

The Quest for the Best: Attorney Recruitment and Retention Challenges for Florida Civil Legal Aid



Prepared for The Florida Bar Foundation and the Recruitment,
Retention, Development and Diversity Subcommittee of the
Florida Project Directors Association

By

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PREFACE

I am pleased to present this report, *The Quest for the Best: Attorney Recruitment and Retention Challenges for Florida Civil Legal Aid*, to the Florida civil legal aid community. This report is the result of a study designed and undertaken by Kelly Carmody of Phoenix, Arizona, a consultant to the Foundation. Kelly's experience with and insight into legal aid programs was an invaluable benefit in this undertaking. The Florida Bar Foundation, a partner with the legal aid community for more than twenty years, believes that funding a high quality civil legal aid system is critical to ensuring access to justice for low-income families residing in Florida.

This report grew out of a realization in 2005 that the Foundation was experiencing historically high levels of revenue from Interest On Trust Accounts (IOTA), which would produce significant increases in the Foundation's funding for legal services grants. In fact, these grants have grown from \$10.5 million in 2005 to \$24.2 million in 2007. This increased funding creates real opportunities to strengthen and expand ongoing efforts to support legal services for the poor as well as develop new initiatives to address unmet client and programmatic needs.

The Foundation's Legal Assistance for the Poor Grant Committee asked the staff to develop a funding plan that addresses new initiatives and increases historical grant program funding. The Foundation staff began by exploring an initiative to raise attorney salaries, and the civil legal aid program's executive directors formed a special committee, the Recruitment, Retention, Development and Diversity Committee, to work on the initiative.

The Foundation staff and the committee realized that in order to maximize the impact of a new initiative, more information was needed about attorneys' salaries, educational debt, when and why attorneys were leaving programs, and what attorneys needed and wanted in order to have a satisfying career in Florida civil legal aid. This report is the result of a significant effort to gather information from current and former legal aid attorneys through web-based surveys, personal and telephone interviews and focus groups. The 88 percent participation rate by current legal aid attorneys is a strong indication of their concern about these issues.

This report gives the Foundation and the civil legal aid programs a comprehensive look at the financial and workplace issues legal aid attorneys are facing and provides recommendations for how to address them. It is rich with information directly from the attorneys who labor every day to provide legal assistance for the poor. Our challenge now is to undertake a plan of action, based on this information, which ensures we can successfully recruit and retain attorneys who are highly effective, committed and aggressive advocates to continue this critical work.

This report's recommendations provide a vision and steps to achieve the vision to a community dedicated to providing the best legal assistance possible to Florida's poor. The Foundation is committed to continuing its partnership with the legal aid community to achieve this vision.

Paul Doyle
Legal Services Director
The Florida Bar Foundation

*The Quest for the Best:
Attorney Recruitment and Retention Challenges for Florida Civil Legal Aid*

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**Many thanks to the hundreds of
current and former attorneys who
took the time to complete surveys, be
interviewed and participate in focus
groups. This report would not have
been possible without their dedicated
participation.**

EXECUTIVE SUMMARY

“I love my job, but my bills don’t accept love for payment.” That statement, made by an attorney during an interview for this study, sums up at least one of the challenges facing many Florida civil legal aid attorneys. That legal aid attorney salaries are low was known before this study. However, the extent of the salary problem and all the other factors involved in successfully recruiting and retaining high quality civil legal aid attorneys was not known. This report fills that void by providing comprehensive quantitative and qualitative data that details the major attorney recruitment and retention challenges facing Florida civil legal aid.

Much of the report’s data is from the attorneys themselves, both those who currently work for legal aid and those who have left in the last five years. Data was also gathered from law students and law school staff to ensure that prospective attorneys were heard from as well. One of the goals of the study was to make sure that the individuals affected by programs’ recruitment and retention policies and practices were heard from directly and their views documented. This goal was successfully achieved with a wealth of rich data supplied. Because of the volume of the data, the primary findings are outlined in Highlights of Findings (Attachment 1).

Dramatic Attorney Turnover and Recruitment Difficulties

Florida civil legal aid attorneys are leaving the programs at an alarming rate. During the past five years, the average annual turnover rate for the programs combined has been 20 percent with *one out of five* attorneys leaving each year. Some programs have more than *one out of two* attorneys leaving each year. When one looks back five years to the beginning of 2002 and asks how many attorneys are still employed with the program they were with at that point, the answer is *only 39 percent*. Perhaps more startling is that of those who left in the last five years, half left before they had been with their programs two years.

Top five reasons (in order) attorneys left:

- *Financial pressure due to low salary*
- *Poor management*
- *Financial pressure due to student loans*
- *Lack of professional support*
- *Poor supervision*

This level of turnover has taken a toll on legal aid attorneys, their clients and the programs. The constant churning of attorneys means that those who remain have to pick up the open cases and try to provide assistance to more clients while positions are being filled. Many times these cases fall to the supervisors who also bear the burden of training new attorneys who often leave soon afterwards. High turnover is also bound to take a toll on the quality of the work.

Unless action is taken soon, turnover looks to get even worse. More than one out of two (56 percent) of the current attorneys think they will leave within the next five years. Given that half of the attorneys who have left in the past five years did so within two years, many attorneys that will leave within the next five years have not even joined a program yet.

The problems caused by turnover are compounded by the increasing difficulty programs are having recruiting quality applicants for attorney positions. Some programs, including large programs in cities in desirable locations, report receiving few or no qualified applicants for positions that have been open for more than a year.

However, this report is not just about why attorneys have left or may leave or why attorneys do not apply to work for Florida civil legal aid. It is also about the situations of attorneys who provide legal assistance to the poor day after day, and what they need in order to have a positive, financially-rewarding work experience.

Causes of Recruitment and Retention Challenges

Salaries: The primary cause for attorneys leaving and not applying for positions is the abysmally low salaries paid by Florida civil legal aid. The median starting salary of \$38,500 is below what most new attorneys need to meet the cost of living and far below the salary one would expect for a highly-educated professional. Just as troubling is the rate at which salaries increase. It takes a median of nine years for a staff attorney to reach a salary of more than \$50,000.

Many current attorneys are suffering severe financial hardship and stress because of their low salaries, stress that detrimentally affects their effectiveness at work. Many attorneys do not know whether they will receive an annual salary increase, or what the amount might be, because many programs do not use a salary scale. This lack of transparency leads to concerns about the fairness of salary determinations.

Top five reasons (in order) attorneys think they will leave:

- *Financial pressure due to low salary*
- *Financial pressure due to student loans*
- *Burn-out*
- *Financial pressure due to other extraordinary expenses*
- *Personal reason*

Sixty-five percent of the attorneys who said they think they will leave within the next five years said that a salary increase would definitely or probably impact their decision. Ten thousand dollars was the median amount given by those who said an increase would make a difference. This is the same amount as the median salary increase attorneys who left in 2006 received in their new jobs.

Educational Debt: Florida civil legal aid attorneys' educational debt is crushing and another major reason attorneys have left and think they will leave. More than half (54 percent) have educational debt, with a median amount of \$70,000 - \$79,000. However, the percentage of attorneys with educational debt and the amount of debt increases sharply for the more recent law school graduates, with *100 percent of the 2006 graduates having debt—and at a median of \$110,000*. Many attorneys are forced to consolidate their loans and extend their terms to 25 or 30 years to afford the payments, which dramatically increases the total payments and leaves the attorneys paying primarily interest for years.

The Florida Bar Foundation has a commendable Loan Repayment Assistance Program (LRAP) that, with some funding from the programs, provides assistance to approximately 40 percent of the attorneys who have law school educational debt. In total, 59 percent of the attorneys with educational debt receive assistance from LRAPs sponsored by the Foundation, employers, Equal Justice Works, AmeriCorps, or law schools. However, that leaves more than 40 percent who do not receive any level of assistance with their loans.

Supervision: One of the top five reasons attorneys cited for leaving in the last five years was poor supervision. Many current attorneys, particularly new ones, need and want more extensive and improved supervision. Many supervisors are too busy with their own caseloads and other responsibilities to provide the amount and quality of supervision they would like and their

supervisees need. In addition, supervisors say they need, and many want, training in how to supervise.

“I adore my job. It makes me really sad that the poor salaries (and...less than sufficient supervision, training and support staff) are the reason that I likely will not make this job a life-long career.” (Current Attorney)

Job Diversity, Job Stress and Burn-out: Burn-out is the #3 reason why attorneys think they will leave. Civil legal aid jobs are notoriously stressful, and some attorneys and programs believe constant, high stress is inevitable. Inadequate staffing and reliance upon special grants with high deliverables can also make legal aid jobs repetitive and stifle professional growth and reward. Many attorneys would like their jobs to be more diverse in the type of case and skill required to provide assistance. And many also want more challenging work.

Leadership Development and Advancement Opportunities: Many current attorneys would like to advance in their programs, but believe they have no way to do so. Former attorneys expressed

the same belief. Many current attorneys, as well, are ready and willing to work on projects that develop their leadership abilities and/or improve their advancement opportunities, but are not given the occasion to do so.

Recruitment and Hiring: Despite the need, recruitment and hiring of attorneys are not prioritized by most of the programs. Necessary time and financial resources are not invested in these crucial functions. Hiring is generally slow and cumbersome, which causes programs to miss opportunities to hire interested candidates. Recruitment efforts, outside of the Summer Fellows program and career fairs, are conducted by individual programs and not coordinated statewide.

Recommendations to Meet the Challenges

This report provides detailed recommendations to the Foundation and the civil legal aid programs about actions to take to meet Florida’s recruitment and retention challenges. The major recommendations, in summary, include the following:

Salaries: Attorneys should receive, on average, a salary increase of \$10,000 over the next two years. The Foundation should provide grants specifically for attorney salaries in 2008 and 2009. The receipt of a grant should be contingent on a program having a board-approved salary scale and salary plan. By the end of 2009, the minimum starting salary should be \$48,000. Programs or offices in high cost areas should have a higher minimum starting salary.

Loan Repayment Assistance: The Foundation’s LRAP should be expanded and enhanced in four primary ways: (1) all attorneys with educational debt should receive assistance; (2) all educational debt, not just law school debt, should be eligible for repayment; (3) assistance should be based on the debt balance instead of a percentage of the annual payments; and (4) the annual amount paid should be increased to \$8,400. All programs should participate financially (20 percent match) in the Foundation’s program.

Supervision: Programs should (1) provide more time for supervisors to supervise; (2) develop standards or guidelines for supervisors; and (3) develop a supervisor skill-building program for new and experienced supervisors. The Foundation should support the development of supervisory skills-building programs.

Job Diversity, Job Stress and Burn-out: Programs should (1) develop and provide more opportunities for attorneys who want to handle a broader variety of cases and develop and use additional skills; and (2) develop and implement ways to create a work environment that minimizes high stress and burn-out.

Leadership Development and Advancement Opportunities: Programs should (1) provide leadership development opportunities within the programs for all attorneys; (2) coordinate regional and/or state leadership development projects and training; and (3) develop job positions which provide more responsibility and compensation. The Foundation should support the coordination of regional and/or state leadership development projects and training.

Recruitment and Hiring: Programs should (1) streamline hiring practices and develop an updated package of information and financial incentives for potential applicants; (2) build and maintain strong relationships with promising candidates, particularly law students and attorneys of color; and (3) coordinate recruitment at the regional and/or state level.

Another current attorney's comments describe, in a personal way, why the Florida civil legal aid community must meet the challenges presented swiftly and completely.

"Honestly, I like my job. I really enjoy helping people, and there are those days that I truly feel that I am making an impact in society. That really matters to me. But these sentiments are tempered with stress --both financial and emotional. There are those days when I feel that I definitely do not receive enough compensation to deal with the job and its stressors. I went to law school, worked hard, and graduated with honors, and sometimes I just get by for rent, car payment, insurance, a random car repair, food, and daily living. Also, working in this position causes stress! I know that's true with any job, but I believe it can be amplified working with people living in poverty. Emotional and work help would go a long way in combating these stressors."

METHODOLOGY

A wide variety of data collection methods including surveys, interviews and focus groups was used to ensure a comprehensive review of current and former attorneys in Florida civil legal aid and the programs for which they work. The data was collected from February to June 2007.

Survey of Current Attorneys

Attorneys employed by 28 Florida civil legal aid programs¹ in February 2007 were sent a 122-question web-based survey, covering the topics of demographics, education, educational loans, law licenses, civil legal aid background, current job situation, future plans, current recruitment, interviewing and hiring processes, and attorney recognition and development. (See Appendix 3 for a list of programs and Appendix 4 for the Current Attorney survey questions.)

Of the 377 current attorneys, 332 completed the survey for an 88 percent response rate. The characteristics of the survey respondents are all very similar to or the same as those of the current 377 attorneys, making the survey respondents' results representative of the actual current attorneys. The response rate of attorneys in individual programs ranges from 33 to 100 percent, with a response rate of 70 percent or more of the attorneys per program except for one small program. The survey respondents' characteristics are compared with the actual current attorneys' characteristics in Table 1.

Notes about the Data for the Reader

For purposes of analysis, attorneys were divided into two groups, those without supervisory/management responsibilities and those with supervisory/management responsibilities. In the report, the first group is called staff attorneys and the second group is called managing/supervising attorneys or managing attorneys.

Some information was analyzed by program¹ size. For this purpose, the programs were divided into small (1 to 5 attorneys), medium (6 – 20 attorneys), and large (20+ attorneys).

Not every survey respondent answered every question, so the number of total respondents may vary slightly when answers to two or more survey questions are analyzed together.

All percentages are rounded to the nearest whole number, so response totals may not add up to 100 percent.

Data is presented throughout the report in numerous tables, graphs and charts. An index can be found in Appendix 2.

¹ Civil legal aid programs are included in the study if they employ at least one staff attorney. Executive Directors are not included in the study.

Table 1: Comparison of Characteristics of Current Attorney Survey Respondents² and Current Attorneys			
		Current Attorney Survey Respondents	Current Attorneys
Position³	Staff Attorney	72 percent	70 percent
	Managing/Supervising Attorney	28 percent	30 percent
Working Time	Full-time	92 percent	90 percent
	Part-time	8 percent	10 percent
Gender	Female	73 percent	73 percent
	Male	27 percent	27 percent
Race/Ethnicity	White/Caucasian	73 percent	71 percent
	Hispanic/Latino	13 percent	11 percent
	Black/African American	10 percent	14 percent
	Asian/Pacific Islander	2 percent	2 percent
	Other	2 percent	2 percent
Age⁴	Under 25	0 percent	2 percent
	25-29	16 percent	19 percent
	30 – 34	22 percent	18 percent
	35 – 39	12 percent	12 percent
	40 – 44	11 percent	12 percent
	45 – 49	13 percent	13 percent
	50 – 54	12 percent	9 percent
	55 – 59	8 percent	8 percent
	60 – 64	5 percent	5 percent
	65 – 69	1 percent	1 percent
70+	1 percent	1 percent	

Survey of Former Attorneys

Attorneys who left employment with a Florida civil legal aid program from 2002 through 2006 were sent a web-based survey that also contained 122 questions, covering the topics of demographics, education, educational loans, law licenses, civil legal aid background, job situation while at civil legal aid employer, reasons for leaving civil legal aid employment, employment since leaving, and attorney recruitment, interviewing, hiring, recognition and development processes of Florida civil legal aid. (See Appendix 5.)

Of the 322 attorneys who left a Florida program during the five year period, 23 are employed with another Florida program and were not sent the former attorney survey. Of the remaining 299 attorneys, the survey was sent to 217 attorneys with identified working e-mail addresses. Ninety-seven attorneys completed the survey for a response rate of 45 percent of those contacted and 32 percent of all former attorneys no longer working in Florida civil legal aid.

² The percentages are of those who answered the specific question. Answers were not given to one or more of these questions by up to seven respondents.

³ Up to ten current attorneys may be characterized as staff attorneys for the report, but have supervisory responsibilities because of the differences in programs' position titles.

⁴ Age categories for the program data of the current attorneys are one year older, so not completely comparable. This likely accounts for some of the difference in the first two age categories. There was also a three month difference in timing between program data and survey results, which would result in survey respondents reporting older ages.

The characteristics of the survey respondents are all very similar to or the same as the actual former attorneys, making the survey respondents' results representative of the actual former attorneys. The response rates of former attorneys per program range from 0 to 100 percent, with responses from former attorneys from all but three of the 25 programs that have former attorneys. The survey respondents' characteristics, are compared with the actual former attorney's characteristics in Table 2. Note that the age of respondents is their current age, not the age when they left employment with civil legal aid.

Table 2: Comparison of Characteristics of Former Attorney Survey Respondents⁵ and Former Attorneys			
		Former Attorney Survey Respondents	Former Attorneys
Position	Staff	86 percent	87 percent
	Managing/Supervising Attorney	14 percent	13 percent
Working Time	Full-time	98 percent	98 percent
	Part-time	2 percent	2 percent
Gender	Female	76 percent	72 percent
	Male	24 percent	28 percent
Race/Ethnicity	White/Caucasian	66 percent	63 percent
	Hispanic/Latino	13 percent	15 percent
	Black/African American	18 percent	20 percent
	Asian/Pacific Islander	3 percent	1 percent
	Other	0 percent	1 percent
Age	Under 25	0 percent	1 percent
	25-29	15 percent	19 percent
	30 – 34	27 percent	27 percent
	35 – 39	18 percent	17 percent
	40 – 44	6 percent	6 percent
	45 – 49	14 percent	13 percent
	50 – 54	7 percent	6 percent
	55 – 59	5 percent	6 percent
	60 – 64	4 percent	3 percent
	65 – 69	1 percent	1 percent
	70+	2 percent	1 percent

Survey of Former Summer Fellows

The Florida Bar Foundation sponsors law students, known as summer fellows, who intern in the civil legal aid programs funded by the Foundation. See page 38 for a full description. One hundred eighteen individuals served as fellows during the summers of 2001-2006. A 32-question web-based survey was sent to 103 of them—the number who had usable e-mail addresses. (See Appendix 6.)

⁵ The percentages are of those who answered the specific question. Answers were not given to one or more of these questions by up to seven respondents.

Fifty-four former summer fellows completed the survey for a response rate of 46 percent for all of the former summer fellows and 52 percent of those who received the survey. Survey respondents had worked for 20 of the 24 programs that had summer fellows during that time period. The range of response rates from fellows who had worked for different programs was 0 – 83 percent. The median response rate per program was 40 percent. Thirteen respondents are currently legal aid attorneys with one of nine of the programs. Characteristics of the full group cannot be compared to the survey respondents as the full group's characteristics are unavailable.

Survey of Top Candidates from Career Fairs

A 22-question survey was e-mailed to attorneys who had been identified as law students who were top job candidates at legal career fairs from 2003 – 2006, but did not take a position with a civil legal aid program in Florida. (See Appendix 7.) Of the 82 identified individuals, forty-one had identifiable, usable e-mail addresses. Six individuals completed the survey for a seven percent response rate of all individuals and 15 percent of those contacted. Five of the survey respondents were Black/African Americans and one was Spanish-speaking Hispanic/Latino. (The racial/ethnicity make-up of all of the top candidates is unavailable.) The respondents were from five different law schools—three of which were outside Florida, and they had attended six different fairs during 2004-2006.

Although they may not be representative of all of the candidates, their responses are particularly useful because they come from members of racial and ethnic groups from which programs specifically recruit from for diversity.

Interviews and Focus Groups of Current Attorneys

Volunteers for interviews of current attorneys were solicited through the survey instrument, an e-mail to all current attorneys, and a follow-up e-mail to the attorneys in two programs that had not had attorneys volunteer and were large or rural programs. Forty-three attorneys were interviewed in person, 33 attorneys were interviewed by telephone, and 24 attorneys participated in focus groups.

Eleven attorneys were both interviewed in person and participated in focus groups, so a total of 89 attorneys—24 percent of current attorneys—were interviewed, in a focus group or both. This was nearly all of the attorneys who volunteered. The participants' characteristics were similar to all current attorneys. The characteristics in Table 3 can be compared with the actual current attorney's characteristics in Table 1.

The interviews lasted 30 to 60 minutes, and primarily included follow-up questions to the interviewees' survey responses. This allowed for discussions about the topics covered on the survey.

Focus groups were conducted in four locations. Each lasted 60 to 90 minutes. The Miami group included nine attorneys who had graduated within the last five years (2002 – 2006), and included attorneys from Legal Services of Greater Miami and Florida Immigrant Advocacy Center. The Jacksonville group included six supervisors from Jacksonville Area Legal Aid and Three Rivers Legal Services. The Tampa group included six attorneys who, by chance, were very experienced attorneys—law school graduation dates of 1977 – 1990. The St. Petersburg group had five attorneys with a mix of experience levels and supervisory responsibilities. Salaries were a large part of the discussions, but many topics were covered by all of the groups.

Table 3: Characteristics of Current Attorney Interviewees and Focus Group Participants				
Programs	Response rates range from one to 15 attorneys from a program, with a median of 3.5 attorneys from a total of 21 programs			
Supervisor	34 percent			
Gender	Female	78 percent	Male	22 percent
Race/Ethnicity	White/Caucasian	73 percent	Asian/Pacific Islander	0 percent
	Hispanic/Latino	15 percent	Other	1 percent
	Black/African American	11 percent		
EJW	11 current		6 former	
Graduation Date	Range of 1971 – 2006		Median of 2001	
Think will leave current job within 5 years	35 percent			

Interviews of Former Attorneys

Volunteers for former attorney interviews were solicited on the survey instrument and through a follow-up e-mail to those that volunteered on the survey. Sixteen—almost all of the volunteers—were interviewed by telephone. This is five percent of the 299 attorneys who left a Florida civil legal aid program from 2002 – 2006 and did not go to another Florida program. The interviewees’ characteristics are in Table 4, and can be compared with the characteristics of the former attorneys in Table 2.

Table 4: Characteristics of Former Attorney Interviewees				
Programs	Response rates range from one to three attorneys from 11 programs			
Gender	Female	81 percent	Male	19 percent
Race/Ethnicity	White/Caucasian	69 percent	Asian/Pacific Islander	0 percent
	Hispanic/Latino	19 percent	Other	0 percent
	Black/African American	13 percent		
EJW	0 current		3 former	
Graduation Date	Range of 2002 - 2006		Median of 2005	

Interviews of Executive Directors

Interviews were conducted of 14 of the 28 executive directors of the programs. Their programs were a mix of size, statewide/regional, union/non-union, and LSC-funded/non-

LSC-funded, and the executive directors were evenly divided by gender. Topics varied depending on the program, with salaries a large part of the discussions.

Interviews of Florida Law School Staff and Faculty

Staff or faculty members from five of Florida's ten law schools were interviewed about public interest activity at their schools (including loan repayment assistance) and law student recruitment. The law schools were at Florida State University, University of Florida, Florida Coastal School of Law, Nova Southeastern University, and University of Miami.

Program Data Review

The programs provided extensive information about salaries, benefits, attorneys who left in the last five years, hiring processes, payment of bar review and bar exam expenses, training and professional development policies, educational loan repayment policies, technology, human resources, and miscellaneous other topics.

Other Research

Research was conducted on a variety of topics affecting attorney recruitment and retention, including gathering comparison data about policies and their effects.

FINDINGS

A. DEMOGRAPHICS OF CURRENT ATTORNEYS

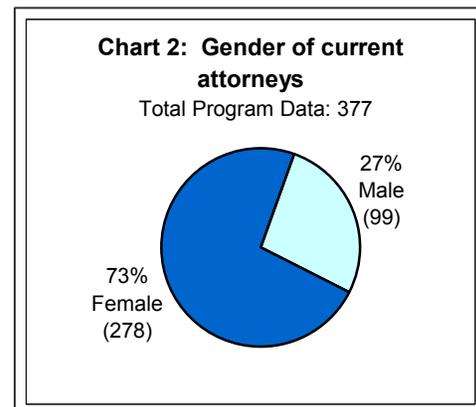
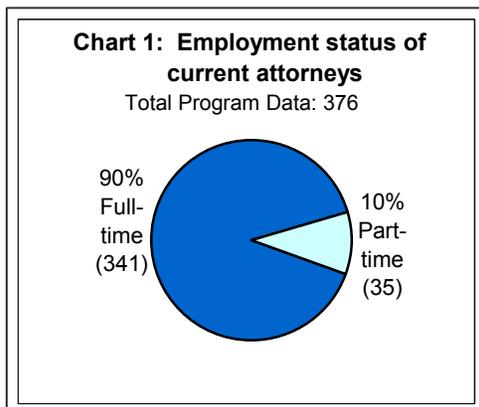
An in-depth look was taken at the demographics of current attorneys to find out exactly who is working for Florida civil legal aid programs. Much of this information is based on data received in February 2007 from the programs.⁶

Number of Attorneys. The 28 Florida programs employ 377 attorneys.⁷ One program currently has no staff attorneys, and the largest number of attorneys in a program is forty-one.

Positions. Seventy percent of the attorneys are staff attorneys. Thirty percent are managing attorneys or supervising attorneys—this includes all attorneys with management or supervisory responsibilities, i.e, advocacy directors, etc.

Full-time/Part-time. Ninety percent are employed full-time and ten percent are part-time. (See Chart 1.)

Gender. Nearly three-fourths of the attorneys (73 percent) are female. (See Chart 2.) The disproportionate number of female attorneys is a trend in civil legal aid nationwide, with the Legal Services Corporation (LSC) reporting that 74 percent of all full-time attorneys employed by a LSC-funded program are female.⁸ This is the opposite of all Florida attorneys—68 percent male and 32 percent female.⁹



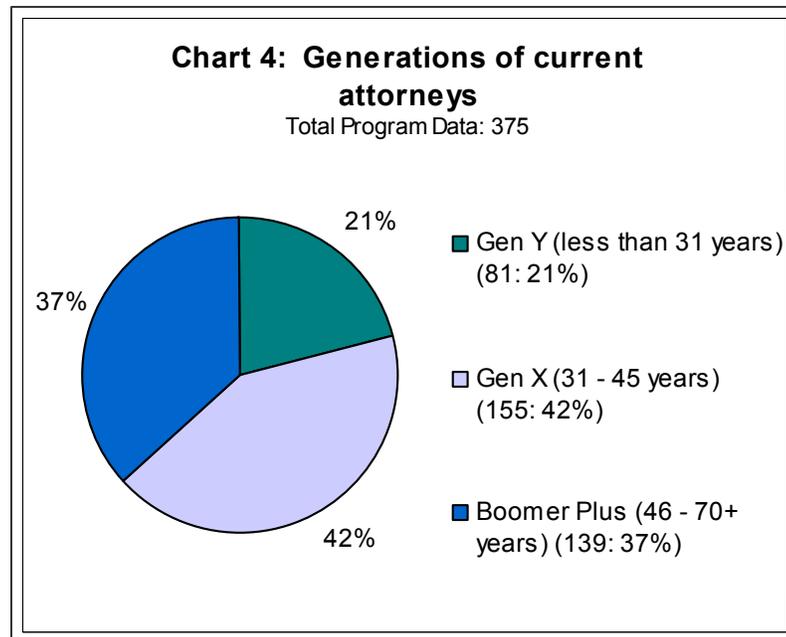
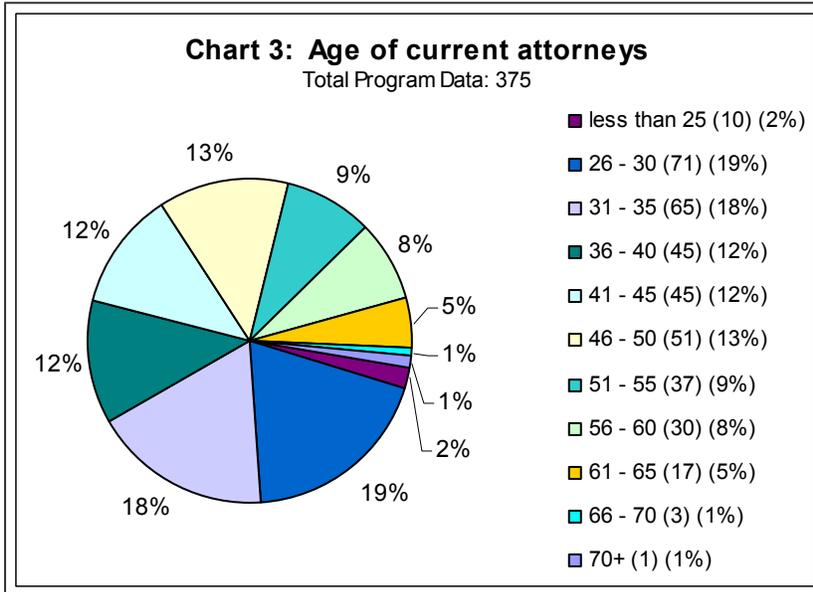
⁶ Survey data is noted by using the word “respondents” when survey data is used. Given the large number and similar characteristics of the survey respondents to the total current attorneys, the survey data is representative of the current attorneys. (See Methodology Section.)

⁷ The executive directors of the programs, all of whom are attorneys, are not included in the attorney data as the scope of the study does not include recruitment and retention of executive directors.

⁸ Legal Services Corporation, *Fact Book 2006*, June 2007.

⁹ The Florida Bar, *Results of the 2006 Economics and Law Office Management Survey*, December 2006.

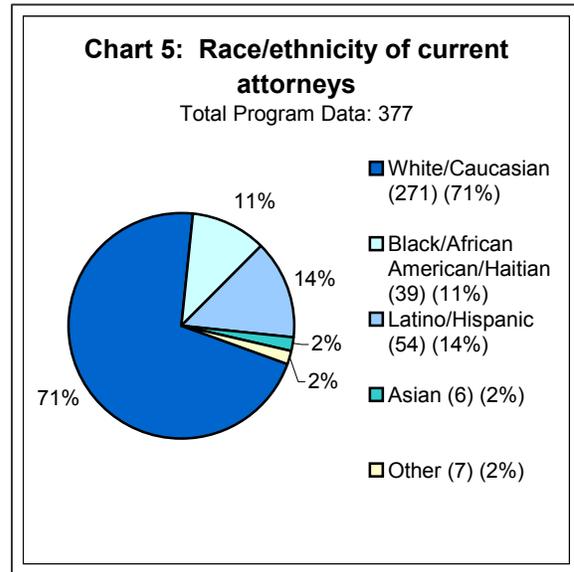
Age and Generation. Attorneys range in age from under 25 to over 70. (See Chart 3.) The largest percentage of attorneys (19 percent) is 26 to 30 years of age. Three-fourths of the attorneys (76 percent) are 50 or younger. The median age range is 36 to 40. When divided by generations¹⁰, the largest generation is Generation X at 42 percent of all current attorneys. (See Chart 4.)



¹⁰ Definitions of the generations vary. The Baby Boom generation is usually defined as those born between (and including) 1946 and 1964. Generation X is defined as those born between 1965 and 1976 or 1981. Generation Y is defined as those born in the 1980's or some say in 1977 and after. The data for the current attorneys was divided into five year increments and then assigned into generations as follows: 30 years of age and under for Generation Y, 31 – 45 for Generation X, and 46 – 70+ for Boomers Plus. See Appendix 8 for a description of the generations' characteristics.

Race/Ethnicity. The race or ethnicity of the current attorneys is shown in Chart 5.

The percentages of Latino/Hispanic attorneys and Black/African American attorneys in civil legal aid, 14 and 11 percent, respectively, are larger than the percentages of these racial/ethnic groups in the Florida Bar. The Bar’s 2006 Economics and Law Office Management Survey found that seven percent of Florida attorneys are Latino/Hispanic and two percent are Black/African American. However, civil legal aid’s racial/ethnic diversity is lower than that of the Florida poverty or client population, which is two percent Asian, nine percent Other, 24 percent Hispanic, and 29 percent Black. (See Table 5.)



	White	Black	Asian	Other	Hispanic ¹² origin
Percent of poverty population	59 (Hispanic included)	29	2	9	24
Percent of current attorneys	71	11	2	2	14

Other Languages. Thirty-seven percent of the current attorney survey respondents speak another language well enough to use it in their work. The survey data was more complete than the program data, which may indicate that programs do not collect this data. Three-fourths of the respondents who speak another language speak Spanish. Five percent speak Creole. These are the two primary languages other than English spoken by Florida civil legal aid clients.

Of the attorneys who speak Spanish, 80 percent are female, which is higher than the percentage of female attorneys (73 percent). This may be due partially to the more

¹¹ 2000 Census of Population and Housing, Summary File 3, Tables P-159A-G.

¹² Note that in the U.S. Census data, individuals of Hispanic origin may be of any race. Hence, people who identified themselves as Spanish, Hispanic or Latino may include people who also identified themselves as White, Black, Asian or Other. Since the data from the programs put Hispanic attorneys into only the Hispanic category, there is not an exact correlation between the census and program data.

recent graduates being bi-lingual, along with the more recent hires being disproportionately female. Fifty-five percent of the Spanish speakers and 80 percent of the Creole speakers graduated in 2000 or later. The trend of hiring bi-lingual staff is positive as 72 percent of the Spanish-speakers and 83 percent of the Creole-speakers have been hired since 2000. See Charts 6-11 for further information about languages spoken.

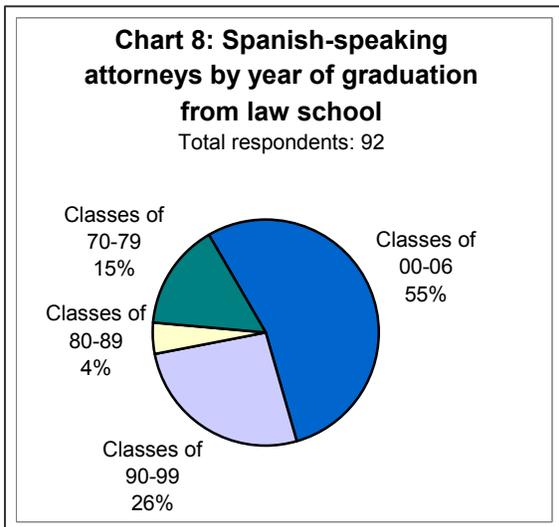
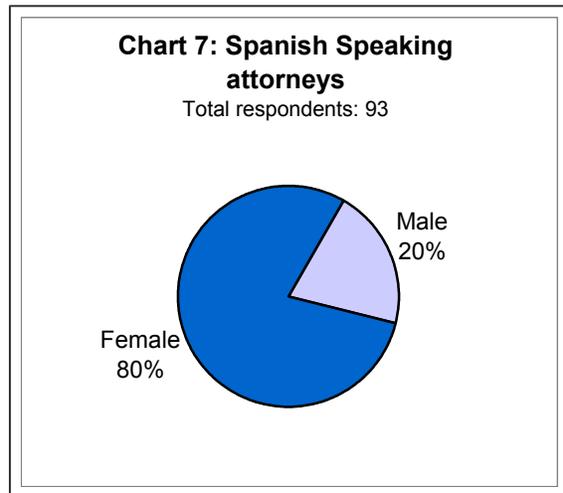
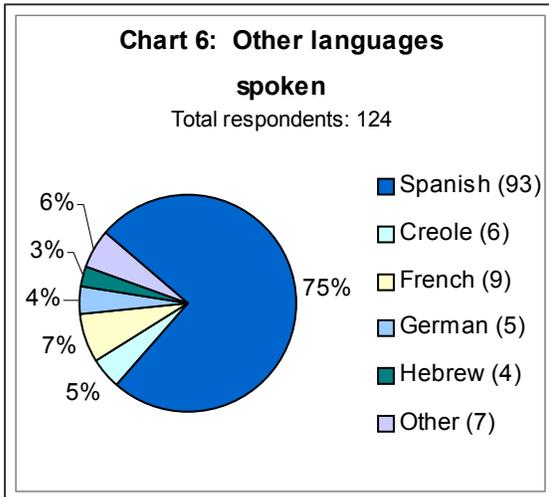


Chart 9: Creole-speaking attorneys by year of graduation from law school

Total respondents: 5

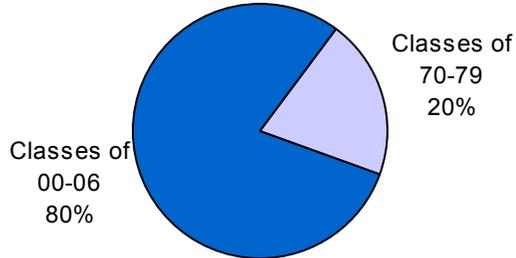


Chart 10: Spanish-speaking attorneys by year employed by present employer

Total respondents: 91

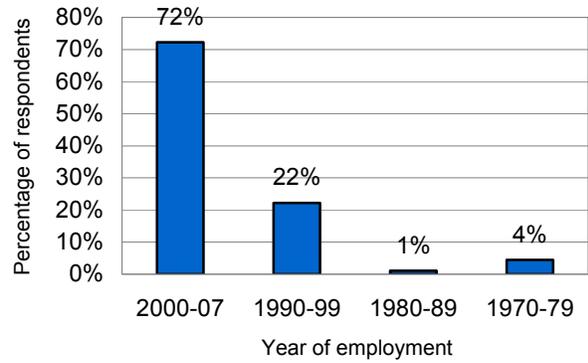
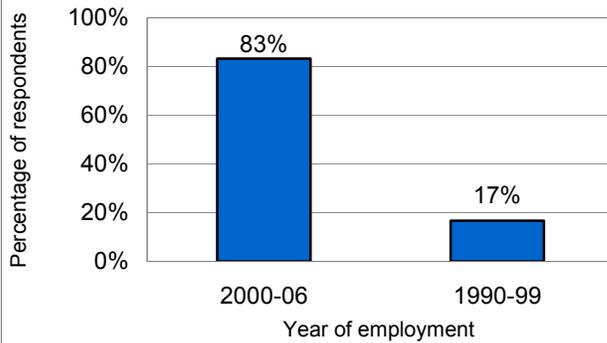


Chart 11: Creole-speaking attorneys by year employed by present employer

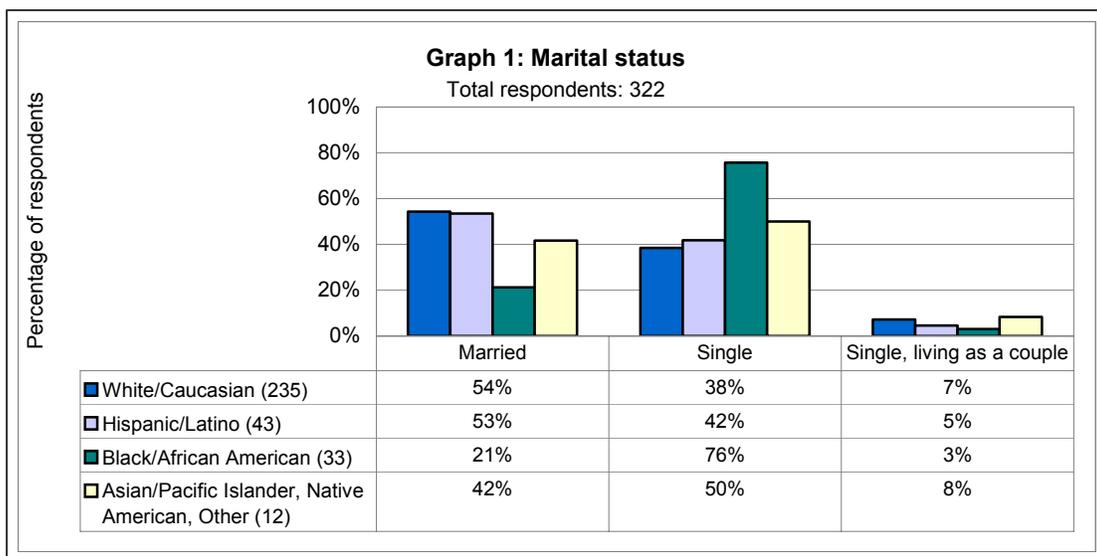
Total respondents: 6



Marital Status. Fifty percent of the current attorney respondents are married and six percent live with someone as a couple. (See Table 6.) Of the attorneys who are married, 70 percent are female and 30 percent are male. Similar percentages are true for single¹³ attorneys—tracking the overall respondents’ gender.

Table 6: Demographics of Current Attorneys					
Marital Status	Total	Percent	Primary Breadwinner	Total	Percent
Married	165	50%	Yes	208	66%
Single	142	43%	No	109	34%
Single but living as couple	21	6%	Total Respondents	317	100%
Total Respondents	328	100%			
# of Earners	Total	Percent	Children	Total	Percent
One	136	42%	None	188	58%
Two	180	56%	One	53	16%
More than two	7	2%	Two	56	17%
Total Respondents	323	100%	Three	16	5%
Roommates	Total	Percent	Four	Total	Percent
Yes	14	5%	Five	3	1%
No	268	95%	Total Respondents	322	100%
Total Respondents	282	100%			

The median age of married attorneys is 40 - 44, whereas, the median age of single attorneys is 35 - 39. Black/African American attorneys are more likely to be single (76 percent) as compared to White/Caucasian attorneys (38 percent). However, Black/African American attorneys are also disproportionately younger (Median of 30 – 34) than White/Caucasian attorneys (Median of 40 - 44). (See Graph 1.)



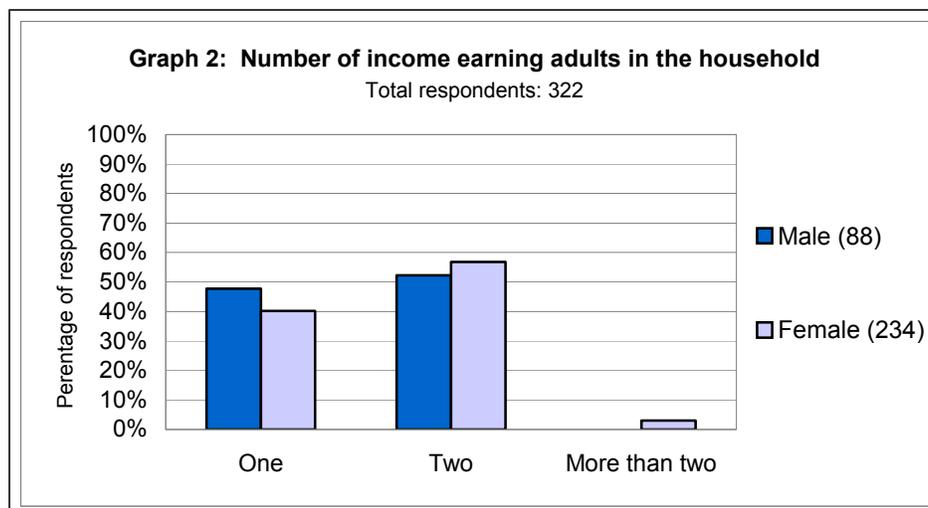
¹³ Single is defined as never married, separated, divorced or widowed.

Children. Forty-two percent of the current attorney respondents have children under 22. Sixteen percent have one child, seventeen percent have two children, and eight percent have three or more. A higher percentage of female attorneys are parents—44 percent as compared to 36 percent of male attorneys. Single female attorneys are more likely to be parents than single male attorneys—26 percent as compared to 14 percent of single males. Female attorneys also have a larger number of children. Some of these differences may be a function of age. (See Table 7.)

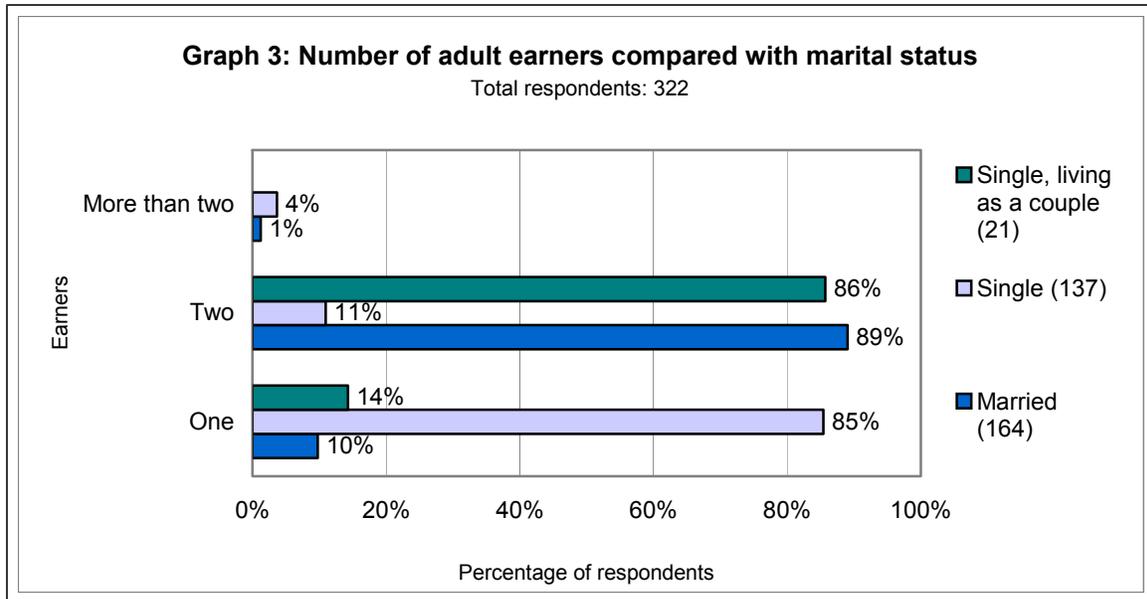
Table 7: Current Attorneys: Gender compared with Children					
Total Respondents: 322					
Number of children	All	All Females	All Males	Single Females	Single Males
0	58 percent	56 percent	64 percent	74 percent	86 percent
1	17 percent	16 percent	18 percent	13 percent	8 percent
2	17 percent	21 percent	8 percent	7 percent	3 percent
3	5 percent	5 percent	6 percent	5 percent	3 percent
4	2 percent	1 percent	4 percent	0 percent	0 percent
5	1 percent	1 percent	0 percent	1 percent	0 percent

Earners. The majority of attorney respondents (56 percent) have two earners, and two percent have more than two earners. However, 42 percent have only one adult earner in their household. (See Table 6.)

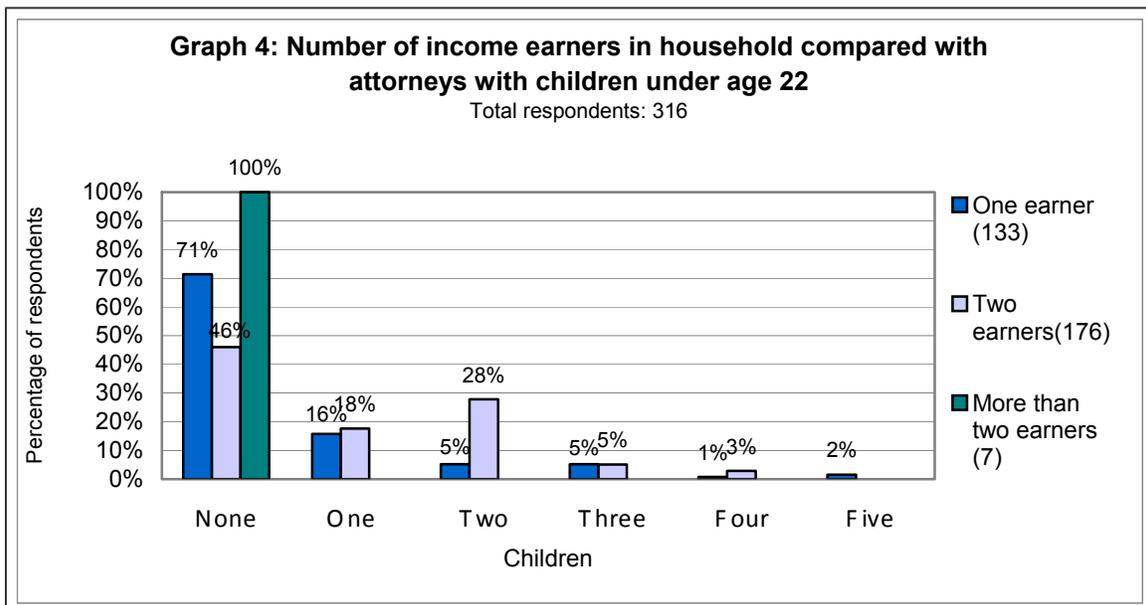
Males are more likely to have one earner in the household—48 percent as compared to 40 percent of female attorneys. Only female attorneys report having more than two adult earners in the household. Although the question was not asked about living with parents, based on interviews and narrative responses to the survey questions, the other earners are likely parents with whom the attorneys live. (See Graph 2.)



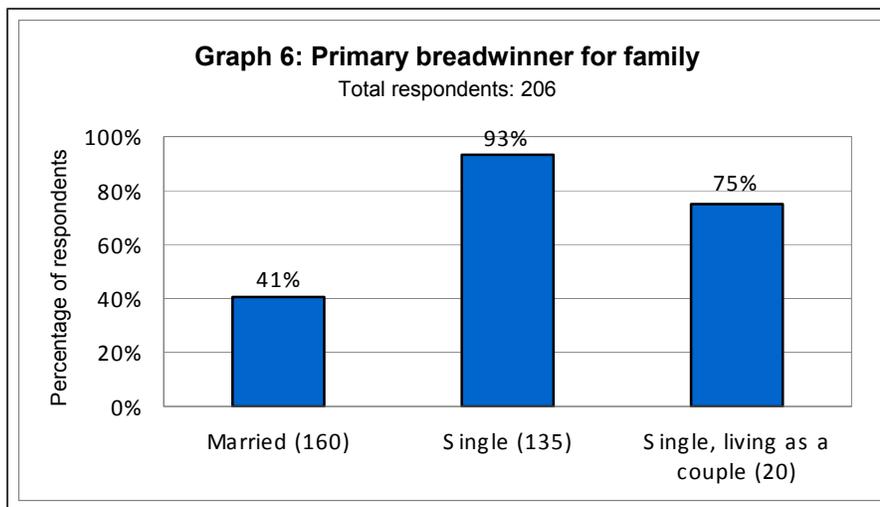
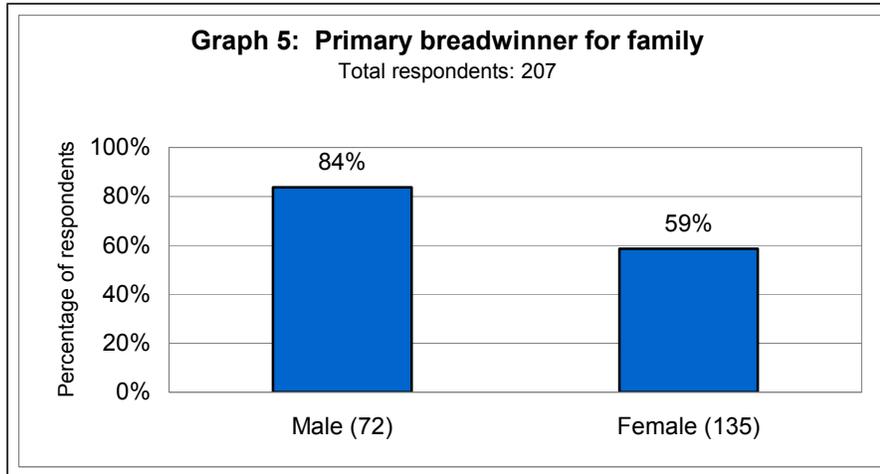
Ten percent of married attorneys and fourteen percent of the single attorneys living as a couple have only one earner in the household, whereas eighty-five percent of the single attorneys have one earner. (See Graph 3).



Twenty-nine percent of the attorneys with children have only one earner in the household. See (Graph 4).



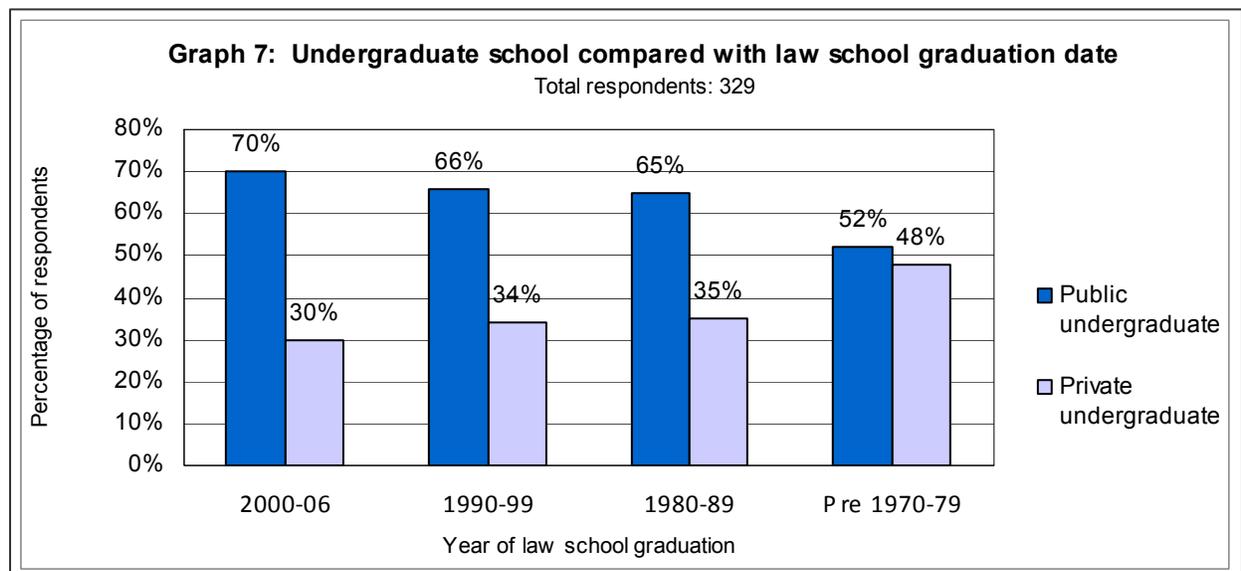
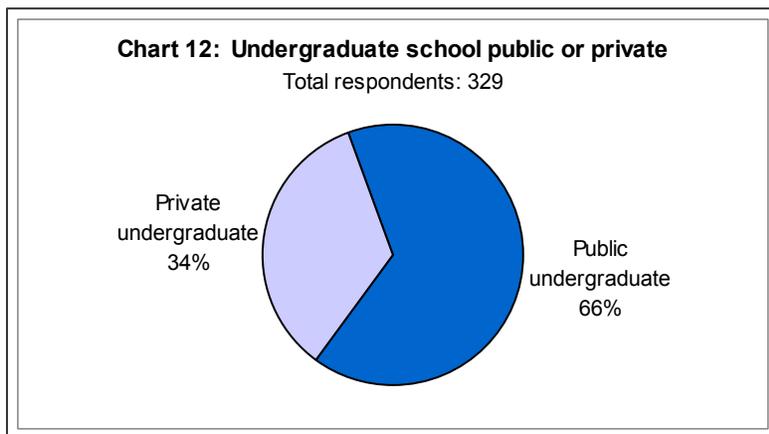
Primary Breadwinner. Two-thirds of the current attorney respondents are the primary breadwinners in their households. (See Table 6.) However, male attorneys are disproportionately the primary breadwinner—84 percent as compared to 59 percent of the female attorneys. (See Graph 5.) Only 41 percent of the married attorneys are the primary breadwinners. (See Graph 6.)



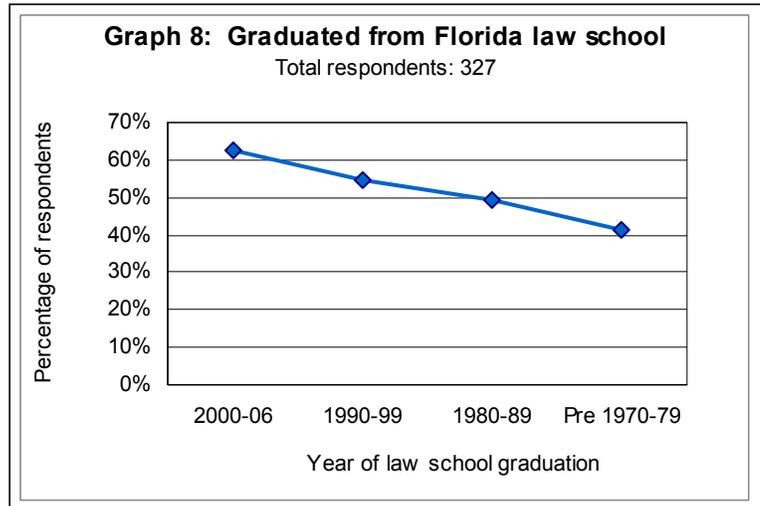
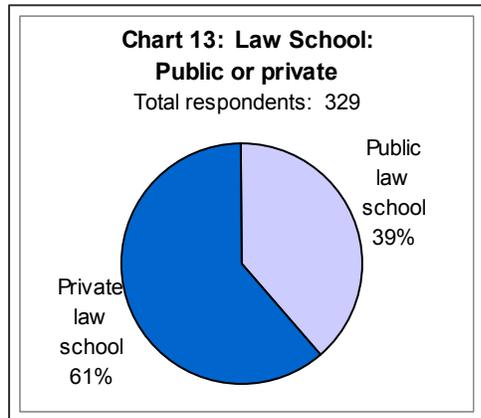
Roommates. Fourteen of 282 current attorney respondents live with an adult earner who is a roommate only. The median salary of the attorneys with roommates is \$40,000.

B. UNDERGRADUATE AND LAW SCHOOL EDUCATION OF CURRENT ATTORNEYS

Undergraduate Education. Two-thirds of the current attorney respondents attended a public undergraduate school. (See Chart 12.) The trend has been toward public undergraduate education, with 70 percent of more recent law school graduates attending a public school as compared to only 52 percent of the pre-1980 law school graduates. (See Graph 7.)

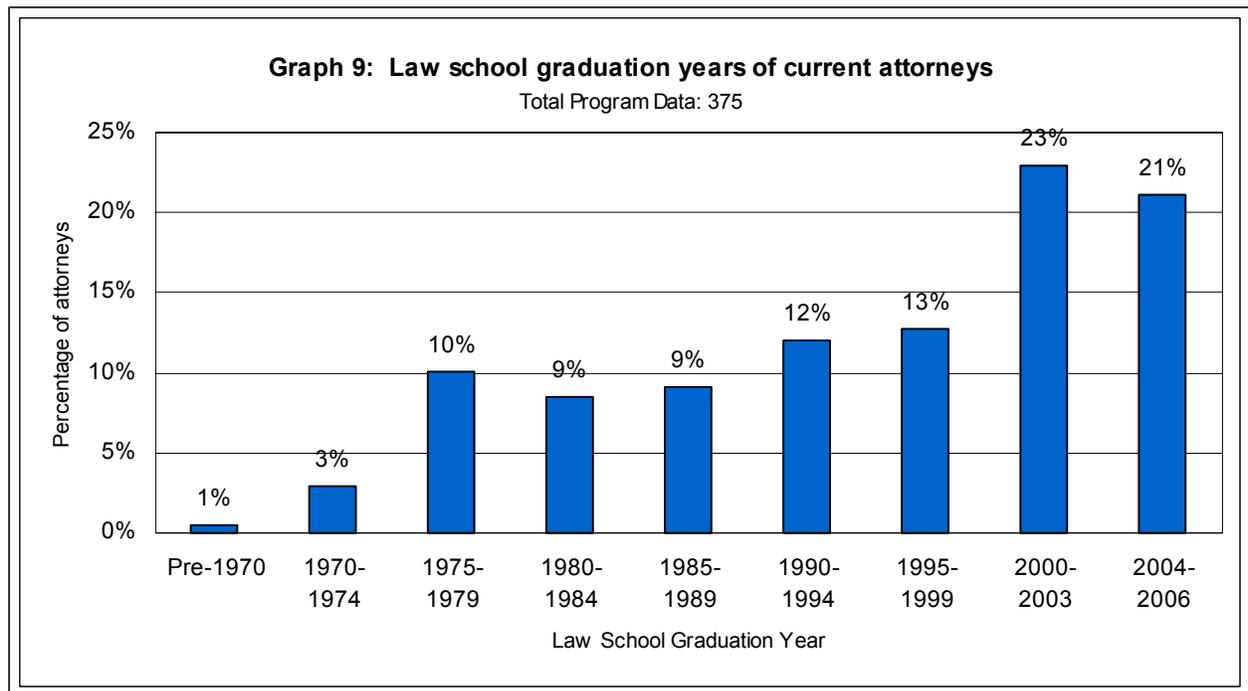


Law School Education. The percentages of private and public schools are nearly reversed for law school education compared to undergraduate education. Sixty-one percent of current attorney respondents attended a private law school. (See Chart 13.) This percentage is fairly steady—from 60 to 63 percent—over the range of graduation dates. More than half of the current attorneys (55 percent) graduated from a Florida law school. This is an increasing trend as 62 percent of the more recent graduates graduated from a Florida law school, as compared to 41 percent of the pre-1980 graduates. (See Graph 8.)



Law School Graduation Dates.

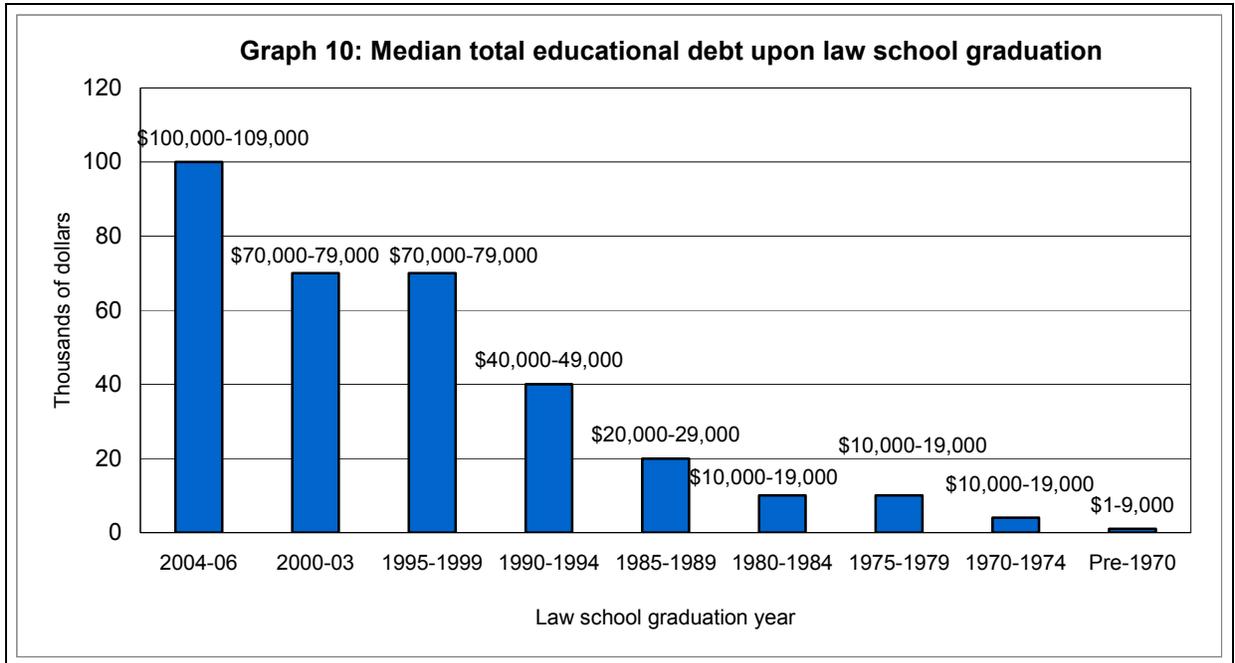
The current attorneys graduated from law school from 1961 through 2006 and have a median graduation year of 1997. However, more than 20 percent graduated in the last three years. (See Graph 9.)



C. EDUCATIONAL DEBT AND LOAN REPAYMENT ASSISTANCE

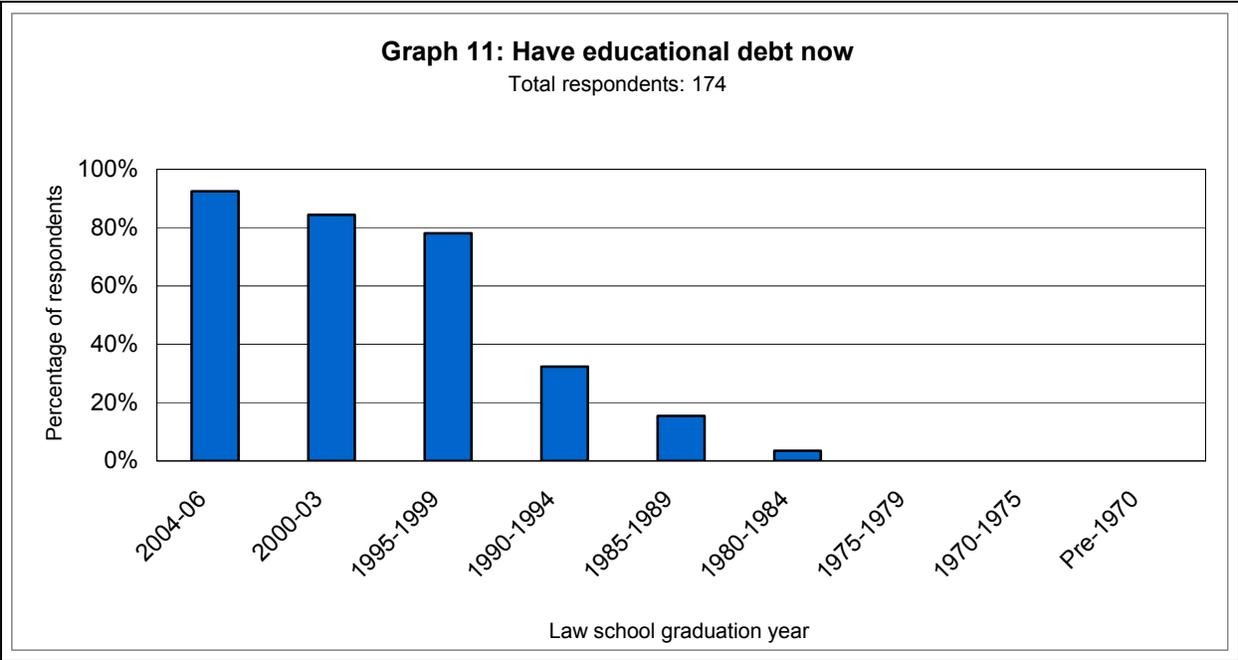
Educational Debt after Law School. Seventy-eight percent of the current attorney respondents had educational debt when they graduated from law school.

The trend of having educational debt is increasing with only 11 percent of the attorneys who graduated from 1995 through 2006 graduating with no debt. The amount of debt is inversely proportional to the attorney’s length of time from graduation. (See Graph 10.)

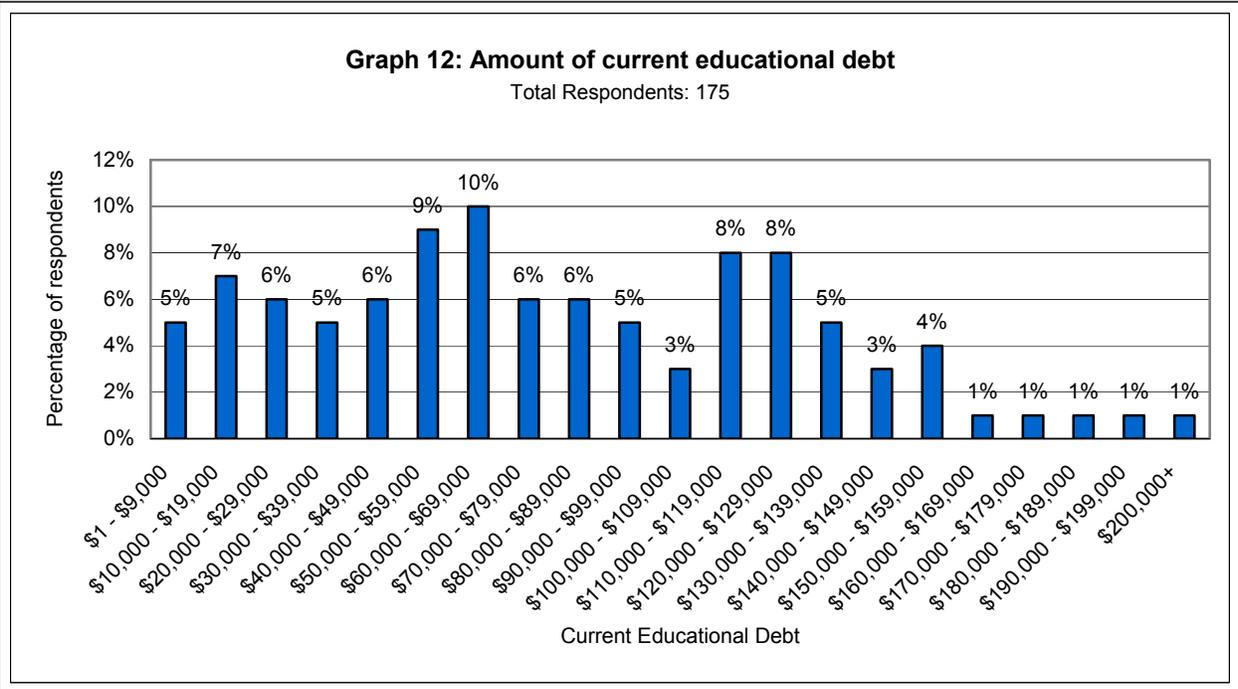


Educational Debt Now. More than half of the current attorney respondents (54 percent) have educational debt now. One hundred percent (19) of the attorney survey respondents who graduated from law school in 2006 have educational debt. Eighty-nine percent of those who graduated in the last five years (2002 through 2006) have educational debt. The percentage does not drop significantly until the classes of 1990 – 1994—thirty-two percent have debt. (See Graph 11.)

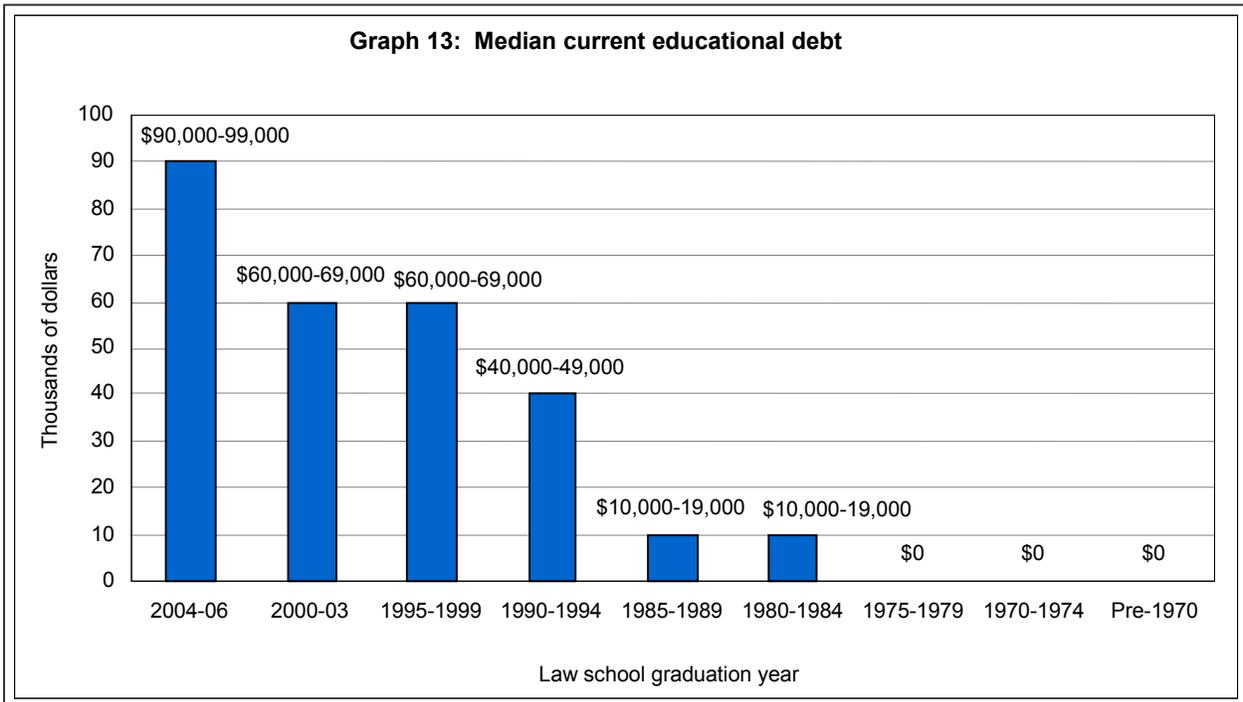
Finding: *Fifty-four percent of the current attorneys have educational debt now, and all current attorneys who are 2006 law school graduates have educational debt.*



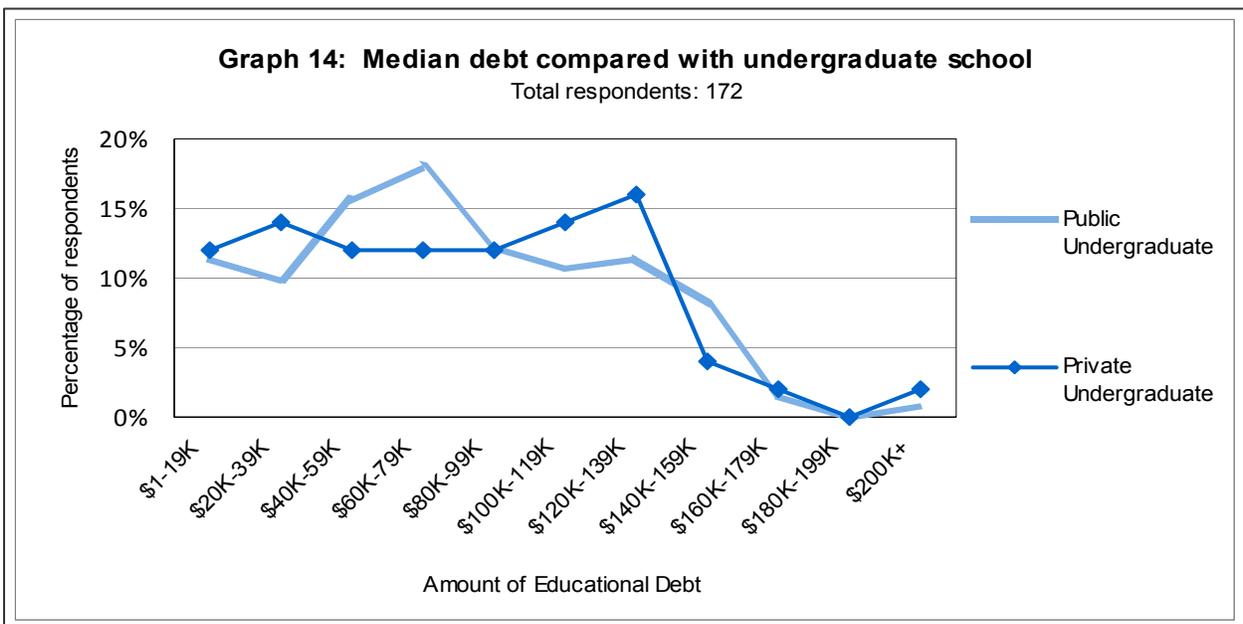
The amount of educational debt for current attorneys ranges from \$1—\$9,000 to more than \$200,000. The median amount of debt is \$70,000—\$79,000. (See Graph 12.)



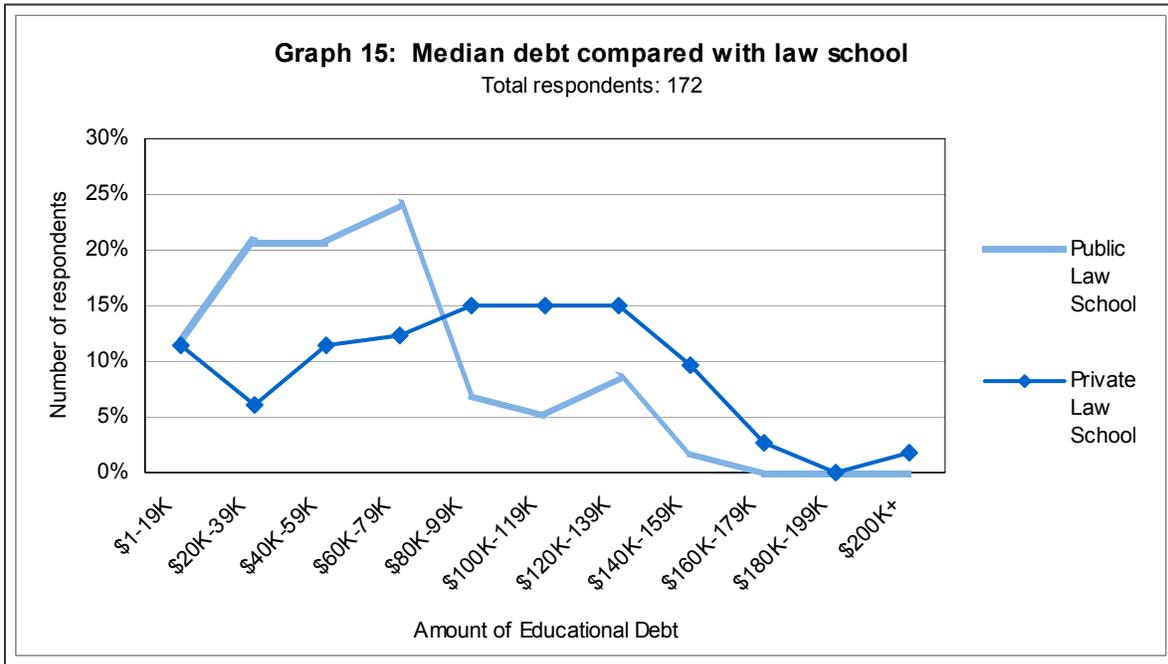
The more recent graduates have the largest amount of debt, with a median for those who graduated from 2004 through 2006 of \$90,000—\$99,000. (See Graph 13.) 2006 graduates have a median debt of \$110,000.



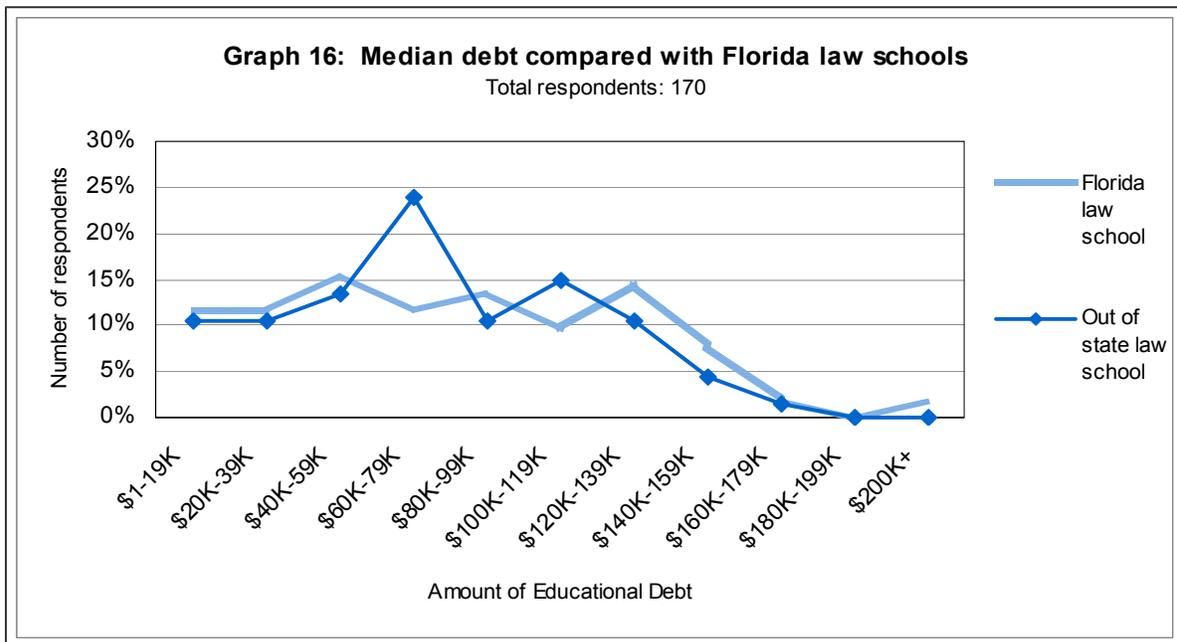
Attorneys who went to private undergraduate schools have a higher median educational debt than those who went to a public undergraduate school—\$70,000 - \$79,000 as compared to \$60,000 – \$69,000. (See Graph 14.)



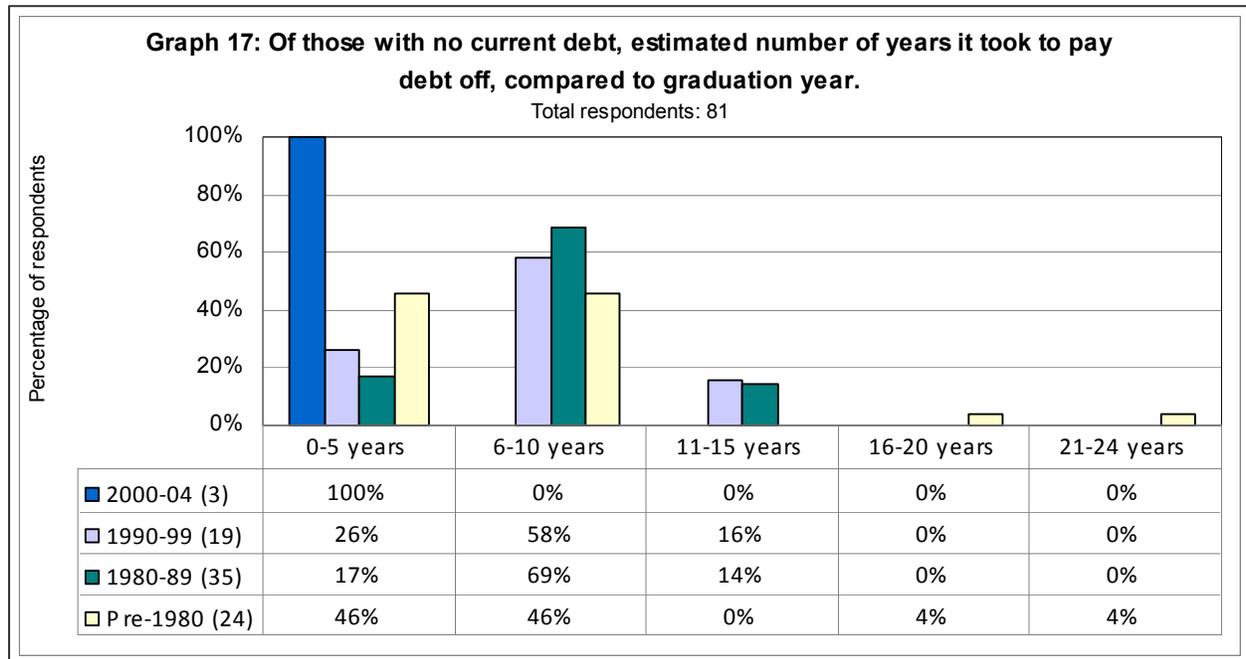
Those who graduated from a private law school have a significantly higher debt than those who graduated from a public law school—\$90,000 - \$99,000 as compared to \$50,000 - \$59,000. (See Graph 15.)



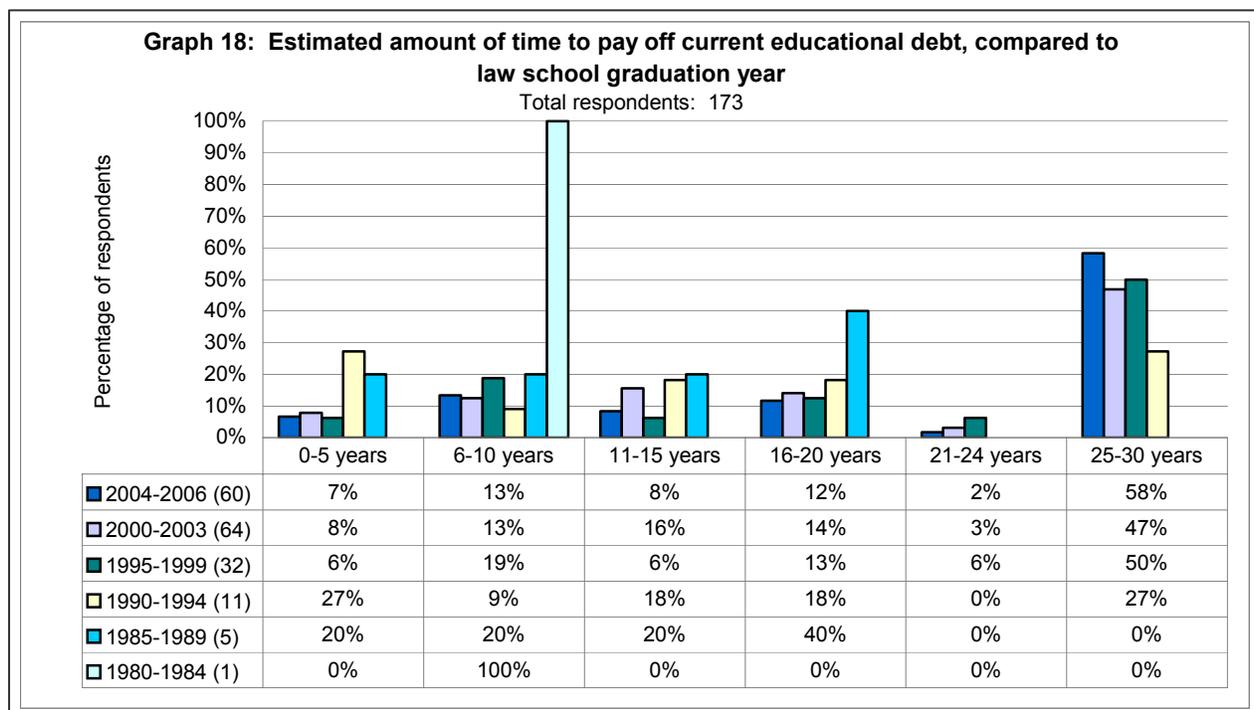
Those who graduated from a Florida law school have higher median debt than those who graduated from law school in another state—\$70,000 - \$79,000 as compared to \$60,000 - \$69,000. This could be due to the trend of the more recent graduates graduating from a Florida law school in larger percentages than the older graduates. (See Graph 16.)



Estimated Time to Pay Off Educational Debt. Of the 255 current attorney respondents who graduated from law school with educational debt, 81 (28 percent) have paid it off. The median time to pay it off was 6 to 10 years. Two attorneys—one each—took 16 – 20 years and 21 – 24 years. (See Graph 17).



Of the 174 attorneys who have current debt, the largest number (84) estimate it will take them 25 – 30 years to pay off their debt. The median estimated length of pay-off is 21-24 years. This is at least fifteen years longer than for those who no longer have debt. (See Graph 18.)



Sample Student Loan Repayment Terms and Amounts. Interest rates vary depending on when an attorney went to school and the type of loans they have. A 7.5 percent rate, however, is likely the average interest rate for attorneys who have debt currently. Table 7 demonstrates the payment amounts for various levels of debt beginning with \$75,000—the mid-point of the median for all attorneys with current debt (\$70,000 - \$79,000) and two amounts more in the range of the recent graduates.

Finding: *The median amount of educational debt for all current attorneys is in the range of \$70,000 - \$79,000, but 2006 graduates have a median educational debt of \$110,000.*

Many recent graduates have to consolidate their loans for a 30 year term to lower the monthly payments. Although the monthly payments are less, the total payments increase dramatically. Those with \$75,000 of debt will pay nearly \$82,000 more over a 30-year loan as compared to a 10-year loan.

Loan Amount	Rate	Term (Years)	Monthly Payments	Annual Payments	Total Payments	Total Interest
\$75,000	7.5	10	\$890	\$10,683	\$106,831	\$31,832
\$75,000	7.5	15	\$695	\$8,343	\$125,147	\$50,147
\$75,000	7.5	20	\$604	\$7,250	\$145,006	\$70,007
\$75,000	7.5	30	\$524	\$6,293	\$188,788	\$113,788
\$90,000	7.5	10	\$1,068	\$12,820	\$128,198	\$38,198
\$90,000	7.5	15	\$834	\$10,012	\$150,176	\$60,176
\$90,000	7.5	20	\$725	\$8,700	\$174,007	\$84,008
\$90,000	7.5	30	\$629	\$7,551	\$226,544	\$136,546
\$110,000	7.5	10	\$1,306	\$15,669	\$156,686	\$46,686
\$110,000	7.5	15	\$1,020	\$12,237	\$183,548	\$73,548
\$110,000	7.5	20	\$886	\$10,634	\$212,676	\$102,677
\$110,000	7.5	30	\$769	\$9,230	\$276,890	\$166,889

Comparison of Educational Debt with Other Attorneys. Extensive surveys were conducted of civil legal aid attorneys in Ohio and South Carolina in 2006.¹⁴ Both states' median attorney current educational debt was \$61,000 - \$75,000, which is similar to Florida's median debt of \$70,000 - \$79,000. Forty-seven percent of South Carolina's civil legal aid attorneys and 46 percent of Ohio's had current educational debt. These are lower percentages than Florida's 54 percent. Also in 2006, NLADA conducted a survey of civil legal aid attorneys in the U.S. who were 35 years of age or younger, and found that the median educational debt was \$60,000 - \$74,999—also in a similar range to Florida's attorneys' debt.

¹⁴ Ohio Legal Assistance Foundation (prepared by Kelly Carmody), *Survey Results, Attorney Educational Debt and Loan Repayment*, June 27, 2006; South Carolina Legal Services (prepared by Kelly Carmody), *Survey Results, Attorney Educational Debt and Loan Repayment*, November 10, 2006.

Law School Tuition. Knowing the amount of law school tuition helps to understand why attorneys' educational debt is so high. Three years of tuition and fees in Florida ranges from \$22,701 for Florida A&M to nearly \$104,000 for University of Miami. (See Table 8.) Law schools estimate annual living expenses and book expenses between \$10,000 and \$18,000. Using a very conservative estimate of \$15,000 per year for these expenses, the total cost is \$67,700 to \$149,000 for a Florida graduate.

Table 9: Florida Law School Tuition				
Law School	City	In-state or Private Tuition & Fees	Out-of-state Tuition & Fees	Three Year Total for In-state Tuition & Fees
Public Law Schools				
University of Florida	Gainesville	\$10,808	\$30,173	\$32,425
Florida State University*	Tallahassee	\$9,621	\$29,187	\$28,863
Florida A & M	Orlando	\$7,567	\$26,828	\$22,701
Florida International University	Miami	\$9,648	\$23,501	\$28,945
Private Law Schools				
Barry University	Orlando	\$29,300	same	\$87,900
Florida Coastal School of Law	Jacksonville	\$28,940	same	\$86,820
Nova Southeastern University	Ft. Lauderdale	\$28,680	same	\$86,040
Stetson University	St. Petersburg	\$29,240	same	\$87,720
St. Thomas University	Miami Gardens	\$27,840	same	\$83,520
University of Miami	Miami	\$34,652	same	\$103,956

*2006-2007 tuition

Nationally in 2006, the median in-state tuition for a public law school was \$13,107. The out-of-state tuition was \$25,262; and for a private school, \$30,670.¹⁵ The public school tuition medians are even higher than Florida's tuition. An in-state resident of a public law school outside Florida, with conservative expenses of \$45,000 for three years, would need more than \$84,000 to go to law school.

Receipt of Loan Repayment Assistance. Of the 175 current attorney respondents who currently have educational debt, 103 or 59 percent receive assistance from a Loan Repayment Assistance Program (LRAP). (See Graph 19.) The largest number of recipients graduated from 1995 through 1999. The sources of LRAP assistance include the Florida Bar Foundation¹⁶, employers, Equal Justice Works (9), Americorps (3), other fellowships (1), Perkins cancellation (1), and law schools (7). Eight attorneys receive assistance from more than one source. None of the seven attorneys receiving assistance from a law school graduated from a law school in Florida.

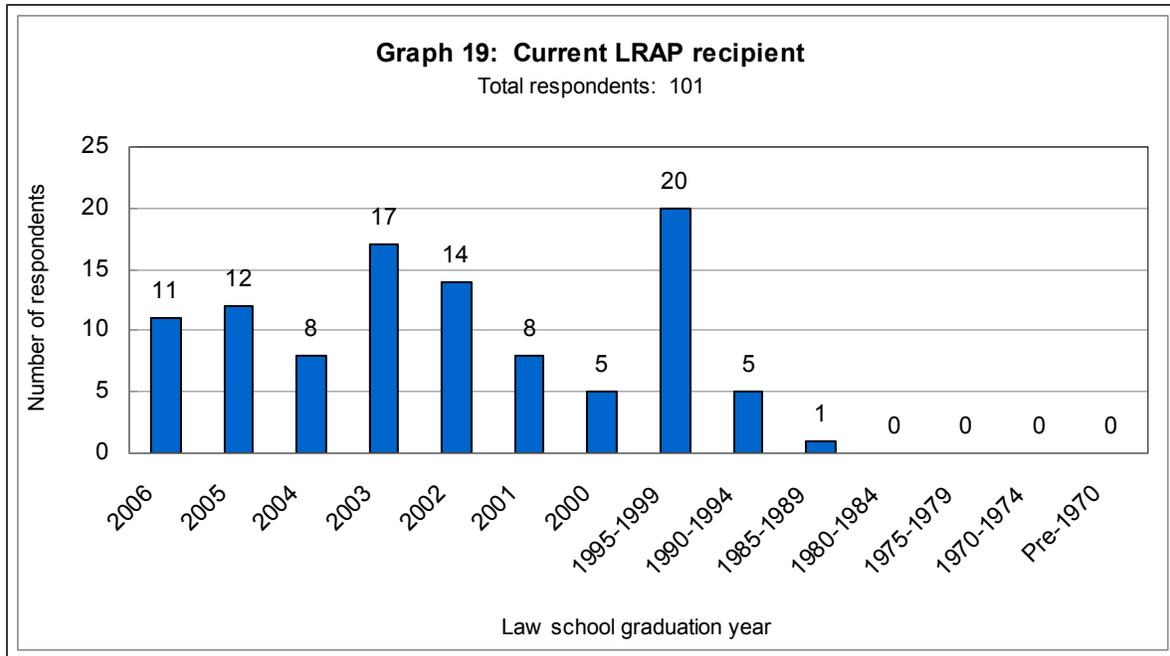
Finding: *Fifty-nine percent of the current attorneys with educational debt receive assistance from a Loan Repayment Assistance Program (LRAP).*

¹⁵ <http://www.abanet.org/legaled/statistics/charts/stats%20-%205.pdf>.

¹⁶ The respondents may have confused the Foundation and employer assistance, so numbers are not reported for those sources here.

Of the more than 40 percent of attorneys with debt who do not receive loan repayment assistance, seven are part-time employees; 32 of the full-time attorneys have salaries of less than \$45,000; and, they all have a medium educational debt of \$60,000 - \$69,000.

Florida Law School LRAPs. Of Florida’s law schools, only one—St. Thomas University School of Law—has an LRAP. Maximum annual assistance of \$3,600 is provided to a limited number of St. Thomas graduates who serve the poor and disadvantaged.



Florida Bar Foundation LRAP. The Foundation administers an extensive LRAP, with two parts—the Regular LRAP and the Supplemental LRAP. Eligibility requirements and benefits of the Regular LRAP include: (1) full-time employment with a civil legal aid program; (2) an income cap of \$46,000 for a newly graduated staff attorney, with \$3,000 increments for each year of experience; (3) law school loans only are eligible; and (4) up to eight years of benefits. The amount of benefits is 80 percent of annual debt payments up to \$6,400 per year. The benefits are designed to be non-taxable and are given in the form of a forgivable loan. The Foundation funds this partially by reducing a program’s general support grant from the Foundation for 20 percent of the cost of the benefits for each participant employed by that program. Sixty attorneys are funded in 2007 by the Regular LRAP.

The Supplemental LRAP allows a program to nominate the same attorneys for additional benefits up to \$6,400 annually and other attorneys for benefits up to \$6,400 annually. The eligibility criteria are set by the individual programs, except only law school loans are covered. The Supplemental LRAP is partially funded by reducing a program’s general support grant from the Foundation for 80 percent of the cost of the

benefits for each participant employed by that program. Twenty-five attorneys receive benefits in 2007 from the Supplemental LRAP.

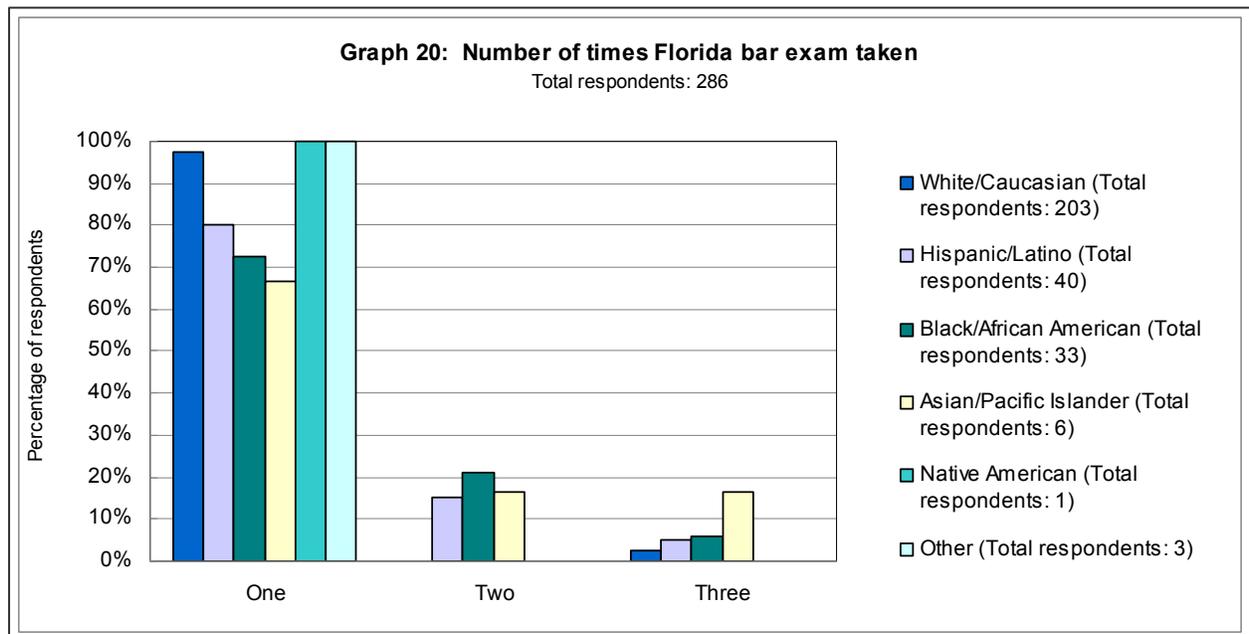
A total of 85 attorneys receive benefits from one or both of the LRAPs—fourteen attorneys receive benefits from both. The median debt balance is \$75,144. The median payments due annually total \$5,909. The range of LRAP benefits provided is \$270 to \$12,800, with a median of \$4,400. Only seven attorneys receive more than \$6,400. The total assistance given is nearly \$390,000.

One executive director of a program reports that his/her organization’s salaries are kept below the Foundation’s LRAP salary cap to ensure eligibility for the assistance.

Employer LRAP. Twenty of the twenty-eight programs participate in the Regular LRAP, and sixteen of the twenty also participate in the Supplemental LRAP. A few programs also provide assistance to attorneys who are ineligible for the Foundation’s program, and a few provide loan repayment assistance during the gap between an attorney starting employment with the program and the Foundation’s LRAP providing assistance. The Foundation’s LRAPs are on a calendar year of assistance, so someone who starts after January is unable to receive Foundation LRAP benefits until the following year.

D. BAR EXAMS and LICENSES

Florida Bar Exam. Eighty-five percent of the current attorney respondents (321 total) who have taken the Florida Bar exam have taken it once; eleven percent have taken it twice; and 3 percent have taken it three times. The ten attorneys who took it three times are all licensed. Two each of the individuals who have taken it once or twice are not licensed yet. A disproportionate percentage of attorneys who are not White/Caucasian have taken the bar exam more than once. (See Graph 20.)



The cost of the BarBri course in Florida is \$2,645 plus tax and \$175 for a refundable book deposit. The Celebration on-line course is \$2,295 with full mentoring (writing critiques, phone and e-mail support). Nineteen of the Florida programs do not pay for bar review courses. Nine programs do one of the following: would consider it (one program); paid for one attorney (one program); pay 50 percent of the cost (one program); pay up to a maximum of \$1,500 (two programs); give a forgivable loan (one program); or pay the full cost (three programs).

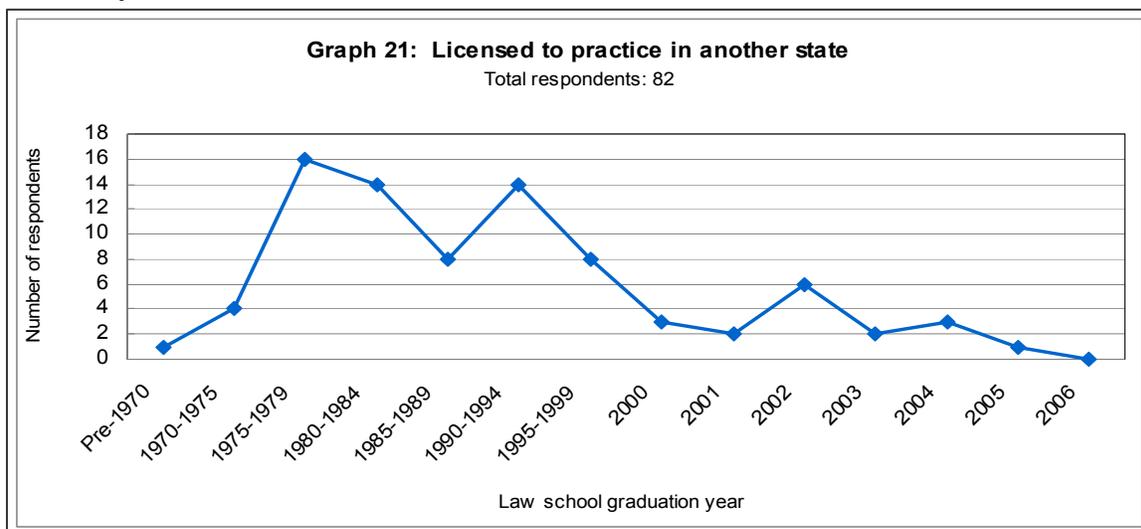
One-half of the programs (fourteen) provide paid leave outside of regular time off to study for the Bar exam. The paid time off ranges from 10 to 20 work days.

The fee for the Florida Bar exam and license varies depending on whether an applicant registered while in law school or whether they are admitted to the Bar in another jurisdiction. An individual who registers during law school is charged between \$450 and \$575. Applicants who did not register during law school or have been admitted less than 12 months in another jurisdiction pay a fee of \$875. Attorneys licensed in another state pay a fee of \$1,300 to \$2,500, depending on how long they have been licensed.

Finding: *Most programs do not pay for a bar review course or the Bar exam fee, and half of the programs do not provide paid time off (outside of vacation time) to study for and take the Bar exam.*

Twenty-one of the programs do not pay the fee to take the Bar exam/become licensed in Florida. Of the seven who do pay, their payment policies are as follow: forgivable loan (one program); one exam (three programs); one exam for out-of-state licensed attorney (one program); two exams (one program); more than two exams (one program).

Licensed in Another State. Eighty-two of 327 current attorney respondents are licensed to practice law in another state. These attorneys largely graduated from law school between (and including) 1975 and 1994. (See Graph 21.) It is not known whether these attorneys moved to Florida early or later in their careers, given that they may have worked for another employer before Florida civil legal aid. Therefore, no trend analysis is made.



E. ATTORNEY RECRUITMENT, HIRING, and RETENTION

Open Attorney Positions. In early February 2007, seventeen programs had a total of 28 open attorney positions. These vacancies—a seven percent rate—were a mixture of turnover and new positions, with one position being held open due to uncertain funding. Vacancies varied from two weeks to more than a year. Four programs reported that no qualified attorneys had applied and some said they get very few applications at all. Two programs, including the program with the highest number of vacancies—five—said the reasons for the vacancies are the cost of living, educational debt and low salaries.

Recruitment of Florida Law Students. Education of law students in Florida about civil legal aid and recruitment of them while in law school is currently not undertaken in a coordinated way, except for some elements of the Summer Fellows program and national career fairs, described below. A number of the programs participate in classes or other activities at a law school in their area, but program efforts seem to be all individual.

Public interest staff or faculty was interviewed at five of the ten Florida law schools. All five have a student public interest law group. Many of the interviewees' comments and suggestions were similar. Their primary points are listed below.

- **Law School Public Interest Staff/Faculty Comments about Recruitment:**

- *Salary is the number one concern of students interested in public interest law at three of the law schools. Other concerns include wanting to be able to have a life outside of work, not willing to work all the time if they do not make much money, and getting good litigation experience. They also do not want to practice in one area of the law, but rather want the ability to learn about a variety of areas.*
- *Students do not know about the Loan Repayment Assistance Program.*
- *Civil legal aid does not conduct on-campus interviewing. Public defenders and State Attorneys do on-campus interviewing.*
- *Civil legal aid's marketing needs to be more enticing or "jazzed up." The job ads are not well-written. They do not mention the possible LRAP. The program's websites are not used as a recruitment tool. Alumni use the schools to look for jobs, but civil legal aid does not send information about jobs for experienced attorneys.*

Career Fairs. The Foundation has been coordinating recruiting trips to legal career fairs since 2000. One or two attorneys from the Florida programs or the Foundation's Legal Services Director attend the Equal Justice Works Career Fair in Washington, DC (the largest public interest career fair in the country) and the Southeastern Minority Career Fair in Atlanta. A team also attended the Massachusetts Law School Consortium Career Fair in Boston and a legal career fair in Texas once, as well. The

Foundation is attending the ABA's Law Student Division Career Fair in San Francisco in 2007.

Law students are interviewed and then given a ranking for their potential as civil legal aid attorneys. The list of top candidates, along with their resumes is sent to each Florida program for use in their recruitment efforts. In the years 2003 – 2006, 89 candidates were identified for the programs. Of these, seven (8 percent) became staff attorneys with a Florida program—three Caucasian, two Black/African-American, and two Latino/Hispanic. Six of the seven attorneys are still with Florida civil legal aid.

A survey was sent to the top candidates from the career fairs who did *not* take a position with a Florida civil legal aid program. (See Methodology section.) Six attorneys responded. Although not necessarily representative—their comments reflect recruitment experiences similar to those described by some of the attorneys who were hired.

Only six of the programs contacted any of the candidates before the candidate got in touch with them. It is possible that only six programs had an opening, but unlikely given that seventeen programs have an opening currently. One of the programs contacted four of the candidates. One candidate was not contacted by any of the programs.

Four candidates applied for and interviewed for a position. Three were offered positions—one with two programs. The reasons given for declining the offers varied.

- **Top Candidates' Reasons for Declining Positions:**

- *"With all my loans and other household bills I could not afford to live on the pay,"*
- *"...informed post-interview that the organization was poorly managed."*
- *One candidate had taken another job by the time the offer was made, and went on to say, "Most students are looking to secure employment at the latest during the first semester of their third year of law school. I found that most Florida civil legal aid programs were not in a position to offer positions this early due to the fact that they were unsure of their budgets for the upcoming year and were not sure of how many applicants they would be able to hire; as a result offers from Florida civil legal aid came during the second semester of the third year of law school when most students have secured employment. Furthermore the lack of an offer early on, gives students the impression that there is no interest in them as a candidate."*

The current jobs of the respondents include prosecutor (2), private practice (2), private business (1) and a civil rights non-profit (1). Two have been public defenders, but left those positions. Five out of six work in Florida. Two respondents would like to be employed by a civil legal aid program in Florida, but both said the pay is too low. One said, as well, that legal aid should offer loan forgiveness.

- **Suggestions Made by Candidates for Improving the Recruitment Process:**

- *“Follow up if a person is indeed a top candidate.”*
- *“Make it shorter—i.e. make offers before December.”*
- *“Be more aggressive in recruiting and express an interest in potential candidates early on and continue to have contact with the candidate until the legal aid program is able to make a solid job offer.”*

Summer Fellows. The Florida Bar Foundation sponsors Summer Fellows to intern in the Foundation-funded civil legal aid programs. From 2001 through 2006, 118 law students were placed in 125 fellowships in 24 programs. Seventeen of the 78 former fellows (22 percent) who have graduated from law school are currently attorneys with ten of the programs.¹⁷ Their racial/ethnic make-up is thirteen White/Caucasian, three Black/African American and one Latino/Hispanic. One program employs four attorneys who have been recent summer fellows.

The Foundation sponsored 34 fellows in the summer of 2007. A statewide two-day orientation/training seminar is held before the fellowships begin. A variety of sessions on substantive areas of the law and on the history of legal aid and law practice management are provided. Former fellows and current Equal Justice Works fellows also speak about the legal aid experience.

A survey was conducted of the former fellows from 2001 through 2006. (See Methodology section.) The survey results from the 54 respondents are instructive about how to improve the fellowship experience, which may result in better recruitment of fellows, either by the program in which they did their fellowship or another civil legal aid program.

- **Comments from Former Summer Fellows about their Fellowship Experiences:**

Many fellows said they liked the “hands-on work” and the “client contact” of their fellowships, as well as learning about a variety of areas.

- *“The level of client contact and the balance between research and active lawyering was really appealing to me. I also appreciated the confidence the attorneys had in me and their willingness to listen to me and problem solve with me. Giving me the opportunity to actually work on “real” work, rather than busy work also helped realize the implications of abstract concepts vis a vis real world situations.”*
- *“I liked the energy and dedication in the office as well as the wide variety of case types I was working on. It exposed me to a wide range of public interest law and assured that I would not get bored.”*

¹⁷ One of the seventeen attorneys left after the data was collected, but is considered a current attorney for purposes of the study.

- *“Being able to experience many (or even another) program would have been cool. I would have liked working one week at a legal aid office in another area of law, just for the comparative experience.”*

Being able to interact with the other fellows was mentioned by numerous former fellows as a way to improve the fellowship experience.

- *Would have liked: “More opportunities to interact with the other fellows; I only saw them during orientation. I thought it could have been beneficial to continue to meet with each other because of mutual interest in public interest law.”*
- *Would have liked: Conference or weekly follow-up phone calls where all fellows could participate in giving reports on their work and maybe present case studies so all fellows get glimpses of the different experiences throughout the state.*
- *“I would suggest some more networking through the Florida Bar -- dinners or community service projects on the weekends where we could have the opportunity to meet other attorneys who were doing public interest law.”*

Networking, active recruitment, and investing fellows in civil legal aid were among the suggestions for effectively recruiting summer fellows for staff attorney positions.

- *“When staff attorneys view summer fellows as potential hires, it tends to work that way.”*
- *“My office turned my summer fellowship into an Equal Justice Works fellowship. The EJW fellowship turned into a permanent position. The fellowship project gave me a sense of responsibility for a big case in the office and made me feel invested in legal services. I also had a supportive boss and flexible hours.”*
- *“Perhaps provide a networking opportunity such as cocktail hour or seminars during the summer so that Fellows can get a chance to familiarize themselves with other civil legal aid programs.”*
- *“I would have probably accepted a position at (program) if I was offered one. I think toward the end of the fellowship, the supervisor should determine whether some of the summer fellows would be interested to work there and contact them directly when there are openings. Also, other agencies should try to focus on recruiting former summer fellows during their third year.”*
- *“I think having an invitation-only job fair for summer fellows and the legal services organizations would be among the most effective ways to recruit.”*

Former fellows who would like to work for a Florida civil legal aid program, but did not currently, mentioned a variety of reasons why, including a lack of available positions and not being bi-lingual; but money was the primary reason:

- *“unsure I can take a severe pay cut”*
- *“student loan payments”*
- *“salary”*

- *“the starting salary vs. the caseload”*
- *“low pay and high student loan debt”*
- *“location and salary”*
- *“money”*

Current attorneys were also asked how to better recruit summer fellows. Most of them answered, with great conviction and passion, that salaries need to be increased. Many mentioned the need for loan repayment assistance. Other responses included the following:

- **Current Attorney Ideas for Recruiting Summer Fellows, in Addition to Increasing Salaries and Loan Repayment Assistance:**

Provide a quality professional experience.

- *“Be more prepared for them when they start their fellowships, have work for them to do and supervise them appropriately.”*
- *“Systematically placing summer fellows in offices with clear work plans so that both the fellow has a meaningful summer and the program has a fair opportunity to evaluate the fellow as a prospective long-term employee.”*
- *“Better supervision to create actual relationships with fellows so they maintain contact as they finish their law school.”*
- *“If we could craft positions on issues that are important to the fellow rather than the program identifying a need and pigeonholing the applicant.”*
- *“By offering them as much interaction with the clients as possible.”*

Offer mentoring and networking opportunities.

- *“More time for mentoring in the summer.”*
- *“Some type of annual networking event where fellows can meet attorneys from the various legal services programs; the establishment of LRAP programs at all FL law schools.”*
- *“Make them feel a part of the program. Include them.”*

Keep in touch.

- *“More opportunities for continued communication with their summer employers after they leave...opportunities for them to be involved in training and or recruitment of future summer fellows.”*
- *“Giving summer fellows the opportunity to return to the same organization for a second summer.”*

Make offers early.

- *“As with a private law firm an offer should be made to the fellow prior to the conclusion of his/her fellowship. The offer should be contingent on bar passage.”*
- *“Make employment offers early...before they go back to school.”*
- *“Offering them jobs earlier in law school so they feel secure and don’t start the job search process, paying moving costs or giving a signing bonus.”*

Make offers more financially attractive.

- *“Pay more; offer better mentoring and networking; more support staff, up to date technology and equipment, pension/retirement planning and funding.”*
- *“Offer reimbursement for preparation in taking the Florida Bar examination such as paying for BAR/BRI and PMBR and/or application fees for the Florida Bar in return for 1 year of service regardless if passed or fail the bar.”*
- *“Hiring bonuses giving credit for their prior experience and passion for legal services work.”*
- *“Guaranteed LRAP (not just from EJW and then the post-EJW FBF priority). Assistance in finding housing. Increase in salary that reflects the very high cost of living in my area.”*

Equal Justice Works Fellows. The Florida Bar Foundation assists in recruiting high quality, new law school graduates through its sponsorship of Equal Justice Works fellows. Since 1999, 48 attorneys have been supported at 16 programs through the Foundation’s partnerships with law firms, the Florida Bar and other matching fund partners. Six additional fellows from 1996 through 2001 worked in one of the Florida programs, but were not a part of the Foundation’s sponsorship.

Finding: *Seventeen percent (9 of 54) of the Equal Justice Works fellows are now attorneys with a Florida civil legal aid program.*

Nine of the 54 fellows (17 percent) remain employed by a Florida program. Eight of these nine are in the program with which they did their fellowship. Some fellows left because the program did not have or fund a position for them after the fellowship ended. Others left voluntarily.

Recruitment, Interviewing and Hiring Processes. Half of the programs (14) use a hiring committee. Thirteen programs interview attorney applicants more than once, and eleven of the programs sometimes have more than one interview.

Ten programs reimburse attorney applicant travel expenses for interviews. Five of these programs restrict reimbursements in one of the following ways: out-of-state

applicants only, cap of \$500, only for high level positions, only if offer is accepted, or decide amount on case-by-case basis.

Thirteen programs reimburse moving expenses for newly hired attorneys, and most have a cap on the amount of the reimbursement (\$500 - \$1,500).

The respondents to the current attorney survey (304) gave civil legal aid programs the following combined ratings, using a 5 point scale from poor to excellent:

Recruitment: 2.82 Interviewing: 2.57 Hiring: 2.62

All of these ratings are between average and below average.

Below are some observations and ideas for improvement identified by the current attorneys.

- **Current Attorney Ideas:**

Many attorneys said the hiring process takes too long and programs lose good candidates as a result.

- *“There is always a huge gap between when someone leaves and when the replacement person starts, leaving existing staff to cover. Seems we are always in this mode. Supervisors and managers are too busy to focus first and foremost on recruitment and hiring.”*

Finding: *Current civil legal aid attorneys rate the Florida programs’ recruitment, interviewing and hiring processes between below average and average.*

- *“Sometimes a person is gone for several months before an advertisement is published. Then, sometimes there is a long period of time between when people are interviewed and when someone is offered a job. We have lost out on some good applicants because they had accepted another job during that window of time.”*

- *“When I applied, I was called back right away, and interviewed the next week, but it was several weeks before I was asked back for a second interview, and after that interview several more weeks before I was offered the position. I felt like they did not really want me, but could not find anyone better, so were settling for me. Maybe that was true, but it is still not the impression I should have been given.”*

Many attorneys felt their programs needed to recruit much more actively and had some ideas how.

- *“No recruitment, which is a big problem. Anyone who is around (from local law school usually) appears to get hired. The staff turn-over is impossible to even*

keep up with. Of course this contributes to difficulties. Recruitment in general requires time, energy, and desire to do it.”

- *“Oftentimes our organization only advertises for available positions in the local newspaper. I do not believe this is an effective tool for obtaining good employees in this day and age.”*
- *“Would like to see more national recruiting and increase in salary scales to attract better qualified applicants.”*
- *“Employer should pay expenses to come to interview.”*
- *“Maybe sending young attorneys who are excited about the program to go to recruit at law schools.”*

Looking within to interns, fellows and persons known to the program can be effective, but also narrowing. More effort needs to be made to recruit diverse attorneys.

- *“Employer needs to advertise for positions more widely to attract a more diverse group of candidates.”*
- *“We don’t interview too many “unknown” people. We don’t have effective practices for increasing, or even retaining, a diverse staff.”*
- *“Too much of giving positions to friends, not enough recruiting qualified staff members committed to public service and a diverse environment.”*

There are some practices that produce good results.

- *“The director seeks out motivated people and works with them to create projects that suit their interests...The director and supervising attorneys encourage candidates and bright law students to apply for fellowships, both during law school and afterwards with EJW.”*
- *“Our ED personally speaks with our interns during and at the end of their time here. (He or she) discusses their goals and ideas about future work, and encourages them to pursue employment with legal services here or somewhere. (He or she) is very good at identifying people that will dedicate themselves to helping the low-income community, and to helping them develop professionally.”*
- *“The interviewing and hiring process is always collaborative, with all attorneys on staff having the ability to participate in both the interviewing and decision-making process. This approach allows all attorneys to have a vested interest in the process and feel comfortable with the hiring of new employees.”*
- *“We had recent training on how to improve this aspect of our operation. We received specific management training on how to improve these skills and what factors to consider in hiring new staff. I would recommend to all managers and directors.”*

Recruitment for Rural Locations. Florida civil legal aid programs have offices in twelve rural locations¹⁸, and executive directors have identified this as a particular recruitment challenge. Interviewees report that most attorneys who work in rural locations do not live in those locations. They commute from more populated areas.

Finding: *Most attorneys who work in rural locations do not live in those locations.*

Current attorneys were asked for their ideas on how to better recruit attorneys to work in rural or remote areas. Most answered that salaries need to be raised and loan repayment given. Other ideas, that are more particular to rural and remote issues, include the following:

- **Current Attorney Ideas for Rural Areas in Addition to Increasing Salaries and Loan Repayment Assistance:**

Be positive about, and promote the opportunity to work in a quality office in a rural or remote area.

- *“First of all there has to be an appreciation that there is a good quality of life in rural areas and that not everyone is looking for South Beach. If one starts from the premise no one in their right mind would want to work in (rural) County or that it is somehow an inherently dangerous or unenlightened place, the prophecy become self-fulfilling. Know what your area has to offer. Promote it. Recruit from rural areas. If transportation is an issue, offer some payment for mileage.”*

Consider a different pool of candidates.

- *“It would probably be helpful for the programs to seek out experienced attorneys who may want to relocate to rural areas. This survey is putting a lot of emphasis on recruitment of attorneys who have recently graduated from law school. There should be more emphasis on recruiting experienced attorneys.”*
- *“My suggestion would be to start from the ground up. Market towards attorneys already setting up shop in that area. Find new members of the Bar (website) who list addresses from that area and take a shot with direct contact.”*
- *“Need to recruit from the rural areas itself which may include looking to older attorneys that may be looking to slow down from the pace of private practice.”*
- *“I think a statewide survey/diagnostic to determine who in legal services are from rural areas and want to go back or who is tired of living in an urban area and would like to relocate to a rural area (family reasons).... Most likely, your staff attorney is a family person and not young and single in a rural area so tailor rural offices to attract family oriented staff.”*

¹⁸ Bartow, Belle Glade, Brooksville, Bunnell, Dade City, Immokalee, Inverness, Lake City, Palatka, Quincy, Tavares, Wimauma

Provide more support and flexibility.

- *“Provide some telecommuting options... and advanced technology to enable off-site interviewing, ability to do research/writing at home.”*
- *“Need frequent contact and support from the main office. Need to provide a lot of training and supervision to prevent staff in rural or remote areas from feeling overwhelmed and isolated.”*
- *“... provide adequate staff support. Do not place one attorney or one attorney with a paralegal in a remote location. Neither will last long. Think heavy concentration of resources in remote locations.”*

Help avoid isolation.

- *“I have actually met many people who want to be in a rural area, so the ‘rural’ is not the problem. But being left drifting, direction-less, with little support from a distant, central office who acts as if they do not know you exist, that is a killer problem. The attorneys in the rural areas must be made to feel that they belong to the organization, frequent personal contacts (emails/personal calls and even video-teleconferencing, are not personal) between the different offices, including closing the office once or twice per year and having an all-office get-together, introduction lunch with maybe a brief HR training thrown in, would help keep “unit cohesion” and motivation in the ranks.”*
- *“Put in place a structure to avoid isolation - they need access to a network of specialists. Possibly rotate people on a yearly basis (unless they want to stay longer). That is what the court system does with judges.”*
- *“Have a strong support system. Don't bring in new attorneys and just forget about them after 5:00....”*
- *“Provide networking opportunities...ensure that they join the nearest local bar association and support their involvement in it. Don't let them feel stranded...”*
- *“... organize conferences of rural lawyers and encourage rural lawyers to network with other lawyers to reduce isolation.”*

Offer some special benefits.

- *“More vacation time. That way we can get out of the rural area and go spend a significant amount of time, in some nice place several times a year!!”*
- *“Vehicle and drive time allowances above and beyond the norm.”*
- *“Offer them a free airline ticket (annually) capped at \$500(?)”*
- *“Salaries should be higher in these areas of the program.”*
- *“Extra loan repayment assistance for those attorneys.”*

Recruitment for High Cost Areas. Florida also has some very high cost areas, which can add to recruiting difficulties. Current attorneys were asked on the survey for their ideas on how to better recruit for high cost areas. The bulk of the respondents answered, again with conviction and passion, that salaries need to be raised and loan repayment assistance given. Many also suggested that additional financial incentives, including salary increments, be given in recognition of the higher cost of living.

Some have the views that if attorneys are dedicated, the high cost should not matter, and gave answers such as, *“These programs must seek out individuals who are dedicated to serving the needs of the poor”*, or that marketing needed to be better, *“Advertise that there is litigation training and more opportunity to be hands on with clients on a daily basis.”* A number of attorneys placed special emphasis on helping staff with housing.

- **Current Attorney Ideas in Addition to Increasing Salaries and Loan Repayment Assistance:**

- **Help with housing.**

- *“Provide housing allowances! I very much wanted to take a position at another Legal Aid program in my hometown to be near my family, but the cost of housing had risen so much that I could not afford any home.”*
- *“Assistance in locating housing.. (this is what the corporate sector does when they transfer people to an area).. ie: have a realtor on retainer who will help new attorneys find decent and affordable housing.”*
- *“If cost of housing or day care is a problem, provide referrals and help people find quality/ low cost services. The program could actually own or have an arrangement to offer a couple of apartments to new people to live in while they get to know the area.”*
- *“Bonuses, higher annual increases, create a home buyers program in return for 3 years service where (program) pays for closing costs or other costs or partial financing, relocation costs reimbursed, if the commute is more than a certain number of miles reimbursement for travel, etc.”*

Recruitment of Racially/Ethnically Diverse Attorneys. As noted in the Demographics of Current Attorneys section, Florida’s legal aid attorneys are less racially and ethnically diverse than their potential clients. To achieve similar racial/ethnic diversity, the programs, on a statewide basis, need nearly three times as many Black/African American attorneys and nearly twice as many Latino/Hispanic attorneys.

Current attorneys were asked on the survey for their ideas on how to better recruit a racially/ethnically diverse attorney population. Many answers were the same as given for recruiting all attorneys—pay more, provide loan assistance, provide better benefits,

including more vacation time. Ideas more particular to this challenge include those below.

- **Current Attorney Ideas in Addition to Increasing Salaries, Loan Repayment Assistance and Benefits:**

Make the workplace more diverse and inclusive at all levels.

- *“If the program shows a commitment to diversity, minority attorneys will be more comfortable applying and staying with the program.”*
- *“Having a workplace that is diverse helps recruit from diverse groups. So diversity at all levels is important, not just attorney staff.”*
- *“Change the makeup of the office. More diversity. Diversity in just support staff is not enough. Need MORE new attorneys of color, students/interns of color, need to PRIORITIZE this or it will never happen.”*
- *“Offer diversity training within the program and make it a requirement that all staff attend at one point or another within a given year. Celebrate the diversity and encourage staff attorneys to join bar associations that may reflect their racial/ethnic group. Pay for that bar membership as well as Florida Bar membership/local bar membership.”*

Improve legal aid’s prestige and image.

- *“Make our image more prestigious. It’s the best way to counterbalance the private sector’s new scramble to be ethnically and racially diverse.”*
- *“Because I often speak at (name) law school about my cases and issues, I also find that other ethnic groups, including the same that I represent, often shy away from the work (I ask for volunteers, and get them, but usually they are white.) I’ve come to hypothesize that since I feel poor working here, it is a problem for others as well. For those trying to leave poverty, why would they want to feel poor and work for the poor? Most often they don’t. I think that to get around it, programs should find a way to build prestige into what they do. Get recognized for excellent projects and programs. If public colleges can do it, so can we.”*
- *“I do not think that higher salaries is the answer here, because other agencies/firms can always outbid us. I think it’s necessary to stress the satisfactions of the job, maybe loan repayment assistance, and time flexibility and ability to be involved in community organizations.”*

Recruit aggressively, especially among minority bar and law school associations.

- *“Aggressively recruit at schools with high numbers of minority students and work extra hard to mentor and support these attorneys when they come on board.”*

- “Maintain relationships with the racial and ethnically oriented bar associations in law schools and on the local level. Attend the minority career fairs.”
- “Recruit more in areas with higher racial/ethnic group populations. Put students on contract and pay for schooling like the military does.”
- “Encourage summer internships or work with local law schools in offering internships for elective credit with the legal service organizations. Assist the soon to be law graduate in identifying/locating sources of fellowship applications. Participate in mentoring programs that the local law school sets up. Establish a relationship with the various racial/ethnic student bar associations.”

One of the ideas often expressed is to recruit from law schools that have higher percentages of racial or ethnically diverse students. Nationally, 27 percent of law students are racially/ethnically diverse.¹⁹ The ten Florida law schools have a combined rate of 27 percent racially/ethnically diverse students, as well. Individual schools, however, range from 19 percent to 69 percent. (See Table 9.)

Finding: *The ten Florida law schools have a combined rate of 27 percent racially/ethnically diverse students, the same percentage as law schools nationwide.*

Table 10: Law School Minority²⁰ Enrollment - Florida & Nationally			
Law School	Total	Minority Percent	Total Minority
Florida A&M University College of Law	541	69%	371
Florida International University College of Law	382	54%	206
St. Thomas University School of Law	665	41%	273
Nova Southeastern University—Shepard Broad Law Center	927	24%	226
University of Miami School of Law	1208	23%	280
University of Florida, Fredric G. Levin College of Law	1364	21%	280
Barry University Dwayne O. Andreas School of Law	563	20%	111
Stetson University College of Law	1033	20%	201
The Florida State University College of Law	765	19%	143
Florida Coastal School of Law	1278	19%	233
Florida Total	8,726	27%	2,324
Nationally	104,178	27%	28,377

The individual racial/ethnic group numbers for the Florida law schools are in Appendix 9, as well as the numbers for law schools in the South, Mid-Atlantic, and New England that have 20 percent or more minority students.

¹⁹ *Official Guide to ABA-approved Law Schools*, Law School Admission Council and American Bar Association, <http://officialguide.lsac.org>, 2008.

²⁰ “Minority” includes African American, American Indian, Asian American, Puerto Rican, and Hispanic.

Recruitment of Bi-lingual Attorneys. As noted earlier, the programs do not have comprehensive or completely accurate information about attorneys' bi-lingual skills. Of the 332 current attorney survey respondents, 93 speak Spanish and 5 speak Creole.

Although no statistics are available for the client population, the general population of Florida has more than eleven percent who speak English "less than very well." Most of these individuals speak Spanish and Spanish Creole.²¹

When the current attorneys were asked how to recruit more bi-lingual attorneys, most again emphasized the need for higher salaries and loan repayment to recruit any attorneys, including bi-lingual attorneys. Other ideas are to give a pay incentive to bi-lingual attorneys (whether on-staff or newly recruited) and to pay for language classes. The Florida Bar Foundation has paid for five or six attorneys to go to language immersion school in Mexico over the last six years. Survey respondents also suggest that (1) current attorneys be paid for taking classes, (2) programs offer language classes, (3) programs give paid leave for time to study a language, and (4) programs recruit in Miami where there is a high percentage of Spanish-speaking attorneys.

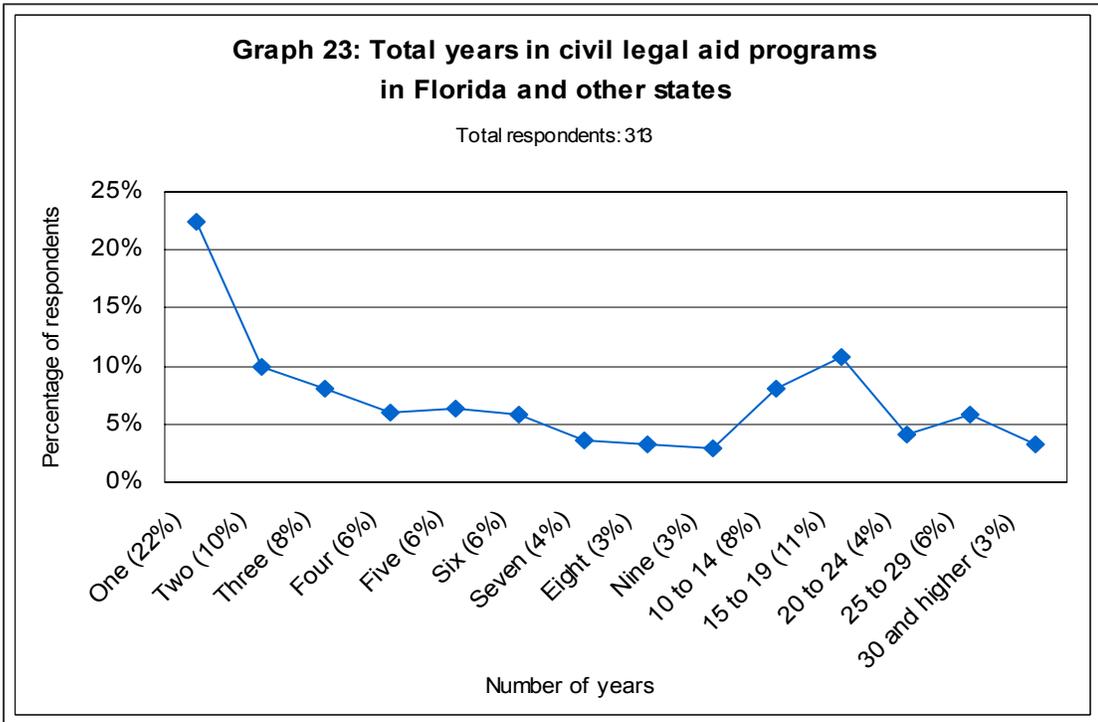
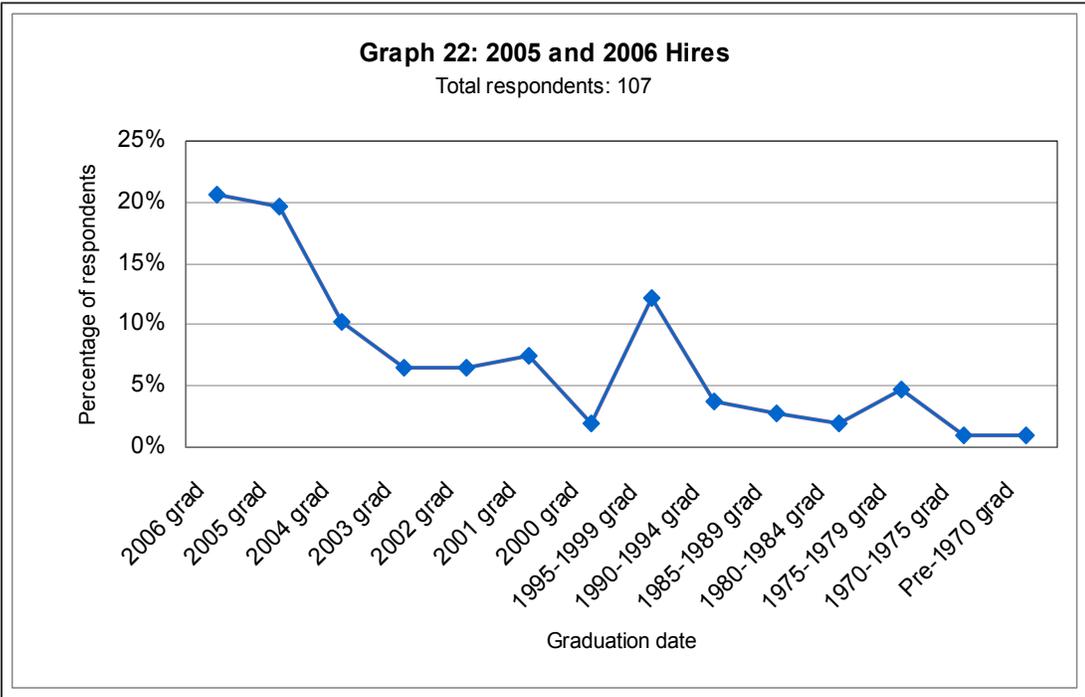
Two responses were more about retention, but useful for recruitment, suggesting that programs are using bi-lingual attorneys as translators in ways that are inappropriate: *"It would help if they are not used around the office to translate but to do meaningful attorney level work"*, and *"If I am an attorney with a normal (legal aid) work load and I am constantly being pulled to translate for others I would get frustrated. We have to make sure the translating activities do not take away from the legal work."*

New Hires. Statewide, the programs are not hiring only new graduates, but rather are hiring attorneys with varying experience. Of the attorneys hired in 2005 and 2006, 28 percent of survey respondents graduated from law school prior to 2000; thirty-three percent graduated from 2000 through 2004; and forty-one percent graduated in 2005 or 2006. (See Graph 22.)

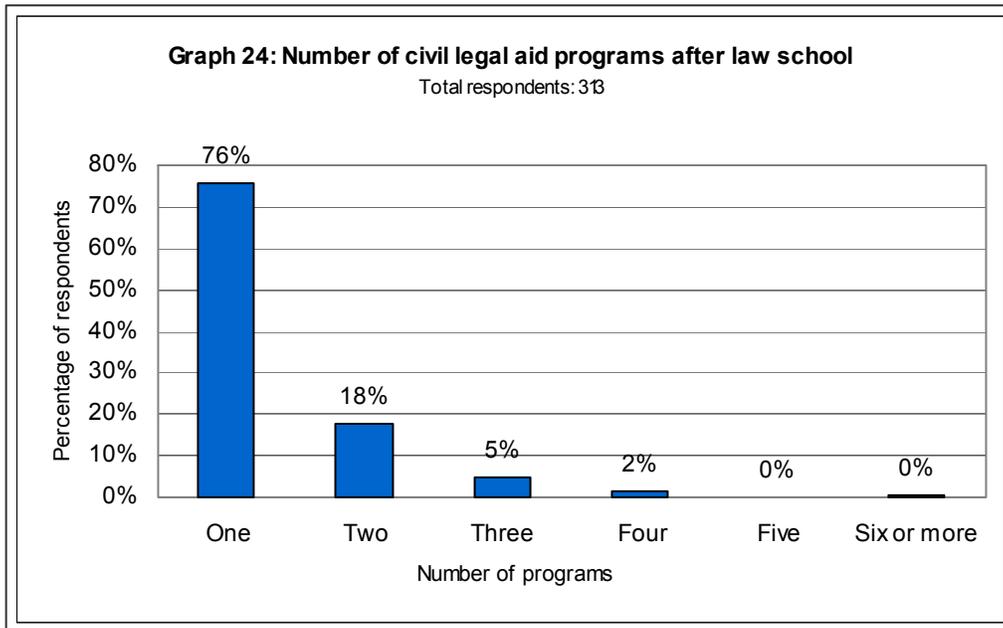
Length of Employment with Current Employer and all Civil Legal Aid. The median length of time an attorney has been employed by their current employer is 36 months or 3 years. However, the combined median length of time an attorney has worked in any civil legal aid programs is 5 years. (See Graph 23.)

Finding: *A Florida civil legal aid attorney has been employed a median of 36 months by the program they currently work for.*

²¹ U.S. Census Bureau, *American Community Survey*, 2005



Three-fourths of current attorneys have only worked for one civil legal aid program, but one-fourth have worked for up to six programs. (See Graph 24.)



F. SALARIES

Current Salary Determinations. Slightly more than half (15) of the programs have salary scales. However, only eleven of the fifteen programs adhere to them. The salary scales vary in how they are determined. Factors and methods used in determining the scale include the Florida Bar Salary Survey, salaries of other civil legal aid programs, public defenders, state attorneys, and private firms, comparability studies within the area, review of salary surveys, management/staff decision, and union negotiations. Most compare salaries with other public interest and government employers.

Some of the programs without a salary scale report that their boards of directors determine what salaries will be. Three programs determine the salaries based on funding, with one of the three stating they have paid “whatever we could afford to pay.”

With or without a scale, most of the programs that provided information state that actual salaries are based on years of experience. Some also use the type of experience, length of service with the program, and level of work. One program also uses quality of work and effort, one uses achievement of goals, and another uses pay-for-performance. No program reports paying a higher salary to bi-lingual attorneys.

All of the programs with salary scales report revising them between 2005 and 2007. Some changes were percentage increases, and others were flat amounts—with the largest reported at \$3,500. One program is converting to a pay-for-performance evaluation system in late 2007, with merit increases in 2008.

Recent Salary Increases. Most programs gave salary increases in 2006 or 2007. Some were percentages—ranging from three percent to 18 percent. Others were flat amounts—ranging from \$2,000 - \$10,000. Some programs gave both a percentage and flat amount raise.

Bonuses. Ten programs give either annual bonuses or bonuses based on performance or available funding. The bonuses range from \$200 - \$4,000.

Starting Salaries²². The starting salaries for licensed attorneys in Florida programs range from \$32,500²³ to \$45,500, with a median of \$38,500. (See Table 11.) The median for large programs is slightly higher at \$39,000. Twelve programs pay \$40,000 or above. The starting salaries for unlicensed attorneys are about \$2,000 less than for licensed attorneys. Six programs do not hire unlicensed attorneys.

Finding: *The median starting salary for licensed attorneys is \$38,500.*

²² Note that programs were asked for starting salary data in June 2007, and it appears starting salaries have increased slightly when compared to the median salaries from February 2007 in Table 12..

²³ The starting salary of \$21,800 for AmeriCorps attorneys is not included since the starting salary is set by Americorps.

Table 11: Starting Salaries in Florida Civil Legal Aid		
	Licensed Attorney	Unlicensed Attorney
Range	\$32,500 - \$45,500	\$30,250 - \$43,000
Median	\$38,500	\$36,500
Median of Large Programs	\$39,000	\$37,750
Median of Medium Programs	\$38,000	\$36,500
Median of Small Programs	\$38,500	\$35,500

Salaries have not kept pace with inflation. In 1967, one of the large Florida programs had a starting salary of \$9,000, which was likely a typical salary at that time. Today, factoring in inflation over the last 40 years, that starting salary would need to be \$54,024 for an attorney to have a similar standard of living.

Salaries of Current Attorneys. Salaries of current attorneys (on a full-time basis) range from \$21,800 (AmeriCorps attorney) to \$107,100. The median salary for each law school graduation year is reported in Table 12, along with median salaries divided by attorneys with management/supervisory responsibilities and those without. The median salary of all current attorneys is \$50,000. This salary level is not reached by staff attorneys generally until they have been out of law school for nine years.

The median for 2006 and 2005 graduates is \$38,000 and \$38,500, respectively. It is not until the third year out of law school (2004 graduate) that the median reaches \$40,000. There is a significant difference in salary for the prior year's graduates (2003) who are staff attorneys, when the median reaches \$44,000.

Finding: *Staff attorneys do not reach a median salary of \$50,000 until nine years after law school graduation.*

Salary increases then compress again and salaries rise slowly. The median salary for an attorney who graduated 10 years ago (1997) is \$59,000. The median salary for an attorney who graduated 20 years ago (1987) is \$55,876. The progression in salaries is not predictable or smooth.

Table 12: Florida Civil Legal Aid Median Attorney Salaries

Graduation Year	# of All Attorneys	Overall Median Salary	# of SA	Median SA Salary	Average SA Salary	# of MA	Median MA Salary	Average MA Salary
1961-1975	21	\$77,000	10	\$61,025	\$63,312	11	\$88,884	\$85,650
1976	5	\$68,621	2	\$60,653	\$60,653	3	\$78,920	\$74,307
1977	10	\$70,577	4	\$61,121	\$54,251	6	\$84,849	\$85,310
1978	7	\$80,556	3	\$56,000	\$63,446	4	\$88,898	\$88,157
1979	8	\$79,116	4	\$75,563	\$72,989	4	\$79,938	\$80,243
1980	6	\$77,120	3	\$64,050	\$52,504	3	\$84,537	\$86,307
1981	10	\$57,810	5	\$51,605	\$53,321	5	\$67,284	\$68,394
1982	4	\$74,071	2	\$69,227	\$69,227	2	\$85,741	\$85,741
1983	6	\$73,500	3	\$70,000	\$66,667	3	\$77,000	\$76,380
1984	6	\$67,705	4	\$61,010	\$59,357	2	\$74,973	\$74,973
1985	7	\$81,395	2	\$54,148	\$54,148	5	\$84,341	\$81,088
1986	6	\$69,549	3	\$57,337	\$55,116	3	\$74,500	\$73,920
1987	4	\$57,601	4	\$57,601	\$56,150			
1988	12	\$66,000	4	\$56,395	\$58,373	8	\$69,951	\$69,592
1989	5	\$58,656	4	\$53,828	\$55,487	1	\$82,270	\$82,270
1990	11	\$63,063	4	\$60,850	\$60,602	7	\$63,063	\$62,986
1991	8	\$55,876	5	\$55,000	\$51,820	3	\$58,460	\$59,986
1992	10	\$57,659	6	\$52,969	\$51,875	4	\$58,250	\$59,167
1993	11	\$58,000	8	\$56,005	\$56,916	3	\$66,000	\$67,000
1994	5	\$64,000	2	\$54,489	\$54,489	3	\$66,000	\$70,000
1995	8	\$53,770	5	\$43,328	\$43,661	3	\$58,513	\$65,671
1996	6	\$59,000	5	\$60,000	\$64,661	1	\$58,000	\$58,000
1997	12	\$53,900	10	\$51,650	\$52,248	2	\$56,875	\$56,875
1998	15	\$50,000	8	\$46,397	\$47,106	7	\$56,000	\$56,403
1999	7	\$47,840	5	\$44,920	\$44,835	2	\$53,750	\$53,750
2000	12	\$45,235	10	\$45,000	\$47,769	2	\$47,400	\$47,400
2001	19	\$46,789	16	\$45,818	\$46,205	3	\$50,000	\$56,167
2002	28	\$46,250	22	\$45,750	\$46,815	6	\$47,250	\$46,833
2003	27	\$46,350	21	\$44,000	\$44,737	6	\$51,000	\$53,417
2004	19	\$40,000	19	\$40,000	\$41,237			
2005	31	\$38,500	31	\$38,500	\$39,576			
2006	29	\$38,000	29	\$38,000	\$38,163			
Total	375		263			112		

Median Graduation 1997

Median Graduation 2001

Median Graduation 1988

SA = Staff Attorney
 MA = Attorneys with Supervisory or Management Responsibilities

Other Florida Public Interest Salaries. Many civil legal aid executive directors and attorneys see the primary competitors for attorneys as the public defenders' offices, the state attorneys' offices, the Florida Department for Children and Families and the Florida Attorney General's Office. Repeatedly—on the surveys, in interviews, and in focus groups—civil legal aid attorneys say that salaries need to be competitive with these organizations. When asked what starting salaries should be, they often say, *“Our salaries need to be competitive with the public defenders and the state attorneys.”*

The minimum and maximum salaries for both assistant public defenders and assistant state attorneys are set by statute. The minimum for a licensed attorney is \$39,084 and the maximum is equivalent to what the elected public defenders and state attorneys for each circuit can be paid—\$153,140.

Statewide salary data is only collected by the attorneys' date of employment with the state each year, so comparisons cannot be made using this data with civil legal aid lawyers by law school graduation date. Accordingly, more comparable data based on years of experience was obtained from public defenders' offices and state attorneys' offices in five judicial circuits in urban and more rural areas. Though this data was acknowledged as less than exact, it was felt to be fairly accurate.²⁴

Neither type of office uses a salary scale. The attorneys are sometimes given cost of living adjustments or bonuses by the state—each state employee will receive a \$1,000 bonus in November of 2007. Additionally, the individual circuits set salaries for attorneys by individual, so there are wide variances, not just between a rural and urban area. Nonetheless, the data enables some useful comparisons with civil legal aid programs.

The starting salaries of the two types of offices range from \$39,084 to \$44,000. The median salaries for attorneys with five years of experience range from \$49,763 to \$71,009.

One of the other major differences between civil legal aid programs and the public defenders' and state attorneys' offices' financial compensation is the assistant public defenders and assistant state's attorneys receive a pension. Only one civil legal aid program has a pension. Others that provide retirement benefits pay a small percentage of an attorney's salary into a 401(k) or a 403(b). The amount of a pension for an attorney who has worked as an assistant public defender or assistant state attorney for 30 years is estimated at \$72,000 per year during retirement.²⁵

Finding: *One of the other major differences between civil legal aid programs and the public defenders' and state attorneys' offices' financial compensation is the assistant public defenders and assistant state's attorneys receive a pension estimated at \$72,000 per year after 30 years.*

²⁴ In some offices, the data is only of attorneys who had no experience when they started with the office, but this is 90 percent or more of the current attorneys.

²⁵ Kathy Weintraub, Executive Director, State Attorney's Office, 4th Circuit

The salary details for assistant public defenders are reported in Table 13. Some of the highlights include:

Assistant public defenders' salary ranges

Starting salary: \$39,084 in Tallahassee to \$42,000 in Miami
 Five years experience: \$49,763 in Pensacola to \$64,652 in Jacksonville
 Ten years experience: \$52,584 in Pensacola to \$82,541 in Miami
 Twenty years experience: \$67,644 in Tallahassee to \$90,209 in Miami

Table 13: Salaries of Assistant Public Defenders in Florida								
Years of Experience	1st Circuit (Pensacola)		2nd Circuit (Tallahassee)		4th Circuit (Jacksonville)		11th Circuit (Miami)	
	Number of Attorneys Analyzed	Average Salary						
Starting		\$40,000		\$39,084		\$40,500	1	\$42,000
less than 1	3	\$41,533	2	\$39,276	15	\$43,482	35	\$46,255
1	2	\$42,715	7	\$41,114	13	\$44,647	19	\$43,362
2	1	\$48,000	6	\$45,833	8	\$47,403	40	\$51,450
3			1	\$54,442	3	\$45,624	7	\$52,266
4	1	\$50,940	1	\$49,086	5	\$59,820	10	\$61,664
5	1	\$49,763	1	\$53,560	9	\$64,652	10	\$64,007
6			4	\$58,885	3	\$57,167	4	\$70,806
7			3	\$51,306	1	\$71,575	3	\$77,505
8			1	\$53,353	1	\$68,650	4	\$84,405
9	1	\$68,293	2	\$56,706	2	\$65,385	6	\$71,530
10	1	\$52,584	5	\$55,053			2	\$82,541
11			4	\$59,282			1	\$74,199
12					1	\$132,712	2	\$77,684
13							2	\$87,447
14			2	\$51,296			3	\$84,462
15			1	\$46,000	2	\$93,103	1	\$76,593
16			1	\$56,073	1	\$80,000	4	\$82,541
17	1	\$74,665	1	\$76,917	1	\$75,000	1	\$79,383
18							2	\$96,218
19			1	\$56,079	3	\$73,199	3	\$99,832
20			3	\$67,644	2	\$85,997	2	\$90,209
21-25	1	\$83,657	9	\$68,731	4	\$87,319	8	\$105,173
26-30			11	\$69,461	5	\$105,633	13	\$116,102
31-40	3	\$91,691	4	\$76,742			1	\$132,062
Total	15		70		79		184	

The salary details for assistant state attorneys are reported in Table 14. Some of the highlights include:

Assistant state attorneys' salary ranges

Starting salary: \$39,084 in Miami to \$44,000 in Pensacola
 Five years experience: \$56,706 in Pensacola to \$71,009 in Jacksonville
 Ten years experience: \$64,514 in Miami to \$99,103 in Tampa
 Twenty years experience: \$103,920 in Tampa to \$136,844 in Jacksonville

Table 14: Salaries of Assistant State Attorneys in Florida								
Years of experience	1st Circuit (Pensacola)		4th Circuit (Jacksonville)		11th Circuit (Miami)		13th Circuit (Tampa)	
	Number of Attorneys Analyzed	Average Salary						
Starting	1	\$44,000	14	\$40,000	0	\$39,084	1	\$40,000
less than 1	19	\$44,221	13	\$40,126	61	\$40,794	35	\$42,497
1	15	\$46,634	14	\$45,450	49	\$43,838	22	\$58,280
2	3	\$55,698	6	\$51,623	23	\$47,862	14	\$61,859
3	7	\$51,005	2	\$56,448	15	\$52,221	8	\$65,165
4	3	\$50,637	8	\$64,774	9	\$59,386	8	\$71,213
5	1	\$56,706	9	\$71,009	8	\$59,794	9	\$65,362
6	3	\$55,463	4	\$70,438	5	\$61,294	5	\$102,717
7	2	\$72,253	2	\$84,313	5	\$60,055	5	\$76,549
8	3	\$58,012	1	\$82,184	2	\$66,870	3	\$85,019
9	1	\$63,913	2	\$82,967	3	\$72,688	2	\$91,441
10	1	\$79,086	5	\$95,039	1	\$64,514	2	\$99,103
11	1	\$58,329	1	\$97,660	4	\$82,724	2	\$65,946
12	2	\$76,376	0		3	\$81,415		
13	1	\$68,616	1	\$93,713	4	\$74,676	4	\$79,177
14	1	\$72,127	1	\$108,125	3	\$83,953	3	\$84,496
15	1	\$78,639			4	\$78,864		
16	2	\$87,549			3	\$92,784	1	\$107,674
17	1	\$76,635			3	\$98,018		
18	2	\$118,348			3	\$81,632	1	\$103,535
19			2	\$109,241	6	\$98,842	1	\$101,693
20	2	\$109,985	2	\$136,844	4	\$107,504	2	\$103,920
21-25	5		2	\$127,585	11	\$104,423	2	\$111,487
26-30	4	\$88,410	1	\$128,754	10	\$118,399		
31-40		\$107,795	2	\$132,773	2	\$142,989		
Total	81		92		241		130	

The data for the other government attorneys in Florida is not extensive. See Table 15 for salary data from the Florida Department for Children and Families. It is not divided by years of experience or law school graduation date. An attorney is eligible for a senior attorney position after two years of experience.

Table 15: Attorney Salaries of Florida Department for Children and Families			
Title	Minimum	Average	Total FTE
Attorney	\$39,083	\$46,435	22.5
Senior Attorney	\$51,627	\$57,628	206
Attorney Supervisor	\$64,534	\$69,170	31

The Florida Guardian Ad Litem has a starting salary for licensed attorneys of \$41,268, which is nearly \$2,000 more than the median salary of Florida civil legal aid's median of \$38,500. (See Table 16.)

Table 16: Attorney Salaries of Florida Guardian Ad Litem		
CLASS TITLE	Minimum	Maximum
Program Attorney: Unlicensed	\$37,141	
Program Attorney	\$41,268	\$75,072
Program Director	\$43,193	\$78,574
Senior Program Attorney	\$45,304	\$82,413
Supervising Attorney	\$47,569	\$86,534
Deputy General Counsel	\$57,820	\$105,183
General Counsel - Guardian Ad Litem	\$63,747	\$115,964

The salaries for the Office of the Attorney General and the Office of Statewide Prosecution are the most difficult to compare because only the ranges are available, with no data about what attorneys are actually paid. (See Table 17.)

Table 17: Attorney Salaries of the Office of the Attorney General and Office of Statewide Prosecution			
Class Title	Minimum Years of Experience	Minimum	Maximum
Attorney--Assistant Attorney General	0	\$36,382	\$94,547
Assistant Statewide Prosecutor--Attorney	0	\$36,382	\$94,547
Assistant Attorney General	3	\$51,355	\$133,460
Assistant Statewide Prosecutor--Senior Attorney	3	\$51,355	\$133,460
Assistant Statewide Prosecutor--Chief Assistant	5	\$33,057	\$137,453
Attorney Supervisor--Assistant Attorney General	6	\$61,016	\$158,565
Senior Assistant Attorney General	6	\$61,016	\$158,565
Chief--Assistant Attorney General	10	\$33,057	\$137,453
Special Counsel--Assistant Attorney General	10	\$61,016	\$158,565

More Salary Comparisons. A 2006 salary survey of attorneys who work in the public sector or public interest received responses from 22 percent of the civil legal aid programs in the United States. The median entry-level salary reported was \$36,000 for an attorney with one year or less experience.²⁶ This was the lowest when compared with other public interest organizations (\$40,000), public defenders (\$43,300) and prosecutors (\$43,915).

It was reported recently that in non-profit organizations generally, attorneys have a bigger disparity in pay from corporate positions than other professionals.²⁷ The differences are reflected in Table 18.

Table 18: Salary Comparison Between For-profit and Non-profit Organizations			
Professional Position	Average For-profit Salary	Average Non-profit Salary	Difference
Attorney	\$113,923	\$64,105	78%
HR Specialist	\$49,318	\$39,935	23%
Senior Accountant	\$61,731	\$50,575	22%
Project Manager	\$87,164	\$72,282	21%
Contracts Administrator	\$55,417	\$53,986	3%

The for-profit salary noted in Table 18 is not indicative of large private firms. It was reported recently that two national firms in South Florida are now hiring associates at \$160,000. A number of others have starting salaries in excess of \$130,000.²⁸ Holland & Knight in Tampa start entry-level associates at \$110,000, while Fowler White Boggs Banker, with 220 attorneys in nine Florida offices, start associates at \$95,000.

The Florida Bar's 2006 Economics and Law Office Management Survey found the following net medians for attorney's incomes in 2005:

<u>Attorney Position (all experience levels)</u>	<u>Net Median Income</u>
State Government Attorneys	\$ 70,000
Associates	\$ 85,000
Corporate Counsels	\$100,000
Solo Practitioners	\$105,000
Partners	\$185,000
<u>All Attorneys (no partners)</u>	<u>Net Median Income</u>
Recent law grad with no experience	\$50,000
Recent law grad with internship, etc.	\$55,000
Less than 3 years experience	\$65,000
3 to 5 years experience	\$75,000
6 to 8 years experience	\$90,000
More than 8 years experience	\$110,000

²⁶ NALP—The Association for Legal Career Professionals, *Public Sector & Public Interest Attorney Salary Report*, 2006.

²⁷ Rachel Zuppek, *CareerBuilder.com*, 2007. Salary data provided by PayScale.com for CBSalary.com

²⁸ Daniel Ostrovksy, *Meeting the Challenge*, www.dailybusinessreview.com, June 18, 2007.

How Current Attorneys Feel About Civil Legal Aid Salaries. Current attorneys were asked to rate their satisfaction with several aspects of their jobs. The scale was from a rating of one for “very unsatisfied” to a rating of five for “very satisfied.” Out of 38 different aspects, “current salary” and “salary progression” were the only ones rated below a three. They received compilation ratings of 2.78 and 2.77, respectively.

Many attorneys explained their feelings about the salaries in the survey and in interviews and focus groups. Below are comments about their salaries and the financial struggles often caused by trying to live on them.

Low salaries make it next to impossible for many attorneys to keep doing work they value and love.

- *“Most people who work in legal aid settings do it out of love for the work that they do. It gets hard to keep that love alive when you have to worry about financial stability, especially when planning for a family and the future.”*
- *“This is a tough thing, and legal services employers have a tough job to keep their attorneys satisfied with low salaries.... Most of us do this work because of a personal commitment to the mission of our office and we don't care about getting rich. But we can only do this for a living as long as we can support families (existing or potential) and meet at least minimal financial goals, which are getting harder to do on legal services salaries. I wish I had a suggestion other than "raise salaries", but I don't.”*
- *“...I struggle to support my family and have absolutely no financial freedom. My financial situation creates a lot of stress in my life and I am not sure how long I can continue to work in this sector, even though I believe in the importance of the work my (organization) does and absolutely love my job.”*
- *“...I worry that someday I will need to move back into private practice in order to keep up with my expenses. I do not want my financial needs to get in the way of my commitment to the work that I do.”*
- *“The money issue is what is crushing dreams to do good works.”*

Many staff noted the correlation between low salaries and high loans and high turnover – and its disturbing effects.

- *“We're losing people. Of the people who came just before and just after me, I'm the only one left at my program. I've seen my friends leave and their incomes double. It's hard to see that too many times without wondering what the problem is...”*
- *“Salaries are the most crucial issue facing legal aid attorneys. We all have bills to pay and many attorneys leave because they just can't justify working as hard as we do for low salaries. It is very disheartening to be paid lower than counterparts at the public defender and state attorney offices. In general, we are in a very thankless job. Our clients are struggling just to survive from day to day. It is rare when they are able to show appreciation. Increases in salaries make us feel appreciated by the program.”*

- *“Loan repayment assistance and a salary that can keep pace with inflation will go a long way to preventing the long term loss of mindpower that is currently afflicting legal aid. The cost of college both undergrad and law school has increased tremendously in the last 30-40 years and has dramatically outpaced inflation. People still want to do this work, but there needs to be more money and loan repayment assistance to make that a reality.”*
- *“I think we can retain a lot of people if the salaries were higher and there were more programs that assisted with student loan debt”*

Several attorneys provided examples of the difficulty of living on low salaries, and how low compensation makes them feel.

- *“I adore my job. It makes me really sad that the poor salaries (and lack of funding that result in less than sufficient supervision, training and support staff) are the reason that I likely will not make this job a life-long career.”*
- *“I am not satisfied with the salary because I do not make enough money. I feel that I need to get a second job in order to keep up with the rising costs of gas, real estate, etc., in my area. The yearly raises of \$2,000 that employees receive are not enough to keep up with attorneys in the private sector. I feel unappreciated sometimes because we are not compensated for the many hours that we invest in our workload. I love what I do, but am not satisfied with the salary.”*
- *“My problem is money. I should not be dealing with the same housing issues as my clients. I should not be dealing with living on credit as my clients do. I should not worry if I have enough money for (monthly parking).”*
- *“Everyone has to be married to work here.”*
- *“Tallying up the number of attorneys who have left Legal Aid due to low salary will not give an accurate picture of the substandard pay that many of us receive. That is because so many of us make a significant personal financial sacrifice in order to do this good work.”*
- *“I have worked for non-profit agencies for years and I understand the struggle of obtaining grants and workers who care about the specific social service causes. With that said, attorneys have special skills and training which do not come cheaply. We have worked just as hard or harder than those earning \$100,000 + as a starting salary and I do not think we should be exploited because of our belief in assisting our underprivileged clients.”*
- *“We do important work, but many legal aid organizations are treated as though they deserve only handouts because the people we represent are poor and needy. A decent work environment, with competent support staff and available resources to vigorously represent client interests and salary/benefits comparable to the private sector will go a long way toward recruiting and retaining the right staff.”*

The problem affects attorneys of all ages and levels of experience.

- *“...we need to be cognizant of the life situations of our staff. Newer attorneys have debt loads. Middle-aged attorneys have children in college and/or aging parents who need help. (Some of us come from blue-collar backgrounds ourselves, and we are the ones helping our parents financially, not the other way around.) All of us need to pay attention to our ability to retire at some point in our lives as well, without suffering a dramatic decrease in our lifestyles - since we already sacrifice our lifestyles for the sake of the work.”*
- *“The salaries for entry level attorneys in Florida are abysmally low. Until these salaries are improved – especially in high cost of living areas such as south Florida – there is little prospect of retaining young attorneys.”*
- *“...Furthermore, attorneys need to earn a living wage and those that are experienced should not be penalized by having their salaries capped.”*
- *“Someone needs to fix the low pay and lack of salary structure or the poor people of the state will lose good, experienced advocates. Too many legal aid programs get new money and hire new attorneys so that they can say we have X number of attorneys, but programs should focus on retaining experienced skilled attorneys and pay them higher wages.”*
- *“...Many of us are older, nearing retirement without adequate financial resources. Many of us did not have enough to pay for college for our children and are now facing high \$\$\$ parent loan debt for them. I am an (Ivy League law school) graduate and gave up substantial earning power to stay committed to this poverty law mission. In some ways I have financially short changed my kids as a result. I also do not want to become a burden to them because I made this choice.”*

When asked what would improve their quality of life, salaries were often mentioned:

- *“...a higher salary with raises at least once a year would help. Currently I have to decide whether to buy the medication or have enough money to eat/pay bills on time. I also worry about ever being able to retire when I don't have enough money to save regularly.”*
- *“By giving meaningful increases each year. I started making \$36,000 almost 8 years ago. I received a promotion and I am currently at \$50,000. Even with a promotion, my salary did not increase more than \$14,000 in almost 8 years. That's bad. I am a supervisor and my salary is less than \$10,000 more than the starting salary.”*
- *“Salary and student loan repayment programs. I have vacation time but can't go anywhere or spend any more other than pay bills. It is not easy being an attorney and living check to check and only paying bills. I am not able to save any money and can't put away for retirement.”*

How Current Attorneys Deal with Civil Legal Aid Salaries: A single attorney with a year’s experience and a \$40,000 salary was asked to share his income and expenses. His budget, in Table 19, is actually in the black when there is no unexpected expense. However, this attorney does not live in what is considered a high cost area and there are several expenses that are not in the budget, including any medical co-payments. Nor is he able to put aside any funds for a house down payment or for retirement.

He went to a private law school in Florida, and at the current rate of payment—\$762 per month—will be paying off his loans for 29 more years. This attorney, who is in his mid-30’s because he was in a different profession before law school, realizes now he is unlikely to be able to stay in civil legal aid and pay his loans and save for retirement and have a decent lifestyle.

Table 19: A Real Budget in Florida Civil Legal Aid	
Monthly Income	
take-home from \$40,000 salary*	\$2,470
LRAP (loan repayment assistance)	\$533
	\$3,003
Monthly Expenses	
rent	\$750
utilities	\$75
groceries & household supplies	\$125
student loans**	\$762
car payment	\$400
car insurance	\$100
gasoline (lives 20 miles from work)	\$175
cell phone	\$110
cable	\$75
Internet access	\$25
dry cleaning	\$50
clothing/shoes	\$50
hair care	\$20
restaurants and entertainment	\$150
gifts/cards	\$25
renters' insurance	\$0
home phone	\$0
travel/vacation	\$0
credit card debt	\$0
medical co-payments	\$0
newspaper	\$0
vet/pet supplies	\$0
	\$2,892
Difference	\$111

*Taxes and 25% of health premium are deducted.

**\$158,000 in student loans with 30 year terms.

Standard of Living. What is a decent lifestyle? How do you measure the cost of living? There are many differing opinions on both of these questions. Housing costs is one fairly objective, but major factor. Rental prices for apartments in some of Florida’s major cities are listed in Table 20. In Miami, over \$1,150 would be needed for rent for a one-bedroom apartment. Note that if an attorney in Miami was in a similar financial situation to the attorney in the example in Table 19, he or she would not be able to afford the rent in Miami.

Table 20: Fair Market Rents in Selected Florida Cities*			
Metropolitan Area	One Bedroom	Two Bedroom	Three Bedroom
Cape Coral-Fort Myers	\$770	\$895	\$1,110
Gainesville	\$888	\$1,104	\$1,286
Jacksonville	\$783	\$1,002	\$1,247
Miami-Miami Beach-Kendall	\$1,154	\$1,444	\$2,664
Orlando-Kissimmee	\$791	\$965	\$1,141
Pensacola-Ferry Pass-Brent	\$714	\$840	\$1,096
Tallahassee	\$695	\$830	\$981
Tampa-St. Petersburg-Clearwater	\$633	\$768	\$1,008

*average of rents at www.rentnet.com, August 2007

Buying and owning a home is even more costly than renting. Table 21 has examples of median house prices in late June 2007. The monthly payment for a mortgage for these amounts (assuming no down payment) ranges from \$1,468 for the median house in Tampa to \$2,140 in Miami. These amounts do not include insurance and taxes, and are clearly out of reach for many civil legal aid attorneys.

Table 21: House Prices in Florida Cities			
City	Median Price	City	Median Price
Cape Coral	\$288,900	Miami	\$357,000
Jacksonville	\$280,000	Orlando	\$284,900
Tampa	\$244,900	www.housingtracker.net, 6/27/07	

All of the current attorneys who were interviewed who did not currently own a home—primarily single and young to middle age—said they have no idea how they will ever be able to buy a home. If buying/owning a home is the standard for a middle class lifestyle, many civil legal aid attorneys in Florida are not there and have no hope for how they will get there.

G. ATTORNEY TURNOVER

Florida Civil Legal Aid Attorney Turnover in the Last Five Years. Three hundred twenty-two (322) attorneys left a Florida civil legal aid program during the five years between (and including) January 2, 2002 and December 31, 2006. Twenty-three of these attorneys went to work for another Florida program. Of these, five did so as the result of regionalization of the delivery system and are not included in the turnover data. Two others are also excluded because of incomplete data. A total of 315 attorneys who left from 2002 through 2006 are included in the turnover data below.

Table 22 contains the compilation of turnover rates. Statewide turnover rates range from a low of 17 percent in 2003 and 2004 to a high of 23 percent in 2005 and 2006.

Table 22: Florida Civil Legal Aid Attorney Turnover Rates									
	2002	2003	2004	2005	2006	Annual Average	Programs' Annual Average Range	Five-year Average	Programs' Five-year Range
All Programs	22%	17%	17%	23%	23%	20%	1 - 53%	61%	0 - 100%
Large Programs	22%	20%	14%	22%	23%	20%	10 - 26%	51%	21 - 66%
Medium Programs	24%	17%	20%	25%	17%	21%	1 - 28%	42%	0 - 73%
Small Programs	38%	31%	18%	11%	42%	29%	4 - 53%	83%	33 - 100%

Turnover is calculated as the ratio of individual attorneys who were employed by a program on January 1st or after of a year and not employed on January 1st of the following year. For example, if two attorneys left in 2006 from a program that employed ten attorneys in 2006, the turnover rate would be 20 percent.

Finding: *An average of twenty percent of the attorneys have left every year from 2002-2006.*

The average annual turnover rate is the average of the individual program turnover rates for the five years. At a statewide rate of 20 percent, it means that on average one in five attorneys left each year for the past five years. In some programs, more than half of the attorneys have left each year on average.

The five-year average is the turnover rate of individual attorneys who were employed by a program on January 1, 2002 and not employed by the same program on January 1, 2007. At 61 percent statewide, more than 6 out of ten attorneys have left during the last five years.

Finding: *Of attorneys who were employed with Florida civil legal aid programs on January 1, 2002, only 39 percent are still employed with that same program.*

The rates are also compared by the size of program since smaller programs have higher percentages if even one attorney leaves. However, there do not seem to be trends within the same size programs. One of the most striking figures is that 83 percent of the attorneys who worked for small programs on January 1, 2002 have left.

The median length of employment of attorneys in the last five years was 23 months—less than two years. Half left before they had been at a program for 23 months and half left after that time.

Finding: *The median length of time attorneys have stayed at a program from 2002 through 2006 is 23 months – less than two years.*

Comparison with Turnover of Other Attorneys.

Florida Public Defenders and State Attorneys. The average annual turnover rates for FY02 – FY 06 for the Florida assistant public defenders and assistant state attorneys are similar to Florida’s rate of 21 percent, at 22 and 19 percent, respectively. Both groups saw an increase in their FY06 rates, with the assistant public defenders’ rate at 26 percent and the assistant state attorneys’ rate at 20 percent.²⁹ (See Table 23.)

Table 23: Turnover of Florida Assistant Public Defenders and Assistant State Attorneys						
	FY02	FY03	FY04	FY05	FY06	Annual Average
Assistant Public Defenders	21%	20%	21%	22%	26%	22%
Assistant State Attorneys	20%	19%	17%	17%	20%	19%

n

Illinois Civil Legal Aid. The only recent turnover data for other civil legal aid programs in the United States is from Illinois.³⁰ Florida programs’ turnover rates are higher than those found in Illinois. The annual average rates from 2000 through 2004 in Illinois were 11 percent in small organizations, five percent in medium programs and 14 percent in large programs,³¹ compared with 29 percent, 21 percent and 20 percent, respectively in Florida from 2002 – 2006.

Associates. A study of associate turnover in law firms in the United States found an overall turnover rate of 19 percent. However, the study’s data was from only 118 firms and was not from a random sample.³²

Demographics of Attorneys who Left in the Last Five Years. A close review was performed of information about the 322 attorneys who left a civil legal aid program in the past five years. A survey was completed by 97 of the former attorneys who are no longer civil legal aid attorneys. As noted in the Methodology section, the characteristics

²⁹ Florida Justice Administrative Commission

³⁰ Chicago Bar Foundation and Illinois Coalition for Equal Justice, *Investing in Justice: A Framework for Effective Recruitment and Retention of Illinois Legal Aid Attorneys*, November 2006.

³¹ These dates are one year earlier than Florida’s data.

³² The NALP Foundation, Update on Associate Attrition: Findings from a National Study of Law Firm Associate Hiring and Departures - 2006

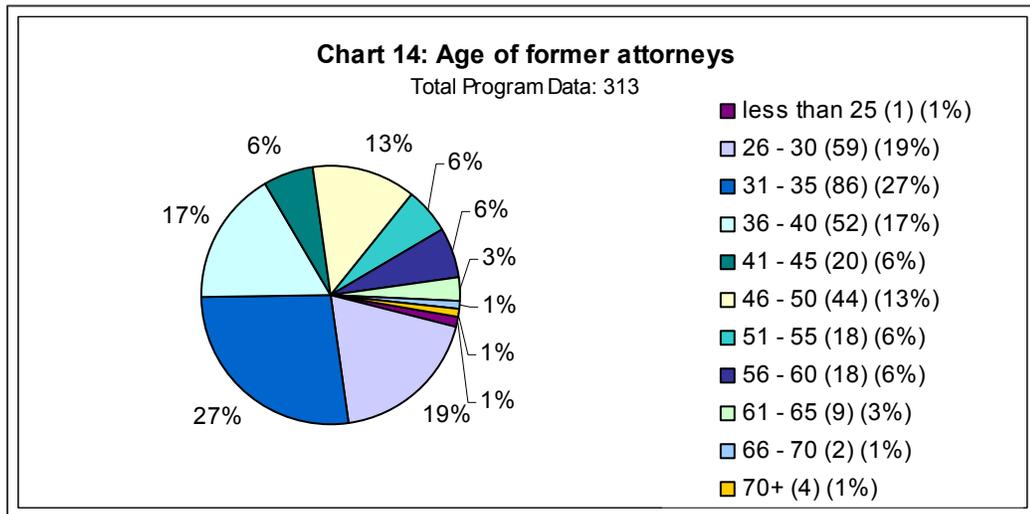
of the survey respondents are the same or very similar to the characteristics of all the former attorneys. When survey data is reported below, the word “respondents” is used.

Positions. Eighty-seven percent of the attorneys who left were staff attorneys (including AmeriCorps attorneys and Equal Justice Works fellows). This is disproportionate to the 70 percent of attorneys who are currently in staff attorney positions.

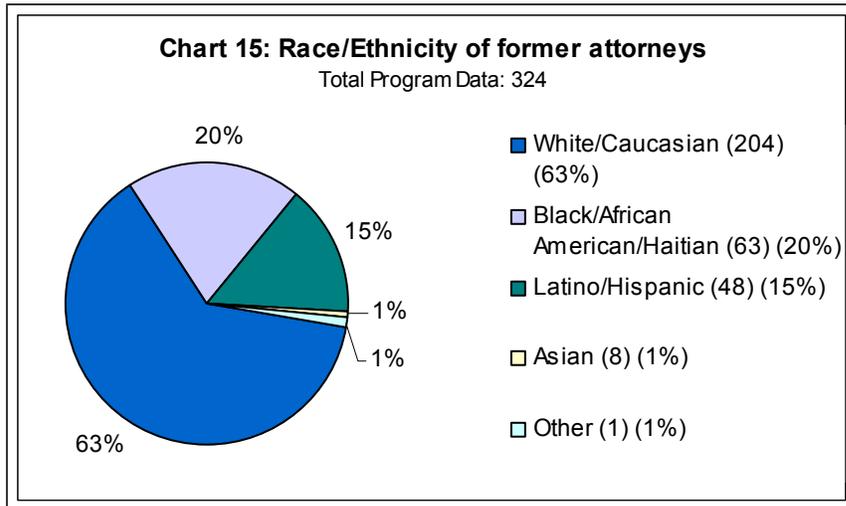
Full-time/Part-time. Although ten percent of current attorneys are part-time, only two percent of the former attorneys were part-time.

Gender. The gender of former attorneys is very similar to current attorneys—72 percent female for former attorneys and 73 percent for current attorneys.

Age. The age group with the largest percentage of attorneys who left (27 percent) is 31 – 35 years old, and the second largest group is 26 – 30 years old (19 percent). The 31 – 35 year group is only 18 percent of the current attorneys. The other age groups are fairly similar between the current attorneys and the former attorneys. (See Charts 14 and 3.)



Race/Ethnicity. Twenty percent of the attorneys who left their programs over the past five years are African American. This disproportionately compares to the current African American attorney percentage of eleven percent. Percentages for other groups are fairly similar, except for White/Caucasian who represent 63 percent of the attorneys who left, and now comprise 71 percent of the current attorneys. (See Charts 15 and 5 Chart.)



Graduation Dates. Of those attorneys who left in 2006, their median graduation date is the year 2000.

Other Languages (Respondents). The program data about other languages spoken by former attorneys is incomplete. Based on the survey data, one-third of the attorneys who left (33 of 97 respondents) spoke another language. This is slightly less than the 37 percent of current attorneys who speak another language. The Spanish-speaking percentage is very similar—76 percent (25) for former attorneys as compared to 75 percent for current attorneys. The percentage of Creole-speaking attorneys who left (12 percent of attorneys who speak another language) is higher than the current attorneys (5 percent), but both numbers are very small—four and six.

Personal Situations (Respondents). A slightly larger percentage of former attorneys than current attorneys are in personal situations that may have contributed to their leaving for financial reasons. More are the primary breadwinner—70 percent of former attorneys as compared to 64 percent of current attorneys. More are single or single living as a couple (55 percent) than current attorneys (49 percent). More are single income earners as well—47 percent of former attorneys as compared to 42 percent of current attorneys. They also are more likely to have a roommate—9 percent of former attorneys and 5 percent of current attorneys. However, fewer former attorneys have children (34 percent) than do current attorneys (42 percent).

Educational Debt (Respondents). The median amount of debt that former attorneys have is the same as current attorneys—\$70,000 - \$79,000. However, a higher percentage of former attorneys had debt when they graduated than current attorneys (90 percent compared to 78 percent). More importantly, 73 percent of the former attorneys have debt now as compared to 54 percent of current attorneys. Only 5 percent are current LRAP recipients, two from employers and three from law schools.

Finding: *Seventy-three percent of the former attorneys have debt, compared to 54 percent of current attorneys.*

Bar Exams and Law Licenses (Respondents). A higher percentage of former attorneys took the Florida Bar exam more than once compared to current attorneys (25 percent vs. 14 percent).

Reasons Why Attorneys Left in Last Five Years. Survey respondents were asked to rate reasons why they left their job with civil legal aid. They rated multiple reasons. (See Table 24.)

Of the seventy-seven attorneys that answered the question, the number one reason given was “financial pressure due to low salary.” This was given an average rating of 3.29 on a scale of one to five with one being “very unimportant” and five being “very important.” Thirty-six percent of the respondents rated it as very important.

The third highest rating was also financially-related—“financial pressure due to student loans.” Nearly 30 percent rated this as very important. The number two reason was “poor management,” given an average rating of 2.97 and rated very important by 30 percent of the respondents. The other answer that was rated very important by at least 25 percent of the respondents was “poor supervision” with an average rating of 2.71.

Top five reasons (in order) attorneys left:

- *Financial pressure due to low salary*
- *Poor management*
- *Financial pressure due to student loans*
- *Lack of professional support*
- *Poor supervision*

Twenty-three percent of the respondents rated “personal reason” as very important and twenty percent rated “family reason” as very important.

Table 24: Reasons Former Attorneys Gave for Leaving Previous Employment							
Reason	Rating Average	Very Important				Very Unimportant	Number of Responses
		5	4	3	2	1	
Financial pressure due to low salary	3.29	36%	14%	14%	12%	23%	77
Poor management	2.97	30%	12%	11%	20%	28%	76
Financial pressure due to student loans	2.74	29%	8%	10%	16%	38%	77
Lack of professional support	2.74	22%	14%	13%	17%	34%	77
Poor supervision	2.71	25%	8%	13%	21%	33%	76
Case load stress	2.69	14%	14%	25%	20%	27%	77
Personal reason	2.60	23%	13%	8%	13%	43%	75
Lack of professional development	2.55	17%	10%	17%	22%	34%	77
Financial pressure due to other extraordinary expenses	2.51	21%	12%	11%	11%	46%	76
Lack of skill development opportunities	2.44	13%	11%	20%	19%	37%	75
Family reason	2.36	20%	11%	9%	7%	54%	76
Lack of job security	2.30	16%	11%	9%	17%	47%	76
Burn-out	2.29	8%	12%	21%	20%	40%	76
Need for more balanced life	2.25	7%	13%	21%	17%	42%	76
Lack of flexibility	2.18	5%	11%	21%	24%	40%	76
Need more interesting work	1.99	8%	8%	15%	12%	57%	74
Lack of retirement benefits	1.88	5%	5%	17%	17%	55%	76

When asked if certain changes would have made a difference, here is how they responded:

<u>Change</u>	<u>Would Have Impacted Decision to Leave</u>
Salary increase	45 percent (35 of 78)
Higher position available	43 percent (33 of 77)
Annual salary increase	33 percent (26 of 78)
LRAP	32 percent (25 of 78)

The salary information for the thirty-one respondents who left in 2006 was reviewed. Their median salary when they left their civil legal aid program was \$45,000. Their median salary now is \$55,000, a \$10,000 difference.

When asked what they had lost by leaving their position, many respondents said their co-workers and their opportunity to help those who need it.

Finding: *Of the former attorneys who left Florida civil legal aid in 2006 and responded to the survey, their median salary when they left was \$45,000 and their median salary now is \$55,000 – a \$10,000 increase.*

When former attorneys were asked what else it would have taken for them to stay, many responses included comments about management of the program:

- *“Lower my caseload and give me a situation where I can effectively do my job.”*
- *“greater respect from administration; greater skill from support staff.”*
- *“Recognition of hard work and sacrifices in light of difficult situations.”*
- *“Better upper management. There were some poor decisions made to retain staff that were acting in ways that lowered the integrity of the entire organization. Also favoritism of certain units over others.”*
- *“Management to value their employees...”*

Former attorneys also gave many comments about the need for a lower workload and more assistance from support staff:

- *“Hours – I can’t work 55-60 hours a week on the salary I was given. With the caseload I had, I literally never stopped working. The kids had my cell phone number. It was 24/7. The program could have responded by limiting our caseloads to a reasonable, manageable number at which I can effectively do my job.”*
- *“I had no support staff for the last several years of my employment and had to do all secretarial and clerical work myself. What a waste!”*
- *“Be more involved in the training that I needed in order to perform my duties.”*

When asked for any other comments, many respondents provided answers that are instructive for retention efforts:

- *“SALARY and LRAP is the biggest issue. Then comes the issue of promotions.”*
- *“as we all know, it's the lack of money when you have large educational loans that is the biggest killer for civil legal aid attorneys everywhere”*
- *“Money really is an issue - I was in a relatively good position financially at that time since I already owned my house and cars outright, but it would be really hard for someone to come up with down-payments, etc, on that salary.”*
- *“Not to sound like a broken record, but attorney salaries at (program) had been literally the same for many years when I worked at (program) - no cost of living adjustments, and no increases for additional years at the organization. I was young and single, so it was ok, but it would be hard to go back to making \$37,000 with no real possibility of an increase now.”*
- *“Beyond salary and loan repayment, the programs need to train their supervisors to make sure the supervisors are being supportive to their new and old attorneys, provide good fiscal management so there is greater job security. By supportive-- provide adequate training and supervision so that attorneys aren't in over their head -- provide learning opportunities.”*
- *“I cannot stress enough that engaging EJW Fellows (or other newer attorneys) to help welcome and support new attorneys is something that should be considered. Many of us would be willing to play that role, even though we have moved on. Some might consider*

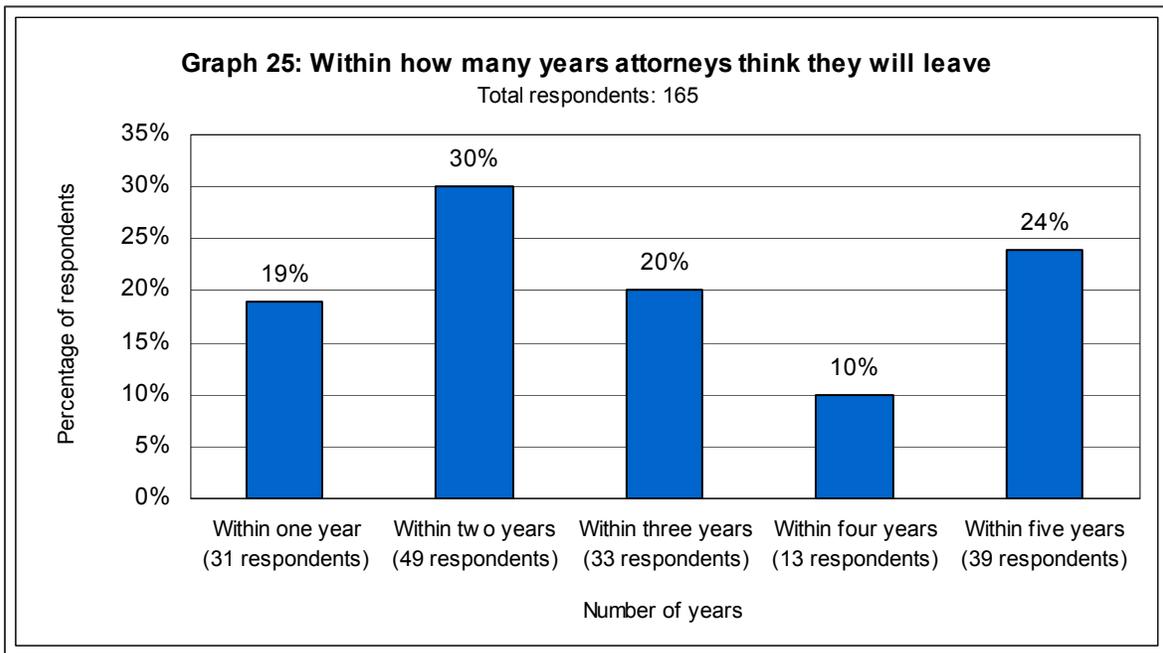
returning to Florida but people need to be vested and feel valued. I have spoken to many fellows about this and they are interested and willing. This would be a natural way to get younger leadership involved in some of the decision making occurring in civil legal aid programs. This type of involvement might help to recruit new attorneys and retain them. They will feel like they have an opportunity to shape the landscape of legal services and will likely stay to fulfill these goals.”

- “I recognize that the salary and benefits (though good) will never be the same as in the private world, so...legal aid programs have to make up for it in work environment (i.e. great management and administration, helpful support staff).”

The main types of employment the former attorney respondents went to include the following: private practice (32 percent); government (15 percent); public defender (11 percent); civil legal aid outside Florida (7 percent); academia (6 percent) other civil legal aid in Florida (5 percent); and prosecutor (5 percent).

Current Attorneys Who Think They Will Leave Within the Next Five Years. The current attorney survey asked if respondents thought they would leave their civil legal aid position within the next five years. Fifty-six percent (56%) answered “yes.”³³

Forty-nine percent of the attorneys who think they will leave say it will be within the next two years. (See Graph 25.)



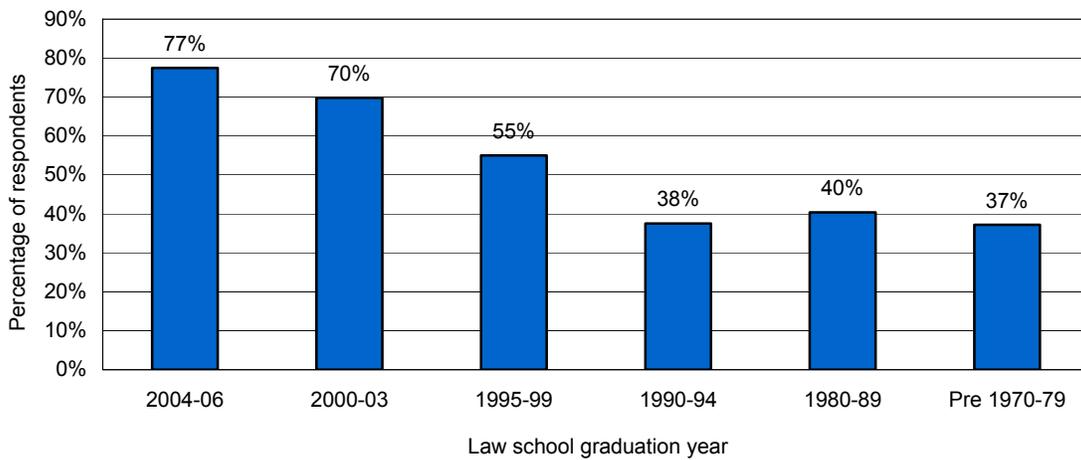
³³ The question was answered by 311 attorneys, meaning that 82 percent of all current attorneys (377) answered the question.

Finding: *Fifty-six percent of all current attorneys and 77 percent of 2004 – 2006 graduates think they will leave within the next five years.*

The percentage of attorneys who think they will leave generally increases with a more recent law school graduation date, with 77 percent of the 2004 through 2006 graduates saying they think they will leave within five years. See Graphs 26 and 27 for the numbers and percentages grouped by graduation dates.

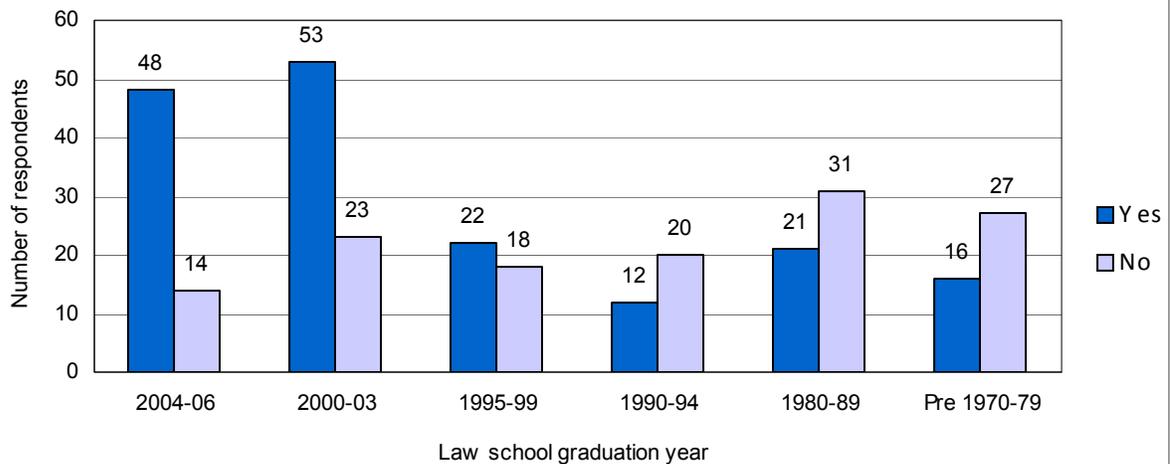
Graph 26: Percentage of attorneys who think they will leave in the next five years

Total respondents: 305

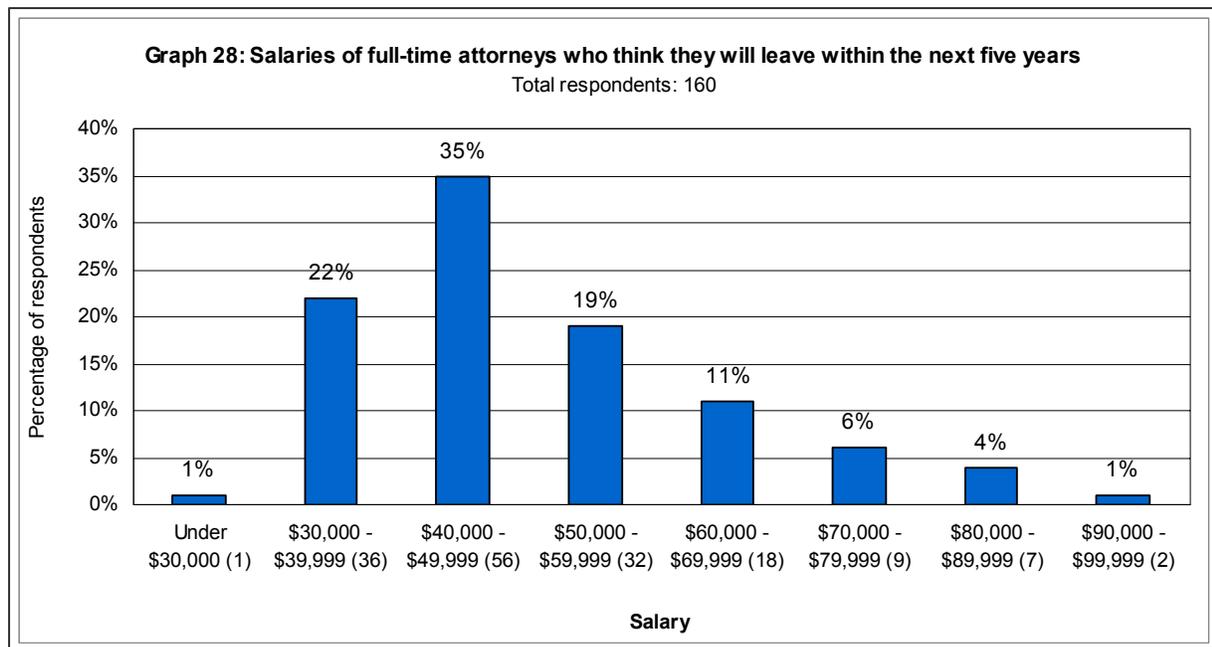


Graph 27: Number of attorneys who think they will leave in the next five years

Total respondents: 305



Twenty-three percent of the full-time attorneys who think they will leave have salaries of less than \$40,000 and 35 percent have salaries between \$40,000 and \$49,999. The percentages of attorneys then decrease with each \$10,000 in salary. (See Graph 28.)



The attorneys who think they will leave are employed by 25 of the 28 programs. Most striking is one large program that has 81 percent of its attorneys saying they think they will leave within the next five years.

Other characteristics of the attorneys who think they will leave include the following:

Age: Disproportionate percentages of the younger age groups (68 percent of attorneys 25 – 29 and 70 percent of attorneys 30 – 34 years of age) think they will leave within the next five years. The age group with the lowest percentage of attorneys indicating they think they will leave is those 55 – 59 years of age.

Finding: *More attorneys in the younger age groups – 68 percent of attorneys 25-29 and 70 percent of attorneys 30-34 years of age – think they will leave within the next five years.*

Race/Ethnicity: A larger percentage of Blacks/African Americans, Asians and Native Americans (74 percent) think they will leave, compared to 56 percent of all attorneys.

Finding: *A larger percentage of Black/African American, Asian, and Native American attorneys think they will leave in the next five years – 74 percent – compared to 56 percent of all attorneys.*

Equal Justice Works Fellows. Six of the 11 current EJW fellows indicated they think they will leave within the next five years.

Educational Debt. A larger percentage of the attorneys who think they will leave have educational debt than those who do not think they will leave—65 percent compared to 40 percent. They also have higher median debt—\$80,000 - \$89,000 compared to \$60,000 - \$69,000. Thirty-seven percent are LRAP recipients.

Finding: *Attorneys who think they will leave are more likely to have educational debt than those who do not think they will leave – 65 percent compared to 40 percent. They also have higher median debt - \$80,000 - \$89,000 compared to \$60,000 - \$69,000.*

Job Diversity. More than 2.5 times the percentage of attorneys who think they will leave would like their job to be more diverse than those who do not think they will leave—37 percent compared to 14 percent.

Supervision. Differences exist as well in how the attorneys rate their supervisor. Fifteen percent of those who think they will leave rate their supervision below average or poor. Only 3 percent of attorneys who do not think they will leave give these ratings.

Finding: *Fifteen percent of those who think they will leave rate their supervision below average or poor. Only 3 percent of attorneys who do not think they will leave give these ratings.*

Job Stress. When asked to rate how emotionally draining they find their job, 35 percent of the attorneys who think they will leave find it “very” emotionally draining (the highest rating) as compared to 24 percent of

the other attorneys. The survey respondents also rated a variety of situations. The top three situations they experienced “always” or “frequently” and the differences between the attorneys are displayed below:

	<u>Attorneys Leaving</u>	<u>Attorneys Not Leaving</u>
Emotional exhaustion	41%	19%
Demanding client interactions	43%	21%
Frustration	45%	17%

Opportunity to Advance. The attorneys were asked, if there are positions they would like to advance to in their program, do they feel they have the opportunity to do so. Fifty-nine percent of the attorneys who do not think they are leaving said yes, compared to 44 percent of the attorneys who do think they are leaving.

Attorneys who think they are leaving were asked to rate the reasons for leaving. They rated multiple reasons. (See Table 25.)

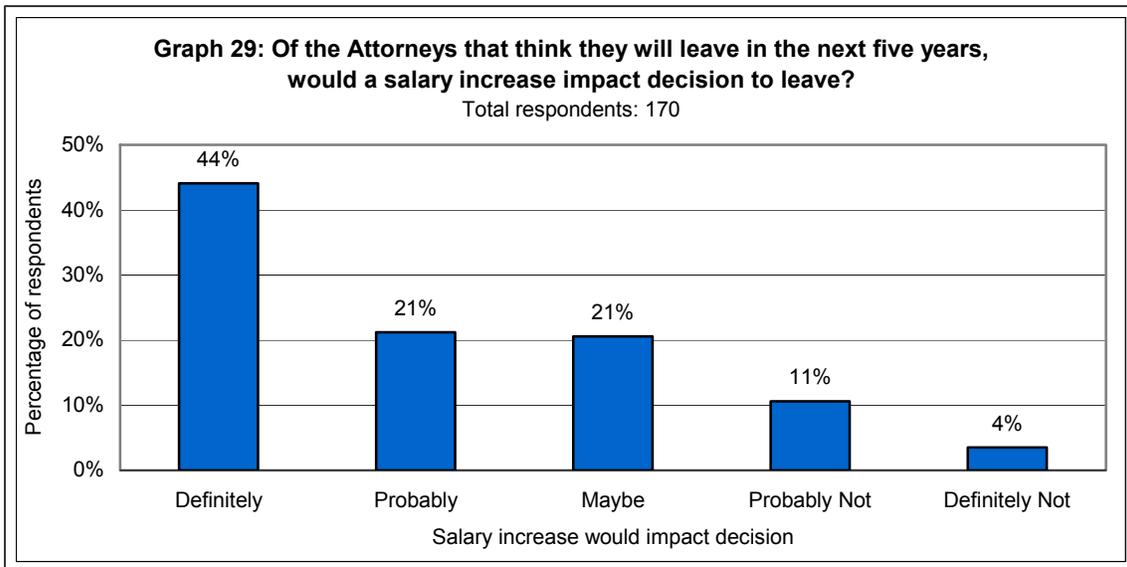
Table 25: Reasons Current Attorneys Give for Leaving Within Five Years							
Reason	Rating Average	Very Important				Very Unimportant	Number of Responses
		5	4	3	2	1	
Financial pressure due to low salary	3.99	56%	16%	11%	7%	11%	162
Financial pressure due to student loans	3.13	38%	14%	8%	3%	37%	160
Burn-out	2.99	20%	25%	17%	11%	27%	157
Financial pressure due to other extraordinary expenses	2.94	26%	16%	15%	13%	31%	154
Personal reason	2.72	22%	15%	15%	9%	39%	152
Case load stress	2.64	12%	20%	20%	17%	32%	154
Family reason	2.59	20%	15%	13%	9%	43%	149
Need for more balanced life	2.50	15%	15%	16%	14%	40%	151
Lack of retirement benefits	2.37	11%	11%	22%	15%	40%	156
Lack of professional development	2.33	9%	11%	18%	29%	33%	150
Lack of skill development opportunities	2.30	8%	9%	20%	30%	33%	150
Lack of professional support	2.19	5%	13%	21%	22%	40%	151
Poor management	2.18	10%	11%	16%	14%	49%	153
Need more interesting work	2.10	8%	13%	12%	16%	51%	148
Lack of flexibility	2.02	6%	9%	14%	22%	48%	153
Poor supervision	1.91	5%	9%	14%	17%	56%	151
Lack of job security	1.85	9%	3%	12%	19%	58%	152

Reasons rated #1, 2 and 4 are financial, with the top reason being “financial pressure due to low salary. Fifty-six of the respondents rated that as very important. “Burn-out” ranked #3. Twenty-two percent of the respondents rated “personal reason” as very important and twenty percent rated “family reason” as very important, which are very similar to the percentages from the former attorney survey.

Top five reasons (in order) attorneys think they will leave:

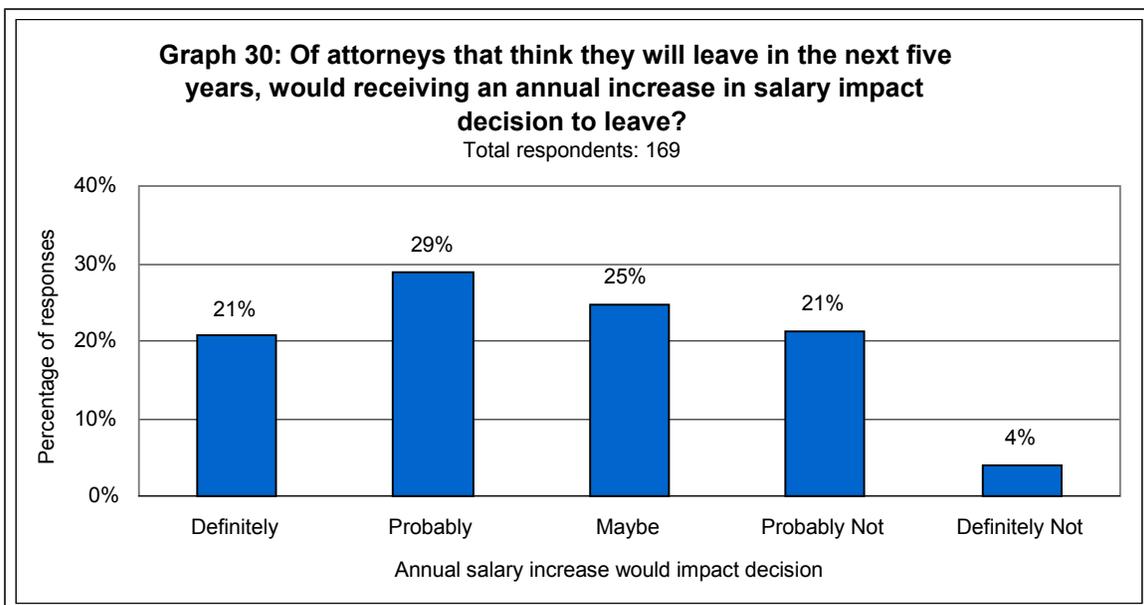
- *Financial pressure due to low salary*
- *Financial pressure due to student loans*
- *Burn-out*
- *Financial pressure due to other extraordinary expenses*
- *Personal reason*

Attorneys who think they will leave were asked if an increase in salary would impact their decision to remain in their position. Sixty-five percent answered “definitely” or “probably.” (See Graph 29.)

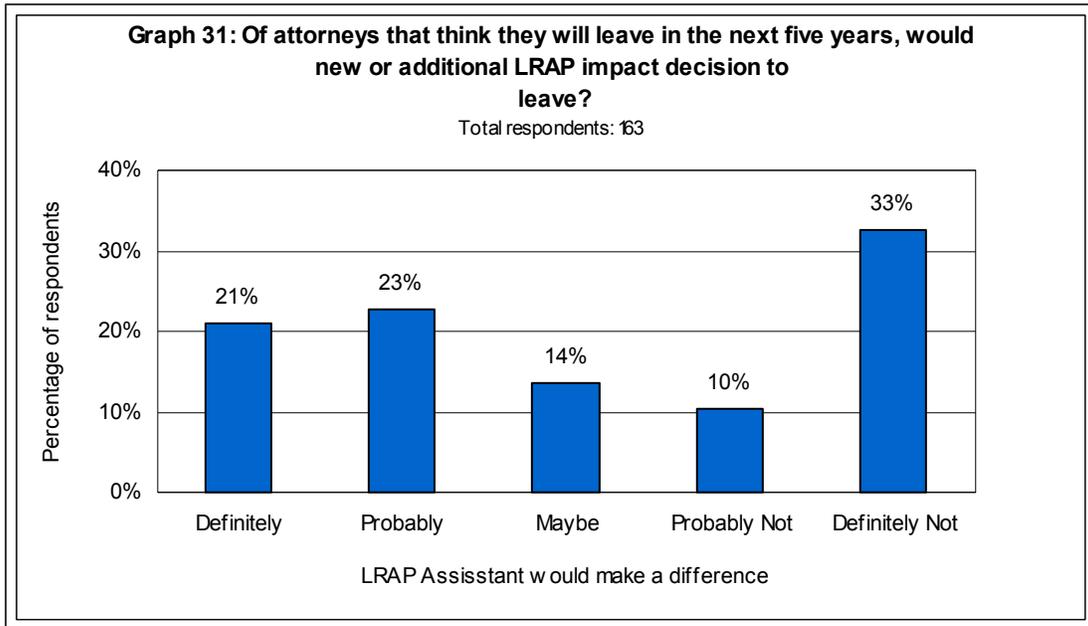


When asked what dollar amount would impact their decision, the answers ranged from \$2,000 to \$53,000. The median is \$12,000 and the most frequent answer is \$10,000 (27 of 125 respondents).

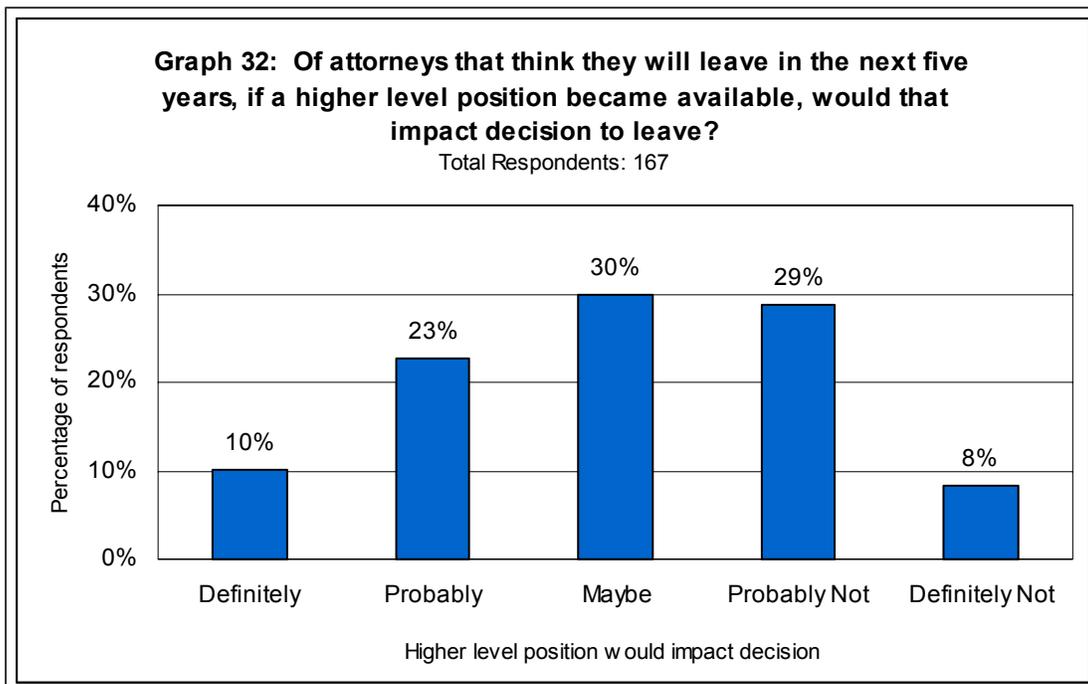
Fifty percent of the attorneys who think they will leave said knowing they would receive annual increases in salary would “definitely” or “probably” impact their decision to remain in their position. (See Graph 30.)



When asked if new or additional LRAP assistance would impact their decision, 44 percent answered “definitely” or “probably.” (See Graph 31.)



Finally, attorneys were asked if a higher level position became available at their program, would that impact their decision. Thirty-three percent answered “definitely” or “probably.” (See Graph 32.)



The above four areas were the only ones specifically asked about on the survey with multiple choice answers. Attorneys who think they will leave were also asked in a narrative question what else it would take for them to stay.

- **What Else May Keep Attorneys Longer:**

- Better management, supervision and support staff assistance.**

- *“Restructuring of management to better train, supervise and work with staff.”*
 - *“Change in management staff and the management of the program”*
 - *“Better supervision on substantive areas, less non-substantive demands on my time”*
 - *“Having support staff and supervision that knows about the types of cases I handle.”*
 - *“Better supervision and better support staff. I love the job, but the stress is not worth the ridiculously low salary.”*

- Help managing workload and stress.**

- *“Honestly, I like my job. I really enjoy helping people, and there are those days that I truly feel that I am making an impact in society. That really matters to me. But these sentiments are tempered with stress --both financial and emotional. There are those days when I feel that I definitely do not receive enough compensation to deal with the job and its stressors. I went to law school, worked hard, and graduated with honors, and sometimes I just get by for rent, car payment, insurance, a random car repair, food, and daily living. Also, working in this position causes stress! I know that's true with any job, but I believe it can be amplified working with people living in poverty. Emotional and work help would go a long way in combating these stressors.”*
 - *“It's just too stressful and I don't know how to deal with the stress.”*
 - *“The key factor for me is workload and the ability to go home with emotional reserves left.”*

- Better health benefits, flexible work-time, and more vacation.**

- *“Better health insurance”*
 - *“Reduced health care costs. I pay \$270.00 bi-weekly for family coverage.”*
 - *“More flex time, working part-time, working from home, taking leave if needed, more training”*
 - *“Significantly more vacation time! (Two weeks annually is just not acceptable!)”*

Finding: Many attorneys talked about how much they appreciate the flexible schedule they are allowed in their programs, including flexible hours or the flexibility to take care of family matters during the day.

Opportunities for more diverse and challenging work.

- “More aggressive advocacy”
- “More intellectually challenging work”
- “Freedom to do litigation with adequate time to work on it.”
- “More diversity in my workload”
- “I’ve thought about this alot... 1. A substantial salary increase 2. The opportunity to do new kinds of cases”

Finding: *Twenty-seven percent of the current attorney respondents and 37 percent of those who think they will leave in the next five years would like their jobs to be more diverse.*

H. HUMAN RESOURCES MANAGEMENT

Several areas explored in the study involve how civil legal aid attorneys are developed, supported and managed. These areas include non-salary compensation, work-time policies, leave policies, technology resources, orientation and training, supervision, job diversity, leadership development, recognition, and job stress.

Most programs do not have dedicated, professional human services managers. In many programs the executive director and administrator share responsibility for human resources. Most staff who perform HR functions have attended training given by the Southeast Administrators Association. Some have attended the MIE Administrators training. Executive directors often cite their knowledge of employment law and compliance. Some of the larger programs have trained HR professionals, including an HR director who is certified by the national HR institute, an administrator who has taken two 9-month courses; and a finance director who has worked for major companies in HR. A fourth large program is currently hiring its first HR professional.

Non-salary compensation.

Health Insurance. All 28 programs provide health insurance. The full premium for the employee is paid by 19 programs. The other eleven programs pay 50 - 91 percent of the premium.

Only five programs pay the full premium for family coverage. Eight of the programs, including one large program³⁴, do not pay for any portion of the premium. The remaining programs pay 40 to 89 percent of the premium.

More affordable health insurance and better coverage were mentioned as major needs by numerous attorneys in both the survey and interviews. In one large program, family coverage costs the employee more than \$540 per month where the

³⁴ For the Report, programs are divided into small (1 to 5 attorneys), medium (6 to 20 attorneys), and large (more than 20 attorneys).

employer is paying 40 percent of the cost. Some attorneys report having difficulty paying the required co-payments as well as their share of the premiums.

Dental Insurance. Twenty-three of the programs provide dental insurance for employees and their families. Three small programs and two medium programs do not. Seventeen of those that provide dental insurance pay 100 percent of the premium for the employee. The others pay 25 to 85 percent of the employee's premium. Five programs pay 100 percent of the family premium, and the rest pay 0 to 70 percent.

Disability Insurance. Short-term disability insurance is provided by 17 programs and long-term disability is provided by 25 programs. Of those that provide the coverage, all but one program pays 100 percent of the premium. The other program pays none of the premium.

Life Insurance. Twenty-six programs provide life insurance coverage and pay 100 percent of the premium.

Retirement Benefits. Twenty-five programs have a 403(b) or 401(k) plan. Three of these programs do not provide an employer contribution. The other 22 programs contribute between 2 and 10.71 percent of the employee's salary. Some have waiting periods for contributions. Eighteen of the programs with these benefits have made an employer contribution annually for the last five years. One program has a pension, and two programs have no retirement benefits.

Current attorney respondents gave a cumulative rating of 3.11 for retirement benefits when asked to rate their satisfaction with their retirement benefits, where 1.0 is "very unsatisfied" and 5.0 is "very satisfied." Many respondents and interviewees expressed the need for better retirement benefits.

Mileage Reimbursement. Twenty-seven of the programs provide mileage reimbursement. Most programs (17) pay at the IRS rate—currently 48.5 cents per mile. The others' reimbursement varies from 30 cents to 45 cents a mile. Two programs restrict the reimbursement to travel over 10 miles or outside city limits.

Work-time Policies. Six programs have written policies that allow for attorneys to work for the program part-time. Other programs have mixed practices, with some allowing it on a case by case basis and others encouraging it. Some of the older current attorney respondents said they would like to work part-time before they retire.

Many respondents and interviewees talked about how much they appreciate the flexible schedule they are allowed in their programs, including flexible hours or the flexibility to take care of family matters during the day. Most of these attorneys are parents. Others with a four-day work week said how even though they may end up working five days, there is less pressure on the fifth day when the office is closed. Some attorneys would like to be able to work remotely more often, particularly those with a significant commute

to the office. Attorneys in one program talked about how inflexible their program's schedule is and how they did not feel they are treated like professionals, but rather held to a strict clock.

Leave Policies. Programs' annual leave policies were not reviewed, but received mixed comments from the current attorneys. Some wanted more vacation time, often citing a need to alleviate job stress. Others said having vacation time was not that beneficial to them because they had too much work to ever take time off and/or they did not have the money to go anywhere.

Many attorneys mentioned the need for sabbaticals in the current attorney survey, so the programs were asked about these policies. Only seven programs provide paid sabbaticals. The amount of time varies from 15 days to 20 days every four or five years to 60 days every seven years.

Technology Resources. Programs provide various technologies that may affect an attorney's efficiency and job satisfaction, particularly that of younger attorneys who are used to a high level of technology.

Computer to printer ratio:	Average of 2.85 to 1
Laptops for outside office use:	23 programs
PDA's for managers and/or staff attorneys:	4 programs
Cell phone provided or reimbursed for some or all attorneys:	13 programs
Use Word Perfect only:	2 programs

Orientation and Training.

Training/Professional Development Policy. Four of the programs have a written training or professional development policy. The others generally require executive director approval for attorneys to attend trainings. Some encourage as much training as an attorney wants and needs. One program rarely has a training budget and sends attorneys only to trainings that are mandated by funders or that are free.

Orientation. Seventeen of the programs report having a standard orientation for new attorneys. However, interviews of attorneys found that often these orientations involve learning about employee benefits or having the new employee initiate meetings with department heads, and many attorneys said it would have been helpful to have more extensive orientation about program policies and procedures, local legal policies and procedures, and legal practice areas.

First Year Milestones. One program has standard first year milestones—passing the Bar and attending Basic Lawyer Skills Training. One other program sets individual attorney milestones.

Mentors. Twenty-two programs report that mentors are provided for inexperienced attorneys. When asked on the current attorney survey whether they feel they have

been mentored by someone in their program, 78 percent of the 2005 and 2006 law graduates said yes. Sixty-four percent of these said their supervisor was their mentor.

Supervision. As reported in the Turnover section of the Report, two-thirds of the current attorney respondents rate the supervision given them “excellent” or “above average.” Another 23 percent give their supervisor an “average” rating, and 10 percent rate their supervision as “below average” or “poor.”

When interviewed, many attorneys, particularly newer attorneys, expressed a desire for closer supervision. Many said their supervisors have an “open door policy,” but they hesitate to interrupt their supervisor or ask questions because they know how busy he or she is with their own caseload or other responsibilities.

Supervisors, in interviews, also expressed a desire to be better supervisors, but said they feel torn by their own caseload, as well. Many supervisors expressed frustration and disappointment with the time they had available to help new attorneys. Some said they feel like they do not end up doing anything well because they have too many responsibilities.

Finding: *Many attorneys, particularly newer attorneys, expressed a desire for closer supervision, and many supervisors expressed frustration and disappointment with the time they had available to help new attorneys.*

Responses to the survey question that asked what improvements attorneys desire in their supervision are instructive. Most say they want more contact with their supervisor.

- **Current Attorney Comments on Supervision**

Most attorneys like their supervisors and wish they had more time to provide supervision.

- *“My supervisor is great, but I wish she were available more often.”*
- *“The supervisors have too many responsibilities, so I feel the quality of the supervision is decreased because they have insufficient time to supervise all of the staff they are in charge of.”*
- *“I have a great supervisor. I wish she had more support staff to help her so that she might have a bit more time when questions need to be answered.”*

A number of attorneys say they want more pro-active supervision.

- *“My supervisor allows me free reign to handle my cases which is both good and bad. As a new attorney I feel I must work 10 times harder to search for information which could more easily be shared with me through closer supervision. I would like to see my supervisor check in with me more instead of me always checking in with him.”*

- *“Attend hearings on occasion to gain feedback on litigation skills, training/development, and initiate more discussion for case review to oversee proper case management - if I'm on the right track for handling the case and/or legal theories.”*
- *“More in depth discussion of the cases that I handle. Taking an interest in systemic issues that face our clients. Not always worrying about the numbers.”*

Some attorneys mentioned their desire for more feedback, both informal and structured.

- *“Feedback - perhaps an evaluation”*
- *“Doing the basics - checking in from time to time; acknowledging when I've done a good job - or a bad job! Spending some attention on professional development.”*
- *“If I were to make a suggestion, I might say (the program) work to provide employees with feedback a bit more often (3 or 4 times annually). I would also suggest that a manager or evaluator take a day once every 6 mos. and "shadow" employees to get a better sense of organizational work to better provide feedback.”*

Fourteen programs report that supervisors receive training. When asked in interviews and focus groups, many supervisors report that they went to a supervision training sponsored by MIE (Management Information Exchange) when they were first in the position. Some reported they have attended more than one MIE training. All supervisors, when asked, said they would like additional training, particularly in the areas of case reviews, evaluations, and how to deal with low performing attorney and non-attorney staff.

Job Diversity and Rotations. Twenty-seven percent of the current attorney respondents and 37 percent of those who think they will leave in the next five years would like their jobs to be more diverse. Their sense of the barriers and their thoughts about how to address them are noted below.

Current Attorney Ideas on Enhancing Job Diversity

Many attorneys would like to handle cases in different substantive areas and would like training to do so.

- *“I realize that it probably isn't realistic or practical, but I would really like to have the opportunity to work on something from each of the different areas in my program to get a deeper understanding of what my co-workers do and to learn how I can work with them to achieve success in the areas in which I specialize.”*
- *“Staying in one practice area which has such a high emotional drain like DV is not good. I wish that my duties were more diverse.”*
- *“Getting training on new legal areas that I haven't done before AND getting support from management to attend these trainings. Getting mentoring on new legal areas.”*

Many attorneys say they would like to take on more challenging work but feel constrained by resources, caseloads and other responsibilities. Similar barriers were mentioned with respect to moving into new substantive areas.

- *“I would like to do more impact advocacy work and litigation, but I cannot dedicate the time to do this based on the daily demands of my current caseload, staff and management responsibilities. It may be possible to do this with the addition of staff and additional staff training.”*
- *“Currently, my unit is overwhelmed with applicants and I haven't been able to accept a varied case load. I am hopeful as the recent staffing changes become settled I will have the opportunity to accept different cases within my unit.”*
- *“I would like the opportunity to develop more challenges to the law on an appellate level. There is so much work, you can't really concentrate meaningfully on any one thing unless you cut back on something else or if you work 80+”*
- *“I have experience in complex litigation but no time to do it. Too many responsibilities for experienced attorneys in management, supervision and meeting local office grant requirements. New grants do not translate into new attorney hires, we just get more work:*

Current attorneys were also asked if they think rotations within and between programs should be offered and whether they would like to do a rotation, if offered. Seventy-eight percent think inner-program rotations should be offered and 72 percent agree with inter-program rotations. Nearly half (49 percent) would like to do a rotation.

Leadership Development. Current attorneys were asked if they think leaders are developed by their program. Sixty-five percent responded “yes.” All but one program had at least one attorney answer “yes.” In nine programs all of the attorney respondents who answered the question answered “yes.”

Finding: *Seventy-six percent of the attorneys identify themselves as a leader. Of those who did not, 55 percent would like to be.*

Seventy-six percent of the respondents identify themselves as a leader. Of those who did not, 55 percent would like to be. Ideas and comments from current attorneys about leadership development follow.

- **Current Attorney Ideas on Leadership Development**

- Involve staff in shaping the program.**

- *“Leaders could be developed by having new visions and not being restricted by ‘it has always been done this way’.”*
 - *“Give staff the opportunity to shape the program.”*
 - *“Program should allow non-management attorneys to have a meaningful say in the policies, procedures, and types of cases handled by the program.”*

Not all staff can be or want to be leaders, but there are steps a program can take to find, encourage and provide support for those with interest and ability.

- *“I think leaders tend to naturally emerge. But when someone shows good leadership skills, that should be fostered and they should be given the opportunity to handle greater responsibility.”*
- *“People need a little encouragement and if someone shows interest and ability, give them some responsibility and let them make some decisions. Then don't let others ignore them and go over their heads. If you give people responsibility, then give them some authority.”*
- *“I think that for people who want to advance, there are any number of trainings that our office could promote - basic seminars on non-profit management, seminars on grant writing, seminars on managing employees. People could attend these trainings before an opening is available.”*

Provide mentoring and leadership training.

- *“The skills of management and supervision are different than those necessary to work as a staff attorney. Training needs to be provided on the skills necessary to supervise well and to effectively manage the practice.”*
- *“We have some outstanding leaders here. I've been lucky to have been mentored by two of them... Mentoring is the best leadership development tool that I've seen deployed here.”*
- *“Mentoring and leadership training. Moreover, give the opportunity to staff attorneys for the development of their own projects. Reward initiative and creativity.”*
- *“Shadowing other supervisors or leaders in the program.”*

Provide opportunities to lead substantive work.

- *“In our program we identify leaders and assign them projects. Leaders could be developed by encouraging staff to identify needs in the community and putting together a project to fit the need.”*
- *“By taking on leadership responsibilities for particular advocacy projects (e.g. coordinating the activities of a number of other advocates to accomplish particular advocacy goals) or office administrative projects.”*
- *“If a major case comes in designate a project leader for that case, next major case switch project leaders.”*

Other efforts include:

- *“Executive Director allows staff to participate in community organizations and regional orgs and is supportive of staff efforts.”*

- *“We try to include younger attorneys in administrative activities and encourage/require participation in regional/statewide activities.”*
- *“Staff are invited to join subcommittees or committees involving program activities; staff are invited to chair or co-chair a committee; staff are asked to provide or develop trainings for program staff or agencies; staff are invited to attend local, regional or state meetings in place of immediate supervisor...”*

Recognition. Most attorneys appreciate their program’s efforts at recognition; though a high percentage - nearly one-third - of the current attorneys say they do not receive the amount and kind of recognition for their work that they would like. Eight programs give awards, nine give acknowledgement of achievements in program newsletters, and twelve send program e-mails to recognize attorneys. Other methods used by one or a few programs include staff lunches, an annual dinner, an annual employee retreat, postings on website, announcements at staff meetings and Board meetings, notices for the Bar publications, parties, and bonuses. Six programs did not report any recognition activities.

Many recognition ideas from the current attorney respondents echo what some programs do. Some of those comments and others are noted below.

- **Current Attorney Ideas on Recognition**

Many attorneys say they appreciate public recognition and value their program’s efforts.

- *“We have an annual employee appreciation lunch where employees are recognized for their achievements and job longevity. Special achievements are praised by the Executive Director and managers, both in person and through e-mails to all staff. I think those are both very effective means for recognizing employee achievement.”*
- *“I actually think our program does a very good job of recognition. Each week we have a newsletter that goes to everyone. If someone has done something great, it is in the letter.”*
- *“It matters a great deal that my supervisor is generous with praise of me in the office AND in the community.”*

Several attorneys believe recognition should come in the form of salary increases or bonuses. Merit raises and bonuses were mentioned often.

- *“Without sounding ungrateful, most of us receive recognition by the impact our work/efforts have on our clients. Recognition needs to also come in the form of monetary compensation. It’s great to get an award, but if we can’t pay our student loans, it really doesn’t have us feeling that great for too long”*
- *“Salary increases should be based on performance. Those who perform at a low level but still get a standard raise have little incentive to improve. Those who perform at a high*

level and also get a standard raise feel unappreciated, no matter how much written or verbal praise they receive.”

- *“performance/merit bonuses or raises based on feedback from clients, court, co-workers and track record/litigation outcome”*

Some attorneys gave other ways to value staff and boost morale.

- *“Recognition does not need to be done with an award but rather acknowledging the work being done by providing proper support, workspace, and assistance would help in making you feel that your work is important.”*
- *“A simple call saying you are doing a great job with a difficult case would do since we don't get bonuses for cases or periodic merit raises.”*
- *“It really doesn't cost the program anything to reward folks with a day off here and there... I think that periodic simple gestures throughout the year - bringing in bagels, sandwiches, afternoon ice cream parties - sometimes the little things show administration cares. I understand that our money needs to focus on delivery of legal services. But, we have an exceptionally devoted staff, and we MUST be good to ourselves to best serve others. There need to be morale boosters.”*
- *“I think it is important for members of an organization to communicate with one another, to be informed of what others are doing, to share struggles in dealing with cases and provide opportunities for mentoring within the organization. In addition, it is important for staff to be involved in the constant evolution of the organization and its values. This gives each attorney a sense of appreciation and motivates all of us to continue working towards a common goal.”*

Job Stress. A striking finding of the current attorney survey, but more particularly from the attorney interviews, is the level of stress felt by attorneys. Nearly one-third of survey respondents (31 percent) report they find their job “very” emotionally draining and another 48 percent find it “somewhat” draining. Feeling frustration or emotional exhaustion was given “always” or “frequently” ratings by 32 percent and 33 percent, respectively.

Finding: *A striking finding...is the level of stress felt by attorneys. The stress associated with turning away clients, feeling like they cannot do enough for their clients, feeling like they cannot do a good job on anything because they have too many cases or responsibilities, and many add that their financial stress affects their concentration at work and their ability to do well.*

Attorneys talk about the stress associated with turning away clients, feeling like they cannot do enough for their clients, feeling like they cannot do a good job on anything because they have too many cases or responsibilities. And, many add that their financial stress affects their concentration at work and their ability to do well. Some talked about how they are burning out and feel the only way to solve it is to leave because they are asked to do more and more or they feel like they should do more and more. Many have a difficult time saying “no” or cutting back.

CONCLUSIONS AND RECOMMENDATIONS

This Report analyzes four areas affecting the recruitment and retention of civil legal aid attorneys in Florida: (1) salaries and other factors that help build a stable and productive workforce; (2) the demographics of attorneys currently working for Florida programs; (3) the characteristics of the attorneys who have left and those who think they may leave their programs; and (4) the rate of turnover.

The findings show that attorneys are leaving the programs at an alarming rate. On average, each year, over the past five years, one out of five attorneys has left. The long-term loss is even worse. Six of every 10 attorneys that worked for a civil legal aid program five years ago are no longer there. This is devastating to programs, their clients, and the delivery system statewide. In addition to the tremendous loss of experience and disruption in client service, this turnover prevents the cultivation of a new generation of attorneys who make civil legal aid a career.

Many of the attorneys who have left civil legal aid or think they will leave are doing so because of the low salaries and/or their high educational debt. However, financial reasons are not the only reasons for the high turnover. Attorneys are also leaving because of poor management, lack of professional support, poor supervision, case load stress, and burn-out.

These recommendations are not just about how to make changes to better recruit attorneys or make them less likely to leave. They are also about making changes for attorneys who stay, not just to retain them, but to give them a positive, financially-rewarding work experience.

This Report makes recommendations in six areas: (1) salaries; (2) loan repayment; (3) supervision; (4) job diversity, job stress and burn-out; (5) leadership development and advancement opportunities; and (6) recruitment. These recommendations, if adopted, will improve the recruitment and retention of attorneys and lead to stronger, more effective legal aid programs in which clients are served by attorneys at their best.

A. SALARIES

Conclusions

Salaries for Florida civil legal aid attorneys are abysmally low, and the principal cause of Florida's increasing turnover and difficulty filling vacant positions.

The median starting salary of \$38,500 is below what most new attorneys need to meet the cost of living and far below the salary one would expect for a highly-educated professional.

Just as troubling, the rate at which salaries increase after the first year is extremely slow. It takes a median of nine years for a staff attorney to reach a salary of more than \$50,000. Even then, the salary is approximately one-third less than that paid a comparably experienced assistant public defender or state's attorney. At higher experience levels, the gap grows to 48 percent. Programs need to raise salaries at all levels of experience, not only to retain current attorneys, but to continue to successfully recruit attorneys of all experience levels.

Attorneys who left in the past five years and those who think they will leave within the next five, cite low salaries as the primary reason. Many current attorneys are suffering severe financial hardship and stress because of their low salaries, stress that detrimentally affects their effectiveness at work.

Many attorneys do not know whether they will receive an annual salary increase or what the amount might be, because many programs do not use a salary scale. Attorneys do not know what they will earn in the future. This lack of transparency leads to concerns about the fairness of salary determinations. Attorneys want to know and should know they will receive an annual salary increase and its amount.

By failing to acknowledge the financial need, the professional status, and the good work of civil legal aid attorneys, Florida's legal aid salaries also ignore basic principles of fairness and equity.

Sixty-five percent of the attorneys who said they think they will leave in the next five years said that a salary increase would definitely or probably impact their decision. Ten thousand dollars was the median amount given by those who said an increase would make a difference. And, \$10,000 is the median salary increase that attorneys who left in 2006 received in their new jobs. Accordingly, \$10,000 is a useful benchmark to determine the salary increase needed to retain current attorneys.

Recommendations

- **Foundation:** Provide attorney-salary grants in 2008 and 2009 to programs that have a board-approved salary scale and salary plan.
- **Programs:** Adopt a salary plan that includes a uniformly-applied attorney salary scale with a starting salary of \$48,000 by the end of 2009. Each full-time attorney should, on average, receive at least a \$10,000 increase in salary by the end of 2009. Part-time attorneys should receive a pro rata salary increase.
- **Programs in High Cost Areas:** Implement a salary scale with a starting salary higher than \$48,000 to account for the high cost of living in the program area.

- **Programs and Foundation:** Incorporate principles of basic fairness and equity in salary determinations and grants for salaries to acknowledge the financial need, the professional status, and the good work of civil legal aid attorneys.

B. EDUCATIONAL DEBT AND LOAN REPAYMENT ASSISTANCE PROGRAMS

Conclusions

The Foundation has a commendable Loan Repayment Assistance Program (LRAP), but improvements are needed to make it a more effective recruitment and retention tool. Educational debt is at such a high level—more than \$100,000 for recent law school graduates—that salary increases alone will not be enough to deal adequately with debt payments and balances.

Fifty-four percent of Florida civil legal aid attorneys have educational debt. Currently, more than 40 percent of them do not receive loan assistance from the Foundation or any LRAP.

Attorneys seeking to participate in the Foundation's LRAP must compete for assistance and can do so only if their employer elects to participate. Not all do. Moreover, even when their employer does participate, current and prospective attorneys do not know if they will receive assistance. This lack of certainty deters prospective legal aid attorneys and causes additional stress for current ones.

The Foundation's LRAP provides benefits of up to 80 percent of the LRAP participant's annual debt payments, up to \$6,400 per year.³⁵ Though generous, this is insufficient to enable attorneys to climb out from under their educational debt. Many attorneys are forced to consolidate their loans and extend their terms to 25 to 30 years to afford the monthly payments.³⁶ This dramatically increases the total payments and leaves the attorneys primarily paying interest for years. Unless the Foundation's LRAP helps attorneys pay down the principal of their loans, educational debt will be a 30-year problem.

Although the Foundation's LRAP is less complicated than others, some elements make it fairly complicated to administer, such as paying only for law school loans, income cap tiers and operating a regular and supplemental program.

Recommendations

- **Foundation:** Improve the regular LRAP to cover more attorneys and simplify administration:

³⁵ Attorneys are eligible for an additional \$6,400 (funded 20 percent by the Foundation), but most programs do not participate.

³⁶ The largest number of attorneys with educational debt estimates they need 25 to 30 years to pay it off. Because of the Foundation's percentage formula, participants who need to consolidate their loans with a 25 or 30 year term to make the payments affordable receive less assistance than participants with loans at a 10 or 15 year term.

- Eliminate the supplemental LRAP and provide assistance to these recipients through the regular LRAP.
 - Provide assistance to all attorneys with educational debt who work for Florida civil legal aid (including pro-rata assistance for permanent part-time attorneys), making LRAP a certainty for current and prospective attorneys.
 - Eliminate the income cap. This removes programs' incentive to pay low salaries to establish LRAP eligibility and allows experienced (higher paid) attorneys to eliminate their debt sooner.
 - Cover all educational debt. Although this will increase the eligible debt balances, it will also ease administration because most educational loans are consolidated. An undergraduate degree is needed to obtain a law degree, and all debt is a burden at legal aid salaries, even if they are increased.
 - Calculate benefit levels using debt balances instead of annual payments. Pay ten percent of the debt balance up to a maximum of \$8,400. Attorneys will pay off their principal faster.³⁷
- **Foundation and programs:** Fund the LRAP with 80 percent Foundation funding and 20 percent program funding.
 - **Programs:** All programs should participate fully in the Foundation's LRAP.
 - **Programs:** Hold harmless attorneys who currently receive more than \$8,400 annually from the Foundation's regular and supplemental LRAP.
 - **Programs:** Develop or keep program-based LRAPs to provide assistance to attorneys from month of hire to month of Foundation LRAP coverage—"gap LRAP."
 - **Foundation and programs:** Work with Florida law schools, particularly the privately-funded schools, to develop law school LRAPs.

C. SUPERVISION

Conclusions

Good supervision and mentoring make a significant difference in the quality of legal work performed and the quality of a staff attorney's work experience.

³⁷ A 15 year loan of \$75,000 requires \$695/month payments at a 7.5% interest rate. This is approximately \$8,400/year. A rough estimate is that half of the approximately 204 attorneys with educational debt (54 percent of the 377 total current attorneys) would receive \$8,400 because the median educational debt is \$70,000 - \$79,000, and half would receive an average of \$4,200: 102 x \$8,400 = \$856,800 and 102 x \$4,200 = \$428,400 for a total of \$1,285,200.

Many attorneys, particularly new ones, need and want more extensive and improved supervision.

Many supervisors are too busy with their own caseloads and other responsibilities to provide the amount and quality of supervision they want to give and that their supervisees would like and need.

Supervisors need, and many want, training in how to supervise. Although virtually all civil legal aid attorneys are motivated by helping low-income individuals access the justice system, some need additional motivation to work as a team or on a particular project.

Recommendations

- **Programs:** Develop a supervisor skill-building program for new and experienced supervisors.
- **Programs:** Provide more time for supervisors to supervise and develop supervisor standards or guidelines.
- **Foundation:** Support the development of supervisor skill-building programs.

D. JOB DIVERSITY, JOB STRESS AND BURN-OUT

Conclusions

Civil legal aid jobs are notoriously stressful, and some attorneys and programs believe constant, high stress is inevitable. Inadequate staffing and reliance upon special grants with high deliverables can also make them repetitive and stifle professional growth and reward. Both factors can lead to burn-out and turnover.

Many attorneys would like their jobs to be more diverse in the type of case and skill required to provide assistance. And many also want more challenging work.

Recommendations

- **Programs:** Develop and provide more opportunities for attorneys who want to handle a broader variety of cases and to develop and use additional skills.
- **Programs:** Develop and implement ways to create a work environment that minimizes high stress and burn-out.

E. LEADERSHIP DEVELOPMENT AND ADVANCEMENT OPPORTUNITIES

Conclusions

To retain staff and remain vital, civil legal aid programs need a constant stream of new leaders in a variety of positions. Many of Florida's attorneys are ready and willing to work on projects that will develop their leadership abilities and/or improve their advancement opportunities. Many attorneys would like to advance in their programs, but believe they have no way to do so.

There are many ways to identify and nurture leaders. One very important way, noted by many newer and experienced attorneys, is for programs to give attorneys input into the program's goals and to mesh the attorney's personal career goals with the program's.

Recommendations

- **Programs:** Provide leadership development opportunities within the programs for all attorneys.
- **Programs:** Coordinate leadership development projects and training at the regional and/or state level.
- **Programs:** Develop job positions, such as senior attorney and project leader, which provide more responsibility and compensation. Also, delegate management responsibilities to attorneys who want management experience.
- **Foundation:** Support the coordination of regional and/or state level leadership development projects and training

F. RECRUITMENT AND HIRING

Conclusions

Recruitment and hiring processes are not prioritized by most of the programs. Necessary time and financial resources are not invested in these crucial functions. Hiring is generally slow and cumbersome which causes programs to miss opportunities to hire interested candidates.

Though the number of vacancies may decrease over time if programs increase salaries, active recruitment will still be necessary, especially among attorneys of color and for rural parts of the state.

Recruitment efforts, outside of the Summer Fellows program and career fairs, are conducted by individual programs and not coordinated statewide. Programs are not taking advantage of interviewing top candidates from career fairs.

Recommendations

- **Programs:** Streamline hiring practices; develop an updated package of recruitment information; and provide significant financial incentives for potential applicants.
- **Programs:** Build and maintain strong relationships with promising candidates, particularly law students and attorneys of color, even if there are no current openings.
- **Programs:** Coordinate recruitment at the regional and/or state level.
- **Foundation:** Create a brochure about the Foundation's LRAP that can be used by programs and broadly distributed to Florida law students and other potential attorney applicants.
- **Foundation and Programs:** Work to change the rule to allow admission on motion for attorneys who have been licensed in another state for five years and are going to be employed in Florida civil legal aid.

APPENDICES

Appendix 1

Highlights of Findings

A. Demographics of Current Attorneys

- **number of attorneys:** 377
- **positions:** 70% are staff attorneys and 30% have supervision or management responsibilities
- **full-time/part-time:** 90% full-time; 10% part-time
- **gender:** 73% female; 27% male
- **age:** median age range of 36 to 40 years; largest number in age range of 26 to 30 years
- **largest generation:** Generation X
- **race/ethnicity:** 25% are Latino/Hispanic or Black/African American, but these groups make up 53% of Florida's poverty population—the client base
- **bi-lingual:** 37% speak a second language—75% of these speak Spanish and 5% Creole
- **marital status:** 50% married; 43% single; 6% live as a couple
- **children:** 42% have children under age 22; females are more likely to be parents
- **earners:** 42% are the sole earners; 29% of attorneys with children have only one earner
- **primary breadwinner:** Two-thirds are primary breadwinner, but there is a gender difference; 84% of males and 59% of females

B. Undergraduate and Law School Education of Current Attorneys

- **graduate of public undergraduate school:** 66%
- **graduate of private law school:** 61%
- **graduate of Florida law school:** 55%
- **median graduation date:** 1997

C. Educational Debt and Loan Repayment Assistance

- **have educational debt now:** 54 percent of all current attorneys; 100% of 2006 graduates
- **median current educational debt:** \$70,000 - \$79,000 of all current attorneys; \$90,000 - \$99,000 for 2004 - 2006 graduates; more than \$100,000 for 2006 graduates
- **receive LRAP assistance from any source:** 59%
- **receive LRAP assistance from the Foundation:** 85 attorneys
- **Florida law school LRAPs:** only a small program at St. Thomas University School of Law

D. Bar Exams and Licenses

- **cost of bar review courses:** About \$2,500; 21 programs do not reimburse some or all of the cost
- **provide paid time off to study for the Bar:** 14 programs
- **Florida Bar exam:** 14% of current attorneys took the bar 2 or 3 times and are disproportionately minority attorneys

E. Attorney Recruitment, Hiring and Retention

Florida law student recruitment. Recruitment efforts, outside of the Summer Fellows program and national career fairs, are carried out by individual programs, and not coordinated statewide. Law school public interest staff and faculty suggested improving recruitment by increasing salaries, better marketing, specific marketing about the Foundation's LRAP, and on-campus interviews.

Career fairs

- 7 of 89 top candidates from national legal career fairs were hired
- Most programs do not follow up with potential applicants

Summer fellows. One hundred eighteen (118) law students were summer fellows in the last five years. Seventeen of the 78 who have graduated (22%) are currently attorneys with ten of the programs. Low salaries is the primary reason given by former fellows for not working for Florida civil legal aid now. Ideas given by former fellows or current attorneys for better recruitment of summer fellows include:

- Provide a quality "hands-on" experience
- Offer mentoring and networking opportunities
- Keep in touch with the former fellows
- Make offers early
- Make offers more financially attractive

Equal Justice Works fellows. Nine of the 54 former Florida EJW fellows are attorneys with Florida civil legal aid.

Recruitment, interviewing and hiring processes. Current attorneys rate these processes of their employers between average and below average. They think these processes should be prioritized and speeded up. Suggestions are made for more active, widespread recruitment, particularly for more racially/ethnically diverse candidates. Many said that salaries and LRAP assistance have to be increased to have successful recruitment. Several ideas are given for recruitment of attorneys for rural and high cost areas, as well as racially/ethnically diverse and bi-lingual attorneys.

New hires. Attorneys with varied experience levels were hired in 2005 and 2006.

- Pre-2000 law graduates: 28%
- 2000 through 2004 law graduates: 33%
- 2005 or 2006 law graduates: 41%

Length of employment with current employer and all civil legal aid. The median length of time of employment attorneys have with their current legal aid employer is 36 months. The combined median length of time attorneys have worked for any civil legal aid program is 5 years.

F. Salaries

Current salary determinations. Fifteen of the programs have salary scales, but only eleven adhere to them. With or without a scale, most of the programs that provided information report that actual salaries are based on years of experience. Some use other factors such as type of experience, length of service, level of work, quality of work and merit, achievement of goals, and pay for performance.

Recent salary increases

- most programs gave salary increases in 2006 or 2007
- increases ranged from three percent to 18 percent (if percentage) and \$2,000 - \$10,000 (if flat amount), or some programs gave both.

Bonuses

- # of programs that gave bonuses in 2006: 10
- range of bonuses: \$200 - \$4,000

Starting salaries

- median starting salary for licensed attorneys: \$38,500
- # of programs that pay \$40,000 or above: 12 programs

Median salaries of current staff attorneys

- 2006 graduate (less than a year) \$38,000
- 2005 graduate (1 year) \$38,500
- 2004 graduate (2 years) \$40,000
- 2001 graduate (5 years) \$45,818
- 1996 graduate (10 years) \$60,000
- 1986 graduate (20 years) \$57,337

Median salary of all current attorneys: \$50,000

Assistant public defenders' salary ranges

- starting salary \$39,084 (Tallahassee) to \$42,000 (Miami)
- 5 years experience \$49,763 (Pensacola) to \$64,652 (Jacksonville)
- 10 years experience \$52,584 (Pensacola) to \$82,541 (Miami)
- 20 years experience \$67,644 (Tallahassee) to \$90,209 (Miami)

Assistant state’s attorneys’ salary ranges

- starting salary \$39,084 (Miami) to \$44,000 (Pensacola)
- 5 years experience \$56,706 (Pensacola) to \$71,009 (Jacksonville)
- 10 years experience \$64,514 (Miami) to \$99,103 (Tampa)
- 20 years experience \$103,920 (Tampa) to \$136,844 (Jacksonville)

Starting salaries for all types of Florida attorneys

- Median starting salary with no experience \$50,000
- Median starting for those with internship experience \$55,000

How current attorneys feel about civil legal aid salaries. Current attorneys were asked to rate their satisfaction with several aspects of their jobs. The scale was from a rating of one for “very unsatisfied” to a rating of five for “very satisfied.” Out of 38 different aspects of their jobs, “current salary” and “salary progression” were the only job aspects rated below a three. They received compilation ratings of 2.78 and 2.77, respectively.

The Report contains numerous quotes from current attorneys about the financial hardship caused by their low salaries, such as “...I struggle to support my family and have absolutely no financial freedom. My financial situation creates a lot of stress in my life and I am not sure how long I can continue to work in this sector, even though I believe in the importance of the work (the program) does and absolutely love my job.”

Standard of living. Buying a home is out-of-reach for many current attorneys with median home prices of \$244,900 to \$357,000 in the major Florida cities.

G. Turnover

Turnover in the last five years

- # of attorneys that left a Florida civil legal aid program: 317 (322 total but five changed programs due to regionalization)
- Average annual turnover rate: 20%
- 2005 and 2006 turnover rates: 23%
- Median length of employment of attorneys who left: 23 months

Comparison with Florida public defenders and state’s attorneys

- Public Defender average annual turnover rate for FY02-06: 22%
- State’s Attorney average annual turnover rate for FY02-06: 19%
- Public Defender FY06 rate: 26%
- State’s Attorney FY06 rate: 20%

Demographics of attorneys who left in the last five years

- # of attorneys: 322 (317 were analyzed because 5 changed programs due to regionalization)
- 87% were staff attorneys even though they are only 70% of current attorneys
- 2% part-time, compared to 10% of current attorneys

- 72% female, compared to 73% of current attorneys
- largest group who left is 31-35 years old (27%), compared to 18% of current attorneys in this age group
- 20% Black/African American, compared to 11% of current attorneys
- median graduation date of 2000 for those who left in 2006
- higher percentages of personal situations that could contribute to financial reasons for leaving (primary breadwinner, single, single income earner), compared to current attorneys
- median debt of \$70,000 - \$79,000 the same as current attorneys, but 73% have debt, compared to 54% of current attorneys
- 25% took the Florida bar exam more than once, compared to 14% of current attorneys

Top 5 reasons why attorneys left in the last five years (in order)

- financial pressure due to low salary
- poor management
- financial pressure due to student loans
- lack of professional support
- poor supervision

Current attorneys who think they will leave within the next five years

- percentage of attorneys: 56%
- more likely to be recent graduates—77% of 2004 – 2006 graduates
- generally have lower salaries
- more likely to have educational debt—65% compared to 40% of the attorneys who do not think they will leave
- more likely to want more job diversity—37% compared to 14% of other current attorneys
- more likely to give their supervisor a poor or below average rating—15% compared to 3% of other current attorneys
- more likely to experience emotional exhaustion, demanding client interactions, and frustration than other current attorneys

Top 5 reasons (in order) why attorneys think they will leave in the next five years

- financial pressure due to low salary
- financial pressure due to student loans
- burn-out
- financial pressure due to other extraordinary expenses
- personal reason

Changes that would “definitely” or “probably” impact decision of attorneys to leave

- salary increase: 65% say it would impact decision
- amount of increase that would have impact: median of \$12,000 & most frequent answer of \$10,000
- annual increase in salary: 50% say it would impact decision

- new or additional LRAP assistance: 44% say it would impact decision
- higher level position became available: 33% say it would impact decision

Other changes attorneys say are needed for them to stay

- better management, supervision and support staff assistance
- more manageable workload and less stress
- better health benefits, more flexible work-time, and more vacation
- other types of work and diversity of work

H. Human Resources Management

Non-Salary Compensation

- Health insurance: Although all programs provide health insurance, the premium share and co-payments are a financial struggle for many attorneys.
- Dental insurance: 23 programs provide coverage and 17 pay the full premium.
- Disability insurance: 17 programs provide short-term disability and 25 provide long-term disability. All but one pay 100% of the premium.
- Life insurance: 26 programs provide life insurance and pay 100% of the premium.
- Retirement benefits: 25 programs have a 403(b) or a 401(k) plan. 22 programs contribute 2 to 10.71% annually. One program has a pension. Many current attorneys expressed the need for better retirement benefits.
- Mileage reimbursement: 17 programs pay the IRS rate of 48.5 cents. Other programs pay less, and one program pays nothing.

Work-time Policies. Most programs do not have part-time policies, but many allow it. Some older attorneys would like to work part-time. Many, many current attorneys appreciate the flexible schedules of their programs.

Leave Policies. Some attorneys would like more vacation time, and others said they do not have the time or money to take a vacation. Longer term attorneys would like to be able to take a paid sabbatical.

Orientation and Training

- 4 programs have written training policies
- 17 programs have standard orientation for new attorneys; current attorneys would like more extensive orientation
- 76% of 2005 and 2006 graduates have a mentor in their program; 64% of their mentors are their supervisor

Supervision. Many attorneys would like closer supervision, and supervisors would like additional training and more time to supervise.

Diversity and Rotations

- 78% of current attorneys think an inner-program rotation should be offered
- 72% of current attorneys think an inter-program rotation should be offered
- 49% of current attorneys would like to do a rotation

Leadership Development

- 65% of current attorneys think leaders are developed by their program
- 76% of current attorneys identify themselves as a leader

Recognition. Nearly one-third of the current attorneys do not receive the amount and kind of recognition for their work they would like.

Job Stress

- 31% of current attorneys find their job “very” emotionally draining
- 65% of current attorneys experience frustration or emotional exhaustion on the job “always” or “frequently”

Tables, Charts and Graphs

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Florida Civil Legal Aid Programs included in the Study

1. Bay Area Legal Services
2. Brevard County Legal Aid
3. Coast to Coast Legal Aid of South Florida
4. Community Law Program
5. Community Legal Services of Mid-Florida
6. Florida Equal Justice Center
7. Florida Immigrant Advocacy Center
8. Florida Institutional Legal Services
9. Florida Justice Institute
10. Florida Legal Services
11. Florida Rural Legal Services
12. Guardianship Program of Dade County
13. Gulfcoast Legal Services
14. Heart of Florida Legal Aid Society
15. Jacksonville Area Legal Aid
16. Lee County Legal Aid Society
17. Legal Advocacy Center of Central Florida
18. Legal Aid of Manasota
19. Legal Aid Service of Broward County
20. Legal Aid Society of the Dade County Bar Association
21. Legal Aid Society of the Orange County Bar Association
22. Legal Aid Society of Palm Beach County
23. Legal Services of Greater Miami
24. Legal Services of North Florida
25. Northwest Florida Legal Services
26. Seminole County Bar Association Legal Aid Society
27. Southern Legal Counsel
28. Three Rivers Legal Services

Florida Civil Legal Aid Recruitment and Retention Study Current Attorney Survey Questions

1. DEMOGRAPHICS

1. What civil legal aid program do you work for?
2. In what city do you work?
3. What is your current position?
4. Are you full-time or part-time?
5. If part-time, for what percentage of part-time are you employed in your position?
6. What is your gender?
7. What is your age?
8. What is your race or ethnic origin?
9. What languages, other than English, do you know well enough to use in your work?
10. What is your marital status?
11. How many adults earn income in your household?
12. Are any of these adults roommates only?
13. Are you the primary breadwinner for your family?
14. How many children under age 22 do you have?
15. How many dependents (children or adult) live with you or do you pay child support for?
16. In what range is your salary?
17. What is your salary? (The previous question allows for easy analysis between groups. This question allows for analysis within groups, if certain trends require it.)
18. Did you receive a bonus in 2006?
19. If you received a bonus in 2006, how much was it?

2. EDUCATION AND LAW LICENSES

20. Did you attend a public or private undergraduate school?
21. Did you attend a public or private law school?
22. Did you graduate from law school in Florida?
23. What year did you graduate from law school?
24. How many times did you take the Florida Bar exam?
25. Are you licensed in Florida?
26. What year did you become licensed in Florida?
27. Are you licensed to practice law in another state?
28. Are you licensed to practice in federal court?

3. EDUCATIONAL LOANS

29. What was your total educational debt (from all schooling) when you graduated from law school? (round to nearest thousand)
30. Do you have educational debt now?
31. If you no longer have educational debt, how long did it take you to pay off your debt?
32. If you still have educational debt, how much is your educational debt?

33. If you still have educational debt, when do you estimate you will pay off your loans?
34. Are you currently the recipient of a Loan Repayment Assistance Program (LRAP)?
35. If you are the recipient of an LRAP, what is the source? (check all that apply)
36. Are you a previous recipient of an LRAP?
37. If you are a previous LRAP recipient, what was the source? (check all that apply)

4. CIVIL LEGAL AID BACKGROUND

38. Are you currently an Equal Justice Works Fellow?
39. Were you an EJW Fellow previously?
40. If you were previously an EJW Fellow, where did you do your fellowship?
41. Were you a Summer Fellow with your present employer?
42. Were you a Summer Fellow with another civil legal aid program?
43. Were you a Public Service Fellow with your present employer?
44. Were you a Public Service Fellow with another Florida civil legal aid program?
45. Did you do another type of clerkship during law school with your present employer?
46. Did you do another type of clerkship during law school with another civil legal aid program?
47. Are you in your first legal job after graduation from law school?
48. Please check your post-college work experience prior to this position. (Check all that apply.)
49. What was your original goal(s) for pursuing a civil legal aid position?
50. How well have your initial career goals been met?
51. When you chose your present employer, did you apply only to civil legal aid programs?
52. How did you choose the legal organizations to which you applied when you chose your present employer? (check all that apply)
53. Do you feel you were specifically recruited for this position, i.e., you did not know about it and someone asked you to look into it or apply?
54. How did you find out about your present position?
55. What affected your decision on where to interview? (check all that apply)
56. What affected your decision on accepting a position with your present employer? (check all that apply)
57. In what year did you become employed with your present employer?
58. Please check all the positions you have had with your present employer.
59. How many total years have you worked for civil legal aid programs in Florida and other states? (round to the nearest number of years)
60. Please check all the positions you have had with any civil legal aid program.
61. Please check the number of civil legal aid programs you have worked for after law school.

5. CURRENT JOB SITUATION

62. How many hours per week do you work in a typical week?
63. Please rate the frequency of the following activities in your current position.
64. If you practice exclusively or almost exclusively in one area of the law, please check that area:
65. Approximately how many total cases did you handle, not just close, in 2006?
66. How emotionally draining do you find your job?

- 67. How often do you experience the following situations?
- 68. Please rate the importance to you of the following aspects of your job.
- 69. Please rate your satisfaction with the following aspects of your job.
Rating of 1 to 5 with 1 being Very Unsatisfied and 5 being Very Satisfied
- 70. Please identify any other aspect(s) of your job you consider important and rate your satisfaction with it/them.
- 71. Would you like your position to involve more diverse types of work or cases or challenges?
- 72. If you would like your position to be more diverse, how would you like it changed?
- 73. Do you feel you know how to utilize support staff?
- 74. What do you think your salary should be in your present position?
- 75. How would you rate your supervisor's supervision of you?
- 76. If your supervisor would make improvements in their supervision of you, what would you suggest?
- 77. In what ways would you like your program to improve "quality of life" aspects of the program?
(You can define quality of life as you like.)

6. FUTURE PLANS

- 78. Do you think you will leave your program in the next five years?
(If you answered no, please skip to Question 87.)
- 79. Within how many years do you think you will leave?
- 80. Please rate the reasons you think you will leave.
Rating of 1 to 5 with 1 being Very Unimportant and 5 being Very Important
- 81. What is the primary reason you think you will leave?
- 82. Would an increase in your salary impact your decision to remain in your position?
- 83. If a salary increase would make a difference, what dollar amount would impact your decision?
- 84. Would knowing that you would receive annual increases in your salary impact your decision to remain in your position?
- 85. Would new or additional assistance from a Loan Repayment Assistance Program (LRAP) impact your decision to leave your position?
- 86. If LRAP assistance would make a difference, what dollar amount would impact your decision?
- 87. If a higher level position became available for you at your employer, would that impact your decision to remain with your employer?
- 88. What else would it take for you to stay?
- 89. What type of employment do you think you will go to? (check all that apply)
- 90. What do you expect to gain by leaving your current position?

7. RESPONDENTS NOT PLANNING TO LEAVE; PLEASE BEGIN ANSWERING QUESTIONS AGAIN HERE

- 91. If you are not planning on leaving, how would you like your job to change so you have more satisfaction or effectiveness?

8. CURRENT RECRUITMENT, INTERVIEWING AND HIRING PROCESSES

- 92. How would you rate these processes of your current employer?
- 93. Please share aspects about your employer's recruitment, interviewing and hiring process that you think would be helpful to know (good and/or bad) in designing effective processes.

94. How could summer fellows and public service fellows, who are good, be recruited more effectively as staff attorneys?
95. How can programs recruit and retain attorneys successfully in rural or remote areas?
96. How can programs recruit and retain attorneys successfully in high cost areas?
97. How can programs recruit and retain attorneys successfully in areas at risk of hurricanes?
98. How can programs recruit and retain more attorneys from a variety of racial/ethnic groups?
99. How can programs recruit and retain more bi-lingual attorneys?

9. ATTORNEY RECOGNITION AND DEVELOPMENT

100. Do you receive the amount and kind of recognition for your work that you would like?
101. What are your thoughts on how recognition is or can be done effectively by your program?
102. What "people-skills" training would improve your job performance?
103. What legal (substantive or skills) training would improve your job performance?
104. Do you have an individual development plan or staff development plan that you have developed with your supervisor?
105. Do you feel you have been or are mentored by someone in your program?
106. If you do feel you are or have been mentored by someone in your program, was the mentor your supervisor?
107. Are there positions you would like to advance to in your program?
108. If there are positions you would like to advance to in your program, do you feel you have the opportunity to do that?
109. If you do not feel you have the opportunity to advance to other positions in your program, why not?
110. If there are positions you would like to advance to in your program and you think you have the opportunity to do so, what additional skills or experiences do you need and how could you obtain them?
111. Do you think Florida civil legal aid should give attorneys the ability to rotate within their program if they would like, in order to get different experiences or to stimulate new activity/thinking? (A rotation would be a short-term assignment, maybe between 3 and 12 months.)
112. Do you think Florida civil legal aid should give attorneys the ability to rotate through other programs if they would like, in order to get different experiences or to stimulate new activity/thinking? (A rotation would be a short-term assignment, maybe between 3 and 12 months.)
113. If rotations were offered, would you like to do one or more?
114. Do you think leaders are developed in your program?
115. How do you think leaders are developed or could be developed in your program?
116. Do you define yourself as a leader?
117. If you do not define yourself as a leader, would you like to become a leader?
118. How do you define a leader?

10. OTHER COMMENTS/SUGGESTIONS

119. Are there any other comments and suggestions you would like to make about recruitment and retention of civil legal aid attorneys in Florida?

11. OTHER INFORMATION FOR THE STUDY

120. The study will also include talking about recruitment and retention issues with current attorneys through telephone interviews, in-person interviews and focus groups. The information gathered will be confidential. Please check if you would like to be considered for an interview or focus group.

121. Please identify anyone that is not currently an attorney in a Florida civil legal aid program that you think has useful insight into recruitment and retention issues and may be willing to share their thoughts. Please include their name, position or former position, e-mail and telephone.

122. As stated at the beginning of the survey, all individual information will be held confidential.

Even if you do not want to be interviewed or participate in a focus group, you are encouraged to provide your contact information for possible follow-up on answers with you and to correlate some individual data with program data.

If you marked that you would like to be considered for an interview or focus group, then you must include your contact information so you can be reached.

Please include your name, e-mail address and telephone number.

Florida Civil Legal Aid Recruitment and Retention Study
Former Attorney Survey Questions
(Attorneys who left in 2002-2006)

1. DEMOGRAPHICS

1. What civil legal aid program did you work for when you left your last civil legal aid position?
2. In what city did you work when you left your previous employer?
3. What was the position you left?
4. Were you full-time or part-time?
5. If part-time, for what percentage of part-time were you employed in your position?
6. What is your gender?
7. What is your age?
8. What is your race or ethnic origin?
9. What languages, other than English, do you know well enough to use in your work?
10. What was your marital status when you were in your previous employment?
11. How many adults earned income in your household when you were in your previous employment?
12. Were any of these adults roommates only?
13. Were you the primary breadwinner for your family?
14. How many children under age 22 did you have when you were in your previous employment?
15. How many dependents (children or adult) lived with you or did you pay child support for when you were in your previous employment?

2. EDUCATION AND LAW LICENSES

16. Did you attend a public or private undergraduate school?
17. Did you attend a public or private law school?
18. Did you graduate from law school in Florida?
19. What year did you graduate from law school?
20. How many times did you take the Florida Bar exam?
21. Are you licensed in Florida?
22. What year did you become licensed in Florida?
23. Are you licensed to practice law in another state?
24. Are you licensed to practice in federal court?

3. EDUCATIONAL LOANS

25. What was your total educational debt (from all schooling) when you graduated from law school? (round to nearest thousand)
26. Do you have educational debt now?
27. If you no longer have educational debt, how long did it take you to pay off your debt?
28. If you still have educational debt, how much is your educational debt?
29. If you still have educational debt, when do you estimate you will pay off your loans?
30. Are you currently the recipient of a Loan Repayment Assistance Program (LRAP)?
31. If you are the recipient of an LRAP, what is the source? (check all that apply)
32. Are you a previous recipient of an LRAP?
33. If you are a previous LRAP recipient, what was the source? (check all that apply)

4. CIVIL LEGAL AID BACKGROUND

34. Were you an Equal Justice Works Fellow?
35. If you were an EJW Fellow, where did you do your fellowship?
36. Were you a Summer Fellow with your previous employer?
37. Were you a Summer Fellow with another civil legal aid program?
38. Were you a Public Service Fellow with your previous employer?
39. Were you a Public Service Fellow with another Florida civil legal aid program?

40. Did you do another type of clerkship during law school with your previous employer?
41. Did you do another type of clerkship during law school with another civil legal aid program?
42. Was the civil legal aid employment you left your first legal job after graduation from law school?
43. If it was not your first legal job, what job(s) did you have prior to your previous employment? (check all that apply)
44. What was your original goal(s) for pursuing a civil legal aid position?
45. How well were your initial career goals met?
46. When you chose to work for your previous employer, did you apply only to civil legal aid programs?
47. How did you choose the legal organizations to which you applied when you chose your previous employment? (check all that apply)
48. Do you feel you were specifically recruited for the position you had with your previous employer, i.e., you did not know about it and someone asked you to look into it or apply?
49. How did you find out about the position?
50. What affected your decision on where to interview when you interviewed with your previous employer? (check all that apply)
51. What affected your decision on accepting a position with your previous employer? (check all that apply)
52. In what year did you become employed with your previous employer?
53. In what year did you leave that program?
54. Please check all the positions you had with your previous employer.
55. How many total years have you worked for civil legal aid programs in Florida and other states? (round to the nearest number of years)
56. Please check all the positions you have had with any civil legal aid program.
57. Please check the number of civil legal aid programs you have worked for after law school.

5. JOB SITUATION WHILE YOU WERE AT YOUR PREVIOUS EMPLOYER

58. In what range was your salary when you left your previous employer?
59. What was your actual salary? (The previous question allows for easy analysis between groups. This question allows for analysis within groups, if certain trends require it.)
60. How many hours per week did you work in a typical week?
61. Please rate the frequency of the following activities in that position.
62. If you practiced exclusively or almost exclusively in one area of the law, please check that area:
63. Approximately how many total cases did you handle, not just close, in the last year you were with the program?
64. How emotionally draining did you find your job?
65. How often did you experience the following situations?
66. Please rate the importance to you of the following aspects of your previous employment.
67. Please rate your satisfaction with the following aspects of your previous employment.
68. Please identify any other aspect(s) of that job you considered important and rate your satisfaction with it/them when you left.
69. Would you have liked your position to involve more diverse types of work or cases or challenges?
70. If you would have liked your position to be more diverse, how would you have liked it changed?
71. Did you feel you knew how to utilize support staff?
72. What did you think your salary should have been when you left your previous employment?
73. How would you rate your supervisor's supervision of you?
74. If your supervisor would have made improvements in their supervision of you, what would you have suggested?
75. In what ways would you have liked your previous employer to improve "quality of life" aspects of the program? (You can define quality of life as you like.)

6. WHY YOU LEFT AND EMPLOYMENT SINCE LEAVING

76. Please rate the reasons you left your previous employment.
Rating of 1 to 5 with 1 being Very Unimportant and 5 being Very Important
77. Would an increase in your salary have impacted your decision to leave?
78. If a salary increase would have made a difference, what dollar amount would have impacted your decision?
79. Would knowing that you would receive annual increases in your salary have impacted your decision to leave?
80. Would new or additional assistance from a Loan Repayment Assistance Program (LRAP) have impacted your decision to leave?
81. If LRAP assistance would have made a difference, what dollar amount would have impacted your decision?
82. If a higher level position would have become available for you at your previous employer, would that have impacted your decision to leave?
83. What else would it take for you to stay?
84. What type of employment did you take when you left your previous employment?
85. What did you expect to gain by leaving your previous employment and did you gain it?
86. What do you feel you lost by leaving your previous employment?
87. How many jobs have you had since you left your last civil legal aid position in Florida?
88. How long do you expect to stay in your present employment?
89. What was the difference in your salary when you left your former civil legal aid position and took your next position?
90. What is your current salary? (Do not include bonuses.)
91. If you received a bonus in 2006, how much was it?
92. If you are not planning on leaving, how would you like your job to change so you have more satisfaction or effectiveness?

7. RECRUITMENT, INTERVIEWING AND HIRING PROCESSES IN FLORIDA CIVIL LEGAL AID

93. How would you rate these processes of your previous employer?
94. Please share aspects about your previous employer's recruitment, interviewing and hiring process that you think would be helpful to know (good and/or bad) in designing effective processes.
95. How could summer fellows and public service fellows, who are good, be recruited more effectively as staff attorneys in Florida civil legal aid programs?
96. How can Florida civil legal aid programs recruit and retain attorneys successfully in rural or remote areas?
97. How can programs recruit and retain attorneys successfully in high cost areas?
98. How can programs recruit and retain attorneys successfully in areas at risk of hurricanes?
99. How can programs recruit and retain more attorneys from a variety of racial/ethnic groups?
100. How can programs recruit and retain more bi-lingual attorneys?

8. YOUR PREVIOUS EMPLOYER'S ATTORNEY RECOGNITION AND DEVELOPMENT

101. Did you receive the amount and kind of recognition for your work that you would have liked?
102. What are your thoughts on how recognition was or could have been done effectively by your previous employer?
103. What "people-skills" training would have improved your job performance?
104. What legal (substantive or skills) training would have improved your job performance?
105. Did you have an individual development plan or staff development plan that you developed with your supervisor?
106. Were you mentored by someone at your previous employment?
107. If you were mentored, was the mentor your supervisor?
108. Were there positions you would have liked to advance to in your previous employment?
109. If there were positions you would have liked to have advanced to in your previous employment, do you feel you had the opportunity to do that?
110. If you do not feel you had the opportunity to advance to other positions in your previous employment, why not?

111. Do you think Florida civil legal aid should give attorneys the ability to rotate within their program if they would like, in order to get different experiences or to stimulate new activity/thinking? (A rotation would be a short-term assignment, maybe between 3 and 12 months.)

112. Do you think Florida civil legal aid should give attorneys the ability to rotate through other programs if they would like, in order to get different experiences or to stimulate new activity/thinking? (A rotation would be a short-term assignment, maybe between 3 and 12 months.)

113. If rotations were offered, would you have liked to have done one or more?

114. Do you think leaders are developed in your previous employment?

115. How do you think leaders are developed or could be developed in your previous employment?

116. Do you define yourself as a leader?

117. If you do not define yourself as a leader, would you like to become a leader?

118. How do you define a leader?

9. OTHER COMMENTS/SUGGESTIONS

119. Are there any other comments and suggestions you would like to make about recruitment and retention of civil legal aid attorneys in Florida?

10. OTHER INFORMATION FOR THE STUDY

120. Please identify anyone that you think has useful insight into Florida civil legal aid's recruitment and retention issues, and may be willing to share his or her thoughts. Please include their name, position or former position, e-mail and telephone.

121. The study will also include talking about recruitment and retention issues with attorneys who have left civil legal aid, through telephone interviews, in-person interviews and focus groups. The individual conversations will be confidential. Please check if you would like to be considered for an interview or focus group.

11. CONTACT INFORMATION

As stated at the beginning of the survey, all individual information will be held confidential.

Even if you do not want to be interviewed or participate in a focus group, you are encouraged to provide your contact information for possible follow-up on answers with you and to correlate some individual data with program data.

If you marked that you would like to be considered for an interview or focus group, then you must include your contact information so you may be reached.

122. Please include your name, e-mail address and telephone number.

Florida Civil Legal Aid Recruitment and Retention Study Former Summer Fellows Survey Questions

1. DEMOGRAPHICS

1. In what civil legal aid program were you a Florida Bar Foundation Summer Fellow?
2. In what city did you do your fellowship?
3. During what summer did you do your fellowship?
4. What is your gender?
5. What was your age when you did your summer fellowship?
6. What is your race or ethnic origin?
7. What languages, other than English, do you know well enough to use in your work?

2. FELLOWSHIP

8. Please rate the frequency of the following activities during your fellowship.
9. Please rate your satisfaction with the following aspects of your fellowship. Rating of 1 to 5 with 1 being Very Unsatisfied and 5 being Very Satisfied
10. Please identify any other aspect(s) of your fellowship you considered important and rate your satisfaction with it/them.
11. How would you rate your supervisor's supervision of you?
12. If your supervisor would have made improvements in their supervision of you, what would you have suggested?
13. What did you like about your fellowship?
14. What are your suggestions for improving the Summer Fellow experience?
15. Please provide any additional comments about your fellowship.
16. How can Summer Fellows be recruited effectively for staff attorney positions in Florida civil legal aid?

3. LAW SCHOOL

17. Did you attend or are you attending a public or private law school?
18. Did you or will you graduate from law school in Florida?
19. From what law school did you or will you graduate?
20. What year did you or will you graduate from law school?

4. LEGAL CAREER

IF YOU HAVE NOT GRADUATED FROM LAW SCHOOL YET, PLEASE SKIP TO QUESTION 31 IN SECTION 5.

21. What type(s) of legal jobs have you had since law school graduation? (check all that apply)
22. What type of job do you have currently?
23. Do you work in Florida?
24. Are you currently employed by a civil legal aid program in Florida?
25. If you ARE currently employed by a civil legal aid program in Florida, is it the program at which you were a Summer Fellow?
26. If you are NOT currently employed by a civil legal aid program in Florida, were you ever employed after law school by the program at which you were a Summer Fellow?
27. If you are NOT currently employed by a civil legal aid program in Florida, would you like to be?
28. If you are NOT currently employed by a Florida civil legal aid program and would like to be, why are you not employed by one of the programs or what are the barriers to that employment?
29. If you have worked or are working for a civil legal aid program in Florida or other states, how many total years have you worked in civil legal aid after law school? (round to the nearest number of years)
30. Please check the answer that applies regarding your support of legal services for the poor.

5. OTHER COMMENTS/ SUGGESTIONS

31. Are there any other comments and suggestions you would like to make about recruitment and retention of civil legal aid attorneys in Florida? (If you had two fellowships, please add any comments about the other fellowship here.)

CONTACT INFORMATION

As stated at the beginning of the survey, all individual information will be held confidential. However, you are encouraged to provide your contact information for possible follow-up on answers with you.

32. Please include your name, e-mail address and telephone number.

Florida Civil Legal Aid Recruitment and Retention Study Top Career Fair Candidates Survey Questions

1. DEMOGRAPHICS

1. What is your gender?
2. What is your race or ethnic origin?
3. What languages, other than English, do you know well enough to use in your work?
4. What year did you or will you graduate from law school?
5. From what law school did you or will you graduate?

2. CAREER FAIRS AND RECRUITMENT BY FLORIDA CIVIL LEGAL AID PROGRAMS

6. Please check the career fair(s) you attended. (These are the fairs at which Florida civil legal aid programs recruited.)
7. Check the civil legal aid programs in Florida that contacted you after the career fair.
8. Check the civil legal aid programs in Florida that you contacted without them contacting you first.
9. Check the civil legal aid programs in Florida with which you applied for a position.
10. Check the civil legal aid programs in Florida with which you interviewed for a position.
11. Check the civil legal aid programs in Florida with which you were offered a position.
12. If you were offered a position with a Florida civil legal aid program, why did you not take it?

3. RECRUITMENT PROCESS

13. How would you rate the recruitment process of civil legal aid programs in Florida?
14. What did you like about the recruitment process?
15. What are your suggestions for improving the recruitment process?
16. Please provide any additional comments about the recruitment process.

4. LEGAL CAREER

17. What type(s) of legal jobs have you had or accepted (if 2007 graduate) since law school graduation? (check all that apply)
18. What type of job do you have currently?
19. Do you work in Florida?
20. Would you like to be employed by a civil legal aid program in Florida?

5. OTHER COMMENTS/SUGGESTIONS

21. Are there any other comments and suggestions you would like to make about recruitment and retention of civil legal aid attorneys in Florida?

6. CONTACT INFORMATION

- As stated at the beginning of the survey, all individual information will be held confidential. However, you are encouraged to provide your contact information for possible follow-up on answers with you.
22. Please include your name, e-mail address and telephone number.

Characteristics of Generations

Generations of Americans have differences in experiences, how they see the world, how they relate to people, and what is important to them. Susan Etheridge and Ann Skalaski developed a list of generational characteristics and their implications for lawyer satisfaction/retention strategies in law firms for a NALP presentation that is a good summary of many researchers' findings about the generations. Their retention strategies are in italics.³⁸

Veterans (born before 1946)

- Financially and socially conservative.
- Respectful of authority.
- Loyal to company.

Baby Boomers (born between 1946 and 1964)

- Experienced increased competition for jobs and limited upward mobility.
- Tend to question authority and the status quo.
- Generally believe that hard work and long service will yield rewards.

Generation X (born between 1965 and 1979)

- Techno-savvy and entrepreneurial. *Encourage their marketing efforts.*
- Watched as Veterans and Boomers were downsized.
- Interested in developing their individual skills. *Professional development is critical to job satisfaction and loyalty.*
- Loyal to projects and possibly clients, but willing to move from firm to firm. *Client involvement can reduce attrition.*

Millennial Generation or Generation Y (born after 1980)

- Loyal and hardworking when they see value in what they do.
- Truth detectors are always on and they do not give second chances if deceived. Honesty and integrity are the attributes that they admire most. *Communicate honestly with them.*
- They equate training and development with opportunity and reward. *Provide professional development opportunities.*
- Want to understand the big picture both in legal matters and firm issues.
- Advise elders on technological issues and expect to be asked for input. *Need to make them feel like part of the team.*
- Used to setting and achieving goals. *Firm needs to help them set realistic goals.*

³⁸ NALP 2007 Annual Education Conference, *Why Lawyers Leave: Myth versus Reality*, Susan Etheridge and Ann Skalaski, Professional Placement Services, Inc.

Appendix 9

**Florida Law School Racial/Ethnic Make-up and New England, Mid-Atlantic & Southern Law Schools
With Over 20% Minority Students**

	State	Total Enrollment	Total Minority	Per Cent Minority	African Amer.	Amer. Indian	Asian Amer.	Mex. Amer.	Puerto Rican	Hispanic
Florida										
Florida A&M University College of Law	FL	541	371	69%	255	6	18	0	12	80
Florida International University College of Law	FL	382	206	54%	37	2	9	0	0	158
St. Thomas University School of Law	FL	665	273	41%	60	1	31	7	9	165
Nova Southeastern University—Shepard Broad Law Center	FL	927	226	24%	42	3	25	4	13	139
University of Miami School of Law	FL	1,208	280	23%	84	3	51	0	0	142
University of Florida, Fredric G. Levin College of Law	FL	1,364	279	21%	80	3	68	0	0	128
Barry University Dwayne O. Andreas School of Law	FL	563	111	20%	29	4	24	3	0	51
Stetson University College of Law	FL	1,033	201	20%	60	6	27	4	16	88
The Florida State University College of Law	FL	765	143	19%	43	6	33	1	12	48
Florida Coastal School of Law	FL	1,278	233	18%	95	15	53	4	8	58
Florida Total		8,726	2,323	27%	785	49	339	23	70	1,057
Florida Percent		-	-	27%	9%	1%	4%	0%	1%	12%
New England										
Yale Law School	CT	579	171	30%	44	1	80	10	3	33
Boston University School of Law	MA	836	174	21%	33	2	111	6	3	19
Harvard Law School	MA	1,719	526	31%	190	14	203	29	13	77
Northeastern University School of Law	MA	626	169	27%	38	6	71	0	0	54
New England Total		4,541	1,227	27%	345	24	559	64	25	210
New England Percent				27%	8%	1%	12%	1%	1%	5%
Mid-Atlantic										
American University, Washington College of Law	DC	1,483	503	34%	122	15	172	37	14	143
Georgetown University Law Center	DC	1,978	478	24%	189	5	179	18	10	77
Howard University School of Law	DC	430	361	84%	322	3	25	0	0	11
The George Washington University Law School	DC	1,693	438	26%	146	8	166	0	0	118

	State	Total Enrollment	Total Minority	Per Cent Minority	African Amer.	Amer. Indian	Asian Amer.	Mex. Amer.	Puerto Rican	Hispanic
University of the District of Columbia School of Law	DC	235	103	44%	71	2	12	5	0	13
University of Maryland School of Law	MD	826	262	32%	123	4	81	1	0	53
Rutgers University School of Law—Newark	NJ	815	312	38%	120	2	102	9	30	49
Rutgers—SUNJ—School of Law—Camden	NJ	766	163	21%	41	1	65	9	10	37
Benjamin N. Cardozo School of Law, Yeshiva University	NY	1,036	215	21%	39	3	109	15	10	39
Brooklyn Law School	NY	1,494	394	26%	88	2	221	12	18	53
City University of New York School of Law	NY	421	131	31%	30	1	66	0	2	32
Columbia University School of Law	NY	1,233	360	29%	95	11	174	43	14	23
Cornell Law School	NY	561	140	25%	36	6	69	9	10	10
Fordham University School of Law	NY	1,512	381	25%	76	11	163	6	12	113
Hofstra University School of Law	NY	1,129	249	22%	88	2	96	0	0	63
New York Law School	NY	1,511	346	23%	88	3	140	17	17	81
New York University School of Law	NY	1,442	345	24%	124	0	153	8	6	54
St. John's University School of Law	NY	921	210	23%	54	2	89	5	8	52
Syracuse University College of Law	NY	689	138	20%	32	9	70	0	0	27
Touro College—Jacob D. Fuchsberg Law Center	NY	732	167	23%	76	4	59	0	0	28
Penn State University, The Dickinson School of Law	PA	608	138	23%	59	1	42	0	12	24
University of Pennsylvania Law School	PA	762	231	30%	61	5	110	9	8	38
Temple University—James E. Beasley School of Law	PA	1,004	236	24%	81	6	108	8	9	24
Mid-Atlantic Total		23,281	6,301	27%	2,161	106	2,471	211	190	1,162
Mid-Atlantic Percent				27%	9%	0%	11%	1%	1%	5%
The South - not including Florida										
University of Arkansas School of Law	AK	428	110	26%	77	8	16	2	1	6
Emory University School of Law	GA	674	177	26%	62	0	72	0	0	43
John Marshall Law School—Atlanta	GA	358	84	23%	52	2	11	0	0	19
University of Georgia School of Law	GA	670	131	20%	94	2	21	0	0	14
Loyola University New Orleans College of Law	LA	796	196	25%	98	7	35	7	2	47
Southern University Law Center	LA	480	276	58%	267	0	5	0	0	4
Duke University School of Law	NC	630	149	24%	64	2	60	2	1	20
North Carolina Central University School of Law	NC	537	277	52%	242	5	18	1	3	8
University of North Carolina School of Law	NC	712	150	21%	51	14	45	5	0	35
South Total - not including Florida		5,285	1,550	29%	1,007	40	283	17	7	196

State	Total Enrollment	Total Minority	Per Cent Minority	African Amer.	Amer. Indian	Asian Amer.	Mex. Amer.	Puerto Rican	Hispanic
South Percent - not including Florida			29%	19%	1%	5%	0%	0%	4%



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