civil legal aid available in rural areas is the main attraction...A good office environment is also extremely important, especially if working in a rural environment where likely this will be the primary source of interactions.”*
- *“to work in a rural area, I would like the pay to be good because it would require me to move to a rural location. I would also like the rural organization to have a supporting staff.”*
- *“My biggest concern about working in a rural area is the (perceived) lack of supervision and mentorship. I worry that I would be asked to do too much too quickly without learning practice tips / how-to-info from a variety of older attorneys. I worry that I would only (have) 1 or 2 other attorneys to learn from.”*
- *“As an out queer and trans person, I don’t personally feel the need to live in an urban area for its own sake, but because I do need access to queer and trans community, that has effectively limited me to living in urban areas throughout my adult life.”*

IX. Conclusions and Recommendations

Conclusions

This study was undertaken during a very different time than the 2010 Study. When the 2010 Study was conducted, California was still in the Great Recession. The years prior to and during the 2019 Study are ones of growth. Growth in revenue. Growth in numbers of attorneys. Growth in the cost of living in California. They are also years of growth in turnover at a time of reduced applicants.

This study found many other differences in legal aid between 2010 and 2019, and similarities as well. Conclusions about these differences and similarities and about the primary causes and effects of legal aid organizations’ recruitment and retention challenges begin with a key overall conclusion:

- **Support for legal aid attorneys must improve in order to successfully recruit and retain attorneys.**

Many legal aid organizations—particularly the large organizations—are attempting to provide some level of service to almost every eligible individual in every part of their service area. Their services are structured to do this. Funding is received for pieces of the structure. When legal aid organizations do not have the resources to make the model work, many continue to try to make it work with the attorneys they have or

with a few more. Working in a constantly under-resourced system is taking its toll on the attorneys and hence the organizations.

When many legal aid attorneys combine the reality of working in a consistently overwhelmed system with:

- the feeling of not having their work valued enough to be paid sufficiently as an attorney to have a middle-class lifestyle on just their income, and
- the financial stress of living paycheck to paycheck and falling further and further behind because of California's high cost of living, and
- for some, the stress of a second job, and
- for some, the stress of living with family members or a roommate when they do not want to, and
- for many, the reality that they have hundreds of thousands of dollars in educational debt they may have to pay after having been promised the government would forgive it...something has to change.

The primary change currently is that legal aid attorneys are frequently changing jobs, some going to another legal aid organization looking to find a better situation, and others leaving legal aid entirely.

- **Many legal aid attorneys want to stay in legal aid for their entire careers and change jobs among the legal aid organizations to find better positions or workplaces, but there is a systemwide cost.**

Almost half of the recently hired legal aid attorneys in this study had worked for at least one other legal aid organization after law school graduation, and more than a third of these worked for two or more legal aid organizations. More than half of the attorneys who think they may leave soon say they may go to another legal aid organization.

Some of the attorneys go to another legal aid organization for career advancement, which can include salary increases. Others make lateral moves to another legal aid organization for different work, to find better support, to shorten a commute, or for a myriad of other reasons.

The cross-organization opportunities and mobility offered attorneys in legal aid is positive in that it can bring new ideas and reinforcements to the receiving organizations and help attorneys stay in legal aid longer, but in a system with so much turnover, this comes with a large price tag. The time and cost of replacing departing attorneys and training new ones is stressing the attorneys who remain and hampering many organizations' efforts to serve clients, especially when the departing attorney is an experienced one. California legal aid would be better off if all legal aid organizations invested in good compensation, loan repayment assistance, and career advancement opportunities, the lack of which is causing many attorneys to change jobs. If an organization is truly too small to have career advancement opportunities, then providing professional development that helps prepare their attorneys for a higher position at another legal aid organization is a good investment in the attorney, the legal aid system, and its services to clients.

- **If salaries are not increased significantly, more and more attorneys will not even try to find jobs in legal aid, and those who have them will leave.**

The difference in the comments about legal aid salaries between the 2010 Study and the 2019 Study is dramatic. Whereas the 2010 Study's attorneys commented on how hard it was to be in legal aid unless they had a spouse/partner who also had an income, the 2019 Study's attorneys—and some leadership—are now saying it is *financially impossible* to do so without a spouse/partner's income, particularly in the higher cost areas of the state. Some law students, when discussing legal aid salaries, said they would "figure it out," but they are unlikely to be able to do that and will leave when the financial realities set in. They can live with a roommate for a while. They can take a second job for a while. They can forgo a vacation for a while.

And then they will leave. Others will just give up on legal aid entirely and look to start their legal careers elsewhere.

Low salaries are also increasing the feminization of legal aid. Although many women who want to work where there are family friendly policies find legal aid organizations to be better than many other legal employers, that is not the only reason why legal aid attorneys are predominantly female. The low salaries that many males will not accept—some in the short-term and others in the long-term—must be raised in order to recruit and retain a gender-diverse attorney workforce. But just as importantly, the salaries must be raised to increase the value that is placed on the legal work women are doing and to ultimately increase the value given to legal aid work by society.

- **Many legal aid organizations are doing a good job recruiting attorneys of color and with their additional emphasis on increasing diversity, they may do even better, but more is needed to retain them.**

Low salaries are the primary impediment to recruiting and retaining attorneys. For most attorneys of color, the challenge of being able to afford working in legal aid is compounded by the weight of educational debt. Eighty-five percent of the attorneys of color in this study who graduated law school in 2014-2018 have educational debt, with a median range of \$200,000 - \$225,000.

Although the overall racial/ethnic diversity of legal aid attorneys has been increasing, the proportions of attorneys of color in supervisory and management positions lag far behind. Law students and attorneys of color want to be in organizations that have attorneys of color in leadership. If applicants do not see this, they may not apply. If attorney employees do not experience this, they may leave. Many attorneys of color have other legal and non-legal employers competing for them because they also are trying to diversify their workforces. Attorneys of color with bilingual skills are particularly competitive in the job market and know they can be compensated elsewhere for their additional skills.

- **Recruitment is a far bigger problem now than in 2010.**

Although the 2010 Study identified some similar issues with the recruitment processes of the legal aid organizations as the 2019 Study did, attorneys were still applying for and accepting positions at that time, although there were fewer openings because of the recession. Now recruitment seems to be as much of an issue as retention. Filling open positions is taking a long time for many organizations because of a lack of applicants and acceptances. It is made more difficult by many organizations' recruitment and hiring processes in which the search for applicants is not as proactive as needed. In some organizations, the hiring processes are delayed because of a lack of human resources staff.

Law students are frustrated with the lack of a clear process for finding and applying for legal aid jobs and the lateness of the legal aid application timeline compared to that of private firms and other legal employers. Many law students believe fellowships are the only way into legal aid and that there are few other entry level openings. There is a significant disconnect between law students' beliefs and accurate information about legal aid job openings and application processes.

Law students see the differences in the salaries between legal aid and other legal employers and are making the hard decision to choose another career path to be paid enough. Fewer attorneys are applying for experienced level legal aid jobs, including some legal aid attorneys who are making the even harder decision to leave a career they love to take a higher paying position with another type of legal employer that allows them to raise children, buy a home, save for retirement, or any of the other things a middle class professional should be able to afford.

Combined with rising turnover rates, these recruitment difficulties mean unwelcome gaps in services to clients and added stress on the legal aid system.

➤ **Educational debt is a far bigger problem now.**

The educational debt of the legal aid attorneys has grown significantly because of the increase in law school tuition. In addition, the Public Service Loan Forgiveness program's requirements are causing the amount of debt to balloon for many of the attorneys after they graduate. This is causing extreme anxiety for many of the attorneys who know the promise of PSLF's loan forgiveness is currently not working for others as planned. Attorneys were told PSLF is their ticket for staying in legal aid, and now fear is growing when they look at having hundreds of thousands of dollars in debt and no way to pay it off. Some fear has started in the law student community, and if it becomes clear that PSLF is not going to work, they will be less and less likely to look at legal aid as a viable employment option.

➤ **If major changes are not made, turnover and its effects will continue to rise and will erode services.**

A major generational shift in the legal aid attorneys occurred between the 2010 and 2019 Studies. Baby Boomers and Traditionalists decreased from 36 percent to 12 percent. Generation Xers decreased from 45 percent to 28 percent and Millennials increased from 19 percent to 60 percent. This dramatic change is happening in the entire legal profession and its implications include that more and more attorneys want changes in the workplace and if they are not made, they will leave.

Susan Smith Blakely, the author of the recent book, *What Millennial Lawyers Want: A Bridge from the Past to the Future*, describes millennial lawyers' willingness to leave a position:

*"If the profession fails them, they will walk. It is that simple. That is the kind of power that millennial lawyers understand and respect. It is the kind of power that can make positive changes in a profession that desperately needs change. So law firm leaders need to think long and hard about how they are going to meet the needs of millennial lawyers and continue to deliver high quality legal services."*⁵¹

There is a weariness in many of the thousands of comments the legal aid attorneys made during the study. The attorneys spoke of their love for their work, their clients and their colleagues. But they also spoke of the financial stress they are suffering, the workload expectations they are under, and the burnout they are experiencing. As the remaining attorneys grow ever more tired of dealing with these conditions, they may leave too.

The attorneys work in legal aid because they have a passion for the work. However, being under financial stress and working in an environment where working more is never enough can cause dedicated and passionate attorneys to reach their limits and leave. Fewer clients will then be served as there are more openings and more "training-up" time. And the cycle will begin again unless major changes are made.

⁵¹ *Mind the Gap*, Susan Smith Blakely, ABA Journal, September-October 2019.

Recommendations

This report is full of recommendations from the organizations' leadership and attorneys on steps to take to recruit and retain legal aid attorneys. The major recommendations, along with some additional ones, from the study's staff, are described below. Together these recommendations provide steps to take to address the barriers threatening the sustainability of legal aid attorneys in the legal aid system.

1. Pay Higher Salaries

Shortly before the release of the 2010 Report, LAAC conducted a survey about personnel actions the organization took after the data collection the prior year. Although many of the legal aid organizations' revenues had been reduced, nearly all of them had maintained or raised attorney salaries, rather than reducing salaries to even lower levels. Most organizations have increased salaries since then. Unfortunately, inflation and the dramatic increase in California's cost of living has more than eaten up the gains.

As noted earlier, many of the legal aid organizations in the 2019 Study raised attorney salaries in 2018 or 2019 or both. Yet, when the organizations' leadership was asked if they think their organization needs to increase salaries, nearly 80 percent answered *yes*. Most said they believed raising salaries is necessary because of the increasing high cost of living and/or because salaries are not competitive with government and other legal employers. Many of those who answered *no* said they believe their organizations' salaries are competitive with other non-profits in the area, overlooking the fact that their competition is greater than just other legal non-profit organizations.

This study's findings about legal aid salaries are unambiguous. Almost every legal aid organization needs to increase attorney salaries to (1) be competitive with other legal employers, (2) ensure they meet the high cost of living, and (3) let legal aid attorneys know their work is valued. The amount of the increase needed will vary by position and organization, but the study found an \$11,000 - \$15,000 increase should make a difference for now. Once the salary levels that meet the three criteria noted are met, they must be increased annually to keep pace with increases in the cost of living.

Some of the legal aid organizations' executive directors, and likely boards of directors, are hesitant to right-size their organizations to pay for the needed attorney salaries. Others are cautious to use what they consider one-time money to invest in salary increases. Although this may have been prudent reasoning in an earlier time, the sustainability of legal aid attorneys' recruitment and retention is now on the line, which means client services are on the line. Bold and quick action is required.

2. Help More with Student Loans

For many of the legal aid attorneys, their educational debt is a heavy burden that is causing financial and emotional stress. A five-prong approach is recommended for easing this burden.

First, the legal aid organizations should work to ensure the federal Public Service Loan Forgiveness (PSLF) works the way their attorneys have relied upon—that, in general, the balance of their federal loans will be forgiven after ten years of employment. Legal aid organizations should work on this with the national Coalition to Preserve PSLF (a group of 90 organizations) and with the California Congressional delegation. Fixing the automatic placement in forbearance of loans of individuals in a federal disaster area should be a high priority.

Second, not all legal aid attorneys are eligible for PSLF and no attorneys' private student loans are eligible. For them and to help PSLF-eligible attorneys with their payments until forgiveness, Loan Repayment Assistance Programs (LRAPs) are needed. The legal aid organizations should work on obtaining funding

for the California Public Interest Attorney Loan Repayment Program. The state of California funds loan repayment for medical professionals and teachers and should do the same for legal aid attorneys.

Third, legal aid organizations should work with law schools to improve law school LRAPs, particularly to increase the salary limits so legal aid attorneys will not become ineligible for assistance if they receive significant raises.

Fourth, employer LRAPs are currently crucial for ensuring the attorneys who are not receiving law school LRAP assistance can make their required payments. Legal aid organizations that do not have a program should start one. Those organizations that have LRAPs should consider improving them if they currently have salary or benefit caps. All waiting periods should be eliminated since the beginning of their career is when legal aid attorneys need assistance the most.

Fifth, legal aid organizations with an LRAP should make sure they advertise the availability of this assistance to potential job applicants. Educating law students and other applicants about how their LRAP works should be part of the organization's outreach. Information should be posted on the organization's website and distributed at public interest job fairs.

3. Provide Career Advancement Opportunities and Professional Development

Legal aid attorneys are like employees generally—they want growth and development opportunities. A major new report on employee retention by the Work Institute found career development was the number one reason employees left, eight years in a row.² In legal aid, it is the number two reason because of the low salaries. Some of the organizations are beginning to develop more positions for advancement. Others need to develop project and position opportunities that will provide ways for attorneys to grow professionally.

More organizations need to be intentional about providing professional development that helps attorneys improve their skills for their current position and develop their skills for other positions they aspire to inside or outside the organization. Supervisors need to be trained in how to incorporate professional development in annual evaluations and day-to-day supervision.

Mentorship opportunities should be offered for both professional development and career advancement. Opportunities for informal mentoring should be fostered, e.g. observing litigators in action to see different advocacy styles and skills. Mentors should change, if needed, as an attorney's needs change.

Legal aid organizations should work together to create a mentoring pool of attorneys who are willing to mentor attorneys in other organizations. This is particularly important where a position that an attorney aspires to is not available in their organization or where a diverse pool of mentors is unavailable in an organization

4. Improve Management of Work and Attorneys

Susan Smith Blake describes the changes millennial lawyers want in law firm cultures as those *“to create more flexible and human workplaces that are responsive to work-life balance and young lawyers’ values.”* She lists what they want as *“effective mentoring, respect in the workplace, regular feedback, helping the disadvantaged, being part of teams, and collaborating to make positive differences in their communities and in society.”*⁵² This list is very similar to what legal aid attorneys—the majority of whom are millennials—want.

⁵² 2018 Retention Report: Truth and Trends in Turnover, www.workinstitute.com.

Legal aid organizations can give attorneys the type of work they want—helping the disadvantaged. However, they need to ensure the workload is manageable. If this means turning away applicants for services, that should be done. For many attorneys, providing good administrative support would go a long way to reducing their workload and making them more effective in their legal work. If someone is asked to take on additional responsibilities for an extended time (e.g. more than a month) because an attorney is gone temporarily or permanently, they should receive additional compensation.

Legal aid attorneys want to be treated with respect by management and their supervisors. This includes being able to express their opinion, even if it is not always agreed with. Inclusion should be solicited and valued as an important part of a legal aid organization's culture. The attorneys want to feel like they are not expendable.

Some legal aid organizations are not prioritizing the supervision work of supervisors as highly as their legal work. Understanding that their supervision work is directly related to other attorneys' legal work and retention must be part of legal aid's culture. Supervisors should have reduced legal workloads so they have the time and energy to supervise. Those who do remote supervision should arrange for video calls to more effectively develop a good working relationship. Supervisors should receive initial and regular training, including how to give respectful feedback and supervise without micro-managing.

Burnout should be prevented by ensuring more manageable workloads and providing mental health assistance. Assistance should include formal programs, providing ways for employees to develop supportive relationships in the office, and encouraging regular time off. Attorneys that have been at the organization for an extended time (e.g. five years) should be given a paid sabbatical.

5. Work on Diversity, Equity, and Inclusion

Much about the recruitment *and* retention of a diverse group of attorneys is similar. The primary barrier to both is low salaries, making increasing salaries a necessary ingredient for building and sustaining a diverse attorney staff. A workplace having a supportive DEI culture and diverse leadership also affects both. Some of the legal aid organizations have started discussions about how to have a more diverse, equitable and inclusive culture. Involving all attorneys (and other staff) in these discussions is a good first step.

Diversifying legal aid leadership across race, ethnicity, gender, sexual orientation and disability should continue to be a high priority. Legal aid organizations should establish clear pathways for individuals to develop the skills necessary for leadership and management positions and actively encourage attorneys who would make the pool of qualified candidates for these positions more diverse to take advantage of these pathways. Legal aid organizations need to make personal connections to other legal aid organizations and their attorneys to recruit potential candidates, and not view this negatively.

Opportunities for mentorship as a mechanism to bolster retention of a more diverse attorney staff should be considered. Mentors can come from within the existing organization or from a different legal aid organization. Likewise, career advancement opportunities should be more readily available, new positions with increased responsibilities and increased compensation should be created where they are lacking, and attorneys who would make the pool of applicants more diverse should be encouraged to apply. Bilingual attorneys need to be compensated for their additional skills and not be asked to translate in situations where it is more appropriate to hire a support staff person do so.

Regular communication and feedback loops for all staff is vital for a healthy organization. Understanding the issues attorneys may face in their communities and the factors impacting retention and providing support

for the same is important for all staff but especially important for staff within under-represented groups. All legal aid staff should receive implicit bias training.

6. Improve the Recruitment Processes

Recruitment is another area where working together as a legal aid system will make all the organizations much more effective and efficient, particularly at the law school level. Coordinating efforts to meet with law school students, groups, and classes can lead to students learning about a range of legal aid organizations from varied representatives, many of whom could be alumni of the particular law schools. A recruitment success for one organization is a recruitment success for all. That may be an attorney who will be in the legal aid pipeline and later apply for another position in another legal aid organization.

The disconnect between the availability of legal aid positions and law students' knowledge of them should be addressed by all legal aid organizations posting their job openings on the LAAC website and others that are then advertised to law students. The LAAC or another website should be enhanced to allow applicants to upload their resumes so interested legal aid employers can reach out to them. This website should also be a resource to help law students understand the application and hiring processes of legal aid organizations.

Legal aid organizations should work with the law schools to sponsor a statewide or Northern and Southern California career fair(s) in the fall for post-graduation positions.

Legal aid organizations should share position announcements with all staff and ask them to share them with potentially interested law students, attorneys, others who would share it, and other non-profit legal organizations outside of civil legal aid that may have interested attorneys.

Legal aid organizations need to make attorney recruitment a prioritized function that is staffed and inclusive, with final decisions made by the executive director or their designee(s). The organizations should collaborate on obtaining training for all who staff recruitment efforts and all staff who interview applicants. A prior section, *Improving the Recruitment and Hiring of Legal Aid Attorneys*, has multiple suggestions that should also be considered and implemented, where needed.

7. Enhance the Intern and Fellowship Pipelines

Internships are a critical pipeline to legal aid, with three-fourths of the attorneys interning in at least one legal aid organization during law school. Legal aid organizations should pay a good salary to every summer legal aid intern so all interested candidates can afford to intern with them and to relieve law students from having to raise money for summer public interest internships during the school year.

More than ten percent of the attorneys hired recently were former fellows, making it another important pipeline. Legal aid organizations should coordinate their efforts to make internships and fellowships meaningful experiences and to bring those attorneys into post-graduation and post-fellowship positions.

Summer internship programs should be coordinated among the legal aid organizations within geographic regions. Sessions should be developed that give interns information about how to apply for fellowships and how to apply for other legal aid jobs. Attorneys should speak about their legal aid experience at group lunches. Informational interviews should be offered with a variety of attorneys to help interns learn about other legal aid organizations and areas of practice.

Legal aid organizations should coordinate meetings with fellowship sponsors to discuss simplifying the fellowship process for law student applicants. They should also ensure each California law school is informing law students about the fellowship processes.

A list of current and former interns and fellows should be kept by LAAC or another organization so they can send emails regularly to them with legal aid job openings. Individual organizations should keep up-to-date contact information for their former interns and fellows and contact them personally if they think they would be a good fit for a position.

Legal aid organizations should build “bridge” funding into their budgets to close the funding gap between the time a fellowship ends for a fellow they would like to keep and when a permanent position becomes available through attrition or new funding.

8. Undertake Specific Recruitment to Increase Diversity

As noted earlier, increasing salaries is a primary strategy that needs to be undertaken to increase the recruitment of a diverse group of legal aid attorneys, particularly one that is racially/ethnically diverse. Having leadership positions filled by a diverse group of leaders will also make an organization more attractive to applicants.

Legal aid organizations should work in partnership with the State Bar of California on its initiatives to increase the diversity of the legal profession. The California legislature directed the State Bar to “develop and implement a plan demonstrating its ongoing “commitment to and support of effective policies and activities to enhance access, fairness, and diversity in the legal profession and the elimination of bias in the practice of law.”⁵³ One component of the State Bar’s plan is to “identify particular obstacles to diverse attorneys’ entry into specific areas of practice/employment, retention, and advancement in the legal profession.” Legal aid is one of the specific areas that has specific obstacles, namely low salaries that the legislature can help remedy with increased funding.

Previously, the State Bar helped establish pipeline programs for public high schools and community colleges that are now coordinated by California LAW. Its mission is “to establish a pipeline of diverse students from high schools, community colleges, four-year institutions, and law schools into law or law-related careers so that the legal profession reflects the diverse population of the State of California.” Legal aid organizations should assist with these programs however they can.

The State Bar also is supporting programs designed to decrease the law school attrition of students of color and improve the lower bar exam passage rates of persons of color. Legal aid organizations should hire students who have not yet taken the bar exam and keep law graduates employed through at least two attempts at passing the exam.

Legal aid organizations should work collaboratively to develop a robust recruiting strategy that attracts a more diverse pool of candidates available to all legal aid organizations. They should broaden the law schools they recruit from if the schools they normally recruit from are not very diverse and develop relationships with law student groups who have diverse memberships by speaking at their meetings or coordinating events with them. Organizations should also move up their hiring timeline, making it more likely they will be able to hire candidates who will enhance their organization’s diversity and are being recruited by other legal employers.

9. Conduct Specific Recruitment and Provide Incentives for Rural or Less Attractive Locations

Attorneys from rural or less attractive locations are much more likely to return to those areas than attorneys who are not from there are to move there, so one of the primary strategies should be development of a

⁵³ *Diversity and Inclusion Plan: 2019 – 2020 Biennial Report to the Legislature*, The State Bar of California, March 15, 2019.

pipeline of law students from the rural areas and other areas that attorneys are less likely to move to. Legal aid organizations in these areas should develop a sustained local effort that includes talking to high school students about a legal aid career, participating in moot court and other law-related education programs in the local schools, and mentoring interested students. LAW California may be a resource for development of the program or possibly the State Bar of California could create model curriculum for speaking to classes and/or mentoring.

Legal aid organizations should follow the progress of a program begun in 2016 in Nebraska where three public colleges in rural areas recruit rural incoming college freshmen to pursue legal careers in rural areas. The students receive free undergraduate tuition and guaranteed admission to the state's law school, as long as they maintain a good GPA and meet admission standards.⁵⁴ Other financial incentives should be considered for recruiting attorney to rural areas, including the payment of moving costs and bar exam costs. A company car should be available for work travel and/or attorneys should receive at least the federal reimbursement rate for travel.

Legal aid organizations should work with law schools and law school groups to have attorneys who work in rural areas or less attractive locations speak to students about their experiences and the benefits of working in those locations. Recruitment should emphasize the many positives about the locations and job, including good support for developing attorneys.

Contacts and partnerships should be developed with private and non-profit organizations who can help find employment for the attorneys' spouse/partners and those that can help contribute to a good lifestyle outside of work, such as hiking groups, etc.

⁵⁴ <https://www.pewtrusts.org/research-and-analysis/blogs/stateline/2019/06/26/wanted-lawyers-for-rural-america>

Appendix 1: The Study's Methodology

Study Definitions

Attorneys: attorneys who worked for the organizations on January 1, 2019 or sometime during the Study's research in 2019.

Current Attorneys: attorneys who were working for the organizations on January 1, 2019.

Former Attorneys: attorneys who left the organizations in 2017 or 2018.

Survey respondents: attorneys who were working for the participating organizations during a seven-week period in the summer of 2019 and responded to the Current Attorney survey.

Former Attorney survey respondents: attorneys who worked for the participating organizations and left their employment in 2017 or 2018, and responded to the Former Attorney survey.

Experience: Law school graduation dates are used as approximations of legal experience levels because reliable data about actual legal years of experience was unavailable.

Data Sources

Unless other entities are noted, Carmody and Associates collected and analyzed the data sources described below.

Participating organizations' individual attorney data. The organizations provided extensive demographic and salary information about the 1,064 attorneys (Current Attorneys) working for them on January 1, 2019 and the 408 attorneys who left their organizations during 2017 and 2018.

OneJustice data. OneJustice conducted the 2019 California Legal Aid Compensation Survey in March and April of 2019. Survey questions addressed organizational demographics, benefits, leave policies, compensation, and organizational outlook. The 56 organizations participating in OneJustice's survey allowed OneJustice to share the raw data with Carmody and Associates for this Study.

While the organizations participating in the two studies differed, two-thirds participated in both and the total compositions are quite similar in two primary ways. Of the 49 OneJustice participants that identified their type of organization, 76 percent were Direct Service Organizations and 24 percent were Support Centers. For the LAAC study, 77 percent were Direct Services Organizations and 23 percent were Support Centers.

A comparison of budget size classifications (defined later in this section) also finds little difference. Large organizations make up 33 percent of the OneJustice participants compared to 32 percent of the LAAC participants. Small and very small organizations make up 36 percent and 41 percent respectively, and medium size organizations are also quite similar at 31 percent for the OneJustice study and 27 percent for LAAC. The compositions were considered similar enough to use the compiled OneJustice data in this Study when analyzing data they collected about benefits and other organizational policies.

Survey of participating organizations. A 60-question online survey was completed by 50 of the 56 participating organizations from May 23, 2019 – July 8, 2019. Survey questions addressed their policies, practices, and experiences and solicited comments in a variety of areas: attorney salaries, loan repayment

assistance programs, benefits, work schedules, recruitment, legal interns, fellows, supervision, attorney advancement, burn-out, and turnover. Most of the surveys were completed by the Executive Director, and the remainder by senior administrative or legal staff. Answers to a few essential questions were collected from the six organizations that did not complete a survey.

Survey of Current Attorneys. A 93-question online survey was conducted of the organization's attorneys. The questions addressed demographics, education and law licenses, student loans, legal aid background, current job situation (supervision, workload, etc.), future plans, and recruitment/interviewing/hiring.

The survey was conducted from June 13, 2019 – August 2, 2019. A total of 507 attorneys responded to the survey. The exact number of attorneys working for the organizations during that time period is not known. However, when compared to the 1,064 attorneys who were working for the organizations on January 1, 2019, approximately half of the attorneys responded. This sample size gives a margin of error of 3.15 percentage points at the 95 percent confidence level.

Six organizations had no respondents. These organizations employed 68 Current Attorneys and included one organization classified as a Large organization based on the number of attorneys (35 attorneys), one Medium organization (16 attorneys), one Small organization (9 attorneys) and three Very Small organizations (eight attorneys total).

The survey respondents were remarkably similar in demographics to the Current Attorneys, making the survey responses representative of the attorneys who were working for the organizations on January 1, 2019. (See Table 15: Demographics of Current Attorneys and Current Attorney Survey Respondents.)

Survey of Former Attorneys. An online survey was also conducted of the attorneys who left the organizations in 2017 or 2018. Because limited names and even more limited email addresses were obtained for the former attorneys, the survey was also sent to attorneys known to have left other legal aid organizations in 2017 or 2018. No former attorneys from other organizations responded, and only 56 responses were obtained. The margin of error is large at more than 12 points, so few responses were used.

Survey of law students. The State Bar of California and LAAC conducted an online survey of law students who were summer interns in legal aid organizations during the summer of 2019. Responses were received from 147 law students. Questions addressed demographics, intended area of practice now and when the student started law school, factors that influenced area of practice, geographic preferences for a job, law school career information, job choice factors, salaries, educational debt, loan repayment assistance programs, legal aid recruitment, and internships,

Focus groups and interviews. In July and August of 2019, LAAC conducted nine focus groups of law students who were currently summer interns at legal aid offices across the state. Forty-eight law students from 18 organizations participated in these focus groups. Five focus groups also were conducted in September 2019 at five law schools with 22 students who had diverse interests and career plans. Questions addressed law school attendance motivation, perceptions of a career in legal aid, and perceptions of how to get a legal aid job,

Executive directors of three participating organizations were interviewed about internships, fellowships, turnover, salaries, educational debt and other recruitment and retention issues.

Additional research. Salary data was gathered from the government employers who most often compete with California legal aid organizations for attorney employees. Research also was conducted on financial and non-financial factors that may affect recruitment and retention of legal aid attorneys.

Data Analysis

Regional classifications. California was divided into six regions to analyze any variances in recruitment and retention factors by region. (See Table 11: Study's Regions.) Most of the organizations (45) have offices in only one of the regions. Seven organizations have offices in two or three regions, with four of these being Support Centers. Two organizations have offices in all six regions.

| Table 11: Study's Regions |
|--|
| Sacramento and Northern California: El Dorado, Placer, Sacramento, Calaveras, Amador, Alpine, Yolo, Butte, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Mendocino, Modoc, Nevada, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity and Yuba |
| Bay Area: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, and Sonoma |
| Central Coast: Monterey, San Luis Obispo, Santa Barbara, and Ventura |
| San Joaquin Valley and Central California: Fresno, Kern, Tuolumne, Madera, Merced, San Joaquin, Stanislaus, Tulare Inyo, Kings, Mariposa, Mono, and San Benito |
| Inland Empire and Imperial: Imperial, Riverside and San Bernardino |
| Southern California: Los Angeles, Orange and San Diego |

Budget size classification.

Organizations were classified by the size of their budget in 2019. Analysis was performed to see if recruitment and retention factors varied by the financial size of the organizations. (See Table 12: Budget Size Classifications.)

| Table 12: Budget Size Classifications | | | | |
|---------------------------------------|-------------------|-----------------|--------------------|------------------|
| Study Classification | Very Small | Small | Medium | Large |
| Budget Amount | Under \$1 Million | \$1 - 2 Million | \$2+ - \$5 Million | Over \$5 Million |
| # of Organizations | 12 | 11 | 15 | 18 |

Attorney size classifications.

Organizations were classified by the number of attorneys they employed on January 1, 2019 (Current Attorneys). These classifications were used primarily to analyze turnover data. (See Table 13: Attorney Size Classifications.)

| Table 13: Attorney Size Classifications | | | | |
|---|------------|-------|--------|------------|
| Study Classification | Very Small | Small | Medium | Large |
| # of Attorneys | 1-5 | 6-9 | 10-24 | 25 or more |
| # of Organizations | 16 | 10 | 17 | 13 |

Support Centers. Support Centers provide back-up technical assistance, training, and advocacy expertise and support to the Direct Services organizations, which provide legal services directly to low-income people, seniors, and persons with disabilities. The differences in the functions of these two types of organizations result in differences in attorneys. For example, Support Centers primarily employ experienced attorneys who have the level of expertise needed to support Direct Services organizations. Because of this and other differences, analyses were often performed three times on the data points of a factor—All organizations, Direct Services organizations and Support Center organizations. If significant differences were found between Direct Services organizations and Support organizations, both results are

reported. If the differences were minor, the compiled results for all organizations or all attorneys are reported.

Three of the Support Centers have attorneys working in offices in other states. Their total budgets were used when classifying them by budget size. The number of California attorneys only was used when classifying them by attorney size, since turnover, and other issues are only relevant for California attorneys.

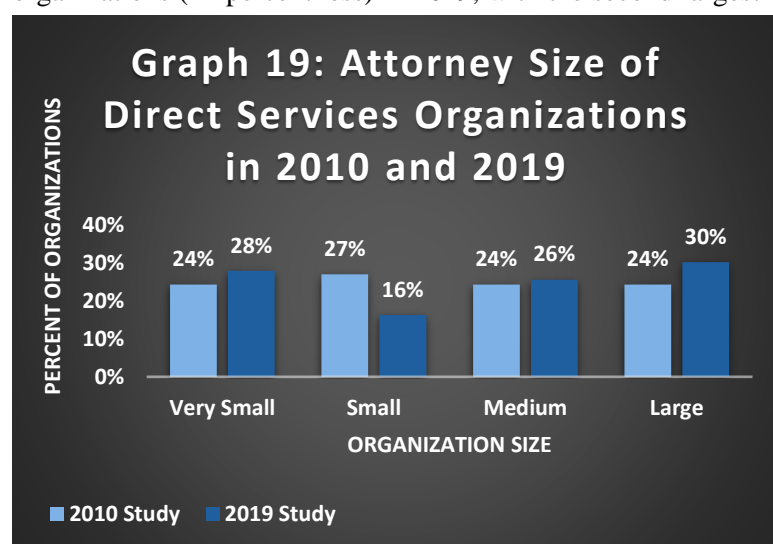
Comparison with 2010 Report's data.

Since this study is a follow-up to the 2010 Report,⁵⁵ an analysis of some of the characteristics of the organizations in each study was performed to ensure the two groups of organizations were similar enough to make the studies' data comparative. Only Direct Services organizations participated in the first study. Therefore, only the Direct Services organizations in this Study were compared to the earlier study's organizations. Thirty-six Direct Services organizations participated in both studies. The characteristics, described below, were found to be similar enough so that comparisons between the two studies are valuable to the analysis.

This Report states when an analysis involves *all* the organizations, the Direct Services organizations, or the Support Center organizations.

Data periods. For the 2010 Report, the organizations supplied quantitative data about attorneys who were working at the organizations on July 1, 2008 and the attorneys who left during the prior three-year period (July 1, 2005 – June 30, 2008). For this Study, the organizations supplied similar data about attorneys who were working at the organizations on January 1, 2019 and the attorneys who left during the prior two-year period (January 1, 2017 – December 31, 2018). The difference in the lengths of the turnover data periods was addressed by comparing only average annual turnover in each study.

Number of attorneys. When the number and percentage of Direct Services organizations classified by the number of attorneys were compared, the largest difference found is in the reduced percentage of Small organizations (11 percent less) in 2019, with the second largest difference being the increased percentage



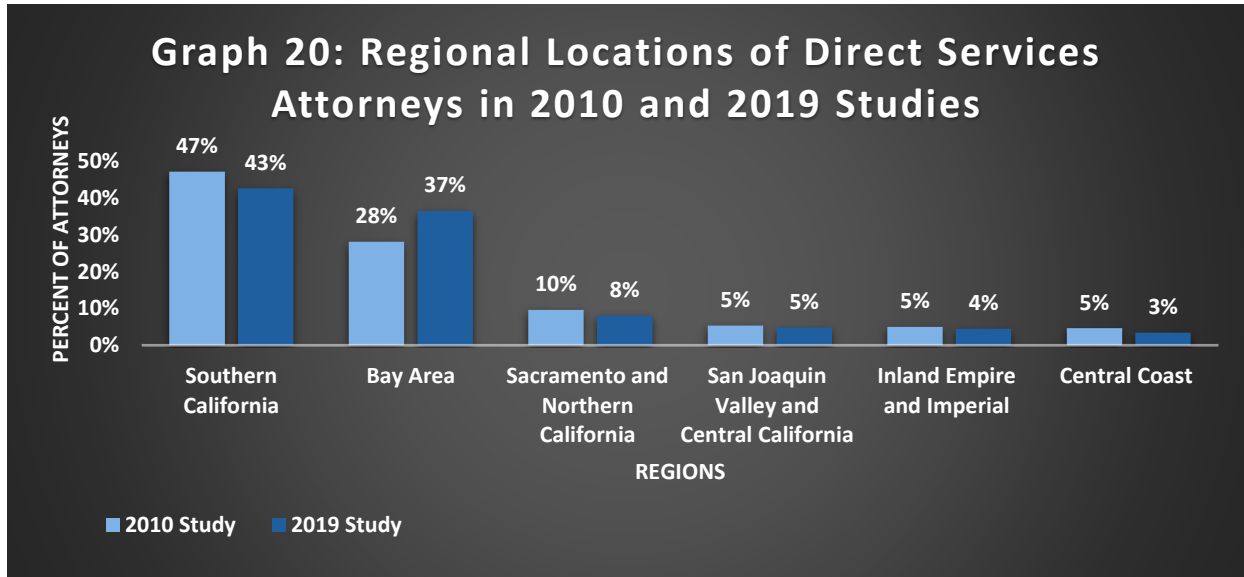
(six percent) in Large organizations in 2019. (See Graph 19: Attorney Size of Direct Services Organizations in 2010 and 2019 Studies.)

With the increase in Large organizations came an increase in the total percentage of attorneys in the Study employed by Large Direct Services organizations. Nearly three-fourths (74 percent) of the 2019 Study's attorneys are employed by a Large Direct Services organization as compared to 64 percent in the 2010 Study.

Regions of attorneys. The regions the attorneys worked in were also compared. The Bay Area Region has eight percent more Direct Services attorneys in the 2019 Study than the earlier study. The Southern California Region has five percent less

⁵⁵ [Shaping the Future of Justice: Effective Recruitment and Retention of Civil Legal Aid Attorneys in California, April 2010.](#)

Direct Services attorneys in the 2019 Study. (See Graph 20: Regional Locations of Direct Services Attorneys in 2010 and 2019 Studies.)



Regions of offices. A similar number of Direct Services organizations in the two studies had offices in more than one region. Five and three organizations had organizations in two or three regions in the 2010 and 2019 Studies, respectively. Two organizations had offices in each region in each study.

Organization budgets. The differences in the organizations when classified by budget size are less than when classified by the number of attorneys. Forty-eight percent of the organizations in the 2010 study were classified by budget as small or very small, compared to forty-two percent in this study. Similarly, fifty-two percent of the 2010 organizations were classified as medium or large, compared to fifty-nine percent in 2019.

Table 14: Budget Size of Direct Services Organizations in 2010 and 2019

| Size | 2010 | 2019 |
|------------|------|------|
| Very Small | 24% | 21% |
| Small | 24% | 20% |
| Med | 22% | 27% |
| Large | 30% | 32% |
| Total | 100% | 100% |

| Table 15: Demographics of Current Attorneys and Current Attorney Survey Respondents | | | |
|---|--|--|---|
| | | Current Attorneys (Attorneys Employed on January 1, 2019)* | Current Attorney Survey Respondents** |
| Position | Staff Attorney | 54% | 54% |
| | Senior/Supervising Attorneys | 24% | 19% |
| | Managing/Directing Attorneys | 13% | 11% |
| | Program/Project Directors/Lead Attorneys | 4% | 12% |
| | Senior Legal Management | 5% | 4% |
| Working Time | Full-time/Part-time | 92% / 8% | 93% / 7% |
| Gender | Female | 72% | 75% |
| | Male | 28% | 23% |
| | Gender Variant/Non-conforming/Non-binary | .4% | .8% |
| | Transgender | .1% | .6% |
| | Other | .1% | .8% |
| Race/Ethnicity | White/Caucasian | 52% | 51% |
| | Hispanic/Latino | 19% | 20% |
| | Asian/Pacific Islander | 17% | 14% |
| | Black/African American | 5% | 4% |
| | Two or more races | 4% | 8% |
| | Other | 4% | 3% |
| Age*** | Under 25 | .1% | .2% |
| | 25-29 | 14% | 12% |
| | 30 – 34 | 29% | 32% |
| | 35 – 39 | 20% | 20% |
| | 40 – 44 | 13% | 13% |
| | 45 – 49 | 7% | 8% |
| | 50 – 54 | 5% | 5% |
| | 55 – 59 | 4% | 4% |
| | 60 – 64 | 4% | 4% |
| | 65 – 69 | 4% | 2% |
| | 70+ | 2% | 1% |
| Sexual Orientation | Heterosexual | not collected | 79% |
| | Lesbian or Gay | not collected | 9% |
| | Bisexual | not collected | 8% |
| | Pansexual | not collected | 3% |
| | Asexual | not collected | .4% |
| | Other | not collected | 1% |
| Disability | Identifies as a person with a disability | not collected | 10% |
| Law School Graduation Year | 1969-1989 | 10% | 8% |
| | 1990-1999 | 10% | 10% |
| | 2000-2009 | 27% | 28% |
| | 2010 -2012 | 15% | 15% |
| | 2013-2016 | 28% | 28% |
| | 2017-2018 | 11% | 11% |

* The percentages for attorneys employed on January 1, 2019 are from the data reported by the organizations. Complete data was reported in all categories but two in which the percentages reported were ninety-five percent and ninety-nine percent of all attorneys.

** The Survey Respondent percentages are of those who answered the specific survey question. Answers were not given to one or more of these questions by up to seven of the total 507 respondents.

*** Information from the survey is six to eight months older than the demographic data from the organizations, so the age data is not completely comparable.

Table 16: Participating Direct Services Organizations and their Characteristics

| Organization | Regions in which Organization has Offices* | Number of Attorneys | Budget Size |
|---|--|---------------------|-------------|
| Affordable Housing Advocates | Southern California | Very Small | Very Small |
| AIDS Legal Referral Panel | Bay Area | Medium | Small |
| Alameda County Bar Association | Bay Area | Very Small | Very Small |
| Alameda County Homeless Action Center | Bay Area | Large | Large |
| Asian Law Alliance - Santa Clara County | Bay Area | Medium | Medium |
| Bay Area Legal Aid | Bay Area | Large | Large |
| California Indian Legal Services | Sacramento and Northern California, San Joaquin Valley and Central California, Southern California | Small | Medium |
| California Rural Legal Assistance | All regions | Large | Large |
| Central California Legal Services | San Joaquin Valley and Central California | Medium | Large |
| Community Legal Aid SoCal | Southern California | Large | Large |
| Community Legal Services in East Palo Alto | Bay Area | Medium | Large |
| Contra Costa Senior Legal Services | Bay Area | Very Small | Very Small |
| Disability Rights California | All regions | Large | Large |
| Elder Law & Advocacy | Inland Empire and Imperial, Southern California | Small | Small |
| Family Legal Assistance at CHOC Children's | Southern California | Very Small | Very Small |
| Family Violence Law Center | Bay Area | Very Small | Medium |
| Harriett Buhai Center for Family Law | Southern California | Small | Small |
| Inland Counties Legal Services | Inland Empire and Imperial | Large | Large |
| Inland Empire Latino Legal Aid | Inland Empire and Imperial | Very Small | Very Small |
| Inner City Law Center | Southern California | Large | Large |
| Justice and Diversity Center | Bay Area | Large | Large |
| Lawyers' Committee for Civil Rights | Bay Area | Small | Medium |
| Legal Aid at Work | Bay Area | Medium | Large |
| Legal Aid Foundation of Los Angeles | Southern California | Large | Large |
| Legal Aid Foundation of Santa Barbara County | Central Coast | Medium | Small |
| Legal Aid of Sonoma County | Bay Area | Medium | Medium |
| Legal Aid Society of San Bernardino | Inland Empire and Imperial | Very Small | Small |
| Legal Aid Society of San Diego | Southern California | Large | Large |
| Legal Aid Society of San Mateo County | Bay Area | Medium | Medium |
| Legal Assistance for Seniors | Bay Area | Small | Small |
| Legal Services for Children | Bay Area | Small | Medium |
| Legal Services of Northern California | Bay Area, Sacramento and Northern California, San Joaquin Valley and Central California | Large | Large |
| Los Angeles Center for Law and Justice | Southern California | Medium | Medium |
| Mental Health Advocacy Services | Southern California | Small | Very Small |
| Neighborhood Legal Services of Los Angeles County | Southern California | Large | Large |
| New American Legal Clinic | San Joaquin Valley and Central California | Very Small | Very Small |
| Prison Law Office | Bay Area | Medium | Medium |
| Public Counsel | Southern California | Large | Large |
| Public Law Center | Southern California | Medium | Medium |
| San Luis Obispo Legal Assistance Foundation | Central Coast | Very Small | Very Small |
| Senior Advocacy Network | San Joaquin Valley and Central California | Very Small | Very Small |
| Veterans Legal Institute | Southern California | Very Small | Very Small |
| Wage Justice | Southern California | Very Small | Very Small |

Table 17: Participating Support Centers and their Characteristics

| Organization | Regions in which Organization has Offices* | Number of Attorneys | Budget Size |
|--|---|---------------------|-------------|
| Center for Gender and Refugee Studies | Bay Area | Medium | Medium |
| Child Care Law Center | Bay Area | Very Small | Very Small |
| Disability Rights Education and Defense Fund | Bay Area | Small | Small |
| Family Violence Appellate Project | Bay Area | Small | Small |
| Justice in Aging | Bay Area, Southern California | Medium | Medium |
| National Health Law Program | Southern California | Medium | Large |
| National Housing Law Project | Bay Area | Medium | Small |
| National Immigration Law Center | Bay Area, Sacramento and Northern California, Southern California | Medium | Large |
| OneJustice | Bay Area, Southern California | Small | Medium |
| Public Interest Law Project | Bay Area, Sacramento and Northern California | Very Small | Small |
| The Impact Fund | Bay Area | Very Small | Small |
| Western Center on Law and Poverty | Bay Area, Sacramento and Northern California, Southern California | Medium | Medium |
| Youth Law Center | Bay Area | Very Small | Medium |

Appendix 2: Government Attorney Salaries

| Table 18: Salaries of Deputy Public Defenders | | | | | | | | | |
|--|--|-----------|-----------|---|-----------|-----------|---|-----------|-----------|
| Position | Fresno County* | | | Los Angeles County** | | | Riverside County** | | |
| | Years Exp. | Minimum | Maximum | Years Exp. | Minimum | Maximum | Years Exp. | Minimum | Maximum |
| Defense Attorney I / Deputy Public Defender I / Attorney-Criminal I | 0 | \$61,698 | \$78,884 | 0 | \$64,949 | \$85,178 | 0 | \$68,936 | \$100,315 |
| Defense Attorney II / Deputy Public Defender II / Attorney-Criminal II | 1 yr gp / FT law clerk | \$72,020 | \$92,118 | 1 yr DPD I | \$88,389 | \$129,215 | 1 yr DPD I / crim / specific civil | \$83,601 | \$121,620 |
| Defense Attorney III / Deputy Public Defender III / Attorney-Criminal III | 2 yrs gp (1 yr crim trials) or FT law clerk | \$86,424 | \$110,526 | 1 yr DPD II | \$112,824 | \$156,219 | 1 yr DPD II or 2 yrs crim or specific civil | \$98,182 | \$146,690 |
| Defense Attorney IV / Deputy Public Defender IV / Attorney-Criminal IV | 3 yrs gp (2 yrs crim trials) or FT law clerk | \$101,114 | \$129,324 | 2 yrs DPD III | \$126,375 | \$184,746 | 1 yr DPD III or 3 yrs crim or specific civil | \$109,284 | \$172,218 |
| Deputy Public Defender V / Attorney-Criminal V / Senior Deputy Public Defender | | | | | | | Extensive exp in capital and complex cases | \$122,281 | \$192,745 |
| Position | Sacramento County*** | | | San Francisco*** | | | Santa Barbara County | | |
| | Years Exp. | Minimum | Maximum | All attorneys are placed on a 16 step salary system, depending on experience, beginning with \$121,784 for Step 1 and ending at \$213,330 at Step 16. | | | Years Exp. | Minimum | Maximum |
| Defense Attorney I / Deputy Public Defender I / Attorney-Criminal I | 0 | \$110,246 | \$110,246 | | | | 0 | \$84,825 | \$102,160 |
| Defense Attorney II / Deputy Public Defender II / Attorney-Criminal II | 1 yr gp | \$126,804 | \$126,804 | | | | 1 yr pl or 2 yrs gp or 1 yr = to DPD I or = exp | \$93,061 | \$112,210 |
| Defense Attorney III / Deputy Public Defender III / Attorney-Criminal III | 1 yr DPD II or 3 yrs gp | \$114,798 | \$139,541 | | | | 2 yrs pl or 4 yrs gp or 1 yr DPD II or = exp | \$107,057 | \$129,299 |
| Defense Attorney IV / Deputy Public Defender IV / Attorney-Criminal IV | 1 yr DPD III or 4 yrs = DA or PD | \$126,575 | \$161,528 | | | | 3 yrs pl or 6 yrs gp or 1 yr DPD III or = exp | \$122,892 | \$172,845 |
| Deputy Public Defender V / Attorney-Criminal V / Senior Deputy Public Defender | 1 yr DPD IV | \$139,645 | \$178,211 | | | | 5 yrs DPD IV or = exp | \$141,847 | \$195,837 |

pl = public law; gp = general practice; *Positions: Defense Attorney I – IV; **Positions: Deputy Public Defender I – V; ***Positions: Attorney-Criminal I – V; ****Positions: Deputy Public Defender I – IV and Senior Deputy Public Defender

JUSTICE AT RISK: More Support Needed for Legal Aid Attorneys in California

Table 19: Salaries of Family Law Facilitators

| Fresno County | | Los Angeles County | | Riverside County | |
|---------------|-----------|--------------------|-----------|------------------|-----------|
| Minimum | Maximum | Minimum | Maximum | Minimum | Maximum |
| \$85,544 | \$103,979 | \$107,388 | \$140,844 | \$106,440 | \$142,836 |

| Sacramento County | | San Francisco Co. | | Santa Barbara Co. | |
|-------------------|----------|-------------------|-----------|-------------------|-----------|
| Minimum | Maximum | Minimum | Maximum | Minimum | Maximum |
| \$70,200 | \$77,402 | not avail | not avail | \$102,624 | \$125,280 |

Experience requirements were available only for Fresno County: 5 years, with substantive family law

Table 20: Salaries of Superior Court Self-Help Attorneys

| Fresno County | Los Angeles County | | | | Riverside County | | | |
|--|--------------------------------|--|-----------|-----------|--------------------|---|-----------|-----------|
| | Position | Years Exp. | Minimum | Maximum | Position | Years Exp. | Minimum | Maximum |
| Part-time Contractor hired through competitive bid | Associate Self-Help Attorney | 0 | \$69,592 | \$69,592 | Self-Help Attorney | 4 including 2 civil/probate and 2 legal aid/public interest | \$106,440 | \$142,836 |
| | Self-Help Attorney | 5 yrs + 3 yrs civil | \$91,488 | \$126,684 | | | | |
| | Principal Self-Help Attorney | 5 yrs + 4 yrs civil | \$95,884 | \$132,765 | | | | |
| | Supervising Self-Help Attorney | 2 yrs supervising SRL attorneys or 7 yrs supervising legal staff | \$110,616 | \$145,068 | | | | |
| | Managing Self Help Attorney | 6 yrs + 5 yrs family, including 1 yr supervising | \$127,828 | \$193,478 | | | | |

| Santa Barbara County | Sacramento County | | | | San Francisco | | | |
|--|-----------------------|-------------------------|----------|----------|-------------------------|-------------------------------|-----------|-----------|
| | Position | Years Exp. | Minimum | Maximum | Position | Years Exp. | Minimum | Maximum |
| Staffed by Legal Aid Foundation of Santa Barbara | Senior Staff Attorney | 1 yr (family preferred) | \$70,200 | \$77,402 | Court Staff Attorney I | 0 | \$84,656 | \$102,882 |
| | | | | | Court Staff Attorney II | 2 = to Court Staff Attorney I | \$102,882 | \$125,060 |

JUSTICE AT RISK: More Support Needed for Legal Aid Attorneys in California

Table 21: Salaries of Deputy City Attorneys

| Position | Fresno* | | | Los Angeles** | | | Riverside*** | | |
|---|---------------------|-----------|-----------|---------------|-----------|-----------|-----------------------------|-----------|-----------|
| | Years Exp. | Minimum | Maximum | Years Exp. | Minimum | Maximum | Years Exp. | Minimum | Maximum |
| Deputy City Attorney I | no position | | | not avail | \$83,061 | \$121,438 | 0 | \$86,064 | \$132,612 |
| Deputy City Attorney II / Assistant City Attorney I | 1 yr = to DCA I | \$90,444 | \$113,052 | not avail | \$102,061 | \$149,271 | 5 yrs municipal/ gov't or = | \$104,808 | \$161,520 |
| Deputy City Attorney III / Assistant City Attorney II | 2 yrs = to DCA II | \$99,492 | \$124,368 | not avail | \$133,590 | \$195,332 | 7 yr municipal/ gov't or = | \$120,936 | \$186,384 |
| Senior Deputy City Attorney I / Deputy City Attorney IV / Assistant City Attorney III | 2 yrs = to DCA III | \$102,696 | \$143,784 | not avail | \$153,217 | \$224,000 | | | |
| Senior Deputy City Attorney II / Assistant City Attorney IV | 2 yrs = to Sr DCA I | \$112,608 | \$158,172 | not avail | \$168,146 | \$245,820 | | | |

| Position | Sacramento*** | | | San Francisco**** All attorneys are placed on a 16 step salary system, depending on experience, beginning with \$121,784 for Step 1 and ending at \$213,330 at Step 16. | Santa Barbara***** | | |
|---|----------------|-----------|-----------|--|-------------------------------|-----------|-----------|
| | Years Exp. | Minimum | Maximum | | Years Exp. | Minimum | Maximum |
| Deputy City Attorney I | 0 | \$96,158 | \$126,152 | | 1 yr municipal | \$94,129 | \$114,414 |
| Deputy City Attorney II/Assistant City Attorney I | 2 yrs = DCA I | \$103,834 | \$136,261 | | 3-4 yrs municipal | \$113,205 | \$137,602 |
| Deputy City Attorney III/Assistant City Attorney II | 4 yrs DCA or = | \$135,491 | \$177,778 | | 5 or + yrs municipal/ related | \$125,705 | \$152,796 |
| Senior Deputy City Attorney I/Deputy City Attorney IV/Assistant City Attorney III | | | | | 7 yrs municipal/ related | \$145,994 | \$177,457 |
| Senior Deputy City Attorney II/Assistant City Attorney IV | | | | | 15 yrs municipal/ related | \$160,593 | \$195,203 |

*Positions: Deputy City Attorney II & III, Senior Deputy City Attorney I – II; **Positions: Deputy City Attorney I - IV, and Assistant City Attorney

Positions: Deputy City Attorney I & II and Senior Deputy City Attorney; **Positions: Deputy City Attorney and Assistant City Attorney I - IV

Table 22: Salaries of Deputy County Counsels

| Position | Fresno County* | | | Los Angeles County** | | | Riverside County* | | |
|--|------------------------|-----------|-----------|---|-----------|-----------|--|-----------|-----------|
| | Years Exp. | Min. | Max. | Years Exp. | Min. | Max. | Years Exp. | Min. | Max. |
| Deputy County Counsel I / Associate County Counsel / Attorney-Civil I | 0 | \$61,698 | \$78,884 | 0 | \$73,828 | \$86,869 | 0 | \$68,936 | \$100,315 |
| Deputy County Counsel II / Senior Associate County Counsel / Attorney-Civil II | 1 yr gp/ FT law clerk | \$72,020 | \$92,118 | 6 mo ACC or 1 yr pl or specific civil | \$90,153 | \$131,790 | 1 yr CC I or 2 yrs crim, specific civil or gov't civil | \$83,601 | \$121,620 |
| Deputy County Counsel III / Deputy County Counsel / Attorney-Civil III | 2 yrs gp/ FT law clerk | \$86,424 | \$110,526 | 1 yr SACC or 2 yrs pl or specific civil | \$115,070 | \$159,337 | 1 yr CC II or 3 yrs crim, specific civil or gov't civil | \$98,182 | \$146,690 |
| Deputy County Counsel IV / Senior Deputy County Counsel / Attorney-Civil IV | 3 yrs gp/ FT law clerk | \$101,114 | \$129,324 | 1 yr DCC or 5 yrs pl or specific civil | \$128,899 | \$188,434 | 1 yr CC III or 4 yrs crim, specific civil or gov't civil | \$109,284 | \$172,218 |
| Assistant County Counsel / Chief Deputy County Counsel / Deputy County Counsel IV-S / Senior Deputy County Counsel | 2 yrs gp | \$132,242 | \$132,242 | 1 yr Sr. DCC | \$183,515 | \$277,764 | Deputy CC IV | \$115,918 | \$182,696 |

| Position | Sacramento County*** | | | San Francisco**** | Santa Barbara County* | | |
|--|--|-----------|-----------|-------------------|--|-----------|-----------|
| | Years Exp. | Min. | Max. | | Years Exp. | Min. | Max. |
| Deputy County Counsel I / Associate County Counsel / Attorney-Civil I | 0 | \$110,810 | \$110,810 | | 0 | \$76,587 | \$93,499 |
| Deputy County Counsel II / Senior Associate County Counsel / Attorney-Civil II | 1 yr gp | \$127,472 | \$127,472 | | 1 yr DCC/pl or 2 yrs civil or = exp | \$84,620 | \$103,304 |
| Deputy County Counsel III / Deputy County Counsel / Attorney-Civil III | 1 yr Attorney-Civil II or 3 yrs gp | \$115,341 | \$140,209 | | 1 yr DCC II or 2 yrs pl or 4 yrs civil or = exp | \$98,276 | \$119,976 |
| Deputy County Counsel IV / Senior Deputy County Counsel / Attorney-Civil IV | 4 yrs practice (includes 3 yrs gov't agencies) | \$128,412 | \$179,088 | | 1 yr DCC III or 3 yrs pl or 6 yrs civil or = exp | \$113,725 | \$162,459 |
| Assistant County Counsel / Chief Deputy County Counsel / Deputy County Counsel IV / Senior Deputy County Counsel | | | | | 5 yrs DCC IV or = exp | \$132,217 | \$184,190 |

pl = public law; gp = general practice;

*Positions: Deputy County Counsel I - IV and Assistant County Counsel; Positions** Associate CC, Senior Associate CC, Deputy CC, Senior Deputy CC, and Assistant CC; Positions*** Attorney - Civil I-IV

JUSTICE AT RISK: More Support Needed for Legal Aid Attorneys in California

Table 23: Salaries of Deputy District Attorneys

| Position | Fresno County* | | | Los Angeles County** | | | Riverside County** | | |
|---|-------------------|-----------|-----------|---|-----------|-----------|--|-----------|-----------|
| | Years Exp. | Min. | Max. | Years Exp. | Min. | Max. | Years Exp. | Min. | Max. |
| Deputy District Attorney I / Attorney-Criminal I | 0 | \$62,920 | \$80,496 | 0 | \$66,237 | \$86,869 | 0 | \$65,144 | \$97,668 |
| Deputy District Attorney II / Attorney-Criminal II | 1 yr gp | \$73,450 | \$93,964 | 1 yr DA I or 2 yrs crim trial exp at public agency or 3 yrs exp with 5 felony jury trials | \$90,153 | \$131,790 | 1 yr DA I/gp | \$79,003 | \$118,410 |
| Deputy District Attorney III / Attorney-Criminal III | 2 yr gp | \$88,140 | \$112,736 | 1 yr DA II | \$115,070 | \$159,337 | 1 yr DA II or 2 yrs crim law or 3 yrs gp | \$98,182 | \$146,690 |
| Deputy District Attorney IV / Attorney-Criminal IV | 3 yr gp | \$103,142 | \$131,950 | 1 yr DA III | \$128,899 | \$188,434 | 1 yr DA III | \$109,284 | \$172,218 |
| Senior Deputy Deputy Attorney / Attorney-Criminal V / Deputy Attorney V | 4 yrs prosecuting | \$111,020 | \$142,038 | | | | | | |

| Position | Sacramento County*** | | | San Francisco**** | | Santa Barbara County* | | |
|---|--|-----------|-----------|---|--|---|-----------|-----------|
| | Years Exp. | Min. | Max. | All attorneys are placed on a 16 step salary system, depending on experience, beginning with \$121,784 for Step 1 and ending at \$213,330 at Step 16. | | Years Exp. | Min. | Max. |
| Deputy District Attorney I / Attorney-Criminal I | 0 | \$110,246 | \$110,246 | | | 0 | \$76,570 | \$93,480 |
| Deputy District Attorney II / Attorney-Criminal II | 1 yr gp | \$126,804 | \$126,804 | | | 1 yr pl or 2 yrs gp or 1 yr = to DA I or other = exp | \$84,606 | \$103,283 |
| Deputy District Attorney II I / Attorney-Criminal III | 1 yr DA II or 3 yrs gp | \$114,798 | \$139,541 | | | 2 yrs pl or 4 yrs gp or 1 yr = to DA II or other = exp | \$98,257 | \$119,951 |
| Deputy District Attorney IV / Attorney-Criminal IV | 1 yr DA III or 4 yrs in DA or PD legal areas | \$126,575 | \$161,528 | | | 3 yrs pl or 6 yrs gp or 1 yr = to DA III or other = exp | \$113,725 | \$162,459 |
| Senior Deputy Deputy Attorney / Attorney-Criminal V / Deputy Attorney V | 1 yr DA IV | \$139,645 | \$178,211 | | | 5 yrs = to DA IV or other = exp | \$132,217 | \$184,890 |

pl = public law; gp = general practice

*Positions: Deputy DA I - IV and Senior Deputy DA; **Positions: Deputy DA I – IV; ***Positions: Attorney-Criminal I-; ****Position: Attorney

| Table 24: Salaries of State Public Defenders | | | |
|--|--|-----------|-----------|
| Position | Statewide | | |
| | Years Exp. | Minimum | Maximum |
| Deputy State Public Defender A | 2 yrs trial or appellate (including research and writing) practice | \$81,120 | \$102,012 |
| Deputy State Public Defender B | 4 yrs (at least 3 criminal) | \$91,308 | \$117,120 |
| Deputy State Public Defender C | 6 yrs (at least 4 criminal) | \$110,520 | \$141,780 |
| Senior State Public Defender | 10 yrs criminal with extensive appellate & 3 yrs = to DSPA Range C | \$122,172 | \$156,744 |

| Table 25: Salaries of Deputy Attorneys General | | | |
|--|--|-----------|-----------|
| Position | Statewide | | |
| | Years Exp. | Minimum | Maximum |
| Deputy Attorney General | 0 | \$67,224 | \$117,120 |
| Deputy Attorney General III | 6 yrs gov't or private | \$110,520 | \$141,780 |
| Deputy Attorney General IV | 10 yrs gov't or private (4 = to DAG III) | \$122,076 | \$156,744 |
| Deputy Attorney General V | 13 yrs gov't or private (3 = to DAG IV) | \$128,952 | \$164,592 |
| Supervising Deputy Attorney General | 8 yrs gov't or private (2 = to DAG III) | \$134,508 | \$172,812 |

Appendix 3: Attorneys' Comments about Salaries

More than 60 percent of the surveyed attorneys who think they may leave soon reported *financial pressure due to low salary* as a *major* or one of the *primary* reasons they will leave. Fifty percent of the attorneys who think they may stay for the next three years said they were *very unsatisfied* or *somewhat unsatisfied* with their current salary.

Many attorneys who report *satisfaction* with their salaries point to the organization's mission and how their salaries compare to other legal aid organizations. Some think their organizations "*are doing the best that they can.*" A few seem to accept the idea that being underpaid comes with the legal aid territory. Some are more willing to accept a lower salary because of the job's flexibility or other benefits they receive such as health insurance. A little over one-half are the primary wage earners in their families. Many add caveats, including that their salary is manageable only because they have a spouse with income.

Below are a sample of comments from attorneys who are *very satisfied* or *somewhat satisfied* with their salaries. These comments are followed by remarks from attorneys who are *not satisfied* with their salaries. The comments are both from attorneys who think they may stay and those who think they may leave soon.

Attorneys who say they are Very Satisfied or Somewhat Satisfied with their Salary

The best they can

"I think my organization does the best they can to pay us as much as possible."

"I know our salaries are as competitive as we can afford."

"I'm very grateful for my salary, which is a significant raise from when I was a staff attorney. I also know that it is the most my organization can reasonably afford. However, on a more systemic level, we are all very much underpaid...This is especially true given the cost of housing where I live; even with my spouse's higher salary, buying a home is unrealistic for us any time in the near future."

Fair

"It is a fair salary"

"Very satisfied with my pay. Finally feel like I am getting paid what I actually deserve. At my previous position (which I left for this one) I honestly felt like they were robbing me. I brought so much value and work and creativity and it was a complete slap in the face with the wages."

"The salary is incredible fair and respectful for the work and mission; the only concern is that it is not sufficient for the cost of living in the area for someone raising a family and paying an eye-popping student loan balance."

Competitive compared to other legal aid organizations

"I think that my salary is fairly competitive and in line with other legal aid organizations in the state, taking into account the cost of living in our area."

"Not enough, but comparable to similar agencies (I hope)."

"I am satisfied with my salary - it's in line with other managing attorney positions at comparable legal aid nonprofits in the area."

As expected in legal aid

"It's fine." I understand that legal aid attorneys wouldn't make as much as other private or even government attorneys."

"I generally wish that it was higher, but I knew what I was getting into when I decided to do this kind of work."

"Although it is on the low side for a practicing attorney, I understand and appreciate that this is the norm for a nonprofit organization."

"I believe the salary range is appropriate considering the flexibility and paid-time off we receive. I had always been aware that working in legal aid is a true calling, and thus that salary is not necessarily a motivating factor in employment. I appreciate the annual salary increase and hope that our job performance and adherence to work protocol/policies contribute significantly to the way the increase is calculated (for myself and co-workers)."

Other benefits

"I wish it were higher, of course, but the benefits of working for a flexible, non-profit company that does honorable work make it worth it."

"I don't work here to get rich. Other benefits are worth more to me and my family."

"Meh, it's fine. I care more about workload and stress. (But I believe it's a more serious issue for some of my colleagues, which is why I strongly support increased salaries.)"

But for my spouse

"I understood that salary would not be live-able when I chose this career." My salary must be supplemented by my spouse; I realize this is not possible for many."

"It pays the bills for now but I share bills with my spouse."

"Seems comparable to other positions. I'd struggle to live in the Bay Area as I currently do without my partner's income."

"My salary is sufficient only because my spouse is a higher income earner who chooses to treat salary as a household--not an individual resource..."

Attorneys who say they are Very Unsatisfied or Somewhat Unsatisfied with their Salary

Salary is too low

"I make far too little for the work I do." Having to cover dependents insurance fully out of pocket is insanely cost prohibitive (\$537 every paycheck - paid twice a month)."

"It is definitely too low."

"It's barely sufficient."

"I work very hard and should be compensated more closely to a lawyer than to a bartender."

"It is not sufficient to live off of." I would not have accepted this job opportunity if I didn't live with my boyfriend who carries most of our financial burdens."

"Need more money."

"Even though it is a decent salary, it is still very difficult to afford student loans, car loans, phones, auto insurance, etc. on it."

"Doesn't allow for owning a home." Doesn't allow for much savings after cost of living."

“It is depressing to have graduated law school and passed the bar exam and not be able to afford to live on my own.”

“I have never had a full month's rent in my savings account.”

“Until about two weeks ago I was making less than 53,000. Approximately 25K less than an offer I turned down working in public service elsewhere. I live in an apartment with 3 other people and have struggled to pay my bills for the entirety of the 6 months I have worked here. I have been supplementing my income by working a second job. When we received raises, I reduced my weekend job to once a week, so now I typically work 6 days a week rather than 7 days a week.”

“I do not make enough to support myself in this city. Even with a roommate in a rent-controlled apartment, I am struggling. I have considered leaving legal services for better pay because as much as I appreciate being able to do this work, I have to think about my financial sustainability.”

Intensified by California cost of living

“I have no savings. It is barely livable in Los Angeles.”

“It's not enough to live on in Los Angeles.”

“Competitive, but not enough to raise a family in Los Angeles.”

“I couldn't do it without a spouse who makes 77% more than me so we can afford an apartment in Oakland.”

“I hardly have enough money to live in Oakland with my husband. If I was not as careful with my money as I am, we would certainly be living paycheck to paycheck.”

“It is very difficult to live in San Francisco on my current salary, and that's without kids or parents that need financial support. I live in a dilapidated, rent-controlled apartment with 5 roommates and have racked up significant credit card debt, and have no emergency savings.”

“I'm severely underpaid, especially given that I live in an area of Southern California entirely comparable to Los Angeles and San Diego counties, and will only get worse as time goes on.”

“It is hard to live on in Sacramento, where housing costs have been rapidly rising. It would be hard to live on anywhere in California.”

Exacerbated by Student Loans

“It's hard with the salary and costs of living with school debt. It makes my spouse ask if I would want to work in the private bar but they're supportive of me doing work that's meaningful. Not sufficient for living in the Bay Area.”

“Taking into consideration the costs of student loans and the cost of living in California, it is difficult to make ends meet, especially having a family of 4.”

“The pay is low, would be worth it if they paid at least half of my educational loan monthly payment.” Currently half of my month wages go to repaying my loans, it is not worth it.”

Less able to support a family

“I love the work I do but as a single parent need to make more money. It is not specific to my organization but a problem that plagues public interest attorneys everywhere. People that are passionate about equal justice for everyone need to be better compensated.”

“It's difficult to stay in public interest because of the salary.” Though many come in with an understanding that the pay is low, many do have to leave this field because it's not sustainable to have a family or plan for the future.”

“It's a real bummer.” Good thing I have no children.”

Huge Salary gap with other employers

“I think a Staff Attorney with six or more years of experience should be paid at least \$75,000 If I had stayed a public defender in California (Contra Costa, Alameda, Sacramento, SF, Santa Clara), I would be making close to \$130,000 right now.”

“It's sad that because we choose to be in the public sector, our salary is less than what we would get if we had chosen private practice.”

“My salary is very much below that of similar organizations. It is very discouraging to know that I previously made more money in a non-profit as an administrative assistance prior to attending law school.”

“I am making less than what my clerkship bonus would be at a law firm. I would not have been able to make this work without a rent controlled apartment and a safety net. My current salary does not allow me to prepare for the future or build wealth. It also makes me feel like I am gambling on PSLF.”

“The salary gap between private lawyers and legal aid is too great, and the cost of living in the Bay Area makes living on my salary difficult.”

“My peers at the local public defender's office make \$25,000 more than me--almost 50% higher pay and they have much better retirement options.”

Need to have a spouse

“If I didn't have financial support from my spouse, it would be incredibly difficult for me to live in the San Francisco Bay Area on my salary.”

“The attorneys in our office are only able to work at this office because of partners with larger salaries or inherited wealth.”

Appendix 4: Attorneys' Comments about Educational Debt

Educational debt creates financial pressure for attorneys who think they may leave soon and those who think they may stay. The stress of high educational debt is compounded by the uncertainty of the Public Service Loan Forgiveness program.

Gender, Class, Race/Ethnicity

- *“Obviously, (law school costs are) too high and not enough programs to provide repayment assistance. This to my mind is a large part of the reason why so many people in public interest law, and especially direct services, are only able to be in that position if they have partners who have much higher paying jobs, i.e., in the private sector. It creates a terrible class imbalance, and often gender imbalance. This has got to be rectified if we want public interest legal work to be equitable, inclusive, and open to all.”*
- *“The price of law school is outrageous and a deterrent to people of color entering into the profession, or if they do manage to overcome barriers (including financial) to attending law school, working for non-profits. It’s a great source of stress for me, even with LRAP and PSLF.”*
- *“Law school is too expensive. Prospective law students with working class backgrounds do not have sufficient access to non-loan financial aid. I recognized that southern rural California has a pressing need for legal aid attorneys. The University of San Diego School of Law was the highest ranked law school in the area. Unfortunately, it is also the most expensive law school. I am grateful there are LRAP programs and hope the PSLF does not undergo legislative changes that would negatively impact attorneys eligible for loan forgiveness.”*
- *“Unfortunately, the cost of law school and the reality of student loans keeps many people who would make great lawyers from going to law school at all. For others, it means choosing to go to a lower ranked school because of scholarship offers. I believe it is unacceptable that law school tuition and subsequent education debt is so high that our profession loses out on people who could contribute a lot to the public interest legal field. For those who do make it law school, they then face the choice of pursuing their passion for public interest work or choosing a job with a salary that will allow them to pay their educational debt alongside other bills like rent. When I was in law school, my peers often called public interest a “noble sacrifice.” It’s seen as choosing to serve others for a salary that barely covers the bills. It saddens me that the choice to pursue this vital work is also a choice to limit your own financial prospects.”*
- *“It is increasingly making it more difficult for newer attorneys who don’t come from economically privileged backgrounds to choose public interest law as a career. Loan forgiveness programs help, but many also take private loans to complete undergrad and/or law school, particularly in cities with higher costs of living (e.g., Los Angeles)”*
- *“family was low-income and I went to public institutions and I’m still drowning in debt. I know other attorneys in similar situations and it feels very constricting and confining. We shouldn’t graduate from public institutions with such high debt - what is the point of public education at that point?”*
- *“Educational debt is a primary reason why the majority of my classmates in law school went to work for Big Law firms. The only reason I was able to pursue a career as a public interest lawyer is because I had financial resources to draw upon from my previous careers. Educational debt exacerbates the already existing economic and racial inequality.”*
- *“At times, it has been difficult to support the work that I am doing because of my educational debt. Thankfully, I had support from my parents and now that I am married, I am in a two-income*

household. It would be very difficult to work in public interest without those supports, and I would have likely had to pursue higher-income work in order to fund my public interest desires out of law school."

- *"It's ridiculous. Inequitable. Cost of education prevents many from obtaining high education and diversifying the profession."*

Homes

- *"Even with an income-based repayment plan, my monthly payments are debilitating...Because of my loans, I am unable to purchase a home. My financial security often feels tenuous."*
- *"Having the debt load practically results in housing instability or permanent renter status; taking on a mortgage on top of student loans (especially with high prices in CA/Los Angeles) seems impossible or irresponsible."*
- *"With my house mortgage and school loans, I am more than half a million dollars in debt."*
- *"Educational debt haunts attorneys in civil legal aid. I left my previous position because the pay was too low for how much debt I have to pay and how much rent is in LA. I am in a rent-controlled apartment and would love to buy a house one day. I know this will only happen with help from my parents and my partners parents. We are both attorneys but we work in legal aid, so it is literally impossible for us to buy without assistance from family for the down payment."*

Lifestyle

- *"Even though I am on REPAYE, the lowest payment plan, it cripples me financially. I do not make enough to afford my loans and any sort of enjoyable life."*
- *"It prevents me from being able to contribute positively to the economy. I will never own a home, and living in a city with skyrocketing rent, I live paycheck to paycheck. I believe this will lead to quicker burnout in my position as a legal aid attorney."*
- *"My debt concerns me. I love my job in legal services, but I am concerned if it is sustainable given my law school debt. Additionally, I am unsure if I will be able to afford a home, raise a family, or properly plan for retirement."*

Stress or Savings or Future

- *"It is crushing and debilitating. It is hard to plan for a future with never-ending student loan debt."*
- *"It's a huge burden and weight. Very stressful."*
- *"...my student loans have always been a source of anxiety. Most attorneys I've spoken to have also agreed that this affects their mental well-being, as they realize that repayment of the loans is something we are going to need to deal with for the majority of, if not the rest, of our lives. It's really unfortunate and really depressing."*
- *"It is outrageous. My family was not wealthy, so I did not have an alternative to debt other than foregoing law school. At the time I enrolled I had only a vague idea what it would mean to take on such debt. It creates a ton of anxiety, and working in Legal Services I have accepted a lower income, which is further eaten away by loan repayment on top of rising rent and cost of living. Despite being an experienced attorney now, I am still not able to save money, barely doing better than living paycheck to paycheck."*
- *"Even with LRAP and IBR, my loan repayment amount takes up a substantive chunk of my monthly income that could otherwise be going towards saving for a home, starting a family, etc."*

Although I wouldn't live anywhere else, living in California is expensive and as Legal Aid Attorneys we don't have a ton of disposable income after paying for housing. When student loans take up the rest, it can sometimes feel like I'm sacrificing my future to do the work that I feel is important."

- *"I wouldn't be surprised if I have educational debt until I die."*
- *"I think it places us at a disadvantage because this is something we have to worry about for the rest of our lives."*
- *"I try not to think about it."*

Value of Legal Aid

- *"It's so overwhelming that most days I regret going to graduate school. I want to do legal aid work, but I can't afford to. Even in the private sector, I will have crippling debt. Educated adults cannot afford childcare or a mortgage with this crippling debt. If people with careers can't afford to have children or buy a house, what does that say about our society? If people have to live in poverty in order to support people in poverty, what does that say about how we value legal aid work?"*
- *"It's offensive to 1) have so much debt and 2) be paid so little for very challenging, traumatic work in a state that claims to support public interest work, particularly immigration."*

Spousal Help

- *"The debt amounts and repayment amounts even on an income-based plan are still too high to live comfortably on a legal aid salary in much of California unless you have a partner. It makes it nearly impossible to save for the future or purchase property."*
- *"I could not be a legal aid attorney in the bay area without a partner that makes significantly more money than me, especially because I have a child."*

LRAP

- *"It's astronomical and a huge hindrance to entering public service. The only reason I can afford to be in public service is because of my law school's generous loan repayment assistance program."*
- *"I was able to pay off my significant law school debt in 10 years through my school's generous loan repayment program for public interest lawyers. But it was a struggle, and I almost got kicked out of the program when I married."*
- *"Although I am receiving generous assistance from my law school's LRAP program, the debt is still overwhelming, stressful, and adversely impacts my life. There is no locality adjustment, so it is likely that I will reach a point within a few years where I'll have to pay significant amounts toward my loans yet won't make anywhere near enough to have a reasonable quality of life in SF."*
- *"Without LRAP and PSLF, doing this work would be literally financially impossible."*
- *"It is crushing. My employer only provides up to \$400 a month in reimbursement. That amount needs to be increased. My payments do not even cover the interest."*
- *"Besides my federal loans, I also have private loans. My employer only assists with law school loans, not undergrad or other graduate school loans (or bar exam prep loans). I pay approximately \$1,100.00/month for student loan payments, and with LRAP from LSC and employer LRAP, I am reimbursed at approximately \$616.00/month. Thus, my true out of pocket*

payments for student loans are approximately \$484.00/month. However, I am in the last year of LSC LRAP eligibility, so starting 10/1/2019, my out of pocket payments toward student loans will be approximately \$950.00, which is approximately 32% of my monthly income."

Ballooning Balances and PSLF

- *"It's insane that my debt has almost doubled in in just 7 years. It is terrible that the federal government charges us such a high interest rate. And it's terrible that this debt has such a huge role in our credit. I have had to explain my debt every time I apply for housing and when I bought my house. I'm not on my home loan because my husband was better off applying for the loan himself because of my debt even though I have more steady income that he does."*
- *"I will never pay my debt off unless loan forgiveness works."*
- *"I think the interest rates are exorbitant. I am not paying the full interest per year as part of the PSLF program and my debt has increased by \$30,000 since repayment started."*
- *"It is mind boggling. If something goes wrong with my forgiveness, I will never be able to repay it. I currently owe over 80k more than I borrowed, even though I make payments every month. I have to do my taxes as married filing separately to avoid my spouse's income being counted towards my income-based repayment and I am our primary earner."*
- *"It's suffocating. I entered public interest thinking my debt could be forgiven, but that's threatened under the current administration. I am barely making rent and paying my bills with two small children at home, despite having a "good" salary as far as non-profit salaries go."*
- *"If it weren't for the Public Service Loan Forgiveness program, which I expect to use after 10 years of working in the public interest sector, I would not have come to law school in the first place. I only ever wanted to do public interest work, and that would not have been a viable choice without loan forgiveness. I have been making income-adjusted payments since graduating from law school, and I owe more now than I did when I graduated. If PSLF was not an option, I would feel so despondent about ever being able to pay off the debt. I would have to seriously consider seeking out higher paying non-attorney positions in other sectors (private or government) because I would be more concerned about figuring out how to pay off my law school debt in order to have enough money to buy a house and raise a family, rather than pursuing my ideal legal career of doing good work that improves the lives of individuals from underserved communities."*
- *"It is scary to have to rely on the federal government, especially this federal government, to forgive our debt. Most of my friends have not had LRAP help from their law school and the balances are increasing greatly. Mine has been going down, but will start to go up soon when I lose LRAP."*
- *"The debt is looming over me. If PSLF pulls through and works as it should when the time comes for the balance of my loans to be forgiven, then all will be fine. But until then, my loans balance grows and grows, and that's a little scary. If my loans are not forgiven through PSLF, I'm not sure what I'd do. I'm fully relying on that program to allow me to do public interest work."*
- *"I was only able to attend law school because of the promise of public service loan forgiveness. I would not have sought higher education without it."*
- *"It seems hopeless and like it will never be paid off. I love the work I do and plan to stay in this line of work so I hope that the current PSLF program will off me some relief in the future."*
- *"I entered into educational debt without realizing how much money I was really going to have to make to pay it off. I also didn't anticipate the financial planning around my loans that would be*

involved if I got married. If I could do it over again, I would have gone to the night school so that I could have worked full-time while in school. The PAYE program and the PSLF programs are helpful, but it would be better if one could pay more when they wanted to instead of being locked into payments that are too low to make a dent in the interest on the loan. The longer I stay in PAYE, the more reliant I am on PSLF, because the total amount I owe never decreases. If I could have a chance to pay more on the loans when I wanted to without going into "paid ahead" status and not getting credit for qualified payments, I could have a chance at paying off the loans without having to rely on PSLF, or the amount that would have to be forgiven through PSLF would at least be lower."

- *"I went to law school in order to make a difference in my community. I felt confident in my decision because at the time I was deciding to go to law school they had just announced the public interest loan forgiveness. Now that I am finally working in the area that I want, I have serious concerns if the program will still be around in the future to allow me to continue working in public interest long term."*

General

- *"It is paralyzing and debilitating. It gets in the way of life and work decisions since every decision is predicated on how it will affect loan payments."*
- *"It is crushing. We are a two-lawyer household. I currently pay \$1000 per month, even with IBR, because I graduated long enough ago that I have a private loan."*
- *"My educational debt is a burden to my and my family. I feel like I will never get it down. I have thought about leaving legal services to pursue a higher-paying jobs, but I love what I do."*
- *"Individuals should not pursue a JD if they desire to have a career in serving the poor."*
- *"It drives many decisions and makes it very difficult to choose public service, particularly in an expensive place like California and at a time when loan forgiveness is not looking like a sure thing. I constantly question my decision to go into the legal services sector even though I love my work"*
- *"I try not to think about it. If I give it too much thought, my career choice seems extremely foolish."*
- *"Student debt for higher education needs to change or legal services attorneys will be forced to disappear because it will be economically impossible to become a legal aid attorney."*
- *"The costs of obtaining a legal education are so high that it puts a lot of pressure on a law grad. One often has to make a choice between a high paying job or a job they enjoy or believe in. However, the reality of trying to live comfortably or raise a family can make working for legal aid untenable."*
- *"It's like having a mortgage without a house."*

Appendix 5: Attorneys' Comments about Management

Legal aid work can be challenging in many ways. Here are examples of some of the challenges and ideas from surveyed attorneys on ways to address them. As one attorney remarked: *There is no magic bullet for recruitment and retention, so good management and flexibility is important.*

Workloads

- *"My workload is high because we are short staffed and the organization takes a long time to hire people."*
- *"Our staff seems to like working here but they leave because they can make more money or are being worked to death."*
- *"Right now, we have a lot of positions to fill. Filling those positions would help bring everyone back to a more manageable schedule."*
- *"Caseload expectations are unrealistic for the hours we are paid."*

Diversity of Work

- *"There are many good cases that our organization turns down because we do not have the resources to provide extensive representation. I would like to be able to take on larger cases with more impact, maybe with the help of another attorney in my organization or from a different organization."*
- *"While I have the freedom to do all the policy work I want to, the sheer number of clients who need our assistance on routine matters, combined with responsibilities for data collection, etc. makes finding sufficient time a challenge."*
- *"One of the great things about my job is the opportunity I've had to work in diverse areas. ... I do not think this is true for the newer staff here who come in on time-limited grants."*
- *"There is a definite culture...to take the 'bread and butter' cases and get through them as quick as possible. Although rhetoric has been that we are free to take extended rep cases or more challenging cases, the process to get these cases approved depends highly on who your supervisor is. There is also pressure to do more cases such that quantity overrides quality."*
- *"(Would like to) have more time to focus more deeply on existing projects, rather than constantly having to take on more projects and/or be reactive."*
- *"Our work is bogged down by a particular class of individual cases, making it difficult to develop systemic challenges to unlawful policies or more wide-ranging cases and maintain work-life balance."*
- *"(Would like to) have more advocates doing my kind of work so the practice can grow and I can be exposed to more."*
- *"My position is unique at the organization because I get to do direct services, policy advocacy, and some litigation. I would like to continue policy work but also do more affirmative litigation rather than direct services."*
- *"My particular project has a problem with mentorship. We do not have any experienced attorneys who serve as mentors to newer attorneys. It makes it almost impossible to take more*

complex cases because there is no one to guide the development. When we lose experienced attorneys, we do not replace them with other attorneys who have similar experience level, we hire new graduates and then expect them to step into a role where they are leading with little mentorship.”

- *“(Would like to) get more mentoring with litigating cases. There is a lack of internal support to handle the demands of litigation.”*
- *“I think that at least a little bit of affirmative work would be good for us and good for our clients.”*
- *“I am rarely in a courtroom and I expected to have actual litigation experience in this role.”*
- *“...I would like our office to take on more appeals; however, due to capacity constraints on attorney caseloads, that's a luxury we do not have.”*

Stress/Burnout

- *“...We need to have real plans and programs to deal with secondary trauma and burnout.”*
- *“Attorneys who do civil legal aid often burn out because either (1) their caseloads are too high or (2) their administrative burden is too high. Retention requires: (1) paying attorneys a living salary; (2) ensuring they have a reasonable caseload; and (3) providing sufficient admin/non-attorney staff so attorneys aren't forced to be paralegals, social workers, admin assistants, etc. as well. Providing sufficient admin support also frees up attorneys to pursue interesting, meaningful large-scale projects such as litigation/policy, which can help retain attorneys who are concerned about stagnation.”*
- *“Civil legal aid organizations need to destigmatize personal days off, self-care, and mental health issues.”*

Effect of Grant Funded Work

- *“It seems to me that one big stressor and cause for burn-out among civil legal aid attorneys is having the organizations commit them to grant deliverables that are unrealistic. I think there needs to be much more input from the staff attorneys on what is possible and what the actual needs are of the client population.*
- *Grant deliverables are being demanded from funders who are far removed from the realities of the work and written by grant writers...without enough feedback from the people who will actually be doing the work. As a result, the staff attorneys are stuck with unmanageable caseloads that may not necessarily reflect their observations of what the actual needs of the community are.”*
- *“Smaller agencies need more unrestricted funding. For smaller agencies like my employer, it is incredibly challenging and draining to have more restricted funding sources than employees. It is a constant struggle to figure out how to split everyone across multiple projects (which all have their own reporting requirements) in order to get all of the work done without making attorneys burn out.”*
- *We do tons of intake, which sucks up an enormous amount of our time. On many days, the job feels like a numbers game - gotta get the numbers up so we can make our grant totals.*

Supervision

- *“We have a relatively new supervisor, but he quickly showed us that he cares about us as human beings. He is very quickly responsive. When we've had a challenging client or other episode, he frequently checks in with us to see how we're doing and offer encouragement.”*
- *“My supervisor is very conscious about allowing me to pursue opportunities for growth and about maintaining a balanced and reasonable case load. She meets with me regularly, provides support where she can, directs me to other sources of support where needed, and gives me autonomy to manage my cases.”*
- *“We have weekly check-in meetings where she addresses my concerns, general goals, and provides insight into case strategy.”*
- *“My supervisor is extremely receptive to my input on casework and professional development needs, so it's really been a great working relationship. He also allows me to have discretion and autonomy in my role while also providing fair feedback.”*
- *“My direct supervisor monitors the types of cases I am doing and often instructs me to slow down. She understands that I want to do everything for the clients but reminds me that my goal is not possible with the resources I have.”*
- *“One item not on this list is helping to manage workload. Setting reasonable expectations to begin with but also encouraging you to say no to things or saying no for you and helping you to curb your enthusiasm and not take on tasks that you don't have the bandwidth for.”*
- *“She is extremely busy, so it sometimes feels like checking in is a bother. Sometimes things get lost in her email. It would be nice to get a check it to say 'this is what you are doing well, this is what you should work on improving’”*
- *“My supervisor is excellent but overextended. I do not have sufficient access to my supervisor, nor can I count on my supervisor to respond to my messages or be available to meet with me when I need to.”*
- *“We communicate frequently, but it would be nice to have regular (monthly?) meetings with more structured goal setting. Mostly because I do a lot of the dropping in and sometimes feel like a bother!”*
- *“I have not had a one-on-one case review with my supervisor in over a year. When I need to check in with her about a case, I have to find her, and I am conscious that I am interrupting her. I would prefer it if we had more scheduled time for us to touch base...She works from home a lot, and as a result, is not always available when I need her. I am forced to go to other supervisors when she is not around. She is overloaded with her own projects and does not make enough time to adequately supervise or mentor her direct reports.”*
- *“My supervisor is over-worked due to the failure of management to provide adequate staff capacity and to streamline administrative processes (to reduce busywork and other drains on our time and energy).”*
- *“To be fair, I don't believe the Managing Attorneys have been provided sufficient training on how to supervise. If you have that situation and those that follow their supervisor's example, you create a bad cycle. It's even more difficult if you promote those who have only worked here and haven't had the experience of how a supervisorial relationship can be helpful and necessary to a*

healthy organization.”

- *“Everyone is overloaded with work. I don't really fault my supervisor. She is swamped too.”*
- *“My supervisor is seriously overworked, and I just wish she had more time in general.”*

Work-Life Balance/Flexibility

- *“While I do think that money is an important part of recruitment and retention, I also believe that work-life balance and flexibility is crucial in the often-intense civil legal aid world. Attorneys should be able to have some amount of flexibility so that they can live life on their terms - this can be seen as a worthy tradeoff for the fact that they may be making less money in their civil legal aid role.”*
- *“...flex schedules would go a long way due to our traffic...”*
- *“(Would like to) work from home one day a week.”*
- *“My supervisor is excellent with substantive law and strategy, and is heroic in her commitment to the work, but is a workaholic, which creates boundary issues for her subordinates around work-life balance and case selection. It feels like there is never clear permission or support to turn down a case or ask for work reduction, and results in a passive-aggressive attitude towards work-flow that is confusing and stressful pretty much all the time.”*
- *“Attorneys should be allowed to work from home when they are able to do so. Driving into the office on days that we do not have client appointments or meetings is a waste of time and frustrating with LA traffic. At a minimum, working from home should be allowed for senior staff. Driving is exhausting and a waste of time. I am so productive at home and frustrated that this isn't an option. I would be so much happier if I could work from home 1-2 days a week. I would not work from home if it would get in the way of work. I just want to be able to do so when it works with my schedule.”*
- *“(Would like) the opportunity to take breaks or a day off or one afternoon off to de-stress once a month. It would help with preventing burnout.”*
- *“If providing better pay is not an option, have a wide variety of benefits (flexible scheduling, sabbaticals, summer Fridays, etc.) to make the staff feel valued and supported.”*
- *“I think more flexibility in schedule/working remotely would improve staff morale and retention across the board and accommodate employees with families. Management would accommodate a short-term alternate schedule/working remotely if necessary, but it feels like it is frowned upon. It would be nice if it could be an office/cultural norm for schedules to be less rigid.”*

Management

- *“Check in with your staff members individually every year or two to see how their needs are evolving. Most people I know leave their jobs because of toxic work personalities. Policies and salary and workload are all important to analyze but at the end of the day, it comes down to whether people dread walking into the office or whether they have healthy and enjoyable relationships to look forward to every day.”*
- *Let's also reframe our goals in attorney retention. I know replacing and training new staff is expensive, but turnover is inevitable and new thoughts and new ways of thinking are the other*

side of that equation. Success shouldn't only be measured by who has the greatest number of people who have spent their entire careers at the same organization."

- *"(Would like) better and more supportive leadership; more investment in boosting staff morale; deeper understanding of and support for a healthy work-life balance"*
- *"(Would like) policies enforced equally."*
- *"I want the agency to commit to maintaining a small team...in my project that can be funded some by grants but also with a set of core funds. I do not think it is sustainable to continually hire people for 1-2 year periods to do this incredibly challenging work without any job security. This will also give us the nimbleness we need to respond to constantly developing crises without being tied to impossible-to-meet grant deliverables and always worrying about where the next dollar will come from. Without a core team that the agency is dedicated to raising funds for, it feels like there is not a clear path forward for my work here."*
- *"(Would like) better communication with upper management and more respect for the work we do."*
- *"Upper management and higher management need to do more to be transparent, to appreciate their line staff, to reach out to line staff and hear from them and try where they can to meaningfully implement their suggestions. Much of the retention problems here come from fundamental lack of appreciation, making senior attorney positions for attorneys scarce and difficult to obtain, and from not really understanding or caring to understand or praise the work that folks are doing on the day to day."*
- *"Employers need to value the workers they have."*
- *"Staff need to be valued and recognized for the individual abilities and not seen as cogs that are replaceable. Staff also need to be supported and allowed time to deal with the trauma of working with people in constant crisis..."*

Appendix 6: Attorneys' Comments about Career Advancement Opportunities and Professional Development

Sixty-five percent of Current Survey Attorneys say they would like to advance in their employment. Less than half of them think they have the opportunity to do so. The opportunity for professional development is a related interest. In order to improve and expand their skills and advance in their careers—whether in their current organization or at another—attorneys have to develop professionally. Many attorneys are unsatisfied with the professional development they are receiving. The attorneys who think they may leave soon, gave *opportunity for professional development* the 8th lowest satisfaction rating of 31 aspects of their job or workplace.

Career Advancement

Limited opportunities

- *“In our organization, you are either a staff attorney, or a managing attorney. There are no other positions one can advance to. The number of managers is determined by the number of attorneys on staff and people are only promoted when there is a vacancy or a need for more managers (ie. we increase in size).”*
- *“It'd be great if we had supervising attorney positions for our practice areas - that's something I could see myself doing, but there are no opportunities.”*
- *“Not sure what the next level up is from a senior staff attorney if you don't want to do management.” Plus, opportunities to hire managers are few and far between.”*
- *“We have staff attorneys, team leaders, and upper management. No "senior attorney" in a subject area, no mentor positions, no trainers, very little of the type of middle management that I could aspire to next.”*
- *“Opportunities for advancement are very limited; will likely not open up. Should I want to advance to another position, I will need to look elsewhere.”*
- *“(I would like to have) commitment by my employer that I will be allowed to develop litigation skills and take on litigation with the support of experienced staff. I want the opportunity to show my agency my potential to succeed because I am passionate about the agency and work we do to help clients.”*
- *“Many mid-level staff leave when they realize there is no opportunity for advancement.”*
- *“There are managing attorneys, then a deputy director and executive director. It would be nice if there were more roles within the organization, especially at our size.”*
- *“The only higher positions are deputy director and executive director, which I don't want.”*
- *“The only positions above mine ... is Managing Attorney. I do not want to be managing attorney if that meant my current managing attorney was no longer at our agency.”*
- *“There are no higher positions except Program Director or upper level administrative roles, which I don't think I want.”*
- *“There should be a position between managing attorney and staff attorney. There is no room for growth.”*
- *“To progress to a Senior Attorney takes a lot of years and experience. It is very difficult to reach that level.”*

- *“Very difficult to advance even to senior attorney. Many attorneys cap out and are stuck never making it to senior level.”*

Managing not always attractive

- *“There are limited opportunities to advance in civil legal services. I do not want to do administrative work (manage grants, timesheets, meetings, development). I want to do civil legal work, but there are so few opportunities to advance in legal services and still have casework and client contact.”*
- *“I love the direct client work. I don't enjoy the HR issues that management must take on. I do like mentoring and teaching, but I would need to also be able to work with clients.”*
- *“I am content at the level of my position, and any advancement would mean more administration which I am not interested in doing.”*
- *“I'm a directing attorney and I find the administrative responsibilities to be more frustrating than fulfilling.”*
- *“Management is over-burdened by admin work, and it is apparent that managing attorneys either devote all their time to admin and delegate substantive work to staff attorneys or become workaholics in order to contribute to case work. Neither option is appealing to me.”*
- *“Path to Advancement seems unavailable or not clear.”*
- *“Management has been unclear with me whether there are any advancement opportunities.”*
- *There are no clear guidelines for how advancement occurs. Many decisions are made based on the highest paid person's opinion, not on data, not with consensus, and not with predictability.”*
- *“Managers promote people without posting the position or notifying staff of the available opportunities.”*
- *“The decision to hire or promote someone in a new management position is not transparent; seems like only a few who are already managers are elected to new positions.”*
- *“I feel I would be passed over for advancement due to personal politics within the organization.”*
- *“The organization favors outside candidates.”*
- *“Promotions appear to be based on seniority and who the existing managers would prefer to work with. Some highly experienced attorneys are passed over for promotion due to interpersonal relationships and not competency/experience.”*

Professional Development

- *“... I have to seek [training]out myself. Not a lot of support to identify training and professional development.”*
- *“... I would like the opportunities for broader trainings centered around professional development, not necessarily content development/expertise.”*
- *“I would like to receive more training in policy advocacy and bringing affirmative cases.”*
- *“I would like to have a legal writing training.”*
- *“I'd like to engage in higher-level trial skills and housing trainings. I'm not entirely sure how to make that happen.”*
- *“I do not receive the professional development I need.”*

- *“We typically get approval for trainings we want to do, although it is harder to get approval if training is in another location. I don't really receive any training related to professional development, so that's the biggest thing I would change.”*
- *“Our organization talks a lot about professional development, but in practice I find little time for training and things that would help with professional development. I would say some of this is the organization, but a great deal of this is also my unwillingness to prioritize things that are not core job functions. I likely could do better at getting training that I want, but I feel like that would likely come at the expense of other job duties which I feel more compelled to focus on.”*
- *“Recently, my project invested in sending its attorneys to additional trainings and conferences. This is great because I had not been to one in the three years I had been at the firm. It was not a priority until recently.”*
- *“I don't feel the need for more training but I do lots of mentoring of younger attorneys and they need more training opportunities.”*
- *“I have been in the organization long enough to feel comfortable with asserting myself so that I can go to the trainings which I feel will be valuable for my professional development and for purposes of networking but I think this is difficult for the newer attorneys and they are either afraid to ask or don't know to ask to go to trainings.”*

Appendix 7: Attorneys Comments about Diversity, Equity, and Inclusion

Current Attorneys participating in the Survey expressed a range of ideas for strengthening Diversity, Equity, and Inclusion in their organizations. Here are some samples:

Have a staff person

- *“It would be helpful to have a paid staff member who is in charge of DEI issues at our workplace. As a manager, it is challenging to grapple with these issues without professional support.”*

Mentors/support

- *“Building more capacity in the area of folks whose roles are to support others internally without the burden of a caseload, and to make sure the folks who are hired in these positions are people who are thoughtful about DEI.”*
- *“Our organization could do a better job of mentoring and ensuring that younger, diverse attorneys (people of color, people with disabilities, LGBTQ+ people) have greater opportunities to gain experience and are included in decision-making about the projects that we work on.”*

Increase diversity in management

- *“We need more diversity in (management) positions and my race (White) is already over-represented in upper management. I know I would be given the chance, but I will not pursue it until we improve our diversity and inclusion practices.”*
- *“I think our big goal needs to be diversity in management and ensuring we retain diverse staff we've hired.”*
- *“Yes, I would like to see more diversity in the leadership of the organization, and I would like to see more open conversations about how diversity adds value and informs our work.”*
- *“The entire executive management team is white women, the board is largely rich white men. There are very few black professionals in the organization and the leadership does not appreciate the financial hardships that the organizational base makes to do the work we do. The org needs to infuse its executive management with people of different races, ethnicities, genders, etc.”*

Other

- *“Diversity does not mean we hire more women than men (ever heard of the term “Pink ghetto” for legal aid lawyers?!), it means we have representation across all decision-making levels in the organization. It means we let multilingual lawyers be lawyers and not interpreters. It means we provide training that meets the needs of both new lawyers and seasoned lawyers, both lawyers in big offices as well as small (when one program serves multiple locations) and it means that we mentor lawyers from rural schools, from diverse communities, and from communities of color.” (Former Attorney)*
- *“Improve diversity of board of directors and upper management; provide language stipend for staff with translation/interpretation abilities; improve and standardize family leave policies; include staff in decision-making; more transparency around decision-making”*
- *“Raise salaries, improve family friendly policies, creating pipelines for advancement, connecting attorneys to mentors”*
- *“Create mentorships and training so that people of color can rise to upper management, pay*

stipends for language skills brought to the org, create a pay scale that reduces pay inequity between people, create and use a transparent grievance procedure for people who feel harassed in the workplace.”

- *“There is increasing focus on equity and inclusion. What seems to be forgotten are issues related to people with medical issues or physical disabilities.”*
- *“When I look around my organization, I see lots of different faces. Old, young. Men and women. Black, white, Asian, Hispanic.”*

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